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STRATEGIC APPLICATIONS SUB-COMMITTEE 2nd NOVEMBER 2021

ADDENDUM LIST (2)

Submission of an e-petition

An e-petition has been submitted which at the time of writing contained over 1000 signatures. The petition has been submitted on two counts:

1. Council to withdraw or refuse planning application DPP4/20/01627 due to be considered at a Planning Sub Committee 2nd Nov
2. Council Environment, Climate Emergency and Transport Committee NOT to appoint a contractor to carry out the West Kirby Flood alleviation scheme.

In terms of the planning reasons the petitioner objects to the proposal on the following grounds: -

1. The proposal will destroy the promenade. It will block views and reduce the width of the walkway by one third. The proposal is contrary to Local Plan policies (CAO1, TL1, CH01) to protect coastal views and prevent harm to the special character of the promenade.
2. Please DO NOT appoint a contractor to undertake the works. These works will destroy the character of West Kirby promenade and create tonnes of unnecessary CO2 due to the volumes of unnecessary concrete required.
3. Please DO continue to work with the Environment Agency and owners of properties at risk to pursue and implement other less intrusive and environmentally friendly flood alleviation options such as those detailed in the Councils own Project Appraisal Report (AECOM 13/12/2017 version 10) and others. These include demountable defences, strengthening walls and landscaping around existing properties, flood resilience measures directly to properties at risk, making the promenade flood resilient, using existing structures and accepting that some areas can flood without harm, installing flood gates to key roads, land raising highways at key points. There is a long list of alternative and feasible options. Note the cost estimate has doubled from £3 to £6m since the options were appraised and hence the appraisal should be considered void and revisited.
4. Please DO continue proposals for long overdue investment and basic maintenance in this area to tackle long disrepair of street lighting, upgrade road, footway surfaces and street furniture to make it flood resilient. Invest in the adjacent parks and greenspaces.

Summary of location of signatories

The location of the signatories can be briefly summarised as:-

West Kirby and Hoylake 285

Other Wirral 292

Other UK 412

Outside UK 22

In relation to point 1 of the objections and specifically in relation to the loss of views and a reduction in the width of the walkway, these are covered in the committee report.

The petitioner has suggested that the proposal is contrary to Unitary Development plan Policies,

CAO1 – Principles for the Coastal Zone

This overarching Policy states that proposals for development will have to satisfy additional development control criteria which specifically relate

i) preserving and enhancing the character of the coast, in particular, its national and international importance for nature conservation and the quality of the coastal landscape;

(ii) directing development appropriate to the coastal zone to the developed coast;

(iii) provision for appropriate and environmentally sustainable tourism and recreation, and (within the developed coast) employment development; and

(iv) the need to improve the quality of bathing and coastal waters.

In terms of Nature Conservation, the applicants have submitted a Habitats Regs Assessment (HRA) This has been assessed by Natural England as a statutory consultee which concludes that the proposal will not result in adverse effects on the integrity of the designated sites.

The location proposed flood defence wall is as a result of the Coastal Strategy and Action Plan identifying West Kirby as the highest priority for intervention. This application has been submitted to seek approval for the works required to address the identifiable need to address coastal Protection in this area.

With regards to the provision of environmentally sustainable tourism and recreational facilities, the proposal includes the upgrade of the public realm, the refurbishment of the site of the derelict old bath site with 1500m² of open space created and the refurbishment of the Victorian shelters and railings.

For these reasons, it is considered that the proposal meets the requirements of CAO1 – Principles for the Coastal Zone

TL1 – The Protection of Urban Tourist Resources

This policy states that Proposals which would prejudice the continued attractiveness of the following features for tourists and visitors, or which would cause demonstrable

harm to the special character of the resources and attractions. In relation to West Kirby this includes coastal views and scenery, and facilities for coastal recreation and water sports.

The proposed scheme incorporates improvements to the public realm which should improve the character of the promenade. Coastal views from the Promenade will not be lost and will remain as they are now for people using the Promenade. However, for people in cars, views of the lake will be hindered by the proposed flood defence wall. This is the minimum height required to protect life and comply with National standards. But it is considered that on balance that proposal will not impact on attractiveness of the area in terms of visitor attraction.

CH01- The Protection of Heritage

In considering all development proposals the Local Planning Authority will pay particular attention to the protection of:

- Buildings, structures, and other features of recognised architectural or historic importance
- Historic Areas of distinctive quality and character
- Important archaeological sites and monuments

The proposed development is not in a conservation area nor are there any Listed Buildings within the confines or adjacent to the site.

An application was submitted to Historic England earlier this year to have West Kirby Promenade and Environs beach, shelter, site of the demolished baths and a pair of Gardens for designation in light of this current application.

E.H observed that the gardens are not threatened by the proposed scheme, nor are they of evident significance. The structures are not included within a Conservation Area

English Heritage concluded that the promenade and associated features are not recommended for Listing.

Nevertheless, the shelters and railings are to be retained and refurbished as part of this current proposal. . For these reasons the proposal is considered to accord with the provisions of CH01- The Protection of Heritage.

In relation to point 2

The PAR report did consider the use of demountable defences and the provision of individual property protection (IPP) with the proposed solution identified as providing the most suitable solution for the frontage. It should be noted that there are significant residual risks associated with temporary flood defences and works to strengthen individual property walls and provide IPP could not be funded from the public purse.

The original scheme cost related to the provision of a functional flood defence scheme only. The majority of the increase in costs are associated with providing an

improved public realm scheme including improvements to the Old Baths Site to create enhanced public space, improved amenity, new lighting, provision of dedicated space for cyclists and highway re-surfacing.

The optioneering process was undertaken in accordance with National Project Appraisal Guidance and the proposals have been reviewed by the Environment Agency's national assurance team of experts, who concluded that the business case was robust, and the proposal was technically, environmentally, and financially in accordance with national standards, based on both the original budget and the enhanced public realm scheme now proposed.

Point 4 is not considered to be a material consideration in relation to this planning application.

Other matters

Para 3.2.1 of the report says the promenade is 1.15km long it should read 1.5km of a flood wall will be created

Para 5.1.4 – second para In relation to the disabled access, there will be 13no not 15no pedestrian access points

Summary of Decision – should read

As such the, the application complies with the relevant requirements of Wirral's Unitary Development Plan and the National Planning Policy Framework comprises of sustainable development under the terms of the NPPF