

# The Heswall Society

*"established for the public benefit to conserve the heritage of the Ward of Heswall"*

www.theheswallsociety.org.uk

Registered Charity No. 516421

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22nd October 2018

**Dear Mr Fraser,**

## **WIRRAL LOCAL PLAN - DEVELOPMENT OPTIONS REVIEW**

The Heswall Society has considered the Council's proposals and background documents for future development over the next 15 years and wishes to make the following representations. In this document NPPF means the revised 2018 NPPF.

### **1 Process**

The Society is concerned that the Background Document SHLAA April 2018 has not been published.

The Society notes that the 2016 ONS Household Projections were published on 20th September.

The publication of the new ONS projections and the uncertainty regarding publication of the April 2018 SHLAA seriously impacts on the preparation of responses.

The Society is concerned that information in the Council's public briefings and in the visual material on the Local Plan webpages could not be reconciled with the fuller Cabinet Paper Report of July 2018.

In the light of the above and the issues which we identify below, we formally request that a new analysis of housing requirement and supply be carried out and subject to consultation.

### **2 Our Submission will comprise the following:**

General Considerations ..... page 2

The need for housing on Wirral as presented in the July Cabinet Paper and public Briefing Documents also shortcomings in the analysis and lack of consistency between these documents .....page 5  
 Assessments of the balance between need and supply..... page 7  
 Need using 2016 base ONS projections.....page 9  
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### **3 General Considerations**

#### **3.1 Population Whereas the overall national picture has been one of population growth and the need to accommodate the increased population, the situation in Wirral is very different.**

Wirral UDP gives the background to population movements in Wirral over the second half of the 20th century. Paras 1.11 refers to the historic development of Wirral and para 1.12 continues “Such development continued apace, reaching its peak in the 1960’s, when the population reached 360,000 and unemployment was 2.5%. Since then, there has been a steady if unspectacular decline.” Para 1.14 continues “Between 1981 and 1991, the Borough’s population fell from 338,954 to 330,795”. “This was due primarily to lowering birth rates and net outward migration.”

This decline continued to 315,000 in 2001 (Wirral Compendium)(some 45,000 less than in the 1960’s). Overall the population of Wirral has shown general decline but with some recent stabilisation and recovery to the 2016 mid year estimate of 321,238 - about 39,000 less than the 1960’s peak). The population was much higher in those earlier times but with a smaller housing stock than that which exists today, when Green Belt land was fixed in a previous UDP/ Local Plan of 1983.

**We recognise that population projections are only one element in assessing the need for homes and that the size of households is also a factor. However, smaller households and changing demographics and lifestyles point to a need for new homes which match these new households. Wherever possible these new homes should be convenient for existing workplaces and services. The overall long term decline of population in Wirral (and the associated growth of land in need of regeneration) remain specific Wirral factors which need to be taken into account in planning for development.**

### 3.2 Mix of Homes

The comment was made at Briefings that Wirral Waters would not provide the large family houses with gardens. It should be noted that current proposals for Wirral Waters do provide a range of dwellings ranging from dementia units to flats which might well appeal to the young. We would also draw attention to our experience of houses in large gardens in established residential parts of our own area (Heswall) being demolished and developed as flats (no doubt because this provides a better return more responsive to the market). Many of these would be more in keeping retained as housing. **The Council should provide a policy in accordance with NPPF para 70 so that as Wirral Waters is developed existing residential areas do not lose their “family homes and gardens” to flats.**

### 3.3 Original Green Belt and need for Regeneration

The original Wirral Green Belt was “tightly drawn to support regeneration”. Although there has been some regeneration there remain very substantial areas of derelict, underused land and even already-cleared land which is urgently in need of regeneration in the older housing areas and at Wirral Waters.

When the Mersey Basin Campaign led the clean up of the Mersey the phrase was coined “Turning towards the Mersey rather than turning our backs to it”. Docklands in Liverpool, Salford, Newcastle, Bristol, Cardiff and elsewhere have seen regeneration - **it is time that Wirral dockland and other sites also benefitted from major regeneration and that Wirral, as a place to live work and visit benefitted from the opportunities presented.**

### 3.4 The purposes of the Green Belt.

Paras 5.1 and 5.2 of the “Initial Green Belt Review” state:-

5.1 Appendix 3 shows that all the Green Belt Parcels identified, with the exception of some existing developed areas in the Green Belt, continue to meet one or a number of the Green Belt purposes set out in national policy. Development on any of these sites would therefore, by definition, continue to be harmful to the Green Belt.

5.2 This means that individual Parcels and Sites could only be preferred on the basis of having the least harm to the purposes of including land within the Green Belt and any other harm and on the basis of their likely benefit for the promotion of sustainable development, subject to demonstrating the exceptional circumstances to justify changes to Green Belt boundaries required by national policy (NPPF, paragraphs 136 and 137 refer).

The Heswall Society is making its comments about individual areas at the end of this submission. However, the above paragraphs recognise that the removal of any of the non-developed Green Belt sites would, by definition, continue to be harmful. The Initial Green Belt Review goes on to refer to “any other harm” and “sustainable development” also being considerations related to individual plots. However, in addition to “any other harm” in the context of individual sites there are general “other harm” considerations which apply to Wirral’s Green Belt. **The regeneration of previously developed and despoiled areas, in preference to the Green Belt and farmland and land which contributes to the health and wellbeing of the residents must be the most sustainable solution.**

### **3.5 Conserving and enhancing the natural environment**

The Council will be expected to comply with the policies in section 15 of the revised NPPF overall. The NPPF states:

32. Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements<sup>17</sup>. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).

**In our view, the evaluation of Environmental Net Gain further weighs in favour of the use of brownfield sites and the economic balance is also shifted in favour of brownfield when the consequences of the need for “Net Environmental Gain” are applied to a specific development.**

### **3.6 Wirral as a Place to Live, Work and Visit**

The importance of the generality of countryside to Wirral as a place to live work and visit is recognised in Wirral’s Tourism Strategy.

The Foreword to the Strategy 2017 - 2020 makes the point that the Wirral Peninsular is a unique place to live, work and visit. It says the strategy will help drive the continued growth (in the tourism sector) whose current value is put at £385m, supporting 5,000 full time jobs. On page 12 of the Strategy it poses the question “What makes Wirral Distinctive and Special?” It answers this by stating “The motivation to see and explore the Wirral ‘peninsula’ is an overwhelming feature that differentiates it in terms of the broad range of things to do and experiences visitors can access. This is further supported by the

exclusive and individual nature of being a peninsula and is distinguished by Wirral's unique coast, countryside, parks, gardens and towns as well as its independent accommodation, quality restaurants and rich supply of local produce." The list "Our Core Proposition starts "A peninsula that defines Wirral's sense of place through its coast and countryside and ability to deliver wide ranging recreational, cultural and leisure experiences."

On page 16, under "The Wirral Plan: a 2020 vision" it states "Wirral's idyllic scenery, fantastic venues and easy transport links mean it is the perfect place for celebrations and events. New marketing approaches will promote the range of unique and distinctive venues for weddings or boutique experiences, to attract more visitors to Wirral".

**The Wirral Tourism Strategy runs to 2020 but if the benefits (including increasing income and work) identified in the Strategy, are to continue to bring results then the Wirral's countryside, its "Green Belt" must be preserved - the peninsular is not lacking other ways of meeting the need for homes.**

#### **4 The Need for new Homes**

Because the Green Belt Review analysis arises from the projections in the July Cabinet Report and the Consultation Papers and Background Papers we comment firstly on the information in these documents as they stand and subsequently examine the consequences of the ONS 2016 base projections.

##### **4.1 Consultation Documents and Background Papers**

The Cabinet Report July 2018 states the standard method was used to determine the minimum number of homes (using 2014 based projections and a 2016 start year) and arrived at a figure of 12045 over 15 years, 803 per year.

Well qualified statisticians have made representations to the Council challenging these projections and those in previous 2016 SHMA and SHELMA figures. In the FAQs on the Council website it is stated that "A number of people have commented on the accuracy of the Government's population projections which form the basis of the minimum housing figure. The Council will appoint an independent statistician to review any submissions received before any further decisions are taken on the content of the Local Plan." **We note that the Council will undertake this work; we also note that the new 2016 base ONS household projections are a better fit with views of which we are aware.**

## 4.2 Empty Properties and Windfall Sites

The Council's Frequently Asked Questions list now confirms that it can take account of the reuse of empty properties where it can demonstrate that an active programme is in place in accordance with average past performance.

The Council has provided for 60 windfall sites per year, just 900 over the 15 years of the Plan. Neither the July 2018 Cabinet Report nor the Annual Monitoring Report 2016 / 17 specifically identify or seem to include "brought back-into-use dwellings".

The Council's Local Plan FAQs state that during 2016 / 17 290 properties were brought back into use and it has a target of 1250 to bring into use between 2015 and 2020.

It would appear that the 60 per year figure is pure windfalls and does not take account of "back-into-use" dwellings and it is also questionable whether 60 per year adequately covers pure windfalls of unidentified sites coming forward for development. The Notes on page 51 of the 2016 - 17 Annual Monitoring Report

also refers to 1017 net (1047 gross) dwellings which had previously been registered as still under construction but which were found to be complete and occupied without a completion date having been registered under Building Regulations. It said "As these additional completions, which included 276 additional net conversions and/or changes of use, cannot be attributed to any specific year, they have not been used in the calculation of the median average (of windfalls)." It also says they were not "not included in Table 3 above (*ie Actual Net Change in Dwelling Stock - my note in italics*) or the analyses in Section 4 of this AMR". It is our view that all of these completions should be taken into account not just in assessing windfalls but also when calculation the backlog.

The Council should go back over its calculations of the number of homes which have been built in recent years and make sure these "back-into-use numbers" and unregistered completions are included. This should show there have been more homes created than have been accounted for. The July Cabinet report identified a backlog of 574 from April 2016 to April 2018. **The inclusion of back-to-use numbers and unregistered completions should substantially reduce, probably eliminate, the backlog from previous years which the Council has to catch up and reduce the buffer it has to provide in years 1 to 5.**

**The Council should also increase to a more realistic level the future 60 per year windfalls it has allowed over the Plan period and include the back-into-use numbers.**

**4.3 20% Buffer** In the Briefing given to residents (reproduced on the Council “Local Plan” web pages) it is stated that 12,000 additional dwellings are needed. It has estimated the 15 year shortfall at 4,990 to which it has then added a further 20% of the 12,000 (ie 2400 dwellings) to meet a “National Planning Policy Framework” (NPPF2) requirement arising from previous under-delivery.” As stated above **we do not believe that the Council has taken account of the outcome of its policy on dwellings brought-back-into-use and that, taking these into account and taking account of unregistered completions, there is no requirement for a 20% buffer and that the lesser 5% buffer should be applied.**

Whatever the buffer, the Council has misapplied the NPPF. This requires a buffer to be “moved forward from later in the Plan period”. It does not increase the total number of dwellings to be provided, merely their timing. Furthermore, the number brought forward should be no more than 20% or 5% **of the first 5 years** not 20% or 5% of the full fifteen year requirement. **The shortfall would remain at the unenhanced figure of 4990, subject to reduction to take account of historic and future back-into-use properties and unregistered completions.**

## **5 Land for homes**

### **5.1 Wirral Waters**

NPPF states: “planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:

specific, **deliverable** sites for years one to five of the plan period”

The Court of Appeal has considered the meaning of the phrase “deliverable sites” in the context of the requirement in paragraph 47 of the National Planning Policy Framework for a five year housing land supply.

Giving the leading judgment in *St Modwen v SSCLG & ERYC* [2017] EWCA Civ 1643, Lord Justice Lindblom said that, to be deliverable in this sense, a site has to be capable of being delivered within five years, but it does not need to be certain or probable that the site actually will be delivered within five years. Sites can be included in the five-year supply if the likelihood of housing being delivered on them within the five year period is no greater than a realistic prospect.

The Judge commented that, just because a particular site is capable of being delivered within five years, does not mean that it necessarily will be. He drew a distinction between the identification of deliverable sites for the purpose of showing a supply of specific deliverable sites sufficient to provide five years worth of housing against an authority's requirements and the expected rate of delivery to be reflected in a housing trajectory. He also noted that the NPPF recognises that local planning authorities do not control the housing market.

The revised NPPF continues:

planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of: specific, **developable sites or broad locations for growth**, for years 6-10 and, where possible, for years 11-15 of the plan.

The first 5 years of the Plan refers to the 5 years from 2020.

Wirral Waters is unique in the UK in having both Enterprise Zone Status and Housing Zone Status - a recognition by Government of the assistance and support the area needs.

Peel Holdings has written various letters outlining its commitment to Wirral Waters. On 13th August 2018 the Chairman of Peel wrote to Margaret Greenwood MP (copy attached), He wrote "In March 2018, we announced three major housing projects that will bring over 1000 new homes to the area over the next three years. This is of course only the start of housing delivery."

In a letter to the Leader of the Council dated 10th September the Development Director of Wirral Waters wrote "With the support and co-operation of you, and the Council you lead, we could build up to 6,450 in the next 15 years to reach our ultimate goal of 13,000 homes." "we are still waiting for you to commit to the Legacy / Wirral Waters One housing project which alone will deliver 500 units. With two more housing projects in the pipeline - those, combined, could deliver circa 1,000 new homes by 2022, and that is just the start."

Wirral Cabinet has now given the "green light" to build 500 new homes (Legacy / Wirral Waters) and other imminent projects are the Peel / Belong specialist care village equivalent to 109 new homes and the Peel / Urban Splash Northbank development comprising 347 homes.

It is hardly surprising that development at Wirral Waters, looking as far ahead as the period between 2025 and 2035, is still subject to arrangements for associated investment in infrastructure, environmental improvements and

energy and technology infrastructure. Green Belt sites would also need such provisions. However the NPPF is less specific in its requirements for the identification of sites for these later years.

**The Council should allow for 1100 “deliverable sites” at Wirral Waters in the period to 2025 and a further 5350 “developable sites or broad locations” at Wirral Waters over the remaining Plan Period to 2035 bringing the overall Plan Period contribution from Wirral Waters to 6450.**

### **5.2 Does the July Cabinet 803 dwellings per year projection lead to a shortfall?**

The Cabinet paper estimates the shortfall as 4794 after allowing for 1100 at Wirral Waters over the plan period but only requiring 160 for the 20% buffer (there is clearly an error here and 160 the figure is inconsistent with that of 2400 given in the briefings).

The following corrections should be made to the Cabinet figures:  
Taking account of non-registered completions and “back-into-use” properties there should be no backlog the **total requirement therefore becomes 13369-574=12795.**

**No buffer should be added to the 15 year total as the buffer is just brought forward within the period.**

The Total Estimated Supply of 7635 should be increased to take account of the total 6450 Wirral Waters Dwellings, **total supply becomes 14085.**

**This exceeds the total requirement. Further contributions to supply will arise from “brought-back-into-use” dwellings.**

It should also be noted that half of the proposed 13,500 capacity of Wirral Waters would remain beyond the Plan period.

### **5.3 Meeting the Need for New Homes using ONS 2016 base Projections**

**The ONS 2016 based projections have now been published and, using the Government Standard Method, the minimum need has been taken as 488 per year (2440 over 5 years, 7320 over 15 years)** although interpretations of the application of the standard method the figure could be 6332.

Wirral Council’s SHMA completed in May 2016 indicated an OAN of 875 new dwellings per year between 2014 and 2032.

The SHELMA study arrived at an OAN of between 737 new dwellings per year based on 2014 household data, uplifted for affordability and a “Growth Scenario”.

Submissions have been made challenging the statistical basis of the 2016 SHMA and SHELMA figures and offering outcomes in keeping with the use of the 2016 base ONS projections.

In our view the 2016 SHMA and SHELMA reports are now superseded and obsolete.

**On the basis of 488 dwellings per year** and without any uplift for economic growth **the total requirement** (with no backlog but including a 5% buffer brought forward into the first 5 years from later years) **is**

<b>years 2020 to 2025 ...</b>	<b>2562 + demolitions 250 = 2812</b>	
<b>2025 to 2030 ...</b>	<b>2379</b>	<b>2629 cumulative 5441</b>
<b>2030 to 2035 ...</b>	<b>2379</b>	<b>2629 cumulative 8070</b>
<b>Total .....</b>	<b>7320 + demolitions 750</b>	<b>8070</b>

The 2016 Cabinet Report provided the following figures for total estimated supply (without any allowance for Wirral Waters):

2018 to 2023 ...	3334	
2023 to 2028 ...	1793	cumulative 2018 to 2028 ... 5127
2028 to 2033 ...	2508	cumulative 2018 to 2033 ... 7635

There is a mismatch in that the Cabinet Report figures are out of synchronisation with the Plan period. Setting this aside, **the greatest shortfall would be 435 at the end of the Plan period. Even the initial 1100 allowance for Wirral Waters would far exceed this deficit. However, future allowance for “back-into-use” properties would reduce the deficit and the need for Wirral Waters even further.**

It should also be noted that substantial capacity remains at Wirral Waters beyond the Plan period and that, in our view, priority should be given to regeneration projects.

#### **5.4 Other Urban sites**

The Society would draw attention to the already cleared areas in North Birkenhead in the surroundings of Birkenhead North Station - an area with infrastructure and ready access to Merseyrail. We would also underline the need to regenerate areas in the vicinity of Wirral Waters and between Wirral

Waters to assist the creation of an attractive new “village” environment. The Port Sunlight River Park has created an attractive environment. The surrounding land should provide good places to live.

## 5.9 Conclusion re the need for Homes

The above notes demonstrate that the even a projection of 803 new homes per year could be met with development at Wirral Waters. Using the new 2016 base ONS projections, which we consider to be more realistic, need can almost be met without Wirral Waters. Having said this, **we have a preference for development at Wirral Waters and other sites which need regeneration because this would be better for Wirral “as a place to live, work and visit”**. The Secretary of State (then Sajid Javid) recognised that Wirral is not an area of high housing pressure when he wrote to Wirral Council on 23rd March 2018 about the delay in producing a Local Plan; he wrote “In terms of our intervention criteria your Council has failed to make progress on plan making, the policies for the area are not up to date. **This is not an area of high housing pressure”**

## 5.10 Economic Growth

There have been various references to the need to include a provision for economic growth. As part of their statistical analyses others will be examining this and other issues. We would raise a broader point. Wirral is not lacking in the capacity to meet future needs - either on the basis of the 803 projection or the more realistic ONS16 projection. The danger, as we see it, is that the Council will be judged on housing delivery. This is very different from identifying land to meet needs. Delivery is outside the Council’s control and is subject to broad economic changes way beyond national let alone local control. **Setting a “growth target” is a hostage to fortune where failure to meet the target would have very serious consequences arising from the revised NPPF. It would be unwise to set too ambitious a target.**

## 6 Conclusion

### The NPPF states

136. **“Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans.”** In our view this new requirement for exceptional circumstances to be **“fully justified and evidenced”** reaffirms the Government’s support for preserving the Green Belt.

Para 137 establishes new tests:

137. **“Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:**

a) **makes as much use as possible of suitable brownfield sites and underutilised land;**

b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and

c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground

**The Council’s Development Review does not meet these tests. There is sufficient land to meet the need for new dwellings in Wirral and we refer back to the Secretary of States’ statement that Wirral is not an area of high housing need.” The Green Belt boundary should not be changed.**

.....

## **7 Comments on Land in the area of Heswall Ward**

Heswall is a mainly dormitory area with low local employment opportunities. It is a key town centre but travel outside the town has to be by bus or car as the high frequency Merseyrail which services other parts of Wirral does not currently serve Heswall. Rail travel relies on the less frequent Wrexham to Bidston line with a connection at Bidston. The UDP identifies 3 locations for major highway schemes and two sites, one of which is Heswall, “which exhibit traffic problems in relation to congestion at peak periods and vehicular / pedestrian conflict”. The 2012 Proposed Submission Draft Core Strategy Policy CS10 para 8 reads “Monitor and manage traffic flows to promote sustainable transport; and maximise highway efficiency on routes through Heswall Town Centre and towards Birkenhead and the M53 Motorway”

The Heswall Society is concerned that the Proposed Submission Draft omitted mention of vehicular / pedestrian conflict. In addition we are concerned about growing pollution in the Key Town Centre. **These recognised traffic issues will be exacerbated by the potential of development in the surrounding Green Belt areas.**

## 7.1 Green Belt Land

### 7.2 The Coastal Belt

**SP099, SP097, SP100, SP101, SP102, SP103, SP105, SP110**

**7.2.1** The Heswall Society welcomes the decision that the Wirral Way should be a high level boundary and that “land to the west of the Wirral Way has not been included (in the list for further investigation) because of the role of the Wirral Way in defining clear physical edge to the existing urban area and the constraints associated with national and international designation of the Dee Coastline.” However, we would like to see an explicit statement linking the designation of this area as Green Belt to the purposes of the Green Belt as defined in the NPPF. Also, **although we welcome the recognition of the Wirral Way as a high level boundary it is our view that there should be an undeveloped belt between the Wirral Way and any development to the east of the Wirral Way if its character as a country park is to be maintained** - this point will be developed later in consideration of SP058E.

**7.2.2** It is implicit that the inclusion in Green Belt recognises the importance of the openness of these areas - without openness the importance to the international designation of the Dee Coast would be lost and the importance of the Wirral Way as a country park (opened in 1973 it was the first designated country park in Britain) would be lost. It is implicit that this area needs to be protected from the unrestricted sprawl of built up areas, to assist in safeguarding the countryside from encroachment and to assist in urban regeneration by encouraging the recycling of derelict and other urban land. It particularly serves the requirements in para 141 of NPPF2 that “Once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use.” **We would like to see the importance of the openness of the coastal strip and the reasons for inclusion in the Green Belt explicitly stated.** We would link this recommendation with the Consultation’s reference to infill villages and NPPF para 140 which reads:

“If it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.”

**7.2.3** We appreciate that it is important that all possibilities have been explored before the Local Plan is signed off for examination.

However, **The Society wishes to express its concern at the possibility that any land between the Wirral Way and the coast might be treated as an infill village and at the possibility of other infill.**

**7.2.4 The Society does not recognise any of the areas listed above, jointly or singly, as villages.** They are small enclaves within the Green Belt. The areas have been designated for remaining in the Green Belt because of the strong boundary of the Wirral Way and the constraints on national and international designation of the Dee Coast. **As stated above the openness of these areas underpins this designation. It is also crucial to the recreational value of the area. The Davenport Road section of the Wirral Way relies on the openness of the fields to the west to retain its value. The Local Plan should also take into account the proposed Birkenhead to Welsh Border section of the proposed English Coast Path.**

**Having raised the possibility of infill villages we suggest it is imperative that the Local Plan makes clear that these areas are included in Green Belt to protect their openness.**

**7.2.5 We would also refer to NPPF para 170 Planning policies and decisions should contribute to and enhance the natural and local environment by:**  
**c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;**

The area between the Wirral Way and Davenport Road / Wirral Way is defined as “undeveloped Coastal Zone” in the current UDP but this relies, principally, on its Green Belt status for controlling development. Clearly, this area continues to be “undeveloped coast” as defined in the NPPF with NPPF Para 170 giving added recognition and protection.

**7.2.6** There are also concerns about the limited vehicular access to this area.

**The Heswall Society considers that infill development in the areas identified would be inappropriate.**

**7.2.7 Individual Areas** Against the above background we would make the following additional comments about individual sites:

**SP096 (part) North of Broad Lane** - this adjoins and is visible from the Wirral Way and loss of openness would be harmful.

**SP097 South of Broad Lane** These sites are a cluster close to the shore and close to the Banks Road access to the shore, their proximity to the shore is an issue in relation to the international designation of the Dee Coast. The openness is also important to the recreational value of the area. The future route of the English Coast Path is also a constraint which needs to be considered.

**SP099 Park West** - The area is tightly developed but well treed. there would not appear to be any opportunities for infill without adverse environmental consequences and harm to the character of the area.

**SP100 North of Manners Lane**

**SP101 South of Manners Lane**

The above two areas of high quality agricultural land are important in maintaining an openness and country aspect to the Davenport Road section of the Wirral Way as well as being important because of the neighbouring international designation. It seems unlikely that development would be possible without adverse environmental harm.

**SP102 Seabank Road** - This area is tightly developed and there would seem to be no opportunities for infill development. There are some gardens which have extended into the fields to the south of Seabank Road and these should not be developed as they contribute to the openness of the Green Belt and Wirral Way; development would also be harmful in terms of the neighbouring international designation and general environmental impact..

**SP103 (part) and SP104 (part) Riverbank Road** This is the least developed of the roads running down from Davenport Road to the shore. The development of the open fields which adjoin Riverbank Road would be harmful to the purposes of including the area in the Green Belt (and the undeveloped coast) by reason of the loss of openness and the constraints associated with the national and international designations of the estuary and NPPF para 170c.

**SP105 Cottage Drive West** is part of a well treed enclave in very close proximity to the internationally designated area and shown as a core biodiversity area. Infill development would be harmful to the character of this area and to the core biodiversity.

**SP110 Wittering Lane** is part of an extensive network of recreational routes. We would regard the extension of development to the north of existing dwellings and the infilling between dwellings as harmful to the openness of the Green Belt and to the character of the area.

### **SP090 Gayton Conservation Area**

This area lies within the Gayton Conservation Area. It is a relatively small area but with a high degree of core biodiversity areas and marked SBI on the Proposals map. It relates to surrounding SBI and core biodiversity areas. What little potential there is for infill of this area would be offset by the potential harm to the biodiversity area.

## **7.3 Sites for Further Investigation**

### **SP058C SP058D and SP058E West of Pipers Lane, Heswall**

This parcel includes land that has historically been host to active badger setts. These were closed under licence, in dubious circumstances, but neglect of at least one field has allowed gorse to grow back. Local people report badger activity in the area. Until a full badger survey is allowed by owners, we have to assume the presence of badgers, and consequently object to zoning for development.

The small fields in this wider area have not been adequately surveyed, and may have other wildlife importance. They form a connecting area between the Dee clay cliffs (part SSSI, part IWS), Heswall Fields LWS, the Wirral Way LWS, the Dungeon LWS and wider farmland including Oldfield Farm. The wildlife corridor function of this area is therefore likely to be important.

A Heswall Society Member reports “Every year shelduck migrate to this area during April and remain until July when they depart with their new hatch. They are ground nesting birds. Numerous mallard and geese live in the ponds and coastland of Wirral’s Deeside. Buzzards, hawks and Kites roost in the Woodland on the Oldfield Ridge, between the Akbar and Pipers Lane, they catch their prey in the gorse and fields on the **Deeside Coastal Open Space.**”

**SP058C and D** are designated SBIs, core biodiversity areas with linkages to the Wirral Way and, currently, land of Special Landscape Value. The Wirral Landscape Character Assessment states “This landscape character assessment identifies the landscapes in which Areas of Special Landscape Value were located as landscape character areas with strong character which are generally in a good condition. The recommended landscape management strategies for these areas are focused on the conservation of key landscape features to ensure they maintain their current quality.”

They lie at an entrance to the Wirral Way and **SP058E**, which includes ponds and treed areas, is contiguous with the Wirral Way. The loss of these fields would be to the detriment of the recreational value of the Wirral Way.

We have a further concern about the impact of development of the strip which separates existing development from the Wirral Way. We have welcomed the identification of the Wirral Way as “high level boundary”, however, if development to the east of the Wirral Way approaches too close to the country park its inherent country park character will be eroded. **The View of The Society is that these plots should not be removed from the Green Belt. The Heswall Society would wish to see a protected belt separating the Wirral Way from new development to the East and, in our view, the previously established belt separating development from the Wirral Way should be retained.**

The Society is also concerned about the traffic impact of more development feeding into the Pipers Lane “ancient highway” (designation confirmed in late 1960s) and the availability of other services in this area.

**SP071 Land at Chester Road, Gayton** Includes recreational land and playing fields (there is a recognised shortfall of youth match sessions (football) which can only met by retaining and adjusting use between pitch types). It also contains a large area of high quality agricultural land. Although having a 73% urban enclosure **the area marks the A540 gateway to Wirral as a borough which has green space and which is not completely developed up to its boundary. This would be harmful to the Wirral approaches.**

**SP109 Boathouse Lane, Gayton** - a well treed area of land containing large ponds adjoining Boathouse Lane marked as a core biodiversity area. It faces open Cheshire countryside on the opposite side of the lane. An ecological appraisal for a planning application OUT/17/01376 conducted in 2018 concluded “the application site has been found to be of moderate ecological value at the local scale, with potential to support a number of legally protected and/or notable species of fauna. The development of the site would pose adverse impacts on these species if present; therefore it is recommended that further survey is undertaken”.

**Even if eventual further investigations did not demonstrate adverse impacts on such species the small number of dwellings which would result would not be material and would be insufficient to compensate for the loss of this treed and green area adjoining the public realm.**

**SP062 West of Barnston Village** - only the south part of this area lies in Heswall Ward. However the Society would be concerned about the implications of development of SP062 as a whole. It would be a significant extension of urban sprawl. The development of SP062 would reduce the physical separation of Heswall, Pensby, Thingwall and Barnston. The loss of this large area of open land would be harmful to the setting of Heswall. It lies opposite Whitfield Common, providing a visual link between the common and the broader countryside, to the benefit of the common as a local amenity. That part of SP062 which lies within Heswall Ward is High Quality Agricultural Land. The Society would have concerns about the effect of traffic generation on Heswall Centre and the impact on other services and lies far from the “areas of need”. **In our view this area of farmland should not be removed from the Green Belt.**

Yours sincerely,

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Manager,  
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