The Heswall Society response to H5 Wirral Housing Density Study 2021 – Part 2

Density & Design Study – Stages 1 and 2

Density Analysis as per Annual Monitoring Review (AMR)

1. The attached Schedule A has been constructed using the information provided in appendix 2 which is included within the Urban Inprint Density and Design Study – Stages 1 and 2.

2. It is recognised that the total sites for all categories includes Wirral Waters including approved applications. This has been done in order to attempt to reconcile the total figures across the three different category treatments, namely:-

   a. New Build, change of use, conversions and Wirral Waters
   b. Greenfield and Brownfield
   c. Wards of the Borough

   It can be seen that the total number of units in each year across the three different treatments is very similar circa 18,000 to 19,000. The analysis and comparative data assumes that in each case the figures are derived from the same basic site information, and as such, each analysis should reflect a very close total relationship as described under a, b or c. It is recognised that this may not be entirely correct but should show a reasonable basis for comparison.

3. However, based on the average density, as provided by the data, the number of hectares (ha) are substantially different as highlighted as follows:-

Number of Hectares (see attached Schedule A with figures highlighted in pink)				
	2017	**2018**	**2019**	
a	132.8	153.6	174.1	New Build, change of use, conversions & Wirral Waters
b	219.8	224.2	233.1	Greenfield and Brownfield sites
c	182.3	200.8	225.4	Wards of the Borough sites

Whilst accepting that there would be differences, if the same criteria was being used for each type of category, it would be expected that the differences in hectares would be minimal. It is therefore considered necessary to establish which set of criteria is correct.

4. There is no doubt that the most significant factors affecting density across the Borough are the proposals concerning the Birkenhead Regeneration Framework (BRF), which includes Wirral Waters. In summary, BRF states that 21,000 homes will be created, including a sustainable garden, in a total area of 270 ha. This equates to an average density of 78. Taking into account the

figures quoted for outline planning for Wirral Waters of 13,521 units at an average density of 248, this would mean that the average density of the remaining 7,500 homes would be circa 35, i.e. 270 ha minus 54.5 = 215.5 ha for 7,500 homes = 34.8. Again, it begs the question as to the accuracy of the figures being quoted, and the basis upon which they are made, e.g. gross or net, the net figure after allowing for infrastructure, green space, etc.

5. Following on from para 4, and potentially taking out the major influence of the BRF, at various levels in d, e and f, it shows that the remaining parts of the Borough would be circa 37 ha to 40 ha, based on the current Borough Ward analysis.

6. The most accurate figures should be the new build figures which are based on approved planning permissions. Here it can be seen that the average dph for the three years ending 2019 has been between 27 and 30. It can also be seen that there are considerable variations across the Borough in the average dph. The study constantly suggests that the average dph across the Borough is far too low and needs a step change. The study effectively ignores other factors involved in the planning decision process and, in effect, is suggesting that the planning approval process is wrong because the average dph is too low. Planning permissions are based on information provided by all concerned parties and reflect local conditions, environmental factors, infrastructure, traffic, landscaping, the aspirations as outlined in the Green/Blue infrastructure criteria, etc. It is not solely based on a minimum number of units because it falls within an arbitrary designation of a particular type of zone, and nor should it be ever be based on such minimal criteria.

7. In looking at the total figures for 2019, it shows that the number of units for which planning permissions have been granted, and categorised as under construction or not yet started, is just under 4,000 (3746). Previously, the Council has submitted figures which claim that they can only support the achievement of 3,188 in the first five years. This is against their suggested target of 5050, including a buffer, which we dispute, and demolitions. Even so, the current approvals, together with the figures currently being put forward by the BRF, would suggest that the target should readily be accomplished, so why should the Council consistently state that it is not achievable. It is quite clear from AMR reports and other data that such statements are not justified. There needs to be transparency and clarity in any future proposals put forward in the Local Plan.

8. Moving on from para 7, it is also noted that SHLAA 2020 and the AMR for 2020 are considerably late in being published for public scrutiny. It is essential that up-to-date information is made available for consultation.

Introduction and Context

2.3 The National Planning Policy Framework (hereinafter known as the 'Framework') places a strong emphasis upon achieving appropriate densities and making efficient use of land, (paragraph 122) Ensuring that the optimal use is made of available sites is considered particularly relevant when there has been a shortfall in meeting identified housing need or where areas are particularly constrained.

Response: It is accepted that achieving appropriate densities is an important element of the housing process but having a lower density does not necessarily mean that this represents an inefficient use of land as implied by many statements within the study. Interestingly, in order to support their initial response the study does not stress enough the importance relating to other key aspects of the Framework, but merely makes a brief reference to them:-

The identified need for different types of housing

Preserving local character

Acknowledging the requirement for infrastructure

Ensuring that homes are well designed, beautiful, healthy, etc.

Being aware of adjacent surroundings, e.g. conservation areas

Reflecting the aspirations included within the Green Blue infrastructure

2.7 In conjunction with data from the 2019 Strategic Housing Land Availability Assessment (SHLAA), Annual Monitoring Report (AMR), and consultation under Regulation 18, the outcome of the study will be a recommendation on how and where urban densification may take place and how policy should be formulated to ensure a design-led approach.

Response: Both the SHLAA for 2020 and the AMR for 2020 should be available for public scrutiny and to ensure that up-to-date information is used as a basis for decision making. Using potentially out of date information is contrary to the regulations in compiling the Local Plan.

3.6 The Council has released very few greenfield sites in the past decade, to safeguard the Green Belt, and those which have become available have been developed at densities similar to the surrounding lower density suburban areas. Wherever greenfield sites are to be used, it is vital that efficient use of that land is also secured.

Response: This implies that the densities used are not an efficient use of land, but takes no account of the area itself and may, by some peoples' perceptions, be higher than it should be, i.e. it should be even lower. It should also be remembered that the final decisions have been based on a thorough analysis of all the issues relevant to specific sites, with agreement from all concerned parties, and not some arbitrary figure imposed because somebody has decided that a particular zone merits a minimal density of say 50. Even within the same zone the variations within parts of that zone will undoubtedly warrant a different treatment than elsewhere within the zone.

This is highlighted in the Table 2 densities assessment in Stage 4, an example being UC3 within the Urban Core which shows that within the Whitfield Street area the two examples show a dph of 41 and another of 126. Similarly, within the Waterfront zone (W1) the Brae Rose area highlights two different densities of 47 and 128. Both these examples demonstrate that fixing minimal densities in particular zones is not necessarily the right solution, but should be based on the circumstances relevant to each space, albeit in the same area.

The current approach to density

5.2 Significantly with regards to this study, the Framework sets out that, where there is an existing or anticipated shortage of land for meeting identified housing needs, it is crucial that homes are not built at low densities. To achieve this, planning policies should optimise use of land in meeting housing targets, which should include minimal density benchmarks for locations well-served by public transport. These standards should represent a significant uplift in the average density of residential development in these areas, unless it can be shown that there are strong reasons why this would be inappropriate.

Response: By using the word significantly the study implies that there is a shortage of land to meet identified housing need. The statistics shown in the AMR from 2017 to 2019, together with the BRF, demonstrate that this assumption is seriously flawed, yet continues to be used as a reason for increased densities. Minimum densities, based on an opinion for a total area is contrary to common sense and if lower densities are put forward, below the suggested minimum densities, the onus should not be placed on the application to prove that such densities are inappropriate. The application will have been formulated by all parties to ensure that the homes will endure through future generations because they are well designed, beautiful, healthy and a desirable place to live and bring up children in a safe environment, etc. Minimal density mandates should not dictate housing policy.

Various In an overall sense there are several references to what the study refers to as a cautious approach to density by Wirral. It mentions that UDP policy HS5 sets out different design and density guidelines which in the study's opinion are low. Furthermore, the study highlights the fact that higher densities are encouraged only for sheltered housing and nursing homes. All schemes are subject to standard qualities of privacy, access, character and parking. The building of new flats is not encouraged and limited to only three storeys in height, and as a result, the higher density levels that flats can offer, are not reached. The study also states that policies do little to encourage any densities higher than 55 dph.

Response: A review of the density levels, by Ward across the Borough as seen in schedule A, show that this statement is not supported as there are several Wards that exceed 55 dph. Furthermore, it is considered essential that a cautious approach is continued. Past built forms have not been taken by an artificial density factor but by a detailed assessment of all the criteria that needs to be met in order to satisfy landowners, developers, planners and the local community to name just some of the key parties involved.

It should be noted that whatever the final number of units being built over the years via the BRF programme, it represents a very substantial number being undertaken at higher density levels because it is better suited and more appropriate in those areas, particularly on and near the waterfront where spectacular views across the Mersey will be a major feature. It does not mean that built forms in other parts of the Borough should increase their densities just to satisfy so called minimum density levels.

The study also states that in terms of compliance with national policy, the approach set out within the UDP and 2016 SHLAA no longer marry with the overarching aim of making the best and most efficient use of land. The 2016 SHLAA is considerably out of date and the 2020 version should be used, which as aforementioned is unavailable for public scrutiny. The study also states that, across the three years studied, higher densities have been achieved on brownfield sites than greenfield, averaging 91 dph versus 21 dph. This suggests that greenfield sites are being developed inefficiently. Again, one might expect that brownfield sites would have a higher density but to state that greenfield sites are not efficient is completely without foundation. It would be necessary to fully understand why the density is 21 dph, the nature of the land, including the surrounding area, the type of homes being built, local character, etc. Similarly, why the brownfield are 91 dph. Making sweeping statements without fully understanding the circumstances in each case is not warranted.

It is believed that the past and current approach to density is in keeping with the unique character of Wirral, as constantly portrayed by the Council and residents, particularly as it relates to growth in business and employment, together with tourism. The views, the open nature of parts of the Peninsular, the lack of many high rising flats, the variety of different types of housing across the Borough, make it what it is and represents an area where people want to live. Increasing the density of housing across the Borough could ruin the aspirations of existing and future communities and is patently not necessary.

Best practice approaches to density

The study chooses four levels of possible density policies, namely:-

1.	Policy led approach to density, i.e. based on local circumstances	Cheshire West
2.	A specific blanket minimum density policy	Brighton and Hove
3.	Policy based on transport and accessibility	London
4.	Integrated urban design and density policy including densification	Croydon

Whilst it can be acknowledged that lessons can be learned from other areas, it does not necessarily mean that Wirral should adopt the same policies as other authorities.

Cheshire West is the only policy which reflects, to a large extent, the current Wirral approach.

Brighton and Hove would not suit Wirral whereby its major policies embrace a minimum density by area, and a lower density has to be justified. It also identifies where taller buildings would be acceptable to encourage higher densities. There is a distinct conflict in that applying minimum densities could have a significant adverse factor on local character.

London is regarded as unique and not a place to be compared as being appropriate for Wirral. It also relies on a very robust transport system and importantly it states that applications not making the best use of land should be refused. This latter aspect is particularly relevant to Wirral and it is suggested that Wirral's approach to ensuring that all planning applications put forward receive comprehensive prior scrutiny, and address all the relevant issues, is far more appropriate than having a policy where a minimum dph sets the benchmark. By definition Wirral's approach does address all the issues, as a consequence of which the dph may be high or low depending on the circumstances. The dph should not be regarded as the driving force in housing development but what is appropriate for the type of housing, etc. within the area.

Croydon, although it respects local character. it also emphasises the need to link areas that are suitable for tall buildings. A key policy document also has a three-storey minimum height as a policy test. It also acknowledges that local character can be changed, so that development does not always need to respond to local context/character. In this respect it seeks identification of areas which it can change their character, or it needs to be preserved and confirms that this is a matter of planning judgement. Therefore, such a process confirms that the Wirral approach is valid and does not have to be dph led. It is also highlighted that the approach to Suburban development involves the delivery of new homes through conversion, redevelopment of existing properties, or new housing built in rear gardens and back-land sites. There are further policies in respect of height, e.g. developments could be up to double the predominant height of buildings in the area. The Croydon Plan takes a very complicated approach to density and design. It is believed that such an approach in Wirral is unnecessary, and it is essential that the decision process is transparent, with clarity being at the top of the list so that local communities can fully understand the implications being proposed in their area. Complicated processes invariably lead to poor decision making.

Surprisingly, the study states that a review of the approaches taken by Brighton and Hove, London and Croydon are considered appropriate for Wirral, and provide some lessons which may prove applicable to Wirral. It is acknowledged that lessons from other areas may provide insights into the whole process, but the choice of the three areas is another indication that such a selection ignores important elements, and shows that the study is based on knowing the answer first, i.e. increased densification, and providing selective points, in order to justify such increased densification without fully considering other very important aspects of the whole process.

The study has looked at the lower densities in Wirral and concluded that the NPPF has not been complied with. Instead, it should have appraised Wirral and how it has derived its dph figures across the Borough, and concluded whether such policies have been consistent with the NPPF, albeit at lower densities. The conclusion that because the densities are relatively low in some areas, it means that efficient use of land has not been complied with, and therefore does not comply with the NPPF, is fundamentally flawed.

The BRF will address the density issue because the locations being identified for future housing suit increased densities due to the type of housing being envisaged, which will also address high design

standards and incorporate the Green and Blue infrastructure criteria, as well as all the key elements which will make the areas desirable places to live.

Conclusions and recommendations

The statement that the findings of this report suggest recent developments across Wirral have delivered relatively low densities, making inefficient use of even greenfield sites, is not accepted. The dph across the Borough varies quite significantly in different areas, and the resultant dph figures have been based on a complete range of factors as submitted with planning applications, and reflect the whole range of factors which have subsequently decided which applications have been approved, and which have been rejected. It should not be the dph which decides the fate of planning applications, although it may be a factor in the final approval process.

Perhaps the most surprising fact in the study is the lack of any serious acknowledgement of the impact of the BRF programme which will embrace much higher density levels in some areas. The study states that what is clear is that a step change is required to deliver higher densities. Larger new build sites are required to deliver much higher densities, and be more clearly justified to address any shortfalls, if housing targets are to be met. Why has the study not stated the obvious and drawn attention to the BRF programme which will have much higher densification and fulfil the requirements, amongst other initiatives, of the housing need.

However, the study implies throughout that an approach to higher densities should happen across the whole Borough which is totally unnecessary. Confirmation of this is shown by its statement that a more robust strategy is needed to ensure that density on both larger and strategic sites, including greenfield and brownfield sites, achieve higher densities. Exploring options such as minimum densities (the Brighton approach), is strongly indicated. In establishing areas for higher densities, the study says existing character may be replaced with the creation of a new character, although this would need to be balanced against heritage and environmental considerations. This latter aspect of the process confirms that Wirral's approach to planning applications is more appropriate and sound, i.e. that all matters are considered in the planning application process. The driving force should never be minimum dph levels just because housing happens to fall in a particular zone wherein minimum levels have been decided as being essential.

It is disturbing to find that many statements not only recommend increased density, but potential changes to character in some areas. It is accepted that changes to character will always be a feature in planning applications but it should not be based solely on dph criteria. People choose to live in certain areas as a result of the prevailing character, and whilst changes will evolve, they should still be sympathetic to the area.

It is also disturbing to note that the building on greenfield sites is considered as an ongoing norm, and will feature as a common feature in planning applications.

Density and Design Study – Stage 3

Identifying density zones

The study derives the undermentioned areas as density zones:-

1 Waterfront
2 Urban Core and Town Centre
3 Transit
4 Suburban

It is accepted the broad approach to density is a reasonable basis for selection if such a policy was selected. However, it is considered essential that specific sites are identified. This is acknowledged in 5.1 but in addition to mapping, all interested parties must be fully aware of the actual sites selected, and not having to guess by the colouring of an area on a map. In this respect it is noted that the SHLAA for 2020 is not available for inspection and this must be corrected. Any mapping of areas must be accompanied by appendices which clearly identify which sites are included within the specific zone area.

Density and Design Study – Stage 4

It is surprising that, within the methodology section, the zone described as Urban Edge, which might be considered as a zone outside of density levels, is linked with Waterfront and Urban Core zones where it is considered that minimum densities would be applied and be enforceable.

The map in figure 2.1 illustrates the necessity to specifically name the sites involved rather than put a coloured location on a map, for which a site could be mis-interpreted. On this occasion that has been done, but the actual analysis of specific sites must be known with certainty in order to arrive at a sound conclusion for the site. It is unsatisfactory to have to guess whether a coloured part of a map includes or excludes particular sites.

The danger of declaring minimum density zones is illustrated in 3.1, which specify the current densities across Wirral, and Figure 3.3. which identifies the proposed minimum densities in each zone.

	Current dph Range (Approx.)		**Proposed dph**
	Minimum	**Maximum**	**Minimum**
Waterfront	32	>90	70
Urban Core	35	>90	60
Transit	32	70	50
Suburban	16	70	40

It is believed that the current range of dph's reflects the outcome of planning applications which have specifically addressed all the key criteria, including the efficient use of land. It is completely refuted that because the dph in some areas is below the proposed minimum levels that it shows that the housing development has not been efficient in its use of land, as is implied throughout the study.

Quite clearly there is a considerable amount of work to be done in order to establish the housing sites to be developed, and in particular the next five years. It must, however, be realistic and not under-estimate delivery, or overstate the housing need, thus undermining confidence and trust in the whole process.

In relation to Heswall it is surprising that in the study's examples it states that the dph for Lower Heswall is 41. It is well known that within Lower Heswall area there are a considerable number of homes with extensive gardens and it is difficult to understand how such a high dph has been allocated to the area. It is also noted that the study states that the greatest opportunities within Heswall include, as part of the densification, the following:-

1. Backland development (either on side gardens or in large rear gardens)

2. Demolition and subdivision of plots

Such an approach will only serve to alter the character of the area over a period of time, much to the dismay of residents and the local community and indeed to Wirral as a whole. Once enacted it would not be possible to revert back to its original form. It also serves to show that despite the local community allegedly being part of the decision making process, in reality, the protocols being put in place negate their say in very important areas of planning.