

**AVISON
YOUNG**

**Wirral Local Plan
2021-2037
Submission Draft
Representations**

Land at Saughall Massie

July 2022

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For and on behalf of Avison Young (UK) Limited

1. Introduction

- 1.1 These representations have been prepared by Avison Young on behalf of Taylor Wimpey UK Limited ('Taylor Wimpey'). They form Taylor Wimpey's response to Wirral Borough Council's ('WBC') Local Plan 2021-2037 Submission Draft Consultation which was published on 9th May 2022 until 24th June 2022. On 13 June, BC extended the consultation period to 25th July 2022.
- 1.2 The National Planning Policy Framework (NPPF) requires:
- The planning system to be 'genuinely plan led' and that succinct and up-to-date plans should provide a positive vision for the future of each area (Paragraph 15); and,
 - Policies in local plans and spatial development strategies should be reviewed to assess whether they are up to date 'at least once every five years, and should then be updated as necessary (Paragraph 33).
- 1.3 Wirral's Unitary Development Plan ('UDP') was adopted in 2000 and covered the period April 1986 to March 2001. The UDP is now long out of date and the new Wirral Local Plan must progress as quickly as possible. Taylor Wimpey therefore welcomes the Local Plan Submission Draft Consultation and strongly encourages the Council to maintain progress towards the timetable set out to and agreed with the Secretary of State.
- 1.4 These representations are submitted in relation to land at Saughall Massie ('the site') and should be read in conjunction with Taylor Wimpey's previous representations relating to the site as follows:
- A Site Plan of the land was submitted to WBC of part of the August/September 2016 consultation on the Borough's housing needs and land supply;
 - Representations were made to the Strategic Housing Land Availability Assessment (SHLAA) Update consultation in September 2017 and Initial Green Belt Review Methodology consultation in December 2017, which also covered 3 additional sites under Taylor Wimpey's control: Land at Barnston Road; Land at Lever Causeway; and, Land at Irby Farm (Taylor Wimpey sites);
 - A detailed Development Statement to support the release of the site from the Green Belt and its allocation for residential development, submitted to WBC in July 2016;
 - Representations relating to the site were made by Taylor Wimpey to the Wirral Local Plan Development Options Review Consultation in October 2018;
 - Representations relating to the site were made by Taylor Wimpey to the Wirral Local Plan Issues and Options Consultation in April 2020. This was also supported by a Development Statement; and;
 - Representations relating to the Wirral Local Plan Evidence Base: Wirral Environmental Sensitivity Study and Green and Blue Infrastructure Strategy in March 2021.
- 1.5 As part of a consortium of developers and housebuilders (The Consortium), Taylor Wimpey commissioned Lichfields and Roger Hannah to undertake technical assessments of the Council's Local Plan Submission Draft Consultation and evidence base, specifically focussing on housing requirement, the required housing mix and the ability of the Council's claimed supply to meet the overall requirement, the mix of houses needed, and viability. This work (Consortium representations) comprises the following:

- Technical Paper 1: Assessing the Housing Requirement (prepared by Lichfields) (enclosed at **Appendix I**);
 - Technical Paper 2: Assessing the Housing Mix (prepared by Lichfields); (enclosed at **Appendix II**);
 - Technical Paper 3: Assessing Affordable Housing Need (prepared by Lichfields) (enclosed at **Appendix III**)
 - Technical Paper 4: Assessing the Housing Land Supply (prepared by Lichfields) (enclosed at **Appendix IV**);
 - Technical Paper 5: A Critique of the Viability Evidence (prepared by Roger Hannah) (enclosed at **Appendix V**);
 - Soundness Representations (prepared by Lichfields) (enclosed at **Appendix VI**); and
 - Summary of Key Issues (prepared by Lichfields) (enclosed at **Appendix VII**).
- 1.6 The remainder of these representations draw upon the Consortium representations where necessary.
- 1.7 We respectfully request that these representations and previous representations are taken into account in the preparation of the Local Plan. Taylor Wimpey reserves the right to make further comments at later stages of the consultation process.

2. The Saughall Massie Site

- 2.1 The site is located on the north western part of the Wirral Peninsula, immediately to the north of the village of Saughall Massie and encompassed by the established Moreton urban area to the north, east and west.
- 2.2 The site comprises two well-contained parcels of agricultural land known as Diamond Farm, which extend some 10.31 hectares and are split by Saughall Road which runs north to south.
- 2.3 The main parcel of the site, to the east of Saughall Road, extends some 8.56 hectares and is characterised by heavily farmed agricultural land with grazing land toward Arrowe Brook. The site is largely flat in its topography and is bounded immediately to the south by the Saughall Massie Conservation Area, which includes a listed farmhouse and existing working farm buildings along the southern boundary of the site.
- 2.4 The western parcel of the site extends approximately 1.75 hectares and is a largely flat and well-contained parcel of agricultural land bounded by Garden Hey Road and Saughall Road.
- 2.5 The site is bounded by the urban area of Moreton to the north, east and west; and the washed over Green Belt village of Saughall Massie to the south.
- 2.6 To the north of the site are residential properties situated along Acton Road, which leads into Hoylake Road and a range of local shops and facilities approximately 100m from the northern boundary of the site.
- 2.7 To the east of the site, beyond Arrowe Brook, the urban area extends eastwards towards the Upton bypass and the M53.
- 2.8 The west of the site is framed by Saughall Road and Garden Hey Road. To the north west is an extension of the Moreton urban area which contains a number of established residential properties.
- 2.9 To the south and west of the site are a number of dispersed agricultural buildings and dwellings which lie within the Green Belt. Further to the west, the wider Green Belt stretches towards Hoylake and Newton.
- 2.10 Immediately to the south of the site is the village of Saughall Massie, which contains some local level services and businesses.
- 2.11 The site is currently allocated as Green Belt in the Wirral UDP (adopted February 2000).
- 2.12 A Site Location Plan is provided at **Appendix VIII** of these representations.
- 2.13 As demonstrated in previous representations and in the 2020 Development Statement submitted as part of the Issues and Options Consultation, the site at Saughall Massie provides a sustainable and wholly appropriate extension to the existing urban area. The site offers a unique opportunity to deliver approximately 180 new family and affordable homes which will seamlessly integrate with the existing urban form of Saughall Massie and Moreton.

Assessment of the site in the Local Plan Submission Draft Consultation

- 2.14 The Local Plan Submission Draft Consultation evidence base uses the same boundaries as the Issues and Options Consultation when assessing the site, either in isolation, or as part of a wider parcel. The

different ways in which the site is defined (referred to at the relevant parts of the representations) are as follows:

- Strategic Housing Land Availability Assessment (SHLAA) Site Refs: 925 (eastern parcel) and 740 (western parcel) – these parcels together match the red line of the Taylor Wimpey site;
- MEAS Green Belt Sites for Further Investigation (SFI) Refs: SP004A (eastern parcel) and SP005A (western parcel)– these parcels together match the red line of the Taylor Wimpey site;
- Green Belt Review Site Ref: 5.8 (western parcel) and 5.9 (eastern parcel) – the western parcel (5.8) matches the red line of the Taylor Wimpey site. The eastern parcel includes the entirety of the Taylor Wimpey site plus additional land to the south that is already developed.

2.15 In the Local Plan Submission Draft Consultation, the site is proposed to remain as Green Belt under draft Policy SA 8. This differs from the site's status within the Issues and Options Consultation, where the site was included as part of the Council's Option 2A (Dispersed Green Belt Release) for potential removal from the Green Belt (Site Refs: 2 and 3) and estimated a capacity of 240 dwellings at the site. As such, the 2021 SHLAA includes the site in Appendix 6 which lists the sites in the Green Belt not subject to further assessment. It is also noted that the Green Belt Review 2019 has not been updated since the Issues and Options Consultation and therefore the same evidence applies for the Submission Draft Consultation.

2.16 As well as remaining in the Green Belt, the Local Plan Submission Draft Consultation designates the eastern parcel as a Nature Improvement Area under Draft Policy WS 5.4 'Ecological Networks'. Furthermore, the draft proposals map shows a small part to the south of the western parcel as being located within the Saughall Massie conservation area.

2.17 As part of the Issues and Options Consultation evidence base, WBC published a Merseyside Environmental Advisory Service (MEAS) RAG Screening 2019 which assess sites against information held on MEAS environmental databases. The screening includes archaeology, ecology, contaminated land, waste and minerals. The MEAS assessment includes separate assessments of all SHLAA sites and all SFI sites. These assessments are explored in further detail in the 'Environmental Considerations' section below. It should be noted that updated MEAS RAG screenings were conducted in 2021, assessing housing allocations, employment allocations and additional sites. Saughall Massie was not included in any of these assessments.

A Sustainable Location

2.18 The site is located both to the east and west of land off Saughall Road, which is approximately 350m to the south of Hoylake Road, which offers a wide range of amenities including supermarkets, shops and food/drink facilities. Around 1km from the site, is the centre of Moreton village, which provides and extensive range of services. Employment opportunities are available within the Moreton urban area and also within the Tarran Industrial Estate approximately 1.6km from the site. The site also has excellent access to schools, healthcare provision and community and recreational facilities.

2.19 The site is well served by the existing public transport network, with bus stops located along Saughall Road and Hoylake Road offering regular services to Heswall, West Kirby, Moreton, Bromborough and Birkenhead. Moreton Railway Station is located approximately 1.7km from the site and is on the line that links West Kirby to Liverpool Central, but also serves a range of destinations including Hoylake, Birkenhead and all Liverpool City Centre stations. There are multiple local cycle routes located within close proximity to the site within Saughall Massie, including National Cycle Routes running between Chester and Liverpool, and the Wirral Way which encompasses the majority of the local Wirral towns and settlements.

2.20 The site is therefore sustainably located and offers residents opportunities to use sustainable modes of transport to access local services, facilities and employment opportunities. As shown on the Interactive Local Plan Submission Draft Proposals Map, Moreton is proposed to be defined as a 'Town Centre Primary Shopping Area' (reference: TC-SA5.1) which draft Policy WS 11.2 (Hierarchy of Retail Centres) states Town Centres as shown on the proposals map will be the main focus for development and investment in shops, services, leisure and community facilities outside Birkenhead. Moreton Town Centre is located approximately 1.5km to the north-east of the site and there is clearly an aspiration from the Council that Moreton Town Centre provides an important function and should be retained and enhanced which will further strengthen the future sustainability of the site.

Sustainable Development

2.21 The NPPF sets out at Paragraph 8 that sustainable development should have positive economic, social and environmental benefits and meet the needs of the present without compromising the needs of future generations. The release of the site from the Green Belt and its allocation for housing will meet the three objectives of sustainable development:

2.22 **Economic Objective:** The development of the site will contribute to building a strong, responsive and competitive economy. The construction of high-quality residential units will deliver direct economic benefits and spin-off benefits to the local economy through the creation of jobs. The delivery of family and affordable houses will secure several economic and fiscal benefits in terms of job creation, additional monies to the Council and increased expenditure in the local economy.

2.23 **Social Objective:** The development of the site will help to support strong vibrant and healthy communities by bringing significant investment to Moreton, Saughall Massie and the north western Wirral Peninsula as a whole, including:

- A range of open market housing comprising various types to meet the needs of the local community;
- The provision of affordable housing of the range and type to meet identified need, as set out in the Wirral SHMA 2021 update, which identifies a continued affordable housing imbalance across the borough.
- A new River Parkland and area of public open space adjacent to Arrowe Brook that links in with existing public rights of way and has the potential assimilate the development with the existing green corridor. This open space will be fully accessible to existing residents; and,
- Integration with the Saughall Massie Conservation Area to improve its setting and open up vistas to important buildings.

2.24 **Environmental Objective:** There are not considered to be any environmental constraints that would preclude the development of the site. These are explained in further detail below.

Environmental Considerations

Flood Risk

2.25 As part of the Local Plan Submission Draft Consultation evidence base, WBC has published a Level One Strategic Flood Risk Assessment ('SFRA') (July 2021) which considers the number and distribution of flood risk sources present in Wirral. It draws together the most up-to-date flood risk information and provides an assessment of flood risks for specific sites.

2.26 Within the SFRA, the site is assessed in parcels as follows:

- Site 0925 (SHLAA 0925 North of Diamond Farm, Saughall Massie) states the site is located within Flood Zones 1, 2, 3a and 3b and is at existing risk and therefore there is a high likelihood of future risk. The Level 1 Strategic recommendation refers to the site as 'Strategic Recommendation A' and recommends considering withdrawing the site from allocation based on a significant level of surface water flood risk, or carry out a Level 2 SFRA to assess depths of flooding. As such, the site is included at Appendix D of the Strategic Flood Risk Assessment as a site potentially unsuitable for development and quotes that 16.46% of the site is at a medium risk and 2.65% of the site is an area at high risk;
- Site 0740 (SHLAA 0740) North of 137 Garden Hey Road, Saughall Massie) confirms the site is completely within Flood Zone 1 and as such recommends a Flood Risk Assessment would be required as part of any development.

2.27 In response to the 2021 SFRA and in particular with regards to the assessment of Site 0925, it should be noted that 71% of the site is Flood Zone 1 with very small portions of the site located in Flood Zone 3.

2.28 As set out in previous representations and modelling work undertaken, the Concept Masterplan proposes all development parcels to be located within Flood Zone 1 in all scenarios and, as such, in an area which subject to the lowest risk of flooding from rivers or seas and any development of the site will ensure that flood risk is not increased elsewhere. Overall, the site can be developed for residential development without causing undue harm to flooding and drainage.

Highways

2.29 The site fronts onto the local highway network at multiple points allowing vehicular access to be achieved to the north and west. There are also further opportunities to deliver pedestrian and cycle linkages to the existing built up area to the east. Initial assessments of the adjoining highway network indicate that there is sufficient capacity within the existing local and strategic highway network to accommodate the development, with limited physical off-site highway improvements required. The level of key local facilities within acceptable walking distances of the site will also reduce the number of single private car journeys generated by a future residential development.

2.30 As part of the Local Plan Submission Draft Consultation evidence base, WBC has published a Transport Background Paper (April 2022), this is in addition to the Transport Background Paper published in January 2020 in support of the Issues and Options Consultation which detailed a number of highways evidence studies that have been undertaken to support the Local Plan.

2.31 A Highways and Transport Note (June 2022) has been prepared to support these representations following a review of the Council's highways evidence by Eddisons in the context of the site and is attached at **Appendix IX**.

2.32 Eddisons Note states that a development of around 180 dwellings on the site would be likely to generate approximately 80 to 85 vehicular trips in the two busiest hours of the day which are likely to be between 0800 and 0900 hours and 1700 to 1800 hours. This equates to less than 1.5 additional two-way traffic movements per minute even during the busiest periods of the day. In Eddisons view, the local highway network has the capacity to accommodate this additional traffic generation and as part of any future planning application, if necessary, a package of off-site highway improvements could be agreed to mitigate any severe impacts on the transport network as a result of the proposed residential development.

- 2.33 The Note also provides a preliminary review of the Wirral Local Plan Infrastructure Delivery Plan dated May 2022 and Mott MacDonald Transport Background Paper Version 2 dated April 2022. In particular, the Transport Background Paper confirms that there are no junctions in the vicinity of the site that are forecast to operate over 100% capacity in either traditional weekday peak periods. During the AM peak there is only one junction in the vicinity of the site that was forecast to operate above 85% of capacity (it is forecast to be between 85% and 100% of capacity) and during the PM peak all nearby junctions are forecast to operate below 85% of capacity in the future assessment year. There are also a number of routes to and from the site which the traffic generated by any residential development at the site would be dispersed and as such, there are a number of different routes to disperse the potential development traffic and this will ensure that any development can be adequately accommodate on the local highway network.
- 2.34 Eddisons Note concludes that there are no insurmountable highways and transport issues that would constrain a residential allocation and future development of the site.

Agricultural Land

- 2.35 An Agricultural Economy and Land Study was published by WBC in 2019 as part of the Issues and Options Consultation evidence base. It should be noted that this has not been updated as part of the Local Plan Submission Draft Consultation. This provides an assessment of agriculture in Wirral including underlying soil and geology and climate limitations. The Study assesses the Saughall Massie site as Grade 3a and 3b 'likely ALC classification' (EC1.1 - Page 33 Table 14) and recommends a detailed ALC survey is undertaken for the site.
- 2.36 An ALC survey has previously been undertaken by Reading Agricultural Consultants Ltd (RAC) (February 2020). This survey concluded that the land is classified as mostly Subgrade 3a, with one observation of Subgrade 3b in the south-west.
- 2.37 As detailed in the Council's Agricultural Economy and Land Study 2019, Wirral has a large amount of high quality agricultural land. Historic agricultural land classification surveys undertaken in Wirral show a predominance of ALC Grade 3a land. Table 12 (page 30) shows that around 90% of agricultural land within these surveys was graded as either 3a or 3b. Table 14 (page 33) also details the range of likely ALC for the SFI sites and clearly shows that the majority contain 3a and 3b grade agricultural land. Given the prevalence of 3a and 3b grade land across the Borough, the impact of the loss of this agricultural land would be very minimal and this agricultural land classification should not preclude the development of the site.

Landscape

- 2.38 As part of the Local Plan Submission Draft Consultation evidence base, WBC has published a Landscape Sensitivity Assessment 2021 (prepared by LUC). The purpose of the Wirral Landscape Sensitivity Assessment is to provide an assessment of the extent to which the character and quality of the landscape would, in principle, be susceptible to change as a result of the introduction of built development.
- 2.39 A review of WBC's Landscape Sensitivity Assessment in the context of the Saughall Massie site has been prepared by PGLA Landscape Architects in support of these representations and is contained at **Appendix X**.
- 2.40 In addition, WBC has produced a Local Landscape Designation Review 2021 which identifies a number of sites that are considered to be an Area of Special Landscape Value and focuses on the evidence base for assigning the designation. The Saughall Massie site is not identified as one of these and is not in proximity to any of the designated sites.

- 2.41 PGLA's note, acknowledges that earlier versions of the Landscape Sensitivity Assessment had assessed the overall landscape sensitivity to future change from residential development as 'moderate-high'. The updated 2021 Assessment which forms part of the Local Plan Submission Draft Consultation does not change this assessment. The Landscape Sensitivity Assessment highlights that the site is influenced by features and elements that indicate a general high sensitivity to residential development, however this is mostly attributed to the proximity to the Saughall Massey Village Conservation Area and to Arrowe Brook as well as existing hedgerows demarcating field patterns within the site. The majority of the remaining sites contain general features of low sensitivity to residential development, such as the gently falling landform towards the brook, a low level of semi-natural habitats covering the site. In addition, the site is visually well enclosed and the large industrial sheds to the south restrict inter-visibility with the wider landscape and therefore sensitivity scores lower due to this. The surrounding settlement edges decrease the scenic value of the site and limits the opportunities for dark skies which in turn decrease landscape sensitivity. This is compounded by aural intrusion from Saughall Road.
- 2.42 In terms of landscape value, the area is not subject to any national or local landscape designations and the site is not within an Area of Special Landscape Value.
- 2.43 Overall, PGLA state that the general assignment of moderate-high sensitivity to residential development appears to be a fair summary. However, it should be possible to develop a residential scheme on these sites without causing undue harm or adverse effects on the higher sensitivity heritage and landscape features. PGLA have undertaken an analysis of the Landscape Sensitivity Assessment 'Guidelines for Development' and measures the previously prepared Concept Masterplan against this. This analysis demonstrates that Taylor Wimpey's Concept Masterplan has been developed to ensure that areas of high landscape and visual sensitivity within the SPO004A and SP005A parcels can be retained and protected as part of any future proposed residential development. The built elements on the Concept Masterplan are focused within areas of low sensitivity such as the fields adjacent to the surrounding settlement edges. Areas of new public open space will promote the green infrastructure network and connectivity especially adjacent to Arrowe Brook. The objectives of River Birkett Corridor (NIA-4) will be achievable with the future proposals.
- 2.44 Taylor Wimpey's Concept Masterplan has been developed to ensure that areas of higher landscape and visual sensitivity within the beyond the site, including those identifying in the Landscape Sensitivity Assessment and it is clear that any future proposals will not impinge on these.
- 2.45 The Taylor Wimpey site can therefore be developed for residential development without causing undue harm to the landscape character or the visual amenity of the area. Whilst the sensitivity of the whole site is assessed as moderate-high, Taylor Wimpey's Masterplan for the site seeks to retain and protect the areas of high sensitivity.

Archaeology

- 2.46 In the MEAS RAG screening 2019 both parcels score 'green' for archaeology when assessed as both the SHLAA parcels (Refs: 740 and 925) and the SFI parcels (Refs: SP004A and SP005A). This indicates there are no significant environmental constraints in relation to archaeology. Taylor Wimpey fully supports this 'green' rating as there are no archaeological constraints on the site.

Ecology

- 2.47 Within the MEAS RAG 2019 screening produced in 2019, the eastern parcel scores 'green' in relation to ecology for both the SFI assessment (Ref: 004A) and the SHLAA assessment (Ref: 925) with the conclusion drawn that "environmental constraints capable of being addressed through the normal planning process." The western parcel scores 'amber' in relation to ecology for the SHLAA parcel (Ref: 740) and the SFI parcel (Ref: 005A) and the assessment concludes that "ecology issues to be addressed

- at planning application stage” and that “preliminary Ecological Appraisal (PEA) and Amphibian Survey will be required.”
- 2.48 The site is not subject to any local, regional or international statutory or non-statutory designations. Meols Meadows is the nearest ecologically designated site, a Site of Special Scientific Interest (SSSI) located 1.3km to the north. Boundary hedgerows separate the eastern parcel of land into a number of separate agricultural fields. A single tree in the south western corner of the eastern parcel of land is subject to a Tree Preservation Order (TPO). This would be retained as part of any future development.
- 2.49 An Ecological Considerations Note was prepared by Bowland Ecology as part of the Issues and Options Consultation in 2020. These reviewed the MEAS RAG Screening in the context of the Saughall Massie site and concluded that ecological issues are not likely to be a major constraint. This is because the sites are largely species poor grassland/arable with limited species interests. It would therefore be appropriate to undertake the further ecological surveys at the planning stage. Where possible, existing hedgerows and trees and will be retained and incorporated within the proposed development and best practice ecological mitigation measures adopted.
- 2.50 It is noted that the site has now also been given a designation as a Nature Improvement Area (NIA-4) under draft policy WS 5.4 ‘Ecological Networks’ as ‘River Birket Corridor (NIA-4)’, as denoted on the policies map which forms part of the Local Plan Submission Draft consultation. It is the eastern parcel which falls within this designation.
- 2.51 The policy states:
- “Where relevant, development proposals must ensure that the biodiversity assets of the Borough are protected, enhanced and functionally connected within coherent and resilient ecological networks. Biodiversity Net Gain will be delivered appropriately in response to the site characteristics and location.*
- 2.52 It further states the priority should be given to enhancing the quality, connectivity and resilience of habitat within Nature Improvement Areas including; River Becket Corridor (NIA-4).
- 2.53 A further note has been prepared by Tyler Grange in relation to the latest evidence base as part of the Wirral Local Plan Submission Draft Consultation. This is contained at **Appendix XI**.
- 2.54 The note prepared by Tyler Grange stresses that the draft policy clearly identifies that development within the NIA’s is acceptable, as long as the objectives of the NIA can be met. It goes on to demonstrate that development at the site could be compatible with the targets set out in draft Policy WS 5.4. It notes that the overall River Birket NIA covers an area of approximately 758 ha in the north of the Wirral which connects parcels of agricultural land in the northwest of the Wirral peninsula via watercourses (River Birket, Arrowe Brook etc).
- 2.55 Tyler Grange acknowledge the relevant evidence base that relates to the NIA designation as being the Environmental Sensitivity Study (November 2021). This document identifies NIA’s as *‘large, discrete areas intended to deliver a step in change in nature conservation, with significant improvements for wildlife and people...NIA form the foci for strategic habitat reconnection, restoration and creation. Both linear features and stepping stones can help build resilience within a network by optimising connectivity, restoring natural process, and accommodating dynamism’*. The study concludes that NIA’s are ‘moderately’ sensitive, and that development ‘may be possible in some locations’.
- 2.56 Tyler Grange’s note then goes on to demonstrate that the previously prepared Concept Masterplan for the site is compatible within the NIA. Key features of the Masterplan include:

- The retention of the 'stepping stone' pond in the smaller western parcel;
- The provision of a significant green / blue buffer between development and Arrowe Brook;
and
- Hedgerow / tree retention.

2.57 Taking the above into account, the Masterplan meets the objectives of the draft policy regarding biodiversity and NIA's as it avoids impacts to the most valuable habitats in the first instances through the retention of the pond, hedgerows and trees where possible and providing a significant landscape buffer to Arrowe Brook. This is explored further in Tyler Grange's note. It is noted that agricultural land is the most dominant habitat within the site, however this is not a factor of the NIA and is not integral to the delivery of the objectives of the NIA. Furthermore, none of the Council's evidence base has indicated that the main body of the site (agricultural land) is either a sensitive receptor, or one which is required to maintain the function of the NIA. Therefore, the entirety of the agricultural land parcels within the eastern parcel of the site are not required to meet the objectives of the NIA as this can be achieved as demonstrated on the Masterplan previously prepared and submitted in earlier representations by the land indicated for green infrastructure (wetland creation, hedgerow planting, retaining connectivity and functionality of Arrowe Brook).

2.58 Overall, it is demonstrated that development within the NIA is acceptable and the site can deliver residential development in keeping with the objectives of the NIA through the retention of a significant green corridor adjacent to the most valuable ecologic asset within the site and which is integral to the function of the River Birket NIA. Tyler Grange's note also clearly sets out that the entirety of the eastern parcel of the site is not required to be designated within the NIA due to this being agricultural land and this not being integral to the delivery of the objectives of the NIA.

2.59 Taking the above into account, the designation of the entire eastern parcel of the site is not necessary. This is discussed further in Section 5 of these representations.

2.60 The evidence base document, the Environmental Sensitivity Study (November 2021), concludes that Wirral is a highly constrained Borough in both environmental and landscape terms and that the Borough is characterised by its peninsular form with approximately 55% of its land already development. Whilst this is true, Wirral are also short on their housing numbers and requires additional sites to deliver this. This is considered further in the following sections.

2.61 Overall, it has been demonstrated that the site could be deliverable from an ecological perspective.

Ground Conditions

2.62 Within the MEAS RAG Screening 2019, both parcels score 'green' in relation to land contamination for the SFI assessment (Refs: 740 and 925) with the conclusion drawn that "environmental constraints capable of being addressed through the normal planning process." However, there is a discrepancy in the assessment of the eastern parcel in the SHLAA assessment. In this assessment, the eastern parcel (Ref: 925) is given an 'amber' rating for land contamination, which conflicts with the SFI assessment rating of 'green'.

2.63 Taylor Wimpey fully supports the 'green' score in the SFI assessment which reflects that there are no land contamination issues, however note that there is a discrepancy /error in the SHLAA assessment which should score the site 'green' rather than 'amber'.

2.64 Whilst the site has not reached detailed planning application stage, a Desk Study Report (October 2015) has previously been prepared by Betts Associates to provide geotechnical and contamination risk

information for the site. This indicates that a low – low/moderate risk for contamination and ground gas exists on site and that there are limited geotechnical constraints. As such, there are no ground conditions constraints that would preclude the allocation of the site for development.

The Five Purposes of the Green Belt

- 2.65 As part of the Issues and Options Consultation, WBC published a Green Belt Review (2019), this same Review is also included within the evidence base for the Local Plan Submission Draft Consultation as this has not be revised. This study provides a detailed specialist assessment against the five purposes of the Green Belt as set out in Paragraph 138 of the NPPF (2021).
- 2.66 Taylor Wimpey notes that within the Green Belt Review, the site is assessed under two separate parcels (Parcel Refs: 5.8 and 5.9) which match the Taylor Wimpey red lines for the sites being promoted. Therefore, unlike for other sites under the control of Taylor Wimpey, the parcels assessed in the Green Belt review are correct and entirely logical and Taylor Wimpey fully supports the identification of these parcels. The Council's own justification text (GB1.11 – Appendix G – Detailed Green Belt Parcel Assessment Table) for Parcel 5.8 (western parcel) states that the parcel makes a moderate contribution to two purposes and no contribution to three purposes. In line with the methodology, the parcel has been judged to make a weak overall contribution. For Parcel 5.9 (eastern parcel), the Council's assessment concludes that the parcel makes a moderate contribution to one purpose, a weak contribution to one purpose and no contribution to three purposes, resulting in an overall weak contribution.
- 2.67 Taylor Wimpey supports the Council's assessment of both the eastern and western parcels of the site as making a weak overall contribution to the five purposes of the Green Belt, however has undertaken its own assessment of the site as a whole against each of the five Green Belt purposes, set out below.
- 2.68 **To Check the Unrestricted Sprawl of Large Built-up Areas:** The site forms a logical 'infill' area of land that would provide a natural and well contained extension to the urban area and settlement boundaries of Moreton and Saughall Massie. The site benefits from a significant degree of enclosure by established residential development to north, east and west which clearly establish the surrounding context and character of the site. The site has defensible boundaries on all sides and as such, is not required to check the unrestricted sprawl of the adjacent urban area. Taylor Wimpey therefore assesses the site as making a weak contribution to this purpose.
- 2.69 **To Prevent Neighbouring Towns from Merging into One Another:** The surrounding urban area is characterised by established and comparable residential development that forms part of the wider area of Moreton. Having regard to the distance between the site and the surrounding urban areas, the site's clear and defensible features on all sides represent strong durable boundaries and the development of the site for housing would not result in the coalescence of neighbouring towns. Taylor Wimpey therefore assesses the site as making a weak contribution to this purpose.
- 2.70 **To Assist in Safeguarding the Countryside from Encroachment:** The site's strongly enclosed land parcels provide a clear physical and visual separation from the Green Belt by the village of Saughall Massie and existing highways network. The development of the site would create a new strengthened and long-term Green Belt boundary, delineated by permanent physical features that frame the urban areas of Moreton and Greasby.
- 2.71 Whilst the Submission Draft Consultation does not release any Green Belt sites, in order to be found sound, WBC need to plan for Green Belt release to meet future housing need. As a result, there will be some encroachment into the countryside; however, this site is suitable as it is a logical and well contained 'infill' to the urban area and would not lead to development that would intrude discordantly

into the open countryside. Taylor Wimpey therefore assesses the site as making a weak contribution to this purpose.

- 2.72 **To Preserve the Setting and Special Character of Historic Towns:** There are no nationally recognised historic towns within the vicinity of the site. The Saughall Massie Conservation Area, which contains a number of listed buildings, is located at the southern extent of the site. However, a sensitively designed housing development would not adversely impact on the surrounding setting or character of this area. Taylor Wimpey therefore assesses the site as making a weak contribution to this purpose.
- 2.73 **To Assist in Urban Regeneration, By Encouraging the Recycling of Derelict and other Urban Land:** There is not currently a sufficient supply of deliverable brownfield land identified to meet Wirral's housing need and consequently, Green Belt release is required to meet the Borough's housing needs over the Plan Period. As such, all sites in the Green Belt would currently fulfil this purpose in equal measure. The removal of the site from the Green Belt does not conflict with this purpose as the Council acknowledges that there is insufficient previously developed land in the Borough to accommodate its future housing requirements. Taylor Wimpey therefore assesses the site as making a weak contribution to this purpose.
- 2.74 Based on the above assessment, Taylor Wimpey's assessment of the site concludes that it makes an overall weak contribution to the five purposes of the Green Belt. This aligns with the Council's own assessment of the site within the Green Belt Review which concludes that both the eastern and western parcels make a weak contribution.
- 2.75 Taylor Wimpey have commented in previous representations on the methods and boundaries used to assess various Green Belt parcels. The Green Belt Review assessment of parcels uses an objective approach of using existing physical features to define parcels and then assess their contribution to Green Belt purposes, in identifying sites for release, the Council must take into account the deliverability and sustainability of sites and whether they can be help meet the Borough's housing need whilst not preventing the Green Belt purposes from being achieved. Relying on the Green Belt Review and then applying a rudimentary formula for calculating capacity, whilst a useful starting point, fails to take into account the detailed work that has been undertaken by developers and landowners to demonstrate the deliverability of actual development sites that can form part of an effective housing land supply in the Local Plan. This point should be considered by the Council as they progress the Local Plan.

Deliverability of Development

- 2.76 To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years, as set out in the NPPF.
- 2.77 **Available:** The site is within the control of a major house builder and if the site were to be released from the Green Belt and allocated for housing, Taylor Wimpey would seek to develop the site immediately, thus contributing to the Borough's 5-year housing land supply.
- 2.78 **Suitable:** The site is suitable for housing development because it is sustainably located, close to local services and facilities; would form a natural 'infill' to the existing Saughall Massie and Moreton urban area; has no identified technical or environmental constraints and will sympathetically respond to its surroundings, including the Saughall Massie Conservation Area.
- 2.79 **Achievable:** Taylor Wimpey has reviewed the economic viability of the proposals in terms of the land value, attractiveness of the locality, level of potential market demand and projected rate of sales in the area. These considerations have been analysed alongside cost factors associated with the site, including

site preparation costs and site constraints. Taylor Wimpey can confirm that the site is economically viable and therefore achievable.

Summary

- 2.80 When tested against the purposes of the Green Belt, the site presents a significant opportunity to support a sensitive residential development that will not prevent the Green Belt from functioning effectively in this location. Taylor Wimpey supports the assessment of the site in the Council's Green Belt Review which demonstrates that the site makes an overall weak contribution to the five purposes of the Green Belt.
- 2.81 The site is in a highly sustainable location and represents a natural and logical extension to the existing urban area. Furthermore, the site is available, suitable and achievable and there are no known technical or environmental constraints that would preclude the development of the site.

3. Settlement Area

3.1 This section of these representations reviews Wirral's proposed Settlement Areas as set out in Part 5 of the Local Plan Submission Draft. Part 5 is set out as follows:

Area	Settlement Area
Wallasey	Settlement Area 1
Birkenhead Commercial Core	Settlement Area 2
Suburban Birkenhead	Settlement Area 3
Bebington, Bromborough and Eastham	Settlement Area 4
Leasowe, Moreton, Upton, Greasby and Woodchurch	Settlement Area 5
Hoylake and West Kirby	Settlement Area 6
Irby, Thingwall, Pensby, Heswall and Gayton	Settlement Area 7
Rural Area	Settlement Area 8

3.2 in 2018, the Council consulted on the Wirral Local Plan Development Options Review Consultation. To inform the preparation of the Local Plan and specifically, the Development Options Review Consultation, a number of documents were prepared. The Broad Spatial Options Revised Assessment Report was due to assess the settlements and inform the settlement hierarchy, however this was never published and therefore Taylor Wimpey could not provide a comprehensive response to the Development Option Consultation at that time and reserved the right to make further comments at an appropriate time when this document, alongside others had been published.

3.3 The Broad Spatial Options Revised Assessment Report was not published as part of the Issues and Options Consultation in 2020 and it is noted that it is also not published as part of the Submission Draft Consultation. However, as part of the evidence base, WBC has published a Borough Spatial Portrait Report 2020 which presents a summary of various demographic and background information for the Borough and its individual settlements. The Spatial Portrait reviews the existing data available and maps the accessibility to key services and facilities across the eight Settlement Area that make up the Borough.

3.4 The Spatial Portrait Report sets out that the Council has divided Wirral into eight broad Settlement Areas based on the main groups of settlements within the Borough as follows:



Settlement Area 1	Wallasey, New Brighton, Liscard, Egremont, Seacombe, Poulton and Wallasey Village
Settlement Area 2	Commercial Core Birkenhead and Wallasey Docklands, Bidston Moss, Valley Road, Birkenhead Town Centre, Hamilton Square, Twelve Quays, Woodside, Hind Street, Monks Ferry and Cammell Lairds
Settlement Area 3	Birkenhead Bidston, Beechwood, Claughton, Oxtan, Noctorum, Prenton, Mountwood, Tranmere, Rock Ferry and Rock Park
Settlement Area 4	Bromborough and Eastham New Ferry, Bebington, Port Sunlight, Brookhurst, Raby Mere, Poulton, Spital, Eastham and Bromborough Pool
Settlement Area 5	Mid-Wirral Leasowe, Moreton, Upton, Woodchurch and Greasby
Settlement Area 6	Hoylake and West Kirby Meols, Newton and Caldly, Birchcroft Road/Rycroft Road and Barn Hey Crescent.
Settlement Area 7	Heswall Gayton, Pensby, Thingwall and Irby
Settlement Area 8	*Settlement Area 8 is equivalent to the extent of the Green Belt shown on the Unitary Development Plan Proposals Map adopted in February 2000. Rural Areas Clatterbridge Hospital, Thornton Hough, Raby, Barnston, Brimstage, Storeton, Landican, Thurstaston, Frankby, Saughall Massie, North Wirral Coastal Plain, M53 Corridor, Eastham.

- 3.5 The Spatial Options Report then goes on to provide a detailed statistical profile of each settlement area with a map and table of key services and facilities including their size, capacity and expansion potential.
- 3.6 The Housing Delivery Strategy 2022, states on page 17:

The Local Plan Submission Draft divides the Borough into seven urban Settlement Areas, identified through previous public consultation. Dwellings within this category account for residual housing supply made up of site-specific housing allocations which are located outside the Regeneration Areas. A windfall allowance is also identified for these areas.*

- 3.7 The footnote refers to 'an eighth settlement Area for the Rural Areas is equivalent to land within the Green Belt. It is unclear what it meant by previous public consultation as set out above, evidence has not been provided to support this.
- 3.8 As the site is designated as Green Belt in the Local Plan Submission Draft, Settlement Area 8 (Rural Area) applies. Policy WP 8.1 (Green Belt) states the National Policy for the Green Belt will apply in the determination of proposals within the Rural Settlement Area in addition to other relevant policies in tis Local Plan.
- 3.9 It is noted that as part of the Issues and Options Consultation, the Council included a settlement hierarchy as follows:

Hierarchy	Township
Urban Conurbation (previously identified as Settlement Areas 1-4)	Bidston, Birkenhead, Bebington, Beechwood, Bromborough, Bromborough Pool, Claughton, Eastham, Egremont, Liscard Mountwood, New Brighton, New Ferry, Noctorum, Oxton, Port Sunlight, Poulton, Prenton, Raby Mere, Rock Ferry, Rock Park, Seacombe, Spital, Tranmere, Wallasey Village
Urban Settlement (previously identified as Settlement Areas 5-7)	Urban Barnston, Caldby, Gayton, Greasby, Heswall, Hoylake, Irby, Leasowe, Meols, Moreton, Newton, Pensby, Thingwall, Upton West Kirby, Woodchurch
Large Village (previously identified as Settlement Area 8)	Thornton Hough
Small Village (previously identified as Settlement Area 8)	Barnston Village, Brimstage, Frankby, Raby, Saughall Massie, Storeton, Thurstaston
Hamlet (previously identified as Settlement Area 8)	Landican

- 3.10 Reference to a settlement hierarchy appears to have been omitted from the Local Plan Submission Draft. This is welcomed as there was a lack of information to understand how the settlement hierarchy had been formed and the evidence underpinning this. However, as per the Issues and Option Consultation, the overarching strategy for development in the Borough still seeks to focus development within the urban area and in particular at Birkenhead and Wirral Waters. Whilst seeking to focus development within the existing urban area is a logical approach in planning terms, it is clear that there is a substantial lack of suitable, available and deliverable urban sites to meet the Borough's housing

needs and therefore an over-riding need for substantial Green Belt release. Taylor Wimpey cannot therefore support an approach of focusing investment and regeneration toward the east of the M53 Motorway as it is fundamentally flawed. Rather this should be just one element of a comprehensive approach which also includes sufficient appropriate sites released from the Green Belt to contribute towards meeting the Borough's housing requirement. Further detailed comments regarding this over-riding need is set out in Section 4 of these representations.

4. Housing Requirement

4.1 This Section of the representations sets out Taylor Wimpey's response to meeting housing need in Wirral Borough.

Issues and Options Consultation Housing Requirement Options

4.2 In the Issues and Options Consultation, WBC identified 4 spatial options for meeting the overall housing need:

- Option 1A: Urban Intensification;
- Option 1B: Urban Intensification with stepped delivery;
- Option 2A: Dispersed Green Belt Release; and
- Option 2B: Urban Expansion.

4.3 The Council's preferred option was 1A and the Issues and Options Consultation set out how it involved 'urban Intensification' and 'plans for all the Borough's development needs to be met within the existing urban areas, by developing urban sites and by increasing densities across all the settlements in Wirral'. It also sought to accelerate delivery, as far as the Council is able, through joint working arrangements with investment and funding partners.

4.4 However, it was demonstrated that the Council's best-case supply of deliverable sites was just 10,306 dwellings (which includes generous allowances for conversions, changes of use, windfalls and empty homes), giving a shortfall of 2,444 dwellings over the Plan Period.

4.5 The Council suggested to address this deficit by way of Potential Intensification and additional urban housing allocations. With generous allowances for net gains from conversions and changes of use, windfalls and empty homes, the intensification and re-scheduling of 'deliverable' and 'developable' sites and these potential additional urban housing allocations, the Council identified a potential supply of up to 14,800 new dwellings over the Plan Period which would result in a surplus of 2,091 when compared to the Council's identified requirement for 12,000 homes (plus allowances for demolitions) at the Issues and Options Consultation stage.

4.6 Our previous representations submitted to the Issues and Options Consultation detailed Taylor Wimpey's significant concerns over the Council's approach in Option 1A and set out that the only realistic option for meeting the Borough's overall housing requirement is one which included appropriate Green Belt release. These representations also set out the Consortium representations which demonstrated that the Council must plan for an increased housing requirement of between 1,045 and 1,300 dpa and critically re-assess its claimed supply from the sources set out in Issues and Options consultation. It was stated that taking this housing requirement would mean that the Council has a shortfall in supply of 14,078 units over the Plan Period and the only realistic option to meet this need and achieve the growth objectives for the Borough is appropriate Green Belt release.

Local Plan Submission Draft Housing Requirement

4.7 Draft Policy WS 1.1 (The Development and Regeneration Strategy for Wirral 2021-2037) in the Local Plan Submission Draft states the Local Plan will provide for a minimum of 13,360 net additional dwellings including new affordable dwellings. Dwellings will be delivered through:

1. *The creation of new neighbourhood through brownfield development:*

i) as part of the Regeneration Areas across the Borough, including those within Birkenhead identified on Figure 3.1; and

ii) through the reuse of land previously used or allocated for employment use, including at Bromborough; and

2) suitable sites within Settlement Areas

4.8 The policy goes on to state that new dwellings will be delivered by:

1. *Permitting development proposals where they comply with all other relevant policies of the Local Plan.*
2. *The development of new neighbourhoods.*
3. *Making the best use of land by ensuring that development densities are appropriate to the location and size of the site in accordance with Policy WS 3.2 (Housing Density), including higher densities in Regeneration Areas and other suitable accessible locations.*

4.9 Paragraph 3.15 in the Local Plan Submission Draft claims that the annual housing need for the Borough is 835 dwellings each year for the period 2021-2037. It states that whilst the need identified is 13,360 dwellings, the Local Plan in fact makes provision for 17,750 dwellings. Paragraph 3.16 goes on to state that the Council has applied a 10% discount to relevant categories of supply to account for the potential that some planned housing may not ultimately be delivered. Therefore, with the 10% discount, the Council claim their total supply is 16,322 total dwellings. The Regeneration Areas are claimed to provide for the majority of planning growth in the Borough (approximately 50%) over the Plan Period and the housing provision within each Regeneration Area will be achieved through a mix of specific site allocations on which delivery is expected to begin during the early years of the Plan Period.

4.10 However, Taylor Wimpey and the Consortium has significant concerns over the Council's approach to calculating their housing requirement. The Consortium representations have been prepared to address this point further and are appended to these representations and summarised below.

Consortium Representations

4.11 As set out in the introduction (Section 1) of these representations, as part of a Consortium of developers and housebuilders (The Consortium), Taylor Wimpey commissioned Lichfields and Roger Hannah to undertake technical assessments of the Council's Local Plan Submission Draft Consultation and evidence base, specifically focussing on housing requirement, the claimed supply to meet housing need, affordable housing, the mix of housing required and viability. This work (Consortium representations) comprises the following:

- Technical Paper 1: Assessing the Housing Requirement (prepared by Lichfields) (enclosed at **Appendix I**);
- Technical Paper 2: Assessing the Housing Mix (prepared by Lichfields); (enclosed at **Appendix II**);
- Technical Paper 3: Assessing Affordable Housing Need (prepared by Lichfields) (enclosed at **Appendix III**)
- Technical Paper 4: Assessing the Housing Land Supply (prepared by Lichfields) (enclosed at **Appendix IV**);

- Technical Paper 5: A Critique of the Viability Evidence (prepared by Roger Hannah) (enclosed at **Appendix V**);
 - Soundness Representations (prepared by Lichfields) (enclosed at **Appendix VI**); and
 - Summary of Key Issues (prepared by Lichfields) (enclosed at **Appendix VII**).
- 4.12 The Consortium representations provide the Consortium's (including Taylor Wimpey's) response to relevant points within the consultation. Each Report in the Consortium representations is based on a review of the Council's evidence base with potential areas of concern highlighted, that will need to be addressed to ensure the emerging Local Plan is found sound at Examination.
- 4.13 The remainder of this section summarises the conclusions of each of the reports making up the Consortium representations, before presenting Taylor Wimpey's view on meeting the Borough's housing requirement.

Technical Paper 1: Assessing the Housing Requirement

- 4.14 Technical Paper 1, Assessing the Housing Requirement, which is enclosed at **Appendix I**, critiques the Council's housing requirement of 835 dwellings per annum. In particular, it raises concern with the approach taken to derive this figure is not fully compliant with the Government's policies in the NPPF, the apparent disconnect with its 'Levelling Up' aspirations and the fundamental misalignment with the Council's economic evidence.
- 4.15 Paragraph 60 of the NPPF states that; *'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount of variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.'*
- 4.16 Furthermore, Paragraph 61 states; *'To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptions circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.'*
- 4.17 As set out above, Policy WS 1.1 of the Local Plan Submission Draft states that over the 16 year Plan Period from 2021 to 2037, a minimum of 13,360 new homes will be delivered to meet Wirral's housing needs which equates to 835 dwellings per annum ('dpa') and is based on the 779 dpa from the Standard Method ('SM') in 2021, plus an uplift of 6 per annum to support economic growth with an uplift of 50 dpa 'to make up for' demolitions. As such, the Council have not, derived the housing target from the SM figure alone, as it made an upwards adjustment to address economic growth needs. In addition, by doing this, the Council has conceded that it is appropriate in this instance to make an upwards adjustment to the SM figure to meet its economic growth aspirations. The Consortium representations critique this approach in detail.
- 4.18 The key points as set out in the Consortium representations disputing the housing requirement are as follows:
- **785 dpa plus 50 dpa for demolition replacement is insufficient to meet the housing needs.** The 785 dpa target is now identical to the figure derived from the SM, which represents a minimum starting point only. It represents around half the level of housing needed to take Wirral's 'fair share' of the aspirational 300,000 national housing target by the mid 2020's. The

PPG states that an uplift should be applied where funding is in place to promote and facilitate growth. The Council claims that the Wirral Waters regeneration project has the potential to create up to 20,000 jobs but has applied no uplift to its housing target to account for this. The Council claims that it secured £78.5m from Central Government in 2021 alone, including almost £20m from the first round of the new Levelling Up Fund. In terms of determining an appropriate housing requirement, this significant economic potential represents a departure from the 'business as usual' trend based demographic growth and meets the exceptional circumstances test set in the Framework. Therefore, it would be appropriate to plan for a higher housing need figure than the standard method indicates.

- **The exceptional circumstances test which the University of Liverpool applied to Wirral is unnecessarily restrictive** and focuses entirely on demographic analysis and avoids engaging with any of the other justifications for pursuing a higher housing requirement as set out in the PPG.
- **Housing Delivery has been suppressed** to suggest that a housing requirement over and above the 785 target is unnecessary as delivery has improved in recent years is misconceived. Whilst recent net completion rates have not reached the level of the 2006-2008 peak this has not been due to a lack of developer appetite. The reason for this can be mainly attributed to the lack of an up to date and adopted Development Plan in place for Wirral over recent years. Housing has been consistency below targets partly as a result of the current UDP only sought to provide homes between April 1986 and March 2001 and is now 21 years out of date, but also as a result of the Borough being constrained by Green Belt policy restrictions. This has undoubtedly inhibited the delivery of readily available sites.
- **Key data unavailable for review** – the Strategic Housing Market Assessment ('SHMA') 2021 is clear that the 785 dpa target is based on a scenario apparently modelled separately by Edge Analytics which modelled the impact of an average annual employment growth of +82 per year, detailed in an Oxford Economics Forecast. The forecast is apparently underpinned by demographic assumptions from the ONS 2014-based SNHP projection. However, reference to the source document for this calculation indicates that the scenario is nowhere to be found.
- **Failure to align with employment land needs** - To sustainably meet the employment land requirement it is imperative to significantly increase the amount of housing to be provided in the Borough.
- **Errors in the calculation of the 2014-based sub-national household projections ('SNHP').**
- **The Council risks ignoring the housing affordability crisis** - If insufficient new homes are provided to meet increasing demand, then there is a risk that affordability levels will worsen and people will not have access to suitable accommodation to meet their needs. The Consortium representations state that the very high level of unaffordability is worsening as figures suggest the affordability rating has increased by 22% in just 4 years in Wirral, compared to 10% nationally. The Local Plan Submission Draft fails to take affordability issues into account and by only providing the bare minimum risks worsening the housing crisis in Wirral. The 2021 SHMA Update reports that there is an overall gross affordable need of 2,202 in Wirral Borough, and after taking into account affordable lettings and newbuild the net shortfall represents 374 dwellings each year. A requirement of 374 affordable homes per year cannot realistically be met in full at 30% provision on new developments and certainly not at 20%. At 30%, this would require a housing target of 1,247 dwellings per annum which would be challenging to achieve in Wirral. The Consortium representations suggest that an increase in the total housing figures should be considered to help deliver the identified need for affordable housing in the 2021 SHMA.

- **The Housing Target needs to be significantly increased** – modelling undertaken by Lichfields indicates that if the Council's economic capacity job growth rate were to be properly aligned with housing need, then a figure of at least 1,159 dpa would be required. However, a higher figure would be appropriate in light of regeneration and growth aspirations to enable the very high affordable housing need to be meaningfully addressed.
- 4.19 Overall, the analysis as undertaken through the Consortium representations, demonstrates that the Council's preferred housing target is insufficient to support its economic growth aspirations. An uplifted housing target around 1,159 dpa allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. In order for the Local Plan to be found sound, the housing target must be revisited and robustly adjusted upwards.

Technical Paper 2: Assessing the Housing Mix

- 4.20 Technical Paper 2, Assessing the Housing Mix, which is enclosed at **Appendix II**, focuses on the required mix of housing to meet the needs and demands of different household groups in Wirral over the Plan Period. The main points from the Consortium's representations are summarised below.
- 4.21 Draft Policy WS 3.4 in the Local Plan Submission Draft states that: *'All new residential development must provide homes of an appropriate type, size and tenure to meet the needs of the local community, including specialist housing for the older population and other specialist needs where appropriate.'* The policy further states that outside identified regeneration areas, a minimum of 70% of market dwellings will be developed for larger dwellings of three or more bedrooms within Use Class C3. It states that within identified Regeneration Areas this should be a minimum of 30%.
- 4.22 The housing mix policy has derived from the Strategic Housing Market Assessment 2021 ('SHMA'), which claims that across all tenures, it is recommended that 61% of all dwellings should have three or more bedrooms, this increases to 65% for market housing in isolation. Lichfields have undertaken their own analysis to determine an appropriate housing mix for Wirral using modelling which adopts a similar approach to the analysis undertaken by arc4 in the SHMA in that it applies occupancy patterns in Wirral to the 2014 based SNHP. Although Lichfields model applies 2011 census data on occupancy patterns for different household types to project household growth, compared to arc4 who have used a '2019 Household Survey' although it is unclear what the data source is.
- 4.23 The 2014 based SNHP forecast there is to be a net increase of 9,977 households over the Plan Period. 37% of this increase is projected to be older couples and other households over 65. The increase in the number of older households in Wirral is consistent with that of the wider national trend.
- 4.24 Based on current occupancy patterns across all tenures, the most need will be for three-bedroom dwellings (44%), which is projected to represent 4,404 of the total projected household growth (9,977) between 2021 and 2037. This is followed by two-bedroom dwellings (29%) and one-bedroom dwellings (14%). The need for larger five-bedroom dwellings is projected to be the least over the Plan Period (2%). The Consortium representations set out how based on the existing occupancy patterns across the open market section in Wirral, the projected required mix is 37% one and two bedroom properties and 63% larger properties (3+ bedrooms) between 2021 and 2037. However, in addition, other factors including increase homeworking and demand for larger housing as people seek additional space, qualitative analysis suggests an argument to justify a housing mix that diverges from the established projected mix. In order to ensure that the needs of all households are met (particularly growing families) it is recommended to apply an adjustment to take account of household change. As such, Lichfields, applies a 15% reduction in the number of smaller (1-2 bed) dwellings and a commensurate increase in the number of 3 and 4 bedroom properties.

- 4.25 As such, it is concluded that the Local Plan requires an open market housing mix of 32% one and two bedroom properties and 68% three or more bedroom properties. This is broadly in line with the recommendations of arc4's in the 2021 SHMA, which recommends that 65% of dwellings should have three-or-more bedrooms to meet housing demand over the Plan Period.
- 4.26 There is a clear misalignment between the housing mix required by draft Policy WS 3.4 and the reality of the housing mix that will be delivered from the supply in the Local Plan Submission Draft. Within identified Regeneration Areas, emerging Policy WS 3.4 requires a minimum of 30% larger three-or-more-bedroom properties. Based on these requirements, only 3,740 of the 9,806 market dwellings would be required to be developed as 3 or more bedroom dwellings. This comprises 38% of the market supply – significantly less than the conclusions of the 2021 SHMA, which recommended that 65% of market housing should be developed as three or more-bedroom properties to accommodate families. There is clearly a mismatch between the Council's evidence base and its emerging policies on housing mix and it is clear that the housing mix policies are not in line with the most recent evidence at the time. As over 50% of the proposed Local Plan Submission Draft residential supply is in Regeneration Areas, the plan will fail to meet the pressing needs of larger households requiring larger family homes.
- 4.27 The Local Plan Submission Draft is completely misaligned and will not deliver the type and mix of housing required. As a best-case scenario, it will only facilitate the delivery of approximately half of the larger properties it requires. This represents a significant flaw in the Local Plan strategy and not one that can be rectified through main modifications. Rectifying this misalignment requires a fundamental change which goes to the heart of the Council's vision and spatial objectives of the Local Plan.

Technical Paper 3: Assessing the Affordable Housing Need

- 4.28 Technical Paper 3, Assessing the Affordable Housing Need, which is enclosed at **Appendix III**, focuses on the level of affordable housing need in Wirral Borough and the extent to which the Council's evidence supporting the derived requirement is robust. The main points from the Consortium's representations are summarised below.
- 4.29 The 2021 SHMA, found that 25% of households on lower quartile incomes cannot afford any tenure option at current Borough prices and therefore the identified affordable housing need is 374 dwellings a year in Wirral. At Paragraph 3.55 of the Local Plan Submission Draft, it states that evidence indicates, a minimum of 20% of new housing should be affordable. Furthermore, it states that 25% of affordable housing to be delivered by developers to be First Homes, means the mix of affordable housing to be provided overall should be 35% social rented, 22% affordable rented with 43% for home ownership. Paragraph 3.56 of the Local Plan Submission Draft states:

The Council will seek to support regeneration on sites with poor viability at the outset of the plan period by reducing or waiving the affordable housing requirement on earlier phases of development, where this is necessary to enable development of an appropriate quality to take place. However, the later phases of development will be expected to make provision for an increased level of affordable housing where market conditions improve to ensure that the overall proportion of affordable housing needed is achieved. This will be managed via Planning Obligations and S106 agreements or planning conditions as appropriate.'

- 4.30 Draft Policy WS 3.3 (Affordable Housing Requirements) sets out that proposals for new build market housing of 10 or more dwellings will be required to provide tenure blind affordable housing at the following rates:
- Viability Zone 1 (VZ-1): 10%
 - Viability Zone 2 (VZ-2): 10%

- Viability Zone 3 (VZ-3): 20%
- Viability Zone 4 (VZ-4): 20%

4.31 Lichfields have undertaken an update of arc4's work in the 2021 SHMA which established the 374 per annum affordable housing target. It is noted that this target has been reduced from the 705 per annum target from the 2019 SHMA. This update indicates that based on addressing the backlog in full over the first 5 years of the Plan Period and making some realistic adjustments, the affordable housing need in Wirral equates to 1,430 dpa.

4.32 The affordable housing target as calculated in the Council's 2021 SHMA is not robust and as such the relevant policies are unsound. The main concerns relate to the following:

- **The steadily declining affordable housing target is a function of a changing methodology rather than falling needs:** the 374 dpa affordable housing target calculated by arc4 has fallen significantly from the 705 dpa calculated by them just a year previously, despite there being no discernible improvements to affordability in the Borough. The reverse is true, as affordability ratios have increased at a rapid rate in recent years, even when compared to the national figures, and house prices continuing to rise across the Borough. A multitude of changes to arc4's methodology has artificially reduced the level of need.
- **Future growth of households in need underplays future challenges:** by using national gross household formation rates rather than actual 2014-based SNHP rates specifically for Wirral, and by applying a low proportion of households who are likely to be in need at levels well below the equivalent figure for existing households, this has suppressed affordable housing need.
- **Likely future levels of affordable housing supply are significantly over-inflated:** by changing how social re-lets have been factored into the analysis, arc4 has increased the supply of affordable housing compared to how this element was calculated in its 2019 SHMA. The new approach also involves double-counting first lets, by also banking these new completions at an earlier stage.
- **By increasing the timeframe for disposing of the backlog from 5 to 10 years, arc4 is assuming that hundreds of households will be without suitable accommodation to meet their families' needs for many years to come.** This is entirely unsatisfactory and cannot be justified on the basis of the Standard Method, which was available at the time of the 2019 SHMA (when it was not referred to by arc4 for this element of the calculation).
- Based on addressing the backlog in full over the first 5 years of the Local Plan and by making suitable amendments to arc4's approach, it is estimated that the **annual affordable housing need could be as high as 1,430 dpa. It is not suggested that this level of need could be addressed in full, however, the sheer scale of the level of affordable housing need would suggest that an uplift to the overall housing figure of 785 dpa plus demolitions would be entirely appropriate.**
- Despite claims by the Council to be consistently delivering over 300 affordable units per year which is at variance with the evidence, the total number of affordable units on sites over 20 units is just 464. This is sufficient to meet a little over 1-year worth of affordable housing need. Not only that but a significant proportion of the affordable units with permission are being delivered by RPs and a significant increase in the supply would require a stepped change in public investment in affordable housing delivery in Wirral. There is currently no indication that this is on the horizon particularly given the amount of public sector funding which will be required to deliver the Council's regeneration aspirations within the Plan Period.

- The total supply in Birkenhead Regeneration Zones alone accounts for more than 50% of the total claimed supply (8,874 units). Therefore, without public investment, the Council cannot viably deliver any affordable housing unit from half its claimed supply as it is wholly within Viability Zones 1 and 2. When coupled with the minimal if any affordable housing units which will be derived from the Council's conversions, windfalls and return to use allowance, effectively over 70% of the Council's claimed supply will deliver no affordable housing units without public investment.

Technical Paper 4: Assessing the Housing Land Supply

- 4.33 Technical Paper 4, Assessing the Housing Land Supply, which is enclosed at **Appendix IV**, provides an overview of the robustness of the Council's evidence base and identifies deficiencies in the approach or where no evidence is provided. The representation also undertakes a detailed review and site visit of the Regeneration Areas included in the Local Plan Submission Draft. The main points from the Consortium's representations are summarised below.
- 4.34 Paragraph 68 of the NPPF states that planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. It further states that planning policies should identify a supply of:
- a) specific, deliverable sites for years one to five of the Plan Period; and
 - b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.
- 4.35 Paragraph 71 of the NPPF, sets out that where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Furthermore *'any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.'*
- 4.36 A key focus of the Local Plan Submission Draft directs the majority of new housing towards Birkenhead to enable the regeneration of this area which has been a policy aspiration of Wirral for last 40 years. The Local Plan Submission Draft identifies a need of 13,360 dwellings over the Plan Period but claims to make a provision for the delivery of almost 18,000 dwellings to make allowances for sites that may not come forward at the pace expected. Policy WS 1.1 in the Local Plan Submission Draft sets out a detailed summary of sources of housing land supply across the Plan Period and of note, the Regeneration Area, which are mostly grouped together around Birkenhead, account for more than 50% of the Council's total claimed supply (8,678). It is also claimed that 3,490 (21%) will be delivered from windfall sites across the Plan Period.
- 4.37 The Council have produced a Strategic Housing Land Availability Assessment ('SHLAA') and Housing Delivery Strategy to justify the supply. However, the Consortium representations point out the following key issues:
1. There is a distinct lack of meaningful detail and information in relation to justifying the developability of a large proportion of the claimed supply.
 2. The Council has not produced a Plan which reflects objectively prepared evidence. Instead it has been retrospectively prepared to align with the Council's overriding objective of negating the need for any Green Belt release and as such the evidence has been conflated to overestimate the densities achievable on sites within the urban area to artificially inflate the claimed supply.

3. The Council's supply trajectory pays no regard to the type of dwellings which are required and where the need will be generated across the administrative area.
 4. The approach to windfall allowances is not consistent with national policy and is derived with the intention of inflating the claimed supply.
 5. Wirral Council cannot demonstrate a 5-year supply of housing land. Rather than setting out a proactive solution to the issue, the plan unjustifiably inflates the supply from sites without planning permission, and windfall sites, with the intention of claiming a sufficient supply of land.
- 4.38 The Consortium representations highlight a reoccurring theme of the Local Plan Submission Draft trajectory which the anticipated delivery of a large number of dwellings in undefined broad locations for growth defined as 'other developable areas', Masterplan Areas and Mixed-Use Areas. There is insufficient evidence provided to demonstrate the deliverability and developability of sites in these areas. The SHLAA includes at Appendix 3 a 'list of sites in emerging broad locations for growth not yet subject to further assessment and site maps'. Without proper assessment, this does not provide sufficient evidence to suggest that these areas are achievable, suitable, developable and deliverable. Furthermore, there are disparities between the proposed delivery trajectories outlined in the SHLAA and those in the Housing Delivery Strategy which creates ambiguity regarding timeframes for delivery and the evidence the Council is relying on to justify the Local Plan Submission Draft. Varying dates for commencement of construction on key development sites does not present a robust and justified evidence base to base the Local Plan on.
- 4.39 The Local Plan Submission Draft outlines that at least half of the claimed supply will predominantly be brought forward in 11 Regeneration Areas across the Borough, eight of which are located within the wider Birkenhead area and effectively form one Regeneration Area. WBC has had a longstanding commitment and aspiration to regenerate Birkenhead, Wirral Waters and other areas within east Wirral. However, despite Council support, the regeneration aspirations have never materialised at the time envisaged and therefore it is very concerning that the Local Plan is effectively the continuation of a longstanding and persistently underachieving strategy. It is considered that the claimed supply on the Regeneration Areas within the Local Plan Submission Draft in particular is being overstated and the Council has not provided sufficient evidence to demonstrate that some sites or specific portions of the sites will have a realistic prospect of coming forward as envisaged within the Plan Period.
- 4.40 The Consortium representations provide a detailed analysis of sites in Regeneration Areas (Draft Policies RA1-RA11) and concludes that the **cumulative total across Policies RA1-RA11 amounts to 3,772 dwellings which demonstrates of a reduction of 5,887 dwellings from the Council's claimed housing land supply across Regeneration Areas**. Analysis is also provided on **Other Settlement Areas which concludes the cumulative total across these areas is 1,214 dwellings which is a reduction of 1,406 dwellings from the Council's claimed supply**. On the windfall allowance, the Consortium representations set out that an allowance of no more than 10% of the annual requirement should be included in the housing trajectory.
- 4.41 The Council's Housing Delivery Strategy (May 2022) states that Wirral can demonstrate a 5 year supply of housing land of 5,110 units against a requirement of 5,010 units which would equate to a 5.1 year supply. The Consortium representations set out the considerable issues with the Council's claimed supply and has calculated **the Council's deliverable supply is at best, 3,034 units which equates to a 3.03 year supply with a 20% buffer**. It is clear, that the housing requirement set out in the Local Plan Submission Draft, is inadequate to cater for the needs of residents in Wirral and therefore are exceptional circumstances to pursue a higher annual housing requirement figure.

- 4.42 In terms of supply over the Local Plan Period, the Consortium representations consider that the Council has a developable supply of just 7,795 units which equates to a 9.34 year supply at best setting aside the considerable viability issues in the majority of the Borough. **Therefore, the Council needs to identify an additional capacity for at least 5,565 units to meet the housing requirement within the Plan Period.**

Taylor Wimpey Summary on Meeting Housing Requirements and Green Belt Release

- 4.43 It is absolutely clear from the Consortium representations that the Council's development and regeneration strategy for Wirral is fundamentally flawed in terms of being able to meet the housing requirement of the Borough. The sites within the urban area in Wirral have been actively put forward for a considerable period of time by the Council with limited degrees of success. Pursuing the same approach will not generate a different outcome nor a marked change in the delivery rates from these sites. The identification of additional sites and sustainable releases from the Green Belt is the only option available to the Council to boost supply.
- 4.44 Paragraph 140 of the NPPF sets out that once established, Green Belt boundaries should only be altered where 'exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans.' It also states that 'Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.'
- 4.45 As set out earlier in this representation, the Council have previously undertaken a Green Belt Review (2019) which provides a detailed assessment against the five purposes of the Green Belt as set out in Paragraph 138 of the NPPF (2021). This was undertaken to support the Issues and Options Consultation in 2020 where the Council considered 2 options for Green Belt release to meet any residential requirement remaining after the supply urban sites and the various allowances have been taken into account. The two options comprised:
- Option 2A – Dispersed Green Belt release; and,
 - Option 2B – Urban Extension
- 4.46 In response to the Issues and Options Consultation Taylor Wimpey fully supported the dispersed Green Belt release option in principle, however commented that it must be significantly expanded to meet the housing requirements in the Borough.
- 4.47 Given that Green Belt release was previously considered in earlier consultations, and the clear evidence provided in the Consortium representations demonstrating significant flaws in the housing delivery in Wirral, including:
- **Housing Need:** The Council's preferred housing target is insufficient to support its economic growth aspirations. **An uplifted housing target around 1,159 dpa** allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. In order for the Local Plan to be found sound, the housing target must be revisited and robustly adjusted upwards.
 - **Housing Mix:** The Local Plan Submission Draft is completely misaligned and will not deliver the type and mix of housing required. As a best-case scenario, it will only facilitate the delivery of approximately half of the larger properties it requires. This represents a significant flaw in the Local Plan strategy and not one that can be rectified through main modifications. Rectifying this

misalignment requires a fundamental change which goes to the heart of the Council's vision and spatial objectives of the Local Plan.

- **Affordable Housing:** Based on addressing the backlog in full over the first 5 years of the Local Plan and by making suitable amendments to arc4's approach, it is estimated that the **annual affordable housing need could be as high as 1,430 dpa. It is not suggested that this level of need could be addressed in full, however, the sheer scale of the level of affordable housing need would suggest that an uplift to the overall housing figure of 785 dpa plus demolitions would be entirely appropriate.**
- **Housing Land Supply:** The Consortium representations set out the considerable issues with the Council's claimed supply and has calculated **the Council's deliverable supply is at best, 3,034 units which equates to a 3.03 year supply with a 20% buffer.** It is clear, that the housing requirement set out in the Local Plan Submission Draft, is inadequate to cater for the needs of residents in Wirral and therefore are exceptional circumstances to pursue a higher annual housing requirement figure. **WBC needs to find an additional capacity for at least 5,565 units to meet the housing requirement within the Plan Period.**

4.48 The Local Plan Submission Draft provides insufficient new homes to meet increased demand and therefore Green Belt release is required to meet the Borough's housing and employment needs over the Plan Period. In accordance with Paragraph 140 of the NPPF exceptional circumstances are fully evidenced and justified in the representations prepared by the Consortium and Green Belt release is necessary in order for Wirral to produce a sound Local Plan.

Summary

4.49 The Consortium representations make it clear that the Council's development and regeneration strategy for Wirral is fundamentally flawed in terms of being able to meet the housing requirement of the Borough. The Council's housing target of 835 dpa needs to be uplifted to at least 1,159 dpa to address under supply, as well as helping to meet affordable housing needs and supporting economic growth. Furthermore, the Council cannot demonstrate a 5 year supply of housing as required by the NPPF and is at best, a 3.03 year supply with a 20% buffer.

4.50 In order for the Local Plan to be found sound in accordance with Paragraph 35 of the NPPF, the housing target must be revisited and robustly adjusted upwards. Currently, the Local Plan is not justified and therefore is not considered sound in accordance with Paragraph 35.

4.51 In summary, the Consortium representations has identified the following ten key issues with the Local Plan Submission Draft which affect the soundness of it. These are summarised below and expanded on in the Summary of Key Issues representations enclosed at **Appendix VII:**

1. The housing requirement is insufficient to meet housing needs.
2. The affordable housing requirement has been suppressed by a methodology change rather than a reduced need.
3. The identified affordable housing need will not be met by the Council's claimed supply.
4. The housing mix policy in the Local Plan Submission Draft does not align with the Council's evidence base.
5. The Council's claimed residential supply is artificially inflated by 'broad areas for growth' that are not underpinned by robust evidence.

6. A significant proportion of the supply of residential sites identified by the Council is not deliverable or developable.
 7. The Council's supply is inflated by a disproportion number of allowances.
 8. The evidence base fails to demonstrate a mechanism for delivering family homes on the supply of sites identified by the Council.
 9. The viability of the Council's claimed supply is being significantly overstated by flawed viability evidence.
 10. The Local Plan Submission Draft fails to provide a mechanism for delivering essential infrastructure.
- 4.52 In light of the above, it is clearly demonstrated that Green Belt release is required to meet the Borough's housing and employment needs over the Plan Period and to produce a sound Local Plan.
- 4.53 As set out in detail at Section 2 of these representations tested against the purposes of the Green Belt, the Saughall Massie site makes an overall weak contribution to the five purposes and presents a significant opportunity to support a sensitive residential development that will not prevent the Green Belt from functioning effectively in this location.
- 4.54 The site is in a highly sustainable location and represents a natural and logical extension to the existing urban area. Furthermore, the site is available, suitable and achievable and there are no known technical or environmental constraints that would preclude the development of the site.
- 4.55 Taylor Wimpey welcomes the opportunity to work proactively with the Council to discuss the site and supplement the existing suite of technical evidence prepared for the site in order for the site to be allocated in the next iteration of the Local Plan.

5. Taylor Wimpey's Comments on Other Policies

5.1 This section of these representations set out a series of relevant policies within the Local Plan Submission Draft to which Taylor Wimpey wishes to provide a comment.

Strategic Policies

Draft Policy WS 1 (The Development and Regeneration Strategy for Wirral 2021-2037)

5.2 **Draft Policy WS 1.1 (Homes)** states that within the period 2021 – 2037 the Local Plan strategy will move the Council toward a zero carbon future with high quality urban regeneration, economic transformation and environmental protection and enhancement. It states the Local Plan will provide for a minimum of 13,360 net additional dwellings, including new affordable dwellings, these will be delivered through:

1. The creation of new neighbourhood through brownfield development:

i) as part of the Regeneration Areas across the Borough, including those within Birkenhead identified on Figure 3.1; and

ii) through the reuse of land previously used or allocated for employment use, including at Bromborough; and

2) suitable sites within Settlement Areas

5.3 The policy also sets out a breakdown of the Council's claimed supply of 16,332 dwellings to meet the need.

5.4 Extensive discussion on draft Policy WS 1.1 has been provided in Section 4 of these representations as well as the Consortium representations provided at **Appendix I**. In addition, the Consortium Soundness representations enclosed at **Appendix VI**, also address this policy. The Consortium representations (Technical Paper 1 – Assessing the Housing Requirement) have provided a critique of the Council's assessment of local housing need and considers an appropriate alternative need to help support and align with the Council's economic growth aspirations. It is suggested that an uplifted housing target around 1,159 dpa allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth.

5.5 The Council's proposed distribution under draft Policy WS 1.1 will not effectively meet the future housing needs of the population. It is recognised that the Council has sought to only identify brownfield sites, primarily in the east of the Borough, to avoid the politics associated with allocating suitable deliverable and developable sites in the west. Paragraph 11 of the NPPF requires all plans to promote a sustainable pattern of development that meets the development needs of the area, however the current approach taken by the Council does not support a sustainable distribution of development and is not supported by robust evidence that assesses the actual distribution of the housing needs of different groups across the Borough.

5.6 In addition, WBC has had a longstanding commitment and aspiration to regenerate Birkenhead, Wirral Waters and other areas within east Wirral. However, despite Council support, the regeneration aspirations have never materialised at the time envisaged and therefore it is very concerning that the Local Plan is effectively the continuation of a longstanding and persistently underachieving strategy. It is considered that the claimed supply on the Regeneration Areas within the Local Plan Submission Draft in particular is being overstated and the Council has not provided sufficient evidence to demonstrate

that some sites or specific portions of the sites will have a realistic prospect of coming forward as envisaged within the Plan Period.

- 5.7 The Consortium's analysis and critique of the sources of housing land supply claimed in the Local Plan Submission Draft is set out in the representations, specifically, Technical Paper 4 – Assessing the Housing Land Supply. This analysis indicates that the claimed housing land supply in the Local Plan Submission Draft is exaggerated and overestimates the quantum of developable land in the urban areas. The Consortium's analysis concluded that the total residential supply from the sources in draft Policy WS 1.1 is less than 8,000 dwellings, as opposed to the 16,332 claimed by the Council. The Council would need to identify a significant number of additional deliverable and developable sites to address this shortfall and in all probability, Green Belt sites would be required to meet the identified need in Wirral.
- 5.8 Overall, draft Policy WS 1.1 is not considered to be sound as it is not positively prepared, justified, effective or consistent with national policy for the reasons set out in Section 4 of these representations and the Consortium Soundness Representations provided at **Appendix VI**. The Soundness representations also suggests the considerable changes required to draft Policy WS 1.1 for it to meet the test of soundness. However, given the significance of this policy to the overall Local Plan strategy and the quantum of changes required, it will not be possible to rectify these fundamental soundness issues through the main modifications process.
- 5.9 **Draft Policy WS 1.3 (Infrastructure)** states that the following key infrastructure will be delivered over the plan period:
1. Active travel networks for walking and cycling that enable safe access to jobs, leisure and health facilities throughout the Borough.
 2. A new mass transit system within Birkenhead connecting new neighbourhoods with one another and existing key locations.
 3. A new multi-purpose greenway (the Dock Branch Park) connecting areas within central Birkenhead between Chamberlain Street and Corporation Road (OS-SA2.7)
 4. A green and blue infrastructure network providing for people and wildlife, transport and recreation, sustainable drainage and carbon sinks.
- 5.10 In addition, the draft policy states that development proposals will be required to demonstrate that they accord with the full range of infrastructure requirements established through the Infrastructure Delivery Plan and all other policies of the Local Plan.
- 5.11 The Consortium Soundness representations sets out concerns with regards to the costs of delivering the key infrastructure as set out in the policy. Technical Paper 5: A Critique of the Viability Evidence (prepared by Roger Hannah) (enclosed at **Appendix V**) provides commentary on the Infrastructure Delivery Plan and the CIL and Viability Assessment. The Infrastructure Delivery Plan sets out an infrastructure cost requirement of £527.9m over the Plan Period and of this, £153.9m is categorised as essential infrastructure and £42.14m is classed as unfunded. It is noted that the Infrastructure Delivery Plan states the essential transport works will need to be funded through developer contributions only, however, the CIL and Viability Assessment does not itemise transport as a cost to be borne by developments, which is a serious oversight. As a result, this miscalculation will mean that the infrastructure identified in the policy and is key for the implementation for the Local Plan strategy, will not be delivered. The proposed development in the Regeneration Areas cannot come forward without this essential infrastructure being delivered.
- 5.12 As set out in the Consortium Soundness representations, draft Policy WS 1.3 will fail to meet the tests of soundness as it is not positively prepared, effective or consistent with national policy. The issues with draft Policy WS 1.3 relate to the inconsistencies between the Infrastructure Delivery Plan and the

CIL and Viability Assessment. This is a fundamental issue with the Local Plan's viability and will be difficult to rectify through the main modifications process.

Draft Policy WS 2 (Social Value)

5.13 Draft Policy WS 2 states major development will be required to demonstrate that it is located, designed, constructed and operated in a manner where appropriate delivers net social gain in support of the economic, health and cultural wellbeing of the local community. It states that major development proposals should be supported by a social value statement that explains how the development will secure and deliver social benefits that would arise from the proposals over the lifetime of the development. Where appropriate the Council will seek to enter into a planning agreement and/or impose conditions relating to the use of local labour and provision of training and skills for local communities using an agreed employment and skills plan.

5.14 Paragraph 8 of the Framework emphasises that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 defines "sustainable development" and highlights the three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. The social objective is defined as follows:

'to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.'

5.15 The requirement to provide a social value statement does not align with the requirements of the NPPF which focuses on supporting communities health, social and cultural well-being and would be an unnecessary requirement given that planning applications already address the social benefits of schemes that would arise.

5.16 Draft Policy WS 2 is not considered to be sound as it is not consistent with national policy for the reasons set out above and should be removed from the Local Plan Submission Draft.

Draft Policy WS3 (Strategy for Housing)

5.17 **Draft Policy WS 3.1 (Housing Design Standards)** requires new build dwellings to be built To the following standards:

- Compliance with the nationally-described space standards or any successor standard;
- Compliance with the higher water efficiency standard of 110 litres per person per day under Regulation 36(3) of the Building Regulations or any successor standard;
- Be 'zero carbon ready by design' in line with Policy WS 8 Strategy for Sustainable Construction, Renewable and Low Carbon Energy;
- All new build dwellings will be accessible and adaptable in line with Part M4(2) of the Building Regulations or any successor standard, unless site specific factors clearly indicate an alternative design solution is necessary or the following criteria apply:
 - On developments of 17 or more new build dwellings at least 6% will be 'wheelchair adaptable' in line with Part M4(3)(2)(a) of the Building Regulations.
 - If the Council is responsible for allocating or nominating a person for immediate occupation the 6% of dwellings will be 'wheelchair user' in line with Part M4(3)(2)(b) of the Building

Regulations or any successor standard, unless site specific factors clearly indicate an alternative design solution is necessary.

- 5.18 The Consortium Soundness representations enclosed at **Appendix VI**, provides comments on this policy.
- 5.19 It states that with regards to national described space standards ('NDSS'), these will not be achievable with the minimum densities as prescribed by Policy WS 3.2. Furthermore, the PPG sets out that where a need for internal space standards is identified, the authority should provide justification for the requirement of internal space policies. It is noted that the evidence base document, 'CIL and Viability Assessment Study' (October 2022) prepared by Aspinall Verdi for the Council, includes reference to NDSS and provides a summary of their assumption at Table 5.2 which is provided below alongside a comparison of an example standard set out in the Technical Housing Standards – Nationally Described Space Standard (March 2015) (Department for Communities and Local Government):

Property Type	Size (sqm) as set out in CIL and Viability Assessment	Size (sqm) as set out in Technical Housing Standards (March 2015)
1 Bed Flat	56	50 (based on 1 storey dwelling for 2 people)
2 Bed Flat	70	79 (based on 1 storey dwelling for 4 people)
1 Bed House	46	58 (based on 2 storey dwelling for 2 people)
2 Bed House	65	79 (based on 2 storey dwelling for 4 people)
3 Bed House	88	102 (based on 2 storey dwelling for 6 people)
4 Bed House	116	130 (based on 3 storey dwelling for 8 people)
5 Bed House	157	134 (based on 3 storey dwelling for 8 people)

- 5.20 Clearly the size of properties as used in the CIL and Viability Assessment does not accord with the sizes as set out in the Nationally Described Space Standard (March 2015) (Department for Communities and Local Government) document.
- 5.21 The evidence base also does not robustly justify the need for introducing the water efficiency standards at the levels proposed, or the requirement to be the 'zero carbon ready by design'.
- 5.22 The Consortium Soundness representations also comments on the Future Homes Standard and points out that there has been no allowance for this in the 2022 CIL and Viability Assessment and as such results in an overstatement of site viability, which will result in a significantly worsened viability position across all sites and have significant impact on the deliverability and developability of sites.
- 5.23 Finally, WBC's Strategic Housing Market Assessment provides limited information as to why it would be necessary for all new build dwellings to be accessible and adaptable in line with Part M4(2) of the Building Regulations or why it would be necessary for developments of 17 or more new build dwellings at least 6% will be 'wheelchair adaptable' in line with Part M4(3)(2)(a) of the Building Regulations.

- 5.24 Overall, draft Policy WS 3.1 is not positively prepared, effective or consistent with nationally policy and therefore cannot be considered to be sound for the reasons set out above and within the supporting Consortium representations. The CIL and Viability Assessment should be updated to take account of costs so that viability is not overstated. The Council must then identify residential sites that can viably meet the requirements of draft Policy WS 3.1. Amendments are also required to the assessment of NDSS in the evidence base as well as updating and robustly justifying the requirements for other standards.
- 5.25 **Draft Policy WS 3.2 (Housing Densities)** states new residential development within the Density Zones shown on the Policies Map should be provided at specified minimum densities, unless it can be demonstrated that this is not appropriate having regard to site characteristics. The densities are as follows:
- **Waterfront Density Zone (RES-DZ1):** Sites within identified Regeneration Areas within 70 800m (10 minute walk) of the Birkenhead docks and waterfront, with access to high frequency public transport interchanges, including the ferry terminals – **70 DPH**
 - **Urban Core and Town Centres Density Zones (RES-DZ2)** - Sites within 800m (10 minute walk) of Birkenhead 60 town centre or within 400m (5 minute walk) of other designated town centres, which are well served by public transport and other community facilities – **60 DPH**
 - **Transit Area Density Zones (RES-DZ3)** - Other urban sites within 800m (10 minute walk) of 50 a railway station or high frequency bus route – **50 DPH**
 - **Suburban Area Density Zones (RES-DZ4)** - Sites within 1200m (20 minute walk) of a railway 40 station, which are also within 400m (5 minute walk) of multiple community services and facilities, including district centres, schools and open spaces. – **40 DPH**
- 5.26 As set out in Section 4 of these representations, the Consortium representations discuss density in depth and establish that the Council has overestimated the densities achievable on sites within the urban area to artificially inflate the claimed supply.
- 5.27 Technical Paper 5: A Critique of the Viability Evidence (prepared by Roger Hannah) (enclosed at **Appendix V**) furthers this and conclude that the gross overestimation of site density across the appraisals for the typologies and strategic sites results in an overstatement of viability based on undeliverable scheme numbers. The majority of sites will therefore be overstating their capacity throughout the viability advice and Local Plan allocations and delivery targets. This impacts on the amounts of the land that is identified to meet housing need, with the current overstatement of deliverable site densities resulting in less land than is required being allocated for residential development.
- 5.28 Further to this, the Consortium Soundness representations consider the draft policy will not deliver the housing needs identified in the 2021 SHMA which recommends that 65% of family housing should be three or more bedroom properties – this will not be achieved at the density proposed by draft Policy WS 3.2, particularly when over 50% of the residential supply is in the Regeneration Areas.
- 5.29 Overall, draft Policy WS 3.2 is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the reasons set out above and within the supporting Consortium representations. The Council must reduce its required densities and identify additional sites that can be viably delivered in the Borough. Given the quantum of changes required, it will be difficult to address through the main modifications process.
- 5.30 **Draft Policy WS 3.3 (Affordable Housing Requirements)** sets out that proposals for new build market housing of 10 or more dwellings will be required to provide tenure blind affordable housing at the following rates:

- Viability Zone 1 (VZ-1): 10%
 - Viability Zone 2 (VZ-2): 10%
 - Viability Zone 3 (VZ-3): 20%
 - Viability Zone 4 (VZ-4): 20%
- 5.31 It further states that in Viability Zone 1 and 2 on multiphase schemes, provision may be made via a S106 agreement to meet full affordable housing requirement of 10% in later phases of development, to permit a greater proportion of market housing to be delivered earlier and to accommodate any future rise in property or land values. 25% of affordable homes shall comprise First Homes. Off-site provision or equivalent payment in lieu of affordable housing will only be considered if it can be demonstrated that on-site provision would not be practicable, the approach can be robustly justified, and the proposal would be more effective for achieving a mixed and balanced community.
- 5.32 As set out in Section 4 of these representations, Lichfields undertakes a review of arc4's work in the 2021 SHMA which established the 374 per annum affordable housing target. It is noted that this target has been reduced from the 705 per annum target from the 2019 SHMA. Technical Paper 3: Assessing Affordable Housing Need (enclosed at **Appendix III**) undertakes an update of arc4's analysis that was used to derive the 374 dpa figure and the analysis indicates that based on addressing the backlog in full over the first 5 years of the Plan Period and making some realistic adjustments, the affordable housing need in Wirral equates to 1,430 dpa.
- 5.33 The Consortium Soundness representations (enclosed at **Appendix VI**) discuss draft Policy WS 3.3 and states that the change in affordable housing need in arc4's SHMA's is not due to a significant change in the data, instead the reduction is created by a change in the methodology used by arc4 to determine affordable housing need.
- 5.34 The affordable housing target as calculated in the Council's 2021 SHMA is not robust and Roger Hannah's critique of the Council's Viability Evidence (Technical Paper 5 – Viability enclosed at **Appendix V**) conclude that the policy recommendations WBC make do not align with the results of the viability testing which contradicts best practice.
- 5.35 The policy goes on to state that in Viability Zones 1 and 2 on multi-phase scheme, provision may be made via S106 agreement to meet the full affordable housing requirement of 10% on later phases of development, to permit a greater proportion of market housing to be delivered earlier and to accommodate any future rise in property or land values. Given that a significant proportion of the supply is in Viability Zones 1 and 2, the currently drafted policy will fail to meet the affordable housing needs of the Borough. As set out in the Consortium Soundness representations, the total claimed housing land supply in Birkenhead Regeneration Zones alone accounts for more than 50% of the total claimed supply (8,678 units) and all of which is located within Viability Zones 1 and 2. Even if all this development was to come forward and deliver affordable housing on a policy compliant basis (10%) only 868 affordable dwellings would be delivered on Regeneration Area over the Plan Period. As such, over 50% of the Council's supply would deliver less than 1 years worth of the affordable housing need identified by the Consortium (1,430 dpa) and less than 2.5 years of the affordable housing need identified in the 2021 SHMA (374 dpa) over the entire Plan Period, which is a fundamental flaw.
- 5.36 There is no justification to permitting affordable housing to be delivered at the back end of schemes to accommodate what the Council claims will be a rise in property or land values in the current draft policy. In addition, delaying the delivery of affordable housing will not help to address the current and escalating affordability issues in Wirral and will fail to meet the identified affordable housing need in the Borough.

- 5.37 Based on the requirements of Policy WS 3.3, the supply of sites identified in the Local Plan Submission Draft will not address the identified affordable housing needs for the Borough. The Council needs to identify and release sustainable and suitable sites in Wirral which can viably deliver at least 20% affordable housing.
- 5.38 The quantum of affordable housing need required in Wirral cannot be addressed by the Council's urban intensification approach. The level of affordable housing need alone in Wirral represents exceptional circumstances to justify changes to the Green Belt boundaries to allocate sites capable viably delivering affordable housing.
- 5.39 Draft Policy WS 3.3 is not considered to be sound as it is not positively prepared, justified, effective or consistent with national policy for the reasons set out in Section 4 of these representations and the Consortium Representations. It is recommended that WBC undertake a robust assessment of its affordable housing need however, as the fundamental issues with draft Policy WS 3.3 relate to the Council's urban intensification strategy, it will not be possible to address these soundness issues through the main modifications process.
- 5.40 **Draft Policy WS 3.4 (Housing Mix)** states all new residential developments must provide homes of an appropriate type, size and tenure to meet the needs of the local community including specialist housing for the older population and other specialist needs where appropriate. Outside identified Regeneration Areas, a minimum of 70% of market dwellings will be developed for larger dwellings of three or more bedrooms, within Use Class C3. Within identified Regeneration Areas this should be a minimum of 30%. When assessing whether sites are capable of accommodating larger dwellings, the character of surrounding dwellings, the developments ability to fulfil identified aspirations of the Council, the local evidence of housing need and demand and whether alternative provision would be another aim of the Council will be considered.
- 5.41 As set out in Section 4 of these representations and the Consortium Soundness representations (enclosed at **Appendix VI**), there is a clear misalignment between the housing mix required by draft Policy WS 3.4 and the reality of the housing mix that will be delivered from the supply in the Local Plan Submission Draft. Based on the requirements for a minimum of 30% larger three or more bedroom properties in identified Regeneration Areas, only 3,740 of the 9,806 market dwellings would be required to be developed as 3 or more bedroom dwellings. This comprises 38% of the market supply – significantly less than the conclusions of the 2021 SHMA, which recommended that 65% of market housing should be developed as three or more-bedroom properties to accommodate families. There is clearly a mismatch between the Council's evidence base and its emerging housing mix policy. As over 50% of the proposed Local Plan Submission Draft residential supply is in Regeneration Areas, the plan will fail to meet the pressing needs of larger households requiring larger family homes.
- 5.42 Draft Policy WS 3.4 is not considered to be sound as it is not positively prepared, justified, effective or consistent with national policy for the reasons set out in Section 4 of these representations and the supporting Consortium representations.
- 5.43 To address the issues raised in the Consortium's analysis, the Council would need to identify a significant number of developable sites outside of Regeneration Areas that can viably deliver family dwellings. Given the quantum of the recommended changes required to make this policy sound, it will not be possible to rectify these fundamental soundness issues through the main modifications process.

Draft Policy WS 5 (Strategy for Green and Blue Infrastructure, Open Space, Biodiversity and Landscape Protection)

- 5.44 **Draft Policy WS 5.1 (Green and Blue Infrastructure Networks)** states that development proposals will contribute to high quality, coherent and resilient networks of blue and green infrastructure in Wirral. Development proposals will be required to contribute appropriately towards the protection, enhancement, creation, connection and/or maintenance of green and blue infrastructure of a proportionate size, type and standard relative to the development. Contributions will be required to reflect: the physical characteristics of the site; the type and function of the development proposed; and the character of the surrounding area. Where on site provision is not possible, financial contributions will be sought to make appropriate provision elsewhere.
- 5.45 Taylor Wimpey have previously commented on Green and Blue Infrastructure in representations submitted in March 2021. These representations set out Taylor Wimpey's general support of the Council's proposed strategic approach to GBI and it is anticipated that the site would contribute towards GBI in some capacity, the details of which will be agreed with Officers at the appropriate time. Taylor Wimpey is fully committed to working collaboratively with the Council and other developers/landowners where appropriate to achieve this however would not support any unnecessarily burdensome requirements or standards for green and blue infrastructure on developments to the point that viability and deliverability is impacted. When articulating expectations of development, it is important not to be overly prescriptive as this may leave insufficient flexibility to account for local circumstances and lead to poor design choices.
- 5.46 **Draft Policy WS 5.4 (Ecological Networks)** states where relevant, development proposals must ensure that the biodiversity assets of the Borough are protected, enhanced and functionally connected within coherent and resilient ecological networks. Biodiversity Net Gain will be delivered appropriately in response to the site characteristics and location. It further states the priority should be given to enhancing the quality, connectivity and resilience of habitat within the Liverpool City Region Ecological Network, Local Nature Recovery Strategy and Nature Recovery Network, including the Liverpool City Region Nature Improvement Area, Priority Habitat creation, restoration or enhancement, or the Nature Improvement Area Focus Areas shown on the policies Map. It should be noted that part of the site at Saughall Massie is shown under 'River Birket Corridor (NIA-4)'.
- 5.47 The policy further states, that development within the Nature Improvement Area Focus Areas shown on the policies map should:
- i) Enable the effective functioning of the Nature Improvement Area;
 - ii) Contribute to the opportunities for habitat creation, restoration or enhancement as set out in the Nature Improvement Area Focus Area Profiles; and
 - iii) Deliver biodiversity enhancement measures where the proposed development may have a potential impact on the Nature Improvement Area.
- 5.48 Finally, the policy states that following the application of the biodiversity harm avoidance, mitigation and compensation hierarchy, all development must deliver a minimum 10% biodiversity net gain calculated using the DEFRA metric. Where development is located on Council owned land it must deliver minimum 20% biodiversity net gain.
- 5.49 Part of the site at Saughall Massie, is proposed to be designated as a Nature Improvement Area ('NIA') under 'River Birket Corridor (NIA-4)', as denoted on the policies map which forms part of the Local Plan Submission Draft consultation. It is the eastern parcel which falls within this designation. Tyler Grange have prepared a note in response to this which is provided at **Appendix XI** of these representations.

- 5.50 The note prepared by Tyler Grange stresses that the draft policy clearly identifies that development within the NIA's is acceptable, as long as the objectives of the NIA can be met. It goes on to demonstrate that development at the site could be compatible with the targets set out in draft Policy WS 5.4. It notes that the overall River Birket NIA covers an area of approximately 758 ha in the north of the Wirral which connects parcels of agricultural land in the northwest of the Wirral peninsula via watercourses (River Birket, Arrowe Brook etc).
- 5.51 Tyler Grange acknowledge the relevant evidence base that relates to the NIA designation as being the Environmental Sensitivity Study (November 2021). This document identifies NIA's as *'large, discrete areas intended to deliver a step in change in nature conservation, with significant improvements for wildlife and people...NIA form the foci for strategic habitat reconnection, restoration and creation. Both linear features and stepping stones can help build resilience within a network by optimising connectivity, restoring natural process, and accommodating dynamism'*. The study concludes that NIA's are 'moderately' sensitive, and that development 'may be possible in some locations'.
- 5.52 Tyler Grange's note then goes on to demonstrate that the previously prepared Masterplan for the site is compatible within the NIA. Key features of the Masterplan include:
- The retention of the 'stepping stone' pond in the smaller western parcel;
 - The provision of a significant green / blue buffer between development and Arrowe Brook; and
 - Hedgerow / tree retention.
- 5.53 Taking the above into account, the Masterplan meets the objectives of the draft policy regarding biodiversity and NIA's as it avoids impacts to the most valuable habitats in the first instances through the retention of the pond, hedgerows and trees where possible and providing a significant landscape buffer to Arrowe Brook. This is explored further in Tyler Grange's note. It is noted that agricultural land is the most dominant habitat within the site, however this is not a factor of the NIA and is not integral to the delivery of the objectives of the NIA. Furthermore, none of the Council's evidence base has indicated that the main body of the site (agricultural land) is either a sensitive receptor, or one which is required to maintain the function of the NIA. Therefore, the entirety of the agricultural land parcels within the eastern parcel of the site are not required to meet the objectives of the NIA as this can be achieved as demonstrated on the Masterplan previously prepared and submitted in earlier representations by the land indicated for green infrastructure (wetland creation, hedgerow planting, retaining connectivity and functionality of Arrowe Brook).
- 5.54 Overall, it is demonstrated that development within the NIA is acceptable and the site can deliver residential development in keeping with the objectives of the NIA through the retention of a significant green corridor adjacent to the most valuable ecologic asset within the site and which is integral to the function of the River Birket NIA. Tyler Grange's note also clearly sets out that the entirety of the eastern parcel of the site is not required to be designated within the NIA due to this being agricultural land and this not being integral to the delivery of the objectives of the NIA. Furthermore it has not been demonstrated in the Council's evidence base that the main body of the site is a sensitive receptor or one that is required to maintain the function of the NIA.
- 5.55 Taking the above into account, the designation of the entire eastern parcel of the site is not considered to be sound as it is not justified or consistent with national policy.
- 5.56 The policy further comments on biodiversity net gain (BNG) and requires all development to deliver a minimum 10% biodiversity net gain calculated using the DEFRA metric. Where development is located on Council owned land it must deliver minimum 20% biodiversity net gain.

- 5.57 The NPPF states that planning policies and decisions should contribute to and enhance the natural environment by, amongst others, 'identifying and pursuing opportunities for securing measurable net gain for biodiversity'. This is also reflected in the Environment Act 2021 and emerging regulations, which sets a requirement for 10% net gain in biodiversity.
- 5.58 The Environment Act sets a high standard for 10% BNG and therefore it is unclear as to why the draft policy is requesting 20% on Council owned land. The national requirement of 10% BNG does not set a limit should developers wish to provide more, however by setting a higher requirement of 20% on Council owned land is onerous, expensive and unnecessary and will more than likely, impact on deliverability. The 10% BNG requirement provides certainty in achieving environmental outcomes, deliverability of development and costs for developers.
- 5.59 The evidence base does not provide robust justification for why a 20% BNG requirement is set on Council owned land and given that the Environment Act considers 10% to be appropriate, so should Wirral.
- 5.60 As such, draft policy WS 5.4 is not considered to be sound as it is not justified, effective or consistent with national policy. It is recommended that the BNG requirement on Council owned land is reduced from 20% to 10%. Furthermore, the NIA designation on Taylor Wimpey's Saughall Massie site is reduced. This currently covers the entirety of the eastern parcel of the site however, this is not required to be designated within the NIA due to this being agricultural land and this not being integral to the delivery of the objectives of the NIA. Furthermore it has not been demonstrated in the Council's evidence base that the main body of the site is a sensitive receptor or one that is required to maintain the function of the NIA.
- 5.61 **Draft Policy WS 5.9 (Evidence of Approach)** states planning applications will be required to be accompanied by a statement setting out how the benefits in this Policy have been achieved and how the proposal will meet the requirements specified.
- 5.62 This policy however does not provide detail any requirements to be met in it and is lacking detail. As such it is not considered to be sound as it is not positively prepared, justified, effective or consistent with national policy. Given the lack of detail, it should be deleted from the Local Plan.

Draft Policy WS 8 (Strategy for Sustainable Construction, Renewable and Low Carbon Energy)

- 5.63 Draft Policy **WS 8.1 (Energy Hierarchy)** states development proposals should implement the energy hierarchy within the design of new buildings by prioritising fabric first, passive design and landscaping measures to minimise energy demand for heating, lighting and cooling.
- 5.64 Taylor Wimpey has its own climate change target and is reducing the carbon footprint of its business and working with its suppliers to help bring about wider change. Furthermore, Taylor Wimpey is the first homebuilder to have achieved the Carbon Trust Standard for its overall approach to carbon management, therefore, they are generally supportive of WBC's intentions to improve climate change mitigation and adaptation.
- 5.65 Taylor Wimpey have set out ambitious targets to reduce greenhouse gas emissions from their business, supply chain and homes built with the following targets:
- Reduce operational carbon emissions intensity by 36% by 2025 (from a 2019 baseline);
 - Reduce carbon emissions intensity from their supply chain and customer homes by 24% by 2030 (from a 2019 baseline).

- 5.66 These targets have been independently verified by the Science Based Targets Initiative (SBTi) and confirms their operational target is consistent with the reductions required to keep warmer to 1.5 degrees Celsius, the most ambitious goal of the International Paris Climate Agreement.
- 5.67 Taylor Wimpey would not support any policies that would unnecessarily or unreasonably threaten the viability or deliverability of housing sites. It is Taylor Wimpey's view that a bespoke package of sustainable measures should be developed on a site-by-site basis, rather than setting out a 'one size fits all' approach. A robust and flexible mechanism should be added to the policy requirements whereby additional requirements and / or other requirements can be relaxed if viability is threatened.
- 5.68 **Draft Policy WS 8.2 (Sustainable Construction – Energy Efficiency, Overheating and Cooling, and Water Usage)** states all development proposals should take measures to address potential climate change implications. This should include reducing carbon emissions associated with the construction, operation and decommissioning of developments wherever possible thus addressing embodied carbon and:
- All development should be 'zero carbon ready by design';
 - Wherever possible and viable, all new buildings should be certified to a Passivhaus or equivalent standard;
 - Proposals for new and refurbished buildings should demonstrate that they have been tested to ensure the buildings will perform as predicted;
 - Development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the cooling hierarchy;
 - All development should seek to identify water usage efficiencies and the reuse of water in their design.
- 5.69 In general, Taylor Wimpey support the ambitions of the sustainable construction policy and delivering energy efficient homes. Taylor Wimpey's new build homes come with a smaller carbon footprint than an equivalent second-hand property, with features including:
- Energy-efficient walls and windows; insulated loft spaces; 100% low energy light fittings and LED recessed downlights; and appliances that are at least A-rated for energy efficiency.
 - Around 14% of their homes integrate on-site renewables such as photovoltaic (PV) panels.
 - All homes have water meters fitted, as well as low flow taps and showers, and dual flush toilets. Taylor Wimpey's homes are designed to achieve a maximum internal water use of 120 litres per person per day.
- 5.70 However, as set out under draft Policy WS 3.1, the evidence base does not robustly justify the requirement to be 'zero carbon ready by design' and as such should be removed from the drafted policy. In addition, and in reference to Passivhaus standards, a clear framework for improving the energy efficiency of buildings is included as part of the Future Homes Standards, which from 2025, new homes built to the Future Homes Standard will have carbon dioxide emissions at least 75% lower than those built to current Building Regulations standards. The Local Plan Submission Draft makes reference in draft Policy WS 8.2 to new buildings meeting Passivhaus standard, but then at draft Policy WS 8.8 under paragraph 3.192, it refers to meeting Future Homes Standards. It is unnecessary to refer to both set of standards and results in ineffective policy.

- 5.71 Taylor Wimpey has its own climate change target and is the first homebuilder to have achieved the Carbon Trust Standard for its overall approach to carbon management. Taylor Wimpey do not support an indiscriminate policy requirement to meet Passivhaus Standards.
- 5.72 Overall, it is not considered to be sound as it is not justified, effective or consistent with national policy. It is recommended that reference to Passivhaus Standards is omitted from the Local Plan to enable an effective, sound policy.
- 5.73 **Draft Policy WS 8.4 (On site Renewable and Low Energy Carbon)** states development proposals should demonstrate how residual carbon emissions can be addressed through the use of on site renewable and low carbon energy supplies, unless demonstrated that the scheme is not suitable or feasible for this form of energy provision.
- 5.74 As set out above, in general, Taylor Wimpey support ambitions for renewable and low energy carbon and has its own climate change target and is reducing the carbon footprint of its business and working with its suppliers to help bring about wider change. Taylor Wimpey would not support any policies that would unnecessarily or unreasonably threaten the viability or deliverability of housing sites.
- 5.75 **Draft Policy WS 8.5 (Carbon Compensation through Renewable and Low Carbon Energy)** states where a development proposal cannot demonstrate that net zero carbon can be met on-site, applicants should demonstrate how residual carbon emissions can be addressed with renewable energy sources off site, and make provision where feasible.
- 5.76 As set out above, in general, Taylor Wimpey support ambitions for renewable and low energy carbon and has its own climate change target and is reducing the carbon footprint of its business and working with its suppliers to help bring about wider change. Taylor Wimpey would not support any policies that would unnecessarily or unreasonably threaten the viability or deliverability of housing sites.
- 5.77 **Draft Policy WS 8.8 (Climate Change and Energy Statements)** states all major development will be required to submit an Energy and Climate Statement. This will demonstrate compliance with all relevant aspects of Policy WS 8. The statement will incorporate a Whole Life Cycle Carbon Emission Assessment, using a recognised methodology, to demonstrate actions taken to reduce operational and embodied carbon from the land use change, construction and use of the building over its entire life.
- 5.78 It is noted that paragraph 3.192 of the Local Plan Submission Draft sets out that the Energy and Climate Statement should include an explanation how the clauses in Policy WS 8 have been addressed. This includes part 'vi' which states *'the proposal to reduce carbon emissions beyond the Future Homes Standards and current Building Regulations through the energy efficient design of the site, buildings and services, and preferably a design for performance approach.'*
- 5.79 Taylor Wimpey understands that the Future Homes Standard will be introduced by 2025 and will require new build homes to be future-proofed with low carbon heating and world-leading levels of energy efficiency. Consultation on the uplift to standards of Part L of the Building Regulations and changes to Part F ran between October 2019 and February 2020. This uplift is stated to be the first step in achieving the Future Homes Standards. A second consultation is also proposed on changes to the Building Regulations.
- 5.80 Measures relating to energy efficiency in new development are being pursued, and will be introduced, at the national level, including the Future Homes Standard. Energy efficiency requirements for new homes are set by Part L (Conservation of Fuel and Power) and Part 6 of the Building Regulations. Consequently, any local level policies relating to energy efficiency in new housing could be superseded once the Building Regulations are amended and the Future Homes Standard has been introduced,

however clearly draft Policy WS 8.8 has been prepared with these in mind, but seeks to go beyond what is required by these unadopted requirements which is overly onerous.

5.81 In addition, it is possible that the Local Plan Submission Draft could be adopted before some of these updated regulations come into effect and this would not be acceptable for the following reasons:

- It is unclear how the more onerous requirements will be achieved in practice;
- The transition arrangements in the Building Regulations have been primarily designed to allow developers to prepare for achieving the new requirements; and
- The Council's approach of speeding up this transition threatens the delivery and / or viability of housing as most developers are unlikely to be in a position ahead of 2025 to deliver the requirements viably.

5.82 As such it is not considered to be sound as it is not justified, effective or consistent with national policy for the reasons set out above. The draft policy needs to provide further clarity on circumstances where regulations and standards referenced are superseded by new versions and should omit reference to going beyond standards which are yet to be adopted.

Draft Policy WS 10 (Infrastructure Delivery)

5.83 **Draft Policy WS 10.1 (Provision of Infrastructure)** states proposals should where appropriate, have regard to the Infrastructure Delivery Plan which sets out the infrastructure required for the implementation of the Local Plan. Proposals must demonstrate that there is sufficient appropriate infrastructure capacity to support the development or that such capacity will be delivered by the proposed development. Developers will be expected to provide on-site provision where essential to the acceptable delivery of the development, or where appropriate a financial contribution towards either off-site provision or the enhancement of existing off-site facilities to mitigate the impact of development. Where necessary, proposals should demonstrate how development and supporting infrastructure will be phased.

5.84 Roger Hannah have prepared detailed representations for the Consortium with regards to viability and in particular, critiquing the Council's Infrastructure Delivery Plan ('IDP') (May 2022) (see Technical Paper 5 – Viability enclosed at **Appendix V**). This states that the IDP sets out a funding gap of £42.14m for essential transport infrastructure over the Plan Period that is said to be funded through developer contributions. In Aspinall Verdi appraisal, they state this is accounted for but there is no cost allowance for transport in the S106 breakdowns. Given that the IDP states the essential transport works will need to be funded through developer contributions, this is serious oversight in relation to policy costs. This means that the cost deficit across the typologies and strategic sites is much greater than assessed in the 2022 CIL and Viability Assessment. This miscalculation is a significant flaw and will mean that infrastructure required for the implementation of the Local Plan will not be delivered.

5.85 Draft Policy WS 10.1 is not considered to be sound as it is not positively prepared, effective or consistent with national policy for the reasons set out above and expanded in the Consortium representations.

5.86 The flaws of draft Policy WS 10.1 relate to the inconsistencies and miscalculations between the Infrastructure Delivery Plan and the CIL and Viability Assessment which is a fundamental issue with the whole Local Plan viability and therefore it will not be possible to rectify these soundness issues through the main modifications process.

Settlement Area Policies

Draft Policy WP 5 – Policy for Leasowe, Moreton, Upton, Greasby and Woodchurch

- 5.87 **Draft Policy WP 5.1 (Residential Sites)** sets out the allocated residential housing sites as shown on the draft Policies Map included as part of the Local Plan Submission Draft consultation. It further sets out site specific requirements for certain allocations.
- 5.88 The site at Saughall Massie is not included in draft Policy WP5.1 as it is currently included within Settlement Area 8 'Rural Areas'. As discussed at length in these representations, there is serious concern with regards to the Council's approach to housing requirements, delivery and claimed supply. The Consortium's analysis has concluded that the total residential supply from the sources set out in draft Policy WS 1.1 is less than 8,000 dwellings, as opposed to the 16,332 claimed by the Council. The Council would therefore need to identify a significant number of additional deliverable and developable sites to address this shortfall. As such, Green Belt sites are required to meet the identified overall need in Wirral, and provide a distribution of development that would properly meet those needs across the Borough, and not just in the East.
- 5.89 The Local Plan Submission Draft in its current form cannot be found sound and fundamental changes are required including the identification of additional supply from the Green Belt. Overall, additional sites will be required to meet the housing requirements and the site should be included in draft Policy WP 5.1.

Detailed Policies

Draft Policy WD 3 Biodiversity and Geodiversity

- 5.90 This is an extensive draft policy which states development which may result in a likely significant effect on an internationally important site must be accompanied by sufficient evidence to enable the Council to make a Habitats Regulations Assessment. Adverse effects should be avoided and/or mitigated to ensure that the integrity of internationally important sites is protected. Development which may adversely affect the integrity of internationally important sites will only be permitted where there are no alternative solutions.
- 5.91 Part 'F' of the draft policy states:
- 'Development proposals must demonstrate that adequate provision has been made over the lifetime of the development for appropriate ongoing access management, habitat management, monitoring, maintenance and enhancement of biodiversity or geodiversity interests which can be secured by planning conditions or legal agreement.'*
- 5.92 The 'in perpetuity' requirement is above and beyond the expectation of a minimum of 30 years' worth of management as requested in the Environment Act and as such there is no standing to request an indefinite management term. This would put a disproportionate financial burden on developers over what could be 'in perpetuity'. For very sensitive sites where valuable habitat is being lost that is not easily replicated over 30 years, there are provision in the Environment Act for the Secretary of State to demand a longer time period as necessary.
- 5.93 The Council's 'in perpetuity' requirement also conflicts with other parts of the Local Plan Submission Draft. For instance, paragraph 3.142 under 'Contribution to Biodiversity Net Gain' states:
- '...Details of habitat provision, management and maintenance for a 30 year period are also required.'*

- 5.94 There is a clear conflict within the Local Plan as currently drafted and part 'F' of draft Policy WD 3 should be consistent with paragraph 3.142 and require adequate provision to be made over a 30 year period, rather than in perpetuity.
- 5.95 As such, draft policy WD 3 is not considered to be sound as it is not justified, effective or consistent with national policy. In order for the draft policy to be considered sound, reference to 'in perpetuity' needs to be omitted from the Local Plan and reference made to a 30 year period instead.

Draft Policy WD 4.3 (Sustainable Drainage Systems (SuDS) and Natural Flood Management

- 5.96 This draft policy sets out in detail, the strategies for foul and surface water management, what should be provided with major planning applications, consideration of sustainable drainage early in the design process, arrangement for implementation, operation, maintenance, access and management of sustainable drainage systems as well as the design of SuDS.
- 5.97 Taylor Wimpey is supportive in general of the use of SuDS where possible within new developments. However, it is noted that the policy should include reference to the relaxing of requirements on viability grounds with the policy text. It is important to include this mechanism to ensure there is a necessary scope for development to deviate from the policy requirements for practical and / or viability reasons.
- 5.98 It is Taylor Wimpey's view that a bespoke package of sustainable measures should be developed on a site-by-site basis, rather than setting out a 'one size fits all' approach. A robust and flexible mechanism should be added to the policy requirements whereby additional requirements and / or other requirements can be relaxed if viability is threatened.

Draft Policy WD 18 (Health Impact Assessment)

- 5.99 This draft policy states a Health Impact Assessment will be required for major residential developments of 10 dwellings or more. If adverse impacts are identified, proposals will need to demonstrate how these will be addressed.
- 5.100 The Planning Practice Guidance, under the heading 'How can the need for health facilities and other health and wellbeing impacts be considered in making planning policies and decisions?' (ID: 53-005-20190722), states that '*A health impact assessment is a useful tool to use where there are expected to be significant impacts*'. It goes on to state that '*Information gathered from this engagement will assist local planning authorities in considering whether the identified impact(s) could be addressed through planning conditions or obligations*'.
- 5.101 The requirement of draft Policy WD 18 for a Health Impact Assessment for all residential development of 10 dwellings or more does not align with the PPG which suggests that a Health Impact Assessment is a useful tool when significant impacts are expected – it cannot be assumed that 10 dwellings would trigger a significant impact to health facilities and as such this policy is not considered to be sound as it is not consistent with national policy and should be omitted from the Local Plan.

6. Conclusion

- 6.1 These representations have been prepared by Avison Young on behalf of Taylor Wimpey UK Limited ('Taylor Wimpey'). They form Taylor Wimpey's response to Wirral Borough Council's ('WBC') Local Plan 2021-2037 Submission Draft Consultation in relation to land at Saughall Massie ('the site').
- 6.2 As part of a consortium of developers and housebuilders (The Consortium), Taylor Wimpey commissioned Lichfields and Roger Hannah to undertake technical assessments of the Council's Local Plan Submission Draft consultation and evidence base, specifically focussing on housing requirement, the required housing mix and the ability of the Council's claimed supply to meet the overall requirement, the mix of houses needed, and viability. This work (Consortium representations) comprises the following:
- Technical Paper 1: Assessing the Housing Requirement (prepared by Lichfields) (enclosed at **Appendix I**);
 - Technical Paper 2: Assessing the Housing Mix (prepared by Lichfields); (enclosed at **Appendix II**);
 - Technical Paper 3: Assessing Affordable Housing Need (prepared by Lichfields) (enclosed at **Appendix III**);
 - Technical Paper 4: Assessing the Housing Land Supply (prepared by Lichfields) (enclosed at **Appendix IV**);
 - Technical Paper 5: A Critique of the Viability Evidence (prepared by Roger Hannah) (enclosed at **Appendix V**);
 - Soundness Representations (prepared by Lichfields) (enclosed at **Appendix VI**); and
 - Summary of Key Issues (prepared by Lichfields) (enclosed at **Appendix VII**).
- 6.3 These representations have set out how the Council's development and regeneration strategy for Wirral is fundamentally flawed in terms of being able to meet the housing requirement of the Borough. Based on detailed analysis undertaken by Lichfields as set out in the Consortium representations, the Council's housing target of 835 dpa needs to be uplifted to at least 1,159 dpa to address under supply, as well as helping to meet affordable housing needs and supporting economic growth. Furthermore, the Council cannot demonstrate a 5 year supply of housing as required by the NPPF and is at best, a 3.03 year supply with a 20% buffer.
- 6.4 Taylor Wimpey is of the opinion that significant changes are required to the Local Plan for it to meet the test of soundness. For instance, the Consortiums analysis against draft Policy WS 1.1 concluded that the total residential supply from the sources in the policy is less than 8,000 dwellings, as opposed to the 16,332 claimed by the Council. The Council would need to identify a significant number of additional deliverable and developable sites to address this shortfall. It is more than likely that Green Belt sites will be required to meet the identified overall need in Wirral, and provide a distribution of development that would properly meet those needs across the Borough, and not just in the East.
- 6.5 In summary, the Consortium representations has identified the following ten key issues with the Local Plan Submission Draft which affect the soundness of it. These are summarised below and expanded on in the Summary of Key Issues representations enclosed at **Appendix VII**:
1. The housing requirement is insufficient to meet housing needs.

2. The affordable housing requirement has been suppressed by a methodology change rather than a reduced need.
 3. The identified affordable housing need will not be met by the Council's claimed supply.
 4. The housing mix policy in the Local Plan Submission Draft does not align with the Council's evidence base.
 5. The Council's claimed residential supply is artificially inflated by 'broad areas for growth' that are not underpinned by robust evidence.
 6. A significant proportion of the supply of residential sites identified by the Council is not deliverable or developable.
 7. The Council's supply is inflated by a disproportionate number of allowances.
 8. The evidence base fails to demonstrate a mechanism for delivering family homes on the supply of sites identified by the Council.
 9. The viability of the Council's claimed supply is being significantly overstated by flawed viability evidence.
 10. The Local Plan Submission Draft fails to provide a mechanism for delivering essential infrastructure.
- 6.6 When considering the test of soundness for Local Plans, detailed at Paragraph 35 of the NPPF, pursuing the Council's strategy which focuses on the creation of new neighbourhoods through brownfield development in Birkenhead, the reuse of land previously used or allocated for employment use and through allocating sites in Settlement Areas, would render the Local Plan 'unsound' as this fails to meet both the Council's objectively assessed need and the increased housing need calculated by the Consortium. In order for the Local Plan to be found sound in accordance with Paragraph 35 of the NPPF, the housing target must be revisited and robustly adjusted upwards.
- 6.7 As a result, Green Belt release is required to meet the Borough's housing and employment needs over the Plan Period. In accordance with Paragraph 140 of the NPPF exceptional circumstances are fully evidenced and justified in the representations prepared by the Consortium and Green Belt release is necessary in order for Wirral to produce a sound Local Plan.
- 6.8 When tested against the purposes of the Green Belt, the Saughall Massie site makes an overall weak contribution to the five purposes and presents a significant opportunity to support a sensitive residential development that will not prevent the Green Belt from functioning effectively in this location.
- 6.9 The site is in a highly sustainable location and represents a natural and logical extension to the existing urban area. Furthermore, the site is available, suitable and achievable and there are no known technical or environmental constraints that would preclude the development of the site. The estimated capacity proposed by Taylor Wimpey is lower than the Council's estimate and reflects the detailed consideration of the site's constraints that has been undertaken.
- 6.10 The Saughall Massie site is therefore suitable and appropriate for Green Belt release for housing and should therefore be allocated for residential development in the Wirral Local Plan.
- 6.11 Finally, these representations have also provided specific comments on the following draft policies of the Local Plan Submission Draft and set out whether they are considered sound and what amendments are required to them:

- Policy WS 1.1 (Homes)
- Policy WS 1.3 (Infrastructure)
- Policy WS 2 (Social Value)
- Policy WS 3.1 (Housing Design Standards)
- Policy WS 3.2 (Housing Density)
- Policy WS 3.3 (Affordable Housing Requirements)
- Policy WS 3.4 (Housing Mix)
- Policy WS 5.1 (Green and Blue Infrastructure Networks)
- Policy WS 5.4 (Ecological Networks)
- Policy WS 5.9 (Evidence of Approach)
- Policy WS 8.1 (Energy Hierarchy)
- Policy WS 8.2 (Sustainable Construction – Energy Efficiency, Overheating and Coolers and Water Usage)
- Policy WS 8.4 (On site Renewable and Low Carbon Energy)
- Policy WS 8.5 (Carbon Compensation through Renewable and Low Carbon Energy)
- Policy WS 8.8 (Climate Change and Energy Statements)
- Policy WS 10.1 (Provision of Infrastructure)
- Policy WP 5.1 (Policy for Leosowe, Moreton, Upton, Greasby and Woodchurch – Residential Sites)
- Policy WD 3 (Biodiversity and Geodiversity)
- Policy WD 4.3 (Sustainable Drainage Systems and Natural Flood Management)
- Policy WD 18 (Heath Impact Assessment)

6.12 Overall, these representations have identified fundamental issues with WBC's urban intensification strategy and the draft policies included in the Local Plan Submission Draft and as such, it will not be possible to address these soundness issues through the main modifications process.

6.13 We respectfully request that these representations and previous representations are taken into account in the preparation of the Local Plan.

Appendix I

Technical Paper 1: Assessing the Housing Requirement

Appendix II

Technical Paper 2: Assessing the Housing Mix

Appendix III

Technical Paper 3: Assessing the Affordable Housing
Need

Appendix IV

Technical Paper 4: Assessing the Housing Land Supply

Appendix V

Technical Paper 5: A Critique of the Viability Evidence

Appendix VI

Soundness Representations

Appendix VII

Summary of Key Issues

Appendix VIII

Site Location Plan

Appendix IX

Highways Note

Appendix X

Landscape Note

Appendix XI

Ecology Note

Contact details

Enquiries

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