

Wirral Local Plan examination, post-hearing note

Introduction

1. Following the final scheduled hearing session on 2 November 2023, this note sets out our view on certain matters and what should now be done. It reflects, and should be read throughout as, our initial thinking. It is without prejudice to any findings we may ultimately come to.
2. Firstly we thank you, and all of the Council's team, for assisting in the examination of the Plan, for ensuring that the hearings ran smoothly, and for the work so far to address matters raised through the examination. That is very much appreciated, especially given other significant pressures on your time and resources this year.
3. Our view is that the Plan, as submitted, is unsound. Our view is also that the Plan may be capable of being made sound via main modifications ('MMs'). You have already prepared a schedule of potential MMs related to matters addressed during the course of the hearings. We would like you to continue to work up that schedule taking account of the points in this letter, in liaison with the Programme Officer as necessary. The remainder of this letter sets out our thoughts on certain key matters, focussing on housing.

Initial views

Plan period

4. The Plan is premised on meeting local housing need ('LHN'), based on the standard method in the National Planning Policy Framework (published 5 September 2023, 'NPPF') and the Planning Practice Guidance ('PPG'). That version of the NPPF remains the basis for the examination.¹ The latest median workplace-based earnings ratio figure for Wirral is for 2022, and stands at 6.75. In that context, and also to logically align with the Birkenhead Framework 2040, a key evidence document, **the Plan should run from 2022 to 2040, i.e. from the monitoring years 2022/23 to 2039/40.**

Housing Requirement

5. LHN, based on 2014 Household Projections ('HHP2014') and the latest median workplace-based earnings ratio above, is a positively prepared and justified approach to setting the Plan's minimum housing requirement. Based on the 'current' year moving to 2023,² and factoring in the latest affordability ratio above, 750 dwellings per annum ('dpa') represents LHN. 2023 was the current year at the time of the hearings, and there is little

¹ Noting the transitional provisions at paragraphs 227 to 230 of the 20 December 2023 version.

² PPG Reference ID: 2a-004-20201216.

difference rebasing those figures on HHP2014 data related to 2022 or 2024.³ To make up for demolitions, the Council has rationally added 50dpa annually. The two combined make 800dpa. **Therefore, for the plan to be positively prepared, over an 18 year plan period the overall minimum housing requirement should be 14,400.**

Interaction between use classes C3 and C2

6. The Plan sets out that there is a need for 1,149 residential care places for older people, Use Class C2, in addition to the overall minimum C3 housing requirement. The Council have subsequently provided a note on the interaction between C2 and C3 uses [DSH29]. We understand, however, that it is not the Council's intention to 'count' C2 supply against the C3 housing requirement. Nonetheless, at present, the Plan appears to make no specific policy provision for C2 delivery. **For consistency with NPPF paragraph 62, the Plan should make provision for a minimum of 1,149 units of C2 older people's accommodation in addition to the overall housing requirement (via MM to policy WS 1.1).**

Return to use of empty homes

7. Having reviewed all the evidence before us, and in the light of discussions during hearings, we are of the view that no anticipated supply from the return to use of empty homes may legitimately be accounted for in future years. **Consequently, to be justified, the Plan will need amending via MMs to remove anticipated supply from empty homes.**

5 year housing land supply requirement ('5YHLSR') parameters

8. If the Plan is adopted mid-2024, the 2022/23 housing delivery figures would be the latest comprehensive set at that juncture. Therefore, on that basis, the five year period would be 2023/24 to 2027/28 (the red box timeframe in [WBC046]). 707 is the most accurate figure for delivery in 2022/23.
9. Understandably the Council are looking towards a 10% buffer in terms of the 5YHLSR with reference to NPPF paragraph 74.b). Applying that buffer, and also undersupply in 2022/23 relative to a figure of 800 across the five year period, results in an aggregate 5YHLSR of 4,502 (or 900 dwellings annually over that period). The Council indicate that anticipated completions in the five year period would be 4,675. However the calculation of the 5YHLSR will need to relate to a justified stepped housing requirement, as below.

Sources of housing supply and a stepped requirement

10. The Council's current position in respect of anticipated supply over the plan period is set out in [WBC046]. We have reviewed the extensive evidence before us and hearing discussions in respect of allowances, site allocations and other deliverable areas ('ODAs'). In broad terms we are satisfied that some sites and ODAs will likely deliver as the Council anticipate, although others may not.

³ An increase of about 16dpa and decrease of about 19dpa respectively.

11. Following on from the above, presently evidence indicates that the Plan is likely to demonstrably enable delivery of around 12,000 dwellings over an 18 year period as follows:

Year(s)	0	1 to 5	6 to 10	11 to 15	16	17
	2022-23	2023/24 to 2027/28	2028/9 to 2032/33	2033/34 to 2037/38	2038/39	2039/40
Housing delivery	707	2,704	4,902	2,617	447	447

12. Whilst further detail in respect of the foregoing will be set out in our report,⁴ the annex to this note contains our view in respect of figures for particular areas or sites. For the plan to be justified and effective **those will need to be reflected, via MMs, in the relevant policies and elements of the Local Plan (as will necessary consequential changes).**

13. The figure of 800dpa, i.e. the annual housing requirement referenced earlier in this note, represents a significant change from previous requirements for Wirral [DSH38a]. Many strategic sites will have a phased delivery trajectory, and are likely to come forward later in the plan period. As such, with reference to the guidance in the PPG, and for the plan to be justified and effective, **the Plan should incorporate a stepped housing requirement, a requirement of 500dpa for years 1 to 5, 840 for years 6 to 10 and 1,000 for year 11 onwards.**⁵

14. We note that NPPF paragraph 68.b) requires the identification of broad locations for years 11-15 of the plan period 'where possible'. There is also a statutory requirement for a local plan to be reviewed every five years. The Council have in hand work establishing and refining monitoring indicators. Notwithstanding that context, to ensure that the plan is positively prepared, it should include a policy related to early review. Whilst our report will address soundness in respect of overall housing supply and a stepped trajectory, **the Council should work up a relevant early review policy in that respect, by way of suggested MM.**⁶

Allowances in the 5 year housing land supply ('5YHLS')

15. The Plan anticipates delivery of 150 dwellings from 'windfalls' within the five year period at 30dpa, and 500 from 'net conversions/ change of use' at 100dpa (both forms of 'allowance' in the Plan's terminology). Although we are content with the annual figures in themselves, in order that the Plan's approach is justified, i.e. based on proportionate evidence, **no account**

⁴ The report will also address where it has been suggested that a site should, or should not, be covered by some form of designation.

⁵ Amounting to 14,407 overall, broadly consistent with the Plan's overall minimum requirement.

⁶ That policy should set out the timescale for a review and the parameters that will be taken account in informing a review (including, but not necessarily limited to, levels of development delivered, delivery timescales/ lead in times, funding levels achieved and land or property value change).

should be taken of those sources of anticipated delivery in years 1 to 3 of the 5YHLS.⁷

Affordable housing

16. In our view newly arising need for affordable housing stands somewhere around 705dpa, as in [H1.1] albeit that does not address existing households in need. On account of the Plan's strategy of focussing significant development in 'lower' viability zones, however, Local Plan policy WS 3.3 rationally sets affordable housing requirements of between 10% and 20% of market housing.⁸ We acknowledge that the majority of affordable housing in Wirral has, and likely will, come forward by virtue of public sector funding.
17. The Plan legitimately aims towards regeneration, and thereby to improve the potential for the market to provide affordable housing over time. However in the light of current affordable housing needs and for the plan to be justified, **policy WS 3.3 should be modified to encourage, and to give weight to schemes in line with the strategic approach to locating development, which provide a level of affordable housing above the foregoing percentages.**⁹

Viability

18. The Council took away an action at the hearings to consider how viability is addressed by the Local Plan. That is recognising that the viability of development in Wirral, particularly in respect of certain locations and typologies, is highly challenging. We would ask that the Council continue that work to address viability matters broadly rather than in relation to affordable housing alone. **In that context, and for consistency with the NPPF, a new policy on viability should also be introduced.**¹⁰

Energy efficiency

19. Local Plan policy WS 3.1, criterion 3, and policy WS 8.2, criterion B. 1., set the expectation that all development should be 'zero carbon ready by design'. Since the examination hearings, the Government issued a Written Ministerial Statement ('WMS') of 13 December 2023.¹¹ **In that context the Council should work up an MM for consistency with the WMS.**

⁷ 2023/24, 2024/25 and 2025/26.

⁸ On that basis the Council predicts that affordable housing provided by way of market subsidy would amount to around 1,637 over a 16 year plan period, averaging to 102dpa [WBC003a].

⁹ The policy thresholds derived from viability work in [DV1] and [DV1.1] should not be amended. Policy WS3.3 should be amended to the effect that 'proposals that would provide for levels of affordable housing exceeding the thresholds set out earlier in this policy will be accorded due weight in reaching a balanced planning judgement on their merits where such schemes are in accordance with the strategic approach to distributing development through this plan.'

¹⁰ That should include reference to the Council seeking to secure grant funding, to the circumstances in which a viability assessment may be justified, and that a balanced view will be arrived at in decision-taking in respect of the implications of viability.

¹¹ Official record no. HLWS120.

Next steps

20. The Council should now work up relevant MMs as set out above, incorporating those into the running schedule of potential MMs already in hand. Once there is a finalised version of that schedule, it should be provided to us, via the Programme Officer, for review. Only those modifications which we consider necessary for soundness will be MMs. For information we would also like to see a finalised schedule of additional modifications, which are not required for soundness, that the Council is proposing (set out in a separate schedule).
21. Once we are satisfied with the schedule of MMs, it will need to be the subject of additional Sustainability Appraisal and Habitats Regulations Assessment work. The finalised schedule will need to be the subject of consultation for a minimum of 6 weeks.
22. Other than correspondence from the Council, we are not inviting comment from others in respect of this note; there will be opportunity for anyone to comment subsequently on any MMs in any event. Please could the Council let us know, through the Programme Officer, when they intend to undertake the actions set out above.

Tom Bristow and Mike Worden

INSPECTORS

04 March 2024

ANNEX

NB. This is our amended version of the spreadsheet version of [WBC046]. We have omitted totals for Regeneration/ Settlement areas in order to show clearly the figure we anticipate in respect of each area or site. We have also deleted sites which the Council have indicated have either been withdrawn or completed. As discussed at the hearings, sites which are not major development should be deleted from Appendix 18 to the Local Plan (albeit some remain below).

Site Allocations / Broad Locations	Reference	Total Anticipated Delivery within Plan Period
Seacombe River Corridor Regeneration Area	RA 1	
Other developable areas		340
Scott's Quay Regeneration Area	RA 2	0
Land East of Birkenhead Road, Seacombe (North)	RES-RA2.1	0
Land East of Birkenhead Road, Seacombe (South)	RES-RA2.2	0
Other developable areas		0
Birkenhead Waterfront Regeneration Area	RA 3	
Rose Brae, Church Street, Woodside	RES-RA3.4	138
Other developable areas		456
Central Birkenhead Regeneration Area	RA 4	
WGC Town Centre Plot E, Hemingford Street, Birkenhead	RES-RA4.1	125
WGC Town Centre Plot G, South of Conway Park Station, Birkenhead	RES-RA4.2	110
WGC Town Centre Plots I and J, North of Conway Park Station, Birkenhead	RES-RA4.3	130

Other developable areas		624
<i>Hind Street & St Werburgh's Regeneration Area</i>	<i>RA 5</i>	
Land at Hind Street, Tranmere	RES-RA5.1	960
Other developable areas		170
<i>Wirral Waters Regeneration Area</i>	<i>RA 6</i>	
Wirral Waters - Vittoria Studios and Sky City, Duke Street, Birkenhead	RES-RA6.2	1,704
Wirral Waters - Northbank East 1, Dock Road, Seacombe (Peel/Urban Splash)	RES-RA6.3	120
Wirral Waters - Northbank West 2, Dock Road, Seacombe (Peel/Urban Splash)	RES-RA6.4	230
Wirral Waters - Northbank East 3, Dock Road, Seacombe (Tower Road)	RES-RA6.5	150
Wirral Waters - Northbank West 1, Dock Road, Seacombe (Legacy)	RES-RA6.6	500
Wirral Waters - Northbank East 2, Dock Road, Seacombe (Belong Extra Care Village)	RES-RA6.7	34
<i>Hamilton Park Regeneration Area</i>	<i>RA 7</i>	
Other developable areas		482
<i>Liscard Regeneration Area</i>	<i>RA 9</i>	
Former Municipal Buildings, Seaview Road, Liscard	RES-RA9.1	100
Other developable areas		100
<i>New Brighton Regeneration Area</i>	<i>RA 10</i>	
Former Grand Hotel, Marine Promenade, New Brighton	RES-RA10.1	12

New Palace Amusements, Marine Promenade, New Brighton	RES-RA10.3	40
Other developable areas		250
New Ferry Regeneration Area	RA 11	
43 Bebington Road, New Ferry	RES-RA11.1	20
Woodhead Street Car Park, New Ferry	RES-RA11.2	29
Land at Grove Street and Bebington Road, New Ferry	RES-RA11.3	14
100 New Chester Road, New Ferry	RES-RA11.5	10
Wallasey	SA 1	
Rear of The Lighthouse Public House, Wallasey Village	RES-SA1.1	10
Land at Gibson House, Seabank Road, Egremont	RES-SA1.2	14
Rear of Gibson House, Maddock Road, Egremont	RES-SA1.3	87
Old Manor Club, Withens Lane, Liscard	RES-SA1.5	10
Suburban Birkenhead	SA 3	
Former Gladstone Liberals, Dial Road, Tranmere	RES-SA3.1	31
Redcourt School, 7 Devonshire Place, Oxton	RES-SA3.2	30
Sevenoaks Phase 2b, Chatham Road, Rock Ferry	RES-SA3.3	43
Former Christ Church, Park Road South, Birkenhead	RES-SA3.9	10
Bebington, Bromborough and Eastham	SA 4	
Land at Civic Way, Bebington	RES-SA4.1	60
Former MOD, Old Hall Road, Bromborough	RES-SA4.2	249
Riverside Office Park, Riverwood Road, Bromborough	RES-SA4.3	217
Eastham Youth Centre, Lyndale Avenue	RES-SA4.5	15
Former Croda, Prices Way, Bromborough Pool	RES-SA4.6	124
Former D1 Oils, Dock Road South, Bromborough	RES-SA4.7	1,000
Unilever Research, Quarry Road East, Bebington	RES-SA4.11	120
Leasowe, Moreton, Upton, Greasby and Woodchurch	SA 5	
Moreton Family Centre, Pasture Road	RES-SA5.1	80
East of Typhoo, Reeds Lane, Moreton	RES-SA5.3	150
Former Foxfield School, Douglas Drive, Moreton	RES-SA5.4	65

Former Stirrup PH, Arrowe Park Road, Woodchurch	RES-SA5.5	15
Land at Knutsford Road, Moreton	RES-SA5.7	37
Former Dodd's Builders Merchants, Bermuda Road, Moreton	RES-SA5.8	14
Hoyle and West Kirby	SA 6	
Land at Grange Hill Farm, Grange Old Road, West Kirby	RES-SA6.4	35
Irby, Thingwall, Pensby, Heswall and Gayton	SA7	
Former Heswall Gospel Hall, Pensby Road, Heswall	RES-SA7.2	23
Housing Allocations of 1-9 units (Local Plan Appendix 18)		
Park Cottage, 130 Eleanor Road, Bidston	RES-SA3.8	1
Maple Grove, Bromborough	RES-SA4.10	6
Methodist Church, Lower Bebington	RES-SA4.16	0
45 Palatine Road, Bromborough	RES-SA4.18	1
Former Moreton Municipal Building, Knutsford Road	RES-SA5.2	8
Former Arrowe Hill Primary School, Woodland Road	RES-SA5.9	3
30 Salacre Crescent, Upton	RES-SA5.12	1
Pinetree Cottage, 50 Moreton Road, Upton	RES-SA5.13	4
2 Hendon Walk, Greasby	RES-SA5.14	1
Adjacent 1 Cholmondeley Road, West Kirby	RES-SA6.5	1
Rear of Majestic Wine, Column Road, West Kirby	RES-SA6.6	5
Ridge Rowans, 25 Wetstone Lane, West Kirby	RES-SA6.8	1
Sundial, 61 Caldby Road, Caldby	RES-SA6.9	7
7 Caldby Road, West Kirby	RES-SA6.11	7

Clan Mo, 11 Buffs Lane, Barnston	RES-SA7.3	3
Rear of Ashbourne House, Mount Avenue, Heswall	RES-SA7.4	1
Willowbank, 33 Oldfield Road, Heswall	RES-SA7.5	3