

REPORT ON THE OBJECTIONS TO

Replacement

Knowsley Unitary Development Plan

First Deposit Draft October 2003

Second Deposit Draft December 2004

Pre-Inquiry Changes July 2005

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The Planning Inspectorate

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GLOSSARY OF ABBREVIATIONS

To assist the reader, set out below is a glossary of the abbreviations used throughout this Report.

CD	Core Document of the Inquiry (<i>see list appended to this report</i>)
Defra	Department of Environment, Food and Rural Affairs
MBC	Metropolitan Borough Council
NAC	Non-Advertised Change
LDF	Local Development Framework
LDD	Local Development Document
PIC	Pre-Inquiry Change
PPG	Policy Planning Guidance
PPS	Policy Planning Statement
RPG13	Regional Planning Guidance for the North West
RSS	Regional Spatial Strategy
s106	Section 106 of the Town and Country Planning Act 1990
the Plan	Revised Draft Replacement Plan – December 2004
UDP	Unitary Development Plan

GENERAL COMMENTS ON THE PLAN

POLICY OMISSIONS

Objections to 1st Deposit Draft

R0072/C00047	Halewood Town Council
R0115/C00454	British Waterways NW
R0534/C00259	HM Prison Service

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Plan should include a policy to outline the Council’s public consultation policy in respect of planning applications [C00047].
- ii) The Plan fails to take adequate account of the possibilities of protecting and promoting inland waterways through the planning process [C00454].
- iii) The Plan should include a policy or a specific site to meet the need for new prison accommodation [C00259].

Inspector’s Reasoning

Consultation policy

- 0.1 The purpose of the development plan – ie in this case the Knowsley Unitary Development Plan - is to establish the context for land use planning decisions over the Plan period. That is, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, it sets out the policies the Council will use to control the use of land.
- 0.2 However, the development plan does not set out the procedures for how such decisions are to be made. These are established by The Town and Country Planning (General Development Procedure) Order 1995. Regulation 10 deals with consultations before the grant of planning permission, and Regulation 13 (and referring to paragraph 8(1) of Schedule 1 of the Town and Country Planning Act 1990) covers notification of parish and community councils.

- 0.3 A local planning authority may choose to adopt additional protocols to govern the consultation process, but I do not consider these to be essential; the relevant legislation and Statutory Instruments provide a statutory basis for local concerns to be included within the decision making process. I do not consider that it is necessary for supplementary procedural protocols – were they to be drawn up – to be included as a policy of the Plan.

Support for inland waterways

- 0.4 The only navigable inland waterway running through the Knowsley Metropolitan Borough Council area is approximately 100m of the Leeds-Liverpool Canal. This length runs adjacent to Kirkby Golf Course and is within the Green Belt. Policies apply within the Green Belt to resist, amongst other matters, inappropriate residential, industrial or commercial development and, at the same time, to support appropriate outdoor recreational uses. In my view, the Plan does not include any policies or proposals which undermine the present use of the canal, nor are they likely to frustrate or prejudice any future use of the canal – for either commercial or recreational purposes - which would be compatible with the Green Belt.

Provision for a new prison

- 0.5 An essential characteristic of a development plan is that it should provide certainty for those who have an interest in the future of the area it covers. That is, it should identify needs which are likely to arise during the Plan period and, in appropriate cases, identify specific sites where development may take place to meet the identified need.
- 0.6 I note that Circular 03/98 advises that the prison population has been rising in recent years and that there is a general requirement to provide additional prison places over the period 1998-2008, including within the North-West. Indeed Merseyside has been identified by the Prison Service as a priority area of search for a new prison. That is, a general sub-regional need has been established. However, where and when this need is to be met is not clear.
- 0.7 Although the Knowsley area is seen to be a possible location for a new prison, the objector has not stated that this is a specific requirement. Neither has the objector set out what size of site is likely to be needed and when this will have to be available. That is, no site specific need has been put before the local planning authority to indicate that a prison will be built within Knowsley and within the Plan period. In which case it would not be appropriate to identify a new prison as a proposal in the Plan, either as a policy or as a site on the Proposals Map. To do otherwise could be seen as misleading and potentially undermine the principle of certainty which underlies the development plan system.
- 0.8 A large proportion of the Borough is covered by Green Belt policy, which constrains the supply of development land. Consequently, there is a limited number of sites which might be large enough for a new prison, irrespective of whether they would be regarded as suitable for other

reasons such as security, access and visual impact. Such sites are required for other land use purposes over the Plan period, including employment, for which a specific and quantified potential need has been identified. It would not be appropriate to withhold allocating one or more of these sites for employment purposes and to re-allocate them on a contingency basis for only a generalised possibility of a prison being constructed during the Plan period.

- 0.9 Having said that, the Plan does not actually preclude the possibility of a prison being built somewhere within the Knowsley area. The generic, criteria-based policies of the Plan should give sufficient guidance for a planning application for a new prison, were one to be made, on a site which could meet the needs of the Prison Service. That application would then be considered in accordance with the prevailing planning policies of the development plan and any other relevant guidance.

Recommendation

- R0.1 No modifications be made to the Plan in response to these objections.

CHAPTER 1: INTRODUCING THE PLAN

GENERAL MATTERS

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0095/C00806

Government Office for the North West

Key Issues

- i) The Planning and Compulsory Purchase Act 2004 changed Regional Planning Guidance 13 (RPG13) into a Regional Spatial Strategy document (RSS13) with development plan status. All references to RPG should be revised to RSS.
- ii) The Plan should also mention that the UDP policies will, once adopted, be saved for three years until replaced by Local Development Documents and the Core Strategy.

Inspector’s reasoning

- 1.1 The Council has accepted that the suggested changes should be made to the Plan and have set out in CD23 as PIC/1/6, PIC/2/3 and PIC/2/4 where these changes should be made. The Council also acknowledge that further changes are needed to pick up all references to RPG and to change these to RSS and has put forward a number of non advertised changes to address this point (NAC/2/2, NAC/2/3, NAC/2/4, NAC/2/5, NAC/2/7, NAC/3/1, NAC/3/2, NAC/3/3, NAC/4/1, NAC/4/2, NAC/4/5, NAC/4/10, NAC/4/13, NAC/4/15, NAC/5/2, NAC/5/3, NAC/5/4, NAC/5/14, NAC/8/1, NAC/9/10, NAC/11/1, NAC/11/18, NAC/12/1, NAC/APP/3 (part)). One of these, (NAC/2/4) supersedes PIC/2/4 noted above.
- 1.2 Although not relating to any specific objection this would seem to be an appropriate point to note my general approval for NAC/GEN/1, which seeks to revise the paragraph numbering used throughout the Plan document. The introduction of new paragraphs and other elements during the various revisions and changes has left an inconsistent scheme of paragraph numbering which is potentially confusing to users of the

Plan. For example, the Revised Deposit Draft has two paragraphs 2.19A. It should be obvious, but NAC/2/5 relates to the first paragraph 2.19A, and NAC/2/7 relates to the second 2.19A.

- 1.3 PIC/1/4 addresses the point about explaining the transition to the new development plan system and the saving of adopted UDP policies.
- 1.4 Government Office for the North-West agrees that the changes would meet their objections. I consider the changes should be included in the Plan.

Recommendation

- R1.1 i) The Plan be modified in accordance with PIC/1/4, PIC/1/6, and PIC/2/3.
- ii) The Plan be further modified in accordance with the non-advertised changes:

NAC/GEN/1, NAC/2/2, NAC2/3, NAC/2/4, NAC/2/5, NAC/2/7, NAC/3/1, NAC/3/2, NAC/3/3, NAC/4/1, NAC/4/2, NAC/4/5, NAC/4/10, NAC/4/13, NAC/4/15, NAC/5/2, NAC/5/3, NAC/5/4, NAC/5/14, NAC/8/1, NAC/9/10, NAC/11/1, NAC/11/18, NAC/12/1, and NAC/APP/3 (part).

CHAPTER 2: KEY ISSUES AND INFLUENCES

GENERAL MATTERS

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0019/C00726 North West Development Agency
R0027/C00792 Approach 580 SIA

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0097/C00464 North West Development Agency

Key Issues

- i) Kings Business Park should not be identified as a Regional Investment Site (RIS), but as one of 25 strategic regional sites [C00464, C00726].
- ii) The text should emphasise the importance of strategic regional sites in implementing the Regional Economic Strategy (RES) [C00464].
- iii) The Plan incorrectly attributes to the RES encouragement of housing provision for workers in target growth sectors [C00464].
- iv) The Plan should include a reference to the Approach 580 Strategic Investment Areas (SIA) programmes within Knowsley [C00792].

Inspector’s reasoning

- 2.1 The Council accepts the points made in i) and ii) above. Paragraphs 2.19 (as amended) and 2.19A, as further amended by PIC/2/5, satisfactorily meets both of these points.
- 2.2 The Council have not responded to point iii) in their written response to the objection, but have covered the point in NAC/2/6, which proposes a change to paragraph 2.19. From the objector’s submissions I consider this would be an appropriate change.
- 2.3 The SIA programmes are acknowledged in paragraph 2.23 and I do not consider it necessary to make further reference to the SIAs in paragraph 2.26.

Recommendation

- R2.1
- i) The Plan be modified in accordance with PIC/2/5.
 - ii) The Plan be further modified in accordance with the non-advertised change NAC/2/6.
 - iii) No further modifications be made to the Plan in response to these objections.

CHAPTER 3: VISION AND OBJECTIVES

OBJECTIVES

Objections to 1st Deposit Draft

R0327/C00158	The Brookhouse Group
R0508/C00214	BPS Developments Ltd

Objections to 2nd Deposit Draft

R0623/C00689	Northern Venture
R0027/C00793	Approach 580 SIA
R0164/C00885	Redrow Homes (Lancashire) Ltd

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0478/C00161	Tesco Stores Ltd
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Key Issues

- i) The Plan should seek to retain a greater part of the shopping expenditure within the Borough [C00158].
- ii) Paragraph 3.5 should include a reference to the sequential assessment criteria for new shopping and leisure developments, as set out in PPG6 [C00161].
- iii) The Plan should allow for minor changes to the Green Belt boundary to support sustainable development [C00214, C00689].
- iv) Objective 18 should include a reference to environmental sustainability as part of the high design quality objective [C00793].
- v) Objective 19 places too high a requirement on new development – it should be sufficient to only avoid unacceptable harm [C00885].

Inspector’s reasoning

Retail expenditure

- 3.1 The first point relates to objective 5 in the First Deposit version of the Plan. This has been deleted and replaced by objective 5 in the Revised Deposit Draft. However, the objection has not been withdrawn.
- 3.2 The change sought by the objector is expressed in very generalised terms, with no quantified arguments to suggest what is thought to be the ‘proper’ or acceptable proportion of expenditure to be retained within the Borough. Objective 5 of the Plan (as expressed in the Revised

Deposit Draft) seeks to improve the provision of shopping development in the existing centres in the Borough. In my view, this offers sufficient scope for the policies of the Plan to be framed in a way which would allow additional retail development which should provide the opportunity to retain a greater part of the shopping expenditure within the Borough.

- 3.3 The wish to retain a greater proportion of expenditure must be weighed against other objectives of the Plan, not least being a creation of a sustainable pattern of development. Retention of expenditure *per se* could lead to pressure for retail development which is either not commensurate with the hierarchical standing of the centres in a sub-regional context, or in inappropriate locations in and around Knowsley.
- 3.4 The RSS (RPG13) does not require or encourage a shift in the distribution or balance between shopping centres in the Merseyside area which would support a significant shift in the market share provided within Knowsley. Accordingly, I do not consider it either necessary or appropriate to include retaining a greater share of retail expenditure as a strategic objective of the Plan.
- 3.5 Having said that, the Plan does indeed include encouragement for improvement of the present main shopping centres of Kirkby, Huyton and Prescot with a view to reducing the need to travel outside the Borough for shopping needs. The Plan also identifies specific sites for new retail development to facilitate this.
- 3.6 The extent to which the Plan should be encouraging new or expanded retail development is perhaps a matter of emphasis or even semantics. Whilst the Plan does establish a positive context for retaining a greater share of the potential retail expenditure from local residents, it would not, in my view, be in accordance with the RSS to elevate this to a specific objective of the Plan. I consider that the point is adequately covered by Objective 5 in the Revised Deposit Draft and no modification needs to be made in response to this objection.

Sequential test

- 3.7 The objection [C00161] relates to the First Deposit version of the Plan. The whole of Chapter 3 has been re-drafted in the Revised Deposit Draft, but the sequential test is not referred to in the later version of this chapter. However, reference to the sequential test is now included in the revised version of Policy S8 at paragraph 6.47. I consider this is entirely appropriate as Chapter 3 deals with broad, structural matters, whereas the sequential test is a more detailed procedure applied in the development control process. In my view, the revised version meets the conditionally withdrawn objection. No further changes are proposed to this paragraph in the Revised Deposit Draft and hence no modification is needed to the Plan.

Green Belt boundaries

- 3.8 With regard to C00214, paragraph 3.5 appears only in the First Deposit version of the Plan. This was deleted and does not appear in the same form in the Revised Deposit Draft. The objection is not directly

addressed by the deletion of paragraph 3.5, and neither has it been withdrawn. However, I consider that no action needs to be taken in response to the objection in view of the same point being covered under the discussion of Objective 11 set out in the Revised Deposit Draft.

- 3.9 Objection C00689 looks for the Plan to include as an objective small scale revisions to the Green Belt to allow sustainable developments to take place. Green Belt has been a long-established and well-understood – and respected – policy around the major urban centres in England. As advised in PPG2 *Green Belts*, an essential characteristic of the Green Belt is its permanence and its boundaries should be changed only in exceptional circumstances. With the RSS imposing a tight limitation on housing development in Knowsley, and an expectation that there will be sufficient employment land without encroaching into the Green Belt, there is likely to be little need for new development on peripheral locations around the built-up areas of the Borough. This would support the view that there is no need for a general review of the Green Belt boundary and hence Objective 11 does not need to be revised.
- 3.10 Minor anomalies in the Green Belt boundary are to be addressed by the Plan, but these are not tantamount to a relaxation of the boundary of the kind seemingly sought by the objector. Non-Advertised Change NAC/3/3 reinforces the view that it would not be appropriate to consider revisions to the Green Belt boundary before a review of the UDP. I have already recommended that the Plan be modified in accordance with this NAC (see Chapter 1 of this report).

Design quality

- 3.11 Sustainability is an underlying consideration in the Plan and in current government guidance on planning matters. The concept is well understood and accepted by those who are actively engaged in the planning process. The two major themes of sustainable development – as expressed in government guidance – are the minimisation of the use of private cars coupled with an encouragement to make greater use of public transport, and the re-use of previously developed land. Both of these themes are picked up in Objectives 8 and 9 of the Revised Deposit Draft.
- 3.12 More specifically, Policy DQ1 of the Plan includes a requirement for new development to make efficient use of materials and energy. Other legislation ensures energy efficiency is carried through into the design and performance of new buildings.
- 3.13 Whereas it may be beneficial to include another reference to environmental sustainability, I do not consider it necessary to do so, and hence no modification need be made in response to objection C00793.
- 3.14 Turning to objection C00885, it is unrealistic to expect all new development to have no adverse impacts on those living nearby. What is important is that any such impacts should not be unreasonably harmful to the living conditions of local residents. The Council accept this and have put forward a proposed change to meet this objection (PIC/3/3 –

CD23). I consider this proposed change would satisfactorily address this objection and the Plan should be modified accordingly.

Recommendation

- R3.1 i) The Plan be modified in accordance with PIC/3/3.
- ii) No further modifications be made in response to these objections

KEY DIAGRAM

Objections to 1st Deposit Draft

R0226/C00380 Merseytravel

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The Key Diagram should include the Local Transport Plan (LTP) bus priority/quality partnership initiatives. [C00380]

Inspector’s reasoning

3.15 The objection seeks mention of an underlying initiative which could be relevant to the implementation of many aspects of the social, economic and physical objectives of the Plan. The Key Diagram is aimed at illustrating the distribution of the major physical structural elements of the Plan and hence it would not be appropriate to include detailed measures such as the partnership initiatives referred to by the objector. I consider the Plan should not be modified to meet this objection.

Recommendation

R3.2 No modification be made to the Plan in response to this objection.

CHAPTER 3A: CORE POLICIES

POLICY CP1: REGENERATION AND DEVELOPMENT PRIORITY AREAS

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0660/C00799 Knowsley Primary Care Trust (PCT)
R0466/C00866 Villages Housing Association

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0095/C00809 Government Office for the North West

Key Issues

- i) There is no requirement to assess need as a criterion for allowing retail development. It is sufficient only to consider the scale of provision [C00809].
- ii) Greater priority should be given to health service provision to serve existing and regeneration residential areas [C00799].
- iii) Stockbridge Village should be referred to as an Action Area [C00866].

Inspector’s reasoning

3A.1 The Council agree that proposals for new retail development in town centres should not have to demonstrate a need for the proposed scheme and have put forward a proposed change (PIC/3A/3). The proposed change meets both the concerns of the objector [C00809] and current government guidance on shopping policies. The Plan should be modified accordingly.

3A.2 Similarly, the Council have accepted the view of the Knowsley Primary Care Trust [C00799], that health facilities should be identified as a priority in town centres, and have put forward a proposed change as a means to meet the point (PIC/3A/1). Whereas the proposed change does not include mention of health service provision as part of Policy CP1, it does so indirectly in that it refers to Appendix 6A which lists ‘non-residential institutions’ – Use Class D1 – as appropriate uses for the town centres listed in policy CP1. I consider this meets the objection satisfactorily and the Plan should be modified accordingly.

3A.3 Turning to point iii), the same matter is raised as objection C00868 against Policy H6 in Chapter 4 of this report. I give full consideration to the point there and I shall not repeat the discussion here. Suffice it to say that I have come to the view that Stockbridge Village should not be identified as an Action Area.

Recommendation

- R3A.1 i) The Plan be modified in accordance with PIC/3A/1 and PIC/3A/3.
- ii) No further modifications be made to the Plan in response to these objections

POLICY CP2: ENVIRONMENTAL ASSETS

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0166/C00789 Liverpool 14 Community Action Group

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) It should not be acceptable for a developer to make a financial contribution to off-site recreation provision.

Inspector’s reasoning

3A.4 Whereas it maybe appropriate and even preferable for recreation space to be provided as an integral part of any new development it is not always possible, either because the scale of development is not large enough to support all likely recreational needs of the residents, or because the needs are more than truly local to the development (for example for sports pitches).

3A.5 However, where it is not possible to meet the needs as part of the development it is entirely appropriate for the developer to be required to contribute to meeting this elsewhere by way of commuted payments. In this way several and dispersed housing developments can be seen to have contributed to the provision of a recreational facility which can directly meet the needs of the residents, albeit on a site not within or

possibly even close to a particular housing scheme, but which fits with the overall recreational strategy and policies of the Borough.

Recommendation

R3A.2 No modification be made to the Plan in response to this objection.

POLICY CP3: DEVELOPMENT QUALITY

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0166/C00790	Liverpool 14 Community Action Group
R0226/C00644	Merseytravel

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) It should not be acceptable for a developer to make a financial contribution to off-site recreation provision [C00790].
- ii) One of the goals of the policy should be the minimisation of resources during construction [C00644].

Inspector’s reasoning

3A.6 The first of these objections [C00790] makes the same point as objection 00789 discussed above under Policy CP2. I refer to the considerations given at paragraphs 3A.4 and 3A.5 above.

3A.7 Conservation of resources is a strong undercurrent of the sustainability policies promoted by government over a range of planning and related fields. In my view, the point is not fully covered in Policy CP3, but neither do I consider that it is necessary to do so because, at this conceptual level, it might be no more than an unnecessary repetition of what is said in Chapter 2 of RSS (RPG13). However, Policy DP3 of RSS looks for locally prepared guidance or policies in development plans to consider, amongst other matters, more efficient use of energy and materials.

3A.8 I do not doubt that the principle of sustainability and economic use of resources is supported by the Council and the policies of this Plan.

Indeed Policy DQ1 at point o) addresses this, but I also agree that further coverage of the point in the explanatory text supporting this policy would be helpful. The Council has put forward additional text to cover the point in a non-advertised change (NAC/10/3). I consider this meets the point made by the objector [C00644], and the Plan should be modified accordingly.

Recommendation

- R3A.3 i) The Plan be modified in accordance with proposed change NAC/10/3.
- ii) No further modifications be made to the Plan in response to these objections.

CHAPTER 4: HOUSING

POLICY OMISSIONS

Objections to 1st Deposit Draft

R0569/C00349	The Trustees of the Brother of Charity Inc
R0226/C00367	Merseytravel
R0226/C00369	Merseytravel
R0226/C00370	Merseytravel

Objections to 2nd Deposit Draft

R0611/C00672	McCarthy & Stone (Developments) Ltd
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Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The Plan does not propose to include affordable housing as a matter of course, with the likely consequence that private car use will increase across the Borough. The Plan should include policies which will moderate any increase in private car use [C00367].
- ii) Where special housing provision is to be made there needs to be particular reference to public transport and sustainable travel access being promoted in these areas [C00367].
- iii) All relevant housing policies should be cross-referenced to Policy DQ1, which in turn should include clear guidance that all development should be constructed to designs that facilitate easy access to public transport and sustainable modes of travel. All development should be located only at sites that optimise such provision [C00369].
- iv) The Plan should address the lack of reference to the creation of sustainable transportation links between the Pathway Areas and employment opportunities in the Strategic Investment Areas [C00370].
- v) Housing units should be provided with secure cycle storage facilities and high quality walking routes to the nearest public transport network access points [C00370].

- vi) There should be a policy to set out the sequential test for assessing windfall sites, consistent with PPG3, with previously developed sites having precedence over greenfield or regenerated sites [C00349].
- vii) The Borough has a higher than average proportion of retired persons in the population. Government guidance requires local authorities to formulate plans to encourage the provision of housing for specific groups. The needs of the elderly should not be overlooked and the associated likely increase in demand for specialised housing. The Plan should include a policy to address the housing needs of the elderly during the plan period [C00672].

Inspector’s reasoning

- 4.1 Points i) – v) are not looking for revisions to housing policies *per se*, but for secondary or supplementary policies to support access to sustainable forms of transport across the Borough, be it by public transport, walking or cycling. This is, of course, very much in line with the government encouragement for sustainable development and the advice and guidance given in, amongst other documents, PPG3 *Housing* and PPG13 *Transport*.
- 4.2 Whereas these are important matters, there is a danger of over-emphasising their significance. The Plan document should be read as a whole and it would be misleading and unhelpful to other strands of the strategy if undue prominence were given to transport and accessibility considerations. To a large degree these matters are covered in other parts of the Plan, such as Chapter 7 – Transport, and Chapter 10 – Development Quality and the Built Environment.
- 4.3 Chapter 7 is prefaced by the Strategic Objective which stresses the desirability of minimising the need to travel by private car and of ensuring easy access to a choice of modes of transport. The explanatory text takes this further, with paragraph 7.3 underlining the Plan’s commitment to supporting public transport, and paragraph 7.6 encourages walking and cycling. These are drawn together in Policy T1 which, amongst other matters, indicates that priority will be given to schemes which accord with the Local Transport Plan and in particular for walking and cycling, bus and rail provision and park-and-ride schemes. Similarly, Policy DQ1(g) looks for good access to a choice of transport modes, with paragraph 10.8 specifically looking for pedestrian access to facilities and services.
- 4.4 I accept that other or more detailed policy coverage could be given to these aspects, but I do not consider that the Plan in the Revised Deposit Draft version is seriously deficient in the policy support it does give to sustainable transport options. I do not believe that these matters will be overlooked or set aside in assessing proposals for new development across the Borough during the plan period.
- 4.5 Turning to point vi), the Plan has been considerably revised between the publication of the original deposit version and the Revised Deposit Draft. Policy H1(5) and paragraphs 4.10M-4.10O cover a reference to, and explanation of, the sequential tests set out in PPG3 and how these would

bear upon the development proposed or envisaged in Knowsley over the plan period. In my view, the policy as given in the Revised Deposit Draft version adequately covers the sequential test set out in PPG3, seen in the context of the particular regeneration needs of Knowsley

- 4.6 With regard to point vii), paragraph 4.9 acknowledges the proportion of residents approaching or above the retirement age and that this is predicted to grow over the plan period. It goes on to recognise that this may lead to an increased requirement for housing either adapted to, or specifically built for, this age group and for people with an illness or disability. Having said that, the Regional Spatial Strategy severely restricts the amount of new housing which may be developed in Knowsley during the plan period. This is discussed in greater detail later in this Chapter of this report but, in essence, this means net growth in the housing stock is limited to 230 dwellings per year, and this is almost entirely accounted for in schemes already identified in the Plan.
- 4.7 New housing for particular groups may still be provided, either as part of the schemes already taken into account, or generally as redevelopment of the existing housing stock where this would not result in a net growth in the number of housing units. However, Policy H1(4) recognises that permissions may be given which would exacerbate any potential over-supply of housing where it is needed to provide, amongst other things, a significant social benefit or to meet a specific and urgent housing need. Given the severely constrained context for the housing supply in Knowsley during the plan period, I consider this offers as much support and flexibility as possible for housing for particular groups such as the elderly.
- 4.8 I do not consider that the Plan should be modified to take account of any of these objections.

Recommendation

- R4.1 No modification be made to the Plan in response to these objections.

POLICY H1: STRATEGIC HOUSING LAND REQUIREMENTS AND SUPPLY

Objections to 1st Deposit Draft

R0553/C00310	Jones
R0554/C00314	Weston House Nursery

Objections to 2nd Deposit Draft

R0226/C00642	Merseytravel
R0623/C00692	Northern Venture
R0623/C00693	Northern Venture
R0623/C00694	Northern Venture
R0263/C00719	United Utilities Property Solutions Ltd
R0263/C00720	United Utilities Property Solutions Ltd

R0263/C00721	United Utilities Property Solutions Ltd
R0263/C00722	United Utilities Property Solutions Ltd
R0095/C00810	Government Office for the North West
R0095/C00811	Government Office for the North West
R0095/C00812	Government Office for the North West
R0101/C00852	House Builders Federation – Regional Planner
R0664/C00882	Iliad
R0164/C00886	Redrow Homes (Lancashire) Ltd
R0164/C00911	Redrow Homes (Lancashire) Ltd
R0164/C00912	Redrow Homes (Lancashire) Ltd
R0164/C00913	Redrow Homes (Lancashire) Ltd
R0164/C00914	Redrow Homes (Lancashire) Ltd
R0164/C00915	Redrow Homes (Lancashire) Ltd
R0164/C00916	Redrow Homes (Lancashire) Ltd
R0164/C00917	Redrow Homes (Lancashire) Ltd
R0164/C00918	Redrow Homes (Lancashire) Ltd
R0164/C00919	Redrow Homes (Lancashire) Ltd
R0164/C00920	Redrow Homes (Lancashire) Ltd
R0164/C00921	Redrow Homes (Lancashire) Ltd
R0169/C00922	Redrow Homes (North West) Ltd
R0466/C00924	Villages Housing Association
R0169/C00927	Redrow Homes (North West) Ltd
R0169/C00930	Redrow Homes (North West) Ltd
R0466/C00931	Villages Housing Association
R0101/C01482	House Builders Federation – Regional Planner

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0009/C00626 Highways Agency – NW Network Strategy

Key Issues a. Overall land supply for housing

- i) Paragraph 4.10 should explain how the windfall figure of 1500 dwellings was arrived at [C00811].
- ii) The Plan should refer to the emerging review of the RSS and the possibility that the requirement may be different from the present 230 per annum. Paragraph 4.10 should include flexibility over the plan period to allow for this [C00852].
- iii) The strategic housing provision is not clearly represented because of information on demolitions given later in the policy; this should be 535 dwellings per annum, not 230 [C00692]. The policy should not leave accounting for demolitions to later monitoring [C00911]. The estimate of 4000 demolition losses is not properly justified and may be an underestimate [C00912].
- iv) Demolitions should be assessed in relation to the provisions of the Plan and not just historic levels [C00920].
- v) The policy should set out clearly what allowances have been made for demolitions in the housing land supply figures. The Council

cannot guarantee that the “windfall” housing sites will come forward at the assumed rate, leading to a possible shortfall in the net growth rate of dwellings, taking account of the density of dwellings to be demolished [C00719, C00720, C00721, C00722].

- vi) Further allocations should be included to allow for uncertainties about the rate and timing of windfall sites coming forward. This could be allowed for in the form of higher densities for existing allocations [C00913].
- vii) There is an over-reliance on brownfield sites. More land should be identified to meet likely shortfalls and to allow for flexibility [C00693].
- viii) The policy makes insufficient provision for the supply of housing to meet strategic requirements [C00930]. Table 4.1 should include additional sites [C00694, C00924],
- ix) Site H25 The Withens, Stockbridge Village, is allocated for 74 dwellings in the Plan, but planning permission has been granted and development commenced. It should be clarified whether this is to be regarded as a commitment or an allocation in Table 4.1 to avoid the possibility of double counting [C00931].
- x) Planning permission should not be withheld for sites on previously developed land, including Thingwall Hall, on the basis of historic take-up rates and RPG requirements [C00914].
- xi) Parts 3) and 4) of the policy and the associated reasoned justification are confusing and contrary to national guidance. Only windfall sites and greenfield allocations should be subject to a regime of monitoring and management [C00915].
- xii) The 5-year period for monitoring is arbitrary and has no basis in policy or best guidance [C00916].
- xiii) It is not necessary to require that replacements for demolitions should be within or near to the place of demolition [C00917].
- xiv) The housing need is for the Borough as a whole and there is no justification to refer to the needs of each township [C00918].
- xv) There is no justification to give the Action Areas priority over other parts of the Borough with similar regeneration requirements [C00919].
- xvi) The Plan should provide guidance on what constitutes a significant over or under provision of housing. Policy UR7 of the RSS allows for figures to be averaged over the Plan period and hence variations in completions year-on-year would be acceptable [C00921, C00927].
- xvii) The Plan should acknowledge the contribution mixed-use sites can make to the housing supply [C00882].

Inspector’s reasoning

Introductory comments

- 4.9 A number of objectors have challenged the overall land allocation figure for residential development over the plan period, or at least sought clarification of how the figures were arrived at.
- 4.10 The situation in Knowsley is relatively straightforward, with the Regional Spatial Strategy (RPG13) setting clear guidance for development across the north-west and the Merseyside sub-region. The main thrust of the regional policy is to stimulate an urban renaissance in the North West Metropolitan Area, to be focussed in the city centre of Liverpool and its surrounding inner area and the city centre of Manchester/Salford and its surrounding inner area. RSS Policy SD1 identifies other areas for specific effort to address regeneration, but no part of Knowsley Borough is listed under this policy. There is, therefore, an underlying strategy of restraint applicable to Knowsley which allows for replacement of demolitions on a no net gain basis, and a limited amount of additional housing growth amounting to some 230 dwellings per year on average during the plan period, or until such time as the Plan is reviewed in the context of a revised RSS. 65% of housing development is to be on previously developed (brownfield) land. This is all confirmed in Policy H1, Table 4.1, and the supporting reasoned justification.
- 4.11 Some of the assumptions about completions, commitments and availability have been questioned by various objectors. However, such calculations can only be a ‘snapshot’ at any one time; it is inevitable that some adjustments or refinements could be made to allow for changing circumstances on the ground over time. This report is being written some six months or so since the inquiry opened and figures debated at that time will be out of date, either by reason of permissions granted, houses built or demolitions completed. Mathematical precision is likely to be unachievable and probably unhelpful anyway: what is more relevant is whether the general picture of the base point is realistic, whether the Plan provides a sustainable view for future development, and whether the Plan includes adequate management processes to manage the release of sites across the plan period. Once the UDP has set the strategy and objectives, the plan, monitor, manage approach promoted by PPG3, and accepted as part of this Plan, should apply the appropriate controls to mobilise and manage resources, action and investment to meet those objectives. The procedure should allow for flexibility in the planning decisions required to respond to monitored movements in needs and provision.
- 4.12 The figures used in the preparation of this Plan have derived from the urban capacity studies (CD62 and CD63), which are accepted on a sub-regional basis as providing a reliable position statement on housing land availability. Furthermore, housing land availability will be kept under review annually as part of the monitoring work required to support the new-style development plan system. I consider that none of the matters raised at the inquiry fundamentally discredit the housing land availability figures upon which this Plan is based. Having said that, the relative

merits of identified or alternative sites are open for assessment and are discussed below.

- 4.13 Albeit indirectly and in connection with objections relating to other interests, a lot of discussion focussed on the Action Area of North Huyton and Tower Hill, Kirkby, and whether the assumptions over investment, partnership arrangements and build rates were correct. However, none of the objections made to the Plan sought to delete these as commitments. I therefore do not comment on these and they remain in the Plan as commitments.
- 4.14 The Plan has been prepared against the background of national guidance in PPG3 *Housing*, published in March 2000. Shortly before the inquiry closed the government published a draft replacement, PPS3 *Housing* (December 2005), which sets out significant proposed changes to the planning and delivery system for housing with the aim of ensuring that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. In the context of proposed changes to the strategic planning process, the government is keen to deliver a better balance between housing demand and supply in every housing market, and to improve affordability where necessary, as well as creating sustainable, inclusive and mixed communities.
- 4.15 The draft PPS document is subject to consultation with the full range of interested parties, and is a material consideration in the assessment and analysis of the presently proposed plan policies. The final version of the PPS is not likely to be published until later in 2006. Although the emerging PPS3 is a material consideration, I am able to give it only the weight which is appropriate to the early stage which has been reached in the preparation processes. The imminence of published new national guidance is such that it is likely that the Council will need to review its policies for overall housing provision at an early stage as part of the new LDF system.

Consideration of the objections

- 4.16 Taking point i) above, paragraph 4.10H states that the 1500 allowance for “windfall” provision is based on historic rates, including recycled demolition sites. In my view, because of the unpredictability of “windfall” sites coming forward, it is not really possible to give any closer explanation for the figure given. NAC/4/9 makes clear that it is not easy to predict precisely what the allowance should be. This is a helpful clarification and I do not consider that any further modification is required to cover the matter raised at point i). It is likely that any future windfall allowance will have to be based primarily on the urban capacity study and other relevant information.
- 4.17 The Plan is being prepared to accord with the current RSS and, under the terms of the transitional provisions, may have a relatively short life as the operative development plan document. The Council is committed to preparing a range of new-style, local development framework policy documents (LDFs) which will supersede this UDP. These will also refer to the replacement RSS. As the replacement RSS is still in preparation and

has yet to be tested through an examination in public, it would be premature to refer to the emerging RSS and any reference to a figure other than 230 dwellings per year would be no more than speculation at this stage. This would not represent the degree of certainty which is expected of the development plan.

- 4.18 Should the replacement RSS allow for a different figure then this will automatically supersede the UDP figures, as the RSS would become the most recently approved development plan document. Accordingly, I do not consider that it is appropriate to modify the Plan to meet point ii).
- 4.19 I do not consider that the figures given in Table 4.1 misrepresent the overall housing needs of the Borough. Paragraph 4.10 clearly states that the 230 per year figure is net of demolitions. Giving a figure of 535 would introduce a risk of double counting because, as explained at paragraph 4.10G (as revised by NAC/4/7), 7,128 is a gross figure (this figure itself having been revised by NAC/4/8).
- 4.20 Although the Plan looks to a high proportion of brownfield sites to meet the identified needs, this is entirely in keeping with the RSS and PPG3 requirements to encourage the reuse of previously developed land. As discussed in paragraph 4.22 below, to identify additional sites would run the risk of diverting attention and effort away from these brownfield sites, thereby undermining the strategy of the Plan and the RSS. The plan, monitor, manage approach should identify any serious shortfalls in the supply of sites coming forward for development. If the situation becomes particularly bad this would indicate a review of the housing policies would be merited, as would any change in the RSS policies. I do not therefore agree with point vii) and no modifications should be made in response to this objection.
- 4.21 I agree that the figure for demolitions (as is the figure for windfalls) is no more than indicative – indeed, paragraph 4.10E represents this as an approximate figure. However, Policy H1 4) includes a commitment to release housing sites in accordance with the “plan, monitor, manage” principles introduced in PPG3. The fact that a figure given in the policy table may not be accurate is, in my view, not significant as variations will be taken into account in the operation of this policy, particularly when viewed against the housing trajectory which the Council has undertaken to produce in connection with its work on the LDFs. Paragraph 4.10U – as revised by NAC/4/15 – makes this clear. With the policy also accepting a one-for-one replacement of demolitions, whether the indicative figure in the policy is an underestimate or not is not particularly significant. The primary consideration is the overall net growth of 230 (average) per year. I do not, therefore, consider that the policy should be modified to meet points iii) and v).
- 4.22 Whereas the estimates for demolitions, windfalls and new build sites may not be achieved as envisaged, there is a danger that identifying additional sites as a contingency or fall back would weaken the strategy advocated in the RSS of resisting growth in excess of the 230/year net allowance. That is, although regeneration is one of the main objectives of the RSS, it is not seeking significant housing growth - at least in

Knowsley. Were there to be a shortfall in housing sites being developed, this would be revealed in the annual monitoring and housing trajectory exercises, which would indicate whether a review of the Plan was necessary to address the situation. Having said that, any shortfall is unlikely to arise in the early years of the Plan, by which time the housing policies and allocations are likely to have been superseded by one or more of the LDF documents, which are likely to be based on a replacement RSS. In the mean time, I am satisfied that the Plan makes adequate provision for strategic requirements, given the context of the present RSS. I do not therefore, agree with points vi) and viii).

- 4.23 Similar considerations apply in respect of point xvii). I am sure that, given the proper circumstances, mixed-use sites could make a very useful and welcome contribution to housing supply. However, there are limited opportunities for housing development given the context of the current RSS, and it would not be helpful to indicate in this Plan that housing could be permitted on such sites, particularly where no indication is given of the likely capacity or timing of such a contribution. Were a scheme of this type to come forward it would probably fall to be considered in the context of Policy H1 as a ‘windfall’ scheme and would be assessed against the latest monitoring and housing trajectory figures. I do not consider that the Plan should be modified to meet this point.
- 4.24 Turning to point iv), although there may have been a projection of past trends on demolitions, I consider that the Plan has also taken a more detailed view on what is likely to emerge as the net effect of works planned for the Action Areas. I do not consider that further revisions need to be made to the indicative figures on which the Plan is based.
- 4.25 The table of sites in Policy H4 has been revised in PIC/4/1 by the deletion of two of the sites no longer considered available for development. NAC/4/17 introduces further changes by deleting site H25 as a proposal. This meets point ix) above and the Plan should be modified accordingly. In the interests of consistency, as the site has planning permission it would be misleading to continue to show this as an allocation on the Proposals Map.
- 4.26 I do not agree with point x) that planning permissions on previously developed land should be exempted from the plan, monitor, manage approach incorporated into this Plan and as advocated by PPG3. The current RSS sets a clear context for regulating net growth in housing across the Borough. Development and recycling of brownfield land may be one of the priorities of PPG3, but this does not override the overall control on net growth of housing set in the RSS, it simply establishes an order of preference, or precedence, for those sites which are required to be taken for development. If the proposed redevelopment results in no net gain in dwellings then this might meet with little resistance in principle, but subject to the overall trends and provision across the Borough. Accordingly I do not agree with point xi), either.
- 4.27 Turning to point xii), PPG3 looks for development plans to identify a five-year supply of sites for housing as a minimum. Whereas a longer period might allow for greater flexibility, this could also lead to uncertainty and

a potential over-supply if not closely monitored and strictly controlled. Given the limited amount of net growth allowed for by the RSS I consider that a rolling 5-year period for monitoring, linked to the housing trajectory required for the LDF preparation, would be acceptable for this Plan. I do not propose that a longer period should be substituted in Parts 3) and 4) of the policy.

- 4.28 The second bullet point of Part 3) of the Policy does not preclude the replacement of demolished houses other than within or near to the demolition site. It was accepted at the Round Table Session on Housing that there would be a period of delay between vacating a property, demolishing it, reinstating the land, building a new property and that new property being occupied. That is, there would always be a ‘float’ of vacancies over and above the demolition figure which would have to be accommodated somewhere else across the Borough. In my view the policy as worded allows for a degree of flexibility where it is impractical to replace demolished houses near or close to the original properties.
- 4.29 However, an underlying principle of the UDP is urban regeneration, and this would not be achieved if there was not a reasonable link between the sites of demolitions and their replacements. If not, then there would be a danger of creating a form of creeping urban relocation, which may not accord with the aims of the Plan. I do not agree with point xiii) that the link between the sites of demolitions and their replacements should be significantly weakened.
- 4.30 With regard to point xiv) the housing needs of each township would only have relevance if the Plan defined each township and established a base point for each in any housing needs assessment and associated monitoring exercise. Whereas the reasoned justification discusses various parts of the Borough – mostly the Action Areas – no explanation is given of the “each township” phrase or how this would be applied to an interpretation of policy at planning application stage. In my view, at best this adds nothing to the policy and at worst could be potentially confusing and unhelpful for development control purposes. NAC/4/4 introduces further changes to Part 3) of the policy but leaves this bullet point unaltered. This should be modified to delete the unexplained and unsubstantiated reference to “each township”.
- 4.31 Bullet point six of RSS Policy UR5 requires local planning authorities to consider whether locations should be identified as focal points for urban renaissance and regeneration. Whilst this does not explicitly say that a local planning authority can identify priority areas, if this were not be the practical effect of the RSS policy then it would weaken the impact of the policy, particularly if it weakened the position of the local planning authority in resisting development proposals on other sites which were arguably easier, cheaper or quicker to build upon. Were this to be so the strength of the regeneration strategy and initiatives would be considerably undermined.
- 4.32 Having said that, I do not disagree that other parts of the Borough may be in just as much need of regeneration. However, with limited resources I suspect it would not be possible to improve all such areas

simultaneously; the most effective approach would be to concentrate on specific areas and build up a ‘critical mass’ of regeneration effort and investment in the hope that it will become self sustaining, allowing attention to then move on to another area. Without prioritising there would be a danger of effort and investment becoming dispersed and diluted to the point where it may be ineffective in producing worthwhile and lasting change. I do not therefore accept the comment made at point xv).

- 4.33 Point xvi) is accepted by the Council, but rather than including a definition in the UDP, it is proposed to cover this in a supplementary planning document (SPD). This was discussed at the Round Table Session on Housing at the inquiry and two non-advertised changes have been introduced to cover the point (NAC/4/14 and NAC/4/16). The Council’s Local Development Scheme includes the preparation of this SPD. In my view, this meets point xvi).

Recommendation

- R4.2
- i) The Plan be modified in accordance with PIC/4/1.
 - ii) The Plan be modified in accordance with NAC/4/4, NAC/4/7, NAC/4/8, NAC/4/9, NAC/4/14, NAC/4/15, NAC/4/16, NAC/4/17.
 - iii) The third bullet point of Part 3) be deleted and replaced with:
 - o The housing needs of the Borough as a whole;
 - iv) Site H25 be deleted as a housing allocation on the Proposals Map and shown as Primarily Residential Area, subject to Policy H8.
 - v) No further modifications be made to the Plan in response to these objections.

Key Issues *b. Phasing of supply*

- i) The policy allocates housing development evenly over three time periods. The allocation should be ‘front-loaded’ so the benefits occur earlier. Not less than 50% of housing should be provided within the first period [C00314].
- ii) RSS Policy UR8 requires local planning authorities to phase the release of allocated land. There is no policy basis for restricting the development of brownfield windfall sites. Paragraph 4.10Q should be deleted [C00922].
- iii) Monitoring of demolitions and clearances should be as rigorous as that of new developments. An additional paragraph should be included to explain the importance of this and how it would affect building requirements [C01482].

Inspector’s reasoning

- 4.34 The Revised Deposit Draft of the Plan deletes the phasing elements of Policy H1 and H4 included in the First Deposit version. The policy for the

release of sites has been revised and will now follow the “plan, monitor, manage” approach advocated in PPG3 – which will be supported by the annual monitoring and housing trajectory to be produced to support the new style development plan system. To the degree that the three-stage phasing of the release of sites has been superseded the concerns expressed in point i) above have been met. As the plan, monitor manage approach is intended to be responsive to fluctuations in the supply of housing sites to meet the Plan’s identified needs, I do not consider it either necessary or desirable to look for the supply to be “front loaded” as this could lead to an over-supply of sites and an uneven supply over the Plan period, with the possibility that supply may have to be heavily restricted towards the end of the Plan period.

- 4.35 I have discussed above the rationale for not allowing the unrestricted development of brownfield sites (see paragraph 4.26 above). I have nothing more to say on the matter in response to point ii) above.
- 4.36 If the plan, monitor manage approach is to work effectively and reliably to avoid over or under supply of housing this will require a close understanding of vacancies, demolitions and clearances. The point is accepted by the Council, who have agreed to introduce revised monitoring indicators. The point is addressed in Chapter 14 of this report where objection C00463 is discussed. No further action is required in response to point iii) above.

Recommendation

- R4.3 No modifications be made to the Plan in response to these objections.

Key Issues c. Special housing needs

- i) The policy does not show how Strategic Objective 4: housing needs for the elderly and for special needs, will be met. This need seems to be “lumped in” with the generalised housing need with no regard for access to goods and services for these groups [C00310].
- ii) The reasoned justification to the policy should give a clearer explanation of what would fall within the specific and urgent housing need considerations of part 4) of the policy [C00810].
- iii) There is no evidence of any need for “any intermediate form of private housing” that would require new policies. The second part of paragraph 4.8A should be deleted [C00886].

Inspector’s reasoning

- 4.37 Housing needs for the elderly and special needs groups may require particular locations with arguably easier access to goods and services, but these are detailed points rather than a special overriding need *per se*. Sites for these housing types are likely to be identified by a developer having regard to the availability of such goods and services; that is, the policy does not have to pick these out specifically. However, it is possible that more favourable consideration may have to be given to

applications on identified sites where it is seen that there is a specific need. Paragraph 4.10K addresses this point.

- 4.38 The Council acknowledge that further explanation needs to be given on how special housing needs may be met. Part 4) of the policy as shown in the Revised Deposit Draft gives policy support for special consideration and the Council have introduced a non-advertised change (NAC/4/11) to explain how this would be applied in practice. It may be a point of semantics, but I consider the proposed change needs further revision in that the Council is obliged to consider an application if it is made; the point to be stressed here is that it may be given favourable consideration, subject to other matters being satisfied. I set out a revised wording below, which should satisfy points i) and ii) above.
- 4.39 Turning to point iii), paragraph 4.8A does not relate directly to the policies in this Plan and therefore could be seen to be outside any reasoned justification for Policy H1. However, it is an acknowledgement that more work will be done on housing policy and, to this extent, explains why such matters as affordable housing are not addressed directly in this Plan. The paragraph does not commit the Council to anything in particular; it only introduces the possibility of new policies if the circumstances demand. Whilst this may be entirely speculative, I do not consider it is misleading or unhelpful and I do not consider it necessary to delete it.

Recommendation

- R4.4 i) The Plan be modified by the deletion of paragraph 4.10K and its replacement with the following:
- The Council will seek to ensure that, at any one time, an adequate stock of land is available to meet different housing needs, at the right time, in terms of tenure, type, affordability and location. Planning applications which meet an identified need (eg for the elderly or for special needs housing) will in many cases be supported. With regard to point 4 in Policy H1, the Council would – subject to compliance with other development plan policies - favourably consider a proposal to meet a specific and urgent housing need if it would provide housing for the elderly, less mobile or other special needs group in accordance with the Council’s Supporting People, Homelessness and/or Housing Strategies
- ii) No further modification be made to the Plan in response to these objections.

Key Issues d. Points of clarification

- i) There should be a policy reference link to T8 [C00626].
- ii) The policy should include a criterion that all strategic housing sites should be located on land already well-served by public transport or has a clear potential to be served in such a manner [C00642].
- iii) The end of paragraph 4.10N should also be included in Policy H6 to make clear in a policy that development on surplus greenfield sites is

being proposed. It is not sufficient to only include this in reasoned justification if it is to be used as a basis for making decisions [C00812].

Inspector’s reasoning

- 4.40 As a general point, the policies of the Plan should not be read in isolation; the document is to be read and used as a whole. The Plan would become unwieldy and more difficult to use if every policy which had potential overlaps with other policy areas were to repeat such points or include references to every other relevant policy. This Chapter of the Plan is dealing with the principles of housing supply and distribution, it does not set out site specific criteria which would be applied to an assessment of a planning application were one to be made. Matters such as accessibility to public transport are covered in Policies DQ1, T6 and T7. I do not consider that the Plan needs to be modified in response to point ii).
- 4.41 I note that Pre-inquiry change PIC/4/2 introduces a policy link to Policy T8, which satisfies point i) above.
- 4.42 The matters raised in point iii) are accepted by the Council, who have introduced a pre-inquiry change (PIC/4/4) to address these concerns. I have discussed this under my consideration of objections made to Policy H6, and no action needs to be taken in response to this point here.

Recommendation

- R4.5 i) The Plan be modified in accordance with PIC/4/2.
- ii) No further modifications be made to the Plan in response to these objections.

POLICY H3: STRATEGIC HOUSING LAND SUPPLY

Objections to 1st Deposit Draft

R0508/C00213	BPS Developments Ltd
R0526/C00247	Hitchcock Wright & Partners/Road Runner Ltd
R0538/C00269	Slater
R0017/C00303	Sefton Council
R0017/C00304	Sefton Council
R0554/C00311	Weston House Nursery
R0516/C00444	Taylor Woodrow Development Ltd and George Wimpey Strategy Land
R0572/C00445	TRB Estates Group Ltd

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The housing figures in this policy are a significant over-provision (37%) in relation to the RPG requirement. This could undermine the housing strategy of Sefton MBC and the sub-regional strategy for regeneration, and is contrary to the plan, monitor, manage approach in PPG3. The number of houses should be reduced to closer to the RPG requirement and phasing policies introduced to regulate releases [C00303].
- ii) The policy relies too heavily on greenfield sites [C00213, C00247, C00303], competing with contaminated sites in the Sefton Pathfinder area. More brownfield sites should be identified [C00269] and given priority [C00303].
- iii) The Plan should allocate more greenfield sites to give greater confidence and certainty and to allow the Plan to respond more quickly to changing circumstances [C00311].
- iv) The Policy should make provision for sustainable urban extensions in the sequence of land releases [C00444].
- v) Greenfield sites should be released where it can be demonstrated that they form more sustainable residential environments in the urban area [C00445].
- vi) Paragraph 4.16 does not clearly set out what proportion of the 3,154 dwellings will come from demolition replacements [C00304].
- vii) Some of the sites are long term commitments and there must be some doubt about whether they will be developed at all. An allowance of 10% should be made for non-implementation of commitments [C00213, C00247].
- viii) Windfall figures are based on historic rates and are not derived from the urban capacity study [C00213, C00247].
- ix) The clearance allowed for is of high density dwellings which cannot be all replaced on site. Land for 2-3,000 dwellings will be needed for all replacements – ie the Plan under-provides for between 1,150-2,150 dwellings [C00213, C00247].
- x) Clarification is needed to ensure there is no ‘double counting’ of clearance allocations [C00213, C00247].

Inspector’s reasoning

- 4.43 These objections cover a range of challenges to the basic assumptions used to establish the housing policies of the Plan, either in relation to the overall numbers allocated, allowances for replacement of demolished dwellings, the types of sites and how they may be released, the brownfield/greenfield balance, and the possibility of an allowance for allocated sites not coming forward for development during the plan period. These are all relevant matters and each has a bearing on the equation from which the Plan identifies an acceptable housing allocation figure which meets the needs of the Borough and does not undermine the Regional Spatial Strategy.
- 4.44 Having said that, the Revised Deposit Draft of the Plan, which forms the basis for my recommendations, deletes policy H3. All the discussion on the assumptions which contribute to the housing allocation figure is now dealt with under Policy H1, where I comment at some length on whether the assumptions used to support the Revised Deposit Draft are cogent. In which case, none of the matters raised in relation to these objections need to be separately considered here, and I do not consider that Policy H3, or any parts of it, need to be reinstated. Accordingly, no modifications need to be made to the Plan in response to any of these objections.

Recommendation

- R4.6 No modification be made to the Plan in response to these objections.

POLICY H4 : SITES ALLOCATED FOR HOUSING DEVELOPMENT

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0466/C00867	Villages Housing Association
R0164/C00888	Redrow Homes (Lancashire) Ltd

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) There is a need for a continuing supply of sites within Stockbridge Village to maintain the renaissance of the area. There are areas of

previously developed land which could be included as allocations [C00867].

- ii) The second part of the policy should be deleted as there is no reason to delay the release of the housing allocations. If there is such a need the priority should be given to the most sustainable locations, including Thingwall Hall [C00888].

Inspector’s reasoning

- 4.45 I have considered the objections to the assessment of overall supply under Policy H1. I have come to the view that the Plan has established an appropriate context for other policies which would control the release of particular sites. Inevitably, under the circumstances where RSS places tight constraints on the net growth of housing land then not all aspirations or expectations of landowners and developers will be met; the limited amount of housing growth has to be directed to those areas where maximum benefit might be achieved.
- 4.46 The Council have identified Action Areas in the Plan where it sees significant benefits deriving from concentrated investment and development. I appreciate that other parts of the Borough, such as Stockbridge Village, may have similar needs and would also benefit from investment. However, without any scope under the RSS to allow for additional net growth the corollary is that to allow further sites in Stockbridge would require other sites to be deleted from the Plan. I do not propose to delete the Action Areas as places where new development should be focused. Other parts of the Borough also require investment and development, either for reasons of proximity or sustainability. Also a range of sites is required to meet all parts of the housing market, not all of which could – or are likely to be - met in Stockbridge Village.
- 4.47 Some sites are included for development in Stockbridge Village during the Plan period and hence its needs are not entirely overlooked. However, I do not consider that a general re-distribution of housing growth into Stockbridge Village and away from other locations across the Borough is warranted and therefore do not support point i) above. I comment on the individual sites raised by the objector below.
- 4.48 I have commented under my consideration of the objections to Policy H1 that I support the principle of plan, monitor, manage incorporated into this Plan. In meeting the requirement of the present RSS it is essential to avoid a significant over supply of housing land; a steady and reliable supply of sites should be available throughout the plan period. Part 2) of the policy does no more than to act as a reminder of the controls imposed by Policy H1. Whereas this might be seen to be an unnecessary reminder, bearing in mind that policies should not be read or used in isolation, neither do I see this as being misleading or harmful in any other way. In view of the fact that I have concluded that the control mechanism is a necessary element of the Plan it follows that I do not agree with the general point made at ii) above. I give specific consideration to the site that the objector refers to as ‘Thingwall Hall’ below, under Site H9.

Recommendation

R4.7 No modification be made to the Plan in response to these objections.

Site H1 – Former Bridgefield Forum site, Cartbridge Lane, Halewood

Objections to 1st Deposit Draft

R0392/C00228	Liverpool City Council
R0392/C00231	Liverpool City Council
R0512/C00526	Woollam
R0538/C00271	Slater

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) This is a largely greenfield site. A clear explanation will need to be given to justify its selection vis-à-vis RPG and the use of brownfield sites for 65% of housing needs [C00228].
- ii) New housing should be on brownfield land only [C00526].
- iii) There should be a clear explanation of how this site fits in with the sequential selection of development sites set out in PPG3 [C00231].
- iv) The site is presently playing fields and used by local residents. The site should remain as ‘green’ space [C00526].
- v) Development here will result in urban sprawl and impact on the viability of nearby agricultural land, as well as affecting nature conservation and biodiversity. The site should remain as greenspace and be included in the Green Belt [C00271].

Inspector’s reasoning

4.49 In my examination of the objections made to Policy H1 (see above) I have considered whether the overall housing strategy makes sufficient allowance for housing growth in the Borough over the plan period, having regard to the limitation of the current Regional Spatial Strategy. I have come to the view that, in broad terms the Plan does accord with the RSS in terms of numbers of dwellings planned for. I have also

considered whether the range of sites allocated meets the RSS expectation that 65% of new housing should be on brownfield sites, and have come to the view that, having regard to the range and mix of sites identified in Policy H4, this requirement is also met. Furthermore, the Urban Capacity Study (CD62) has accepted that the site is appropriate for housing development. That is, the matters of principle raised in points i) and ii) have been already addressed in this Report.

- 4.50 The public open space use of this land ceased in March 2002 with the opening of replacement facilities at Barn Croft Road, Halewood. It is, therefore, surplus to requirements for recreational use. Whereas the land has greenfield characteristics, the strategy does not preclude such sites being taken for development; indeed, the corollary of the RSS 65% target is that up to 35% of new housing could be on greenfield sites. There is, therefore, no overriding objection to the principle of taking this land for housing development.
- 4.51 Because many of the housing sites identified in the Plan are brownfield sites, there is the likelihood that there may be a delay in some of these coming forward for development. Delays may be incurred on account of demolition, clearance and remediation works having to take place before redevelopment may commence. In order to ensure a regular or steady supply of housing sites across the plan period it will be necessary to identify some unencumbered sites where development may commence without unforeseen delays or difficulties. Policy H1 includes mechanisms for the actual release of sites, following the sequential tests given in PPG3 (paragraphs 4.10M-4.10O). I consider that the concerns raised in point iii) has been covered by the overall strategic approach set out in Policy H1.
- 4.52 Whilst the loss of playing fields may be a matter for regret locally, I do not consider that there is an overriding need for this site to be retained for recreational purposes because there are suitable and adequate alternatives available locally. I do not therefore agree with point iv).
- 4.53 Construction of houses on this land will inevitably extend the limits of built development in this vicinity – but this is of itself is not objectionable if it fulfils other relevant criteria. The objections raised at point v) are general matters and relate more to the principle of taking the site for development, rather than site specific concerns *per se*. Cartbridge Lane and Greensbridge Lane would represent clear, readily identifiable boundaries to the urban area, which is reinforced by established trees and other vegetation long these lanes.
- 4.54 The site meets the strategic criteria set out in Policy H1 and, as discussed above, is acceptable in principle. No further information is provided to show how viability of nearby agricultural land may be damaged, or what habitat or species would be lost or adversely affected by development here. I do not consider that the points raised constitute an overriding objection which warrants deleting the site from those listed in the policy.

Recommendation

R4.8 No modification be made to the Plan in response to these objections.

Site H9 – Land at Thingwall Lane, Huyton

Objections to 1st Deposit Draft

R0407/C00008	O’Connor
R0409/C00012	Beavers
R0164/C00064	Redrow Homes (Lancashire) Ltd
R0392/C00229	Liverpool City Council
R0392/C00232	Liverpool City Council
R0569/C00347	The Trustees of the Brothers of Charity Incorporated
R0569/C00350	The Trustees of the Brothers of Charity Incorporated

Objections to 2nd Deposit Draft

R0095/C00813	Government Office for the North West
R0663/C00861	Wainwright
R0164/C00887	Redrow Homes (Lancashire) Ltd

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) More housing here is likely to exacerbate the traffic problems and the issue of anti social behaviour of local youths [C00008, C00012].
- ii) Thingwall Hall would be left in the middle of a housing estate [C00012].
- iii) The site should be left as it is. It should be a green space for local residents and wildlife [C00012, C00861].
- iv) This is a landfill site and toxic waste must remain underground [C00012]. Digging up the waste could introduce problems to local residents [C00861].
- v) This is a greenfield site. A clear explanation will need to be given to justify its selection vis-à-vis RPG and the use of brownfield sites for 65% of housing needs [C00229].
- vi) There should be a clear explanation of how this site fits in with the sequential selection of development sites set out in PPG3 [C00232, C00347].

- vii) There are air quality, traffic and access concerns on this site [C00232].
- viii) The site should be given greenfield status and not brought forward until after the redevelopment or reuse of previously developed land or buildings [C00350].
- ix) The capacity should be shown as 500-550 dwellings to accord with PPG3 requirements and policy H5 [C00064]. Having regard to paragraph 57 of PPG3, the Policy should make clear why a density of less than 30 dwellings / hectare is being proposed [C00813].
- x) Density of development should be increased so as to at least meet PPG3 minimum. There are no highway or other constraints to limit capacity to below 500 dwellings [C00887].

Inspector’s reasoning

- 4.55 The sites identified in Policy H4 are predominantly previously developed land (brownfield land) and together they demonstrate that the Council will be able to meet the target of 65% of new housing development on brownfield land. Following a planning appeal, the Secretary of State has previously accepted this is a brownfield site. I consider the comments made at v) and vi) above are addressed satisfactorily when the Plan is read as a whole.
- 4.56 I acknowledge that the site has characteristics of a greenfield site, but this is only as a result of restoration following a previous landfilling operation. It is agreed that this is brownfield land which is in need of remediation. Given that the Secretary of State has accepted this is brownfield land I do not see that there is an overriding argument now to give this site greenfield status; housing development here would indeed be on previously developed land. I therefore do not agree with point viii).
- 4.57 No substantial evidence is put forward to indicate that the provision of amenity and recreation space across the Borough is deficient. Although local residents may prefer this site to be redesignated as greenspace there is no overriding need for this site to be reallocated as such, and I do not therefore agree with point iii).
- 4.58 Traffic generation generally has not been seen to be a problem. However, there have been concerns over whether a higher density of development may unduly overload the junction at Thomas Lane / Thingwall Hall Drive, but this is capable of being addressed through a transport assessment at planning application stage. This is covered by NAC/4/19. The findings of that survey would provide the basis for, at least in part, determining the appropriate total number of houses to be built here. This would address point x) and part of i), vii) and ix).
- 4.59 Such an exercise would help determine the density of development on the site. Whereas PPG3 looks for the efficient use of land and encourages housing development at between 30-50 dwellings per hectare (dph), this is not prescriptive. Paragraphs 55 and 56 of PPG3

imply that there is scope for variation, depending on the setting and circumstances of each site. In my view there are circumstances here relating to highway capacity and junction design, together with considerations of widening housing choice or the particular requirements of building on restored land which may justify a variation outside the 30-50 dph guidance. This is adequately addressed at paragraph 4.10P of the Plan and would be taken into account at planning application stage. An alternative wording for paragraph 4.21C was discussed at the inquiry (NAC/4/18) which addresses the particular circumstances of this site and which does, to some degree, meet point ix). However, I do not consider that any further modification is needed in direct response to this objection.

- 4.60 A detail of the new wording for 4.21C was challenged at the inquiry. The Council would prefer to see development here subject to the controls of the plan, monitor, manage approach incorporated into Policy H1. The objector, however, would rather that a possibly less restrictive approach be taken to granting planning permission here because of the need to factor in the costs and time delays of remediation work.
- 4.61 An unrestrained approach here has the potential for an undesirable over-supply of housing, which would be contrary to RSS strategy for the sub-region. Indeed, the wording put forward by the objector does not seek to be relieved of the duty to have regard to the plan, monitor manage approach.
- 4.62 The revised wording introduced at the inquiry by the deletion of paragraph 4.10T and the introduction of 4.10V (NAC/4/14 and NAC/4/16) explains that a supplementary planning document will be introduced to control any potential significant oversupply of housing. This should help explain and substantiate the phrase used in Policy H1 4).
- 4.63 Policy H1 4) does allow for departures from the general supply trend where there would be one of a number of identified benefits. However, this does not obviously embrace the difficult and potentially expensive development context of this remediation site. But with a relatively small number of houses envisaged on this site, at least in the earlier part of the plan period, any over-supply may be fairly small – seen as a proportion of the overall calculation.
- 4.64 In my view, the developers here require a greater degree of certainty (and perhaps a small degree of flexibility in applying the policy) if the development is to go ahead. An alternative would be to delete this site altogether from those listed in Policy H4 and to identify a replacement site or sites. However, for all the reasons put forward by the Council in response to other objections, I agree that other potential sites also have their disadvantages and it would be best to keep this as one of the preferred development sites. The corollary of this is that I agree with the alternative wording for paragraph 4.21C put forward by the objector. I do not consider that this would undermine the main principles of Policy H1 or Part 2) of Policy H4. This wording would override NAC/4/18.

- 4.65 The potential impact on the living conditions of local residents would be also taken into consideration at planning application stage. Policy DQ1 establishes a range of criteria aimed at safeguarding existing residents, which a housing scheme on this site would have to satisfy. This would cover access-related issues. Policy DQ2 also establishes a policy context to ensure security in the built environment to discourage anti social behaviour and to maximise surveillance during both day and night. Although local residents may prefer the land not to be developed at all, I consider that the concerns raised at point i) can be adequately addressed through the development control process, such that local living conditions are not unacceptably harmed.
- 4.66 Thingwall Hall itself will not be directly affected by development on this site and I do not consider that housing on this land would so seriously affect the setting of the Hall that this would justify deleting the site from the Plan altogether. However, I would expect any possible effect to be taken into account under Policy DQ1 a) and b). In my view, this would adequately address the concerns raised at point ii).
- 4.67 The precise concerns over air quality and contamination are not set out in the objections and hence it is not possible to give more than general consideration to the concerns raised. This site has a long history of assessment for its development potential, which includes recognition of its past use as landfill. An inquiry was held in late 2000 into the reclamation and remediation of this site to a condition where it would be suitable for housing. That inquiry looked carefully into the potential risks that working on the site might arise for contamination and pollution of the environment. The conclusion was that the site could be reclaimed successfully to a standard suitable for housing. Without any further information to say that this conclusion was unsound or that significant new evidence has come to light which undermines that conclusion, I am unable to agree with the concerns raised at points iv) and vii).

Recommendation

- R4.9 i) NAC/4/18 is not included as a modification to the Plan.
- ii) Paragraph 4.21C be modified to read:
- Site H9 (land at Thingwall Hall, Huyton) has been subject to extensive waste tipping in the past and has been accepted by the Secretary of State to be a previously developed site. There is likely to be a long period of remediation and post-remediation monitoring before housing development can proceed. In recognition of the need to remediate the site and in accordance with the plan, monitor, manage mechanism in policy H1, the Council would be prepared to grant an early planning permission for the site provided that the number of dwellings completed before 2011 does not exceed 150. Part of site H24 is currently occupied by a road haulage company, but is considered suitable for development.
- iii) Modify the Plan in accordance with NAC/4/19.
- iv) No further modifications be made to the Plan in response to these objections.

**Site H10 – Land adjacent to St Andrew’s Church / Boundary Drive,
Halewood**

Objections to 1st Deposit Draft

R0428/C00025	Residents Association
R0430/C00027	Bendon
R0431/C00028	Taylor
R0432/C00029	Paul
R0433/C00030	Flaherty
R0434/C00031	Myles
R0435/C00032	Cubells
R0437/C00034	Haworth
R0072/C00048	Halewood Town Council
R0443/C00055	Suttle
R0444/C00056	Noakes
R0445/C00057	Turley
R0446/C00058	Lydiat
R0447/C00059	Turley
R0448/C00061	Georgiou
R0450/C00066	Parker
R0452/C00068	Parker
R0453/C00069	Blower
R0452/C00070	Parker
R0454/C00071	Turley
R0455/C00072	Fielding
R0456/C00082	Friends of Halewood Community
R0461/C00106	Eli Lilly & Co Ltd
R0462/C00118	Hogarth
R0467/C00130	Hunts Cross Primary School
R0469/C00137	Chedotal
R0472/C00148	Rothwell
R0474/C00150	Freeland
R0488/C00181	Flynn
R0490/C00187	Whelan
R0491/C00188	Norris
R0492/C00189	Simpson
R0493/C00190	Baird
R0494/C00191	Hughes
R0495/C00192	Murdoch
R0496/C00193	Hogarth
R0497/C00194	Mowat
R0498/C00195	Waddlington
R0499/C00196	Dearlove
R0500/C00197	Nickson
R0501/C00198	Ireland
R0502/C00199	Nickson
R0503/C00200	Reid
R0513/C00222	Freeland
R0519/C00238	Simpson
R0536/C00263	Moore
R0548/C00290	Flynn
R0551/C00306	Jackson

R0555/C00315	Residents Association
R0556/C00316	Myles
R0557/C00317	Hobbs
R0562/C00340	Jenkins
R0563/C00341	Hurley
R0564/C00342	Wilson
R0565/C00343	Benson
R0566/C00344	McDiarmid
R0567/C00345	Hayes
R0568/C00346	Hurley
R0512/C00527	Woollam
R0588/C00577	Petition – c/o Mr Simpson and Mr Ireland
R0596/C00602	Bendon
R0667/C00959	Bendon

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

The following is a distillation of the points made in the objection forms listed above.

- i) The majority of the land has been earmarked for Halewood Community Park. The site should be deleted from the list of allocated sites.
- ii) As public open space the site is an amenity to the local residents as greenspace and a recreation area.
- iii) The site has wildlife interest for flora and fauna and is a local educational resource.
- iv) The site forms part of the Pennine Trail and a cycle trail from Liverpool to Southport.
- v) Housing development would result in increased traffic in the area.
- vi) Housing development would result in overlooking and a general loss of residential amenity for existing residents.
- vii) The site is a buffer between employment land and housing. Housing development here might jeopardise future investment in industry on a neighbouring site.
- viii) The site would be suited for small sheltered accommodation.

Inspector’s reasoning

- 4.68 The Council has reappraised the housing land needs in the Borough in the light of the Regional Spatial Strategy and the urban capacity study. The conclusion drawn was that there is a reduced requirement for new housing land over the plan period. The site has been deleted from the Revised Deposit Draft of the Plan.
- 4.69 I have previously concluded that the Plan, in its Revised Deposit form, makes adequate provision for the housing needs of the Borough given the context of regional planning policy. Accordingly there is no need to give further consideration to this site. I agree that it should not be included in the list of sites allocated in this Plan.

Recommendation

R4.10 No modification be made to the Plan in response to these objections.

Site H10A – Land adjacent to St Andrew’s Church Hall, Boundary Drive, Halewood

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0428/C00858	Residents Association
R0501/C00860	Ireland
R0454/C00862	Turley
R0494/C00879	Murdoch
R0446/C00880	Lydiat
R0447/C00881	Turley
R0551/C00884	Jackson
R0555/C00854	Residents Association
R0661/C00855	Suttle
R0662/C00856	Haworth
R0453/C00937	Blower
R0563/C01178	Hurley

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

The following is a distillation of the points made in the objection forms listed above.

- i) The land should remain as open space as a visual amenity in the area and a wildlife area. It should be included as part of the park.
- ii) There is enough housing development in the area already, with some lying empty.
- iii) More housing would increase density of development to an unacceptable level.
- iv) Development of this land would spoil the outlook for existing residents, and security and privacy would be jeopardised, which would harm living conditions and affect property values.
- v) The land is poorly drained and development could lead to problems for neighbouring properties.
- vi) Development of more than two storeys would not be appropriate. New development should be in keeping with the existing houses.
- vii) There is concern whether the associated traffic could be safely accommodated on the highway network locally.

Inspector’s reasoning

- 4.70 The requirement for additional housing land is limited by the RSS to a net growth of an average of 230 dwellings per year. However, sites are needed in order to meet this relatively limited provision. With the deletion of sites H10 and H23 (see the relevant parts of this Chapter) this reduces the opportunities for new housing development in the Halewood area of the Borough.
- 4.71 I appreciate that development of the site might be unpopular with local residents, and that they would prefer it to remain as open space, but nothing in the objections raises matters which demonstrate a fundamental unsuitability for it to be developed. This is a relatively small site, which is reasonably well integrated into the urban fabric of the area. As an undeveloped area it has some amenity value, but this must be seen in the context of the larger areas of public open space nearby, not least amongst these being the Halewood Community Park. That is, although its loss would doubtless be regretted by local residents, it would not result in a serious under-provision of amenity land for recreation and wildlife. With due care given to the scale and design of new development, new housing here could be assimilated into the urban fabric without serious harm to the character or appearance of the area or the quality of life for local residents.
- 4.72 Clearly there are concerns about the nature and scale of the development and associated traffic generation. Other policies in the UDP, including DQ1, are in place to provide guidance to developers and protection for local residents on these concerns. Development here may

or may not affect the outlook for neighbouring residents, but their amenities would be protected from serious and unacceptable harm by Policy DQ1. Policy DQ2 provides a context for ensuring security of existing residents is not jeopardised by new development.

- 4.73 Other matters such as adequate drainage would be covered by other legislation and new development would not be allowed to compromise the integrity of adjacent or nearby land.

Recommendation

R4.11 No modification be made to the Plan in response to these objections.

Site H11 – Woodfarm Hey, Stockbridge Village

Objections to 1st Deposit Draft

R0438/C00039 Knowsley Parish Council

Objections to 2nd Deposit Draft

R0466/C00932 Villages Housing Association

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The site should be Public Open Space [C00039].
- ii) The site was identified for housing development in the adopted UDP as site R25 with a capacity of 25 dwellings. Part of the site was previously developed for housing and hence it has characteristics of brownfield land, as defined in PPG3. Its continued allocation for housing development would significantly contribute to the continued regeneration of Stockbridge Village – identified as a priority area for regeneration [C00932].

Inspector’s reasoning

- 4.74 The urban capacity study has shown that the site is not needed for development during the plan period and it has been removed from the list of sites under Policy H4 in the Revised Deposit Draft of the Plan. In which case, its allocation as urban greenspace is not inappropriate.
- 4.75 For the reasons discussed above, under my consideration of the objections to Policy H1, I do not consider that the site should be

reinstated as a development site in the Plan. Whilst I may have sympathy with the desire to promote the regeneration of Stockbridge Village, this can only take place within the context of a strategy which is able to focus the limited amount of growth allowed across the Borough to the greatest effect.

- 4.76 Whereas the objectors may have a different view from the Council and would prefer their site (and the other sites in Stockbridge Village discussed below as omission sites) to be given priority over others elsewhere in the Borough, I recognise that the Council must be able to set its own priorities in the context of all the information available. The RSS imposes a considerable constraint on housing supply over the Plan period. I have come to the view that, having regard to the RSS, the sites identified by the Council are both suitable and appropriate to meet the identified need. I have not recommended that any of the identified sites be deleted from the Plan. In which case, to identify further sites in addition to those identified by the Council could lead to a potential over-supply of housing in the Borough, thereby undermining the strategy of the Plan and the RSS.

Recommendation

R4.12 No modification be made to the Plan in response to these objections.

Site H13 – Pennard Avenue, Huyton

Objections to 1st Deposit Draft

R0239/C00129	North Huyton New Deal – New Future
R0392/C00230	Liverpool City Council

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The land should be retained as public open space and redesignated as greenspace [C00129].
- ii) This is a greenfield site. A clear explanation will need to be given to justify its selection vis-à-vis RPG and the use of brownfield sites for 65% of housing needs [C00230].

Inspector’s reasoning

4.77 The urban capacity study has shown that the site is not needed for development during the plan period and it has been removed from the list of sites under Policy H4 in the Revised Deposit Draft of the Plan. For the reasons discussed above, under my consideration of the objections to Policy H1, I do not consider that the site should be reinstated as a development site in the Plan.

Recommendation

R4.13 No modification be made to the Plan in response to these objections.

Site H14 – Land at Little Moss Hey / Pool Hey, Stockbridge Village

Objections to 1st Deposit Draft

R0401/C00006	Cllr Weightman
R0408/C00011	O’Rourke
R0438/C00038	Knowsley Parish Council
R0442/C00054	Knowsley Parish Council
R0475/C00151	Carr
R0476/C00152	Byrne
R0477/C00153	Kelly
R0479/C00172	Conway
R0480/C00173	Evans
R0481/C00174	Westhead
R0482/C00175	White
R0483/C00176	Battenly
R0484/C00177	Steele
R0485/C00178	Hart
R0486/C00179	Kilroe
R0509/C00216	White
R0510/C00217	Thomas
R0511/C00218	Thompson
R0523/C00244	Johnson
R0524/C00245	Clunan

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

The following is a distillation of the points made in the objection forms listed above.

- i) The site is currently used as public open space and is being actively developed as such. Its allocation for housing should be deleted and the site should be shown in the Plan as ‘Other Urban Green Space’.
- ii) Properties will be overlooked.
- iii) There will be a loss of children’s play area.
- iv) Development here could attract anti-social behaviour behind existing houses.
- v) There is a poor traffic safety history on surrounding roads.

Inspector’s reasoning

4.78 This is an area of open recreational land, lying between the present edge of built development and the M57 and its access. The urban capacity study has shown that the site is not needed for development during the plan period and it has been removed from the list of sites under Policy H4 in the Revised Deposit Draft of the Plan. For the reasons discussed above, under my consideration of the objections to Policy H1, I do not consider that the site should be reinstated as a development site in the Plan.

Recommendation

R4.14 No modification be made to the Plan in response to these objections.

Site H24 - Delph Lane / Two Butt Lane, Prescot

Objections to 1st Deposit Draft

R0526/C00249 Hitchcock Wright & Partners / Road Runner Ltd

Objections to 2nd Deposit Draft

R0464/C00857 Handley

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The Roadrunners land is a brownfield site which is close to schools, well served by public transport and within walking distance of local services and facilities. It will become available for development during the plan period and would be suitable for a range of housing types, plus some public open space. Access could be taken from Delph Lane and there are no known physical or environmental constraints. Allocation of the site for housing would remove a non-conforming and unneighbourly use. It should be allocated for housing development [C00249].
- ii) The western portion of the site should be allocated for open space or woodland [C00857].

Inspector’s reasoning

- 4.79 The housing needs of the Borough and the sites which are considered suitable to meet that need have been reassessed in the Revised Deposit Draft of the Plan. The Council have recognised both the suitability and availability of this site and have included the objection site as part of Site H24, listed under Policy H4. Point i) above has therefore been met.
- 4.80 I agree that including the site offers potential benefits for improving the quality of the local area and that it would be a suitable site having regard to the sequential tests given in PPG3, now incorporated into Policy H1.
- 4.81 The site was shown in the First Deposit version of the Plan as an Opportunity Site under Policy H7. An objection (C00530) was made to part of that allocation on the basis that the western portion should be allocated as greenspace – which is the same comment raised as point ii) above. It is possible that a scheme to develop all of H24 may include some public open space, but I consider this would be too detailed a matter for me to carry through to a recommendation in this report. Having said that, paragraph 4.21D of the Plan indicates that a scheme for this site would be expected to provide some form of open space or woodland.

Recommendation

- R4.15 No modification be made to the Plan in response to this objection.

POLICY H4: Omission sites

- 4.82 Objectors to the Plan have put forward a number of suggested additional or alternative sites for housing development. Some of these have been considered under my examination of objections made to Chapter 8 of the Plan - Green Belt and the Rural Economy. The sites considered below are within the urban areas of the Borough.
- 4.83 As a preliminary point relevant to all of these sites, under my discussion of objections to Policy H1 I have considered the housing needs for the

Borough and have come to the view that, given the constraints of the RSS housing policies, the Plan has made sufficient allowance for housing over the plan period and has allocated appropriate sites to meet the identified need. Whereas alternative sites may be equally as suitable, it has not been shown that any of the sites identified by the Council are inadequate, unsuitable or unlikely to come forward for development. In which case, without deleting any of the sites identified by the Council, there would be no general justification for allocating any of these omission sites, as to do so would lead to an over-provision of housing land, which would be contrary to, and undermine, the RSS.

Thingwall Hall, Huyton

Objections to 1st Deposit Draft

R0569/C00348 The Trustees of the Brothers of Charity Incorporated

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The site should be a specific allocation in the Plan for housing development in the period 1 April 2002 – 31 March 2007 under Policy H4. This is a previously developed site within the existing urban residential area. If this land is not allocated, less suitable sites will be developed for housing before this one.

Inspector’s reasoning

- 4.84 The site is within the urban area and is shown as such on the Proposals Map. At present there are a number of buildings here, of various size and age, accommodating a variety of activities, but at a fairly low density. Having regard to Policy H8, there would be no objection in principle to redevelopment taking place here, subject to part 3) of the policy which looks to policy H1 and the overall control of the release of land for housing.
- 4.85 Having said that, as discussed under my consideration of the objections made to Policy H1, the supply of housing development in Knowsley is strictly limited by the RSS policies. It is therefore important that what housing is built takes place where it is seen to have potentially the

greatest benefits for urban regeneration. Nothing in the representations made to this Plan indicate that Thingwall Hall is in urgent need of regeneration, nor is it argued that additional housing land is required (above that specifically identified by the Council) to meet the Borough’s allocations under the RSS. Whereas the objector argues that less suitable land would be developed if Thingwall Hall were not redeveloped, the objector does not identify which sites are, in their view, less suitable and therefore ought to be deleted from the Plan.

4.86 Taking the above points together, I do not consider that Thingwall Hall should be identified as a specific redevelopment site in this Plan.

Recommendation

R4.16 No modification be made to the Plan in response to this objection.

Marconi Sports Ground, Roby Road

Objections to 1st Deposit Draft

R0572/C00446	TRB Estates Group Ltd
R0572/C00448	TRB Estates Group Ltd

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) This is a greenfield site which is arguably more sustainable to develop than other allocated sites. It should be included as an allocated housing development site for 80 dwellings.

Inspector’s reasoning

4.87 This is an area of presently disused sports ground. I acknowledge that the site is within the general urban area, and that it is in a sustainable location with regard to access to facilities, services and public transport. Furthermore, I note that planning permission has been granted on the adjoining parcel (the site of the clubhouse and car park) for housing development. I also accept that, giving its general location in the Borough, it might be a suitable site on which to develop housing, including at the upper end of the market. That is, on the face of it, I

agree this site has a number of factors which support the case being made by the objector.

- 4.88 I also acknowledge that it is not essential to retain the entire site as greenspace with regard to the overall provision in the Roby area. At least part of the site has potential to meet an identified shortfall in the number of pitches for junior/mini football in the Roby area, but the Council have no firm proposals for this site. From what was said at the inquiry, it seems that opportunities may exist elsewhere in the Roby area for pitches of this kind. However, the objector does not seek to include all of the old sports ground within the primarily residential area; 1 hectare is shown to be excluded for public open space which may be sufficient for these pitches.
- 4.89 As explained under my consideration of the objections made to Policy H1, this Plan is being prepared under the present RSS, which only allows for a very limited amount of net growth over the plan period. One of the Plan’s main priorities is regeneration and I support the Council’s stated preference to focus attention, investment and new development in the Action Areas of North Huyton and Tower Hill, Kirkby. This regeneration programme will absorb a high proportion of the net housing growth allowable under the RSS. The corollary of this is that there is very little opportunity to identify further sites to complete the RSS housing commitments. I have not recommended that any of the other allocated sites are deleted from the Plan and hence there is no requirement or justification to identify substitute or replacement sites.
- 4.90 I have noted in Chapter 9 that not all of the site is required as greenspace to meet the Council’s strategy, and that at least some of it could be regarded as part of the primarily residential area. However, for the reasons given above, I do not consider that there is a need to identify this as an allocated housing site. Having said that, the opportunity may exist for this to come forward for development as a windfall greenfield site, to be assessed under the terms of Policy H8.

Recommendation

- R4.17 The Proposals Map be modified to show approximately 0.72 ha at the western side of the Marconi Sports ground (net of the 0.83 already given planning permission for housing) as falling within the Primarily Residential Area.

Former St Clement’s School, Boode Croft, Stockbridge Village

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0466/C00876

Villages Housing Association

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The site originally comprised school buildings and associated playing field. In the 1984 Stockbridge Village Plan part of the site was allocated for commercial / employment uses. The site has a restrictive covenant now limiting its future to open space or residential uses only. The site should be allocated for housing development and it would make a significant contribution to the regeneration and redevelopment of Stockbridge Village as a key priority area in the Borough.

Inspector’s reasoning

- 4.91 I acknowledge that, as land which has been at least partially developed in the past and now grassed over, this site may be similar to others which will be included for development in the Tower Hill, Kirkby, Action Area. Therefore, on the face of it, there might seem to be an inconsistent approach being taken to resist allocating this land solely for its quasi greenfield characteristics. However, as discussed under my consideration of the objections raised to Policy H1, the supply of housing development in Knowsley is limited by the RSS policies. It is therefore important that what housing is built takes place where it is seen to have potentially the greatest benefits for urban regeneration.
- 4.92 I do not doubt that Stockbridge Village would also benefit from positive action to regenerate the area. However, with so little net growth to distribute around the Borough under the current RSS I have accepted that the locations identified by the Council are entirely appropriate, and particularly where they form part of an Action Area programme. There is a danger that, if growth were to be diverted away from the identified Action Areas, the benefits would be too little to constitute a ‘critical mass’ to bring worthwhile benefits to those areas.
- 4.93 Elsewhere in this Report I have come to the view that, given the context of the current RSS it would not be appropriate to identify Stockbridge Village as an Action Area in this Plan. Although there may be doubts amongst the objectors about whether the Action Areas being promoted by the Council will be fully developed and the benefits realised, I accept that there is the will to make these areas succeed and it would be unhelpful to seek to reduce the already limited amount of growth proposed in these areas in order to create potential for development elsewhere – including Stockbridge Village.

Recommendation

R4.18 No modification be made to the Plan in response to this objection.

Land at Hollow Croft, Stockbridge Village

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0466/C00877 Villages Housing Association

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The site was allocated for housing development in the 1984 Stockbridge Village Plan. Part of the site was developed with maisonettes, but these have been demolished and the remainder of the land used as open space. Redeveloping this land for housing would significantly contribute to the continued regeneration of Stockbridge Village.

Inspector’s reasoning

4.94 This site has similar characteristics to the former St Clement’s School, Boode Croft site and there is little, if anything, I can add to the points I made above relating to that site. Whereas I do not disagree that the site may be potentially suitable and that redevelopment here may have regeneration benefits locally, the constraints set by the RSS for housing growth do not give scope for identifying such sites in Stockbridge Village.

Recommendation

R4.19 No modification be made to the Plan in response to this objection.

Prescot Trade Centre

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0664/C00883 Iliad

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The whole of the Trade Centre should be shown as a site for residential opportunity in the event that it is not shown for mixed use development opportunities.

Inspector’s reasoning

- 4.95 As discussed under my consideration of the objections raised to Policy H1, the supply of housing development in Knowsley is limited by the RSS policies. Unless sites identified by the Council for residential development are deleted, there is no scope for identifying further sites for residential development within the plan period. I have come to the view that none of the identified sites should be deleted from the Plan. There is, therefore, no justification to include further sites as this would lead to a potential over-supply of housing land , which would undermine the strategy of this Plan and that of the RSS.
- 4.96 Whilst I acknowledge that this is a site with obvious redevelopment potential, given the context of the limited housing growth allowed under the current RSS policies, it would be inappropriate to specifically identify it for residential development. It has not been argued that the site is not suitable for redevelopment for future employment uses.

Recommendation

- R4.20 No modification be made to the Plan in response to this objection.

POLICY H5: RESIDENTIAL DENSITY

Objections to 1st Deposit Draft

R0559/C00332 Bellway Homes
R0226/C00366 Merseytravel

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The policy should be amended to accord with paragraph 58 of PPG3 [C00332].
- ii) Housing densities should be structured such that they facilitate the access of public transport to all main residential areas. Housing density plays a fundamental role in creating a suitable environment for effective public transport provision [C00366].

Inspector’s reasoning

4.97 Policy H5 has been deleted in the Revised Deposit Draft version of the Plan, with the policy on minimum housing densities now given in Policy H1(3) – sixth bullet point. This accords with the guidance given in PPG3 and meets point i) above.

4.98 The comments made in support of point ii) are axiomatic and relate to the design and layout of larger new schemes. In my view, these are matters more relevant to a detailed design exercise and do not need making in the context of the general development policies of the UDP. Strategic objectives 6, 8 and 19 (repeated at the beginning of Chapter 7 of the Plan) establish a strong link between public transport provision and new development. Policy T6(f), amongst others, carries forward the need to regard access to public transport as an essential component of the design of new development.

Recommendation

R4.21 No modifications be made in response to these objections.

POLICY H6: NORTH HUYTON AND TOWER HILL (KIRKBY) ACTION AREAS

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0660/C00800	Knowsley Primary Care Trust (PCT)
R0466/C00868	Villages Housing Association
R0164/C00889	Redrow Homes (Lancashire) Ltd

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0009/C00628	Highways Agency – NW Network Strategy
R0095/C00814	Government Office for the North West
R0095/C00815	Government Office for the North West

Key Issues

- i) A reference should be included to greenspace issues in the policy itself [C00814].
- ii) The policy should make clear that there would be no net loss of greenspace, although some re-distribution within the Action Areas may be justified to meet the needs of the community [C00889].
- iii) A policy link should be included to Policy T8 [C00628].
- iv) New, modern primary care facilities should be included within the Action Area [C00800].
- v) Sustainability assessment should be built in to the master planning process. Any master plan will need to go through the new statutory planning process if it is to be adopted as a supplementary planning document [C00815].
- vi) Stockbridge Village should be included as an Action Area within the policy [C00868].

Inspector’s reasoning

- 4.99 Points i) - v) have been addressed by a number of pre-inquiry changes – as set out in CD23.
- 4.100 PIC/4/3 introduces health provision to the list of facilities thought to be appropriate as part of the redevelopment or improvements in the Action Areas. The PIC notes this as a change to part 1) c) of the policy, but the Revised Deposit Draft version has deleted c) as a separate sub-clause. The PIC meets point iv) in principle, but a further change needs to be made to ensure that it is sub-clause b) where the change is made.
- 4.101 PIC/4/4 introduces a new point 5) into the policy, which gives a clearer guidance on the requirement to give proper consideration to the use and distribution of greenspace in the action areas. I consider that this meets points i) and ii) above, for all practical purposes.
- 4.102 PIC/4/5 adds to the comment in paragraph 4.28B that the master plans for the action areas will need to take sustainability fully into consideration as part of the process leading to adoption as supplementary planning documents (SPD). This is a useful addition to the reasoned justification. I do not consider that it is essential to specifically state that the SPDs will have to be prepared as an integral

part of the new development planning process; the reference to the documents being adopted SPD should be sufficient to indicate that they will only gain credibility or authority as planning policy documents which have been prepared in accordance with the new procedures. In my view, the PIC meets point v).

- 4.103 PIC/4/6 includes a reference to Policy T8, which fully meets point iii) above.
- 4.104 Point vi) effectively asks for Stockbridge Village to be given policy support equal to the two action areas specifically included in this policy. I have some sympathy with the objector to the point that there is a widespread need for regeneration across Knowsley, and it would be wrong to deduce that Stockbridge Village could not benefit from inward investment and a degree of redevelopment or refurbishment. However, for it to be regarded as an Action Area, there would need to be commitment from the Council to actively direct investment into the area to meet specific needs and to address identified shortcomings.
- 4.105 If there were unlimited financial and organisational resources this may be possible, but this is not so. The Council is only able to give active support to the areas which it has identified as being in greatest need. The objector has not argued that either North Huyton or Tower Hill do not meet the criteria for action area status. Neither is it claimed that either or both of these should be deleted from the Council’s programme of investment and support and Stockbridge Village included instead. If it was to be added as a further action area there is the danger that interest, investment and activity would be diluted to the point that none of the areas would receive sufficient support to achieve the envisaged benefits. This would be a significant failure of the Plan and could result in the loss of much or all of the potential benefits in areas recognised by the Council as being in greatest need.
- 4.106 Without the involvement of the Council as a partner in an action area programme the inclusion of Stockbridge Village in this policy would be meaningless. Consequently I do not consider that there is the scope for Stockbridge Village to be included as an action area under this policy.

Recommendation

- R4.22 i) The Plan be modified in accordance with PIC/4/4, PIC/4/5 and PIC/4/6.
- ii) Part 1) b) of the policy as set out in the Revised Deposit Draft be deleted and replaced with:

b) Provision of a wider choice of housing accommodation and improvements to local shopping, open space, leisure, health and other community facilities.

- iii) No further modification be made to the Plan in response to these objections.

POLICY H7: DEVELOPMENT OPPORTUNITY SITE (VALLEY ROAD, KIRKBY)

Objections to 1st Deposit Draft

R0017/C00305	Sefton Council
R0226/C00368	Merseytravel
R0067/C00337	Prescot Town Council
R0067/C00338	Prescot Town Council
R0071/C00530	Whiston Town Council

Objections to 2nd Deposit Draft

R0549/C00664	Prescot Liberal Democrats
R0095/C00816	Government Office for the North West

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0009/C00629	Highways Agency – NW Network Strategy
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Key Issues

- i) Having regard to the RPG housing requirement and policy H3, there is a potential for over-supply of housing if the sites allocated under this policy were developed [C00305].
- ii) The western portion of the Delph Lane / Two Butt Lane site should be used for amenity purposes and environmental development ie the Mersey Forest. It should be allocated as greenspace [C00530].
- iii) Significant residential development should only take place where it can be easily served by public transport and other sustainable modes of transport [C00368].
- iv) A policy link should be included to Policy T8 [C00629].
- v) Housing development at Scotchbarn Lane, Prescot would exacerbate the poor traffic conditions on local roads, the traffic would add to noise disturbance locally and would represent a hazard to local children [C00338].
- vi) Prescot Leisure Centre and Prescot Swimming Pool should be retained for leisure purposes [C00337].
- vii) Kirkby Stadium should be retained for leisure purposes [C00664].
- viii) It is not clear whether the continuing need for the Kirby Stadium site for leisure purpose has been assessed in accordance with PPG17.

Unless this can be clarified, the site should be retained for leisure purposes [C00816].

Inspector’s reasoning

- 4.107 In the Revised Deposit Draft of the Plan the housing needs and the amount of land required to provide sites under Policy H1 have been reassessed and reference included to the plan, monitor, manage approach to the release of development land. As a consequence of this reassessment all of the opportunity sites except Kirkby Stadium have been deleted. As I have broadly agreed with the revised housing need figures and support the inclusion of the management measures to control the release of development sites, the potential over-supply of housing questioned in point i) is not likely to arise.
- 4.108 As the housing land needs have been reassessed and I broadly agree with the revised list of sites proposed under policy H4 to satisfy that need, I do not consider it is appropriate to reinstate the Scotchbarn Lane site as a Development Opportunity site. Accordingly, points v) and vi) have been satisfied.
- 4.109 In the Revised Deposit Draft of the Plan the Delph Lane / Two Butt Lane site referred to in point ii) has been deleted as an Opportunity Site, but is shown as housing site H24. I have discussed this site under objections made to the allocated housing sites listed in Policy H4 (see above). In my view, the Plan has properly included this as a site which is envisaged to meet part of the predicted housing needs of the Borough during the plan period. Having said that, the objector who put forward the eastern portion of the site for housing in response to the First Deposit stage of the Plan acknowledges that part of the land could be used for public open space. The western part of H24 may have potential as greenspace and paragraph 4.21D indicates that this would be supported by the Council if an application is made to develop the site. This is a point which may be taken further at planning application stage if the circumstances at that time warrant it. I do not consider that it is appropriate for me to make a detailed recommendation on this point in this Report.
- 4.110 With regard to points vii) and viii), the continuing need for Kirkby Stadium has been reassessed in accordance with the methodology outlined in PPG17 (CD107). This has confirmed that the site need not be retained, and neither of the objectors has challenged that the reassessment exercise was flawed or inadequate. Whilst I acknowledge that the present stadium and associated facilities are appreciated and used locally, the Council is actively promoting the development of replacement facilities closer to the centre of Kirkby, which is envisaged to be completed in 2007. This serves to reinforce the view that its retention for leisure purposes is not essential. In which case, if the site is declared surplus to requirements and it is no longer managed for leisure purposes, then it is entirely appropriate for it to be regarded as a development opportunity site.
- 4.111 The objectors have not raised objections to the indicated range of possible future uses for this site. Should the site become available for

redevelopment during the plan period, a development proposal would have to be evaluated against likely needs and assessed against other policies of the Plan, not least H1 and its management of the release of land for housing – as acknowledged in part 2) of the policy.

4.112 Turning to Point iii) it is not clear which of the sites is alleged to be poorly served by public transport. In the Revised Deposit Draft only Kirkby Stadium remains as an identified opportunity site and no specific deficiencies in public transport provision have been identified by the objector. Without any further information to support the objection I cannot agree that redevelopment of this site – for whatever of the purposes given in policy H7 – would be inappropriate or undesirable in terms of access to public transport.

4.113 Pre inquiry change PIC/4/7 introduces a link to Policy T8, which meets point iv).

Recommendation

- R4.23 i) The Plan be modified in accordance with PIC/4/7.
- ii) No further modification be made to the Plan in response to these objections.

POLICY H8: DEVELOPMENT WITHIN PRIMARILY RESIDENTIAL AREAS

Objections to 1st Deposit Draft

R0017/C00291 Sefton Council

Objections to 2nd Deposit Draft

R0660/C00801 Knowsley Primary Care Trust
R0164/C00890 Redrow Homes (Lancashire) Ltd
R0169/C00923 Redrow Homes (North West) Ltd

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The policy should be revised so that sites are only permitted where there is a shortfall of housing completions with regard to the average annual RPG requirement, or the development meets some other need [C00291].

- ii) Primary health care should be listed as an acceptable use in a primarily residential area [C00801].
- iii) The third part of the policy should be deleted to accord with Policy H1 [C00890].
- iv) There is no strategic policy basis for restricting the supply on windfall housing. Policy H8 and paragraph 4.35A should be deleted [C00923].

Inspector’s reasoning

- 4.114 Policy H8 provides a policy context for controlling the type, not the amount, of new development in residential areas; it is not a policy which can be used to control the release of sites for new housing development – this is the role of policies H1 and H4. Part 3) of the policy, as added in the Revised Deposit Draft makes this clear. Accordingly, I do not consider that there is a need to make further additions to the policy as suggested at point i) above.
- 4.115 H8 establishes that, subject to various safeguards for the quality of the residential environment, other uses may be acceptable. Whereas primary health care provision could well be acceptable in a primarily residential area, so may a whole raft of other uses. If the policy were to specifically list health care this might be seen to be giving this undue prominence or priority over other equally acceptable uses. The primary benefit of this policy is that it is open-ended and would give support for a range of services and facilities, including primary health care uses. I do not agree with point ii) that primary health care should be specifically mentioned in the policy.
- 4.116 I do consider that part 3) of the policy and part of paragraph 4.35A does, to some degree, overlap with policy H1 and what it has to say about the release of housing land. Paragraph 4.35A also covers matters which are dealt with in greater detail under Policy DQ1. Elsewhere in this report I have noted that policies in the Plan should be read together when assessing whether a proposed development would be acceptable. In my view, these points would not be entirely superfluous in policy H8 if it made it clear that the reference to ‘windfall housing provision’ related to replacement of demolished dwellings, as well as to any net gains, which would be subject to assessment under the terms of policy H1. Neither the objectors noted at points iii) and iv) nor the Council have proffered a suggested revision of the policy along these lines, but I consider such a revision would be appropriate and may at least partially meet the concerns behind these objections.

Recommendation

R4.24 i) Part 3) of Policy H8 be modified to read:

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|---|
| <p>3) Windfall housing provision in Primarily Residential Areas will be acceptable in principle if it is for the replacement on a one-for-one basis of housing units which have been demolished and accounted for under the terms of Policy H1. Further new ‘windfall’ houses will only be permitted if the release of the site is considered</p> |
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to be appropriate having regard to the requirements of Policy H1 and the monitoring of overall housing land supply.

- ii) No further modifications be made to the Plan in response to these objections.

POLICY H10: PROVISION OF FLATS, NURSING AND RESIDENTIAL HOMES, HOSTELS AND HOUSES IN MULTIPLE OCCUPATION (HMOS)

Objections to 1st Deposit Draft

R00072/C00049 Halewood Town Council

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The policy should say that 3 storey development will only be permitted on sites which are adjacent to existing residential development and where it would be in keeping with the existing development.

Inspector’s reasoning

4.117 As with all other policies in the UDP, H10 should not be read or applied in isolation; other policies of the Plan will also apply in assessing whether a scheme of 3 storeys or more would be acceptable or not. Policy DQ1 would be relevant in such instances; DQ1(a) requires that a scheme should have regard to the characteristics of the immediately surrounding area and take into account scale, density, massing, height and building lines.

4.118 In my view, the limitation sought by the objector may be unduly restrictive and could unreasonably stifle innovative designs, particularly in an era where government guidance is looking for higher densities of development in housing areas. I consider the criteria given in DQ1(a), taken together with those in DQ1(b) and DQ1(c), represent a reasonable safeguard for the concerns of the type expressed in this objection

without unduly fettering innovative designs. I do not consider that the policy should be modified in response to this objection.

Recommendation

R4.25 No modification be made to the Plan in response to this objection.

CHAPTER 5 - ECONOMIC DEVELOPMENT

GENERAL MATTERS

Objections to 1st Deposit Draft

R0226/C00371	Merseytravel
R0226/C00374	Merseytravel

Objections to 2nd Deposit Draft

R0664/C00872	Iliad
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Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) When considering economic development the Plan should stress the role of public transport [C00371, C00374].
- ii) The Plan should include a policy encouraging mixed use development [C00872].

Inspector’s reasoning

Public Transport

5.1 The role of public transport is stressed in Chapter 7 which deals specifically with such matters. Policy T6 in that chapter seeks to ensure that new developments are provided with a good choice of modes of travel, including public transport. Attention is drawn to this policy when considering economic development. With these points in mind there is no necessity to make additional references to public transport when considering economic development.

Mixed use development

5.2 The principal aim of this objector is to secure the mixed use designation of Prescott Trade Centre, a site designated as a Primarily Industrial Area (Policy EC3) in the Plan. The objector envisages this site, which is occupied by a range of industrial buildings and located in a predominantly residential area, being developed as an urban village containing a substantial element of housing. For reasons set out in Chapter 4 of this report I conclude that there is no need at this time to identify further sites capable of being developed for housing. That being so I do not consider there is a need for an additional policy in the Plan

that encourages mixed use as, in effect, this would boost the supply of housing land at the expense of the supply of employment land.

Recommendation

R5.1 No modification be made to the Plan in response to these objections.

POLICY EC1: STRATEGIC EMPLOYMENT LOCATIONS

Objections to 1st Deposit Draft

R0570/C00429	White Moss Horticulture Ltd
R0018/C00420	Peel Holdings Limited
R0226/C00373	Merseytravel
R0299/C00050	Halewood International
R0538/C00270	Slater
R0018/C00422	Peel Holdings Ltd

Objections to 2nd Deposit Draft

R0095/C00818	Government Office for the North West
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Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0097/C00465	North West Development Agency
R0478/C00163	Tesco Stores Ltd
R0478/C00164	Tesco Stores Ltd

Key Issues

- i) The Plan should identify a greater number and range of employment sites [C00429].
- ii) Land required for junction works associated with the development of Liverpool John Lennon Airport should be safeguarded [C00420].
- iii) When considering economic development the Plan should stress the role of public transport [C00373].
- iv) Land between Kipling Road and Wilson Road, Huyton should be allocated for a mix of uses including residential rather than identified as a Primarily Industrial Area [C00050].
- v) The Ford / Jaguar expansion land (Site E1) should not be allocated for employment development [C00270].
- vi) The list of Target Growth Sectors should include aviation and aerospace [C00422].

- vii) The Plan should make clear that leisure uses outside town centres should be subject to the test of need and to the sequential approach [C00818].
- viii) The Plan should acknowledge that other uses such as retailing can provide significant amounts of employment [C00163, C00164].
- ix) There are inconsistencies between the list of target sectors and those identified in RPG13 [C00465].

Inspector’s reasoning

Greater number and range of employment sites

- 5.3 The Plan makes provision for employment land that is some 12% in excess of the estimated demand based on past take up rates. The objector considers this is insufficient in view of Knowsley’s good track record in attracting inward investment. As to the range of employment sites, the Council acknowledges that the supply of employment land is constrained in terms of site size, availability and quality and that these may become more severe as the plan period progresses.
- 5.4 However, it is common ground that, if Knowsley is looked at in isolation, the lack of brownfield sites is such that any substantial increase in the provision of employment land would involve the release of Green Belt sites. The same is not true if the situation is looked at in the wider perspective as the Merseyside Green Belt Study has identified a large amount of land available outside the Green Belt in other local planning authorities in Merseyside. That being so I consider that decisions about the strategic release of Green Belt land are matters better dealt with at a strategic level through the emerging RSS for the North West. I agree with the Council, therefore, that it would be premature at this time to release significant amounts of land from the Green Belt in the Plan.
- 5.5 The objector raises points about the need to capitalise on existing investment at Knowsley Industrial Park and the need to revitalise and broaden the local economy. These matters do not, however, outweigh the general considerations that lead me to conclude that the Plan should not be modified to identify a greater number and range of employment sites.

Safeguarding of land

- 5.6 A consortium of bodies, including the Council, are considering various highway options in connection with the development of Liverpool John Lennon Airport. One option being considered would involve junction works on land allocated for employment purposes (site E1). However, no definitive plans or programmes have thus far been agreed. That being so I am not satisfied that there is a realistic prospect of the junction works in question being implemented in the plan period. I do not, therefore, consider that this land should be safeguarded in the Plan.

Public Transport

- 5.7 I have considered this matter when dealing with general objections to this chapter (C00371 and C00374). For the reasons set out there I do not consider any modifications to the Plan are warranted.

Land between Kipling Road and Wilson Road Huyton

- 5.8 This land was last used as a recreation ground but has for some years been designated for B1, B2 and B8 uses and has a current planning permission for industrial use. The objector points to the fact that no interest has been expressed in using the site for industrial purposes in recent years and that many vacant sites in the area are available for such uses. The land is not needed for expansion by its current owner and in its vacant state is a target for anti social activities.
- 5.9 Moreover the site has a number of constraints. In particular the provision of a suitable access would not be a straightforward matter and could involve land swaps or the creation of a new access between buildings. In addition the land adjoins housing on Kipling Avenue and Newsham Road and the living condition of the occupiers of these dwellings would need to be safeguarded in any development of the site for industrial purposes.
- 5.10 Nonetheless, the indications are that there may be a shortfall of industrial land in the Borough towards the end of the plan period while, in the current context, there is no need to make additional provision for housing land in Knowsley. In a different context this land could be suitable for housing, particularly if benefits to the St Johns Estate were secured through the s106 obligations attached to any planning permission. However, given the potential shortfall in the provision of employment land and the adequate supply of housing land, I agree with the Council that at present the land should remain available for industrial purposes.

Ford / Jaguar Expansion Land

- 5.11 The eastern 4ha or so of the 18.5ha site which comprises the Ford/Jaguar Expansion Land (Site E1) is designated as a Site of Biological Interest (SBI). The objector considers that this designation should be extended to cover a larger area of the site and that the site as a whole should not be allocated for employment development. However, no substantial reasons as to why this should be done are put forward.
- 5.12 The site is one of the largest employment allocations in the Plan and will play an important part in meeting the undisputed need for employment land in the Borough. The only identified constraint to the development of the site is the existence of the SBI and Policy ENV8 will ensure that all practical measures will be taken to minimise harm to nature conservation interests. Given these factors I do not consider the Plan should be modified to extend the area of the Site of Biological Interest or to remove the employment allocation from this land.

Target Growth Sectors

5.13 The list of Established Target Sectors, Growth Target Sectors and Industries Suitable for Cluster Development is set out in Fig 5.1 of the Revised Deposit Draft of the Plan. This includes reference to aerospace and aviation and is based on information provided by the North West Development Agency. Paragraph 5.35 of the Plan also refers to the role that Liverpool John Lennon Airport has in developing international tourism in the Borough. The Plan needs, therefore, no modification in this respect.

The test of need and the sequential approach

5.14 The Council proposes (NAC/5/9, NAC/5/10, NAC/5/15 and NAC/5/16) to delete references to the provision of leisure uses outside town centres. I set out subsequently, when considering objections to Policy EC1A [C01077] my reasons for concluding that this is a sensible approach. There is no necessity, therefore, to make clear that applications for such a use would be determined in the light of Policy S8, a policy which establishes that it will be necessary to show need and to apply the sequential approach. No further modifications to the Plan are, therefore, necessary in response to this objection.

Retailing as a form of employment

5.15 The Revised Deposit Draft of the Plan acknowledges at paragraph 5.7A that uses such as retail can provide significant amounts of employment. No modification to the Plan is, therefore, needed.

Inconsistencies

5.16 The list of target sector industries set out in Fig. 5.1 of the Revised Deposit Draft of the Plan is consistent with that set out in Regional Planning Guidance for the North West (March 2003). No modification to the Plan is, therefore, needed.

Recommendation

- R5.2
- i) The Plan be modified in accordance with NAC/5/9, NAC/5/10, NAC/5/15 and NAC/5/16.
 - ii) No further modification to the Plan in response to these objections.

POLICY EC1A: STRATEGY FOR PROVISION OF EMPLOYMENT LAND

Objections to 1st Deposit Draft

R0226/C00643	Merseytravel
R0095/C00936	Government Office for the North West
R0095/C00963	Government Office for the North West
R0169/C00925	Redrow Homes (North West) Ltd
R0169/C00926	Redrow Homes (North West) Ltd

R0263/C00717 United Utilities Property Solutions Ltd
R0664/C00869 Iliad

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

R0095/C01077 Government Office for the North West

Conditionally Withdrawn Objections

R0009/C00634 Highways Agency – NW Network Strategy

Key Issues

- i) When considering economic development the Plan should stress the role of public transport [C00643].
- ii) The Plan should set out the circumstances in which re-use of employment sites for other employment purposes will not be permitted [C00936].
- iii) The fact that smaller scale employment uses will be permitted in Action Areas should be mentioned in policies dealing with those Action Areas [C00963].
- iv) The site at Roscoe’s Wood (E2) should not be allocated for employment development but for mixed uses including housing [C00925, C00926].
- v) More employment land should be allocated in the Plan [C00717].
- vi) The Plan should include a policy encouraging mixed use development [C00869].
- vii) Reference to leisure uses in South Prescot Action Area, and to the relocation of Prescot Leisure Centre to that area, should be deleted [C01077].
- viii) Policies EC1A and EC4 should include a link to Policy T8 [C00634].

Inspector’s reasoning

Role of public transport

5.17 This is a matter I have considered when dealing with objections to Policy EC1 [C00373]. For the reasons set out there I do not consider the Plan should be modified to make additional reference to public transport in the chapter dealing with economic development.

Re-use of employment sites.

5.18 The Council proposes (PIC/5/5) to include a paragraph in the Plan which sets out the circumstances in which planning permission may not be

granted for the re-use of employment sites. I consider that this is a useful additional point and the Plan should be modified accordingly.

Employment Uses in Action Areas

5.19 The fact that smaller scale employment uses will be permitted in Action Areas is implicit in policies dealing with those Action Areas such as Policies S4 and S6. The Plan needs, therefore, no modification in this respect.

Roscoe’s Wood

5.20 These objections are based on the premise that there is a significant oversupply of employment land and that there is a need for further housing development. Neither premise is borne out by the evidence. Quantitatively the provision for employment land in the Plan does exceed the estimated demand based on past take up rates but there is a shortage of high quality sites in the Borough. Roscoe’s Wood, with its gateway location close to the M62/M57 interchange, is a high quality site of the type that is in short supply.

5.21 As to the question of housing need, I set out in chapter 4 of this Report my reasons for concluding that there is no need to identify further land for housing in the plan period. I do not, therefore, consider that the site at Roscoe’s Wood should be allocated for mixed uses.

More employment land should be allocated

5.22 The Council has demonstrated that it has allocated sufficient employment land to meet the needs of the Borough over the Plan period. There are constraints as to the range, availability and quality of the allocated sites but if a need for further land does arise I, like the Council, consider that this should be dealt with initially at the regional level through a review of the Regional Spatial Strategy. It is at this level that, for example, the question of the degree to which the need for employment land can be met without the release of Green Belt sites can be properly considered. I do not, therefore, consider more employment land should be released in the Plan.

Mixed Uses

5.23 I considered this issue at the beginning of this chapter when dealing with objection C00872. For the reasons set out there I do not consider that the Plan should be modified in response to this objection.

Leisure uses in South Prescot Action Area

5.24 Area C of the South Prescot Action area is identified in the Plan as a site to which Prescot Leisure Centre could be relocated. This reference is contained most explicitly on paragraph 5.30 but is also implicit in Policy EC6, paragraph 5.7F (as introduced by PIC/5/9) and paragraph 5.7L (as introduced by PIC5/10). However, planning permission has now been granted solely for residential development in that area and groundworks have commenced.

5.25 It now appears highly unlikely, therefore, that the Prescott Leisure Centre will be relocated to the South Prescott Action Area or that sites within that area will be available for leisure uses. The Council proposes, therefore, (NAC/5/9, NAC5/10, NAC/5/15 and NAC/5/16) to delete from the Plan various references to leisure uses in the South Prescott Action Area. I agree that this is a sensible course of action.

5.26 In the interests of consistency Area C should be shown as a Primarily Residential area on the Proposals Map.

Link to Policy T8

5.27 The Council proposes (PIC/5/11) to insert Policy T8 in the list of Policy Links to Policy EC1A, Policy EC4 having been deleted. I consider that this is a useful additional point and the Plan should be modified accordingly.

Recommendation

- R5.3
- i) The Plan be modified in accordance with PIC/5/5, and PIC/5/11 and with NAC/5/9, NAC5/10, PIC/5/11, NAC/5/15 and NAC/5/16.
 - ii) The Plan be modified by showing Area C of the South Prescott Action Area as Primarily Residential Area on the Proposals Map.
 - iii) No further modification be made to the Plan in response to these objections.

POLICY EC2: STRATEGIC LAND SUPPLY – EMPLOYMENT USES

Objections to 1st Deposit Draft

R0030/C00087	The Stanley Estate and Stud Co
R0570/C00431	White Moss Horticulture Ltd
R0030/C00086	The Stanley Estate and Stud Co
R0030/C00088	The Stanley Estate and Stud Co

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Land to the south of the A580 and east of Knowsley Lane should be allocated for employment development [C00087].
- ii) Other Green Belt sites should be considered for future employment development [C00431].
- iii) Land and buildings at Stanley Grange, Knowsley Park should be allocated for smaller scale employment uses or high quality business premises [C00086, C00088].

Inspector’s reasoning

Land to the south of the A580 and east of Knowsley Lane

5.28 This objection site is a large tract of agricultural land in the Green Belt. Detailed Green Belt boundaries should be altered only exceptionally. No substantial evidence is provided by the objector to indicate that there is an existing or likely future need for employment which would warrant such a large scale release of Green Belt land. I do not, therefore, consider that the Plan should be modified by allocating this land for employment purposes.

Other Green Belt sites

5.29 I have considered the issue of whether other Green Belt sites should be released for future employment development when dealing with objections to Policy EC1 (C00429). For the reasons set out there I consider that it would premature to do this. I also note that the site being promoted by this objector, land to the east of North Perimeter Road, is outside the Plan area, being in the neighbouring area of West Lancashire District Council. I do not, therefore, consider that the Plan should be modified in response to this objection.

Stanley Grange, Knowsley Park

5.30 Land and buildings at Stanley Grange, Knowsley Park are in the Green Belt. While smaller scale employment uses or high quality business premises could well be beneficial in the Borough there is no evidence that the need for these is exceptional. Detailed Green Belt boundaries should be altered only exceptionally. I do not, therefore, consider that the Plan should be modified by allocating this land for smaller scale employment uses or high quality business premises.

Recommendation

R5.4 No modification be made to the Plan in response to these objections.

POLICY EC2A: SITES ALLOCATED FOR EMPLOYMENT DEVELOPMENT

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0090/C00620	Network Rail
R0169/C00928	Redrow Homes (North West) Ltd
R0263/C00718	United Utilities Property Solutions
R0406/C00745	Lamont
R0020/C00611	West Lancashire District Council
R0020/C00714	West Lancashire District Council
R0020/C00715	West Lancashire District Council
R0020/C00716	West Lancashire District Council
R0015/C00807	Environment Agency
R0015/C00808	Environment Agency

Objections to Pre-Inquiry Changes

R0621/C01021	Landmarq LLP
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Conditionally Withdrawn Objections

R0561/C00875	Ford Motor Company Ltd
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Key Issues

- i) The Plan should express a preference for sites at Knowsley Industrial Park to be linked to Knowsley Rail Freight Terminal [C00620].
- ii) The site at Roscoe’s Wood (E2) should not be allocated for employment development but for mixed uses including housing [C00928].
- iii) The Plan should identify further employment land [C00718].
- iv) Land East of Roscoe’s Wood should not be designated for employment development but rather for a broader range of uses including warehousing, leisure, hotel, motel or – preferably - housing [C00745].
- v) The Plan should show a landscaped buffer strip alongside the North Perimeter Road [C00611, C00714, C00715, C00716].
- vi) The Moorgate Point site (E22) should remain undeveloped and be designated as a Site of Biological Interest [C00807].
- vii) The Moorgate Point site (E22) should not be deleted from the Plan [C01021].

- viii) The Kraft / Dairy Crest site (E25) should remain undeveloped and be designated as a Site of Biological Interest [C00808].
- ix) The site (E1) referred to in Policy EC2A as the Ford / Jaguar Expansion Land should be re-named the Eastern Compound Land [C00875].

Inspector’s reasoning

Link to Knowsley Rail Freight Terminal

- 5.31 The Council now proposes (PIC/5/16) to make reference to links between sites at Knowsley Industrial Park and Knowsley Rail Freight Terminal. The Plan needs, therefore, no further modification in this respect.

Roscoe’s Wood

- 5.32 I have dealt with this issue when considering objections (C00925 and C00926) to Policy EC1A. For the reasons set out there I do not consider the Plan should be modified in response to this objection.

Further Employment Land

- 5.33 I have dealt elsewhere with the issue of whether further employment land should be allocated, for example when considering objections to Policy EC1A (C00717). For the reasons set out there I do not consider that the Plan should be modified in the manner proposed by this objector.

Land East of Roscoe’s Wood

- 5.34 Land to the east of Roscoe’s Wood is allocated for employment development (Site E2) in the Plan (NAC/5/12 usefully revises the site name). While the objector points to empty and partially developed employment sites in the vicinity, the evidence is that there will be a shortfall in employment land in the Borough towards the end of the plan period. The Roscoe’s Wood site with its proximity to the trunk road and motorway network and the presence of mature landscaping in the vicinity has the potential to be developed as a high quality business park. There are few such sites in Knowsley.
- 5.35 That being so I consider the Council’s decision to allocate the site for employment development is well founded. Although there may have been inquiries in the past for leisure and hotel uses on the site current government guidance given in PPS6 sees these more as town centre uses. It would, therefore, not be appropriate for the Plan to encourage such uses on this edge of town site. For reasons set out in Chapter 4, I do not consider that there is a need in the current context to allocate further land for housing.
- 5.36 That said, the objector lives on the site and expresses concern about the effect of employment development on his living conditions. However, the Council confirms on this site it does not consider warehousing (B8) would be appropriate. I agree; the large buildings and the expansive

parking and manoeuvring areas needed to accommodate the heavy vehicles associated with such a use would not be appropriate on this prominent gateway site and would not, in my view, be a suitable neighbour for the objector’s house

- 5.37 I acknowledge that the site has been advertised for commercial development, but this appears to have been quite general and not focused on a specific type of commercial or industrial development. The Council would be keen to promote this for B1 (Business) and B2 (General Industrial) uses, but have not been aware of any marketing specifically directed at this and no such evidence was produced at the inquiry. That is, I do not consider that the Council’s preferences for development on this site are unrealistic or inappropriate.
- 5.38 Like the Council I consider that B1 and B2 would be more appropriate as these would be associated with modern office and factory uses and, with careful attention to design, could present a positive image at this entry point to the built up area of the Borough. B1 uses are defined as those which can be carried out in a residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke etc. In the detailed planning of this site it would be possible to ensure that B1 uses were sited closest to the objector’s house and thus protect the living conditions of the occupants of that dwelling.
- 5.39 With these points in mind I do not consider it is necessary to modify the Plan in response to this objection.

Landscaped buffer strip alongside the North Perimeter Road.

- 5.40 Land within North Perimeter Road is predominantly industrial in use; land beyond it, in West Lancashire District, is predominantly open land in the Green Belt. While it would be desirable to minimise the impact of any further industrial development on the character and appearance of the Green Belt I consider this to be a detailed matter more appropriately dealt with at the development control stage rather than through modifying the Plan to designate a landscaped buffer strip alongside the North Perimeter Road.

Moorgate Point site (E22)

- 5.41 The site at Moorgate Point is designated as a Site of Biological Interest in the Plan. Planning permission has also been granted on the site for a warehouse unit. While the site has yet to be developed the existence of this planning permission means there would be little point in the Plan requiring that it remain undeveloped.
- 5.42 As the site has planning permission it has moved beyond the status of being simply an allocation. The Council proposes, therefore, to delete it as an allocation (PIC/5/13). Although it is pointed out that this is not a practice that the Council has invariably followed in the Plan it appears to me to be a logical approach in this instance.
- 5.43 In the interests of consistency it would also be necessary to delete the designation of E22 as a Site for Employment Development on the

Proposals Map and to include it as a Non-Allocated Employment site in Appendix 5A.

Kraft / Dairy Crest site (E25)

- 5.44 In recognition of the species rich marshy grassland it contains and the presence of Marsh Orchid, the Kraft / Dairy Crest site is designated as a Site of Biological Interest in the Plan.
- 5.45 However, the site is in a Primarily Industrial Area and has been allocated in the Plan as Land for Employment Development. There is no evidence to suggest that the need for such land could reasonably be met elsewhere and in developing the site account would need to be taken of its status as a Site of Biological Interest. Policy ENV8 requires that on such sites all practical measures are taken to minimise the harm to nature conservation interest and that, where appropriate, compensatory measures be implemented. That is, the Plan does not see the nature conservation interest as overriding where suitable and acceptable compensatory provision can be made.
- 5.46 That being so, I see little merit in requiring that the site remain undeveloped and I do not consider the Plan should be modified in response to this objection.

Re-naming of the Ford / Jaguar Expansion Land

- 5.47 The Council proposes (PIC/5/12) to re-name the site referred to in Policy E1 as the Ford/Jaguar Expansion Land as the Eastern Compound Land. I see no objection to this.

Recommendation

- R5.5 i) The Plan be modified in accordance with PIC5/12, PIC/5/16 and NAC/5/12.
- ii) The Plan be modified in accordance with PIC/5/13, Moorgate Point (E22) be deleted as a Site for Employment Development on the Proposals Map and included as a Non-Allocated Employment site in Appendix 5A.
- iii) No further modifications be made to the Plan in response to these objections.

POLICY EC3: PRIMARILY INDUSTRIAL AREAS

Objections to 1st Deposit Draft

R0526/C00250

Hitchcock Wright & Partners / Road Runner Ltd

Objections to 2nd Deposit Draft

R0664/C00870

Iliad

R0664/C00871
R0095/C00819

Iliad
Government Office for the North West

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Land at Two Butt Lane / Delph Lane should be allocated for Housing Development rather than designated as a Primarily Industrial Area [C00250].
- ii) Policy EC3 should acknowledge that sites, such as the Prescott Trade Centre, are capable of mixed use [C00870, C00871].
- iii) Paragraph 5.17 should not refer to hotels [C00819].

Inspector’s reasoning

Land at Two Butt Lane / Delph Lane

5.48 Land at Two Butt Lane / Delph Lane is now allocated for Housing Development (site H24) rather than designated as a Primarily Industrial Area and Development Opportunity Site. No further modification is, therefore, required in response to this objection.

Mixed Uses

5.49 I have dealt with the issue of mixed uses at the outset of this chapter when considering general objections (C00872). For the reasons set out there I do not consider that Policy EC3 should acknowledge that sites such as Prescott Trade Centre are capable of mixed use.

Hotel Uses

5.50 The Council proposes (PIC/5/17) to remove reference to hotels in paragraph 5.17. I agree with this proposed change and consider the Plan should be modified accordingly.

Recommendation

- R5.6
- i) The Plan be modified in accordance with PIC/5/17.
 - ii) No further modification be made to the Plan in response to these objections.

POLICY EC4: PROVISION OF SITES AND PREMISES FOR EMPLOYMENT DEVELOPMENT

Objections to 1st Deposit Draft

R0018/C0423	Peel Holdings Ltd
R0018/C00424	Peel Holdings Ltd
R0392/C00227	Liverpool City Council
R0071/C00142	Whiston Town Council
R0406/C00007	Lamont
R0210/C00073	Acorn Venture Urban Farm

Objections to 2nd Deposit Draft

R009/C00630	Highways Agency – NW Network Strategy
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Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0561/C00335	Ford Motor Company Ltd
R0015/C00205	Environment Agency
R0015/C00206	Environment Agency

Key Issues

- i) Land required for junction works associated with the development of Liverpool John Lennon Airport should be safeguarded [C00423, C00424, C00227].
- ii) The nature conservation interest of Roscoe’s Wood should be safeguarded from development [C00142].
- iii) Land East of Roscoe’s Wood should not be designated for employment development but rather for a broader range of uses including warehousing, leisure, hotel, motel or - preferably - housing [C00007].
- iv) The Acorn Venture Urban Farm should be designated as Urban Greenspace rather than as a Primarily Industrial Area and land to the north of the farm also have this designation rather than being allocated for Employment Development (sites E14 and E15) [C00073].
- v) There should be a link between Policy EC4 (now Policy EC2A) and Policy T8 [C00630].
- vi) The site referred to as the Ford / Jaguar Expansion Land should be re-named [C00335].

- vii) Site E21 (Overbrook Lane South) and Site E16 (Overbrook Lane North) should be deleted from Policy EC4 because of their liability to flood [C00205, C00206].

Inspector’s reasoning

Safeguarding of Land

- 5.51 I consider the issue of whether land should be safeguarded for junction works associated with the development of Liverpool John Lennon Airport when dealing with objections [C00420] to Policy EC1. For the reasons set out there I do not consider that this land should be safeguarded in the Plan.

Nature conservation interests of Roscoe’s Wood

- 5.52 Almost 8ha of land to the east of Roscoe’s Wood is allocated for employment purposes. Roscoe’s Wood itself lies to the west of the site. Part of the allocated employment site is designated as a Site of Biological Interest. This designation will ensure that the nature conservation interests of the land are safeguarded in any development of the site. I do not, therefore, consider that the Plan needs to be modified to give further protection to the nature conservation interests of Roscoe’s Wood.

Land east of Roscoe’s Wood

- 5.53 I have dealt with this issue when considering objections to Policy EC2A (C00745). For the reasons set out there I do not consider that the Plan need be modified in response to this objection.

Acorn Venture Urban Farm

- 5.54 The main buildings at Acorn Venture Urban Farm are located within the Knowsley Industrial Park, a large, well established industrial area. It is logical, therefore, that this property be designated as being within a Primarily Industrial Area.
- 5.55 To the north of these buildings is land owned by the Council and leased by the Farm for grazing and other purposes. This land is a natural and obvious extension to the Industrial Park being contained within the strong boundary provided by North Perimeter Road, having excellent road links and being close to the rail terminal. The Council has, therefore allocated this land for Employment Development (sites E14 and E15).
- 5.56 Like the Council I acknowledge that the Venture Farm provides a valuable service for all sectors of the community and accept that the development of sites E14 and E15 is likely to harm open views and increase noise levels in the area. However, there is an undisputed need for further employment land in the Borough and sites E14 and E15 are, I consider, suitable for this purpose. To my mind the need for more employment land outweighs the benefits of retaining the land in its current use.

5.57 In coming to this view I have taken into account the fact that discussions have taken place between the Council and Acorn Venture Urban Farm with a view to finding suitable alternative premises. For all of the above reasons I do not consider that Acorn Venture Urban Farm and adjacent land should be designated as Urban Greenspace.

Policy Links

5.58 The Council proposes (NAC/5/13) to include a Policy Link making clear that Policy T8 is of relevance when considering Policy EC2A. In the interest of clarity I consider that this Policy Link should be inserted at the end of paragraph 5.7M and the references to EC2 in the heading to that paragraph and in the paragraph itself should be changed to EC2A.

Re-naming of the Ford / Jaguar Expansion Land

5.59 I have dealt with this issue when considering objections to Policy EC2A (C00875). The Plan needs, therefore, no further modification in response to this objection.

Site E21 (Overbrook Lane South) and Site E16 (Overbrook Lane North)

5.60 Planning permission has been granted for employment uses on these two sites with appropriate measures in place to deal with flooding issues. The sites have now been developed. In the Revised Deposit Draft of the Plan Policy EC4 has been deleted and these sites are not included in the list of new employment sites set out in Policy EC2A. The Plan needs, therefore, no further modification in response to these objections.

Recommendation

- R5.7
- i) The Plan be modified in accordance with NAC/5/13. The Policy Link referred to in NAC/5/13 should be inserted at the end of paragraph 5.7M and the references to EC2 in the heading to that paragraph and in the paragraph itself should be changed to EC2A.
 - ii) No further modification be made to the Plan in response to these objections.

POLICY EC5: KINGS BUSINESS PARK

Objections to 1st Deposit Draft

R0226/C00372 Merseytravel

Objections to 2nd Deposit Draft

R0019/C00734 Northwest Development Agency
R0095/C00820 Government Office for the North West

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0097/C00466

Northwest Development Agency

Key Issues

- i) Policy EC5 should make reference to public transport provision [C00372].
- ii) The title to Policy EC5 (and the Proposals map) should make clear that Kings Business Park is a Regional Investment Site [C00734, C00466].
- iii) The Plan should set out why Kings Business Park is allocated as a Regional Investment Site [C00820].

Inspector’s reasoning

Public Transport

5.61 The Plan now includes reference to Policy T6 (Ensuring a choice of travel) in the Policy Links section of Policy EC5. The Plan needs, therefore, no further modification in response to this objection.

Kings Business Park - title

5.62 The title to Policy EC5 as now proposed by the Council (PIC/5/19) makes clear that Kings Business Park is a Regional Investment Site. In the interests of consistency the same title should be used in the legend to the Proposals Map.

Kings Business Park – reasons

5.63 The Council now proposes (PIC/5/20) to set out the reasons why Kings Business Park has been allocated as a Regional Site. The Plan needs, therefore, no further modification in response to this objection.

Recommendation

- R5.8
- i) The Plan be modified in accordance with PIC/5/19 and on the Legend to the Proposals Map the words “*Regional Investment Site*” be inserted before the words “*Kings Business Park*”.
 - ii) The Plan be modified in accordance with PIC/5/20.
 - iii) No further modification be made to the Plan in response to these objections.

POLICY EC6: SOUTH PRESCOT ACTION AREA

Objections to 1st Deposit Draft

R0263/C00490	United Utilities Property Solutions Ltd
R0515/C00225	Hampson
R0521/C00241	The Occupant
R0522/C00243	McGhie
R0537/C00265	Staddon
R0539/C00273	Brown
R0540/C00275	Sutch
R0541/C00277	Gillitler
R0542/C00278	Jackson
R0543/C00281	Harrison
R0544/C00283	Davies
R0546/C00287	Connolly
R0547/C00289	Walsh
R0549/C00293	Prescot Liberal Democrats
R0549/C00294	Prescot Liberal Democrats
R0095/C01465	Government Office for the North West
R0549/C00295	Prescot Liberal Democrats

Objections to 2nd Deposit Draft

R0549/C00943	Prescot Liberal Democrats
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Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0009/C00631	Highways Agency – NW Network Strategy
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Key Issues

- i) Policy EC6 should not identify acceptable land uses, this should be done through a master planning exercise [C00490].
- ii) Land between Manchester Road, Bridge Road, Station Road and Steley Way should not be used for light industrial purposes [C00225].
- iii) The new link road to serve the South Prescot Action Area should be deleted from the Plan [C00241, C00243, C00265, C00273, C00275, C00277, C00278, C00281, C00283, C00287, C00289, C00293, C00294].
- iv) Reference to leisure uses in South Prescot Action Area, and to the relocation of Prescot Leisure Centre to that area, should be deleted [C01465, C00295, C00943].

- v) Reference should be made to Policy T8 Transport Assessments [C00631].

Inspector’s reasoning

Land uses within South Prescott Action Area

- 5.64 The objector considers that the delivery of uses beneficial to the community such as sports and recreation uses should be linked to the provision of uses that bring economic benefits. This is particularly so on sites such as the former Prescott Wastewater Treatment Works where there are costs associated with bringing contaminated land into use.
- 5.65 It appears to me, however, that the land uses in the South Prescott Action area have been fixed with a fair degree of certainty. The evidence before me is that planning permission has been granted solely for housing in Area C of the Action Area and that remediation works in Area A are well advanced with a view to developing new industrial units. The new road serving the Action Area has also been built across part of the former Wastewater Treatment Works.
- 5.66 The Plan indicates that recreation and other similar uses would be appropriate within Area B of the Action Area (the northern part of the former Prescott Wastewater Treatment Works). I agree as this would provide a softer urban edge on land that adjoins the Green Belt.
- 5.67 With all these points in mind I do not consider that the specification of land uses within the South Prescott Action Area need await the preparation of a Master Plan and that this is a matter that is appropriately dealt with in Policy EC6. The Plan needs, therefore, no modification in response to this objection.

Land between Manchester Road, Bridge Road, Station Road and Steley Way

- 5.68 Planning permission solely for residential use has been granted on land between Manchester Road, Bridge Road, Station Road and Steley Way and groundworks in connection with this have commenced. It is highly unlikely, therefore, that the area as a whole will be developed for light industrial use or that the traffic problems envisaged by the objector will come about. However, light industrial uses are, by definition, capable of being carried out in residential areas. Strictly speaking, therefore, there is no need to delete them from the list of suitable uses identified in Policy EC6. The Plan needs, therefore, no modification in response to this objection.

New link road to serve the South Prescott Action Area

- 5.69 These objections have been overtaken by events. The new road to provide improved access from the M57 to the South Prescott Action Area has now been built. I do not, therefore, consider that the Plan should be modified to delete reference to this road.

Leisure uses in South Prescot Action Area

5.70 I consider the issue of whether it would be appropriate to relocate the Prescot Leisure Centre to the South Prescot Action Area earlier in this chapter when dealing with objections to Policy EC1A [C01077]. For the reasons set out there I conclude that this relocation is unlikely to take place and I agree to various changes proposed by the Council to delete reference to it and to the possibility of leisure uses generally being located in the Action Area. No further modifications to the Plan are, therefore, needed in response to these objections.

Reference to Policy T8 Transport Assessments

5.71 The Council now proposes (NAC/5/19) to refer to Policy T8 Transport Assessments in the Policy Links to Policy EC6. I agree that this would be a sensible approach.

Recommendation

- R5.9 i) The Plan be modified in accordance with NAC/5/19.
- ii) No further modification to the Plan in response to these objections.

POLICY EC7: TOURISM AND CULTURAL DEVELOPMENT

Objections to 1st Deposit Draft

R0018/C00425	Peel Holdings Ltd
R0226/C00375	Merseytravel

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The Plan should stress the opportunities that exist to develop international tourism through Liverpool John Lennon Airport [C00425].
- ii) Policy EC7 should state that significant tourism and cultural development will only be promoted at locations easily accessible to public transport and other sustainable travel modes.

Inspector’s reasoning

International tourism

5.72 Paragraph 5.35 of the Revised Deposit Draft of the Plan refers to the opportunities that exist to develop international tourism through Liverpool John Lennon Airport. The Plan needs, therefore, no modification in response to this objection.

Accessibility by public transport

5.73 The Plan specifies that there is a link between Policy EC7, which deals with Tourism and Cultural development and Policy T5 which deals with the location of major traffic generating new development. In the Revised Deposit Draft Policy T5 makes clear that new development which generates major amounts of traffic, a category that includes major tourism developments and cultural uses such as museums, should be, or be capable of being, located within safe and convenient walking distance of stations, stops or interchanges on passenger rail, bus or tram networks. I do not consider it is necessary to repeat this advice in Policy EC7 itself. No further modifications to the Plan are needed in this respect.

Recommendation

R5.10 No modification be made to the Plan in response to these objections.

CHAPTER 6 – TOWN CENTRES AND SHOPPING

GENERAL MATTERS

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0660/C00802 Knowsley Primary Care Trust (PCT)

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) Health services should be identified as suitable town centre land uses.

Inspector’s reasoning

6.1 Doctors’ surgeries and other health services are commonly located in town centres and are, the Council accepts, suitable land uses in such locations. The Council now proposes (PIC/6/1) to refer to health in the list of typical town centre land uses set out paragraph 6.1 of the supporting text. I agree that this is a sensible approach.

Recommendation

R6.1. The Plan be modified in accordance with PIC/6/1.

PARAGRAPH 6.1

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0253/C00805 Knowsley Health Partnership

Key Issue

- i) References to “tanning salons” should be deleted.

Inspector’s reasoning

6.2 The Council now accepts (PIC/6/1) that it is unnecessary to refer to “tanning salons” in the list of uses typically located in town centres. I agree. Such reference adds little to what is not intended to be an exhaustive list of town centre uses.

Recommendation

R6.2 The Plan be modified in accordance with PIC/6/1.

POLICY S1: RETAIL AND TOWN CENTRE DEVELOPMENT STRATEGY

Objections to 1st Deposit Draft

R0327/C00156 The Brookhouse Group
R0576/C00471 Asda Stores Ltd

Objections to 2nd Deposit Draft

R0660/C00803 Knowsley Primary Care Trust (PCT)

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Policy S1 should refer to improving the retention of retail expenditure within the Borough [C00156].
- ii) There is no longer a justification for referring to an identified need for convenience retail floorspace in the Borough [C00471].
- iii) Health services should be identified as suitable town centre land uses [C00803].

Inspector’s reasoning

Retention of retail expenditure

- 6.3 I deal with the issue of whether the Plan should specifically aim to retain retail expenditure on the Borough when considering objections to Chapter 3 [C00158]. For the reasons set out there I conclude that this would not be justified. These reasons also apply to the proposal that the wording of Policy S1 should specifically refer to improving the retention of retail expenditure in the Borough.
- 6.4 I consider that Policy S1 as now worded, with its reference to the provision of shops and other suitable uses in the existing town centres and the emphasis it gives to reducing the need for Knowsley residents to have to travel to other centres outside the Borough, provides adequate encouragement to the provision of new shopping facilities. The Plan needs, therefore, no further modification in this respect.

Identified need for convenience retail floorspace

- 6.5 The Plan identifies a need for additional food shopping floorspace in Kirkby Town Centre. The objector, having developed a new foodstore in Huyton, disputes this but provides no evidence in support of its contention.
- 6.6 The Council’s position, which is based on the findings of its Town Centre and Shopping Study (CD112) is that there is a need for up to 9,000 square metres gross floorspace for food retailing in Kirkby Town Centre in order to ensure the continued vitality and viability of that centre and that this need will be kept under review to inform decisions on individual planning applications. On the information available to me this appears to me to be a sensible approach. I see no reason, therefore, to modify the Plan in response to this objection.

Health services

- 6.7 The Council now proposes (PIC/6/1) to include health services in the list of land uses suitable for town centres. I see little merit in repeating this information in Policy S1.

Recommendation

- R6.3 No modification be made to the Plan in response to these objections.

POLICY S2: DIVERSIFICATION OF USES WITHIN TOWN AND DISTRICT CENTRES

Objections to 1st Deposit Draft

R0226/C00376
R0550/C00298

Merseytravel
United Utilities, External Planning Liaison

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Reference should be made to the role of public transport and sustainable modes of travel in assisting the diversification of uses within town and district centres [C00376].
- ii) Reference should be made to the fitting of sewer grease / fat traps [C00298].

Inspector’s reasoning

Public Transport / sustainable modes of travel

6.8 The Plan is intended to be read as a whole. Chapter 7 of the Plan deals with Transport and stresses the importance of public transport and sustainable modes of transport when considering all forms of development. I see no necessity to repeat these points when dealing with the diversification of uses within town and district centres.

Sewer grease / fat traps

6.9 Grease and fat discharged from restaurants, cafes, takeaways and the like can congeal and block sewers thus leading to foul water flooding. It is therefore good practice to fit sewer grease/fat traps but the installation of these is covered by separate legislation beyond the scope of planning and enforcement powers. There is little merit, therefore, in referring to this matter in the Plan.

Recommendation

R6.4 No modification be made to the Plan in response to these objections.

POLICY S4: KIRKBY TOWN CENTRE ACTION AREA

Objections to 1st Deposit Draft

R0226/C00377	Merseytravel
R0576/C00472	Asda Stores Ltd
R0226/C00378	Merseytravel

Objections to 2nd Deposit Draft

R0549/C00663 Prescott Liberal Democrats

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Reference should be made to the new bus station in Kirkby Town Centre and its interchange facilities to the proposed tram network [C00377].
- ii) There is no longer a need for a major new foodstore in the Borough [C00472].
- iii) The implementation period for the Merseytram Line 1 scheme should read 2005-2007 not 2005-2006 [C00378].
- iv) The Swimming Pool and Municipal Buildings at Kirkby Town Centre should not be included within the area of the Kirkby Town Centre Action Area [C00663].

Inspector’s reasoning

Bus station at Kirkby

6.10 In the Revised Deposit Draft of the Plan policy S4 refers to improvements to Kirkby bus station and public interchange facilities. The Plan needs, therefore, no modification in response to this objection.

Need for new foodstore

6.11 I deal with the issue of whether, following the construction of a new foodstore in Huyton, there is an identified need for new convenience shopping floorspace in the Borough when considering objections to Policy S1 [C00471]. For the reasons set out there I consider the approach taken in the Plan, which includes the provision of a major new foodstore in Kirkby to be a sensible one. I do not, therefore, consider that the Plan should be modified to exclude this scheme.

Implementation dates

6.12 The Plan now correctly refers to the implementation period of the Merseytram Line 1 as taking place over the period 2005-2007 and needs no further modification in this respect.

Swimming Pool and Municipal Buildings

6.13 A new leisure centre and swimming pool for Kirkby is expected to be completed in 2007 whereupon there will be no need to retain the facilities at the existing Swimming Pool.

- 6.14 Including these buildings within the boundaries of the Action Area simply maximises the potential and opportunities for the regeneration of the Town Centre. It does not necessarily mean that they will be demolished but simply enables a comprehensive approach to be taken to the provision of a better quality urban environment in the town centre.
- 6.15 It is possible that the regeneration of Kirkby Town Centre will be the subject of an Action Area Plan prepared as part of the Local Development Framework for the Borough. Such a plan would be the subject of public consultation. I do not consider that it would be prudent to rule out the possibility of the Swimming Pool and the Municipal Buildings forming part of the regeneration of the town centre. I do not, therefore, consider that the Plan should be modified to remove these buildings from the Action Area boundary.

Recommendation

R6.5 No modification be made to the Plan in response to these objections.

POLICY S5: PRESCOT TOWN CENTRE

Objections to 1st Deposit Draft

R0327/C00155	The Brookhouse Group
R0327/C00159	The Brookhouse Group
R0518/C00237	Drabble

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Cables Retail Park and Sewell Street should be included within the boundaries of Prescott Town Centre as shown on the Proposals Map [C00155, C00159].
- ii) The gardens at 18-20 Kemble Street should be omitted from the Development Opportunity Site at Sewell Street / Kemble Street [C00237].

Inspector’s reasoning

Cables Retail Park and Sewell Street

- 6.16 Prescott Town Centre as defined in the Plan is separated from Cables Retail Park by Sewell Street. The Plan seeks to promote better links between the Centre and the Retail Park by identifying land to the east of Sewell Street as a Development Opportunity Site wherein a mix of uses, including retail, would be permitted.
- 6.17 Nonetheless, the Council regards the Town Centre and Cables Retail Park as separate entities with the latter being designated as an edge of centre site. To include this Retail Park and Sewell Street in the Town Centre as suggested by the objector would practically double the size of that centre.
- 6.18 Like the Council I do not consider there to be any support in the Regional Spatial Strategy (RPG13) for such a major increase in the size of Prescott Town Centre, an increase which would result in a shift in the distribution or balance between shopping centres in the Merseyside area.
- 6.19 This is a matter I deal with in Chapter 3 when considering whether the Plan should seek to retain a greater part of the shopping expenditure within the Borough [C00158]. For the reasons set out there I do not consider this approach is justified and it follows from this that I do not support the increase in the size of Prescott Town Centre proposed by the objector.

18- 20 Kemble Street

- 6.20 When seen on plan it appears logical to include the gardens to the rear of 18-20 Kemble Street within the Development Opportunity Site for the area. As the name of the designation indicated this simply creates the opportunity for development – it does not mean that it must be developed.
- 6.21 This designation does not preclude the owners of this land from choosing to retain it as garden land or as land with potential for the provision of off-road parking if they so choose. Nor does it preclude the possibility of a scheme being put forward by a developer that allows these gardens to remain and the Council has indicated that it has received a planning application for such a scheme.
- 6.22 In the interest of flexibility, however, I consider these gardens should remain within the designated Development Opportunity Site as they leave open the option of making maximum use of this previously developed land. I do not, therefore, consider the Plan should be modified in response to this objection.

Recommendation

- R6.6 No modification be made to the Plan in response to these objections.

POLICY S8: LOCATION OF DEVELOPMENT FOR TOWN CENTRE USES

Objections to 1st Deposit Draft

R0327/C00154 The Brookhouse Group

Objections to 2nd Deposit Draft

R0095/C00821 Government Office for the North West
R0095/C00933 Government Office for the North West
R0095/C00934 Government Office for the North West
R0095/C00935 Government Office for the North West

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0619/C00661 WM Morrison Supermarkets PLC
R0487/C00168 Tesco Stores Ltd
R0487/C00169 Tesco Stores Ltd
R0487/C00170 Tesco Stores Ltd

Key Issues

- i) Policy S8 should take account of the extent to which proposals for out of centre retail sites would assist in retaining retail expenditure within the Borough [C00154].
- ii) There should be no reference in Policy S8 to retail development within town centres being required to demonstrate quantitative and qualitative need [C00821, C00661].
- iii) References to out of centre locations in Policy S8 should be deleted or justified [C00933].
- iv) References in Policy S8 to sites being accessible by a choice of a means of transport should be strengthened [C00934].
- v) Policy S8 should include reference to the impact of schemes for town centre uses on travel patterns [C00935].
- vi) The title of Policy S8 should accurately reflect its purpose [C00168].
- vii) Reference should be made to 200-300 metres in paragraph 6.45 of the supporting text [C00169].
- viii) Reference to a Retail Impact Assessment being required for all schemes smaller than 2,500 square metres should be deleted from paragraph 6.47 of the supporting text [C00170].

Inspector’s reasoning

Retaining retail expenditure in the Borough

6.23 I deal with in Chapter 3 with the issue of whether the Plan should seek to retain a greater part of the shopping expenditure within the Borough [C00158]. For the reasons set out there I do not consider this approach is justified. It follows from this that I do not consider that there is a need for Policy S8 to explicitly take into account the extent to which proposals for out of centre retail sites would assist in retaining retail expenditure within the Borough.

Quantitative and qualitative need

6.24 The Council now accepts (PIC/6/11) that Policy S8 should be worded in such a manner that it makes clear that when considering proposals for town centre uses in existing centres, there is no requirement to demonstrate quantitative and qualitative need. Such an approach is consistent with advice in PPS6 (CD27) and the Plan needs no further modification in this respect.

Delete or justify reference to out of centre locations

6.25 Policy S8, when read as a whole, sets out the sequential approach whereby town centre uses are located on out of centre sites only when suitable sites are not available in town, district or local centres or on edge of centre sites. In such a context I do not consider there is a need to either delete or justify the reference to out of centre sites in Policy S8.

Accessibility of sites

6.26 The Council has now strengthened the wording of Policy S8 (PIC/6/11) to make it clear that sites being developed for town centre uses must, before their completion, be accessible by a choice of means of transport. In the light of this I do not consider any further modifications to the Plan are warranted.

Impact on travel patterns

6.27 Policy S8 does not refer explicitly to the effect of development on travel patterns. However, the Plan is intended to be read as a whole and paragraph 6.47 of the supporting text draws attention to the relevance of policies in the Transport Chapter of the Plan amongst which is Policy T8 which requires the preparation of Transport Assessments for a range of town centre uses. I see little to be gained by repeating this requirement in Policy S8.

Other issues

6.28 In the Revised Deposit Draft the title of Policy S8 makes clear that it deals with the location of Town Centre uses; paragraph 6.45 of the supporting text refers to 200 to 300 metres rather than to 250 metres; and paragraph 6.47 of the supporting text no longer requires the submission of a Retail Impact Assessment for all schemes of less than 2,500 square metres. The Plan as now worded, therefore, accurately

reflects both the purpose of Policy S8 and the terms of relevant Government policy on retail matters. The Plan needs, therefore, no further modification in these respects.

Recommendation

- R6.7
- i) That the Plan be modified in accordance with PIC/6/11.
 - ii) No further modifications be made to the Plan in response to these objections.

CHAPTER 7 – TRANSPORT

GENERAL MATTERS

Objections to 1st Deposit Draft

R0018/C00432	Peel Holdings Ltd
R0018/C00430	Peel Holdings Ltd
R0226/C00393	Merseytravel
R0226/C00381	Merseytravel
R0226/C00382	Merseytravel
R0090/C00183	Network Rail
R0210/C00074	Acorn Venture Urban Farm
R0226/C00383	Merseytravel

Objections to 2nd Deposit Draft

R0226/C00645	Merseytravel
R0226/C00646	Merseytravel
R0226/C00647	Merseytravel
R0078/C00848	Lancashire County Council

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The Plan should contain a policy dealing with aerodrome safeguarding [C00432].
- ii) The Plan should have a policy dealing with off-site airport car parking [C00430].
- iii) The Plan should recognise the importance of providing good quality transport in rural and semi-rural parts of the Borough [C00393].
- iv) Paragraph 7.1 should refer to sustainable alternatives to the use of the car [C00381].
- v) The Plan should refer to Liverpool South Parkway [C00382].
- vi) The Plan should refer to the need for a feasibility study in connection with the proposed new rail station at Headbolt Lane, Kirkby [C00183].
- vii) The Rail Freight Terminal on Knowsley Industrial Park should only be expanded on to built up land not on to open countryside [C00074].

- viii) The Plan should refer to the Merseyside Freight Strategy [C00383].
- ix) The role of Merseytravel in the preparation of the Supplementary Planning Document (SPD) on Transport should be acknowledged [C00645].
- x) The Plan should refer to “Quality Contracts” as defined in the Transport Act 2000 [C00646].
- xi) The Plan should give added weight to the Merseyside Walking Strategy [C00647].
- xii) Table 7.1 should relate not only to new schools and hospitals but also to extensions to existing schools and hospitals [C00848].

Inspector’s reasoning

Aerodrome safeguarding

7.1 The Revised Deposit Draft of the Plan contains a policy dealing with aerodrome safeguarding - Policy T12. The Plan needs, therefore, no further modification in response to this objection.

Off-site airport car parking

7.2 The Council proposes (PIC/7/5) to include a full reference to off-site airport car parks in Policy T1. I consider that this is a useful additional point and the Plan should be modified accordingly.

Good quality transport in rural and semi-rural part of the Borough

7.3 The Revised Deposit Draft of the Plan refers at paragraph 7.1 to the importance of good quality transport in rural and semi-rural parts of the Borough. No modification to the Plan is, therefore, needed.

Sustainable alternatives

7.4 The Revised Deposit Draft of the Plan refers at paragraph 7.1 to sustainable alternatives to the use of the car. No modification to the Plan is, therefore, needed.

Liverpool South Parkway

7.5 The Revised Deposit Draft of the Plan refers at paragraph 7.8 to Liverpool South Parkway. No modification to the Plan is, therefore, needed.

Feasibility Study

7.6 The Revised Deposit Draft of the Plan includes reference at paragraph 7.16 to the need for a feasibility study in connection with the proposed new rail station at Headbolt Lane, Kirkby. No modification to the Plan is, therefore, needed.

Rail Freight Terminal on Knowsley Industrial Park

7.7 The Plan does not actually state where any expansion of the Rail Freight terminal on Knowsley Industrial Park would take place. The Council

confirms in evidence, however, that such an expansion would most likely take place on land identified as being allocated for employment purposes in the vicinity (sites E7, E14 and E15 on the Proposals Map). Part of this land is leased by the objector from the Council and used for grazing in association with the nearby farm.

- 7.8 Like the Council I have sympathy with the aims of the community farm which performs a useful role in the area. However, the expansion of the Rail Freight Terminal would open up the possibility of a range of occupiers on Knowsley Industrial Park making use of rail rather than road links. This would have significant economic and environmental benefits. That being so I do not consider it would be appropriate to preclude the use of what is now grazing land as a possible site for the expansion of the Rail Freight Terminal. I do not, therefore, consider that the Plan should be modified in response to this objection.

Merseyside Freight Strategy

- 7.9 The Revised Deposit Draft of the Plan refers at paragraph 7.5 to the Merseyside Freight Strategy. No modification to the Plan is, therefore, needed.

Role of Merseytravel in the preparation of a SPD on Transport

- 7.10 The Council no longer proposes (PIC/7/1) to give details of the process by which the Supplementary Planning Document on Transport will be prepared. I agree that such detail is unnecessary. The Plan does not, therefore, need to be modified to refer to the role of Merseytravel in the preparation of such documents.

Quality Contracts

- 7.11 The Revised Deposit Draft of the Plan refers to “Quality Bus Partnerships” at paragraph 7.3. No modification to the Plan is, therefore, needed.

Merseyside Walking Strategy

- 7.12 The Revised Deposit Draft of the Plan refers at paragraph 7.6 to the Merseyside Walking Strategy. No modification to the Plan is, therefore, needed.

Schools and hospitals

- 7.13 Table 7.1 makes clear that it applies not simply to new schools and hospitals but also to significant extensions to these. The objector is concerned that existing schools and hospitals often have severe parking problems and even small extensions can exacerbate these. In such circumstances, however, I do not see why even a small extension could not be construed as being significant in parking terms and thus come within the scope of Policy T5. The Plan needs, therefore, no modification in response to this objection.

Recommendation

- R7.1
- i) The Plan be modified to in accordance with PIC/7/1 and PIC/7/5.
 - ii) No further modification be made to the Plan in response to these objections.

PROPOSALS MAP

Objections to 1st Deposit Draft

R0390/C00127 Halton Borough Council

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The Proposals Map should show the line of the new link road from Knowsley Expressway / Speke Road to the former Ditton Sleeper Depot

Inspector’s reasoning

New link road

7.14 The Revised Deposit Draft of the Plan shows the line of the new link road from Knowsley Expressway / Speke Road to the former Ditton Sleeper Depot on the Proposals Map. No modification to the Plan is, therefore, needed.

Recommendation

R7.2 No modification be made to the Plan in response to this objection.

POLICY T1: AN INTEGRATED TRANSPORT SYSTEM

Objections to 1st Deposit Draft

R0018/C00428 Peel Holdings Ltd
R0226/C01471 Merseytravel

Objections to 2nd Deposit Draft

R0226/C00648	Merseytravel
R0018/C00637	Peel Holdings Ltd
R0018/C00639	Peel Holdings Ltd
R0018/C00641	Peel Holdings Ltd
R0027/C00794	Approach 580 SIA

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Policy T1 should refer to possible capacity improvements to the Speke Boulevard corridor which may include a new Eastern Access Road the route of which should be shown on the Proposals Map [C00428, C00637, C00639].
- ii) The Plan should make clear that Liverpool South Parkway will have benefits for the surrounding area [C00648].
- iii) Policy T1 should provide more robust control over the provision of off-site airport car parking [C00641].
- iv) The “Eastern Approaches” should be referred to as “Approach 580 SIA – A580 Corridor Improvement Strategy” [C00794].
- v) Further information should be given as to the public transport programmes and proposals which will affect Knowsley [C01471].

Inspector’s reasoning

Eastern Access Road

7.15 Part 2d) of Policy T1 makes clear that the Council will support new access roads needed to support the expansion of Liverpool John Lennon Airport. Like the Council I consider that this gives sufficient support for the Eastern Access road given that this scheme is at an early stage in its preparation. The Plan needs, therefore, no modification in response to these objections.

Liverpool South Parkway

7.16 The Council proposes (PIC/7/4) to make clear that Liverpool South Parkway will have benefits for the surrounding area. Clearly this is the case. I consider that this is a useful additional point and the Plan should be modified accordingly.

The provision of off-site airport car parking

7.17 The Council proposes (PIC/7/5) to include within Policy T1 the requirement that off-site car parks should be, amongst other things, in accordance with the Airport Surface Access Strategy. This provides the robust degree of control sought by the objector, a degree of control I consider necessary if off-site airport car parks are not to be encouraged. The Plan should be modified accordingly.

Approach 580 SIA–A580 Corridor Improvement Strategy

7.18 The Council proposes (PIC/7/6) that part 2e) of Policy T1 should refer to environmental and highway improvements included within the Approach 580 SIA–A580 Corridor Improvement Strategy. I consider that this is a useful additional point and the Plan should be modified accordingly.

Further information on the public transport programmes and proposals which will affect Knowsley

7.19 Information on the public transport programmes and proposals which will affect Knowsley is set out in the box following paragraph 7.3. The objector suggests that this should include reference to an Improved Public Transport Information Strategy and to increased accessibility. These appear to me, however, to be detailed points that add little to the broad principles of land use planning to which the Plan addresses itself. No modification need be made to the Plan in response to this objection.

Recommendation

- R7.3 i) The Plan be modified in accordance with PIC/7/4, PIC/7/5 and PIC/7/6.
- ii) No further modifications be made to the Plan in response to these objections.

POLICY T2: MERSEYTRAM SYSTEM

Objections to 1st Deposit Draft

R0097/C00468	Northwest Development Agency
R0226/C00384	Merseytravel
R0226/C00385	Merseytravel
R0226/C00386	Merseytravel
R0226/C00387	Merseytravel
R0552/C00578	Delph Residents Action Group

Objections to 2nd Deposit Draft

R0390/C00622	Halton Borough Council
R0019/C00737	North West Development Agency
R0226/C00649	Merseytravel
R0226/C00650	Merseytravel
R0226/C00651	Merseytravel

R0009/C00635	Highways Agency – NW Network Strategy
R0226/C00652	Merseytravel

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0009/C00632	Highways Agency – NW Network Strategy
R0009/C00363	Highways Agency – NW Network Strategy
R0009/C00364	Highways Agency – NW Network Strategy

Key Issues

- i) The Plan should contain a policy that safeguards the line of proposed Merseytram routes [C00468, C00737].
- ii) Various factual inaccuracies in Policy T2 and its explanatory paragraphs should be corrected [C00384, C00385, C00386, C00387].
- iii) The Merseytram route should link Prescott Centre and Prescott Retail Park / Industrial Area with Prescott Heavy Rail Station and be extended to Rainhill village [C00578].
- iv) Policy T2 should make it clear that Merseytram line 3 may be extended to Widnes [C00622].
- v) It is unlikely that the goal of using sustainable local renewable energy sources will be achieved [C00649].
- vi) The Plan should note that the route for Merseytram line 1 has been finalised and the Transport and Works Act Order for this alignment has been made [C00650].
- vii) Paragraph 7.12 should make clear that the further extension of the Merseytram network is subject to feasibility studies and the availability of finance [C00651].
- viii) Paragraph 7.12 should refer to the minimisation of harm to the safe and free flow of traffic [C00652].
- ix) In paragraph 7.14 the word "taken" should be replaced by "undertaken" or "implemented" [C00635].
- x) Junctions on the M57 will be affected by the proposed Merseytram lines. The Plan should ensure that these do not have an unacceptable effect on the free and safe flow of traffic [C00363, C00364].
- xi) The Plan should contain a Policy Link between Policy T2 and Policy T8 [C00632].

Inspector’s reasoning

Safeguarding the line of proposed Merseytram routes

- 7.20 The Council supports the Merseytram scheme but baulks at including a policy that safeguards the line of the proposed routes. It points out that the sponsors of the scheme (Merseytravel) have the necessary powers to acquire all land necessary, it is concerned that such a policy may open the Council up to the risk of Purchase Notices being served on it and it is concerned about the implications of such a policy if, for whatever reason, the Merseytram scheme did not go ahead.
- 7.21 It seems to me that these are plausible reasons for not including the safeguarding policy suggested by the objector. The absence of such a policy would not preclude the Council from involving Merseytravel in negotiations on any planning application affecting the proposed scheme. I do not, therefore, consider that the Plan needs modification in this respect.

Factual Inaccuracies

- 7.22 Policy T2 of the Revised Deposit Draft of the Plan states, as far as I am aware correctly, that Merseytram Line 1 is due for implementation between 2005 and 2007; at paragraph 7.10 the Plan correctly refers to the proposed interchange as Liverpool South Parkway; paragraph 7.11 correctly makes clear that the route for Merseytram Line 1 has been finalised and that there is the possibility of an extension to Headbolt Lane in the future; and, paragraph 7.14 correctly confirms that various Design Guides have been published. The Plan needs, therefore, no modification in response to these objections.

Link between Prescott Centre / Retail Park / Industrial Area and Prescott station and the extension to Rainhill village

- 7.23 In the Revised Deposit Draft of the Plan the Proposals Map makes clear that the route of Merseytram Line 2 runs alongside Prescott rail station and provides the link sought by the objector. The Plan needs, therefore, no modification in this respect. The Local Transport Plan does not show an extension of the tramway to Rainhill village. It would, therefore, be inappropriate to modify the Plan to show such an extension.

Extension of Merseytram network to Widnes

- 7.24 Paragraph 7.12 of the Plan refers to the possibility of further extensions to the Merseytram network. In the absence of any firm proposals to extend the network to Widnes I do not consider that the Plan should be modified to refer specifically to such a prospect.

Goal of using sustainable local renewable energy sources unlikely to be achieved

- 7.25 The Council proposes (PIC/7/9) to modify the Plan to make clear that while the goal of using sustainable renewable energy sources is to be retained these do not have to be locally derived. I consider that this to be a useful clarification and the Plan should be modified accordingly.

Transport and Works Act Order

7.26 The Council proposes (PIC/7/11) to make clear that approval for Merseytram line 1 has been granted under a Transport and Works Act Order. I consider that this to be a useful clarification and the Plan should be modified accordingly

Further extension of the Merseytram network

7.27 Paragraph 7.12 of the Plan makes clear that further extensions to the Merseytram network would be dependent on their feasibility. I see little to be gained by expanding this reference to mention that such extensions would be dependent on the availability of finance. The Plan needs, therefore, no modification in response to this objection.

Minimisation of harm to the safe and free flow of traffic

7.28 Paragraph 7.14 of the Plan states that mitigation measures will ensure that the free flow and safety of the highway network will not be impaired. This implies that any harm, however small, to the free and safe flow of traffic will not be permitted. This sets too high a hurdle. In practice some harm may, on balance, be acceptable. The aim should be to avoid unacceptable harm. The Plan should be modified to make this clear.

Substitution of “taken”

7.29 The Council now proposes (PIC/7/12) to substitute the word “taken” with the word “implementation”. I consider this to be a useful clarification of the Plan which should be modified accordingly.

Effect of Merseytram on M57 junctions

7.30 Merseytram lines will affect junctions on the M57 but the implications of this on highway safety and convenience are matters that have and will be considered as part of Transport Work Act applications associated with these schemes. The Plan needs, therefore, no modification in response to these objections.

Policy Link between T2 and T8.

7.31 The Council now proposes (PIC/7/13) to include a Policy link between Policies T2 and T8. I consider this to be a useful addition to the Plan which should be modified accordingly.

Recommendation

- R7.4
- i) The Plan be modified in accordance with PIC/7/9, PIC/7/11, PIC/7/12 and PIC/7/13.
 - ii) The Plan be modified by deleting the last sentence of paragraph 7.14 and replacing it with the following:

Also mitigation measures will be taken to ensure that unacceptable harm to the free and safe flow of traffic is avoided.

- iii) No further modifications be made to the Plan in response to these objections.

POLICY T3: OTHER PUBLIC TRANSPORT SCHEMES

Objections to 1st Deposit Draft

R0226/C00388 Merseytravel

Objections to 2nd Deposit Draft

R0226/C00653 Merseytravel
R0095/C00822 Government Office for the North West
R0470/C00625 Strategic Rail Authority (SRA)
R0618/C00659 Green

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Reference should be made in the Plan to the proposed Park and Ride Scheme at Headbolt Lane [C00388].
- ii) The Plan should make clear that the potential for a tram route extension to Headbolt Lane is subject to the availability of finance [C00653].
- iii) Part 3 of Policy T3 should refer to all of the criteria in Annex E to PPG13 [C00822].
- iv) The Plan should make clear that the Strategic Rail Authority’s document “New Stations: A Guide for Promoters” has now been published [C00625].
- v) The proposed new railway station at Headbolt Lane will need to provide easy and secure pedestrian access [C00659].

Inspector’s reasoning

Proposed Park and Ride at Headbolt Lane

7.32 The Revised Deposit Draft of the Plan makes clear in Policy T3 that a new Park and Ride scheme is proposed at Headbolt Lane. The Plan needs, therefore, no modification.

Headbolt Lane

7.33 The Plan makes clear at paragraph 7.21 that the proposed new station at Headbolt Lane will be the subject of a feasibility study. This will take into account the availability or otherwise of finance. The Plan does not, therefore, need to be modified to make specific reference to the fact that the scheme is subject to the availability of finance.

Criteria in Annex E to PPG13

7.34 The Council proposes (PIC/7/14) to include reference to all the criteria in Annex E to PPG13. This means that the Plan’s policy guidance on Park and Ride facilities in the Green Belt is consistent with government guidance. I consider this to be relevant additional information and the Plan should be modified accordingly.

“New Stations: A Guide for Promoters”

7.35 The Council proposes (PIC/7/15) to make clear at paragraph 7.16 that the Strategic Rail Authority’s document *New Stations: A Guide for Promoters* has now been published. I consider this to be a useful factual update and the Plan should be modified accordingly.

Pedestrian access to new station at Headbolt Lane

7.36 The Plan is concerned with broad land use principles. Details of the provision of pedestrian access to the new station at Headbolt Lane are a matter to be dealt with at the planning application stage. The Plan does not, therefore, need modification in response to this objection.

Recommendation

- R7.5
- i) The Plan be modified in accordance with PIC/7/14 and PIC/7/15.
 - ii) No further modifications be made to the Plan in response to these objections.

POLICY T4: MAJOR HIGHWAY SCHEMES

Objections to 1st Deposit Draft

R0018/C00435	Peel Holdings Ltd
R0521/C00240	The Occupant
R0522/C00242	McGhie
R0537/C00264	Staddon
R0539/C00272	Brown
R0540/C00274	Sutch
R0541/C00276	Gillitler
R0542/C00279	Jackson
R0543/C00280	Harrison
R0544/C00282	Davies
R0546/C00286	Connolly
R0547/C00288	Walsh

R0574/C00469 Knowles
R0575/C00470 Brown

Objections to 2nd Deposit Draft

R0018/C00638 Peel Holdings Ltd
R0390/C00623 Halton Borough Council

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Policy T4 should refer to proposed road enhancements associated with the development of Liverpool John Lennon Airport [C00435, C00638].
- ii) Reference to the new link road to serve South Prescott Action Area should be deleted [C00240, C00242, C00264, C00272, C00274, C00276, C00279, C00280, C00282, C00286, C00288, C00469, C00470].
- iii) The Proposals Map should show the proposed access road to serve the development at Upton Rocks in Halton Borough [C00623].

Inspector’s reasoning

Road enhancements associated with the development of Liverpool John Lennon Airport

7.37 Details of road enhancements associated with the development of Liverpool John Lennon Airport have yet to be finalised. Consequently I do not consider that the Plan should refer specifically to any such schemes. The Plan needs, therefore, no modification in response to this objection.

The new link road to serve South Prescott Action Area

7.38 Events have moved on since these objections were made. The link road serving the South Prescott Action Area has now been built. Nothing would, therefore, be gained by deleting reference to this road from the Plan. The Plan needs, therefore, no modification in response to these objections.

Road serving Upton Rocks

7.39 The Revised Deposit Draft of the Plan makes clear at paragraph 7.21A that planning permission has been granted for a road serving the Upton Rocks development in Widnes. Only a small portion of this road is in Knowsley and I see little to be gained by showing its route on the

Proposals Map. The Plan needs, therefore, no modification in response to this objection.

Recommendation

R7.6 No modifications be made to the Plan in response to these objections.

POLICY T5: LOCATION OF MAJOR TRAFFIC GENERATING NEW DEVELOPMENT

Objections to 1st Deposit Draft

R0030/C00089	The Stanley Estate and Stud Co
R0030/C00090	The Stanley Estate and Stud Co
R0226/C00389	Merseytravel
R0226/C01472	Merseytravel

Objections to 2nd Deposit Draft

R0226/C00654	Merseytravel
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Objections to Pre-Inquiry Changes

R0478/C01020	Tesco Stores Ltd
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Conditionally Withdrawn Objections

R0478/C00166	Tesco Stores Ltd
R0478/C00171	Tesco Stores Ltd

Key Issues

- i) The requirements of Policy T5 should be relaxed to allow the development of employment sites away from bus stops if they are close to housing and to acknowledge that the cost to the developer of providing for public transport may make a development unviable [C00089, C00090].
- ii) The Plan should indicate that major developments should be within 400m of a bus stop and / or 800m of a tram stop [C00389, C00654].
- iii) The distances to bus stops and or tram stops now given in Policy T5 by way of PIC/7/18 are inflexible, arbitrary and overly restrictive [C01020].
- iv) Policy T5 should make clear that major developments should be or be capable of being located within a safe and convenient walking distance of public transport facilities [C00166, C00171].
- v) The commitment to the provision of good public transport access in Policy T5 should be strengthened [C01472].

Inspector’s reasoning

Relaxation of Policy T5

- 7.40 Policy T5 aims, among other things, to ensure that all major traffic generating proposals are located in a position where they are accessible not just by the car but also by public transport, by bicycle and on foot. This is an important aim which, I consider, would be unacceptably diluted if the fact that an employment site was close to housing meant that it did not need to be close to a bus stop.
- 7.41 The same is true for the suggestion that the requirement that developers enter into a planning agreement to remedy deficiencies in existing access provision be watered down to ensure that this would only be sought if it did not affect the viability of a particular proposal. The Plan needs, therefore, no modification in response to these objections.

Distance to bus stops and / or tram stops.

- 7.42 The Revised Deposit version of the Plan makes clear at paragraph 7.24 that all major new traffic generating proposals should be within 400m of a bus stop and/or 800m of a tram stop and the Council proposes (PIC/7/18) to reiterate this information in Policy T5 itself.
- 7.43 It seems to me that if the Plan is to achieve its aim of ensuring the provision of sustainable forms of development this degree of precision is necessary in the wording of Policy T5. I do not, therefore, regard the reference to the distances to bus stops and tram stops in this policy to be unnecessarily inflexible, arbitrary or overly restrictive.
- 7.44 The Plan needs, therefore, no further modification in response to these objections.

Safe and convenient walking distance

- 7.45 Policy T5 in the Revised Deposit Draft makes clear that major developments should be, or be capable of being, located within a safe and convenient walking distance of public transport facilities. The Plan needs, therefore, no modification in this respect.

Commitment to the provision of good public transport access

- 7.46 The Council proposes (PIC/7/19) to make clear that, where necessary, improvements to the public transport network are made prior to the completion of development. I consider this to be a useful clarification and the Plan should be modified accordingly.

Recommendation

- R7.7 i) The Plan be modified in accordance with PIC/7/18 and PIC/7/19.
- ii) No further modification be made to the Plan in response to these objections.

POLICY T6: ENSURING CHOICE OF TRAVEL TO SERVE NEW DEVELOPMENT

Objections to 1st Deposit Draft

R0226/C00390	Merseytravel
R0226/C01473	Merseytravel
R0226/C01474	Merseytravel

Objections to 2nd Deposit Draft

R0226/C00655	Merseytravel
R0095/C00823	Government Office for the North West

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0078/C00460	Lancashire County Council
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Key Issues

- i) In Policy T6 public transport should be given priority over the provision of car parking facilities [C00390].
- ii) Policy T6 should ensure that all major developments are accessible to those with limited mobility [C00655].
- iii) It is too onerous to require developers to make a contribution to the provision of public transport facilities [C00823].
- iv) The Plan should include parking standards [C00460].
- v) Policy T6 and its explanatory text should refer to pedestrian links to public transport and to developer contributions towards public transport provision [C01473, C01474].

Inspector’s reasoning

The priority given to public transport

7.47 Policy T6 lists a number of matters that are of relevance in ensuring a choice of travel to serve new developments. The fact that public transport is listed after car parking does not imply that it is of a lower priority. The Plan does not, therefore, need modification in response to this objection.

Accessibility for those with limited mobility

7.48 Accessibility for those with limited mobility is clearly a worthwhile aim but, like the Council, I consider that this is to be achieved through access to mainstream public transport rather than relying on special provision. The Plan needs, therefore, no modification in this respect.

Too onerous

7.49 The Council proposes (PIC/7/21) to make clear that contributions from developers towards public transport provision are not simply a requirement but that such an obligation will be negotiated. This approach is consistent with Government advice in Circular 1/97: Planning Obligations. The Plan needs, therefore, no further modification in this respect.

Parking standards

7.50 The Plan would normally be expected to include parking standards. In this instance however I am informed that the Council is in the process of agreeing such standards to be adopted jointly by the five Merseyside Districts. I have no reason to doubt this. In the absence of these agreed standards I accept that it would be premature and potentially confusing to include parking standards in the Plan that may vary from those ultimately adopted. The Plan needs, therefore, no modification in response to this objection. However, I would expect these parking standards to be included within the SPD on Transport which, according to Appendix 3 of the Plan, the Council proposes to prepare.

Pedestrian links to, and developer contributions towards, public transport

7.51 The Revised Deposit Draft of the Plan refers at Policy T6 to the need for pedestrian links to public transport and at paragraph 7.30 to developer contributions towards the provision of public transport. The Plan needs, therefore, no modification.

Recommendation

- R7.8 i) The Plan be modified in accordance with PIC/7/21.
- ii) No further modification be made to the Plan in response to these objections.

POLICY T8: TRANSPORT ASSESSMENTS

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0226/C00656 Merseytravel

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) Policy T8 should take account of the impact of development on the bus network.

Inspector’s reasoning

7.52 The impact of development on the bus network is a relevant consideration and one that the Council proposes (PIC/7/22) to take account of by the insertion of an additional criterion in Policy T8. I consider this to be a useful addition to the Plan which should be modified accordingly.

Recommendation

R7.9 The Plan be modified in accordance with PIC/7/22.

POLICY T9: TRAVEL PLANS

Objections to 1st Deposit Draft

R0226/C00391	Merseytravel
R0226/C01475	Merseytravel
R0226/C01476	Merseytravel

Objections to 2nd Deposit Draft

R0078/C00849	Lancashire County Council
R0226/C00657	Merseytravel
R0226/C00658	Merseytravel

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Policy T9 should refer to hospitals [C00391, C00849].
- ii) Policy T9 should be compatible with the emerging Supplementary Planning Document on Merseyside Transport [C00657].
- iii) The Plan should state that the TravelWise office will be consulted on travel plans [C01475].

- iv) The Plan should refer to the Merseyside TravelWise and Travel Safe Initiatives [C00658, C01476].

Inspector’s reasoning

Hospitals

7.53 Table 7.1 now refers to hospitals. This, when read in conjunction with Policy T9, has the effect of requiring the submission of a travel plan where a new hospital or a significant extension to a hospital is proposed. The Plan needs, therefore, no further modification in response to these objections.

Compatibility with emerging Supplementary Planning Document

7.54 Table 7.1 sets out floorspace thresholds for various land uses. Any proposal at or above those thresholds will be treated as a major traffic generating development. Clearly these thresholds and land uses should be consistent with those contained in the emerging Supplementary Planning Document on Merseyside Transport (SPD).

7.55 This the Council has achieved by deriving a number of thresholds and land uses from Planning Policy Guidance 13: *Transport* (CD45) as it is, rightly in my view, confident that these will be contained in the SPD when it emerges. As for other land uses, the Plan now states that the relevant thresholds will be specified in the SPD. In this way the Plan achieves compatibility with the emerging SPD and needs no further modification in response to this objection.

Consultation on travel plans

7.56 I acknowledge that it would be sensible for the Council to consult TravelWise when travel plans are submitted but this is a procedural matter that need not be referred to in the Plan. No modification to the Plan is, therefore, needed.

Merseyside TravelWise and Travel Safe Initiatives

7.57 It is not made clear to me what benefit there would be in including reference to the Merseyside TravelWise and Travel Safe Initiative in the Plan. I see no reason, therefore, to modify the Plan in response to these objections.

Recommendation

R7.10 No modification be made to the Plan in response to these objections.

POLICY T11: TAXI FACILITIES

Objections to 1st Deposit Draft

R0226/C00392

Merseytravel

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) Policy T11 should encourage the provision of taxis.

Inspector’s reasoning

7.58 Paragraph 7.42 of the Revised Deposit Draft of the Plan explicitly encourages the provision of taxis. The Plan needs, therefore, no further modification in response to this objection.

Recommendation

R7.11 No modification be made to the Plan in response to this objection.

POLICY T12: AERODROME SAFEGUARDING

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0018/C00640 Peel Holdings Ltd

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The Plan should acknowledge that the whole of the Borough falls within Liverpool John Lennon Airport’s 30km wind turbine safeguarding consultation area.

Inspector’s reasoning

7.59 The Council proposes (PIC/7/24) to include reference to the fact that the whole of the Borough falls within Liverpool John Lennon Airport’s 30km wind turbine safeguarding consultation area. I regard this as a useful addition to the Plan which should be modified accordingly.

Recommendation

R7.12 The Plan be modified in accordance with PIC/7/24.

CHAPTER 8 – GREEN BELT AND THE RURAL ECONOMY

GENERAL MATTERS

Objections to 1st Deposit Draft

R0578/C00474 Calvert

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Green Belt Policies should be relaxed to allow village life to be maintained [C00474].

Inspector’s reasoning

Maintaining village life

8.1 Green Belt policies do not prevent infill development within the inset boundaries of the main villages of Cronton and Knowsley. The Knowsley Urban Capacity Study (CD62) identifies sufficient land for housing within the urban area over the plan period; there is, therefore, insufficient justification for the release of Green Belt land for housing on the edge of villages. Policy G5 allows for the diversification of farm enterprises into non-agricultural activities. With all these points in mind I do not consider that the Plan should be modified to relax Green Belt policies.

Recommendation

R8.1 No modification be made to the Plan in response to this objection.

POLICY G1: GREEN BELT BOUNDARIES

Objections to 1st Deposit Draft

R0263/C00491 United Utilities Property Solutions Ltd
R0263/C00492 United Utilities Property Solutions Ltd
R0429/C00026 Hesketh

R0449/C00063	Bennett
R0516/C00235	Taylor Woodrow Developments and George Wimpey Strategy Land
R0531/C00253	Davey
R0532/C00255	Davey
R0535/C00260	Saunders Garden Centre Ltd
R0554/C00312	Weston House Nursery
R0560/C00333	Arrowcroft Northwest Ltd
R0560/C00334	Arrowcroft Northwest Ltd
R0030/C00085	The Stanley Estate and Stud Co
R0508/C00212	BPS Developments Ltd
R0263/C00496	Leyssens/United Utilities Property
R0554/C00313	Weston House Nursery
R0030/C00091	The Stanley Estate and Stud Co
R0018/C00437	Peel Holdings Ltd
R0018/C00525	Peel Holdings Ltd
R0392/C00233	Liverpool City Council

Objections to 2nd Deposit Draft

R0623/C00690	Northern Venture
R0623/C00691	Northern Venture

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Land south of Carr Lane (the former Prescott Waste Water Treatment Works) should be deleted from the Green Belt and included within South Prescott Action Area [C00491].
- ii) Land at Woolton Waste Water Treatment Works should be deleted from the Green Belt and allocated as a sustainable mixed use urban extension [C00492, C00496].
- iii) Land at Higher Road, Halewood should be deleted from the Green Belt and allocated for either residential or commercial development [C00026].
- iv) Land south of Wheatfield Road should be deleted from the Green Belt and developed for housing [C00063].
- v) Land at Whittaker’s Nursery should be deleted from the Green Belt and allocated as a sustainable urban extension [C00235].
- vi) Land between Coney Lane and Wheat Hill Road, Huyton should be deleted from the Green Belt and allocated for residential development [C00253].

- vii) Land at Whitefield Lane, Huyton should be deleted from the Green Belt and allocated for residential development [C00255].
- viii) Land at Saunders Garden Centre should be deleted from the Green Belt and redeveloped for other uses [C00260].
- ix) Land at the former Weston House Nursery should be deleted from the Green Belt and redeveloped with a sustainable mix of uses [C00312, C00313].
- x) Land at the junction of East Lancashire Road and Ormskirk Road, Kirkby should be deleted from the Green Belt and allocated for industrial development [C00333].
- xi) The Walton Farm / Axis site adjacent to the M57, Kirkby should be deleted from the Green Belt to assist in the economic regeneration of the Merseyside area [C00334].
- xii) Land at Home Farm Road, Knowsley Village should be deleted from the Green Belt and allocated for housing [C00085].
- xiii) Land at Bank Lane, Kirkby should be deleted from the Green Belt and allocated for housing [C00690, C00212].
- xiv) The Plan should set an early date for the review of the Green Belt boundary [C00091, C00691].
- xv) The Plan should acknowledge the possibility that Green Belt land will be needed in the construction of strategic transport routes [C00525, C00437].
- xvi) Changes to the Green Belt boundary should be justified in the Plan and shown on the Proposals Map [C00233].

Inspector’s reasoning

Preamble

- 8.2 The majority of the objections to Policy G1 and Policy G2 seek the deletion of sites from the Green Belt with a view to their being developed for housing and / or for industry. Such objections must be considered in the context of advice in Planning Policy Guidance Note 2: *Green Belts* (CD35) which states at paragraph 2.6 that Green Belt boundaries should be altered only exceptionally and that if such an alteration is proposed the Council should have considered the opportunity for development within the urban areas contained by and beyond the Green Belt.
- 8.3 The ability of existing urban areas outside the Green Belt to accommodate housing development is considered in the Urban Capacity Study for Merseyside (CD63). This concludes that there is sufficient capacity on brownfield sites within the urban area to meet the need for housing development over the plan period and beyond without the need to release Green Belt land. This is a matter I consider in chapter 4 of this report when considering objections to the housing policies in the Plan. For the reasons set out there I broadly accept the conclusions of

the Urban Capacity Study, namely that there is no need to release land from the Green Belt in the plan period in order to meet the needs for housing.

- 8.4 The government has, in its response to the Barker Review of Housing Supply signalled its intention to make planning more responsive to the housing market and better able to deliver a variety and choice of housing. This may have implications for the release of Green Belt land but is a matter best considered, initially, as part of the preparation of the emerging Regional Spatial Strategy for the North West. This will enable a comprehensive overview of the need for Green Belt releases to be taken rather than approaching the matter in a piecemeal manner through the preparation of individual unitary development plans.
- 8.5 I see little to be gained, therefore, by seeking to anticipate the policy guidance that will emerge through the publication of the Regional Spatial Strategy by releasing Green Belt land for housing at this time.
- 8.6 The situation regarding employment land is somewhat different. The Council accepts in the Plan (paragraph 8.8A) that the potential need to accommodate land for economic development is more pressing. However, it is common ground that, if Knowsley is looked at in isolation, the lack of brownfield sites is such that any substantial increase in the provision of employment land is likely to involve the release of Green Belt sites.
- 8.7 The same is not true if the situation is looked at in the wider perspective. The Merseyside Green Belt Study has identified a large amount of land available outside the Green Belt in other local planning authorities in Merseyside. That being so I consider that decisions about the strategic release of Green Belt land are matters better dealt with through the emerging Regional Spatial Strategy for the North West. I agree with the Council, therefore, that it would be premature at this time to release significant amounts of land from the Green Belt in the Plan.
- 8.8 It is against this background that I will consider the site specific merits of the objections seeking the deletion of land from the Green Belt.

The former Prescott Waste Water Treatment Works

- 8.9 I have set out above my reasons for concluding that there is insufficient justification for the release of Green Belt land in the plan period. The fact that the former Prescott Waste Water Treatment Works adjoins the South Prescott Action Area, a major regeneration opportunity in the Borough, does not outweigh this conclusion.
- 8.10 This is a sizeable piece of open land outside the main built up area of Prescott. While it is previously developed land it has largely reverted to nature and relates more closely in character and appearance to the urban greenspace to the north than to the built up urban area to the south and west. The existing Green Belt boundary follows the line of the built up area and I see no reason why it would be preferable for it to follow the line of the Prescott Brook.

- 8.11 I do not, therefore, consider that the Plan should be modified to delete this land from the Green Belt and included in the South Prescot Action Area.

Woolton Waste Water Treatment Works

- 8.12 This objection site is a large area (some 29 ha) of open land, on the edge of the urban area. The existing Green Belt boundaries follow clearly recognisable features - Lydiate Lane to the south, a disused railway line to the west and a stream to the north. Little would be gained in this instance by seeking different, arguably more clearly recognisable boundaries.
- 8.13 The objector suggests that the site would form a sustainable urban extension and cites PPG3 (CD36) in support of this. However, PPG2 (CD35) makes clear, at paragraph 32, the presumption that Green Belt boundaries should be altered only exceptionally and that if such an alteration is proposed opportunities for development within the urban area should be considered first. In this instance there is an adequate supply of housing land on sites in the urban area.
- 8.14 There is, therefore, no need to look for sustainable urban extensions on sites in the Green Belt, a point I make in the preamble to my consideration of these objections. Nothing in the case advanced by this objector alters this conclusion. I do not, therefore, consider that the Plan should be modified to delete this site from the Green Belt and allocate it as a sustainable urban extension.

Higher Road, Halewood

- 8.15 The objector considers that when it was drawn the Green Belt boundary on the western edge of the objection site followed an arbitrary line across the middle of a field. Whether or not that was the case this Green Belt boundary now runs along a road alongside a more recently developed housing area. This boundary now follows, therefore, a clearly recognizable feature and needs no alteration in this respect.
- 8.16 The site is small and on its own may not play a strategic role in the Green Belt but this does not warrant its exclusion from Green Belt. Such an argument could be made too often and, if successful, could cumulatively undermine the purposes of including land in the Green Belt.
- 8.17 The land is of poor agricultural quality, infrastructure is in place and its development might lead to some environmental improvements but none of these points have any great bearing on the most important characteristic of the Green Belt which is its openness.
- 8.18 The various points put forward by the objector do not outweigh my general conclusion, set out in the preamble to these objections, that there is insufficient justification at this time for the release of land from the Green Belt. I do not, therefore, consider that the site at Higher Road, Halewood should be deleted from the Green Belt and allocated for either residential or commercial development.

Land south of Wheatfield Road

- 8.19 The fact that this land is no longer required for agricultural purposes and that it is close to existing residential areas does not outweigh my conclusion that, for reasons set out in the preamble to my consideration of these objections, that there is insufficient justification at this time for the release of land from the Green Belt. I do not, therefore, consider that the Plan should be modified to delete land south of Wheatfield Road from the Green Belt and developed for housing.

Land at Whittaker’s Nursery

- 8.20 This large, almost 8ha, site is on the western edge of Prescott. The objector points to the proximity of the site to the core of Prescott, its sustainable location, the fact that the site previously accommodated a larger nursery, the remnants of which are still visible, and the impression that the site is contained within nearby roads and playing fields. For these reasons the objector regards the site as a strong candidate for removal from the Green Belt.
- 8.21 However, regardless of the merits of these arguments, they do not outweigh my conclusion that, for reasons set out in the preamble to my consideration of these objections that there is insufficient justification at this time to release this large, predominantly open area of land from the Green Belt. I do not, therefore, consider that the Plan should be modified to delete land at Whittaker’s Nurseries from the Green Belt and to allocate it as a sustainable urban extension.

Land between Coney Lane and Wheat Hill Road, Huyton

- 8.22 The objector considers that this large, open field alongside the M62 would be a better location for housing than a number of housing sites allocated by the Council in the Plan. However, little information is provided as to the alleged defects of these allocated sites beyond asserting that they involve the loss of valuable open space in the urban area.
- 8.23 Particular mention is made of the Bridgefield Forum site (H1) but the Council points to the provision of alternative provision for sport, recreation and leisure facilities at Halewood Leisure Centre that have resulted from this development. In the Council’s view this has improved the quality of such facilities in the area. I have no reason to doubt this.
- 8.24 I do not, therefore, consider that the Council’s allocation of housing sites in the Plan is fundamentally flawed and needs to be supplemented by the release of Green Belt sites such as the objection site. I have set out in the preamble to my consideration of these objections my reasons for concluding that there is insufficient justification at this time to release land from the Green Belt. Nothing in this objector’s case causes me to alter this conclusion. I do not, therefore consider that the Plan should be modified by deleting this site from the Green Belt and allocating it for housing.

Land at Whitefield Lane, Huyton

- 8.25 This site is a small pocket of land alongside the embankment of the M62 motorway but otherwise divorced from any substantial urban feature. The reasons given for its deletion from the Green Belt are similar to those discussed when considering the previous objection. For the reasons given there I do not consider that the Plan should be modified by deleting this site from Green Belt and allocating it for housing.

Land at Saunders Garden Centre

- 8.26 This 3ha former garden centre site has a derelict appearance but this is not, of itself a reason for deleting it from the Green Belt. I accept that arguably the land relates closely to the urban area of Whiston but it nonetheless forms part of the wider tract of open land which separates that settlement from the nearby settlement of Rainhill and thus helps to prevent the two from merging.
- 8.27 I have set out in the preamble to my consideration of these objections my reasons for concluding that there is insufficient justification at this time to release land from the Green Belt. Nothing in this objector’s case causes me to alter this conclusion. I do not, therefore, consider that the Plan should be modified by deleting this site from the Green Belt and allocating it for housing.

The former Weston House Nursery

- 8.28 This open site is close to the Woolton Waste Water Treatment Works discussed above. This objector proposes a wholesale adjustment to the Green Belt boundary to exclude both sites and other land. The reason given for this is that the Plan should adopt more flexibility when dealing with the Green Belt.
- 8.29 It is of course an established principle that Green Belt boundaries should be altered only exceptionally. I set out in the preamble to my consideration of these objections my reasons for concluding that there is insufficient justification at this time to release land from the Green Belt. Nothing in the objector’s case causes me to alter this conclusion. I do not consider, therefore, that the Plan should be modified to delete this site from the Green Belt and allocate it for a sustainable mix of uses.

Land at the junction of East Lancashire Road and Ormskirk Road, Kirkby

- 8.30 The sole reason given for removing this parcel of land from the Green Belt is that it is surplus to the operational requirements of the utilities company that owns it. I do not regard this as a sufficiently exceptional circumstance to warrant amending the Green Belt boundary. I do not, therefore, consider that the Plan should be modified to delete this site from the Green Belt and to allocate it for industrial development.

The Walton Farm / Axis site

- 8.31 I have set out in the preamble to my consideration of these objections my reasons for concluding that there is insufficient justification at this time for the release of land from the Green Belt. The fact that this site

adjoins a site for Industrial / Business Development allocated in the Liverpool UDP – a site with a significant area of land that is as yet undeveloped – does not override this conclusion. I do not, therefore, consider that the Plan should be modified to delete the Walton Farm / Axis site from the Green Belt to assist in the economic regeneration of Merseyside.

Land at Home Farm Road, Knowsley Village

8.32 This large site consists of attractive, open, flat land which appears to be in active agricultural use. I have set out in the preamble to my consideration of these objections my reasons for concluding that there is insufficient justification at this time for the release of land from the Green Belt. These conclusions apply with full force to this land which plays an important role in maintaining the openness of the Green Belt in this area. I do not, therefore, consider that the Plan should be modified to delete this land from the Green Belt.

Land at Bank Lane, Kirkby

8.33 The objector regards this site as previously developed land on the edge of a settlement that does not contribute to the functions of the Green Belt. Levels on the site, which has previously been used for landfill, have been raised and part of the site has been used in the past as a golf driving range. Nonetheless the site has an entirely open character and when seen from Bank Lane blends well with the open fields beyond. Openness is, of course, an important attribute of Green Belt.

8.34 The fact that Bank Brook, which runs along the northern and western boundaries of the site, could form an alternative Green Belt boundary is not an exceptional circumstance sufficient to warrant removing this site from the Green Belt. I do not, therefore, consider that the Plan should be modified to delete this site from the Green Belt.

Early date for the review of Green Belt boundaries.

8.35 These objectors consider that that the Plan should make clear that following the publication of the new Regional Spatial Strategy for the North West there should be an immediate review of Green Belt boundaries. The Council takes a different approach and now proposes (PIC/8/2) that the Plan should refer to the Merseyside Green Belt Study (Final Report) which concludes that there is no urgent need to review the Green Belt boundary in Merseyside.

8.36 To my mind neither approach is correct as each of them anticipates the outcome of the emerging Regional Spatial Strategy for the North West. That RSS will, it is anticipated, take into account the Government’s response to the *Barker Review of Housing Supply* in which it signalled its intention to make planning more responsive to the housing market and better able to deliver a variety and choice of housing.

8.37 This may, notwithstanding the findings of the Merseyside Green Belt Study, have implications for the release of Green Belt land in Knowsley – it is simply too early to say either that it will or that it will not. I

consider that paragraph 8.6 of the Plan should be reworded to reflect that uncertainty.

Strategic transport routes

8.38 This objection is concerned with the fact that no reference is made in the Plan to the Eastern Access Road serving Liverpool John Lennon Airport, a road that would run through the Green Belt. There is, however, no certainty that this road will be built and I do not consider, therefore, that the Plan should be modified to make reference to it.

Changes to the Green Belt boundary should be justified in the Plan

8.39 Paragraph 8.8C of the Revised Deposit Draft of the Plan sets out the justification for the minor changes to the Green Belt boundary proposed in the Plan. The Proposals Map now identifies these minor changes. I do not, therefore, consider that the Plan needs further modification in response to this objection.

Recommendations

- R8.2 i) The Plan should not be modified in accordance with PIC/8/2.
- ii) Paragraph 8.6 of the Plan should be deleted and replaced with the following text:

Government policy states that Green Belt boundaries, once established, can only be changed in exceptional circumstances. The Regional Spatial Strategy for the North West, 2003 proposed that there should be a strategic study of Green Belt across Merseyside and Halton. This study (The Merseyside Green Belt Study - Final Report) was published in January 2005 and concluded that there was no urgent need to review the Green Belt boundary in Merseyside. Since that time the Government has published its response to the Barker Review of Housing Supply in which it signalled its intention to make planning more responsive to the housing market and better able to deliver a variety and choice of housing. These are matters that, it is anticipated, will be taken into account in the preparation of the new Regional Spatial Strategy for the North West which will determine the scope and timing of any Green Belt Review.

- iii) No further modification be made to the Plan in response to these objections.

POLICY G2: DEVELOPMENT WITHIN THE GREEN BELT

Objections to 1st Deposit Draft

R0167/C00045	Bean
R0263/C00493	United Utilities Property Solutions Ltd
R0439/C00040	Stonston Ltd
R0460/C00098	North End Garage
R0570/C00433	White Moss Horticulture Ltd

Objections to 2nd Deposit Draft

R0095/C00824	Government Office for the North West
R0620/C00662	County Farms, Cheshire County Council
R0622/C00680	Hargreaves
R0095/C00825	Government Office for the North West

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Land at Radshaw Nook / Shrogs Farm should be deleted from the Green Belt and allocated for employment purposes [C00045].
- ii) Land at Woolton Waste Water Treatment Works should be deleted from the Green Belt and allocated as a sustainable mixed use urban extension [C00493].
- iii) Land south of Edenhurst Avenue, Court Hey, Huyton should be deleted from the Green Belt to enable the implementation of housing development [C00040].
- iv) Land at North End Garage should be deleted from the Green Belt [C0098].
- v) Land east of Knowsley Industrial Park should be deleted from the Green Belt [C00433].
- vi) References to small scale composting operations and to examples of very special circumstances should be deleted from the Plan [C00824].
- vii) Land adjacent to Speke Approaches, Halewood should be deleted from the Green Belt and developed to create a more attractive entrance to the nearby Speke Approaches employment site [C00662].
- viii) The former North West Water Works, Norlands Lane, Cronton should either be deleted from the Green Belt or allocated as an Existing Major Developed Site in the Green Belt [C00680].
- ix) The title to paragraph 8.13 contained in the First Deposit Draft of the Plan should be reinstated [C00825].

Inspector’s reasoning

Land at Radshaw Nook / Shrogs Farm

8.40 I set out in the preamble to my consideration of objections to Policy G1 my reasons for concluding that there is insufficient justification for the

release of land from the Green Belt. In coming to this conclusion I have noted that the potential need to accommodate land for economic development is pressing and that if Knowsley is looked at in isolation meeting this need would involve the release of Green Belt sites.

8.41 However, looked at in the wider perspective there is a large amount of land available outside the Green Belt in other authorities in Merseyside. That being so I consider that decisions about the release of Green Belt land are matters better dealt with through the emerging Regional Spatial Strategy for the North West. I agree with the Council, therefore, that it would be premature at this time to release sites such as this objection site from the Green Belt.

8.42 I acknowledge that the site is surrounded by major roads, is no longer viable as an agricultural unit and is in a sustainable location. I do not, however, regard these circumstances as sufficiently exceptional in the context of Knowsley to warrant deleting this land from the Green Belt. I do not, therefore, consider that the Plan should be modified in the manner proposed in this objection.

Land at Woolton Waste Water Treatment Works

8.43 I have dealt with the issue of whether land at Woolton Waste Water Treatment works should be deleted from the Green Belt when considering objections to Policy G1 [C00492]. For the reasons set out there I do not consider that the Plan should be modified in response to this objection.

Land south of Edenhurst Avenue

8.44 I set out in the preamble to my consideration of objections to Policy G1 my reasons for concluding that there is insufficient justification for the release of land from the Green Belt. There is a possibility that the release of 4ha of land at Edenhurst Avenue could fund the provision of upgraded sports facilities but little detail is given in support of this and it does not outweigh my general conclusions on the need to release Green Belt Land.

8.45 The site may have been vandalised and neglected but this is no reason to release land from Green Belt, nor is the fact that the site is bounded by development on two of its three sides. Such arguments could be made too often and, if successful, would cumulatively undermine the purposes of including land in the Green Belt.

8.46 I do not, therefore, consider that the Plan should be modified to delete this site from the Green Belt to enable the implementation of housing development.

Land at North End Garage

8.47 This objection relates to two parcels of land, one is described as “Part North End House Site” the other, some 90m away as the “North End Garage Site”. The objector simply asserts that these sites have been incorrectly designated as Green Belt, the former because it has been a haulage yard since 1952 and the latter because it has been a haulage

yard since 1976 and in 2000 an as yet unimplemented planning permission for 6 houses was granted on it.

8.48 I do not regard these as exceptional circumstances sufficient to warrant the exclusion of these sites from the Green Belt. The Green Belt contains many houses and haulage yards. In this instance the two sites lie beyond the clearly identifiable Green Belt boundary in the vicinity which follows the line of Lydiate Lane. Land to the south and west of Lydiate Lane is built up and screened from the predominantly open countryside to the north and east by a substantial landscape buffer. The objection sites themselves are in the predominantly open countryside.

8.49 I do not, therefore, consider that the Plan should be modified to exclude these sites from the Green Belt.

Land east of Knowsley Industrial Park

8.50 The land east of Knowsley Industrial Park referred to in this objection is outside Knowsley Borough Council’s administrative area. Decisions as to the appropriate status of this land are beyond the remit of Plan which, therefore, needs no modification in response to this objection.

Land adjacent to Speke Approaches, Halewood

8.51 This 1.8 ha site at the junction of the A5300 and the A562 is now cut off from agricultural land to the south by the approach road to the Speke Approaches development. There is the possibility that it will be further affected by the construction of a further road serving the Ditton Strategic Rail Freight Park.

8.52 These factors undoubtedly have, or would have, an effect on the ability of this land to perform its Green Belt purposes. Nonetheless, it is open in character and forms part of the undeveloped wedge of land between Halewood and Hale Bank in the neighbouring Borough of Halton. In the context of my general conclusion, set out in the preamble to my consideration of objections to Policy G1, that there is insufficient justification for the release of Green Belt land at this time I do not consider that the circumstances of this site are sufficiently exceptional to warrant its deletion from the Green Belt at this time.

8.53 I do not, therefore, consider that the Plan should be modified in the manner suggested.

The former North West Water Works, Norlands Lane, Cronton

8.54 This site is a former water treatment works with derelict buildings, old concrete installations and roadways. It is immediately to the south of the M62 with open land and the southern tip of Rainhill in St Helens Borough beyond. In all other directions the site is surrounded by fields. Although the site is brownfield land, for the most part the remaining structures it contains are overgrown and screened from public viewpoints and blend well into the countryside. The site does not, therefore, detract markedly from the openness of the Green Belt.

- 8.55 The relatively small size of this site, it is some 3.6ha in extent, the lack of any substantial buildings or structures on it at present, and the likelihood that any new development here would be both conspicuous and intrusive in this rural setting, mean that it is an unsuitable candidate for allocation as an Existing Major Developed Site in the Green Belt.
- 8.56 Like the Council, I do not consider that there is a need to allocate housing sites outside the urban area. I do not, therefore, agree with the objector that this site, which is in an isolated position and does not adjoin any urban area, should be developed for executive housing.
- 8.57 I set out in the preamble to my consideration of objections to Policy G1 my reasons for concluding that there is insufficient justification at this time for the release of land from the Green Belt. The arguments put forward in this objection do not cause me to alter that conclusion. I do not, therefore, consider that the Plan should be modified to delete this site from the Green Belt, to allocate it as an Existing Major Developed Site in the Green Belt or to allocate it for housing.

Composting operations and examples of very special circumstances

- 8.58 The Council now proposes (PIC/8/5 and PIC/8/7) to delete references to small scale composting operations and to examples of very special circumstances from the Plan. I agree as such references go beyond the advice contained in Planning Policy Guidance 2: *Green Belts* (CD35).

Reinstate title to paragraph 8.13

- 8.59 The Council now proposes (PIC/8/6) to reinstate the original title to paragraph 8.13, It will now be titled ‘Buildings for Outdoor Sport and Recreation’. I agree as this title follows more closely the advice in Planning Policy 2: *Green Belts* (CD35) than did its proposed replacement.

Recommendation

- R8.3 i) The Plan be modified to in accordance with PIC/8/5, PIC/8/6 and PIC/8/7.
- ii) No further modifications be made to the Plan in response to these objections.

POLICY G3: LANDSCAPE CHARACTER AND AMENITIES OF THE GREEN BELT

Objections to 1st Deposit Draft

R0005/C00105
R0016/C00321

English Heritage – NW
Sport England – NW Region

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Paragraph 8.19 of the Plan should include reference to work on the characterisation of the historic landscape being undertaken by the Merseyside Archaeological Service [C00105].
- ii) The Plan should acknowledge that the countryside provides a valuable resource for outdoor sport [C00321].

Inspector’s reasoning

Characterisation of the historic landscape

8.60 Paragraph 8.19 of the Plan simply refers to a landscape character assessment that the Council intends to prepare and sets out in broad terms the scope of related supplementary planning guidance that it may prepare. The paragraph does not go into detail about the content of either document or refer to the studies that they may draw on. I see little purpose, therefore, in including reference to the characterisation of the historic landscape being prepared by the Merseyside Archaeological Service. Consequently, I do not consider that the Plan should be modified in response to this objection.

The countryside as a resource for outdoor recreation

8.61 The Revised Deposit Draft of the Plan acknowledges (paragraphs 8.20 and 8.21) that the countryside is a valuable resource for outdoor sport and recreation and development will be encouraged that increases the awareness and availability of such activities. The Plan needs, therefore, no modification in response to this objection.

Recommendation

R8.4 No modification be made to the Plan in response to these objections.

POLICY G6: EXISTING MAJOR DEVELOPED SITES IN THE GREEN BELT

Objections to 1st Deposit Draft

R0263/C00495

United Utilities Property Solutions Ltd

R0263/C00579	United Utilities Property Solutions Ltd
R0530/C00252	National Grid Company PLC

Objections to 2nd Deposit Draft

R0263/C00724	United Utilities Property Solutions Ltd
R0392/C00853	Liverpool City Council
R0530/C00677	National Grid Company PLC

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Policy G6 should refer to the Woolton Wastewater Treatment Works rather than to the Halewood Sewage Treatment Works [C00495].
- ii) Prescott Water Treatment Works should be designated as an Existing Major Developed Site in the Green Belt [C00579].
- iii) The boundary of the Existing Major Developed Site in the Green Belt at the National Grid Sub Station, Kirkby should be extended [C00252, C00677].
- iv) The proposed boundary changes to the Existing Major Developed Site in the Green Belt at Woolton Wastewater Treatment Works are unjustified [C00724].
- v) The scale of what constitutes an Existing Major Developed Site in the Green Belt should be reconsidered and specific uses, such as housing, should be excluded on such sites [C00853].

Inspector’s reasoning

Woolton Wastewater Treatment Works

8.62 The Revised Deposit Draft of the Plan refers to the Woolton Wastewater Treatment Works rather than to the Halewood Sewage Treatment Works and need, therefore, no further modification in response to this objection.

Prescot Water Treatment Works

8.63 Prescott Water Treatment Works, unlike the Existing Major Developed Sites in the Green Belt designated in the Plan, contains large areas of open land and does not, in my opinion, have substantial buildings or areas of development within it. Its generally open, wooded character makes it an unsuitable candidate for designation as an Existing Major Developed Site in the Green Belt. I do not, therefore, consider that the Plan should be modified in response to this objection.

The National Grid Sub Station, Kirkby

- 8.64 The boundary of the Existing Major Developed Site in the Green Belt at the National Grid Sub Station, Kirkby as shown in the Plan encloses the existing developed area of the site consisting of a large area of tall closely packed items of plant and equipment set on hardstanding and enclosed within a galvanised iron fence. I am satisfied that the defined boundary identifies the present extent of development.
- 8.65 The extension to this boundary proposed by the objector would incorporate the largely open, wooded land between the site as defined and Coopers Lane. This additional land does include a building but is, nonetheless materially different in character and appearance to the operational part of the sub station contained within the galvanised iron fence.
- 8.66 I acknowledge that this land could at some point be required as an extension to the existing facility but note that there are no plans at present to do this. I do not consider that the boundary of this Existing Major Developed Site in the Green Belt should be extended onto undeveloped land simply as a contingency arrangement to meet possible future development needs.
- 8.67 If such a need arises it can be dealt with within the terms of the existing Green Belt policies in the Plan. I do not, therefore, consider that the Plan should be modified in the manner proposed by this objector.

Boundary changes at Woolton Waste Water Treatment Works

- 8.68 Woolton Waste Water Treatment Works is designated as an Existing Major Developed Site in the Green Belt in the adopted UDP. However, the boundaries of the site defined in that Plan included open, undeveloped land between the Treatment Works itself and the dismantled railway line to the west. That land is not included within the boundaries of the designated Existing Major Developed Site in the Green Belt shown in the Plan.
- 8.69 I regard this boundary change as justified as, like the Council, I consider that such sites should be defined in accordance with the present extent of development. I do not, therefore, consider that the Plan should be modified to reinstate the boundary of the Existing Major Developed Site in the Green Belt at Woolton Waste Water Treatment Works as shown in the adopted UDP.

The scale of Existing Major Developed Sites in the Green Belt and the exclusion of housing

- 8.70 The scale of what constitutes an Existing Major Developed Site in the Green Belt has been reconsidered in the Plan which no longer designates Highfield School, Baileys Lane as such a site.
- 8.71 I am satisfied that the other Existing Major Developed Sites in the Green Belt identified in the Plan are sufficiently substantial to warrant that designation. In particular, I am satisfied that the phalanx like assembly of plant and equipment at Kirkby sub station, although relatively

compact in area, is justifiably designated as an Existing Major Developed Site in the Green Belt.

8.72 I see no reason to specify that housing development will not be acceptable on such sites. If such a proposal were made it would be sufficient for it to be assessed in the light of Policy G6 and other relevant policies in the Plan, including Policy H1, which is intended to ensure that there is no significant net under or over provision of housing in the Borough over the plan period.

8.73 I do not, therefore, consider that the Plan should be modified in response to this objection.

Recommendation

R8.5 No modification be made to the Plan in response to these objections.

POLICY G7: CONVERSION OR CHANGE OF USE OF EXISTING BUILDINGS IN THE GREEN BELT

Objections to 1st Deposit Draft

R0030/C00093	The Stanley Estate and Stud Co
R0187/C00483	English Nature (NW Team)
R0187/C00484	English Nature (NW Team)

Objections to 2nd Deposit Draft

R0095/C00827	Government Office for the North West
R0187/C00679	English Nature (NW Team)

Objections to Pre-Inquiry Changes

R0095/C01078	Government Office for the North West
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Conditionally Withdrawn Objections

NONE

Key Issues

- i) Where a farm building is converted in association with farm diversification, criterion k) of Policy G7 should not preclude the construction of further agricultural buildings. Such conversions should not, however, lead to the displacement of existing activities and consequent demand for new buildings [C0093, C00827, C01078].
- ii) The reference to the imposition of conditions should be deleted from paragraph 8.32 and a cross reference to Policy ENV9 inserted [C00483].

- iii) Criterion f) of Policy G7 should be expressed more clearly in a manner that is consistent with policies for species protection. [C00484, C00679]

Inspector’s reasoning

Conversion of existing buildings and the provision of new agricultural buildings

- 8.74 In the First Deposit Draft criterion k) of Policy G7 stated that the conversion or change of use of existing buildings in the Green Belt will be permitted if, amongst other things, *the proposal would not lead to a requirement for a new agricultural building*. Objectors considered this to be unduly onerous. I agree. As was pointed out there could be circumstances in which a new agricultural building would be permissible.
- 8.75 One example would be where a building was redundant for a particular farming activity but that activity was still an integral part of the agricultural business. In that case it would be legitimate to convert the old building and provide a new building, indeed the conversion could fund the replacement building. Alternatively the conversion of a redundant farm building for use in processing a farm product (eg milk into cheese) could create a legitimate demand for additional farm buildings to house dairy livestock.
- 8.76 The fundamental point, however, is that, as Policy G2 establishes, agricultural buildings are not inappropriate development in the Green Belt and are permissible. Policy G7 should not, therefore seek to prevent such buildings.
- 8.77 On the other hand, it should be borne in mind that the conversion of a building could displace an activity which that building was capable of accommodating and thus create a need for a new building. So, for example, an agricultural building in active use could be converted to a farm shop thus creating a need for a new agricultural building. This could lead to the proliferation of buildings in the Green Belt and would, therefore, be undesirable.
- 8.78 In other words, there will be situations in which it is legitimate for conversions of buildings to lead to a need for a new agricultural building and there will be situations where it is not. The Council has sought to deal with this conundrum with modifications to the Plan at the Revised Draft Stage, with Pre-Inquiry Changes (PIC/8/9 and PIC/8/10) and, a further, Non Advertised Change (NAC/8/7).
- 8.79 NAC/8/7 proposes to re-word criterion k) as follows *“The applicant has satisfactorily demonstrated that conversion of the redundant building would not produce displacement of activity and then the requirement for a building that accommodated that activity”* It goes on to state at new criterion l) that *“In the case of a building erected in the last 4 years evidence has been submitted which satisfactorily shows: a) the building was legitimately required for and used for a substantial time for agricultural purposes; and b) the change of use will not generate the need for a replacement structure.”*

- 8.80 It appears to me that, in its modified form, criterion k) seeks, legitimately, to guard against the displacement of uses leading to the requirement for new buildings. I also consider that the first limb of criterion l) seeks, again legitimately, to guard against the possibility of a building being constructed ostensibly for agricultural purposes but not used as such.
- 8.81 The second limb of this criterion, however, seems to me to fall into the trap of assuming that there are no circumstances in which the conversion of a recently erected building could legitimately create a need for a new building. Once again I give the example of the conversion of a redundant farm building – and it is conceivable that a building less than 4 years old could become redundant - for use in processing a farm product (eg milk into cheese) which could create a legitimate demand for additional farm buildings to house dairy livestock.
- 8.82 I consider, therefore, that the Plan should be modified in accordance with NAC/8/7 insofar as it relates to criterion k) and the first limb of criterion l) but not insofar as it relates to the second limb of the criterion l). The Plan should not be modified in accordance with PIC/8/9 and PIC/8/10 as these appear to me to allow for the possibility of the displacement of uses rightly precluded in NAC/8/7.

Imposition of conditions and cross reference to Policy ENV9

- 8.83 Paragraph 8.32 now makes clear that ecological surveys must be submitted before the determination of a planning application rather than being dealt with by condition. I do not, however, consider that the reference to the possibility of conditions being imposed to ensure that satisfactory provision is made for the species in question should be deleted as this is a separate point and is of relevance.
- 8.84 The Policy Links section following paragraph 8.32 already refers to Policy ENV9. No further cross reference is, therefore, needed. For these reasons I do not consider that the Plan needs further modification in response to these objections.

The clarity and consistency of criterion f) of Policy G7

- 8.85 Criterion f) of Policy G7 now clearly requires an investigation to establish the presence of protected species and measures to minimise damage to habitats. This is supplemented by paragraph 8.32 of the explanatory text which establishes that ecological surveys will be required before making a decision on any planning application. It does not, therefore, seem to me that the Plan lacks clarity in this respect.
- 8.86 Policy ENV9 also makes clear that where the presence of protected species is suspected, planning applications should be accompanied by expert survey and specialist advice. I regard this as being consistent with the terms of Policy G7. The Plan needs, therefore, no further modification in response to this objection.

Recommendation

R8.6 i) The Plan be modified in accordance with NAC/8/7 insofar as it relates to criterion k) and the first limb of criterion l) but not insofar as it relates to the second limb of the criterion l). For the avoidance of doubt criterion l) will read:

In the case of a building erected in the last 4 years evidence has been submitted which satisfactorily shows that the building was legitimately required for and used for a substantial time for agricultural purposes.

- ii) The Plan shall not be modified in accordance with PIC/8/9 and PIC/8/10.
- iii) No further modification be made to the Plan in response to these objections.

POLICY G8: ALTERATION, EXTENSION OR REPLACEMENT OF EXISTING DWELLINGS IN THE GREEN BELT

Objections to 1st Deposit Draft

R0187/C00482 English Nature (NW team)

Objections to 2nd Deposit Draft

R0187/C00682 English Nature (NW Team)

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Criterion 2b) of Policy G8 should read the same as criterion f) of Policy G7 and cross reference should be made to Policy ENV9 [C00482].
- ii) Criterion 2b) of Policy G8 should be consistent with Policy ENV9 in ensuring that applications are supported by appropriate surveys and mitigation [C00682].

Inspector’s reasoning

Criterion 2b) of Policy G8 – consistency and cross referencing

8.87 Criterion 2b) of Policy G8 is phrased in the Revised Deposit Draft of the Plan in the same way as criterion f) of Policy G7 and the Policy Links section of Policy G8 refers to Policy ENV9. The Plan needs, therefore, no further modification in response to these objections.

Consistency with species protection policies

8.88 Policy G8 must be read in conjunction with Policy ENV9. Policy ENV9 makes clear that planning applications likely to affect protected, rare or vulnerable species should be supported by expert survey and specialist advice. Nothing in Policy G8 conflicts with that advice which does not need to be repeated in this policy. The Plan needs, therefore, no modification in response to this objection.

Recommendation

R8.7 No modifications be made to the Plan in response to these objections.

POLICY G9: AGRICULTURAL OR EQUESTRIAN DEVELOPMENT

Objections to 1st Deposit Draft

R0030/C00094 The Stanley Estate and Stud Co

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) Policy G9 should not, in effect, state that any proposal involving the overnight accommodation of animals will not be permitted if it involves the need for a new dwelling to be constructed on or near the site [C00094].

Inspector’s reasoning

Need for a new dwelling

- 8.89 Criterion 4 of Policy G9 states that any proposal involving overnight accommodation of animals will be permitted only if, amongst other things, it does not involve the need for a new dwelling on or near the site. This is not consistent with paragraph 8.11 of the Plan which, in accordance with advice in Planning Policy Guidance 2: Green Belts (CD35) and Planning Policy Statement 7; Sustainable Development in Rural Areas (CD28), acknowledges that dwellings for key workers can be acceptable in the Green Belt. Policy G9 should not, therefore, preclude agricultural workers dwellings – a point the Council now accepts.
- 8.90 The Council draws a distinction, however, between agricultural development and equestrian development and points out that while Planning Policy Guidance 2: *Green Belts* makes no reference to the scale of agricultural development, it does indicate that equestrian development in the Green Belt will only be appropriate where it is small scale. This the Council interprets, in a part of Policy G9 to which no objections have been made, as meaning a building not exceeding 65 square metres. The conclusion that the Council draws from this is that such small scale equestrian development will not necessitate a key workers dwelling. I agree.
- 8.91 In the light of all these matters I consider, therefore, that the Council is correct to consider that criterion 4 of Policy G9, the criterion that deals with new dwellings, should be modified to apply only to equestrian developments (NAC/8/11) and that an additional paragraph should be included in the Plan which requires details to be submitted of any new residential accommodation to be provided as a result of agricultural development (NAC/8/12).

Recommendation

- R8.8 The Plan be modified in accordance with NAC/8/11 and NAC/8/12.

GENERAL MATTERS

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0263/C00723 United Utilities Property Solutions Ltd

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) Land at Woolton Wastewater Treatment Works should be deleted from Green Belt [C00723].

Inspector’s reasoning

8.92 I have considered this issue when dealing with objections to Policy G1 (C00492). For the reasons set out there I do not consider that the Plan should be modified to delete land at Woolton Wastewater Treatment Works from the Green Belt.

Recommendation

R8.9 No modification be made to the Plan in response to this objection.

CHAPTER 9: URBAN GREENSPACE, SPORT AND RECREATION

GENERAL COMMENT ON SOME OBJECTIONS

Objections to Pre-Inquiry Changes

R0658/C01086 Donnelly*
R0748/C01094 Cummins*
R0805/C01157 Rowan*
R0658/C01409 Donnelly*
R0748/C01420 Cummins*
R0805/C01452 Rowan*
R0752/C01098 Miney*
R0758/C01104 Hatton*
R0658/C01410 Donnelly*
R0741/C01087 Clarke*
R0745/C01091 Dean*
R0756/C01102 Perry*
R0760/C01107 Molasco*
R0767/C01115 Oliver*
R0769/C01120 Barr*
R0770/C01121 Barr*
R0779/C01130 Orford*
R0780/C01131 Norris*
R0790/C01142 Roscoe*
R0791/C01143 Peers*
R0792/C01144 Fitzgerald*
R0795/C01147 Hyland*
R0800/C01152 Hillier*
R0804/C01156 Snoad*
R0805/C01453 Rowan*
R0808/C01160 Hagan*
R0810/C01162 Kennedy*
R0811/C01163 Mason*
R0813/C01165 Walker*
R0741/C01415 Clarke*
R0745/C01418 Dean*
R0756/C01423 Perry*
R0760/C01424 Molasco*
R0767/C01427 Oliver*
R0770/C01430 Barr*
R0779/C01435 Orford*
R0780/C01436 Norris*
R0792/C01442 Fitzgerald*
R0795/C01446 Hyland*
R0797/C01149 McSween*
R0804/C01451 Snoad*

R0805/C01454 Rowan*

Inspector’s comment

- 9.1 The Pre-Inquiry Changes to this chapter (see list above) attracted a large number of objections critical of the Council’s past performance in protecting and providing sports and recreation facilities and expressing doubt as to whether this performance will improve in the future. In effect these objections are critical of the Council as a provider of leisure facilities rather than the Council as a local planning authority. Comments in a similar vein were made to parts of the Revised Deposit Draft of the Plan.
- 9.2 It is, of course, the Council’s latter role that I am concerned with in this report which, in effect, seeks to determine whether the Plan provides an appropriate land use framework within which planning decisions can be made. It is not the function of this report to inquire into the Council’s past performance as a leisure provider or to comment on its likely future role in this respect. To use a sporting metaphor, the role of this Report is to establish the rules of the game and not to act as a referee in that game.
- 9.3 Whatever their reservations about the past and likely future performance of the Council as a leisure provider these objectors do not fundamentally question the objectives and policies of the Plan. Where they do deal with land use matters, (for example the standards to be adopted in the provision of children’s play space and the decision by the Council to adopt larger catchment areas when considering playing field provision) their concern is rooted primarily in a lack of confidence in the Council rather than in any evidence that what is proposed is unsatisfactory.
- 9.4 One major theme of these objections is their opposition to the relocation of the Prescott Leisure Centre. However, as is established in Chapter 5 when dealing with objections to Policy ECA1 [C01077] and EC6 [C01465, C00295, C00943], I agree with the Council that references to the relocation of this Centre should be deleted from the Plan. In other words this issue is dealt with elsewhere in the Report.
- 9.5 Other than this, when asked what changes they seek the most common response by these objectors is that they want the resignation or removal of officers and members of the Council or that they want the Plan to be scrapped. They do not, in other words, put forward modifications to the Plan that are within my remit. That being so I do not propose to deal with these objections individually. It is sufficient to note that I do not recommend modification to the Plan in respect of any of the objections in this chapter that are marked with an asterisk (*) – which includes those listed above and others at the relevant sections of this chapter.

Recommendation

- R9.1 No modifications be made to the Plan in response to these objections.

POLICY OS1: STRATEGY FOR URBAN GREENSPACE AND SPORT

Objections to 1st Deposit Draft

R0016/C00319	Sport England – NW Region
R0016/C00322	Peterson
R0016/C00323	Peterson

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

R0658/C01411	Donnelly*
R0757/C01103	Wilcock*

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The types of urban greenspace identified in paragraph 9.3 should be consistent with those identified in PPG17 [C00319].
- ii) Different types of urban greenspace should be shown on the Proposals Map [C00322].
- iii) The Urban Greenspace designation should not wash over substantial buildings such as schools [C00323].

Inspector’s reasoning

Types of urban greenspace

9.6 The types of urban greenspace identified in paragraph 9.3 are consistent with those identified in PPG17. The Plan needs, therefore, no further modification in this respect.

Different types of Urban Greenspace shown on Proposals Map

9.7 Like the Council, I consider that the Proposals Map would become overly complex if it were to show the different types of Urban Greenspace. I do not, therefore, consider that the Plan should be modified in this manner.

Urban Greenspace designation and substantial buildings

9.8 Buildings such as schools can form a small but integral part of the Urban Greenspaces they are included within. The inclusion of such buildings does not misrepresent in any significant way the extent of the Urban Greenspaces and little would be achieved by their deletion. I do not, therefore, consider that the Plan should be modified in response to this objection.

Recommendation

R9.2 No modifications be made to the Plan in response to these objections.

POLICY OS2: URBAN GREENSPACE

Objections to 1st Deposit Draft

R0016/C00324	Sport England – NW Region
R0187/C00481	English Nature (NW Team)
R0263/C00497	United Utilities Property Solutions Ltd
R0263/C00502	United Utilities Property Solutions Ltd
R0439/C00041	Stonston Ltd
R0572/C00447	TRB Estates Group Ltd
R0572/C00450	TRB Estates Group Ltd

Objections to 2nd Deposit Draft

R0572/C00961	TRB Estates Group Ltd
R0653/C00777	Draycott*

Objections to Pre-Inquiry Changes

R0256/C01082	The Mersey Forest
R0256/C01010	The Mersey Forest
R0658/C01412	Donnelly*
R0793/C01145	Powell*
R0794/C01146	Rigby*

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Policy OS2 should lay greater emphasis on sport [C00324].
- ii) Policy OS2 should refer to species and habitats protected by law [C00481].
- iii) Land at Prescott Water Treatment Works should not be designated as urban greenspace [C00497].
- iv) Whiston Wastewater Treatment Works should not be designated as urban greenspace [C00502].
- v) Land at Edenhurst Avenue should not be designated as urban greenspace [C00041].
- vi) The Marconi Sports Ground should be designated as Primarily Residential Area, as it is at present, and not as an urban greenspace [C00447, C00961].

- vii) Policy OS2 should refer to standards that reflect the needs of various local communities [C00450].
- viii) Policy OS2 should refer to green infrastructure and to the benefits of the Mersey Forest [C01010, C01082].

Inspector’s reasoning

Emphasis on sport

9.9 Policy OS2, which deals with urban greenspace, makes little mention of sporting facilities. However, the provision and protection of formal sporting facilities is dealt with in Policies OS1 and OS4 while Policy OS3 deals with the provision and protection of less formal facilities such as kick-about areas. That being so I do not consider it necessary for Policy OS2 to lay greater emphasis on sporting provision.

Species and habitats

9.10 Policy ENV8 deals with the protection of habitats and designated sites and Policy ENV9 with the protection of species. With this in mind I see no reason to refer specifically to these matters in Policy OS2, particularly as the supporting text to that policy makes reference to wildlife value and environmental benefits.

Prescot Water Treatment Works

9.11 The objection site lies to the south of the A58 Prescot bypass and is separated from the main body of the Prescot Water Treatment Works which lies to the north of that road. Nonetheless the objector regards this land as part of the operational area of the Treatment Works and wishes to keep open the option of building on it in the future.

9.12 However, Policy OS2 does not preclude the possibility of some such development provided it does not harm the qualities of the site or, if it does, that such harm could be mitigated. Given that the site, which is heavily wooded, is clearly visible from the Prescot bypass and makes a marked contribution to the visual amenity of the area, I consider that its designation as urban greenspace is warranted.

9.13 I acknowledge that the site is not currently available for public use but its designation as urban greenspace leaves open the possibility of making good any shortfall of public open space in the area. I consider, therefore, that the urban greenspace designation on this land should be retained.

Whiston Wastewater Treatment Works

9.14 The objection site is a narrow strip of trees and shrubs sandwiched between the grounds of Higher Side Community Comprehensive School and the railway line which acts as the boundary to the urban area in this vicinity. The objector is keen to secure an alternative use of the site which, it indicates, may be required for operational or non-operational purposes. However, this site helps to soften the urban edge in this vicinity and on that basis is, I consider, justifiably designated as Urban Greenspace. The Plan needs, therefore, no modification in this respect.

Land at Edenhurst Avenue

9.15 The main impetus behind this objection is the desire to have this land deleted from the Green Belt to allow for housing development to take place. This is a matter I consider in Chapter 8 of this report when dealing with an objection [C00040] to Policy G2. For the reason set out there I conclude that there is insufficient justification at this time for the deletion of this site from Green Belt. With that in mind I see no reason to remove the urban greenspace designation from this land.

The Marconi Sports Ground

9.16 Planning permission has been granted for residential development on the western part of the Marconi Sports Ground, including the footprint of the former clubhouse. Consequently the Council proposes (PIC/PM/3) to designate this land as Primarily Residential Area. I consider that this is a necessary up dating of the Plan which should be modified accordingly.

9.17 As to the remainder of the site, this is a matter I consider in Chapter 4 when considering objections to Policy H4 [C00446 and C00448] and for the reasons set out there I conclude that only the eastern 1ha or so of the site need be designated as urban greenspace, while the middle 0.72ha should be designated as Primarily Residential Area. The Plan should, therefore, be modified accordingly.

Standards that reflect the needs of various local communities

9.18 Although this objection relates to Policy OS2 it is Policy OS3 that makes most specific reference to Public Open Space Standards. These standards have now been revised to reflect the conclusions of the “Open Space, Sport & Recreation Needs Assessment & Strategy” commissioned by the Council (CD107) and are to be incorporated into the Plan by way of PIC/9/13. I have no reason to doubt that these standards accurately reflect the needs of local communities and agree that the Plan should be modified to include them.

Green infrastructure and the Mersey Forest

9.19 The Council proposes (NAC/9/4) to refer to the valuable function performed by the Mersey Forest initiative. I regard this as a useful addition to the Plan which should be modified accordingly.

Recommendation

- R9.3
- i) The Plan be modified in accordance with PIC/PM/3, PIC/9/13 and NAC/9/4.
 - ii) The Plan be modified to delete the middle 0.72 ha of the Marconi Sports Ground from the Urban Greenspace designation.
 - iii) No further modification be made to the Plan in response to these objections.

**POLICY OS3: QUANTITATIVE STANDARDS – PUBLIC OPEN SPACE FOR
GENERAL AMENITY USE AND CHILDREN’S PLAY**

Objections to 1st Deposit Draft

R0572/C00451	TRB Estates Group Ltd
R0016/C00035	Sport England – NW Region
R0263/C00498	United Utilities Property Solutions Ltd
R0263/C00503	United Utilities Property Solutions Ltd
R0439/C00042	Stonston Ltd

Objections to 2nd Deposit Draft

R0611/C00668	McCarthy & Stone (Developments) Ltd
R0164/C00891	Redrow Homes (Lancashire) Ltd

Objections to Pre-Inquiry Changes

R0793/C01443	Powell*
R0658/C01413	Donnelly*
R0741/C01416	Clarke*
R0747/C01093	Scott*
R0754/C01101	Thomas*
R0762/C01109	Ryan*
R0768/C01117	Attwood*
R0777/C01433	Phillips*
R0778/C01129	Phillips*
R0785/C01136	Baker*
R0787/C01137	Price*
R0788/C01139	Fong*
R0794/C01339	Rigby*
R0801/C01153	Fowles*
R0813/C01457	Walker*
R0814/C01166	Vedmore*
R0747/C01342	Scott*
R0754/C01422	Thomas*
R0762/C01425	Ryan*
R0768/C01428	Attwood*
R0777/C01434	Phillips*
R0780/C01341	Norris*
R0785/C01343	Baker*
R0788/C01439	Fong*
R0794/C01445	Rigby*
R0801/C01448	Fowles*
R0813/C01458	Walker*
R0814/C01460	Vedmore*

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The catchment areas for different types of Public Open Space need to be clarified [C00451].
- ii) The standards in Policy OS3 should be underpinned by an assessment of the need for open space [C00035, C00891].
- iii) Land at Prescott Water Treatment Works, Whiston Wastewater Treatment Works and Edenhurst Avenue should not be designated as urban greenspace [C00498, C00503, C00042].
- iv) Amenity open space should only be required as part of elderly persons’ housing developments where it is appropriate to the needs of the residents [C00668].

Inspector’s reasoning

Assessment of the need for open space

9.20 The Council has now carried out an assessment of the need for open space (CD107) and proposes to include revised standards in the Plan that are underpinned by the results of this survey (PIC/9/13 and PIC/9/16). There is no evidence to suggest that these revised standards are inappropriate and I consider, therefore, that they should be included in the Plan.

9.21 In operating these standards use will be made of what are termed Substantial Residential Areas. I consider that these are a useful concept as they take account of barriers to accessibility such as main roads and railway lines and are, therefore, to be preferred to catchment areas based simply on distance.

Catchment Areas

9.22 The Council proposes to make clear in the Plan that the catchment area for local public open space facilities will be Substantial Residential Areas (PIC/9/14) whereas the catchment area for playing fields will be considerably larger (PIC/9/21). This is a sensible approach as it reflects the fact that people are willing to travel different distances to different types of facility.

9.23 I note that the number of Substantial Residential Areas may be reduced when a proposed Supplementary Planning Document dealing with Public Open Space is published. While there would have been merit in identifying the boundaries of these areas in the Plan I do not regard this as essential.

Land at Prescott Water Treatment Works etc

9.24 I have dealt with the issue of whether land at Prescott Water Treatment Works, Whiston Wastewater Treatment Works and Edenhurst Avenue should not be designated as urban greenspace when considering objections to Policy OS2. For the reasons set out there I consider the urban greenspace designation should be retained and I do not consider the Plan needs modification in this respect.

Open space standards and elderly persons housing developments

- 9.25 The open space standards contained in the Plan take account of the needs of the whole community including the elderly, many of whom are active and likely to use parks, sports centres and so on. I do not, therefore, consider that open space standards would necessarily be different for elderly persons’ housing schemes.
- 9.26 There will be particular cases where open space requirements will be reduced (for example for certain forms of very sheltered housing accommodation) but this is a matter capable of being dealt with through the application of Policy OS5 which covers the provision of public open space and recreational facilities for new developments. I do not consider, therefore, that the Plan needs to be modified in response to this objection.

Recommendation

- R9.4 i) The Plan be modified in accordance with PIC/9/13, PIC/9/14, PIC/9/16 and PIC/9/21.
- ii) No further modifications be made to the Plan in response to these objections.

POLICY OS4: PROTECTION OF PLAYING PITCHES AND OTHER FORMAL SPORTING FACILITIES

Objections to 1st Deposit Draft

R0263/C00499	United Utilities Property Solutions Ltd
R0263/C00504	United Utilities Property Solutions Ltd
R0439/C00043	Stonston Ltd
R0572/C00449	TRB Estates Group Ltd
R0572/C00452	TRB Estates Group Ltd
R0016/C00036	Sport England – NW Region

Objections to 2nd Deposit Draft

R0164/C00892	Redrow Homes (Lancashire) Ltd
R0549/C00942	Prescot Liberal Democrats
R0549/C00945	Prescot Liberal Democrats
R0624/C00697	Humphreys*
R0625/C00700	Humphreys*
R0626/C00702	Fitzgerald*
R0627/C00704	Barton*
R0628/C00706	Edwards*
R0629/C00708	Bull*
R0630/C00710	Burrows*
R0631/C00712	Bradley*
R0632/C00725	Hankinson*
R0633/C00730	Nicholson*
R0634/C00735	Draycott*
R0635/C00739	Goodlass*

R0636/C00741	Spillers*
R0637/C00743	Fitzgerald*
R0638/C00746	Anderson*
R0639/C00748	Berry*
R0640/C00750	Berry*
R0641/C00752	Stewart*
R0642/C00754	Draycott*
R0643/C00756	Draycott*
R0644/C00758	Wiggim*
R0645/C00760	Hayes*
R0646/C00762	Hayes*
R0647/C00764	Flanaghan*
R0648/C00766	Fitzgerald*
R0649/C00768	Backhouse*
R0650/C00770	Evans*
R0651/C00772	Ellis*
R0653/C00776	Draycott*
R0655/C00781	Nolan*
R0658/C00787	Donnelly*

Objections to Pre-Inquiry Changes

R0747/C01419	Scott*
R0744/C01090	McGregor*
R0753/C01421	Wilkinson*
R0764/C01344	Kay*
R0777/C01128	Phillips*
R0780/C01437	Norris*
R0784/C01134	Evans*
R0785/C01438	Baker*
R0787/C01340	Price*
R0796/C01148	Hewitt*
R0798/C01150	Wallace*
R0799/C01151	Day*
R0803/C01155	Morris*
R0809/C01161	Curphey*
R0816/C01168	Walker*
R0658/C01414	Donnelly*
R0751/C01097	Corns*
R0753/C01099	Wilkinson*
R0773/C01124	Cummins*
R0774/C01125	Cummins*
R0776/C01126	Tyrer*
R0777/C01432	Phillips*
R0790/C01441	Roscoe*
R0796/C01447	Hewitt*
R0803/C01450	Morris*
R0811/C01456	Mason*
R0815/C01167	Conroy*

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Land at Prescott Water Treatment Works, Whiston Wastewater Treatment Works and Edenhurst Avenue should not be designated as urban greenspace [C00499, C00504, C00043].
- ii) Para 9.15 is not compliant with PPG17 [C00449].
- iii) The Plan should clarify what is meant by school sites being available to the community [C00452].
- iv) Amenity considerations should be taken into account when assessing proposals which involve the loss of playing pitches [C00036].
- v) The Council should carry out a PPG17 compliant assessment of need [C00892].
- vi) Paragraph 9.21 of the Plan should be deleted as it opens up the opportunity for the development of open space and playing fields for other uses [C00942].
- vii) The Plan should ensure that town and parish councils are consulted over the provision of any new recreation or leisure facilities [C00945].

Inspector’s reasoning

Land at Prescott Water Treatment Works etc.

9.27 I have dealt with the issue of whether land at Prescott Water Treatment Works, Whiston Wastewater Treatment Works and Edenhurst Avenue should not be designated as urban greenspace when considering objections to Policy OS2. For the reasons set out there I consider the urban greenspace designation should be retained and I do not consider the Plan needs modification in this respect.

Compliance with PPG17

9.28 The Plan states, in effect, that in the absence of an up to date PPG17 compliant needs assessment, applicants may seek to demonstrate that an existing sporting facility is surplus to requirements. This has been overtaken by events in that a PPG17 compliant needs assessment has now been prepared (CD107). Consequently the Council proposes to delete reference to the absence of such a survey (NAC/9/5). Clearly this is sensible.

9.29 However, notwithstanding the existence of this survey, the Council also proposes (NAC/9/5) that any applicant should - not may - seek to demonstrate that the sporting facility is surplus. It is possible that the Council’s assessment of need (CD107) will become out of date over the period of the Plan so it would be prudent to leave open the option of applicants carrying out their own assessment, but as PPG17 (CD49, paragraph 10) makes clear, this is an option that they may - not should - choose to exercise. No reasons are given as to why the Plan should depart from that advice. I consider that Paragraph 9.15 should be modified to reflect this advice.

What is meant by school sites being available to the community

9.30 Paragraph 9.21 of the Plan states that a practical view as to an appropriate level of dual use of facilities by schools will be required. Interpreting such a statement will require a degree of judgement. However, in a plan that is intended to limit itself to establishing broad land use principles I see little to be gained by providing more detailed guidance on this matter. If more detail is required it could, as the Council suggests, be provided in the proposed Supplementary Planning Document. The Plan needs, therefore, no modification in this respect.

Amenity considerations

9.31 Policy OS4 when read as a whole makes clear that in assessing proposals which involve the loss of playing pitches account will be taken of qualitative matters. The term qualitative is a broad one which includes consideration of amenity issues. The Plan does not, therefore, need to be modified to include reference to amenity.

PPG17 compliant assessment of need

9.32 The Council has now carried out a PPG17 compliant assessment of need. The Plan needs, therefore, no further modification in this respect.

Deletion of paragraph 9.21

9.33 Paragraph 9.21 makes the point that if open space within school sites is available for the community as a whole this may make it possible to release other open space for development provided the overall amount of open space in the area meets the quantitative standards set out in the Plan. This appears to me to be a reasonable position for the Council to take. It does not give *carte blanche* to the development of open space and playing fields for other purposes but simply recognises that this may be acceptable in certain circumstances. The Plan needs, therefore, no modification.

Consultation of Town and Parish Councils

9.34 Town and parish councils are routinely consulted by the Council on planning applications, including planning applications involving the loss of playing fields and open space. This, however, is a procedural matter and does not need to be specified in the Plan which, therefore, needs no modification.

Recommendation

R9.5 i) The Plan be modified by the deletion of the first sentence of paragraph 9.15 and the substitution of the following text:

Where a planning application is submitted for a development that would lead to the total or partial loss of an existing facility the Council will assess whether that facility is surplus to requirements by reference to its “Open Space, Sport & Recreation Needs Assessment & Strategy”. The applicant may seek to demonstrate through an independent assessment whether the facility is needed.

- ii) No further modifications be made to the Plan in response to these objections.

POLICY OS5: PUBLIC OPEN SPACE AND RECREATIONAL FACILITIES TO MEET THE NEEDS OF NEW DEVELOPMENT

Objections to 1st Deposit Draft

R0016/C00318 Sport England – NW Region

Objections to 2nd Deposit Draft

R0611/C00669 McCarthy & Stone (Developments) Ltd
R0164/C00893 Redrow Homes (Lancashire) Ltd

Objections to Pre-Inquiry Changes

R0744/C01417 McGregor*
R0762/C01426 Ryan*
R0769/C01429 Barr*
R0774/C01431 Cummins*
R0788/C01440 Fong*
R0801/C01449 Fowles*
R0810/C01455 Kennedy*
R0813/C01459 Walker*
R0814/C01461 Vedmore*
R0815/C01462 Conroy*

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Financial contributions should be obtained from developers towards formal sporting facilities [C00318].
- ii) Amenity open space should only be required as part of elderly persons housing developments where it is appropriate to the needs of the residents and should be laid out within the site [C00669].
- iii) The Council should carry out a PPG17 compliant assessment of need [C00893].

Inspector’s reasoning

Financial contributions towards sporting facilities

9.35 The Council does not consider that financial contributions towards the provision of sporting facilities should, as a matter of course, be required of developers. I agree, as, in many instances it would be difficult to

establish that additional sporting provision was directly related to a particular development. There may be instances of large developments where such a relationship can be established. In that event the matter could be dealt with under the terms of Policy PA1 (Planning Agreements). I do not, therefore, consider the Plan needs any modification in this respect.

Amenity open space and elderly persons housing developments

- 9.36 The open space standards contained in the Plan take account of the needs of the whole community including the elderly, many of whom are active and likely to use parks, sports centres and so on. I do not, therefore, consider that open space standards would necessarily be different for elderly persons’ housing schemes or that it would be necessary in all cases to restrict such provision to within the site.
- 9.37 There will be particular cases where open space requirements will be reduced or provision limited to the site only (for example for certain forms of very sheltered housing accommodation) but this is a matter capable of being dealt with through the application of Policy OS5 which covers the provision of public open space and recreational facilities for new developments. I do not consider, therefore, that the Plan needs to be modified in response to this objection.

PPG17 compliant assessment of need

- 9.38 The Council has now carried out a PPG17 compliant assessment of need. The Plan needs, therefore, no further modification in this respect.

Recommendation

- R9.6 No modifications be made to the Plan in response to these objections.

POLICY OS6: LOCATION OF MAJOR NEW SPORTING AND RECREATIONAL FACILITIES

Objections to 1st Deposit Draft

R0471/C00140	Prescot Labour Party
R0549/C00292	Prescot Liberal Democrats

Objections to 2nd Deposit Draft

R0624/C00698	Humphreys*
R0625/C00701	Humphreys*
R0626/C00703	Fitzgerald*
R0627/C00705	Barton*
R0628/C00707	Edwards*
R0629/C00709	Bull*
R0630/C00711	Burrows*
R0631/C00713	Bradley*
R0632/C00727	Hankinson*
R0633/C00733	Nicholson*

R0634/C00736	Draycott*
R0635/C00740	Goodlass*
R0636/C00742	Spillers*
R0637/C00744	Fitzgerald*
R0638/C00747	Anderson*
R0639/C00749	Berry*
R0640/C00751	Berry*
R0641/C00753	Stewart*
R0642/C00755	Draycott*
R0643/C00757	Draycott*
R0644/C00759	Wiggim*
R0645/C00761	Hayes*
R0646/C00763	Hayes*
R0647/C00765	Flanagan*
R0648/C00767	Fitzgerald*
R0649/C00769	Backhouse*
R0650/C00771	Evans*
R0651/C00773	Ellis*
R0653/C00778	Draycott*
R0655/C00782	Nolan*
R0658/C00788	Donnelly*
R0549/C00944	Prescot Liberal Democrats

Objections to Pre-Inquiry Changes

R0749/C01095	Pollock*
R0750/C01096	Worrall*
R0761/C01108	Wood*
R0763/C01110	Hannon*
R0793/C01444	Powell*
R0812/C01164	Danher*
R0742/C01088	Hunter*
R0743/C01089	Houghton*
R0746/C01092	Dean*
R0759/C01105	Molloy*
R0764/C01112	Kay*
R0765/C01113	Jones*
R0766/C01114	Corbett*
R0771/C01122	Barker*
R0772/C01123	Cummings*
R0781/C01132	Dodd*
R0782/C01133	Bailey*
R0802/C01154	Dean*
R0806/C01158	Challinor*
R0807/C01159	Evans*

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The Plan should not refer to the relocation of Prescot Leisure Centre [C00292, C00944].

- ii) The Plan should include a site for a relocated Prescott Leisure Centre on the old “BICC” site [C00140].

Inspector’s reasoning

9.39 It is established in Chapter 5, when dealing with objections to Policy EC1A [C01077] and EC6 [C01465, C00295, C00943], that the Council propose to delete references to the relocation of Prescott Leisure Centre from the Plan. For the reasons set out there I agree with this approach. That being so it would be logical to delete paragraph 9.25 which also refers to the relocation of the leisure centre. This has been put forward in PIC/9/26 and the Plan should be modified accordingly.

Recommendation

- R9.7
- i) The Plan be modified in accordance with PIC/9/26.
 - ii) No further modifications be made to the Plan in response to these objections.

POLICY OS7 EDUCATIONAL USES AND SITES

Objections to 1st Deposit Draft

R0016/C00320	Sport England – NW Region
R0263/C00500	United Utilities Property Solutions Ltd
R0263/C00505	United Utilities Property Solutions Ltd
R0439/C00044	Stonston Ltd
R0572/C00453	TRB Estates Group Ltd

Objections to 2nd Deposit Draft

R0164/C00894	Redrow Homes (Lancashire) Ltd
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Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Where land or buildings are surplus to educational needs, alternative community uses should be considered before it is redeveloped for other purposes [C00320].
- ii) If surplus educational land or buildings are in an area where there is a shortfall in open space provision it would be appropriate to make the site available as public open space [C00453].

- iii) Land at Prescott Water Treatment Works, Whiston Wastewater Treatment Works and Edenhurst Avenue should not be designated as urban greenspace [C00500, C00505, C00044].
- iv) The Council should carry out a PPG17 compliant assessment of need [C000894].

Inspector’s reasoning

Surplus school land or buildings

- 9.40 i) Policy OS7 and its supporting text make clear that where school buildings or land become surplus to educational requirements potential appropriate uses may include other educational uses or health centres. I consider, therefore, that the Plan goes as far as can reasonably be expected to ensure that where land is deemed surplus to educational needs alternative uses of benefit to the community are considered. The Plan needs, therefore, no modification in this respect.
- 9.41 ii) Paragraph 9.32 of the supporting text states, in effect, that if surplus educational land or buildings are in an area where there is a shortfall in open space provision it may be appropriate to make the site available as public open space. I do not consider it would be appropriate to change the word ‘may’ in this sentence to ‘would’ as there may be circumstances in which it would be more desirable for any shortfall to be remedied by off-site provision. The Plan needs, therefore, no modification in this respect.

Land at Prescott Water Treatment Works, Whiston Wastewater Treatment Works and Edenhurst Avenue

- 9.42 I have considered the designation of these sites when dealing with objections to Policy OS2 [C00497, C00502, C00041]. For the reasons set out there I consider that each of these sites should be retained as Urban Greenspace. The Plan needs, therefore, no modification.

PPG17 compliant assessment of need

- 9.43 The Council has now carried out a PPG17 compliant assessment of need. The Plan needs, therefore, no further modification in this respect.

Recommendation

- R9.8 No modification be made to the Plan in response to these objections.

CHAPTER 10: DEVELOPMENT QUALITY AND THE BUILT ENVIRONMENT

POLICY OMISSION

Objections to 1st Deposit Draft

R0187/C00477 English Nature (NW Team)

Objections to 2nd Deposit Draft

R0187/C00686 English Nature (NW Team)

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The Plan should include a policy which specifically relates to nature conservation and biodiversity.

Inspector’s reasoning

- 10.1 The objector correctly identifies a concern that the development plan should give due regard to, and protection of, the natural environment. The original objection referred to passages in PPG9 (CD41), and this document has now been superseded by PPS9 *Biodiversity and Geological Conservation*, however, the general point is still valid.
- 10.2 The objector seeks the inclusion of a single policy in the Plan to offer some sort of overall protection. Whereas I appreciate that, subject to detailed consideration of its wording, such a policy could be a useful point of reference for those using the Plan, I do not consider it to be essential if the concerns are adequately covered elsewhere in the Plan.
- 10.3 There are policies in Chapters 12 as well as Chapter 10 which offer the kind of protection looked for in these objections. DQ1 gives broad indication of the need to safeguard species and their habitats, DQ4 looks for a greening of the built environment. Policy ENV8 gives a more detailed protection for habitats and ENV9 for species. That is, I consider the Plan (as represented by the Revised Deposit Draft) does include policies which give adequate protection to the natural environment, as sought by the objector. The policies and Proposals Map accord with PPS9 in that they indicate the designated sites of importance and make a hierarchical distinction between their relative significance nationally or locally.

- 10.4 Policies DQ1, DQ4, DQ5 and DQ9 (amongst others) include cross-references to either ENV8 or ENV9, or both, which gives support to my view that, when taken together, the policies of the Plan give sufficient coverage of nature conservation interests in relation to new and existing built development.
- 10.5 I acknowledge that the policies in the Plan may not be as emphatic as may be preferred by the objector, particularly in looking for new planting and landscaping to provide new wildlife habitats. However, in my view sufficient protection, support and encouragement for existing and potential wildlife habitats can be drawn – either directly or indirectly - from the policies as they currently stand.

Recommendation

R10.1 No modification be made to the Plan in response to these objections.

POLICY DQ1: DESIGN QUALITY IN NEW DEVELOPMENT

Objections to 1st Deposit Draft

R0187/C00478	English Nature (NW Team)
R0187/C00480	English Nature (NW Team)
R0226/C01469	Merseytravel
R0226/C01470	Merseytravel

Objections to 2nd Deposit Draft

R0164/C00895	Redrow Homes (Lancashire) Ltd
R0164/C00896	Redrow Homes (Lancashire) Ltd
R0187/C00684	English Nature (NW Team)

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) There should be policy links to ENV8 and ENV9 [C00478].
- ii) Criterion n) should refer to the North Merseyside Biodiversity Action Plan and the Mersey Forest Plan [C00480].
- iii) The policy should promote the incorporation of improved biodiversity in design as well as landscaping [C00684].
- iv) The policy should include guidance that all developments should be constructed to designs that facilitate easy access to public transport and sustainable modes of travel [C01470].

- v) The policy should require all significant economic development sites to have easy access to public transport, and such sites should only be permitted which are easily served by public transport and sustainable travel modes [C01469].
- vi) The policy should be revised to be less onerous and more precise [C00895].
- vii) References to the Knowsley Design Guide should be removed from the policy as this is seeking to delegate decisions to supplementary planning guidance [C00896].
- viii) The reference to introducing public art in paragraph 10.5 should be revised to say that public art will be encouraged in appropriate locations [C00896].

Inspector’s reasoning

Nature conservation and biodiversity interests

- 10.6 Point i) has been addressed by a change made in the Revised Draft Plan at paragraph 10.15, where the links sought by the objector have been included. I consider this entirely meets this objection and no further changes are required.
- 10.7 Criterion n) - now criterion p) in the Revised Draft Plan – is a general ‘safety net’ clause which effectively acts as a reminder that policies of the plan are not self-contained; the document should be read a whole in order to appreciate the full span of policies which may affect a site or proposal. Whereas the specific references raised in point ii) above are important and including these in the policy may be helpful to safeguard nature conservation interests, it could be seen to be elevating these above all other similarly approved strategies. Nothing in the representations made to this Plan indicate that this would be justified. That is, the criterion should either list all of the other strategies to ensure equal weight is given to them all, or none should be specifically highlighted in this general context policy. Furthermore, if such strategies were to be listed in the policy there is a risk of this being incomplete or the list becoming out of date (and therefore the policy less effective) during the currency of this Plan, which would be contrary to the objectives of the plan-led planning system.
- 10.8 In my view a lengthy list – even if it were thought to be complete – would be unwieldy and is unlikely to be helpful to users of the Plan. It is more appropriate in this general policy to highlight the need to take other strategies into consideration, and for other policies thereafter to be brought to bear on more detailed matters, such as nature conservation and biodiversity, as appropriate. Policies ENV8 and ENV9 refer to the North Merseyside Biodiversity Action Plan and DQ4 identifies the relevance of the Mersey Forest Plan to all new development proposals.
- 10.9 I take a similar view in respect of point iii), in that I see policy DQ1 as setting a general context for other, more detailed considerations where specific interests are affected by other policies of the Plan. Criteria e) and f) provide a general requirement to consider and safeguard natural

features, wildlife and its habitat. Thereafter, policies such as ENV8 and ENV9 provide a more detailed context for such interests. I acknowledge that these may not go so far as to positively promote biodiversity as a design factor, as sought by the objector. However, to have this as part of a policy might be regarded as unreasonably seeking planning gain where biodiversity is not an essential facet of a planning proposal. Having said that, it would be open to a developer to incorporate such themes into a design if he thought it appropriate, secured by a planning obligation under Section 106 of the Town & Country Planning Act if appropriate.

Accessibility to public transport

- 10.10 As discussed above, I consider DQ1 is a general policy which sets the context for the application of more detailed policies, as appropriate. Sustainability is a strong undercurrent to the current government planning policies and it is both relevant and important that this UDP supports and promotes sustainable forms of development, including the option of being able to travel to work other than by private car. That is, links by public transport to employment areas should be an important theme in the Plan.
- 10.11 Criterion g) of DQ1 in the Draft Revised Plan establishes that new development should provide safe and convenient access to (amongst other things) public transport. Augmenting this is policy T6, where criterion a) takes into account the sort of concerns expressed in points iv) and v) above. Whilst this does not perhaps give the strength in actively promoting public transport links looked for by the objector, I consider that DQ1 g) and T6 a) adequately take forward the government’s policies on sustainability with regard to choice of transport mode, and provide a strong context for promoting greater opportunities to use public transport for journeys to work.
- 10.12 I do not consider that the Plan should be modified to take account of either of these objections.

General site development and design issues

- 10.13 Paragraph 36 of PPS1 looks for “robust policies on design” and hence it is appropriate that a policy on this subject should be as complete as possible. The objector sets out in his further representations detailed points where he sees the policy as either unduly onerous or insufficiently precise.
- 10.14 On the points set out against Site Surroundings I consider that criterion a) could be open to misunderstanding or even seeking something to be done which is beyond the control of the developer. On the face of it, this criterion requires enhancements to characteristics of land not necessarily on the site or even under the control or ownership of the developer. I agree with the objector that ‘where appropriate’ should be incorporated into the policy, but the remainder of the text should be retained as it gives an indication to an applicant of what sort of design response would be looked for. However, I do not agree that criteria b) and c) are unreasonable as given in the Revised Deposit Draft.

- 10.15 On the Site Characteristics group of criteria, the requested change to criterion d) seems to add little, if anything, to the effect of the policy as drafted; it seems to be no more than semantics. I acknowledge that criterion f) could be seen to duplicate other policies in the Plan, not least ENV8 and ENV9 and, as a general principle, I consider that it is not helpful to have overlapping or even duplicate policies. This would not give clarity for users of the Plan. However, as discussed above, I see DQ1 as a policy which sets the general context for more detailed considerations and I consider it is appropriate that criterion f) is included to “headline” this subject. However, having said that, it would only be appropriate to accommodate protected species in locations where they are known to exist; it would be unduly onerous to include such measures where they cannot be justified on nature conservation grounds. In which case, the criterion should be moderated by the inclusion of “where these are seen to be relevant on nature conservation grounds”.
- 10.16 Under the Site Layout and Landscaping criteria, the objector suggested revision of i). I consider the suggested change would be more appropriate as some sites might not lend themselves to both hard and soft landscape treatment. I do not consider it necessary to substitute “space” for “spaces” in j), neither do I consider it necessary to substitute “alleviation” for “attenuation” in m), but I do agree that, as the whole of policy DQ1 relates to new development and all criteria are prefaced by the sentence “New development should be ...”, it is unnecessary to include the last three words in criterion m).
- 10.17 I do not agree with the objector that the matters covered in criterion n) are covered by the Building Regulations. Whereas the Building Regulations give precise control over energy efficiency, I see criterion o) as giving more general support and encouragement for the principles of sustainability, and which are entirely appropriate for this Plan.
- 10.18 PPS12 discusses at paragraphs 2.42-2.44 the relationship between supplementary planning documents (SPDs) and the development plan. Whereas SPD may be used to augment a policy within the development plan (and which has therefore been open to public scrutiny and independent examination) it cannot be used as an alternative or substitute for a development plan policy. I agree with the objector that the Plan cannot include a policy which requires compliance with a strategy or principles which have not been open to public examination as part of the development planning process. Having said that, I do consider that it would be appropriate to indicate that due regard should be had to other strategies and design guidance in coming to a conclusion on a development proposal. With the introduction of new-style Development Plan Documents it may be that such guidance will become part of the development plan and, following the principle of the latest approved document taking precedence, any such design guide introduced as a DPD would acquire precedence over any reference to supplementary planning guidance in the UDP.
- 10.19 Point viii) noted above was not a specific point in the originally submitted and accepted objection to the Plan, and the Council have not commented

upon it in their written response. However, the opportunity has been open to respond and I consider it is relevant for me to comment on it.

- 10.20 Public art is not mentioned amongst the points discussed in criteria a) – c) under the Site surroundings sub-heading in the policy, and hence the relevance of including public art in the reasoned justification is questionable. At best, it might be interpreted as being referred to indirectly as an enhancement to the characteristics of the immediately surrounding area. I consider the objector’s suggested change is more in keeping with the given wording of the policy and the Plan should be modified accordingly.

Recommendation

R10.2 The Plan be modified as detailed below:

- i) criterion a) be modified to read:

respond to and, where appropriate, enhance the characteristics of the immediately surrounding area through the use of appropriate scale, density, massing, height and building lines;
- ii) criterion f) be modified to read:

include measures to accommodate protected species and their habitats where these are seen to be relevant on nature conservation grounds;
- iii) criterion i) be modified to read:

provide an appropriate form of landscape treatment
- iv) delete “in new development” from the end of criterion m);
- v) delete criteria p) and q) and include a note under the heading “Links to other approved strategies” to say:

Schemes for new development should take account of other relevant strategies and guidance drawn up by the local planning authority. In particular, regard should be had to the aims and objectives of any regeneration strategy which has been approved by the Council for the area concerned. Developers should also have regard to the Knowsley Council Design Guide which sets out appropriate design principles.
- vi) In paragraph 10.5 delete “and where possible sculpture and public art”. Include after “variety in the built environment” the sentence:

The use of sculpture and public art will be encouraged in appropriate locations.
- vii) No further modifications be made to the Plan in response to these objections.

POLICY DQ4: TREES AND DEVELOPMENT

Objections to 1st Deposit Draft

R0187/C00531	English Nature (NW Team)
R0187/C00479	English Nature (NW Team)

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Paragraph 10.26 should also refer to tree coverage and associated habitats [C00479].
- ii) The policy should include references to ENV8 and ENV9 [C00531].

Inspector’s reasoning

10.21 Both of these points have been addressed by changes introduced into the Revised Deposit Draft and hence no modification is necessary to meet these objections.

Recommendation

R10.3 No modification be made to the Plan in response to these objections.

POLICY DQ7: LISTED BUILDINGS

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0095/C00828

Government Office for the North West

Key Issue

- i) In order to correspond with the Schimizu judgment, the words ‘or substantial’ should be inserted after “listed building consent for the total” in the first sentence of the policy.

Inspector’s reasoning

10.22 The point made has been accepted by the Council and has been covered by pre-inquiry change PIC/10/1. I consider this is an appropriate change and one which fully meets the objection. The Plan should be modified accordingly.

Recommendation

R10.4 The Plan be modified in accordance with PIC/10/1.

POLICY DQ8: HISTORIC PARKS AND GARDENS

Objections to 1st Deposit Draft

R0030/C00096

The Stanley Estate & Stud Co

Objections to 2nd Deposit Draft

R0359/C00660

The Garden History Society

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The south-east corner of Home Farm yard is not woodland and should be excluded from the Historic Park annotation on the Proposals Map [C00096].
- ii) The policy should be extended (or an additional policy included) to give protection to, and encourage enhancement of, locally important historic designated landscapes. The locally designated landscapes should be listed in the UDP [C00660].

Inspector’s reasoning

- 10.23 In respect of point i), the Council has checked the boundary of the historic park and garden with English Heritage. It has been confirmed that there is a discrepancy between the annotation shown on the Proposals Map and the boundary of the designated area. The Council has put forward a non-advertised change to make the appropriate correction to the boundary (NAC/PM/2). I consider this is a necessary change and which should meet the concern of the objector. The Plan should be modified accordingly.
- 10.24 The woodland notation is seemingly part of the Ordnance Survey base mapping and hence is not a matter which can be addressed by changes to the UDP.
- 10.25 Turning now to point ii), whereas the Council acknowledge that there are locally important parks and gardens, these are not formally recorded on a register. For such a list and annotation on the Proposals Map to be included it would first have to be placed on public deposit for comment on whether the area warranted inclusion in the first place, and if the boundaries had been defined correctly. Similarly, an associated policy would also have to have been open to public scrutiny and comment before it could have been included in the Plan. No such public consultation has been carried out as part of the preparation of this UDP, but neither is there an obligation for the Council to do so, however beneficial this might be for the general protection and enhancement of the area.
- 10.26 Having said that, nothing in the representations suggests that such parks, gardens or locally significant landscape areas are under an immediate or recognisable threat. The Council points out that there are policies in the Plan which seek to safeguard areas of urban greenspace and that the majority of the rural part of the Plan area is covered by Green Belt, where there are policies to protect the landscape character of the area.
- 10.27 Because of the lack of any evidence identifying a threat, and the relevance of other policies in the Plan to give protection to such areas, I do not consider that it is necessary or appropriate to either extend Policy DQ8 or include an additional policy to cover locally important landscapes, parks and gardens in the UDP as suggested by the objector.

Recommendation

- R10.5 i) The Plan be modified in accordance with NAC/PM/2.
- ii) No further modifications be made to the Plan in response to these objections.

CHAPTER 11: MINERALS, WASTE AND ENERGY

POLICY OMISSIONS

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0078/C00826 Lancashire County Council

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The Plan does not show that the Council will be able to adequately monitor the implementation of waste policies and the various waste streams arising in the Borough. The Plan should be modified to include basic information on waste quantities and how and where waste is to be managed and disposed of.

Inspector’s reasoning

- 11.1 Waste Strategy 2000¹ sets out targets for re-cycling and other aspects of waste management. I agree with the objector in so far as it would not be possible to monitor the success of the Plan’s waste management policies without clearly setting out the bases upon which the Council’s policies and performance can be evaluated. It should not be difficult to provide this information – if not as part of a policy, then at least in the reasoned justification – to give an indication of the quantities of waste arising and the associated requirement to reduce, re-use and recycle, and to show whether there were adequate waste management facilities available to meet the present and anticipated needs. The quantities of waste arising in the Borough should be readily available in at least the returns sent to the Environment Agency.
- 11.2 However, The Borough is not a “self-contained” waste management authority in as much as the management, processing and disposal of waste streams has been subsumed into a sub-regional operation for all Merseyside local authorities. It is clear that such arrangements will continue throughout the currency of this Plan and hence for this reason I

¹ *Waste Strategy 2000 England and Wales – Parts 1 and 2* DETR May 2000, and *Changes to Waste management Decision Making Principles in Waste Strategy 2000* – Defra July 2005

accept that it may not be essential to include the basic information looked for by the objector.

- 11.3 The Plan acknowledges this sub-regional relationship in that it explains that a joint Local Development Document (LDD) on waste in Merseyside is likely to be prepared (paragraphs 11.4B, 11.4C, 11.15, 11.15A and 11.19). I note that the Companion Guide to PPS10 – November 2005 (a “living draft” document) anticipates a joint LDD on Waste for Merseyside, although it does acknowledge a degree of doubt over whether it will eventually have LDD status (Companion Guide to PPS10 p.14).
- 11.4 The Local Development Scheme for Knowsley acknowledges that a joint LDD for waste on Merseyside is not yet a firm commitment, but there is clearly an expectation that this will be produced and that it will include detailed development control policies and will identify sites for waste management purposes. The lack of complete certainty is unfortunate, but I accept that this is a good indication of the Council’s preferences, and which supports the position reported above.
- 11.5 On the basis that the LDD will be produced and that Knowsley MBC will be a signatory to it, insofar as it will deal with matters addressed in policies MW4, MW5 and MW6, this will supersede the UDP’s waste policies once it is adopted as a Local Development Framework document. I fully accept that, without specific waste policies in this UDP, it is only once this LDD has been adopted will there be full compliance with the RSS’s waste management policies. The gap in policy provision at UDP level is to be regretted, but, given the sub-regional inter-relationships which exist for waste management, it is not realistic for the UDP to adopt an independent approach. I consider the Plan should not be modified to meet this objection.
- 11.6 Having said that, and having regard to the advice and guidance given in PPS10, there is a heavy expectation for the UDP to be more positive about supporting waste management and recycling in the Borough. Existing facilities should – where appropriate – be given adequate safeguarding and a more positive attitude be taken to the possibility of new waste management facilities being set up – transfer stations, recycling depots, composting sites and possibly energy-from-waste installations. The policies of the Plan should be expressed in positive terms to give guidance for setting up such new facilities, whether these arise directly from a sub-regional policy document on waste planning or as a commercial initiative. These matters are discussed in greater detail below.

Recommendation

- R11.1 No modification be made to the Plan in response to this objection.

POLICY MW1: STRATEGY FOR THE WINNING AND WORKING OF MINERALS

Objections to 1st Deposit Draft

R0329/C00024 The Coal Authority

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The Plan should ensure that significant reserves of mineral resources are not sterilised. Where development is to take place over known areas of coal at shallow depth this should be removed and the land stabilised before development takes place.

Inspector’s reasoning

11.7 The objector has not identified where such shallow coal deposits exist and hence it is not possible for me to identify where such sterilization of resources might occur within the Plan area. The Council have acknowledged that such sterilization should be avoided and have revised the Plan by deleting policy MW1 and replacing it with Policy MW1A. Points 3 and 4 of MW1A identify the possibility of prior extraction of underlying minerals being raised with a developer. In my view, this meets at least the spirit of the objection, if not the precise wording suggested, and no further modification need be made to the Plan.

Recommendation

R11.2 No modification be made to the Plan in response to this objection.

POLICY MW1A: PROTECTION, WINNING AND WORKING OF MINERALS RESOURCES

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0187/C00687 English Nature (NW Team)

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0095/C00829 Government Office for the North West

Key Issues

- i) The policy should include a specific reference to the likely effects on both habitats and species of importance [C00687].
- ii) In order to make the purpose of the policy clearer to users of the Plan it should refer to ‘minerals resources’ rather than “minerals reserves” [C00829].

Inspector’s reasoning

11.8 For point i), the objector is seeking specific mention of protection for habitats and species. Whereas this is a reasonable objective, to pick out these as matters for special consideration would imply an elevated level of protection, greater than they may perhaps deserve. Minerals developments have the potential to impinge upon a range of environmental and ecological interests each of which should be given due and arguably equal consideration, depending on the circumstances.

11.9 It is important to bear in mind that the Plan must be read as a whole; individual policies should not be taken in isolation and be seen as the only ones which have a bearing upon a particular subject area. There are other policies in the Plan, as well as other national guidance, policies and other protection for habitats and species. It is not necessary to reinforce these other protections in this policy. Having said that, there are policy links at the end of the policy to ENV8 and ENV9 which do show that regard has to be given to the protection of habitats and species. I do not consider that the Plan should be modified to meet this objection.

11.10 Turning now to point ii), the Council accept the point and have introduced two pre-inquiry changes to address the point (PIC/11/1 and PIC/11/2 – CD23). I consider the proposed changes meet the objection and that these will make the Plan’s intentions clearer for its users. The Plan should be modified accordingly.

Recommendation

- R11.3
- i) The Plan be modified in accordance with PIC/11/1 and PIC/11/2.
 - ii) No further modifications be made to the Plan in response to these objections.

POLICY MW2: MINERALS AND AGGREGATES DEVELOPMENTS

Objections to 1st Deposit Draft

R0187/C00476 English Nature (NW Team)

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The Policy should make clear that species and their habitats are protected by law. The sites of Biodiversity should be added to the list of environmental effects.

Inspector’s reasoning

11.11 As an initial comment, I note that Policy MW2 – the subject of the objection – has been deleted in the Revised Deposit draft of the Plan. This has been replaced in the Revised Deposit version by Policy MW2A.

11.12 Table 11.1 introduced by MW2A does include a requirement to take ecological and earth science interests into account – both where existing on site or potentially created by workings. Table 11.2 – also introduced by MW2A - further requires restoration schemes to incorporate new wildlife habitats. These provisions, taken together with the comments I make at paragraphs 11.8 and 11.9 above, give adequate coverage, in my view, for ecological interests, wildlife and their habitats. I do not consider that the Plan should be further revised to meet this objection.

Recommendation

R11.4 No modifications be made to the Plan in response to this objection.

POLICY MW2A: PROPOSALS FOR MINERALS AND AGGREGATE DEVELOPMENT

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0095/C00830 Government Office for the North West

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0009/C00633 Highways Agency – NW Network Strategy

Key Issues

- i) Table 11.1 should include a link to Policy T8 to ensure that highway matters are given adequate consideration in the design of minerals operations [C00633].
- ii) The distinction between ‘minerals’ and ‘aggregates’ should be removed from the title of the policy as aggregates are minerals. [C00830].
- iii) Policy item 2) is too vague as there is no indication of what would constitute “adequate” in terms of quality or quantity. If the point is to be retained it should include clarification of its requirements in the supporting text [C00830].
- iv) The items in table 11.2 should be re-ordered so as to reflect the sequence of site restoration and then aftercare [C00830].

Inspector’s reasoning

11.13 For point i), the Council accept that a link to Policy T8 would be beneficial and have included this in PIC/11/4. I agree that this is a helpful change and the Plan should be modified accordingly.

11.14 I agree that the inclusion of the word ‘aggregates’ in the title of the policy could be construed as suggesting that they are something different from ‘minerals’. The point has been accepted by the Council, who have introduced a number of Non-Advertised Changes to address the point (NAC/11/6, NAC/11/7, NAC/11/8, and NAC/11/9). The changes also introduce some other useful simplifications by deleting repetitive references to the need to refer to other policies.

11.15 NAC/11/7 also introduced a reference to MPG7. This is the relevant national planning guidance at the time of writing this report, but it should be recognised that this may be superseded during the currency of this Plan. However, without knowing what may replace this, or when, it would be wrong to include any reference to a future document as part of this Policy. Where one set of government guidance supersedes another it is usual for the later document to include a note to state which guidance it supersedes. For the purposes of applying this UDP policy it should be sufficient to rely upon the principle of the most recently approved document taking precedence.

- 11.16 The Council has introduced a pre-inquiry change to address point iii) above (PIC/11/3). The proposed change deletes point 2) from the policy. In my view this improves the clarity of the policy and nothing is lost by the deletion of this section of the policy. The Plan should be modified accordingly.
- 11.17 The items listed in Table 11.2 could be reorganised into a more rational order, following through the main design, operation and restoration phases of a scheme. NAC/11/9 – already referred to above – also introduces a revised order for the matters which should be included in a restoration and aftercare scheme. In my view, there is no ‘perfect’ order for these points; they all, to some degree, overlap and some may be more significant on one site, and others for another site. However, all of the elements included on the list are relevant and the list will be available for those using the Plan to point to. The fact that they could be arguably in yet a different order does not diminish their importance, nor does it suggest a greater or lesser degree of importance should be attached to them. In view of the fact that I have already agreed NAC/11/9 should be incorporated into the Plan, no further modification need be made to the Plan to meet point iv) above.

Recommendation

- R11.5 i) The Plan be modified in accordance with PIC/11/3 and PIC/11/4;
ii) The Plan be modified in accordance with NAC/11/6, NAC/11/7, NAC/11/8 and NAC/11/9.

POLICY MW4: WASTE MANAGEMENT STRATEGY

Objections to 1st Deposit Draft

R0078/C00514 Lancashire County Council

Objections to 2nd Deposit Draft

R0095/C00831 Government Office for the North West

Objections to Pre-Inquiry Changes

R0078/C01023 Lancashire County Council

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The responsibility for determining waste policies should not be passed entirely to the future Sub-Regional Study Local Development Document. The Plan should be able to quantify the problem in Knowsley at the moment [C00514].

- ii) The lack of adequate waste policies in the UDP could result in much of Knowsley’s waste being diverted away from the Borough and out of the Sub-Region into places like Lancashire during the next few years. PPS 10 expects waste planning authorities to identify sites and locations for new waste management capacity in development plan documents. The partial review of the RPG (now the RSS) expects each local authority to identify waste management performance in its area, together with a range of options for waste management in accordance with Waste Strategy 2000. The Knowsley UDP fails to address any of these points [C00514].
- iii) If the Plan is unable to identify specific sites for future waste management facilities it should include sufficiently precise criteria so that it is clear that a proposed site would be an acceptable location for a waste facility of a particular type. The supporting text for the policy should include a commitment that the anticipated joint waste LDD will provide developers with clear guidance on whether a site would be acceptable or not [C00831].
- iv) In the absence of a joint LDD on Waste, the proposed change (PIC/11/5) does not give sufficiently strong support for waste management in the Borough in a sustainable manner. The Council should be working towards greater self-sufficiency in waste management. In view of the uncertainty over the timing of a joint waste LDD the Council are failing to comply with the requirements of PPS10 and Waste Strategy 2000. Greater certainty must be included in the UDP on the quantification of waste arisings and for at least short-term solutions for its management and treatment. There is a risk that waste will be exported to neighbouring areas, including Lancashire, for treatment and or disposal, with a resultant erosion of the planned capacity in the waste management provision in those neighbouring areas [C01023].

Inspector’s reasoning

- 11.18 The concern underlying points i), ii) and iv) is that the Plan does not include an adequate framework of policies and other guidance for the monitoring and management of waste arisings in the Borough. To a large degree this has been discussed under my consideration of the objections to the Policy Omissions above; that is, I agree that the Plan is considerably deficient in its coverage of waste management. I also have misgivings that the Council’s only response to this is to await the production of a joint LDD on waste for Merseyside. My concerns are all the greater because of the degree of uncertainty over whether such an LDD will actually be produced. In which case, there is indeed a considerable ‘hole’ in the Plan’s strategy and detailed policies on waste.
- 11.19 Having said that, I do acknowledge that, if only because of historic working practices, there is a common interest across Merseyside on waste management and it may not be the most effective strategy to expect Knowsley to be self-contained in this regard. Without a set of alternative policies to consider, either proposed by the objector or introduced by the Council, one option might be for me to recommend the

Plan is not adopted until new policies have been drafted and made available for public comment. However, the waste policies do not stand in isolation; they are part of the whole UDP and to require a delay in adopting the UDP on these grounds would result in an overall delay in the adoption of the Plan. Moreover, because this plan is proceeding via the so-called transitional arrangements, a delay of this kind could result in its abandonment altogether in favour of awaiting the new tranche of LDF documents.

- 11.20 In my view, although the waste policies as drafted are unsatisfactory in both their scope and detail, a greater harm would be done to the best interests of land use planning in Knowsley if the UDP did not proceed to an early adoption, notwithstanding inadequacies of the kind discussed above. But the Council should recognise and accept the inadequacies of the UDP’s waste policies and work towards their replacement with a LDD – either in partnership with other waste planning authorities on Merseyside or, in the absence of any progress on a joint plan, a LDD for waste management developments in Knowsley. I am not able to make preparation of this envisaged LDD subject of a recommendation in this report as my remit is limited only to commenting in response to objections to the UDP; this cannot extend to requiring the Council to take actions which are related to other policy documents. However, I would hope that the point is noted by the Council.
- 11.21 Although the proposed change (PIC/11/5) does nothing to enhance or strengthen the policies of this UDP, it is a useful pointer towards the sorts of policies which the LDD should be producing and the Plan should be modified accordingly. The proposed change is altered in the in non-advertised change NAC/11/12 , but without affecting the substance of the previous change which seemingly meets the objections made in point iii) above.
- 11.22 At the very least, the Plan’s waste policies can be improved by re-casting them to present a more positive slant on development required for waste management purposes. As discussed in PPS10, waste should be regarded as a resource which has potential for economic and environmental benefits. The Plan should be supportive of, and encourage, waste management initiatives which can demonstrate that they will assist in moving waste up the hierarchy at all stages. I will set out a revised policy approach for the Council to adopt as part of this Plan. This will mostly affect policy MW5.
- 11.23 Finally on this policy, I should point out that the Waste Hierarchy diagram given on page 193 of the Revised Deposit Draft has now been superseded. The current version is given in, amongst other documents, Annex C of PPS10. Whilst not the subject of any of the objections, I consider the Plan should be modified to substitute the more recent version of the Waste Hierarchy diagram.

Recommendation

- R11.6 i) The Plan be modified in accordance with NAC/11/12.

- ii) No further modifications be made to the Plan in response to these objections.
- iii) The Waste Hierarchy diagram be replaced with the version given at Annex C of PPS10.

POLICY MW5: WASTE MANAGEMENT AND TREATMENT FACILITIES

Objections to 1st Deposit Draft

R0018/C00438	Peel Holdings Ltd
R0078/C00515	Lancashire County Council

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

R0078/C01024	Lancashire County Council
R0078/C01468	Lancashire County Council

Conditionally Withdrawn Objections

NONE

Key Issues

- i) ‘Aerodrome safeguarding’ should also be specifically identified within the policy [C00438].
- ii) The policy should include a forecast of the levels of waste arising in the Plan period and the proportion likely to be dealt with by different waste management measures [C00515].
- iii) The Plan should include a policy to identify sites for waste management facilities or at least give a clear indication of the types of site where waste management facilities would be acceptable [C00515].
- iv) Pre-inquiry changes PIC/11/6 and PIC/11/7 do not address the Plan’s failure to identify where potential sites may be located in the Borough [C01024].
- v) The Borough has a statutory duty to comply with both the Landfill Allowance Trading Scheme (LAST) and Best Value Performance Indicators (BVPis), yet until the joint waste LDD is in place and adopted there are no identified waste management solutions to deal with Knowsley’s waste arisings [C01468].

Inspector’s reasoning

- 11.24 For point i) the Revised Deposit Draft of the Plan includes a specific reference to the need to safeguard the air safety of John Lennon Airport. In which case, the Policy as drafted meets the concern of this objector.
- 11.25 With regard to points ii), iii) and iv) I have commented above in response to other objections that I consider the waste management policies of the Plan are not adequate and fail to provide a basis for monitoring the quantities of waste arising. I also agree that the policies do not provide clear or positive guidance for developers wishing to extend or introduce waste management sites and facilities. I further acknowledge that the Plan does not meet the expectation set out in PPS10 that development plan documents dealing with waste should identify sites and areas suitable for new or enhanced waste management facilities for the waste management needs of their areas². However, I have also come to the view that remitting the Plan back for further consultation on new waste policies would be counter-productive overall for the administration of land-use planning in the Borough. Notwithstanding the doubts and uncertainties over whether a joint LDD will be prepared for Merseyside – to include Knowsley – I perhaps reluctantly accept that this is the most pragmatic way to deal with the issue.
- 11.26 Arguably, BVPIs and LATS are not requirements which are related to land use to the point where they need to be addressed directly in a UDP policy. They are fiscal, operational or management regimes which bear upon how waste is monitored and managed statistically and financially, albeit that successful and effective management cannot be achieved unless the local authority has a clear idea of the quantities of waste arising, what proportions are to be sent through particular treatment processes, and whether the sites and facilities are in place to meet that strategy.
- 11.27 However, the points raised in point v) above only serve to underline the shortcomings of the present policy context for waste in this Plan. For all the reasons given above, it is my view that nothing specific should be done to address this particular objection as part of this Plan, but this adds weight to my view that some urgency needs to be applied to the production of the joint LDD on waste for Merseyside or, in the event that a joint approach is not feasible, a separate LDD for waste in Knowsley.
- 11.28 I do consider that policy MW5 and its supporting text as drafted in the Revised Deposit version of the Plan is capable of being improved to offer more positive support for new waste developments. Pre-inquiry changes PIC/11/6 and PIC/11/7 represent improvements to the Plan and these should be incorporated – subject to any further changes which I recommend below.
- 11.29 I set out below my recommended re-draft of the Policy and the supporting paragraphs which takes account of the spirit of some of these objections. I consider that I am unable to make any greater changes;

² PPS10 paragraph 17 *et seq.*

this is a binding report on the Council and it would be unreasonable to require the Council to include in the Plan policies or proposals on which neither the Council nor the public have had an opportunity to comment – either to point out inconsistencies, errors or other unacceptable aspects of a possible new policy. I have therefore made minor adjustments to take account of the concerns aired in these and other objections, and the published government advice and guidance.

- 11.30 The changes include the inclusion of a primary statement that new or expanded waste management facilities will be permitted, subject to the considerations which follow. The word “unacceptable” has been included to make clear that significant harm in itself may not justify dismissing a proposed scheme. The limitation of the application of 1a) to just Knowsley has been deleted as it is possible that a proposed development could result in unacceptable harm in areas beyond the boundaries of the Borough. Re-use is included in 3) as this is higher up the waste hierarchy than re-cycling. At point 4) planning conditions can only be attached to planning permissions, not the proposals; the wording has been revised to accommodate this. Paragraph 11.18 has been expanded to make reference to Planning Policy Statement 10 and the expectations that document places upon waste planning authorities and to support a more positive approach to waste management whilst also recognising the need to protect the environment and the living and working conditions of local residents.

Recommendation

- R11.7 i) The Plan be modified to delete policy MW5 and paragraph 11.17 (and any associated pre-inquiry changes and non-advertised changes) and paragraph 11.18 and replace them with the following:

POLICY MW5: WASTE MANAGEMENT AND TREATMENT FACILITIES

- 1) Proposals for new waste management facilities (or for the enlargement or amended operation of existing facilities) will be permitted where they are seen to be meeting the strategic objectives set out in Policy MW4, subject to an assessment of their likely environmental impact or other harm. In determining applications for new or enlarged waste management facilities regard will be had to whether the proposed development would cause significant and unacceptable harm to any of the following:
 - a) environmental resources or assets;
 - b) the visual character of the surrounding area;
 - c) the amenities of occupiers of nearby property (particularly residential property or other environmentally sensitive uses such as schools, hospitals or specialist industrial or business uses such as food processing and high technology uses) in terms of visual amenity, noise, vibration, dust, windblown material, smells litter, vermin, air, land or water or other nuisance;
 - d) air safety, (including the need to safeguard the airspace around Liverpool John Lennon Airport and avoid birdstrike hazard);

e) road safety and highway capacity.

- 2) Proposals for waste management facilities should also be compatible with any approved regeneration strategy for the area in which they are proposed to be located.
- 3) Proposals for waste management facilities must include facilities for the recovery of materials for re-use and recycling and / or the recovery of energy from waste.
- 4) Planning permissions for temporary waste management uses and facilities may be made subject to planning conditions requiring reinstatement of the site, followed by after-care, to enable the subsequent use of the site for purposes agreed with the local planning authority.
- 5) Proposals for new superstores, supermarkets and other appropriate large developments with their own car parks, which are acceptable in principle, will only be permitted provided that recycling facilities are designed as an integral part of the development, so as to minimise their impact on amenity and traffic circulation.

Explanation MW5

11.17

Policy MW5 applies to proposals for all forms of waste management facility. It therefore covers:

- waste transfer stations, waste reception and recycling facilities, scrapyards, aggregates and soil recycling facilities, and Materials Recovery Facilities (MRFs);
- composting;
- energy from waste facilities;
- waste water (sewage) and sewage sludge treatment plants; and
- landfill proposals (which also need to satisfy the criteria in policy MW6).

11.18

These operations and uses can contribute in differing ways to the management of waste and at different levels in the waste hierarchy. The government’s policies on waste are set out in Planning Policy Statement 10 *Sustainable Waste Management* (PPS10) and are augmented by *Waste Strategy 2000* which sets national targets for recycling. As far as is possible, as explained under Policy MW4, local authorities should seek to minimize the production of waste and thereafter to facilitate its re-use, or recycling and the recovery of energy from materials which cannot be re-used or recycled. Proposals for waste management developments which accord with this overall strategy will be permitted where they will not have a significant unacceptable harmful impact on the local environment. The locational criteria given in Annex E of PPS10 may be referred to in assessing the suitability of a proposed site.

- ii) The Plan be modified in accordance with PIC/11/7.
- iii) No further modifications be made to the Plan in response to these objections.

POLICY MW6: LANDFILL OR LANDRAISING

Objections to 1st Deposit Draft

R0018/C00439 Peel Holdings Ltd

Objections to 2nd Deposit Draft

R0164/C00897 Redrow Homes (Lancashire) Ltd
R0164/C00898 Redrow Homes (Lancashire) Ltd

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) The policy should refer to aerodrome safeguarding as a criterion for the assessment of landfill or landraising proposals, in accordance with Circular 01/2003. In particular, “and” should be deleted from criterion e, “and” should be added to the end of criterion f, and a new criterion g should be added to ensure aerodrome safeguarding [C00439].
- ii) A cross reference should be included to a new policy on aerodrome safeguarding [C00439].
- iii) Criterion d should be amended so that it takes into account factors other than landscape, including the need for sustainable development [C00897].
- iv) Criterion f should be deleted [C00898].

Inspector’s reasoning

11.31 As a general point, it is widely accepted that development plan policies should not be read in isolation, they should be used in the context of the whole Plan. Policy MW6 is not, therefore, the only policy which would be referred to in assessing a proposal for a landfilling or landraising development. Indeed, the heading for the policy includes the wording “will need to satisfy the following additional criteria” (my underlining). In which case I do not consider that it is necessary for the Plan to include a cross reference to another policy on aerodrome safeguarding. To pick out one policy for particular mention would give a false impression of this point having greater significance than any other in assessing a development proposal. Whilst aerodrome safeguarding is indeed an important point, it can only be one of several relevant considerations.

Accordingly, I do not consider that any changes need to be made in response to point ii) above.

11.32 Other considerations, including sustainable development and aerodrome safeguarding are covered by other policies in the Plan. Safeguarding of John Lennon Airport is specifically mentioned in MW5(1)(d) and the restoration and future re-use of sites is covered in MW5(4) – as set out above. In which case, I do not consider any action needs to be taken in response to points i) and iii) above.

11.33 The Council agree with point iv) and have introduced a pre-inquiry change (PIC/11/8) to delete this criterion. Energy recovery is addressed in MW5(3) – as set out above and it is therefore not necessary to repeat the point in MW6. I consider the Plan should be modified accordingly.

Recommendation

- R11.8 i) The Plan be modified in accordance with PIC/11/8.
- ii) No further modifications be made to the Plan in response to these objections.

POLICY MW7: RENEWABLE ENERGY

Objections to 1st Deposit Draft

R0018/C00440	Peel Holdings Ltd
R0577/C00507	Future Energy Solutions / DTI
D0577/C00508	Future Energy Solutions / DTI
R0577/C00509	Future Energy Solutions / DTI
R0577/C00510	Future Energy Solutions / DTI

Objections to 2nd Deposit Draft

R0577/C00695	Future Energy Solutions / DTI
R0577/C00696*	Future Energy Solutions / DTI

* objection refers to Policy MW4 but actually relates to MW7

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0095/C00832	Government Office for the North West
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Key Issues

- i) Aerodrome safeguarding should be included as an additional criterion for the assessment of renewable energy – in particular wind turbine development [C00440].

- ii) A cross-reference should be included to a proposed new policy on aerodrome safeguarding [C00440].
- iii) Criterion a) should be deleted for practical reasons. It would be unreasonable to refuse a planning application solely on the grounds that a better alternative site exists, even if it is not under the control of the applicant [C00507].
- iv) The policy should make clear that 20% of the UK’s electricity from renewable resources by 2020 is only an aspiration; the government’s actual target is 10% by 2010 [C00508].
- v) It is not correct for the Plan to state that the flat topography of the area means that there is little demand for the siting of wind energy turbines in the Plan area. The Plan must leave open the possibility that new technologies may make this more attractive within the Borough and the second sentence of paragraph 11.24 should be deleted [C00510].
- vi) Additional passages should be included in the policy to lend further support for renewable energy resources, and the need to balance the benefits of renewable energy resources against any adverse effects on local amenity when considering planning applications for such schemes [C00509].
- vii) In order to make the policy unambiguous, the words “and permitted” should be added to the end of the sentence in part 1 of the policy [C00832].
- viii) The impacts referred to in criterion 3 may be beneficial and hence they need not be minimised. The criterion should be amended to refer only to the need to minimise adverse impacts [C00695].
- ix) Criterion 4 may give rise to difficulties for the Council in defining “large scale” development. Other authorities have used a threshold of 1000m² as a point where the requirement would have to be met [C00696].

Inspector’s reasoning

- 11.34 As discussed above under my consideration of the objections to Policy MW6, any policy in the UDP should not be used in isolation, it must be used in the context of all other relevant policies which apply to the site and its surroundings. Aerodrome safeguarding is an important consideration particularly for tall structures such as wind turbines, but I do not consider that it is necessary to make a specific reference to this in Policy MW7. I do not, therefore consider that the Plan should be modified to meet point i).
- 11.35 Policy MW7 as originally drafted has been deleted, and hence point iii) has been met. Paragraph 11.23A clarifies that 10% is the target figure and 20% is an aspiration for 2020: this meets point iv).
- 11.36 Point 2) of the re-drafted policy raises the need to have regard to appearance and character of the area, but does not specifically preclude

renewable energy developments in such areas. Paragraph 11.24 has been deleted and the suggestion that the flat topography of the area makes it unsuitable for such developments has thereby been removed from the Plan – which meets point v).

- 11.37 The Revised Deposit Draft introduces paragraph 11.25D which highlights the potential impact of wind turbines on the safety of Liverpool John Lennon Airport. Also, at the end of the supporting text for Policy MW7 – after paragraph 11.25G - a policy link to T12 “Aerodrome Safeguarding” is given, which should adequately address point ii).
- 11.38 The Revised Deposit Draft Plan has introduced a number of changes which go some way to addressing the objections raised by Future Energy Solutions / DTI. Paragraph 11.25A acknowledges that the topography may limit the potential for developing some schemes, but offers encouragement for several new technologies. This, as well as other text introduced by the Revised Deposit Draft to support Policy MW7, lends positive support and encouragement to the use of renewable energy resources. Points 2) and 3) of the policy, together with paragraphs 11.25B, 11.25C and 11.25E, highlight the need to balance the benefits of such schemes against their potential impact on other aspects of the environment. These changes meet point vi).
- 11.39 I agree that encouragement alone does not offer sufficient clarity and certainty for developers. The Council have accepted the point made at vii) above, and have introduced a pre-inquiry change (PIC/11/9). I consider this entirely meets the point and the Plan should be modified accordingly.
- 11.40 Similarly, the Council acknowledge that only any adverse effects of development need to be minimised. Pre-inquiry change PIC/11/10 introduces an appropriate change to meet point viii). I agree that the Plan should be modified to include this change.
- 11.41 I agree that part 4) of the policy is somewhat vague, and a clear threshold figure to signify what would be regarded as “large scale” new development would be helpful. However, the policy addresses new built development generally and it may well be confusing to include a single threshold figure, as suggested at point ix) above. 1000m² may be appropriate for (say) an office scheme, but such a figure would be less relevant for (say) residential development. Whilst a quantified indication would be clearer and give more confidence, unless reliable and sensible indicators can be devised for every type of residential, commercial and industrial development – and no such range has been suggested by either the Council or the objector - I consider that the policy as worded, and supported by paragraph 11.25F, gives sufficient scope for the objective of this policy to be applied to a range of new developments. The onus in paragraph 11.25F is for the developer to demonstrate why the policy should not apply, rather than for the Council to require compliance above an (inevitably) arbitrary threshold. In my view this policy is sufficiently robust and, at the same time, flexible and no change needs to be made to the Plan to meet this objection.

Recommendation

- R11.9 i) The Plan be modified in accordance with PIC/11/9 and PIC/11/10.
- ii) No further modifications be made to the Plan in response to these objections.

CHAPTER 12: ENVIRONMENTAL PROTECTION AND NATURE CONSERVATION

GENERAL MATTERS

Objections to 1st Deposit Draft

R0015/C00211	Environment Agency
R0226/C00379	Merseytravel

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0441/C00052	BAA Campaign for Dark Skies
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Key Issues

- i) The Plan should contain a policy that protects and enhances watercourses and other bodies of water [C00211].
- ii) Chapter 12 should contain a cross reference to the promotion of public transport and sustainable modes of transport as a means of minimising environmental damage [C00379].
- iii) The Plan should contain a policy protecting the Astronomical Observatory at Pex Hill from light pollution [C00052].

Inspector’s reasoning

Policy protecting and enhancing watercourses and other bodies of water

12.1 Policy ENV1 states that development will not be permitted that causes harm to the quality of the water environment while policy DQ1 seeks to preserve and manage existing features such as ponds and streams. In addition, the Environment Agency has statutory powers to protect water quality. With these points in mind I do not consider that the Plan should be modified to include a policy dealing specifically with the protection and enhancement of watercourses and other bodies of water.

Cross reference to public transport

12.2 A range of policies in Chapter 7 of the Plan, including Policies T1, T2, T3, T5, T6 and T7 seek to promote public transport and sustainable modes of transport. It is implicit in the supporting text to these policies, particularly Policy T1, that one aim of these policies is to minimise

environmental damage. I see little to be gained by reiterating this point in Chapter 12. I do not, therefore, consider that the Plan should be modified in response to this objection.

The Astronomical Observatory at Pex Hill

12.3 The Plan already contains a policy (Policy ENV3) that deals with light pollution. The supporting text to that policy makes clear that poorly designed or badly aimed lights can cause ‘sky glow’ that is harmful to astronomical interest. If this policy is properly implemented, and I appreciate that the objector has detailed reservations about the way a similar policy has been implemented in the past, I do not consider there is a need for a policy specifically aimed at protecting Pex Hill from light pollution. I do not, therefore, consider that the Plan needs to be modified in response to this objection.

Recommendation

R12.1 No modification be made to the Plan in response to these objections.

POLICY ENV1: CONTROL OF POLLUTION IN NEW DEVELOPMENT

Objections to 1st Deposit Draft

R0015/C00210	Environment Agency
R0468/C00133	National Urban Forestry Unit

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Policy ENV1 should be supported by a policy ensuring that quality and quantity of watercourses is not adversely affected by development [C00210].
- ii) Reference should be made in the Plan to the role of urban forestry in mitigating the problems of air pollution, noise and flood risk [C00133].

Inspector’s reasoning

Quality and quantity of watercourses

12.4 Policy ENV1 provides protection for the quality of the water environment while the supporting text (paragraph 12.11) stresses the importance of maintaining the quality and quantity of groundwater resources. With this in mind, and having regard to the statutory powers of the Environment Agency to protect groundwater resources, I do not consider that there is a need for the Plan to contain an additional policy dealing specifically with the protection of groundwater quality and quantity.

Role of urban forestry

12.5 The Revised Deposit Draft acknowledges (paragraph 10.24) that urban forestry can provide a natural measure with which to combat air pollution, noise pollution and flooding. The Plan needs, therefore, no modification in response to this objection.

Recommendation

R12.2 No modification be made to the Plan in response to these objections.

POLICY ENV2: NOISE AND VIBRATION

Objections to 1st Deposit Draft

R0468/C00134 National Urban Forestry Unit

Objections to 2nd Deposit Draft

NONE

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) Reference should be made in the Plan to the role of urban forestry in mitigating the problems of air pollution, noise and flood risk [C00134].

Inspector’s reasoning

Role of urban forestry

12.6 This issue has been dealt with when considering the objection to Policy ENV1 (C00133). For the reasons set out there, there is no need for further modification to the Plan in response to this objection.

Recommendation

R12.3 No modification be made to the Plan in response to this objection.

POLICY ENV3: LIGHT POLLUTION

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0164/C00899	Redrow Homes (Lancashire) Ltd
R0164/C00900	Redrow Homes (Lancashire) Ltd

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0441/C00053	BAA Campaign for Dark Skies
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Key Issues

- i) Policy ENV3 should define precisely the type of development it is aimed at [C00899].
- ii) Criteria b) and c) of Policy ENV3 should refer to no unacceptable impact rather than no detrimental impact [C00900].
- iii) The Plan should acknowledge that light pollution can have a harmful effect on astronomical interests [C00053].

Inspector’s reasoning

Definition of the type of development

12.7 Any development, not simply development requiring floodlighting or other high powered lighting, has the potential to cause light pollution if its external lighting is badly designed or poorly aimed. I consider that it is appropriate, therefore, for Policy ENV3 to refer to all development requiring external lighting. The Plan needs, therefore, no modification in this respect.

Unacceptable rather than detrimental

12.8 I consider that the appropriate test for a policy such as ENV3 is whether or not a particular development would have an unacceptable effect. To state, as the policy does in criteria b) and c), that development should not have a detrimental impact is to equate any harm or detriment, however minimal, with unacceptable harm. To my mind this is too onerous a test. I consider, therefore, that the Plan should be modified to include reference to unacceptable impact in criteria b) and c) of Policy ENV3. This approach has the added bonus of making these criteria consistent with the wording of criterion e).

Astronomical interest

12.9 The Revised Deposit Draft acknowledges (paragraph 12.14) that light pollution can have a detrimental effect on astronomical interests. The Plan needs, therefore, no modification in this respect.

Recommendation

- R 12.4 i) The Plan be modified by deleting the word “*detrimental*” from criteria b) and c) of Policy ENV3 and replacing it with the word “*unacceptable*”.
- ii) No further modifications be made to the Plan in response to these objections.

POLICY ENV5: CONTAMINATED LAND

Objections to 1st Deposit Draft

R0164/C00065 Redrow Homes (Lancashire) Ltd

Objections to 2nd Deposit Draft

R0164/C00901 Redrow Homes (Lancashire) Ltd
R0164/C00902 Redrow Homes (Lancashire) Ltd

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0015/C00209 Environment Agency

Key Issues

- i) Policy ENV5 should make clear that the relevant regulatory bodies would need to confirm their acceptance of any remediation strategy/methodology to be employed [C00065].

- ii) Developers of land should not be discouraged by unnecessary and overly restrictive requirements [C00901].
- iii) Reference to the Contaminated Land Inspection Strategy should be deleted from paragraph 12.22 of the Plan [C00902].
- iv) An additional policy dealing with the landfill gas is needed [C00209].

Inspector’s reasoning

Regulatory bodies

12.10 This objection does not make clear what regulatory bodies are being referred to. While it would be necessary to seek the agreement of a range of regulatory bodies to any remediation strategies and / or methodologies to be employed, such consultations are a procedural matter dealt with, for example, in paragraphs 2.56 to 2.58 of Annex 2 to Planning Policy Statement 23: *Planning and Pollution Control* (PPS23, CD34). I do not consider there is a need to repeat this advice or similar in the Plan. The Plan needs, therefore, no modification in response to this objection.

Unnecessary and overly restrictive requirements

12.11 The Council and the objector agree that development provides both the opportunity and the resources to carry out the remediation of contaminated land. Development is, therefore, to be encouraged but only if appropriate investigations are carried out and remedial works implemented.

12.12 The objector favours a more positive wording of Policy ENV5 which lays emphasis on encouraging development while the Council favours a wording that lays emphasis on the need to investigate and remediate. In terms of the practical effect I see little to choose between the two approaches and do not consider, therefore, that this policy should be extensively reworded. I do, however, accept the objector’s point that the aim of remediation, as paragraph 25 of PPS23 makes clear, is to secure the removal of unacceptable risk. In the interests of consistency, therefore, I consider that the Plan should be modified by replacing the word “significant” with the word “unacceptable” in part 1) of Policy ENV5.

The Contaminated Land Inspection Strategy

12.13 While the Contaminated Land Inspection Strategy was prepared in 2001 it was, the Council confirms, updated in 2004. It remains, therefore, a relevant document and I do not consider that the Plan should be modified to exclude reference to it.

Landfill gas policy

12.14 The Revised Deposit version of the Plan contains a policy (Policy ENV5A) dealing with landfill gas. The Plan needs, therefore, no further modification in response to this objection.

Recommendation

- R12.5 i) The Plan be modified by deleting the word “*significant*” from the last line of part 1) of Policy ENV5 and replacing it with the word “*unacceptable*”.
- ii) No further modification be made to the Plan in response to these objections.

POLICY ENV5A: LANDFILL GAS

Objections to 1st Deposit Draft

NONE

Objections to 2nd Deposit Draft

R0164/C00903	Redrow Homes (Lancashire) Ltd
R0164/C00904	Redrow Homes (Lancashire) Ltd
R0164/C00905	Redrow Homes (Lancashire) Ltd

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Criterion 1) of Policy ENV5A should refer to “unacceptable risk” rather than to “risk” [C00903].
- ii) Criterion 2) of Policy ENV5A should be deleted as being unduly restrictive [C00904].
- iii) Criteria 3) and 4) of Policy ENV5A should be deleted as being unduly detailed [C00905].

Inspector’s reasoning

“Unacceptable risk” rather than “risk”

12.15 In many circumstances I would agree with the objector that the correct test for a policy is that there should be no unacceptable risk and that to require that there be no risk would be too onerous. However, Policy ENV5A deals with landfill gas. The consequences of any accident or event involving landfill gas could be severe and may involve death and/or severe damage to property.

12.16 The Council refers to the *Guidelines for Environmental Risk Assessment and Management* produced by Defra (CD134) which at Figure 7.1 advises, in effect, that even where there is only a negligible risk of a severe event occurring this can be unacceptable. In the light of this advice I consider that it is appropriate for Policy ENV5A to use the word risk and this does not need to be replaced by the term “unacceptable risk”.

Criterion 2 unduly restrictive

12.17 Waste Management Paper 27 *Landfill Gas* (CD133) states that when dealing with landfill gas it is difficult to ensure that protective measures are maintained in private housing and advises that domestic housing should not be built on landfills which are gassing or have the potential to produce significant quantities of gas. Part C of the Building Regulations 2000 advises that the use of permanent mechanical ventilation to ensure that landfill gas does not accumulate under a house is not usually feasible.

12.18 I regard criterion 2 of Policy ENV5A to be consistent with this advice. Consistency is particularly important in this respect as it would not be desirable to grant planning permission for a development that could not be implemented under Building Regulations. I do not, therefore, consider that the Plan should be modified to delete Criterion 2 of Policy ENV5A.

Criteria 3) and 4) unduly detailed

12.19 Criteria 3) and 4) of Policy ENV5A simply seek to ensure that any necessary remediation works are satisfactorily completed and, where appropriate that ongoing monitoring and risk assessment are carried out. I regard these as relevant and necessary requirements of the policy and not as unduly detailed. The Plan needs, therefore, no modification in response to this objection.

Recommendation

R12.6 No modification be made to the Plan in response to these objections.

POLICY ENV6: FLOOD RISK AND DRAINAGE

Objections to 1st Deposit Draft

R0468/C00135	National Urban Forestry Unit
R0550/C00302	United Utilities, External Planning Liaison

Objections to 2nd Deposit Draft

R0095/C00833	Government Office for the North West
R0164/C00906	Redrow Homes (Lancashire) Ltd

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0015/C00208 Environment Agency

Key Issues

- i) The Plan should acknowledge the role that urban forestry plays in flood prevention [C00135].
- ii) The Plan should note that it is not the current policy of United Utilities to adopt sustainable urban drainage systems [C00302].
- iii) The Plan should contain a requirement that a flood risk assessment be carried out where a proposed development would be in an area of flood risk [C00833].
- iv) Policy ENV6 should encourage but not require sustainable urban drainage systems [C00906].
- v) The Environment Agency’s Indicative Floodplain Maps should be included as part of the proposed Supplementary Planning Document on development and flood risk [C00208].

Inspector’s reasoning

Urban forestry and flood prevention

12.20 The Revised Deposit version of the Plan acknowledges at paragraph 10.24 the role that urban forestry can play in flood prevention. No further modification to the Plan is, therefore, necessary.

Encourage but not require Sustainable Urban Drainage Systems

12.21 The Government advice to the Council (PPG25 Annex E, paragraph E15) is to persuade developers to adopt sustainable urban drainage systems wherever practicable as part of all future development. I consider that Policy ENV6, which requires the use of sustainable urban drainage systems in all developments other than where specified objections apply, is consistent with this advice. The fact that there is an unwillingness by the relevant bodies at this time to adopt such systems and the fact that Knowsley is a heavily built up area are not sufficient to outweigh this advice. I do not, therefore, consider that the Plan should be modified in response to this objection.

Adoption of Sustainable Urban Drainage Systems

12.22 The Council is urged by the Government Planning Policy Guidance 25: *Development and Flood Risk* (Annex E, paragraph E15) to adopt policies that promote sustainable urban drainage systems. I am satisfied that Policy ENV6 is consistent with this advice. The current policy of United Utilities, which is not to adopt sustainable urban drainage systems, is

apparently out of step with this advice, and little purpose would be served by noting this in the Plan. The Plan needs, therefore, no modification in response to this objection.

Flood Risk Assessment

12.23 The Council proposes to modify the Plan (PIC/12/1) to make clear that flood risk assessments will need to be carried out in areas at risk from flooding. The requirement for such assessments is a key element of advice in PPG25. The Plan requires, therefore, no further modification in response to this objection.

Indicative Flood Plain Maps

12.24 The Revised Deposit version of the Plan makes clear that the proposed Supplementary Planning Document on development and flood risk will make use of the most up to date flood maps available from the Environment Agency. The Plan needs, therefore, no further modification in response to this objection.

Recommendation

- R12.7 i) The Plan be modified in accordance with PIC/12/1.
- ii) No further modification be made to the Plan in response to these objections.

POLICY ENV7: TELECOMMUNICATIONS DEVELOPMENTS

Objections to 1st Deposit Draft

R0030/C00095	The Stanley Estate and Stud Co
R0124/C00456	Mobile Operators Association

Objections to 2nd Deposit Draft

R0124/C00616	Mobile Operators Association
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Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Part 2 of Policy ENV7 should be deleted [C00095].
- ii) Policy ENV7 and its supporting paragraphs should more accurately reflect the advice in PPG8 [C00456].

- iii) Paragraph 12.27 should refer to OFCOM rather than to the DTI [C00616].

Inspector’s reasoning

The deletion of Part 2 of Policy ENV7

- 12.25 Part 2 of Policy ENV7 originally stated that new telecommunication masts would not be permitted in Green Belt unless technical reasons dictated that they could not be sited within the urban area. This has now been deleted from the Plan and replaced with a clause that states, amongst other things, that new telecommunications development will not be permitted in Green Belt unless the applicant has demonstrated that there are no suitable alternative sites outside the Green Belt and the visual impact of the proposal has been minimised.
- 12.26 I consider that this modified text reflects government advice set out in paragraph 65 of the Appendix to Planning Policy Guidance 8: *Telecommunications* (CD40) which states that in the Green Belt telecommunications development is likely to be inappropriate unless it maintains openness and that the lack of a suitable alternative site may be a very special circumstance in favour of such development. In the light of this advice I do not consider that Part 2 of the policy should be deleted in its entirety as the objector wishes. I do not, therefore, consider that the Plan requires further modification in response to this objection.

Policy ENV7 and PPG8

- 12.27 Policy ENV7 and its supporting text has now been modified most particularly by amending references to health and safety matters, to mast and site sharing and to development in environmentally sensitive areas. In its amended form the policy now accurately reflects advice in PPG8 and no further modification to the Plan is needed in response to this objection.

OFCOM

- 12.28 The Council now proposes (PIC/12/2) to refer to OFCOM rather than to the DTI in paragraph 12.27. As it is now OFCOM that exercises the relevant licensing controls I agree that this change is sensible.

Recommendation

- R12.8 i) The Plan be modified in accordance with PIC/12/2.
- ii) No further modifications be made to the Plan in response to these objections.

POLICY ENV8: PROTECTION OF HABITATS AND DESIGNATED SITES

Objections to 1st Deposit Draft

R0018/C00443	Peel Holdings Ltd
R0027/C00296	Approach 580 SIA
R0030/C00097	The Stanley Estate and Stud Co
R0071/C00145	Whiston Town Council
R0123/C00122	Quarry Products Association
R0187/C00475	English Nature (NW Team)
R0187/C00489	English Nature (NW Team)
R0263/C00501	United Utilities Property Solutions
R0392/C00226	Liverpool City Council
R0410/C00013	Eccleston
R0561/C00336	Ford Motor Company Ltd
R0187/C00488	English Nature (NW Team)

Objections to 2nd Deposit Draft

R0187/C00670	English Nature (NW Team)
R0187/C00688	English Nature (NW Team)
R0561/C00874	Ford Motor Company
R0621/C00666	Landmarq LLP
R0621/C00667	Landmarq LLP
R0164/C00907	Redrow Homes (Lancashire) Ltd
R0164/C00908	Redrow Homes (Lancashire) Ltd
R0187/C00671	English Nature (NW Team)

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Crabtree Rough and Hopyard Wood North should not be designated as a Site of Biological Interest [C00443, C00336, C00874].
- ii) Otis Meadows should not be designated as a Site of Biological Interest [C00296, C00666].
- iii) The whole of Knowsley Park should not be designated as a Site of Biological Interest [C00097].
- iv) Windy Arbour Wood should be designated as a Site of Biological Interest [C00145, C00013].
- v) Policy ENV8 should reflect hierarchy of designated sites and their differing levels of protection [C00122, C00874].

- vi) The boundaries of Local Nature Reserves should be shown on the Proposals Map [C00475, C00688].
- vii) The Plan should refer to the Mersey Forest Plan [C00489, C00670].
- viii) Land at Prescott Water Treatment Works should not be allocated as a Site of Biological Interest [C00501].
- ix) Policy ENV8 should emphasise more strongly importance of economic regeneration [C00226, C00667].
- x) The Plan should give detail of the management and protection of land which links existing habitats [C00488, C00671].
- xi) The reference in Policy ENV8 at point 1c) to sites other than those that are nationally, internationally or locally designated should be deleted [C00907].
- xii) Other than for sites that are nationally or internationally designated, there should be no requirement that development cannot reasonably be located elsewhere [C00908].

Inspector’s reasoning

Crabtree Rough and Hopyard Wood North

- 12.29 Some 4.05ha of land at Crabtree Rough and Hopyard Wood North is designated as a Site of Biological Interest (SBI 45) in the Plan. This forms part of a larger site of some 18.5 ha that is allocated as site E1 for employment development. I see no inconsistency between this designation and that allocation or indeed with the possibility that land in the area may be needed in connection with junction works associated with the development of Liverpool John Lennon Airport. Policy ENV8 makes clear that development affecting SBI’s will be permitted if that development cannot take place elsewhere, the benefits of development would outweigh any harm and all practical measures are taken to minimise harm to nature conservation. I see no reason why such a policy should have an unnecessary impact on the development potential of the site.
- 12.30 The objectors also question whether Crabtree Rough and Hopyard Wood North merits designation as a SBI. Leaving aside a number of abstruse points about the correct status of Bluebells (*Hyacinthoides non-scripta*) and Lesser Water Parsnip (*Berula erecta*) – points on which I find the Council’s position entirely credible – the most contentious point is whether or not Marshy Grassland is a regionally important habitat.
- 12.31 A habitat must, in order to be classed a regionally important habitat, be of significant nature conservation value and, amongst other things, occur within a SBI. The Council’s position is that Marshy Grassland is found in several SBIs and hence meets that criterion. The objector does not dispute this but questions whether Marshy Grassland has significant nature conservation value.

12.32 It appears to me that an opinion on this matter is best based on survey evidence. Although the objector’s consultant has visited the site no survey information has been provided. The Council on the other hand bases its opinion on survey evidence, including surveys carried out in 1981, 1983, 1988 and 2002. On the balance of evidence, therefore, I accept the Council’s position on this point and do not consider that the Plan should be modified to delete the designation of Crabtree Rough and Hopyard Wood North as a SBI.

Otis Meadows

12.33 The objector does not dispute the nature conservation significance of this site but considers its designation as a SBI to be unnecessary in view of the outline planning permission for a warehouse unit granted on the site (01/00708/OUT) and the reserved matters application that has been approved 05/00126/REM). The objector also points to a Broad Part Agreement that has been reached between the objector, the Council and other interested bodies which would allow for off site mitigation to be provided as part of a larger employment scheme on the site.

12.34 I have concluded in Chapter 5 of this report when considering objections to Policy EC2A (C01021) that this planning history means that the site is no longer an employment allocation but an employment commitment. It does not follow from this however that the site no longer need be designated as a SBI.

12.35 Conditions attached to the existing planning permission on the site require the retention and maintenance of the wetland habitat of the SBI. The continued designation of the SBI could, therefore, be of relevance in enforcing those conditions. As to the possibility of off-site mitigation it is not clear from the evidence submitted whether this is a firm commitment. If this agreement were not put into effect the continued designation of the site as a SBI would be a means by which the undisputed nature conservation interests of the site could be safeguarded.

12.36 I do not, therefore, consider that the Plan should be modified to remove the designation of Otis Meadows as a SBI. I note, however that the Otis Meadow SBI is incorrectly given the number 50 in Appendix 8. The Council acknowledges that this number should be 55 and proposes to correct this error (NAC/APP/13). I agree that this is necessary.

Knowsley Park

12.37 Knowsley Park is a large area of some 1,183 ha which contains a wide variety of habitats and land uses. The whole of this area was designated as a Site of Local Biological Interest in the Merseyside Structure Plan in 1983. In the adopted Knowsley Unitary Development Plan only four smaller areas within the Park were designated as SBI’s. Following further survey work the Council now proposes to designate the whole Park and adjoining farmland as a SBI.

12.38 The objector considers this area to be too large - it has suggested the designation of some 226 ha in extent – and is concerned that such an

extensive designation may constrain the future management of the Park and, amongst other things, the development of the Safari Park.

- 12.39 To my mind some of the points raised by the objector are of limited relevance. For example the fact that the Park is designated as a Historic Park and that various aspects of managing the Park are subject to statutory consultation appear to have little bearing on whether features of nature conservation interest should be protected.
- 12.40 On the other hand I have some sympathy with certain points raised by the objector. For example it is not clear to me why intensively farmed land outside the Park wall needs to be designated as a SBI, what is the merit of designating car parks, private houses and offices, what the effect of this designation on the agricultural management of grassland would be and the relationship between this designation and the management of the Safari Park.
- 12.41 It appears to me to be common ground that parts of the Park are worthy of designation as a SBI, the contentious point is whether it all needs to be. This is a matter for detailed negotiation based on sound ecological evidence. On the limited evidence available to me, most of which is provided by the Council, I am not, however, in a position to dispute the Council’s opinion that the whole of the Park needs to be designated as an SBI in order to include all features of substantive nature conservation interest. I do not, therefore, recommend that the Plan needs to be modified to reduce the area of Knowsley Park SBI.
- 12.42 I am however of the opinion that the Council should consider monitoring the operation of this SBI and continue negotiations with its owner with a view to focussing the SBI designation on those parts of the Park that warrant it most.

Windy Arbour Wood

- 12.43 Windy Arbour Wood - a small area of woodland wedged between the M62, the M57 slip road and Windy Arbour Road - is designated as a SBI in the adopted Knowsley Unitary Development Plan. Having reassessed the nature conservation value of this site the Council has decided that the limited range of habitats and species that this site supports does not warrant its designation as a SBI in the Plan. I have been given no evidence to contradict this. I do not, therefore, consider that the Plan should be modified to include Windy Arbour Wood as a SBI.

Hierarchy of designations

- 12.44 It is not disputed that there is a need to distinguish between sites which are designated nationally or internationally and those which are designated locally. Policy ENV8 does this, even though there are no nationally or internationally designated sites in the Borough.
- 12.45 Part 1 of the policy seeks to protect nature conservation interest on internationally or nationally designated sites, on locally designated sites and on non-designated sites. Part 2 of the policy sets out the exceptions in which development will be permitted while making it clear that these

only apply to the latter two categories. In other words nationally or internationally designated sites would attract the most stringent protection.

- 12.46 In this way the hierarchy of different sites and their differing levels of protection is recognised and I do not consider the Plan needs to be modified in response to these objections.

Local Nature Reserves

- 12.47 The site at Acornfield Plantation is the only Local Nature Reserve in the Borough. As this site is also designated as a Site of Biological Interest (No 38) I do not consider it essential for further attention to be drawn to its nature conservation value. I do not, therefore, consider that the Plan need be modified to indicate the boundaries of Local Nature Reserves on the Proposals Map.

Mersey Forest Plan

- 12.48 Policy ENV8 specifically refers to the North Merseyside Biodiversity Action Plan (of which the Mersey Forest Plan forms part) while the Mersey Forest Plan itself is referred to in Policy DQ4 Trees and Development. I do not, therefore consider that the Plan need be modified to make further reference to the Mersey Forest Plan.

Prescot Water Treatment Works

- 12.49 The Council's assessment of the nature conservation value of this site is that the rarity and diversity of habitats and species of plants that it supports warrant its designation as a Site of Biological Interest. The objector does not dispute this but merely states that, as part of a major operational site, the land may be needed for development in the plan period.
- 12.50 However, the designation of the site as a Site of Biological Interest does not preclude development as long as it cannot reasonably be located elsewhere, the benefits outweigh the harm and the harm to nature conservation interests is minimised. I do not, therefore, consider that the Plan should be modified to delete the designation of Prescot Water Treatment Works as a Site of Biological Interest.

Economic regeneration

- 12.51 Policy ENV8 does allow for development where it cannot reasonably be located elsewhere, where the benefits outweigh the harm and where harm to nature conservation interests are minimised. In this manner I consider that the policy strikes a reasonable balance between the need to safeguard nature conservation interests and the need to foster economic regeneration. I do not, therefore, consider that the Plan needs to be modified to give added emphasis to the need for economic regeneration.

Links between existing habitats

12.52 Paragraph 12.39 of the Plan now refers to features that link habitats and the Council proposes (PIC/12/3) to make clear that Policy ENV8 provides protection for these. The Plan needs, therefore, no further modification in response to these objections.

Sites other than those nationally, internationally or locally designated

12.53 Policy ENV8 gives protection at point 1c) to what it terms as other sites. It defines these sites as sites which include habitats or other features of the landscape, or links between habitats, that are identified as priorities nationally or in the North Merseyside Biodiversity Action Plan. It appears to me that this approach is consistent with advice in Planning Policy Statement 9: *Biodiversity and Geological Conservation* (PPS9) which, at paragraph 4, advises that policies in documents such as the Plan should be consistent with local biodiversity priorities and objectives which, in this instance, would include those set out in the North Merseyside Biodiversity Action Plan.

12.54 The objector does not object to the principle of protecting non-designated habitats but considers that if a network of such habitats exists it should be identified on the Proposals Map and a separate policy put in place for it. I am, however, unclear as to the practicality of identifying on the Proposals Map what would be an intricate mosaic of habitats and links.

12.55 To my mind little would be gained by having a separate policy dealing with these non-designated habitats. Policy ENV8, in effect seeks to preserve and maintain habitats that are seen as an important local resource. In these respects, therefore, the policy is consistent with advice in paragraphs 11 and 12 of PPS9 and the Plan does not need to be modified in the manner sought by the objector.

Requirement that development cannot reasonably be located elsewhere.

12.56 Paragraph 1(vi) of PPS9 makes clear that where the grant of planning permission would do significant harm to biodiversity and geological conservation interests local planning authorities will need to be satisfied that development cannot reasonably be located on alternative sites that would result in less or no harm. To my mind this advice is accurately reflected in Policy ENV8 which does not need to be modified in the manner sought by the objector.

Recommendation

- R12.9
- i) The Plan be modified in accordance with NAC/APP/13 and PIC/12/3.
 - ii) No further modifications be made to the Plan in response to these objections.

POLICY ENV9: PROTECTION OF SPECIES

Objections to 1st Deposit Draft

R0187/C00485	English Nature (NW Team)
R0187/C00486	English Nature (NW Team)
R0187/C00487	English Nature (NW Team)

Objections to 2nd Deposit Draft

R0187/C00675	English Nature (NW Team)
R0187/C00676	English Nature (NW Team)
R0164/C00909	Redrow Homes (Lancashire) Ltd
R0164/C00910	Redrow Homes (Lancashire) Ltd

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issues

- i) Policy ENV9 should express with greater clarity the protection that it offers to legally protected species [C00485, C00486, C00487, C00675, C00676].
- ii) Policy ENV9 is too onerous [C00909].
- iii) Reference to the North Merseyside Biodiversity Action Plan should be deleted from Policy ENV9 [C00910].

Inspector’s reasoning

Legally protected species

12.57 Policy ENV9, together with paragraphs 12.42 and 12.43, makes clear the protection that the Plan affords to legally protected species which may include the preparation of an appropriate survey carried out by a suitably experienced and qualified person. I see little purpose in adding to this advice, particularly as PPS9 advises at paragraph 15 that documents such as the Plan should not include specific policies in relation to legally protected species. I do not, therefore, consider that the Plan need further modification in response to these objections.

Too onerous

12.58 Policy ENV8 includes a clause permitting development where this cannot reasonably be located elsewhere and the benefits of development would clearly outweigh any harm. No reason is given as to why an equivalent clause should not be included in Policy ENV9. In the absence of such

reasons I agree that Policy ENV9 is too onerous and I consider that it should be modified to include such a clause.

- 12.59 The Council proposes (PIC/12/4) to replace the phrase “currently or indirectly” with the phrase “directly or indirectly”. I agree that this would be logical and the Plan should be modified accordingly.

North Merseyside Biodiversity Action Plan

- 12.60 Paragraph 4 of PPS9 advises that policies in documents such as the Plan should be consistent with local biodiversity priorities and objectives which, in this instance, would include those set out in the North Merseyside Biodiversity Action Plan. I do not, therefore, consider that the Plan should be modified to delete reference to that document.

Recommendations

- R12.10 i) The Plan be modified to add the following text to end of the first sentence in Policy ENV9 1)
- or that the development cannot reasonably be located elsewhere and the benefits of development clearly outweigh the harm it would cause.
- ii) The Plan be modified in accordance with PIC/12/4.
- iii) No further modification be made to the Plan in response to these objections.

CHAPTER 13: COMMUNITY BENEFITS AND PLANNING AGREEMENTS

GENERAL MATTER

Objections to 1st Deposit Draft

NONE

Objection to 2nd Deposit Draft

R0027/C00796 Approach 580 SIA

Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) The Plan should give greater encouragement and support for the use of local labour and contractors to secure improved community benefits

Inspector’s reasoning

13.1 The UDP is a land use policy document. How policies and proposals are physically implemented is not of direct relevance or concern to land use planning law and regulation. Because a planning permission relates to the land, it would be unreasonable to grant a permission to the applicant on the condition that particular persons carry out the scheme; the developer may not be the same person as the original applicant and local contractors may not have either the expertise or be suitable for other reasons to carry out the development. Which contractor or source of labour is used to carry out works is a contractual matter between a developer and their customer; it is not something which a land use planning policy document should be seeking to influence. I do not consider that the Plan should be modified to meet this objection.

Recommendation

R13.1 No modification be made to the Plan in response to this objection.

CHAPTER 14: MONITORING AND REVIEW

GENERAL MATTERS

Objection to 1st Deposit Draft

R0101/C00463 House Builders Federation

Objections to 2nd Deposit Draft

NONE

Objections to Pre-inquiry Changes

NONE

Conditionally Withdrawn Objections

NONE

Key Issue

- i) Implementation of the Plan must include close monitoring of demolition and clearance rates as this will influence the housing land requirement. This should be covered in the Housing chapter of the Plan and an additional target for such monitoring should be included within Table 14.1.

Inspector’s reasoning

- 14.1 The Council fully accept that monitoring indicators for demolitions and clearance should be included in Table 14.1 and acknowledge that this is amongst the information which has to be included in its annual monitoring report in connection with the Local Development Framework. Such information forms components of the housing trajectory which is encouraged by PPS12.
- 14.2 Two non-advertised changes (NAC/14/1 and NAC/14/2) have been put forward to ensure that Table 14.1 is based on the national LDF Indicators, as advised by ODPM. Whilst these indicators listed do not specifically include demolition and clearance figures, the intention is clearly to have regard to the net additional housing figures which, by implication, will have to take into account demolitions and clearances - amongst other matters. I consider that the proposed changes meet the point made by the objector and the Plan should be modified accordingly.
- 14.3 With these changes included, the Plan will clearly establish the context for monitoring and controlling the release of sites for housing. In which case I do not consider that the point also needs to be covered in the Housing chapter.

Recommendation

R 14.1 The Plan be modified in accordance with non-advertised changes NAC/14/1 and NAC/14/2.

CHAPTER 15: APPENDICES

GENERAL MATTERS

Objections to 1st Deposit Draft

R0071/C00146	Whiston Town Council
R0071/C00186	Whiston Town Council
R0015/C00207	Environment Agency
R0072/C00046	Halewood Town Council

Objections to 2nd Deposit Draft

R0027/C00797	Approach 580 SIA
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Objections to Pre-Inquiry Changes

NONE

Conditionally Withdrawn Objections

R0253/C00804	Knowsley Health Partnership
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Key Issues

- i) Town and parish councils should be listed as key partners under Appendix 2 [C00046, C00146].
- ii) The references to Strategic Investment Areas and associated partnerships are either incomplete or not correct in Appendix 2 [C00797].
- iii) The shops in Dragon Drive should be included in the list of centres in Appendix 6 [C00186].
- iv) Tanning salons should be removed from the list of examples of town centre uses in Appendix 6A. There is a notable health risk associated with artificial tanning [C00804].
- v) Appendix 8 omits four Sites of Biological Interest (SBI), and which should be included [C00207].

Inspector’s reasoning

- 15.1 Appendix 2 of the Plan has been revised to include a reference to Town and Parish Councils as Key Partners in the implementation of the Plan. This revision meets point i) above.
- 15.2 Similarly, the Council supports the point made at ii) above and has put forward a proposed change PIC/APP/2 (CD23). However, the PIC does not use the wording proposed by the objector to meet their objection. No reasons are given for not using the objector’s wording. In the absence of any further information, my view it would be more

appropriate to use the wording put forward by the objector in that it is likely to more closely meet their concerns. I do not consider that this wording would compromise any other aspects of the Plan.

- 15.3 The Council proposes a non-advertised change (NAC/APP/8) to add Dragon Drive to the list of local shopping centres in Appendix 6. The Council agrees that it not necessary to include tanning salons in the list of town centre uses in Appendix 6A and proposes a non-advertised change (NAC/APP/9) to delete these from the list. The proposed changes would meet both of these objections, and there have been no objections raised to these. I consider the proposed changes are entirely appropriate and the Plan should be modified accordingly.
- 15.4 The Council acknowledges that one of the four SBIs (Cronton Mineral Line) should be included as a Site of Geological Interest (SGI). It has been added to the list in Appendix 8 and is now shown in the Revised Draft version of the Plan (SGI 85, page xxiv) and on the Proposals Map.
- 15.5 The other three sites do not meet the criteria for SBIs used in drawing up the Plan. There have been no further submissions from the objector to refute the Council’s view. Information provided to the inquiry in respect of the site at Windy Arbor sets out why that site does not meet the current criteria for an SBI. This was not challenged or rebutted at the inquiry. I have no other information which would support the contention that the Council are mistaken in not including the other two sites.

Recommendation

- R15.1 i) Delete from Appendix 2 the wording “Merseyside Objective 1 and Pathways partnerships” and replace it with:
- Merseyside Objective 1 – Strategic Investment Area Partnerships and Pathway Partnerships.*
- ii) Include Dragon Drive as a Parade or Local Centre under the list for Whiston, in accordance with NAC/APP/8.
- iii) Delete tanning salons from the list of Examples of Town Centre Uses at Appendix 6A, in accordance with NAC/APP/9.
- iv) No further modifications be made to the Plan in response to these objections.

CHAPTER 16: SUMMARY OF RECOMMENDATIONS

16.1 Set out below are all of the recommendations made throughout the report, set out in Chapter order.

CHAPTER 0: GENERAL COMMENTS

Policy Omissions

R0.1 No modifications be made to the Plan in response to these objections.

CHAPTER 1: INTRODUCING THE PLAN

General Matters

- R1.1 i) The Plan be modified in accordance with PIC/1/4, PIC/1/6, and PIC/2/3.
- ii) The Plan be further modified in accordance with the non-advertised changes:
- NAC/GEN/1, NAC/2/2, NAC/2/3, NAC/2/4, NAC/2/5, NAC/2/7, NAC/3/1, NAC/3/2, NAC/3/3, NAC/4/1, NAC/4/2, NAC/4/5, NAC/4/10, NAC/4/13, NAC/4/15, NAC/5/2, NAC/5/3, NAC/5/4, NAC/5/14, NAC/8/1, NAC/9/10, NAC/11/1, NAC/11/18, NAC/12/1, and NAC/APP/3 (part).

CHAPTER 2: KEY ISSUES AND INFLUENCES

General Matters

- R2.1 i) The Plan be modified in accordance with PIC/2/5.
- ii) The Plan be further modified in accordance with the non-advertised change NAC/2/6.
- iii) No further modifications be made to the Plan in response to these objections.

CHAPTER 3: VISION AND OBJECTIVES

Objectives

- R3.1 i) The Plan be modified in accordance with PIC/3/3.
ii) No further modifications be made in response to these objections

Key Diagram

- R3.2 No modification be made to the Plan in response to this objection.

CHAPTER 3A: CORE POLICIES

Policy CP1: Regeneration and Development Priority Areas

- R3A.1 i) The Plan be modified in accordance with PIC/3A/1 and PIC/3A/3.
ii) No further modifications be made to the Plan in response to these objections

Policy CP2: Environmental Assets

- R3A.2 No modification be made to the Plan in response to this objection.

Policy CP3: Development Quality

- R3A.3 i) The Plan be modified in accordance with proposed change NAC/10/3.
ii) No further modifications be made to the Plan in response to these objections.

CHAPTER 4: HOUSING

Policy Omissions

- R4.1 No modification be made to the Plan in response to these objections.

Policy H1: Strategic Housing Land Requirements and Supply

a. Overall land supply for housing

- R4.2 i) The Plan be modified in accordance with PIC/4/1.

- ii) The Plan be modified in accordance with NAC/4/4, NAC/4/7, NAC/4/8, NAC/4/9, NAC/4/14NAC/4/15, NAC/4/16, NAC/4/17.
- iii) The third bullet point of Part 3) be deleted and replaced with:
 - o The housing needs of the Borough as a whole;
- iv) Site H25 be deleted as a housing allocation on the Proposals Map and shown as Primarily Residential Area, subject to Policy H8.
- v) No further modifications be made to the Plan in response to these objections.

b. Phasing of supply

R4.3 No modifications be made to the Plan in response to these objections.

c. Special housing needs

- R4.4 i) The Plan be modified by the deletion of paragraph 4.10K and its replacement with the following:

The Council will seek to ensure that, at any one time, an adequate stock of land is available to meet different housing needs, at the right time, in terms of tenure, type, affordability and location. Planning applications which meet an identified need (eg for the elderly or for special needs housing) will in many cases be supported. With regard to point 4 in Policy H1, the Council would – subject to compliance with other development plan policies - favourably consider a proposal to meet a specific and urgent housing need if it would provide housing for the elderly, less mobile or other special needs group in accordance with the Council’s Supporting People, Homelessness and/or Housing Strategies

- ii) No further modification be made to the Plan in response to these objections.

d. Points of clarification

- R4.5 i) The Plan be modified in accordance with PIC/4/2.
- ii) No further modifications be made to the Plan in response to these objections.

Policy H3: Strategic Housing Land Supply

R4.6 No modification be made to the Plan in response to these objections.

Policy H4 : Sites Allocated For Housing Development

R4.7 No modification be made to the Plan in response to these objections.

Site H1 – Former Bridgefield Forum site, Cartbridge Lane, Halewood

R4.8 No modification be made to the Plan in response to these objections.

Site H9 – Land at Thingwall Lane, Huyton

R4.9 i) NAC/4/18 is not included as a modification to the Plan.

ii) Paragraph 4.21C be modified to read:

Site H9 (land at Thingwall Hall, Huyton) has been subject to extensive waste tipping in the past and has been accepted by the Secretary of State to be a previously developed site. There is likely to be a long period of remediation and post-remediation monitoring before housing development can proceed. In recognition of the need to remediate the site and in accordance with the plan, monitor, manage mechanism in policy H1, the Council would be prepared to grant an early planning permission for the site provided that the number of dwellings completed before 2011 does not exceed 150. Part of site H24 is currently occupied by a road haulage company, but is considered suitable for development.

iii) Modify the Plan in accordance with NAC/4/19.

iv) No further modifications be made to the Plan in response to these objections.

Site H10 – Land adjacent to St Andrew’s Church / Boundary Drive, Halewood

R4.10 No modification be made to the Plan in response to these objections.

Site H10A – Land adjacent to St Andrew’s Church Hall, Boundary Drive, Halewood

R4.11 No modification be made to the Plan in response to these objections.

Site H11 – Woodfarm Hey, Stockbridge Village

R4.12 No modification be made to the Plan in response to these objections.

Site H13 – Pennard Avenue, Huyton

R4.13 No modification be made to the Plan in response to these objections.

Site H14 – Land at Little Moss Hey / Pool Hey, Stockbridge Village

R4.14 No modification be made to the Plan in response to these objections.

Site H24 - Delph Lane / Two Butt Lane, Prescot

R4.15 No modification be made to the Plan in response to this objection.

POLICY H4: Omission sites

Thingwall Hall, Huyton

R4.16 No modification be made to the Plan in response to this objection.

Marconi Sports Ground, Roby Road

R4.17 The Proposals Map be modified to show approximately 0.72 ha at the western side of the Marconi Sports ground (net of the 0.83 already given planning permission for housing) as falling within the Primarily Residential Area.

Former St Clement’s School, Boode Croft, Stockbridge Village

R4.18 No modification be made to the Plan in response to this objection.

Land at Hollow Croft, Stockbridge Village

R4.19 No modification be made to the Plan in response to this objection.

Prescot Trade Centre

R4.20 No modification be made to the Plan in response to this objection.

Policy H5: Residential Density

R4.21 No modifications be made in response to these objections.

Policy H6: North Huyton and Tower Hill (Kirkby) Action Areas

- R4.22 i) The Plan be modified in accordance with PIC/4/4, PIC/4/5 and PIC/4/6.
- ii) Part 1) b) of the policy as set out in the Revised Deposit Draft be deleted and replaced with:

b) Provision of a wider choice of housing accommodation and improvements to local shopping, open space, leisure, health and other community facilities.

- iii) No further modification be made to the Plan in response to these objections.

Policy H7: Development Opportunity Site (Valley Road, Kirkby)

- R4.23 i) The Plan be modified in accordance with PIC/4/7.
- ii) No further modification be made to the Plan in response to these objections.

Policy H8: Development within Primarily Residential Areas

- R4.24 i) Part 3) of Policy H8 be modified to read:

3) Windfall housing provision in Primarily Residential Areas will be acceptable in principle if it is for the replacement on a one-for-one basis

of housing units which have been demolished and accounted for under the terms of Policy H1. Further new ‘windfall’ houses will only be permitted if the release of the site is considered to be appropriate having regard to the requirements of Policy H1 and the monitoring of overall housing land supply.

- ii) No further modifications be made to the Plan in response to these objections.

Policy H10: Provision of Flats, Nursing and Residential Homes, Hostels and Houses in Multiple Occupation (HMOS)

R4.25 No modification be made to the Plan in response to this objection.

CHAPTER 5: ECONOMIC DEVELOPMENT

General Matters

R5.1 No modification be made to the Plan in response to these objections.

Policy EC1: Strategic Employment Locations

- R5.2 i) The Plan be modified in accordance with NAC/5/9, NAC/5/10, NAC/5/15 and NAC/5/16.
- ii) No further modification to the Plan in response to these objections.

Policy EC1A: Strategy for Provision of Employment Land

- R5.3 i) The Plan be modified in accordance with PIC/5/5, and PIC/5/11 and with NAC/5/9, NAC5/10, PIC/5/11, NAC/5/15 and NAC/5/16.
- ii) The Plan be modified by showing Area C of the South Prescot Action Area as Primarily Residential Area on the Proposals Map.
- iii) No further modification be made to the Plan in response to these objections.

Policy EC2: Strategic Land Supply – Employment Uses

R5.4 No modification be made to the Plan in response to these objections.

Policy EC2A: Sites Allocated for Employment Development

- R5.5 i) The Plan be modified in accordance with PIC5/12, PIC/5/16 and NAC/5/12.

- ii) The Plan be modified in accordance with PIC/5/13, Moorgate Point (E22) be deleted as a Site for Employment Development on the Proposals Map and included as a Non-Allocated Employment site in Appendix 5A.
- iii) No further modifications be made to the Plan in response to these objections.

Policy EC3: Primarily Industrial Areas

- R5.6
- i) The Plan be modified in accordance with PIC/5/17.
 - ii) No further modification be made to the Plan in response to these objections.

Policy EC4: Provision of Sites and Premises for Employment Development

- R5.7
- i) The Plan be modified in accordance with NAC/5/13. The Policy Link referred to in NAC/5/13 should be inserted at the end of paragraph 5.7M and the references to EC2 in the heading to that paragraph and in the paragraph itself should be changed to EC2A.
 - ii) No further modification be made to the Plan in response to these objections.

Policy EC5: Kings Business Park

- R5.8
- i) The Plan be modified in accordance with PIC/5/19 and on the Legend to the Proposals Map the words “*Regional Investment Site*” be inserted before the words “*Kings Business Park*”.
 - ii) The Plan be modified in accordance with PIC/5/20.
 - iii) No further modification be made to the Plan in response to these objections.

Policy E6: South Prescott Action Area

- R5.9
- i) The Plan be modified in accordance with NAC/5/19.
 - ii) No further modification to the Plan in response to these objections.

Policy EC7: Tourism and Cultural Development

- R5.10 No modification be made to the Plan in response to these objections.

CHAPTER 6: TOWN CENTRES AND SHOPPING

General Matters

R6.1. The Plan be modified in accordance with PIC/6/1.

Paragraph 6.1

R6.2 The Plan be modified in accordance with PIC/6/1.

Policy S1: Retail and Town Centre Development Strategy

R6.3 No modification be made to the Plan in response to these objections.

Policy S2: Diversification of Uses within Town and District Centres

R6.4 No modification be made to the Plan in response to these objections.

Policy S4: Kirkby Town Centre Action Area

R6.5 No modification be made to the Plan in response to these objections.

Policy S5: Prescott Town Centre

R6.6 No modification be made to the Plan in response to these objections.

Policy S8: Location of Development for Town Centre Uses

- R6.7
- i) The Plan be modified in accordance with PIC/6/11.
 - ii) No further modifications be made to the Plan in response to these objections.

CHAPTER 7: TRANSPORT

General Matters

- R7.1
- i) The Plan be modified to in accordance with PIC/7/1 and PIC/7/5.
 - ii) No further modification be made to the Plan in response to these objections.

Proposals Map

R7.2 No modification be made to the Plan in response to this objection.

Policy T1: An Integrated Transport System

- R7.3 i) The Plan be modified in accordance with PIC/7/4, PIC/7/5 and PIC/7/6.
- ii) No further modifications be made to the Plan in response to these objections.

Policy T2: Merseytram System

- R7.4 i) The Plan be modified in accordance with PIC/7/9, PIC/7/11, PIC/7/12 and PIC/7/13.
- ii) The Plan be modified by deleting the last sentence of paragraph 7.14 and replacing it with the following:

Also mitigation measures will be taken to ensure that unacceptable harm to the free and safe flow of traffic is avoided.
- iii) No further modifications be made to the Plan in response to these objections.

Policy T3: Other Public Transport Schemes

- R7.5 i) The Plan be modified in accordance with PIC/7/14 and PIC/7/15.
- ii) No further modifications be made to the Plan in response to these objections.

Policy T4: Major Highway Schemes

- R7.6 No modifications be made to the Plan in response to these objections.

Policy T5: Location of Major Traffic Generating New Development

- R7.7 i) The Plan be modified in accordance with PIC/7/18 and PIC/7/19.
- ii) No further modification be made to the Plan in response to these objections.

Policy T6: Ensuring Choice of Travel to Serve New Development

- R7.8 i) The Plan be modified in accordance with PIC/7/21.
- ii) No further modification be made to the Plan in response to these objections.

Policy T8: Transport Assessments

- R7.9 The Plan be modified in accordance with PIC/7/22.

Policy T9: Travel Plans

- R7.10 No modification be made to the Plan in response to these objections.

Policy T11: Taxi Facilities

R7.11 No modification be made to the Plan in response to this objection.

Policy T12: Aerodrome Safeguarding

R7.12 The Plan be modified in accordance with PIC/7/24.

CHAPTER 8: GREEN BELT AND RURAL ECONOMY

General Matters

R8.1 No modification be made to the Plan in response to this objection.

Policy G1: Green Belt Boundaries

- R8.2
- i) The Plan should not be modified in accordance with PIC/8/2.
 - ii) Paragraph 8.6 of the Plan should be deleted and replaced with the following text:

Government policy states that Green Belt boundaries, once established, can only be changed in exceptional circumstances. The Regional Spatial Strategy for the North West, 2003 proposed that there should be a strategic study of Green Belt across Merseyside and Halton. This study (The Merseyside Green Belt Study- Final Report) was published in January 2005 and concluded that there was no urgent need to review the Green Belt boundary in Merseyside. Since that time the Government has published its response to the Barker Review of Housing Supply in which it signalled its intention to make planning more responsive to the housing market and better able to deliver a variety and choice of housing. These are matters that, it is anticipated, will be taken into account in the preparation of the new Regional Spatial Strategy for the North West which will determine the scope and timing of any Green Belt Review.

- iii) No further modification be made to the Plan in response to these objections.

Policy G2: Development within the Green Belt

- R8.3
- i) The Plan be modified to in accordance with PIC/8/5, PIC/8/6 and PIC/8/7.
 - ii) No further modifications be made to the Plan in response to these objections.

Policy G3: Landscape Character and Amenities of the Green Belt

R8.4 No modification be made to the Plan in response to these objections.

Policy G6: Existing Major Developed Sites in the Green Belt

R8.5 No modification be made to the Plan in response to these objections.

Policy G7: Conversion or Change of Use of Existing Buildings in the Green Belt

R8.6 i) The Plan be modified in accordance with NAC/8/7 insofar as it relates to criterion k) and the first limb of criterion l) but not insofar as it relates to the second limb of the criterion l). For the avoidance of doubt criterion l) will read:

In the case of a building erected in the last 4 years evidence has been submitted which satisfactorily shows that the building was legitimately required for and used for a substantial time for agricultural purposes.

ii) The Plan shall not be modified in accordance with PIC/8/9 and PIC/8/10.

iii) No further modification be made to the Plan in response to these objections.

Policy G8: Alteration, Extension or Replacement of Existing Dwellings in the Green Belt

R8.7 No modifications be made to the Plan in response to these objections.

Policy G9: Agricultural or Equestrian Development

R8.8 The Plan be modified in accordance with NAC/8/11 and NAC/8/12.

General Matters

R8.9 No modification be made to the Plan in response to this objection.

CHAPTER 9: URBAN GREENSPACE, SPORT AND RECREATION

General Comment on some Objections

R9.1 No modifications be made to the Plan in response to these objections.

Policy OS1: Strategy for Urban Greenspace and Sport

R9.2 No modifications be made to the Plan in response to these objections.

Policy OS2: Urban Greenspace

R9.3 i) The Plan be modified in accordance with PIC/PM/3, PIC/9/13 and NAC/9/4.

- ii) The Plan be modified to delete the middle 0.72 ha of the Marconi Sports Ground from the Urban Greenspace designation.
- iii) No further modification be made to the Plan in response to these objections.

Policy OS3: Quantitative Standards – Public Open Space for General Amenity Use and Children’s Play

- R9.4
- i) The Plan be modified in accordance with PIC/9/13, PIC/9/14, PIC/9/16 and PIC/9/21.
 - ii) No further modifications be made to the Plan in response to these objections.

Policy OS4: Protection of Playing Pitches and other Formal Sporting Facilities

- R9.5
- i) The Plan be modified by the deletion of the first sentence of paragraph 9.15 and the substitution of the following text:

Where a planning application is submitted for a development that would lead to the total or partial loss of an existing facility the Council will assess whether that facility is surplus to requirements by reference to its “Open Space, Sport & Recreation Needs Assessment & Strategy”. The applicant may seek to demonstrate through an independent assessment whether the facility is needed.
 - ii) No further modifications be made to the Plan in response to these objections.

Policy OS5: Public Open Space and Recreational Facilities to meet the Needs of New Development

- R9.6 No modifications be made to the Plan in response to these objections.

Policy OS6: Location of Major New Sporting and Recreational Facilities

- R9.7
- i) The Plan be modified in accordance with PIC/9/26.
 - ii) No further modifications be made to the Plan in response to these objections.

Policy OS7 Educational Uses and Sites

- R9.8 No modification be made to the Plan in response to these objections.

CHAPTER 10: DEVELOPMENT QUALITY AND THE BUILT ENVIRONMENT

Policy Omission

R10.1 No modification be made to the Plan in response to these objections.

Policy DQ1: Design Quality in New Development

R10.2 The Plan be modified as detailed below:

- i) criterion a) be modified to read:
respond to and, where appropriate, enhance the characteristics of the immediately surrounding area through the use of appropriate scale, density, massing, height and building lines;
- ii) criterion f) be modified to read:
include measures to accommodate protected species and their habitats where these are seen to be relevant on nature conservation grounds;
- iii) criterion i) be modified to read:
provide an appropriate form of landscape treatment
- iv) delete “in new development” from the end of criterion m);
- v) delete criteria p) and q) and include a note under the heading “Links to other approved strategies” to say:

Schemes for new development should take account of other relevant strategies and guidance drawn up by the local planning authority. In particular, regard should be had to the aims and objectives of any regeneration strategy which has been approved by the Council for the area concerned. Developers should also have regard to the Knowsley Council Design Guide which sets out appropriate design principles.
- vi) In paragraph 10.5 delete “and where possible sculpture and public art”. Include after “variety in the built environment” the sentence:

The use of sculpture and public art will be encouraged in appropriate locations.
- vii) No further modifications be made to the Plan in response to these objections.

Policy DQ4: Trees and Development

R10.3 No modification be made to the Plan in response to these objections.

Policy DQ7: Listed Buildings

R10.4 The Plan be modified in accordance with PIC/10/1.

Policy DQ8: Historic Parks and Gardens

- R10.5 i) The Plan be modified in accordance with NAC/PM/2.
ii) No further modifications be made to the Plan in response to these objections.

CHAPTER 11: MINERALS, WASTE AND ENERGY

Policy Omissions

R11.1 No modification be made to the Plan in response to this objection.

Policy MW1: Strategy for the Winning and Working of Minerals

R11.2 No modification be made to the Plan in response to this objection.

Policy MW1A: Protection, Winning and Working of Minerals Resources

- R11.3 i) The Plan be modified in accordance with PIC/11/1 and PIC/11/2.
ii) No further modifications be made to the Plan in response to these objections.

Policy MW2: Minerals and Aggregates Developments

R11.4 No modifications be made to the Plan in response to this objection.

Policy MW2A: Proposals for Minerals and Aggregate Development

- R11.5 i) The Plan be modified in accordance with PIC/11/3 and PIC/11/4;
ii) The Plan be modified in accordance with NAC/11/6, NAC/11/7, NAC/11/8 and NAC/11/9.

Policy MW4: Waste Management Strategy

- R11.6 i) The Plan be modified in accordance with NAC/11/12.
ii) No further modifications be made to the Plan in response to these objections.
iii) The Waste Hierarchy diagram be replaced with the version given at Annex C of PPS10.

Policy MW5: Waste Management and Treatment Facilities

- R11.7 i) The Plan be modified to delete policy MW5 and paragraph 11.17 (and any associated pre-inquiry changes and non-advertised changes) and paragraph 11.18 and replace them with the following:

POLICY MW5: WASTE MANAGEMENT AND TREATMENT FACILITIES

- 1) Proposals for new waste management facilities (or for the enlargement or amended operation of existing facilities) will be permitted where they are seen to be meeting the strategic objectives set out in Policy MW4, subject to an assessment of their likely environmental impact or other harm. In determining applications for new or enlarged waste management facilities regard will be had to whether the proposed development would cause significant and unacceptable harm to any of the following:
 - a) environmental resources or assets;
 - b) the visual character of the surrounding area;
 - c) the amenities of occupiers of nearby property (particularly residential property or other environmentally sensitive uses such as schools, hospitals or specialist industrial or business uses such as food processing and high technology uses) in terms of visual amenity, noise, vibration, dust, windblown material, smells litter, vermin, air, land or water or other nuisance;
 - d) air safety, (including the need to safeguard the airspace around Liverpool John Lennon Airport and avoid birdstrike hazard);
 - e) road safety and highway capacity.
- 2) Proposals for waste management facilities should also be compatible with any approved regeneration strategy for the area in which they are proposed to be located.
- 3) Proposals for waste management facilities must include facilities for the recovery of materials for re-use and recycling and/or the recovery of energy from waste.
- 4) Planning permissions for temporary waste management uses and facilities may be made subject to planning conditions requiring reinstatement of the site, followed by after-care, to enable the subsequent use of the site for purposes agreed with the local planning authority.
- 5) Proposals for new superstores, supermarkets and other appropriate large developments with their own car parks, which are acceptable in principle, will only be permitted provided that recycling facilities are designed as an integral part of the development, so as to minimise their impact on amenity and traffic circulation.

Explanation MW5

11.17

Policy MW5 applies to proposals for all forms of waste management facility. It therefore covers:

- waste transfer stations, waste reception and recycling facilities, scrapyards, aggregates and soil recycling facilities, and Materials Recovery Facilities (MRFs);
- composting;

- energy from waste facilities;
- waste water (sewage) and sewage sludge treatment plants; and
- landfill proposals (which also need to satisfy the criteria in policy MW6).

11.18

These operations and uses can contribute in differing ways to the management of waste and at different levels in the waste hierarchy. The government’s policies on waste are set out in Planning Policy Statement 10 *Sustainable Waste Management* (PPS10) and are augmented by *Waste Strategy 2000* which sets national targets for recycling. As far as is possible, as explained under Policy MW4, local authorities should seek to minimize the production of waste and thereafter to facilitate its re-use, or recycling and the recovery of energy from materials which cannot be re-used or recycled. Proposals for waste management developments which accord with this overall strategy will be permitted where they will not have a significant unacceptable harmful impact on the local environment. The locational criteria given in Annex E of PPS10 may be referred to in assessing the suitability of a proposed site.

- ii) The Plan be modified in accordance with PIC/11/7.
- iii) No further modifications be made to the Plan in response to these objections.

Policy MW6: Landfill or Landraising

- R11.8
- i) The Plan be modified in accordance with PIC/11/8.
 - ii) No further modifications be made to the Plan in response to these objections.

Policy MW7: Renewable Energy

- R11.9
- i) The Plan be modified in accordance with PIC/11/9 and PIC/11/10.
 - ii) No further modifications be made to the Plan in response to these objections.

CHAPTER 12: ENVIRONMENTAL PROTECTION AND NATURE CONSERVATION

General Matters

R12.1 No modification be made to the Plan in response to these objections.

Policy ENV1: Control of Pollution in New Development

R12.2 No modification be made to the Plan in response to these objections.

Policy ENV2: Noise and Vibration

R12.3 No modification be made to the Plan in response to this objection.

Policy ENV3: Light Pollution

- R 12.4 i) The Plan be modified by deleting the word “*detrimental*” from criteria b) and c) of Policy ENV3 and replacing it with the word “*unacceptable*”.
- ii) No further modifications be made to the Plan in response to these objections.

Policy ENV5: Contaminated Land

- R12.5 i) The Plan be modified by deleting the word “*significant*” from the last line of part 1) of Policy ENV5 and replacing it with the word “*unacceptable*”.
- ii) No further modification be made to the Plan in response to these objections.

Policy ENV5A: Landfill Gas

R12.6 No modification be made to the Plan in response to these objections.

Policy ENV6: Flood Risk and Drainage

- R12.7 i) The Plan be modified in accordance with PIC/12/1.
- ii) No further modification be made to the Plan in response to these objections.

Policy ENV7: Telecommunications Developments

- R12.8 i) The Plan be modified in accordance with PIC/12/2.
- ii) No further modifications be made to the Plan in response to these objections.

Policy Env8: Protection of Habitats and Designated Sites

- R12.9 i) The Plan be modified in accordance with NAC/APP/13 and PIC/12/3.
- ii) No further modifications be made to the Plan in response to these objections.

Policy ENV9: Protection of Species

- R12.10 i) The Plan be modified to add the following text to end of the first sentence in Policy ENV9 1)
- or that the development cannot reasonably be located elsewhere and the benefits of development clearly outweigh the harm it would cause.

- ii) The Plan be modified in accordance with PIC/12/4.
- iii) No further modification be made to the Plan in response to these objections.

CHAPTER 13: COMMUNITY BENEFITS AND PLANNING AGREEMENTS

General Matter

R13.1 No modification be made to the Plan in response to this objection.

CHAPTER 14: MONITORING AND REVIEW

General Matters

R 14.1 The Plan be modified in accordance with non-advertised changes NAC/14/1 and NAC/14/2.

CHAPTER 15: APPENDICES

General Matters

- R15.1
- i) Delete from Appendix 2 the wording “Merseyside Objective 1 and Pathways partnerships” and replace it with:
Merseyside Objective 1 – Strategic Investment Area Partnerships and Pathway Partnerships.
 - ii) Include Dragon Drive as a Parade or Local Centre under the list for Whiston, in accordance with NAC/APP/8.
 - iii) Delete tanning salons from the list of Examples of Town Centre Uses at Appendix 6A, in accordance with NAC/APP/9.
 - iv) No further modifications be made to the Plan in response to these objections.