

# Wirral Local Plan – Main Modifications Response Form

## Part A

### 1. Personal details

(if an agent is appointed, please complete only the title, name and organisation in the boxes below but complete the full contact details of the agent in section 2 below)

<b>Title</b>	
<b>First name</b>	
<b>Last name</b>	
<b>Organisation (where relevant)</b>	Derwent Development Management Ltd
<b>Address</b>	
<b>Postcode</b>	
<b>Telephone number</b>	
<b>Email address</b>	
<b>Objective ID number (if known)</b>	

### 2. Agent's details (if applicable)

<b>Title</b>	
<b>First name</b>	
<b>Last name</b>	
<b>Job title (where relevant)</b>	
<b>Organisation (where relevant)</b>	ATP
<b>Who are you representing?</b>	Derwent Development Management Ltd
<b>Address</b>	
<b>Postcode</b>	
<b>Telephone number</b>	
<b>Email address</b>	
<b>Objective ID number (if known)</b>	Person ID 1240223

# Wirral Local Plan – Main Modifications Response Form

## 3. Data Protection Notice

	Please tick this box to confirm that you understand that your name and your response will be published, that your full name and details will be passed to the Planning Inspectors, and that you have read and understood the Council's privacy notice.
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Please note that all comments will be held by Wirral Council and made available in accordance with our privacy notice, which can be viewed at <https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/forward-planning-privacy-notice> or obtained from one of the addresses below.

Please read all the information related to this consultation on the Council's webpage at <https://www.wirral.gov.uk/new-local-plan> or which has been placed in public libraries, and the Wirral Local Plan Modifications Response Form Background Note before you make your representations.

## 4. Completed Responses

Please submit your completed Response Form/s **to arrive at one of the addresses below no later than 5pm on Friday 8 November 2024.**

- by email to: [localplan@wirral.gov.uk](mailto:localplan@wirral.gov.uk), clearly marked as 'Wirral Local Plan – Consultation on Main Modifications'  
or
- by post to: Wirral Local Plan - Main Modifications, Wirral Council, PO Box 290, Wallasey CH27 9FQ

Please note that comments received after this deadline will not be accepted.

Please use a separate Response Form for each modification that you wish comment on.

If you require any further information, please contact the Council's Forward Planning Team by e-mail at [localplan@wirral.gov.uk](mailto:localplan@wirral.gov.uk) or by telephone on 0151 691 8235.

# Wirral Local Plan – Main Modifications Response Form

## Part B

1. To which Modification does your representation relate? (as appropriate)

Main Modification Reference number: **MM 16**

Policies Map Reference number: PM [ ]

Additional Modification Reference number: AM [ ]

2. If your comment is on a Main Modification, do you consider that the Main Modification is:

Legally Compliant – **Yes** (please delete as appropriate)

Sound – **No** (please delete as appropriate)

## Wirral Local Plan – Main Modifications Response Form

**3. Please explain why you consider a Main Modification does not assist in achieving legal compliance or soundness or provide any other comments on it in the box below. Please be as precise as possible.**

*Please provide all the information and evidence necessary to support or justify your comment. If you wish to support the legal compliance or soundness of a Main Modification, please clearly state that you support it and set out your comments in this box.*

MM16 is concerned with the move to zero carbon and revisions to Policy WS8. The amendments create very significant changes to accompanying text and the policy itself.

We submitted previous representations to the Regulation 19 plan which sought to impose policy requirements to all major development. We argued that this would capture several developments that would constitute major development but would not result in any significant construction activity or material changes to the character of use. This would mean that those applications would need to commit resource to provide technical assessments and consider measures, where those developments would have no substantive opportunity to contribute to the objectives of those policies.

We advised that Regulation 19 policies WS8.4, WS8.5 and WS 8.8 should be amended accordingly. Through the Main Modifications, WS8.4 has been subject of revisions and WS8.5 and WS8.8 have been deleted and then essentially replaced by new Policy WD23.

The proposed revisions to Policy WS8.4 downgrades the nature of the policy constraint (by reference to a framework of consider rather than demonstrate), but it nevertheless applies this to all development typologies. That fundamentally misses the point and the policy remains unsound.

Draft policies WS8.5 and WS8.8 were unsound and (in the absence of its revision which we recommended) then deletion is the next best option. However, its inclusion within new policy WD23 simply re-creates the same challenge and failures of soundness.

## Wirral Local Plan – Main Modifications Response Form

### 4. Please set out in the box below the changes you consider necessary to make the Main Modification legally compliant and sound.

*Please say why each change you consider necessary will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.*

Policy WS8.4 should be amended to ensure that it only relates to development typologies which are genuinely relevant to its objectives. We propose the following (changes in red text):

*“B. Major Development proposals **that involve significant construction activity** should consider how residual carbon emissions can be addressed through the use of onsite renewable and low carbon energy supplies, and seek to provide for this form of energy generation where feasible.”*

In the context of draft policies WS8.5 and WS8.8 we note that these have been deleted and essentially moved to WD23.

We also note new accompanying text in regard to Energy Hierarchy and On-Site Renewables. We propose the following (changes in red text):

*“Energy Hierarchy and On-Site Renewables*

*Applicants of major schemes **that involve significant construction activity** are encouraged to include an explanation of how they have addressed the energy hierarchy and provided for onsite renewable energy in the Planning Statement accompanying the application.”*

These revisions would help to ensure that these policy requirements would align with the tests of soundness.

## Wirral Local Plan – Main Modifications Response Form

- 5. Do you have any comments on the Sustainability Appraisal or to the Habitats Regulations Assessment in respect of this particular Main Modification? Please provide them in the box below.**

*Please state the document to which you refer, with the relevant paragraph, page and table number. Please be as concise as possible.*

We make no comment on this matter.

## Wirral Local Plan – Main Modifications Response Form

### 6. Do you have any comments on a Proposed Change to the Policies Map? Please provide them in the box below.

*Please state the proposed change to which you refer (in the format 'PMxx'). Please state as concisely as possible how you think the Policies Map should be changed. Please include or attach a map showing your proposed change, if you are able to do so.*

We make no comment on this matter.

## Wirral Local Plan – Main Modifications Response Form

### Part C

**Do you have any comments on one of the Councils Additional Modifications? Please provide them in the box below.**

*Please state the additional modification to which you refer (in the format 'AMxx') and provide your comments as concisely as possible*

We make no comment on this matter.

## Wirral Local Plan – Main Modifications Response Form

Thank you for completing this form.

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