

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)

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

2. Agent's details (if applicable)

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

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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, 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 or by telephone on 0151 691 8235.

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Part B

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

Main Modification Reference number: **MM 20**

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)

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.

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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.

MM20 is focused upon Policy WS11 which is concerned with the strategy for town and local centres.

The amendments provide several references to ensure that development aligns with the role and function of a given centre, and continues to refer to the use of thresholds where impact assessments should be provided.

In the first instance, we confirm that the expression of the need to ensure that centres should provide facilities which are “consistent with the role and function of the centre” is a sound approach which we support.

However, we submitted previous representations to the Regulation 18 consultation in regard to the thresholds which have now been identified (for the purposes of impact assessment) under criterion H.

Policy WS11 (h) includes sub-criteria that identify specific thresholds in the context of schemes which are “relevant” to defined centres (sub-regional, town district and local). By reference to “relevant”, we assume that this is intended as a proxy for centres that would fall within a catchment area for a given proposal but this should be clarified.

These thresholds are considered within the 2019 Retail Study, and reference is given to the potential of discounter stores (circa 1700 sq m) to generate substantial turnovers that could materially affect shopping patterns in a defined centre.

The actual thresholds appear largely arbitrary, and are essentially a function of the size of stores within those centres rather than the size of unit which would create genuine potential for an application to divert a material level of trade diversion or to remove a key tenant.

In practice, the approach which is being taken is akin to the sequential approach rather than impact assessment. We would agree that schemes proposing any quantum of floorspace for main town centre uses should consider the sequential approach, but that does not necessitate the additional burden of impact assessment.

We would accept that there is evidence of some retail formats (such as food discounters) that can perform a retail function that would be material to the vitality of a district centre. As such, whilst we would accept that there is an argument for the adoption of a locally imposed threshold below 2500m² there is no cogent evidence to support the adoption of these varying thresholds. It should be for the Council to provide that evidence and at this point any decision to adopt these thresholds would be unsound.

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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.

The thresholds set out at criterion H of Policy WS11 should be amended to either reflect the nationally adopted threshold (2500m²) or alternatively amended to respond to figures which are genuinely evidence-based. That evidence does not exist at this point and the approach taken is unsound.

We would accept that stores such as food discounters can be genuinely relevant in terms of the ongoing vitality of centres (town centres and below) and as such we would conclude that it would be plausible to adopt the same 1500m² threshold for retail proposals located beyond any defined centres.

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

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- 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.

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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.

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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.

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