



Wirral Local Plan

Response to Wirral Council's Main Modifications Consultation
Local Plan Examination Representor I.D.: 1324041

On behalf of **Jones Homes (North West) Limited**



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Contents

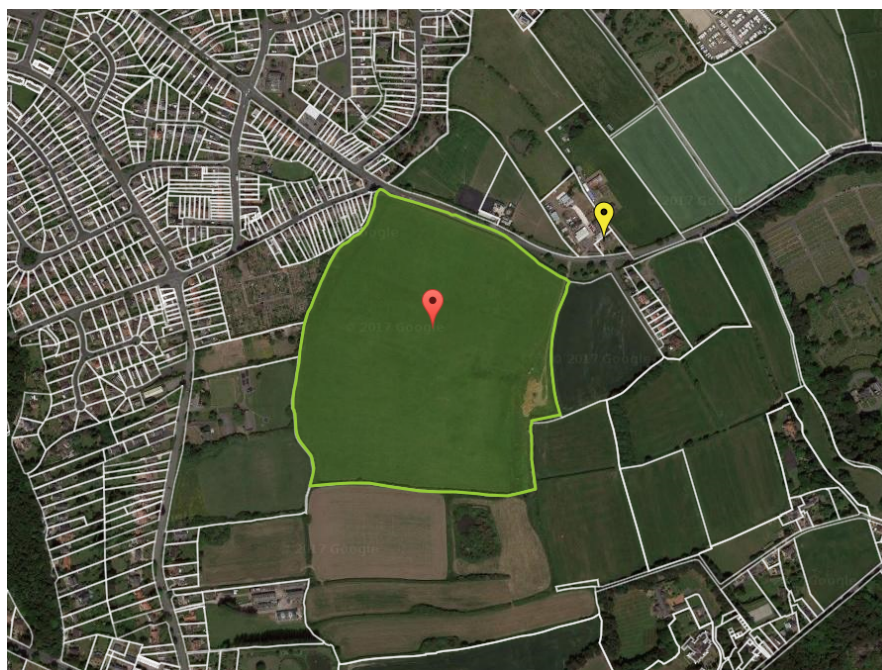
1	Introduction	1
1.1	Purpose of this Submission	1
1.2	Previous Submissions	2
1.3	Structure of this Representation	3
2	Our Observations Regarding the Main Modifications Document	4
2.1	Main Modification 1.....	4
2.2	Main Modification 2.....	4
2.3	Main Modification 3.....	4
2.4	Main Modification 5.....	5
2.5	Main Modification 6.....	5
2.6	Main Modification 21.....	6
3	Summary	7

1 Introduction

1.1 Purpose of this Submission

- 1.1.1 Stantec UK Ltd ('Stantec') is instructed by Jones Homes (North West) Limited¹ to submit this representation to the consultation currently being undertaken by Wirral Council ('the Council') in relation to its 'Schedule of Main Modifications' document, dated July 2024, following the Local Plan examination hearing sessions.
- 1.1.2 The reason for Jones Homes' interest in the emerging Wirral Local Plan is because it owns outright land adjacent to the settlement boundary of Newton, to the immediate south of the B5139 (Frankby Road), where it proposes the development of a high-quality residential scheme.

Figure 1.1: The Site Owned by Jones Homes



- 1.1.3 In this latest representation, we provide our observations regarding those parts of the Main Modifications document that relate to residential growth in Wirral, and we reiterate Jones Homes' strong commitment to delivering its proposed residential scheme at Frankby Road following the site's release from the Green Belt.

¹ Hereafter 'Jones Homes'.

1.2 Previous Submissions

- 1.2.1 Our current submission should be read in conjunction with our previous representations on behalf of Jones Homes to Wirral Council's various call for sites exercises, and consultations on its emerging Local Plan, including²:
- 'Housing Needs and Supply' (September 2016).
 - 'Initial Green Belt Review: Proposed Methodology' and the 'Brownfield Land Register' (December 2017).
 - 'Development Options Review – Proposed Green Belt Sites for Further Investigation' (October 2018).
 - 'Land Availability and Site Monitoring' (July 2019).
 - 'Wirral SHMA Stakeholder Consultation' (November 2019).
 - 'Issues and Options' version of the emerging Local Plan (April 2020).
 - 'New Evidence Base Consultation', comprising: Agricultural Economy and Land Study Addendum; Landscape Sensitivity Addendum and Wirral Local Landscape Designations Review; and Exploring the Computation of Housing Needs in Wirral (July 2020).
 - 'New Evidence Base Consultation', comprising: Draft Wirral Environmental Sensitivity Study and Draft Wirral Green and Blue Infrastructure Study (March 2021).
 - 'Wirral Local Plan 2031-2037 – Submission Draft Consultation' (July 2022).
 - 'Wirral Local Plan Examination Statements' in relation to Matters 2 ('Vision, Objectives and the Spatial Strategy'), 3 ('Strategic Policies and Housing') and 5 ('Detailed Policies') (March 2023).
 - 'Wirral Local Plan Examination Statements' in relation to Matters 7 ('Strategic Environmental and Landscape Policies'), 8 ('Delivery'), 9 ('Area Based Policies') and 10 ('Other Detailed Policies, Monitoring and the Policies Map') (September 2023).
- 1.2.1 Enclosed with our April 2020 submission was a document entitled 'Delivery Statement', which:
- contained the findings from various assessments undertaken by Jones Homes' multi-disciplinary team of professional advisors, which have not identified any physical, environmental, ecological or other constraints preventing the site coming forward for residential use;
 - demonstrates that the site has the capacity to comfortably deliver around 250 new family homes; and
 - describes how, subject to the necessary Green Belt boundary adjustments, the allocation and subsequent development of the site would be wholly appropriate as a modest extension to the existing settlement and could come forward within the early part of the emerging plan period.
- 1.2.2 An updated version of the Delivery Statement was produced to support our July 2022 submission to the Council's Regulation 19 consultation. The updated Delivery Statement includes an illustrative landscape masterplan which visually demonstrates how a well-designed residential scheme can be integrated amongst existing Green and Blue Infrastructure ('GBI') features to the west and that trees and hedgerows at the site are proposed to be retained and enhanced. The illustrative landscape masterplan includes

² Some of our submissions were made when we were known as 'Peter Brett Associates', before we changed our company name to 'Stantec' on 1 January 2020.

proposals to introduce new woodland blocks to form a new strong Green Belt boundary and screen the new housing from the public vantage, including a footpath to the south of the site.

- 1.2.3 The aforementioned documents are extensive but the principal observations that we have consistently made via our submissions are summarised below:
- We have emphasised our serious doubts regarding the Council's proposed brownfield regeneration strategy, which will only deliver benefits for a small part of the Borough.
 - We have explained why there is a compelling need to release Green Belt land for development, without which it will not be possible to meet the needs of the population and the economy across the whole of Wirral.
 - Our client's site between Frankby Road and Grange Cross Lane, Newton represents a deliverable opportunity in a sustainable location, which is able to contribute towards ensuring that the Borough's housing needs can be met in full.
- 1.2.4 Our concerns regarding the Council's inability to meet the Borough's growth requirements in full via its proposed brownfield regeneration strategy have heightened given the Government's current proposal to substantially increase Wirral's annual housing target, from 728 dwellings under the current standard method to 1,755 dwellings under the proposed method which was published for consultation in July 2024.
- 1.2.5 Wirral's annual housing target is therefore set to more than double (a 141 per cent increase) and so it is indisputable that the release of Green Belt land in sustainable locations will be required. The compelling need for Green Belt release is also evident from the fact that the Council, by its own admission, is unable to identify sufficient deliverable or developable sites to meet its proposed housing requirement within the proposed main modifications to the emerging Local Plan. As such, we have very serious concerns about the soundness of the proposed approach, with respect to paragraph 35 of the NPPF (December 2023 version).

1.3 Structure of this Representation

- 1.3.1 In Section 2, we provide our observations regarding the Main Modifications document and, in Section 3 we provide an overall summary.
- 1.3.2 For brevity, we do not repeat our description of our client's proposed development scheme, or the site's strong credentials, which are detailed within our earlier submissions.

2 Our Observations Regarding the Main Modifications Document

2.1 Main Modification 1

- 2.1.1 The amended wording of Local Plan paragraph 1.3, as set out under MM1, maintains the Council's position that exceptional circumstances to justify alterations of the Green Belt boundaries do not exist in Wirral.
- 2.1.2 For the reasons that we go on to explain below – namely the effect of the Council's updated supply and requirement figures being that the Local Plan is not able to meet identified needs, in contrast to the position asserted by the Council during the examination hearings – we believe that there are now even more compelling reasons to release land from the presently defined Green Belt, in sustainable locations, than there already were previously.
- 2.1.3 Furthermore, the clear need to release Green Belt land in order to meet identified needs will become even more acute as and when the Government's proposal to more than double Wirral's annual housing target – from 728 dwellings under the current standard method to 1,755 dwellings under the proposed method – comes into effect.

2.2 Main Modification 2

- 2.2.1 Paragraph 22 of the NPPF (December 2023 version) requires strategic policies to '*look ahead over a minimum 15 year period from adoption*'. We therefore explained in paragraphs 2.1.1 and 2.1.2 of our Matter 5 Examination Statement (March 2023) that, because the Wirral Local Plan will not be adopted until 2024 at the earliest, the plan period should be extended from 2037 until 2039 at least, meaning that additional sites should be identified throughout the Borough to provide capacity for housing over at least two additional years. We noted that extension of the plan period in that way would be consistent with the approach which has arisen following examination of other draft Local Plans, including Charnwood and Solihull.
- 2.2.2 We are therefore pleased to see that the plan period has been extended to cover the period 2022 to 2040, from the originally proposed 2021 to 2037 period. As we go on to highlight, however, we are disappointed that despite the plan period now covering 18 years rather than 17 – and the Council's currently stated 'total supply' being substantially reduced (11,814 dwellings now versus the 16,322 dwellings previously identified) – the Council is persisting with its strategy of focusing on a narrow part of the Borough rather than seeking to identify additional sites to meet needs in full.

2.3 Main Modification 3

- 2.3.1 As noted above, the 'total supply' figure quoted within updated Local Plan Table 3.2 – as shown by MM3 – is now 11,814 dwellings, which represents a substantial reduction vis-à-vis the 16,322 dwellings which the Council previously identified. The updated total supply figure represents a reduction of some 4,508 dwellings, or 27.8 per cent.
- 2.3.2 The Council's anticipated supply from all of the supply categories within updated Table 3.2 has reduced, but the most substantial reductions are accounted for by:
- The Birkenhead Regeneration Framework Area: reduction of 2,499 dwellings, from 8,116 to 5,617 dwellings, representing a drop of almost one third (30.8 per cent).
 - 'Allowances': reduction of 1,566 dwellings, from 3,490 to 1,934 dwellings, equating to a drop of almost one half (44.6 per cent).

2.3.3 The reduction in the Council's anticipated supply of 4,508 dwellings represents around 5.6 years' supply (when measured against the Council's updated annual target of 800 dwellings³), but there has been no attempt to identify new sources of supply to fill that gap. For the reasons that we set out comprehensively within our Local Plan Examination Statements, and other submissions, we already had serious concerns regarding the Council's ability to meet its identified growth requirements even before the large reduction in anticipated supply.

2.4 Main Modification 5

2.4.1 The substantial reduction in the Council's anticipated housing supply referred to under MM3 is accompanied by the minimum housing requirement rising by 1,040 dwellings, from 13,360 to 14,400 dwellings. Thus, the Council's anticipated supply has reduced by around 5.6 years in tandem with the plan period requirement rising significantly.

2.4.2 Previously, the Council claimed that it was able to demonstrate sufficient supply on the basis that its supply figure of 16,322 dwellings exceeded the minimum requirement of 13,360 dwellings. The situation has now reversed, with the Council's updated supply figure of 11,814 dwellings being some 2,586 dwellings lower than the revised minimum target of 14,400 dwellings, representing a shortfall of around 3.2 years when measured against the Council's updated annual housing requirement of 800 dwellings.

2.4.3 If the decision was taken to adopt the Local Plan in line with the amendments set out within the Main Modifications document, that decision would have been made in the knowledge that the Local Plan is not able to deliver its own identified growth requirements. The shortfall situation will become even more stark when the Government's much higher proposed annual housing requirement for Wirral comes into effect.

2.4.4 We are also disappointed to see from the updated trajectory shown within Appendix 4 to the Main Modifications document, and described under MM5, that the Council's proposals will not get close to delivering sufficient homes over the early part of the plan period. Only 500 homes per annum are predicted over the period to 2027-2028, which is not even two-thirds of the Council's updated annual requirement of 800 dwellings. The updated trajectory predicts that the annual target will only be achieved from 2028-2029 onwards, which means that – allowing for the shortfall which will accrue over the period to 2027-2028 – there will be a cumulative shortfall until the latter part of the plan period.

2.4.5 For the reasons outlined above, the effect of the modifications regarding anticipated supply and minimum housing requirements is that the Council is not planning to meet identified needs. We therefore request a reopening of the examination hearings to enable discussion regarding the identification of additional sources of deliverable supply to fill the substantial supply gap that is now evident.

2.5 Main Modification 6

2.5.1 MM6 confirms that the '*Local Plan does not contain sufficient deliverable or developable sites at the time of the examination to meet the full housing requirement of 14,400...*'. Our related observations are as follows:

- At the time of the examination hearings, the Council claimed that the Local Plan would deliver sufficient homes to meet the identified requirements. Notwithstanding the submissions that we and others made regarding the identified annual housing requirement

³ Source: paragraph 3.15 of the 'Wirral Local Plan 2021 to 2027 – Submission Draft (Tracked Changes Version September 2024)', which shows that the annual target has been reduced from 835 dwellings to 800. The updated annual target produces a new target of 14,400 dwellings over the amended 18-year plan period (2022-2040).

being too low, the Council's position was that the minimum requirement would be achieved each year following adoption of the Local Plan (as shown by the trajectory within Appendix 4 to the Submission Draft version of the Local Plan).

- The Council is now suggesting that the Local Plan should be adopted on the basis of the updated supply and requirement figures which, by the Council's admission, will not meet identified needs until the latter part of the plan period (well into the 2030s).
- Such an approach is completely at odds with the Government's stated objective of significantly boosting the supply of homes (paragraph 60 of the NPPF, December 2023).
- Furthermore, conducting an examination on the basis that the submitted draft Local Plan can meet identified needs, and then updating the supply/demand figures thereafter – the effect of which is that the modified Local Plan is not meeting identified needs – should immediately trigger a reopening of the examination hearings.
- If the examination is not reopened and the Local Plan is adopted on the basis that it is not able to meet identified needs, then it would plainly not satisfy the soundness tests outlined within the bullets beneath paragraph 35 of the NPPF, and it would also make a mockery of the examination process.

2.5.2 We therefore reiterate that the examination hearings should be reconvened.

2.6 Main Modification 21

2.6.1 The updated supporting text to Policy WS 12, as set out under MM21, reads as follows: '*As noted in relevant national planning policy, reviews should be completed no later than five years from the adoption date of a Plan and should take into account changing circumstances affecting the area, or any relevant changes in national policy.*' The factors which could trigger a review of the Local Plan earlier than the five-year period are then set out within the updated wording of draft Policy WS 12.

2.6.2 Given that the effect of the updated supply and requirement figures is that the Local Plan cannot meet identified needs – and notwithstanding our submission that the examination hearings should be reopened as a consequence – our position is that Policy WS 12 should be amended to require an immediate review to be commenced in the event that the Local Plan is adopted on the basis of the Council's latest supply/requirement figures. Such an approach is clearly inferior to positively planning to meet identified needs in full, ahead of the plan being adopted, but it would at least trigger an immediate review of the Local Plan rather than postponing it until monitoring confirms the inevitable need to review the plan to remedy the existing shortfall position which the Council already acknowledges.

2.6.3 Furthermore, and whilst reconvening the examination hearings is preferable to introducing an immediate review trigger within Policy WS 12, such a mechanism would at least bring the policy in line with paragraph 227 of the consultation draft NPPF, which requires plan-making to commence 'at the earliest opportunity' in circumstances where local plans '*reach adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant Local Housing Need figure*', rather than a longer timeframe up to five years post adoption.

3 Summary

3.1.1 In this latest representation, we have provided our observations regarding the 'Schedule of Main Modifications' document, dated July 2024, following the Local Plan examination hearing sessions. Our submission is made on behalf of Jones Homes, whose land between Frankby Road and Grange Cross Lane in Newton offers strong potential to deliver new family homes in a sustainable location during the early part of the plan period, thereby helping to meet the Borough's challenging growth requirements.

3.1.2 Our principal observations are summarised below:

- We have consistently expressed our concerns regarding the Council's inability to meet the Borough's growth requirements in full via its proposed brownfield regeneration strategy. Our concerns have heightened given the Government's current proposal to substantially increase Wirral's annual housing target, from 728 dwellings under the current standard method to 1,755 dwellings under the proposed method. Wirral's annual housing target is therefore set to more than double (a 141 per cent increase).
- It is indisputable that the release of Green Belt land in sustainable locations is required, particularly as the Council, by its own admission, is unable to identify sufficient deliverable or developable sites to meet even the current housing requirement set out in the emerging Local Plan (in contrast to the Council's position asserted during the examination hearings).
- The Council's 'total supply' figure is now 11,814 dwellings, substantially lower than the 16,322 dwellings which the Council previously identified. The reduction in the total supply figure of some 4,508 dwellings, or 27.8 per cent, represents around 5.6 years' supply (when measured against the Council's updated annual target of 800 dwellings), but there has been no attempt to identify new sources of supply to fill that gap.
- The substantial reduction in the Council's anticipated housing supply is accompanied by the minimum housing requirement rising by 1,040 dwellings, from 13,360 to 14,400 dwellings. Thus, the Council's anticipated supply has reduced by around 5.6 years in tandem with the plan period requirement rising significantly.
- The Council's updated supply figure of 11,814 dwellings is some 2,586 dwellings lower than the revised minimum target of 14,400 dwellings, representing a shortfall of around 3.2 years when measured against the Council's updated annual housing requirement of 800 dwellings.
- The Local Plan is therefore not able to deliver its own identified growth requirements. The shortfall situation will become even more stark when the Government's much higher proposed annual housing requirement for Wirral comes into effect.
- The Council's proposals will not get close to delivering sufficient homes over the early part of the plan period. Only 500 homes per annum are predicted over the period to 2027-2028, which is not even two-thirds of the Council's updated annual requirement of 800 dwellings.
- The Council is therefore not planning to meet identified needs. We have very serious concerns regarding the soundness of the proposed approach, with respect to paragraph 35 of the NPPF.
- We therefore request a reopening of the examination hearings to enable discussion regarding the identification of additional sources of deliverable supply to fill the substantial supply gap that is now evident.
- Notwithstanding our submission that the examination hearings should be reopened, Policy WS 12 should be amended to require an immediate review to be commenced in the event

that the Local Plan is adopted on the basis of the Council's latest supply/requirement figures.

- 3.1.3 We reiterate that there are no physical, environmental, ecological or other constraints that will prevent the site at Frankby Road – which is owned outright by Jones Homes, and so no land sale is required – from coming forward for new family homes in the early part of the new Local Plan period following adoption. We strongly advocate the release of the Frankby Road site from the Green Belt and the allocation of the site for residential development in the Wirral Local Plan in order to help meet the substantial shortfall in supply.