

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)	Stoford Properties 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)	
Who are you representing?	
Address	
Postcode	
Telephone number	
Email address	
Objective ID number (if known)	

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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?** (please insert as appropriate)

Main Modification Reference number: MM [21]

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

Sound – No

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.**

The effect of the MM:

The effect of MM21 will be that the employment land supply for strategic B8 needs will not be available, needs will not be met and this will continue to be the case in the future review of the Plan too, because of the LCR SDS emerging draft.

Further explanation of our position:

We object to MM21.

The proposed modification to para 3.244 states

The Liverpool City Region Authority is producing a Spatial Development Strategy (SDS) that is part of the Devolution Deal. It requires approval of all constituent authorities and is expected to be adopted as part of the Development Plan for Wirral within five years of the adoption of the Wirral Local Plan. The Spatial Development Strategy may trigger a review of the Wirral Local Plan if key strategic matters are not aligned.

During the Examination, our evidence presented at various Matters (e.g. Matter 1, Question 3) we highlighted the failure of the Wirral Local Plan to consider and plan for the requirements within the strategic needs evidence, notably the SHELMA.

The SHELMA Study identified a need for large scale B8 storage provision of at least 397 hectares by 2037 across the Liverpool City Region (LCR) but recognised that functionally this could be located anywhere in the City Region. The need (or any proportion of it) is not planned for in any shape or form within the Wirral Local Plan.

At each occurrence where Stoford raised this at the Examination, Counsel for the LPA advised that this was a strategic matter and one for the SDS and not for this Local Plan. We disagree with this, given the evidence base comprises this document, and that the Local Plan made allocations for employment land - including land within B8 use.

However, this point aside, when the LCR SDS was published for consultation earlier this year, despite the assertions made at the Local Plan Examination, that strategic employment land was an SDS matter, the consultation material proved once again that the matter of strategic employment land and distribution to the Wirral was nowhere to be found. Equally there was no justification for this decision.

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We objected to the SDS in February 2024, where we referred to the ‘HEDNA Strategic B8 Land Use Forecasts Paper’ (HEDNA) (June 2023) and the Housing and Employment Land Supply Study (HELs) (October 2023), both produced by ICENI and within the LCR SDS evidence base. We objected to two sites listed in the SDS as being within the Wirral Local Plan (Northside and Wirral Waters) but being counted in the SDS as **strategic supply**. This was factored into the IcenI reports that then go on to suggest Wirral requires no additional supply – however neither of these sites were considered to be strategic supply when the Local Plan was being prepared. Wirral Council have not to our knowledge sought to correct this LCR SDS assumption – which if they were to do so, would mean that the overall LCR SDS strategic supply would be reduced, because the sites are considered by Wirral Council to be serving non strategic needs.

The implications of this, is that with the SDS not currently directing any strategic employment land requirements to the Wirral, then the above modification to para. 3.244 of the Local Plan is meaningless in respect of employment land. The failure of employment land delivery within the Wirral Local Plan, or the absence of the Wirral Local Plan not delivering against B8 needs, will not be triggered as a result of the SDS being in place – because the SDS does not distribute any strategic land to the Wirral. The result being that the evidence base (the SHELMA) will be completely disregarded by this Local Plan.

Furthermore, the above modification refers to the Devolution Deal. It is notable that in the paragraph 1.4 of the HELs (2023) that it advises that in line with the Devolution Regulations, only a local authority can amend its Green Belt boundaries through its respective Local Plan, and not through the SDS. Therefore – in practice – with the SDS not identifying strategic employment land requirements for Wirral – the need (that we evidenced in our submissions) remains unsatisfied, and given the needs can only be met within Wirral via a Green Belt review – this comes full circle back to a Local Plan review. Yet the triggers for an early review of the Local Plan (within the text of revised policy WS12) do not state that an early review will arise from either the absence in strategic B8 land; or that a Green Belt review will be triggered at any point within the early review.

Whilst a new Plan will be prepared every five years, as is a legal requirement, it is relevant that the Wirral Local Plan has been prepared over 20 years since the last Plan was adopted. It is also relevant that despite our evidence of strategic need and demand, and the SHELMA, this Plan still failed to allocate strategic land for B8 needs, and in the modifications to the Plan (including those on Monitoring) the Plan continue to ignore this need, and makes no reference to strategic employment or employment and supply in general, within the amendments to policy WS21 or the potential for this need which will go unmet, being a trigger for the review of the Plan.

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

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The Local Plan is at such an advanced stage that it is unlikely that additional sites will be allocated to address the failure to meet objectively assessed needs. There are only two available ways to rectify this:

1. Withdraw the Local Plan or
2. Add in additional text within the review and monitoring mechanisms to reflect the strategic employment need for B8 uses will be a matter for triggering an early review, and will a matter for the subsequent Local Plan if that review is done at five years from adoption.

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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.

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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.

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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.

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