

Presented by Neil Parry The Wirral Society / CPRE.

Whilst not a professional Planner, Neil has been involved in Green Belt applications for development on the Wirral Peninsula for nearly 20 years. He worked professionally as a Project Manager and Business Analyst delivering IT and Business change.

The Wirral Society is a consultee of Wirral Council and is normally consulted on Green Belt applications, Wirral Council's Local Plan, the Wirral Neighbourhood Plans (including Hoylake), and Sustainability and Waste issues.

To deal with the often expressed response up front... Just because the land is Green Belt it is **NOT** safe from development. Developers just need to be able to prove to the Council "Very Special Circumstances" - see below.

Overview of the Planning System

The National Planning Policy Framework (NPPF) March 2012

The NPPF specifies the policy to be followed by Planning Authorities (Wirral Council) when considering applications for development.

As yet there is no application for development from Jack Nicklaus Design (JND), we understand that they are undertaking the assessments of the land, ecology, hydrology etc., to produce reports needed to support such an application. The application, if actually made, is likely to be in 2017.

The overall "drive" of the NPPF is to promote **sustainable development**, but as ever there are no examples of what constitutes **sustainable development**.

We would argue that this must mean making the best use of what is already developed before destroying any open green field site, else planning policy just becomes a "slash and burn" policy. e.g. focus development on the brown field sites cleared by John Prescott's "pathfinder" house clearance around Birkenhead North and Rock Ferry before any housing is

considered on open fields.

Sustainability would imply making best use of the existing 14 Golf Courses (in Wirral Council's area alone) for golf tourism and golf training.

It is difficult to see how the *Loss of any farmland* can be considered *sustainable* given the challenges from loss of agricultural land through climate change and the increasing global population.

The note distributed to the meeting on the Green Belt section of the NPPF clearly shows that the buildings associated with the Hoylake Golf Resort are "inappropriate" in the Green Belt and so should be refused. A point made in the Capita Symonds report to the Council, from as long ago as 2006, reproduced at the end of the Green Belt handout. (That is long before the addition of "Enabling Development" of 150+ houses introduced in 2015)

We only have access to this Capita Symonds report due to a continued challenge to the Council to release the report using the Freedom of Information Act, getting it released only *this year*.

From the "consultations" the Council held last year we now know that our Council is promoting the euphemism of "*enabling development*" of some 150? luxury houses. There is no allowance for "*enabling development*" in Green Belt planning legislation and we remain most concerned that the Council (paid for by us) was actively promoting such an "illegal" development in the Green Belt.

The Planning Authority

The Planning Authority (Wirral Council) can approve an application for "*inappropriate development*" in the Green Belt if it can find "*Very Special Circumstances*" to override the Green Belt policy. There must be concern that this land is mostly Council owned, that the Council has been trying to sell it off as a Golf Resort for 15 years...

What will be the Very Special Circumstances?

Whilst we have heard in the past from Councillors how Wirral Planning committee is "very independent" it would seem to be very "strange" for them to refuse a planning application that

Wirral Council has been wanting a developer to make, for the last 15 years.

The Planning Authority will be guided by a report about the application written by a professional planner (a Council employee) who will have a very “Challenging” job balancing the Green Belt status of the land as highlighted in the Capita Symonds report of 2006, against the desire of their employer...

Higher Review and Appeal

Under current legislation such a large application for “inappropriate” development in the Green Belt would be referred to the Secretary of State for review a process where the application is “called in”. This should be an independent review by planners not associated with the area and able to take a full and balanced view of the merits of the Green Belt and those presented for development.

However, we have now been made part of **Liverpool City Region** (LCR). Whilst this is still forming up it is clear that the Westminster government is keen to delegate planning powers (amongst many others) to the “Metro Mayor” of the LCR. We can see what may happen in the LCR by looking at Greater Manchester, which is ahead of the LCR in gaining devolved powers. It is likely that the highest referral of an application will be to the “Metro Mayor”.

It is therefore likely that the final decision will in a year’s time rest with the newly elected LCR “Metro Mayor”. There must also be the question of whether any money made, if the Wirral Council sell the land will be kept by Wirral or whether will be “absorbed” into the LCR.

We have yet to vote on the “Metro Mayor”, probably next year, but we should consider the likely outcome based on the recent local elections.

As pointed out at the meeting there is always the option of a Judicial Review, that would assess how the process and decisions were made and could potentially overturn any decision from the “Planning Process”.

Local Planning

Wirral Council as with all other Councils has to have a Local Plan, identifying what would be appropriate development for different area of their district. The Current Plan, the Unitary Development Plan, dates back to before the year 2000. In that plan the Council identifies the area now identified for the Hoylake Golf Resort as needing Landscape Development. What that would be is not defined, it could just be improved drainage. This perhaps started the process of making development of this Green Belt farmland "acceptable".

The Council is working on the new replacement Local Plan and the aspirations of previous drafts are still that the Hoylake Golf Resort will be part of the Council's development proposals.

It should be noted that the Hoylake Golf Resort is the only idea that the Council has been promoting for West Wirral / Hoylake for the last 15 years. This will have inflicted a "planning blight" on any other idea. There has been no consultation on what could or should be done with the (Council owned) land, just the continual presentation of a Golf Resort.

As part of the Local Plan the Council is re-evaluating the "housing need" i.e. the requirement for new housing on the Wirral. Until recently the Council had been able to prove it had sufficient planned housing.

The Council recently declined the planning application for **affordable houses** on the old Ellerman Sports Field at the **end of Carr Lane**. That site is just over the field from where the Council was apparently proposing the "Enabling Development" of 150 luxury houses at its resort consultations.

However at the same time as pursuing the loss of farmland, Wirral Council is pursuing a "Cool Wirral" Climate Change Strategy preparing us for the inevitable e.g. a rise in sea levels.. So building new houses at or near sea level seems "challenging" even by their own policy.

Under the Government's ideal for Localism, Neighbourhoods have been encouraged (and funded by the taxpayer) to develop Neighbourhood Plans. These can be very powerful in persuading the Planning Authority or a Planning Inspector what "the people" want in their area.

The Wirral Society wrote to the Planning Inspector with grave concerns about the Hoylake Neighbourhood Plan in that there were no other Neighbourhood Plans bordering Hoylake to test and prove the land assumed by the Hoylake Neighbourhood Plan. As correctly stated by Hoylake Vision there is nothing stopping West Kirby or Meols or Newton etc. from working on their own Neighbourhood Plan. However it is not the basis of "localism" that if one township does a Neighbourhood Plan that the surrounding townships have to write one ...

It was stressed that the Hoylake Golf Resort impacted areas other than Hoylake, in fact Hoylake was likely to be the least affected by this Out of Town development.

From Hoylake Vision's presentation, they have annexed the west end of Meols, and the Council seems to have moved the "Hoylake" sign into Meols to support this match this annexation.

When this new boundary is drawn through across the fields of Meols it now stretches to and includes the boundary of the land proposed by the Hoylake Golf Resort.

The Planning Inspector in reviewing the Hoylake Neighbourhood Plan did not accept the Wirral Society's concern that the only proposal for Hoylake seemed to be the "Out of Town" Golf Resort. His view was that it did not constitute a firm proposal.

However on analysing the Hoylake Neighbourhood Plan for the sports / pastimes discussed the word "Golf" is stated some 15 times , whilst "Sailing" is used twice and "Sand yachting" only once. It must imply a very heavy bias to golf, and "Hoylake" only has two golf clubs (and courses).