

SITE A
GREEN BELT HARM
Openness: Spatial ¹ – Limited harm
Of this 17.38 ha site, 6.55 ha (38%) would remain undeveloped post-development.
Openness: Visual ² – Limited harm
Whilst there would be a reduction in visual openness on the site itself, this would be very much localised to the site and its immediate surroundings That is because the visual effects of the proposed development on openness, particularly the significant visual effects, are associated with receptors and viewpoints that are located in close proximity to the site. Further, the prominence of the development would be moderated by the relatively level topography of the site and the surrounding landscape, the presence of significant containing woodland blocks and built form, and the retention of the majority of existing boundary vegetation. As a result, the Green Belt within the area would not be affected to any great extent in visual terms.
Purpose (a) ³ – Limited harm
The proposed development of Site A would not extend further than the northernmost extent of Irby, which is defined by residential development at the northernmost extent of Glenwood Drive to the immediate west. The areas proposed for residential development would for the most part be contained by existing field boundaries, thus resulting in a neat, tidy edge to the settlement in this location, rather than one that is ‘untidy’ or ‘irregular’. The northern edge of Site A would be defined by improved existing hedgerows and new and existing woodland planting, which would provide a natural, physical boundary to the development. It is common ground that the harm to this purpose is limited (Mr. Folland) to none (Mr. Loughran).⁴
Purpose (b) ⁵ – Limited harm
The Council only finds “significant” harm to this purpose on the basis that Thingwall is a “town”.⁶ It is not, for the reasons set out in the main text. In any event, the development will not result in the merging of Irby and Thingwall. The sense to which Irby to the west and Thingwall to the east/south are separated is experienced primarily when travelling along Thingwall Road. However existing residential development to the north and/or south side of the road is continuous, so there are no locations where there is a clear and obvious gap between these neighbouring towns. The southern boundary of Site A that abuts Thingwall Road is circa 390m long and residential development is continuous on the south side of the road in this location. As such, even if Thingwall is a town, it has already merged with Irby and therefore the development would only result in limited harm to this purpose.
Purpose (c) ⁷ – Limited harm

¹ CD 01/2.4.

² CD 01/6.2 at paragraphs 8.2.68-8.2.72.

³ CD 01/6.2 at paragraphs 8.2.18-8.2.25.

⁴ ID 21.

⁵ CD 01/6.2 at paragraphs 8.2.26 – 8.2.35.

⁶ ID 21.

⁷ CD 01/6.2 at paragraphs 8.2.36 – 8.2.41.

The settlement edges of Irby and Thingwall are close and prominent to the west and south respectively and as a result, the character of the site and other adjacent land is to an extent influenced by these urban areas. The existing boundaries to the west and south are durable as they are formed by Limbo Lane Plantation to the west (against Glenwood Drive) and by the tree lined corridor of Thingwall Road to the south.

The new settlement edge, which would be formed by the northern boundaries of Site A, would be predominantly formed by existing hedgerows with additional tree planting, new woodland planting associated with the proposed SUDS waterbodies and the retention of existing woodland block.

Site A is currently open countryside, however it is not open countryside in its purest form, as its character is to an extent influenced by the adjacent settlement edge. Therefore, the development of the site would only result in limited harm to this purpose.

Purpose (d) – Common ground that no harm.⁸

Purpose (e) – Minor harm

Overall: Substantial weight (NPPF paragraph 148) to limited Green Belt harm

ANY OTHER HARM

Character and Appearance – Limited weight

The only significant residual effects on landscape character identified by the Council are to the site itself and to LCA3b.⁹

In respect of the site, the existing landscape features, being the boundary hedgerows and trees and the block of woodland on the northern boundary, would be substantially retained. The landscape proposals would help to soften the appearance of the proposed built form. Proposed planting would be characteristic of the locality and the quantum proposed would exceed that which would be lost to facilitate vehicular access into the Site.¹⁰

In respect of LCA3b, the completed development would result in the loss of agricultural land and some short sections of hedgerow, but no other key characteristics of the LCA would be affected. The effect of the development on the LCA would be limited by the level of intervening screening afforded by field boundary vegetation, woodland blocks and the built-up nature of the settlement edges. To the south, south-east and west the proposed housing would be closely associated with the existing settlement edges of Irby and Thingwall. Therefore, effects would be localised and only a small proportion of the character area would be affected.¹¹

The only significant visual effects are within or immediately adjacent to the site.¹²

Sustainability of Location¹³ – No harm

The site is within a 2km walking distance of the nearest Primary School, Health Centre, Retail and the Local Centre at Irby (1.4km away). There are also a number of facilities within 1km of the site including a Sainsbury's Local; a Post Office; the Village Hall and several bars, pubs and restaurants. There are continuous footways on both sides of Thingwall Road to Irby to the west which are comfortable for two people to pass one another. Notwithstanding the references to the width of this footway being "substandard" in the Council's closing (see paragraphs 259), Mr. Parkhouse accepted that the wide verges meant that on the occasions where a pedestrian and a wheelchair user met, they would have no difficulty passing each other.

There is a bus stop adjacent to the site on Thingwall Road. This is served by the 20-minute frequency 471 service that runs every day and evening. Birkenhead is half an hour away by bus; Liverpool is 42 minutes. The bus stop also provides school bus services to a number of nearby secondary schools. Heswall station is within reasonable cycling distance of the site (4.6km).

⁸ ID 21.

⁹ CD 01/2.7.

¹⁰ LVIA at CDA 02/5 at PDF page 249.

¹¹ LVIA at CDA 02/5 at PDF page 246.

¹² CD 01/5.2 at Figure 8.2.2

¹³ CD 01/9.2 at section 5.2 and 6.3.

The development provides a dedicated cycleway adjacent to the development frontage along Thingwall Road. The only further improvement measure that the Council seeks is a contribution to the implementation of a 3m-wide shared-use cycle facility along Thingwall Road to Arrowe Park Road cycle route to the east and Irby to the West. This is not necessary. The site is already well served by sustainable transport modes through walking and bus. In any event, there are alternative routes from the site which avoid Thingwall Road via Glenwood Drive to the west and through an off-road route to the east.¹⁴
Agricultural Land – Limited weight
Of this 17.38 ha site, 9.4 ha of Subgrade 3a land would be developed on (54%). ¹⁵
BENEFITS
Market Housing – Very Substantial weight
The provision of 203 market homes.
Affordable Housing – Very Substantial weight
The delivery of 87 affordable homes – 10% above the emerging policy requirement.
Self/Custom build – Very Substantial weight
10% of the plots offered for self/custom build.
Economic benefits ¹⁶ – Significant weight
Total jobs created at construction phase: 503 Total GVA at construction phase: £39.1m Net residential expenditure pa: £4.4m Total FTE jobs supported by residential expenditure: 47
Place-making ¹⁷ – Significant weight
Landscape-led masterplan which responds carefully to existing features of the site and its relationship to the surrounding landscape and townscape. Design Charter, securable by condition, going above and beyond to guarantee the standard of placemaking, amenity and design even at outline stage. Around 38% of the site is proposed for public green and blue infrastructure including walking and cycling links, parkland, grassland, wetland and woodland habitats, orchard, sports pitches and 1,900 sqm of children's play space. The layout of streets has a formal, garden city character. The masterplan provides a legible, perimeter block-based layout capable of accommodating a range of property sizes and typologies from terraces and apartments through to larger semidetached and detached properties, utilising the Nationally Described Space Standards. The use of different typologies responds to the proposed character of different parts of the site e.g. linked and terraced properties create appropriate enclosure to the wider avenues providing long distance views, and overlooking the central wedge of green space and green crescent at the entrance. Other parts of the site focus on semi-detached properties with on-plot parking, which are in keeping within the character of the surrounding 20th century residential areas.
Ecological Enhancements ¹⁸ – Significant weight

¹⁴ CD 01/9.5 – at Appendix C.

¹⁵ CD 01/2.3.

¹⁶ CD 01/12.2 at Table 6.1.

¹⁷ CD 01/8.2 at paragraphs 7.1 – 7.6.

¹⁸ CD 01/6.2 at paragraphs 8.2.49-8.2.56; CD 01/8.2 at paragraphs 7.1 – 7.6. The agreed BNG figures are at Table 1 of ID 19.

On site Habitat Units – +15.09% Off-site Habitat Units – +16.34% On-site Hedgerow Units – +43.97% Off-site hedgerow Units – +76.0% Onsite enhancements include habitat creation in the form of additional ponds and vegetated gardens along with enhancements to woodland, scrub, grassland and cropland. Off-site enhancements include improvements to existing hedgerows within the landscape to the north of Site A, including the hedgerow located along the southern side of Arrowe Brook Lane, along with an area of new woodland planting, within the corner of a field, to the north of the proposed sports pitches.
Public Open Space and Environmental Enhancements¹⁹ – Significant weight 6.55 ha of open space in excess of minimum requirements. Six new areas of open space including sports pitches, two children’s play areas, community orchard and habitat creation. All homes are zero-carbon ready with high levels of energy efficiency.
Access to the Countryside and Highways – Significant weight to both <u>Access to the Countryside²⁰</u> Provision of a cycle hub and associated upgrading of the existing permissive bridleway through the site to become a new cycle supergreenway, with improved links to Arrowe Brook Lane and the PRoW and permissive route network. The new cycling supergreenway would extend through and beyond the northern boundary of Site A, to extend up to Arrowe Brook Lane circa 1km to the north. This route will provide a new level of recreational connectivity between Irby and Thingwall to the south and Greasby to the north, with enhanced connectivity with the intervening PRoW network and permissive routes. <u>Highways²¹</u> 1. A new signal-controlled pedestrian crossing on Thingwall Road. 2. A contribution towards improved Variable Message Signing on Thingwall Road. 3. Improvement to the Pensby Road/Thingwall Road East junction comprising dedicated left and right turning lanes on Thingwall Road East, pedestrian crossing improvements and an extended right turn pocket on Pensby Road. 4. Improvement to the Arrowe Road/Arrowe Brook Lane junction comprising an additional turning lane using Leverhulme land. 5. Improvement to the Arrowe Park Road/Thingwall Road roundabout comprising a segregated straight-ahead lane, additional capacity improvements and pedestrian/cycle/bus infrastructure enhancements. 6. SCOOT contribution towards the improved operation of 5no. Junctions along the A551/A552 corridor.
Overall paragraph 148 balance Harms (collectively) very clearly outweighed by the benefits (collectively). Very special circumstances demonstrated.

¹⁹ CD 01/8.2 at paragraphs 7.1 – 7.6.

²⁰ CD 01/6.2 at paragraphs 8.2.49-8.2.56; CD 01/8.2 at paragraphs 7.1 – 7.6.

²¹ CD 01/9.2 at paragraph 6.10.1.

SITE B
GREEN BELT HARM
Openness: Spatial – Limited harm
Of this 3.92 ha site, 0.96 ha (24%) would remain undeveloped post-development. ²²
Openness: Visual ²³ – Limited harm
Whilst there would be a reduction in visual openness on the site itself, this would be very much localised to the site and its immediate surroundings That is because the visual effects of the proposed development on openness, particularly the significant visual effects, are associated with receptors and viewpoints immediately adjacent to the site on Gills Lane. Further, the prominence of the development would be moderated by the relatively level topography of the site and the surrounding landscape, limited levels of public access above and beyond the highway network, the presence of woodland blocks that curtail more distant views, and the retention of the majority of existing boundary vegetation. As a result, the Green Belt within the area would not be affected to any great extent in visual terms.
Purpose (a) ²⁴ – Limited harm
The development of Site B would extend the existing urban area to the east of Pensby. However, the extent of the harm would be significantly moderated by the contained nature and compact form of the development, which would create a neat, regular edge, the absence of any extension beyond the urban edge of Pensby/Thingwall that exceeds its existing eastern extents in this location, its relatively small scale and the presence/creation of durable physical edges to the development's boundaries. It is common ground that the harm to this purpose is limited (Mr. Folland) to none (Mr. Loughran).²⁵
Purpose (b) – No harm
The Council only finds harm to this purpose (and then only limited harm) on the basis that Barnston is a "town". ²⁶ It is plainly not, for the reasons set out in the main text. This site would not "merge" Pensby and Barnston in any event.
Purpose (c) ²⁷ – Limited harm
The settlement edge of Pensby is close and prominent to the west, as is existing residential development on Thorncroft Drive to the east. The character of the site and other adjacent land is therefore to an extent, influenced by these urban areas, along with the presence of equestrian activities, the covered reservoirs and the prominent telecommunications mast. The development would be well connected to the urban edge and the open boundaries to the remaining Green Belt land (i.e. Gills Lane to the south), would be durable. As a result, whilst there is harm to this purpose due to the proposed development representing a form of encroachment into the open countryside, it is limited by the site's character, which is already influenced by the settlement edge and other elements, and the contained nature of the proposed development that would extend up to the existing residential development on Thorncroft Drive. Furthermore, the remaining Green Belt land to the north-east, east and south of Site B would continue to function.

²² CD 01/2.4.

²³ CD 01/6.2 at paragraphs 8.3.67-8.3.71.

²⁴ CD 01/6.2 at paragraphs 8.3.17-8.3.24.

²⁵ ID 21.

²⁶ ID 21.

²⁷ CD 01/6.2 at paragraphs 8.3.35-8.3.38.

Purpose (d) – Common ground that no harm ²⁸
Purpose (e) – Minor harm
Overall: Substantial weight (NPPF paragraph 148) to limited Green Belt harm
ANY OTHER HARM
Character and Appearance – Limited weight
No significant effects on landscape character are identified by the Council. ²⁹ The only significant visual effects are within or immediately adjacent to the site. ³⁰
Sustainability of Location ³¹ – no harm
The site is located 400 metres (a 5-minute walk) from Pensby local centre. It is accepted by Mr. Parkhouse that the site provides access to local amenities within a convenient walking distance along a relatively commodious walking route.³² The site is located within 2km of a Primary School, a Secondary School, and a Health Centre. It is also within comfortable cycling distance of these amenities, and Heswall train station. As it is put in “Integrating Cycling into Development Proposals”: <i>“Most cycle journeys for non-work purposes and those to rail stations are between 0.5 and 2 miles, but many cyclists are willing to cycle much further”</i>.³³ There is also a bus stop within easy walking distance (400 metres) served by the 472 service between Heswall and Liverpool – on a 20-minute frequency. Acknowledged by Mr. Parkhouse that <i>“bus trips further afield a genuine travel option for this site”</i>.³⁴ 20mph speed limit to be introduced to improve attractiveness of cycling on Gills Lane, accompanied by priority chicanes with cycle bypasses to ensure compliance with the limit. The suggestion at paragraph 277 of the Council’s closing that no physical measures are proposed to support the enforcement of the speed limitation is factually wrong – as accepted by Mr. Parkhouse in xx. No further measures sought by the Council in relation to cycling. The only further accessibility measure required is a contribution to wider traffic calming measures in the Pensby area to improve road safety. However, road safety not a reason for refusal. There are no details about the nature, cost and extent of these works and there is no specific scheme identified for the Appellant to contribute towards. A pedestrian route to the east (in the event that Site D does not come forward) is not CIL compliant given the limited range of facilities in this location meaning that pedestrian demand to this area would be limited. In any event, it is provided as a blue pencil clause – which addresses the concerns raised at paragraph 275 of the Council’s closing.
Agricultural Land – Limited weight
Of this 3.92 ha site, 2.8 ha of Subgrade 3a land would be developed on (72%). ³⁵
BENEFITS
Market Housing – Very Substantial weight
Delivery of 64 market homes as part of a mix of tenure types.

²⁸ ID 21.

²⁹ CD 01/2.7.

³⁰ CD 01/5.2 at Figure 8.3.2.

³¹ CD 01/9.2 at Section 5.3 and 6.4.

³² Rebuttal (CD 01/16.3) at paragraph 3.2.8

³³ See CD 01/9.2 at paragraphs 4.9.3-4.9.4

³⁴ Proof (CD 01/16.2) at paragraph 8.3.25.

³⁵ CD 01/2.3.

Affordable Housing – Very Substantial weight
Delivery of 28 affordable homes - 10% above the emerging policy requirement.
Economic benefits ³⁶ – Significant weight
Total jobs created at construction phase: 239 Total GVA at construction phase: £18.6m Net residential expenditure pa: £1.4m Total FTE jobs supported by residential expenditure: 14.9
Place-making ³⁷ – Significant weight
Landscape-led masterplan which responds carefully to existing features of the site and its relationship to the residential areas surrounding the site to the north, west and east and landscape to the north east and south. Design Charter, securable by condition, going above and beyond to guarantee the standard of placemaking, amenity and design even at outline stage. Around 24% of the site is proposed for green and blue infrastructure including wildflower grassland, wetland, woodland and play area. The masterplan layout is capable of accommodating a range of property sizes and typologies from short runs of terraces and apartments through to larger semi-detached and detached properties, utilising the Nationally Described Space Standards. Existing habitats are protected and expanded as part of a green corridor which wraps around the western and southern boundaries of the Site. The internal layout is connected and legible. In addition to the main site access, the scheme proposes pedestrian and cycle access points at the eastern and western ends of the site.
Ecological Enhancements ³⁸ – Significant weight
On-site Habitat Units – +10.41% Off-site Habitat Units – +118.54% On-site Hedgerow Units – +235.9% On-site landscape enhancements include the retention and improvement of the existing block of woodland at the western end of the site; a new section of hedgerow with associated tree planting along Gills Lane and new blocks of native species woodland in the south-western corner of the site and within the north-eastern corner. Off-site enhancements include a large area of new habitat greenspace within the field along the northern edge of Barnston Dale.
Public Open Space and Environmental Enhancements ³⁹ – Significant weight
0.96 ha of open space in excess of minimum requirements. The proposed LEAP is located within the green corridor, and will be accessible to residents of the wider area. All homes zero-carbon ready with high levels of energy efficiency.
Access to the Countryside and Highways – Significant weight to each
<u>Access to the Countryside</u> ⁴⁰

³⁶ CD 01/12.2 at Table 6.1.

³⁷ CD 01/8.2 at paragraphs 7.8-7.12.

³⁸ CD 01/6.2 at paragraphs 8.3.46-8.3.56; the agreed BNG figures are at Table 1 of ID 19.

³⁹ CD 01/8.2 at paragraphs 7.8-7.12.

⁴⁰ CD 01/6.2 at paragraphs 8.3.46-8.3.56; CD 01/8.2 at paragraphs 7.8-7.12.

Creation of a new Public Footpath, which would significantly improve public, recreational access between Pensby and Barnston Village, land to the south of Barnston, Heswall and Whitfield Common. The route would track southwards from Gills Lane, across the fields towards the western end of the woodland associated with Barnston Dale.

Highways⁴¹

1. Widening of the existing footway along the main appeal site frontage on Gills Lane to 2m, enabling better pedestrian connection to Pensby for existing residents.
2. Removal of a pinch point on the highway network as a result of the Storeton Lane improvement - reducing congestion at a problematic junction in Barnston Village.
3. New DDA compliant bus kerbs and a dropped crossing to better access bus stops.
4. Improvements 5 and 6 in the list for Site A, subject to which sites come forward.

Overall paragraph 148 balance

Harms (collectively) very clearly outweighed by the benefits (collectively). Very special circumstances demonstrated.

⁴¹ CD 01/9.2 at paragraph 6.10.1.

Site C
GREEN BELT HARM
Openness: Spatial – Limited harm
Of this 0.82 ha site, 0.13 ha (16%) would remain undeveloped post-development. ⁴²
Openness: Visual ⁴³ – Limited harm
Whilst there would be a reduction in visual openness on the site itself, this would be very much localised to the site and its immediate surroundings That is because the visual effects of the proposed development on openness, particularly the significant visual effects, are associated with receptors and viewpoints that are located in close proximity to the site Further, the prominence of the development would be moderated by the limited levels of public access above and beyond the highway network, the presence of screening built form from existing adjacent development, the presence of woodland blocks that curtail more distant views, and the retention of the majority of existing boundary vegetation. As a result, the Green Belt within the area would not be affected to any great extent in visual terms.
Purpose (a) – Common ground that no harm ⁴⁴
Purpose (b) – No harm
The Council only finds harm to this purpose (and then only limited harm) on the basis that Barnston is a “town”. ⁴⁵ It is plainly not, for the reasons set out in our closing. This site would not “merge” Pensby and Barnston in any event.
Purpose (c) ⁴⁶ – Very limited harm
The settlement edge of Pensby is relatively close and prominent to the west, as is the existing residential development on Thorncroft Drive. The character of the site and other adjacent land is therefore to an extent, influenced by these urban areas, along with the presence of equestrian activities, the covered reservoirs and the prominent telecommunications mast. As a result, whilst there is harm to this purpose due to the proposed development representing a form of encroachment into the open countryside, it is limited by the site’s character, which is already influenced by the settlement edge and other elements, and the contained nature of the proposed development that would sit alongside the existing residential development on Thorncroft Drive. Furthermore, the remaining Green Belt land surrounding Site C would continue to function.
Purpose (d) – Common ground that no harm ⁴⁷
Purpose (e) - Minor
Overall: Substantial weight (NPPF paragraph 148) to limited Green Belt harm
ANY OTHER HARM

⁴² CD 01/2.4.

⁴³ CD 01/6.2 at paragraphs 8.4.57-8.4.61.

⁴⁴ ID 21.

⁴⁵ ID 21.

⁴⁶ CD 01/6.2 at paragraphs 8.4.35-8.4.37.

⁴⁷ ID 21.

Character and Appearance – Limited weight
No significant effects on landscape character are identified by the Council. ⁴⁸ The only significant visual effects are within or immediately adjacent to the site. ⁴⁹
Sustainability of Location⁵⁰ – No harm
Not materially different from Site B – the site is only 200 metres further away from facilities (an extra 2.5 minute walk).
Common ground with the Council that the walk to Pensby is acceptable if Site B also comes forward (a point ignored in the Council’s closing at paragraphs 288-292). That walk is acceptable even if Site C came forward in isolation, given the relatively short length of path in front of Site B and the fact that this path is overlooked by both Gills Lane and also nearby properties.
The “pinchpoint” near to Thorncroft Drive is acceptable since: (i) there is no opportunity to widen the existing footway along these sections without the use of third-party land to either the north or south of Gills Lane (ii) it is not uncommon for more rural roads to include footways that are not a full 2m width (iii) on the rare occasions pedestrian coming one way meets a wheelchair/buggy user coming the other, the pedestrian will just wait in one of the wider sections.
No additional measures required by the Council to improve the opportunities for non-car travel beyond those identified for Site B.
Agricultural Land – Limited Weight
Of this site, 0.82 ha of Subgrade 3a land would be developed on (100%). ⁵¹
BENEFITS
Market Housing – Very Substantial weight
Delivery of 10 market homes as part of a mix of tenure types.
Affordable Housing – Very Substantial weight
Delivery of 5 affordable homes - 10% above the emerging policy requirement.
Economic benefits⁵² – Significant weight
Total jobs created at construction phase: 78 Total GVA at construction phase: £6.1m Net residential expenditure pa: £0.2m Total FTE jobs supported by residential expenditure: 2.4
Place-making⁵³ – Significant weight
Landscape-led masterplan which responds carefully to existing features of the site and its relationship to Thorncroft Drive to the west and the farm buildings to the east, and landscapes to the north and south. Design Charter, securable by condition, going above and beyond to guarantee the standard of placemaking, amenity and design even at outline stage.

⁴⁸ CD 01/2.7.

⁴⁹ CD 01/5.2 at Figure 8.4.2.

⁵⁰ CD 01/9.2 at Section 5.4 and 6.5.

⁵¹ CD 01/2.3.

⁵² CD 01/12.2 at Table 6.1.

⁵³ CD 01/8.2 at paragraphs 7.13-7.17.

Around 16% of the site is proposed for green and blue infrastructure including wildflower grassland, wetland, and pocket park.

The design responds carefully to existing features of the site and its relationship to Thorncroft Drive to the west and the farm buildings to the east, and landscapes to the north and south. Despite the small scale of the site, the masterplan layout is capable of accommodating a range of property sizes and typologies from short runs of terraces and apartments through to larger semi-detached and detached properties, utilising the Nationally Described Space Standards. Each property will have a generous rear garden. The properties will be arranged to create a harmonious overall street composition, with homes at the northern and southern ends of the site having dual aspect to address open spaces and Gills Lane.

Ecological Enhancements⁵⁴ – Significant weight

On-site Habitat Units – +12.02%
Off-site Habitat Units - +128.39%
On-site Hedgerow Units – +67.81%

On-site enhancements include sections of new native species hedgerows and tracts of open wildflower grassland around a proposed SuDS pond with individual tree planting. Off-site enhancements include part of a large area of new native species woodland planting within the field along the northern edge of Barnston Dale.

Public Open Space and Environmental Enhancements⁵⁵ – Significant weight

0.13 ha of open space in excess of minimum requirements. Provision of a small pocket park with a bench at the site entrance, for residents and those walking between Pensby and Barnston. The site is located approximately mid-way between Pensby centre and Barnston Village and the inclusion of a small pocket park with a bench will create an attractive and functional green space on this route.

All homes zero-carbon ready with high levels of energy efficiency.

Access to the Countryside and Highways⁵⁶ – Significant weight

The pavement on the northern side of Gills Lane is to be widened to improve pedestrian access between Barnston and Pensby.

Overall paragraph 148 balance

Harms (collectively) very clearly outweighed by the benefits (collectively). Very special circumstances demonstrated.

⁵⁴ CD 01/6.2 at paragraphs 8.5.1-8.4.47; CD 01/8.2 at paragraphs 7.13-7.17. The agreed BNG figures are at Table 1 of ID 19.

⁵⁵ CD 01/8.2 at paragraphs 7.13-7.17.

⁵⁶ CD 01/9.2 at paragraph 6.10.1.

Site D
GREEN BELT HARM
Openness: Spatial – Limited harm
Of this 7.35 ha site, 1.96 ha (27%) would remain undeveloped post-development. ⁵⁷
Openness: Visual ⁵⁸ – Limited harm
Whilst there would be a reduction in visual openness on the site itself, this would be very much localised to the site and its immediate surroundings That is because the visual effects of the proposed development on openness, particularly the significant visual effects, are associated with receptors and viewpoint locations that are immediately adjacent to Appeal Site D on Gills Lane and Barnston Road Further, the prominence of the development would be moderated at all times by the relatively level topography of the site, limited levels of public access above and beyond the highway network, the presence of woodland blocks that curtail more distant views, existing built form, the retention of the majority of the existing boundary vegetation and the proposed offsetting of the new houses from these boundaries, beyond intervening, peripheral tree planting. As a result, the Green Belt within the area would not be affected to any great extent in visual terms.
Purpose (a) ⁵⁹ – Limited harm
The development of Site D would extend the settlement edge into the open countryside to the west from its connection with the northern part of Barnston and Barnston Road, along Gills Lane, up to the riding centre. The development would also extend to the north from Gills Lane up to the ponds and surrounding woodland located at the northern boundary of Site D, which aligns with the northernmost existing residential development on Barnston Road, which is defined by Holmwood Drive. As a result, the southern and northern extents of the development would be consistent with the northern part of Barnston. The edges of Site D would be defined by a combination of improved existing hedgerows and new tree planting, and landscape corridors which would provide robust, durable boundaries that would contain the development therein. It is common ground that the harm to this purpose is limited (Mr. Folland) to none (Mr. Loughran).⁶⁰
Purpose (b) – No harm
The Council only finds harm to this purpose (and then only limited harm) on the basis that Barnston is a “town”. ⁶¹ It is plainly not, for the reasons set out in the main text. This site would not “merge” Pensby and Barnston in any event.
Purpose (c) ⁶² – Limited harm
The settlement edge of Barnston is close and prominent to the east, as is (albeit to a lesser extent) the existing residential development on Thorncroft Drive to the west. The character of the site and other adjacent land is therefore to an extent, influenced by these urban areas, along with the presence of equestrian activities, the covered reservoirs and the prominent telecommunications mast. The development would be well connected to the urban edge and the open boundaries to the remaining Green Belt land (i.e. Gills Lane to the south), would be durable.

⁵⁷ CD 01/2.4.

⁵⁸ CD 01/6.2 at paragraphs 8.5.67-8.5.71.

⁵⁹ CD 01/6.2 at paragraphs 8.5.19-8.5.25.

⁶⁰ ID 21.

⁶¹ ID 21.

⁶² CD 01/6.2 at paragraphs 8.5.26-8.5.35.

As a result, whilst there is harm to this purpose due to the proposed development representing a form of encroachment into the open countryside, it is limited due to the site's character, which is influenced by the settlement edge and other elements, and the contained nature of the proposed development that would extend up to the rising centre on Gills Lane. Furthermore, the remaining Green Belt land to the north- west, and south of Site D would continue to function as before.
Purpose (d) – Common ground that no harm ⁶³
Purpose (e) – Minor harm
Overall: Substantial weight (NPPF paragraph 148) to limited Green Belt harm
ANY OTHER HARM
Character and Appearance – Limited weight
No significant effects on landscape character are identified by the Council. ⁶⁴ The only significant visual effects are within or immediately adjacent to the site. ⁶⁵
Sustainability of Location ⁶⁶ – No harm
Pensby is under 1km away and at that distance or just beyond is a Tesco Express, two convenience stores, a Post Office, several bars and restaurants and Ridgewood Park. The site is also within 2km walking distance of a Primary School and Health Centre. The suggestion in the Council's closing that these services are beyond <i>"the identified acceptable walk distances and guidance"</i> ignores the (correct) concession that 2km is an acceptable walking distance. It is also common ground that the walk from Site D to Pensby would be acceptable in the event that Sites B and C came forward (unacknowledged by the Council in its closing at paragraph 304). Secondary school bus services are available from Barnston Road (a service ignored by Mr. Parkhouse in his evidence and by the Council's closing at paragraph 303). The nearest bus stops are located adjacent to the site on Barnston Road, within 200 metres. These bus stops are served by the 181, running hourly between Heswall and Arrowe Park Hospital during weekday and Saturday day-time. Arrowe Park Hospital a key employment destination in the area and Heswall is the main retail and service centre for the local area. The site makes a 900k contribution to improve the frequency of this service. Site D is also just over 10 minutes away from the 20-minute frequency 472 service to Birkenhead and Liverpool. For cycling – see Sites B and C. No additional measures required by the Council to improve the opportunities for non-car travel beyond those identified for Site B.
Agricultural Land – Limited weight
Of this 7.4 ha site, 2.8 ha of Subgrade 3a land would be developed on (38%). ⁶⁷
BENEFITS
Market Housing – Very Substantial weight
Delivery of 107 market homes as part of a mix of tenure types

⁶³ ID 21.

⁶⁴ CD 01/2.7.

⁶⁵ CD 01/5.2 at Figure 8.5.2.

⁶⁶ CD 01/9.2 at Section 5.5 and 6.6.

⁶⁷ CD 01/2.3.

Affordable Housing – Very Substantia weight
Delivery of 46 affordable homes - 10% above the emerging policy requirement.
Economic benefits ⁶⁸ – Significant weight
Total jobs created at construction phase: 265 Total GVA at construction phase: £20.6m Net residential expenditure pa: £2.3m Total FTE jobs supported by residential expenditure: 24.8
Place-making ⁶⁹ – Significant weight
Landscape-led masterplan which responds carefully to existing features of the site and its relationship to the surrounding landscape and townscape of Barnston Road to the east and farm buildings to the west. Design Charter, securable by condition, going above and beyond to guarantee the standard of placemaking, amenity and design even at outline stage. Around 27% of the site is proposed for green and blue infrastructure including walking and cycling routes, trees, hedgerows and ponds. There is a connected, internal street layout to encourage walking and cycling with pedestrian and cycling connections provided to Barnston Road and Gills Lane in several locations to enable ease of access through the site for walkers and cyclists. The development would deliver a variety of housing types and sizes to meet local needs - the masterplan layout is capable of accommodating a range of property sizes ranging from 2 to 4 bedrooms, and typologies including short runs of terraces and apartments designed to resemble larger homes through to larger semi-detached and detached properties, utilising the Nationally Described Space Standards.
Ecological Enhancements ⁷⁰ – Significant weight
On-site Habitat Units – +10.25% Off-site Habitat Units – +234.74% On-site Hedgerow Units – +11.29% Off-site Hedgerow Units – +130.81% On-site enhancements include the retention and improvement of the existing block of woodland and associated ponds at the northern end of the site, incorporating it into an area of open space containing additional woodland, individual tree planting, grassland and wetland associated with new SuDS ponds. Proposals would also include new sections of hedgerow; additional tree planting to existing retained hedgerows and new blocks of native species woodland in the south-eastern corner of the site, around a second proposed SuDS pond, with areas of wetland, wildflower grass and further native species trees. Off-site proposals also incorporate a large area of grassland and new field hedgerow habitat within the land to the south of Barnston Dale.
Public Open Space and Environmental Enhancements ⁷¹ – Significant weight
1.96 ha of open space in excess of minimum requirements. The masterplan proposes a central park with NEAP play area, adjacent to the hedgerow, which will form a community focus for the proposed neighbourhood and will serve a wider area including the existing neighbourhood on Barnston Road. All homes zero-carbon ready with high levels of energy efficiency.

⁶⁸ CD 01/12.2 at Table 6.1.

⁶⁹ CD 01/8.2 at paragraphs 7.18-7.22.

⁷⁰ CD 01/6.2 at paragraphs 8.5.47-8.5.48; CD 01/8.2 at paragraphs 7.18-7.22. The agreed BNG figures are at Table 1 of ID 19.

⁷¹ CD 01/8.2 at paragraphs 7.18-7.22

Access to the Countryside ⁷² and Highways ⁷³ – Significant weight to each

<u>Access to the Countryside</u>

New Public Footpath which would track southwards from Gills Lane, across the fields towards the western end of the woodland associated with Barnston Dale. This would significantly improve public, recreational access between Pensby and Barnston Village, land to the south of Barnston, Heswall and Whitfield Common.

<u>Highways</u>

- | |
|--|
| <ol style="list-style-type: none">1. Provision of a new, wider footway along Gills Lane providing safe walking route to local facilities for existing residents in Barnston and Pensby.2. Creation of a new east-west street to relieve pressure on the Gills Lane/Barnston Road junction. This new street will provide a direct short cut between Gills Lane and Barnston Road - relieving pressure on the existing constrained junction, and provide the opportunity for an improved bus route serving the site.3. Improvements to the frequency of the 181 Bus through a £900,000 contribution and infrastructure improvements through the delivery of two pedestrian refuge islands on Barnston Road to improve pedestrian access and new bus stops with shelters.4. Removal of a pinch point on the highway network as a result of the Storeton Lane improvement - reducing congestion at a problematic junction in Barnston Village.5. Improvements 5 and 6 in the list for Site A, subject to which sites come forward. |
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Overall paragraph 148 balance

Harms (collectively) very clearly outweighed by the benefits (collectively). Very special circumstances demonstrated.

⁷² CD 01/6.2 at paragraphs 8.5.47-8.5.48; CD 01/8.2 at paragraphs 7.18-7.22.

⁷³ CD 01/9.2 at paragraph 6.10.1.

Site E
GREEN BELT HARM
Openness: Spatial – Limited harm
Of this 8.34 ha site, 3.80 ha (46%) would remain undeveloped post-development. ⁷⁴
Openness: Visual ⁷⁵ – Limited harm
Whilst there would be a reduction in visual openness on the site itself, this would be very much localised to the site and its immediate surroundings That is because the visual effects of the proposed development on openness, particularly the significant visual effects, are associated with receptors and viewpoints that are located in close proximity to the site - particularly those located along its southern and eastern boundaries, where it abuts Whitfield Lane/Milner Road and Barnston Road respectively. Further, the prominence of the development would be moderated at all times by the topography of the site and the surrounding landscape, the presence of existing vegetation and built form, the retention of the majority of existing boundary vegetation and the proposed offsetting of the new houses from these boundaries, beyond intervening, peripheral tree planting. As a result, the Green Belt within the area would not be affected to any great extent in visual terms.
Purpose (a) ⁷⁶ – Limited harm
The development of Site E would extend the settlement edge into the open countryside to the north of Milner Road and Whitfield Lane. However, given the containing arrangement of the existing urban edge of Heswall to the south and east of Site E, its development as proposed would effectively round off the urban edge in a manner that would not extend it beyond the existing northern extent of residential development on Barnston Road. This would result in a neat, tidy edge to the settlement in this location, rather than one that is ‘untidy’ or ‘irregular’. Also, the northern edge of Site E is defined by a small watercourse that provides a natural, physical boundary to the development and as such, physically contains the development therein, rather than it presenting as unrestricted. It is common ground that the harm to this purpose is limited (Mr. Folland) to none (Mr. Loughran).⁷⁷
Purpose (b) – No harm
Barnston Village is not a “town”. In any event, it is located circa 1km to the north of Milner Road and would therefore not suffer merged with under the proposal.
Purpose (c) ⁷⁸ – Limited harm
The settlement edge of Heswall is close and prominent to the south, east and west, and as a result, the character of the site and other adjacent land is to an extent, influenced by the urban area. However, the agricultural nature and of the landscape is consistent up to the settlement edge, as urban fringe characteristics do not become increasingly prevalent along this part of the settlement edge. The existing boundaries to the south and to a lesser extent, the east, are durable as they are formed by Milner Road, Whitfield Lane (south) and Barnston Road (east). Although durable, these boundaries are relatively

⁷⁴ CD 01/2.4.

⁷⁵ CD 01/6.2 at paragraphs 8.6.61 – 8.6.65.

⁷⁶ CD 01/6.2 at paragraphs 8.6.12-8.6.17.

⁷⁷ ID 21.

⁷⁸ CD 01/6.2 at paragraphs 8.6.26-8.6.31.

abrupt in that the road is separated from Site E by a managed hedgerow and there is a distinct absence of any tree cover. By contrast the new settlement edge, which would be formed by the northern boundary of Site E, would predominantly abut an existing open ditch/watercourse and proposals retain an adjacent wide, green corridor containing tree planting, areas of wildflower grassland.

The site is located adjacent to the urban edge and is currently open countryside, however it is not open countryside in its purest form, as its character is influenced by the adjacent settlement edge.

Purpose (d) – Common ground that no harm⁷⁹

Purpose (e) – Minor harm

Overall: Substantial weight (NPPF paragraph 148) to limited Green Belt harm

ANY OTHER HARM

Character and Appearance – Limited weight

The only significant effects on landscape character identified by the Council are to LCA 4a and to the site itself.⁸⁰

In terms of LCA 4a, the residential development of the site would directly affect a small proportion of this character area. It would be well connected to the existing settlement edge of Heswall on Whitfield Lane, Milner Road and Barnston Road. There would be the permanent loss of farmland and some longer views, but otherwise key characteristics and valued landscape attributes identified for LCA 4a would remain unaffected. The contained nature of the Site, avoiding any obvious extensions/spurs into the rural landscape, its residential nature and its relatively small scale, will help the development's assimilation into this part of the wider LCA 4a, thus moderating levels of adverse landscape effect.⁸¹

In terms of the site itself, upon maturity of the proposals, the development would sit comfortably in its setting and reflect the existing settlement pattern. The proposals are broadly consistent with the surrounding context which includes residential streets and housing set back beyond grassed verges. The retained trees and hedgerows will help assimilate the built form into its surrounding.⁸²

The only significant visual effects are within or immediately adjacent to the site.⁸³

Sustainability of Location⁸⁴ – No harm

Heswall Town Centre is accessible within an approximate 15-minute walk of the centre of the site (or approximately 1,200m). The town centre has a wide range of facilities including a Tesco Superstore, and Aldi and M and S; banks; GP; Pharmacies; a library; a Post Office and several restaurants. There is also a collection of local facilities within 1000 metres of the site including a Sainsbury's Local, a Post Office, a Pharmacy and several cafes.

Those facilities are also available within a short cycle from the site. Milner Road and Whitfield Lane will be reduced to 20 mph with traffic calming measures to secure compliance with the speed limit. That will improve cycling uptake. The only additional measure sought by the Council (that the 20mph TRO proposed for Whitfield Lane/Milner Road should extend from Heswall Primary to Barnston Road and include speed reduction measures) is being provided. The Council's closing focusses on cycling options on Barnston Road but ignores the direct route to Heswall Centre provided along Milner Road which is highly suitable for cycling – especially following the benefit of the speed reduction delivered by this site.

Heswall railway station is within easy walking distance providing a further non-car option, but not necessary for take-up to be high given the range of other options as set out above.

⁷⁹ ID 21.

⁸⁰ CD 01/2.7.

⁸¹ CDE 02/5 at PDF page 268.

⁸² CDE 02/5 at PDF page 270.

⁸³ CD 01/5.2 at Figure 8.6.2.

⁸⁴ CD 01/9.2 at Section 5.6 and 6.7.

There are no additional opportunities for sustainable transport for this site which the Council say have not been taken up or maximised.
Agricultural Land – Limited weight
Of this 8.4 ha site, 3.0 ha of Grade 2 land would be developed on (36%) and 4.8ha of Subgrade 3a (57%). ⁸⁵
BENEFITS
Market Housing – Very Substantial weight
Delivery of 84 market homes.
Affordable Housing – Very Substantial weight
Delivery of 36 affordable homes - 10% above the emerging policy requirement.
Self/Custom Build – Substantial weight
10 % of the plots offered for self/custom build.
Economic benefits ⁸⁶ – Significant weight
Total jobs created at construction phase: 208 Total GVA at construction phase: £16.2m Net residential expenditure pa: £1.8m Total FTE jobs supported by residential expenditure: 19.4
Place-making ⁸⁷ – Significant weight
Landscape-led masterplan which responds carefully to existing features of the site and its relationship to the surrounding landscape of fields to the north and Whitfield Common to the south west, and the residential neighbourhoods of Heswall to the east and south, and existing primary school to the west. Design Charter, securable by condition, going above and beyond to guarantee the standard of placemaking, amenity and design even at outline stage. Around 45% of the site is proposed for public green and blue infrastructure including walking and cycling links, wetland, hedgerow and scrub habitats, amenity grassland, community orchard and 1,000 sqm of formal children's play space, and additional play opportunities as part of a natural play trail within the site's green corridors. Provision of a range of housing sizes and tenures to meet local needs and an opportunity for self-build properties. The masterplan provides a legible, perimeter block-based layout capable of accommodating a range of property sizes and typologies from terraces and apartments through to larger semi-detached and detached properties and bungalows, utilising the Nationally Described Space Standards. This also enables a variety of townscape character areas to be created responding to the street hierarchy of the site. This includes a more formal character using grouped properties and apartments designed to resemble larger houses at the site entrance and on the main street leading towards the central park, with a looser arrangement to the north east and north west with detached and semi-detached homes. The arrangement of streets within the site is also carefully aligned to continue the sight lines of existing streets to the south (Pine Road and Milner Road).

⁸⁵ CD 01/2.3.

⁸⁶ CD 01/12.2 at Table 6.1.

⁸⁷ CD 01/8.2 at paragraphs 7.23-7.27.

Ecological Enhancements⁸⁸ – Significant weight
On-site Habitat Units – +28.30% Off-site Habitat Units – +223.65% On-site Hedgerow Units – +11.83% Off-site Hedgerow Units – +19.47% Onsite enhancements include habitat creation in the form of a waterbody and vegetated gardens along with enhancements to scrub and grassland. Offsite enhancements include hedgerow improvements at field boundaries owned by Leverhulme between Heswall and Barnston Village and further areas of new and enhanced hedgerow planting, tree planting and grassland habitat creation are proposed in areas to the north-east of Site E.
Public Open Space and Environmental Enhancements⁸⁹ – Significant weight
3.8 ha of open space in excess of minimum requirements. The new central park, play area and community orchard will form a focus for the neighbourhood, and will be open to residents of the wider area, and are located in close proximity to Heswall Primary School. All homes zero carbon ready with high levels of energy efficiency.
Access to the Countryside⁹⁰ and Highways⁹¹ – Significant weight to each
<u>Access to the Countryside</u> Provision of the first part of Wirral’s Supergreenway network which will be a safe, traffic free route to Heswall Primary School and towards Heswall station and local shops. The new Cycle Supergreenway will run along the northern edge of the site leading in the east to a safe crossing of Barnston Road, to enable ongoing connection towards Heswall Station avoiding the Milner Road/Barnston Road junction. This provides a safe off-road route through a green corridor, connecting Heswall Primary School with the proposed central park, with an additional connection south to Whitfield Common Creation of a number of new public footpaths within the Green Belt to the south-east. The footpaths would link the urban edge to the west of the railway to an existing footpath to the east and would utilise an existing agricultural access bridge to cross over the railway (the rail corridor is currently a significant constraint to east/west movement between the eastern edges of Heswall/Gayton and the open countryside, Green Belt and estate land at Thornton Manor Estate to the east). <u>Highways</u> 1. The localised widening of Storeton Lane to reduce congestion at a problematic junction in Barnston Village. 2. Bus shelter and stop upgrades. 3. Improvements 5 and 6 in the list for Site A, subject to which sites come forward.
Overall paragraph 148 balance
Harms (collectively) very clearly outweighed by the benefits (collectively). Very special circumstances demonstrated.

⁸⁸ CD 01/6.2 at paragraphs 8.6.40-8.6.49; CD 01/8.2 at paragraphs 7.23-7.27. The agreed BNG figures are at Table 1 of ID 19.

⁸⁹ CD 01/8.2 at paragraphs 7.23-7.27.

⁹⁰ CD 01/6.2 at paragraphs 8.6.40-8.6.49; CD 01/8.2 at paragraphs 7.23-7.27.

⁹¹ CD 01/9.2 at paragraph 6.10.1.

Site F
GREEN BELT HARM
Openness: Spatial – Limited harm
Of this 3.30 ha site, 1.83 ha (55%) would remain undeveloped post-development. ⁹²
Openness: Visual ⁹³ – Limited harm
Whilst there would be a reduction in visual openness on the site itself, this would be very much localised to the site and its immediate surroundings That is because the visual effects of the proposed development on openness, particularly the significant visual effects, are associated with receptors and viewpoints that are located in close proximity to the site. Further, the prominence of the development would be moderated by the retention of the majority of the existing hedgerows and trees on the site; the presence of existing, containing woodland blocks and new woodland and tree planting within the site, within the proposed POS areas and in particular, within the landscape corridor which would be contiguous with Raby Hall Road. As a result, the Green Belt within the area would not be affected to any great extent in visual terms.
Purpose (a) ⁹⁴ – Common ground that limited harm ⁹⁵
The proposed development would be of a relatively small scale and would be well contained by the woodland to the north, the trees and hedgerows along Raby Hall Road and the motorway to the west. The development would extend up to the significant visual and physical buffer formed by the M53 corridor, but would not breach it. Overall, the extent of the harm would be moderated by the contained nature and compact form of the development, the neat and regular nature of the proposed built form, its durable boundaries, the limited scale of the development and the absence of any extension beyond the M53.
Purpose (b) – Common ground that no harm ⁹⁶
Purpose (c) ⁹⁷ – Limited harm
The settlement edge of Raby Mere is close to the east and the numerous large buildings associated with the Autism Together site lie between Appeal Site F and the settlement edge on Blakeley Road, circa 200m to the east, whereas to the west, the M53 corridor is located immediately adjacent to the western extent of Appeal Site F. The character of the site and other adjacent land is therefore to an extent, influenced by the urban area, the containing woodland and tree cover, the built form on the Autism Together site and the motorway corridor. The development would abut the motorway and the Autism Together site and will be connected to the urban edge on Blakeley Road by a pedestrian link through the southern edge of the adjacent field (Appeal Site G). The resulting boundaries to the remaining Green Belt land would be durable. As a result, whilst there is harm to this purpose due to the proposed development representing a form of encroachment into the open countryside, it is limited due to the characteristics set out above. Furthermore, the remaining Green Belt land to the north- west, and south of Site F would continue to function as before.
Purpose (d) – Common ground that no harm ⁹⁸

⁹² CD 01/2.4.

⁹³ CD 01/6.2 at paragraphs 8.7.63 – 8.7.67.

⁹⁴ CD 01/6.2 at paragraphs 8.7.19-8.7.23.

⁹⁵ ID 21.

⁹⁶ ID 21.

⁹⁷ CD 01/6.2 at paragraphs 8.7.33-8.7.36.

⁹⁸ ID 21.

Purpose (e) – Minor harm
Overall: Substantial weight (NPPF paragraph 148) to limited Green Belt harm
ANY OTHER HARM
Character and Appearance – Limited weight
The only significant effects on landscape character identified by the Council are to LCA 4c and to the site itself.⁹⁹ In terms of LCA 4c, the introduction of the proposed houses, highway network and associated green infrastructure would constitute a change in character upon the site itself, however its location within the more enclosed, wooded parts of the LCA to the east of the M53 corridor, the contained nature of the Site and the retention of most of the boundary landscape features will help the development's assimilation into this part of the wider LCA 4c, moderating levels of adverse landscape effect. There would be a loss of farmland, some short sections of hedgerow and the semi-rural character of Raby Hall Road would be diminished but no other key characteristics or valued landscape attributes would be affected.¹⁰⁰ In terms of the site itself, the existing boundary hedgerows and trees would be substantially retained, and enhancements would have become established. The new tree planting within the public open spaces and street trees along the access roads will help to soften the appearance of the proposed built form and would improve its assimilation into the landscape.¹⁰¹ The only significant visual effects are within or immediately adjacent to the site.¹⁰²
Sustainability of Location ¹⁰³ – No harm
Number of day-to-day facilities on Allport Road in Bromborough within a reasonable walking distance (1.8km) for a number of people. Whilst the nature of the walk may deter some, it is a genuine option for many especially given the draw of the facilities in Bromborough (including the train station). In any event, Bus route 16 and 17 can be hailed from Blakeley Road. From there it is 11 minutes by bus to Eastham Rake train station which provides 6 services per hour between Chester/Ellesmere Port and Liverpool. The same bus service provides access to Bebington (which has a range of services, amenities and schools) within 15-20 minutes.
Agricultural Land – Limited weight
Of this 3.3 ha site, 0.4 ha of Grade 1 land would be developed on (12%) and 2.7 ha of Subgrade 3a (82%). ¹⁰⁴
BENEFITS
Market Housing – Very Substantial weight
Delivery of 26 market homes as part of a mix of tenure types.
Affordable Housing – Very Substantial weight
Delivery of 12 affordable homes - 10% above the emerging policy requirement.

⁹⁹ CD 01/2.7.

¹⁰⁰ CDF 02/5 at PDF page 255.

¹⁰¹ CDF 02/5 at PDF page 258.

¹⁰² CD 01/5.2 at Figure 8.7.2.

¹⁰³ CD 01/9.2 at Section 5.7 and 6.8.

¹⁰⁴ CD 01/2.3.

Economic benefits¹⁰⁵ – Significant weight
Total jobs created at construction phase: 198 Total GVA at construction phase: £15.4m Net residential expenditure pa: £0.6m Total FTE jobs supported by residential expenditure: 6.1
Place-making¹⁰⁶ – Significant weight
Landscape-led masterplan which responds carefully to existing features of the site and its relationship to the surrounding landscape of golf course and woodland and the adjacent Autism Together facilities. Design Charter, securable by condition, going above and beyond to guarantee the standard of placemaking, amenity and design even at outline stage. The existing woodland edges are retained to form an attractive landscape setting for new homes. The development provides a range of housing typologies including short runs of terraces, detached and semi-detached homes, arranged in loose perimeter blocks with gardens to the rear. A single vehicle access is proposed from Raby Hall Road, using the existing access point to minimise the impact on boundary trees and shrubs. This serves a connected and legible internal street layout serving all parts of the site. The internal layout is arranged to create views towards mature trees to the north and south of the site. Leverhulme has also collaborated with Autism Together and in response to their wishes, has identified a safeguarded area at the eastern end of the site to provides flexibility for their facilities to expand in the future. There is an opportunity for residential accommodation or supporting facilities here, located where a connection can be made directly into the heart of the Autism Together campus.
Ecological Enhancements¹⁰⁷ – Significant weight
On-site Habitat Units – +20.11% Off-site Habitat Units – +142.03% On-site Hedgerow Units – +459.58% Off-site Hedgerow Units – +100% On-site landscape enhancements would include the retention, improvement and extension of the existing block of woodland at the western end of the site, along with an area of open space containing a SuDS pond with tracts of wildflower grassland, with individual native species tree planting. Offsite proposals include an extensive area of enhanced habitat in the form of nonwoodland habitat creation and enhancement along with a containing large area of new woodland planting within the fields to the west of the motorway and Raby Hall Road.
Public Open Space and Environmental Enhancements – Significant weight
0.97 ha of open space in excess of minimum requirements. The design proposes a small pocket park at the eastern end of the site, with a LAP, to serve residents of the development including future Autism Together families. All homes zero carbon ready with high levels of energy efficiency.
Access to the Countryside¹⁰⁸ and Highways¹⁰⁹ – Significant weight to each
<u>Access to the Countryside</u>

¹⁰⁵ CD 01/12.2 at Table 6.1.

¹⁰⁶ CD 01/8.2 at paragraphs 7.29-7.33.

¹⁰⁷ CD 01/6.2 at paragraphs 8.6.66- 8.7.54; CD 01/8.2 at paragraphs 7.29-7.33. The agreed BNG figures are at Table 1 of ID 19.

¹⁰⁸ CD 01/6.2 at paragraphs 8.6.66- 8.7.54; CD 01/8.2 at paragraphs 7.29-7.33.

¹⁰⁹ CD 01/9.2 at paragraph 6.10.1.

A new public footpath would track east/west circa 1.8km across the agricultural landscape to Raby Village, thus providing a new east/west footpath link within a part of Wirral where there is a distinct dearth of PRow.

Highways

Enhancements to local bus infrastructure along Blakeley Road.

Overall paragraph 148 balance

Harms (collectively) very clearly outweighed by the benefits (collectively). Very special circumstances demonstrated.

Site G
GREEN BELT HARM
Openness: Spatial – Limited harm
Of this 3.69 ha site, 1.00 ha (27%) would remain undeveloped post-development. ¹¹⁰
Openness: Visual ¹¹¹ – Limited harm
Whilst there would be a reduction in visual openness on the site itself, this would be very much localised to the site and its immediate surroundings That is because the visual effects of the proposed development on openness, particularly the significant visual effects, are associated with receptors and viewpoints that are located in close proximity to the site. Further, the prominence of the development would be moderated by the retention of the majority of the existing hedgerows and trees on the site; the presence of existing, containing woodland blocks and new woodland and tree planting within the site, within the proposed POS areas and in particular, within the landscape corridor which would be contiguous with Raby Hall Road As a result, the Green Belt within the area would not be affected to any great extent in visual terms.
Purpose (a) ¹¹² – Common ground that limited harm ¹¹³
The development of Site G would extend the settlement edge into the open countryside from Blakeley Road, between Raby Hall Road to the south and the existing woodland block to the north. The proposed development would be of a relatively small scale and would be well contained by the woodland to the north, the trees and hedgerows along Raby Hall Road to the south and mature trees and vegetation located along the western boundary with the neighbouring Autism Together site. Therefore, whilst there would be some limited harm to this purpose, the extent of the harm would be significantly moderated by the contained nature and compact form of the development, the neat and regular nature of the proposed built form and its durable boundaries.
Purpose (b) – Common ground that no harm
Purpose (c) ¹¹⁴ – Limited harm
The site is physically connected to the settlement edge of Raby Mere, along its eastern boundary with Blakeley Road and is contained to the west by mature trees and vegetation on its boundary with the Autism Together site. The character of Appeal Site G and other adjacent land is therefore to an extent, influenced by the urban area, the containing woodland and tree cover and the built form on the Autism Together site. The development would fill the space between the existing settlement edge on Blakeley Road and the Autism Together site. The resulting boundaries between the site and the remaining Green Belt would be formed by the school driveway and woodland to the north, the school driveway and mature trees and vegetation to the west and Raby Hall Road to the south land. These boundaries would provide effective levels of visual and physical containment for the development and will prevail as durable boundaries to the remaining Green Belt As a result, whilst there is harm to this purpose due to the proposed development representing a form of encroachment into the open countryside, it is limited due to the characteristics set out above. Furthermore, the remaining Green Belt land to the north- west, and south of Site F would continue to function as before.

¹¹⁰ CD 01/2.4.

¹¹¹ CD 01/6.2 at paragraphs 8.8.64 – 8.8.68.

¹¹² CD 01/6.2 at paragraphs 8.8.19-8.8.23.

¹¹³ ID 21.

¹¹⁴ CD 01/6.2 at paragraphs 8.8.34-8.8.37.

Purpose (d) – Common ground that no harm ¹¹⁵
Purpose (e) – Minor harm
Overall: Substantial weight (NPPF paragraph 148) to limited Green Belt harm
ANY OTHER HARM
Character and Appearance – Limited weight
The only significant effects on landscape character identified are to LCA 4c and to the site itself.¹¹⁶ The position is as per Site F above. The only significant visual effects are within or immediately adjacent to the site.¹¹⁷
Sustainability of Location ¹¹⁸ – No harm
Not materially different from Site F.
Agricultural Land – Limited weight
Of this 3.7 ha site, 1.9 ha of Grade 1 land would be developed on (51%); 1.0ha of Grade 2 land (27%) and 0.8 ha of Subgrade 3a land (22%). ¹¹⁹
BENEFITS
Market Housing – Very Substantial weight
Delivery of 56 market homes as part of a mix of tenure types
Affordable Housing – Very Substantial weight
Delivery of 24 affordable homes - 10% above the emerging policy requirement.
Economic benefits ¹²⁰ – Significant weight
Total jobs created at construction phase: 208 Total GVA at construction phase: £16.2m Net residential expenditure pa: £1,2m Total FTE jobs supported by residential expenditure: 19.1
Place-making ¹²¹ – Significant weight
Landscape-led masterplan which responds carefully to existing features of the site and its relationship to the surrounding landscape of golf course and woodland, the adjacent Autism Together facilities and the adjacent residential neighbourhood to the east. Design Charter, securable by condition, going above and beyond to guarantee the standard of placemaking, amenity and design even at outline stage. The arrangement of streets, pays careful attention to the site's immediate setting. For example, a view is framed in the central part of the site towards historic properties on the bend of Blakeley Road.

¹¹⁵ ID 21.

¹¹⁶ CD 01/2.7.

¹¹⁷ CD 01/5.2 at Figure 8.8.2.

¹¹⁸ CD 01/9.2 at Section 5.8 and 6.9.

¹¹⁹ CD 01/2.3.

¹²⁰ CD 01/12.2 at Table 6.1.

¹²¹ CD 01/8.2 at paragraphs 7.34-7.38.

Provision of a range of housing sizes and tenures to meet local needs and complement the existing adjacent neighbourhood - housing typologies include an apartment building designed to resemble a large house and short runs of terraces located on the main access street and at the Blakeley Road corner, and a looser arrangement of detached and semidetached homes, with gardens to the rear in the outer areas of the site. At the boundary with Autism Together, properties back onto the boundary with generous rear gardens and the retention of existing boundary trees.

Ecological Enhancements¹²² – Significant weight

On-site Habitat Units – +10.22%
 Off-site Habitat Units – +91.96%
 On-site Hedgerow Units – +27.72%
 Off-site Hedgerow Units – +100%

On-site enhancements include the retention, improvement and extension of the existing block of woodland and the existing pond/wetland therein, at the south-eastern corner of the site, along with an area of open space extending along the southern boundary of the site with Raby Road containing native species trees and areas of wildflower grassland.

To the north, a new native species hedgerow and associated trees will provide an appropriate boundary between the site and the adjacent school driveway that links with Blakeley Road (this boundary is currently partially open with sections of post and wire fencing. Within the northernmost corner of the site, a proposed SuDS pond would be located within an open area of wildflower grassland with containing individual native species tree planting.

For off-site enhancements – see Site F above.

Public Open Space and Environmental Enhancements¹²³ – Significant weight

1 ha of open space in excess of minimum requirements. At the northern corner of the site, the masterplan proposes a green space forming an attractive setting to the existing historic lodge property, just to the north of the site.

All homes zero carbon ready with high levels of energy efficiency.

Access to the Countryside and Highways – Significant weight to each

See Site F above.

Overall paragraph 148 balance

Harms (collectively) very clearly outweighed by the benefits (collectively). Very special circumstances demonstrated.

¹²² CD 01/6.2 at paragraphs 8.8.45 – 8.8.55; CD 01/8.2 at paragraphs 7.29-7.33. The agreed BNG figures are at Table 1 of ID 19.

¹²³ CD 01/8.2 at paragraphs 7.29-7.33.s