

PLANNING STATEMENT

APPLICANT:
Redrow Homes.

SITE:
Land at the Former Ernest Cookson School, Mill
Lane, West Derby, Liverpool, L12 7JA

DATE:
23 December 2015

Report Drafted By	Report Checked By	Report Approved By
JF	BM	MH
21.12.2015	22.12.15	22.12.15

This document has been prepared by Hourigan Connolly Limited trading as Hourigan Connolly.

No part of this document may be reproduced without the prior written approval of Hourigan Connolly.

Hourigan Connolly
7 Swan Square
15 Swan Street
Manchester
M4 5JJ

t/ 0161 300 3476
e/ info@houriganconnolly.com
w/ www.houriganconnolly.com

CONTENTS

	PAGE NUMBER
1. INTRODUCTION	2
2. THE SITE & SURROUNDING AREA	5
3. PLANNING HISTORY	8
4. STATUTORY AND OTHER DESIGNATIONS	9
5. THE PROPOSED SCHEME	12
6. PRE-APPLICATION CONSULTATION	17
7. THE DEVELOPMENT PLAN	19
8. OTHER MATERIAL CONSIDERATIONS	31
9. SUMMARY OF BENEFITS AND CONCLUSIONS	38

1. INTRODUCTION

BRIEF

1.1 Hourigan Connolly is instructed by Redrow Homes (hereafter referred to as the ~~applicant~~) to prepare and submit a full planning application to Liverpool City Council (hereafter referred to as ~~the Council~~). The application relates to the proposed redevelopment of the site at the former Ernest Cookson School, Mill Lane, West Derby, Liverpool L12 7JB (hereafter referred to as the ~~application site~~).

1.2 The description of development given in the planning application forms is:

“Erection of 22no. dwellings including associated landscaping and access from Mill Lane.”

1.3 The application is made in full and is accompanied by a number of supporting documents which address key technical and site-specific planning matters.

STRATEGIC HOUSING DELIVERY PARTNERSHIP

1.4 The application is submitted as part of the Strategic Housing Delivery Partnership; a joint venture between Liverpool City Council, Redrow Homes and Liverpool Mutual Homes. The Partnership will initially run for a five year period with the expectation of building 1,500 new homes. The Partnership’s role, as part of the Mayor’s initiative to boost both the quality and delivery of housing, is:

- For Redrow Homes to develop high quality executive homes in Liverpool and identify land to enhance the Council’s sites with existing development potential.
- For Liverpool Mutual Homes (LMH) to develop the affordable homes across the city by attracting grant funding or investing themselves.
- For Liverpool City Council to provide the strategic planning and housing need information required for the development sites whilst also selling appropriate land to the Partnership for development.

1.5 The Partnership will work in a way that ensures any capital investment accrued from the redevelopment of a Council site will be reinvested back into the Partnership to enable future development of other sites. The Partnership will ensure there is a choice of quality housing in sustainable locations. The Partnership will also endeavour to boost the local economy by prioritising the employment of local people and delivering complementary economic development projects.

- 1.6 The formation of this Partnership is an innovative and streamlined approach to planning and housing delivery with great benefits to the local community. This application represents the third development brought forward by the applicant through the Strategic Housing Delivery Partnership.
- 1.7 The first comprised a full planning application for the erection of 21 dwellings following demolition of the former Watergate School on Speke Road (Application Reference: 15F/0314). The application was approved by the City Council's Planning Committee on 23 June 2015 in accordance with the positive recommendation by Officers. The second detailed application was for the erection of 60 dwellings at the site of the former Redbridge and Bank View schools, Sherwoods Lane in Fazakerley (Application Reference 15F/1962), with full planning permission being granted by Members on 28 October 2015.

PURPOSE

- 1.8 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. This Planning Statement will demonstrate that the proposals accord with the provisions of the Development Plan and that other material considerations also indicate that planning permission ought to be granted.
- 1.9 The purpose of this Planning Statement is as follows:
- To describe the site and surrounding area.
 - To examine relevant planning decisions that have been made in relation to the site or immediate surrounding area.
 - To identify any statutory designations affecting the site.
 - To describe the proposed development.
 - To outline the other documents submitted in support of the proposals.
 - To consider the application proposals in the context of the adopted Development Plan.
 - To consider any material considerations relevant to the determination of the application.
- 1.10 This document should be read in conjunction with the suite of documents submitted in support of the planning application.

FORMAT

1.11 The remainder of this document is structured as follows:

- Chapter 2 . The Site & Surrounding Area.
- Chapter 3 . Planning History.
- Chapter 4 . Statutory & Other Designations.
- Chapter 5 . The Proposed Scheme.
- Chapter 6 . Pre-Application Consultation.
- Chapter 7 . The Development Plan.
- Chapter 8 . Other Material Considerations.
- Chapter 9. Summary of Benefits and Conclusions.

2. THE SITE & SURROUNDING AREA

SITE LOCATION

- 2.1 The application site can be found approximately 5 km north east of Liverpool city centre in the area known as West Derby and within the Knotty Ash ward. The site is located within 300m of the West Derby District Centre (to the north east) where there can be found a number of local amenities and facilities including retail shops, convenience store, a public house, restaurants, a bank and cash machine.
- 2.2 The site was occupied by the Ernest Cookson School up until about five years ago when the existing school buildings were demolished following the relocation of the school to a purpose-built site at Bankfield Road. The application site has remained vacant since demolition took place within the ownership of the Council.
- 2.3 The site forms a rectangular plot of land on the southern side of Mill Lane being bounded by the road itself, a national recreational and cycle route known as the ~~L~~iverpool Loop Line (which forms part of the National Cycle Network (Route No. 62)) to the north east / east, and by residential properties to the south and south west. Figure 2.1 illustrates the location of the site for reference purposes only.

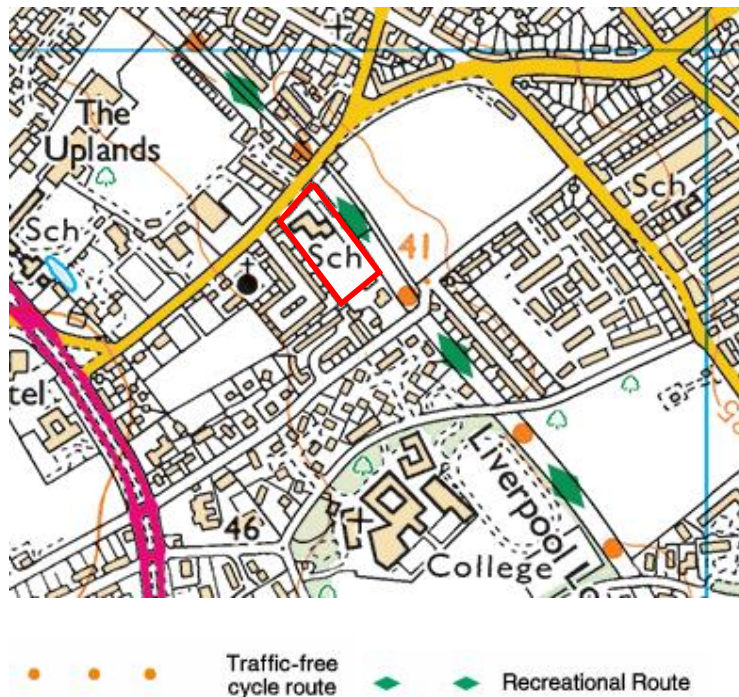


Figure 2.1 Approximate Site Location (denoted in red).

- 2.4 The site is accessed through an unadopted layby off Mill Lane which was formerly used by the school as a drop-off facility. The Transport Statement (TS) accompanying this application

describes the site entrance and surrounding local highway network in more detail, however an image taken from Google street view is shown below at Figure 2.2:

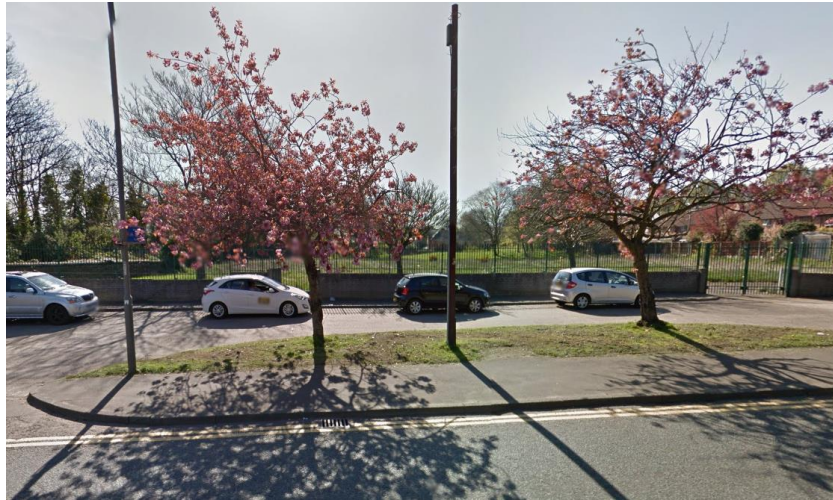


Figure. 2.2 Google streetview image of the site on Mill Lane.

- 2.5 Mill Lane is served by a number of bus services and there are bus stops immediately outside the site serving buses travelling in both directions. The nearest train station, Broad Green, is approximately 2.5 km to the south of the site and provides regular services to Liverpool, Manchester and Warrington. Further information on the site's accessibility is set out in the TS.

SITE DESCRIPTION

- 2.6 The application site extends to an area of approximately 0.95 ha and comprises the vacant site of a former school which previously provided education for pupils with social, emotional and behavioural difficulties. Following the demolition of the school buildings and associated areas of hardstanding, the site is now dominated by semi-improved grassland, scattered scrub and scattered trees. Along the eastern boundary there is a fringe of deciduous woodland which actually lies outside of the application site boundary but overhangs this boundary line. A number of trees within the site application boundaries will be removed to facilitate development. This will be discussed in further detail in the proceeding Chapters and in the accompanying arboricultural information.
- 2.7 As discussed above, vehicular access is taken from Mill Lane which is currently gated and locked. At present the site is bound by a mixture of boundary treatments including brick walls, post and panel and palisade fencing, with the main frontage boundary being denoted by a combination of a brick wall with a post and rail metal fence.

SUMMARY

- 2.8 The site is located within a predominantly residential urban area with easy access to public transport links, local shops and services; the site is in a sustainable location. The residential development of the former school site would be wholly complementary and in-keeping with the character and predominant land-uses in the immediate vicinity and local area. The redevelopment of the site would make best use of the former school site within the urban area, making a positive contribution to both the local community of West Derby, and Liverpool City in the wider area.
- 2.9 The following Chapters will now explain how the site specific constraints have influenced and informed the proposals. Thereafter it will be demonstrated that the proposals accord with the provisions of the Development Plan and other material considerations, indicating that detailed planning permission ought to be granted.

3. PLANNING HISTORY

- 3.1 A comprehensive search of the Council's online Planning Register did not return any previous planning history on the site.

4. STATUTORY AND OTHER DESIGNATIONS

FLOOD RISK AND DRAINAGE

- 4.1 According to the Environment Agency's Flood Risk Map (for planning purposes), the site is within Flood Zone 1 and is not considered to be at risk of flooding from either rivers and sea or surface water; the land has a less than 1 in 1,000 annual probability of flooding. The site is previously developed land, being the site of a former school, however given the time that has lapsed since the demolition of the previous buildings, it is arguable that the remains of buildings have blended into the landscape in the process of time and with this in mind, the development proposals have been designed to work to existing greenfield run-off rates.
- 4.2 To provide a satisfactory drainage solution, an attenuation pond and larger sections of drainage pipes form part of the residential scheme. This will be described in greater detail in the following Chapter and shown on the accompanying Drainage Layout (drawing reference 4363/ENG001-1).

ECOLOGY

- 4.3 The site is not subject to any statutory ecology related designations; there are no National Nature Reserves, Ramsar sites, Special Protection Areas, Special Area of Conservation or Sites of Special Scientific Interest within 1km. However, investigations have shown that there are three non-statutory protected sites within a kilometre of the site, these being:
- Loopline Liverpool Local Wildlife Site (LWS) which lies immediately adjacent to the application site.
 - Croxteth Country Park LWS.
 - River Alt & adjacent sites through Croxteth LWS.
- 4.4 As part of the evolution of the development proposals, an Extended Phase 1 Habitat Survey was undertaken by Ecology Services Limited and the report of the survey findings accompanies this planning application. The survey work concluded that the redevelopment of the site would not have an adverse effect on designated sites for nature conservation (including the adjacent LWS), neither would the proposals have an adverse impact on ecologically valuable habitats or protected species. Chapter 8 (Development Plan) of this Planning Statement discusses the findings and recommendations from the Extended Phase I Report in greater detail.

TREE PRESERVATION ORDERS (TPO)

- 4.5 The Council has confirmed that no trees within the site are subject to a TPO and as the site does not lie within a Conservation Area, no trees are protected by virtue of Conservation Area restrictions. Trees on land abutting the southern boundary are protected by Area 1 of TPO: 51 .

Sandforth Road L12 (see submitted Tree Constraints Plan), but no trees from this TPO affect the site. A comprehensive Tree Survey and Arboricultural Impact Assessment is submitted with this planning application describing how a total of 45 individual trees and 4 groups of trees were surveyed and mapped. The accompanying arboricultural information contains an assessment of the trees in terms of their potential value within any future development and advice on the removal, retention and management of the trees (this is discussed in further detail at Chapter 7).

PUBLIC RIGHTS OF WAY

- 4.6 There are no Public Rights of Way through the site. As described above the application site sits immediately adjacent to a national recreational and cycle route which follows the old railway line. This route forms the north eastern boundary to the application site and is a popular traffic-free, cycle route running from Halewood to Aintree and on to Southport.

AIR QUALITY MANAGEMENT AREA

- 4.7 The Council has declared the entire city of Liverpool as an Air Quality Management Area (AQMA) for exceedance of the annual mean objective for nitrogen dioxide (NO₂), and therefore the proposals would be located within an existing AQMA, however the site is not located within a specific area of concern within the AQMA. Having regard to previous traffic generated at the site (when it was in use for a school) and those movements associated with the proposed dwellings, it is unlikely that the proposals would have a significant impact on existing air quality conditions.
- 4.8 In addition, the proposed planting and landscaping would mitigate against any potential impacts in the local air quality and suitable safeguards against dust during the construction stage could be secured by condition.

HERITAGE DESIGNATIONS

- 4.9 The site is not within or adjoining a Conservation Area, World Heritage Site, nor is it a designated Scheduled Ancient Monument (SAM). There are also no Listed Buildings at the application site, although it is noted that there are a number of Grade II and Grade II* Listed Buildings in the local area, with the nearest being Church of St James (building ID: 359085) located circa 60 m to the west. The proximity of the nearby heritage assets are acknowledged, however the distance between the site and these assets would mean that the residential development would not affect their setting(s).

SUMMARY

- 4.10 The application site is not subject to any statutory designations which would prevent the proposed residential development being delivered in the manner proposed. It will be demonstrated in the

proceeding chapters that the proposals comprise high quality development which has due regard to relevant statutory designations.

5. THE PROPOSED SCHEME

APPLICATION SUBMISSION DOCUMENTS

5.1 As guided by the Validation Criteria (December 2013), the required submission documents have been collated to create an appropriate suite of application documents. Accordingly the following documents are submitted in support of the detailed planning application:

- Application Form, Certificates and Notice.
- Planning Statement.
- Design and Access Statement.
- Extended Phase 1 Habitat Survey Report.
- Protected Species Survey Report (Bats).
- Arboricultural Impact Assessment
- Landscape Proposal.
- Transport Statement (including assessment against MASA criteria).
- Ground Conditions Phase I and Phase II Reports.
- Drawings:
 - Topographical Survey (Sheet 1 & Sheet 2) . 06717-T-1 & 06717-T-2.
 - Detailed Site Layout (in black and white and colour) . DSL-001.
 - Location Plan . OS-001.
 - Boundary Treatment Layout . BTL-001.
 - Standard Boundary Details Plan . STDB-01.
 - Proposed Streetscenes . DSS-001.
 - Land Disposal Layout . DSL-06.
 - Materials Layout . ML-001_B.
 - Waste Management Layout . WML-001.
 - Drainage Layout . 4363/ENG001-1.
 - External Works Layout - 4363/ENG010-1.

- Adoptable Highway Layout . 4363/ENG022-1.
- Highways Materials Layout . 4363/ENG025.
- Landscaping Proposals . 5164.01.
- Swept Path Analysis . 4363/ENG150.
- Assorted house types includes floorplans, elevations and garage detail.

DESCRIPTION OF DEVELOPMENT

5.2 This application seeks full planning permission for the following:

“Erection of 22no. dwellings including associated landscaping and access from Mill Lane.”

5.3 The proposed layout is shown on drawing reference DSL-001 and comprises 22 no. properties (of which 11 no. will be four bedroom and 11 no. three bedroom) to be served by a single vehicular access point off Mill Lane which results in a single spine road through the centre of the site. 5no. of the three bedroom properties will comprise Affordable Housing, to be located towards the rear of the site.

5.4 The layout shows that each dwelling would be provided with private front and rear garden space with additional planting to be provided in front and to the rear of the built form. A number of the units will have access to a private integral or detached garage with each dwelling being provided with off-road parking, including an area of communal parking spaces.

DEVELOPMENT CONCEPT

5.5 The proposed scheme comprises a bespoke scheme of 22no. family homes with modern suburban approach to the external appearance. The schedule of accommodation comprises:

Housetype	No. of bedrooms	Size (sqm)	Quantity
Cantebury	4	1408	2
Cambridge	4	1382	3
Oxford	4	1300	6
Worcester	3	1245	6
Dart	3	905	5
TOTAL			22

5.6 This application is supported by a Design and Access Statement which clearly sets out how the design of the proposals have been influenced by the surrounding built form, the existing trees and the immediate surroundings including the adjacent recreational route.

TECHNICAL CONSIDERATIONS

- 5.7 The application is accompanied by a series of technical assessments and surveys in anticipation of those matters which are pertinent to the determination of this planning application. In addition to this Planning Statement which considers the proposals against the requirements of the Planning and Compulsory Purchase Act 2004, the following matters are worthy of note:

HIGHWAYS

- 5.8 A Transport Statement (TS) has been prepared by SCP and is submitted following detailed pre-application discussions with the relevant highway authorities. The Transport Statement comprises an assessment of the existing conditions, the impact the development would have on the local highway network and the accessibility of the site in relation to local amenities and public transport options. The TS also contains a detailed site access design. The contents of the TS are discussed in further detail in Chapter 7 (Development Plan) of this Statement.

ECOLOGY

- 5.9 As discussed above, an Extended Phase I Ecological Assessment has been carried out in order to inform the development proposals. Following review of ecological records and undertaking a site survey there are several priority species that have the potential to occur within the vicinity of the site. With regards protected species, the report confirms that there would be no implications from development regarding amphibians and there are no records of badger within 1 km of the site with no evidence of badgers using the site being observed. Evidence of Hedgehog (which is a UK Species of Principal Importance) was found on site and necessary protection measures for the site during the clearance and construction is provided in the Report, as well as the enhancement / creation of boundary features to maintain linkages between onsite populations as part of the proposals.
- 5.10 With regards bats, an inspection and assessment of the trees and a building abutting the western of the site¹ was undertaken and the results are set out in the accompanying Protected Species Survey Report (Bats). The report concludes that the building was found to contain negligible to low bat roost potential and the vast majority of the surveyed trees were found to have negligible / no potential to support roosting bats. Only one group of trees was found to hold Category 2 (negligible to low) potential to support roosting bats. Furthermore, no evidence of past or present use of the building or trees by roosting bats was identified and therefore the residential development would not have any implications on bats.
- 5.11 As identified in the preceding Chapters the site lies immediately west of a Local Wildlife Site (LWS) known as the Loopline. The Extended Phase I notes that the Loopline stretches for 11 kilometres across Liverpool and contains diverse habitats on the banks and floor of a disused

¹ The building comprises a single storey small shed, brick-built with a slate covered roof. There is no access to the building.

railway cutting. The LWS was included within the wider ecological survey area for the purposes of this planning application. The Extended Phase I Assessment concludes that there are no proposals to directly affect this habitat, but that there is potential for indirect impacts to occur both during and post development. To take account of the adjacent LWS, those dwellings which back onto the 4 . 5m strip of group of trees along the eastern boundary will be afforded longer rear gardens to provide additional space which allows for a wildlife corridor along this boundary edge. The existing palisade fence will remain as an added security eature, but the beneficial feature of the fence is that it will allow permeability between the LWS and the rear gardens to encourage wildlife movement and enhancements to biodiversity. In essence, a wildlife corridor will be created between the development and the Loopline LWS of 7-8m which will have the added benefit of providing further protection to the existing trees.

- 5.12 The proposals have been directly influenced by the ecological survey work and in summary the report confirms that there are no ecological or biodiversity reasons why the site should not be redeveloped for residential purposes.

GROUND CONDITIONS

- 5.13 The application submission includes a Phase I and Phase II Geotechnical and Environmental Report. The Phase I report concludes that as the site comprises of a plot of land mixed between rough ground where the former school was located and a grassed field to the rear, there is the potential for made ground to be present associated with the demolition of the school.
- 5.14 The Phase I notes that historically, the surrounding area has been occupied by fields, housing with associated amenities, and the now disused railway line immediately adjacent to the north east of the site. The Phase I summaries that the land uses or processes that have occupied the site and the surrounding area have the potential to cause ground contamination.
- 5.15 Site investigations were carried out in March 2012 and March 2015 based upon the conclusions of the Phase I findings, preliminary risk assessment and conceptual model and the results of these investigations are set out in the Phase II Report. The Phase II confirms that a number of remediation measures are required to address the site wide contamination of Benzo(b)fluoranthene, Benzo(a)pyrene, Dibenzo(ah)anthracene, two areas of Asbestos, and localised contamination of Lead. The following mitigation measures are recommended in order to break the potential for inhalation, ingestion or skin contact by humans or through groundwater:
- Provide a 600mm cover system which will incorporate 150mm of clean imported tested topsoil and a geo-textile membrane. It is expected that imported topsoil would be used as a growing medium within landscaped/garden areas of the proposed development.
 - The material removed from the areas around TH2 & TH4 for Asbestos will need to be delineated to see if it has to be treated as hazardous/special waste.

- 5.16 Upon implementation of these measures there is no technical reason relating to ground conditions why the proposed development cannot be completed

TREES

- 5.17 The submitted Tree Survey and Arboricultural Impact Assessment concludes that the protection and management of trees both within and on the boundary of the site can adequately be dealt with by way of standard planning conditions. The proposals include the removal of some trees throughout the site supplemented by new planting to ensure there is an appropriate balance between built form and soft landscaping in this location having regard to the principles of good urban design.

DRAINAGE

- 5.18 Environmental Agency mapping detail confirms that the application site is within Flood Zone 1 . land assessed as having a low probability of flooding. The drainage layout shows that a small attenuation pond will be located at the front of the site which will operate in conjunction with new drainage pipes proposed to be located within the site as shown on drawing reference 4363/ENG001-1.
- 5.19 It is proposed that surface water will be dealt with by this split system working to greenfield run-off rates, by using the new pond and new drainage pipes connecting into the existing system at the front of the site in Mill Lane. The foul water flows are proposed to discharge into the public sewer network, also connecting into the existing system at the front of the site in Mill Lane.

SUMMARY

- 5.20 In summary, if the Council were to grant planning permission, a high quality residential development could be delivered. There are no technical reasons which preclude a grant of planning permission for the proposed scheme for 22 no. dwellings and associated works.

6. PRE-APPLICATION CONSULTATION

DISCUSSIONS WITH LIVERPOOL CITY COUNCIL

6.1 Pre-application discussions have taken place with between the applicant and Liverpool City Council (Planning and Highways) as part of the Strategic Housing Delivery Partnership. The pre-application feedback from Highways Officers comprised the following:

- The layby currently fronting the site features an island with two trees and some lampposts / telegraph poles that will need to be located if they impact upon the proposed site access solution.
- The area around the layby will need rationalising as part of the site access works so that all footways are made good to match the surrounding pedestrian infrastructure and dropped kerbs / tactile paving provided across the site access bellmouth.
- The site access geometry should feature a standard residential layout.
- The nearby bus stops on Mill Lane should be taken into account when designing the site access given their potential effect on junction visibility.
- A parking ratio of 1.5 spaces per unit is consistent with LCC standards within the city centre.
- Any small cul-de-sac spurs within the site that serve 3 or 4 units would not be adopted by LCC.
- All footways should be no less than 2m wide.
- Swept path analysis should be provided for a refuse wagon within the site and at the proposed site access.
- Consideration should be given to the potential to upgrade the nearby bus stops to Merseytravel standards.
- Confirmation should be provided on any shared surface areas within the site / speed tables.

6.2 The Council's Planning Officers have provided the following feedback:

- The principle of residential development is considered acceptable.
- Boundary treatments should be carefully considered.

- The frontage of the site should be retained as ~~green~~as possible to reflect the character of the area.

6.3 In conclusion, it is considered that the scheme reflects discussions to date with the Council, is consistent with policy other material considerations. In addition where necessary, the consultant team has discussed the scheme with other departments in the Council in relation to technical matters and these discussions have informed and influenced the design of the scheme.

7. THE DEVELOPMENT PLAN

INTRODUCTION

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

“where in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.

7.2 In this instance, the Development Plan comprises:

- Liverpool Unitary Development Plan (UDP) (November 2002) (saved policies).

LIVERPOOL CITY COUNCIL UNITARY DEVELOPMENT PLAN

7.3 The saved policies of the Liverpool City Council Unitary Development Plan (UDP) (adopted November 2002) which are relevant to the proposed development are detailed below and an assessment of the proposals against these policies has been undertaken to demonstrate that the development is policy compliant.

7.4 It is worthy of note at this point that the policies have been assessed according to National guidelines provided at Paragraph 215 of the Framework. This guidance states that in cases where local policies were adopted prior to the adoption of the Framework *“due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”*

SITE SPECIFIC POLICY DESIGNATIONS

7.5 The application site is designated as a Green Space (Policies OE11 and OE12) within a primarily residential land use. The site abuts the Liverpool Loopline recreational route which is designated under Policy OE17, on the otherside of which is a Local Wildlife Site. Figure 7.1 overleaf identifies the application site on the Proposals Map extract.

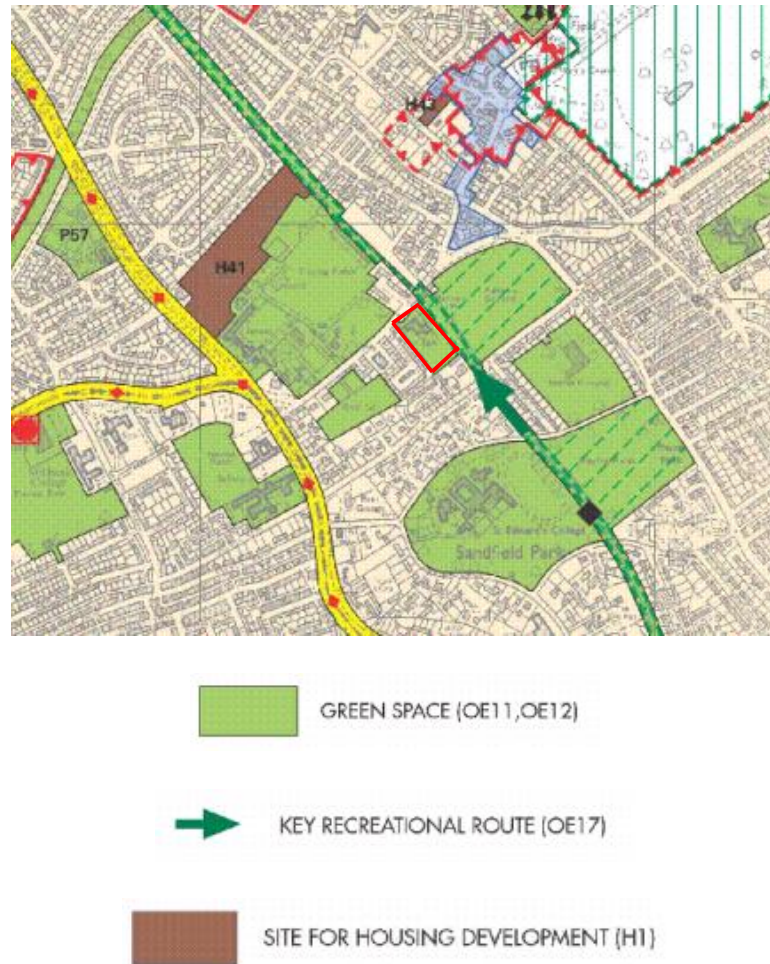


Fig. 7.1 Liverpool City Council Adopted Proposals Map Extract (approximate site location denoted in red).

POLICY OE11 – PROTECTION OF GREEN SPACE

- 7.6 **Policy OE11** confirms that planning permission will not be granted for built development on part or all of any green space unless the proposed development can be accommodated without material harm to i) the recreational function, ii) the visual amenity value of the green space, iii) relationship to adjoining green spaces, and iv) any known nature conservation value (identified in Policy OE5).
- 7.7 With regards the first part of the Policy (recreational function) criterion 4 confirms that in the case of green space in educational use, planning permission will be granted where a replacement facility of at least equal quality and suitable size is provided at an appropriate location to ensure that an area of open space deficiency would not otherwise be created. The second part (visual amenity) requires that the following considerations are addressed as part of any proposals:

- *important vistas into and across the site.*
- *key frontages which are visible from a main road.*
- *important trees and landscape features, and the character of the site within the surrounding area. or its importance as open land in an otherwise closely developed area.*

7.8 The site forms a vacant site following the relocation of the Ernest Cookson special school and the demolition of the former school buildings and associated works. The school has been relocated to a £27m purpose built complex which incorporates the redeveloped West Derby comprehensive school and the new Ernest Cookson school for boys with special education needs on Barnfield Road, West Derby. The remaining green space on the application site is clearly no longer used by pupils and is not accessible to the general public.

7.9 The development would be wholly compliant with Policy OE11 as, whilst there will be a loss of green space at the applicant site, this would not result in an overall deficiency because the new school development on Barnfield Road includes replacement green space of at least equal quality and suitable size. The development would therefore satisfy this part i) of Policy OE11.

7.10 Turning to the other parts of Policy OE11, the development proposals would be policy compliant for the following reasons:

- The internal road creates a spine through the centre of the site retaining a sense of openness and an open vista from the frontage on Mill Lane through to the rear of the site
- Dwellings have been set back from the road frontage behind soft landscaped grass areas and proposed new tree planting to reinforce this sense of openness.
- A new 1.2 m stone wall will be built along the road frontage in response to the local vernacular and to make a positive contribution to the built form on this main route towards the local district centre.
- Where possible, existing trees will be retained especially those around the perimeter of the site, supplemented by additional tree planting and a sensitively designed landscaping scheme. In particular, measures will be incorporated into the development to ensure the group of trees on the eastern boundary will not be affected by the proposals.
- A link to the adjacent recreational route, the Liverpool Loop, has been included within the scheme proposals to provide access for both pedestrians and cycles. The link will be accessible from the front of the site in the north-eastern corner.

- The residential development will not have an adverse effect on matters of nature conservation, indeed it will enhance biodiversity via the provision of the pond at the front of the site, enhanced provisions for wildlife movement and a sensitive approach to additional soft landscaping using native species where appropriate.

7.11 The site is a vacant, unremarkable, sustainably located site which forms part of the City Council's joint venture Strategic Housing Delivery Partnership scheme. The development of the site will make a material contribution to the Partnership's expectation of building 1,500 new homes as part of the Mayor's initiative to boost both the quality and delivery of housing.

7.12 The development is Policy compliant in this regard.

GENERAL POLICY CONSIDERATIONS

POLICY GEN4 - HOUSING

7.13 **Policy GEN4** aims to promote a good quality living environment by ensuring that provision is made for additional dwellings, by improving the living environment of existing housing areas, and considering carefully the design and layout of housing proposals, in particular for those with special needs, including the elderly and disabled.

7.14 The site is located in a sustainable location within the urban area. The proposal comprises the development of 22 no. high quality, mixed size dwellings which would contribute to the balance and type of dwellings in the locality and deliver executive housing in accordance with the stated objectives of the Strategic Housing Development Partnership. In this regard, the proposals would redevelop a sustainably located site within the urban area.

7.15 Careful consideration has been paid to the design of the scheme to ensure that not only will future residents enjoy a high quality environment, but that the new dwellings would not have an unacceptable impact on the amenities of the existing residential properties which surround the site. This will be discussed in further detail in relation to other policies contained in the UDP, and is addressed in the accompanying Design and Access Statement.

7.16 The development proposals would comply with Policy GEN 4.

POLICY HD18 – GENERAL DESIGN REQUIREMENTS

7.17 **Policy HD18** states that when assessing proposals for new development, the Council will require applications to comply with the criteria set out in the following table (where appropriate), to ensure a high quality of design. The supporting text to the policy confirms that new development should respect, complement and contribute to the character of the area, and make an improvement to

areas where this is required; the policy requires certain basic standards of design that should be adhered to in any development.

- 7.18 The table below sets out how, in summary, the proposals address each of the criterion detailed in the policy. The following table should be read in conjunction with the Design and Access Statement and other associated drawings submitted as part of the proposals.

POLICY HD18: ASSESSMENT OF PROPOSALS AGAINST POLICY	
i. The scale, density and massing of the proposed development relate well to its locality	
Compliance with Policy	The proposed dwellings are reflective of the mix of scale and massing of dwellings in the local area. The proposed density relates well to the existing, surrounding residential properties and comprises an efficient use of the vacant former school site.
ii. The development includes characteristics of local distinctiveness in terms of design, layout and materials	
Compliance with Policy	The proposal includes design features and materials that complement the surrounding vernacular and appearance of existing residential properties. The Design and Access Statement reflects on how the scheme is complementary to the existing residential area.
iii. The building lines and layout of the development relate to those of the locality	
Compliance with Policy	The dwellings are set back from the road frontage (off Mill Lane) and are sited around the internal road. The space about the dwellings is appropriately proportioned for the proposed semi-detached and detached dwellings, whilst respecting the distances between key elevations in the surrounding existing residential properties and the important biodiversity contributions provided by the group of trees on the eastern boundary.
iv. External boundary and surface treatment is included as part of the development and is of a design and materials which relate well to its surroundings	
Compliance with Policy	The proposed layout demonstrates that the hard and soft landscaping will be of the same high quality as the new dwellings. The boundary treatment and surfacing will be significantly improved from the current situation to be consistent with the high quality external materials to be used in the construction of the dwellings.
v. All plant machinery and equipment are provided within the building envelope or at roof level as an integral part of the design	
Compliance with Policy	N/A
vi. The development pays special attention to views into and out of any adjoining green space, or area of Green Belt	
Compliance with Policy	The proposed scheme comprises retention of existing trees where possible with the character and appearance of the site being considered an improvement to the existing appearance of the site. It is considered that the views into and from the adjoining Recreational Route to the east will be enhanced through the development.

vii. The development has regard to and does not detract from the city's skyline, roofscape and local views within the city
Compliance with Policy The design of the scheme pays due regard to the topography of the site to ensure that the new dwellings will not be dominant or overbearing on the surrounding residential roofscape. The two-storey dwellings are entirely commensurate with the surrounding areas.
viii. The satisfactory development or redevelopment of adjoining land is not prejudiced
Compliance with Policy N/A
ix. There is no severe loss of amenity or privacy to adjacent residents
Compliance with Policy The layout has given careful consideration to the minimum standards set out in the Development Plan and other material considerations (SPG6) to ensure that the development would not result in severe loss of amenity or privacy to adjacent residents.
x. In the case of temporary buildings, the development is of a suitable design and not in a prominent location
Compliance with Policy N/A.
xi. Adequate arrangements are made for the storage and collection of refuse within the curtilage of the site and the provision of litter bins where appropriate
Compliance with Policy There will be adequate space for refuse bins provided within the curtilage of each dwelling.
xii. The exterior of the development incorporates materials to discourage graffiti
Compliance with Policy N/A
xiii. Adequate arrangements are made for pedestrian and vehicular access and for car parking
Compliance with Policy The layout provides a ratio of around 2.5. car parking spaces per dwelling which is in excess of the minimum standards set out in the Development Plan. See the Design and Access Statement and Transport Statement for more details.

POLICY HD 18 – CONCLUSIONS

- 7.19 The above table has demonstrated that the detailed proposals address each of the criteria set out in Policy HD18. Careful consideration has been paid to the existing characteristics of the site, and the site-specific constraints and every attempt has been made to ensure that the scheme comprises high quality design in a sustainable location. Further explanation is contained in the submitted Design and Access Statement.
- 7.20 For the above reasons it is considered that the proposals fully comply with Policy HD18.

POLICY HD19 – ACCESS FOR ALL

- 7.21 **Policy HD19** requires that consideration is given to the need to ensure ease of access and movement for disabled people. The supporting text confirms that the Council *wishes to encourage* the provision of houses constructed to Lifetime Homes Standards (or equivalent) wherever this is reasonable and realistic.
- 7.22 It is considered that the application proposals respond appropriately to the requirements of Policy HD19.

POLICY HD21 – ENERGY CONSERVATION

- 7.23 This policy expects developers to minimise the overall demand for energy arising from proposed development by taking into account the need for energy sensitive siting, orientation and layout in design.
- 7.24 It is considered that the application proposals respond appropriately to the requirements of Policy HD21, although due reference should be made to the recent Housing Standards Review.

POLICY HD22 – EXISTING TREES AND LANDSCAPING AND

POLICY HD23 – NEW TREES AND LANDSCAPING

- 7.25 **Policy HD22** makes it clear that trees and landscaping make an important contribution to the city's environment and that visually, trees can be attractive in their own right and soften an otherwise harsh urban environment. The Policy confirms that in order to protect and integrate existing trees and landscape features within new developments the Council will:
- i. require the retention of key ecological and natural site features, such as trees, hedges, walls and ponds;*
 - ii. require the submission of a full independent tree survey to enable the effect of the proposal on the trees to be fully assessed;*
 - iii. refuse planning permission for proposals which cause unacceptable tree loss, or which do not allow for the successful integration of existing trees identified for retention following consideration of the tree survey;*
 - iv. require layouts to provide adequate spacing between existing trees and buildings, taking into account the existing and potential size of trees and their impact both above and below ground level; and*
 - v. require retained trees and woodland to be protected and managed during construction, preventing all site works within the branch spread of any retained tree.*

- 7.26 In relation to protected trees, the Policy further confirms that the Council will only allow the removal of any protected tree in exceptional circumstances, such as where the tree is a danger to public safety or is diseased, and on condition that appropriate replacement planting takes place. In addition, reviews of existing Tree Preservation Orders will be carried out.
- 7.27 **Policy HD23** confirms that all new development proposals should make proper provision for the planting and successful growth of new trees and landscaping, including any replacement planting provided as compensation for the loss of any trees due to development. In particular, new planting should:
- i. provide high quality landscaping and boundary treatment including the submission of such details as part of any full planning application; and*
 - ii. promote nature conservation through the use of native species and the creation of wildlife habitats where appropriate.*
- 7.28 These two policies will be considered together below.
- 7.29 As discussed in previous chapters the applicant instructed arboricultural consultants (TEP) to carry out a survey of the trees within and immediately adjacent the applicant site and to assess the potential impact of the development as proposed on those trees. The Arboricultural Impact Assessment confirms that 36 individual trees and 1 tree groups (totalling 40 trees) require removal to facilitate the development proposals. The majority of these trees are low or moderate value with the exception of 2 that are high value trees (T14 located in the centre of the site towards the eastern boundary and T24 on the western boundary).
- 7.30 The main impact in regards to trees will be the loss of trees both visually and arboricultural, and the loss of canopy cover from within this site. However, to mitigate for the loss of trees required to facilitate the development, replacement tree planting has been incorporated into the proposals across the extent of the application site either side of the new access road (in the private front gardens), in the rear gardens of a number of properties on the western and southern boundaries, and at the frontage of the site. This supplementary planting will be in addition to further protecting the existing trees along the eastern boundary with the provision of long rear gardens (a minimum of 10-11m private space) which will not be affected by the canopies of existing trees.
- 7.31 The Assessment advises that, whilst the removal of trees can sometimes be considered a negative impact on the local landscape, the wider benefits of the development as proposed, which includes the planting of a significant number of new trees and shrubs to create a more diverse landscape structure, together with the conversion of existing hard landscaped areas to soft areas, outweigh the relatively short term benefits of retaining those trees proposed for removal.
- 7.32 The pond adjacent to T3 and T4 will be clay lined, as requested by the Council's tree officer.

- 7.33 Careful attention has been given to the impact of the proposed layout on existing trees and the likely long term spatial constraints. The Assessment by TEP concludes that the proposed layout is such that there is generally adequate space between new buildings and trees to limit the potential for future pressure to remove trees. Whilst it is not possible to predict what actions future residents will seek to take in respect of trees within or adjacent their properties, the proposed existing layout is considered acceptable from a design perspective and contributes to a balanced landscape, together with preliminary comments in respect of potential measures to safeguard those trees.

POLICY OE14 – OPEN SPACE IN NEW RESIDENTIAL DEVELOPMENT

- 7.34 For developments of 26 dwellings and above sufficient provision of open space will be sought by the Council. Accordingly, as the scheme is for 22no. dwellings, no provision towards open space is required.

POLICY H5 – NEW RESIDENTIAL DEVELOPMENT

- 7.35 **Policy H5** sets out the criteria which proposals for residential development must accord with in order to be found acceptable to the Council:

NEW RESIDENTIAL DEVELOPMENT

H5

1. Planning permission will be granted for new residential development which accords with the following criteria:
 - i. the density, design and layout respects the character of the surrounding area, and maintains levels of privacy and amenity for existing and future residents; and
- ii. the highway and parking provision ensures a safe, attractive, convenient and nuisance-free highway environment for pedestrians, cyclists and drivers.
2. Proposals for new residential development will be expected to comply with the provisions of policies HD18 on General Design Requirements, and OE14 regarding the provision of new open space.
3. The City Council will welcome residential schemes which include an element of local community facilities, particularly where existing facilities would be rendered inadequate as a result of an increase in population arising from the development.

- 7.36 The supporting text to the Policy confirms that the Policy must be read in conjunction with Supplementary Planning Guidance (SPG) Note 10 (New Residential Development) which provides information and advice to developers on the standards of layout, design and open space expected in new residential developments. This SPG will be discussed in the following Chapter 9 (Other Material Considerations), but in the following paragraphs it will be demonstrated how the proposals comply with the relevant criteria of Policy H5; it should be noted that criterion 3 is not relevant to these proposals as no community facility is included in the scheme.

H5-1.i. DENSITY, DESIGN AND LAYOUT

- 7.37 This issue has been considered in detail in relation to the criteria contained in Policy HD18. The table at paragraph 7.17 above, demonstrates that the proposals comply with both Policy HD18 and Criterion 1.i. of Policy H5.

H5-1.ii. HIGHWAYS AND PARKING PROVISION

- 7.38 The Transport Statement (TS) prepared by SCP confirms that the site is highly accessible, being located in a sustainable location being within easy walking distance of the Local District Centre, and being situated directly adjacent to the Liverpool Loop cycle route. There are nearby bus stops which provide very frequent services (i.e. every few minutes) and there is good footpath infrastructure in the area. The scheme will contribute towards the upgrade of these bus stops outside the site to Merseytravel standards to meet the Minimum Accessibility Standard Assessment (MASA) criteria for public transport.
- 7.39 The existing unadopted layby will be remodelled as part of the proposals to feature a single priority controlled site access. The proposed site access will feature a standard carriageway access road with 2m footways. As the TS confirms, in accordance with the prevailing speed limit and the design standards within the DfT's Manual for Streets (MfS), 2.4m x 43m junction visibility splays will be achievable in both directions along Mill Lane from the proposed site access.
- 7.40 Where the scheme does not meet the minimum MASA criteria (parking levels will be slightly higher than advised), this is considered to be acceptable in view of the need to prevent any parking overspill occurring from the site onto Mill Lane which is a busy distributor road towards the city centre and given the proximity of the new Holly Lodge school site opposite.
- 7.41 An assessment of the anticipated traffic generation by the proposed development has been carried out. The TRICS-based traffic forecasts indicate that the scheme will generate around 11 two-way vehicle movements in the AM peak hour and 13 two-way vehicle movements in the PM peak hour. The TS confirms that, volumetrically, this equates to an additional traffic movement approximately every four to five minutes in the worst-case peak hours, on average.
- 7.42 When this traffic is distributed in each direction along Mill Lane, the effect of the development related traffic is diluted further still and its impact on the operation and safety of the local highway network will be negligible.
- 7.43 In this regard, it is considered that the proposals accord with the provisions of criteria 1.ii. of Policy H5.

H5-2 – POLICY HD18 AND POLICY OE14

- 7.44 Policy HD18 has been discussed at length above in Paragraph 7.13, and is further detailed in the accompanying Design and Access Statement. It has been shown that the proposals accord with this Policy. Policy OE14 has been discussed in detail above.

POLICY H5 – CONCLUSIONS

- 7.45 The objective of Policy H5 is to encourage high quality residential development within the City, having regard to the character of the local area and the existing surrounding built form. It has been demonstrated that the proposals have been carefully designed to ensure that the new dwellings make a positive contribution to the streetscene and would not have an unacceptable impact on surrounding residents. It is therefore considered that the development proposals comply with Policy H5.

POLICY T12 – CAR PARKING PROVISION IN NEW DEVELOPMENTS

- 7.46 **Policy T12** makes clear that new development that generates a demand for car parking will be required to make provision for car parking on site, to meet the minimum operational needs of the development.
- 7.47 The Transport Statement confirms that the site is highly accessible, being located in a sustainable location with numerous schools, shops and local facilities all located within a maximum of 2 km of the site. There are also cycle routes and high frequency bus services in close proximity to the application site.
- 7.48 Parking will be provided in a mixture of formal parking court areas, driveways and garages. Some driveways will be longer than others with room for around 2 to 3 cars to park satisfactorily, depending on which house type they serve. It is estimated that, across the site, there will be room for approximately 55 cars to park (assuming all garages are fully utilised for parking), which represents a ratio of around 2.5 spaces per unit, on average. This is above the 1.5 spaces mentioned in pre-application comments received by the local highways authority, although this is a reflection of the number of larger house types with three and four bedrooms on the development, and for the reasons discussed in Paragraph 7.40 above, the proposals would be Policy compliant.

POLICY C5 – SCHOOLS

- 7.49 **Policy C5** states that the Council will seek to encourage the maintenance and development of new schools. When a school is proposed for a new use or is to be disposed of there must sufficient school capacity in the area and the new use must comply with other Policies within the Plan.
- 7.50 Page 22 of the Design and Access Statement confirms that there are a number of primary schools in close proximity to the application site, a range of pre-school nurseries and four secondary schools.
- 7.51 The former special education facility school has relocated to more modern, purpose-built facilities on Bankfield Road, therefore, the proposals would not result in a net loss of provision in terms of pupil capacity. However, the above table shows that, in any event, there is capacity for new pupils in local schools ensuring the development of the application site does not have adverse impacts on the provision of schools.

7.52 For these reasons the proposals comply with Policy C5.

POLICY EP1 – VACANT, DERELICT AND NEGLECTED LAND

7.53 **Policy EP1** confirms that the Council will promote and encourage the reclamation of derelict land and the restoration of neglected land and will encourage the development of these and other vacant sites for appropriate uses.

7.54 The application site comprises vacant land where the previous school use has ceased and the former school buildings have been demolished; the site sits vacant within the urban area. The development of the site for residential purposes would comprise sustainable development in accordance with the aims and objectives of both national and local planning policy. In this regard, the proposal would comply with Policy EP1.

CONCLUSIONS

7.55 It has been demonstrated above that the proposed development complies with the provisions of the Development Plan.

7.56 Commensurate with Section 38(6) of the Planning and Compulsory Purchase Act 2004 the application should be approved unless material considerations indicate otherwise. Other material considerations are dealt with in Chapter 8.

8. OTHER MATERIAL CONSIDERATIONS

INTRODUCTION

- 8.1 Material considerations must be genuine planning considerations, i.e. they must be related to the development and use of land in the public interest. The considerations must also fairly and reasonably relate to the application concerned (*R v Westminster CC ex-parte Monahan 1989 refers*).
- 8.2 The Courts are the arbiters of what constitutes a material consideration. All the fundamental factors involved in land-use planning are included, such as the number, size, layout, siting, design and external appearance of buildings and the proposed means of access, together with landscaping, impact on the neighbourhood and the availability of infrastructure.
- 8.3 The Courts have also held that the Government's statements of planning policy are material considerations which must be taken into account, where relevant, in decisions on planning applications. These statements cannot make irrelevant any matter which is a material consideration in a particular case. But where such statements indicate the weight that should be given to relevant considerations, decision-makers must have proper regard to them. If they elect not to follow relevant statements of the Government's planning policy, they must give clear and convincing reasons (*E C Grandson and Co Ltd v SSE and Gillingham BC 1985 refers*).
- 8.4 Emerging policies, in the form of draft policy statements and guidance, can be regarded as material considerations, depending on the context. Their existence may indicate that a relevant policy is under review; and the circumstances which have led to that review may need to be taken into account. In this case the following material considerations are relevant.

THE NATIONAL PLANNING POLICY FRAMEWORK

- 8.5 The Framework was published and came into force on 27 March 2012. In general terms the Applicants consider that the Framework significantly supports the case for granting planning permission for the small scale residential development in a predominantly residential area.

STATUS

- 8.6 Paragraph 1 of the Framework states that:

"The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied."

- 8.7 Publication of the Framework saw the cancellation of 44 planning policy documents, including all extant PPG, PPS², and a number of Circulars and Letters to Chief Planning Officers.
- 8.8 Regard must now be had to the Framework as a material consideration in planning decisions as per Paragraph 2 of the Framework and Section 38(6) of the Planning and Compulsory Purchase Act 2004. Paragraph 14 of the Framework states:

*“At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking....*

For decision-taking this means approving development proposals that accord with the development plan without delay”.

- 8.9 The tenet of the Framework could not be clearer. In this instance, the proposals accord with the Development Plan and should, therefore, benefit from the presumption in favour of sustainable development.
- 8.10 Sustainable development is broadly defined in Paragraph 7 of the Framework as having three dimensions; namely economic, social and environmental. In relation to these dimensions we comment as follows:

ECONOMIC

- 8.11 The proposals would make a positive contribution to the quantity and quality of family housing, and housing supply in general, in the Liverpool administrative area, through the regeneration of a previously developed site. In addition, the proposals would make a contribution towards the economic wellbeing of Liverpool as investment would support local construction jobs during the construction phase both on the site itself and in the local supply chain and further afield. Payment of the New Homes Bonus would also be an additional economic benefit.
- 8.12 The building of new homes could help to address local unemployment in the construction industry, and provide new apprenticeship and training opportunities for young unemployed people. In addition, in terms of the residual i.e. long term economic benefits, the additional population supported by the development are likely to be of a working age, and therefore have potential to boost the local labour supply.

SOCIAL

- 8.13 The proposal will result in the creation of a high quality environment and comprises a compatible use which is in-keeping with the neighbouring uses in the immediate surrounds of the site.

² Save PPS10 for a limited period

- 8.14 As outlined earlier in this statement the site lies within walking distance of public transport links to several town and city centres and therefore offers an excellent location close to local services and would promote the use of sustainable transport and reduce reliance on the private car.
- 8.15 The proposed dwellings comprise high quality family homes for private sale, and will help to diversify the housing offer within Liverpool and will contribute to the continued promotion of this part of Liverpool as a desirable location to live.

ENVIRONMENTAL

- 8.16 The site comprises land where previous school buildings have been demolished and is not subject to any statutory ecological designations, nor is it within an area at risk of flooding as defined by the Environment Agency. In accordance with Paragraph 118 of the Framework, the biodiversity of the site will be enhanced by the significant amount of new landscaping proposed. Paragraph 109 of the Framework requires that:

‘109. The planning system should contribute to and enhance the natural and local environment by (amongst other things):

- Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.”*

- 8.17 The proposed development includes the retention of the majority of existing, mature and healthy trees, bolstered by significant additional planting. Taking the above into account, the development represents a net benefit to the environment, in accordance with national planning policy.

THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

- 8.18 Paragraph 14 of the Framework establishes a presumption in favour of sustainable development.
- 8.19 The site would meet current (housing) needs in a manner which does not compromise the ability of future generations to meet their own needs. The proposals comprise sustainable development and accordingly would benefit from the presumption in favour of such development as stated in Paragraph 14 of the Framework. The Council should therefore grant planning permission without delay having regard to Paragraph 14 of the Framework.

PLANNING PRACTICE GUIDANCE

- 8.20 On 28 August 2013 the government launched its draft Planning Practice Guidance (PPG). The draft PPG was subject to consultation for 6 weeks and was launched on 6 March in its final form.

The PPG replaces some 230 planning guidance documents but will result in no amendments to the Framework.

- 8.21 With regards to Design, paragraph ID: 26-001-20140306 reiterates the guidance set out in the NPPF; that good quality design is an integral part of sustainable development. Furthermore, the PPG notes that :

‘Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well and will adapt to the needs of future generations’.

- 8.22 The PPG makes it clear that planning policies and decisions should seek to ensure the physical environment supports the three strands of sustainable development (i.e. economic, social and environmental) and in doing so issues including the promotion of local character; designing safe connected and efficient streets; incorporating a network of greenspaces; promoting cohesive and vibrant neighbourhoods, should all be given careful consideration.

- 8.23 The PPG also reiterates the guidance set out in the NPPF, that both Local Plans and planning decisions should be based upon and reflect the presumption in favour of sustainable development (paragraph ID 21b-006-20140306 and ID 12-011-20140306).

- 8.24 This Planning Statement has shown how the proposals have addressed the key design issues above, and the residential scheme comprises sustainable development.

EMERGING LIVERPOOL LOCAL PLAN

- 8.25 The Liverpool Local Plan initial consultation took place between December 2013 and 30th April 2014. This document was an adaptation of the draft Submission Core Strategy.

- 8.26 Timescales for the progression of the new Local Plan are currently undetermined, however, it remains untested and subject to unresolved objections. For these reasons, it should be afforded very limited weight as a material consideration in the determination of this application.

ADOPTED SUPPLEMENTARY PLANNING GUIDANCE AND ADVICE NOTES

- 8.27 The application takes full account of the following adopted Supplementary Planning Guidance Notes and Advice Notes, specifically the following.

NEW RESIDENTIAL DEVELOPMENT – SPG NOTE 10

- 8.28 This SPG was adopted by the Council in April 1996 and supplements Policy H5 of the UDP. The SPG is now quite dated, however the guidance contained within it is still worthy of consideration in general terms.

- 8.29 The SPG confirms that all new residential developments are expected to have reasonable levels of privacy and amenity, and that:

Each development will be assessed on its merits using minimum standards as a benchmark.

The Council will therefore be prepared to be flexible where carefully designed and imaginative layouts are proposed.

The principle objective of ensuring adequate privacy and a good standard of environment for existing and future residents will always be expected.”

8.30 Overall, the development complies with the standards set out in the SPG. It is considered that the scheme represents the highest quality of development and that each dwelling would achieve above and beyond the ~~adequate privacy and a good standard of environment for existing and future residents’~~ as set out in the SPG.

8.31 Having regard to the mix, size and types of properties in the surrounding area, it is submitted that the proposals would respect the character of the locality and would not have an unacceptable impact on the residential properties which back onto the site, and that future residents would enjoy a reasonable level of privacy and good quality private and shared amenity spaces.

8.32 In particular, the proposals comprise:

- Aspirational semi-detached and detached properties at an appropriate density.
- Design details which take full account of, and are directly influenced by the character of the surrounding built form.
- Reasonable separation and spacing distances.
- Front and rear garden areas which take full account of existing trees and hedges situated on all boundaries of the site. The sizes of the gardens are appropriate for the dwellings in this location with gardens backing onto the eastern boundary providing additional space to allow for wildlife movement between the site and the adjacent Local Wildlife Site (LWS). .
- Hard and soft landscaping scheme which complements the proposed built form.
- High quality highway environment with appropriate levels of car parking provided.

8.33 Having regard to the site-specific constraints, the scheme is considered to comprise high quality redevelopment of the site.

TREES AND DEVELOPMENT – SPG NOTE 6

- 8.34 The SPG supplements Policies 22 and 23 of the UDP, which have been assessed above in detail. The application submission includes a Tree Survey Report and Arboricultural Impact Assessment and Method Statement which takes full account of the existing arboricultural features of the site and proposes measures to protect and manage those trees during construction.

DESIGN FOR ACCESS FOR ALL - SPD

- 8.35 This SPD seeks to draw attention to best practice in the design of the internal and external environment in terms of making buildings and external spaces accessible to, and useable by disabled people.
- 8.36 In accordance with the supplementary guidance set out in the SPD, which should be read in conjunction with Policy HD19 (discussed in the preceding Chapter), the dwellings would enable the needs of a household to be met over its lifetime. In addition, the Design and Access Statement confirms that all houses have been built to comply with Lifetime Homes standards or equivalent.

ENSURING A CHOICE OF TRAVEL SPD

- 8.37 The SPD was produced to provide consistent guidance to developers on access and transport requirements for new development. Amongst others, the objectives of the SPD are to ensure a reasonable choice of access by all modes of transport to new development, to reduce the environmental impact of travel choices, and to reduce the level of traffic growth and congestion on the strategic and local road network.
- 8.38 Issues of highways and accessibility have inherently been considered as part of the design of the scheme proposed. The Transport Statement prepared by SCP sets out in detail the anticipated impact of the 22no. new dwellings on the local highway network, and how matters of access and parking have been incorporated into the detailed design.
- 8.39 In addition, and in accordance with the Council's validation checklist, a Minimum Accessibility Standard Assessment (or ~~MA~~ ~~SA~~ ~~Q~~ ~~MA~~ ~~SA~~ ~~Q~~ has been submitted with this planning application as part of the Transport Statement.
- 8.40 It is concluded that, taking into account the fact that the site is highly accessible by sustainable modes of transport, and the detailed design of the proposed layout and vehicular access point onto Mill Lane, the scheme accords with the principles set out in the SPD.

NEW HOMES BONUS

- 8.41 The New Homes Bonus is paid by the government each year for 6 years. It is based on the amount of extra Council Tax revenue raised for new-build homes, conversions and long-term empty homes brought back into use.

- 8.42 Using Council Tax Band D as a guide (having regard to the Council Tax Band information in relation to house values taken from the Council's website), and in accordance with the government's online calculator, the development proposed could generate local contributions to Liverpool City Council of £204,273 per annum via the New Homes Bonus. These significant monies are a material consideration having regard to Section 143 of Part 6 of the Localism Act 2011.

SUMMARY

- 8.43 The site sits in a highly accessible location and will deliver economic, social and environmental benefits to the local area. It has been demonstrated that there are a number of material considerations which should weigh in favour of the application proposals.

9. SUMMARY OF BENEFITS AND CONCLUSIONS

INTRODUCTION

9.1 Hourigan Connolly is instructed by Redrow Homes Ltd to prepare and submit a full planning application to Liverpool City Council. The application relates to the proposed development of the site at the former Ernest Cookson School, Mill Lane, West Derby, Liverpool L12 7JB.

9.2 The description of development given in the planning application forms is:

“Erection of 22no. dwellings including associated landscaping and access from Mill Lane.”

9.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that:

“where in making any determination under the planning Acts, regard is to be had to the Development Plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”.

9.4 It has been demonstrated in this Planning Statement that the proposals accord with the provisions of the Development Plan and that there are other material considerations which support the granting of detailed planning permission.

THE BENEFITS OF THE PROPOSALS

- The provision of new high quality private sale family dwellings in a sustainable location.
- The development of a prominent, vacant site in a popular area of Liverpool.
- Contribution to the economy during construction, through the creation of jobs and supporting local trades and suppliers, and afterwards by expenditure in the local economy.
- New Homes Bonus payments to the Council.

9.5 For the reasons set out above we respectfully request on behalf of the applicant that full planning permission be granted for the erection of 22no. dwellings and associated works at land at the former Ernest Cookson School on Mill Lane, Liverpool.

Hourigan Connolly

23 December 2015