

Romal Capital
Plot C-02
Consultation Statement

Issue | 18 November 2019

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number 262812-00

Ove Arup & Partners Ltd
10th Floor, The Plaza
100 Old Hall Street
Liverpool L3 9QJ
United Kingdom
www.arup.com

ARUP

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1 Introduction

This Consultation Statement has been prepared by Arup on behalf of Romal Capital and supports the full planning application for:

Full planning consent for residential development of up to 538 units (Use Class C3) and ground floor commercial space (Use Classes A1, A3 or A4) with associated partial dock infill of West Waterloo Dock, access, parking, servicing, soft and hard landscaping and public open space including a floating timber jetty and dockside walkway.

The development is situated on existing vacant land in Central Docks, Plot C-02 as defined as part of the Liverpool Waters site (allocated in the Liverpool Waters Parameters Plan 2018).

The purpose of this report is to document the engagement undertaken prior to the submission of the planning application and should be read in conjunction with the supporting documents, specifically the Planning Statement and Design and Access Statement.

This report has been updated since the initial submission of this planning application in December 2018 to take into account amendments to the proposed scheme.

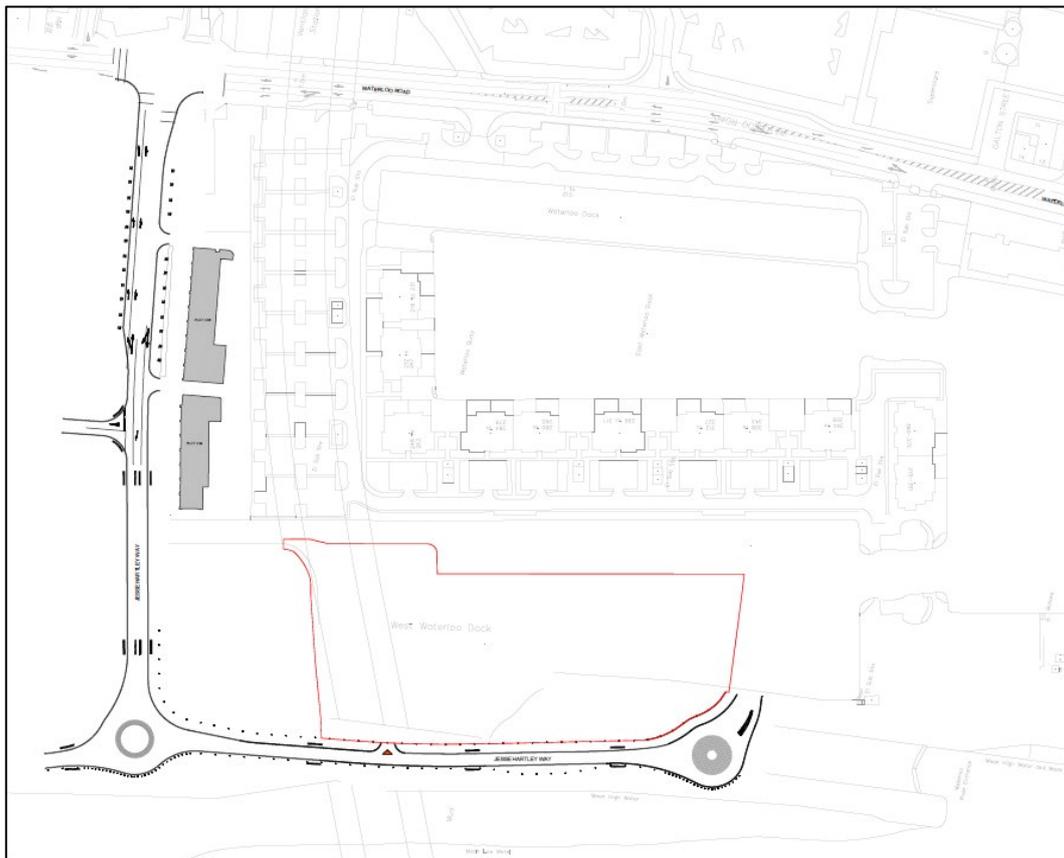


Figure 1 – Plot C02 General Arrangement Plan

1.1 Structure of this Statement

This Consultation Statement is intended to assist in the consideration of the planning application. This structure of the report is as follows:

- Section 2: Context;
- Section 3: Engagement Process;
- Section 4: Public Consultation Feedback;
- Section 5: Conclusions;
- Appendix A: Public Exhibition Leaflet;
- Appendix B: Leaflet Distribution Area;
- Appendix C: Liverpool Echo Article
- Appendix D: Engage Liverpool Advert
- Appendix E: Public Exhibition Display Boards;
- Appendix F: Public Exhibition Photographs;
- Appendix G: Historic England Consultation Feedback;
- Appendix H: Canal and River Trust Consultation Feedback;
- Appendix I: Places Matter Consultation Feedback;
- Appendix J: MEAS Consultation Feedback; and
- Appendix K: Natural England Consultation Feedback.

2 Context

National Policy

National Planning Policy Framework (February 2019)

The National Planning Policy Framework (NPPF) is a key part of the Government's reforms to make the planning system less complex and more accessible.

In the NPPF, the objectives of the new planning system are set out within three inter-related components:

- an economic objective;
- a social objective; and
- an environmental objective.

The guiding principle of the new planning framework is a “presumption in favour of sustainable development”. Paragraph 11(d) in the NPPF states that “*where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- *the application of policies in this Framework that protect areas or assets of importance provides a clear reason for refusing the development proposed; or*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

The NPPF highlights good design as a key aspect of sustainable development, in that it “*creates better places in which to live and work and helps makes development acceptable to communities*”; therefore, clarity about design expectations and effective engagement throughout the process is essential to achieving well-designed places (paragraph 124).

The application of the presumption will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:

- Support the delivery of strategic policies contained in local plans or spatial development strategies; and
- Shape and direct development that is outside of these strategic policies (paragraph 13).

Paragraph 39 of the Framework states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion thus enables better coordination between public and private resources and improved outcomes for the

community. The NPPF seeks to provide a platform that allows local people to shape their surroundings (paragraph 15).

The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a particular development will be acceptable in principle (paragraph 42).

The Localism Act 2011

The Localism Act 2011 also seeks to engage and involve local communities more in the planning process. It seeks to give new rights and powers for communities and individuals to challenge local government on decisions and service provision. The Act also introduced requirements for developers to engage with local communities prior to submission of certain planning applications. The requirement covers four points:

- Developers must consult communities before submitting certain planning applications, having regard to any advice that their local planning authority may provide.
- They must consider any responses they receive before they finalise their proposals and submit their applications.
- When submitting their application, they must account for how they have consulted the local community, what comments they have received, and how they have taken those comments into account.
- Proposed applications must be publicised in such manner that brings the proposed application to the attention of the majority of those who live at, or otherwise occupy, premises in the vicinity of the land (paragraph 61w2). Publicity under this section must:
 - Set out how people may be comment on or collaborate with the design of the proposed development; and
 - Provide information about the timetable of consultations so that those wishing to comment may do so in good time.

Together with the Localism Act, the NPPF seeks to give individuals a greater role and say in what happens in their local community.

National Planning Practice Guidance

The NPPF is supported by a number of National Planning Practice Guidance (NPPG) pages which provide further information in relation to the policies outlined in the NPPF. One such guidance page provides detail on ‘engagement and pre-decision matters’ and covers:

- Public engagement practices;
- Identifying statutory and non-statutory consultees;
- Timescales for engagement; and
- Re-engagement after an application has been amended.

Local Policy

Liverpool City Council Statement of Community Involvement (2013)

At a local level Liverpool City Council (LCC) adopted a Statement of Community Involvement in 2013. This document outlines LCC's strategy for involving community groups, stakeholders and other organisations in the consideration of planning applications and the preparation of the Liverpool City Council Local Development Framework.

With regards to the engagement procedures for planning applications, LCC places a strong emphasis on early engagement and encourages pre-application with LCC.

Liverpool Unitary Development Plan (UDP) (2002) and Draft Liverpool Local Plan (May 2018)

The Liverpool UDP (2002) and emerging Local Plan (May 2018) have several references to community engagement. Regarding proposed sites for development, the Draft Local Plan states that proposed developments must demonstrate community engagement by addressing any identified planning impacts in order to gain community support for the specific development throughout the planning process.

3 Engagement Process

This section details the pre-application engagement undertaken by the applicant prior to the submission of the planning application. In accordance with the objectives of the relevant planning policy and guidance on pre-application engagement, the engagement process was progressed through the following measures:

- Pre-application discussions with LCC:
 - Thursday 12th July 2018
 - Friday 2nd November 2018
 - Tuesday 27th November 2018
 - Thursday 8th July 2019
 - Friday 8th November 2019;
- Consultation with Historic England on Tuesday 17th July 2018 and Thursday 22nd November 2018;
- Consultation with Canal and River Trust on Wednesday 25th July;
- Attendance at a Places Matter! Design Review on Friday 17th August 2018;
- Consultation with Merseyside Environmental Advisory Service (MEAS) and Natural England on Tuesday 11th September 2018 and Friday 23rd November 2018;
- Attendance at the Liverpool Waters Conservation Management Board on Friday 19th October 2018;
- Consultation with Environment Agency on Monday 29th October 2018; and
- Public engagement exhibition held on the Wednesday 7th November 2018.

Details on each of the engagement measures undertaken are provided below.

3.1 Pre-Application Discussions with LCC

The LCC Statement of Community Involvement (SCI) states that all potential applicants are encouraged to enter early dialogue with LCC. The more complex and potentially sensitive the proposal is, the more important this early dialogue becomes.

In line with this guidance, there has been ongoing dialogue with LCC since July 2018 to ensure that all LCC have been engaged prior to the submission of the full planning permission and any issues are identified in sufficient time to allow them to be fully and properly addressed to allow for an efficient determination process once the application has been submitted.

There have been five formal pre-application meetings regarding this scheme in total as well as ongoing dialogue with LCC on a wide range of issues such as:

- Planning submission requirements and EIA;
- Relationship between the standalone application to the Liverpool Waters Outline Consent;
- The need to consult with Historic England, Natural England and MEAS during the pre-application stage;
- Development design and materials;
- Heritage matters;
- Transport, highways and servicing;
- Provision of amenity space;
- Public consultation;
- Environmental Matters (specifically Marine and Terrestrial Ecology)
- Visual Amenity;
- Townscape and Visual Impact; and
- Public realm landscaping.

Three meetings were held as part of the original submission of this application in 2018. Two further meetings have taken place in 2019 prior to the resubmission of the revised scheme.

The pre-application meetings have not only allowed the development team to update LCC on the progress of the application, but discussions have been held and suggestions made to make the scheme a better development based on LCC's knowledge and experience of the City.

This open engagement has led to a better, more robust scheme which works well for not just the residents and occupiers of the development but also the general public who intend to use the improved public realm and enhanced connectivity to the wider Central Docks area.

During these pre-application meetings, the design team have been open with LCC to ensure that the development has the right intention and outcomes suitable for this site.

The revised scheme has changed in massing to complement the historic setting further and the height of the overall scheme has dropped considerably so it is more in line with the approved Central Docks masterplan and its relationship to its existing surrounding.

Based on recommendations and advice noted above, the design of the scheme has evolved which is set out more in details within the supporting Design and Access Statement.

3.2 Consultation with Historic England

The design team engaged with a representative from Historic England (HE) on 17th July 2018 and Thursday 22nd November 2018 to present plans for the scheme, discuss the potential of partially infilling the West Waterloo Dock and receive feedback at an early enough stage that comments could be incorporated into the design.

A written response was received from HE on 10th August 2018 following the first meeting, which can be found in full in Appendix G.

In summary, Historic England recognised the historic prominence of Liverpool's commercial dock portfolio, in terms of its innovative approach to dock technologies and port management which forms a fundamental part of the Outstanding Universal Value (OUV) of the Liverpool Maritime Mercantile City World Heritage Site. HE also noted that the West Waterloo dock (the waterfront in question within the proposed development) underwent further significant alterations from 1949.

HE's original objection to the Liverpool Waters Outline Consent (dated 31st March 2011) was also raised where they picked up on notable concerns with the proposed infilling of the dock. It was clear in HE's response that their view on infilling West Waterloo Dock remained the same and that the proposed development may not be able to outweigh the harm to the World Heritage Site, especially as the proposals shown on the 17th July 2018 was to infill further than the outline consent. HE concluded that the team should look into development design further to make best use of the existing dockside without the need to infill West Waterloo Dock.

Between August and the time of the next meeting (Thursday 22nd November 2018), the team looked at different ways of providing high quality development on the existing dockside. However, due to a number of forthcoming developments (LCC 'Northern Link Road' – 17F/2628 and the proposed Isle of Man development on plot C-01) existing space to develop on this plot was limited and therefore partial infill of the West Waterloo Dock was still considered necessary to bring forward a successful, viable site.

However, the team took comments on board about HE's concern about the dock infill, especially the further infill past the outline consent and therefore brought back the infill to the level that was consented to the Liverpool Waters Outline Consent. Although this has not resolved HE's concerns it has limited impact on the dockspace and has provided the opportunity for the development to enhance the activity along the waterfront by proposing a 'Waterfront Walkway' and provide timber jetties for users to interact with the area more (more information can be reviewed in the Landscape and Public Realm Statement which supports this application).

The project team met with HE again on Thursday 22nd November 2018 to share the revised plans. Further justification to explain why the partial dock infill would not harm the OUV of the WHS due to the location of the site being in the WHS Buffer Zone were raised, as well as the multiple alterations the site has had since it's original, historic use (more information can be reviewed regarding these

justifications in more detail in the supporting Heritage Impact Assessment and Environment Statement).

HE welcomed the pre-application conversations and the fact that the design had been amended slightly from the first pre-application meeting. However, at the time of the meeting, HE could not confirm whether their concerns had been alleviated due to the fact that infill was still proposed. It was concluded that further review of the relevant supporting documentation would be needed to produce a formal response to Liverpool City Council during the determination period.

3.3 Consultation with Canal and River Trust

The design team engaged with Tim Bettany-Simmons of Canal and River Trust (CRT) on Wednesday 25th July 2018 on site to present the proposal for the scheme and discuss the relationship the development would have on the waterspace.

A written response was received from CRT on 16th August 2018 which can be found in full in Appendix H.

In summary, the CRT confirmed that they had a right of navigation through the West Waterloo Link and any development would be required to not prejudice these navigation rights.

Details of the method for the infilling of the dock was requested as part of the planning submission and details of how the dock waters would be safeguarded from pollution during the construction and operational phase of the site.

Infill would significantly reduce the waterspace that boats would be able to navigate through, especially when coupled with the potential mooring pontoons within the dock. This could potentially raise navigational safety concerns. It was advised that just a linear mooring, parallel to the new dock wall can be provided without impinging on the navigation.

A Flood Risk Assessment was requested along with a Phase 1 contamination report. As part of the ecological surveys CRT suggested that the infilling of the dock should also be considered, especially in terms of fauna and flora surveys to determine what may be living in this part of the dock and any mitigation measures required.

In terms of design, CRT considered the proposed buildings to be sympathetic in size and are unlikely to compete with the remaining historic warehouses. The landscaped waterspace/frontage to the dock was welcomed with opportunities to maximise activity.

In response to CRT's advice, it has been confirmed by reviewing the 'Navigation Rights Agreement' between CRT and Peel that the proposed development would not impact on this route.

A Dock Infill Methodology Statement has been included in the supporting documentation for this planning application and has been reviewed within the Environment Statement. A Phase 1 and 2 Ground Contamination Report also

assesses potential pollution during the construction and operational phase of the site within a standalone document and the Environment Statement. The Environment Statement also assesses flood risk and terrestrial and marine ecology including the impacts the dock infill on the waterspace.

The project team have revised the timber jetties to take into account CRT's responses to the orientation. By re-orientating and relocating the jetties, it is considered that the navigation route would not be impacted and would allow mooring to safely take place.

The project team would welcome further comments from CRT during the determination process but feel that due to the pre-application meeting the design and supporting documents have responded to their initial comments.

3.4 Places Matter! Design Review

The design team attended a Places Matter! Design Review on Friday 17th August 2018 to discuss the development. Information was presented to the panel for their review following a discussion on the design.

Following the Design Review, the panel produced a written response dated Thursday 30th August 2018 offering comments and recommendations based on the information provided. It stated that the panel was supportive of the overall concept and the nature of the proposal (see Appendix I).

It was felt there was a need to explore more fully how it will "feel to live here", how the services of everyday life will be provided and the distances between these and the development.

The massing on the site was discussed and considered perhaps a little dense. It was suggested that the team test this with daylight analysis. The currently landscape proposals were thought to be "schematic" and the parking left an uneasy sense of a "lack of joy on arrival". A much stronger central public space fully aligned with the first campanile of the Waterloo Warehouse was recommended.

The Design Panel asked the team to consider how by raising the datum the team might create a series of car free spaces between the blocks and allow the entrances to the ground floor apartments, which would provide more immediate amenity space.

It was suggested that the positioning of the café to the roundabout was reconsidered, it was felt to be in the wrong place for this amenity in terms of likely footfall and having a beneficial local outlook.

Overall the panel accepted the team's approach to height and scale and felt that the materials and detailing would lead to a robust scheme. In design terms, the team might seek to go up a further two storeys and use that to put the entire car parking "underground".

Through the detailed discussion and formal response, the team took comments on board which helped to evolve the scheme. There has been enhancement of the

public spaces and the relationship of the car parking to ensure that this is subtler and there is a better connection between visitors and public spaces.

Unfortunately, it hasn't been viable to provide car free spaces by putting car parking "underground" due to the team feeling that raising the height further may impact on the wider townscape as well as the archaeology underneath the site.

Daylight and Sunlight analysis have been undertaken within the Environment Statement and it concludes that the development works with the blocks proximity.

The commercial space within the development has also been relocated closer to the dockspace based on the Design Panel's comments.

Further information on the design evolution can be found in the Design and Access Statement.

3.5 Consultation with MEAS and Natural England

The design team engaged with representatives from MEAS and Natural England in a joint meeting on Tuesday 11th September 2018 and Friday 23rd November 2018 to discuss a number of relevant development matters including EIA scoping, terrestrial and marine ecology and impacts on heritage.

A written response was received from Natural England on 21st September 2018 and MEAS on 4th October 2018. These can be found in full in Appendix J and Appendix K.

Natural England Response

Natural England advised on the designated sites that should be considered within any environmental assessments.

All relevant bird features and supporting habitats should be considered within a Habitats Regulations Assessment (HRA) and a number of data sources were stated as well as the potential to reuse sufficient evidence through recent development planning applications.

Natural England expects to see a thorough assessment of the potential impact of dock infilling on ecology receptors. In combination assessment should also be considered which may impact on the interest features of the designated sites.

It was advised that embedded mitigation relating to protected sites should be considered at the appropriate assessment stage to inform a decision. Recreational disturbance resulting from the proposed development should also be considered in the HRA.

Natural England are aware of a number of developments coming forward in the vicinity of the proposed development with mitigation measures. The team would need to ensure that this proposed does not undermine any other proposed mitigation in the vicinity of the development.

The impact of the partial dock infill on the supporting function of the dock waters was also requested within the HRA and Environment Statement. Methods and materials to be used for dock infill was also requested.

MEAS Response

MEAS stated that it is considered inappropriate for existing water spaces within the docks that survey within the Buffer Zone to be infilled. The only exception will be where permission has previously been granted for partial infilling.

The current proposals are considered to be contrary to Local Plan Policy and the WHS SPD and therefore a submission of a planning application for the proposed development as it currently stood (4th October 2018) would be likely to meet with advice from MEAS for consent to be refused.

Ecological requests similar to Natural England's response were stated such as:

- The need for mitigation and impact on other approved mitigation;
- Recreational pressure;
- The need for a HRA as part of the planning application;
- The need for an Ecological Appraisal as part of the planning application; and
- Terrestrial and Marine Surveys.

EIA Scoping was also discussed within the MEAS response and proposed the following disciplines to be included in the Environment Statement, these being:

- Dock infill methodology;
- Ecology;
- Flood Risk;
- TVIA;
- Ground Conditions and Contamination;
- Traffic;
- Air Quality and Climate Change
- Noise;
- Microclimate (Wind and Daylight Analysis); and
- Archaeology and Cultural Heritage.

The project's marine and terrestrial ecologists have used Natural England and MEAS' responses to help inform them of relevant methodologies in their surveys, HRA and marine reports. The Environment Statement also includes all the disciplines stated above.

An additional meeting was held with MEAS and Natural England on Friday 23rd November 2018. Both marine and terrestrial ecologists were able to update consultees of the methodology and findings of their reports so far. No major comments were received and further review of the information through the formal

statutory consultee stage was agreed to be the next part of the process upon review of relevant supporting documentation.

Similar to discussions with HE, the project team provided justification to explain why the partial dock infill would not harm the OUV of the WHS due to the location of the site being in the WHS Buffer Zone were raised, as well as the multiple alterations the site has had since it's original, historic use (more information can be reviewed regarding these justifications in more detail in the supporting Heritage Impact Assessment and Environment Statement).

Again, MEAS welcomed the pre-application conversations and the fact that the design had been amended slightly from the first pre-application meeting. However, at the time of the meeting, MEAS could not confirm whether their concerns had been alleviated due to the fact that infill was still proposed. It was concluded that further review of the relevant supporting documentation would be needed to produce a formal response to Liverpool City Council during the determination period.

3.6 Engagement with the Liverpool Waters Conservation Management Board

The project team presented the proposed development scheme on Friday 19th October. The Conservation Management Board (CMB) was set up as part of the Liverpool Waters s106 to discuss all matters related to archaeology and heritage. Attendees include Ian Wray (Chair), attendee from HE, Liverpool City Council, Peel and their LW project team.

The key points that were discussed were the partial infill of West Waterloo Dock, the alignment of blocks and the scale of development.

HE raised similar concerns to the pre-application discussions that had previously been held (note this meeting took place prior to the 2nd meeting with Historic England). It was stated that HE would be assessing this as a standalone application and would only change their view if there was a fundamental change in the approach to see that there would be a greater public benefit that outweighs the harm of the partial dock infill.

The public benefits were raised by the project team, stating that these would include greater public connectivity into what currently is derelict space, a better relationship with water due to the walkway and timber jetties and a better quality infill that what has historically been undertaken to regenerate and rejuvenate this area.

The alignment of the proposed development as well as the scale of development was also discussed as it was confirmed the proposals were above the parameters of the LW Outline Consent. Justification of why the team had chosen to produce this typology and massing for the development was given and it was concluded that further explanation would be provided in the supporting documentation of the planning application, specifically the Design and Access Statement and Heritage Impact Assessment.

3.7 Consultation with Environment Agency

The design team engaged with representatives from Environment Agency on Monday 29th October, the main focus of the meeting was to discuss flood risk. It was confirmed that the project team had reviewed the 2016 Flood Risk data which was considered draft at this stage and stated that the proposed finished flood levels had not increased based on previous data. Emergency access was also discussed and the justification on lowering the levels at the dockside due to less flood risk as well as a need to provide public amenity. The meeting concluded with the Environment Agency requested a Flood Risk Assessment and Drainage Strategy was submitted as part of the application picking up water discharge impact and consideration into flood evacuation.

3.8 Statutory Consultee Comments

Following the submission of the original application in 2018, statutory consultees responded which have helped the design team amend the scheme to its current form based on their comments.

Due to the application being resubmitted it is expected that consultees will respond again as part of the statutory consultation period which will help inform the case officer and the determination process.

Due to the large extent of comments these have not been included within this Consultation Statement.

3.9 Engagement Exhibition

An engagement exhibition was held at One Fine Day, Cotton Exchange, Old Hall Street, Liverpool on Wednesday 7th November 2018. Invited guests from local community groups, the City Council, press teams and the general public were given the opportunity to come to the venue to view proposed plans and design thinking between 10am and 7pm.

The purpose of the exhibition was to give the local community an opportunity to comment on the proposals. An engagement exhibition was considered to be the most appropriate method of engagement which would maximise the opportunity for the general public and stakeholders to view the proposals and ask questions to the project team.

Leaflets were sent to residential buildings and businesses within the locality of the site informing them of the engagement events one week prior to the event. A total of 300 leaflets were distributed on Wednesday 31st October. A copy of the leaflet can be found in Appendix A and a map of the distribution area can be found in Appendix B. A press advert was also published in the local newspaper Liverpool Echo which can be seen in Appendix C.

To ensure the event was well publicised an advert was also released by Engage Liverpool through their website (see Appendix D).

A set of display boards were prepared (Appendix E) which illustrated background information on the site, photos and a location map of the existing site, key opportunities and the proposed design proposals for the site. Attendees were invited to review the information, with assistance from the design team representatives when required.

Feedback forms were provided for attendees to comment on the proposed development. People were encouraged to fill in feedback forms to reflect the public views on the scheme.

If people were not able to attend the engagement day, contact details were given out to allow them to speak to a member of the project team who could provide them with development details. Thus, ensuring that those individuals who were unable to attend, were still able to input into the engagement process.

The project team also kept a record of the main points discussed, this is set out in Section 4 of this report.

4 Public Engagement Feedback

The exhibition was well attended with over 90 people throughout the day. The following section identifies the 5 key themes emerging from the feedback.

Photographs and feedback forms from the event can be found in Appendix F. This section provides a summary of the engagement responses received by the project team over the course of the event. The comments received can be summarised under the following themes:

- General support for the scheme;
- Added connectivity to derelict dockspace;
- Enhancement of waterspace;
- Site heritage; and
- Provision of new views into and out of the site.

98% of people who completed a feedback form left positive comments and suggestions. 1 feedback form (making up 2% of the comments) stated that although they supported the scheme, it was “sad to see some of the dock space being partially in-filled”. However, the comment also continued by stating “they were happy to see sympathetic massing, materials and the enhancement of connectivity and green spaces”.

Comments have been reviewed and summarised through the resulting broad themes:

- The regeneration of derelict dockspace in order to bring the public back onto the area and connect to the water is vital.
- Strong design quality and public realm reinforcing the ambition of the Liverpool Waters masterplan. A lot of public amenity for users of the space with development that isn't too imposing against the existing surrounding.
- A lot of support for the connectivity aspect of the development, bringing part of Central Dock back into the public domain and strengthening the connection not only from Princes Dock to Central Dock but also the activating the waterfront.
- Development will act as a catalyst for further proposals in Central Dock and existing residential will benefit from further amenities and the creation of a new neighbourhood.

5 Design Evolution

The design of the proposed scheme has been informed by detailed discussions that have taken place internally within the design team in addition to the extensive pre-application engagement and consultation with LCC and key stakeholders throughout the scheme's evolution.

The scheme has evolved from its initial design and arrangement and in response to relevant technical reports submitted in support of the application (for example Townscape and Visual Impact and Wind impacts)

The design evolution can be reviewed in more detail within the supporting Design and Access Statement but the following sets out the design process in relation to the proposed scheme.

As a result of detailed team discussions and the surrounding context, the original concept evolved as follows (and as evident in Figure 2 below):

- The historic warehouse is re-imagined on the adjacent site - Historically the Waterloo Quay consisted of two identical warehouses. The development starts its design process by reimagining this warehouse on the C02 plot.
- The warehouse has 6 bays - The Waterloo Warehouse has a clear division across its principal facade. Making use of vertical piers and larger windows.
- Rotating the blocks ninety degrees and distributing them evenly across the site provides through views to and from the river - Using the ratio of Waterloo Warehouse, the development then rotates the units to maintain views to and from the Waterloo Warehouse.
- The historic volume is reorganised - The volumes of the re-imagined warehouse that sit outside of the site boundary and re-distributed within the site.
- The blocks are aligned to site constraints - The Kingsway Tunnel runs below the site and is expressed through the alignment of the end block.
- Taller elements are positioned at the edges of the site, mirroring the towers of Waterloo Warehouse - Picking up on the taller elements of the Waterloo Warehouse and the proposed C04 Development, as well as Alexandra Tower. The development seeks to reflect this by creating site edges and focal points.

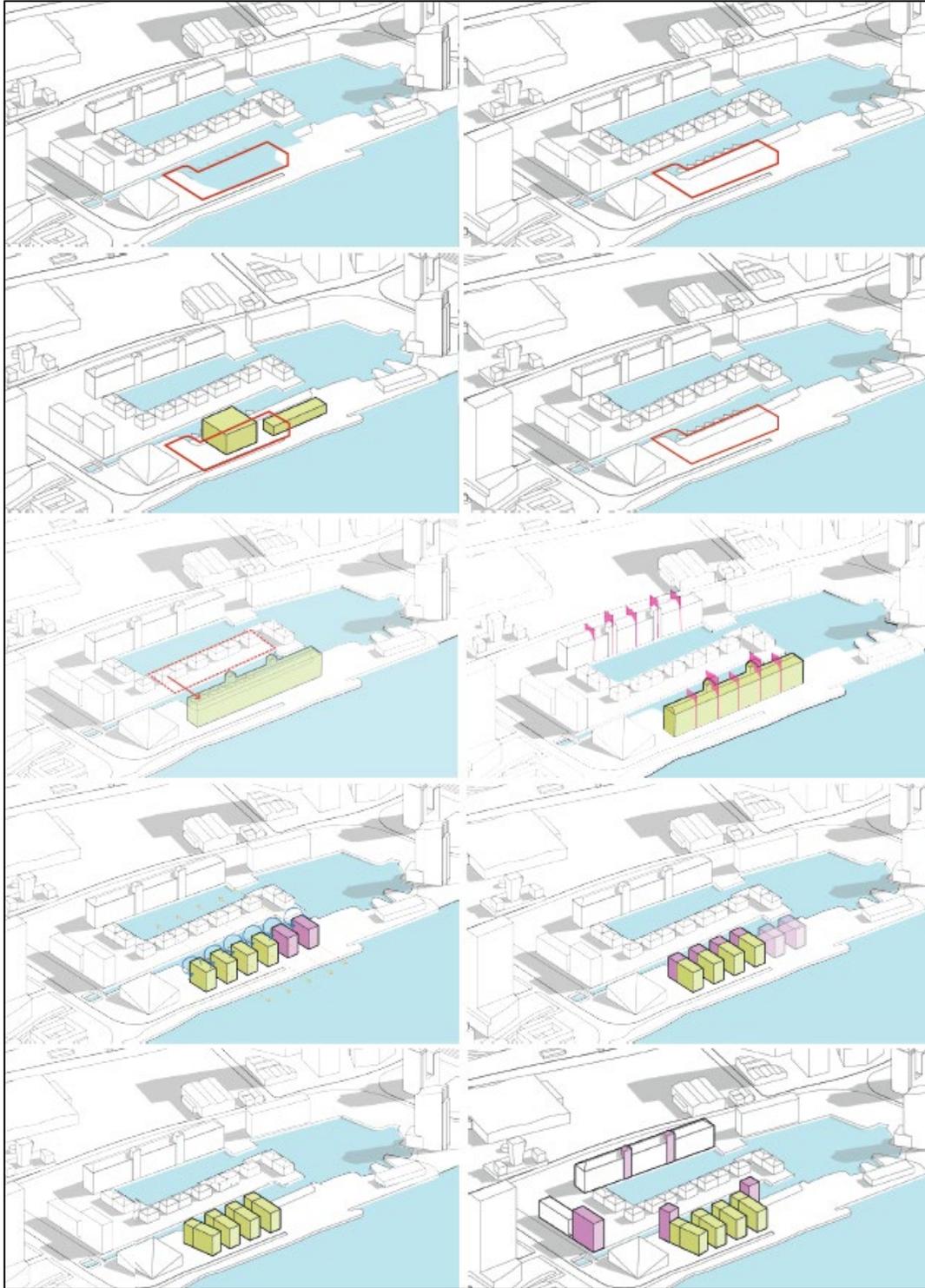


Figure 2 – Original Design Concept

The design further evolved through a number of pre-application meetings with Liverpool City Council. Comments raised about the initial design concerned the following:

- The extent of the infill exceeded the amount outlined in the Liverpool Waters Masterplan, thus raising concern; the development was advised to re-visit this solution;
- It was recommended to present proposals to Places Matter! Design Review at an early stage so any points raised can be duly considered;
- Rationale for the proposed form & massing needed further investigation and the contextual justification for the concept proposed needs to be explored further;
- Advised to ensure that all servicing is undertaken off-street, whilst not undermining landscaping at the front of development, which may require that the public footway is taken through part of the site;
- Provision of amenity space, contribution to public routes across the wider LW scheme and connections to neighbouring plots will need to be agreed in line with the proposals emerging within the Central Docks Masterplan;
- Highways & levels and nature of parking will also need to be agreed, as well as provision for sustainable means of travel, including a minimum of 50% secure, covered cycle storage.

Figures 3 and 4 below depict the design at this early stage.



Figure 3 – Visualisation of initial scheme

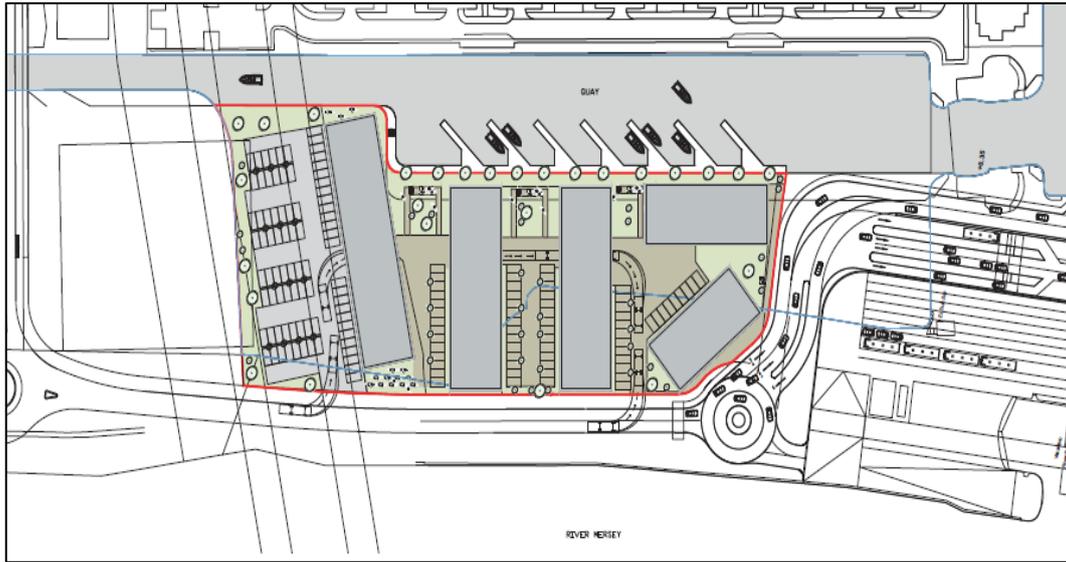


Figure 4 – Site Plan of initial scheme

The design team also met with Historic England (HE), who questioned the extent of the infill. Furthermore, HE noted that the proposal is unlikely to result in notable harm to the setting of the surrounding heritage assets, due to the proposed scale and massing being contextual with the existing dock landscape.

It was also discussed that the public benefits of the development would need to be clearly stated, since the original plot was allocated for commercial space and a Cruise Liner.

As a result of discussions, the design orientation was amended as seen in the below Figure 5.



Figure 5 – Site elevations of initial scheme

Further engagement with the Places Matter! Design Review, Merseyside Environmental Advisory Service (MEAS) and Natural England raised the following points:

- Overall, the Places Matter! panel accepted the approach to height and scale, and felt the materials and detailing would lead to a robust scheme
- The colonnade to the canal side was felt to be a useful space but activating the proposed boardwalk would provide the opportunity to introduce independent amenity retail along this frontage;
- Although considered inappropriate for existing water spaces in the WHS Buffer Zone to be infilled, an exception exists for where permission has previously been granted for partial infilling;
- The retention of open water is considered desirable in terms of retaining character and the value of these spaces in terms of historic and urban design terms.

Following meetings and various concerns about infill, the design team pulled back the extent of the infill to the original outline application. However, the development team recognised the importance of the connectivity of the site, linking the North and the South. Therefore, it endeavoured to permit overhang of buildings into the water, allowing a covered walkway for pedestrians and cyclists.

It was stated during the design evolution, the southern corner is the first impression of the city someone would have leaving the Isle of Man Terminal. The design team submitted the application in December of 2018. Upon additional conversations, the team revisited the scheme and progressed the design further, resulting in the following design changes for this revised submission in 2019 (2018 and 2019 designs seen comparatively in below Figure 6).



Figure 6: Comparative context elevations

The proposed scheme's design's contextual response (evident in Figures 7 and 8 below) resulted from re-imagining the historic warehouse on the site, and then dividing it into bays and reinstating it horizontally. This approach is considered favourable as the buildings are orientated parallel to the East Waterloo Warehouse, providing a stronger roofscape typical of the Liverpool dock character. It has also enabled the scheme to be more favourably aligned with the

canal and River Mersey and has resulted in less environmental effects, especially regarding heritage impact and amenity to existing neighbourhood.



Figure 7: Indicative visualisation of the proposed scheme



Figure 8: Proposed site layout

6 Conclusions

The pre-application engagement undertaken as set out in Section 2 has been in accordance with best practice as well as local and national planning policies. The policies detailed in Section 2 are considered to be conformed to and appropriate given the scale of the application proposals.

Furthermore, the engagement undertaken has been in accordance with the guidance set out in LCC's Statement of Community Involvement in that:

- The proposals have been explained to relevant interested groups, individuals and stakeholders in the area around the site, through the community engagement events.
- Members of the public and key stakeholders were asked to provide their views on the application proposals through the feedback form that was available at the engagement events and contact details should they have any further queries.

This report explains the process that has been followed, a summary of the feedback and demonstrates how we have responded to these comments.

The feedback from all types of stakeholder engagement has been useful in terms of helping the project team to recognise key issues from the local community, design and heritage advisors as well as LCC. The recurring issues raised along with the key matters discussed during the engagement event have been considered in the assessments that accompany the planning application. The engagement undertaken has also given stakeholders a good understanding of the application proposals.

Further communication with key stakeholders is welcomed during the determination period of the application.

Appendix A

Public Exhibition Leaflet



PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

Wednesday 7th November 2018 - 10am - 7pm
ONE FINE DAY, Cotton Exchange,
Old Hall Street, L3 9BS

THE PROPOSAL

Romal Capital would like to invite residents, businesses and stakeholders to attend a Public Exhibition of emerging proposals to regenerate part of Central Docks, fronting onto West Waterloo Dock.

Firmly rooted in Liverpool, Romal Capital are dedicated to the economic growth of the city and transforming Liverpool's docklands into thriving urban neighbourhoods where people want to live, work and play.

This proposal represents an important opportunity to significantly enhance the quality and appearance of this key part of the City. Romal Capital has appointed a highly experienced design team given the importance of the approved Liverpool Waters masterplan, with a focus on design, quality and placemaking.

LEARN MORE

If you would like to learn more about Romal Capital's exciting new development at C02 Central Docks, please come along to;

**ONE FINE DAY, Wednesday 7th November 10am - 7pm,
Cotton Exchange, Old Hall Street, L3 9BS**

Please see below for more details on how to find the Public Exhibition venue and the location of the Central Docks site.

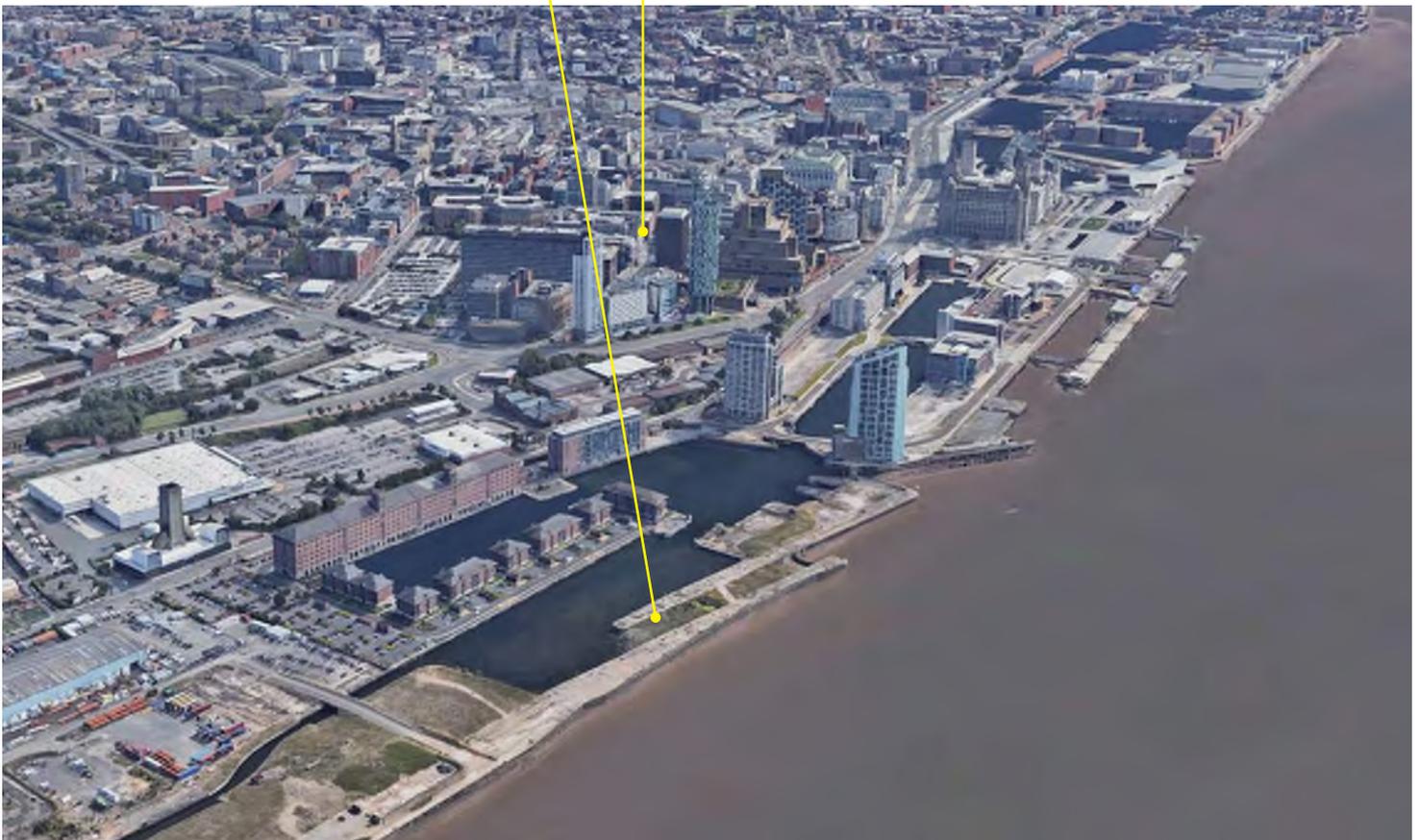
HOW TO COMMENT

There will be forms at the event for you to submit comments.

If you cannot attend the event, please contact ian.ford@arup.com for further details.

Development Site / West Waterloo Dock

Venue: ONE FINE DAY



Appendix B

Leaflet Distribution Area



Superstore

Car Park

West
Waterloo Dock

East
Waterloo Dock

Waterloo
River Entrance

Princes
Half Tide
Dock

Princes Jetty

Car Park

Princes Dock

Ferry Terminal

Liverpool Landing Stage

Ship Ferry (Vehicular)
Terminal

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Mam

Cunard Building

Royal Liver Bldg

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Mus Meml TH

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Appendix C

Liverpool Echo Advert

LIVERPOOL CITY COUNCIL PUBLIC NOTICES

Jeanette McLoughlin, City Solicitor, Legal Services, Cunard Building, Water Street, Liverpool, L3 1AH. Dated 1 November 2018
Proposed Appointment of Hackney Carriage Stand Affecting Monarchs Quay. The City Council of Liverpool (Monarchs Quay) (Appointment of Hackney Carriage Stand) Notice, 2018 (Ref: - LS/RT/MRB/TR0 100268 HSC/TM 3519/2081.397) Notice is hereby given that The Council in accordance with the powers contained in Section 63 of The Local Government (Miscellaneous Provisions) Act, 1976, intends to appoint the new 24 hour stand on Monarchs Quay, the section that runs north east to south west - south east side, from a point 26m south west of its junction with the section of Monarchs Quay that runs north west to south east in a south westerly direction for a distance of 12m (2 spaces). A copy of the plan and a statement of the Council's reasons for proposing to appoint the Hackney Carriage Stand may be inspected at The Regulatory Team, Legal Services, 5th Floor, Cunard Building, Water Street, Liverpool, L3 1AH & at the offices of Parking Services, Mount Pleasant Car Park, Mount Pleasant, Liverpool, L3 5PA/Amey Consulting, Unit 6, Matchworks, 142 Speke Road, Garston, Liverpool, L19 2PH, between the hours of 9.15 a.m. and 4.00 p.m. on Mondays to Fridays inclusive. If you wish to make representations about the same you should send the grounds for your objection to or support for the proposed Stand, in writing to the under signed on or before the 28 November 2018. Please ensure to quote either or both of the particular references given in your correspondence. Alternatively you may wish to email your objection to or support for the same direct to the following officer:- nevil.basnett@liverpool.gov.uk on or before the above-mentioned date. In the event of there being objections received to the Order/Stand, which remain un-withdrawn, they will be considered before any decision is made on whether or not to make the Order operative or appoint the Stand.

LIVERPOOL CITY COUNCIL PUBLIC NOTICES

Jeanette McLoughlin, City Solicitor, Legal Services, Cunard Building, Water Street, Liverpool, L3 1AH. Dated 1 November 2018
(Christmas Market On St George's Plateau) (William Brown Street) (Prohibition of Driving) Order, 2018 Notice is hereby given that the Council intends to make the above-mentioned Order under Section 14 of The Road Traffic Regulation Act, 1984, to prohibit any vehicle, other than an emergency services vehicle, from entering, leaving, or proceeding in William Brown Street, L3, from Commutation Row for a distance of 90m in a westerly direction, from the 12 November to 30 December 2018 or for such lesser or greater periods of time as determined by the earlier completion of the works, which are to safely facilitate the Christmas Market on St. George's Plateau. This closure will only be implemented as and when necessary by the Market Managers. There is no alternative route for motorists.

PUBLIC ENGAGEMENT

Romal Capital invites you to a drop in public engagement event to discuss plans for a new residential led development at Central Docks. The event will be held at One Fine Day, Cotton Exchange, Old Hall Street, Liverpool, L3 9BS between 10am and 7pm on Wednesday 7th November 2018.

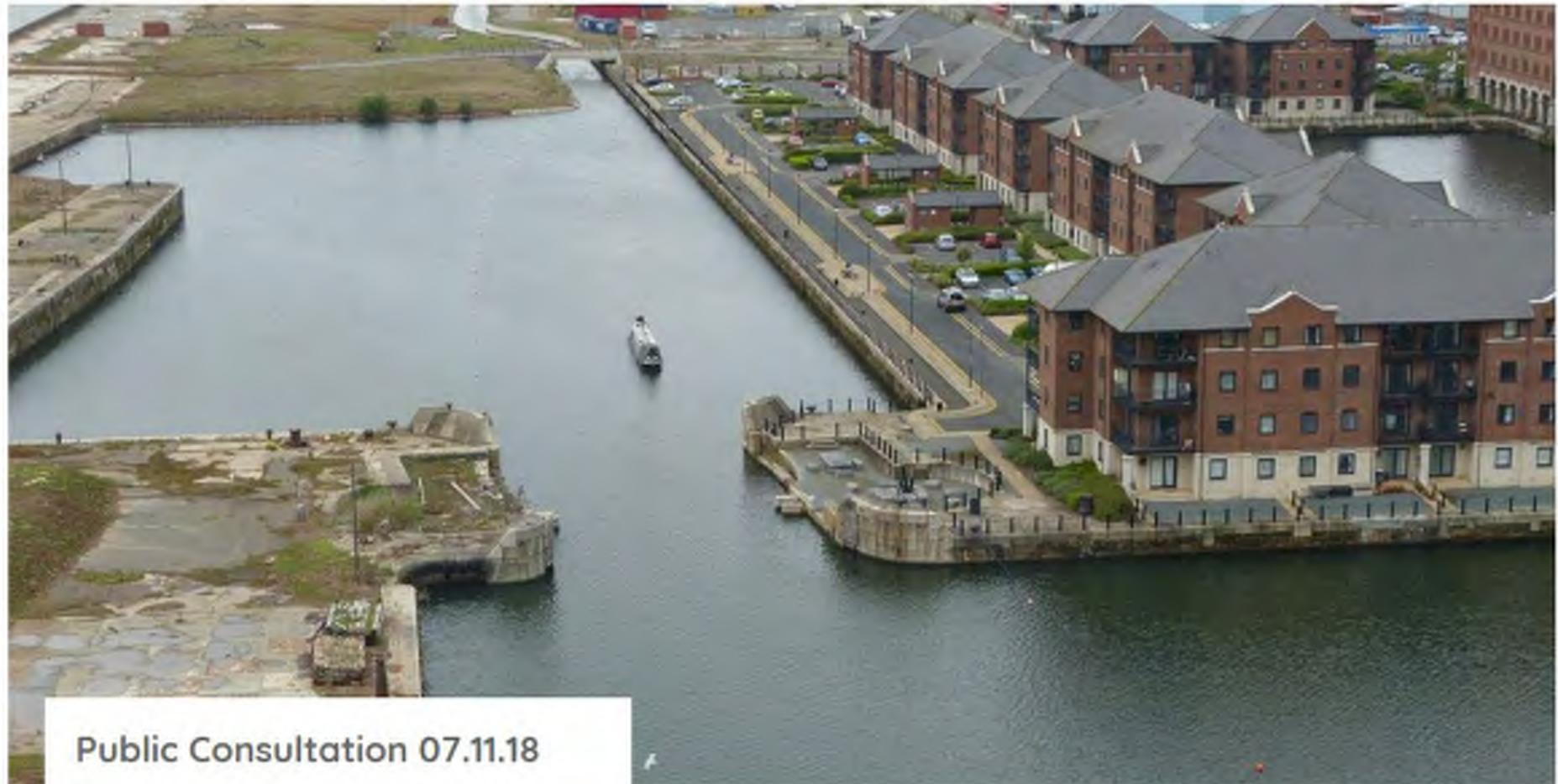
Share the love
with your friends



WHY NOT?

Appendix D

Engage Liverpool Advert



Public Consultation 07.11.18

[< back to events](#)

share

When: Wed 7th Nov - 10.00-19.00

Where: One Fine Day, Old Hall Street, Liverpool UK

A Public Consultation is taking place organised by Arup on behalf of Romal Capital who are drawing up plans to develop a piece of land alongside the site of the new Isle of Man Terminal at West Waterloo Dock and facing the river.

The event takes place at One Fine Day, Cotton Exchange, Old Hall Street on Wednesday 7th November 2018 from 10.00am to 7.00pm. All residents are welcome to attend and leaflets have already been distributed to local residents around Waterloo Dock and beyond.

Seminar Series 2018 / Liverpool

whs cities of inspiration

Weds 3rd October: Strasbourg

Weds 17th October: Bordeaux

Weds 31st October: Hamburg

Seminar 2018

ENGAGING WITH THE WORLD HERITAGE SITE

Appendix E

Public Exhibition Display Boards

CENTRAL DOCKS (C02), LIVERPOOL WATERS

Welcome!

Thank you for taking the time to view our proposals for the Central Docks, part of the Liverpool Water's Masterplan.

The Central Docks neighbourhood is identified as a fulcrum of the Liverpool Waters Masterplan. Comprising of a cluster of tall buildings that provide a new dynamic urban grid, focussed around parkland and open space. Key landmarks such as a new cultural building and the Isle of Man Ferry Terminal will help create a business, leisure and entertainment focus in the area.

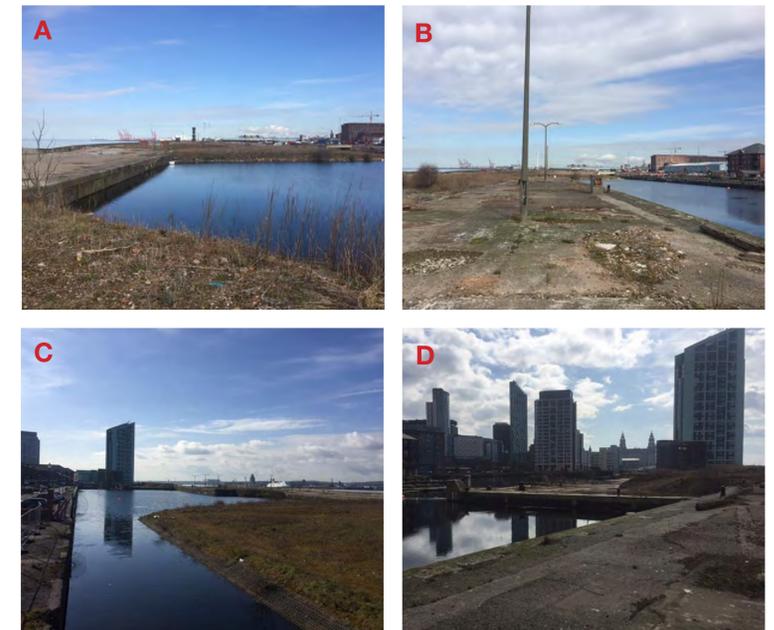
The masterplan identifies the C02 site as a key connection between the future ferry terminal back to the main Central Docks area, it is also important in enhancing the skyline of the city, helping to frame the view of the city along its waterfront.

Despite its current dereliction, the proposed development site has international heritage importance. While outside of Liverpool's World Heritage Site boundary, as a former docks the site has a direct link with the city's maritime mercantile past and as such any development should recognise and enhance the historic value.

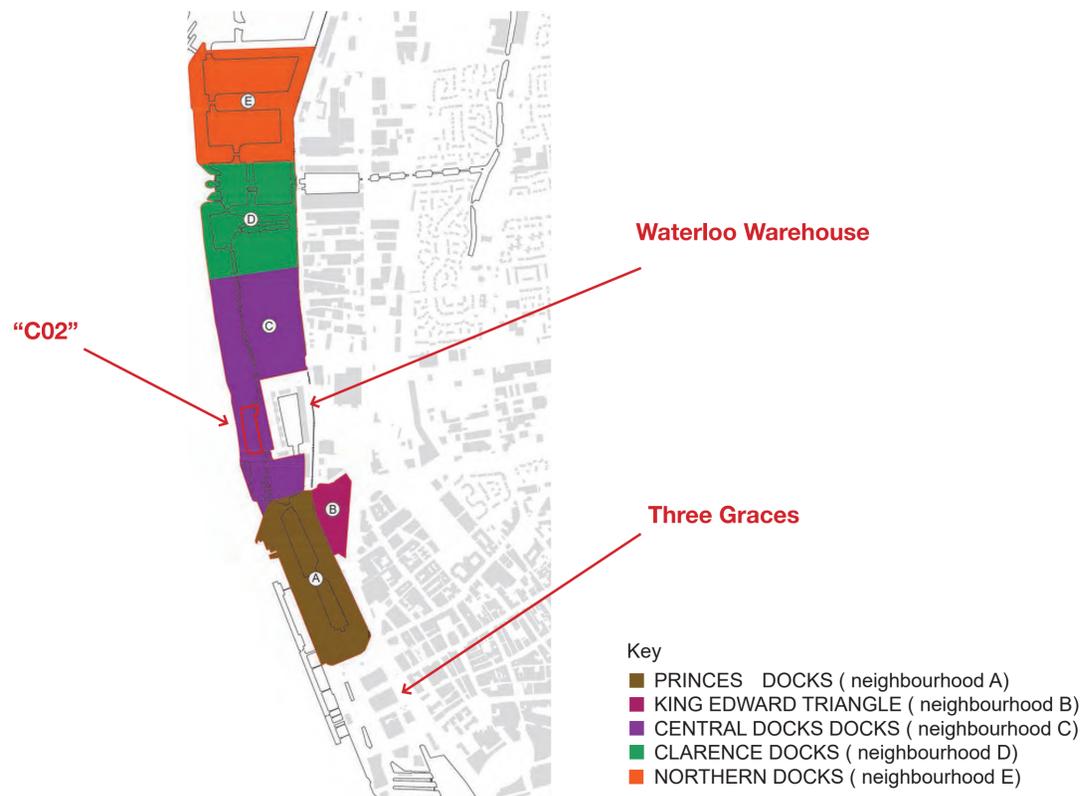
The site provides an opportunity for sustainable development with close, walkable, proximity to the city centre as well as other planned future developments which will bring together a thriving neighbourhood on the waterfront.



Site location plan



Existing photographs of the site



The Liverpool Waters masterplan area



Existing aerial view of the site looking South

CENTRAL DOCKS (C02), LIVERPOOL WATERS

romal
capital



Who we are

Firmly rooted in Liverpool, Romal Capital are dedicated to the economic growth of the city and transforming our docklands into thriving urban neighbourhoods where people want to live, work and play.

Romal Capital's experience, vision and values have led to them being the first developer to be granted access to Peel Land & Property new Central Dock waterfront land as part of the £5bn Liverpool Waters development.

Continuing our successful track record with developments such as Park & Quay Central, we are now moving on to transform additional space on Central Docks, incorporating extensive landscaping and leisure/lifestyle amenities.

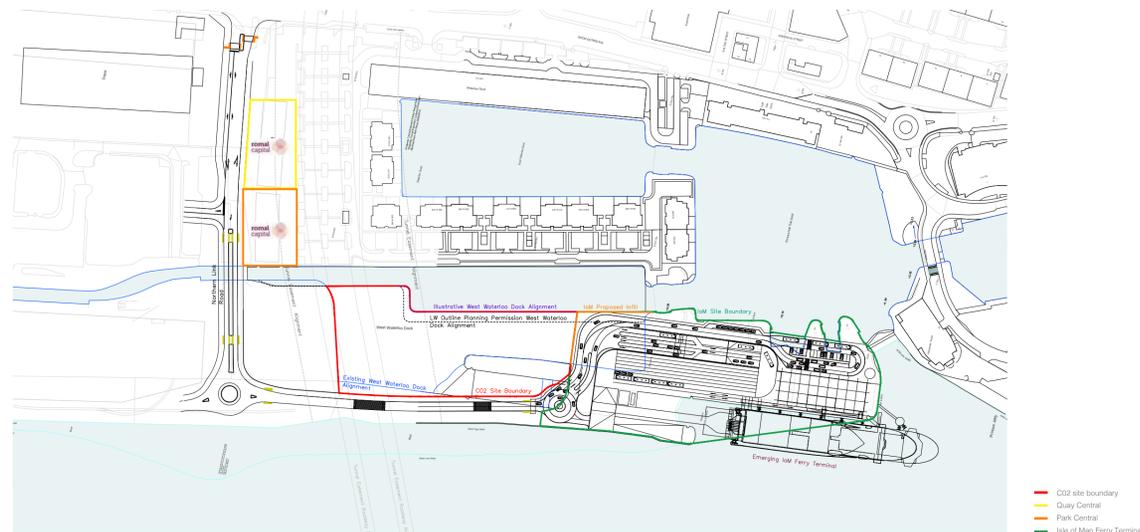
Romal Capital feel a huge responsibility to our residents and our city and we commit to managing our developments for life to ensure that they continue to prove excellent investments and wonderful places to live.

We build places that people love to ensure that they will continue to thrive.

Romal Capital. Investing in Liverpool for life.



Quay & Park Central under construction



Site overview



CGI views of Quay & Park Central



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ARCHITECTS



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capital



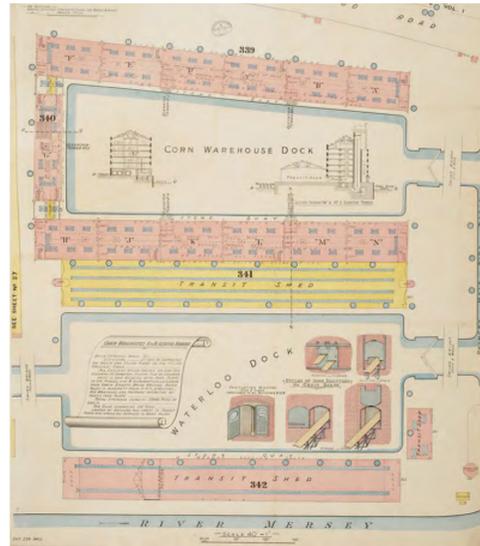
CENTRAL DOCKS (C02), LIVERPOOL WATERS

Design evolution

Waterloo Dock opened in 1834 originally as a single water body, it was later split into two separate basins that are seen today, providing a greater quayside area. It was predominantly used for the import and export of corn, with the large warehouse buildings used for drying.

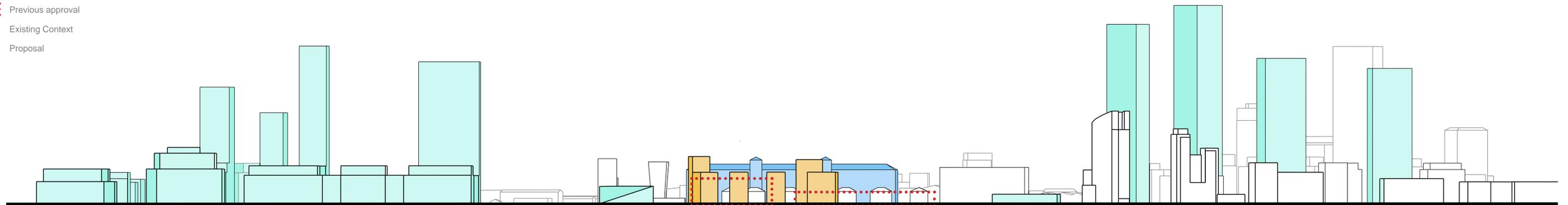
In June 2013 outline planning permission was granted for the development of Liverpool Waters including the scale and massing of buildings within the Central Docks and the C02 site.

Our application is for full planning permission to develop the C02 site with a detailed design that is sensitive to the site's history and context.

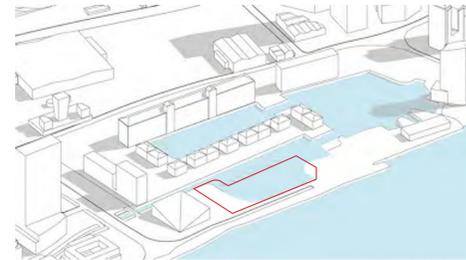


Historic maps and images of Waterloo Dock

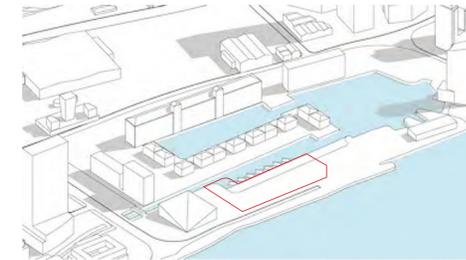
- Liverpool Waters outline planning approval
- Waterloo Warehouse
- ⋯ Previous approval
- Existing Context
- Proposal



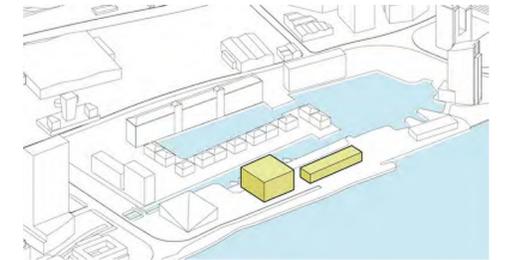
Elevation along River Mersey showing existing approvals



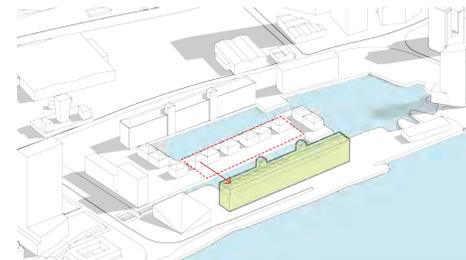
1. The site outline as defined by the masterplan



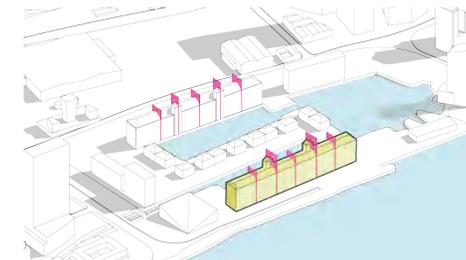
2. Dock infilled as defined by the masterplan



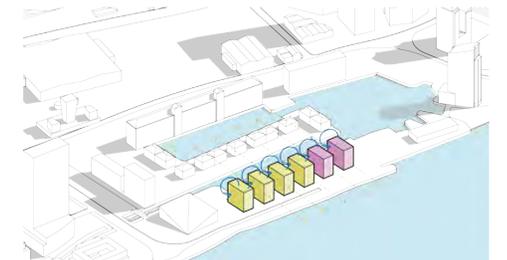
3. Outline approved massing



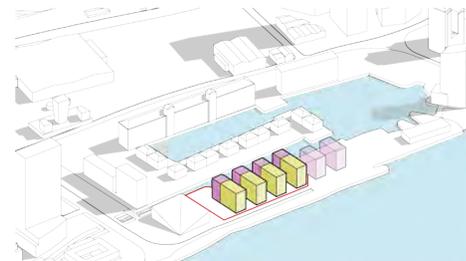
4. Massing redistributed to respond to context



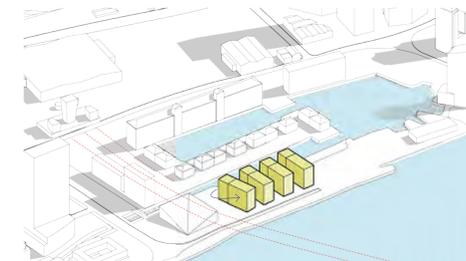
5. Massing spliced to mirror Waterloo Warehouse



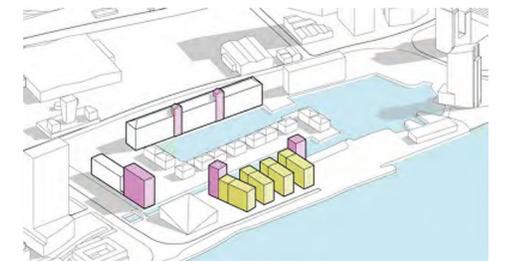
7. Massing separated to allow through views



4. Volume re-organised



5. Blocks aligned to site constraints



7. Taller elements provide visual balance

The design development

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CENTRAL DOCKS (C02), LIVERPOOL WATERS

Proposed site plan and connectivity

Development of the site opens up a key movement corridor in extending the city to the North through the docklands. It represents the first development that continues the Liverpool skyline towards the Northern Docks.

Pedestrian and cycle routes will pass through the site and provide a link with the already established Liverpool water front as well as connecting back to a new series of public squares and parks in the Liverpool Waters masterplan. The new buildings of the site will help frame the new cultural square that provides the focus of the area.

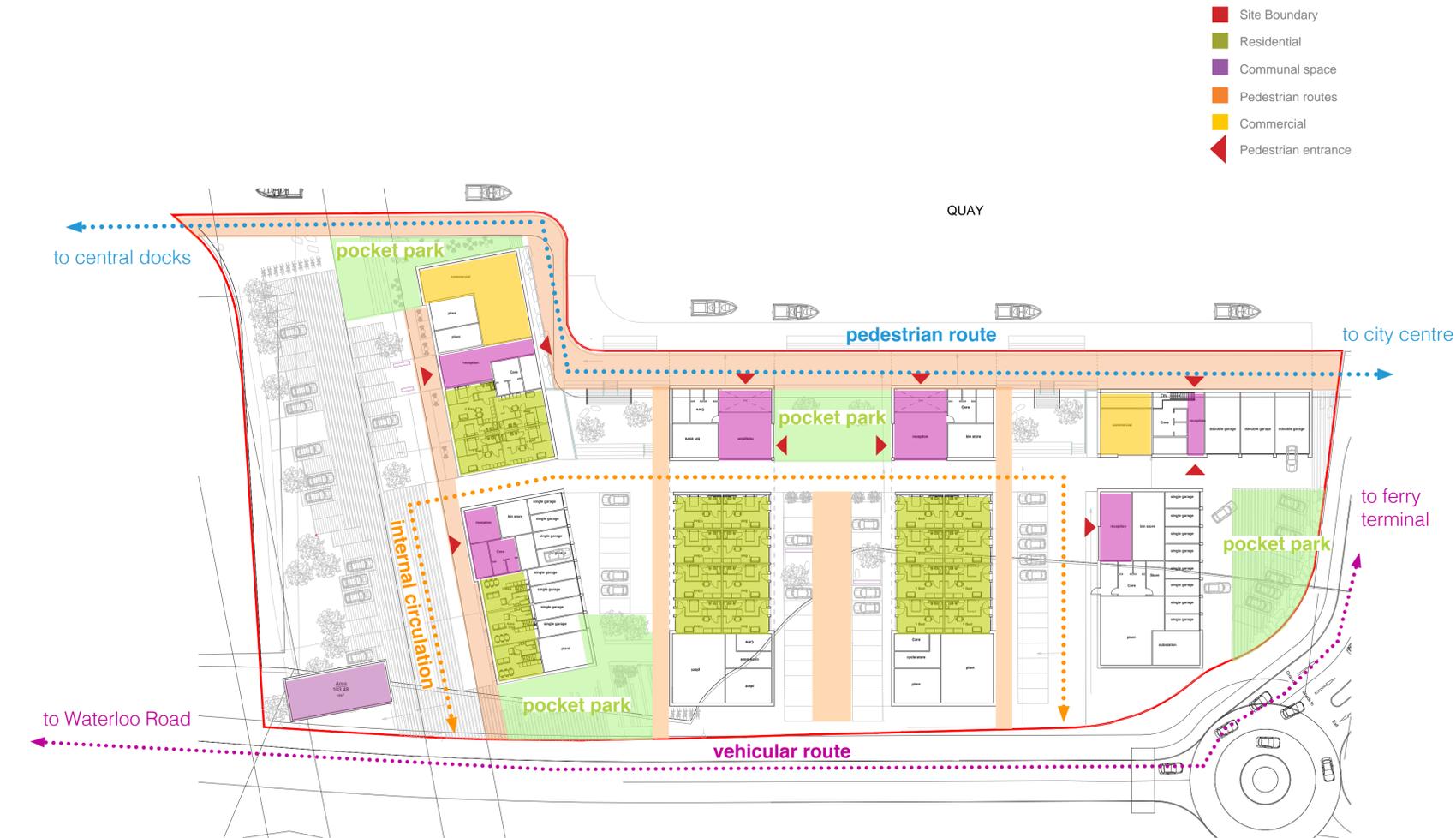
Access to the proposed Isle of Man ferry terminal will also be created by a new link road to the end of the dock.

Accommodation schedule

337no. 1 bed apartments
267no. 2 bed apartments
26no. 3 bed apartments

630no. Total apartments

115no. Car parking spaces

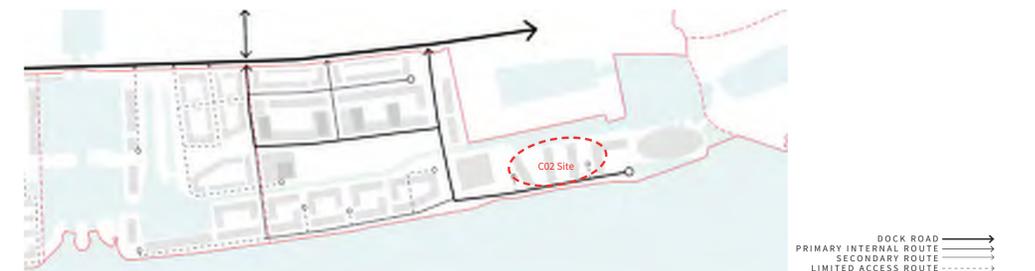


Proposed ground floor site plan

INDICATIVE PEDESTRIAN MOVEMENTS



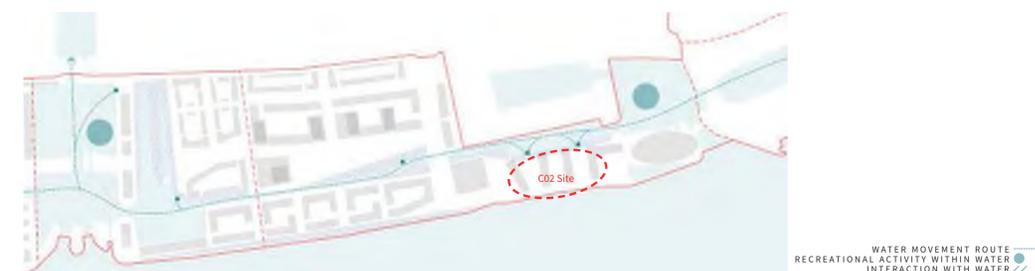
INDICATIVE VEHICLE MOVEMENTS



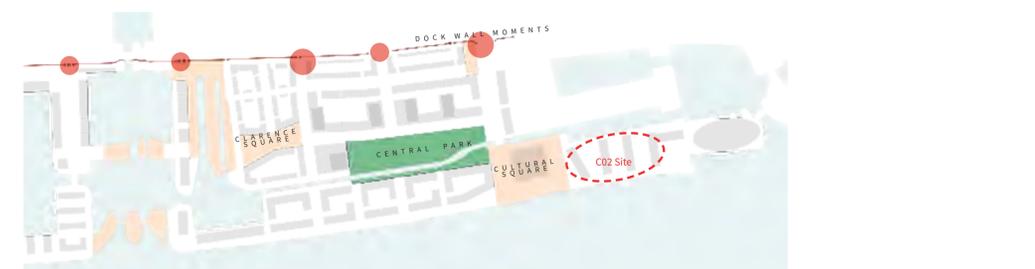
INDICATIVE CYCLE /PUBLIC TRANSPORT



INDICATIVE WATER MOVEMENT AND ACTIVITY



INDICATIVE PUBLIC OPEN SPACE



Key site connections

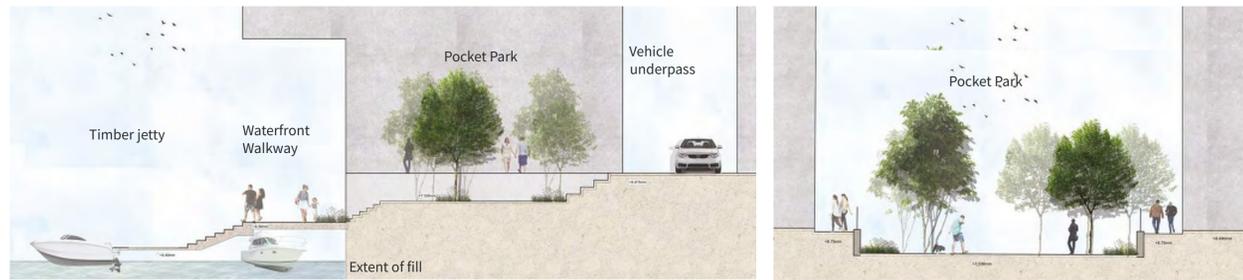
CENTRAL DOCKS (C02), LIVERPOOL WATERS

Public Realm & Landscaping

The public realm has been designed to provide a wide pedestrian route along the Waterloo Dock waterfront from Princes Dock, through to the emerging Central Docks masterplan. The site promotes interaction with the water and recreational waterfront activities via a series of steps to timber jetty platforms, where visitors can board water taxis to explore the Liverpool waterways.

Each building block benefits from a series of landscape pocket parks, complete with tree planting, to promote play and recreation within the development. A pavilion is clearly visible from the road and invites visitors to explore the waterfront and commercial offers within the development by entering via a pavilion and along path through to the waterfront.

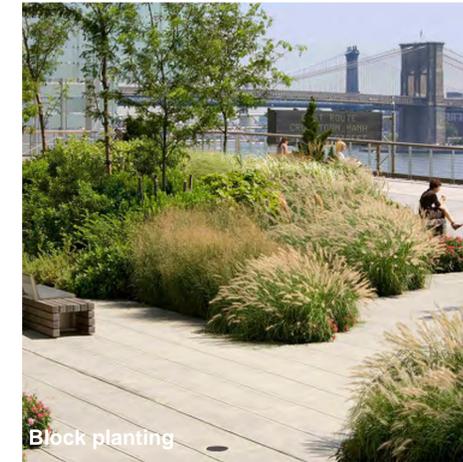
All materials will be designed to be robust and to best represent this historic and industrial waterfront setting.



Landscaping plan and cross sections



Bold species



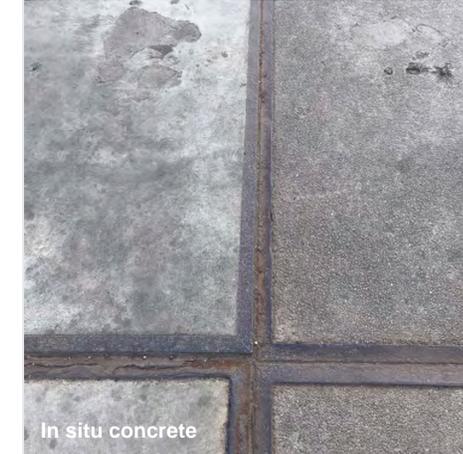
Block planting



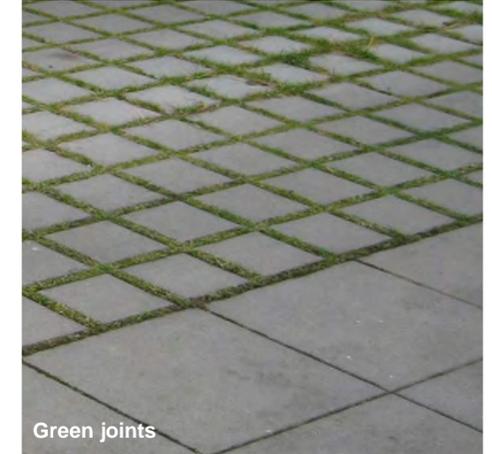
Natural edges



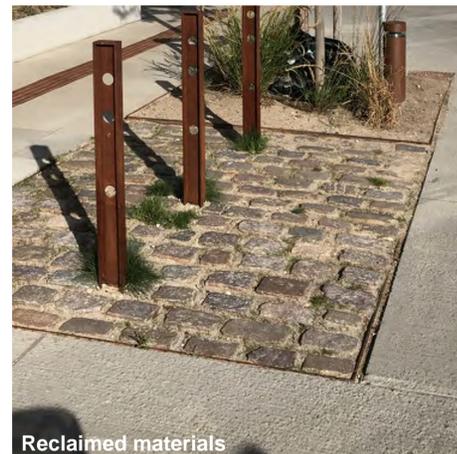
Rough materials



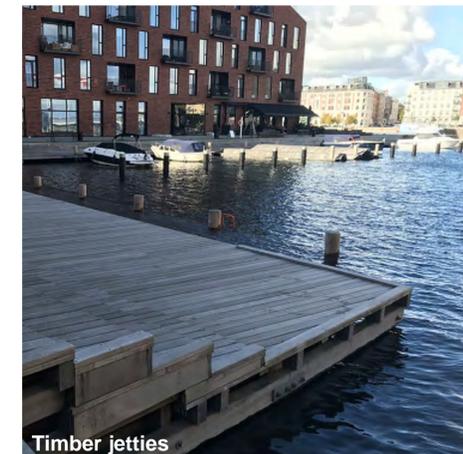
In situ concrete



Green joints



Reclaimed materials



Timber jetties



Rails to waterfront

Landscaping example images

CENTRAL DOCKS (C02), LIVERPOOL WATERS

Elevations and design



Proposed Park Central building



Red brick buildings reflect historic warehouses



Brick detailing example



Contrasting blocks "bookend" development



Simple stone framing detailing



Site elevation from the waterside

CENTRAL DOCKS (C02), LIVERPOOL WATERS



Proposed CGI view from the water side

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CENTRAL DOCKS (C02), LIVERPOOL WATERS



Proposed CGI view from dock side

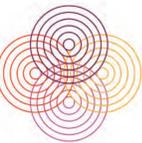
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Appendix F

Public Exhibition Photographs and Feedback Forms







Investing in Liverpool for life.

PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

Wednesday 7th November 2018 - 10am - 7pm
ONE FINE DAY, Cotton Exchange,
Old Hall Street, L3 9BS

FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.

Name [REDACTED]

Postal Address

E-mail Address

Do you have any further comments on the proposal?

- Seems to fit into the skyline well
- Brickwork and colour seems consistent with surrounding buildings
- Not too imposing - fits in well and is quite understated
- Seems connected with history of docks - reminds me of the look of the Albert Dock



Investing in Liverpool for life.

PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

Wednesday 7th November 2018 - 10am - 7pm
ONE FINE DAY, Cotton Exchange,
Old Hall Street, L3 9BS

FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.

Name

[Redacted Name]
[Redacted Address Line 1]
[Redacted Address Line 2]

Do you have any further comments on the proposal?

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Investing in Liverpool for life.

PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

Wednesday 7th November 2018 - 10am - 7pm
ONE FINE DAY, Cotton Exchange,
Old Hall Street, L3 9BS

FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide

Name

Postal Address

E-mail Address

Do you have any further comments on the proposal?

Looks like a good addition to the waterfront without blocking water views from the buildings behind or looking out of place due to the similar brick colour.



Investing in Liverpool for life.

PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

Wednesday 7th November 2018 - 10am - 7pm
ONE FINE DAY, Cotton Exchange,
Old Hall Street, L3 9BS

FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide

Name

Postal Address

E-mail Address



Do you have any further comments on the proposal?

I feel it really fits in with the structural theme of the city
The buildings looks cleanly finished
Its great to have more residential property in the area.
Great choice of brick tying in with first point unkeeping with the Docks and city.



Investing in Liverpool for life.

PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

Wednesday 7th November 2018 - 10am - 7pm
ONE FINE DAY, Cotton Exchange,
Old Hall Street, L3 9BS

FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.

Name

Postal Address

E-mail Address

[Redacted contact details]

Do you have any further comments on the proposal?

At a glance it looks like they are a homage to the old waterside warehouses but in a tasteful clean way. I feel more greenery would add to the character of the developments.



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PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

Wednesday 7th November 2018 - 10am - 7pm
ONE FINE DAY, Cotton Exchange,
Old Hall Street, L3 9BS

FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.

Name

Do you have any further comments on the proposal?

- Ground floor uses & public spaces between blocks should be carefully considered to support the development, create social space that will be used & provide animation & transform a large resi scheme into a stand alone destination.
- Consider some relief / variety of the brick elevation treatment. 4 no large blocks with the same appearance begin to dominate not enhance the area and become imposing. Could the ends become more glazed to open up & address the waterfront & canal spaces. Keep the strong 'warehouse' feel on the longer elev's ~~but~~ but create more interest on the more public facing elev's.



Investing in Liverpool for life.

PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

Wednesday 7th November 2018 - 10am - 7pm
ONE FINE DAY, Cotton Exchange,
Old Hall Street, L3 9BS

FEEDBACK FORM

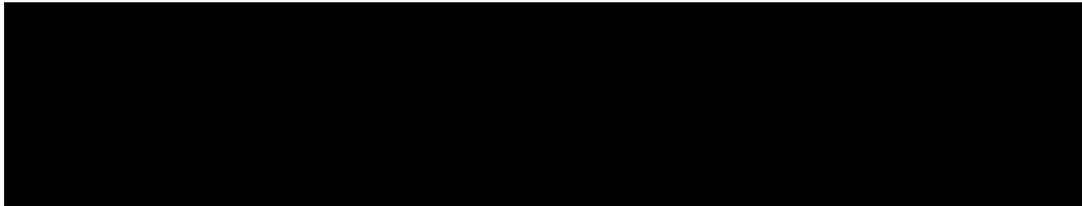
Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.

Name

Postal Address

E-mail Address



Do you have any further comments on the proposal?

- Simplistic + Minimal design
- Brickwork/colour in keeping with existing buildings
- Like dock feature - lends its self to the cultural tapestry of the area
- Sits nicely on the riverfront.
↳ Back to basics
- Bottom floor Glazings put in well with old dock buildings



Investing in Liverpool for life.

PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

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FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.

Name

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Do you have any further comments on the proposal?

No further comments apart from all the dockside development looks really good and it will open up better city living.



Investing in Liverpool for life.

PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

Wednesday 7th November 2018 - 10am - 7pm
ONE FINE DAY, Cotton Exchange,
Old Hall Street, L3 9BS

FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.

Name

Do you have any further comments on the proposal?

I like it. It fits the waterfront. Its good at keeping the Liverpool docks esthetic (red bricks).



Investing in Liverpool for life.

PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

Wednesday 7th November 2018 - 10am - 7pm
ONE FINE DAY, Cotton Exchange,
Old Hall Street, L3 9BS

FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.

Name

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Do you have any further comments on the proposal?

I really like the minimalist design of the buildings and how it looks out at the waterfront.



Investing in Liverpool for life.

PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

Wednesday 7th November 2018 - 10am - 7pm
ONE FINE DAY, Cotton Exchange,
Old Hall Street, L3 9BS

FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.

Name [REDACTED]

Postal Address

E-mail Address

Do you have any further comments on the proposal?

Stripped back to basic look.
Modern + minimal. NOT too OTT.
fits in nicely with surroundings



Investing in Liverpool for life.

PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

Wednesday 7th November 2018 - 10am - 7pm
ONE FINE DAY, Cotton Exchange,
Old Hall Street, L3 9BS

FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.

Name

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Do you have any further comments on the proposal?

LOOKS REALLY GOOD, IN-KEEPING WITH
HERITAGE AREA, AND WATERFRONT
DEVELOPMENT!



Investing in Liverpool for life.

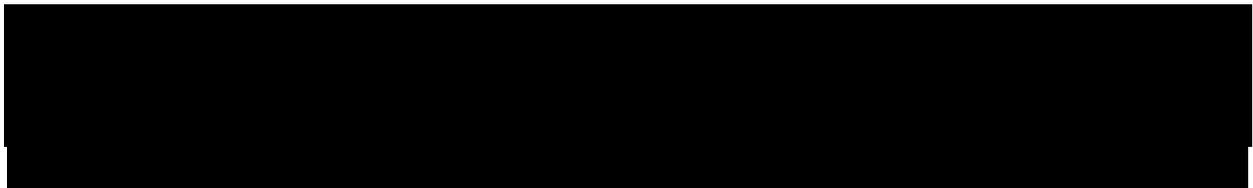
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Old Hall Street, L3 9BS

FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.



Dr I think the whole development is very exciting + we are about to see a New Liverpool with the start of this phase. Great plans to connect the waterfront which is ~~to~~ out of bounds currently to the rest of the Liverpool waterfront skyline. Whilst providing ~~leisure~~ in the form of sensitive

thought to walkway, active canals + cycle paths!



Investing in Liverpool for life.

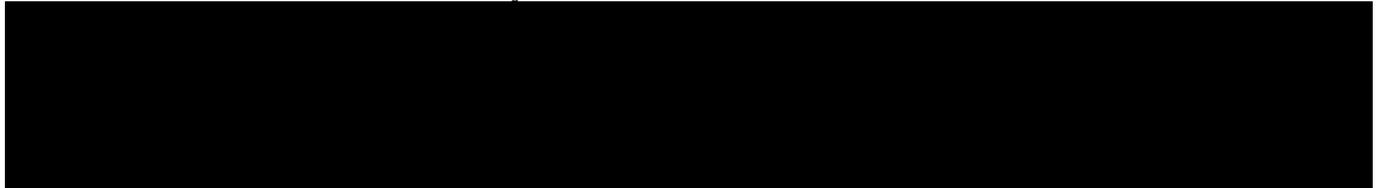
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FEEDBACK FORM

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If you would like to receive further information in relation to this scheme, please provide your details below.



Do you have any further comments on the proposal?

As my employment places me in Liverpool throughout the week, & I spend many weekends in the city for leisure, I fully support the development of Liverpool Waters.

As an Isle of Man resident I hope to be able to sail directly into Liverpool Waters and secure my accommodation in the same location.

The regeneration will greatly improve the area and provide living & leisure facilities for residents & visitors



Investing in Liverpool for life.

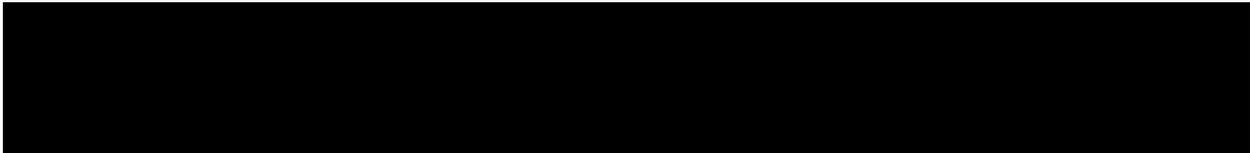
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FEEDBACK FORM

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If you would like to receive further information in relation to this scheme, please provide your details below.



Do you have any further comments on the proposal?

I think it will be a great addition to our evergrowing waterfront, it will open up all the waterways into city centre.



Investing in Liverpool for life.

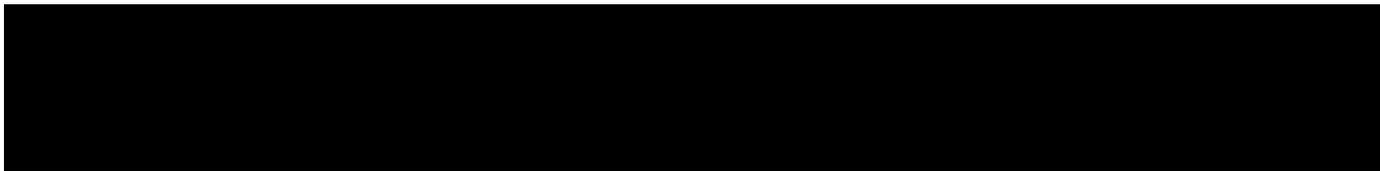
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FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.



Do you have any further comments on the proposal?

The development will massively improve ~~the~~
one of the city's main entrances aesthetically.
~~The~~ The accommodations proposed look to be ideal
for young professionals looking for residency
on ~~the~~ doorstep of their occupations, an
increase to the number of people residing
in this area can surely only benefit
the local businesses surrounding the
area and will promote the area to new
businesses etc furthering the re-generation of
this on-used area.



Investing in Liverpool for life.

PLOT C02 - CENTRAL DOCKS PUBLIC EXHIBITION

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Old Hall Street, L3 9BS

FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.



Do you have any further comments on the proposal?

I believe that the development is fantastic for the City!
It is in a great location and connects the Docklands to
the City Centre.

A great area full of fantastic re-development and
hopefully a great new stadium for Everton.

Provides Liverpool as well with great housing
and great public place also having the canal opened up
for tourists will be a great attraction.



Investing in Liverpool for life.

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Investing in Liverpool for life.

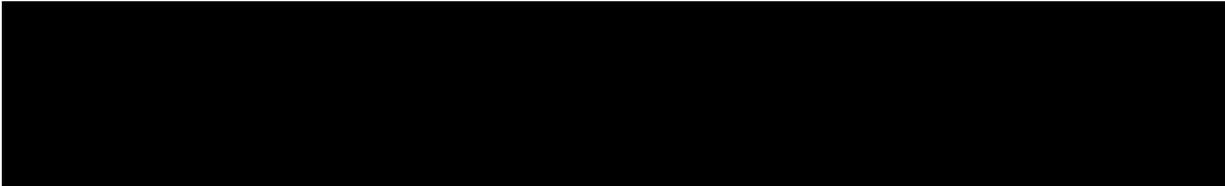
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Old Hall Street, L3 9BS

FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.



Do you have any further comments on the proposal?

Park central is a very exciting re development of the docklands. Provides Liverpool with good quality housing and extends our city centre.

it is providing water taxis and pedestrian pathways

I'm very excited to watch park central take shape!



Investing in Liverpool for life.

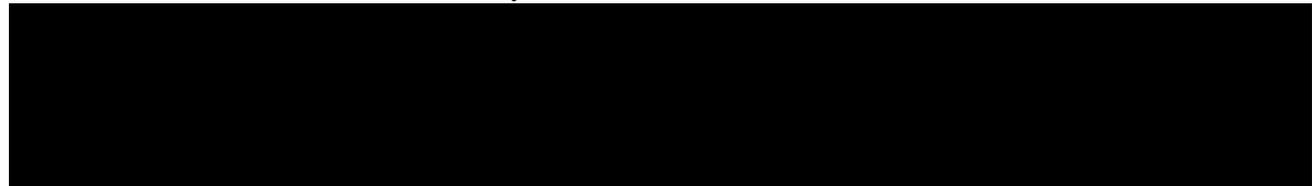
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FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.



Do you have any further comments on the proposal?

The redevelopment in Central Dock, Liverpool Waters is really exciting. There is a lot of derelict land in that area of the city and I believe now is a good time to develop the dock.

The area will be popular with any prospective tenants moving in to Liverpool as I am sure a lot of the apartments being built will have good views over towards the River Mersey, the Wirral and beyond.

I also feel the development will further expand the city to the north of Liverpool and will impress both the people of Liverpool and people visiting the city.



Investing in Liverpool for life.

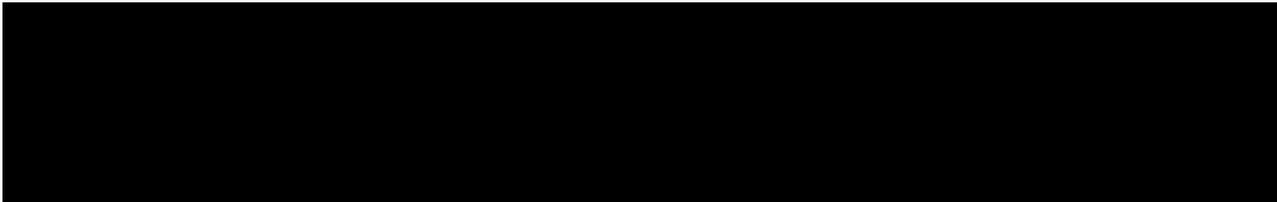
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FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide



Do you have any further comments on the proposal?

Best to see more developments coming to Liverpool that bring so much to the area.



Investing in Liverpool for life.

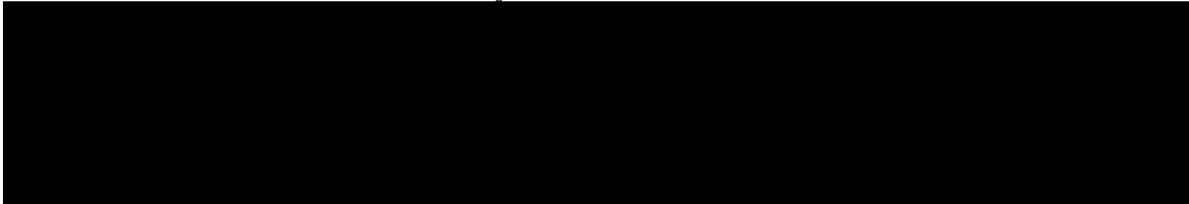
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FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.



Do you have any further comments on the proposal?

*from Liverpool all my life, and never seen the city
& vibrant. Things like this is what the city need.*

Fully support!

RQ



Investing in Liverpool for life.

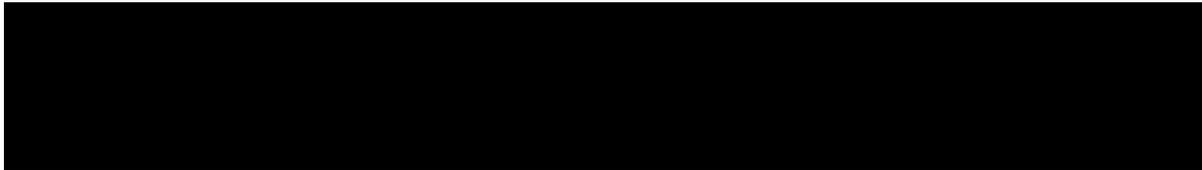
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FEEDBACK FORM

Thank you for taking the time to come and see our proposals for the redevelopment of this site in Central Dock, Liverpool Waters.

If you would like to receive further information in relation to this scheme, please provide your details below.



Do you have any further comments on the proposal?

This area has been wasteland for years now.
So its great to see an international + well respected
business get their hands on it, whilst also preserving the
heritage.
Can't wait for this to be fully complete!

Appendix G

Historic England Consultation Feedback



Historic England

NORTH WEST OFFICE

Mr Rob Burns
Urban Design and Heritage

Direct Dial: 0161 242 1416

Our ref: PA00876053
10 August 2018

Dear Mr Burns

Pre-application Advice

CO2 CENTRAL DOCK, LIVERPOOL, L3 1BU

Waterloo Dock was constructed as part of Jesse Hartley's 1834 expansion of Liverpool's commercial dock portfolio, and demonstrates the innovative approach to dock technologies and port management which forms a fundamental part of the Outstanding Universal Value (OUV) of the Liverpool Maritime Mercantile City World Heritage Site. Originally one expanse of water, Waterloo was split in two to form East & West Waterloo Dock in 1869, as part of the dock expansion which saw the creation of Princes Half Tide Dock.

This subdivision created the world's first purpose built dock for the transportation of grain, which arrived from America. East Waterloo Dock retains its 1869 grain Warehouse (GII), originally one of three on the dock side. The dock is also highly significant as it is the quayside where the American Packet boats moored, and it was from this dock that thousands of people departed to make a new life in USA, and is an important example of Liverpool's role in global migration.

In 1949 West Waterloo dock underwent further significant alterations when a lock was created allowing access directly from the Mersey into the basin. Waterloo Docks represents the changes Liverpool docks underwent as a result of developing ship design, trading patterns and global influence. Sections of Hartley's original structure remain, however they have been altered and adapted as deemed necessary.

The worldwide importance of Liverpool's dock system is recognised in its inscription as a World Heritage Site (WHS), West Waterloo Dock falls within the WHS buffer zone. The complex makes a notable contribution to OUV, displaying numerous attributes including dock innovation and important links to both global trade and migration of people.

The site also sits in close proximity to the Pier Head, the location of some of Liverpool's most iconic buildings, The Liver Building a grade I listed building, The

SUITES 3.3 AND 3.4 CANADA HOUSE 3 CHEPSTOW STREET MANCHESTER M1 5FW

Telephone 0161 242 1416
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation. Historic England will use the information provided by you to evaluate any applications you make for statutory or quasi-statutory consent, or for grant or other funding. Information provided by you and any information obtained from other sources will be retained in all cases in hard copy form and/or on computer for administration purposes and future consideration where applicable.

NORTH WEST OFFICE

Cunard (GII*) and the Port of Liverpool Building (GII*).

The current proposals to develop a group of four residential blocks adjacent to the dock and the scheme falls within Historic England's statutory remit for advice due to the proximity of the high grade assets at the Pier Head. We will also additionally consider the potential impacts on the Outstanding Universal Value (OUV) of the WHS.

When the proposal is considered in light of Historic England's statutory remit, the surrounding high grade heritage assets, the development is considered to be unlikely to result in notable harm to the setting of these structures, due to the proposed scale and mass being contextual with the existing dock landscape. However, we do have notable concerns with regard to the potential impact on the WHS.

The dock and dockside fall within the boundary of the Liverpool Waters outline planning permission, for an extensive mixed use redevelopment of a large part of the docks. The current proposal seeks to develop a residential scheme adjacent to the proposed Isle of Mann ferry terminal on plot D02 (as identified in the outline permission). In order to facilitate development on this site, it is proposed to infill of part of West Waterloo Dock to create sufficient developable space.

Historic England raised notable concerns with the proposed infilling of the dock as part of the original Liverpool Waters application consultation process. Our advice letter, dated 31st March 2011, states the following: -

West Waterloo Dock should be retained in its current form with no further in-filling of the existing dock water space. Cross sections should be provided to indicate the likely impact of ground levels in this area and ensure that the existing historic structures and steps to West Waterloo Dock and Principle Half Tide Dock are retained. The potential to re-open the large river lock into the West Waterloo Dock as a dramatic feature incorporated into the cruise ship terminal should also be considered.

These comments formed a notable part of our concerns with regard to the Liverpool Waters scheme as a whole, to which we advised refusal of the application if the requested amendments weren't forthcoming. Our previous comments form a key part of the present considerations of the current pre application proposal.

WE remain of the view that the infilling of the water body would have a significant detrimental impact on the OUV of the WHS as the alterations to the dock would harm the legibility of the development of the dock and the way it illustrates the innovation of dock technology. It would also impact on the docks contribution to the story of global

SUITES 3.3 AND 3.4 CANADA HOUSE 3 CHEPSTOW STREET MANCHESTER M1 5FW

Telephone 0161 242 1416
HistoricEngland.org.uk



NORTH WEST OFFICE

migration by further reducing the dock body, from a basin which could house large ocean going vessels, to the size of a canal basin and therefore impacting of understanding of the dock. Furthermore the World Heritage Site Supplementary Planning Document (WHS SPD) clearly sets out that infilling of water bodies in the dock system should not be permitted.

The proposed partial infilling of West Waterloo Dock continues to be a matter of serious concern to us, and we sustain our previous position that any infilling should be resisted. We consider that the scheme would not enhance or better reveal the significance of the World Heritage site, as set out in paragraph 200 of the National Planning Policy Framework.

We can also further advise that we consider it highly unlikely that the scheme for residential, with some commercial units would result in public benefits that could outweigh the harm to the WHS, in line with the considerations of paragraph 196 of the NPPF.

Were the present proposals to be submitted to planning, Historic England would set out these serious concerns and advise Liverpool City Council of the requirement to notify the application to DCMS, in line with para 172 of the 'Operational Guidelines for the Implementation of the World Heritage Convention.'

We would therefore advise that a scheme is developed which makes best use of the existing dockside, without the need to infill West Waterloo Dock.

Yours sincerely



Marie Smallwood
Inspector of Historic Buildings and Areas
E-mail: marie.smallwood@HistoricEngland.org.uk

SUITES 3.3 AND 3.4 CANADA HOUSE 3 CHEPSTOW STREET MANCHESTER M1 5FW

Telephone 0161 242 1416
HistoricEngland.org.uk



Appendix H

Canal and River Trust Consultation Feedback



Thursday 16 August 2018

Ian Ford
Arup
Ian.Ford@arup.com

Our Ref CRTR-PLAN-2018-25286
Your Ref

Dear Mr Ford,

Proposal: Proposed residential development and infilling of dock.
Location: West Waterloo Quay, Liverpool
Waterway: Liverpool Link

Further to our site meeting and the provision of the pre-application documents and plans we have the following comments to make.

The Canal & River Trust (the Trust) is the guardian of 2,000 miles of historic waterways across England and Wales. We are among the largest charities in the UK. Our vision is that “living waterways transform places and enrich lives”. We are a statutory consultee in the development management process.

The proposed development would be adjacent to West Waterloo Dock. The Trust do not own the dock, but we do have a right of navigation through it as part of the Liverpool Link. Any development would be required to not prejudice these navigation rights. The site is also within the designated UNESCO World Heritage Site buffer zone.

It is noted that the principle of development on the site and a large part of the infilling of the dock has already been agreed under the extant outline Liverpool Waters consent. Nonetheless the proposal would increase the area of the dock to be infilled in the region of approximately 2-3m (as shown by the purple dotted line in the pre-application document). It is understood that the primary reason for this is to line up the dock edge with the site to the south (which may be developed to provide a new ferry terminal).

As mentioned at our site meeting, details of the method for the infilling of the dock would be required to be submitted and details of how the dock waters would be safeguarded from pollution during the construction and operational phase of the site. The responsibility for the ongoing maintenance of the new dock wall would also rest with the development. The finish of the new dock wall should be sympathetic to the historic character of the dock.

Both the outline consent and the proposed infilling of the dock would significantly reduce the water space that boats would be able to navigate through, especially when coupled with the potential mooring pontoons within the dock. As mentioned on site this would potentially raise navigational safety concerns as they would appear to impinge on navigation to

**Canal & River Trust Fradley Junction, Alrewas, Burton-Upon-Trent,
Staffordshire, DE13 7DN**

T 0303 040 4040 **E** planning@canalrivertrust.org.uk **W** www.canalrivertrust.org.uk
Patron: H.R.H. The Prince of Wales. Canal & River Trust, a charitable company limited by guarantee registered in England and Wales with company number 7807276 and registered charity number 1146792, registered office address First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB



access/egress the moorings and may prevent inland waterway craft from navigating along the Liverpool Link. The proposed pontoons may also affect the air draft under Prince's Dock Bridge which would need to be assessed. It would be useful to understand what the width of the dock would be. Depending on the width of the navigation that would remain, it may be the case that just a linear mooring, parallel to the new dock wall, can be provided, without impinging on the navigation. Such a mooring would still allow for a water taxi to operate.

It is understood that surface water would be discharged to the River Mersey. In any case it is unlikely that the proposal will affect water levels with the docks. The development would however need to be accompanied by a flood risk assessment. A phase 1 contamination report will also be required, given the historic use of the docks. This should recognise the dock and its users as sensitive receptor.

As part of the ecological surveys we would suggest that the infilling of the dock should also be considered. Especially in terms of fauna and flora surveys to determine what may be living in this part of the dock and any mitigation measures required. The local universities may have some survey data on this dock. It is understood that Dr Simone Durr (LJMU) has research panels in the docks and Dr Matthew Taylor (Liverpool University) also carries out research in the docks.

In terms of design, the buildings are of a sympathetic size and are unlikely to compete with the remaining historic warehouses. The proposed site plan shows a landscaped waterspace/frontage to the dock. The Trust would welcome this and opportunities to maximise activity along the waterspace. The detailing of boundary treatments would need careful consideration and any safety railings or landscape detailing should be sympathetic to the historic docks.

Clearly a full heritage assessment will be required in terms of any impact on the World Heritage Site and in terms of any archaeological interest on the site.

The works would also need to be carried out in accordance with the Trusts Third Party Works Code of Practice. Further details on this can be found on our website. <https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice>

If you have any queries please contact me, my details are below.

Yours sincerely

Tim Bettany-Simmons (MRTPI)
Area Planner North West & North Wales
Tim.Bettany-Simmons@canalrivertrust.org.uk
07342 057926

**Canal & River Trust Fradley Junction, Alrewas, Burton-Upon-Trent,
Staffordshire, DE13 7DN**

T 0303 040 4040 **E** planning@canalrivertrust.org.uk **W** www.canalrivertrust.org.uk

Patron: H.R.H. The Prince of Wales. Canal & River Trust, a charitable company limited by guarantee registered in England and Wales with company number 7807276 and registered charity number 1146792, registered office address First Floor North, Station House, 500 Elder Gate, Milton Keynes MK9 1BB

Appendix I

Places Matter Consultation Feedback

Greg Malouf
Romal Capital Limited

By email

30 August 2018

Dear Greg,

**Re: Residential apartments for Romal Capital by Ollier Smurthwaite
Plot C-02, Liverpool Waters – 17 August 2018 at RIBA North, Liverpool**

Thank you for bringing this scheme to Places Matter Design Review and for giving a very clear presentation of your proposals, at a good stage in the design development. We welcomed the opportunity to provide this Design Review under the Liverpool City Region Combined Authority MHCLG Funded Programme for 2018/19.

The proposals sit within the Central Docks neighbourhood of Liverpool Waters, in the buffer zone to the World Heritage Site. The development is seeking to create c.600 residential apartments, mostly of 1 and 2 bedrooms, but with the option to include some 3 bedroom units.

The proposed height and massing are intended to respect key views within the WHS and in particular, the taller elements of the Waterloo Warehouse. The site will have 147 car parking spaces and a series of “pocket parks” between the new blocks.

Design Review

The panel thanked you for your very clear presentation and for considering the wider context. There is a need to explore more fully just how it will “feel to live here”, how the services of everyday life will be provided and the distances between these and the development. In this respect you were asked to “shrink the diagram” to help put the site into its wider local context and to clearly identify the relative distances to shops / cafes / gym / nursery / public transport etc.

The massing on the site was discussed in the context of the relatively close proximity of the blocks, c. 13m to 16m, which may feel a little dense. You were asked to test this with daylight analysis and to add this to the urban design analysis to give greater clarity to the narrative.

The level and form of the car parking was felt to be at odds with creating a place and to be “taking the lions share of the landscaping”. This currently dominates the site and you were asked to consider the option of podium and underground parking and indeed whether so much provision was needed in this location so close to the city centre.

The panel supported your intentions to present a different model to the city but encouraged you to explore ways of offering more back to the city by addressing the weaknesses of the ground plane.

The current landscape proposals are very schematic and although the ‘pocket parks’ provide external spaces, once in the site you are presented with a matrix of parking spaces. This leaves an uneasy sense of a “lack of joy on arrival” and question marks over just how it all really fits together in placemaking terms.

You have presented a very clear basic diagram of the historic context and the value of the striking projecting campaniles of the Waterloo Warehouse. Overall the architecture is logical and robust, but the panel were of a very clear view that this approach and analysis demands a much stronger central public space fully aligned with the first campanile. You were strongly urged to consider how you might remove all car parking from this area and really “big up” the central space.

There is more work needed on the hierarchy of spaces if new residents and visitors are to be able to come to a place that has true amenity. You were asked to consider how by raising the datum you might create a series of car free spaces between the blocks and allow the entrances to the ground floor apartments – which were welcome to provide ground level activity - more immediate amenity space.

At present, the “3D architecture is not coming off in the placemaking dimension”. A series of full cross sections are needed for you to understand what might better be achieved and what is within your capacity to enhance the amenity for new residents. In this respect, whilst it is outside of your control and not for you to fund, you should consider what you want from the adjacent ferry terminal site and show this on the diagram.

You should reconsider the positioning of the café to the roundabout, which was felt to be the wrong place for this amenity in terms of likely footfall and having a beneficial local outlook.

The panel discussed the potential to provide amenity spaces at roof level, to take advantage of the spectacular views from that height. The alternative might be to either create a series of duplex apartments, with external spaces, or perhaps a series of communal 'winter gardens' at high level that would create a differentiated offer to the market.

Overall the panel accepted your approach to height and scale and felt that the materials and detailing would lead to a robust scheme. Whilst understanding the parameter plan basis of the development, the panel questioned the logic of being entirely restricted by this, given that you have broken the eaves line datum of the Waterloo Warehouse. In design terms you might seek to go up say a further two storeys and use that to put the entire car parking underground.

The colonnade to the canal side was felt to be a useful sheltered canopy space, but in architectural terms it suggests that there should be something to do, rather than it being a private residential frontage. If you are to activate the proposed boardwalk then the opportunity to introduce independent amenity retail along this frontage might be explored, alongside 'live work' and other play opportunities.

Once there is a density of population here these facilities should have the capacity to flourish and if water based activity is also introduced, would help to create a much more interesting body of water.

In summary, the panel felt that the key to this development was to ensure that you have absolutely the correct diagram. Architecturally you have the capacity to handle any diagram, but you must get the place right and then impose that approach on future developments. By getting the 'place' and ground plane correct you will be able to justify the scale of the accommodation.

The Panel thanked you for your active participation in the review process. We have the option to offer Desk Review for returning schemes, once you have considered the outcome of this review and your subsequent discussions with the Planning Authority have been completed.

Yours Sincerely,



Richard Tracey
Design Review Manager

Cc: Matt Ollier – Ollier Smurthwaite
Ali Siddique – Ollier Smurthwaite
Rob Burns – Urban Design & Heritage
Kate Wooff - Planit-IE
Ian Pollitt - Peel Land & Property
Phil Jones - Peel Land & Property
Peter Jones - Liverpool City Council

Appendix J

MEAS Consultation Feedback

Merseyside Environmental Advisory Service
1st Floor Merton House, Stanley Road
Bootle, Merseyside, L20 3DL
Director: Alan Jemmett, PhD, MBA

Enquiries: 0151 934 4951

Contact: Lucy Atkinson
Email: measdconsultations@sefton.gov.uk

DISCRETIONARY ADVICE

To: Ian Ford
Organisation: Arup

From: Lucy Atkinson

Your
Ref: DISC18-024
File Ref: \\global\Europe\Liverpool\Jobs\262000\262812-
00 - C02 Central Docks\4 Internal Project
Data\4-05 Reports\4-05-13 Town Planning\Pre-
App\MEAS\MEAS Advice.docx
4th October 2018

Date:

Proposed Residential Development, Plot C02, Central Docks, Liverpool Waters

1. Thank you for seeking discretionary advice from Merseyside Environmental Advisory Service on your proposal for residential development on plot C02, Central Docks, Liverpool Waters.
2. Having reviewed your proposal and available environmental information, our advice on archaeology and historic environment, biodiversity and ecology, Environmental Impact Assessment, Habitats Regulations and Waste is set out below in two parts.
 - Part One deals with issues of regulatory compliance, action required **prior to determination** and matters to be dealt with through planning conditions. Advice is only included here where action is required or where a positive statement of compliance is necessary for statutory purposes.
 - Part Two sets out guidance to facilitate the implementation of Part One advice and informative notes.

In this case Part One comprises paragraphs 3 to 45, while Part Two comprises paragraph 46 to 51.

Part One

Archaeology

3. A single non-designated heritage asset is recorded on the Merseyside Historic Environment Record as lying within the proposed development:

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MME 17724 – the former site of a Dock Gateman's Office, shown on Gage's and Bennison's Town Plans of 1835, the Town Plan of 1850 & 1864, but absent from the 1st Edition OS 1:2500 of 1891.

This structure lies on the southern edge of the proposed development.

4. An archaeological field evaluation by Headland Archaeology in 2017 in relation to the proposed link road to the new Isle of Man Ferry Terminal, revealed the presence of the dock wall along with associated structures of an unknown form and function, sandstone sett and bituminous floor surfaces, a red brick wall, other historic floor surfaces, sequences of made ground deposits and some small remnants of structures, as well as a large cast concrete structure probably associated with the sewerage system.

There is therefore a potential for structures and surfaces associated with the late 19th and early 20th century modifications to the Dock to be encountered.

5. The CgMs Archaeological Deposit Model (2011), prepared as part of the Liverpool Waters development, shows the proposal site to contain areas of high archaeological potential. Such areas have been identified within the Liverpool Waters development, where feasible, as meriting preservation in situ. Elsewhere within the Liverpool Waters development this has been undertaken through a scheme of staged post-permission works involving archaeological evaluation, excavation, watching brief and preservation in situ by means of a suitable foundation design].
6. The proposed development site lies with the Liverpool Maritime Mercantile City, World Heritage Site Buffer Zone. The World Heritage Site Supplementary Planning Document (2009), section 4.7 Dock Water Spaces states:

4.7.2 The surviving docks in the WHS and Buffer Zone represent a significant part of the "biggest and most complete system of historic docks in the world" and so any development, which would compromise that globally superlative system, would need exceptional justification. The historic docks in the WHS and Buffer Zone still show a strong homogeneity of design and materials. These docks create a distinctive dockland landscape that forms an essential part of the WHS's character and OUV. **It is essential that the fundamental integrity of the docks as open water spaces is retained.**

4.7.6 The surviving areas of docks in the WHS and Buffer Zone, including historic dock retaining walls, quaysides, artefacts and their water spaces should be conserved, retained and enhanced.

4.7.7 In this context **it is considered inappropriate for existing water spaces within the docks that survive within the Buffer Zone to be infilled.** The only exception will be where permission has previously been granted for partial infilling and where circumstances have not changed sufficiently for any similar proposals to be resisted in the future. The retention of open water is considered by the council to be highly desirable in terms of retaining the character and value of these spaces in both historic and urban design terms.



4.7.10 Proposals to introduce new active uses in the water spaces and to berth vessels and non permanent structures in the water spaces will generally be supported, subject to:

- i) such uses not creating nuisance to surrounding occupants**
- ii) such structures not dominating a waterspace by virtue of its coverage**
- iii) the water space remaining the dominant characteristic element.**

4.7.11 Proposals to build permanent structures in the water spaces may also be acceptable subject to:

- i) the same caveats as in 4.7.10**
- ii) them not prejudicing water-based activities or the role of the docks as settings for surrounding buildings/developments**
- iii) the role of the docks in demonstrating innovative technologies and method of dock construction being safeguarded and transmitted**
- iv) the community benefit of a new structure being proven to substantially outweigh any disbenefits to the cultural heritage**
- v) the new development being proven to enhance the OUV of the WHS.**

All such proposals should therefore generally only occupy a small proportion of the overall water space and not dominate that water space.

7. The proposals relating to the cruise terminal that was to previously occupy this area, were only permitted as they involved infill of only a small proportion of the Dock, required a waterside setting (i.e. one that offered access to the Mersey), involved the water space remaining the dominant characteristic element and provided sufficient community benefit, and were therefore in accordance with 4.7.10 (iii) and 4.7.11 (iv).
8. The current proposals require infilling of around 50% of the current dock water space, are of a type that does not necessarily require a dock-side location (certainly when compared to the use as a cruise terminal), and is of a private nature that does not confer a community benefit that substantially outweighs the disbenefits to the cultural heritage. They are therefore considered to fail to meet the requirements of 4.7.10 (iii) and 4.7.11 of the WHS SPD.
9. An application in 2006 (06F/2292) to carry out engineering works so as to narrow and re-align the Liverpool Canal Link through Trafalgar and West Waterloo Docks; to bridge the canal link at Trafalgar Dock and to backfill the remainder of West Waterloo Dock to 0.5 metres below quayside level, using suitable material arising from the construction of the canal channel was refused planning permission, as it would be:



“detrimental to the setting and views into and out of the Stanley Dock Conservation Area and the World Heritage Site; and would serve to irreversibly undermine the historic significance of this part of the Liverpool dock system and the World Heritage Site Buffer Zone, contrary to guidance in PPG15, UDP Policies HD5 (Development Affecting the Setting of a Listed Building) and HD12 (New Development Adjacent to Conservation Areas) and World Heritage Site Designation.”

10. The Liverpool Unitary Development Plan (2002) Policy HD16 states:

“There will be a presumption in favour of the preservation of scheduled ancient monuments and other nationally important monuments and their settings. Planning permission for development which would have an adverse effect on their site or setting will not be granted.”

The application, by virtue of the extent of infilling that it will require, is considered to have an adverse impact on the Outstanding Universal Value of the WHS, a nationally and internationally important site.

11. The Liverpool Local Plan Pre-submission draft, whilst not adopted policy, does convey the intended direction the City Council wish to follow, and Policies CC10 a), e), g), HD1, HD2 & GI4 all indicate that development that does not accord with the WHS SPD guidance and fails to retain the openness of the Docks. water spaces will not be permitted.
12. The current proposals are therefore considered to be contrary to Local Plan Policy HD16, the World Heritage Site Supplementary Planning Document and emerging Draft Local Plan Policies CC10, HD1, HD2 & GI 4.
13. Submission of a planning application for the proposed development as it currently stands would be likely to meet with advice from MEAS that planning consent therefore be refused.

Habitats Regulations Assessment

14. The development is immediately adjacent to the Liverpool Bay SPA and is also near to the following European sites which are protected under the Habitats Regulations 2017:
- Mersey Narrows and North Wirral Foreshore SPA;
 - Mersey Narrows and North Wirral Foreshore Ramsar;
 - Ribble and Alt Estuaries SPA;
 - Ribble and Alt Estuaries Ramsar;
 - Sefton Coast SAC;
 - Mersey Estuary SPA; and
 - Mersey Estuary Ramsar.
15. The proposals will require the infilling of West Waterloo Dock which is functionally linked to the above SPA and Ramsar sites. The loss of this functionally linked habitat would likely require the provision of **significant** compensatory habitat to enable the

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Council to conclude, as part of the Habitats Regulations Assessment, that the proposals would not adversely affect the integrity of the European sites.

16. In addition to effects upon qualifying bird species, the development may potentially have direct or in combination effects on the features for which the sites have been designated due to increased recreational pressure. I advise the following:
 - Recreational pressure is recognised in the formal statutory Conservation Advice Packagesⁱ and / or the Site Improvement Plansⁱⁱ as a Medium-High risk to qualifying features of the European sites. Recreational pressure is also highlighted in the Liverpool City Region Local Plans HRAsⁱⁱⁱ as a Likely Significant Effect in combination with the quantum of residential development identified within the Local Plan period in Policies H1 and H2; and
 - Details of an assessment of, and mitigation for, the potential for damage to the European sites caused by increased recreational pressure (as set out in Part Two, paragraph 49) is required. Due to the number and scale of recently proposed housing developments with proximity to the European sites, this additional information is required to enable the Council to carry out an HRA prior to determination.
17. As part of the HRA an in-combination assessment will be required and the onus will be on the applicant to obtain and provide details of schemes to be considered during the completion of this. This will also require details of plans and projects to be obtained from neighbouring authorities including Wirral (e.g. Wirral Waters).
18. To enable the HRA to be completed the following information would also be required:
 - Details of the site as it currently exists (the Ecological Appraisal should provide sufficient information on this (see below));
 - Detailed plans including; the total area, areas of site compounds, transport routes and the precise location(s) of proposed work;
 - Detailed construction method statement(s) setting out; what work will be done, when (an indication of the time of year and how long work will take), how the work will be undertaken, if there will be any emissions (such as to water, air, disposal to land) and any transport requirements to the site;
 - Clarification as to whether piling will be required and, if so, the piling methodology (rotary piling will be preferable to limit noise disturbance effects);
 - Details of the materials, machinery and equipment to be used; and
 - An outline Construction Environmental Management Plan which outlines pollution prevention measures (this must consider noise, transfer of dust and run-off of contaminated surface waters into the adjacent dock and estuary).
19. To enable completion of the HRA, the air quality and noise assessments undertaken in support of any future development **must** include the Liverpool Bay SPA as a sensitive receptor. This also applies to any assessment of lighting.



20. On 12 April 2018, the European Court of Justice issued a judgement (known as *People Over Wind and Sweetman v Coillte Teoranta*) which ruled that measures intended to avoid or reduce the harmful effects of a proposed project on a European site can no longer be taken into account by competent authorities at the Assessment of Likely Significant Effects (ALSE) stage and should instead be assessed within the framework of an Appropriate Assessment. This will require a distinction to be made during the ALSE between essential features and characteristics of a project (e.g. its nature, scale, design, location, frequency, timing and duration) and measures which have been added to a project which are intended to avoid or reduce the harmful effects of a project on a European site.
21. In addition to the above, various ecological survey and assessments will be required in order to inform the HRA. These are discussed further below.
22. The proposed development would remove West Waterloo Dock as an option for strategic mitigation for Liverpool Waters (LPA ref: 100/2424). The applicant also needs to consider that the mitigation for both the Northern Link Road (LPA ref: 17F/2628) and Cruise Liner Terminal (LPA ref: 17O/3230) applications is due to be situated at the dock and the proposed development would render it entirely unsuitable for this. West Waterloo Dock was identified as a suitable location for the provision of mitigation for qualifying bird species due to the fact that there is still tidal interchange and, as a result, the dock provides a good food source for water birds.

Ecology

Ecological Impact Assessment

23. The applicant has concluded that the proposals, as currently envisaged, will qualify as EIA development and that ecology will be scoped into the EIA. I advise that the Ecological Impact Assessment (EclA) must be undertaken in accordance with CIEEM^{iv} (2018) guidelines. The EIA and HRA should be coordinated as required by the EIA Regulations 2017.
24. I advise that an Ecological Appraisal that meets BS 42020:2013 would be required **prior to determination** of any future planning application in order to inform both the EclA and HRA. Suitably qualified and experienced persons should carry out all surveys using appropriate standard survey methods and guidance. See Part Two for further information.
25. Earlier in 2018, MEAS agreed a Neighbourhood Ecology and Biodiversity Strategy (NEBS) for development in the Princes Dock Neighbourhood to the south (*WYG, 18 May 2018, A106992, Rev 2*). This sets out the surveys that will be required in relation to development within that neighbourhood and also specified survey methodologies and the level of survey effort required. The proposed application site at West Waterloo Dock lies outside of Princes Dock Neighbourhood, although it is considered that the scope of surveys set out in the agreed NEBS document will also apply to development throughout Liverpool Waters area. I therefore advise that the applicant's ecological consultant reviews the NEBS in order to appreciate the scope and level of ecological surveys that would be required in support of any future planning application. However, further information on specific survey requirements is provided below.



Non-breeding birds

26. I advise that non-breeding bird surveys (undertaken from September to March inclusive) would also be required to inform the EIA and HRA. A minimum of 36 hours vantage point survey will be required (in accordance with the current best practice for vantage point surveys (SNH^v, 2014)) and the survey should include the entire zone of influence of the proposed development. However, I advise that the applicant's ecological consultant obtains and reviews non-breeding bird survey information acquired in relation to the Northern Link Road application and the emerging Isle of Man Ferry Terminal proposals. The use of this data may avoid the requirement for full non-breeding bird survey to be completed on this occasion.
27. The applicant's ecological consultant should also refer to the TEP (2015) survey of the docklands^{vi}. This survey is now out of date for planning purposes, but may provide some useful contextual information.

Breeding birds

28. Breeding common tern are a qualifying feature of the adjacent Liverpool Bay SPA and common tern surveys (from March to June inclusive) would be required **prior to determination**. As for non-breeding birds, the applicant's ecological consultant should review the pre-existing survey information to determine how much additional survey work will be required in support of any future planning application.

Aquatic surveys

29. Surveys for fish and benthic invertebrates would also be required **prior to determination**. An integrated aquatic survey sampling methodology would be needed to (i) characterise the aquatic communities / habitats present (ii) enable impact assessment to be completed and (iii) advise on any avoidance measures, mitigation and compensation needed. A key point will be to identify potential prey items, such as fish species, for any of the designation features of the European sites e.g. cormorant / grebe / common tern, which form part of the water bird assemblages.
30. The applicant should be aware of the potential presence of Starlet Sea Anemone (*Nematostella vectensis*) which is a protected species listed on Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It has been recorded in close proximity to the application site during site investigations completed in relation to the proposals for the Cruise Liner Terminal and Isle of Man Ferry Terminal.
31. The physical and chemical composition of the dock sediments to be removed and/or disturbed by the proposed development will need to be known to inform impact assessment and mitigation, re-use potential and disposal options e.g. environmental permit requirements.

Other matters

32. The application site lies adjacent to the Mersey Estuary Nature Improvement Area (NIA), and any future development should explore opportunities to compliment this. Excessive tree planting will not be appropriate on the site, although there are other

options for enhancing the site's ecological value, such as the creation of green walls / roof areas. See Part Two for further information.

33. I advise that an integrated approach and liaison between the applicant's environmental specialists would be required to ensure that any future archaeological or intrusive site investigation works do not have harmful ecological impacts.

Environmental Impact Assessment (EIA) Scoping

34. The Environmental Statement that supports the planning application should include the following sections as a minimum:

- A non-technical summary;
- Detailed scope of works;
- Reference to key plans and legislation. It is essential that all relevant guidance and policies be complied with as appropriate;
- Detailed baseline review (associated with all development issues); and
- Detailed integrated assessment of all environmental impacts. This assessment needs to take into account the nature of impact (importance, magnitude and duration – quantified as appropriate), reversibility of impact, mitigation, monitoring measures (including reference to long-term management and maintenance measures/plans) and residual impacts.

35. It is proposed that the EIA will include the following:

- Details of proposal including infilling process;
- Ecology;
- Flood risk;
- Townscape/visual impact;
- Ground conditions and contamination;
- Traffic;
- Air Quality;
- Noise and vibration;
- Microclimate.

36. In addition to this, the following chapters should be included in the scope of the EIA: archaeology and cultural heritage, climate change (impacts both to and from the development) and cumulative (in-combination and synergistic) impacts with other developments including the wider Liverpool Waters project. Low carbon design and renewable energy should be considered as part of the application, and consideration should be given to how this development will fit in with the Neighbourhood Energy Strategy for central docks.

37. It is proposed to scope out population and human health, and waste from the EIA. Issues affecting population and human health should be addressed by air quality and noise assessments, but subject to the Council being satisfied socio-economics can be scoped out.

38. It is agreed that waste can be scoped out, as long as waste is not being proposed as part of the infill process, in which case the proposed infill is likely to be considered as



waste operation, and full compliance with the Merseyside and Halton Joint Waste Local Plan (WLP) will be required. However, impacts of waste management both during construction and operationally will need to be considered in line with the WLP (see paragraphs 43 to 45 below).

39. It is important that the conclusions of the environmental impact assessment are transparent and that all information used to draw conclusions is clearly presented and objective (including survey/assessment results) to enable third party verification.
40. I advise the applicant to consult best practice guidance that could assist in the EIA methodology. For example, Environment Agency Best Practice guidance, CIEEM Guidelines for Ecological Impact Assessment.
41. The scoping phase of an Environmental Impact Assessment (EIA) presents the best opportunity to ensure that all the environmental impacts of a development are considered at an early stage. The EIA should also make a clear distinction between construction, operational and (if appropriate) decommissioning impacts and include a statement with regard to the phasing and timing of works for all site areas.
42. It is important that an integrated approach is taken to the EIA methodology to ensure consideration of interactions and in-combination effects. In addition, it is necessary to ensure that the results of the assessment are used to inform development design and the master plan.

Waste

43. The proposal is major development and involves excavation and construction activities which are likely to generate significant volumes of waste. Policy WM8 Waste Prevention and Resource Management of the Merseyside and Halton Joint Waste Local Plan (WLP), the National Planning Policy for Waste paragraph 8, bullet point 3 and Planning Practice Guidance paragraph 49 apply.
44. I advise that any planning application should be accompanied by clear evidence showing what steps will be taken to design out waste, minimise waste production and how wastes arising will be re-used and recycled, and off-site disposal minimised. This should be in the form of a waste audit or a similar mechanism such as a demolition method statement or site waste management plan.
45. Policy WM9 (Sustainable Waste Management Design and Layout for New Development) of the Merseyside and Halton Joint Waste Local Plan (WLP) and the National Planning Policy for Waste (paragraph 8, bullet point 2) apply. I advise that information relating to household and commercial waste storage and collection is required by policy WM9 and should be included with any planning application.

Part Two

Habitats Regulations Assessment

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46. When considering residential proposals the applicant will need to consider and include additional mitigation/preventative measures capable of being incorporated in the proposals and/or scheme design that will avoid and/or mitigate recreational pressure on the European sites and functionally linked habitat. The Liverpool City Region has commissioned a wider strategic approach to visitor and recreation pressure management. This work may help inform the delivery of visitor and recreation mitigation to protect European Sites within the City Region. This work is currently ongoing and no firm proposals have been proposed or agreed - it is now scheduled for completion in late 2018.
47. Activities which may lead to an increase in recreation pressure include, but are not limited to, the following:
- Active leisure pursuits e.g., cycling, geo-caching, running;
 - Car parking;
 - Dog walking;
 - Events;
 - Recreational activities that are shore-based and/or have an interaction with the intertidal zone e.g. horse-riding, kite surfing, sand yachting;
 - Walking and informal recreational access; and
 - Water based activities e.g. kayaking, motorised water sports, sailing.
48. The mitigation/preventative measures outlined below are not exhaustive and the applicant will need to consider an appropriate package that is informed by the location, scale and housing mix of the development proposed. I advise that a clear distinction is needed between those parts of the proposed development which are essential features and characteristics and those which are proposed as mitigation / protective measures designed to protect the European sites.
49. Examples of mitigation/preventative measures that could be included in an appropriate package:
- Design and management of public open space outside the proposed development boundary to encourage use not on the European coastal sites;
 - Provision of information in sales packs, informing residents of the presence and importance of the European sites, and how residents can help protect them including an outline 'responsible user code';
 - Contributions to develop a visitor / householder 'responsible coast user code';
 - Contributions to improving and / or managing access to and/or within the internationally important nature sites including financial contributions; and
 - Contributions to increase recreation management, wardening including, location-specific interventions e.g. signage, path management, habitat management including financial contributions.
50. Incorporation of these measures into the development proposal and scheme design, based on survey information, may enable the Council to conclude under the Habitats Regulations that there is no adverse effect on the integrity of the SACs, SPAs and Ramsar sites.



Ecology

51. The following should be included in the Ecological Appraisal which meets BS 42020:2013:

- A desktop study and consultation with Merseyside BioBank Local Record Centre following CIEEM guidelines (Guidelines for Preliminary Ecological Appraisal, December 2017), identifying any records for designated site(s), protected and priority species and habitats on site or within a reasonable distance, depending upon local factors. However, a data search of 1km radius is expected as a minimum;
- An Extended Phase 1 Habitat survey identifying the habitats present on and adjoining the site, with maps, target notes and habitat area (in hectares) included within the report, in accordance with methods set out in the JNCC Handbook for Phase 1 Habitat Survey (2010);
- The potential for protected and/or Priority Species to be present and any requirements for specialist surveys e.g. breeding birds, bats, water vole. Where further specialist surveys are identified, the report should confirm when these surveys will be/have been undertaken;
- Identify ecological impacts upon protected and/or Priority Species or Habitats and for designated sites upon the reasons for designation as a result of construction work or future site use operation and include measures for avoidance and/or mitigation;
- Identify any invasive and species (Wildlife and Countryside Act 1981 as amended), present on the site or within 7m of the site boundary. The location and extent of any invasive or injurious weed species should be shown on a scaled plan included with the survey report; and
- Identify appropriate opportunities for the proposed development to help improve biodiversity in line with the requirements within NPPF Section 15 and how this would specifically contribute towards the biodiversity duty (Natural Environment and Rural Communities Act 2006), and Government's 25 Year Plan. The LCR Ecological Network may help in scoping appropriate opportunities and is available at <http://www.meas.org.uk/1263> MEAS may be able to provide further information to the applicant as the scheme progresses as per our discretionary advice services http://meas.org.uk/media/7174/I-want-MEAS-Discretionary-Advisory-Services_v2.pdf.

Our advice is based on our understanding of your proposal. If there are any subsequent changes to your proposal, or to legislation, policy and/or statutory guidance, when your planning application is considered, our advice to Liverpool Local Planning Authority may change or raise additional matters.

Our invoice will follow within 14 days as agreed.

Please let me know if you have any specific queries regarding the advice provided.

Lucy Atkinson

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Environmental Appraisal and Support Services Team Leader

Merseyside Environmental Advisory Service – delivering high quality environmental advice and sustainable solutions to the Districts of Halton, Knowsley, Liverpool, St.Helens, Sefton and Wirral



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- i <https://www.gov.uk/government/publications/irish-sea-marine-area-index-map-and-site-packages>
- ii <http://publications.naturalengland.org.uk/publication/6274126599684096>
- iii http://consult.liverpool.gov.uk/portal/draft_liverpool_local_plan?tab=files
- iv CIEEM (2018) Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management, Winchester.
- v SNH (2014) Recommended Bird Survey Methods to Inform Impact Assessment of Onshore Wind Farms, Scottish Natural Heritage
- vi TEP (2015) Assessment of Supporting Habitat (Docks) for Use by Qualifying Features of Natura 2000 sites in the Liverpool City Region - Ornithological Report, 4157.005, version 3.0. www.meas.org.uk/1088

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Appendix K

Natural England Consultation Feedback

Date: 21 September 2018
Our ref: DAS 12921/235034



Ian Ford- Arup
On behalf of Greg Malouf- Romal Capital

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

0300 060 3900

Dear Ian,

**Discretionary Advice Service (Charged Advice):
DAS 3857/253932 DAS meeting 11 September 2018
Development proposal and location: Plot CO2 Central Docks, Liverpool Waters**

This letter provides a summary of Natural England's advice following the meeting held on 11 September 2018. This advice is provided through Natural England's Discretionary Advice Service and in accordance with the Quotation and Agreement dated 4 September 2018.

In addition to attending the meeting Natural England has reviewed the document provided ahead of the meeting: "C02 PRE-APP Rev C".

Natural England role and engagement

Natural England is a non-departmental public body with a statutory purpose to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Natural England are a statutory consultee as part of the planning application process, providing advice to Local Planning Authorities and other regulators, including the Marine Management Organisation.

Natural England can provide quality tailored advice at pre-application, pre-determination and post-consent stages through the Discretionary Advice Service (DAS). Natural England can ensure that appropriate environmental considerations are made at an early stage of a proposal minimising the risk of delays later in the consultation process.

Natural England welcomes early engagement on this development within the Liverpool Waters Scheme as it provides us an opportunity to highlight important considerations required early on, therefore potentially reducing our time taken to respond during the statutory planning stages. We would be happy to provide further advice as this proposal as the project develops. We can offer further advice through our [Discretionary Advice Service](#) on survey design and methods, review of draft HRA/EIA documents and provide further advice to support mitigation design. Please contact me at the details below to discuss these opportunities further.

Designated sites – general comments

We can confirm that the proposal is adjacent to Liverpool Bay / Bae Lerpwl Special Protection Area (SPA) and approximately 1km from Mersey Narrows and North Wirral Foreshore SPA and Ramsar and Mersey Narrows Site of Special Scientific Interest (SSSI). These sites should be considered within any environmental assessments to come forward. Further consideration to other designated sites, including Sefton Coast Special Area of Conservation and Ribble and Alt Estuaries SPA/Ramsar if impact pathways (e.g. recreational pressure) are identified. See additional comments below on recreational pressure.

Site citations and further information on the designated sites is available at Natural England's [designated sites view](#) system.

Natural England has published Conservation Advice packages which may provide useful information to aid the assessment for the Mersey Narrows and North Wirral Foreshore SPA. A full list of the available Liverpool City Region packages and supporting guidance is available here:

<https://www.gov.uk/government/collections/conservation-advice-packages-for-marine-protected-areas>.

We currently do not have an updated Conservation Advice package for Liverpool Bay SPA. You may find some useful background information available in the original Regulation 35 package. However, please note this does not cover the additional features protected through the recent extension of the site and only provides advice on red throated diver and common scoter.

<http://publications.naturalengland.org.uk/publication/3236717?category=3212324>.

Habitats Regulations Advice and available evidence

We recommend that you ensure you consider all the relevant bird features (and supporting habitats) within a Habitats Regulations Assessment (HRA) and provide clear explanation with supporting evidence on the features screened in and out of any assessment coming forward. WeBS data is a useful source for evidence of bird numbers and trends <https://blx1.bto.org/webs-reporting/>.

Please note that breeding common tern is a feature of the Mersey Narrows and North Wirral Foreshore and foraging common terns are protected through Liverpool Bay SPA. Evidence of foraging common terns utilising the River Mersey is available and you should ensure that this feature is assessed within any assessment coming forward. You may find this reference useful information to aid your assessment;

<http://publications.naturalengland.org.uk/publication/6688364374786048>

An additional tool which you may find useful to aid your assessment of the proposed works and provide additional references and guidance (particularly for noise disturbance) is the [Bird Mitigation Toolkit](#). Further information on noise disturbance and useful references may be found within the Conservation Advice packages as mentioned above. We advise that noise impacts should be considered for designated bird features inside designated sites and for functionally linked supporting habitats outside designated sites.

We advise that there may be sufficient evidence available through recent development planning applications that are in the vicinity of the proposed works. Any gaps within the evidence should be identified and supplemented with additional survey work as required to ensure the HRA is supported by a robust evidence base.

Functionally Linked Land

Natural England advises that the docks and waterfront area are likely to provide supporting functional habitat (feeding and roosting) for birds from a number of internationally important sites including Liverpool Bay SPA and Mersey Narrows and North Wirral Foreshore SPA/Ramsar and therefore consideration of impact to the function of these areas is required within the HRA. Natural England would expect to see a thorough assessment of the potential impact of dock infilling on ecological receptors.

In combination assessment

We advise that as part of any in combination assessment you consider all schemes which may impact on the interest features of the designated sites. This could include plans or projects from neighbouring Local Planning Authorities (Liverpool City Council and Wirral Council) and the Marine Management Organisation.

Mitigation measures

Natural England cannot provide detailed advice on potential mitigation measures at this stage, however we would be happy to provide further advice through our [Discretionary Advice Service](#) once a HRA has been drafted.

People Over Wind ruling

Those undertaking HRAs should be aware of a recent ruling made by the Court of Justice of the European Union (the CJEU) on the interpretation of the Habitats Directive in the case of People Over Wind and Sweetman vs Coillte Teoranta (ref: C 323/17). The case relates to the treatment of mitigation measures at the screening stage of a HRA when deciding whether an appropriate assessment of a plan/project is required. The Court's Ruling goes against established practice in the UK that mitigation measures can, to a certain degree, be taken into account at the screening stage. As a result, Natural England advises that any "embedded" mitigation relating to protected sites under the Habitat Regulations 2017 Regulation 63 (1) should no longer be considered at the screening stage, but taken forward and considered at the appropriate assessment stage to inform a decision as to whether no adverse effect on site integrity can be ascertained. In light of the recent case law, any reliance on measures intended to avoid or reduce harmful effects at the likely significant stage is vulnerable to legal challenge.

Recreational pressure

Recreational disturbance to internationally protected coastal sites is an issue across the Liverpool City Region. This pressure is a particular issue through in-combination effects, for example additional housing may result in additional recreational visits, and therefore increase disturbance at the coastal designated sites. We advise that you consider the impact of recreational disturbance resulting from the additional residential dwellings proposed, within a HRA.

We are aware that the Local Planning Authorities (LPAs) around the Liverpool City Region are currently considering the scope for a city wide strategic mitigation measure for recreational disturbance. This will help LPAs and developers address the issues arising from additional housing, thus helping deliver compliance with the Habitat Regulations and contribute to sustainable development. However, we are currently unclear whether this measure will be adopted within the timescales of the proposed development.

In the event that a strategic mitigation scheme is not available, Natural England would continue to encourage consideration of recreational disturbance at a strategic level, however in the absence of this, individual projects will need to provide mitigation (if required) on a case by case basis.

Strategic Mitigation

We are aware of a number of developments coming forward in the vicinity of the works and as part of the Liverpool Waters Scheme, each development may have individual proposed mitigation measures, therefore you would need to ensure that this proposal does not undermine any other proposed mitigation in the vicinity of the development. With that in mind we strongly encourage the consideration of a strategic approach to mitigation across the Central Docks and wider Liverpool Waters Scheme.

There is an opportunity for future proposals to contribute to a strategic approach in which mitigation measures and biodiversity enhancements across the whole scheme can be considered together. This strategic approach will ensure that nature conservation is duly considered amongst all the developments, and potentially allows developers an opportunity to have more certainty in gaining permissions for their proposals. We would welcome further discussion with the applicants and the landowner in regards to developing a strategic approach across the Liverpool Waters site.

Marine Environment and dock infill comments

Natural England would expect to see consideration of the impact of potential dock infill on the supporting function of the dock waters in relation to qualifying features of the SPAs as mentioned above within the HRA. Potential impacts on the wider marine environment should also be considered within the Environmental Statement.

We would expect to see further details on the methods and materials to be used for dock infill and will provide additional comments and advice on this in due course. However, the material used should be inert and demonstrated that it is free from contamination.

As stated above, we are aware that survey work from adjacent developments could provide useful

evidence to support an application, including marine benthic survey work that has been undertaken for the proposal of the Isle of Man Ferry Terminal relocation. However, with the proposal of dock infill we would expect to see additional survey work to further understand the marine ecology of the West Waterloo dock, therefore providing additional supporting information to inform the environmental assessment of the proposal. We would expect to see sufficient survey effort through benthic grabs and wall scrapes. Natural England can offer further advice regarding appropriate survey design through our Discretionary Advice Service.

Natural England is aware of records of *Nematostella vectensis* (starlet sea anemone) in the River Mersey close to the development site. This species is protected under Schedule 5(9) of the Wildlife and Countryside Act (1981). We would encourage the developer to ensure that this species is considered when designing survey work. Further advice on marine schedule 5 species can be found on: <https://www.gov.uk/government/publications/protected-marine-species>

We advise any survey work also aims to identify marine invasive species, further consideration to any desk based evidence regarding invasive species would be useful to therefore provide baseline evidence of whether any invasive species are present within West Waterloo dock and further understand if there is a potential risk of spread of invasive species. The UK has a target within the Marine Strategy Framework Directive to reduce the risk of introduction and spread of non-native species through improved management of high risk pathways and vectors. Invasive non-native species (INNS) do and can cause significant impacts to our native biodiversity through competition and disease and to our economy, as they are often costly to control or eradicate.

We advise for completeness that you seek additional advice on potential impacts from the proposed works on migratory fish from the Environment Agency.

Any works that take place below mean high water (MHW) would be subject to a marine licence from the Marine Management Organisation (MMO), we encourage you to confirm that a marine licence is not required for any aspect of the proposed works. Please see the MMO website for more information <https://www.gov.uk/guidance/do-i-need-a-marine-licence>.

Biodiversity enhancement

We would encourage you wherever possible to consider any opportunities for biodiversity enhancements and these should be incorporated into the project design. This is in accordance with NPPF Paragraph 175d which states that 'opportunities to incorporate biodiversity in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity', Section 40(3) of the Natural Environment and Rural Communities Act (2006) which states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process.

If you have any further queries regarding this letter then please contact me at the details below.

This letter concludes Natural England's Advice within the Quotation and Agreement dated 4 September 2018.

Yours sincerely,

Amanda Yeomans
Lead Adviser,
Coast and Marine (Cheshire, Greater Manchester, Merseyside & Lancashire Area Team)
Amanda.yeomans@naturalengland.org.uk
cc. commercialservices@naturalengland.org.uk

The advice provided in this letter has been through Natural England's Quality Assurance process. The advice provided within the Discretionary Advice Service is the professional advice of the Natural England adviser named

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