

Romal Capital  
**Plot C-02**  
Planning Statement

Issue

15 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

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**ARUP**

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# 1 Introduction

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## 1.1 Overview

This planning statement has been prepared by Ove Arup & Partners ('Arup') on behalf of the applicant Romal Capital and supports for 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.*

This standalone application will provide Central Docks with much needed residential and commercial development, which includes high quality apartments of 1, 2 and 3-bedroom mix. The proposed development will also seek to regenerate derelict brownfield land through enhanced public realm. This will provide improved connectivity into Central Docks and thus, the rest of Liverpool Waters when future development comes forward.

This Planning Statement provides a review of the proposed scheme against relevant national and local planning policies and guidance to show compliance where relevant, identifying the key benefits arising from the proposal and setting out the process the design team have gone through, prior to the submission of the planning application.

The document should be read alongside the accompanying suite of information that makes up this planning application. These supporting documents enable the planning application to be validated and determined and include:

- Application form and certificates;
- Consultation Statement;
- Cover Letter;
- Drawings package;
- Design and Access Statement (Parts 1-3);
- Dock Infill Methodology;
- Drainage Strategy;
- Environmental Statement: Volume I Main Text, consisting of technical chapters include:
  - Transport and Access;
  - Air Quality;
  - Noise and Vibration;
  - Townscape and Visual Impact;

- Cultural Heritage and Archaeology;
- Ground Conditions and Contamination;
- Dock Infill Methodology;
- Flood Risk and Drainage;
- Wind;
- Daylight and Sunlight;
- Terrestrial Ecology;
- Marine Ecology; and
- Summary of Effects and Mitigation.
- Environmental Statement: Volume II Appendices and Figures (Parts 1-12);
- Environmental Statement: Volume III Non-Technical Summary;
- Flood Risk Assessment;
- Health and Wellbeing Statement;
- Heritage Impact Assessment (Parts 1-5);
- Liverpool Waters Conformity Statement;
- Landscape Statement;
- Marine Ecology Report;
- Preliminary Ecological Appraisal;
- Planning Statement;
- Phase 1 and 2 Ground Investigation Report (Part 1-3);
- Shadow Habitats Regulation Assessment
- Transport Assessment;
- Travel Plan; and
- Viability Report.

## 2 Site Background

### 2.1 The development site and surrounding area

The site is located on vacant but previously developed land within Central Docks. It covers approximately 1.12ha comprises areas of hardstanding, historic infilling, waterspace (part of West Waterloo Dock) and low-quality vegetation. Figure 1 depicts the site and its surrounding context. The proposed scheme has retained its development name 'C02' for the sake of this application and the scheme is referred to as C02 through this application.

Further hardstanding is located to the north and south of the site where future development is proposed as part of the Liverpool Waters Outline consent (10O/2424) and the Isle of Man Ferry Terminal consent (18F/3231). The West Waterloo Dock is located to the east of the site along with adjacent residential amenity in the form of Waterloo Dock apartments and Waterloo Warehouse. To the west, road infrastructure is currently being constructed to service development within this area of Central Docks (17F/2628) (commonly known as 'The Northern Link Road') and further west of this lies the River Mersey.



Figure 1 – Plot C-02 Site Location Plan

The consented Northern Link Road will help service the development and provide connectivity into and out of the site. The proposed Isle of Man Ferry Terminal will also contribute to greater connectivity between Princes Dock and Central Dock via a pedestrian walkway. The Isle of Man Ferry Terminal connects to an existing pedestrian bridge link to Princes Dock which Peel Holdings are looking to improve and re-open prior to the ferry terminal being in operation.

The Site is within an area of historical industrial docklands which has changed throughout the times. The current site dates from the 1949 re-modelling to accommodate the existing river lock.

To the south of Central Docks, Princes Dock has been developed to provide high-rise residential apartments, office blocks, hotel development, a multi storey car park and other commercial and ancillary uses. Residential development has started to commence in Central Docks through the construction of C04 & C06 (17F/1628) in addition to the aforementioned road infrastructure and Isle of Man Ferry Terminal.

## 2.2 Site Designations

The application site is allocated as a ‘Site for Various Types of Development’ in the current Development Plan which is the Liverpool Unitary Development Plan (‘Liverpool UDP’) (2012) and as a ‘Mixed Use Area’ in the submission draft of the Liverpool Local Plan (May 2018) (‘emerging Local Plan’).

The application site lies outside the World Heritage Site but is within the Buffer Zone. The site lies within close proximity to the Stanley Dock Conservation Area, a designated character area of Liverpool’s World Heritage Site but is not situated within it. These characteristics are detailed further in the Environmental Statement (Chapter 9: Cultural Heritage and Archaeology) and the supporting Heritage Impact Assessment.

The Liverpool Bay Special Protection Area (SPA) Statutory Designated Site is located adjacent to the development area. A number of other European Statutory Sites are located close to the area; these are detailed further in the Environmental Statement (Chapter 15: Terrestrial Ecology) and the supporting Preliminary Ecological Assessment.

The nearest open watercourses are the West Waterloo Dock which forms the site’s eastern boundary, and the River Mersey which is less than 50m to the west of the site. Princes Half Tide Dock is located to the south.

The site is located predominantly in Flood Zone 1 and therefore has a low probability of flooding, less than 4% of the site is considered to be within Flood Zone 3. Chapter 12 (Flood Risk and Drainage) of the Environmental Statement details this allocation further and concludes that all forms of development are acceptable within the site boundary.

Further information regarding the existing site specific to certain disciplines can be found in the baseline section of each technical chapter within the Environmental Statement.

## 2.3 Existing Site Access

The site is within acceptable walking distance of Liverpool city centre and the vast array of amenities the city of Liverpool has on offer. The site is also within acceptable walking distance of numerous transport facilities. The closest bus stop is located on Waterloo Road approximately 100m north of the approved Waterloo Road / northern link road junction. Moorfields and James Street Merseyrail stations can both be accessed in under a 23-minute walk time (or <1.9km walk

distance).

Waterloo Road is located approximately 200m to the east of the site and is a strategic link connecting the Central Docks to Liverpool city centre. Waterloo Road, which is subject to a 30mph speed limit, turns into Regents Road in the north, leading to Bootle, and to the south provides a link to Princes Dock and the A5052 New Quay via Bath Street. Within the vicinity of the approved Waterloo Road / Northern Link Road signalised junction, Waterloo Road has a carriageway width of approximately 12.0m and benefits from regularly spaced street lighting columns and footways of over 2.0m in width on both sides of the carriageway. There is a signal-controlled pedestrian crossing, approximately 150m south of the approved Waterloo Road / Northern Link Road junction and a pedestrian refuge, less than 400m south of the approved junction on Waterloo Road.

The A5052 New Quay is located approximately 800m south-east of the development site and is subject to a 30mph speed limit. The A5052 New Quay is an urban A-road running on the western side of Liverpool city centre by the docks. In a southerly direction the A5052 New Quay turns into the A562 which links Liverpool to Widnes and to the north it links with Great Howard Street, leading to Bootle, and the A5053 which joins to the A59 linking Liverpool to Preston. The A5052 New Quay carriageway varies in width and benefits from footways of over 2.0m wide on both sides, dropped kerbs, signalised pedestrian crossings and street lighting.

As the development site is located within a close proximity to Liverpool city centre, walking infrastructure is generally well developed and of a good standard on route from the site to the city centre. Generally, the footways are wide and benefit from dropped kerbs, to help pedestrians with crossing roads, and regularly spaced lighting columns.

There are a number of pedestrian crossings provided at various points on the route to Liverpool city centre including two pedestrian refuge points along Waterloo Road and 4 signalised crossing points on the A5052 New Quay road.

The consented Isle of Man Ferry Terminal to the south of the proposed scheme will enhance the pedestrian connectivity between Central Docks and Princes Dock which the proposed scheme will contribute to through its enhancements to the pedestrian connectivity within Liverpool Waters.

The application is supported by a Transport Assessment and ES Chapter focussing on Transport and Access, therefore further details regarding site access can be found within these documents.



## 2.4 Liverpool Waters Overview

### 2.4.1 Liverpool Waters Outline Consent

The proposed scheme is located within land known as Liverpool Waters (LW). LW is a waterfront site covering approximately 60ha of derelict dockspace which extends from Princes Dock to Bramley Moore Dock, owned by Peel Holdings.

The site benefits from an outline consent (10O/2424) for a range of uses. Condition 1 of the LW outline consent approves a maximum quantum of development across the whole of the Liverpool Waters scheme. This includes:

- 314,500sqm of office space (Class B1 Businesses);
- 733,200sqm of residential space accommodating 9,000 residential units (Class C3 Dwelling houses);
- 19,100sqm of comparison retailing (Class A1 Shops);
- 7,800sqm of convenience retailing (Class A1 Shops);
- 27,100sqm of restaurants and cafes (Class A3);
- 19,200sqm of drinking establishments (Class A4);
- 8,900sqm of non-residential institutions (Class D1)
- 33,300sqm of assembly and leisure (Class D2); and
- 412,800sqm of parking (Sui Generis)

The site area of LW covers a large area of Liverpool Central & Northern Docks (Bramley Moore, Nelson, Salisbury, Collingwood, Trafalgar, Clarence Graving, West Waterloo, Princes Half Tide & Princes Docks). The area is subdivided into five neighbourhoods as outlined in the Liverpool Waters Parameter Plan Report (April 2019) which supports the Liverpool Waters permission. These are:

- Neighbourhood A – Princes Dock
- Neighbourhood B – King Edward Triangle
- Neighbourhood C – Central Docks
- Neighbourhood D – Clarence Docks
- Neighbourhood E – Northern Docks

In Schedule 1 of the LW outline consent, a maximum agreed floor space for Central Docks Neighbourhood is set out. This includes:

- 165,900sqm of office space (Class B1 Businesses)
- 235,300sqm of residential space (Class C3 Dwelling houses);
- 8,700sqm of comparison retailing (Class A1 Shops);
- 4,200sqm of convenience retailing (Class A1 Shops);
- 11,900sqm of restaurants and cafes (Class A3);

- 12,600sqm of drinking establishments (Class A4);
- 600sqm of non-residential institutions (Class D1);
- 30,700sqm of assembly and leisure (Class D2); and
- 180,400sqm of parking (Sui Generis)

The proposed scheme is situated within Neighbourhood C - Central Docks. However, the planning application is not considered to be part of the Liverpool Waters consent and is being processed as a standalone planning application as it expands on the agreed parameters for Plot C02 within the outline consent. This is explained further through the Planning Statement and it is important to refer to the accompanying Liverpool Waters Conformity Statement which supports this application along with this Planning Statement.



Figure 2: Extract of Base Plan from the Central Docks Masterplan showing C-02 and the partial infill of West Waterloo Dock as agreed through the outline consent.

## 2.4.2 Liverpool Waters Central Docks Neighbourhood Masterplan

In November 2019, the Central Docks Neighbourhood Masterplan was approved by Liverpool City Council (19DIS/1315). The masterplan provides further details on how the consented development through the LW outline consent should be delivered, providing detailed briefs on development plots, public realm and connectivity as well as guidance on materiality and architectural styles.

A s96a Non-Material Amendment application was consented in August 2019 (19RM/1121) to amend the LW Parameter Plan Report, this was aligned with the approval of the Central Docks Masterplan.

Importantly, this took into account the need to partially infill the West Waterloo Dock to ensure development (C-01 and C-02) could be delivered for a range of uses and to provide enhanced pedestrian and cyclist connectivity into Central Docks, an area of derelict land which hasn't been accessed by the general public for a number of years. Therefore the principle of partially infilling West Waterloo Dock has already been established through the LW Outline Consent in order to deliver development in the form of C-01 and C-02.

Within the Central Docks Masterplan, the C-02 footprint was designed to facilitate the delivery of the key pedestrian / cycle movement route to Princes Dock.

Through the predominate land use strategy set within the Central Docks Masterplan, C-02 has been allocated as mixed use but predominantly residential or commercial use. The residential typology strategy set within the Masterplan states that the plot is likely to provide a mix of larger and smaller residential unit sizes through an apartment style development.

The masterplan also identifies the plot to potentially be a secondary commercial location, having the option to engage with the primary movement routes and deliver a mix of larger ground floor floorplate blocks to manage the appropriate interface with surrounding development.

C-02's primary frontage on the ground floor should have a direct relationship with primary movement routes and/or key areas of public open space. The primary frontages must create a positive interaction between built form and the public realm.

Through the masterplan, Plot C-02 provides a flexibly sized plot to deliver development footprint in a number of different manners. Development within Plot C-02 is expected to address the following key principles:

- Mitigate and/or protect users from the harsh microclimatic conditions;
- Positively animate and address Cultural Square;
- Positively animate and address the Princes Dock link; and
- Ensure there is a clear distinction between public and provide realm to provide high quality amenity space for users of the plot.

The proposed scheme responds positively to the masterplan's key principles for C-02 and where possible aligns its design with the brief. The scheme ensures that

the pedestrian / cycle movement is enhance along the dockspace to ensure connectivity through to the wider Central Docks estate. This is detailed further within the Planning Statement and the supporting LW Conformity Statement should be reviewed for further details in regards to how the proposed scheme complies with the outline consent.

## 2.5 Relevant Planning History

The following applications have been submitted, granted consent or refused by Liverpool City Council (LCC) within or around the development site. Further information regarding each application can be found on LCC's website using the planning reference number provided.

### [Planning Ref: 06F/2292 – Refused 10/10/06](#)

*Trafalgar Dock and West Waterloo Dock, Waterloo Rd, Liverpool, L3*

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 (Resubmission of application 06F/1421 - withdrawn).

### [Planning Ref: 10O/2424 – Approved 19/06/13](#)

*Liverpool Central & Northern Docks (Bramley Moore, Nelson, Salisbury, Collingwood, Trafalgar, Clarence Graving, West Waterloo, Princes Half Tide & Princes Docks), L3*

Outline Application: The comprehensive redevelopment of up to 60 hectares of former dock land to provide a mixed use development of up to 1,691,100 sq m, comprising: up to 733,200 sq m residential (Class C3) (9,000 units), up to 314,500 sq m business (Class B1), up to 53,000 sq m of hotel and conference facilities (Class C1 ) (654 rooms), up to 19,100 sq m of comparison retailing (Class A1), up to 7,800 sq m of convenience retailing (Class A1), up to 8,600 sq m of financial and professional services (Class A2), up to 27,100 sq m of restaurants and cafes (Class A3), up to 19,200 sq m of drinking establishments (Class A4), up to 8,900 sq m of community uses (Class D1), up to 33,300 sq m of assembly and leisure (Class D2) up to 17,600 sq m for a cruise liner facility and energy centre (Sui Generis), up to 36,000 sq m for servicing (Sui Generis), and up to 412,800 sq m for parking (Sui Generis) together with structural landscaping, means of access, formation of public spaces and associated infrastructure and public realm works.

### [Planning Ref: 17F/1628 – Approved 18/12/17](#)

*Land to west of Waterloo Road, Plot C-04 and C-06, Central Docks, Liverpool Waters, Liverpool*

To erect a part 14 and part 8 storey residential block (Use Class C3) comprising 237 apartments for market sale with commercial space at ground level to incorporate B1a (Office); A3 (Restaurant/cafe); and D2 (Leisure/gym) use; 51

parking spaces; 120 cycle parking spaces, together with plant; reception; hard and soft landscaping; access and associated works.

[Planning Ref: 17F/2628 – Approved 11/04/18](#)

*West Waterloo Dock, Waterloo Road, Liverpool, L3 OBH*

To construct new link road, leading from Waterloo Road into West Waterloo Dock to provide access to the proposed relocation of the Isle of Mann Ferry Terminal. Works to include widening of West Waterloo Dock Canal Bridge to accommodate new link.

[Planning Ref: 17O/3230 – Approved 11/04/18](#)

*Land at Princes Jetty, Princes Dock, Liverpool Waters, Liverpool, L3*

Hybrid application comprising Full application for the controlled dismantling and removal of the building shown on the Demolition Parameter Plan (Plan No.2), redundant mooring dolphins and dilapidated structures including the (timber framed and concrete decked) Princes Jetty in the River Mersey and; Outline planning application for the construction of a new Cruise Liner Terminal (to cater for an increase in the number of cruise passengers) on a suspended deck structure in the River Mersey at the Princes Jetty site, together with the erection of a vehicular link span bridge and pedestrian bridge/walkways (linking the new cruise terminal building and existing floating pontoons which act as the landing stage/berth for cruise ships, naval ships, working ships and prestige vessels); improvements to the existing landing stage (floating pontoons), including modification of existing buildings shown on the Demolition Parameter Plan (Plan No.2) and creation of an ancillary building for storage and for use by cruise related operational staff; improvements to Princes Parade to incorporate pedestrian crossing facilities, provision of terminal parking, pick up and drop off facilities and supporting development. The new cruise terminal building is intended to be used for city events when not in use for its primary cruise operations/port related purposes. All matters are reserved.

[Planning Ref: 18NM/2766 – Approved 16/11/18](#)

*Liverpool Central & Northern Docks (Bramley Moore, Nelson, Salisbury, Collingwood, Trafalgar, Clarence Graving, West Waterloo, Princes Half Tide & Princes Docks), L3*

Non-Material Amendment to replace Liverpool Waters Parameter Plan Report (November 2011) with Liverpool Waters Parameter Plan Report (October 2018) to revise:

- Parameter Plan 003 – Phasing Plan;
- Parameter Plan 004 – Development Parcels;
- Parameter Plan 005 – Development Plots; and
- Parameter Plan 006 – Building Heights.

In addition, to amend the wording of Conditions 3, 71 and specific text within Schedule 3 and 5; and the removal of Condition 75 within the Liverpool Waters Outline Planning Permission.

[Planning Ref: 18F/3233 – Approved 28/01/19](#)

*Princes Dock, Liverpool*

To install below ground heating network pipes with above ground connections to existing buildings (no's 8, 10, and 12 Princes Parade).

[Planning Ref: 18F/3231 – Approved 23/04/19](#)

*Isle of Man Ferry Terminal, West Waterloo Dock*

To construct new Ferry Terminal for the Isle of Man Government to replace existing ferry landing stage located at Pier Head with associated ancillary structures and associated marine equipment and works on land at Princes Half-Tide Dock with associated servicing and delivery via planned link road from Waterloo Road.

[Planning Ref: 19F/1038 – Approved 08/10/19](#)

*Plot 11, Land off Princes Road, Princes Dock, Liverpool, L3*

To erect 10 storey hotel (C1) including lobby, bar, cafe, restaurant, business suite at ground floor level, plant enclosure at roof level, visitor and coach parking, taxi pick-up and drop off point, hard and soft landscaping.

[Planning Ref: 19DIS/1315 – Approved 12/11/2019](#)

*Central Docks, Liverpool Waters, Liverpool, L3*

To discharge condition 11 (LW Central Docks Masterplan) attached to 10O/2424.

[Planning Ref: 19F/0079 – Approved 09/07/19](#)

*Central Docks, Land to the west of Waterloo Road, Liverpool, L3*

To construct a District Heating Network (Use Class: Sui Generis), consisting of a Central Docks Neighbourhood Energy Centre and a below-ground pipe network servicing Central Docks South (Liverpool Waters Neighbourhood C), in addition to two above-ground bridge pipe links (Leeds to Liverpool Canal Bridge adjacent plot C-04 and the Princes Half Tide Crossing).

[Planning Ref: 19F/1745 – Approved 08/08/19](#)

*Land at Central Docks*

To install District Heating Network (Use Class: Sui Generis) consisting of a below-ground pipe network servicing Central Docks South.



Planning Ref: 19NM/1121 – Approved 23/08/19

*Liverpool Central & Northern Docks (Bramley Moore, Nelson, Salisbury, Collingwood, Trafalgar, Clarence Graving, West Waterloo, Princes Half Tide & Princes Docks), L3*

Non-Material Amendment to replace Liverpool Waters Parameter Plan Report (October 2018) with Liverpool Waters Parameter Plan Report (April 2019) to revise:

- Parameter Plan 005 – Development Plots;
- Parameter Plan 006 – Building Heights; and
- Parameter Plan 007 – Access and Movement.

In addition, to amend the wording of Condition 3 within the Liverpool Waters Outline Planning Permission.

Planning Ref: 19RM/1817 – Approved 30/08/19

*Liverpool Central & Northern Docks (Bramley Moore, Nelson, Salisbury, Collingwood, Trafalgar, Clarence Graving, West Waterloo, Princes Half Tide & Princes Docks), L3*

Application to submit reserved matters for plot A-03 of Neighbourhood A (Princes Dock) as part of the Liverpool Waters Outline Consent (100/2424) following on from the approval of the initial reserved matters application for Plot A-03 (18RM/1554). Conditions which have been submitted as part of this application providing details include conditions 30,31,33,34,35,38,39,40,41,42,47,54. The reserved matters application seeks to gain consent for a 6-storey office development (B1 Use Class) with associated cycle parking, servicing and public open space.

Planning Ref: 19RM/1037 – Approved 17/09/19

*Land at Princes Jetty, Princes Dock, Liverpool Waters, Liverpool, L3*

Application for Reserved Matters (access, appearance, landscaping, scale and layout) following outline approval 17O/3230 - for the construction of a new Cruise Liner Terminal (to be used for city events when not in use for its primary cruise operations/port related purposes) on a suspended deck structure in the River Mersey at the Princes Jetty site, together with the erection of a vehicular link span bridge and pedestrian bridge/walkways (linking the new cruise terminal building and existing floating pontoons which act as the landing stage/berth for cruise ships, naval ships, working ships and prestige vessels); improvements to the existing landing stage (floating pontoons), use of an existing ancillary building for storage and for use by cruise related operational staff; improvements to Princes Parade to incorporate pedestrian crossing facilities, provision of terminal parking, pick up and drop off facilities and supporting development.

### 2.5.1 Summary

The planning application history listed above sets out a number of developments which have received consent in close proximity to the proposed scheme and shows that there is a range of development which is taking place around Liverpool's waterfront.

Key applications that could be seen as especially relevant to the proposed scheme include the Isle of Man Ferry Terminal (18F/3231) which sits adjacent to the proposal site and looks to partially infill some historic dockspace within the World Heritage Site. The LW Outline Consent (10O/2424) is also relevant and sets out the principle of development and partial infill of West Waterloo Dock for a development plot within the vicinity of the proposed scheme. This is detailed further through the consent of the LW Central Docks Masterplan (19DIS/1315) which designates plot C-02 to a predominately residential use.

The consent of a new link road (known commonly as Northern Link Road, 17F/2628) is currently being constructed and provides support for development along this area of Central Docks due to the full business case for the infrastructure set out within the 'Liverpool City Centre Connectivity, Phase 2 CO00205341 Full Business Case, May 2017'. The funding for the Northern Link Road was secured by LCC through a Liverpool City Region Single Investment Fund grant and the Full Business Case clearly sets out intention for the Northern Link Road to unlock the full potential of development within the LW site, including a series of plans and figures which show the partial infill of West Waterloo Dock and the creation of a series of development plots.

In the summary of the full business case to support grant funding of the road, it is stated that *"It is clear that the proposed highways improvements to facilitate improved access to the Liverpool Waters development and Isle of Man Ferry Terminal are important to the growth plan and are required to accommodate accelerated growth in the wider area"*.

Throughout the business case, and in the subsequent plans attached to the Northern Link Road proposed, the proposed partial infill associated with the creation of development plots is clearly shown.

An application to re-align the Liverpool Canal Link through Trafalgar and West Waterloo Docks and to backfill the remainder of West Waterloo Dock was refused in 2006 (06F/2292). This application should also be considered as relevant to the proposed scheme due to the similarities around the infill.

However, it is important to state that this refused application proposed to infill almost all of West Waterloo Dock to improve a canal link which was already existing and brought about limited benefits. The proposed scheme looks to infill approximately 50% of West Waterloo Dock, therefore retaining a large area of waterspace whilst allowing a high-quality development to come forward which would provide city centre residential use as well as enhanced public realm and enhanced connectivities.

It is also important to highlight that the refused scheme was considered prior to the consent of Liverpool Waters which has consent in principle to partially infill West Waterloo Dock to bring forward the development plots C-01 and C-02 to the extent that the proposed scheme looks to infill.



## 2.6 The Statutory Development Plan

The application for planning permission is to be determined by LCC as the LPA. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

*“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*

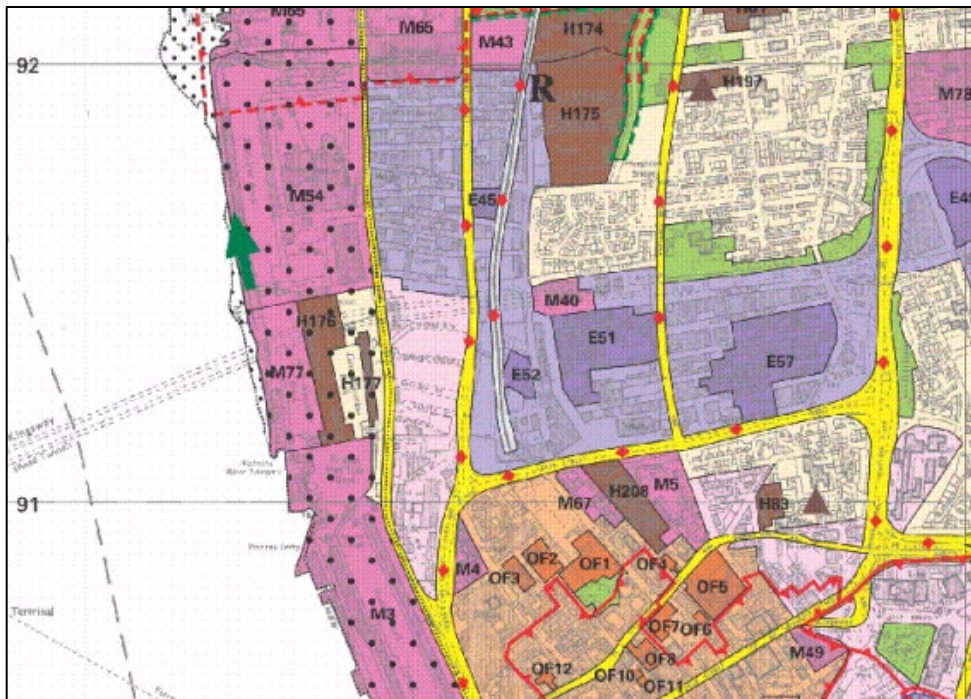
The Statutory Development Plan in relation to the proposed scheme comprises the saved policies of the Liverpool Unitary Development Plan (‘UDP’) (2002) and the Joint Waste Local Plan for Merseyside and Halton (2013).

The 2018 Pre Submission Draft Liverpool Local Plan (‘emerging Local Plan’) has been submitted for examination and therefore is considered in this Planning Statement in accordance with paragraph 48 of the National Planning Policy Framework (NPPF).

Section 5 provides a comprehensive overview of other relevant policy documents, both nationally and locally.

In regard to the development plan designation, the proposed scheme is identified within two designations under the Liverpool UDP

- Mixed Use Area (Policy E6);
- Developed Coastal Zone (OE4)



Within the emerging Local Plan, the site falls under the following designations:

- Mixed Use Area (Policy EC6)
- Liverpool Waters (Policy CC12)

As set out in section 2.5, the site benefits from outline consent for 60ha of redevelopment (100/2424 – Liverpool Waters) and application site falls within the site boundary of this outline consent which has approval for residential development with Plot C-02 in addition to agreement in principle to partially infill West Waterloo Dock to accommodate this development along with C-01.



**Figure 4 – Extract of the emerging Local Plan showing the proposed scheme**

Sections 5 and 6 of the Planning Statement detail the policy designations further and assesses the proposed scheme against these.

## 2.7 Environmental Impact Assessment

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 require when determining whether an Environmental Impact Assessment (EIA) is required, it is first necessary to establish whether or not the proposed development falls within the definition of a ‘Schedule 1’ development (where an EIA is compulsory) or a ‘Schedule 2’ development (where an EIA is discretionary).

Schedule 1 of the EIA Regulations sets out the development criteria which EIA’s must be submitted. Other developments which may require assessment are set out in Schedule 2. The Local Planning Authority (LPA) must determine whether Schedule 2 development is likely to give rise to any significant environmental impacts. If the LPA determines that the development may give rise to any significant environmental effects, an EIA must be undertaken. The LPA’s determination is made using Schedule 3 of the EIA regulations.

The proposed scheme is considered to fall under Schedule 2, Category 10b of the EIA Regulations (an urban development infrastructure project where the development includes more than 150 dwellings).

Schedule 3 of the EIA Regulations also sets out further criteria to determine whether a Schedule 2 development should be considered as an EIA development. The characteristics, location and potential impact of the development confirmed this proposal should be considered as EIA and therefore a formal EIA screening request was considered unnecessary to submit to the LPA

Early discussions with Liverpool City Council (LCC) in its role as LPA indicated that due to development being in a sensitive area (World Heritage Site Buffer Zone) and the potential for significant effects in the absence of mitigation the proposed scheme an EIA should take place as part of the application. Also, previous applications in the area, which are of a similar scale to the proposed scheme, have required an EIA process.

The following chapters form part of the Environmental Statement ('ES'). Each chapter is supported by the relevant technical appendices.

1. Introduction
2. Scheme description
3. EIA Assessment Method
4. Alternatives and Design Evolution
5. Transport and Access
6. Air Quality
7. Noise and Vibration
8. Townscape and Visual Impact
9. Cultural Heritage and Archaeology
10. Ground Conditions and Contamination
11. Dock Infill Methodology and Impact
12. Flood Risk and Drainage
13. Wind
14. Daylight and Sunlight
15. Terrestrial Ecology
16. Marine Ecology
17. Summary of Significant Environmental Effects, Mitigation and Monitors

The detailed assessment of the various environmental issues undertaken within the ES are not repeated within this Planning Statement. However, conclusions are drawn upon from the ES so that they assist with the evaluation of proposals against relevant local and national planning policy within section 6 of this report.

## 3 The Proposed Development

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### 3.1 Development Description

This planning application seeks full consent for the construction of a new residential development with supporting commercial floorspace and enhanced public realm within Central Docks, Liverpool Waters.

The proposed scheme is described as:

*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.*

### 3.2 Quantum of Development

The main elements of the proposal are summarised as follows:

Construction of a residential development consisting of four 10 storey blocks, 32.4m blocks accumulating in 538 residential units and commercial floorspace consisting of:

- 400sqm of commercial space with the consent for either use classes A1, A3 or A4
- 379 1-bedroom apartments (70%);
- 137 2-bedroom apartments (26%); and
- 22 3-bedroom apartments (4%).

165 car parking spaces (equating to an 31% parking provision) comprising of:

- 142 car spaces
- 10 disabled spaces
- 13 electric vehicle spaces
- 280 secure cycle spaces

Partial infill of the West Waterloo Dock to create new land to construct the development;

Creation of new public open space, a 6m dockside walkway, timber jetties for mooring of boats within West Waterloo Dock;

Provision of an enhanced pedestrian and cycle link to further support connection into the wider Central Docks neighbourhood. This enhanced pedestrian and cycle link will connect to the proposed pedestrian link within the neighbouring Isle of Man Ferry Terminal development.

The supporting Design and Access Statement also details further the design principles which have been applied to the development including layout, elevation and cross-section plans.

### 3.3 Proposed Site Access

Vehicular access to the proposed scheme will be provided from a priority-controlled access located to the north-west of the site, off the approved new spine linking Waterloo Road to the Northern Link Road currently being constructed. The proposed access has a carriageway width of approximately 6m and operates on a two-way basis.

Pedestrian access will also be provided from the new link road. Whilst not part of this proposed scheme, future aspirations for the area include a pedestrian and cycle link between the proposed Isle of Man Ferry Terminal and Princes Dock. As part of the consented Isle of Man Ferry Terminal proposals, a pedestrian and cycle link will be provided along the eastern boundary of the site, adjacent to the dock, which will connect to the future link, providing a direct route for pedestrians into the city centre.

The proposed scheme proposes to continue and enhance this pedestrian and cycle link along the Waterloo Dock to ensure a protected route along the historic waterfront. There is then an opportunity for this link to continue towards the north of Liverpool Waters as further development comes forward which will be vital to promote sustainable and active linkages to the rest of the City Centre.

### 3.4 Servicing and Parking

The access and internal site layout has been designed to accommodate a large refuse vehicle and a 12m rigid vehicle to avoid servicing and deliveries taking place on the Northern Link Road outside the site boundary. A turning head is provided at the south west of the site to allow vehicles to turn around safely.

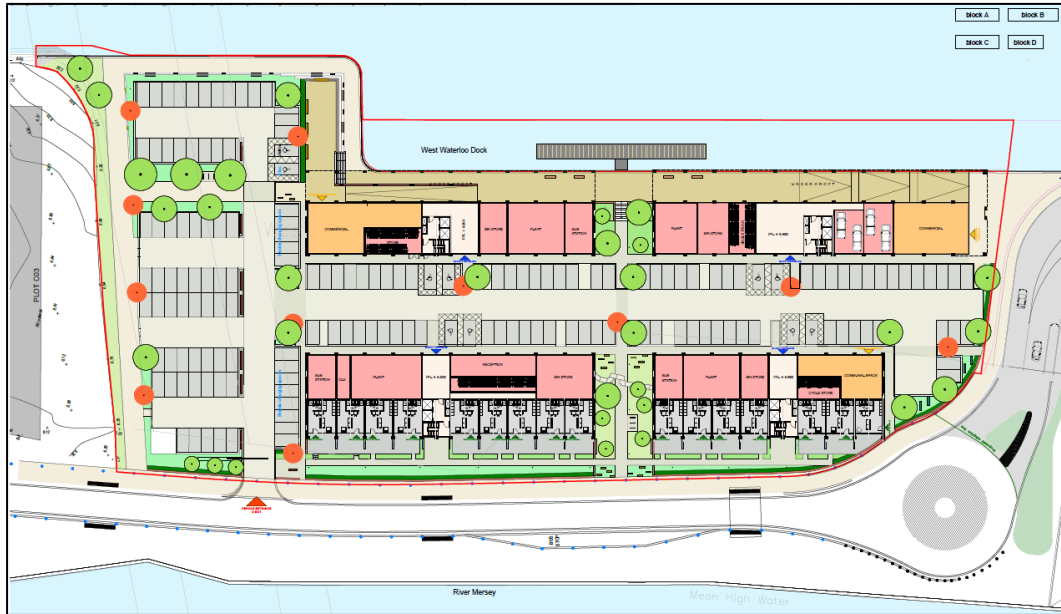
The car park will provide a total of 165 spaces (including 10 disabled bays) for the residential use which equates to a 31% parking provision. In addition to the car parking spaces, 280 secure cycle parking spaces will be provided which equates to a 52% parking provision. Further details regarding proposed transport can be found in the supporting Transport Assessment, Travel Plan and Chapter 5 of the Environmental Statement.

### 3.5 Design

The supporting Design and Access Statement expands on the proposed scheme's design, but this section summarises the design principles.

The proposed scheme consists of four separate residential blocks (A-D) that are all rectangular in form and reference the historic warehouse buildings that were located within this area, including the existing Waterloo Warehouse. Blocks A and B front the West Waterloo Dock and will extend over the dock, creating a colonnade with the ends of the buildings constructed within West Waterloo Dock itself. Blocks C and D front the River Mersey and sit in line with the Northern Link Road.





**Figure 5 – Proposed ground floor plan showing blocks A and B along the West Waterloo Dock and blocks C and D facing the River Mersey.**

The buildings are orientated parallel to the Waterloo Warehouse to reinstate a strong sense of horizontality in roofscape, typical of the Liverpool dock character along the river and dock edge.

An aspect that gives the docks their special character is the orientation of the buildings to the water's edge. The proposals reintroduce a level of enclosure over the West Waterloo dock which was (and still is) typical of the character and appearance of the site's surroundings.

To encourage greater connectivity between the dock edge and water edge a pedestrian cut through is proposed which enables the linearity of the buildings to be broken up approximately at the centre of the buildings (A and B / C and D). Whilst the buildings should be linear in form to reference the warehouse vernacular and therefore enhance the setting of the Waterloo Warehouse, retaining glimpses of the Warehouse has also been considered as part of the design evolution.

The proposed scheme has used the LW Outline Consent as the starting point for the design of the development. The single building plot layout which was set out within the outline consent and Central Docks Masterplan has now been divided into 4 separate blocks, creating a shallower floor plan to allow natural light into the residential spaces.

This split also increases the amount of street frontage which can be activated at ground level to improve the public realm and relationship to street level. The urban block style proposed draws inspiration from the warehouses in the local area, specifically Waterloo Warehouse. This urban block has voids cut through to provide landscape walkways and pedestrianised site entrances.

A new form of urban housing is proposed that draws inspiration from the two storey traditional terrace housing in the area in the form of ground floor Townhouses. The traditional terraced street and footpath is also incorporated with private front gardens.

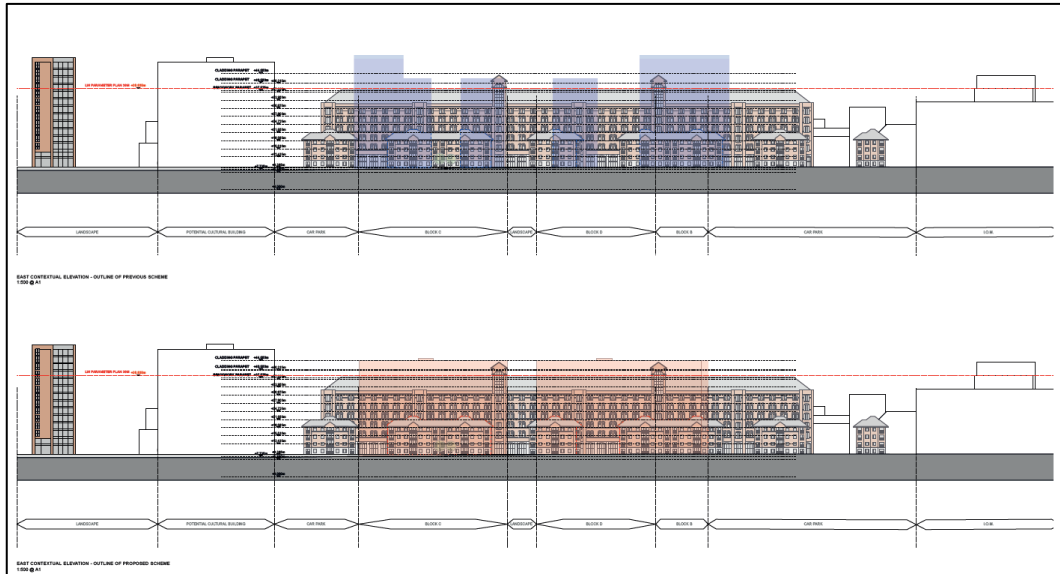
The vertical design provides dense urban living accommodation with increased access to sunlight and views of the West Waterloo Dock and River Mersey (depending on block). New dwellings are provided which include winter gardens which provide covered amenity for use all year round.

Each block has similar proposed materials which reflect the historic setting and are sensitive to the surrounding buildings. Brick is the predominate material proposed which reflects the warehouse style of development. An aluminium panel is proposed at the top of each of the buildings which gives a modern twist on the traditional warehouse form but is still sensitive in design

As a result of detailed team discussions and the surrounding context, the original concept evolved as follows (and as evident in Figure 4.1 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.

The design team originally submitted an application for residential development in December 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 Figures 6).



**Figure 6: Comparative context elevations**

The proposed scheme's design's contextual response (evident in Figure 4.7 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: Visualisation of the proposed scheme**

### 3.6 Landscaping and Public Realm

The landscape and public realm proposals for the proposed scheme have been designed in accordance with a number of key drivers specific to the overall vision of Liverpool Waters and more specifically alignment with the Central Docks Neighbourhood Masterplan.



The site works in conjunction with Parameter Plan 007 - Liverpool Waters Access and Movement Plan (see LW Conformity Statement for more details). Although C02 is a standalone application to the Liverpool Waters Outline Consent, it doesn't preclude the delivery of the Canal Way Promenade linking the neighbourhoods - the landscape scheme is working hard to ensure the route is a success.

Providing a wide and legible pedestrian and cycle route along West Waterloo Dock. This proposed new public route is strategically important to the Liverpool Waters Masterplan, opening up the site for the public benefit and forming a catalyst for future development.

Materials will be site appropriate, robust and provide an aesthetic in keeping with the industrial heritage and are in accordance with the Central Docks Neighbourhood Masterplan. They reflect the adjacent materials proposed on the Isle of Man terminal and Link Road and will be site appropriate.

The landscape and urban realm proposals include:

- Two commercial units with external cafe seating along the water's edge;
- Linking spaces between the buildings for residential recreation and connectivity;
- Timber floating jetties for the potential of possible water taxis and small boats temporary berthing;
- A generous pedestrian and cycle route with seating to guide visitors from the proposed northern link road to the West Waterloo Dock waterside.



**Figure 8: Indicative landscaping masterplan for the proposed scheme**

The development can be divided into a number of key areas:

- The **Waterfront Walkway** and cycle route. This route has a number of points to sit and relax along the waters edge. The timber jetty is accessed from a central point along the walk and could provide a docking point for water taxis in the future.
- The **car parks** across the development will be fringed with planting and semi-mature trees.
- **Green routes.** Key pedestrian and cycle routes have been wrapped in soft landscape to provide green corridors across the site. The central green route provides a cross connection between Northern Link Road and the waterside walk and the materials incorporate the original dock walls to showcase the heritage of the site.

The landscape proposals have been coordinated with the Liverpool Waters Masterplan and emerging Central Docks Neighbourhood Masterplan. A key design driver for the Masterplan is to provide a pedestrian and cycle connections from Princes Dock through to the Northern Docks.

The C02 site will provide a waterfront walkway and cycle route through the development along West Waterloo Dock. The proposed route is 6m in width, cantilevered over the waterway, wide enough to accommodate cyclists and pedestrians, whilst providing adequate space for pausing along the water edge. A floating timber jetty for canal boats and a water taxi is fixed to the waterfront walkway.

Pedestrians also have the option to walk along the River Mersey, along the proposed Northern Link Road (Jesse Hartley Way), a route with pedestrian and cycling provision.

There are two pedestrian connections between the waterfront walkway and Proposed Northern Link Road in the north and south of the development.

Each building block acts as a domestic connection spanning between the west and east of the site.

The bridge connection between the Isle of Man site and C02 will be fully coordinated with the Isle of Man design team.

The Hardworks strategy is proposed to fit within the following requirements:

- All materials will be in keeping with the vision for Liverpool Waters and the Central Docks Masterplan. The waterside walkways is proposed as timber decking. To reference the industrial past, the original granite dock edge has been retained and incorporated within the landscaping.
- All materials are proposed to be robust and low maintenance.

- The surfacing to parking areas to the north and south are proposed as Kellen paving. The parking areas will be broken down with areas of planting to soften the edges of the proposed scheme.
- The pedestrian connections are planted and will have granite steps where necessary. The use of reclaimed materials is important to this historic setting. Reclaimed materials such as copings and heritage features will be studied for use within the seat, steps and features.
- Handrails and railings are proposed and the use of Corten finishes is considered appropriate for this industrial and contemporary setting.

The Softworks strategy aims to establish a robust mix of tree planting that will withstand the coastal conditions. The site is highly exposed to the prevailing winds from the south-east and north-west.

Trees are proposed to be planted within groups to provide protection against the wind. All planting is proposed to be low maintenance and robust. The planting schedule will aim to replicate existing short perennial coastal vegetation through the use of loose substrates and hardy, salt tolerant species.

The substrates and species selected will provide habitat opportunities for a range of invertebrates, including declining pollinated species. This in turn will provide a feeding resource for birds and small mammals.

Additional landscaping details are contained within the Landscape Statement.

### 3.7 Partial West Waterloo Dock Infill

The proposed scheme comprises initially of land reclamation from West Waterloo Dock by installing a new dock wall to provide a separation between the existing waterspace and the development. The Ground Investigation Report which supports this application establishes that West Waterloo Dock has an extensive history and has undergone significant alterations since its opening and has been previously backfilled with loose granular material classified as 'Made Ground'.

Once the new dock wall has been installed, the area behind the wall will be infilled with imported materials to raise existing levels to proposed before piling operations can then commence for the foundations for the four new residential blocks.

It is estimated that the new dock wall will be constructed used a 'Combi-wall' piling solution or a similar type of arrangement. Approximately 6m depth of imported fill will be required to increase existing levels to the proposed scheme levels.

The proposed works will require stringent regime of material selection, compaction control, monitoring and validation testing will be employed for the dock infilling and the piling methods used on this development along with all relevant certification.

The neighbouring development for the consented Isle of Man Ferry Terminal also involves land reclamation and piling works and as a result there will be an

interface between the two developments. The Isle of Man Ferry Terminal application refers to plot C02 within its application and sets out in its Design and Access Statement that details will need to be considered when infilling the dockspace as part of the Isle of Man development to enable the potential future connection between the two developments.

Therefore, during detailed design, it will be imperative that both developments liaise with one another to ensure the works do not hinder each other's development.

The supporting Dock Infill Methodology Report and chapter 11 (Dock Infill Methodology and Impact) of the Environmental Statement details the partial infill of West Waterloo Dock further and assesses the effects the work will have on the existing environment.

Section 6 refers to the above when referencing relevant planning policies against the justification for the proposed scheme.

## 4 Consultation

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Paragraph 39 of the National Planning Policy Framework (NPPF) 2019 states *“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community”*.

In preparing this application pre-application discussions have been held with the case officer at LCC and their colleagues. This has helped evolve the scheme where key issues such as quantum of development, design, layout, landscaping and heritage have all been discussed and considered in the final design.

A supporting Consultation Statement has been submitted as part of this application, setting out how the team has undertaken pre-application discussions with LCC and relevant stakeholders in more detail.

The relevant stakeholders that have been consulted with include:

- Liverpool City Council
- Historic England;
- • Merseyside Environmental Advisory Service (MEAS);
- • Natural England;
- • Environment Agency;
- • Canal and River Trust;
- • Places Matter! Design Review Panel;
- • Liverpool Waters Conservation Management Board;
- • Local business owners and relevant stakeholders; and
- • General public through an engagement event.

Pre-application engagement undertaken has been in accordance with best practice and in line with local and national planning policies. Furthermore, the engagement undertaken has been in accordance with the guidance set out in LCC’s Statement of Community Involvement (SCI) (2015) in that:

- The proposals have been explained to relevant interested groups, individuals and stakeholders in the area around the site, through community engagement events and meetings; and
- 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.

The Consultation Statement explains the process that has been followed, a summary of the feedback received and demonstrates how the team 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 consultees. The recurring issues raised and 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.

The scheme has been finalised following the engagement process and has sought to outline and address key queries and suggestions.

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.

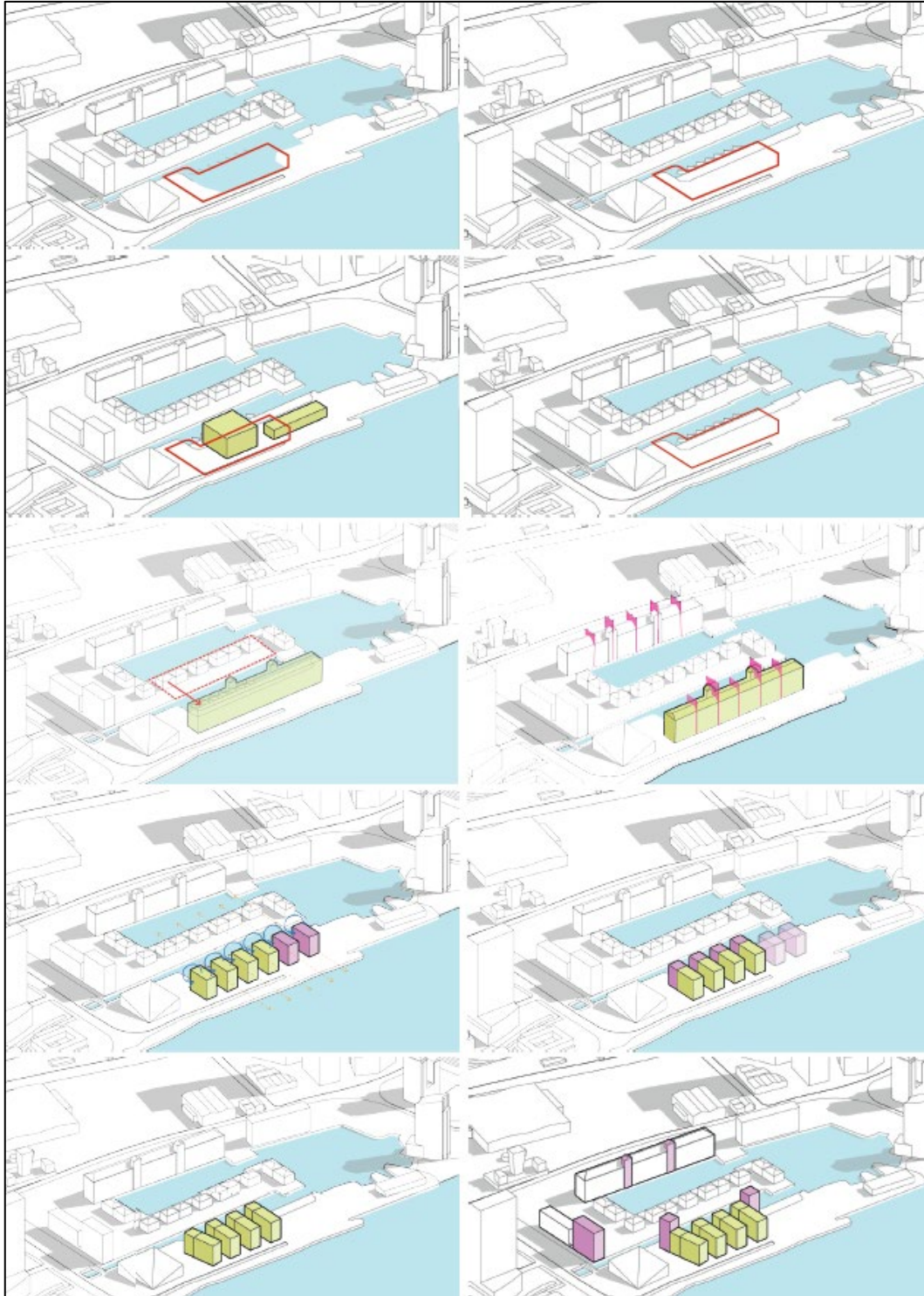
## 4.1 Design Evolution through consultation

As a result of detailed team discussions and the surrounding context, the original concept evolved as follows (and as evident in Figure 4.1 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 9 – 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.



**Figure 10 – Visualisation 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.





**Figure 11 – Site elevations of previously submission scheme**



**Figure 12 – Site Plan of initial scheme**

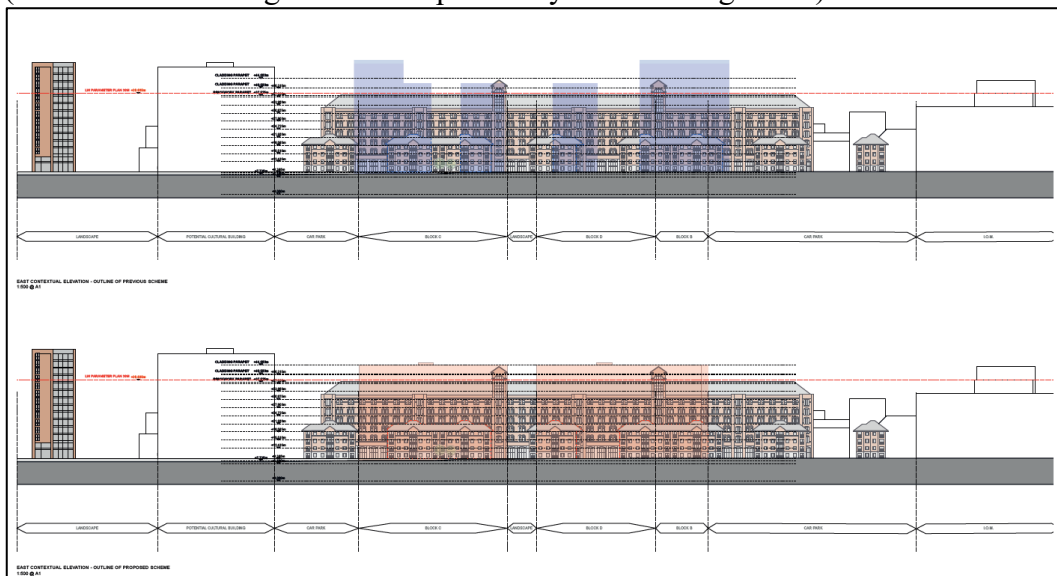
Further engagement with the Places Matter! Design Review, Merseyside Environmental Advisory Service (MEAS) and Natural England raised the following points:

- 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 13).



**Figure 13 Comparative context elevations**

The proposed scheme's design's contextual response (evident in Figure 4.7 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.

## 5 Planning Policy Context and Material Considerations

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This section of the Planning Statement provides an overview of the spatial policy context for this development using both national and local planning policy. The decision-maker must make their determination in accordance with the relevant development plan unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF) reconfirms the statutory requirement set out in Section 38(6) relating to the determination of planning applications and also confirms that the NPPF must be taken into account as a material planning consideration in planning decisions (paragraphs 2 and 212).

As previously stated, the Statutory Development Plan for the site comprises the saved policies of the Liverpool UDP and Joint Waste Local Plan for Merseyside and Halton (2013) which contains waste policy guidance for the six local councils of Liverpool City Region.

The emerging Local Plan is currently in draft form and will also be considered. Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant emerging policies according to the stage of preparation of the emerging plan, the extent of the unresolved objections, and the degree of consistency between the relevant policies in the emerging plan to the NPPF.

Therefore, although relevant policies from the emerging Liverpool Local Plan will be considered in this Planning Statement, limited weight will be given in line with the NPPF and will be considered as to the extent to which they are consistent with the framework.

### 5.1 National Planning Policy Framework

The NPPF (February 2019) sets out the Government's planning policies for England and how these are expected to be applied. The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

There is a presumption in favour of sustainable development and economic growth, whilst balancing and protecting the needs and priorities of communities without adversely impacting on future generations.

#### 5.1.1 Achieving sustainable development

Section 2 of the NPPF sets out that there is a presumption in favour of sustainable development and economic growth, whilst balancing and protecting the needs and priorities of communities without adversely impacting on future generations. Three key themes that run through the whole framework and focusses on the principle of sustainable development.

Paragraph 7 states that, *“the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of*

*sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”*

Paragraph 8 highlights that:

*“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”*

Paragraph 9 sets out that, *“these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.”*

Paragraph 10 explains, *“so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development”.*

***The proposed scheme meets the three overarching objectives to achieve sustainable development as defined in the NPPF.***

***The scheme will help create many 100s of FTEs jobs during the two year construction period in addition to the new homes bonus awarded to Liverpool City Council as well as approximately £9,000,000 in Council Tax every 5 years. The development will help further support development within this area of derelict dockland and act as a catalyst for future development, therefore supporting growth and ensuring that sufficient land of the right type is available.***

***The proposed scheme helps achieve the social objective as set out within the NPPF through creating new communities and reopening areas of land which have not been accessible to the public for many years. In addition to this, new public open space and connectivity is proposed as part of the new development***

*to encourage active travel and connecting this underused area with the city centre.*

*A brownfield, derelict site will be constructed on to deliver much needed homes to the city centre. The Environmental Statement which supports the application has highlighted no significant environmental effects and new habitat planting and trees are proposed to enhance the area's biodiversity. The site will help reimagine this area of historic dockland and promote its heritage through activity and regeneration.*

*The proposed scheme is proposed in accordance with local needs and opportunities of the area and therefore meets the economic, social and environmental objectives stated in paragraph 9.*

Paragraph 11 states that, "plans and decisions should apply a presumption in favour of sustainable development (.....) For **decision-taking** this means:

- a) approving development proposals that accord with an up-to-date development plan without delay; or
- b) 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:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>6</sup>; or
  - ii. 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 site benefits from an extant outline consent for a 60ha mixed use development (10O/2424) and the approved Central Docks Neighbourhood Masterplan sets out that residential development is suitable around this location through the partial infilling of West Waterloo Dock. The site is also identified within LCC's 2018 Strategic Housing Land Availability Assessment (SHLAA, 2018) to help assist with the housing delivery within the emerging Local Plan period.*

*The site is allocated within the Liverpool UDP and emerging Local Plan as a Mixed Use Area with the intention of promoting development which can make a significant contribution to the regeneration of the local economy.*

*Footnote 6 states that the policies referred to are those in the Framework relating to: habitats sites (and those listed in paragraph 176) and/or SSSI, Green Belt land, Local Green Space, Areas of Outstanding Natural Beauty, National Park, sites defined as Heritage Coast, designated heritage assets and irreplaceable habitats.*

*There are a number of heritage assets surrounding the proposed scheme which have been identified and assessed against within the supporting Heritage Impact Assessment in addition to relevant chapters as part of the Environment Impact Assessment. These documents concluded that the impacts of the proposed scheme are predominantly negligible, or of no impact. Where there were adverse impacts, these relate to the setting of Waterloo Warehouse, the Tobacco Warehouse and Stanley Dock and a single view of the Royal Liver Building. However, it is not considered that these effects are significant as they*

***do not detriment the World Heritage Site's Outstanding Universal Value and preserve the authenticity and integrity of the dock.***

***Further details in relation to specific UDP policies are also set out further within this section but the development scheme aligns with paragraph 11 of the NPPF and should not be refused on grounds set out in paragraph 11 (d)***

Paragraph 12 sets out that “the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.”

***The proposed scheme ensures that the presumption in favour of sustainable development does not influence the statutory status of the development plan and that it does not conflict with an up-to-date development plan. The proposal is to redevelop an underused, derelict site and partially infill West Waterloo Dock as agreed as part of the LW Outline Consent and more recently the Central Docks Neighbourhood Masterplan. The site benefits from an extant consent for redevelopment which can still be implemented through the reserved matters process. This proposed scheme does not contradict this existing scheme and does not hinder this or future built development coming forward.***

### 5.1.2 Decision-making

Section 4 focuses on ‘decision making’ and promotes early engagement, which is seen to have significant potential to improve the efficiency and effectiveness of the planning application system for all parties.

Paragraph 39 sets out that the “early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.”

Paragraph 41 explains that, “the more issues that can be resolved at pre-application stage, including the need to deliver improvements in infrastructure and affordable housing, the greater the benefits. For their role in the planning system to be effective and positive, statutory planning consultees will need to take the same early, pro-active approach, and provide advice in a timely manner throughout the development process. This assists local planning authorities in issuing timely decisions, helping to ensure that applicants do not experience unnecessary delays and costs.”

Paragraph 42 highlights that, “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, even where other consents relating to how a development is built or operated are needed at a later stage. Wherever possible, parallel processing of other consents should be encouraged to help speed up the process and resolve any issues as early as possible.”



***In preparing this application, pre-application discussions have been held with the LCC and their colleagues within relevant departments. This has helped evolve the scheme where key issues such as principle of development, remediation methods, impacts on ecology, transport, trees and habitat have all been discussed and considered in the final design.***

***Pre-application discussions with relevant consultees and stakeholders have also been held to guide the preparation of the planning application. Further details can be found in the supporting Consultation Statement.***

***The proposals and the processes undertaken as part of this planning application are therefore in compliance with these relevant paragraphs set out in the NPPF.***

### **5.1.3 Delivering a sufficient supply of homes**

Section 5 addresses the need to deliver a sufficient supply of homes.

Paragraph 67 explains that, “strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Planning policies should identify a supply of:

- a) specific, deliverable sites for years one to five of the plan period<sup>32</sup>; and
- b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan.”

***The proposed scheme is identified within LCC’s SHLAA as a site which is developable, due to its extant consent and its sustainable location, therefore conforming to paragraph 67 of the NPPF.***

### **5.1.4 Promoting healthy and safe communities**

Section 8 promotes healthy and safe communities and sets out how decisions should aim to achieve healthy, inclusive and safe places. These places should encourage social interaction, be safe and accessible, and enable and support healthy lifestyles through green infrastructure and facilities such as allotments (Paragraph 91).

Paragraph 92 states that decisions should plan positively for the provision and use of shared spaces and community facilities to enhance the sustainability of communities and residential environments.

Paragraph 97 highlights that existing open space should not be built on unless an assessment has been undertaken which clearly shows the open space or land is surplus to requirements, or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity or quality.

***The proposed scheme will look to help create a new neighbourhood within Central Docks, Liverpool Waters where most of the land cannot currently be accessed by the general public. Through the enhanced high quality public realm and the creation of a mix of residential tenure, the scheme will help***

***encourage social interaction, be safe and accessible and enable and support healthy lifestyles through the promoting of active travel by enhancing the pedestrian and cycling connectivity into the City Centre. In conclusion, the proposed scheme complies with Section 8 of the NPPF.***

### **5.1.5 Promoting sustainable transport**

Section 9 picks up on how sustainable transport should be promoted and how issues should be considered from the earliest stages.

Paragraph 102 informs that, “*transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*

- a) the potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.”*

Paragraph 110 addresses how applications should:

- “a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.”*

Developments which generate significant amounts of movement should be required to provide a travel plan. The application of such a plan should be



supports by a transport assessment, so that likely impacts of the proposal can be adequately assessed (Paragraph 111).

*The proposed scheme would not have a significant effect on the existing road network and the supporting Transport Assessment and chapter 5 within the Environmental Statement concludes that there would be negligible effect on the surrounding area regarding transport and traffic. material adverse impact on the existing road network and this has been confirmed by LCC's highways officers during the pre-application process. The proposals have considered how the site accommodates for pedestrians and car use within the site. The road layout has also been taken into account when considering emergency and service vehicles.*

*The proposed scheme looks to give priority to pedestrian and cycle movements by proposing enhanced connectivity along the dockspace for all users. This connectivity will make it easier to connect to the city centre via active travel thus reducing the dependency on car.*

*165 car parking spaces are proposed equating to 31% parking provision. 10 of these spaces will be disabled and 13 electric. Therefore the proposal addresses the needs of all people and is designed in such a way to enable charging of plug-in low emission vehicles. The low ratio of parking provision is based on similar levels of parking in nearby developments and reducing the dependency on the car once again which encourages the use of public transport or other modes in this sustainable city centre location.*

*Therefore, there should be no justification for refusing the proposals on transport grounds and the proposed scheme complies with section 9 of the NPPF.*

### 5.1.6 Making effective use of land

Section 11 assesses making effective use of land and promotes and support the development of under-utilised land, especially if this would help to meet identified needs for housing.

Paragraph 117 states that, “*planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land<sup>44</sup>.*”

Footnote 44 states that this development would not be acceptable if it conflicts with other policies in this Framework, including causing harm to designated sites of special value for biodiversity.

Paragraph 118 highlights that, “*planning policies and decisions should:*

- a) *encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;*

- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;*
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained, and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure)<sup>45</sup>;*

***The current state of the proposed site represents an underutilised piece of land not accessible to the general public. The site has the benefit of an extant consent for residential development and the partial infill of West Waterloo Dock and therefore the principle of development has already been established. The proposed scheme will make the area more suitable for built development in the future, therefore making effective use of this previously developed, underused piece of land.***

***The ES which supports this planning application concludes that the proposed scheme does not lead to any significant effects on any designated sites of importance for biodiversity and through the proposed landscaping and mitigation set out in the Environmental Statement will would to enhance the sites conditions compared to its current form.***

***The site has the benefit of an extant consent for housing and mixed-use development and is a previously developed site which currently provides little benefit to the biodiversity of the local area or to the city in general.***

***Therefore, the proposed scheme is aligned with Paragraph 117 and 118 of the NPPF.***

Paragraph 122 states that:

*Planning policies and decisions should support development that makes efficient use of land, taking into account:*

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.*

*The proposed scheme is for predominantly residential development within an mixed use area allocated through the development plan which supports sustainable development. In addition to this, the site already benefits from an extant consent which identifies this area of land suitable for residential, therefore this land is suitable for the development in question.*

*The consented Northern Link Road will provide high quality infrastructure and services to the site to further promote that the site is of a sustainable location. The 31% car parking provision and the close proximity to the City Centre also reduces the dependency on car use.*

*The area's prevailing character and setting has been assessed due to the historic nature of the site and it has been concluded that the proposed scheme do not detrimentally impact on the World Heritage Site's OUV and preserved the authenticity and integrity of the Property due to the high quality design and reference to the site's historic nature.*

*The cumulative changes to West Waterloo dock have led to the loss of both integrity and authenticity. Whilst slight or moderate adverse impacts have been identified, these relate to the setting of the Royal Liver building from a single viewpoint and to the setting of Waterloo Warehouse, Tobacco Dock and the Stanley Dock character area from limited viewpoints. Taken as a whole, these do not constitute fundamental difficulties with the proposals in terms of impacts on OUV, with the overall historic assessment against the proposed scheme considered to be negligible impact.*

*The high quality design and the enhancement to connectivity and public realm for this part of the historic area will lead to an attractive and healthy space for all users to enjoy.*

*Therefore, the proposed scheme complies with paragraph 122 of the NPPF.*

### **5.1.7 Achieving well-designed places**

Good design and well-designed places are discussed in Section 12. Paragraph 124 states, *"The creation of high quality buildings and places is fundamental to what the planning and development process should achieve."*

Paragraph 127 states that:

*"Planning policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

*d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

*e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

Design quality should be considered throughout the proposal’s evolution. Early discussion between the applicant, local planning authority and local community regarding design is key for clarifying expectations and reconciling both local and commercial interests, thus taking account the opinions of the community (Paragraph 128).

Paragraph 130 states:

*“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents”.*

***The proposed scheme has been carefully designed so it is sympathetic to the local character and history of the area. The historical context of the area has been considered creating a massing and orientation which is suitable for this waterfront location and refers back to the heritage of the area.***

***The approved Central Docks Neighbourhood Masterplan has been used to establish what materials and design principles the development should align itself to.***

***The proposed scheme will look to regenerate and reanimate an underused, poor quality site, attracting all types of users to the area due to it’s residential and commercial offer in addition to its enhanced connectivity and the proposals to connect to the dockspace within West Waterloo Dock. Therefore, it is considered that the development will help create a place which is safe, inclusive and accessible and will promote health and well-being. It will act as a catalyst for future development, thus helping grow a new neighbourhood within the Liverpool Waters site.***

***The proposed scheme complies with section 12 of the NPPF.***

### **5.1.8 Meeting the challenge of climate change, flooding and coastal change**

Section 14 discusses that the planning system should support the transition to a low-carbon future in a changing climate, taking full account of flood risk and coastal change (Paragraph 148). Paragraph 150 states that new development should avoid increased vulnerability to impacts arising from climate change. If new development is brought forward in vulnerable areas, care should be taken to

ensure risks can be managed through suitable adaptation measures, including green infrastructure.

Local planning authorities should expect new development to comply with development plan policies on local requirements for decentralised energy supply, unless the applicant can demonstrate that this is not feasible or viable. New development should also consider landform, layout, building orientation, massing and landscaping to minimise energy consumption (Paragraph 153).

Paragraph 155 details that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, whether existing or future risk. Should development be necessary in those areas, the proposal should be made safe for its lifetime, without increasing flood risk elsewhere.

Paragraph 163 emphasises that when determining applications, local planning authorities should ensure flood risk is not increased elsewhere; wherever appropriate, applications should be accompanied by a site-specific flood-risk assessment. It also states that development should only be allowed in areas at risk of flooding if it can be demonstrated that the development is appropriately flood resistant and resilient, it incorporates sustainable drainage systems, and any residual risk can be safely managed and mitigated.

***The supporting Environmental Statement concludes that there are no significant effects to the environment and the proposed scheme has taken climate change into account in regards to flood risk and greenhouse emissions, with the conclusion that the scheme will not be impacted or create adverse impacts.***

***A Flood Risk Assessment and Drainage Strategy have been submitted as part of this planning application and are also assessed within Chapter 12 of the Environmental Statement and any vulnerable uses are located above the required minimum finished floor levels. The Flood Risk Assessment has demonstrated that the development is generally at low risk from all forms of flooding and would not increase the risk of flooding elsewhere. Appropriate drainage has also been assessed and designed for the proposed scheme which ensures that the correct approaches will be made so not to create any negative impact.***

***Overall the proposed scheme complies to Section 14 of the NPPF.***

### **5.1.9 Conserving and enhancing the natural environment**

Conservation and enhancing the natural environment is raised in Section 15 where specific references are made to protecting and enhancing valued landscapes, minimising impacts on biodiversity, and preventing new and existing development from contributing to unacceptable levels of soil, air, water or noise pollution. Decisions should additionally contribute to and enhance the natural environment by remediating and mitigating degraded, derelict or contaminated land (Paragraph 170).

Paragraph 175 highlights that “when determining planning applications, local planning authorities should apply the following principles:

- a) *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;*

Paragraph 177 underlines that *“the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.”*

Paragraph 178 highlights that *“planning policies and decisions should ensure that:*

- a) *a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);*
- b) *after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and*
- c) *adequate site investigation information, prepared by a competent person, is available to inform these assessments.”*

Decisions should also ensure that new development is appropriate for its location, taking into account the likely and cumulative effects of pollution on health, living conditions and the natural environment; this should include potential sensitivity of the site and area to impacts arising from the development. In considering these effects, the proposal should mitigate and reduce potential adverse impacts resulting from noise and, furthermore, avoid noise giving rise to significant adverse impacts on health and the quality of life. Protection should be afforded to tranquil areas which have been relatively undisturbed by noise or light pollution (Paragraph 180).

Planning decisions should sustain and contribute towards compliance with relevant limits or objectives for pollutants, considering Air Quality Management Areas and Clean Air Zones. Opportunities to improve air quality or mitigate impacts should be identified, including traffic and travel management and green infrastructure provision and enhancement (Paragraph 181).

Paragraph 183 sets out that decisions should focus on whether the proposal is an acceptable use of land, rather than on the control of processes or emissions which are subject to separate pollution control regimes; planning decisions should assume these regimes will operate effectively.

***The Environmental Statement that supports this application assesses Terrestrial and Marine Ecology, Air Quality, Noise and Vibration, Ground Contamination and other environmental disciplines. Through appropriate mitigation, there are no permanent significant effects which impact on the surrounding environment.***



***The design has carefully considered the local environment and through well designed landscaping the scheme aims to establish a robust mix of tree planting that will withstand the coastal conditions. The site is highly exposed to the prevailing winds from the south-east and north-west.***

***Trees are proposed to be planted within groups to provide protection against the wind. All planting is proposed to be low maintenance and robust. The planting schedule will aim to replicate existing short perennial coastal vegetation through the use of loose substrates and hardy, salt tolerant species.***

***The substrates and species selected will provide habitat opportunities for a range of invertebrates, including declining pollinated species. This in turn will provide a feeding resource for birds and small mammals.***

***The proposed scheme is therefore in general compliance with section 15 of the NPPF.***

### **5.1.10 Conserving and enhancing the historic environment**

Conserving and enhancing the historic environment is discussed within Section 16. Heritage assets range from sites and buildings of historic value, to those of the highest significance such as World Heritage Sites; these assets are irreplaceable resources and should be conserved in a manner appropriate to their significance for the enjoyment of existing and future generations (Paragraph 184).

Paragraph 189 states:

*“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”*

It is the responsibility of local planning authorities to identify and assess the significance of a heritage asset which may be affected by a proposal, including a proposal affecting the setting of a heritage asset. Available evidence and necessary expertise should be considered to avoid or minimise conflict between the heritage asset’s conservation and aspects of the proposal (Paragraph 190).

Paragraph 192 states that in determining applications, local planning authorities should take account of:

- “a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*



*c) the desirability of new development making a positive contribution to local character and distinctiveness.”*

Great weight should be given to the asset’s conservation when considering the impact of a proposed development on the significance of the asset (Paragraph 193).

Paragraph 194 states that any harm to, or loss of the significance of a designated heritage asset, should require clear and convincing justification. Substantial harm to or loss of assets of the highest significance (e.g. World Heritage Sites) should be wholly exceptional.

Paragraph 195 states:

*“Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.”*

Paragraph 196 highlights that *“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, where appropriate, securing its optimum viable use.”*

Paragraph 197 sets out that the effect of an application on the significance of a non-designated heritage asset should be considered when determining the application. A balanced judgement is required having regard to the scale of harm or loss, and to the significance of the asset.

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites to enhance or better reveal their significance; proposals that preserve elements of the setting which make a positive contribution to the asset, or better reveal its significance, should be treated favourably (Paragraph 200).

Paragraph 202 concludes that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies, but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

***The Heritage Impact Assessment and chapters 8 and 9 of the Environmental Statement address the historic environment and the proposed schemes impact on heritage assets. Through these assessments, a number of heritage assets are identified and reviewed.***

*In terms of setting of the World Heritage Site and its attributes, it is concluded that although there is a consistent very high or high significant of the attributes and assets, the impacts of the proposed scheme are predominantly negligible, or of no impact. Where there are adverse impacts, these relate to the setting of West Waterloo Dock, the Tobacco Warehouse and Stanley Dock Conservation Area, and a single view of the Royal Liver Building.*

*The adverse impact is only considered from limited viewpoints and taken as a whole, these do not constitute fundamental difficulties with the proposals in terms of impacts on OUV, with the overall assessment considered to be negligible impacts.*

*The proposed scheme already benefits from an extant consent which includes the partial infilling of West Waterloo Dock in this location for the provision of development.*

*The public benefits of the proposal relate to the reintroduction of activity in what is a derelict and redundant site, the provision of a public walkway for pedestrians and cyclists so that the dock water space can be appreciated and associated interpretation through high quality public realm design.*

*The development of the site for residential use with commercial ground floor activity will encourage natural surveillance and footfall in addition to acting as a catalyst for further investment and development of the brownfield site of Central Docks, Liverpool Waters.*

*Repurposing the site with a development of a suitable city scale provides a critical mass of people and in physical terms it will provide a more cohesive townscape, with suitable enclosure and legibility to read alongside the Isle of Man Ferry Terminal.*

*As already set out in response to paragraph 9 of the NPPF, the proposed scheme will help create many 100s of FTEs jobs during the two year construction period in addition to the new homes bonus awarded to Liverpool City Council as well as approximately £9,000,000 in Council Tax every 5 years. The development will help further support development within this area of derelict dockland and act as a catalyst for future development, therefore supporting growth and ensuring that sufficient land of the right type is available.*

*The proposed scheme helps achieve the social objective as set out within the NPPF through creating new communities and reopening areas of land which have not been accessible to the public for many years. In addition to this, new public open space and connectivity is proposed as part of the new development to encourage active travel and connecting this underused area with the city centre.*

*A brownfield, derelict site will be constructed on to deliver much needed homes to the city centre. The Environmental Statement which supports the application has highlighted no significant environmental effects and new habitat planting and trees are proposed to enhance the area's biodiversity. The site will help reimagine this area of historic dockland and promote its heritage through activity and regeneration.*

*A Viability Report has also been submitted as part of the application which reviews the proposed scheme against a number of alternative uses and quantum against the abnormal costs that it would take to bring this derelict site back into a suitable condition for the general public to safely use. The report concludes that residential use is, at this time the optimum viable use and the massing and quantum of development is required to ensure that viability.*

*The site already benefits from an outline consent and an approved Central Docks Masterplan which sets out that the optimum use for Plot C-02 is residential and the plot uses the same amount of infill to accommodate the plot. The proposed scheme differs from the plot brief for C-02 slightly through a taller height (an extra 2.4m) and a wider massing and quantum. However, this is justified through the Viability Report and the LW Conformity Statement explains how the change in parameters do not impact on the wider Liverpool Waters scheme coming forward.*

*The Heritage Impact Assessment also considers the change in massing and due to the negligible difference the impacts on the surrounding heritage assets, World Heritage Site and Stanley Dock Conservation Area the proposed changes to the outline consent should be considered acceptable.*

#### 5.1.11 NPPF Conclusion

Overall, the development proposal represents a general conformity to the NPPF and represents a positive response to the national guidance.

## 5.2 Liverpool Unitary Development Plan (2002)

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states:

*“If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.*

The ‘development plan’ relating to the site is the Liverpool UDP and was adopted in November 2002 and is currently the statutory development plan for planning decision making within Liverpool. The LPA will utilise the UDP when reviewing the planning application, to ensure it aligns with current local policy.

### 5.2.1 Policy designated to the development site

As set out within section 2.5, the following policies are allocated to land within the site boundary and therefore are the most specific to this planning application.

- Mixed Use Area (Policy E6);
- Developed Coastal Zone (OE4)

### 5.2.2 Relevant UDP Policies

The following UDP policies are considered relevant to this application:

<b>Policy GEN1</b>	<b>Economic Regeneration</b>
<b>Policy GEN3</b>	<b>Heritage and Design in the Built Environment</b>
Policy GEN4	Housing
Policy GEN6	Transportation
Policy GEN8	Environmental Protection
Policy GEN9	Liverpool City Centre
<b>Policy E6</b>	<b>Sites for Various Types of Development</b>
<b>Policy HD5</b>	<b>Development Affecting the Setting of a Listed Building</b>
<b>Policy HD8</b>	<b>Preservation and Enhancement of Conservation Areas</b>
<b>Policy HD12</b>	<b>New Development Adjacent to Conservation Areas</b>
<b>Policy HD18</b>	<b>General Design Requirements</b>
<b>Policy HD19</b>	<b>Access for All</b>
Policy HD20	Crime Prevention
<b>Policy HD23</b>	<b>New Trees and Landscaping</b>
Policy HD24	Public Art
Policy HD28	Light Spillage
<b>Policy OE4</b>	<b>The Mersey Coastal Zone – Developed Coastal Zone</b>
<b>Policy OE14</b>	<b>Open Space in New Residential Developments</b>
<b>Policy OE16</b>	<b>The Leeds and Liverpool Canal</b>
Policy H3	City Centre Living
Policy H5	New Residential Development
<b>Policy T6</b>	<b>Cycling</b>
<b>Policy T7</b>	<b>Walking and Pedestrians</b>
<b>Policy T12</b>	<b>Car Parking in New Developments</b>
<b>Policy T13</b>	<b>Car Parking for the disabled</b>
Policy T15	Traffic Impact Assessment
<b>Policy EP1</b>	<b>Vacant, Derelict and Neglected Land</b>
<b>Policy EP2</b>	<b>Contaminated Land</b>
Policy EP9	Waste Storage
<b>Policy EP11</b>	<b>Pollution</b>
<b>Policy EP12</b>	<b>Protection of Water Resources</b>
<b>Policy EP13</b>	<b>Flood Prevention</b>

Of the above list, the ones in **bold** have been considered the most applicable and are introduced within this section. Section 6 then uses relevant policies to justify the development proposals set out within this planning application.

## Policy GEN1: Economic Regeneration

This policy aims to increase the economic activity, investment and employment in the city of Liverpool through identification of areas in which available resources for regenerating the City's economy will be concentrated, including the Waterfront and Docks.

*The development scheme seeks to increase opportunities for economic activity in the Liverpool City Region and on the Waterfront in particular. As the site is currently vacant, its contribution to the local economy is minimal although the proposal aims to create an opportunity for investment through the proposed scheme, therefore encouraging the site to come forward for future development which will help grow the City's economy by providing more opportunities whether this be in construction, housing or new employment.*

## Policy GEN3: Heritage and Design in the Built Environment

The Plan aims to protect and enhance the built environment of the City by preserving and enhancing historically and architecturally important buildings and areas, and by creating attractive environments which are safe and secure both day and night.

*The proposed scheme looks to enhance the building environment of the City by providing a high quality development on derelict land, bringing it back into use for the residents and the general public to enjoy. The development will allow people to come into a historic area of waterfront which has not been accessible for a long time. Through careful design and the potential for historical interpretation, the City's heritage will be promoted through the proposed scheme and the landscaping. The ground floor commercial activities and the pedestrian and cycle walkway will create an attractive environment which is safe and secure and will allow people to connect to the waterfront.*

## Policy GEN4: Housing

The Plan aims to promote a good quality living environment for residents through provision for additional dwellings and considering carefully the design and layout of proposals in regard to access for all.

*The proposed scheme will provide a good quality living environment for a range of people in a sustainable location.*

## Policy GEN6: Transportation

The Plan aims to provide a balanced provision of transport infrastructure which protects and enhances the environment through reducing the reliance on the private car and improves facilities for cyclists and pedestrians.

*The proposed scheme reduces the reliance on the private car by only proposing 31% car parking to the proposed scheme and encouraging walking and cycling through enhanced connectivity within the site towards other areas of the city centre.*

## Policy GEN8: Environmental Protection

This policy aims to protect and enhance the environment by recycling the land for productive use through the treatment of vacant, derelict and underused land. It is seeking to secure the efficient disposal of waste and to encourage recycling, reclamation and reuse of waste wherever possible.

*The site is current vacant, derelict and underused and the proposed scheme will allow the area to be regenerated, providing a catalyst for more quality development and encouraging people to use the space for a range of public benefits.*

*The supporting Environmental Assessment has assessed the proposed scheme against a number of environmental disciplines and has concluded that will appropriate mitigation there would be no significant effects to the environment because of the development.*

*Flood Risk has been considered as part of the design and finished floor levels are appropriate and take into account potential climate change impacts.*

## Policy GEN9: Liverpool City Centre

The Plan aims to maintain and enhance the City Centre's role and function as a regional centre by improving access and circulation and improving the general physical environment.

*Consenting this scheme will further economic development due to the potential for job creation as well as financial contributions the development will allow Liverpool City Council to achieve through the New Homes Bonus and Council Task. It will improve access and circulation through the promotion of enhanced pedestrian and cycling activity as well as contributing to bringing the city centre closer to the waterfront by creating a new route along the waterfront from Princes Dock.*

## Policy E6: Sites for Various Types of Development

The West Waterloo Dock site is designated as Ref No. M77 within the UDP Schedule 6.3 – Sites for Various Types of Development. Therefore, this policy states planning permission will be granted for uses B1, C3, and D2.

*The proposed scheme is predominately use class C3 Residential with some small scale commercial (Use Class A1, A3 or A4) on the ground floor of the proposed scheme to encourage active frontages. Therefore the principle of residential development on this site is accepted.*

*The Environmental Assessment which supports the planning application identified no significant effects caused by the proposed scheme and therefore it is considered the scheme could be developed without harm to the amenities of the residents of Waterloo Warehouse.*

## Policy HD5: Development Affecting the Setting of a Listed Building

Planning permission will only be granted for development affecting the setting of a listed building, which preserves the setting and important views of the building.

*As set out in the supporting Heritage Impact Assessment and Chapter 8 and 9 of the Environmental Assessment, the proposed scheme has a slight adverse impact on the setting of the Royal Liver Building, however, this is only from certain local viewpoints (viewpoints 19 and 21) which aren't currently accessible to the public but will be should the development comes forward, the asset is still visible from other public, more significant viewpoints and many of these also include its association with the other pier head buildings, whereas the viewpoints which cause adverse impact only show the Royal Liver Building in isolation.*

*Due to the location of the viewpoints, any development over circa 3 storeys would completely screen any view of the Royal Liver Building and buildings lower than this would also compromise the setting without actually completely screening it. Therefore although there is an affect on the setting of the Royal Liver Building from certain viewpoints assessed against the proposed development, these viewpoints are not of high significance, would preserve the overall setting of the asset and would not impact of the important views of the building.*

*The proposed scheme brings a slight adverse impact on the Stanley Dock Tobacco Warehouse (through viewpoint 4) as the development partially blocks the warehouse from view. It can argued however, that through the implementation of the extant Liverpool Waters Outline Consent in full, this impact would still take place, therefore the principle of development in terms of similar massing and height has been accepted by Liverpool City Council through the approval of the LW Outline Consent and the Central Docks Masterplan.*

*The setting of the Waterloo Warehouse is moderately affected by the proposed scheme from a number of important viewpoints. However, as set out in the Heritage Impact Assessment, this building was not intended to be a landmark building and wasn't meant to be seen fully from cross river viewpoints. It was historically blocked from view by its "twin" building which was damaged in the wall and eventually demolished. The asset's structure can still be read with other assets such as the dock boundary wall, Princes Half Tide and the east Waterloo Dock, it is legible as part of a cohesive group. These associations will still be relevant and retained even with the proposed development in place.*

*The public benefits that are brought forward with the proposed scheme which have already been referred to within this Planning Statement justify this impact in addition to the fact that the site already benefits from an extant consent which would have a similar impact the setting of the Waterloo Warehouse. Public benefits include the bringing back a derelict waterfront area into use and allows the general public to access it, enhancing the connectivity into and out of the site through high quality public realm, creating a new neighbourhood to encourage sustainable communities in addition to the economic benefits due to full time jobs and the Council Tax and New Homes Bonus awarded to LCC.*



*Therefore, although there is some impact on the setting of 3 listed buildings, this impact is considered acceptable when reviewed against the benefits of the proposed scheme and the extant consent which is already in place. The harm is not considered substantial and in line with paragraph 196 the proposal has been weight against the public benefits therefore the proposed scheme should not be refused based on the findings set out above.*

### **Policy HD8: Preservation and Enhancement of Conservation Areas**

The City Council will take positive action to secure the preservation or enhancement of conservation areas and will provide guidance and advice to owners and developers.

*The proposed scheme is not within any conservation area, however it is located close to the Stanley Dock Conservation Area and causes a moderate adverse impact. However, the Conservation Area is still retained and is not harmed greatly, the main attributes are still retained. Therefore, the impact is considered acceptable when reviewed against the benefits of the proposed scheme and the extant consent which is already in place.*

*The harm is not considered substantial and in line with paragraph 196 the proposal has been weight against the public benefits therefore the proposed scheme should not be refused based on the findings set out above.*

### **Policy HD12: New Development Adjacent to Conservation Areas**

This policy states that development on land adjacent to a conservation area will only be permitted if it protects the setting of the conservation area and important views into and out of it.

*As mentioned above, although the proposed scheme has a moderate adverse impact on Stanley Dock Conservation Area, the setting of the conservation area is still retained and important views into and out of the area are protected.*

### **Policy HD18: General Design Requirements**

The policy identifies that the permission will be granted for development proposals that fit the context of the area by scale in relation to landscape, materials, overall character of the area, layout, view into and out of any adjoining green space. Planning permission will be granted to the proposals, considering the privacy, appropriate waste and storage arrangements, accessibility by vehicle and pedestrians.

*The proposed scheme has carefully considered policy HD18 and has revised the original design of the building to reduce its impact on its setting and it is considered this has also led to a higher quality of design.*

*The scale, density and massing relate well to its locality due to the warehouse style of the building with building lines that relate and refer to the local historic context and respecting the height of the Waterloo Warehouse by now over*

***dominating it. The materials and layout therefore show characteristics of local distinctiveness and promotes the innovation of Liverpool.***

***The proposed development along with the public realm is of high quality and relate well to its surroundings and brings about a development where people will want to enjoy and use through the enhanced connectivity.***

***Overall, through pre-application conversations, a Places Matter review and detailed considerations of design within the project team, the proposed scheme meetings the general design requirements.***

### **Policy HD19: Access for All**

This policy ensures that all new non-residential development proposals provide a fully accessible and suitable environment for everyone. Consideration is given to the need to ensure ease of access and movement for disabled people, both as employees and customers between and within public areas by the careful provision, siting and design of parking areas, paths, dropped kerbs, pedestrian crossing, street furniture and open space.

***The public realm and floor layouts have considered the needs of all users and the project scheme achieves the target of being fully accessible for everyone. Public areas are safe to use, there is adequate disabled parking bays in addition to policy compliant quantum of accessible rooms.***

### **Policy HD23: New Trees and Landscaping**

This policy identifies that permission will be granted for development proposals that compensate any tree loss by providing an appropriate planting of new trees and landscaping including boundary treatment, use of native species and creation of wildlife habitats to promote nature conservation

***The design has carefully considered the local environment and through well designed landscaping the scheme aims to establish a robust mix of tree planting that will withstand the coastal conditions. The site is highly exposed to the prevailing winds from the south-east and north-west.***

***Trees are proposed to be planted within groups to provide protection against the wind. All planting is proposed to be low maintenance and robust. The planting schedule will aim to replicate existing short perennial coastal vegetation through the use of loose substrates and hardy, salt tolerant species.***

***The substrates and species selected will provide habitat opportunities for a range of invertebrates, including declining pollinated species. This in turn will provide a feeding resource for birds and small mammals.***

### **Policy OE4: The Mersey Coastal Zone**

Within the Developed Coastal Zone, the City Council will support proposals which further the restructuring and regeneration of the zone and enhance its environmental quality, tourism potential and recreational facilities, particularly those which would lead to improvements in the accessibility of the coast.

***The proposed scheme looks to regenerate an underused, poor quality site therefore enhances its quality and providing recreational facilities through the enhanced public realm, allowing people to connect to the waterspace of the West Waterloo Dock.***

### **Policy OE14: Open Space in New Residential Developments**

For residential developments exceeding 25 dwellings, developers should make appropriate provision for recreational open space to meet the need generated by the development.

***The proposed scheme contributes to open space through the public realm enhancements including the soft landscaping and the timber walkway that allows the general public to interact with the waterspace, something which is a key aim for LCC and Canal and River Trust.. The enhanced connectivity will also allow people to safely access others areas of the Liverpool Waters site when developed, therefore creating a catalyst for further development and further public realm and open space such as Central Park (proposed through the LW Outline Consent).***

### **Policy OE16: The Leeds and Liverpool Canal**

This policy seeks to protect and enhance the character of the canal and its setting. The Council will seek to ensure new development is of a form and scale which complements the canalside environment, especially in regard to roofscape, height and relationship to canal boundary. The proposed site layout should take account of the canal when placing buildings and paved or landscaped areas.

***The relationship between the development site and the Leeds and Liverpool Canal is currently low quality and provides no amenity value. The proposed scheme will be of a form and scale which complements the canalside environment, based on development a plot based on the historic architecture references. The canal boundary is currently very poor quality. The scheme looks to create a new boundary between the development site and canal which will be of better quality. The timber walkway and jetty will also create public access to the canal and the potential for canal boats to moor in a new location.***

***Therefore, although part of the dockspace is proposed to be infilled, the Leeds and Liverpool Canal will still remain and the improvement works which are feasible due to the development taking place on the infilled part of the dock will allow for a better relationship with the canal.***

### **Policy H5: New Residential Development**

This policy identifies that permission will be granted for development proposals which respect the character of the surrounding area through density, design and layout of the proposed development. LCC encourages residential schemes with elements of local community facilities, particularly in areas with inadequate amenities resulting from population increase.

***The proposed scheme accords with the criteria set out within Policy H5. The density, design and layout of the development has amended through the***

*planning process, so it respects the character of the surrounding area more. The levels of privacy and amenity for existing residents are still retained and the Environmental Statement concludes that there would be no long term significant effect on the existing environment.*

*Parking provision is considered acceptable in this city centre location (31%) and enhanced connectivity will be provided for pedestrians and cyclists to feel safe when using the area and the proposed comply with HD18 and OE14 as referred to previously in this section.*

### **Policy T6: Cycling**

The City Council will promote, and support initiatives designed to maximise the role of cycling as a transport mode.

*The proposed scheme has 280 cycle spaces and promotes the use of bikes through its enhanced connectivity proposals which will help link Central Docks with Princes Dock and the rest of the city centre.*

### **Policy T7: Walking and Pedestrians**

The City Council will implement measures to encourage walking as a mode of transport and to make the pedestrian environment safe and more convenient.

*A new pedestrian route is proposed from Princes Dock into Central Dock through the proposed Isle of Man Ferry Terminal. This connection will be enhanced through the proposed scheme's development and will further promote the use of sustainable ways of travel through the high quality public realm and connection to waterspaces.*

### **Policy T12: Car Parking in New Developments**

This policy identifies that permission will be granted for development proposals which adequately meet the generated demand for car parking on site, depending on purpose, existing public parking in the area, safety and influence of off-site parking and accessibility of the proposed development by public transport.

*The proposed scheme has a parking provision of 31% which is considered appropriate for the location. It is also in line with the provision set out within the Central Docks Masterplan and prevents the overreliance of the car within this sustainable location.*

### **Policy T13: Car Parking for the Disabled**

This policy states that there should be a minimum of 6% of disabled parking of the first hundred parking spaces. Parking bays should be wide enough and should be clearly marked.

*The proposed development contains 10 disabled spaces which results in 6%, they are clearly marked and are of the correct size based on current guidance.*

## Policy EP1: Vacant, Derelict and Neglected Land

The City Council will promote and encourage the reclamation of derelict land and restoration of neglected land for appropriate development.

***The proposed site is vacant, derelict and neglected land and benefits from an extant consent for a mixed use 60ha redevelopment. The site will allow this unused area of land to be brought into use through high quality architecture and public realm. This should act as a catalyst for future development.***

## Policy EP11: Pollution

Planning permission will not be granted for development which has the potential to create unacceptable air, water, noise or other pollution or nuisance.

***The supporting Environmental Statement sets out that there are no significant effects caused through the proposed development should the suggested mitigation be followed. It is though that a Construction Environmental Management Plan will be conditions in order to reduce unacceptable air, water, noise or other pollution or nuisance.***

## Policy EP13: Flood Prevention

Planning permission will not be granted for development which would be at an unacceptable risk from flooding or be likely to increase the risk of flooding elsewhere.

***The proposed site is predominately in Flood Risk Zone 1, however a Flood Risk Assessment has been carried out which concludes there is little risk of flooding.. The finished floor levels of the proposed scheme have taken the potential of climate change into account based on Environment Agency data and levels set within the Central Docks Flood Risk Strategy.***

## 5.3 Merseyside and Halton Joint Waste Local Plan (2013)

The Joint Merseyside and Halton Waste Local Plan (WLP) is the first Local Plan which has been successfully produced between the six councils of Liverpool City Region: Halton, Knowsley, Liverpool, St. Helens, Sefton and Wirral. The Waste Local Plan supports the City Region in improved waste and resource management, a key part of the ambition for LCR to become a low carbon economy by 2027.

The WLP provides direction for future waste management development up to 2027, including site allocations and development management policies. It part of the statutory development plans for each of the six districts.

The Strategy for meeting the City Region's waste management needs includes ensuring that residual waste is minimised and processed in a manner which minimises export of residual waste for landfill disposal and maximises the economic and environmental benefits to local communities and businesses.

The relevant WLP Strategic Objectives (SOs) and policies are listed below:

- SO2 – To promote waste minimisation and optimise re-use and recycling of waste materials for both waste specific and non-waste planning applications.
- SO4 – For Merseyside and Halton, as one of the North West's City Regions, to be a leader in promoting the transformation of waste to resource to encourage social, economic, environmental and employment gain from sustainable waste management.
- SO6 – To minimise the adverse effects of waste management development (including transportation) and enhance the positive impacts where possible, on human health, local amenity and the natural and urban environment and heritage of Merseyside and Halton.
- Policy WM0 - This policy highlights the presumption in favour of sustainable development from paragraph 14 of the NPPF. It states that planning applications which align with policies in the WLP should be approved without delay unless material considerations indicate otherwise.
- Policy WM 8 - Any development involving demolition and/or construction must implement measures to achieve the efficient use of resources, taking particular account of:
  - Construction and demolition methods that minimise waste production and encourage re-use and recycling materials, as far as practicable on-site;
  - Designing out waste by using design principles and construction methods that prevent and minimise the use of resources and make provision for the use of high-quality building materials made from recycled and secondary sources;
  - Use of waste audits or site waste management plans (SWMP)<sup>G</sup>, where applicable, to monitor waste minimisation, recycling, management and disposal.
  - Evidence demonstrating how this will be achieved must be submitted with development proposals of this type.
- Policy WM9 identifies that the design and layout of new developments must, where relevant, provide measures as part of their design strategy to address the collection and storage of waste, provide access for the collection and transport of waste for treatment, accommodate home composting in dwellings with individual gardens and facilitate small scale low carbon combined heat and power in major residential schemes.

***The proposed scheme will seek to promote waste minimisation where possible and will use best practice methods during the construction and operation of the development to comply with the Waste Local Plan.***

## 5.4 UDP Supplementary Planning Guidance (SPG)

### SPG Note 6 – Trees and Development

This note states that trees are vital to the environmental quality of Liverpool in numerous ways, as they play a significant role in absorbing carbon dioxide and releasing oxygen, help to clean and filter the air, and are important for wildlife. The SPG supplements UDP Policies HD22 (Existing Trees and Landscaping) and HD23 (New Trees and Landscaping).

#### New Tree Planting

The City Council will seek provision for the planting and successful growth of new trees, normally on the basis of at least two trees per dwelling for residential development. Trees should be planted in properly prepared tree pits, well-staked and tied, kept free of weeds and well-watered during periods of dry weather.

New trees must be left in a satisfactory condition upon completion of the development. Wherever appropriate, landscaping proposals and site layouts should include native species.

#### Newly Planted Trees in Relation to Buildings and Services

To ensure trees do not interfere with buildings to an extent that removal becomes necessary, the following should be considered:

- Dimensions of the tree when fully grown and whether it will shade windows;
- Trees should not be planted within 2m of underground services or drains due to possible disturbance in subsequent years;
- Avoid heavy leaf falls near roads, car parks and paths where slippery conditions could present danger.

#### Landscaping

The maximum amenity value of trees can be obtained if they are planted and protected as part of a comprehensive landscaping scheme. A full landscaping scheme will be required as part of the planning application to ensure landscaping is integral to the proposal. A scheme should include:

- Proposed planting details including botanical name, number and size;
- Hard landscape details including design and construction of walls, fences, paths, etc.;
- Maintenance schedule and, where appropriate, long-term management proposals.

***As already set out, the scheme provides high quality public realm in the form of hard and soft landscaping and will provide suitable trees which are suited for the marine environment to ensure they do not suffer and the quality of the landscaping is retained.***



## SPG Note 8 – Car and Cycle Parking Standards

The purpose of this SPG is to set out the Council's standards for parking in relation to new development. The note supplements UDP Policies T12 (Car Parking Provision in New Developments) and T6 (Cycling).

### Layout and Design of Car Parks

Entrances and exits to and from the public highway network should be positioned to not interfere with the free flow of traffic or present a hazard to road users or pedestrians. Car parks should be adequately landscaped and constructed with quality materials. Trees may be used to soften the visual impact of car parks; a standard of one tree per car parking space is required where appropriate in car parks with 20+ spaces. The layout should be user-friendly, well-lit, and signposted.

### Car Parking for the Disabled

Spaces should be designated for use by disabled people; these should be clearly-marked and clearly-signed with the international symbol at the entrance to the site. A minimum of 6% of the first 100 parking spaces in a development should be designated for use by Orange Badge holders.

### Servicing

Developments should consider and include satisfactory servicing arrangements, based on the maximum number of vehicles likely to serve the development at any one time. Sufficient room should be provided for emergency vehicles to enter and leave the site unobstructed. The maximum distance for refuse collection is 25m.

### Cycle Parking

Cycle stands should be located within the curtilage of the development to ensure effective security and supervision. The minimum cycle parking requirement for Class C3 within the City Centre is that all units should be accessible by cycle. Wherever possible, the Council encourages greater provision than the minimum standards.

***The design team have taken the above into account when considering the scheme and the proposed align with this guidance.***

## SPG Note 10 – New Residential Development

This guidance note provides further details to applicants of the Council's requirements for the provision of new residential development and supplements UDP Policy H5 (New Residential Development).

### Density

Density of a scheme is dictated by:

- the density and character of the surrounding area, particularly regarding the space about buildings;
- the need to retain, where appropriate, natural and man-made features within the site, and;
- the development capacity of individual sites taking into account the need to protect privacy and amenity and the provision of adequate garden space.

## Design

The proposed development should be well designed, contribute to improving the quality of the urban environment and consider the character of the surrounding built form, scale, building lines, roofscape, architectural features and materials. Importance should be given to characteristics of the local distinctiveness and surrounding architectural features or themes. The development should complement the roofscape of the existing street line and use materials, that fit the surrounding buildings by texture and colour.

## Layout

An identity and sense of place should be established through the careful integration of the buildings with existing site features. Opportunities should be used to prevent from crime and vandalism.

The layout should maximise amenity and visual interest. In case of terraced facades, the no. of properties should not exceed four per block. Rear passageways should be avoided where short terraces are introduced; bin stores should be stored at the front of properties or in shared accessways between properties. Innovative designs for longer terraces which incorporate solutions to these problems will be considered on their merits.

Where housing is proposed next to a major road, appropriate noise attenuation measures will be required. Although appropriate solutions to noise would depend on each case, the spatial separation of dwellings, trees and shrubs, acoustic glazing or a combination of all can be used as effective noise barriers.

## Space Around Buildings

Proposals will normally be required to satisfy the minimum standards for space around buildings; attention should be paid to as ensuring compatibility of plot widths with adjacent housing plots, space between all old and new buildings in backland developments, window to window separation distances, window to wall separation distances, and side spacing. If the proposed development is affected by the change of ground level, the developer will be required to provide details of the proposed and finished floor levels.

## Garden Provision

Rear gardens of two-storey dwellings should normally be a minimum of 11.5m in depth with the potential to be reduced to 10m for bungalow developments. Where a reduced garden depth is acceptable, a condition restricting permitted

development rights for extensions to the rear of the dwelling may form part of any planning permission.

Proportion of the rear garden should be maintained in relationship to the dwelling, size of the plot and general character of the area. Privacy should be retained in terms of the view into the rear garden from neighbouring properties.

### Landscaping

Landscaping is an integral part of any estate layout; applicants should also refer to SPG Note 6: Trees and Development.

It is recommended to ensure at least two trees per dwelling within the development as a whole.

Garden areas should be adequately landscaped. Rear gardens should be treated with a 300mm minimum cover of consolidated top soil, and front garden areas with grass.

### Boundary Treatment

Means of enclosure between private garden areas should normally consist of fencing or a wall to a height of 1.8m at the rear of the plot and down the common boundary to a point no less than 4m from the rear elevation of dwellings, from which point it can be reduced to a height of 1.2m. Means of enclosure between the public domain and private garden area, whether at the side or rear of a plot, should normally consist of a 1.8m high wall or 1.8m high wall and fence.

### Highways and Parking

The proposed development layout should provide a nuisance free highway environment which is safe for drivers and pedestrians and is compatible with other planning requirements for the site and locality. In order to minimise risks of accidents for pedestrians and cyclists, development proposals should contain specific measures aimed at reducing vehicle speeds and traffic flows. Footpaths and footways should be safe and convenient to walk upon; widths should be designed in accordance with Council requirements.

The proposal should contain sufficient car parking provision; estate layouts should be designed to accommodate on-street parking without interrupting the free flow of traffic. Parking spaces should be a minimum of 5.5m measured from the highway boundary and should be located at right angles to the carriageway clear of road junctions.

### Open Space Requirement

This requirement states that developers of housing sites exceeding 25 dwellings should make appropriate provision for recreational open space; priority should be given to providing on-site open space equivalent to 50 square metres per dwelling, laid out in a single plot. A development of 25 dwellings would generate a requirement for 0.1 hectares of open space.

***This advice notice has been considered when designing the proposed scheme and has taken account the environment the proposals will be in when evolving the scheme.***

## 5.5 Liverpool City Council's Submission Draft Local Plan (2018)

The emerging Local Plan was submitted to the Planning Inspectorate in May 2018 and is still under consideration. Once adopted, this document will replace the current development plan (Liverpool UDP) and become the local plan for Liverpool.

However, there are currently outstanding general objections relating to the soundness of the Local Plan and specific policies relevant to the application. The Planning Inspector has also raised a number of questions to LCC for further reconsideration and although LCC have now responded to the Inspector in regards to these, a formal response has not been provided by the Inspector at the time of submitting this planning application.

As these amendments have not been properly reviewed at this stage, the policies from the emerging Local Plan which was submitted for examination in 2018 have been referred to and not the most recent revised wording set out by LCC.

Where relevant, the inspector's questions and LCC's responses (as set out in EX2b and LCC01a of the Liverpool Local Plan Examination Documents List) is referenced in the following section.

Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant emerging policies according to the stage of preparation of the emerging plan, the extent of the unresolved objections, and the degree of consistency between the relevant policies in the emerging plan to the NPPF. As the wording of the policies are still under review between the planning inspector and LCC and no examination hearings have yet been held to identify unresolved objections, the emerging Local Plan should be given limited material weight to this planning application.

The following UDP policies are considered relevant to this application:

### Policy designated to the site boundary

The following policies are allocated to land within the site boundary and therefore are the most specific to this planning application.

- Mixed Use Area (Policy EC6)
- Liverpool Waters (Policy CC12)

As set out in section 2.5, the site benefits from outline consent for 60ha of redevelopment (100/2424 – Liverpool Waters) and application site falls within the site boundary of this outline consent which has approval for residential development with Plot C-02 in addition to agreement in principle to partially infill West Waterloo Dock to accommodate this development along with C-01.

Due to the Local Plan still being reviewed and the inspector and LCC amending the wording to the policies. Only the policies designated to the site boundary have been considered in more detail as part of this review. A list of relevant policies are set out below but are given limited material weight at this time.

Policy STP1	Spatial Priorities for the Sustainable Growth of Liverpool
Policy STP2	Sustainable Growth Principles and Managing Environmental Impacts
<b>Policy STP4</b>	<b>Presumption in Favour of Sustainable Development</b>
<b>Policy CC10</b>	<b>Waterfront Design Requirements</b>
<b>Policy CC11</b>	<b>Recreational Use of Dock Water Spaces, Quaysides and the Waterfront</b>
<b>Policy CC12</b>	<b>Liverpool Waters</b>
Policy CC20	Convenience Retail Provision and Community Facilities
Policy CC21	The Night Time Economy
Policy CC24	Housing Provision in the City Centre
Policy CC26	Protection and Enhancement of Green Infrastructure
Policy EC4	Culture, Tourism and Sport
<b>Policy EC6</b>	<b>Mixed Use Area</b>
Policy H3	Proposals for Residential Development
<b>Policy H12</b>	<b>Accessible Housing</b>
<b>Policy H14</b>	<b>New Residential Development Open Space Requirements</b>
Policy UD1	Local Character and Distinctiveness
Policy UD2	Development Layout and Form
<b>Policy UD3</b>	<b>Public Realm</b>
<b>Policy UD4</b>	<b>Inclusive Design</b>
Policy UD5	New Buildings
Policy UD8	Public Art
<b>Policy HD1</b>	<b>Heritage Assets</b>
<b>Policy HD2</b>	<b>Liverpool Maritime Mercantile World Heritage Site</b>
Policy GI4	Water Spaces
Policy GI5	Protection of Biodiversity and Geodiversity
<b>Policy GI7</b>	<b>New Planting and Design</b>
Policy GI9	Green Infrastructure Enhancement
Policy R1	Air, Light and Noise Pollution
Policy R3	Flood Risk and Water Management
<b>Policy R5</b>	<b>Rivers, Canals, Watercourses and Culverts</b>
<b>Policy TP1</b>	<b>Improving Accessibility and Managing Demand for Travel</b>
Policy TP2	Transport Assessments
<b>Policy TP5</b>	<b>Cycling</b>
<b>Policy TP6</b>	<b>Walking and Pedestrians</b>
Policy TP8	Car Parking and Servicing
Policy TP9	Public Transport

Of the above list, the ones in bold have been considered the most relevant to the Proposed Scheme.

## Policy CC12: Liverpool Waters

Liverpool City Council will support planning applications to deliver the vision for Liverpool Waters, a world-class mixed-use waterfront quarter in central Liverpool to allow for substantial growth of the City's economy.

*As previously mentioned, the site benefits from an extant consent called Liverpool Waters (100/2424). Although the proposed scheme is a standalone application due to it being outside the LW Parameter Plan Report in terms of parcel and plot layout and height, the principle of development still stands through the outline consent for a residential plot called C-02. The partial infill of West Waterloo Dock also has consent to deliver this plot and this is detailed further through the recently approved Central Docks Neighbourhood Masterplan.*

*Although, technically the application sits outside the Liverpool Waters Outline Consent, the supporting LW Conformity Statement justifies the reasons why the massing and orientation of the proposed scheme has had to change and how the application will not prevent Liverpool Waters from coming forward if the applicant uses the outline consent to deliver plots.*

*The proposed scheme still looks to deliver the vision for Liverpool Waters through a high quality, design led proposal and create a world class waterfront quarter to allow for growth of the City's economy and developments for people to benefit from.*

## Policy EC6: Mixed Use Area

Planning permission will be granted for mixed uses subject to the provisions of other relevant Plan policies.

*The principle of development is already established through the allocation of this policy within the site boundary. This policy promotes development which can make a significant contribution to the regeneration of the local economy, providing enhanced employment prospects and opportunities for environmental improvement. These public benefits fit with the proposed scheme and the scheme will act as a catalyst for further development in this area.*

## 5.6 National Planning Practice Guidance

The National Planning Practice Guidance (PPG) resource was launched on the 6th March 2014 seeking to make planning guidance easier and simpler for practitioners and the public. The PPG supports the NPPF, brings together and updates previous guidance into one online resource, thus clarifying a number of key planning issues which were previously raised in complicated guidance. Therefore, the PPG should be a material consideration in the determination of planning applications and the most relevant areas of the PPG have been set out below.

## Climate change

The NPPG on climate change states that addressing climate change is set out as a core land use principle within the NPPF and is expected to underpin decision-taking. The NPPF also stresses that responding to climate change is integral to the economic, social and environmental objectives of sustainable development. (Reference ID: 6-001-20140306)

Particular attention should be paid to integrating adaptation and mitigation approaches within development. An example of this is through provision of multi-functional green infrastructure, which contributes to reducing urban heat islands, managing flooding and helping species adapt. Additionally, green infrastructure creates a pleasant environment which encourages people to walk and cycle. Environmental Impact Assessments can be useful for testing the integration of mitigation and adaption measures, as well as long-term implications of such measures. (Reference ID: 6-004-20140612)

## Historic environment

This note states that conservation is an active process of maintenance and managing change, requiring a flexible and thoughtful approach. The NPPF sets out a clear decision-making framework to ensure that heritage assets are conserved, and where appropriate enhanced, in a way to respect their significance whilst also achieving sustainable development. (Reference ID: 18a-002-20190723)

‘Significance’ is defined by the NPPF as the value of a heritage asset to this and future generations because of its heritage interest; it is derived from physical presence and setting (Reference ID: 18a-006-20190723). In regard to World Heritage Sites, England protects these sites through the statutory designation process and through the planning system. Effective management of WHSs includes *“identification and promotion of positive change that will conserve and enhance their Outstanding Universal Value, authenticity, integrity and with the modification or mitigation of changes which have a negative impact on those values.”* (Reference ID: 18a-026-20190723)

The NPPF requires any harm to designated heritage assets to be weighed against the public benefits of the proposal; these benefits *“could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8).”* (Reference ID: 18a-020-20190723)

Applicants proposing development affecting the setting of a WHS, including those in the Buffer Zone, need to submit sufficient information within their applications to enable assessment of the potential impact on Outstanding Universal Value (Reference ID: 18a-035-20190723).

## Natural environment

Green infrastructure is important because it is a natural capital asset which provides numerous benefits. For communities, these include enhanced wellbeing, outdoor recreation and access, enhanced biodiversity and landscapes, urban cooling, and the management of flood risk. Such benefits are referred to as ecosystem services. (Reference ID: 8-005-20190721)



Green infrastructure can help to achieve the following planning goals:

- Building a strong, competitive economy;
- Achieving well-designed places;
- Promoting healthy and safe communities;
- Mitigating climate change, flooding and coastal change; and
- Conserving and enhancing the natural environment. (Reference ID: 8-006-20190721)

In regard to planning decisions, green infrastructure opportunities and requirements need to be considered at the earliest stages of development proposals, as a central part of development and infrastructure provision (Reference ID: 8-008-20190721). In the process of preparing a planning application, information on biodiversity and geodiversity impacts and opportunities should inform all stages of the development design. An ecological survey is necessary for applications which could have a significant impact on biodiversity; pre-application discussions can help to scope whether this is the case (Reference ID: 8-018-20190721).

## Viability

It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. Such circumstances could include where further information on infrastructure or site costs is required; where particular types of development proposed may significantly vary from standard models of development for sale; where development is proposed on unallocated sites of a wholly different type to those used in the viability assessment that informed the plan; or where economic changes have occurred since the plan was adopted. (Reference ID: 10-007-20190509)

In instances where a viability assessment is submitted to accompany a planning application, the weight given to a viability assessment is a matter for the decision-maker, having regard to all circumstances in this case, including whether the plan and viability evidence underpinning the plan is up-to-date, site circumstances, and the transparency of assumptions behind evidence submitted within the assessment (Reference ID: 10-008-20190509).

For the purpose of viability assessment, alternative use value (AUV) refers to the value of land for uses other than its existing use. Alternative uses can be applied in explanation as to why the alternative use has not been pursued. Where AUV is used, this should be supported by evidence of the costs and values of the alternative use to justify the land value. (Reference ID: 10-017-20190509)

## 5.7 Liverpool City Region – Emerging Spatial Development Strategy

The Liverpool City Region (LCR) are currently preparing a non-statutory Spatial Development Strategy (SDS) which will cover broad areas across the region.

In October 2019 LCR published an initial consultation exercise covering 6 themes, asking residents for views and priorities. These 6 themes are:

- Environment and Climate Change;
- Healthier, Safer and Resilient Homes and Communities;
- A Thriving and Vibrant City Region;
- A Connected City Region;
- An Inclusive Economy; and
- The Infrastructure We Need.

The preparation of the LCR SDS is currently in its early stages and there are no fixed timescales to the production. Therefore, this document currently holds very limited material weight to this planning application.

## 5.8 Liverpool World Heritage Site Supplementary Planning Document (2009)

The SPD contains guidelines relating to development proposals within the WHS and the Buffer Zone. Paras 4.2.8/4.2.9 of the document state that:-

*All developments in the Buffer Zone, whether in an area of surviving historic character or not, will, in accordance with HD18, need to respond to and reflect the characteristics of the area around them. The design and scale of developments will need to respond to, and respect, their context proportionately to their potential impact on the setting of a conservation area and the WHS. Major schemes adjacent to conservation areas and the WHS will be considered more carefully for their impact on OUV of the WHS and character of conservation areas than minor developments further away from the WHS and conservation areas.*

*Where a proposal in the Buffer Zone is for 1) a tall building, 2) a building with a mass that significantly exceeds that of surrounding buildings, 3) a development that is immediately adjacent to the WHS, 4) a building which has a significant impact upon key views or key landmark buildings, 5) a building of architectural or historic interest (whether listed or not), or 6) a development that affects a site of archaeological interest: special consideration should be given to the relationship between the development and the WHS and the impact of development on the historic character of its locality and any buildings that contribute to that character.*

***Special consideration has been given to the proposed scheme due to its location next to the World Heritage Site. The Heritage Impact Assessment takes this into account and concludes that due to the cumulative changes to West Waterloo dock, this had led to the loss of both integrity and authenticity and the***

***current townscape is a 20<sup>th</sup> century vision of this part of the dock system with vestigial elements of the earlier port. In overall terms, whilst the proposals do have some slight adverse impacts on the setting of a limited number of these attributes, they do not detrimentally impact on OUV and preserve the authenticity and integrity of the Property.***

Para 4.2.12 states that:-

*The architectural quality of a proposal within the WHS and Buffer Zone must be of the highest quality of contemporary design but respect, respond to and enhance its highly sensitive and important historic context.....In all cases, the emphasis should be on quality architecture which is grounded in understanding and design concepts, informed by the context.*

***The architectural quality has been carefully considered to ensure it is sensitive to its surroundings whilst ensuring it is suitable for the modern day uses and provides adequate public realm and amenities to its residents.***

Section 4.4 of the SPD relates to the importance of views. In particular, the document outlines the importance of key visual landmarks within the WHS and Buffer Zone:

*There are significant landmark buildings and building complexes that form a fundamental part of the WHS's OUV and wider city's visual structure. They make a positive contribution to the skyline and distinctiveness of the city because of their size, architectural quality, location and / or their inter-relationships. They provide visual reference points across the cityscape and form major components of key views to, from and within the WHS. Not all the landmarks are listed buildings but many are. Views to and from these listed buildings form part of their setting and consequently are a material consideration in planning applications and directly addressed by UDP policy HD5. The key landmark buildings are: Stanley Dock Complex, Pier Head Complex, Albert Dock Complex, Town Hall, St George's Hall, Liverpool Museum, Lime Street Station, Municipal Buildings, Anglican Cathedral, Metropolitan Cathedral, St Luke's Church, Beacon, Beetham Tower West, Unity Building, St Nicolas Church, Victoria Clock Tower, Waterloo Warehouse and Wapping Warehouse.*

The SPD describes a series of view typologies, including river prospects, panoramas, and key local views comprising defined vistas, general views/panoramas and general views with a focal point. Figure 3 shows distant views to the WHS. In 4.4.14 of the SPD, it is stated that:

*The City Council expects that developments should not have a significant adverse*

*impact on the key views to, from and within the WHS, by wholly obstructing a key public view of a landmark building or overly dominating a panorama.*

***As already set out within the Planning Statement, the Royal Liver Building, Stanley Dock Warehouse and Waterloo Waterhouse are all minor to moderately adversely impacted by the proposed scheme. However, it is considered that these impacts do not deteriorate the overall setting of each assets and based on the alignment with the extant consent in addition to the public benefits the scheme brings, it is thought these points outweigh the level of harm on the settings.***

Section 4.5 of the SPD relates to riverside development, and the fundamental importance of the relationship between the river Mersey and the WHS. The guidelines at Para. 4.5.2 state that:-

Section 4.7 of the SPD relates to dock water spaces, with a presumption that they will be preserved and activity introduced. Para 4.7.4 states that “*new forms of active uses, both permanent and transitory, are needed in the water and on the adjacent quaysides to animate these spaces*”, whilst 4.7.6 states that “*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.*” In terms of infilling, 4.7.7 considers that it is inappropriate for existing dock water spaces within the dock that survive within the buffer zone to be filled, although the exception to this is where permission has previously been granted for partial infilling. The consented Liverpool Waters outline scheme contained a proposal for the partial infill of West Waterloo dock, and the current proposals conform to this.

***As set out within the Heritage Impact Assessment, the site has been partied to a number of changes and infill in the past. This therefore allows further infill when referring to section 5.7.7 of the World Heritage Site SPD. In addition to this, there is already an extant consent for partial dock infill (up to the same level of the proposed scheme) to deliver residential uses (similar to the proposed scheme) as detailed in the approved Central Docks Neighbourhood Masterplan.***

## **5.9 Ensuring A Choice of Travel – Supplementary Planning Document (2008)**

This document provides guidance for developers with regard to requirements for access and transport. The main objectives of the Supplementary Planning Document (SPD) are to:

- Ensure that there is reasonable access to new developments, through a good choice of transport methods;

- Reduce the environmental impact of travel;
- Improve road safety;
- Promote healthier lifestyles and reduce the level of traffic growth and congestion; and
- Reduce car parking spaces in new developments where appropriate.

### **5.10 Design for Access for All – Supplementary Planning Document (2011)**

This document highlights the key principles in designing inclusive buildings which meet the needs of all users including disabled people. The needs of disabled people should be taken into account at the earliest stages of planning a new development to ensure a fully accessible environment.

## 6 Planning Assessment

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Section 5 set out a review of relevant planning policy. This section considers the compliance of the planning application with those relevant policies of the statutory development plan and other material considerations.

The assessment will demonstrate that the proposals accord with relevant policies and in accordance with Section 38(6) of the 2004 Act and Section 70 (2) of the 1990 Act and should be granted planning permission.

The principal issues that are considered relevant for this development proposal through this section are:

- The Principle of Development;
- Sensitive Design in relation to heritage assets
- Impact on Environment:

### 6.1 The Principle of Development

Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Section 3 provides a details description of the proposed scheme but in summary, this planning application is for the:

*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.*

#### 6.1.1 Principle of development through policy designation

As stated throughout the Planning Statement, the Development Plan in this instance is the Liverpool UDP and within this plan, the application site is allocated as:

- Mixed Use Area (Policy E6);
- Developed Coastal Zone (OE4)

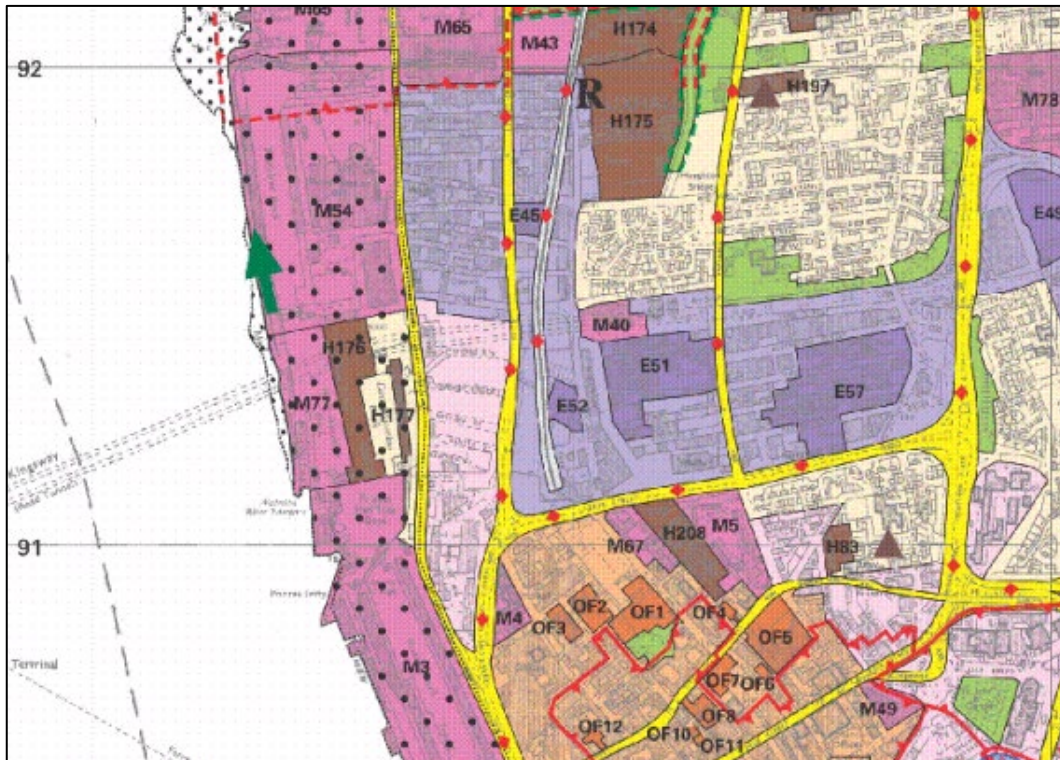
The application site is located within an allocation for 'Sites for Various Types of Development' under UDP Policy E6 (see Figure 14). Within UDP Schedule 6.3 (Sites for Various Types of Development), West Waterloo Dock is designated as M77. This designation and policy states that planning permission will be granted for uses B1, C3, and D2 in this location. This development primarily consists of Use Class C3 (Dwellings) and therefore, conforms to this designation.

UDP Policy E6 supports mixed-use development in which a range of complementary uses are encouraged; development must also satisfy other Plan



policies. The development proposes four blocks of apartments with 2 ground floor commercial spaces (Use Class A1, A2 or A3). These commercial units will promote activity and frontages along the protected walkway and although don't fall in with the M77 allocation, could almost be seen as ancillary to the residential use due to the scale of services being proposed (400sqm in total).

UDP Policy OE4 states that the City Council will support proposals which further the restructuring and regeneration of the zone and enhance quality, tourism potential and recreational facilities, particularly those which would lead to improvements in the accessibility of the coast.



**Figure 14 Extract of the Liverpool UDP showing the proposed scheme**

In addition to built development, the proposed scheme includes a 6m waterfront walkway and cycle route with seating along the dock edge. The proposed route is cantilevered over the waterway and is wide enough to accommodate cyclists and pedestrians whilst providing adequate space for pausing along the water edge. A floating timber jetty for canal boats to moor up along is fixed to the waterfront walkway, thus further activating the waterspace. An external seating area is proposed to the north and is raised above the walkway, this will give impressive views when looking south towards Princes Dock and the Three Graces (specifically the Royal Liver Building). This space could be operated as part of the commercial unit adjacent to the seating area or could be managed separately for use by the general public as further public realm.

There are a number of 'green routes' proposed through the site to highlight key pedestrian and cycle routes based around soft landscaping. The central green route provides a cross connection between the Northern Link Road and the waterside walk and the materials incorporate the original dock walls to showcase the heritage of the site.



Car parking is located close to each block in addition to the northern area. The provision of planting and semi-mature trees softens the effect of the parking to allow a more enjoyable experience should the user be accessing the site through this route and not via the northern link road or waterfront walkway.

Materials will be site appropriate, robust and provide an aesthetic in keeping with the industrial heritage and are in accordance with the Central Docks Neighbourhood Masterplan. They reflect the adjacent materials proposed on the Isle of Man Ferry Terminal and Northern Link Road and will be site appropriate.

The Softworks strategy aims to establish a robust mix of tree planting that will withstand the coastal conditions. The site is highly exposed to the prevailing winds from the south-east and north-west. Trees are proposed to be planted within groups to provide protection against the wind. All planting is proposed to be low maintenance and robust. The planting schedule will aim to replicate existing short perennial coastal vegetation through the use of loose substrates and hardy, salt tolerant species.

Trees are proposed to be planted within groups to provide protection against the wind. All planting is proposed to be low maintenance and robust. The planting schedule will aim to replicate existing short perennial coastal vegetation through the use of loose substrates and hardy, salt tolerant species.

Under these circumstances the Council will also expect the Company to demonstrate that such a proposal can be developed without harm to the amenities of the residents of Waterloo Warehouse in terms of noise, traffic and other environmental impacts.

***The site is currently an underused plot of land which adds limited value to the existing environment. There is no open space or public accessibility into the site; therefore, it adds no recreational or amenity function to the area. The proposed scheme will provide uses which align with UDP Policy E6 and will regenerate an area of Developed Coastal Zone (UDP Policy OE4), enhancing its environmental quality by providing high quality public realm along the West Waterloo Dock edge and introducing soft landscaping. The waterside walkway will provide places to sit and enjoy the space therefore providing recreational amenity for users, the commercial spaces will allow further animation of the ground floor area.***

***Therefore the principle of development is established for the proposed scheme through the compliance of UDP policies which are designated to the site area.***

## **6.1.2 Principle of development through Liverpool Waters Outline Consent**

As stated previously within the Planning Statement, the site benefits from an extant outline consent (100/2424) for 60ha of mixed use development within the Liverpool Waters site. As part of the outline consent, a masterplan was required to detail development proposals further within Central Dock, this was approved in November 2019 (19DIS/1315).

Within the Outline Consent and Central Docks Masterplan, the C-02 footprint was designed to facilitate the delivery of the key pedestrian / cycle movement route to

Princes Dock and further north to the rest of the Liverpool Waters site to provide enhanced connections for to connect to future development. The alignment to the plot to the north (Plot C-03) is limited by the Mersey Tunnel easement, which in turn allows Cultural Square (as identified in the LW Parameter Plan Report PP007) to be respected and activated.

Through the predominate land use strategy set within the Central Docks Masterplan, C-02 has been allocated as mixed use but predominantly residential or commercial use. The residential typology strategy set within the Masterplan states that the plot is likely to provide a mix of larger and smaller residential unit sizes through an apartment style development. In order to deliver this development plot through the outline consent, it was established that partial dock infill of the West Waterloo Dock would be required. This is detailed further within the Central Docks Masterplan and in Figure 15 below.



**Figure 15 Extract from the Central Docks Masterplan showing the extent of the West Waterloo Dock Infill.**

Furthermore, the emerging Local Plan designated the site as a Mixed Use Area (Policy EC6) which is similar to the current allocated (UDP Policy E6) in addition

to Policy CC12 (Liverpool Waters) which states that LCC will support planning applications to deliver the vision for Liverpool Waters, a world-class mixed use waterfront quarter in central Liverpool to allow for substantial growth of the City's economy.

Therefore, if a residential development came forward through a reserved matters process via the Liverpool Waters Outline Consent within the parameters of Plot C-02, there would be a strong likelihood of receiving consent due to the alignment of local policy in addition to the Central Docks neighbourhood masterplan.

***Therefore the principle of development through Liverpool Waters Outline Consent is established as the consent allows West Waterloo Dock to be partially infilled and a plot of up to 30 metres to be developed along the waterfront.***

However, the application sits outside the Liverpool Waters Outline Consent due to the plot massing and height being outside the parameters of Plot C-02 set within the LW Parameter Plan Report. The details of this are set out in the supporting LW Conformity Statement which concludes that although the application does not conform to the outline consent in these areas, the change is minimal when reviewing it against the entire LW Outline Consent and does not impact on the wider Liverpool Waters Outline Consent. The standalone application generally conforms to the outline consent.

### 6.1.3 Principle of Development Conclusion

Section 6.1 sets out how the principle of development has been established through conformity with designated policies and the fact that there is an extant consent which could be implemented further, allowing the partial infill of the West Waterloo Dock and a plot within C-02 of up to 30 metres to be developed along the waterfront.

The LW Conformity Statement explains that the reason the massing and height is slightly bigger and therefore not in conformity of the LW Outline Consent is due to the viability of the project. The application is supported by a Viability Report which explains how the proposed massing of Plot C-02 set within the LW Outline Consent and Central Docks Masterplan is unviable when considered in combination to the abnormal costs for the services and the partial infill of West Waterloo Dock needed to create the building platform.

The Viability Report concluded that due to these abnormal costs, an extended massing and quantum of development is required to provide an acceptable level of return based on a suitable development platform.

Although the principle of development has been established in principle through compliance of policy and the presence of an extant consent, the proposed scheme is not part of the Liverpool Waters Outline Consent therefore the justification for the development needs to be re-established to ensure it is policy compliant, the next section does this.

## 6.2 Sensitive Design in relation to heritage assets

Although the proposed scheme complies with local UDP and emerging Local Plan policies which are designated to the site. Further consideration of key policies are

required to ensure that the detailed scheme does not bring significant effects to the surrounding area.

Due to the historic setting of the proposed scheme, this section focuses on how the scheme responds to relevant heritage assets and refers to UDP Policy HD5, HD8 and HD12 along with relevant NPPF policy.

The site is outside the boundary of the Liverpool Maritime Mercantile City World Heritage Site, but is within the buffer zone, and the development is visible from, and within the setting of the grade II listed Waterloo Warehouse, the grade II listed Dock wall, and that of the World Heritage Site. The site is not located within a conservation area, and there are no buildings of special architectural or historic interest on the site. There are no designated heritage assets on the site, but the development is located partially within the West Waterloo Dock, which, despite much alteration and significant changes to its form and function, helps to define the setting of the World Heritage Site.

Due to the location of the proposals outside the WHS boundary and within the Buffer Zone, the issue of setting has been assessed on individual heritage assets, and on the attributes of OUV that are described and defined within the guidance and the statement of OUV. In order to explore the potential impacts on setting, a series of views 21 have been assessed. Full details of this assessment can be viewed within the supporting Heritage Impact Assessment and Chapter 8 and 9 of the Environmental Assessment.

### 6.2.1 Proposed scheme's impact on listed buildings

HD5 states that planning permission will only be granted for development affecting the setting of a listed building, which preserves the setting and important views of the building.

As set out in the supporting Heritage Impact Assessment and Chapter 8 and 9 of the Environmental Assessment, the proposed scheme has a slight adverse impact on the setting of the Royal Liver Building, however, this is only from certain local viewpoints (viewpoints 19 and 21) which aren't currently accessible to the public but will be should the development comes forward, the asset is still visible from other public, more significant viewpoints and many of these also include its association with the other pier head buildings, whereas the viewpoints which cause adverse impact only show the Royal Liver Building in isolation.

Due to the location of the viewpoints, any development over circa 3 storeys would completely screen any view of the Royal Liver Building and buildings lower than this would also compromise the setting without actually completely screening it. Therefore, although there is an effect on the setting of the Royal Liver Building from certain viewpoints assessed against the proposed development, these viewpoints are not of high significance, would preserve the overall setting of the asset and would not impact of the important views of the building.

The proposed scheme also brings a slight adverse impact on the Stanley Dock Tobacco Warehouse (through viewpoint 4) as the development partially blocks the warehouse from view. It can be argued however, that through the implementation of the extant Liverpool Waters Outline Consent in full (which

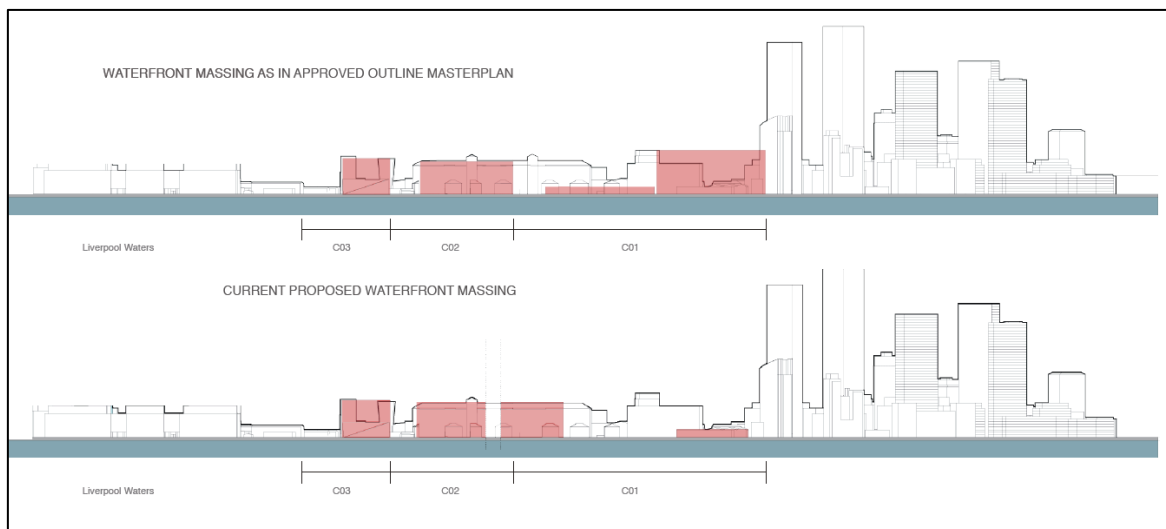
could come forward with or without this proposed scheme), this impact would still take place, therefore the principle of development in terms of certain massing and height has been accepted by LCC through the approval of the LW Outline Consent and the Central Docks Masterplan.

The setting of the Waterloo Warehouse is moderately affected by the proposed scheme from two important viewpoints (viewpoint 2 and 3). However, as set out in the Heritage Impact Assessment, this building was not intended to be a landmark building and wasn't meant to be seen fully from cross river viewpoints. It was historically blocked from view by its "twin" building which was damaged in the wall and eventually demolished. The asset's structure can still be read with other assets such as the dock boundary wall, Princes Half Tide and the east Waterloo Dock, it is legible as part of a cohesive group. These associations will still be relevant and retained even with the proposed development in place.

The adverse impact is only considered from limited viewpoints and taken as a whole, these do not constitute fundamental difficulties with the proposals in terms of impacts on OUV, with the overall assessment considered to be negligible impacts.

When comparing the proposed scheme to Plot C-02 within the outline consent, there would be an increase in height of 2.4m and a change in massing and building layout, figure 16 makes this clearly through a visual comparison.

It is clear to see that despite the steer away from the outline consent, the change is not significant and the same level of effect would be considered for either scenario when assessing the schemes against each other.



**Figure 16 Massing of LW Outline Consent compared with the Proposed Scheme with consideration of the proposed Isle of Man Ferry Terminal Consent.**

## 6.2.2 Proposed scheme's impact on conservation areas

In regard to HD8, the City Council will take positive action to secure the preservation or enhancement of conservation areas and will provide guidance and advice to owners and developers.

The proposed scheme is not within any conservation area, however it is located close to the Stanley Dock Conservation Area and causes a moderate adverse impact as set out in the supporting Heritage Impact Assessment and Environmental Statement. However, the Conservation Area is still retained and is not harmed greatly, the main attributes are still retained.

HD12 aligns itself with HD8 and the policy states that development on land adjacent to a conservation area will only be permitted if it protects the setting of the conservation area and important views into and out of it.

As mentioned above, although the proposed scheme has a moderate adverse impact on Stanley Dock Conservation Area, the setting of the conservation area is still retained and important views into and out of the area are protected.

### 6.2.3 Proposed scheme's impact on West Waterloo Dock

The Buffer zones itself does not convey OUV but *is an area surrounding the nominated property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property. This should include the immediate setting of the nominated property, important views and other areas or attributes that are functionally important as a support to the property and its protection.* (Operational Guidelines 2019).

West Waterloo dock has a supporting role to play in relation to setting, but the current dock arrangement and the structures associated with it do not relate to the main periods for innovative and expansive port activities. These are described in the Statement of OUV as: *Criterion (ii): Liverpool was a major centre generating innovative technologies and methods in dock construction and port management in the 18th and 19th centuries. It thus contributed to the building up of the international mercantile systems throughout the British Commonwealth.* The value and significance of the WHS relates to the 18th and 19th century port related activities rather than those of the mid to late 20th century, of which West Waterloo dock is an example. This does not fit the chronology for which the WHS warranted inscription. In terms of the partial in-filling, the proposal impacts on dock retaining walls of the much later re-ordering of West Waterloo Dock, when the river lock was constructed in 1949. There was nothing innovative about the 1949 river lock, and it compromised the spine and branch system on which Liverpool's port trade earlier relied, and which is significant to OUV.

The extant remains of West Waterloo dock relate to the 1949 and later re-ordering rather than the earlier works by Hartley and then Lyster. Its evolution has consistently been from lateral orientation to longitudinal, and in the current iteration, the dock water space has been narrowed in part by partial infilling and then the partial re-excavation to accommodate the Leeds-Liverpool canal link. This has provided a body of water which is essentially a narrowed channel rather than an open dock water space. The proposal is the latest iteration in this process, and although the proposed partial infilling will reduce the water space, it is consistent with the historic evolution of the dock, and approximately 50% of the current water space will remain. The proposal also seeks to ensure that this remaining water space is activated, and will allow public access close to it, which



is unique within the Liverpool dock system. The proposal itself does not impact on OUV in terms of the physical works, as it is entirely within the buffer zone, and West Waterloo dock itself is not a manifestation of OUV. Its current form dates to the mid 20th century rather than the 18th or 19th centuries for which the property was inscribed. The physical works of the partial infilling and the construction of the buildings relate to impacts on setting only, and secondary impacts on OUV.

The proposal already benefits from the planning permission for Liverpool Waters which included the partial infilling of the dock in this location, and the proposal conforms to that permission in terms of the area to be infilled. This also conforms to the advice offered in the WHS SPD, which states that: ***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. (4.7.7).*** West Waterloo Dock was already partially infilled before the Liverpool Waters permission was granted, and the permission itself sought to consolidate this partial infilling, rather than an infill which would have essentially removed the dock water space altogether. Some 50% of the existing dock water space within West Waterloo dock will remain. The strategy for the infill has also been submitted as part of the suite of documents supporting the proposals. This demonstrates that, as with the proposals for Isle of Man Ferry Terminal, the existing dock walls will remain in-situ, and a new wall constructed, piled into the bedrock below the dock. The existing dock retaining wall dates from the 1949 re-modelling, and as such does not manifest OUV, but will nevertheless be preserved as part of the works.

In terms of the setting of the WHS and its attributes, it is concluded that although there is a consistent very high or high significance of the attributes and assets, the impacts of the proposal are predominantly negligible, or of no impact.

#### 6.2.4 Proposed scheme's public benefits

Paragraph 194 of the NPPF sets out “...that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.”

The paragraph continues to explain how substantial harm should be considered but the analysis of proposed scheme's impact does not result in any substantial harm and this is expanded into paragraph 195 which again, is not relevant to the proposal due to no substantial effects.

Paragraph 196 however explains that “...where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.



Paragraph 197 also sets out “*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*”.

The proposed scheme will reintroduce public activity and enhancement of public amenity in what is a derelict and redundant site, the provision of a public walkway along the West Waterloo Dock for pedestrians and cyclists so that the dock water space can be appreciated and associated interpretation through high quality public realm design will help establish social interaction and a greater sense of place at a vital point of connection to the wider Liverpool Waters site.

The development of the site for residential use with commercial ground floor activity will encourage natural surveillance and footfall in addition to acting as a catalyst for further investment and development of the brownfield site of Central Docks, Liverpool Waters. Repurposing the site with a development of a suitable city scale provides a critical mass of people and in physical terms it will provide a more cohesive townscape, with suitable enclosure and legibility to read alongside the Isle of Man Ferry Terminal.

As already set out in response to paragraph 9 of the NPPF, the proposed scheme will help create many 100s of FTEs jobs during the two year construction period and will support jobs in the Liverpool City Region, including apprentices and school leavers to be trained at the Liverpool College Central Docks site.

Approximately £900,000 in new homes bonus will be awarded to Liverpool City Council as well as approximately £1,700,000 in Council Tax every year. The development will help further support development within this area of derelict dockland and act as a catalyst for future development, therefore supporting growth and ensuring that sufficient land of the right type is available enabling additional revenues for Liverpool City Council and the regeneration of further brownfield land.

The proposed scheme helps achieve the social objective as set out within the NPPF through creating new communities and reopening areas of land which have not been accessible to the public for many years. In addition to this, new public open space and connectivity is proposed as part of the new development to encourage active travel and connecting this underused area with the city centre.

The proposed scheme also includes a canal side timber jetty which will provide the public with direct access to the Leeds Liverpool Canal, allowing users to interact with the waterspace, something that has not been done before in this area and is a key aim of Liverpool City Council and the Canal and River Trust. The timber jetty will allow boats to moor up and enjoy the public realm and, in the future,, could provide opportunities for water taxis to further reanimate the waterfront, not just in the Liverpool Waters site.

A brownfield, derelict site will be constructed on to deliver much needed homes to the city centre. The Environmental Statement which supports the application has highlighted no significant environmental effects and new habitat planting and trees are proposed to enhance the area’s biodiversity. The site will help reimagine this area of historic dockland and promote its heritage through activity and regeneration through the retention of dock features in addition to new

interpretation through the likes of art within the wind baffles (subject to detail sign off with the LPA through a suitably wording condition).

A Viability Report has also been submitted as part of the application which reviews the proposed scheme against a number of alternative uses and quantum against the abnormal costs that it would take to bring this derelict site back into a suitable condition for the general public to safely use. The report concludes that residential use is, at this time the optimum viable use and the massing and quantum of development is required to ensure that viability.

The site already benefits from an outline consent and an approved Central Docks Masterplan which sets out that the optimum use for Plot C-02 is residential and the plot uses the same amount of infill to accommodate the plot. The proposed scheme differs from the plot brief for C-02 slightly through a taller height (an extra 2.4m) and a wider massing and quantum. However, this is justified through the Viability Report and the LW Conformity Statement explains how the change in parameters do not impact on the wider Liverpool Waters scheme coming forward.

***The Heritage Impact Assessment also considers the change in massing and due to the negligible difference the impacts on the surrounding heritage assets, World Heritage Site and Stanley Dock Conservation Area the proposed changes to the outline consent should be considered acceptable due to the public benefits outweigh the potential harm caused by the proposed scheme.***

***Therefore, although there is some impact on the setting of 3 listed buildings, this impact is considered acceptable when reviewed against the benefits of the proposed scheme and the extant consent which is already in place The harm is not considered substantial and in line with paragraph 196 the proposal has been weighed against the public benefits therefore the proposed scheme should not be refused based on the findings set out above.***

### 6.3 Proposed scheme impact on the environment

An Environment Statement supports this application and assesses whether the proposed scheme creates any significant effects on the environmental disciplines set out below:

- Chapter 5: Transport and Access;
- Chapter 6: Air Quality;
- Chapter 7: Noise and Vibration;
- Chapter 8: Townscape and Visual Impact;
- Chapter 9: Cultural Heritage and Archaeology;
- Chapter 10: Ground Conditions and Contamination;
- Chapter 11: Dock Infill Methodology;
- Chapter 12: Flood Risk and Drainage;
- Chapter 13: Wind;
- Chapter 14: Daylight and Sunlight;

Chapter 15: Terrestrial Ecology; and

Chapter 16: Marine Ecology.

As concluded in the Environmental Statement, when mitigation is considered and implemented through best practices, there are no significant effects to the existing environment or local receptors caused by the proposed scheme or through cumulative effects.

Chapter 8 and 9 are assessed further within this planning statement in the above section.

Therefore, planning should not be refused due to any of the above topics.

## 6.4 Summary

It is concluded that the proposed scheme set out within this Planning Statement do not directly conflict with the policies designated within the development site contained in the Local Development Plan (Liverpool UDP) or emerging Local Plan or the NPPF. Where policy conflicts have arisen elsewhere within the Liverpool UDP, the scheme's public benefits have been considered and showed to outweigh any potential harm. These are concluded further in the next section.

## 7 Overall Conclusion and Planning Balance

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### 7.1 Summary

The principle of development has been established through section 6 and complies with the relevant local and national planning policies.

The proposals represent sustainable development and achieve economic, social and environmental objectives in line with the NPPF.

There are significant benefits arising from the development that weight in favour of the proposals and the NPPF is an important material consideration where the application generally complies with.

The proposed scheme has been considered against the principles of sustainable development as set out within paragraphs 7 and 8 of the NPPF. The proposals deliver on the 3 objectives set out within these paragraphs and perform a positive economic, social and environmental role thus creating a presumption in favour of sustainable development. Therefore, permission should be granted in accordance with paragraph 11 of the NPPF.

The development proposals will help contribute to building a strong, responsive and competitive economy. The development will bring economic benefits through job creation due to the construction activities to construct and operate the proposed scheme increases expenditure on the local economy which is a material consideration in the determination of planning applications.

Once the proposed scheme has been completed, the site will bring social and environmental benefits through the implementation of high quality public realm (both soft and hard landscaping) in addition to bringing an underused site which has huge potential and value back into public use with additional amenities

The development proposals will help contribute a strong, vibrant and healthy community bringing much needed high quality apartments and public amenities to the waterfront and effectively use a brownfield site for redevelopment.

As part of the planning application, an Environmental Statement been submitted which demonstrates that the proposals bring no significant harm onto the disciplines considered.

It is considered that where there are any conflicts in relevant UDP policy the public benefits set out in this Planning Statement delivered through the proposed scheme would outweigh this identified harm.

Overall, the proposals will not have a significant effects on a habitats site and there will be no significant harm to biodiversity or any local or national sensitive sites or the historic environment and world heritage site.

The proposed works could help act as a catalyst for future redevelopment of the site, potentially bringing forward further enhancements of open space through new development and landscaping.

The development site also already benefits from an outline consent (10O/2424) that established the principle of development which could bring forward a similar

development site (albeit shorter and smaller massing) through a reserved matters process which would deliver a residential use of up to 30m and partially infill West Waterloo Dock.

## 7.2 Conclusion

As set out in paragraphs 7 and 8 of the NPPF, the proposed scheme will help deliver sustainable development through performing a positive economic, social and environmental role. As a result, there is a presumption in favour of granting planning permission for the proposals in line with paragraph 11 of the NPPF.

There are no material considerations that indicate that the application should not be approved. There are significant benefits arising from the development that weigh in favour of the proposals and the NPPF is an important material consideration where the application generally complies with.

For the above reasons, planning permission should be granted without delay.