

## 6 PLANNING POLICY AND GUIDANCE

### 6.1 INTRODUCTION

This chapter of the ES lists all planning policy relevant to the application site and proposed development.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990 require planning applications to be determined in accordance with the statutory development plan, unless material considerations indicate otherwise. The statutory development plan for Liverpool City Council currently comprises:

- Liverpool Unitary Development Plan (UDP) (adopted 2002); and
- Joint Merseyside & Halton Waste Local Plan (adopted 2013).

The following are relevant material considerations to the statutory development plan:

- National planning policy: National Planning Policy Framework (NPPF, 2019), Planning Practice Guidance (2014 and as amended), National Design Guide (2019);
- Local planning policy: emerging Local Plan for Liverpool (2018), Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs), Strategic Regeneration Frameworks (SRFs);
- Heritage Assets - Decisions: UNESCO decisions on the Liverpool Maritime Mercantile City WHS and update on the status of the Stanley Dock Conservation Area; and
- Economic strategies: A summary of relevant economic strategy documents from the Liverpool City Region (LCR) Combined Authority, Liverpool Local Enterprise Partnership (LEP) and Liverpool City Council.

### 6.2 UNITARY DEVELOPMENT PLAN

As detailed above the statutory development plan for Liverpool currently comprises the UDP and a detailed overview of 'saved' policies is detailed below.

#### 6.2.1 Site Allocation

The site is covered by the following allocations on the UDP adopted Proposals Map:

- Port (Policy E3);
- Developed Coastal Zone (Policy OE4); and
- Conservation Area (Policies HD7 to HD14).

**Policy E3 Port Development** supports the continued growth and development of the ports in Liverpool. Developments within Port areas will be considered in light of the following:

- protection of the amenity of existing residential and business users in adjoining areas;
- impact on potential development sites in adjoining areas;
- impact on nature conservation and other environmental concerns;

- design criteria (including standards of materials, site layout, landscaping, pollution control and waste storage) appropriate to the riverside location; and
- impact on the capacity of the highway network.

**Policy OE4 The Mersey Coastal Zone** establishes that the City Council will support the restructure and regeneration of the Developed Coastal Zone, in which the application site is located. The Council will support proposals which enhance the area's environmental quality, tourism potential and recreational facilities. In particular, the Council will support schemes which lead to improvements in accessing the coast.

Part of the southern side of the application site (bridge link between Nelson Dock and BMD) is identified on the UDP Proposals Map as being located within a Conservation Area. However, the Stanley Dock Conservation Area (designated in 2002) not extends to cover the whole of the application site.

**Policy HD7 Conservation Areas** acknowledges the importance of conservation areas in tourism, investment and the perception of Liverpool. The impact of any negative elements of a development proposal will be taken into account when reviewing the boundaries of conservation areas.

**Policy HD8 Preservation and Enhancement of Conservation Areas** seeks support and funding for building and environmental improvements. The Council will use its powers to prepare Action Plans for priority areas and investigate the removal of features which detract from the character of the area.

**Policy HD9 Demolition of Buildings in Conservation Areas** establishes that buildings/structures which make a positive contribution to the character or appearance of a conservation area will be treated with a presumption in favour of preservation. The demolition of such buildings will be considered against the following criteria:

The importance of the building, its architectural and historic interest and contribution to the character or appearance of the conservation area;

The condition of the building and cost of repairing / maintaining it;

The adequacy of the efforts made to retain the building in use; and

The contribution of a new proposal to the character and appearance of a conservation area.

In relation to buildings which make little or no contribution to a conservation area's character, proposals for demolition will be considered in light of alternative proposals for the site and the contribution made to the character of the conservation area.

In accordance with **Policy HD11 New Development in Conservation Areas** the Council will prevent planning permission for development in a conservation area which fails to preserve or enhance its character. Proposals for new development will be permitted providing it is of a high standard of design and materials which are appropriate to the setting and context and respect the character and appearance of the conservation area. In addition, the development must conserve the essential elements that give the area its special character; protect important views and vistas

within, into and out of the conservation area; do not generate levels of traffic, parking, noise or environmental problems; and have satisfactory means of access and car parking which is sympathetic to the appearance of the area.

Under **Policy HD14 Street works in Conservation Areas** the quality and appearance of streets, footpaths and other public spaces within conservation areas will be protected. This may include relaxing highways standards, retaining existing natural materials, using traditional materials and minimising street furniture.

#### 6.2.2 Other Relevant Policies

Other relevant policies of the statutory development plan have been grouped as follows:

- Principle of development / Proposed use
- Design
- Heritage
- Environment
- Transport

##### 6.2.2.1 Principle of development / Proposed use

**Policy C7 The Football Clubs** states that the City Council will assist both clubs (Liverpool and Everton) in progressing their development proposals, provided that these do not adversely affect residential amenity and are in accordance with other policies in the Plan.

The supporting text for this policy acknowledges that the success of both football clubs has 'elevated Liverpool to its position as a premier football City, renowned throughout Europe and the World' (para. 12.56, p. 315).

Furthermore, the UDP states that both stadia represent major tourist and visitor centres and therefore football plays an 'increasingly important role in the economy of the City' (para. 12.67, p.315). The City Council is noted as being keen to maintain this position by accommodating the development of both clubs.

**Policy C9 Outdoor Sports Facilities** states that the Council will seek to retain multi-purpose facilities unless those facilities are to be satisfactorily replaced by a facility of equivalent or better quality in an appropriate location.

**Policy GEN7 Community Facilities** aims to promote the satisfactory provision and distribution of community facilities, including leisure facilities, for the City's residents.

In accordance with **Policy E8, Tourist Attractions and Facilities** the Council will promote and encourage the development of tourism, ensuring that key visitor attractions are signed and links are clear for visitors.

**Policy E9 Leisure Development** states that planning permission will be granted for leisure development in the City Centre and other locations provided that there is a need for the proposal and a sequential approach

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to site selection has been adopted; the design and scale of the development is appropriate to the location and surrounding area; residential amenity is not adversely affected; highways matters are addressed; the vitality and viability of the evening economy of nearby centres is not undermined; the site is highly accessible via non-car modes and the proposed development would not prejudice or undermine other Plan policies or objectives.

**Policy GEN1 Economic Regeneration** aims to reverse the decline in economic activity, investment and employment in the City. Means of achieving this include concentrating available resource in Regeneration Areas, including the waterfront and docks; promoting the principle of mixed use development in appropriate locations; promoting the role of Liverpool as a regional retail, cultural and tourism centre; strengthening the commercial role of the City Centre; encouraging leisure development in areas which are highly accessible with no detrimental impact on existing centres; and promoting regeneration within the City's most deprived communities.

### 6.2.2.2 Design

**Policy HD18 General Design Requirements** states that the scale, density and massing of proposed development should relate well to its locality. Developments should include characteristics of local distinctiveness e.g. design, layout, materials. Building lines and layout of new development should relate to those of the locality. New development should not detract from the city's skyline, roofscape and local views within the city. There should be no severe loss of amenity or privacy to adjacent residents. External boundary and surface treatment should be included as part of the development and should be designed to relate well to its surroundings. Adequate arrangements should be made for the storage and collection of refuse within a site, including provision of litter bins. The exterior of a building should incorporate materials to discourage graffiti. Adequate arrangements should be made for pedestrian and vehicular access and car parking.

**Policy HD19 Access for All** establishes that developments should include suitable provision for disabled people, giving consideration to ensuring ease of access and movement through public areas. This includes careful provision and design of parking areas, paths, dropped kerbs, pedestrian crossings and street furniture.

**Policy HD20 Crime Prevention** encourages the incorporation of measures to provide for personal safety and crime prevention, including increasing overlooking, discouraging provision of hiding places, ensuring well designed public spaces (e.g. car parking, entrances) and making a clear distinction between public and private space. The Council will encourage the creation of lively and varied environments, to increase activity and passive surveillance.

In accordance with **Policy HD21 Energy Conservation** developers are expected to minimise the energy demand of new buildings by taking account of the most efficient siting, orientation and layout of new developments.

**Policy HD23 New Trees and Landscaping** establishes that new development proposals should make proper provision for planting of new trees and landscaping. High quality landscaping and boundary treatment should be incorporated and nature conservation should be promoted through the use of native species and new wildlife habitats, where appropriate.

The provision of appropriate new works of public art, including visual, crafts and landscape design, is encouraged by **Policy HD24 Public Art**.

**Policy HD25 Advertisements** establishes that consent will not be granted for advertisements which are a hazard or distraction to road users and/or public safety or which dominate or adversely affect the amenity of an area.

The design of lighting must take into account the need to minimise light spillage and ensure that it is the minimum level required for security and working purposes (**Policy HD28 Light Spillage**).

### 6.2.2.3 Heritage

In addition to the policies relating to Conservation Areas which are detailed above, the following policies relate to other heritage assets:

**Policy GEN3 Heritage and Design in the Built Environment** aims to protect and enhance the built environment of the City, including by preserving and enhancing historically and architecturally important buildings, and where possible improving them; encouraging a high standard of design and landscaping in developments; improving accessibility; and creating an attractive environment which is safe and secure.

**Policy HD1 Listed Buildings** seeks to secure the retention, repair, maintenance and continued use of listed buildings. Planning policies may be relaxed, where possible, to achieve this;

**Policy HD4, Alterations to Listed Buildings** establishes that consent will not be granted for works that would adversely affect a listed building's architectural or historic character. Any works which are not of a high standard of design in terms of form, scale, detailing and materials will be refused. If a building is to be reused by members of the public, the needs of disabled people should be provided for in a manner which preserved the architectural and historic interest of the building.

**Policy HD5, Development affecting the setting of a listed building** states that planning permission will only be granted for such development if it preserves the setting and important views of the building. Where appropriate, this includes control over design and siting of development, the use of adjacent land and the preservation of landscape features.

**Policy HD17 Protection of Archaeological Remains** states that the Council will seek to protect sites of archaeological importance. Where development is proposed on sites of known or suspected archaeological importance, the City Council will require developments to assess the archaeological implications of their proposals and permanently preserve archaeological remains and their settings in situ. Where in situ preservation is not justified and disturbance by development is acceptable in principle, applicants must agree a programme of mitigation, including excavation and recording.

### 6.2.2.4 Environment

**Policy EP15 Environmental Impact Assessments** require planning applications to provide sufficient information to enable the Council and consultees to assess potential environmental impacts accurately. This may necessitate provision of an Environmental Impact Assessment depending on the scale, location or type of development proposed.

**Policy GEN2 Open Environment** states that the Council will protect and enhance a network of open space throughout the City. Of relevance to the proposed development, this includes protecting ecologically important sites and protecting and enhancing the landscape, heritage and wildlife value of the water courses in the City.

Under **Policy GEN8 Environmental Protection** Liverpool's environment will be protected and enhanced, for example through the recycling of land for productive use; ensuring efficient disposal of waste and encouraging recycling; preventing flooding; promoting renewable energy; and ensuring that developments are carried out with due consideration of public health.

**Policy OE5 Protection of Nature Conservation Sites and Features** seeks to protect nature conservation of open land and the water environment. In order to achieve this, development will not be permitted which directly or indirectly adversely affects a Special Protection Area, Ramsar site or Site of Scientific Interest (SSSI), unless there is no alternative solution and there are reasons of overriding public interest. Proposals which adversely affect a Site of Nature Conservation Value or Regionally Important Geological/Geomorphological site (RIGS) have similar policy protection, stating that the benefits of the proposed development must outweigh the need to safeguard the environmental value of the site. Developments which have an adverse effect on legally protected species or the conservation value of a neighbouring authority will not be permitted.

In accordance with **Policy OE6 Development and Nature Conservation** potential damage to designated ecological sites will be minimised. Developers are required to identify the nature conservation interest of the site, propose means of protecting and managing this value – possibly through the use of planning obligations or conditions – and provide compensatory measures for any nature conservation interest which is damaged or destroyed during the development.

The enhancement of nature conservation interest for both open land and watercourses is sought through **Policy OE7 Habitat Creation and Enhancement**. This includes supporting habitat creation, enhancing wildlife corridor and undertaking landscaping in a sensitive manner.

**Policy EP1 Vacant, Derelict and Neglected Land** encourages the reclamation of derelict land and the restoration of neglected land and encourages redevelopment for alternative uses. The contribution such a scheme would make to urban regeneration and the need to facilitate inward investment and create jobs are key considerations, as well as the degree of contamination, dereliction or danger posed by the site.

**Policy EP2 Contaminated Land** states that before approving development on suspected contaminated land, developers will need to submit a site

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survey regarding contamination and remedial measures required to address the hazard, including timescales for implementation of the mitigation. Planning permission may be granted subject to planning conditions regarding site investigations and remediation.

Developments which generate commercial waste will only be permitted where there is adequate provision for storage of waste on site and adequate access to enable waste to be transferred to a licensed waste disposal contractor (**Policy EP9 Waste Storage**). In addition, the Council will co-operate with local businesses to increase the recycling of their waste materials (**Policy EP7 Recycling**).

In accordance with **Policy EP11 Pollution** developments which have potential to generate unacceptable air, water, noise or other forms of pollution will be resisted. Planning permission will not be granted for development next to existing premises authorised/licensed under pollution control legislation unless the Council is satisfied that sufficient measures can and will be taken to protect amenity and environmental health.

**Policy EP12 Protection of Water Resources** states that planning permission will not be granted for development that can adversely affect the quality or supply of surface water or groundwater, including through unsatisfactory arrangements for the disposal of foul sewage or surface water, or the disturbance of contaminated land.

**Policy EP13 Flood Prevention** states that unless appropriate alleviation or mitigation is conducted, planning permission will not be granted for development at unacceptable risk from flooding, likely to increase the risk of flooding elsewhere or result in an adverse impact on the water environment due to additional surface water run off.

### 6.2.2.5 Transport

Overarching policy **GEN6 Transportation** establishes the Council's aim to provide a balanced provision of transport infrastructure which is inclusive, safe and accessible. This includes improving facilities for cyclists and pedestrians and discouraging car use e.g. reducing the availability of car parking facilities. Access should be provided to leisure and other facilities for all of the City's residents.

Under **Policy C7 The Football Clubs** the City Council will seek effective solutions to remedy car parking and other amenity problems experienced by residents on a match day and to maintain and enhance residential amenity in the area.

Development which is likely to be used by the public should incorporate provision for taxi and Hackney Carriage facilities, where there are no existing facilities in close proximity to the site (**Policy T4 Taxis**).

**Policy T6 Cycling** promotes initiatives to maximise cycling as a transport mode, including improving the condition of designated routes; catering for

cyclists' needs; considering the provision of safe cycling routes through all major development sites; improving road signage; introducing traffic calming and requiring new developments to provide secure cycle parking facilities.

**Policy T7 Walking and Pedestrians** supports measures to encourage walking and improving the pedestrian environment through better signing, lighting, surfaces and visibility/ All major development should cater for pedestrians' needs in the design and provide safe and convenient walking routes.

**Policy T11 Major Road Corridors** includes Regent Road as an identified road corridor for improvement measures. Resources will be targeted for the design and implementation of measures to improve the image of the city, facilitate efficient operation of public transport and relieve sensitive locations of heavy traffic.

In accordance with **Policy T12 Car Parking Provision in New Developments** any development which generates a demand for car parking will be required to make provision on site to meet the minimum operational needs of the development. The need will be determined by several factors, including highway and pedestrian safety, residential amenity, accessibility by public transport and proximity to existing public car parks.

A minimum of 6% of the first hundred parking spaces in a development should be reserved for Blue Badge holders<sup>1</sup> and thereafter the number of accessible spaces will be negotiable (**Policy T13 Car Parking for the Disabled**). This policy also establishes requirements relating to the width of bays, bay markings and proximity to the point of access of the development served. For multi-storey car parks disabled bays should be provided adjacent to lifts.

**Policy T15 Traffic Impact Assessment** states that for developments which are likely to result in a material change to the character or volume of traffic on the surrounding highway network, a full Traffic Impact Assessment will be required. Conditions may be imposed on developments which require off-site works to take place before development can be made acceptable, in order to secure these works prior to operation of the development.

### 6.3 JOINT WASTE LOCAL PLAN (2013)

The Merseyside and Halton Joint Waste Local Plan (adopted July 2013) sets out development management policies to address a range of waste management related development issues, including waste prevention and resource management. The most relevant policies are as follows:

- **Policy WM0 (Presumption in Favour of Sustainable Development)** states that planning applications that accord with the policies in the Waste Local Plan (and other relevant Local Plan documents, including policies

in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.

- **Policy WM8 (Waste Prevention and Resource Management)** requires development involving demolition and/or construction to implement measures to achieve the efficient use of resources taking particular account of: 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; make provision for the use of high-quality building materials made from recycled and secondary sources; and use waste audits or site waste management plans, 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 (Sustainable Waste Management Design and Layout for New Development)** states that the design and layout of new built developments must, where relevant, provide measures as part of their design strategy to facilitate the collection and storage of waste, including separated recyclable materials, and provide sufficient access to enable waste and recyclable materials to be easily collected and transported for treatment.

### 6.4 OTHER MATERIAL CONSIDERATIONS

The introduction section to this chapter sets out that the following are material considerations in determining the planning application:

- National planning policy: National Planning Policy Framework (NPPF, 2019), Planning Practice Guidance (2014 and as amended), National Design Guide (2019);
- Local planning policy: emerging Local Plan for Liverpool (2018), Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs), Strategic Regeneration Frameworks (SRFs);
- Heritage Assets - Decisions: UNESCO decisions on the Liverpool Maritime Mercantile City WHS and update on the status of the Stanley Dock Conservation Area; and
- Economic strategies: A summary of relevant economic strategy documents from the Liverpool City Region (LCR) Combined Authority, Liverpool Local Enterprise Partnership (LEP) and Liverpool City Council.

A detailed summary of each material consideration is accordingly summarised below.

<sup>1</sup> Policy T13 refers to Orange badge holders but these have since been replaced with Blue Badges.



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### 6.5 NATIONAL PLANNING POLICY

#### 6.5.1 National Planning Policy Framework (NPPF, 2019)

The National Planning Policy Framework (NPPF) was published in February 2019.

##### 6.5.1.1 Chapter 2: Achieving Sustainable Development

Sustainable development is at the core of the Framework. Paragraph 8 of the NPPF establishes that there are three dimensions of sustainable development: economic, social and environmental. These dimensions are defined as:

- 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;
- 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
- 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.

These objectives are interdependent and need to be pursued in a manner which is mutually supportive. Decision-making 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 details that at the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 11 sets this out for decision taking as follows:

'For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; and
- 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:
  1. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

2. 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.'

Paragraph 12 of the NPPF establishes that the presumption in favour of sustainable development does not change the statutory status of the development plan, which is the starting point for making decisions on planning applications.

##### 6.5.1.2 Chapter 4: Decision Making

This chapter states that 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.

##### 6.5.1.3 Chapter 6: Building a strong, competitive economy

Paragraph 80 of the NPPF states that significant weight should be attached to the need to support economic growth and productivity through the planning system. Paragraph 80 sets out how planning policies and decisions should '*help create the conditions in which businesses can invest, expand and adapt*' whilst paragraph 82 states that LPAs should recognise and address the specific locational requirements of different sectors.

##### 6.5.1.4 Chapter 8: Promoting healthy and safe communities

Planning decisions are required to achieve healthy, inclusive and safe places that promote social interaction; are safe and accessible; and enable and support health lifestyles, for examples, through the provision the provision of sports facilities and layouts that encourage walking and cycling. Paragraph 92 of the NPPF states that decisions should:

- a. plan positively for the provision and use of shared spaces, community facilities (such as sports venues, open space,) and other local services to enhance the sustainability of communities and residential environments
- b. take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
- c. guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
- d. ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
- e. ensure an integrated approach to considering the location of housing, economic uses and community facilities and services

##### 6.5.1.5 Chapter 9: Promoting sustainable transport

Paragraph 103 states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health.

In assessing proposals, it should be ensured that: appropriate opportunities to promote sustainable transport modes are taken up; safe and suitable access to the site can be achieved for all users; and any impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. 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

At paragraph 111, it states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

##### 6.5.1.6 Chapter 12: Achieving well-designed places

Paragraph 124 of the NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development. In accordance with Paragraph 127, planning 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;

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- 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<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

### 6.5.1.7 Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Paragraph 149 details that LPAs should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply / demand considerations. Paragraph 150 specifies that in supporting the move to a low carbon future, new development should be planned to reduce greenhouse gas emissions (e.g. through its location, orientation and design) and avoid increased vulnerability to the range of impacts arising from climate change.

In determining planning applications, LPAs are directed to expect new development to (paragraph 153):

- Comply with adopted Local Plan policies on local requirements for decentralised energy supply, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Paragraph 165 of the NPPF requires major developments to incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

- a. take account of advice from the lead local flood authority;
- b. have appropriate proposed minimum operational standards;
- c. have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
- d. where possible, provide multifunctional benefits.

### 6.5.1.8 Chapter 15: Conserving and enhancing the natural environment

Planning decisions are required to minimise impacts on biodiversity and provide net gains. New and existing development must not be put at, or contribute towards, unacceptable levels of soil, air, water or noise pollution or land instability (paragraph 170). This section of the NPPF also requires degraded, derelict, contaminated and unstable land to be remediated where appropriate.

Under paragraph 178, planning decisions should ensure that a site is suitable for development in terms of risks arising from land instability and contamination. This includes risks associated with former activities, such as mining. Paragraph 179 of the NPPF establishes that the responsibility for securing a safe development rests with the developer and/or landowner.

Planning decisions should mitigate and reduce the potential adverse impacts associated with noise and light pollution (paragraph 180). Planning decisions should sustain and contribute towards compliance with objectives for pollutants, taking into account the presence of Air Quality Management Areas (paragraph 181).

### 6.5.1.9 Chapter 16: Conserving and enhancing the historic environment

The Chapter attaches great importance to the conservation of heritage assets. The significance of heritage assets, including any contribution made by their setting should be clearly set out by the applicant. Developers should submit an appropriate desk-based assessment and, where necessary, a field evaluation where sites have the potential to be of archaeological interest.

In determining applications, Paragraph 192 sets out what 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.

Paragraph 194 states 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. Substantial harm to or loss of:

- a. grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b. assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 195 states that 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;
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- 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.

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 196).

Paragraph 200 states that local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole (paragraph 201).

## 6.5.2 Planning Practice Guidance (PPG, 2014 and as amended)

### 6.5.2.1 Historic Environment

Applicants proposing change that might affect the Outstanding Universal Value, integrity and, where applicable, authenticity of a World Heritage Site

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through development within the Site or affecting its setting (including any buffer zone or equivalent) need to submit sufficient information with their applications to enable assessment of the potential impact on Outstanding Universal Value.

Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past. Where the complete or partial loss of a heritage asset is justified (noting that the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted), the aim then is to:

- capture and record the evidence of the asset's significance which is to be lost;
- interpret its contribution to the understanding of our past; and
- make that publicly available.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the National Planning Policy Framework (paragraph 196) requires that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing the optimum viable use of that asset. Where a heritage asset is capable of having a use, then securing its optimum viable use should be taken into account in assessing the public benefits of a proposed development. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit.

### 6.5.3 National Design Guide (2019)

The National Design Guide provides details of the ten characteristics of well-designed places, which work together to create a physical Character, sustain a sense of Community and address environmental issues affected by Climate. The ten characteristics are:

- **Context** – enhancing the surroundings
- **Identity** – attractive and distinctive
- **Built Form** – a coherent pattern of development
- **Movement** – accessible and easy to move around
- **Nature** – enhanced and optimised
- **Public spaces** – safe, social and inclusive
- **Uses** – mixed and integrated
- **Homes and Buildings** – functional, healthy and sustainable
- **Resources** – efficient and resilient
- **Lifespan** – made to last

The Government has also issued an interim report on its **Building Better, Building Beautiful Commission**. The interim report, **Creating space for beauty**, was published in July 2019. The purpose of the Commission is to address the challenge of poor quality design and build of places across the country. Beauty should be seen in Buildings (windows, height, space and materials); Places (nature of streets, squares and parks) and being Beautifully Placed (sustainable settlement patterns and siting). There are 30 proposed policy directions with more engagement due before the Commission reports further.

## 6.6 LOCAL PLANNING POLICY

### 6.6.1 Emerging Liverpool Local Plan (Submission version, 2018)

The Liverpool Local Plan was submitted to the Secretary of State for examination in May 2018. The next stage is the commencement of examination hearings. The submission version of the plan is dated January 2018.

In accordance with paragraph 48 of the NPPF, LPAs may give weight to relevant policies in emerging plans according to the stage of preparation (the more advanced its preparation, the greater the weight that can be applied); the extent to which there are unresolved objections to the relevant policies; and the degree of consistency of the policies to the NPPF.

#### 6.6.1.1 Vision

The Vision in the Local Plan is to create a sustainable, vibrant and distinctive city, which maximises development opportunities to create economic prosperity alongside sustainable communities and an outstanding and high quality natural and built environment (p.29). The Vision recognises the need for sustainable development and redevelopment of unique and important assets, including the City's football stadia. The Vision also recognises the role of the waterfront as the focus for leisure and tourism activity (p.29).

The emerging Local Plan proposes several Strategic Priorities, including:

- Strengthening the city's economy;
- Creating a high-quality historic environment;
- Creating an attractive and safe city with a strong local identity;
- Using resources efficiently;
- Maximising sustainable accessibility; and
- Maximising social inclusion and equal opportunities.

The Local Plan includes a chapter on the City Centre, which identifies the 'Waterfront and its Fringes' sub-area as a major asset of significant architectural and historic importance (p.26). The Vision for the City Centre identifies the Waterfront as a world-class leisure and visitor destination, with the aim being to maximise the use of waterspaces and take full advantage

of development opportunities. The Council will seek to prioritise the following over the plan period (p.54-55):

- Support investment and regeneration within the City's Waterfront and its fringes;
- Support further growth of leisure, tourist and cultural facilities, including at the Waterfront;
- Build upon the city's positive reputation as a vibrant and world class designation for night time entertainment
- Protect and enhance the centre's heritage assets and secure a high standard of design that integrates well within the existing urban fabric;
- Improve connectivity, walking and cycling routes, the pedestrian environment and public realm; and
- Open public access to the Waterfront by creating a linked cycle and pedestrian route along the River Mersey.

The following are priorities which are specific to the Waterfront & its Fringes area:

- To create a world-class, high-quality, mixed-use Waterfront which focuses on the tourism offer and leisure economy by supporting and enhancing existing attractions and supporting the regeneration of historic docklands;
- Enhance walking and cycling routes along the Waterfront, creating a continual route along the river edge;
- Protect and enhance the heritage assets of the Waterfront, including the WHS and ensure that new development integrates well with these assets; and
- Improve connectivity between the Waterfront and the rest of the city centre.

#### 6.6.1.2 Site Allocation & Principle of Development

The site is allocated as being within the Liverpool Waters area (**Policy CC12**), within a Conservation Area (**Policy HD1**), within a World Heritage Site (**Policy HD2**) and is a Mixed Use Area (**Policy EC6**). The site is also within the Waterfront & its Fringes area (**Policy CC10 & CC11**).

- **Policy CC10 Waterfront Design Requirements** establishes that development on the waterfront must be of a high quality design which respects its historic surroundings, whilst making adequate provision for access, parking and servicing. This includes protecting the character, setting, distinctiveness and Outstanding Universal Value (OUV) of the World Heritage Site (WHS). New development must ensure the protection of European and Nationally designated habitat sites; not undermine local residential amenity and business operations; ensure high-quality design; ensure usable and inclusive public realm; provide enhanced pedestrian / cycle movements; make provision for the repair and conservation of heritage assets; incorporate appropriate street



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furniture and lighting; and ensure greater access to dock water spaces and their quaysides.

- **Policy CC11 *Recreational Use of Dock Water Spaces, Quaysides and the Waterfront*** supports proposals which facilitate greater access and recreational / leisure use of dock water spaces and their quaysides, including through the installation of stepped dockside structures to gain access to water level, use of feature lighting that assists in animating dock water spaces and adjacent quaysides and proposals which enhance the interpretation of the cultural heritage and archaeology of the historic dockland environment.

- **Policy CC12 *Liverpool Waters*** states that the Council will support planning applications to deliver the vision for Liverpool Waters, which is to regenerate a 60ha historic dockland to create a mixed-use waterfront quarter in the city centre.

- **Policy HD1 *Heritage Assets: Listed buildings; Conservation Areas; Registered Parks and Gardens; Scheduled Ancient Monuments*** seeks to conserve and where appropriate enhance the historic environment. The docks and other maritime structures associated with the City's role as one of the world's major ports from the 18<sup>th</sup> century to the early 20<sup>th</sup> century are identified as an element which contributes most to the city's identity and sense of place. Proposals affecting a designated heritage asset and its setting should seek to conserve the significance of the heritage asset. Substantial harm to or total loss of the significance of a designated heritage asset and its setting will be refused, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh the harm or loss, or all of a set of criteria apply.

Where less than substantial harm is anticipated, it will be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.

Proposals affecting archaeological sites of less than national importance are required to conserve elements which contribute to their significance in line with the importance of the remains. Preservation of the remains in situ is the preferred solution to mitigate damage.

Proposals affecting a Conservation Area are required to preserve or enhance those elements which contribute to its character and appearance, especially any elements identified in any adopted Conservation Area Appraisal as making a positive contribution to the significance of that area.

Proposals which will help to safeguard the significance of a heritage asset, and secure a sustainable future, especially for those assets identified as being at greatest risk of loss or decay, will be supported.

- **Policy HD2 *Liverpool Maritime Mercantile City World Heritage Site*** states that the Council will support proposals which conserve or enhance the Outstanding Universal Value (OUV) of the World Heritage Site (WHS). The policy states:

- 'a. Permission will not be granted for proposals which would have an adverse impact upon the views of the Waterfront from the River Mersey, or of the key Landmark Buildings and vistas identified in the Liverpool Maritime Mercantile City World Heritage Site SPD.
- b. Proposals for the redevelopment or remodelling of buildings or sites which have a negative or neutral impact on the character of the World Heritage Site will be supported where it can be demonstrated that this will enhance or better reveal the Outstanding Universal Value of the World Heritage Site.
- c. Proposals which would help to facilitate the reuse of vacant or under-used floorspace in buildings which make a positive contribution to the character of the area and the Outstanding Universal Value of the World Heritage Site will be supported.
- d. Proposals for tall buildings in the World Heritage Site or its Buffer Zone will be assessed against Policy UD6.'

Applications for development which is likely to impact on the OUV will not be granted unless accompanied by an appropriate Heritage Impact Assessment which evaluates the likely effects of the proposals upon the OUV.

- **Policy EC6 *Mixed Use Areas and Sites for Various Types of Development*** states that planning permission will be granted for those uses specified in the relevant Mixed-Use Area profile, subject to other planning policies. For the Waterfront area in which the application site is located, this is addressed in Policy CC10.

The following policies of the emerging Local Plan are also relevant to the principle of the proposed development.

- **Policy EC3 *Delivering Economic Growth*** establishes that the development of the tourism and visitor economy, including the football club of Everton, will be supported and where appropriate, protected and enhanced.
- **Policy EC4 *Major Culture, Tourism and Sport Facilities and Events*** details that the Council will support proposals which reinforce and promote Liverpool as a centre for tourism, culture and major events. This includes proposals for new / expanded provision which contributes to the city's continued success as a destination for visitors and venue for major events, including sports. Within this, the sustainable development or redevelopment of Everton football club is specifically mentioned, providing the proposals are of an appropriate scale and subject to other relevant planning policies.

Proposals should be of a high quality design, be highly accessible, not adversely impact residential amenity or business operations and where appropriate and feasible be designed to be flexible, adaptable and capable of multi-use.

- **Policy CC13 *Ten Streets*** establishes that the Council will support uses which maximise the economic potential of the area, focusing on creative businesses and light employment uses. Within the Northern Gateway (adjacent to the application site), a mix of uses will be

supported, including leisure and potential tourism related uses, ancillary retail and significant new public realm.

The following briefly summarises other relevant policies of the Local Plan:

- **Policy STP1 *Spatial Priorities for the Sustainable Growth of Liverpool*** aims to create a robust and regionally significant, competitive economy. To achieve this economic development will be focused in the City's key employment areas, including North Liverpool and the Enterprise Zone at Mersey Waters.
- **Policy STP2 *Sustainable Growth Principles*** states that the Council will support development proposals which address, as appropriate, strategic economic, social and environmental principles, including: contributing to delivering economic growth and ensuring a strong, responsive and competitive economy; making efficient use of land; making use of suitable brownfield land and support opportunities to remediate land (especially derelict, contaminated or unstable land); making the best use of locations that are already easily accessible by sustainable transport (or which could be made accessible by sustainable transport); minimising environmental impact; delivering high quality contextual design; conserving the City's heritage assets; adapting to the effects of climate change; and including measures to improve air quality.
- **Policy STP3 *Protecting Environmentally Sensitive Areas*** seeks to avoid and/or mitigate negative impacts on European habitats sites. Development which may have an adverse impact will be subject to a Habitat Regulations Assessment.
- **Policy STP4 *Presumption in Favour of Sustainable Development*** states that planning applications which accord with the Local Plan will be approved unless material considerations dictate otherwise. Where the Local Plan is silent on an issue or the policies are out of date, the protocol as established in the NPPF is to be adopted.
- **Policy STP5 *Infrastructure Provision*** requires new developments to be located on previously developed land and then in areas with the best infrastructure capacity, to maximise the use of existing facilities and minimise the need for new provision and the need to travel.
- **Policy STP6 *Developer Contributions*** states that new developments need to meet the reasonable costs of providing on and off-site infrastructure requirements and to meet the needs for additional or improvements to existing infrastructure and services which would mitigate the impacts generated by new development. Developers are expected to fund the future maintenance of facilities provided as a result of development. If viability is an issue, site specific independent financial evaluation will be required.
- **Policy CC21 *The Night Time Economy*** establishes that planning permission for night time economy uses will be granted if there is no adverse impact on residential amenity or the operation of nearby businesses or the character and function of an area and that identified noise level requirements have been met. The hours of operation of late night uses will be managed through planning conditions.

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- **Policy CC22 Food and Drink uses and Hot Food take-aways within the City Centre** states that proposals for such uses will need to demonstrate that there is no adverse impact on residential amenity or character of an area.
- **Policy SP4 Food and Drink uses and Hot Food take-aways** establishes a set of criteria for such uses, including requirements for appropriate hours of operation; no adverse impact on residential amenity; satisfactory approach to traffic and parking implications; appropriate locations for trade waste; appropriate fume extraction system and noise insulation; and no increase in potential for crime and anti-social behaviour.
- **Policy CC26 Protection and Enhancement of Green Infrastructure** requires new development to include an element of green infrastructure where possible. This includes green roofs/walls, trees, water features and use of native species in landscaping.
- **Policy SP1 The Hierarchy of Centres for Liverpool** aims to protect and enhance the vitality and viability of centres within the City's network. Liverpool City Centre is identified as the Regional Centre, and therefore the focus for leisure, cultural and tourist uses.
- **Policy UD1 Local Character and Distinctiveness** establishes that development proposals should demonstrate that several aspects have been taken into account, including local grain and pattern of development; means and pattern of enclosure; patterns of movement and street character; materials, colours, tones and textures; relationship to topography; the need to preserve and improve views into and across development; heritage assets; and focal buildings and landmarks.
- **Policy UD2 Development Layout and Form** states that development proposals should demonstrate that the following are taken into account: the hierarchy of streets and spaces; form, height, scale and massing; the need to reduce opportunities for crime; the need to promote physical activity; the creation of active frontages; and the establishment of sufficient sunlight and daylight.
- **Policy UD3 Public Realm** requires public realm design to reinforce and complement local distinctiveness; be based on a clear rationale of the function of an area; establish a primacy of pedestrians and cyclists over vehicles; incorporate historically important features; incorporate strong inclusive design principles; minimise physical barriers and visual clutter; minimise risk of criminal activity and perception of insecurity; incorporate appropriate street lighting and signage; and encourage physical activity.
- **Policy UD4 Inclusive Design** states that development proposals should meet the highest standards of accessibility, safety and inclusion to ensure development can be used safely and easily. The principles of inclusive design, including the specific needs of disabled people, should be integrated into the development.

- **Policy UD5 New Buildings** lists a series of criteria for new design proposals, including that buildings are robust and adaptable; orientation and micro-climate issues have been considered; materiality, tone and texture of an area are reflected in the design; the building aids legibility; adequate sound attenuation is provided; building design is resource and energy efficient; and it provides appropriate levels of car and cycle parking and servicing provision.
- **Policy UD6 Tall Buildings** establishes that proposals for Tall Buildings must make a positive contribution to the streetscape and skyline of Liverpool by being of the highest quality of design. Proposals must be supported by a comprehensive Townscape and Visual Impact Assessment and be considered under the EIA process, considering cumulative impacts too. Tall buildings are expected to contribute to the way-finding and legibility of the city as well as contribute to the economic, social and environmental sustainability of Liverpool.
- **Policy UD8 Public Art** states that the City Council will work with developers to bring about the incorporation of public art into major development schemes as part of the public realm, where this is important to establish or reinforce a sense of place and identity.
- **Policy GI1 Green Infrastructure Resources** affords protection to the Mersey Estuary SSSI/ SPA/Ramsar Site, Biodiversity assets (including Local Wildlife Sites and Local Nature Reserves), water spaces and public rights of ways.
- **Policy GI4 Water Spaces** states that the Council will support proposals which increase access along the coast and allow opportunities for greater interaction with water spaces in the city. Development adjacent to a water space should demonstrate that the design, detailing and massing takes account of its location; the site layout takes account of the relationship between buildings, parking, landscaping and the water space; public access is maintained or enhanced; opportunities are created to enhance green infrastructure provision; and any historical or industrial archaeological features relating to the water space are retained and restored. Opportunities should be taken to provide active frontages. In addition, there should be no negative consequences for nature conservation value.

For proposals involving dock spaces, development will not be permitted to infill dock water spaces or reduce the depth of the dock to an extent which would limit the range of vessels which could use the dock water space. Development should avoid dominating water spaces and maintain their importance as open water which provides spacing between dockland buildings. Development should demonstrate there is no adverse impact on residential amenity or business continuity and should make appropriate provision for the future management and maintenance of the public realm, movement routes, water spaces and adjacent quaysides. Navigational routes should be protected.

- **Policy GI5 Protection of Biodiversity and Geodiversity** requires development which may have a significant effect on an internationally important site to be accompanied by sufficient evidence to allow the

Council to conduct a Habitats Regulation Assessment. Adverse effects should be avoided and/or mitigated. Where significant harm cannot be avoided, adequately mitigated, or as a last resort, compensated, then planning permission will be refused. Applications should be supported by an Ecological Appraisal and include details of avoidance, mitigation and/or compensation where appropriate.

Development which may cause direct or indirect significant harm to other designated sites of nature or geological conservation importance, Priority Habitats, legally protected species and / or Priority Species will only be permitted on:

- **National sites (Mersey Estuary Ramsar site/Mersey Estuary Site of Special Scientific Interest (SSSI))**: where there are no alternatives and where the benefits of development clearly outweigh the impact on the features of the site that make it of special scientific interest, and its broader contribution to the national network
- **Local Sites (Local Nature Reserves (LNRs), Local Wildlife Site (LWS) and Regionally Important Geological/Geomorphological Sites (RIGS))**: where the reasons for and the benefits of development clearly outweigh the impact on the nature conservation value of the site and its broader contribution to the Liverpool City Region (LCR) Ecological Network.
- **Policy GI6 Liverpool City Region Nature Improvement Areas** identifies the Mersey Estuary as a Nature Improvement Area (NIA). Under this policy, development within the NIA should enable the function of the NIA, contribute to opportunities for habitat creation / management and deliver biodiversity enhancement measures where a potential impact on the NIA is anticipated.
- **Policy GI7 New Planting and Design** states that new development should make provision on site for the planting and successful growth of new trees and landscaping, including any replacement planting provided as compensation for loss due to development. New planting schemes must consider sustainability, locational challenges, opportunities for the creation of new habitats, stock size and suitable plant selection.
- **Policy GI9 Green Infrastructure Enhancement** states that in order to mitigate the impact of climate change in the city all major development proposals should be designed to incorporate green infrastructure measures, including (where appropriate) providing green infrastructure at key gateways and along key corridors. Green infrastructure should also integrate or enhance existing biodiversity features. All development proposals should contribute to ensuring a net gain in biodiversity. Where fairly and reasonably related to the development proposal, financial contributions through an appropriate legal agreement will be sought towards the creation of new off-site green infrastructure provision, or to enhance and improve existing provision off-site where it is clearly demonstrated that on-site provision is not possible, beneficial or appropriate.



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- **Policy R1 Pollution** requires development that is likely to have a pollution impact to demonstrate that appropriate measures are incorporated to avoid pollution to air, water and soil; that the impact of noise, vibration and lighting will not be significant; and that the development will not lead to a significant decline in air quality. Where appropriate, major developments should incorporate measures to reduce and minimise air pollution.
- **Policy R3 Flood Risk and Water Management** states that development should protect and enhance water quality, reduce flood risk and include water efficiency measures. Proposals must follow the sequential approach to determining the suitability of land for development, directing development to the area at lowest risk of flooding. Developments must demonstrate that there is no increase in flood risk at the site or elsewhere and should seek to reduce flood risk. Developments should comply with the Water Framework Directive. Where reasonably practical, developments should incorporate Sustainable Drainage Systems (SuDS) to manage surface water run-off.
- **Policy R4 Coastal Protection** requires development to not increase the risk of tidal flooding or coastal erosion or adversely impact the integrity of designated sites of European and/or International nature conservation importance.
- **Policy R7 Renewable and Low Carbon Energy** states that future development will be required to connect to a decentralised energy network where one has been constructed or is programmed to be constructed, unless it can be demonstrated that this is not viable. All major developments will be required to integrate low carbon energy and decentralised energy networks into the proposal.
- **Policy R9 Solar Panels** states that both building and ground mounted installations will be supported, providing heritage assets are conserved (including views important to their setting and elements which contribute to the OUV of the WHS); impact on visual amenity and neighbouring uses, landscape and biodiversity is minimised; there is no adverse impact on aircraft safety; the proposal has been subject to community engagement; and the design incorporates the ability to remove the structure and restore the site.
- **Policy R10 Non-Fossil Fuel Energy Sources** the adoption of non-fossil fuel technologies to generate locally sourced energy will be supported as part of the transition to a low carbon economy. Proposals for non-fossil fuel energy development must demonstrate that the proposed development is: appropriately sited; the scheme accords with Policies HD1 and HD2 in respect of heritage assets and Policies GI5 and GI6 in respect of biodiversity; there is no unacceptable impact on the landscape, character or appearance of an area or living conditions; and the proposal has been subject to community engagement.
- **Policy TP1 Improving Accessibility and Managing Demand for Travel** states that development proposals should make the best of existing infrastructure. The use of Travel Plans will be required to positively manage travel demand and improve accessibility of development. All

developments should address the accessibility of pedestrians and cyclists, as well as public transport users.

- **Policy TP2 Transport Assessments** establishes that a Transport Statement or Assessment will be required to accompany a planning application for new development. Developments must ensure new road layouts are safe and can operate efficiently; there is no detrimental impact on the function of the transport network; there is no detrimental impact to the safety of users of the transport network; there is provision for walking, cycling and the use of public transport; and vehicle and cycle parking and servicing are appropriate to the scale and nature of development proposed.
- **Policy TP5 Cycling** requires new developments to demonstrate they will have a positive impact on the cycling network, be designed to encourage cycling, provide appropriate cycle access and sufficient secure cycle parking facilities and demonstrate best practice in design for cyclists.
- **Policy TP6 Walking and Pedestrians** states that developments must be designed to encourage walking through a well-designed pedestrian environment within the development site, provide appropriate pedestrian access, ensure layouts are fully accessible and demonstrate best practice in design for pedestrians.
- **Policy TP7 Taxis** reiterates UDP Policy T4 regarding taxi rank provision.
- **Policy TP8 Car Parking and Servicing** requires demand for car parking to be met on site, in accordance with the Council's standards. 5% of spaces should have charging points available. Parked cars should be unobtrusive, using discreet and innovative solutions to avoid car parking dominating the street-scene. Adequate provision should be made for parking, servicing and loading, including access by emergency and refuse vehicles.
- **Policy TP9 Public Transport** requires all major development to have good access to the local bus network and rail services. Applications should demonstrate how proposed development relates to walking & cycling distances and routes to stations, convenience of bus access to stations and details of service frequencies.

### 6.6.2 Supplementary Planning Documents (SPDs) / Supplementary Planning Guidance (SPGs) & Strategic Regeneration Frameworks (SRFs)

#### 6.6.2.1 Car and Cycle Parking Standards (1996)

When assessing the requirements of a particular scheme, the Council will consider the nature and type of development; whether off-site parking could cause danger to highway and pedestrian safety; whether the area is served by public transport; and whether off-site parking would be detrimental to residential amenity.

In terms of parking design, pedestrian access should be separated from vehicle access. The internal layout should be user friendly, including good

lighting and signage. Car parking spaces should be a minimum of 2.4m x 4.8m.

Where possible, parking for disabled people should be provided under cover to give protection during wet weather. Parking bays for the disabled should be 4.8m x 3.6m, or 2.4m wide if a common transfer zone between two bays is provided. Accessible parking bays should be within 50m of a building entrance if uncovered, or 100m if covered.

This document also establishes maximum and minimum car parking requirements and minimum cycle parking requirements for new development. However, more recent standards have been adopted in the *Ensuring a Choice of Travel SPD* (2018).

#### 6.6.2.2 Ensuring a Choice of Travel SPD (2008)

The document provides guidance on the access and transport requirements for new development, including establishing car and cycle parking standards for different types of development.

For Use Class D2 (Leisure) development, the following standards should apply:

- **Cycle spaces:** 1 secure space and locker per 5 members of staff, plus either 1 cycle stand per 50 sq m of floor space open to the public or 1 per 80 seats (minimum of 2 spaces) (whichever is most appropriate to use);
- **Motorcycles:** 1 space per 200 seats (minimum of 2 spaces);
- **People with disabilities:** For development providing over 200 bays, 4 spaces must be provided plus 4% of the total number of spaces provided;
- **Service vehicles:** No minimum requirements; on-site provision should be on the basis of early negotiation, supported by a Transport Assessment;
- **Taxis:** Pick-up/set-down bay adequate for one taxi is required above 1,000 sq m, with additional space if justified by a Transport Assessment;
- **Other Staff and Operational Parking:** 1 space per 6 seats in out-of-centre locations; and
- **Coach parking and coach pick-up/drop-off:** will also be required and will be assessed on a case-by-case basis.

Transport Assessments will need to address sustainable access; the impact on the existing transport network; and the need to mitigate impacts. Stadia development will also be expected to submit a Travel Plan which will, as a minimum: control car parking; nominate a Travel Plan Co-ordinator; provide improved public transport, cycle and pedestrian services and facilities both inside and outside the site; and promote public transport, walking and cycling.

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## 6.6.2.3 World Heritage Site SPD (2009)

The World Heritage Site SPD provides guidance for protecting and enhancing the Outstanding Universal Value (OUV) of Liverpool Maritime Mercantile City World Heritage Site (WHS), whilst encouraging investment and development which will secure regeneration for the area. The SPD aims to provide guidance which will harmonise the differing priorities for regeneration and conservation (para 1.1.1, p.1).

Liverpool is recognised within the SPD as having the longest and most recognisable waterfront in the UK and has 'the largest and most complete system of historic docks anywhere in the world' (para. 1.1.2, p.1). However, the SPD recognises that as the city seeks economic growth, it will try to find alternative sustainable uses for its redundant dockland (para. 1.1.5, p.1).

The SPD reiterates that the intention of the WHS inscription is not to prevent development of the city, but instead ensure that the conservation and enhancement of the historic environment, and the OUV of the WHS, is fully considered in all decision making (para. 1.2.5, p.2).

The SPD recognises that different parts of the WHS are undergoing different types of development pressure. Within the Central Docks / Liverpool Waters area, the SPD notes that the regeneration of this part of the WHS requires significant amounts of private investment, without which the tangible cultural heritage in this area will continue to deteriorate (para. 1.3.2, p.3).

### Character Area

The WHS site is divided into six character areas, which have distinct townscape characters (para. 1.3.1, p.3).

The application site sits within Area 3, 'Stanley Dock Conservation Area', an area which encompasses the northern part of the docks, including Princes Half-Tide Dock, Stanley Dock and the surviving Dock wall which runs along Regent Road. The SPD acknowledges that this character area is mostly derelict and disused and has massive potential for heritage-based regeneration (para. 3.1.1, p.25).

The Northern Docks area is recognised as having potential to extend waterfront access and attractions further north of the city centre and create links east-west to include Norther Liverpool (para. 3.1.14, p.35).

Development should deliver active docksides and water spaces, better internal and external connections and integration with the immediate hinterland, the city centre and its communities. The SPD recognises that the regeneration of this part of the WHS will require very significant levels of private investment, without which the tangible cultural heritage will continue to deteriorate.

Page 96 of the SPD identifies a key node adjacent to Bramley-Moore Dock, at the corner with Boundary Street.

Development opportunities in the Liverpool Waters part of the Character Area should consider (para. 6.4.27, p.103):

- Being part of a long term phased masterplan to regenerate derelict docks;

- Being part of an overall waterfront regeneration strategy;
- Provide significant additional employment opportunities;
- Capitalise on the dockland heritage of the site;
- Ensure there is no significantly detrimental impact on key views or the setting of historic buildings; and
- Protect and enhance the integrity of the dock water spaces.

### Dock Water Spaces

The SPD identifies that a crucial aspect of the city's historic landscape and its cultural heritage is the complex of interlinking docks (para. 4.7.1, p.63). The SPD states that any development which would compromise the status as the most complete historic dock system in the world would need 'exceptional justification' (para. 4.7.2, p.63). As such, the SPD notes that it is fundamental that the integrity of the docks as open water spaces is retained.

The role of the docks is both in relation to heritage conservation and urban design. The need to retain the docks extends to their quaysides, artefacts and water spaces (para. 4.7.6, p.64).

The importance of the docks extends beyond the WHS and also applies to the Conservation Areas in this part of the city.

Although dock infill in the WHS is resisted, the SPD acknowledges that proposals to build permanent structures in the water spaces may be acceptable subject to a range of criteria; one of which is that the community benefit of a new structure is proven to substantially outweigh any disbenefits to cultural heritage (para. 4.7.11, p.64).

In the assessment of Character Area 3, the SPD again reiterates that the infill of dock water spaces in the character area will not generally be permitted (para. 6.4.12, p.100). The SPD also notes that development on quaysides should retain, conserve and enhance the historic dock structures, walls and ancillary surviving elements.

### Design

The SPD requires applicants to undertake analysis and assessment to demonstrate a clear understanding of the characteristics of their site and its surroundings, in order to show that the proposed design has responded to the characteristics and OUV of the area, in terms of materials, layout, massing, details and height (para. 4.2.3, p.40). In addition, applicants must assess the impact of proposals on the OUV of the WHS.

The SPD aims to:

- Ensure that new developments in the WHS reflect the inherited patterns of local architectural diversity and unique townscape of each character area (para. 1.6.3, p.8);
- Ensure that the setting of the WHS is protected and that new development respects the visual and historic context in which it is located (para. 1.6.3, p.8);

- Encourage economic regeneration through high quality new buildings (para. 1.6.3, p.8);
- Contemporary design is also encouraged, providing that it meets best practice for urban design (para. 1.6.3, p.8), which includes respecting, responding to and enhancing the highly sensitive and important historic context (para. 4.2.12, p.42);
- Ensure that new developments achieve high standards in terms of design, materials, architectural quality and innovation (para. 4.2.11, p.42);
- Emphasise the need for quality architecture, which is grounded in an understanding and design concepts, which are informed by the context to the site (para. 4.2.12, p.42);

Pages 43-44 of the SPD provide a checklist of 'Urban Design Considerations' relating to a development's character, its continuity and enclosure, the ease of movement, the quality of the public realm, ability to address diversity, its legibility and sustainability.

### Building Height

The SPD notes that the relationship between the River Mersey and the WHS is a 'fundamental aspect' of the OUV of Liverpool's WHS (para. 4.5.1, p.54). Due to its impact on views, development on the riverfront has potential to affect the setting and character of the WHS as well as the city's skyline.

The SPD notes that high quality development could contribute in a positive manner to the waterfront.

New development must be incorporated into the existing key features of the city's skyline, including the Stanley Dock Complex, Pier Head Group and Victoria Clock Tower. Development between these buildings must ensure that new buildings do not dominate existing landmarks or significantly obstruct key views associated with the WHS. This is of particular importance to Character Area 3 of the WHS (para. 4.5.4-4.5.5, p.54).

The Council defines tall buildings which are 'high-rise' as those which are significantly taller than surrounding buildings, typically of 15 storeys or 45m or higher (para. 4.6.3, p.55).

Regarding tall buildings, the SPD notes that such development can contribute positively to a city's landscape, often through the provision of legibility (para. 4.6.5, p.56). Future tall buildings must be appropriately sited and designed in a manner which ensures minimal impact on the WHS and other heritage assets in the city (para. 4.6.5, p.56).

Overall, the SPD concludes that there is a presumption against high-rise developments within the WHS boundary, due to its potential over-dominance effects and being out of context with the prevailing character of the area. However, the SPD notes that there is an exception to this in the area to the north of Collingwood Dock and Salisbury Dock, where there is a lack of development and where 'medium rise' development may be considered suitable (para. 4.6.13, p.57). Figure 4.3 identifies the quaysides of BMD as being an opportunity for a mid-rise building.

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The SPD establishes a set of criteria for high-rise buildings (para. 4.6.19, p.61):

- High rise buildings should be mixed use schemes to maximise economic and social regeneration; proposals which deliver sustainable employment and tourism will be preferred.
- The location of high-rise buildings should take account of the grain of the city, including whether situated at a node or gateway.
- Public realm treatment should take account of local context.
- Public access should be provided at higher levels so that the public are not excluded from tall buildings and can share the viewpoints.
- Design solutions should be bespoke to the individual sites and the philosophy needs to be articulated in the Design & Access Statement supporting the application.
- The visual impact of high-rise buildings on the setting of designated heritage assets should be considered, including ways to mitigate the impact through design.
- Consider the vertical proportions and articulation of the tall building and how it can impact the city's skyline and waterfront.
- Buildings should not seek to replicate existing structures.
- The base of tall buildings should have a human scale and should not dominate the streetscape.
- New tall buildings should not have a negative impact on microclimate, particularly key pedestrian routes and public spaces.
- All proposals should be highly sustainable.
- Key views to, from and across the WHS should not be adversely compromised.
- New development should contribute to the city's skyline and not obscure, detract from, overshadow it or result in a lack of legibility.
- New developments in the WHS should not generally exceed the height of the tallest building in the immediate vicinity, with the exception of the area north of Salisbury and Collingwood Docks, where there is little existing development in the WHS to determine the height (para. 5.2.6, p.70).
- Where new development is proposed near to listed buildings, special attention will be paid to the potential impact of the new development in terms of its height and design on the setting of the listed buildings (para. 5.2.8, p.72).

The Design Guidance for Character Area 3 of the WHS identifies the quaysides in this area as having the potential to accommodate some substantial medium-rise buildings which would help to define and enclose the historic docks, subject to the criteria set out above (para. 6.4.5, p.97).

### Materials

The brick warehouses within the WHS are recognised in the SPD as being of a highly distinctive style and being 'monumental' in terms of scale (para. 3.1.10, p.33). The warehouses use materials in a consistent manner and are considered to be fairly homogenous, which reflects that many were developed in a short period and influenced by Jesse Hartley.

The SPD notes that the materials which define Character Area 3 of the WHS include hard surface, edges, stock brick, stone and iron (para. 6.4.3, p.94).

Within the public realm, historic paving materials, fixtures, street furniture and railway track should be preserved in situ and conserved (para. 6.4.16, p.100).

### Public Realm

The SPD seeks to support the delivery of public realm schemes to enhance the character of the WHS and Buffer Zones as a means of attracting inward investment and tourism (para. 1.6.3, p.8).

The SPD notes that a key objective of the Council is to provide walking and cycling routes for the public along the whole of the riverfront (para. 4.3.9, p.47).

The SPD notes that historically the Stanley Dock Conservation Area would have been a bustling area. The regeneration of this area presents '...an important opportunity to create a stimulating area with a strong and animated sense of place' (para. 6.4.10, p.99). As such, the SPD encourages active street frontages which provide enclosure and animation at street level.

Within Character Area 3, the SPD requires a network of high quality public rights of way, along the riverside and around all quaysides, to promote pedestrian and cycle access (para. 6.4.13, p.100). The SPD includes mention of a riverside walk between Princes Dock and Salisbury Dock, as part of the Liverpool Waters development. The SPD notes that 'Without a good network of primary and secondary routes, the Liverpool Waters Sites and this part of the WHS will not be able to fulfil its massive potential' (para. 6.4.15, p.100).

### Regent Road Dock Wall

The dock wall along Regent Road is identified in the SPD as defining the relationship between the docks and the city, which is a significant aspect of the character of the area. The dockyard wall often 'underscores' views towards the city from the docks (para. 6.4.3, p.94).

The SPD notes that the dock wall is an integral part of the WHS with much architectural interest. The dock wall and its setting are required to be retained, repaired and preserved in its entirety, including gate piers, timber gates, adjacent setts and railway lines (para. 6.4.6, p.98).

Developments should initially look to utilise existing openings through the wall as the main east-west access points. If adequate access cannot be achieved through the existing openings, the case for the creation of new openings will need to be supported by a strong justification, demonstrating that this is essential to the delivery of major regeneration opportunities or to create essential permeability and connectivity to the surrounding area (para. 6.4.7, p.98).

Development to the west of the dock wall should respect its integrity and setting. Opportunities must be taken to conserve the wall and its features. Any new development to the west of the wall should be set back by at least 9m from the wall to provide adequate setting and to enable historic surfaces to be retained, as well as creating a usable corridor for cycling and walking (para. 6.4.8, p.98). Exceptions may be considered e.g. the creation of large public spaces, subject to satisfactory detailed design.

### Reuse of historic buildings

Paragraph 1.6.3 of the SPD states that the conversion of historic buildings will be encouraged where it will stimulate the city centre economy and enhance the city's profile (p.8). The historic fabric of the WHS's historic buildings will be safeguarded to ensure it continues in appropriate use. Building owners are encouraged to maintain and conserve the stock of historic buildings within the WHS. Buildings considered to be 'at risk' due to their poor condition or which are under-used, will be brought into beneficial and sustainable use (para. 1.6.3, p.8).

The stock of listed buildings in the WHS is noted as being fundamental to its OUV and to Liverpool's unique sense of place (para. 5.4.1, p.73). Maintaining a viable and appropriate use for historic buildings is considered an important factor in ensuring their survival, particularly as otherwise such buildings can be at an increased risk of decay. The SPD notes that '...delivering viable and sympathetic uses for these properties is a key issue for the long-term management of the Site' (para. 5.4.3, p.73).

Proposals for the viable and long-term reuse of historic buildings will be generally supported where they are in broad accordance with allocations and policies within the statutory development plan; maintain an appropriate mix of uses; will not result in the loss of significant elements of historic fabric and will not result in the degradation of the character of the street (para. 5.4.5, p.75). The SPD also notes that all proposals seeking to reuse buildings should take account of the need to protect the habitats of birds and bats.

### 6.6.2.4 Liverpool Maritime Mercantile City World Heritage Site Management Plan (2017-2024)

The purpose of the Liverpool World Heritage Site (WHS) Management Plan is to ensure effective protection of the WHS for current and future generations.

The Plan includes five aims: Protect; Conserve and Develop; Understand; Connect; Capitalise; and Govern. These aims support the overall Vision (p.54):

'Reconciliation of the enduring ambitions for growth and prosperity established by the City's mercantile founders with the need to protect, develop and enhance the Outstanding Universal Value of Liverpool's world-class heritage'

BMD is located within Area 3 of the WHS, the Stanley Dock Conservation Area. This area is described as a 'dramatic component of Liverpool's historic dockland...' (p.11). The area is characterised by 'massive warehouses, walls and docks' (p.11) but the Management Plan also



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recognises the importance of smaller structures, including bollards and capstans. The Management Plan acknowledges that the large water-filled docks are in private ownership and not currently accessible to the public.

The Management Plan acknowledges several issues and challenges to the WHS, including socio-economic pressure, the need for high-quality sustainable development, lack of understanding in relation to the WHS, lack of awareness and accessibility, the requirement to achieve an integrated approach, Climate Change and disaster risk management and Governance issues.

A series of Actions are identified under the five aims of the Management Plan. These include: requiring a Heritage Impact Assessment for all major developments within the WHS and buffer, encouraging higher levels of pre-application discussions for developments within the WHS, establishing a WHS Design Review Panel and stimulating the location of key attractions and developments within more remote parts of the WHS, helping to draw footfall and interest to underused parts of the site.

### 6.6.2.5 Design for Access for All SPD (undated)

The SPD provides guidance on providing positive and inclusive developments. The document advises developers on how to integrate inclusive design principles into their planning proposals, promoting a high quality and inclusive environment for all, irrespective of age, gender, mobility or impairment. The purpose of the document is to:

- Set out the Local Planning Authority's requirements in respect of provision for disabled people in new development;
- Enable the needs of disabled people to be taken into account at the earliest stages of planning a development (e.g. from concept; prior to planning application stage);
- Indicate likely requirements arising from Building Regulations and Highways legislation which may influence the design and layout of proposed developments in respect of their provision for disabled people; and
- Draw attention to best practice in the design of the internal and external environment in terms of making buildings and external spaces accessible to, and useable by disabled people

The SPD requires an Access Statement to be produced as part of a planning application to demonstrate what has been done to ensure buildings, services and facilities are accessible to all. The document also focuses on improving accessibility in the public realm as well as improving access to historic buildings and sites. Wherever possible, historic buildings and sites should be as easily accessed with use of the primary entrance by disabled people as by others.

New buildings will be required to be designed, positioned and orientated within a site to achieve an accessible approach from highways and the nearest public transport stations. The position of a proposed building will affect where the vehicle and pedestrian entrance to the site will be and therefore it should be carefully considered. Consideration should also be

given to providing suitable drop off points immediately adjacent to a safe pedestrian route and as close as possible to the main entrance.

### 6.6.2.6 Ten Streets Spatial Regeneration Framework SPD (2018)

The area covered by the Ten Streets Strategic Regeneration Framework (SRF) extends from the northern fringe of the City Centre to the Port of Liverpool on the northern docks. The SRF presents a vision, illustrative masterplan and set of design and development principles to guide the future development of the Ten Streets SRF area over the next 15 – 20 years.

The SRF fully recognises the potential of Bramley-Moore Dock to support a new football stadium and consequently the long-term potential of the Ten Streets area to support this aspiration, stating that: 'Everton have announced plans to redevelop Bramley-Moore Dock, the stadium has the potential have a transformational effect on the North Docks and the framework area. The SRF for Ten Streets has the potential to support this significant project and assist in providing the connectivity and types of facilities required within the framework area' (p.54).

Page 135 of the SRF states 'The potential for a new stadium has the potential to facilitate rapid change, creating a catalyst that will accelerate the redevelopment of the wider framework area'.

The 'Northern Gateway' is an area to the north of the Stanley Dock Complex which links further north to the Port of Liverpool. The area is characterised by a number of industrial uses. Although the application site at Bramley-Moore Dock is outside the SRF area, the SRF notes that BMD, the proposed location for the new football stadium, is adjacent to the Northern Docks (p.6).

The Northern Docks is envisaged as an area that will support a new retail and leisure destination and is identified as a 'key location for access and spill out from Bramley-Moore Dock, which is the proposed location for a new football stadium' (p.105). Ancillary uses which may be required to support the development of a new stadium are also identified as having potential to locate in the Northern Gateway area. The SRF provides a number of character area development principles for the Northern Gateway, which include:

3. Uses that support a new employment and leisure destination;
4. A scale and density to respect the World Heritage Site;
5. Improved connectivity and public realm;
6. Development that is sensitive to heritage; and
7. Design that reflects the aspirations of the Northern Gateway.

The key principles of the Scale and Density section are to 'respect the scale of the World Heritage Site and the Stanley Dock Conservation Area' and 'not be greater in scale than the Tobacco Warehouse, which forms the visual marker for the Stanley Dock Complex and is iconic in the context of the wider area' (p.106).

In terms of supporting connectivity and public realm, the SRF supports improved connections between Sandhills Station and BMD. Due to the proposed new stadium, connectivity, permeability, movement and public realm are noted as being paramount to the redevelopment of the Northern Gateway. The Illustrative Masterplan (Figure 1xiii, p.124) identifies a Public Square / Fan Zone, referred to as the stadium plaza, opposite BMD, to the east of Regent Road.

### 6.6.2.7 Planning Advice Note for developers on developing contaminated land (undated)

The guide, produced by the LCC Environmental Protection Unit (EPU), comprises general advice to developers and requirements for planning application submissions on potentially contaminated land. Sufficient investigatory works should be undertaken for the purposes of assessing all 'site-specific' risks posed at / from a proposed development site.

The Planning Advice Note sets out the four phases of a typical contaminated land planning condition. The first three phases (desk base study, intrusive investigations and remediation strategies) are to be carried out prior to commencement of the development, with the remaining phase (completion and validation) to be carried out prior to occupation of the development.

Details of the content required for each phase of the condition are provided within the Planning Advice Note.

### 6.6.2.8 Planning Advice Note on refuse storage and recycling facilities in new developments (2005)

The Note provides advice on the Council's recommended standards for refuse storage and recycling in all new developments. The guidance will ensure that the right number and size of refuse containers are provided for particular developments, and are located externally, where possible. Larger schemes which are open to the public will be required to provide a storage area for the recycling of materials too.

Businesses must provide storage facilities within their curtilage for the effective containment of all waste. Adequate access must also be provided to enable waste disposal contractors to transfer waste away from the commercial premises.

## 6.6.3 Spatial Development Strategy (SDS) – About Liverpool City Region: Our Places (2019)

The Liverpool City Region (LCR) Combined Authority is in the process of preparing its first Spatial Development Strategy (SDS). An initial consultation period is ongoing, which ends on the 14th January 2020. After receiving the responses, the Combined Authority will review and, along with any evidence needed, take comments into account when drafting policies. A draft of the SDS will then be presented to the Combined Authority.

Central to setting the SDS's policy direction will be the Local Industrial Strategy, which is due to be published in March 2020. Its vision is to deliver a prosperous and inclusive economy founded on five priorities, ensuring that:

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- People with the right opportunities are able to turn passion into prosperity;
- There is a dynamic business base that creates opportunity;
- We are a City Region of collaboration that transforms research into reality;
- We are a City Region that connects all our communities to opportunity; and
- Create revitalised and distinctive places.

As part of this round of SDS public consultation on 'Our Places', six policy themes have been defined:

- **Environment and Climate Change** – The Combined Authority declared a Climate Emergency in May 2019 and aims to make the city region net carbon neutral by 2040. The SDS will play a central role in supporting and monitoring efforts to act on climate change; ensuring that new development is resilient to predicted impacts and contributes towards reducing greenhouse emissions. The consultation asks about the main challenges in planning for a changing climate and how to tackle these challenges.
- **Healthier, Safer and Resilient Homes and Communities** – The Combined Authority has identified the quality of housing as a key determinant of our health and wellbeing. A Design Champion and an Air Quality Task Force have been appointed to tackle these two key matters. The Combined Authority has also adopted a social value approach to preparing policies in the SDS. The Combined Authority states that it is vital that future development in the LCR communities offers wider opportunities and benefits to people. A 'Social Value Evaluation' of the SDS will be carried out to highlight where 'social value gain' can be secured through the planning process.
- **A thriving and Vibrant City Region** - The Combined Authority consider that the role of spatial planning is key in supporting the diversification and adaptation of town centres. The Metro Mayor and Combined Authority also recognise the importance of culture and creativity as valuable assets; defining the city region as a vibrant and unique place and contributing significantly towards the prosperity of the local economy. The SDS will need to consider how strategic planning policy supports our cultural well-being and plans positively for our cultural facilities. It will also need to take account of the wider social, cultural, economic and environmental benefits offered by our historic buildings.
- **A Connected City Region** – This theme focuses on the strategic vision for digital and transport connectivity. The SDS should be proactive in promoting sustainable forms of transport such as walking and cycling, low and ultra-low emission vehicles and public transport. The LCR Combined Authority Transport Plan provides direction for SDS policy as part of an integrated approach. Its key transport priorities are:
  - Better public transport accessibility and choice;
  - Moving away from car dependency;

- Working with Government and Transport for the North (TfN) to deliver a direct HS2 and Northern Powerhouse Rail link to the LCR;
- Increasing rail capacity to enable more sustainable movement of freight; and
- Improving access to Liverpool John Lennon Airport by public transport.
- **An Inclusive Economy** - The Combined Authority aims to create a fairer, more prosperous city region for everyone. Informed by the Local Industrial Strategy, the SDS policies will encourage sustainable economic growth. The Metro Mayor promotes a 'brownfield first' approach to development, whereby brownfield sites are prioritised to ensure the re-use of sustainable, previously developed land is maximised.
- **The Infrastructure we need** – Necessary infrastructure will be identified in an Infrastructure Plan, which will sit alongside the SDS. This will identify the key pieces of strategic infrastructure needed to support the delivery of the SDS, helping ensure that future development in the City Region is co-ordinated and sustainable.

### 6.7 HERITAGE ASSETS – DECISIONS

#### 6.7.1 UNESCO World Heritage Site (WHS) Decisions

In 2004, at the 28<sup>th</sup> Session of the World Heritage Committee, the Liverpool – Maritime Mercantile City was inscribed on the World Heritage List, on the basis of the cultural criteria (ii), (iii) and (iv). These are detailed as follows:

- **'Criterion (ii):** Liverpool was a major centre generating innovative technologies and methods in dock construction and port management in the 18<sup>th</sup> and 19<sup>th</sup> centuries. It thus contributed to the building up of the international mercantile systems throughout the British Commonwealth.
- **Criterion (iii):** The city and the port of Liverpool are an exceptional testimony to the development of maritime mercantile culture in the 18<sup>th</sup> and 19<sup>th</sup> centuries, contributing to the building up of the British Empire. It was a centre for the slave trade, until its abolition in 1807, and for emigration from northern Europe to America.
- **Criterion (iv):** Liverpool is an outstanding example of a world mercantile port city, which represents the early development of global trading and cultural connections throughout the British Empire.'

On its inscription, UNESCO recommended that authorities pay particular attention to monitoring the processes of change in the WHS in order to not adversely impact the property. This includes both changes of use and new construction. The State Party is requested to assure that the height of any new construction does not exceed that of the structures in the immediate surroundings; the character of any new construction respects the qualities of the historic area; and new construction at the Pier Head should not dominate but complement the historic Pier Head buildings.

In 2012, at the 36<sup>th</sup> session of the World Heritage Committee, the decision was made to inscribe the Liverpool – Maritime Mercantile City WHS on the List of World Heritage in Danger.

The decision report identified the following factors as affecting the property (WHC-12/36.COM/7B.Add p.182):

- Lack of overall management of new developments;
- Lack of analysis and description of the townscape characteristics relevant to the Outstanding Universal Value of the property and important views related to the property and its buffer zone;
- Lack of clearly established maximum heights for new developments, for the backdrops of the World Heritage areas as well as along the waterfront;
- Lack of awareness of developers, building professionals and the wider public about the World Heritage property, its Outstanding Universal Value and requirements under the World Heritage Convention.

The World Heritage Centre and Advisory Bodies recommended to the World Heritage Committee that there were serious concerns about the proposed development of Liverpool Waters and that LCC was inclined to grant consent to the proposals. The report concluded: 'The proposed development has the potential to irreversible damage the attributes that sustain the OUV of the property and threaten its authenticity and integrity' (WHS-12/36.COM/7B.Add p.184). The report concluded that the impact of Liverpool Waters on the WHS '...meets the criteria of potential danger and recommend to the World Heritage Committee might wish to consider deletion of the property from the World Heritage List, should the current project be approved and implemented' (p.185).

Following this decision, the Liverpool Waters outline planning application was granted in June 2013.

In subsequent years the State Party has issued Desired State of Conservation Reports on the WHS to UNESCO. Every year since 2012 its position has been reassessed by the World Heritage Committee and has remained on the World Heritage in Danger register.

In 2019, at the 43<sup>rd</sup> session of the World Heritage Committee, the decision was made to retain the WHS on the List of World Heritage in Danger with a view to considering its deletion from the World Heritage List at its 44<sup>th</sup> session in 2020, if the Committee's decisions related to the adoption of the Desired State of Conservation Report and the moratorium for new buildings are not met.

UNESCO has requested a moratorium for new buildings within the WHS and its buffer zone until the Local Plan, the revised Supplementary Planning Document, Neighbourhood Masterplans and the Tall Building (skyline) Policy are reviewed and endorsed by the World Heritage Committee. The 2019 report expressed the extreme concern of the World Heritage Committee that the requested moratorium had not to date been adopted. The Committee requests the commitment of the State Party that the approved outline planning permission for Liverpool Waters will not be implemented and a revised version would not propose intervention which

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would adversely affect the OUV of the WHS. In terms of work undertaken to progress Liverpool Waters, the Committee '...regrets that the submission of Princes Dock Masterplan and changes to the Liverpool Water scheme to the World Heritage Centre took place after their adoption by the LCC, and expresses its utmost concern that these documents are putting forward plans, which does not ensure the adequate mitigation of the potential threats for which the property was inscribed on the List of World Heritage in Danger' (p. 71). The UK Government, as State Party for Liverpool's World Heritage Site (WHS), has submitted a State of Conservation Report for the Liverpool Marine Mercantile City World Heritage Site. This document sets out the North Shore Vision, which has been progressed by LCC and Peel Holdings and is a collaborative framework which follows the UNESCO Historic Urban Landscape (HUL) approach and the United Nations Sustainable Development Goals.

The Vision identifies the tangible and intangible attributes of the northern docks area and details the evolution of this area of the city. The Vision describes the impact of the abandonment of the northern docks on the communities of north Liverpool and discusses the balance between the public benefit of a heritage-based regeneration approach and the potential harm to heritage assets.

Current proposals are described within the North Shore Vision and this includes The People's Project, of which the proposed stadium at Bramley-Moore Dock is part.

The State of Conservation Report also references the submitted application for the proposed stadium and notes that the World Heritage Centre will be informed by the State Party once the application is validated and available to view.

Due to the Covid-19 pandemic, the 44<sup>th</sup> session of the World Heritage Committee, initially scheduled for July 2020, has been postponed and a revised date is yet to be confirmed.

### 6.7.2 Heritage at Risk – North West Register (Historic England, 2019)

The Stanley Dock Conservation Area is noted on the Heritage at Risk register as being in Very Bad condition and of Medium Vulnerability. However, the noted trend is that the Conservation Area is improving significantly.

## 6.8 ECONOMIC STRATEGIES

The following section summarises economic strategies at the City Region and local authority level which are relevant to the application site and proposed development.

### 6.8.1 Building Our Future – Liverpool City Region Growth Strategy, LCR Combined Authority (2016)

This document outlines the City Region's Strategy for Growth and acknowledges the unique strengths and assets of each local authority area within the LCR Combined Authority. The Strategy recognises the importance of football as a key cultural asset for the Region (p.10), as well as the importance of entertainment and visitor attractions (p.10) and the waterfront as a key asset in which to deliver future development (p.44).

The Strategy proposes to deliver economic growth and improve the quality of life for residents by focusing on the following three growth pillars:

- **Productivity** - Sustain economic growth to maximise the potential of the Region's sector strengths and related assets and focus on starting and growing more successful businesses by promoting innovations and entrepreneurial activity.
- **People** - Improve and increase skills, developing existing talent and attracting new talent for sustainable growth.
- **Place** - Improve the Region's transport, energy and digital infrastructures, and protect and enhance our cultural and environmental assets. This will improve quality of life for residents and attract and retain investors, skilled workers and visitors who will contribute to growth.

The document states that the City Regions will maximise the impact of investment and opportunities by strategically focusing on those sectors with the greatest potential. Of particular relevance is the 'Visitor Economy' sector which is identified in the Strategy as a significant strength to deliver productivity, but also a huge potential for the growth of the City Region. The Strategy aims to continue to establish the City Region as an 'internationally renowned thriving and vibrant destination for business and leisure visitors, with global connectivity and enhancing the attractiveness of the area as a place to study, live, work and invest'. In this context, the Strategy supports the following areas:

- Developing key assets, amenities and attractions on the Waterfront;
- Promoting effective use of the City Region's key 'brands' for place marketing; and
- Providing bespoke support to growth businesses in the Visitor Economy.

The Strategy identifies 'Place-Making' as an area of relevance to delivering the 'Place' pillar. In this regard, the ambition of the strategy is to protect and enhance the distinctive quality of place, to improve quality of life for residents and attract and retain those investors, skilled workers and visitors who will contribute to future economic growth.

The Strategy identifies an array of cultural and sporting institutions and heritage and visitor attractions which have already made the Liverpool City Region a globally renowned destination. However, the Strategy considers that there are further opportunities to enhance Liverpool City Region's distinctive quality of place as a means to attract and retain those investors,

visitors, works who will contribute to future economic growth and the quality of life of residents.

The Strategy also identifies Mersey Waters as a key component of the Atlantic Gateway vision, which aims to maximise the economic potential of the 'Mersey Corridor'. The Strategy aims to capitalise on the City Region's unique geography by developing the Mersey Waters Enterprise Zones (including Liverpool and Wirral Waters). The Strategy recognises that there is great potential to align the Enterprise Zone with the City Region's key growth sectors, including Maritime and Logistics and Low Carbon Energy and their supply-chain investment opportunities. One of the key delivery mechanisms is a 'more joined up approach to development and inward investment'.

### 6.8.2 Visitor Economy Investment Plan for Growth 2016-2025, LCR Visitor Economic Board (2016)

The City Region's Visitor Economy Strategy (2016 – 2025) focuses on developing the distinctive features of Liverpool City Region as the basis for delivering competitive advantage when compared to other rival destinations. Liverpool generates 32 million visitors annually and over the last 10 years has established itself as a successful leisure and business tourism destination being ranked 6th in the UK for international visitors (p.4). The economic case for continued investment in the Visitor Economy is affirmed through the sector's inclusion within the City Region's new single Economic Growth Strategy. Similarly, the sense of place and infrastructure that the sector supports (accommodation, conference/meetings infrastructure, retail and amenities etc) are identified as integral features of the region's wider investment proposition.

The Plan recognises that growth will be achieved by leading with Liverpool in terms of aligning product investment with the rich cultural and heritage proposition that has spearheaded the City's regeneration and international positioning over the last 10 years. To realise these opportunities, four investment priorities have been identified in the Plan:

- Core funding - sustaining funding streams for destination marketing, conference bidding and events;
- Product Development – identifying opportunities and establishing pipeline projects that will increase national and international visitors to the Liverpool City Region;
- Identifying other sources of investment - capable of supporting LCR Visitor Economy Strategy priorities for transport and connectivity; and
- People – identifying investment required for developing the quality of welcome across the Liverpool City Region.

The core proposition for the City Region therefore is those areas that make it distinctive: including its people, its waterfront/coastline, and the assets, attractions and landmarks that it comprises. Consequently, the approach to investment is thematic and focussed on the key themes of culture and heritage, and conference tourism.



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The Plan recognises the need to capitalise on the big/ iconic sporting brands and infrastructure of the LCR to enhance profile with emerging markets (tourism and investment), encourage repeat visits and increase length of stay. Importantly, this plan is focussed on justifying investment through job creation and economic growth.

### 6.8.3 Inclusive Growth Plan: A strong and growing city built on fairness, Liverpool City Council (2018)

The City's Inclusive Growth Plan has several priorities:

- Investing in our children and young people;
- People who live well and age well;
- Quality homes in thriving neighbourhoods;
- A strong and inclusive economy;
- A connected and accessible city with quality infrastructure; and
- Liverpool – the most exciting city in the UK.

The last aim is included in order to grow the city's reputation as a cultural and sporting capital and the most exciting city in which to live, visit, work, study and invest.

Priority no. 5.3 of the Growth Plan (p.76) references the dualling of the A565 from the city centre to Sefton as being required to support several projects, including the proposed football stadium at Bramley-Moore Dock.

In accordance with Priority no. 4.4, the Council will look to develop key economic sites such as the waterfront, by strengthening the waterfront offer with new developments including the proposed new stadium at Bramley-Moore Dock (p.68).

### 6.8.4 Atlantic Corridor Development Framework, Liverpool City Council (2016)

The Atlantic Corridor Development Framework (ACDF) provides the overarching context for regeneration and establishes principles for development within the ACDF, which is located on the north edge of the City Centre. The Atlantic Corridor area is predominately industrial and perceived as a series of dislocated locations with poor connections between the waterfront to the west and the residential areas to the east. In recent years, the area has been subject to major regeneration investments such as Liverpool Waters, the Port of Liverpool and Project Jennifer. The area is included within the Liverpool City Enterprise Zone, Liverpool Waters Enterprise Zone, forms part of the North Liverpool Enterprise Zone and links committed development projects and emerging opportunities.

The Framework aims to better connect these emerging destinations to each other, improve connections with the City Centre, identify further opportunities for coordinated investment, create improved investment

conditions, and improve access to new jobs and opportunities for local residents and workers. The Framework identifies five-character zones. The application site sits in the northern most area of Zone A (Liverpool Waters).

The Framework recognises the importance of development along the waterfront to act as a catalyst for tourism and leisure activity in this area, including the role of Bramley-Moore Dock in hosting music events (e.g. Creamfields Launch Night and South City Festival).

The Framework identifies the following five principles to guide proposals for investment and development within the Atlantic Corridor:

- Movement and connectivity – Supporting Regent Road as a link between the Waterfront development and City Centre, improving connectivity across the Atlantic Corridor and supporting cycleways and infrastructure;
- Support economic growth – supporting businesses and appropriate employment uses;
- Sense of Place – Encouraging increased activity along frontages, contemporary approaches to building and streetscape design and encouraging a more diverse mix of uses, principally employment generating uses;
- Heritage and historic environment - Encourage the retention and conversion of historic warehouse and dockland, encourage building scale, form and massing to respond to the scale and encourage high quality building and landscape design structures; and
- Delivery – supporting partnership working arrangements and appropriate funding to assemble sites, or fund strategic acquisitions.

### 6.8.5 Mayoral Development Zone / Enterprise Zone

#### 6.8.5.1 Liverpool's Mayoral Development Zones: Review of achievements 2012-2017, Regenerating Liverpool (2018)

Liverpool has established an Enterprise Zone (EZ) for North Liverpool, offering incentives for companies to set up business in Liverpool and encourages existing city-based business to grow. The EZ focuses on encouraging investment and capturing the economic benefit.

The North Liverpool Mayoral Development Zone (MDZ) is the largest of the MDZs. North Liverpool covers the area stretching from the expanse of Liverpool's docks in the north to the edge of the City Centre's commercial business core. Not only does it include a swathe of traditional industrial and warehousing sites alongside the river, it also reaches eastwards into Everton Valley to encompass rapidly regenerating residential suburbs and district shopping centres. North Liverpool is also home to both of the city's football clubs. The MDZ recognises Everton FC's redevelopment plans are at an early stage.

#### 6.8.5.2 Mersey Waters Enterprise Zone, HM Government website<sup>2,3</sup>

Liverpool City Region includes three Enterprise Zones (Mersey Waters, Liverpool City and Sci-Tech Daresbury). The zones were established in 2012 and run for 25 years until 2027.

The Mersey Waters EZ straddles the River Mersey and covers the Liverpool Waters and Wirral Waters schemes. Extending across a combined area of 125 hectares, the zone is one of the largest nationally and was identified due to its potential to generate economic growth for the region.

<sup>2</sup> <https://enterprisozones.communities.gov.uk/boost-business-government-backs-enterprise-zones/> (accessed October 2019)

<sup>3</sup> <https://enterprisozones.communities.gov.uk/enterprise-zone-finder/mersey-waters-enterprise-zone/> (accessed October 2019)