

Everton Stadium Development Limited
The People's Project at Bramley Moore Dock,
Regent Road Dock Wall

Heritage Statement



September 2020

Consultancy for the
Historic Built Environment

KMHHeritage

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1 Introduction

- 1.1 This Assessment has been prepared by KMHeritage to support the listed building consent application submitted to Liverpool City Council on behalf of Everton Stadium Development Ltd.
- 1.2 The application relates to the Grade II listed Regent Road Dock Wall, Liverpool.
- 1.3 The proposals are for:
- The creation of three new openings with gates
 - Repair work to the c. 230m length of the wall
 - Repairs to the existing timber gates in the turret entrances
 - Additional new gates in the existing turret entrances, suitable for the proposed new use of Bramley Moore Dock.
- 1.4 The proposals have been subject to considerable pre-application discussion with both Liverpool City Council and Historic England. This is detailed in Section 5 of the report.

Purpose

- 1.5 The purpose of the report is to provide a background understanding of the heritage context of the site and its significance; identify the national and local policies and guidance relating to the historic built environment; and consider the impact of the proposals on the identified significance and policy and guidance.

Nomenclature

- 1.6 In 2015 English Heritage changed its name to 'Historic England' and a new charity, officially called the English Heritage Trust, took the name of English Heritage and responsibility for managing the National Heritage Collection of more than 400 state-owned historic sites and monuments across England. In this report reference is made both to 'English Heritage' and 'Historic England'.

Organisation

- 1.7 This introduction is followed by identification and history of the site. Section 3 analyses the heritage significance of the site and its context. Section 4 sets out the national and local policy and guidance relating to the built environment that is relevant to this matter. An analysis is provided in Section 5 of the proposed

development and its effect in heritage terms. Section 6 examines the proposal in terms of policy and guidance.

Authorship and contributors

- 1.8 The author of this report is Nick Collins BSc (Hons) MSc MRICS IHBC. Nick has twenty years' experience in the property sector, including most recently as a Director of the Conservation Team at integrated design consultants, Alan Baxter & Associates. Nick spent nine years at English Heritage as Principal Inspector of Historic Buildings & Areas where he led a specialist team of historic building inspectors, architects, and archaeologists on a wide range of heritage projects in East & South London. Previously Conservation Officer at the London Borough of Bromley, Nick began his career at international real estate consultancy Jones Lang LaSalle as a Chartered Surveyor. This experience has given Nick an in-depth understanding of the property industry, listed building and planning process, heritage policy and guidance and funding bodies.
- 1.9 Historical research for this report was carried out by Anne Roache MA MSc, DipFEcol. Anne is a researcher with over 25 years' experience. She has worked for leading commercial organizations in the fields of property, planning and law. Alongside a specialisation in the archaeology, architectural and social history of urban areas, Anne is also a qualified Field Ecologist, practiced in carrying out a range of ecological surveys.

2 The history of the wall and its context

- 2.1 The Regent Road Dock Wall runs along the length of the north docks. This application is in relation to the portion of the wall which is adjacent to Bramley Moore Dock. This is approximately 230m in length and incorporates two main entrance points. Each entrance has three turrets with the central one containing a (now blocked) former gatekeeper/dock policemen's lodge.

Regent Road Dock Wall

- 2.2 The strong linear form of the dock boundary wall is a defining feature of the Stanley Dock conservation area and this part of the Liverpool Maritime Mercantile City World Heritage Site. Separating the waterside working area from Regent Road and warehouses and associated industry to the east, it was designed to give security to moored ships and their valuable cargoes. The wall was erected in six stages, starting at Pier Head and growing as the dock estate extended northwards as far as Huskisson Dock, opposite Sandhills Lane. The wall is interrupted only at the Stanley Dock bascule bridge, where there is a short stretch of later red brick.
- 2.3 The architectural style of the wall and its gateways developed over time, starting with John Foster's early 18th century functional classical style and culminating in Jesse Hartley's monumental granite forms. The wall is striking for its height and length (2.75 km within the World Heritage Site) - and for its robust form of construction. Hartley's incorporation of imposing tower-like gate piers with heavy wooden gates added to the fortress-like appearance of the walls and its impact as a major townscape feature is evident in the central and northern dock areas.¹
- 2.4 The wall falls within the Stanley Dock Conservation and along with its entrances, from opposite Sandhills Lane to Collingwood Dock, it was listed Grade II in March 1975 (List Entry Number: 1072979).
- 2.5 Foster built the oldest section of the wall - coloured red in the Dock Boundary Wall Plan reproduced as figure 1² at Princes Dock Pier. Constructed in red brick with a sandstone coping it

¹ Liverpool Waters (2012). Liverpool Dock Boundary Wall Listed Building Application: Supporting Report (Planit-IE), February 2012 (LWDBW, 2012) (12L/0428)

² *Ibid.*

had monumental gateways with pitted borders to the sandstone piers in classical style. The wall stands at 5.5m high and is four bricks thick in English bond. Construction began in 1816 and was completed in 1821 when the dock opened. Originally, the wall ran around all four sides of the dock but today only one wall survives on the east side, with one original gateway.³

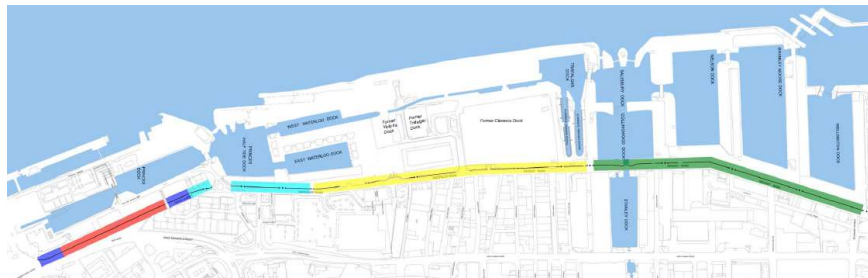


Figure 1: Dock Boundary Wall Plan

- 2.6 The next section to be built 1836-1841 (coloured yellow in fig. 1) was that covering Clarence, Waterloo, Victoria and Trafalgar Docks. In brick with sandstone copings, four gateways survive.⁴
- 2.7 The third phase of 1847-48 (coloured green in fig. 1) enclosed Salisbury, Collingwood, Nelson, Stanley and Bramley-Moore Docks. This time the wall differed from the earlier style. Instead of using brick, Hartley employed the same 'Cyclopean' granite style of building used in his dock retaining walls - finely jointed rubble stones brought to a fair face, tapered in section from base to top and topped with rounded coping stones (fig. 2).

³ *Ibid.*

⁴ *Ibid.*



Figure 2: Hartley's dock boundary wall at Collingwood Dock

- 2.8 The widespread use of granite came with the purchase, by the Dock Board, of the Creetown quarry in Scotland. Hartley's inventive form of construction was an economical and effective way of making best use of these resources.⁵
- 2.9 When Princes Dock had been constructed, it was entered via a tidal basin situated immediately to the north and since the basin was not used for unloading high value goods, it was not originally enclosed by a wall. By 1865, however, map evidence shows that the area had been enclosed by a wall running alongside Waterloo Road and connected to the existing boundary walls at Princes Dock and Waterloo Dock (coloured blue on fig. 1). A short section of the 1821 Princes Dock wall was rebuilt, probably after G.F. Lyster became dock engineer in 1861 (coloured purple).⁶

Gateways

- 2.10 Within the wall there are 23 openings: 13 original historic gateways, two late 19th century gateways (which were created to provide access for the dock railway e.g. at Collingwood but are no longer in use) and eight modern openings, all large enough for vehicular access.⁷ There are also several pedestrian doorways: the one at Collingwood Dock is still usable but the others have been blocked up (fig 3).

⁵ *Ibid.*

⁶ *Ibid.*

⁷ *Ibid.*



Figure 3: Hartley's dock boundary wall at Sandon Dock incorporating a (blocked) pedestrian doorway

- 2.11 The four gateways that led into the Bramley-Moore, Wellington, Nelson and Collingwood Docks are styled very differently to the earlier gateways comprising of massive piers, oval in plan and designed in the form of tapering towers. Each gateway opening, at 5.5m wide, is proportionate to the height of the wall. Where the opening is wider, a third, larger centre tower pier is introduced which also functioned as offices for the dock policemen. At the entrance to the Salisbury and Collingwood Docks, the central tower also has a granite letter box (figs. 4-6).

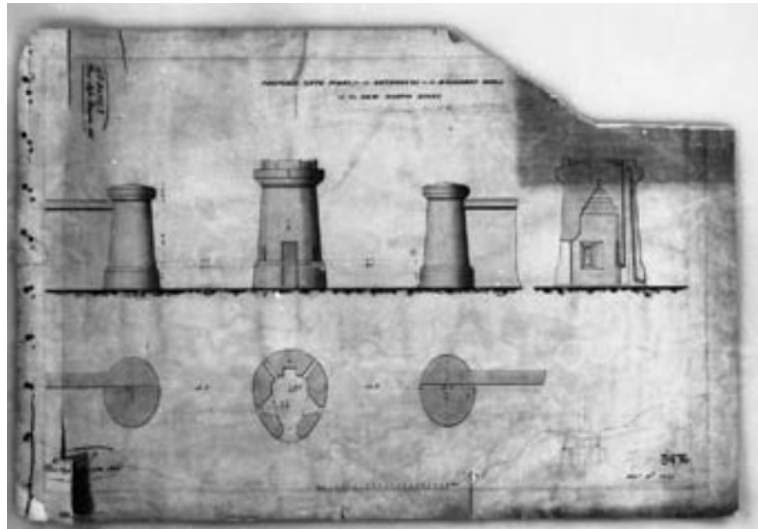


Figure 4: Contemporary plans for Hartley's granite gate piers

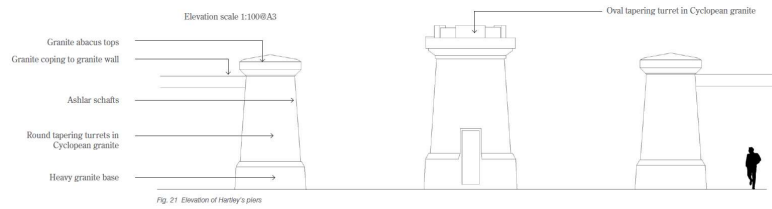


Figure 5: Elevation of Hartley's granite piers⁸

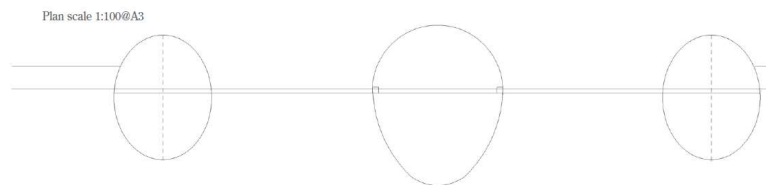


Figure 6: Plan of Hartley's granite piers⁹

- 2.12 Heavy wooden gates slid out on rollers from slits in the side piers operated by counterweights and locking into slotted recesses in the central towers. Across the docks only three sets of these historic gates survive - at the entrances to Princes Dock, Clarence Graving Dock and Bramley-Moore Dock, although all are in need of repair.¹⁰
- 2.13 At Collingwood Dock is a smaller, single gated entrance with rounded piers the same height as the dock wall (fig. 7 below).

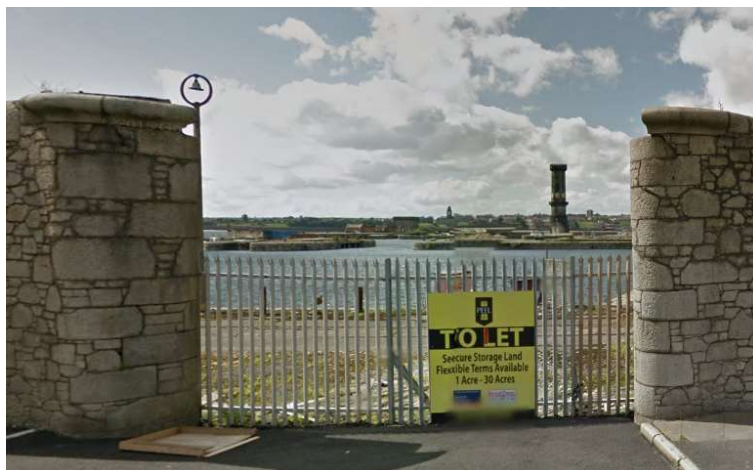


Figure 7: Single-gated entrance, Collingwood Dock, Regent Road

- 2.14 At Nelson Dock, a double gateway opening has a central 'Tuscan Doric' cast iron pillar to support an iron lintel that is possibly a remnant of the Overhead Dock Railway. (fig. 8).

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ *Ibid.*



Figure 8: Double-gated entrance Nelson Dock, Regent Road

- 2.15 At Sandon Dock, the central gate pier is of a unique design in the docks. The side piers have a squared profile but the centre pier, also squared, is of red brick with ornamental mouldings topped by a chimney stack and a plaque bearing the name of the dock (fig. 9).
- 2.16 The Liverpool Waters permission has accepted the principle of 11 vehicular or pedestrian openings in the length of the wall between Princes Dock and Bramley-Moore Dock including two new openings¹¹. The exact location and detail of the openings would have to be subject to separate Listed Building Consent ('LBC') submissions.



Figure 9: Sandon Dock entrance

Additional Features of the Wall

- 2.17 A number of features are built into the wall along its length including drinking fountains, cast iron stanchions that carried the overhead railway, police huts - which Hartley often

¹¹ Liverpool Waters outline planning permission ref 100/2424

ingeniously integrated within the gate piers - and carved granite plaques each carrying the name of the dock and date built.

- 2.18 In 1859, Charles Pierre Melly brought the idea of public drinking fountains back from Europe and instigated the provision of 33 cast-iron drinking fountains for the workers which were inserted into the dock walls.¹² Of these 33, only seven survive in varying states of repair (fig. 10). Five are of cast iron and two are of granite.



Figure 10: Nelson Dock cast-iron drinking fountain

- 2.19 The Liverpool Overhead Railway (1893-1957) ran along the inside of the dock walls, supported by cast iron stanchions which still survive in places (fig. 11).¹³
- 2.20 This railway, designed by James Greathead and Sir Douglas Fox for the Mersey Docks and Harbour Board, was conceived as an electric railway in order to reduce the risk of fire to the surrounding docks buildings. There were 17 stations along its six-and-a-half-mile route which were reached by a stairway from street level. Primarily a commuter line for the dockers it became affectionately known as the 'Dockers' Umbrella'.¹⁴

¹² Neil, P. 'Charles Pierre Melly and his Drinking Fountains'. Liverpool Monuments Online: <http://www.liverpoolmonuments.co.uk>

¹³ Liverpool Waters (2012) Liverpool Dock Boundary Wall Listed Building Application: Supporting Report, (Planit-IE) February 2012. (LWDBW, 2012).

¹⁴ Liverpool Waters (2011) Heritage Impact Assessment. Assessment of Potential Effects on the Liverpool World Heritage Site (de Figueiredo, P.) November 2011 (LWHIA, 2011).



Figure 11: Cast iron railway stanchion

- 2.21 As well as being the world's first electric elevated railway, it was also the first railway to use an escalator and the first to boast automatic signalling & electric colour light signals. Hydraulic lifting sections were provided at Brunswick, Sandon and Langton Docks to allow craft access and, at Stanley Dock, a combined lifting and swing bridge, the lower lifting section carrying the road and goods railway, allowed shipping access to the Leeds and Liverpool Canal. At Bramley-Moore Dock, the railway dropped to road level to pass under the Lancashire and Yorkshire Railway (L&YR) coal tip branch. Whilst meaningful remnants of this are now gone, some areas of brickwork associated with it remain against the Regent Road Boundary Wall.¹⁵
- 2.22 The railway was still carrying 9 million passengers in the 1950s but Second World War bomb damage and severe corrosion to the structure led to the line being closed in 1956 and then demolished in 1957. Only a few extant features remain, which include cast iron girders and vertical support stanchions incorporated into the dock boundary wall in places. A small amount of remnant brick wall remains abutting the western side of the Regent Road Dock Wall that indicates the gradient of the switchback that once took the passenger railway underneath the former Coal Railway.

Immediate context of the Site

- 2.23 Whilst there are other listed buildings in the wider area, the part of the wall subject to this application provides the boundary to the Grade II listed Bramley Moore Dock (List Entry

¹⁵ https://en.wikipedia.org/wiki/Liverpool_Overhead_Railway

Number: 1072980) and Grade II listed Hydraulic Engine House (List Entry Number: 1072981).

- 2.24 Bramley-Moore Dock opened on 4 August 1848, as part of Jesse Hartley's major northern expansion scheme of 1844-48 (fig. 34). Hartley planned five docks all to be built at the same time – Stanley, Collingwood, Salisbury, Nelson & Bramley-Moore – to form an enclosed, interconnecting system with two links to the River Mersey; one to the south via Salisbury Dock and one to the north via the Wellington Half Tide Dock (1850) and through to Sandon Dock (1851).¹⁶
- 2.25 The quaysides retain original elements such as mooring facilities, capstans, cobbled surfacing and dock rail tracks.¹⁷ The physical extent of the Grade II listed wet walls has been defined by LCC¹⁸ to include the coping stones that surround the dock (wet wall) and all artefacts directly affixed to the coping stones.
- 2.26 The Hydraulic Engine House stands towards the north-east corner of the Bramley-Moore Dock. The building is Grade II listed (date first listed 19-Jun-1985; List no.: 1072981).
- 2.27 The building is not by Hartley, but was erected in 1883 by George Lyster who had, in 1861, succeeded Jesse Hartley's son John Bernard (J. B.) Hartley as Engineer in Chief to the Mersey Docks and Harbour Board.
- 2.28 An aerial photograph of 1927 illustrates how the Hydraulic Engine House was built hard up against the high-level coal line, which ran along the north quayside of the dock within a crook formed by this and the quayside railway tracks to its east. Only its accumulator tower would have projected above the raised railway structure and dock boundary wall (fig. 12).¹⁹

¹⁶ *Op. cit.* Farrer, W & Brownbill, J. (eds.) (1911).

¹⁷ Historic England List. Online: <https://historicengland.org.uk/listing/the-list/list-entry/1072980>

¹⁸ As confirmed in email correspondence (dated 28th April 2020) from James Simmins, LCC Conservation Officer

¹⁹ 'Huskisson, Sandon and Bramley-Moore Docks, Sandhills, 1927' [EPW018890]. © Historic England. Reproduced under Licence.



Figure 12: Hydraulic Tower, Bramley-Moore Dock, 1927

- 2.29 Hydraulic power relies on a head of water and is produced by the action of a hydraulic ram, consisting of a hollow cylinder, closed at one end and in the other a sliding piston which is forced to move when water under pressure is admitted into the cylinder. The movement of the cylinder is then transferred to a chain and the piston's travel is multiplied by the number of pulleys around which the chain passes. The accumulator, into which water was pumped by a steam engine, was developed by W. G. Armstrong in 1850. It provided a constant supply of high pressure water, and effectively stored power against demand, ironing out cyclical variations in pressure from pumps. Armstrong's accumulators and associated machinery were widely used throughout the Liverpool Docks.²⁰
- 2.30 Outside the dock wall between Regent Road/Waterloo Road and Great Howard Street, can still be found many unlisted 19th and early 20th century workshops and warehouses of various sizes and functions. Good examples can be found on Blackstone Street, opposite Bramley-Moore Dock, between Regent Road and Fulton Street including a number of extant structures identified on the Merseyside Historic Environment Record. These include: 66 & 68 Regent Road, which formed part of the David Rollo & Sons Engineering Works; 9 Blackstone Street a 19th century engineering works that also formed part of the

²⁰ *Op. cit.* LWHIA (2011).

David Rollo Works; and 15-17 Fulton Street (recently listed Grade II), a mid-19th century warehouse.

- 2.31 The area around the docks contained numerous dock-related workshops including cooperages, forges, iron works, saw mills, ships chandlers and repair depots amongst warehouses, pubs, hotels and 'digs' for transient ship crew and the small terraced homes of dock workers and their families. These two-up-two-down back-to-back houses were described in 1882 as being 'about the worst in the Kingdom' with the intersecting corners of these long, impoverished terraces flanked by 'showy public houses'.²¹ A few of these buildings, such as the three-storey brick terraces on Regent Road, which include some historic public house premises, survive and provide context to the blank face of the dock boundary wall opposite (figs. 13&14).



Figure 13: Terrace opposite the entrance to Wellington Dock, Regent Road



Figure 14: Regent Road: the Bramley-Moore public house opposite the entrance to the Dock. Blackstone Street warehouses in the distance

²¹ 'Life at the Dock, by a Dock Labourer', Liverpool Mercury, December 1882. Online: <http://www.old-merseytimes.co.uk/docklabourer.html>

Existing State of the Wall within the application Site

- 2.32 A series of surveys have been undertaken to inform the proposals. This has included a Ground Investigation Survey and Condition Survey.
- 2.33 This has identified the existing state of the wall and provided the detailed understanding of the construction of the wall. It has also identified the areas where repairs are necessary.
- 2.34 As well as the random granite stonework of varying sizes that epitomises the appearance of the wall it is also characterised by the rounded coping stones that maintains the appearance of a curved profile to the wall.
- 2.35 There is considerable cracking of the mortar between the stones, particularly at high level. In more damaged areas, the cracking has destabilised the integrity of the wall, raising the coping stones and loosening the stonework beneath.
- 2.36 On the western 'internal' side of the wall, a stepped brickwork wall tapering in height is built up against the rear of the wall, visible from the dock side. This corresponds with the remains of the 'switchback' which was a section of the Overhead Railway which dropped to ground level to avoid the coal railway bridge that was positioned just to the north of the Bramley Moore site. The brickwork to the rear of the wall abuts the stonework wall construction and to the southern end of the wall, where the pier is present, it is keyed into the stonework itself.
- 2.37 The condition of the wall is generally sound, although there are areas of loose bricks especially on the more exposed upper faces where they have been loosened through mechanical damage, frost and plant growth.
- 2.38 The wall adjacent to the Bramley Moore Dock – which forms the application site – has two existing entrances. These are formed of substantial circular tapered granite piers. The central turret in each entrance housed a lodge which has been subsequently bricked up.
- 2.39 Timber gates are installed on cast iron track set within the pavement and the piers formed to allow the timber gates to pass through the piers to recesses within the main wall construction.
- 2.40 The gates to the north of the site have been replaced and appear to be a modern interpretation of the original gates although they are reduced in section sizes and are not operable. The gates to the south of the site appear to be largely

intact, although in a degraded condition. The track, guides and running wheels are present together with the timberwork of the gates, although these have not been used for some time.

- 2.41 There are a range of ground surfaces immediately adjacent to the wall, including granite setts, asphalt and poured concrete. The granite paving is in variable condition, depending on location and the degree of disruption, modification, repair and demolition that has taken place.

Future Surveys

- 2.42 There are a number of surveys programmed to be carried out to further the understanding of the wall and its current state. These include:
- Intrusive Works Survey - to better understand the causes of degradation in the wall and develop repair proposals;
 - Further Conditions Survey – a gate condition survey for both sets of gates to fully assess their condition; inspection of previously inaccessible areas to ensure a full record of the entire structure within the application site;
 - Cleaning trials (if required); and
 - 3D Cloud Survey – a non-intrusive survey to record the surface profile of the stonework in the areas where the proposed new pedestrian entrances will be located, to form part of the Historic Environment Record.

3 The heritage and townscape significance of the site and its context

- 3.1 This section of the report describes the heritage significance of Regent Road Dock Wall and its surroundings.

The heritage context

- 3.2 The historic core of Liverpool and its docks became a World Heritage Site in 2004. The inscription states that it is 'the supreme example of a commercial port at the time of Britain's greatest global influence'. Within it are six areas of distinct character, each reflecting different patterns of historic growth and aspects of mercantile culture. The Stanley Dock Conservation Area forms character area 3 of the WHS.
- 3.3 As well as the listed structure that forms the subject of this application, there are a number of other dock related listed structures in the immediate vicinity. These include:
- Bramley Moore Dock Retaining Walls (II);
 - Hydraulic Engine House (II);
 - Nelson Dock Retaining Wall (II);
 - Stanley Warehouse (Titanic Hotel) (II*) and Hydraulic Tower to its west (II);
 - Entrances to Stanley Dock (II);
 - Tobacco Warehouse (II);
 - Stanley Warehouse to south of Tobacco Warehouse (II);
 - Bonded Tea Warehouse (II);
 - 15-17 Fulton Street (II); and
 - Other dock and canal related structures
- 3.4 As well as the listed buildings identified above, a search of the Merseyside Historic Environment Record also identified a number of additional extant 'above ground' unlisted structures. These are regarded as non-designated heritage assets and include:
- Stanley Dock
 - Bascul Bridge, Regent Road
 - Remnants of the demolished former Overhead Railway
 - Sea Wall (where not statutory listed)
 - 66 & 68 Regent Road

- 9 Blackstone Street

Heritage significance

Assessing heritage and townscape significance: definitions

- 3.5 The World Heritage Site, listed buildings and conservation areas are 'designated heritage assets', as defined by the National Planning Policy Framework (the NPPF). Other buildings and structures identified as having heritage significance can be considered as 'non-designated heritage assets'.
- 3.6 Heritage 'significance' is defined in the NPPF as 'the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic' (NPPF, 2019, Annex 2). The Historic England 'Historic Environment Good Practice Advice in Planning Note 2' (2015) puts it slightly differently – as 'the sum of its architectural, historic, artistic or archaeological interest'.
- 3.7 'Conservation Principles, Policies and Guidance for the sustainable management of the historic environment' (English Heritage, 2008) describes a number of 'heritage values' that may be present in a 'significant place'. These are evidential, historical, aesthetic and communal value.
- 3.8 In terms of the assessment of any proposals for the Regent Road Dock Wall, the designated heritage assets most relevant to considering the effect of the scheme are the World Heritage Site, the Dock Wall itself, the Stanley Dock Conservation Area and the setting of nearby listed buildings.
- 3.9 The effect of the proposed scheme on these assets will be on the Outstanding Universal Value ('OUV') of the World Heritage Site ('WHS'), the special architectural and historical importance of the listed Wall, the character and appearance of the Conservation Area and the setting of other listed buildings/structures.
- 3.10 Other buildings or structures that are regarded as making a positive contribution may be regarded as being non-designated heritage assets.
- 3.11 The impact of the proposals on the OUV of the WHS has been considered having regard for the Guidance on Heritage Impact Assessments for Cultural World Heritage Site (January 2011) produced by ICOMOS.

Liverpool Maritime Mercantile City World Heritage Site

- 3.12 The WHS, including its Buffer Zone, is a geographically large heritage asset of very high significance that spans north-south from Sandon Half-Tide Dock to Queen's Dock and subsuming most of the historic core of Liverpool. Parts of it are further protected under the planning system as designated heritage assets.
- 3.13 The WHS contains a number of highly significant heritage assets including, for example, the 'Three Graces' of Liverpool (The Liver Building, the Cunard Building and the Port of Liverpool),²² many of which were themselves built on the site of earlier docks.
- 3.14 It was inscribed onto the UNESCO world heritage list in 2004 by meeting the following criteria, description and definitions, which are taken from the Liverpool Maritime Mercantile City World Heritage Site Management Plan 2017-2024²³:
- Description of Asset and Statement of Outstanding Universal Value*
- 3.15 Located at the tidal mouth of the River Mersey, where it meets the Irish Sea, the maritime mercantile City of Liverpool played an important role in the growth of the British Empire. It became the major port for the mass movement of people, including slaves and emigrants, from northern Europe to North America. Liverpool was a pioneer in the development of modern dock technology, transport systems, port management, and building construction.
- 3.16 The Statement of Outstanding Universal Value (OUV) summarises the significance of the world heritage site:
- "Liverpool – Maritime Mercantile City reflects the role of Liverpool as the supreme example of a commercial port at the time of Britain's greatest global influence. Liverpool grew into a major commercial port in the 18th century, when it was also crucial for the organisation of the trans-Atlantic slave trade. In the 19th century, Liverpool became a world mercantile centre for general cargo and mass European emigration to the New World. It had major significance on world trade as one of the principal ports of the British Commonwealth. Its innovative techniques and types of dock facilities and warehouse construction had worldwide influence. Liverpool was instrumental in the development of industrial canals in the*

²² Liverpool World Heritage Site Management Plan (2017) p.22-25

²³ Ibid.

British Isles in the 18th century, and of railway transport in the 19th century. All through this period, and particularly in the 19th and early 20th centuries, Liverpool gave attention to the quality and innovation of its architectural and cultural activities. To this stand as testimony its outstanding public buildings, such as St George's Hall, and its museums. Even in the 20th century, Liverpool has made a lasting contribution, remembered in the success of The Beatles, who were strongly influenced by Liverpool's role as an international port city, which exposed them to seafarers, culture and music from around the world, especially America" (Liverpool City Council, 2009)

Criteria for Inscription as World Heritage Site

- 3.17 The criteria used to select sites or locations for World Heritage Sites are set out by UNESCO. Liverpool Mercantile Maritime World Heritage Site meets the following three criteria:
- 3.18 Criterion (ii): to exhibit an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design;
- 3.19 *"Liverpool was a major centre generating innovative technologies and methods in dock construction and port management in the 18th, 19th and early 20th centuries. It thus contributed to the building up of the international mercantile systems throughout the British Commonwealth."*
- 3.20 Criterion (iii): to bear a unique or at least exceptional testimony to a cultural tradition or to be a civilization which is living, or which has disappeared."²⁴
- 3.21 *"The city and the port of Liverpool are an exceptional testimony to the development of maritime mercantile culture in the 18th, 19th and 20th 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".*
- 3.22 Criterion (iv): to be an outstanding example of a type of building, architectural or technological ensemble or landscape which illustrates (a) significant stage(s) in human history²⁵;
- 3.23 *"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".²⁶*

²⁴ Ibid.

²⁵ Ibid

²⁶ Ibid

Integrity

- 3.24 “The key areas that demonstrate Outstanding Universal Value in terms of innovative technologies and dock construction from the 18th to the early 20th century and the quality and innovation of its architecture and cultural activities are contained within the boundaries of the six areas forming the property. The major structures and buildings within these areas are generally intact although some such as Stanley Dock and associated warehouses require conservation and maintenance. The historic evolution of the Liverpool street pattern is still readable representing the different periods, with some alteration following the destruction of World War II.
- 3.25 There has been some re-development on sites previously redeveloped in the mid-late 20th century or damaged during World War II, for example at Mann island and Chavasse Park, north and east of Canning Dock. All archaeology on these development sites was fully evaluated and recorded; archaeological remains were retained in situ where possible, and some significant features interpreted in the public domain. A new visitor centre has been opened at the north east corner of Old Dock, which has been conserved and exposed after being buried for almost 200 years. The production and adoption of design guidance minimizes the risks in and around the WH property that future development might adversely affect architectural quality and sense of place or reduce the integrity of the docks”²⁷.

Authenticity

- 3.26 “Within the property, the major dock structures and commercial and cultural buildings still testify to the Outstanding Universal Value in terms of form and design, materials, and to some extent use and function. Warehouses at Albert Dock have been skilfully adapted to new uses. Some new development has been undertaken since inscription and has contributed to the city's coherence by reversing earlier fragmentation. No significant loss of historic authenticity has occurred, as the physical evidence of the City and its great past remain prominent and visible, and in some cases has been enhanced. The main docks survive as water-filled basins within the property and the buffer zone. The impact on the setting of the property of further new development on obsolete dockland is a fundamental consideration. It is essential that future development within the World Heritage property and its

²⁷ Ibid p.24

setting, including the buffer zone, should respect and transmit its Outstanding Universal Value"²⁸.

Attributes of the Mercantile City²⁹

- 3.27 The Integrity and Authenticity of the WHS is further codified through the Statement of Attributes for the WHS, established in 2011 and comprising five key themes:
- I. The spirit of **innovation** illustrated by the pioneering dock technology, architecture, engineering, transport, port management and labour systems created and developed in Liverpool.
 - II. The buildings and monuments, stores and records that evidence Liverpool's central role in the development of the British Empire and **global trade**.
 - III. The buildings and monuments, stories and records that evidence Liverpool's central role in global **migration**.
 - IV. The docks, warehouses, commercial buildings, and dwelling houses and their relationships to each other that illustrate Liverpool's development as a **port city** of global importance.
- 3.28 The tradition of **cultural exchange** exemplified by Liverpool's role in the development of popular music and as a patron of the visual arts.

Stanley Dock Conservation Area

- 3.29 The Stanley Dock Conservation Area forms one of the six distinct Character Areas that make up the WHS³⁰.
- 3.30 The character is described in Liverpool Maritime Mercantile City World Heritage Site Supplementary Planning Document (2009) which states:
- "Character Area 3 encompasses a number of surviving areas of historic docks, part of the Leeds and Liverpool Canal and the dock wall. The docks in the northern part of this areas were mainly built in the 1840s, although Princes Dock and Waterloo Dock were opened in 1821 and 1834 respectively. Stanley Dock and Waterloo Dock retain much of their associated warehousing and Salisbury Dock retains granite dockyard buildings, landmark groups of buildings in their own right. To*

²⁸ Ibid.p.24

²⁹ Ibid. p.25

³⁰ Liverpool World Heritage Site Management Plan 2017-2024 (Liverpool City Council)

the east of Stanley Dock, the ground rises to the Leeds and Liverpool Canal, linked to Stanley Dock by a series of four locks.

- 3.31 *The docks that lie outside of the WHS but within the Buffer Zone, form part of the general dockyard landscape and contribute to the character of the WHS and wider city. They are broadly contemporary with those within the WHS but have generally lost their historic dockside buildings and in some cases have been largely re-built.*
- 3.32 *Within the WHS, original dockyard surfaces and dock walls often survive and there are areas where groups of buildings retain their historic character. Hard surfaces, edges, stock brick, stone and iron define the character of the area. The dock wall and the way it defines the relationship between the docks and the city are significant aspects of the character of this area, the dockyard wall often underscoring views towards the city from the docks.*
- 3.33 *In the Buffer Zone, the docks around those within the WHS and the relatively low historic buildings that survive outside the WHS, to the east of Waterloo Road and Regent Road, provide historic context and setting to the WHS”.*
- 3.34 The conservation area is made up not just of the listed buildings and structures identified earlier, but also a number of structures that contribute to the character of the area that are not listed and thus regarded as non-designated heritage assets.
- 3.35 The Bascule Bridge that crosses the link between Stanley Dock and Collingwood Dock is an unlisted non-designated heritage asset identified in the Merseyside Historic Environment Record which contributes to the character of the area. Built in 1928, its setting is, for the most part, tightly defined by the Dock Wall to the west and the built structures to the east of Regent Road. Its position close to the remaining historic warehouses means that its setting is also inter-related with theirs as part of the group of remnant dock related structures as well as the Regent Road stretching beyond in both directions.
- 3.36 The Overhead Railway that once ran the length of the docks is a non-designated heritage asset that has largely been demolished and lost. Only a few extant features remain, which include cast iron girders and vertical support stanchions incorporated into the dock boundary wall in places. Within the site a small amount of remnant brick wall remains abutting the western side of the (listed) Regent Road Dock Wall that indicates the gradient of the switchback that once took the railway underneath the former Coal Railway. The remnant now has no

architectural value but has some historic value as a fragment of the now lost railway line that has historical associations with the operation of the docks.

- 3.37 Stanley Dock is an important element of Hartley's dock development despite the fact it was partially filled in 1900 for the Tobacco Warehouse.
- 3.38 Other structures including the Police/Watchkeeper's Hut between Collingwood and Stanley Docks and the former Fire & Police Station at Clarence Graving Dock have not been identified in the Merseyside Historic Environment Record. They are architecturally functional and now defunct structures of little architectural merit but are nevertheless late 19th/early 20th century remnants that are representative of the working docks.
- 3.39 Around the quaysides at Bramley-Moore Dock (beyond those directly attached to the coping stones of the listed retaining walls) are a number of historic features such as bollards as well as areas of stone setts and dock rail track.³¹ These are important survivors in terms of character and their setting relates to the commercial port-related activity that once took place around the docks.
- 3.40 The main unlisted structure within the Bramley-Moore Dock is the warehouse complex along the southern quayside. It is not known exactly when these particular 'sheds' date to³², but they would appear to be of 20th century construction in engineering brick with a simple metal structured roof with modern metal sheet roofing. They do not possess any architectural interest, and little historical interest other than the fact that there have been sheds on this site since the 19th century and are typical of an early 20th century utilitarian structure associated with warehouse/dock use.
- 3.41 The remaining unlisted single storey structure on the northern quayside was once situated at the end of the elevated coal railway. The structure dates from the early 20th century and is also functional and without architectural merit. It is also in a poor state of repair. It has entirely lost its context and as a functional building with no purpose does not now contribute to the dock or conservation area.
- 3.42 At best these structures make a neutral contribution to the character and appearance of the conservation area – due only

³¹ These are all identified individually as part of The Artefacts Survey which accompanies the application.

³² Archaeological Desk-based Assessment (November 2019) Oxford Archaeology North p.26-38

to the fact that they relate to the dock-use of the area. However, their utilitarian construction of no quality or detail means they have none of the importance of the more permanent remaining brick structures in the conservation area.

3.43 The setting of the site (and conservation area) to the north is the United Utilities Waste-Water Treatment Plant in the infilled Wellington Dock.

3.44 The significance of the conservation area is summarised in the WHS Management Plan:³³

"A system of interlinked wet docks represents the culmination of Jesse Hartley's development of dock design, and is a dramatic component of Liverpool's historic dockland, characterised by massive warehouses, walls and docks, but also by smaller structures such as bridges, bollards and capstans. Constructed from a limited palette of materials – brick, stone, iron and mortar – innovative buildings and structures represent the pinnacle of industrial dock architecture of the Victorian period.

The area incorporates the strong linear features of the dock boundary wall, the Leeds and Liverpool Canal, and the canal locks, as well as the large water-filled Stanley, Collingwood, Bramley-Moore, Nelson and Salisbury Docks and the Victoria Clock Tower, many of which are in private ownership and used commercially and are not currently accessible to the public. The Tobacco Warehouse is a city landmark by virtue of its massive scale".

3.45 The description in the WHS Management Plan identifies the key elements of the area which contribute to the authenticity and integrity of the WHS.

3.46 However, it should be noted that much of the conservation area to the west of the Regent Road Dock Wall (primarily the Central Docks, Clarence Docks and Northern Docks areas of the approved Liverpool Waters scheme) currently remains predominantly vacant/derelict.

3.47 The docks here have been cleared of all structures that would have once made a valuable contribution to the OUV of the WHS. This includes most structures to the west of the Regent Road Dock Wall except the dock walls themselves, the Hydraulic Engine House, Victoria Clock Tower and the Dock Master's House.

³³ ibid

- 3.48 The loss of these structures has been in tandem with the loss of the industry and activity that once employed thousands of people – giving the area a further layer of character that has also been lost. The loss of activity has turned the Regent Road Dock Wall into a community as well as physical barrier, cutting the docks off from the communities that once worked within them (no visibility or access).
- 3.49 The application site therefore does form an important part of the character of the conservation area and thus contributes to the conservation area's contribution to the overall OUV of the WHS, however this is lessened by the arguably detrimental impact that the 'barrier' has formed since the closure and therefore inaccessibility and loss of activity on much of the land to the west of the wall.
- 3.50 Overall, the Conservation Area forms one of the six character areas of the WHS and thus has a Very High Value.

Regent Road Dock Wall (Dock Wall from opposite Sandhills Lane to Collingwood Dock with entrances)

- 3.51 The Regent Road Dock Wall forms a continuous barrier from the Sandon Dock in the north to Princes Dock in the south including a number of entrances, gate piers and gatekeeper lodges. Before the dock system closed, the dock wall extended for c.8km in its entirety of which 2.75km lies within the WHS. The stretch enclosing Bramley Moore Dock is c.230m in length. For a large part of this, and including at Bramley Moore Dock, it is an example of Hartley's granite rubble form of construction and retains its physically massive and carefully constructed granite form. There are two openings into Bramley Moore Dock, both as originally designed by Hartley which also includes sliding timber gates. The original gate at the south entrance is fixed open whilst the (currently closed) gates to the north are not original. The northern gate has been recognised by LCC to be a modern non-operational replica with little heritage significance.
- 3.52 The Boundary Wall makes an important physical impact on the character of the area along Regent Road both through its relentless scale and also the imposing entrance turrets containing gatekeeper lodges at the north and south of the Dock. The artistic as well as practical skill of the stone masons is most apparent in its roadside elevation. On the 'inner' dock side, there is remnant evidence of the myriad of functional structures that once would have hidden most of the wall from view – including the overhead railway. Within the BMD site this

includes a remnant brick retaining wall that abuts the boundary wall and relates to the switchback of the railway that once dropped down and under the coal railway. The Overhead Railway is identified separately as a non-designated heritage asset however consideration of its future is dealt with as part of the proposals for the Regent Road Dock Wall.

- 3.53 As a defining feature of the docks and its relatively intact condition the boundary wall is considered to contribute to the authenticity and integrity of the WHS.
- 3.54 The wall is an important element of the innovative dock construction and port management that is a key element of the criterion (ii) as well as forming an important part of the architectural ensemble identified in criterion (iv) relating to global trade in terms of the method by which the docks and goods were kept secure. However, it has also become a 'barrier' preventing an appreciation of the WHS behind.
- 3.55 The setting of the wall has changed considerably over its history. At one time it delineated 'dock activity' to its west with the associated warehousing and industry to its east. It was also physically and visually linked to the Overhead Railway. The openings provided access for goods and people. This physical historic setting is now largely lost at its northern end with even the openings being often locked 'barriers' rather than access points for hundreds of people, however, the docks 'behind' the wall do still form part of its setting. Visually, the setting of the wall is now largely embodied in its fortress-like presence in the townscape.
- 3.56 In terms of the wider area, since the cessation of most employment and activity in the docks this enclosure has become a negative feature in terms of appreciating the extent, scale and interest of the remaining dock system that lies to the west of the dock wall.
- 3.57 It should be noted that the approved parameter plans for Liverpool Waters (LPA ref. 20NM/1801) identify potentially 2 additional vehicular and pedestrian openings through the wall along the extent of the scheme. Listed Building Consent ('LBC') and full planning permission would be required for each new individual opening. The first opening (6m) at Princes Dock (LPA ref. 17F/3518 & 17L/3519) was approved in November 2018.
- 3.58 The listed Bramley Moore Dock and the Hydraulic Engine House to the west of the application site (and within the WHS and Conservation Area), form part of the immediate setting of the wall in the context of this application. As elements that convey

a number of key attributes of the WHS OUV they are regarded as being of Very High Value.

- 3.59 Other buildings that form part of the immediate setting include the Grade II listed 15-17 Fulton Street to the east (outside the Conservation Area and within the buffer zone of the WHS).
- 3.60 The remnants of the Overhead Railway (itself a non-designated heritage asset within the context of the wider docks) also forms a part of the significance of the wall.
- 3.61 Although the Regent Road Dock Wall's contribution to the OUV of the WHS is considered to be Very High, in reality its physical contribution to the local community is now a major negative as it effectively closes off both visibility and access to an important element of the WHS.

4 The legislative, policy and guidance context

Introduction

- 4.1 A detailed overview of planning policy is provided in the planning statement submitted with the listed building consent application.
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990 require that applications be determined in accordance with the statutory development plan, unless material considerations indicate otherwise. The statutory development plan for the City of Liverpool currently comprises the Unitary Development Plan (adopted 2002).
- 4.3 Relevant material considerations comprise:
- World Heritage Site SPD, 2009 (amplifies UDP Heritage policies);
 - NPPF, 2019 (and associated Planning Practice Guidance);
 - Liverpool Local Plan (Submission Version, May 2018);
 - Historic England's Good Practice Advice in Planning Notes (GPAs)³⁴; and
 - Historic England Advisory Notes.
- 4.4 The adopted development plan and the relevant material considerations are informed in a primary sense by the Planning (Listed Buildings and Conservation Areas) Act 1990.

The Planning (Listed Buildings and Conservation Areas) Act 1990

- 4.5 The legislation governing listed buildings and conservation areas is the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act'). Section 66(1) of the Act requires decision makers to "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" when determining applications which affect a listed building or its setting. Section 72(1) of the Act requires decision makers with respect to any buildings or other land in a conservation area to pay 'special

³⁴ Non-Statutory Guidance

attention... to the desirability of preserving or enhancing the character or appearance of that area'.

Statutory Development Plan

- 4.6 Liverpool is preparing a new Local Plan, which has been submitted for examination (May 2018). However, the new Local Plan has yet to be examined and until it is formally adopted then the statutory development covering the city remains the Unitary Development Plan ('UDP' adopted 2002).
- 4.7 Whilst the UDP was adopted a significant period of time ago (18 years), it is not out-of-date relative to the NPPF simply due to the time-lapse. It is however noted that the heritage / conservation policies within the UDP are based on PPG15 – *Planning for the Historic Environment (1994)* and do not reference the 'balancing' exercise which NPPF permits. Therefore, whilst the report ultimately goes on to conclude on the compliance of the application proposals against the statutory development plan policies, the important balancing exercise is set out in the Planning Statement.
- 4.8 Policy HD1 – Listed Buildings
- 4.9 The City Council will take positive action to secure the retention, repair, maintenance and continued use of listed buildings and will:
- i) Seek support and funding from all available sources to set up grant and repair schemes
 - ii) Use its available powers to take action in the case of derelict buildings;
 - iii) Relax planning and other City Council policies in order to secure the retention of a building of special architectural or historic interest, subject to reasonable standards of health and safety being secured; and
 - iv) Provide guidance and advice to owners and developers.
- 4.10 HD4 – Alterations to Listed Buildings
- 4.11 Consent will not be granted for:
- i) Extensions, external or internal alterations to, or the change of use of, or any other works to a listed building that would adversely affect its architectural or historic character;
 - ii) Applications for extensions, alterations to, or the change of use of, a listed building that are not

- accompanied by the full information necessary to assess the impact of the proposals on the building; and
 - iii) Any works which are not of a high standard of design in terms of form, scale, detailing and materials.
- 2. Where the adaptive reuse of a listed building will be used by visiting members of the public, the needs of disabled people should be provided for in a manner which preserves the special architectural or historic interest of the building.
- 4.12 Policy HD5 – Development affecting the setting of a listed building
- 4.13 Planning permission will only be granted for development affecting the setting of a listed building, which preserves the setting and important views of the building. This will include, where appropriate:
 - i) Control over design and siting of new development
 - ii) Control over the use of adjacent land; and
 - iii) The preservation of trees and landscape features
- 4.14 Policy HD9 – Demolition of buildings in conservation areas
 - 1. There will be a presumption in favour of the preservation of any building, part of a building or structure in a conservation area which makes a positive contribution to the character or appearance of the conservation area.
 - 2. The City Council will consider proposals for the demolition of any building or structure which makes a positive contribution to the character and appearance of the conservation area against the following criteria: i) the importance of the building, its intrinsic architectural and historic interest and its contribution to the character and appearance of the conservation area; ii) the condition of the building and the cost of repairing or maintaining it; iii) the adequacy of the efforts made to retain the building in use; and iv) the contribution of any new proposal to the character and appearance of the conservation area.
 - 3. Applications must be accompanied by all the information necessary to judge the application against the above criteria, including fully detailed plans for the redevelopment.
 - 4. Where a building makes little or no contribution to the character of the conservation area, proposals for demolition will be considered in light of the alternative proposals for the site and the contribution made to preserving or enhancing the character of the conservation area.

5. Where appropriate, the City Council will not grant consent for demolition unless there are approved detailed plans and evidence that a contract has been let for the full implementation of the development scheme.
- 4.15 Policy HD10 – Alterations of non-listed buildings in conservation areas
- 4.16 Consent will not be granted for:
 - i) Changes of use, extensions, external alterations or any other works which adversely affect the overall character and appearance of the conservation areas; or
 - ii) Applications for any works which are not fully justified and accompanied by the full information necessary to assess the impact of the proposals on the conservation area.
2. In considering proposals for the alteration, extension or conversion of non-listed buildings, in a conservation area, special attention will be paid to the following:
 - i) The retention, replacement and restoration of historic features and details of buildings, including windows, roofing materials, garden or forecourt features and boundary walls;
 - ii) The detailed design of proposed extensions or conversions in relation to the original building with respect to proportion, materials, construction details and its effect on the setting of the building and its surroundings; and
 - iii) The effect of introducing new uses into a conservation area in terms of parking and servicing arrangements and the detailed design of such arrangements.
- 4.17 Policy HD11 – New development in conservation areas
- 4.18 Planning permission will not be granted for:
 - i) Development in a conservation area which fails to preserve or enhance its character; and
 - ii) Applications which are not accompanied by the full information necessary to assess the impact of the proposals on the area, including all details of design, materials and landscaping
- 4.19 2. Proposals for new development will be permitted having regard to the following criteria:
 - i) The development is of a high standard of design and materials, appropriate to their setting and context,

which respect the character and appearance of the conservation area;

- ii) The development pays special attention to conserving the essential elements which combine to give the area its special character and does not introduce changes which would detract from the character or appearance of the area;
- iii) The proposals protect important views and vistas within, into and out of the conservation area;
- iv) The proposal does not lead to the loss of open space or landscape features (trees and hedges) important to the character or appearance of the areas;
- v) The development does not generate levels of traffic, parking, noise or environmental problems which would be detrimental to the character or appearance of the area; and
- vi) The proposal has a satisfactory means of access and provides for car parking in a way which is sympathetic to the appearance of the conservation area.

4.20 Policy HD14 – Streetworks in conservation areas

4.21 The City Council will seek to protect and enhance the quality and appearance of streets, footpaths and other public spaces in conservation areas by:

- i) Relaxing highway standards where these are onerous and detract from the area, subject to safety interests;
- ii) Retaining existing natural materials and using traditional materials and techniques for paving;
- iii) Ensuring street furniture is kept to a minimum and is of good design and any redundant street furniture removed; and
- iv) Ensuring that special care is taken in all works carried out by the Council, Statutory Undertakers, Private Developers and Owners.

World Heritage Site Supplementary Planning Document (2009)

4.22 The World Heritage Site Supplementary Planning Document (SPD) (2009) provides guidance for protecting the Outstanding Universal Value (OUV) of the 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.

- 4.23 Section 6 offers guidance specific to the Character Areas within the WHS. As referred to earlier, the site lies within Character Area 3: Stanley Dock Conservation Area.
- 4.24 Dock Wall: 6.4.6: The Dock Wall and its setting should, wherever possible, be retained, repaired and preserved in its entirety, complete with associated features of interest such as the gate piers, original timber gates, drinking fountains, adjacent setts and railway lines.
- 4.25 6.4.8: Where development does take place west of the Dock Wall, development must respect the integrity and setting of the Dock Wall and the opportunity should be taken to conserve the wall and its associated features such as gates, shelters and drinking fountains. Development should retain and conserve surviving historic surfaces, kerbs, rail tracks and other ancillary historic structures. Any new buildings west of the Dock Wall should generally be set back at least 9 metres from the wall in order: to provide an adequate setting for that wall; to enable these historic surfaces and features to be retained and; to create a useable corridor for cycling and walking.
- 4.26 6.4.16: Historic paving materials and fixtures and street furniture should be preserved, conserved and replicated where the historic character of the docks survive. Areas of railway track should be preserved in situ.

Liverpool Local Plan 2013-2033 Submission Version, May 2018)

- 4.27 In accordance with NPPF paragraph 48, the submission version plan has substantial but not full weight in decision-taking as it is yet to be examined or ultimately adopted. The draft heritage / conservation policies of relevance are set out below.
- 4.28 Policy HD1 Heritage Assets: Listed buildings; conservation Areas; Registered Parks and Gardens; Scheduled Ancient Monuments.
- 4.29 In part, this states:
 - 1. *The City Council will support proposals which conserve or, where appropriate, enhance the historic environment of Liverpool.*
 - 2. *Particular consideration will be given to ensure that the significance of those elements of its historic environment which contribute most to the City's distinctive identity and sense of place are not harmed. These include: the docks,*

warehouses, ropewalks, shipping offices, transport systems and other maritime structures associated with the City's role as one of the World's major ports and trading centres in the 18th, 19th and 20th centuries.

- 3. 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 a set of criteria apply.*
- 4. Proposals that directly or indirectly affect non-designated heritage assets will only be permitted where the benefits outweigh the harm or loss, having regard to the significance of the heritage asset.*

4.30 Policy HD2: Liverpool Maritime Mercantile City World Heritage Site states that:

- 1. The City Council will support proposals which conserve or, where appropriate, enhance the OUV of the WHS. In addition to the requirements of Policy HD1:*
 - 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 having regard to those identified in the WHS SPD.*
 - b. Proposals for the redevelopment or remodelling of buildings or sites which have a negative or neutral impact on the character of the WHS will be supported where it can be demonstrated that this will enhance or better reveal the OUV of the WHS.*
 - 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 OUV of the WHS will be supported.*
 - d. Proposals for tall buildings in the WHS or its Buffer Zone will be assessed against Policy UD6*
- 2. Applications within the WHS (or within its buffer Zone) which are likely to impact upon an element which contributes to its OUV (including its archaeology) will not be granted unless they are accompanied by an appropriate Heritage Impact Assessment or archaeological assessment, as appropriate,*

which evaluates the likely effect of the proposals upon the attributes that contribute to the OUV.

3. *Proposals should accord with the design requirements set out in Policy CC10.*
 4. *Proposals for development within the WHS or its Buffer Zone should have regard to the advice set out in the WHS Management Plan and the guidance in the WHS SPD.*
- 4.31 Policy CC10 Waterfront Design Requirements states that Development on the Waterfront should be of a high-quality design that respects its sensitive historic surroundings, whilst making adequate provision for access, parking and servicing. Development proposals should:
- 4.32 *a. Protect the character, setting, distinctiveness and Outstanding Universal Value of the World Heritage Site, and its buffer zone, by ensuring the siting, scale, form, architectural approach, design quality and materials are appropriate and respect the proposal's location;*
- 4.33 *e. Respect the form and mass of the dock estate and its industrial heritage and make provision for the repair, conservation, integration and interpretation of heritage assets;*

National Planning Policy Framework

- 4.34 The Government published a further revised version of the National Planning Policy Framework (NPPF) in February 2019.
- 4.35 Chapter 12 of the National Planning Policy Framework deals with 'Achieving well-designed places'. It begins:

'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, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process' (paragraph 124).

- 4.36 Paragraph 127 advises that 'planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

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

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

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

Proposals affecting heritage assets

4.37 Chapter 16 of the National Planning Policy Framework: 'Conserving and enhancing the historic environment' deals with Heritage Assets describing them as 'an irreplaceable resource' that 'should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations' (para. 184).³⁵

4.38 Paragraph 189 says that:

'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.'

³⁵ The policies set out in this chapter relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-making.

4.39 In terms of the local authority, paragraph 190 requires that they 'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'

4.40 Paragraph 192 says that:

In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

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

Considering potential impacts

4.41 Paragraph 193 advises local planning authorities that 'When considering the impact of a proposed application on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

4.42 Paragraph 194 states:

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 and gardens, should be exceptional;

B) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I & II listed buildings, grade I and II* registered parks*

and gardens, and World Heritage Sites, should be wholly exceptional.

4.43 Paragraph 195 says:

Where a proposed application 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 loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

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

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

4.45 In taking into account the effect of an application on the significance of a non-designated heritage asset the local authority should employ a 'a balanced judgement' in regard to the scale of any harm or loss and the significance of the heritage asset (paragraph 197).

4.46 The NPPF introduces the requirement that 'Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred' (paragraph 198).

4.47 Where a heritage asset is to be lost, the developer will be required to '*record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact,*

and to make this evidence (and any archive generated) publicly accessible' (paragraph 199).³⁶

- 4.48 In terms of enhancing the setting of heritage assets the NPPF 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'*. (paragraph 200).
- 4.49 It goes on to say, however, that the *'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).
- 4.50 Finally, paragraph 202 requires that the onus will be on local planning authorities to *'assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies'*.

Planning Practice Guidance

- 4.51 Planning Practice Guidance (PPG) provides streamlined guidance for the National Planning Policy Framework and the planning system. It includes guidance on matters relating to protecting the historic environment in the section entitled *'Historic Environment'* which gives advice under the following headings:
- Overview: historic environment
 - Plan making: historic environment
 - Decision-taking: historic environment
 - Designated heritage assets
 - Non-designated heritage assets

³⁶ Copies of evidence should be deposited with the relevant historic environment record, and any archives with a local museum or other public depository.

- Heritage Consent Processes
- Consultation and notification requirements for heritage related applications.

4.52 With regards to World Heritage Sites, PPG states:

4.53 *Effective management of World Heritage Sites involves the identification and promotion of positive change that will conserve and enhance their Outstanding Universal Value, authenticity, integrity and with the modification or mitigation of changes which have a negative impact on those values.*
(Paragraph 026 Reference ID: 18a-026-20190723).

World Heritage Sites are defined as 'designated heritage assets' in the National Planning Policy Framework.

5 The proposed scheme and its effect

Introduction

- 5.1 The proposed scheme for the Regent Road Dock Wall is illustrated in the drawings and Design & Access Statement prepared by Pattern Design Architects and documentation prepared by Laing O'Rourke and Planit-IE.
- 5.2 The proposals have been subject to considerable consultation with both Liverpool City Council and Historic England both specifically and as part of the wider stadium proposals at Bramley Moore Dock (application reference 20F/0001 currently pending determination).
- 5.3 The Regent Road Dock Wall has been the focal point of discussions at meetings on: 17th June 2017; 26th July 2017; 16th October 2019; 12th June 2020; 19th June 2020; 3rd July 2020; 16th July 2020; and 5th August 2020.
- 5.4 The design has evolved to respond to the feedback received as per the following key topics:
- Massing – it was agreed with LCC and HE that the top line of the wall should not be broken, so that the impression of a continuous boundary along the length of the docks is maintained;
 - Materials – options ranging from reusing the existing stone through to contrasting materials to highlight the new intervention were discussed over several meetings. It was agreed the materials should be sympathetic to the existing construction and that the stone from the demolished portion of the wall should be salvaged if possible;
 - Visibility – the new openings should not detract from the monumental scale of the existing wall or the ornamental entrances which are taller and wider than the rest of the wall;
 - Construction method – it was agreed it was very unlikely that new stonework could be made to match the existing construction, even with salvaged material, due to limited material available, the unique coursing of the stone and the loss of historic knowledge about this particular type of dock wall construction. It is most important that the proposal can be achieved with a high quality of execution.
 - Repairs – a number of repair strategies have been proposed that can be deployed to achieve the best result depending

on the condition found once works begin. While every effort has been taken to ensure the wall is surveyed thoroughly ahead of construction it has been agreed with LCC that it is most effective to develop a methodology that is responsive to live conditions.

The Proposals

New Openings

- 5.5 To accommodate the crowds entering and exiting the proposed new stadium and the Bramley Moore Dock site approximately 20m of clear openings are required in addition to the existing entrances between the turrets at the north and south corners of the dock.
- 5.6 This requirement is proposed to be achieved with the provision of three equally sized new openings, spaced along the site to provide a total of five site entrances at regular intervals. The position of the new openings was determined with consideration for transport to the site and the directions people are anticipated to approach the site from, as well as the layout of the proposed stadium plaza and building entrances. Other considerations include counter-terrorism requirements and a requirement to avoid historically significant parts of the wall e.g. the Bramley-Moore Dock plaque.
- 5.7 The extent and positions of the openings has been subject to extensive technical modelling and represents the minimum requirement necessary.
- 5.8 It is proposed that the three entrances will be built by forming a full height opening in the wall, into which a structural frame will be built to support the new gates.
- 5.9 A stone clad lintel will be placed along the top to ensure visual and physical continuity along the length of the wall.
- 5.10 To provide the required clear opening of 7.2m in each of the new entrances, a 9.8m length of wall is required to be demolished. This totals approximately 30m of demolition along the c.230 stretch of wall. The design and engineering process has ensured that this has been absolutely minimised.
- 5.11 Following the detailed discussions with LCC and HE, it is proposed that the replacement stone clad lintels above each opening will use stone salvaged from forming the openings, to maintain the colour, texture and material of the original wall. However, only the larger stones will be used and relaid in a

random pattern, this means there will be a subtle visual difference between the existing wall and the new intervention.

- 5.12 The proposed gates in the openings would be made of a steel mesh in a light grey colour to tie in with the adjacent stonework.
- 5.13 The gates to the openings will be open unless there is an operational requirement to close them. This means that there will be views of the proposed stadium and plaza for the vast majority of the time, and if closed, the gates' materiality will ensure that there is still visibility into the site.

Existing Openings

- 5.14 The existing entrances in the north and south corners of Bramley Moore Dock will have new metal gates installed, set back from the road edge of the wall. These will replace the existing modern metal security fencing around the site entrances with a more sensitive and discrete proposal.
- 5.15 In the south, the historic timber sliding gates are no longer functional and are in a poor condition. In the proposed scheme, the timber gates will be fixed in the 'open' position, to the side of the entrances. This will enable visitors to see how the original gates operated and will retain the historic fabric on site. These gates will not need to move, since the new metal gates will provide the operable entrance, which can be closed for site security.
- 5.16 In the north, there will be a new set of metal gates only, which will match the gates to the south. While the metal gates can be closed when needed it is the intention that they will be open as the default to enable year-round entry to the site.
- 5.17 The position of the new gates are behind the turrets (as viewed from Regent Road). This is similar to the current security fencing and ensures that the view along the length of the wall is not interrupted with modern interventions. The proposed new gates will be visually similar to the gates in the three new openings, to give continuity across the site, with a galvanised steel mesh finish to ensure visibility into the site at all times.

Repairs

- 5.18 A comprehensive package of repairs to both the stone and brick work is proposed to both stabilise and preserve the integrity and appearance of the wall. For the stone elements this will include:
 - Re-bedding locally dislodged stonework

- Replacement of missing stonework
 - Cleaning of the wall due to debris
 - Cleaning of the wall due to calcium deposits
 - Repairs to the coping stones
- 5.19 Brickwork repairs will include:
- Repointing of loose mortar
 - Grout fill of cracked joints
 - Repairs due to wall mounted items, including signs, ferrous fixings, northern vehicle access timber gates, timber boards etc
 - Repair to the bedding mortars of Regent Road wall and the brick remains
 - Repair to the concrete plinth
- 5.20 Significantly damaged brickwork will be replaced with salvaged brick of good condition.
- 5.21 The northern new opening will require the demolition of part of the remnant brickwork. In this area the brick wall will be returned into the Regent Road Wall using salvaged bricks which will be selected to match the style and character of the existing wall.
- 5.22 Timber repairs will be carried out to the southern gates. These are the original gates and therefore of some value, however they are currently in a poor state of repair. The repairs are intended to preserve the surviving fabric of the gates and prevent further damage. The gates will remain in their current open position, and the proposed new metal gates will enable the site to be secured.
- 5.23 The timber gates at the northern entrance are not original and are in a poor condition. They are not suitable for use as security gates and are not currently operational either, fixed in the closed position. It is proposed to remove these gates.

Signage

- 5.24 Signage will be kept to a minimum – to assist with wayfinding, but ensure the stonework is not cluttered. It is proposed that there is a high-level sign above the gates to identify the entrance and direct spectators to the correct point. The high-level signage will be illuminated when operational so it is easily seen at night. Signage at lower level on the gates will only be visible once people are close to the entrances on the open gates.

- 5.25 Signage details will be provided via future advertisement consents and listed building consents as required.

Impact of the proposals

- 5.26 The detailed design and construction methodology prepared by Pattern Design and Laing O'Rourke will ensure that upon completion the integrity and significance of the wall is retained.
- 5.27 The impact on the setting of the listed wall is illustrated in photographs and Accurate Visual Representations. This demonstrates that by ensuring that the openings are kept simple in finish when viewed from Regent Road, the extent and width of the openings will appear even less obvious when seen obliquely when travelling along the road from north to south. The solidity and continuation of the wall between the original openings remains the dominant visual impression. This also needs to be considered in the context of the entire length of the wall, (stretching to 2.75km within the WHS), which is acknowledged by both Historic England and the Victorian Society in comments relating to the main stadium application (application reference 20F/0001).
- 5.28 From within the Dock, the wall had a more functional purpose of defence than an aesthetic one, with the remnants of other utilitarian and ad hoc structures evident. Even though the modern gates to the new openings would be more apparent from within the Dock, the scale of the wall would still be fully appreciable. The remnant brick wall relating to the Overhead Railway switchback, which abuts the boundary wall, will be removed where an opening is proposed but otherwise stabilised and retained in situ as evidence of the railway's presence. The removal of other remnant utilitarian structures, such as the substation will better reveal Hartley's stone wall on its western side.
- 5.29 Whilst the proposals would lead to the physical loss of historic fabric from the wall and create openings in what was designed to be a defensive and solid barrier, it is regarded that the harm to the listed structure would be less than substantial. The majority of the entire length of listed wall would remain intact and the nature of the proposed openings would ensure that the massive and fortress-like nature of the wall was retained. The retained elements of the remnant brick wall relating to the Overhead Railway will ensure that this 'archaeological' remnant can still be appreciated. The main entrance gates to this, and other docks along the length of the wall would retain their visual prominence.

- 5.30 The proposals will allow for genuine public access to the west of the wall allowing a fuller appreciation of the WHS and wider dock system as well as views across the Mersey. The enabling of this wider appreciation of the dock system is a heritage and public benefit.
- 5.31 The extent of surveys and repairs that are proposed is considerable. They will be beneficial in ensuring a full and detailing understanding of the nature of the wall that in turn will enable a sensitive and effective repair to the wall ensuring its long-term stability. The information gathered will not only be of value for posterity but could also be beneficial for a better understanding of other elements of the listed wall that are not subject to this application. This will be a heritage benefit that will considerably mitigate any perceived physical harm by the creation of the openings.

Impact on surrounding heritage assets

- 5.32 The proposals will have a minimal impact on the setting of the Grade II listed Bramley Moore Dock. Whilst the wall was designed to physically protect the dock there were historically glimpses into the dock – either from open gates or the overhead railway. This is also the case for the Grade II listed Hydraulic Engine House, which sits within the dock area to the west of the wall. The building is primarily seen ‘behind’ the wall when viewed from Regent Road and this will not change with the proposed openings as it will always been seen over the top of the re-instated stone lintels which will ensure the continuity of wall is maintained.
- 5.33 The openings will not have any detrimental impact on the setting of other nearby listed and unlisted heritage assets that are further away from the site for the reasons set out above: the continuous nature of the wall and its thickness means that the wall is generally viewed obliquely and the nature of the openings and their construction will ensure that the impression of solidity will be maintained along the wall’s length. The proposals will not alter an ability to appreciate the special interest of other heritage assets or the role that the listed wall - in its entirety - plays in their setting.
- 5.34 The impact of the proposals on the character and appearance of the conservation area is similar. Whilst the solidity of the wall is an important part of its significance, it also has a major negative influence on the community’s appreciation of a large part of the conservation area – and WHS beyond. The openings will also provide the considerable benefit of creating visibility

and accessibility into a key part of the conservation area and WHS for the general public.

Guidance on Heritage Impact Assessments for Cultural World Heritage Sites

- 5.35 Considering the analysis above, and having regard for the ICOMOS guidance, the impact on the contribution that the wall makes to the OUV of the WHS would be Minor Adverse when the extent of the wall in its totality is taken into consideration. The proposals will lead to a change such that the asset is 'slightly different', however it will also allow for a better appreciation of the wider WHS to the west of the wall.

6 Compliance with policy and guidance

- 6.1 This report has provided a description and analysis of the significance of the site and its heritage context, as required by Paragraph 189 of the National Planning Policy Framework. In addition, the report also describes how the proposed scheme will affect that heritage significance.

The Planning (Listed Buildings and Conservation Areas) Act 1990

- 6.2 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. Section 72 of the Act contains similar requirements with respect to buildings or land in a conservation area.

The National Planning Policy Framework

- 6.3 In respect of Paragraph 192 of the NPPF, the wider stadium proposals have been developed in consultation with Liverpool City Council and Historic England to ensure that they sustain and enhance the significance of the heritage assets in and around the site through positive regeneration of a derelict site and ensuring that the heritage assets within the site are not physically harmed. This approach has been adopted in relation to the proposals within this listed building consent application, regarding the Regent Road Dock Wall. Furthermore, the proposed scheme has been borne out of a full understanding of local character and distinctiveness.
- 6.4 With regard to Paragraph 193, great weight has been given to the assets' conservation through an understanding of the significance of the relevant assets and by ensuring that where heritage assets are to be physically impacted it will be kept to an absolute (and justified) minimum.
- 6.5 A clear justification for each element of the proposal has been produced as required by paragraph 194 including how the proposal has been specifically designed to relate to its context within the conservation area and World Heritage Site.

The level of 'harm' caused by the proposed scheme to heritage assets

- 6.6 The NPPF (para. 193) identifies two levels of potential 'harm' that might be caused to a designated heritage asset by a development: 'substantial harm...or total loss of significance' or 'less than substantial harm'. To be susceptible to a specific level of harm, that level of harm must be caused to a designated heritage asset – in this instance, the WHS, Stanley Dock Conservation Area and listed buildings. No distinction in terms of a level of harm is applied to non-designated heritage assets.
- 6.7 In reality, the difference between 'less than substantial' and 'substantial' is a matter of professional judgement. This assessment has considered the impact of the proposals on the key designated heritage assets that could be affected.
- 6.8 The physical works required to the Grade II listed Regent Road Dock Wall will mean that openings are made into it and lead to a loss of a small amount of historic fabric that would cause an element of less than substantial harm. Whilst this is regrettable in terms of the heritage asset's significance as a solid boundary, the design has been carefully conceived to ensure that the continuity of the wall is maintained and that the openings are as discrete as is possible. Further when seen in the context of the whole listed wall the proposed interventions amount to a small element of the whole.
- 6.9 The proposals however also include a considerable element of beneficial survey and repair work that will not only provide for the long-term stability of the wall, but will also conserve and stabilise a remaining remnant of the Overhead Railway and enhance detailed knowledge of an important part of Hartley's boundary wall. Parts of the western elevation will also be better revealed by the removal of, for example, the utilitarian brick sub station. This will help to mitigate the impact of the proposals and provide wider heritage and public benefits.
- 6.10 The proposals will lead to a small change in the setting of the Grade II listed Bramley Moore Dock & Hydraulic Engine House however we do not believe that this will be a detrimental change: there are now, and historically always were, interconnectivity of activity and glimpsed views between Regent Road and the Dock and views of the Engine House above a continuous Dock wall and coping will remain.
- 6.11 With regards to the conservation area, because the wall is primarily appreciated from an oblique angle, due to the simple

nature of the proposed openings and the continuous coping, the proposals will only have a small 'less than substantial' impact on its character and appearance, however they will also provide the beneficial opportunity to facilitate better access to a large part of the conservation area.

- 6.12 With regards to the impact of the proposal on the OUV of the WHS, the proposed limited new openings in the wall will have a Minor adverse impact on the contribution of the wall to the OUV of the WHS. The majority of the wall will remain entirely intact and the primacy of the original entrance turrets will be retained. The purpose of the wall in terms of its contribution to OUV and the attributes of the WHS – relating not just to visual but also physical significance – will be largely retained. Overall the scale and the overall effect would be Moderate Adverse but mitigated with the measures outlined earlier.

Statutory Development Plan

- 6.13 The current policies relating to the historic environment are contained in the Unitary Development Plan which was adopted in 2002. As such the policies do not reflect the same processes of consideration and 'balancing exercise' that is advocated in the NPPF. This should be taken into consideration when assessing the application against the adopted (saved) UDP policies.
- 6.14 With regard to Policy HD4, whilst the proposals have been identified as potentially having an minor adverse impact on the Grade II listed Regent Road Dock Wall, the application provides full information necessary to assess the impact of the proposals – enabling a consideration of the proposals using the NPPF - and the proposed works would be of a high standard of design in terms of form, scale, detailing and materials.
- 6.15 The alterations proposed will not entirely alter the character which made the structure worthy of listing however they would cause some small element of adverse effect on the architectural or historical character of a small part of the overall length of listed wall.
- 6.16 It is considered that the proposals will preserve the setting and important views of the other listed buildings in the vicinity as required by Policy HD5. Where the setting is changed, in the majority of cases it will be minimal and mitigated through the nature of the design of the proposals.

World Heritage Site Supplementary Planning Document

- 6.17 As identified in the SPD, the area of the Dock Wall within the application site and its setting are, to as great an extent as

possible, being retained, repaired and preserved in its entirety, complete with associated features. The openings proposed have been carefully designed and researched to ensure they are the minimum necessary to provide the necessary access to the proposed stadium and the design ensures that the sense of a continuous wall is maintained in views along Regent Road.

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- 6.18 With regard to Policy HD1, the proposals clearly do not cause substantial harm or total loss of significance to any designated heritage asset and any less than substantial harm that is identified in relation to the listed wall, the conservation area and the WHS has been clearly justified within the wider application (reference 20F/0001) and mitigated through a number of heritage benefits, including the repair of the majority of the wall within the application site, the conservation of the remaining elements of the Overhead Railway and a better understanding of the wall and its construction.

Appendix A – List Description

SJ 3392 REGENT ROAD L5

18/954 Dock wall from opposite Sandhills Lane to Collingwood Dock with entrances 14.3.75. G.V. II

1848. Wall. Jesse Hartley. Stone wall about 18 ft high, built of large irregular shaped blocks of granite, and with large carved plaques eg "Sandon Graving Docks 1848", and "Collingwood Dock". Main entrance to Sandon Dock (A) has 2 large square stone piers with cornices and iron lampholders; centre brick watchman's hut about 8 ft square with cornice, modillioned eaves, parapet, corner ornament, centre chimney, name plate on front in pedimented panel; wooden gates slide into thickness of wall (southern one now bricked up). Entrance to Docks 47, 49, 50 (opposite Boundary Street) (B) has 3 round tapering turrets with large base and heavy abacus tops, and deep slits at sides for gates. Former entrance farther to south (C) is similar, but the centre turret is oval on plan. Entrance to North Collingwood, North Salisbury and Nelson Docks (D) has 3 round towers, the centre one taller and larger. Entrance to Nelson, South Wellington and Bramley Moore Docks (opposite Fulton Street) (E) also 3 round towers, the centre one taller and larger. A similar former entrance (now blocked) (F) near Bramley Moore pumping station.

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