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Liverpool City Council  
Planning and Building Control  
Municipal Buildings  
Dale Street  
Liverpool  
L2 2DH

Our Ref: RG/RG/G233/L001  
Date: 6 November 2015

Dear Chris

**Application (150/1998)**

**Land bounded by Great George Street / Great George Place / St James Street / Duncan Street / Upper Pitt Street / Cookson Street / Grenville Street South / Hardy Street, L1**

I write further to the above application in response to your list of issues emailed on 1 October 2015, to explain changes made to the original scheme and the revised / additional information we are now submitting.

At the outset, I can confirm that the number of residential units remains precisely as submitted for each phase, although the overall mix has been adjusted modestly (see below and the Revised Design and Access Statement for further details).

Having said that, Phase 1 has a net *gain* of 2 apartments, with Phases 2 & 3 with a net *loss* of 2 apartments. On that basis (given that Phase 1 is in full detail), an additional application fee payment of 2 x £385 = £770 is now due to reflect this.

In addition, the commercial floorspace has increased *marginally* from 10,929 sqm [117,638 sqft] mixed commercial space [plus hotel] to 11,018 sqm [plus hotel] as a result of adjustments to Phase 1 (ie an uplift of just 89 sqm for Phase 1). There is no change in the extent of commercial floorspace within Phases 2 or 3. That equates to an uplift in the application fee of £770 (to reflect the additional 89 sqm in Phase 1), in addition to the separate residential uplift of £770. I will therefore arrange for payment (of £1,540) by my client.

In the remainder of this letter, I deal with each item you identified in turn, first reproducing your comments / query (*italic text*) followed immediately by our response.

*It would assist in the assessment of your application if the exact nature and tenure of residential units could be explained and how this will address a demand for certain types of housing identified within the Liverpool Strategic Housing Market Assessment and how it will assist in meeting the City's housing supply as set in the Liverpool Core Strategy Submission Draft. It could be primarily that the residential accommodation is aimed at overseas graduates / entrepreneurs who would both live and work in the development. At present the scheme comprises predominantly of one bedroom units (59%) and only (2%) three bedroom accommodation.*

In response, you will of course be mindful of the comments I made in respect of the SHMA



and other matters in Section 4.0 of the Planning Statement.

It is our client's assertion (as evident by the size and type of accommodation being promoted, accepted and built by others in and around the City Centre) that there is a strong demand for smaller homes for young people within the city centre, and that the proposed development is precisely in line with local demand and current housing needs. My client would not be promoting this if they felt it would not prove popular, and all of their soundings of local agents have reinforced this view.

This view is also supported by Liverpool's Strategic Housing Market Assessment, which highlighted the projected increase in the number of single person households, particularly those aged between 15-34.

Notwithstanding the above, the proposed development consists of a good range of accommodation, which is not apparent when reference is made solely to the number of bedrooms. In summary, the following unit types are proposed :

*One Bedroom Units (58.4%)*

- Studios: between 29.6sqm – 36.6sqm
- One bedroom apartments: between 40.0sqm – 56.0sqm
- Accessible one bedroom apartments – 61.5sqm

*Two Bedroom Units (39.2%)*

- Two bedroom apartment - typically c. 70.0sqm
- Two bedroom duplex: between 72.0sqm- 108.3sqm
- Two bed town houses: c. 70.0sqm

*Three Bedroom Units (2.4%)*

- Three bedroom apartment: c. 96sqm
- Three bedroom duplex: between 97.6sqm -126.5sqm
- Three bedroom town house: 118.3sqm

With reference to the above we consider that the proposed residential offer in terms of quality, unit types and sizes addresses current and future rental demand.

We also take comfort from the fact that the site is allocated for residential use under H4 of the UDP. That policy (or indeed any other development plan policy) does not dictate mix. It simply accepts the principle of housing development.

We have also taken comfort from the Strategic Investment Framework and other key documents (including the NPPF), but all of that is set out in my Planning Statement, so I will not repeat it here.



*It would also be of assistance to demonstrate how one bedroom apartments could be amalgamated to provide larger units, should future demand dictate, thereby demonstrating flexible and sustainable living accommodation.*

*In general terms it would be of direct benefit to the diversity of the scheme and to ensure a balanced living environment if a greater number of larger residential units (two and three bedroom apartments) could be incorporated.*

In response, the likelihood of the need to amalgamate one bedroom apartments to provide larger units is remote, as the cost of doing so would be prohibitive. Nonetheless, due to the nature of the proposed construction (in situ concrete frame with non load bearing internal partitions), this could be achieved without major structural alterations.

It should also be noted that the two and three bed apartments have been designed to meet Lifetime Homes requirements, which, by their very nature, will accommodate future adaptation. This will contribute to the future proofing of the proposed development.

*Explain how the scheme will deliver sustainable uses that are complimentary of one another and of surrounding uses, including provision of acoustic insulation and ventilation both within residential accommodation and commercial uses, as informed by the Noise Assessment submitted with the application. You will appreciate that the heavily trafficked Great George Street creates significant noise levels, whilst the proposed Chinese Bazaar with various night-time food and drink uses has the potential to create conflict with noise sensitive uses in this development and locality if not appropriately controlled / managed.*

The uses proposed are clearly sustainable uses in a City Centre environment such as this. The site is allocated for housing, and the range of commercial and community uses is entirely in keeping with a City Centre environment and the aspiration to extend Chinatown and create a vibrant and eclectic mix of complementary uses. We feel that this is self evident and requires no further explanation beyond the above and as set out in Section 4.0 of the Planning Statement. We also understand that this wide mix and juxtaposition of uses is welcomed by the City Council as an exciting and unique concept.

In response to noise considerations, I am pleased to attach the following reports produced by AEC Acoustics, which look to deal with the issues you raise above :

- *Phase 3 Bazaar – Outline Noise Assessment* [noise assessment of noise breaking out of the Bazaar and its impact on the surrounding properties]
- *Updated Noise Assessment (23<sup>rd</sup> October 2015)* [which includes an outline assessment of the commercial units]

*Provide details of designated future building operators, along with a comprehensive management strategy that covers: security, servicing / refuse collection, public / private parking, the operation of commercial uses, and public realm access and maintenance. Of particular importance are management procedures for the sunken street proposed in Phase 3.*



In response I am pleased to enclose an *Operational Management Strategy Statement* produced by the managing agents Urban Lifestyle. I trust that this satisfactorily addresses the issues you raise above, although you will appreciate that Phases 2 & 3 remain outline, so I anticipate that a further machination of the Management Strategy will be presented for those parts of the project at Reserved Matters stage.

*An explanation of funding models should also help to demonstrate the developer's future commitment to ownership of the development.*

You will appreciate that, in asking this question, you are requesting my client to divulge sensitive commercial information, elements of which we cannot reveal and which falls outside the remit of the planning system.

But, in response to your comments, you are aware that the development team has a successful track record of delivering major projects across the UK using a retail investment model and an institutional investment model, such that we anticipate funding the development with a range funding models.

The retail investment model is well placed to fund the individual apartments, commercial units or retail spaces, being sold off plan to private investors, often from the Far East. The Investors are paid interest on their deposited funds during the development period, with a guaranteed rental bond held for a fixed period, once the development is completed.

New China Town, unlike other Fractional Investment Developments, will also offer a range of new business opportunities, allowing investors to apply for either a Tier 1 'Entrepreneurial' or 'Investment Visas'. You may wish to refer to the Government's website in this regard, but in summary :

Non national citizens can apply for a **Tier 1 (Entrepreneur) visa** if:

- They want to set up or run a business in the UK
- They are from outside the European Economic Area (EEA) and Switzerland
- They meet the other eligibility requirements
- They have access to at least £50,000 investment funds.

To apply for a **Tier 1 (Investor) Visa**, the applicant must :

- invest £2,000,000 or more in the UK (and of course have access to at least £2,000,000 in investment funds)
- be from outside the European Economic Area (EEA) and Switzerland
- meet the other eligibility requirements.

I hope the above is helpful. We suggest that this proposal to extend Europe's oldest Chinatown presents a perfect match to, and synergy with this national Government scheme, which is clearly aimed at drawing investment and entrepreneurial enterprises from China and other more distant parts of the world.



The developer has a professional team in place to process the variety of retail investment offerings, which will help fund the development.

The developer is working with the UK-TI to explore alternative funding options on some of the larger lot sizes, including the hotel and perhaps individual blocks. There are also a number of investment funds interested in the PRS elements of the scheme, all recently explained in the Northern Powerhouse Pitch Book, being promoted by the Chancellor of the Exchequer, George Osborne.

Having said all of the above, our client is keen to emphasise that this project is about regenerating this site, and in turn regenerating the wider City Centre in a sustainable fashion for the current and future residents of, and visitors to Liverpool.

*Explain provision for relocating existing businesses situated within application site boundary, i.e. signage and lighting companies on St James Street.*

In response, there are three existing businesses situated within the application boundary, all situated in Phase 3 of the development, namely

- *Lighting Shop* - this lease expires within the next 12 months, so no relocation will be necessary.
- *Screen Print Shop* - the development team are in negotiation to either relocate their premises or pay compensation.
- *Former Shell Garage* - CBRE have been commissioned to negotiate the surrender of their existing lease and we would expect this to be resolved by mid December 2015.

*A strategy for facilitating local employment and training in the development (construction and operation) shall be submitted in support of the application. This will be referred to the Council's Employment Engagement Manager, Julia McNally, to assess how it complements the Council's 'Construction Liverpool' and 'Liverpool in Work' programmes.*

In response, Annex A of this letter contains a statement produced by our client entitled *Social Partnering/ Community Engagement and Economic Sustainability Outcomes*, which follows discussions with Julia.

*Explain the intended phasing of development and how initial phases of the development will be provided with the necessary support facilities from the outset, i.e. access, car parking, internal and external amenity space, security, refuse storage, servicing etc, and not be dependent upon the later phases of development just in case these later phases are either delayed or not forthcoming. Furthermore, the phased delivery of development will also need to ensure that initial occupiers are provided with an appropriate outlook/interface with other parts of the development that are still to be built out just in these later phases never materialise.*

In response, BLOK has produced diagrams which explain/ illustrate how each of the three proposed phases of development are provided with the necessary support facilities to ensure that each completed phase is not reliant on the construction of future phases. Please



refer to drawings PL(00)06, PL(00)07 and PL(00)08, and revised Design and Access Statement.

*Explain the range and type of ground floor commercial uses (Use Classes A1 / A2 / A3 / A4 / A5 / B1 / D1 / D2) proposed, and the measures that will be put in place to guarantee that they are occupied by the promoted independent Chinese commercial bazaar offer, which the Retail Impact and Sequential Test Assessment relies upon for justifying up to 5,000 sq m of retail development outside of the City Centre Main Retail Area. This might include restricting unit sizes, controlling ratios of different uses relative to one another, limiting rental levels for independent operators, prohibiting multi-nationals and/or specifying the exact nature and range of commercial operations. The application for maximum floorspaces for each commercial use class which cumulatively far exceeds the total commercial floorspace applied for (10,513 sq m) makes it clear that the proposed commercial uses are speculative at this stage, and therefore the argument can't be made that they are essential to deliver a sustainable and self-sufficient development. The method of retail impact assessment adds uncertainty in respect of assessing impact upon A1 retailers in the City Centre MRA, Park Road Centre and other Chinese City Centre retailers, given that products that could be sold from a 'Chinese Bazaar' could include absolutely anything. Furthermore, it makes it difficult to argue that this commercial development alone, or in conjunction with the proposed residential offer, is needed in this specific location and that there are no other sequentially preferable locations within City Centre MRA that are suitable, available and viable. The Council's Retail Policy Officer is currently deliberating over the basis on which this assessment has been undertaken, and will provide feedback shortly. The likelihood is that greater scrutiny is required regarding realistic commercial uses and that maximum floorspaces will need to be scaled back, however, it would be helpful to know whether a similar approach to retail impact assessment has been undertaken and justified elsewhere by your retail consultants.*

In response, you are aware that an upper cap on the size of any commercial unit is already on offer (refer to Planning Statement).

In addition, we are also prepared to accept an upper cap on the proportion of Class A1 floorspace in that no more than 25% of that can be accommodated by national multiple retailers. This will no doubt provide the Council will further reassurance that, aside from a modicum of such operators, for the bulk of the scheme such retailers are a far cry from the type of offer we aspire to.

You are aware that DPP have engaged with GL Hearn on the matters raised, and the outcome of those discussions is set out in the enclosed *Retail Statement – Sensitivity Assessment* report. That confirms (as did the original retail report) that the proposed development will not have a 'significantly adverse impact' on the vitality and viability of any defined centre and therefore accords with the provisions of NPPF Paragraph 27 and UDP Policy S12.

*There are concerns raised by Historic England regarding the scale, height and form of the taller building elements of the scheme in Phase 3 (13 and 21-storey) that they would adversely affect the setting of the Grade I Anglican Cathedral from defined views in*



*Liverpool's World Heritage Site – SPD (Woodside Ferry Terminal - View 2 of the Heritage Impact Assessment (HIA) and confuse the City's skyline; Hope Street being historically horizontal in character and only bookended by tall punctuations in the form of the City's two cathedrals. These concerns are echoed by the Local planning Authority.*

In response, I draw your attention to the amended drawings, Design and Access Statement (BLOK), HIA (Wardell Armstrong) and LVIA (Wardell Armstrong), which clarify how Phase 3 has been reduced in height and its massing / volume manoeuvred to respond positively to the related comments expressed by Historic England (and subsequently endorsed by the LPA in your email). We presented these changes to you earlier this week, and these had previously been shared with Rob Burns. We understand that you have welcomed those changes and now feel comfortable with the overall height / massing, but we will await your final thoughts on such matters once you have had the opportunity to consider those further now that you have the above revised documents before you.

I would add that we will be presenting these details to Historic England during the course of next week, and you will of course be consulting them formally now that you have the amended scheme.

I would refer you the Design and Access Statement for detailed commentary on the changes made, but I would very briefly summarise thus :

- Refinement to Phase 1 to respond to your ongoing design comments and the advice on structure / construction and other matters from our wider team.
- Adjustment to Phase 2 to relocate elements away from the Network Rail tunnel vent, which we have now established cannot be affected by the development. Having said that, Network Rail have indicated their intention to undertake works to this 'vent' in the near future, and we are hopeful that we can continue to work closely with NR to deliver enhancements to, and around that feature, most probably when details are formulated at Reserved Matters stage
- Adjustment to Phase 3 to respond to both your and Historic England's concerns as articulated in the revised Design and Access Statement and Heritage Impact Assessment.
- No change in the number of apartments
- A slight adjustment to the overall mix of residential accommodation (refer to Revised Design and Access Statement / accommodation schedule for full details).
- A slight uplift in commercial floorspace from 10,929 sqm [117,638 sqft] mixed commercial space [plus hotel] to 11,018 sqm [plus hotel] as a result of adjustments to Phase 1 (an uplift of just 89 sqm).

*Historic England has also raised concerns that Phase 1 of development blocks the main body of the Cathedral from View Point 2, and whilst the Local Planning Authority does not necessarily share these concerns, it should be noted that this visualisation has been produced from a vantage point to the north of Woodside Ferry Terminal and a revised one needs to be produced from further to the south as part of an amended HIA. This I imagine would have the effect of the taller building elements further obscuring views of the Cathedral.*





In response, we do not propose to modify the height, scale or massing of Phase 1. Like you, we do not consider that this element demands any changes. The scheme as designed is in keeping with the morphology of Liverpool's cityscape and does not compromise the setting of the cathedral. For a more in depth response please refer to the revised Design and Access Statement and drawing 1559 (Visual Impact Study Analysis).

We have provided an alternative View Point 2 taken further south as you have requested. This is included in both the revised HIA and LVIA.

*The 2 no. tall building elements in Phase 3 also closely encapsulate the Wedding Shop on St George's Place (the design concept being a pearl in the dragon's mouth) and are considered to create a rather stark, oppressive and historically uncharacteristic juxtaposition with this Grade II listed building (View 5 of the HIA), thereby detracting from its setting. On this basis, a reduction in scale and general remodelling of these two tall building elements is required so as to: (i) offset potentially harmful heritage impacts, and (ii) reduce environmental impacts to an insignificant level so that requirement for Environmental Impact Assessment can be avoided. Please note that it will not be appropriate to simply lop off a few top floor levels, and the angling/ folding / tiering away of upper floor levels will be necessary to provide relief to the Grade II listed wedding shop.*

In response, and as noted above and explained / demonstrated in further detail in the revised Design & Access Statement, HIA and LVIA, we have now addressed the above points.

*In addition to the producing a repositioned View 2 (Woodside Ferry Terminal), a revised HIA will need to be produced to include the 7 no. additional views previously identified by the Local Planning Authority to categorically rule out the likelihood of significant environmental impacts on heritage grounds. However, this can only be produced once the necessary amendments to taller building elements have been agreed. Furthermore, it shall be clarified whether these tall buildings in scheme are flat roofed or actually comprise higher angled roofscape as there are discrepancies between drawings, the HIA and certain images in the Design & Access Statement (DAS).*

In response, and as noted above and explained / demonstrated in further detail in the revised Design & Access Statement, HIA and LVIA, we have now addressed the above points.

*In Phase I the car park podium and substation shall be remodelled / reduced in height and soft landscaping/green wall used to create a less oppressive and more animated frontage on Hardy Street / Grenville Street South.*

In response, we have refined the design by the introduction of brick and louvred panels, with the balustrading at podium level set-back to minimise the apparent height and to allowing planting to cascade over the parapet to soften the edge. The overall height of the wall has also been reduced as the existing ground levels are higher than originally drawn. With regards to the substation, it is not possible to reduce wall heights further due to technical limitations i.e minimum headroom requirements. I would therefore like to draw your attention to the amended drawings PL(00)100, PL(00)201 and PL(00)202 which illustrate these changes.





*For the avoidance of doubt, car park extract vents should not blow directly out onto the public footway.*

In response, the car park extract vents are to be located adjacent to the substation facing onto West Hardy Street, which is nearly six metres from the adjacent public footpath. Please refer to BLOK drawings PL(00)099 and PL(00)201.

*The first and second floor glazed frontages at the rear of Phase 1 shall be designed so as to comprise a minimum number of openings and associated transoms/mullions so as to maintain the appearance of a continuous glazed void. Spandrel panels to screen floorplates between different levels of glazed frontages also needs careful attention.*

In response to these comments and the subsequent concern within the design team that large areas of south facing glazing would generate excessive solar gain, the podium elevations have been redesigned, reducing the extent of glass. As such I draw your attention to the amended drawings PL(00)100, PL(00)201 and PL(00)202 which incorporate these changes.

*I appreciate that the detailed design of Phases 2 & 3 is to be worked up through RM applications, however, the layout is fixed for this outline application, and I would therefore recommend that further consideration be given to the positioning of stores, plant and back of house facilities to ensure appropriately animated frontages, including those at building entrances and at steps leading to the sunken street in Phase 3. Furthermore, it is recommended that the remodelled building in Phase 2 fronting Great George Street is pinched at ground floor level to avoid an overly expansive underpass.*

In response, I draw your attention to the amended BLOK drawings PL(00)006 (Service Diagram) and PL(00)500-1 which have been included to respond to the above comments, although (as you recognise) the finer details of all of this will be dealt with at reserved matters stage.

*It will be necessary to submit a material sample panel board in support of the application, detailing all facing, roofing and surfacing materials to be used in the development, which for the avoidance of doubt shall be appropriately robust and high-quality, and not suffer the brunt of cost-engineering. The lower floors of Phase 1 are to be in brick, but the other materials are currently unknown and no details of glazing systems have been provided.*

In response, we are considering materials options and intend to present samples / specifications to you over the course of the next few weeks. These will inevitably remain indicative at this stage in the process, and we anticipate that a condition will be attached to require approval of materials prior to their incorporation into the development (which is the approach the LPA has taken on other major projects throughout the city).

*Given the prominence of this development and open aspects to upper floor roof gardens, it will be necessary to provide details and specifications of all structures and furniture to be provided in these areas, i.e. seating, screens, seating, wind breaks and pergolas, up front*



*with your applications to ensure they have a complimentary, consistent and uncluttered visual appearance.*

In response, these details are provided in detail on the landscaping drawings (by Landscape Projects) that we presented in draft form on Monday, and which (with your agreement) we intend to issue in final form by the middle of this coming week (you will recall that this is to ensure that the positions of trees reflect the outcome of the utilities survey, which we expect to receive imminently). The issue we currently face is that it seems likely that the final results of this survey will take another week to issue, and our discussions with your Tree Officer suggest that trees in planters are simply not an option. We are unclear why, and take the view that, providing planters are attractive, robust and located appropriately, and all trees correctly selected, planted and maintained, then these would contribute positively to the street scene and will enhance the scheme. In view of the feedback from your Tree Officer, we are minded to remove all trees parallel to the principal roads (where services are likely to be in place) and present you with two options for your consideration – one with trees in planters, and one with no trees. We then anticipate further discussion of the options, and the LPA will have to balance the issues in determining whether or not to accept planters as a solution. If, in the meantime, the results of the utilities survey reveals scope to plant trees in the ground, then we can adjust the landscaping scheme at that stage.

The landscaping details for Phases 2 & 3 will of course be indicative at this stage (ie for the outline parts of the scheme).

In addition to the drawings, we will also be submitting a *Landscape Statement* which sets out the rationale behind the landscaping strategy and contains finer details. It was suggested at our meeting that this might be read as a Landscape Design Code that can be referred to at Reserved Matters stage, to ensure that the landscaping strategy and quality for Phase 1 is carried through into the later phases.

*Parameters need to be set for the detailed design of the sunken street in Phase 3 and the large building underpass within Phase 2, including active frontages, soffit treatment and lighting to achieve an appropriately vibrant, surveyed and inviting environment (and this shall be considered in light of wider building management and security procedures).*

In response, we consider that the revised drawings provide sufficiently clear parameters for the sunken street and bazaar / food court elements, and we feel there is little more we could or should provide at this stage, bearing in mind that these parts of the application are submitted in outline. All of the finer details (such as soffit treatments) will be presented at reserved matters stage.

*A comprehensive Landscape Plan that integrates with highway proposals needs to be submitted, including detailed proposals for residential terraces, residential gardens and public open space, and a commitment to public art provision in the development (potentially with a Chinatown theme), along with a detailed costing/budget for these works. I will then be able to consult the Council's Urban Design and Tree Officers on these proposals to ascertain whether they meet the recreational needs of future occupiers and visitors, and ensure a high-quality environmental setting so as to avoid the requirement for commuted*



*sum contributions towards off-site provision (£2,258,172.35 plus fees). The Plan should include tree pit specifications (which have regard to underground statutory services). It shall make provision for the future management and maintenance of all public realm/communal private amenity space, and where this integrates with public highways agreement with the Council's Highways and Street Scene Managers will be required. Consideration shall be given as to how the rebuilding of the Merseyrail alignment ventilation shaft can ensure an appropriately high-quality appearance and animation of the surrounding public realm works, potentially incorporating soft landscaping, public art installations and public seating.*

In response, these details are provided in full detail on the landscaping drawings (by Landscape Projects) that we presented in draft form on Monday, and which (with your agreement) we intend to issue in final form by the middle of this coming week.

The landscaping details for Phases 2 & 3 will of course be indicative at this stage (ie for the outline parts of the scheme).

I will also be issuing you with a Cost Plan (Walker Sime) by the end of next week to cover the delivery of all hard / soft landscaping (and related) details within the red line boundary to enable consideration against your S106 policy. This will be split between Phase 1 (which is in full detail and where we need to fix any S106 demands at this stage) and Phases 2 & 3 (which are in outline and I anticipate can be left rather more fluid / flexible at this stage subject to details to be formulated at reserved matters stage).

Can I request that you give due consideration to your S106 demands having regard to the Cost Plan when it is issued next week, and also bearing in mind any separate S278 requirements (which will of course carry a considerable cost) and – set against those - the overall aspirational quality of the scheme and the regeneration benefits that will accrue from the successful delivery of this project? You adopted a refreshingly pragmatic approach in this regard in your handling of the 'North Point' project on Pall Mall, and we hope that a similar approach can be taken in this case.

We briefly discussed the structure of the S106 when we met on Monday, and I think we agreed that this needs to be structured such that any costs can be fixed for Phase 1, but that the costs cannot sensibly be fixed in absolute terms for Phases 2 & 3 (because the finer details are yet to be drawn up). Can we therefore request that the S106 is presented in this way, *and also* that an allowance be made in respect of any payment made in relation to Phase 1, to reflect the fact that the extent of public open space is fairly limited in Phase 1, but is 'loaded' into Phases 2 & 3. I think we agreed that the scheme (and any S106 requirements) need to be considered as a whole, even though it will be phased. I have already raised this with my client's solicitor, and will request them to make contact with your legal team so that the S106 start to be drafted, with a view to its completion before Committee on 15<sup>th</sup> December.

*Clarify access restrictions to rooftop residential terraces relative to the privacy and amenity requirements of adjacent residential units, and provide details of privacy screens, enclosures and defensible amenity space. Also explain the level of access, hours of operation and*



*management procedures for the sunken street and Chinese bazaar, and other external areas associated with commercial uses.*

In response, (as noted earlier), we will be submitting a comprehensive set of landscaping drawings and a Landscape Statement early / mid next week, which will clarify these details.

In addition, I am pleased to enclose the following at this stage to address certain of the points above :

- *Phase 3 Bazaar – Outline Noise Assessment* [noise assessment of noise breaking out of the Bazaar and its impact on the surrounding properties]
- *Updated Noise Assessment (23<sup>rd</sup> October 2015)* [which includes an outline assessment of the commercial units]
- *Operational Management Strategy Statement (Urban Lifestyle)*

*Provide a specification for all hard landscaping treatment to private land, including paving treatments (which should complement and integrate with surrounding highways to Ropewalks adoption standards), as well as details of seating and other street furniture, bollards and other access control features, street lighting, CCTV and wayfinding signage, having regard to inclusive access and secure by design requirements. It is noted that emergency access is required from the turning head of Hardy Street and Great George Street, which will mean that landscaping and street furniture cannot be used to prevent vehicles travelling over public footways; instead drop down bollards may be required.*

In response, (as noted earlier), we will be submitting a comprehensive set of landscaping drawings and a Landscape Statement early / mid next week, which will clarify many of these details (including indicative signage).

In addition, I am pleased to enclose the following at this stage to address certain of the points above :

- *Revised Design & Access Statement* – this includes details of inclusive access and secure by design commentary
- *External Lighting* details as per Hurstwood Engineering's drawing register (enclosed)
- *CCTV* details as per Hurstwood Engineering's drawing register (enclosed)

*Following requests from the Council's Highways Officer and discussions at our meeting on the 29<sup>th</sup> September, it will be necessary to submit more detailed highway layout plans (integrated with wider landscaping proposals for the public / private realm), which for the avoidance of doubt shall include the following:*

- *Material specification for 'shared surface' streets will need to be to Ropewalks adoption standards with appropriate 50mm delineation between pedestrian and vehicular areas so that these routes are perceived as conventional highways and in the interests of inclusive access and public safety.*
- *Cookson Street and Upper Pitt Street will need to be widened to allow for on-street parking and to ensure that large vehicles can still pass in both directions.*



- Adequate provision for residents parking relative to the residential units within the development, the 12 no. new dwellings currently under construction on Duncan Street and those residents in the wider area with no net loss of existing spaces. Depending on the level of car parking proposed in Phases 2 & 3 under RM applications, and demand for on-street car parking at this time, it will be assessed whether restrictions need to be imposed on applications for residents' parking permits.
- It shall be confirmed what 'short-stay customer parking' is to be provided, supported by TROs, which shall be consistent with, and complimentary of restrictions in the surrounding area, including those in the Baltic Triangle, and be clearly defined from loading bays.
- Design measures are required to prevent Great George Place and the new road link proposed from Great George Street to Grenville Street South being used as rat-runs, and if footways and carriageways on Great George Place are flush measures will need to be put in place to ensure public safety for all.
- Consideration of the proximity of the St James Street loading bay to the basement car park entrance in Phase 3 to ensure safe and efficient operation, in particular for vehicles turning right into the car park from St James Street.
- The reduced width of the St James Street footway needs to ensure a minimum width of 3-metres, whilst the exit from the junction with Great George Street appears very tight on the plans and may require further localised widening of the carriageway.
- The vehicular lay-bys and car parking bays proposed on the western side of Great George Street shall comprise a consistent width with hatching / lining to create a 1-metre buffer with the adjacent cycle lane.
- The redesign of Hardy Street shall comprise a more conventional highway design with 50 mm kerb upstand between carriageways and footways.
- All new and existing cycle lanes shall be clearly denoted on the highway layout plans.

NB: The requested detailed highway layout drawings shall include full swept path analysis to all junctions, turning areas, pedestrian crossings/islands and basement car park entrances, show building lines relative to footways and carriageways with the clearance heights of any building elements overhanging the public highway being confirmed (which will require S177 Highways Licences), and differentiated between public and private land. It should also be clarified if the proposals require the formal stopping up of any highway land or if any private land remaining between building frontages and adjacent footways is to be offered up for adoption as highway land.

- The Council's Highways Officer has made detailed requests regarding a revised TRANSYT model and sensitivity test with junction details and any mitigation confirmed. This was set out in an e-mail to Alan Davies on 17.09.15.
- Input is required from Merseytravel with regards to the relocation of bus stops on Great George Street as a result of highway/footway reconfiguration to accommodate vehicular lay-bys and the building redesign in Phase 2, which is intended to maintain a 5-metre easement around the Merseyrail alignment ventilation shaft.
- Provision will need to be made for necessary off-site highway works and associated changes to TROs via a S278 Agreement; a detailed design of which shall be



*submitted to Amey for approval. The Council's Highways Officer will provide a full list of these works in due course, but they are likely to include the requirement for dropped kerbs and tactile paving at all affected junctions / crossings, provision of adequately wide footways (2 & 3-metres) contiguous to the development. Provision shall be made pedestrian crossings on Great George Street and at junction of St James Street, whilst retaining adequately wide carriageway widths / turning space (factored in to the TRANSYT model and sensitivity test). The development's internal parking will need to be linked to the city wide VMS signs. A contribution shall be made to a study into a 'UTC management system' and area wide junction improvements to better manage traffic movements at junctions on the Parliament Street corridor, possibly including experimental opening of Nelson Street.*

- It needs to be confirmed that 6% of car parking spaces in basement car parks are intended for disabled use and these shall be clearly identified on revised plans for Phase 1. It shall also be clarified what proportion of parking bays are allocated for public and private use, residential and commercial use, and what security measures will be provided between these respective car parking areas, lift access to the wider development and at car park entrances. For the avoidance of doubt, no more than 10% contract parking will be permitted within the public car park.*

In response to all of the above items, I am pleased to enclosed an Addendum to the Strategic Transport Assessment (DTPC) together with its three appendices.

In addition, the landscaping drawings to be issued next week will provide further clarification on these points, and will of course be fully integrated / consistent with both the BLOK and DTPC drawings issued to date.

In response to the recent letter you have forwarded from Merseytravel, my client is pleased to offer a contribution of £5,000 towards the cost of the study referred to.

Our client is also pleased to confirm that, in response to Merseytravel's request, they are prepared to fund the provision of a new bus shelter at the development's principal southbound bus stop upon Great George Street (S41048B).

*A comprehensive Servicing Strategy and site layout plan need to be produced clarifying where deliveries and refuse collection will be undertaken relative to respective commercial and residential uses, and revised plans shall be provided for Phase 1 identifying designated commercial refuse/recycling stores. For the avoidance of doubt, the servicing strategy shall explain the intended recycling approach, in consultation with the Council's Street Scene Manager, Billy Maxwell. It should also be explained whether physical measures are required to segregate vehicular and pedestrian areas (bollards, seating, landscaping or other street furniture), and what implications there will be for highway status and future maintenance arrangements.*

In response to the above, please refer to the associated details in the revised Design & Access Statement and corresponding BLOK, Landscape Projects and DTPC drawings, including servicing diagrams PL(00)006, PL(00)007 and PL(00)008.





I would also refer you to the separate *Operational Management Strategy Statement* (Urban Lifestyle).

*It is acknowledged that 120 no. cycle parking spaces are provided within the basement car park of Phase 1, however, these are situated at the most distant point from the residential circulation core and it is recommended that they are relocated in a more convenient and inviting location.*

In response, the majority of the required cycle parking spaces have been relocated to a dedicated store near to the circulation core at lower ground level; with further spaces provided in the car park, together achieving the required 120 no. cycle spaces. I therefore draw your attention to the amended BLOK drawing PL(00)099 which has been adjusted to respond to the above comments.

*It is also acknowledged that Phases 2 & 3 will make provision for 100% cycle parking, details of which can be agreed through subsequent RM applications. In addition to this, it needs to be clarified what provision will be made for staff and visitor cycle parking. A number can be agreed for Phases 2 & 3, and the exact locations agreed through RM applications, however, for Phase 1 these should be indicated on a revised site layout plan, as well as locations and numbers for City Bike facilities. This cycle parking provision and other measures to encourage sustainable means of travel, including City Car Club parking bays (on-street or in the basement car parks), will need to be secured through the Travel Plan.*

In response, I draw your attention to the amended BLOK and (to be issued next week) Landscape Projects drawings which have been prepared / adjusted to respond to the above comments, although (as you recognise) the finer details for Phases 2 & 3 will be dealt with at reserved matters stage.

*Provision will need to be made for accessible one bedroom apartments (5% of total), whilst all two and three bedroom units shall be designed to lifetime homes standards, and this shall be reflected on revised floor plans. At present the standard apartment layout plans do not achieve this. Specifically, the townhouses in Phase 1 will need to avoid stepped access to street and basement refuse storage areas and comprise entrance level bathrooms.*

In response, I draw your attention to the amended BLOK drawings and revised Design and Access Statement. As noted earlier, all 2 and 3 bedroom accommodation in Phase 1 has been designed to Lifetime Homes standards and the full extent (5%) of one bedroom accessible apartments are now marked on the BLOK drawings. For the avoidance of doubt the accommodation future phases will also meet these standards.

With regards to the comment about access to/from the townhouses this has been fully addressed by these dwellings having lowered ground floor levels that correspond to the existing external levels; thus facilitating level access requirements. Entrance level bathrooms have now been incorporated into the townhouse ground floor plans.

*Provision for inclusive access to the wider development needs to be taken into consideration, including: building approaches, public realm design, disabled drop off/pick up, entrances,*





*internal manoeuvring space, accessible WCs in commercial units, and lift specification. This shall be clearly defined on the layout plans for Phase 1, whilst a series of access parameters shall be defined for Phases 2 & 3; the detail of which shall be agreed through RM applications. One key consideration to flag up is the requirement to provide inclusive access to the sunken street in Phase 3, which will need to be clarified up front on revised plans and drawings.*

In response, I draw your attention to the amended BLOK drawings PL(00)099-106 inclusive, PL(00)005 (Access Diagram) and revised Design and Access Statement, which address all of the above issues.

*Further details are required in respect of hours of operation of commercial uses and associated external seating areas, including those within the Chinese bazaar. Acoustic insulation and buffering is likely to be required between respective commercial and residential uses in the development, and between residential units and external communal terraces, and a detailed specification shall be provided, as informed by the Noise Assessment of the locality.*

In response, I enclose the following reports to address these comments :

- *Phase 3 Bazaar – Outline Noise Assessment* [noise assessment of noise breaking out of the Bazaar and its impact on the surrounding properties]
- *Updated Noise Assessment (23<sup>rd</sup> October 2015)* [which includes an outline assessment of the commercial units]

*Details of the routing and venting of mechanical extraction systems from commercial hot food preparation areas are required, which for the avoidance of doubt shall suitably disperse at roof level, unless alternative means of mechanical extraction can be demonstrated as being acceptable.*

In response, the amended BLOK Phase 1 plans illustrate a mechanical extract riser serving the commercial unit located at the corner of Great George Street and Hardy Street. With reference to the other commercial units in this phase it was concluded that they are too small for hot food preparation and therefore do not require risers. The commercial units on Phase 2 and 3 will require an extract strategy, which it is anticipated will be addressed as a Reserved Matter.

*The refuse / recycling storage capacity per residential unit and commercial unit needs to be confirmed and shown on revised plans and drawings which bin stores are allocated to which particular uses. Management arrangements for commercial deliveries and refuse/recycling collection for the entire development shall also be explained, including a highways layout plan detailing which particular service areas (laybys, basement car park and on-street) will be used to serve which particular elements of the development. For the avoidance of doubt, servicing times will be restricted so as not undermine local amenity, conflict with peak commuter traffic times or undermine the operation of local businesses.*



In response, these details are reflected in the amended BLOK drawings, servicing diagrams PL(00)06-08, and revised Design and Access Statement (which includes commentary on the extent of refuse/recycling storage based on required waste management standards). I would also refer you to page 9 of the *Operational Management Strategy Statement* (Urban Lifestyle).

*I await the detailed consultation responses of United Utilities, Environment Agency and Natural England, however, it is likely that a comprehensive drainage and water supply strategy will need to be produced (detail for Phase 1 and parameters for Phases 2 & 3), along with a modelling exercise to determine whether infrastructure reinforcement is required.*

Your email of 30<sup>th</sup> October contained a response from UU, which we are looking into and will report back.

Most worryingly, there appears to be no meaningful response from the EA, which is a little concerning given the need to avoid any / all pre-commencement conditions in respect of Phase 1. Hopefully the EA will respond soon, but could you please chase them again, and we shall too?

You tell me that you have still not received any comments from MEAS three months after the submission. Again, will you please chase MEAS for their comments (also see further comments below).

No doubt you will forward any other comments as they arrive, and we are particularly keen to see comments back from your EHO (again with an eye on avoiding pre-commencement conditions for Phase 1).

In response to your reference above to drainage, you will have seen the extent of drainage-related information contained in the appendices of the FRA, and also Section 6.0 of the FRA. The headline engineering items are:-

- Site is located within Flood Zone 1
- Infiltration SUDS techniques are not considered to be suitable due to ground conditions
- Maximum surface water discharge from the proposed Phase 1 site area is 13.2l/s. This is for the 100 year event and includes for 30% climate change, the figure is proportional to the total site discharge allowance of 81.5l/s
- A surface water attenuation tank with a storage volume of 81m<sup>3</sup> is required to achieve this. The tank is currently indicated within the semi-basement car park.
- A hydrobrake will be positioned within the final demarcation manhole, the SW outfall connection has been indicated within Hardy Street
- Foul drainage connections may be connected to the surrounding existing public combined sewers via a section 106 application
- There is a 33m length of existing adopted 300mm diameter combined sewer within the site boundary that must be proved redundant to allow the asset to be abandoned
- The building specific drainage layout will be completed within the next stage of



design development when the above ground drainage location and flow rates are available.

If you feel you require anything above and beyond this – and particularly considering conditions in respect of the early commencement of Phase 1 – please let me know as a matter of urgency.

*It will be necessary to provide details of security arrangements and management of residential entrances/lobbies, including the provision of a designated ground floor concierge / management office to each development phase; details of which shall be provided on a revised ground floor plan for Phase 1.*

I refer you to the *Operational Management Strategy Statement* (Urban Lifestyle).

*Through microclimate modelling of the development regard needs to be had to potential sunlight/daylight impacts and potential overbearing and overlooking within the development, and relative to neighbouring land and buildings, having particular regard to the overshadowing and overlooking of 11 and 12-storey buildings on the residential dwellings currently under construction on Duncan Street. An assessment shall also be undertaken of potential downdraft from taller building elements and impact on surrounding footways / areas of public realm. This may require parameters being agreed on the modelling and fenestration treatment of these buildings or provision of physical works / landscape features that serve as a buffers / screens.*

I am pleased to enclose an *Overshadowing Assessment* (by Daylight and Sunlight (UK) Ltd) in part response.

As advised in our meeting earlier this week, the Microclimate Study (by Rowan Williams Davies & Irwin Inc.) will be submitted to you in the next week or so.

*Consideration needs to be given to the impact that the development (construction and design) will have upon the structural stability and integrity of the Merseyrail alignment that underlies the application site.*

For your information, a piled foundation solution is required due to high column loads and depth to suitable bearing strata. A contiguous piled wall has been indicated to create the permanent retaining wall and to enable the basement excavation. The contiguous piles are to be designed by a specialist subcontractor and the rig/method required for installation will be confirmed during this process.

The Network Rail “Northern Line” Tunnel runs adjacent to the site boundary. The building position and sub-structure has been designed to allow for the 5m easement from external face of tunnel structure, the proximity of the tunnel is indicated on AJP drawing NL01 (enclosed). A meeting was held with the Network Rail asset protection and engineering team on the 10th September 2015. Due to the 5m easement being provided their requirement is a technical submission that includes the locations of all piling and rock excavation works, piling strategy and design and the proposed track vibration monitoring



extent. NR advise that they require a twenty working day review period.

We anticipate that you may be minded to attach a condition in this regard, and the purpose of raising it is to request that any such condition be linked to the commencement of any piling (which is the rationale behind the project). AJP Consulting (who are heading up this matter) advise that there is no good reason to delay a start on site with preliminary clearance works, and that this NR requirement is directly related. Can any related condition please be termed accordingly?

*To understand the quality of residential units proposed, it would be helpful to provide a detailed schedule of floorspaces to all residential units.*

A detailed summary of areas for Phase 1 and an accommodation summary for Phases 2 & 3 are enclosed with this letter.

*The Environment Agency has confirmed that it will be unable to make representation on the application until a version of the GRM Phase 1 Ground Investigation Report can be uploaded on the Planning Portal or is directly sent to them by e-mail, CD or hard copy.*

You are aware that, in addition to issuing this information on day one (so not sure why the EA could not access it), we have also sent them a CD / hard copy of both the GRM Phase 1 and subsequent Phase II reports.

*Merseyside Environmental Advisory Service has requested the following information. Paragraph 1.1.3 of the bat survey report refers to a Preliminary Ecological Appraisal (PEA) undertaken in July 2015, which needs to be provided; along with the details of the surveyors who undertook both the PEA and bat survey (i.e. names, qualifications, licence numbers etc).*

This request is puzzling as the Preliminary Ecological Appraisal was submitted on day one. I have sent this again to Peter McKeown (MEAS), and have also confirmed the credentials of the Wardell Armstrong surveyors as :

- Luke Powell, Ecologist GradCIEEM, Licence no.2015-1463-CLS-CLS
- James Richardson, Senior Ecologist MCIEEM
- Rebecca Harvey, Ecologist, BSc
- Huw Morgan, Ecologist, BSc

*Notwithstanding the uncertainty created by predictive modelling, the Council's Environmental Health Officers have reviewed the submitted Wardell Armstrong Noise and Air Quality Assessments, and the GRM Phase 1 Ground Investigation Report, and do not consider the development to present significant environmental impacts, which would warrant EIA, whilst it is considered that potential harmful impacts can be ameliorated through the detailed design and other mitigation. I look forward to receiving your Phase II Ground Investigation Report during the course of the application, and on-site investigation and remediation will be controlled by condition of any subsequent planning approval.*

You will recall that the Phase II report was issued on 2<sup>ND</sup> October.



*However, I look forward to receiving detailed proposals for acoustic insulation and ventilation (residential and commercial), informed by the submitted Noise Assessment of the locality.*

In response, I enclose the following reports to address these comments :

- *Phase 3 Bazaar – Outline Noise Assessment* [noise assessment of noise breaking out of the Bazaar and its impact on the surrounding properties]
- *Updated Noise Assessment (23<sup>rd</sup> October 2015)* [which includes an outline assessment of the commercial units]

*There are mitigation measures included in Section 9 of the Air Quality Assessment, which state that they “could” be implemented. These should be implemented, and in addition more detail of the proposed measures is required, including the percentage expected improvement for implementation of each, and also how the proposed mitigation measures will be achieved. Furthermore, there are several typos in this latter document that need addressing as follows:*

- *Page 8 section 2.4.3 there are only two automatic station **NOT** four as stated.*
- *Page 34 section 6.29 is incorrect, does not correspond with PR1 for NO<sub>2</sub> value.*
- *Page 47 section 10.1.3 should read mitigation measures as outlined in section 9 and **NOT** section 7.*
- *Page 48 section 10.2.1 should be section 10.3.1 and should read mitigation measures as outlined in section 9 and **NOT** section 7.*

In response, I enclose a Revised AQA produced by Wardell Armstrong which addresses these issues.

On the basis of this letter and the enclosed information (combined with the landscaping information) I understand that you will now re-advertise the application with a view to reporting it to Committee on 15<sup>th</sup> December. If you feel anything is missing (aside from those few items highlighted above) or if you wish to clarify anything, please do let me know.

Yours sincerely  
for Roman Summer Associates Ltd

Richard Gee  
**Director**



## **ANNEX A**

### **Social Partnering, Community Engagement and Economic Sustainability Outcomes**

#### **How will we benefit the economic and social fabric of Liverpool?**

At Phd 1 we believe that it is our responsibility to engage with the local communities in which we work. To make this happen, on all new projects we will seek to establish links to local organisations who know and understand the communities in which we work. We will develop a bespoke plan on each project and work tirelessly to achieve targets and positive outcomes. Our whole team will take responsibility, whether this is through supporting local unemployed people to expand their skills, working with our subcontractors to help them to understand and deliver our approach, or supporting work experience placements on site.

#### **Achieving our Objectives and Outcomes**

We will be setting out Objectives and Outcomes throughout the contract period. As an organisation, a number of these outcomes are integrated into the way we work and will look to deliver them. We will take these objectives and outcomes and established a set of KPI's we believe will have tangible effects on the social fabric of Liverpool and the North West area.

We will put together an Objectives Action Plan to address key areas as noted.

- Get local people into work/ sustain existing workforce
- Promote Participation and Citizen Engagement
- Build Capacity and Sustainability of the Voluntary and Community Sector
- Acute problems are avoided and costs are reduced by investing in prevention

#### **How will we ensure opportunities are available for local people to gain skills and get into work?**

This will form the key part of our Objectives Action Plan – the targets we set will cover the following:

- Local employment – including unemployed and hard to reach groups
- New and no of existing apprenticeships and trainees
- Employability skills and work experience placements for local residents
- Student activities including work experience and site visits
- Money spent in the local economy and local SME's supported
- Discussions with sub-contractors about paying staff living wage and having inclusive recruitment processes



We will work with organisations including City of Liverpool College and Hugh Baird College and local schools. This will allow us to understand more fully the key areas we can address through this project and to map out when each KPI will be achieved.

### **Local Employment**

We recognise that by supporting local people into work for the first time or after an absence from employment can have a dramatic effect on their lives and the lives of people around them.

### **How will we involve local sub-contractors, suppliers and labour in the design and construction phases?**

Using local businesses is an important part of our approach. It means that local people are able to get involved in shaping their local area – with this they bring, passion, understanding and a desire to create a positive lasting legacy. Phd1 have recently carried out works on a community project at St Johns Evangelist Church at Rice Lane Walton where alongside our supply chain partners we undertook work to remodel and fit a new kitchen area and improved disabled toilet facility within the building at no cost to the Church. Sponsorship of a North West American Football Club is another community scheme which receives PHD1 support and we will look to work with our neighbours at Chinatown to assist in supporting community based schemes during the course of our works on site.

All supply partners and staff involved in the projects will be given targets of their own to support local people into work experience, apprenticeships, employment opportunities, upskilling and engagement with the local community.

We will work with each organisation to utilise their strengths and challenge them to make steps to find new ways of working. We will provide them with support and guidance to do this.

We have looked at potential sub-contractors we can use for the various trades on site – we will match KPI's to the packages of work to ensure those tendering for work understand what they will sign up to if they are awarded the work. An example of how we will do this is by building set numbers of apprentices to be employed on site within the contract of supply chain partners on larger value packages and also stipulating a set number of work experience opportunities to be made available for local students during their on site works program.

We will engage with local construction colleges and undertake visits to their premises to take part in learning and deliver training in line with course modules which can in turn be related to works taking place on site. Previous experience has shown this type of engagement to be very beneficial to students in their course work.