

The Lexington

S73 Amendments Supplementary Statement

S73/245471-00

17 July 2017

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

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

245471-00

Ove Arup & Partners Ltd

12th Floor The Plaza
100 Old Hall Street
Liverpool L3 9QJ
United Kingdom
www.arup.com

ARUP

Contents

	Page
Contents	1
1 Introduction	1
1.1 Overview	1
2 Design Amendments	2
2.1 Overview	2
2.2 Design Principles and Philosophy – Consistent and Unchanged Approach	2
2.3 Proposed Amendments and Characteristics	5
3 Section 73 Amendment Approach	8
3.1 Variation of Conditions	8
3.2 Amendments to technical documents	8
4 Conclusion	12

1 Introduction

1.1 Overview

1.1.1 This supplementary statement is submitted in support of a Section 73 planning application under the Town and Country Planning Act 1990 (as amended). The application seeks to amend the consented planning decision reference 16F/1370.

1.1.2 The original consented scheme (16F/1370) was to:

“erect a 34-storey residential tower (Use Class C3) comprising 304 private rented sector apartments and 40 car parking spaces, 76 cycle parking spaces together with plant, storage, reception, residential amenity areas, hard and soft landscaping and associated works on currently vacant land at William Jessop Way, Princes Dock, Liverpool 3.”

1.1.3 The applicant wishes to amend the planning consent to:

“erect a 35-storey residential tower (Use Class C3 with 110sqm of A1 or A3 or B1 use class) comprising 325 private rented sector apartments and 40 car parking spaces, 80 cycle parking spaces together with plant, storage, reception, residential amenity areas, hard and soft landscaping and associated works on currently vacant land at William Jessop Way, Princes Dock, Liverpool 3”.

1.1.4 This supplementary statement sets out all the amendments that have been made to the consented scheme, describing clearly the justification for the revisions in an architectural context. As well as the amendments to the consented drawings, this statement will also clearly set out amendments to the technical reports (if any) to bring information up to date due to the changes in the proposed work. As agreed, no additional supporting documents are submitted as part of this application and all revisions to the consented technical reports will be updated through this statement.

1.1.5 The design team have met with Liverpool City Council on three separate occasions to discuss the proposed amendments and ensure that all parties are happy with the building alterations.

2 Design Amendments

2.1 Overview

- 2.1.1 The approved design principles and philosophy of the Lexington alongside the focus on high quality development remain entirely unchanged.
- 2.1.2 The amended proposal represents only an additional 117 sqm of gross internal area which is an insignificant increase of 0.4%.
- 2.1.3 The remainder of this section is browned down under the following headings:
- Design Principles and Philosophy – Consistent and Unchanged Approach; and
 - Proposed Amendments and Characteristics;

2.2 Design Principles and Philosophy – Consistent and Unchanged Approach

- 2.2.1 The design of the Lexington followed a detailed evolution process which has continued over recent months whilst retaining the principles on which the integrated approach to the Lexington concept was founded and agreed.
- 2.2.2 As acknowledged within the current planning permission, the Lexington looks out over the dock which was the principal point of departure for millions of people from all over Europe who passed through Liverpool in search of a better life in the New World with many of them en-route to New York.
- 2.2.3 The vision for the Lexington was to incorporate this heritage by paying homage to the slim stylish skyscrapers of New York with a specific focus on pioneering modernist masterpieces designed or influenced by Mies van der Rohe, such as Lever House and the Seagram Building. These masterpieces of architecture are characterised in the design philosophy of the Lexington via an elegant and unfussy form with external articulation of the structure of the building plus expansive and privately managed public space at ground floor.

- 2.2.4 All of these design principles remain entirely unchanged and at the heart of the Lexington whilst incorporating the proposed minor amendments via the Section 73 application.
- 2.2.5 As envisaged via the current planning permission, the pragmatism and proportionality that drove the overlying form of the Lexington required an additional layer of artistic meaning to ensure that it projected a distinctive character from those existing buildings that align themselves with the River Mersey. As the design process evolved last year in partnership with the City Council, the design team returned to the notion of the dock's links with New York and the part played in that link by the Cunard trans-atlantic liners. Detailed design analysis focused on the features shared by the marine architecture of these famous liners and significant buildings on both sides of the Atlantic, most notably in the vertical and horizontal layering which formed a key design principle of the Lexington.
- 2.2.6 The verticality of the Lexington coupled with the horizontal layering of the elevational composition remains entirely unchanged and at the heart of the Lexington.
- 2.2.7 In all cases these structures on either side of the Atlantic have a central element that soars higher than the main form of the building to create a feature 'beacon' that completes the top of the structure and announces itself as a recognisable and celebrated landmark to welcome seafarers from around the world. The approved Lexington replicates this effect by protruding the central section of the elevational core with an extra upward thrust to generate the beacon effect at the top of the building.
- 2.2.8 This design principle has been the subject of careful consideration throughout the evolution process and the importance of the beacon remains entirely unchanged and at the heart of the Lexington.
- 2.2.9 At the heart of the Lexington is the approach to verticality. The building form relies on two types of verticality to optimise elegance. The first is in the overall proportions which are accentuated by the elevational treatment that expresses the vertical divisions between the units and the fenestration strongly in a more solid material than the horizontal structures of each floor. Excluding masonry in the central section accentuates the vertical layering into three which increases the impression of the overall height and slenderness of the whole building. Grouping the floors into three permits the verticals to run through in unbroken lines and dominate further which also helps to lift the eye upwards towards the beacon.
- 2.2.10 The separation of the car parking into an adjacent plinth suggests a contrasting elevational treatment, consistent with the different use and structural arrangement. A more visually permeable outer skin reveals

an honest expression of the structure. This contrast contributes to the purity of the Lexington's proportions.

2.2.11 The orientation, format and slender footprint of the Lexington emerged via the design process to reflect the following key principles:

- the building's narrower elevation fronting the water minimises eastward facing accommodation;
- the setting of the Lexington towards the northern edge of the plot optimises the advantage of the extra clearance from Plot A-05 (Plaza 1821) which is required to facilitate the service access between the two buildings as part of the wider neighbourhood masterplan;
- at the same time this optimises the sunlight and daylight available to dwellings with a southern aspect whilst providing separate accommodation for the car parking structure with the accompanying communal rooftop amenity space and terrace;
- the positioning of the single core centrally within a slender form and wrapping the accommodation round this core optimises daylight penetration where it is most valuable;
- the core provides direct access into all dwelling units whilst significantly minimising the need for corridors;
- the design affords the opportunity to create dual-aspect corner units on all four corners of the building which provide outstanding views of both the city and waterfront;
- the positioning of the car parking in an adjacent plinth (rather than within the main residential building) eliminates potential conflicts between the structural requirements of these two types of building form; and
- the opportunity to introduce a roof garden and terrace for residents providing outdoor amenity space for relaxing and exercising whilst encouraging interaction amongst residents and crucially fostering a sense of community and wellbeing within the Lexington.

2.2.12 The approach to the orientation, format and slender characteristics of the Lexington's footprint remain entirely unchanged and at the heart of the Lexington whilst incorporating the proposed minor material amendments via the Section 73 application.

2.3 Proposed Amendments and Characteristics

2.3.1 The supporting plans and drawings identifies the proposed amendments. For ease, the main amendments are summarised below.

Building Footprint and Additional Floor

2.3.2 The reduction of the footprint increases the efficiency of the building layout and together with an additional floor improves the overall slenderness of the Lexington whilst providing additional accommodation. The height of the building has increased slightly from 109m to 112.5m but remains comfortably within the approved Liverpool Waters parameters (126.8m). The orientation of a number of the floor plans have been slightly refined which are detailed in the revised drawings.

2.3.3 As the scheme is now approximately 3.5m taller it is closer to the height outlined in the Liverpool Waters planning permission. It is important to note that the increase in height is so slight that this will not impact on the relationship of the proposed neighbouring buildings or the visual appearance of the Lexington when seen in short, medium or long distance views (see TVIA section for further details).

Form, Recess and Materiality

2.3.4 As with the original application the slim building form pays homage to the stylish skyscrapers of New York with their elegant and unfussy facades. Refinements to the elevational treatment and overall form reinforces this link whilst adhering to the original design concept. The three strong vertical elements of the building remain and are strengthened by the reduction in width improving the Lexington's slenderness. As a result of the footprint reduction the setting out of the facades has been updated whilst adopting and maintaining the original design principles. Strong vertical lines, elegant and unfussy form, external articulation of the structure of the building and layering of high quality materials remain at the heart of the design philosophy and approach.

2.3.5 The materials shown in the supporting plans (although these will ultimately be addressed via Condition 7) show a clear definition between the three vertical elements of the building. The proposed solution, which echoes the approach within the planning permission, adopts a structural grid with aluminium and glass as the preferred companion materials for the windows and secondary elements of the

grid especially in the central section and the beacon which accentuates the vertical geometry of the Lexington.

Balcony Replacement

- 2.3.6 The replacement of the balconies has allowed the internal floor space within the upper level apartments to increase and be reconfigured optimising the liveability of these spaces. As part of the continuing design evolution, queries have been raised about the suitability of the balconies in this location due to potential over exposure to high winds at the height approved within the current planning permission. The slightly amended approach to the external appearance towards the top of the building maintains the subtle contrast in materiality and appearance whilst maintaining the focus on the verticality and slenderness of the building form.

Car Park Cladding

- 2.3.7 Whilst the ultimate choice of materials is subject to Condition 7 of the planning permission, it is proposed to simplify the cladding of the adjacent car parking structure to more closely compliment the form of the Lexington. The choice of the simplified perforated cladding motif will also act as public art reference within the emerging Princes Dock neighbourhood.

The Beacon

- 2.3.8 The Beacon remains a key design principle of the Lexington and the crowning feature of the building. An accompanying lighting strategy to be delivered via condition 11 will accentuate the presence of the beacon as envisaged within the approach to the design philosophy. It is proposed to remove the duplex apartments which will further accentuate and celebrate the beacon at the top of the Lexington which we strongly believe will become a recognisable and well-known feature within the city in the near future.

Outdoor Gym

- 2.3.9 As part of the continuing design development, queries have been raised as to the sustainability of the height of the gym matching a domestic floor level and the acoustic implications of positioning the gym adjacent to and below apartments. The amended approach seeks to address this by relocating the gym to the car park roof area and achieving a direct connection with the landscape roof terrace. It is proposed to continue the line/extent of the car park below incorporating a recessed band at the base of the gym to give the appearance of separation. A simple, elegant, largely glazed 'box' on top of the car park roof. This will offer excellent views for gym users towards the dock across the roof terrace,

whilst offering enhanced animation of the façade along Bath Street. Where the gym abuts up to the tower, a simple recess in the façade and roof offers a visual separation from the tower.

Quantum of Development

2.3.10 The existing permission has consent for:

Unit Type	Amount
Studio	34 (11%)
1 Bed	105 (35%)
2 Bed	149 (49%)
3 Bed	16 (5%)
Total	304
Gross Internal Area	27,313m²

2.3.11 The revised design proposes:

Unit Type	Amount
Studio	48 (15%)
1 Bed	110 (34%)
2 Bed	151 (46%)
3 Bed	16 (5%)
Total	325
Gross Internal Area	27,430m²

2.3.12 As can be seen above, an additional 21 units are proposed. As described earlier, the reduction in the Lexington’s footprint results in the total gross internal area only increasing by 117 m² or 0.4% representing an insignificant change in the overall quantum of floorspace.

Materials

2.3.13 The supporting plans begin to illustrate the type of materials we would like to propose for the external construction of The Lexington and have been discussed with Liverpool City Council through the recent meetings. As set out in Condition 7 of the existing permission, we will provide more details of the proposed materiality as part of the

continuing dialogue with the City Council over the coming months as the anticipated start date on site draws closer.

3 Section 73 Amendment Approach

3.1 Variation of Conditions

3.1.1 As agreed with Liverpool City Council, the applicant will be making these design amendments via a Section 73 amendment through varying conditions from the existing consent.

3.1.2 Given the drawing changes, we propose that this Section 73 application varies the following conditions of planning permission 16F/1370 to reflect the updated drawing numbers. These amended drawing numbers can be found within the supporting documentation (P15-111-02_Drawing List) of this application.

- *Condition 2;*
- *Condition 7;*
- *Condition 8 and*
- *Condition 21.*

3.1.3 Apart from the drawing references the wording of the conditions do not need to be altered. A detailed drawing schedule is enclosed within the supporting documentation which identifies those plans which are proposed to be substituted (along with the actual plans).

3.1.4 As agreed, an additional condition will be added to the new consent to ensure that artwork from the resulting perforated cladding motif as part of the car park materials is agreed by the applicant and Liverpool City Council. We suggest the following wording for this condition:

“Within six months of the commencement of development, plans will be submitted to and approved in writing by the local planning authority to show how the artwork will be incorporated and displayed as part of the perforated cladding motif for the car park”.

3.2 Amendments to technical documents

3.2.1 As agreed, no new or amended technical documents will be submitted as part of this application. Where needed, additional text for each of the consented technical documents to support the amended proposals will be set out below. As the development description has changed it has been agreed that there isn't a need to amend the wording within

each document and the description can be taken from 1.1.3 of this document.

Air Quality Assessment

- 3.2.2 There will be no or negligible impact to Air Quality due to the proposed changes.

Archaeological Statement

- 3.2.3 The development does not impact any differently to the potential archaeology within the site and therefore the proposed changes will have no additional impact.

Archaeological Watching Brief

- 3.2.4 The development does not impact any differently to the potential archaeology within the site and therefore the proposed changes will have no additional impact.

Daylight and Sunlight Report

- 3.2.5 There will be no or negligible impact to Daylight and Sunlight due to the proposed changes.

Design and Access Statement

- 3.2.6 It has been agreed that an amended Design and Access Statement does not need to be submitted and the information within this supporting statement will suffice for an update on the design approach to the amended changes.

Environmental Statement

- 3.2.7 It is considered that there would be no negative impacts on the disciplines assessed within the Environmental Statement due to the changes being so minor. Therefore it has been agreed that the ES does not need to be reassessed against the design amendments.

Heritage Impact Assessment

- 3.2.8 The development does not impact any differently to the potential heritage within the site and therefore the proposed changes will have no additional impact.

Liverpool Waters Conformity Statement

- 3.2.9 It has been agreed that an amended Conformity Statement does not need to be submitted and the information within this supporting statement will suffice.

Phase 1 Ground Conditions and Geotechnical Report

- 3.2.10 The development does not impact any differently to the ground conditions within the site and therefore the proposed changes will have no additional impact.

Phase 1 Habitat Survey

- 3.2.11 The development does not impact any differently to the ecology within the site and therefore the proposed changes will have no additional impact.

Planning Statement

- 3.2.12 The development still conforms to local and national policy and therefore the proposed changes have no additional impact.

Statement of Community Involvement

- 3.2.13 Due to the changes being so minor the development has not been open to public engagement again. However, statutory consultees will be able to comment on the changes once the application has been submitted.

Transport Assessment and Travel Plan

- 3.2.14 Due to the development's City centre location there is no need for additional car parking spaces and therefore the amendments would have a negligible impact on the existing environment. Residents of the tower have the opportunity to take up a space as part of their rental agreement. No on-street parking is permitted within Princes Dock, or on-streets surrounding the Dock. Residents that own a car but do not take up space within the Lexington, will have the opportunity to take up a contract space in one of the off-street car parks in or around the vicinity of the Dock. Therefore, the traffic impact of the additional apartments will be negligible.

- 3.2.15 An additional 8 cycle spaces have been added to take into account the extra units. The consented scheme provided 1 spaces per 4 apartments. The additional spaces proposed as part of the revised scheme will result in a very similar parking ration.

- 3.2.16 Other access arrangements of the scheme will remain the same.

Townscape and Visual Impact Assessment

- 3.2.17 A review of all 18 views within the original assessment has been undertaken, with the new design proposals in place. It is clear the proposed changes have minimal effect on the original assessment of the visual impact of the building. The original assessment drew the following conclusions:
- 3.2.18 A total of 18 principal viewpoints were identified and agreed with Liverpool City Council. Only one of the identified viewpoints is predicted to result in a Slight Adverse visual effect at the baseline assessment. This viewpoint (no. 7) is from the south west corner of the Albert Dock and is considered a highly sensitive view. The proposed building would slightly alter the silhouette of the Royal Liver Buildings against the skyline from this location.
- 3.2.19 When the cumulative assessment is included, several more views are assessed as having an adverse impact, these are views 2, 10, 12, 17 and view 18. This negative assessment is mainly due to the scale and height of the Shanghai tower parameter and the scale and height of the parameter adjacent to the Pier Head. The scale and proportion of both of these parameters are out of keeping with any existing buildings, and obscure views of the Royal Liver Buildings from the north and west and obscure views into Princes Dock from the Pier Head. These parameters do not improve the setting of the proposed Princes Reach building; in fact, they detract from the largely beneficial or neutral impacts of the building.”
- 3.2.20 These conclusions remain unaltered after the review of the proposed changes. The verified photography which describes the changes to view 7 has been submitted as part of the supporting documentation for this application. . The assessment here remains as ‘Slight Adverse’.
- 3.2.21 The proposed changes to the design have no impact on the results of the original townscape impact assessment.
- 3.2.22 This note reaffirms the overall conclusions of the original TVIA in that the building will have a largely beneficial effect on the townscape of the Princes Dock neighbourhood. The building although tall and highly

visible can become a part of the cluster of tall buildings which already exist within Princes Dock and the central business district.

4 Conclusion

- 4.1.1 This supporting statement sets out clear justification and explanation for the proposed amendments and highlights clearly where the existing consent should be changed.
- 4.1.2 The proposed amendments do not impact negatively on the existing surroundings and keep with the original design rationale that was previously consented.
- 4.1.3 The amendments have been worked up with engagement from Liverpool City Council and have been agreed in principle. Therefore, these changes should be accepted through a s73 amendment.