

Appendix 5

1st Round

Consultation Responses ALL



20F/0001

Bramley Moore Dock

Regent Road

Liverpool



Developments Affecting Trunk Roads and Special Roads

Highways England Planning Response (HEPR 16-01)

Formal Recommendation to an Application for Planning Permission

From: Alan Shepherd
Divisional Director
Network Delivery and Development
Highways England.
North West Region

To: Liverpool City Council – Peter Jones

CC: transportplanning@dft.gsi.gov.uk
growthandplanning@highwaysengland.co.uk

Council's Reference: 20F/0001

Referring to the planning application referenced above, dated 21st February 2020, for development consisting of demolition of existing buildings/structures on site (listed in the schedule); remediation works; foundation/piling works; infill of the Bramley-Moore Dock, alteration to dock walls and dock isolation works with vehicular and pedestrian links above; and other associated engineering works to accommodate the development of a stadium (Use Class D2) predominantly for football use with the ability to host other events with ancillary offices (Use Class B1a); Club Shop and retail concessions (internal and external to the stadium) (Use Class A1); exhibition and conference facilities (Use Class D1); food and drink concessions (internal and external to the stadium) (Use Classes A3 / A4 / A5); betting shop concessions (Sui Generis); and associated infrastructure including: electric substation, creation of a water channel, outside broadcast compound, photo-voltaic canopy, storage areas/compound, security booth, external concourse / fan zone including performance stage, vehicular and pedestrian access and circulation areas, hard and soft landscaping (including canopies, lighting, wind mitigation structures, public art and boundary treatments), cycle parking structures and vehicle parking (external at grade and multi-storey parking) and change of use of the Hydraulic Tower structure to an exhibition / cultural centre (Use Class D1) with ancillary food and drink concession


(Use Class A3) at Bramley-Moore Dock, Regent Road, Liverpool, notice is hereby given that Highways England's formal recommendation is that we:

- a) offer no objection;
- b) ~~recommend that conditions should be attached to any planning permission that may be granted (see Annex A — Highways England recommended Planning Conditions);~~
- c) ~~recommend that planning permission not be granted for a specified period (see Annex A — further assessment required);~~
- d) ~~recommend that the application be refused (see Annex A — Reasons for recommending Refusal).~~

Highways Act Section 175B is / is not relevant to this application.¹

This represents Highways England formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should you disagree with this recommendation you should consult the Secretary of State for Transport, as per the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gsi.gov.uk.

Signature: 	Date: 28 th February 2020
Name: Benjamin Laverick	Position: Assistant Asset Manager
Highways England: 8th Floor, Piccadilly Gate, Store Street, Manchester, M1 2WD	

¹ Where relevant, further information will be provided within Annex A.

Annex A ~~Highways England recommended Planning Conditions /~~
~~Highways England recommended further assessment required /~~
~~Highways England recommended Refusal.~~

From: Garnett, Graham
Sent: 24 April 2020 11:56
To: Jones, Peter
Subject: 20F/0001 - Bramley Moore Dock, Regent Road - Everton Football Club - Inclusive Design

Importance: High

Dear Peter,

20F/0001 - Bramley Moore Dock, Regent Road

Please see below inclusive design advice and comments in relation to the above planning application.

1. Engagement with disabled people

Everton Football Club and its appointed design team ('the club') must be commended for their willingness to engage with the Liverpool City Council Corporate Access Forum (CAF) on two occasions (July and November 2019).

The CAF's remit is normally limited to Liverpool City Council led projects, however, due to the significant impact that both of the city's main football clubs have on the lives of residents and visitors to the city, it was agreed (by the Cabinet Member for Inclusive and Accessible City) that the CAF would provide assistance to the club in relation to the proposed new Everton stadium.

This engagement gave local disabled people (and/or their representative organisations) the opportunity to provide feedback on the emerging designs, based on their own 'lived experiences' of accessing sports stadia as well as other buildings. On both occasions the club's general approach was positive and appreciative of the input provided by the CAF. It was agreed at these meetings that the club would continue to engage the CAF as the designs develop and I would like to see this two-way communication continue throughout the detailed design stages.

2. Transport

Coach Arrival

There are three different locations (as shown in Section 11.1 of the D&A Statement) where coaches will park/drop-off. The distance to the stadium is approx. 1000m which is likely to be excessive for many supporters. Can an alternative coach park location be identified that is closer to the stadium?

Drop-off area for modified accessible vehicles including coaches, minibuses, minivans

Ideally there should be designated drop-off area for modified vehicles that is located maximum 50m away from the stadium entrances (in this case the Dock Wall gates). Please could the club clarify where a drop-off area might be located?

Bus Transport (including shuttle buses for supporters and club employees)

It is unclear where the proposed/potential shuttle buses would drop-off/pick-up and therefore, the accessibility of the pedestrian routes to/from the stadium. Please could this be confirmed?

Taxi drop-off

In the D&A Statement there is a taxi drop-off point located on Boundary Street. Please could the club confirm that this will also serve as a taxi rank for supporters leaving the stadium? The provision of a taxi rank will provide all users, including disabled people, with a designated area to queue for and access taxis. (According to the Transport Assessment approx. 6% of supporters intend travelling to matches by taxi).

3. Car Parking

The proposal is to provide a total of 481 spaces of which 70 (14%) will be designated accessible spaces. On a typical event day, there will be up to 239 disabled people in the designated wheelchair viewing areas, a similar number (239) in the amenity seating areas, plus many more disabled people seated in other areas of the stadium. The club employs a significant number of people both on event days and non-event days, and some of these are likely to be disabled people with blue badges. It is likely that a significant number of supporters and employees will travel by car for convenience, and also due to the fairly isolated location of the stadium and the lack of accessible public transport. Therefore:

- i. Please could the club provide clarification on how parking spaces will be allocated? i.e. employees/directors etc, spectator parking, home/away supporters, corporate etc.
- ii. Given that the Transport Assessment has identified that in the region of 17000-23000 of supporters will travel to the stadium by car, does the club believe that the proposed 70 designated accessible spaces will be sufficient?
- iii. Could the club please identify other areas, within a reasonable walking distance of the stadium, where disabled supporters may park their vehicles if unable to access the 70 designated spaces within the stadium's car parks?

4. Pedestrian Approaches & Public Realm

Pedestrian Approaches from Public Transport to/from the stadium

Please could the club confirm whether pedestrian accessibility audits will be undertaken on the pedestrian routes to/from public transport hubs (e.g. Sandhills Train Station, Bus Stops, taxi/coach drop off areas) in order to assess their suitability and whether any remedial works will be needed/undertaken? Remedial works may include provision of/improvements to dropped kerbs and pavement surfaces, relocation of street furniture, provision of seating etc.

Regent Road

The area of Regent Road outside the Dock Wall entrances will effectively become pedestrianised for 1-2 hours before events and up to 1 hour afterwards. Footfall at this location is likely to be high in the build-up to and immediately after matches and large events. The presence of a pavement with a 125mm high kerb upstand may present a trip/fall risk to pedestrians. Therefore, to enable crowds to safely disperse, the design of this area must be carefully considered (it is also a key cycle route). The needs of pedestrians and cyclists on non-match days must also be carefully considered in the proposed designs for this area.

Trees

For benefit of visually impaired people, and in accordance with the Design for Access for All SPD, please ensure that all trees have a clear stem height of 2500mm. It is recommended to avoid tree varieties with drooping branches as these can often present hazard to visually impaired people.

5. Stadium External Concourses

Western (Mersey) Concourse - Steps and Ramp (Waters Edge Terrace)

The proposed feathered steps with ramp design is likely to be problematic for many people including those with visual impairment. The ramp may also be obstructed by people who are seated on the large steps/seats. What was the reason for this type of design instead of a more conventional ramp/slope and steps?

What is the gradient of the proposed ramp/slope?

The seats within this area do not have spaces to the sides for wheelchair users, as recommended in the Design for Access for All SPD. It is recommended to provide 900mm wide spaces to the sides of the timber decked seats at the lower level to enable wheelchair users to transfer laterally onto a seat, or simply be able to be seated adjacent to their non-disabled peers (and not feel like they are causing obstruction to others).

Northern (Wellington) Concourse

To help to ensure that the tactile strip (currently 400mm wide) is detected by visually impaired people it is recommended to increase to 800mm wide. (Feedback which I've received from visually impaired people, in relation to pedestrian priority zones elsewhere, is that a 400mm tactile strip is not always detected by long cane users).

It is essential that the tactile strip has strong visual contrast with the surfaces in the shared (vehicle and pedestrian) zone and the pedestrian only zone. (Is it possible to see a drawing/material samples showing the three materials together?)

Southern (Nelson) Concourse

What is the purpose of the 400mm wide tactile paving strip?

6. Stadium Entrances

The Design & Access Statement states that, "*Revolving doors are not accessible and **preferably** should not be used.*" Please note that in accordance with Building Regulation Part M, if a revolving door is provided, there must be an accessible entrance door provided immediately adjacent to it and clearly signed to show that it is accessible.

7. Toilets

Accessible toilets

Accessible toilets are distributed fairly evenly around the stadium and on all levels, close to male and female toilet areas. However, one issue which may arise from the proposed distribution/location of accessible WCs is that people may have to travel longer distances, and through busy concourses, in order to reach a vacant WC.

Therefore, I would like to recommend that the club considers an alternative distribution of accessible toilets which I believe would better meet the needs of disabled supporters who require accessible toilets. The accessible WCs could be located in 'clusters' in close proximity to the wheelchair accessible seating areas. The benefits of this suggestion are:

- Reducing travelling distances/times to reach an accessible WC
- Minimising the need for disabled people travel through busy concourses to reach an available accessible WC
- Clusters of accessible WCs could offer a mix of left/right hand transfer

Some of the accessible WC compartments have inward opening doors and the compartment size has been increased accordingly (in line with BS8300 advice) to accommodate the reduced manoeuvring space this causes. However, another reason why accessible WC doors should ideally open outwards is to enable them to be easily opened in the event of a disabled person falling near to the door and needing assistance. Therefore, where an inward opening door is unavoidable please could I request that the door is also capable of opening outwards in the event of emergency? Alternatively the club may wish to consider

installing sliding automatic doors (with push buttons to open) in some locations – these would offer a more accessible entrance into the WCs and are space-saving.

Easy Access / Amenity Seating – Accessible Toilets

In line with the Accessible Stadia Guidance, wheelchair accessible WCs are proposed on the basis of 1:15 for wheelchair accessible seating. In addition to the accessible WCs provided for wheelchair users, and in accordance with the Accessible Stadia Supplementary Guidance, there needs to be a similar number (ratio of 1:15) of accessible toilets provided for easy access/amenity seating areas. Therefore, additional accessible WCs will be needed.

Male/Female toilets

I'd like to recommend that the design of male and female toilet areas complies with the British Standard 8300 (2018) recognised code of practice. By incorporating BS8300 guidance into the design of the toilets they will be generally more accessible for people with and without disabilities, older people, children and young people etc. I have summarised the best practice guidance below:

- Lower height urinals and wash basins for younger children and people of short stature
- Lever arm (or motion sensor taps) for people with limited dexterity
- Toilet cubicle and urinals fitted with grab rails for people with ambulant mobility impairments
- Ambulant disabled cubicles fitted with wash basins and hand dryers
- Mirrors and hand dryers fitted at a range of heights to suit different needs and preferences.

Gender neutral toilets

In line with emerging best practice, it is strongly recommended to provide some gender neutral toilet facilities within the stadium, some of which should be wheelchair accessible. For further advice on gender neutral toilets it is recommended to liaise with existing LGBT supporter groups and/or their local/regional/national representative organisations.

Baby Changing facilities

The D&A Statement states that, *"if baby changing facilities are provided there will be wheelchair accessible baby changing facilities."* This implies that baby changing facilities may not be provided. Please could I request clarification whether baby changing will be provided, and where these facilities will be located?

Changing Places

Section 14.0 of the Design & Access Statement states that **two** Changing Places (CP) facilities are proposed on Levels 00 and 02. However, Section 14.1.1, Inclusive Access Plans: Level 00 shows a third Changing Places facility in the South West Corner. Does this mean there will be **three** CP facilities within the stadium?

It is unclear from the documents which CP facilities may be used by visiting (away) supporters?

Will the CP facility located near to the East Egress be available for supporters visiting the Fan Zones and visitors to the stadium on non-match days (e.g. those on stadium tours, club shop customers, the general public etc). (The toilets in the proposed fan zone appear to only include male/female/accessible WC – no CPs).

8. Accessible viewing areas

Wheelchair viewing positions

The proposed number of wheelchair user viewing positions (239) complies with and slightly exceeds the minimum requirement of the Accessible Stadia Guidance formula (235). Whilst this provision is adequate in terms of compliance with current standards, it is slightly disappointing that the design team have not

used this opportunity to go even further beyond the current minimum requirement in order to meet current and future need. (i.e. increasing older population, ageing demographic of football supporters, potential increased capacity due to safe standing etc).

Amenity Seating

The Design & Access Statement states that amenity seats will be provided using the calculations as set out in the Accessible Stadia Guidance document. People who use amenity seating are likely to arrive in wheelchairs, mobility scooters, or use walking frames, walking sticks, crutches etc. Will there be storage facilities for supporters who arrive at the stadium in a wheelchair or mobility scooter then walk to their seat in the amenity seating areas? Consideration should also be given to providing a mobility scooter charging area.

9. Signage and Wayfinding (including public art installations)

Inclusive Signage Strategy

The Design & Access Statement states that an Inclusive Signage Strategy is to be developed and that it will be legible for all. Please could I recommend that this strategy is **co-produced** with local disability organisations and disabled supporter groups to ensure that the signage and wayfinding meets the needs of a broad range of people.

RNIB Map for All

Maps for All are produced by the RNIB and in recent years have been installed in a number of the city's cultural venues including Central Library, World Museum and the Museum of Liverpool. They are designed to be accessible for a wide range of people, young and old, and with and without disabilities. Features of Maps for All include; strong visual contrast, tactile maps, embossed lettering, Braille information, 'lectern' type profile at an accessible height for wheelchair and standing users. It is recommended that, as part of the Inclusive Signage Strategy, the club investigates the possibility of installing Maps for All at various locations in and around the stadium.

10. Players Facilities

It is important that the players facilities, including changing and shower areas, are accessible to people with disabilities. Therefore, it would be useful if more details could be provided or whether the club could confirm that the facilities will be accessible to disabled teams? Consideration should be given to the Sport England 'Accessible Sports Facilities' Design Guidance Note on the design of accessible team changing facilities.

11. Media Room

There is a Media Room which appears to include a platform/stage that is accessed via steps only. Please could I request confirmation that this stage will be accessible for wheelchair users (i.e. ramped or level access)?

12. Internal Concourses

Seating should be available throughout concourses for benefit of ambulant disabled people.

13. Internal and External Stairs

The D&A Statement indicates that all stairs will be comply with Approved Document M. Typically this means that handrails will be fitted at a height of 900-1000mm. Section 1.36 (ADM) also states that "handrails should be set at heights that are convenient for all users of the building... consideration should be given to the provision of a second handrail on the stairs in a wide range of building types for use by children and people of short stature." Therefore, I recommend that where there are steps, an additional handrail is fitted at a height of around 650mm from steps nosing.

Conclusion

It is apparent from the submitted planning documents, in particular Section 14 'Inclusive Design' of the Design and Access Statement, that the club has given accessibility and inclusion much consideration in the proposed stadium designs. It is pleasing that so much of the advice provided to the club by LCC and the Corporate Access Forum has been included within these proposals.

I would like to reiterate my willingness, at all stages of this project, to discuss any inclusive design related queries or issues with the club and its representatives. The LCC Corporate Access Forum is also on-hand to provide inclusive design advice and feedback on the detailed designs as they develop.

I would also welcome the opportunity to work with the Everton Disabled Supporters Association to discuss the proposals in more detail and to explore further areas for improvement.

Regards,
Graham

Graham Garnett | Inclusive Design Officer | Planning

Liverpool City Council | Cunard Building | Water Street | Liverpool | L3 1DS

Email or Skype: Graham.Garnett@liverpool.gov.uk



Please be aware that given the current situation with Coronavirus, responses to emails may be delayed. Liverpool Planning is working hard to continue to provide a normal service, but we ask you to bear with us in these unprecedented and fast changing times, as delays and some disruption is likely at times. Please note if you have any information to submit then please submit it through electronic channels

To: Peter Jones
Development Control Division
Planning & Building Control
Municipal Buildings
Dale Street
L2 2DH



From: Dr I Rushforth
Environmental Protection Unit
Public Protection Division
Municipal Buildings
Dale Street
Liverpool L2 2DH

Tel: 104061

Date: 13/5/20

E-mail :
ian.rushforth@liverpool.gov.uk

Our Ref: EP/IR/

MEMORANDUM

APPLICATION NO: 20F/0001

SITE: Bramley Moore Dock, Regent Road, L3

PROPOSAL: Application for Full Planning Permission in accordance with submitted drawings for the demolition of existing buildings/structures on site (listed in the schedule); remediation works; foundation/piling works; infill of the Bramley-Moore Dock, alteration to dock walls and dock isolation works with vehicular and pedestrian links above; and other associated engineering works to accommodate the development of a stadium (Use Class D2) predominantly for football use with the ability to host other events with ancillary offices (Use Class B1a); Club Shop and retail concessions (internal and external to the stadium) (Use Class A1); exhibition and conference facilities (Use Class D1); food and drink concessions (internal and external to the stadium) (Use Classes A3 / A4 / A5); betting shop concessions (Sui Generis); and associated infrastructure including: electric substation, creation of a water channel, outside broadcast compound, photo-voltaic canopy, storage areas/compound, security booth, external concourse / fan zone including performance stage, vehicular and pedestrian access and circulation areas, hard and soft landscaping (including canopies, lighting, wind mitigation structures, public art and boundary treatments), cycle parking structures and vehicle parking (external at grade and multi-storey parking) and change of use of the Hydraulic Tower structure to an exhibition / cultural centre (Use Class D1) with ancillary food and drink concession (Use Class A3).

I have read the submitted Construction and Environmental Management Plan and Construction Method Statement. The proposed working hours in the two documents are slightly inconsistent (0700-1900 Monday-Friday and 0700-1300 on Saturdays for the CEMP; 0730-1800 Monday-Friday and 0830-1400 on Saturdays) for the CMS), and in both cases are slightly in excess of our standard permitted hours (0800-1800 Monday-Friday, 0800-1300 Saturdays). There may be specific operations where extended hours may be justified (e.g. the dredging of the bottom of the Bramley Moore Dock prior to infilling, if the noise from dredging operations will be shielded from propagating to residential properties by the surrounding dock walls), but those specific exemptions should be requested and justified, with our standard hours applicable as the default scenario.

Otherwise, I am happy with the submitted details in relation to the construction phase.

I have studied the details in respect of lighting for the site once it is operational, and I am satisfied that there will not be an adverse impact from light overspill affecting nearby residents.

I am also satisfied that the 'Ventilation & Refrigeration' document has adequately addressed the issue of fumes arising from cooking operations within the food provision elements of the proposal.

I have studied the Noise & Vibration Assessment documents. I am satisfied that noise from fixed plant will not cause an adverse noise impact, subject to the standard condition being applied to ensure that:

The rating level of the noise emitted from any plant shall not exceed the existing background noise level. The noise level shall be determined at the nearest noise sensitive premises. The measurements and assessments shall be made according to BS4142:2014. 'Method for Rating Industrial and Commercial Sound'.

REASON: To protect amenity.

Noise from the following sources have also been modelled:

- proposed multi-storey and at-grade car parking;
- on-site matchday operations (crowd footfall, food/drink vans, stadium crowd noise and PA/VA system);
- increases in off-site road traffic noise on the surrounding highways; and
- the proposed taxi rank along Boundary Street

None of those elements are predicted to give rise to a significant adverse noise impact at any existing nearby noise-sensitive receptors, other than:

- during match days at the Titanic Hotel, where the transient nature of guests means that the noise impact is not considered to be significant; and
- during football matches at 62 Regent Road, where a moderate adverse noise impact is predicted; however the noise from football matches at this location is 8 dB below the ambient noise levels from existing sources (predominantly road traffic noise and industrial/dock activity), so the significance of the impact is tempered by those factors.

In terms of potential noise impacts from the sources listed above on proposed residential receptors that will be constructed to the south of the application site as part of the Liverpool Waters scheme masterplan, those impacts will be addressed by the fact that each phase of the Liverpool Waters development will require a up-to-date noise assessment to determine a suitable package of acoustic insulation, in accordance with the Liverpool Waters planning consent 100/2424.

The noise assessment also considers up to four non-football events per year (music concerts or non-football sporting events) taking place with the stadium at full capacity. An assessment is made up until 2am "to account for unplanned overrunning events as part of this worst-case assessment". However, allowing three hours for 'over-running' [past a notional curfew time

of 2300] is rather excessive. The period after 2300 is a more noise-sensitive time, when residents would be expecting to get an uninterrupted night's sleep. For comparison, the recent planning consent granted for up to six concerts per year at Anfield Stadium requires concerts at the venue to cease by 2300, although it permits up to two non-team sporting events (such as boxing and wrestling) to go on until 2330. A similar curfew time would be more appropriate for non-football stadium events at the proposed new Everton stadium, for consistency and to protect future residential amenity.

.....
Dr Ian Rushforth
Senior Enforcement Officer

To: Peter Jones
Development Control Division
Planning & Building Control
Municipal Buildings
Dale Street
L2 2DH



From: Keith Dooley
Environmental Protection Unit
Public Protection Division
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Tel: 104060

Date: 24/3/2020

E-mail:
keith.dooley@liverpool.gov.uk

Our Ref: 4084814

MEMORANDUM

APPLICATION NO: 20F/0001

SITE: Bramley-Moore Dock, Regent Road, Liverpool

PROPOSAL: Application for Full Planning Permission in accordance with submitted drawings for the demolition of existing buildings/structures on site (listed in the schedule); remediation works; foundation/piling works; infill of the Bramley-Moore Dock, alteration to dock walls and dock isolation works with vehicular and pedestrian links above; and other associated engineering works to accommodate the development of a stadium (Use Class D2) predominantly for football use with the ability to host other events with ancillary offices (Use Class B1a); Club Shop and retail concessions (internal and external to the stadium) (Use Class A1); exhibition and conference facilities (Use Class D1); food and drink concessions (internal and external to the stadium) (Use Classes A3 / A4 / A5); betting shop concessions (Sui Generis); and associated infrastructure including: electric substation, creation of a water channel, outside broadcast compound, photo-voltaic canopy, storage areas/compound, security booth, external concourse / fan zone including performance stage, vehicular and pedestrian access and circulation areas, hard and soft landscaping (including canopies, lighting, wind mitigation structures, public art and boundary treatments), cycle parking structures and vehicle parking (external at grade and multi-storey parking) and change of use of the Hydraulic Tower structure to an exhibition / cultural centre (Use Class D1) with ancillary food and drink concession (Use Class A3).

I have reviewed the following documents submitted with this application.

- WYG – Air Quality Assessment (ref: A100795; date: December 2019)
- CBRE - Appendix 8.2 - Ventilation and Refrigeration Statement
- Mott Macdonald - Match Day Transport Strategy Summary (ref: 385175 | 12 | B; December 2019)
- Sustainability Statement (ref: 0040026; date:22/12/19)

I agree with the methodology and conclusions relating to the long and short term impacts on air quality as a result of the increase in traffic movements due to the development. This assessment uses traffic data provided by Mott MacDonald, who are the transport consultants for the project. I have assumed

that our Highways Service have approved the Transport Assessment upon which the Air Quality Assessment is based.

I am concerned that the Air Quality Assessment includes a narrow list of potential pollution sources. I would expect the report to consider the following potential pollution sources:

- Supporter coaches parking - It is proposed that coaches will be parked in side street during the matches. There is currently an issue near to the existing football stadiums that drivers leave their coach engines idling during the match. This negatively impacts air quality and is the cause of neighbour complaints. This should be considered and the applicant should consider measures to prevent coach drivers leaving their engines idling (e.g. welfare facilities for drivers, educational messaging to drivers and companies involved)
- Outside broadcasting compound – Please can the applicant clarify whether outside broadcasting facilities are powered by generators or the mains electrical supplies? If generators are used, what is the potential impact on air quality?
- Fixed plant in the stadium – There is little consideration of emissions from fixed plant, such as the emergency generators and the boiler mentioned in the ventilation and refrigeration statement. Are these likely to be potential sources of pollution? The ventilation and refrigeration statement also mentions mechanical extraction from the multi storey car park. Have these been considered as point sources in the AQA?

More detail is required regarding the proposed mitigation measures to reduce the air quality impact of the development. Specifically:

- How many car park spaces will include provisions for Electric Vehicle charging? How will these be split between private and public spaces?
- Has any consideration been made regarding how the shuttle buses will be fuelled and have low emission options been considered?

.....
Keith Dooley

Air Quality Support Officer

Urban Design Comments

Application No. : 20F/0001
Site address : Bramley-Moore Dock, Regent Road, Liverpool
Date : 05/06/2020
Proposal : Erection of a new stadium in the Bramley-Moore Dock

Summary

The proposed stadium development in Bramley Moore Dock offers a significant opportunity to catalyse regeneration in the local area and make a positive contribution to the future of this part of the city. There have been concerns raised at its potential impact on the OUV of Liverpool's WHS, namely from the infilling of the Bramley Moore dock but also the impact of the stadium on key views. For the large part, these comments will focus only the design of the proposed scheme rather than its impact on the historic dock system and wider WHS. This aspect of analysis will be covered by LCC heritage colleagues.

The defining markers of success for this scheme in its wider context will be three fold: how it relates to the surrounding water space, how it impacts on views within and into the city and how it fits into the surrounding townscape. Furthermore, the design of the stadium should appear as a coherent piece of architecture in its own right.

Context

The local townscape context is mixed, with a large number of cleared sites and waterbodies to the south and a typically industrial landscape to the north. In an easterly direction, the townscape presents as light industrial warehousing progressing eventually to residential. In a westerly direction, the site is immediately flanked by the River Mersey.

Design comments

Given how mixed the townscape context is in the local area, the proposal to introduce a stadium to a water front location provides the chance introduce a quality 'anchor' development which can provide a sense of place to an area that is otherwise missing a defining character and provide the momentum to drive and inspire new development in the local area. To do this successfully, the application must better show how the scheme is embracing the emerging urban fabric in the immediate area, particularly in the south east, and detailing the application's aspirations for how the wider public realm could be improved to help to facilitate increased footfall in the area and drive regeneration.

The proposed open space to the west of the stadium appears to be a missed opportunity to improve the setting of the stadium, in terms of helping celebrating one of the two primary frontages to the site. Other than the remaining dock water space, the proposal intends to utilize much of this space for car parking, located underneath a canopy mounted with PV cells. Whilst the use of PV panels in this development would be supported if they can be accommodated appropriately, in this instance the combination of the use of the land and the associated structures will detrimentally impact the appearance of the wider public realm

along this important north south River Mersey edge. It will also adversely impact the setting of the stadium.

The simple brick plinth form at the base of the building is a prominent feature of the overall design concept and the strong vertical brick panels and channels contextually link well to surrounding warehouse fenestration and articulation. The use of brick is also encouraging and appropriate for this dockland area. However, there are situations when this concept for a monolithic plinth overly massive, dominating the overall architectural appearance. The western elevation is a good example of this, which presents a textured but otherwise monolithic brick plinth. To an extent the same can be said for the eastern frontage although there is some breaking up of the large expanse of brick with openings into the building. It is suggested that more consideration is given to breaking up the brick clad form into zones, where this vertical detailing can be celebrated but not become overly dominant -to the detriment of the overall architectural approach. It is quite a 'busy' detailing and perhaps needs to be compartmentalized into defined zones to make it more manageable to visually appreciate.

As discussed above, there are concerns about the design of the western side of the scheme, notably this area of the scheme's public realm provision and the west facing elevation to the stadium. This is one of the key frontages to the site and will offer numerous uninterrupted views of the stadium, from the water front, river and the Wirral. However, as with the concerns over the public realm, the architectural design concept for the western elevation struggles to reflect this prominence, instead presenting an elevation which looks like a 'rarely seen' rear elevation to the stadium. The main concern relates to the design of the plinth at this point which appears overly massive in this context. This is in part due to the simple, 2-part design concept of the stadium which sees it split into two primary visual forms – namely a monolithic plinth and the more organically shaped 'roof on top of the plinth. Whilst it is acknowledged that there is a general need to create a grandeur in this stadium and establish an imposing form to celebrate the use, there is a need to understand how it will be perceived from the public realm in the west. In this regard, there is little zoning or larger scale detailing within the plinth to help activate its frontage or break up the massing. This problem is also in part due to the presence of a large amount of undercroft parking along the ground floor in the west elevation which essentially 'blanks-off' this part of the building's envelope. Whilst it is obviously not possible to activate all the edges to the stadium, having some active uses at ground floor does offer opportunities to naturally break a façade up and, in some respects, provide focal points from which to build the remainder of the elevation upon. More consideration should therefore be given to breaking up the massing on this elevation by better articulating the façade and making it appear more comprehensible from the human scale.

The junction between the brick plinth base to the building and the organic standing seam roof appears crude in places. Clearly the stadium is designed to expose the skeleton of the support structure in the gap between the roof and plinth, but in some instances on the east and west elevations this intermediate zone does little to 'unite' the roof and plinth as the two main elements to this building. The southerly elevation connects the support structure through to the ground which unites the ground, plinth and upper roof together. This relationship is missing somewhat on the west and east elevations.

The public/private interfaces proposed with this scheme are too blank in places (see comment relating to the western elevation also). In these instances, the building does not appear to readily connect with the surrounding public realm, instead presenting unrelenting blanked facades with little ground floor activity or little change in the design language to add interest. The detailing needs to humanize the building for those in the public realm. Conversely, some sections of the elevations give the appearance that the stadium has simply been placed on a generic site, and is not a piece of architecture designed in tandem with the surrounding public realm.

The use of trees in this maritime environment can be problematic if located in the wrong place. Historically, this environment is industrial and hard, with little or no soft landscaping. However, the emerging character is changing and, whilst there is a need to respect the heritage, there is some merit in helping to soften some of the hard landscaping as this space is now about people and not industry. However, trees should be carefully located in only a few select locations where they can provide a recognized function, such as structure to a corridor or route, rather than just to provide a soft green addition to an otherwise hard landscape. Lower level soft landscaping could have a role to play more widely too.



Merseytravel

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Our ref: SC/02/02/0001

Your ref: 20F/0001

Contact: Mr Steve Cook

Tel: 0151 330 1304

Email: steve.cook@merseytravel.gov.uk

Date: 30/03/2020

Dear Mr Jones

Application for Full Planning Permission in accordance with submitted drawings for the demolition of existing buildings/structures on site (listed in the schedule); remediation works; foundation/piling works; infill of the Bramley-Moore Dock, alteration to dock walls and dock isolation works with vehicular and pedestrian links above; and other associated engineering works to accommodate the development of a stadium (Use Class D2) predominantly for football use with the ability to host other events with ancillary offices (Use Class B1a); Club Shop and retail concessions (internal and external to the stadium) (Use Class A1); exhibition and conference facilities (Use Class D1); food and drink concessions (internal and external to the stadium) (Use Classes A3 / A4 / A5); betting shop concessions (Sui Generis); and associated infrastructure including: electric substation, creation of a water channel, outside broadcast compound, photo-voltaic canopy, storage areas/compound, security booth, external concourse / fan zone including performance stage, vehicular and pedestrian access and circulation areas, hard and soft landscaping (including canopies, lighting, wind mitigation structures, public art and boundary treatments), cycle parking structures and vehicle parking (external at grade and multi-storey parking) and change of use of the Hydraulic Tower structure to an exhibition / cultural centre (Use Class D1) with ancillary food and drink concession (Use Class A3), on Land at Bramley Moore Dock, Regent Road Liverpool

With reference to this planning application, which relates to proposals for the construction of a new football and entertainment stadium with associated land uses on land at Bramley Moore Dock, north Liverpool, Merseytravel would wish to offer the following comments.

Merseytravel welcomes the extensive, collaborative, structured pre-application discussions, liaison, research and planning work that has been undertaken by the applicant and their agents, in respect of this potential major development, in respect of the intended transport provisions for the proposed stadium and associated uses within the development site..

As a consequence of this work, Merseytravel is broadly supportive of the rationale adopted within the Transport Assessment accompanying the application, whereby predicted travel demand, which is based upon current travel behaviour for the Goodison Park stadium and other relevant locations and events, has been utilised to produced proposals for travel to and from the Bramley Moore Dock stadium to be managed within defined modal targets, that would be catered for by identified and quantified, specific transport provisions.

However, in order to ensure that this rationale is successfully deployed and delivered, Mersey ravel would wish to request that Liverpool City Council require the applicant and developer, to provide the all of the various transport provisions detailed within the application and associated Transport Assessment, as a fundamental condition of any planning approval, via the use of appropriate planning instruments.

Of particular concern for Merseytravel, within the requirements of the transport provision for the proposed stadium that should be secured via any planning approval are the following measures.

Firstly, the introduction of all appropriate traffic management measures and highway enhancements within the City of Liverpool, and the Metropolitan Borough of Sefton, that would be deemed necessary by these two highway Authorities, as required to ensure that all traffic likely to be generated by the proposed development would not adversely impact upon the operation of public transport services other than those on highways designated for closure or restriction within the immediate vicinity of the proposed stadium upon match or event days as defined within the application..

Secondly, the introduction of all vehicle parking restrictions, including Controlled Parking Zones, required to ensure that demand for parking close to the proposed stadium does not impact upon the operation of the public transport network. This requirement particularly relates to the operation of bus services in the North Liverpool / South Sefton area, and the operation of railway stations and rail services in a similar zone. The requirement is additionally requested to ensure that the potential for traffic that could be generated by vehicles seeking parking places associated with the proposed stadium, does not impact upon the wider strategic operation of the highway network, with potential consequent adverse results for the public transport network.

Thirdly, the provision of a shuttle bus service between Liverpool City Centre and the proposed stadium, for an appropriate time period prior to football matches and other events being staged within the proposed stadium, until an appropriate time after the conclusion of football matches and other events staged within the proposed stadium. This service should be of an appropriate scale, sufficient to ensure the efficient movement of all fans or patrons and staff who would seek to utilise this mode of access and egress between the City Centre and the proposed stadium, based upon the defined demand levels within the application, and subsequent experience once the proposed stadium is opened, should it be granted approval.

Fourthly, the provision of a shuttle bus service between Bootle Town Centre and the proposed stadium, to operate from an appropriate time period prior to football matches and other events being staged within the proposed stadium, until an appropriate time after the conclusion of football matches and other events staged within the proposed stadium. This service should be of an appropriate scale, sufficient to ensure the efficient movement of all fans or patrons and staff seeking to utilise this mode of access and egress between the Bootle Town Centre and the proposed stadium based upon the defined demand levels within the application, and subsequent experience once the proposed stadium is opened, should it be granted approval.

Within the application and accompanying Transport Assessment, the suggestion is that the proposed shuttle bus services between the proposed stadium and Liverpool City Centre, and between the proposed stadium and Bootle Town Centre would be provided upon a commercial basis by a local bus operator or operators. If these arrangements are successfully delivered, Merseytravel would regard the provisions as satisfactory.

However, in order to ensure that appropriate transport provision for the proposed stadium is secured, Merseytravel would wish to request that Liverpool City Council require the developer and operator of the proposed stadium, to fund and procure in full, the provision of appropriate shuttle bus services, between the proposed stadium and Liverpool City Centre, and between the proposed stadium and Bootle Town Centre, in the event of these services not being provided on a commercial basis.

Furthermore defined periods should be set for assessing the appropriate scale and times of operation of the above services should be set by agreement with the developer and operator of the proposed stadium, Liverpool City Council and Merseytravel.

Fifthly, the provision of funding for an appropriate queue management 'corralling' system and passenger holding area, at Sandhills Merseyrail Station, to be employed on football match days and dates when other significant events are held within the proposed stadium. This facility at all other times needs to be suitable for use as a bus-rail interchange area, a function that would also play an important role in providing public transport links to the proposed new stadium on non-match (or major event) days.

Sixthly, a suitable financial contribution towards the construction of the bus-rail interchange facility at Sandhills Station, given the role that this dual use area would fulfil in terms of bus-rail interchange functions for the proposed new stadium, on non-match (or major event) days

Seventhly, a suitable financial contribution towards the operation of a proposed 'Northern Docks Regeneration Area' bus service, for a period of no less than five years from the opening of the proposed stadium. This service would be designed to meet the needs of the principal regeneration initiatives located between Liverpool

City Centre and Sandhills Station, by offering suitable bus links between these two destinations and the relevant regeneration sites. In view of the non-match (or major event) day uses, cited for the proposed stadium, there will clearly be a requirement for an appropriate bus service to serve the proposed stadium site on these days, and as such the proposed stadium would qualify as a significant regeneration site that should support the proposed 'Northern Docks Regeneration Area' bus service.

Eighthly, the securing of the provision of an appropriate City Centre terminal facility for all match day, and major event day, bus services. The significant changes to highway layouts and uses within Liverpool City Centre, that are currently being undertaken as part of the Liverpool City Council 'Connectivity Plan', will need to be taken into consideration in satisfying this requirement. To this effect this requirement should therefore be subject to agreement with Liverpool City Council Highways Department and Merseytravel. The facility should be at a suitable location, and capable of handling the volume of pre-match (or event) and post-match (or event) passenger and bus traffic as outlined in the application, without causing disruption to other City Centre users, at all times when this facility is likely to be in use.

Ninthly, the provision of adequate taxi, and private-hire car, parking and management facilities, as set out within the application, for all potential match or major event dates, to ensure this mode of travel could be fully utilised without impacting on other movements.

Tenthly, the provision of adequate coach parking and management arrangements, as set out in the application for all potential match or major event dates, to ensure this mode of travel could also be fully utilised without impacting on other movements.

It should be noted that experience with non-football major events at all of the Liverpool City Region stadia, has indicated that demand for taxi, coach, car-parking, and vehicle based 'pick-up and drop-off' facilities, can vary considerably for non-football major events, and this factor needs to be accounted for in the Transport Plan for the proposed stadium.

Eleventh, the full provision of the walking and cycling facilities and measures to promote and accommodate these modes, as set out in the application.

Twelfthly, the provision of priority disabled car parking and appropriate vehicle access for disabled 'pick-up and drop off' movements, as set out in the application together with suitable provision within the match day (or event day) transport arrangements for the Merseylink service. Additionally, suitable provision for Merseytravel Merseylink Dial-a-ride vehicles within the proposed stadium's highway layout, on non-match (or major event) dates, to allow this service and other similar demand responsive provisions, to gain close access to all relevant building entrances and exits at these times.

To support the above provisions, Merseytravel welcomes the inclusion of draft Travel Plans within the application materials, and in order to ensure that the aspirations of the application in this area are delivered, Merseytravel would wish to request that Liverpool City Council require the applicant and developer to finalise and implement a full suite of Travel Plans for all uses and users of the proposed stadium and for all employees likely to be located at the proposed stadium site. These Plans should satisfy any reasonable requirements as set out by Liverpool City Council, and should be subject to regular audit by Liverpool City Council, a process that should be fully funded by the developer and any future operator of the proposed stadium.

Additionally, given the intention to include at least 481 car parking spaces within the proposed stadium site, with specific regard to non-match day (or major event day) operations and uses at the proposed stadium, Merseytravel would wish to be request that Liverpool City Council require the applicant and developer to implement all highway measures or enhancements that Liverpool City Council would define as necessary to ensure that all traffic likely to be generated by the proposed stadium on non-match days (or major event days), could be accommodated within the local highway network, without resulting in congestion that could impede the passage of bus services on Regent Road, Waterloo Road, Vauxhall Road, Scotland Road, Great Howard Street or in the wider surrounding areas.

Merseytravel also recognises that the current application seeks to make optimal use of the rail network for match-day (and other major event day) traffic, within the confines of the network, in terms of infrastructure and rolling- stock, as this is presently predicted to be operational in 2023, with the addition of defined improvements as set out in the application, most particularly at Sandhills Station.

However, it is the view Merseyrail Electrics Ltd, Network Rail and Merseytravel, that further enhancements to Sandhills Station, and other associated key elements of the rail network, subsequent to 2023, could be made which would result in greater use of rail travel to be made, for the efficient movement of match day (and other major event day) passenger traffic. Consequently Merseytravel would wish to request that Liverpool City Council require the applicant and developer to continue appropriate collaboration with the Rail Industry and Merseytravel, on suitable means for enhancing potential rail travel to and from the proposed stadium, beyond the provisions currently set out for delivery for 2023, for a period of no less than five years thereafter.

I trust that the above comments clarify Merseytravel's views in respect of this major planning application, and Merseytravel would not wish to see the application approved until all of the above points have been appropriately addressed. However, should you require any clarification of Merseytravel's comments, or further information or assistance from ourselves on the application, please do not hesitate to contact us.

Yours sincerely

Steve Cook
Forward Planning Officer

Colin Chong
Stadium Development Director
Everton Stadium Development Limited

By email

17 December 2019

Dear Colin,

**Re: Stadium at Bramley-Moore Dock by Meis Architects
Regent Road, Liverpool – 10 December 2019 at 103 RIBA North**

Thank you for bringing this scheme to Places Matter Design Review and for the very clear presentation of your proposals given by the design team headed by Meis Architects.

The site is the Bramley-Moore Dock (BMD), within the northern part of the Stanley Dock Conservation Area and Liverpool Maritime Mercantile World Heritage Site (WHS). There are a number of Grade II Listed Buildings within the site, including the dock retaining walls, the hydraulic engine house and the main dock boundary wall.

The proposal is for a c.52,000 seat stadium, multi-storey car park, public realm, riverside walkway and cultural centre within the hydraulic engine house. Three new openings in the Regent Road dock wall are envisaged to allow safe pedestrian access to the eastern plaza from Regent Road. A surface car park, with PV canopy, is proposed on the western side of the stadium.

The development envisages the infilling of the dock to create a c.8.7ha site, with the stadium structure spanning the dock walls to allow these to remain intact. The proposition has been the subject of two stage public consultation and roadshow from 2018.

Panel Member Mike Hayes noted his lifelong support for Everton FC as a declaration of interest.

Design Review

The Panel thanked you for the comprehensive information pack and presentation materials. It was noted that the Design Review had been requested at a very late stage in the process for planning submission, which is due before the end of December 2019. However, the Panel acknowledged the comments by the Liverpool City planning officer, which suggested

that this would not be a straightforward application and there would be time for negotiated changes as part of the application process.

The Panel is supportive of the notion of a stadium development in the north of the city and the potential wider regeneration benefits that this could bring to this area.

The Panel felt that the key issue still to be resolved is how you will justify taking away the 'outstanding universal value' of the open water in the dock system. As presented, the Panel did not feel that you have yet made the necessary wholly exceptional case argument needed for this.

The proposition as presented is silent on the connections to the east and the placemaking opportunities that this presents. This needs to be addressed quickly as you are completely underplaying the connectivity to the wider area in terms of transport linkages and regeneration in areas such as 'Ten Streets'.

The potential to make Blackstone Street (A5054) a "grand entrance" to the site needs to be worked up as part of your wider vision for the whole area, even if you are not responsible for delivering this element of the area's vision. To this end, you are encouraged to explore well outside the 'red-line' of your application and to show the positive impact on the wider area in the long term.

The wider placemaking and regeneration benefits will be a key part of making the case for this development and so they need to be shown and designed now, to create the sense of arrival and connectivity needed. The 'making of the place' will be very important in your justification for impacts on the WHS. You were urged to get a strong agreement with the City to provide a hook on how wider benefits can be delivered to take the place forward.

The proposed surface car park and PV canopy on the western side of the stadium were felt to be a "really wasted opportunity". This is a really important place to allow the public the chance to almost touch the river and to enjoy the views of the bay and the opposite bank. You were asked to consider making this area a public park and key point on the riverside walkway. This would give something back to the City and allow people the chance to really know where they are in relation to the river. The walkway itself should follow the route of the river to the western plaza / public park and then along the southern elevation to the eastern plaza and cultural centre, even if the public park proposition cannot be delivered. You said that wind turbines as a means of power generation had not been received favourably by those considering the WHS. That is not the Panel's view. There are already adjacent turbines and the Panel is concerned about the visual impact of the PV roof.

The Panel was supportive of the proposed cultural centre, which it felt was a very bold and welcome move. Connecting this to the riverside walkway along the southern face of the stadium will allow views over Nelson Dock whilst this remains in open water and to the City beyond. You need to show how that area might change, even though the precise plans are not formed yet. Its residential use in future and the loss of more open water will clearly be a

risk to the WHS and so the cumulative transformative effect of these proposals has to be clearly shown, if an exceptional case is to be made to allow them.

There was a sense that this could be the most significant intervention since the 'Three Graces' and so you cannot afford to undersell any element of this proposal. Your ambition for the home stand was compared with the success of that at the new White Hart Lane. The larger south facing glazed window is a fantastic opportunity, but this seems to be underplayed for fans, who appear to only have direct access to a narrow projecting "bird's beak". You were encouraged to look again at how you can make more of this element of the proposition and avoid any sense that you might be "turning your backs" on one of the best aspects.

The Panel discussed the experience of the space surrounding Camp Nou, Barcelona and the way in which this welcomes and provides opportunities for fans and visitors on non-match days alike. You should be seeking to create a similarly convivial place with your public realm and cultural centre, in a manner which allows the scale and ambition to embrace non-football visitors. Having said that, the Panel applauded your approach to creating a four-sided stadium.

The notional restriction on height was discussed. You were asked to ensure that your functionality is in no way compromised by the notion that this building should not exceed the height of the Tobacco Warehouse, as the Panel feels that is a 'red herring'. People view buildings in 3D and not in section and so the relative heights were not considered an issue in this respect. How they might impact on wider City views or from the Wirral across river view was not shown in any of your drawings and this must be part of the final planning submission and should have been an important tool and component of your design development.

The Panel felt that you had a very clear diagram, for your approach to a grounded base and a contemporary roof. However, the brick piers of the stadium were not considered to be a convincing element and overall the Panel felt you have too many ingredients and layers at play. You were asked to consider how you might give this a calmer feel and make the brick a real strength. The Panel suggested that reducing the ingredients might make it more affordable, more easy to identify with and more like the diagram.

The articulation between the brick podium and the roof elements and how you maintain the separation between these was discussed. This will be an important element of the iconography of the building and you must maintain the more organic element resting on the podium approach. There is clearly an ambition to make this unique to its place, for example through the larger windows to the end stands, and you were commended for this.

The western side of the building though was not felt to be fully resolved and is just not working hard enough, given its position next to the river. You were cautioned about the potentially poor environment of the undercroft, a bad feature of Old Trafford for example, as this is also an arrival point for away teams. At present, there is a feeling that the western

side is presenting itself as the back of the building and whilst we understand that is not your intention, you must do more to avoid this.

The Panel felt that there was an impression that there had been insufficient working between the stadium designs and those for the public realm. The building needs to be designed in a manner that embraces the landscape, through more collaboration, for example in the way that elements of the building are brought to the public realm.

There was much discussion about the loss of water and the potential to retain this on the site. Your notions of 'designed artificial' water were not felt to be convincing and you should explore the potential for water to occupy the dock space and people to be able to walk on top of that on metal grilles, for example, to really retain the sense of the place that historically has always had water. If the water-inspired concrete paving prevails, it is essential that you agree your concrete samples now with the planning authority and that there is confidence that material and workmanship quality can be assured.

The Panel did not feel that this was a place for trees. The harsh, windy environment and potentially brackish ground water would not be conducive to tree growth and the intense use of grasses was preferred. You must avoid the potential for 'clutter' in the eastern plaza particularly. You were asked to produce a design guide note to identify what would be acceptable temporary uses and objects in this space. Any introduction of public art will require the involvement of a public artist. There is a need for a fundamental rethink on the landscape proposals.

The lighting of the stadium will be very important, especially on match days and night. There must be a fully considered strategy for this and for the lighting within the public realm. The Panel noted the positive drama that is produced through lighting at the Allianz Arena, Munich in this respect.

Your strategy for naming rights and signage will need to account for how visitors to conference and for other non match postposes can clearly navigate the stadium.

In summary, you were thanked for bringing this scheme to the Panel, despite the very late stage in the process, as an earlier intervention would have given you more time to consider our comments. The Panel was supportive of your overall approach, but the building would benefit from simplification and the western elevation needs further work, so you were urged to get closer to your original diagram. The articulation between the podium and roof will be a critical element and you were asked to look carefully at the undercroft.

The public realm has much more to offer and needs more work. The opportunity for a public park on the western side and re-route of the riverside walkway were both discussed. You must consider the potential for Blackstone Street to be a "grand entrance" - perhaps making this a place for trees, alongside the wider connectivity and matters outside of your 'red-line'.

You have not yet fully made a wholly exceptional case argument and your heritage and contextual issues need to be strengthened. There are major regeneration benefits to be made from this development and you must illustrate the longer and wider views of the stadium.

A final point – the Panel urged the design team to really own the final solution and not to let the challenges default you in to meeting everyone else's views or constraints.

The Panel thanked you for your active participation in the review process. We hope that these comments can be acted upon even at this late stage. We have the option for Desk Review once you have refined your proposition and this might be something to consider during the discussions with the Planning Authority on some of the topics on which we have touched.

Yours sincerely,



Richard Tracey
Panel Manager
for Places Matter

Cc: Alix Craig - Everton Stadium Development Limited
Dan Meis - Meis Architects
Mario Samala - Meis Architects
Andrea Patry - Meis Architects
Danny Marsh - Planit-IE
Chris Argent - CBRE
Helen Clarkson - CBRE
Peter Jones - Liverpool City Council
Samantha Campbell - Liverpool City Council

Liverpool City Council
Development Plans Team
Municipal Buildings
Dale Street
Liverpool
Merseyside
L2 2DH

Our ref: SO/2020/120070/01-L01
Your ref: 20F/0001
Date: 04 May 2020

Dear Sir/Madam

**APPLICATION FOR FULL PLANNING PERMISSION IN ACCORDANCE WITH SUBMITTED DRAWINGS FOR THE DEMOLITION OF EXISTING BUILDINGS/STRUCTURES ON SITE (LISTED IN THE SCHEDULE); REMEDIATION WORKS; FOUNDATION/PILING WORKS; INFILL OF THE BRAMLEY-MOORE DOCK, ALTERATION TO DOCK WALLS AND DOCK ISOLATION WORKS WITH VEHICULAR AND PEDESTRIAN LINKS ABOVE; AND OTHER ASSOCIATED ENGINEERING WORKS TO ACCOMMODATE THE DEVELOPMENT OF A STADIUM (USE CLASS D2) PREDOMINANTLY FOR FOOTBALL USE WITH THE ABILITY TO HOST OTHER EVENTS WITH ANCILLARY OFFICES (USE CLASS B1A); CLUB SHOP AND RETAIL CONCESSIONS (INTERNAL AND EXTERNAL TO THE STADIUM) (USE CLASS A1); EXHIBITION AND CONFERENCE FACILITIES (USE CLASS D1); FOOD AND DRINK CONCESSIONS (INTERNAL AND EXTERNAL TO THE STADIUM) (USE CLASSES A3 / A4 / A5); BETTING SHOP CONCESSIONS (SUI GENERIS); AND ASSOCIATED INFRASTRUCTURE INCLUDING: ELECTRIC SUBSTATION, CREATION OF A WATER CHANNEL, OUTSIDE BROADCAST COMPOUND, PHOTO-VOLTAIC CANOPY, STORAGE AREAS/COMPOUND, SECURITY BOOTH, EXTERNAL CONCOURSE / FAN ZONE INCLUDING PERFORMANCE STAGE, VEHICULAR AND PEDESTRIAN ACCESS AND CIRCULATION AREAS, HARD AND SOFT LANDSCAPING (INCLUDING CANOPIES, LIGHTING, WIND MITIGATION STRUCTURES, PUBLIC ART AND BOUNDARY TREATMENTS), CYCLE PARKING STRUCTURES AND VEHICLE PARKING (EXTERNAL AT GRADE AND MULTI-STOREY PARKING) AND CHANGE OF USE OF THE HYDRAULIC TOWER STRUCTURE TO AN EXHIBITION / CULTURAL CENTRE (USE CLASS D1) WITH ANCILLARY FOOD AND DRINK CONCESSION (USE CLASS A3).
BRAMLEY-MOORE DOCK, REGENT ROAD, LIVERPOOL**

Thank you for referring the above application to the Environment Agency.

Environment Agency position

We have no objection in principle to the proposed development, but would wish to make the following comments.

Biodiversity

Biosecurity plan

Invasive non-native species have a negative impact on native species and habitats and they cost the British economy approximately £1.7 billion per year. The spread of certain invasive non-native species is prohibited under Schedule 9 of the Wildlife & Countryside Act 1981.

It is important invasive non-native species are not spread around the proposed development site or to other locations. It is important they are not brought on to the site or transported off site, for example on equipment or Personal Protective Equipment.

Reason

To prevent the spread of invasive non-native species. Without it, avoidable damage could be caused to the nature conservation value of the site contrary to national planning policy as set out in the National Planning Policy Framework paragraph 109, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

Fisheries

The infill Methodology states (S2.2), "*It is necessary to rake the dock deposits in advance of the dock infilling (but after the first fish removal has been undertaken)*".

Removal of the fish without dewatering will be difficult and so, as noted in the Water Framework Directive (WFD) final document, it is inevitable some fish will be present during infill. As such a route for fish to leave the dock and relocate to a neighbouring dock should be made available.

Condition

Prior to the development no raking and infilling of Bramley Moore Dock should commence until a fish rescue plan that details how fish will be protected, has been submitted to and approved in writing by the Local Authority. The works shall be carried out in accordance with the approved fish rescue plan.

Reason

To ensure the safety of the fish and protect the environment

The WFD final document notes on page 54 that:

“The dredged material will be fluidised with water from the River Mersey, which should be subject to an abstraction licence with consideration given to the seasonal occurrence of migratory species such as European eel”

This is correct and the abstraction will require physical screening to 2mm aperture size in the spring and summer, and 8mm in the autumn and winter. It is likely this will be conditioned on the abstraction licence.

Floating islands would improve the biodiversity and fish friendliness of the canal. This is something the developer needs to consider.

Flood Risk

The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Condition

The development shall be carried out in accordance with the submitted flood risk assessment (ref: 040026 Revision 06 dated 20th December 2019).

Reason

To reduce the risk of flooding to the proposed development.

Contaminated Land

We have reviewed the following reports in the context of the wider Environmental Statement report by CBRE:

- Phase 1 Desk Study by Burohappold Engineering Ltd (dated Dec. 2019)
- GeoEnvironmental Interpretative Report by Burohappold Engineering Ltd (dated Nov. 2019)
- Dock Infill Methodology for Planning Documentation by Burohappold Engineering Ltd (dated Dec. 2019), and a
- Construction Methodology report by Lang O'Rourke Ltd dated Dec. 2019.

We are aware the proposed development site is located in an Environmentally Sensitive location being above a Principal Aquifer and immediately adjacent to the River Mersey Estuary. The historic land use as dock facilities dating back over 150 years have introduced elevated concentrations of contamination to the ground and local shallow groundwater that could pose a risk to the aquatic environment if left unaddressed.

Whilst we recognise the importance of this proposed development, we also recognise the local importance of the aquatic environment at this place and the contribution it makes to the local community heritage.

As such where elevated concentrations of contamination have been identified, these should be delineated properly and suitably remediated to lessen or remove the risk of subsequent future contamination of the aquatic environment.

We also have concerns regarding the contamination concentrations of the dock deposits within the current Bramley-Moor dock and the proposed scheme to keep them in situ may not be adequate as the Principal Aquifer is at or about the same level of these deposits and therefore in likely continuity.

Whilst we do not have any concerns to these sediments remaining in situ we feel more assessment work is required to ensure their continued location is assessed as being suitable.

The National Planning Policy Framework (NPPF) paragraph 170 states the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 178(c)).

We consider planning permission could be granted to the proposed development as submitted if the following planning condition is included as set out below. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we may object to the application.

Condition

No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. Where necessary additional site investigation, based on the information already submitted, to provide further information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason

For the ongoing protection of the Water Environment from risks arising from land contamination.

Condition

No infiltration of surface water drainage into the ground where land contamination is known or suspected to be present is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason

For the ongoing protection of the Water Environment from risks arising from land contamination.

Condition

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason

For the future protection of the Water Environment from risks arising from land contamination.

Condition

Prior to the commencement of works associated with the deposits at the base of the Bramley-Moore Dock, the following shall be submitted to the local planning authority:

1. A suitable and detailed assessment of risks associated with these deposits;
2. Where necessary a suitable remediation strategy to deal with unacceptable risks;
3. A verification plan to show the success of the remediation strategy as implemented.

Reason

To ensure that any dock deposits that are left in place at the base of the current dock feature do not pose an unacceptable risk to the water environment now or in the future.

Condition

Prior to any part of the permitted development/each phase of development being occupied/brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reasons

For the future protection of the Water Environment from risks arising from land contamination.

Advice to applicant

Model Procedures and good practice

Due to the former land use(s), soil and /or groundwater contamination may exist at the site and the associated risks to controlled waters should be addressed by:

We recommend developers should:

- Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information

All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and in accordance with BS 10175 (2001) Code of practice for the investigation of potentially contaminated sites. The competent person would normally be expected to be chartered member of an appropriate body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites. The Specialist in Land Condition (SiLC) qualification administered by the Institution of Environmental Management provides an accredited status for those responsible for signing off LCR's. For further information see - www.silc.org.uk

Where the remediation / redevelopment of the site will involve waste management issues we offer the following advice:

Waste on-site

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

We recommend developers should refer to:

- The position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

Waste to be taken off-site

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with us as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

Piling and Penetrative ground improvement methods

Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

Advice to the Applicant

The applicant has assessed the risks to water quality during construction and must implement the controls they have highlighted. These should be secured in a CEMP and their effectiveness reviewed regularly when construction is underway.

The dewatering and discharge activities associated with this development will require an Environmental Permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency, unless an exemption applies.

The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that there is no guarantee that a permit will be granted. Additional 'Environmental Permitting Guidance' can be found at: <https://www.gov.uk/environmental-permit-check-if-you-need-one>.

If waste is to be used on site, the applicant will need to ensure they can comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities. Meeting these criteria means the material is not waste and permitting requirements do not apply.

Where the applicant cannot meet the criteria, they will be required to obtain the appropriate waste permit or exemption from us. A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) of WFD as:

- Any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.
- We have produced guidance on the recovery test which can be viewed as (insert <https://www.gov.uk/guidance/waste-recovery-plans-and-permits#waste-recovery-activities>)
- You can find more information on the Waste Framework Directive here: <https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive>

More information on the definition of waste can be found here:
<https://www.gov.uk/government/publications/legal-definition-of-waste-guidance>

More information on the use of waste in exempt activities can be found here:
<https://www.gov.uk/government/collections/waste-exemptions-using-waste>

Non-waste activities are not regulated by us (i.e. activities carried out under the CL:ARE Code of Practice), however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the Waste Framework Directive). The 'Is it waste' tool, allows you to make an assessment and can be found here:

<https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-by-products-and-end-of-waste-tests>

We are keen to work with you in resolving any of the above issues, should you wish us to undertake a detailed review of your reports or want further advice to address the above issues, and we can do this as part of our charged service.

Further engagement at the pre-application stage can speed up the formal planning application process and provide you with certainty as to what our response to your planning application will be. It should also result in a better quality and more environmentally sensitive development. As part of our charged for service we will provide a dedicated project manager to act as a single point of contact to help resolve any problems.

We currently charge £100 per hour (VAT). We will provide you with an estimated cost for any further discussions or review of documents.

The terms and conditions of our charged for service are available upon request and we recommend that you contact the area Sustainable Places team at the following email address SPPlanning.RFH@environment-agency.gov.uk

Please send me a copy of the decision notice and forward a copy of this letter to the applicant.

Yours faithfully

Mrs SYLVIA WHITTINGHAM
Planning Advisor

Direct dial 0203 0251059

Direct e-mail sylvia.whittingham@environment-agency.gov.uk



Historic England

Peter Jones
Liverpool City Council
4th Floor Cunard Building
Water Street
Liverpool
L3 1DS

Your ref:
20F/0001

Telephone
07917068164

18 May 2020

Dear Peter

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**BRAMLEY-MOORE DOCK, REGENT ROAD, LIVERPOOL
Application No. 20F/0001**

Thank you for your letter of 20 February 2020 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

SUMMARY

Liverpool's docks were the heart of the city and the principal source of its spectacular wealth. In 1844 five new docks, the Stanley Dock complex, were built in one phase, creating a sequence of inter-connecting basins designed by renowned dock engineer Jesse Hartley. This was the pinnacle of 19th century dock design and cargo-handling and influenced ports around the globe. The Grade II listed Bramley Moore Dock, the largest of the five docks, was built for use by the largest steamers of the time.

The Stanley Dock group forms a critical component of Liverpool's mercantile history, and is a key area and principal attribute of the Outstanding Universal Value of the Liverpool Maritime Mercantile City World Heritage Site, sustaining a very high level of integrity and authenticity; the management of the World Heritage Site is a very important consideration.

The application is for full planning permission to construct a new football stadium for Everton Football Club. Football has always formed a defining part of Liverpool's identity and is undoubtedly a key part of the city's unique and fascinating history, and Historic England acknowledges Everton Football Club's desire to relocate from Goodison Park to create a state of the art facility that reflects the club's status and history. It has been clear throughout our discussions with the Club that part of the draw of Bramley Moore Dock is its exceptional context, and that there is a strong desire to build a new stadium that is sensitive to its surroundings and of a standard of design respectful of its context.



Historic England, Suite 3.3, Canada House, 3 Chepstow Street, Manchester M1 5FW
Telephone 0161 242 1416 HistoricEngland.org.uk

Please note that Historic England operates an access to information policy.
Correspondence or information which you send us may therefore become publicly available.





However, we consider that the proposal would result in substantial harm to the significance of the Grade II listed Bramley Moore Dock, through its infilling, and cause a very large harmful impact to a World Heritage Site, an asset of the highest (international) significance, the values of which the UK Government has committed to conserve, protect and explain. It is identified by UNESCO's World Heritage Committee as being in danger of being lost due to developments, which the Committee regards as harmful, being permitted.

It is for these reasons that Historic England advises that this application should be refused, unless the decision-maker concludes that the proposal is necessary to secure substantial public benefits which would outweigh the substantial harm to Bramley Moore dock and the harm to the World Heritage Site which the proposals would cause. In view of the implications of the proposals for the World Heritage Site we also consider that this application should be determined by the Secretary of State, and we shall ask that it be called in for his determination.

SIGNIFICANCE

Football has always formed a defining part of Liverpool's identity and whilst not a designated heritage asset, it is undoubtedly a key part of the city's unique and fascinating history. Its ties to the city's port are strong. In mid-19th century the unsanitary living conditions of the working classes in cities like Liverpool were a national scandal; Stanley Park in Everton was built as part of the Corporation of Liverpool's response. It was designed for the whole public and given the name the 'People's Park' as two thirds of the park was laid out as pitches for ball games.

When in 1880 the dock workers were granted Saturday afternoon off, many spent it playing football at Stanley Park, and the group from the St. Domingo Methodist Church became one of the most successful; playing their first game as Everton Football Club in 1879. The club then went on to be a founding member of the Football League.

Liverpool's docks were the heart of the city and the principal source of its spectacular wealth. It was a port of global influence, which played a fundamental role in the transportation of both goods and people across the world from the mid-18th century onwards.

In 1844 a Dock Act authorised the construction of five new docks, the Stanley Dock complex, which were all built in one phase, creating a sequence of inter-connecting basins designed by renowned dock engineer Jesse Hartley. This was the pinnacle of 19th century dock design and cargo-handling, and influenced ports around the globe. The complex demonstrates Liverpool's supreme confidence in its global trading position, reflected in the financing of such a massive venture. Whilst other areas of Liverpool Docks are better known, the Stanley Dock complex is the area which best defines the city's contribution to port design and operation in the 19th century.

The scale of the dock basins created by the construction of the Stanley Dock group was vast and was matched by huge, linear, richly coloured brick warehouses, designed to store and control vast quantities of high value goods. The Grade II listed Tobacco Warehouse soars over the surroundings, clearly demarking and characterising the northern docks. Another defining feature of the area is the Grade II listed granite Dock Boundary Wall, which is great in length and broken up by whimsical turrets, marking the entrance to each dock. The turrets strengthen the character of the wall as a boundary, controlling goods in and out of the docks, but also demonstrate Hartley's appreciation for good design and the Dock Trustees' ability to fund it.





The architectural and historic interest of the Stanley Dock area is recognised in its designation as a conservation area, which includes other structures which are distinctively of Liverpool and a key part of the dock function.

The Grade II listed Bramley Moore Dock, the largest of the five docks, was built for use by the largest steamers of the time and was thinner and longer to accommodate them. However, the steamships soon became too big for the dock and in the 1850s it was adapted to load coal from trains to boats. This displays the alterations and adaptations made to the docks as ships and technology advanced rapidly in the mid-19th century.

The Stanley Dock group forms a critical component of Liverpool's mercantile history, and is a key area, which expresses a principal attribute of the Outstanding Universal Value of the World Heritage Site. The group represents not only Hartley's largest single undertaking in Liverpool, but also remains as one of the most complete of his dock complexes and therefore sustains a very high level of integrity and authenticity.

Since the property's inscription in 2004, the overall condition of the World Heritage Site has improved dramatically. However, it was placed on the List of World Heritage in Danger in 2012 due to UNESCO's concerns with the Liverpool Waters outline planning permission, which sought to redevelop the northern docks as a mixed use scheme, including residential units on the quayside around Bramley Moore Dock. The management of the World Heritage Site is a very important consideration, particularly in light of its position on the UNESCO World Heritage Committee's List of World Heritage in Danger and the explicit reference in the 2019 Committee decision to 'potential deletion from the World Heritage List' if the Committee's advice is not followed.

Liverpool continues to be a nationally significant port, receiving large volumes of goods into Peel Ports' docks to the very north of the city, able to handle the massive container ships now the focus of mercantile shipping. These advances in maritime practice have rendered the historic docks unused from the mid-20th century onwards and the once thriving docks and surrounding industrial areas have fallen into notable decline. This has not only impacted on the condition of the built environment, but North Liverpool is identified as suffering one of the highest levels of deprivation in the country.

IMPACT

The application is for full planning permission to construct a new football stadium for Everton Football Club. To allow its construction, permission is sought to largely infill the Grade II listed Bramley Moore Dock with river sand; the created area not covered by the stadium would then become an external concourse/fan zone, to which pedestrian access would be through a series of openings created in the Grade II listed Dock Boundary Wall. The currently vacant Hydraulic Accumulator Tower would also be repaired and converted to an exhibition centre.

Historic England acknowledges Everton Football Club's desire to relocate from Goodison Park to create a state of the art facility that reflects the club's status and history. It has been clear throughout our discussions with the Club that part of the draw of Bramley Moore Dock is its exceptional context and that there is a strong aspiration to build a new stadium that is sensitive to its surroundings and of a standard of design respectful of its context, a principle which we have supported. The Club is also committed to use the new stadium to catalyse much needed social and economic change to the area around both Goodison Park and Bramley Moore Dock.





We are also sensitive to the opportunities presented by the area around Bramley Moore Dock, which is well-placed for regeneration due to its fantastic built heritage and proximity to the city centre. It already boasts one of the city's most successful heritage-led regeneration schemes, the Titanic Hotel, and the conversion of the vast Grade II listed Tobacco Warehouse to apartments will lead to the repair of a landmark building which stood largely empty for years and bring a new vitality to an area which has been in notable decline.

The Proposed Development

In response to its surroundings the body of the proposed stadium would be constructed of handmade brick piers, arranged to give the impression of a single linear mass, but interspersed with mesh to create a lighter structure, referencing the form of the brick warehouses synonymous with the city's docks, in particular the rhythm of the Tobacco Warehouse. The elevations would have Goodison Park stadium's distinctive 'Archibald Leitch lattice' picked out in contrasting brick as aesthetic and emotional links with the original historic stadium.

The roof structure has been designed with a softer, curvilinear form to be constructed of metal, creating something different from anything elsewhere in the docks. Football stadiums are significant public buildings in any city and their status should rightly be reflected in their design and form.

The hard landscaping around the stadium looks to retain and reuse many of the artefacts associated with the dock, including capstans and railway tracks, whilst the extent of the dock would be highlighted in the paving. A water channel would be retained between the existing lock gates which link Bramley Moore to the surrounding docks with the aim of retaining a sense of the connectivity of the docks. While this would be a positive response to one of the issues created by the proposed infilling, this would provide a level of mitigation to the harm caused by the dock's infilling.

From our on-going and positive relationship with the Club and its architects, we are aware that there are certain aspects of the stadium design which continue to evolve and will be subject to additional review in the upcoming weeks. We will continue to work with the Club on these changes as the design develops.

Notwithstanding the current design, or amendments, Bramley Moore Dock would require infilling to allow the construction of the stadium with implications for both the listed dock and the Stanley Dock Conservation Area, as well as the Liverpool Maritime Mercantile City World Heritage Site. We have considered the impact on each asset below: -

Bramley Moore Dock

The application seeks to drain the Grade II listed Bramley Moore Dock (which was a working dock until last year) protect the majority of the dock retaining walls with a membrane and then infill the basin with river sand. The western end of the dock, between the existing lock gates, would remain as a water channel to given an impression of the historic connectivity of the docks. The stadium would then be built over the top of the retaining walls, to be left in-situ, using the capping stones -where visible - to demarcate the shape of the dock in the surrounding hard landscaping.

Hartley's dock retaining walls are famous for their durability in retaining water, due to the construction methods he developed as Dock Engineer. This stability was a great advantage to Liverpool, as it allowed the port to work at a higher capacity when the quick turnaround of





cargo was critical to success. The loss of the water from the basin by infilling would dramatically reduce the ability to understand the construction form developed by the highly influential dock engineer to address a specific issue, which would have a detrimental impact on the significance of the asset.

The infilling of the dock & construction of the stadium would also significantly reduce the ability to appreciate the shape and form of the dock, fundamental to its significance as a dock specifically built for steam ships, in the early years of their use and which required different cargo handling procedures. Bramley Moore's design reflected Liverpool's foresight in adapting to new technologies, which supported its global dominance.

Whilst not the most important aspect of the asset, it is clear throughout the whole dock estate, that Hartley looked for function and beauty in his structures, and the attractive granite retaining walls, with Hartley's distinctive stone coursing would no longer be visible, masking their aesthetic value.

In conclusion, whilst the physical asset would be kept as part of the proposal, the purpose of the retaining walls is to form a water-filled basin, and infilling of the basin with sand would lead to the loss of the essence of the dock's character and total loss of their original purpose, and therefore integrity. These works would have a very considerable and harmful impact on the Bramley Moore Dock and would cause substantial harm to the dock's significance.

Dock Boundary Wall

In order to allow significant numbers of people to access the site on match days, it is proposed to create three groups of four openings through the Grade II listed Dock Boundary Wall. During the construction phase these three openings would be full height, but deep lintels would be reinstated to create punched openings, framed in metal.

The regeneration of historically defended spaces anywhere raises the challenge of balancing the need to tell the story of that place alongside providing welcoming access to new communities. It is possible to allow access, both visual and physical, through such boundaries whilst retaining a strong sense of the previous uses and requirements, and even making the most of such a distinctive feature in the townscape. The wall was built to control the movement of people into the docks, not to totally prevent it, as the historic port function was hugely labour-intensive and would have been bustling with activity. Care must however be taken over the number, size and detail of openings.

The impact of the proposed openings on the Dock Boundary Wall, a key feature of the World Heritage Site, would be great as it would affect the ability to understand its function as a controlled boundary. However, as the wall is so long its character as a defensible boundary would remain strongly evident elsewhere on the asset, and we consider the impact of the openings would cause a modest level of harm, but to an asset which carries heightened significance as part of the Outstanding Universal Value of the World Heritage Site.

Hydraulic Accumulator Tower

The Hydraulic Accumulator Tower, currently vacant and in poor condition, would be repaired as part of the proposal, to be used as an exhibition centre. The repair and reuse is a positive of the application and would provide a heritage benefit, however the loss of the dock basin it was built to provide power to for the opening locks etc, together with the construction of the stadium, would impact on the contribution setting makes to the asset's significance, causing





minor harm. The heritage benefit and minor harm to this asset would balance each other out.

Stanley Dock Conservation Area

The loss of the ability to read Bramley Moore Dock as one of the five water-filled basins would impact on the ability to appreciate the historic importance of this complex, both from significance derived as part of a group which reflected Liverpool's global dominance in maritime trade, but also the understanding of the connectivity which was a key feature of Liverpool's innovative dock system and which helped to sustain its global position. This impact would itself cause a very high level of harm to the significance of the conservation area.

The scale and visual prominence of the stadium would impact on the overall character of the area which has historically been dominated by the monumental Tobacco Warehouse; whilst the Victoria Clock Tower would be less evident in views to the area from across the River Mersey. These impacts would contribute to a very high level of harm to the significance of the Stanley Dock conservation area.

Liverpool Maritime Mercantile City World Heritage Site

The Stanley Dock Conservation Area is identified as one of six character areas which together comprise the WHS. The area demonstrates some key attributes of 'Outstanding Universal Value' including innovative technologies and methods in dock construction and port management in the 18th, 19th and early 20th centuries, as well as representing the early development of global trading and cultural connections throughout the British Empire. As such the Stanley Dock Conservation Area is of very high value to the World Heritage Site and furthermore contains buildings which, individually, are also of very high value.

The harm to the character of the Stanley Docks conservation area set out above would therefore result in a considerable, and harmful, impact on the World Heritage Site, when assessed in line with the ICOMOS Guidance on Heritage Impact Assessments for Cultural World Heritage Properties.

The guidance requires that the scale and severity of impacts on individual attributes, as well as Outstanding Universal Value as a whole, should be assessed, and that the significance of individual heritage assets which contribute towards attributes of Outstanding Universal Value should also be taken into account. In this case the proposed change to the Stanley Dock Conservation Area would be moderate in scale and severity, in a scale that runs from no change, negligible, minor, moderate to major. In view of the significance of the contribution which the conservation area makes to the key attributes of Outstanding Universal Value summarised above, the scale and severity of the proposed change would have a 'large/very large' harmful impact on the Liverpool Maritime Mercantile City World Heritage Site, as defined using the ICOMOS matrices.

POLICY

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that the local planning authority in considering whether or not to grant listed building consent 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 66 of the Act repeats the requirement for having "special regard" when considering whether to grant planning permission.





Section 72 of the Act sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

The revised National Planning Policy Framework (NPPF) sets out in Section 16 the policy's for Conserving and enhancing the historic environment; paragraph 193 in that section states that great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. WHSs are, of course assets, of the highest significance. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

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

Paragraph 196 details 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.

Whilst paragraph 195 advises where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm.

Paragraph 200 sets out 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.

Section 12 of the NPPF details how well designed places should be achieved, including that decisions should ensure that developments will function well and add to the overall quality of the area and be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. They should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change and 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.

Paragraph 2 of the NPPF details that Planning policies and decisions must also reflect relevant international obligations and statutory requirements. The World Heritage Convention falls within the terms of this paragraph.

Liverpool City Council has a draft Local Plan into which the importance of the World Heritage Site is woven throughout, and also includes a number of policies directly related to the designation including Policy HD1 which sets out how the City Council will support proposals which conserve or, where appropriate, enhance the historic environment of Liverpool. Also 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 early 20th Centuries. There is no allocation within the draft plan for a new football stadium, but reference is made to Everton's desire to relocate to a new stadium.

Policy HD2 Liverpool Maritime Mercantile City World Heritage Site, further states that the City Council will support proposals which conserve or, where appropriate, enhance the Outstanding Universal Value of the Liverpool Maritime Mercantile City World Heritage Site. In addition to the requirements of Policy HD1 it clarifies that permission will not be granted for proposals which would have an adverse impact upon the views of the Waterfront from the River Mersey, or of the key Landmark Buildings and vistas identified in the Liverpool Maritime Mercantile City World Heritage Site SPD.

Policy CC10 Waterfront Design Requirements, which includes that development should: - '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;' as well as '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'

A further critical consideration is that in ratifying the World Heritage Convention, the Government accepted a commitment to conserve, protect, transmit and present the values of properties inscribed on the World Heritage List within the UK. Paragraph 2 of the NPPF details that Planning policies and decisions must also reflect relevant international obligations and statutory requirements, including the World Heritage Convention.

This commitment is reflected at local level by, amongst other instruments, the Liverpool World Heritage Site Supplementary Planning Document 2009 (SPD), which includes a number of policies referring to dock infill, including 4.7.2 which states: -

'The surviving docks in the World Heritage Site and Buffer Zone represent a significant part of the "biggest and most complete system of historic docks in the world" and so any development, which would compromise that globally superlative system, would need exceptional justification. The historic docks in the World Heritage Site and Buffer Zone still show a strong homogeneity of design and materials. These docks create a distinctive dockland landscape that forms an essential part of the World Heritage Site's character and Outstanding Universal Value. **It is essential that the fundamental integrity of the docks as open water spaces is retained.**' (Bold text above and in the following paragraph reflect SPD)

Section 4.7.3 states that: - 'The water bodies within these docks are fundamental to their character and historical importance. They have incredible potential to provide localised focal points of activity and provide a dramatic setting for the surrounding buildings, both new and old. They are also some of the few genuinely open spaces in these areas. **The retention of the contributions of the docks as focal points, to setting and openness is critical in both heritage conservation and urban design terms**'.

The associated World Heritage Site Management Plan was comprehensively revised and submitted to the World Heritage Centre by DCMS, acting in its capacity as State party to the World Heritage Convention, in 2017. It was agreed by the principal stakeholders represented





on the Liverpool World Heritage Site Steering Group, including the City Council. It is not a statutory document, but it does set out a change management framework based on the legislation and guidance set out above. The Change Management Framework makes a commitment “*to secure the sustainable redevelopment of the property, ensuring its Outstanding Universal Value is protected and conserved.*”

POSITION

Historic England acknowledges Everton Football Club's desire to develop a new stadium to complement both its history and its aspirations for the future. We also commend the club in the manner in which it has addressed the development of the application, seeking to engage fully with both the public and stakeholders, including Historic England as well as being sensitive to and seeking to positively address the highly significant historic area which it has identified as its preferred new home.

We also recognise the regeneration potential of the industrial landscape around Bramley Moore Dock and we share the Council's aspirations to see the area revitalised and enjoyed to its fullest potential, being a characterful area steeped in history and a key part of Liverpool's story. An improved built environment is one element of a successful regeneration scheme, which should include extensive social and economic enhancements to an area.

However, despite Everton's positive approach and the project's aim to minimise the impact of the stadium on designated assets, the proposed stadium would affect the significance of heritage assets of national importance in their own right, which also contribute positively to the Outstanding Universal Value of the World Heritage Site.

In respect of some heritage assets, the overall level of harm caused by the stadium would be neutral, as the minor harm would be balanced by the heritage benefit of reuse e.g. the Hydraulic Accumulator Tower. However the proposed development would cause substantial harm to Bramley Moore Dock and a very high level of harm to the Stanley Dock Conservation Area. The very high importance of the Stanley Dock Conservation Area to the World Heritage Site, and the 'moderate' change the stadium would result in, would lead to a 'large/very large' harmful impact to the Liverpool Maritime Mercantile City World Heritage Site as a whole.

The NPPF sets out that any harm requires a clear and convincing justification and that substantial harm to a Grade II listed building should be exceptional. As part of the evidence base provided by the club to demonstrate that there is a clear and convincing justification for the harm identified, and that the harm is necessary, they have provided an Alternative Sites Assessment to evidence that Bramley Moore Dock is the only viable location for a relocated Everton Football Stadium.

We do not think that the Alternative Sites Assessment provides sufficient justification for the selection of Bramley Moore Dock for the proposed stadium for a number of reasons. Firstly the document relies on local rather than national policy to consider sites; this has resulted in a number of sites being discounted as they are identified as public green space or employment land, while Bramley Moore, a heritage designation of the highest importance, supported by robust local policy in the World Heritage Site Supplementary Planning Document, has not been treated in this way. The hierarchy of planning policy used to undertake the assessment is therefore considered to be unconventionally weighted, as well as being inconsistently applied.





It is also not explicitly stated how a site size of 8 hectares has been established as the minimum necessary to build the stadium. We cannot be confident that 8 hectares is an appropriate minimum plot size and the potential remains that suitable smaller plots may be available, but not have been considered as part of the process.

Perhaps the most notable omission is that neither Goodison Park nor Bramley Moore Dock have been analysed as part of the Alternative Site Assessment process. It would appear that if considered against the criteria set out, Bramley Moore would not be considered favourably, falling down on a number of criteria including 'overriding site specific issues' as well as 'unacceptable environment or visual impacts'. This omission does greatly undermine the validity of the assessment.

The document is also heavily weighted towards the argument that the club should remain in North Liverpool as the focus of the club's fan base is here. We accept this is a valid consideration, recognising the importance of a sense of ownership of a football club and how much of that is derived from being part of a place. However standard planning procedure advises that this argument should be factored in at the end of the selection process, rather than shaping the whole consideration of alternative sites.

Also a number of the public benefits identified in the application relate to the associated redevelopment of the cleared Goodison Park site: these benefits, all with potential to contribute positively to the community, could be delivered if the new stadium was on a different, and potentially less harmful, site.

In determining this application, the absence of clear and convincing justification must reduce the weight to be accorded to the significant public benefits which would flow from the development. In the case of Bramley Moore Dock it also means that the test of necessity required by the NPPF, in cases in which substantial harm would be caused, does not appear to have been met.

Historic England does not attempt to judge the public benefit in such cases or to carry out the necessary balancing exercise, which is for the decision-maker. Nevertheless, we question whether even significant public benefits, which cannot be given full weight in the absence of clear and convincing justification, could outweigh substantial harm to Bramley Moore Dock and a very high level of harm to the Stanley Dock conservation area and the 'large/very large' impact on the Outstanding Universal Value of the World Heritage Site.

The NPPF sets out that when considering the impact of a proposed development 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. As an asset of global importance, the World Heritage Site is of highest significance and therefore the greatest weight should be given to its conservation. This is supported by Liverpool City Council's own policies within the Draft Local Plan and the Supplementary Planning Document, the role of which is to support the UK Government's commitment to conserve, protect, transmit and present the values of properties inscribed on the World Heritage List within the UK, and which sets out that the docks form an essential part of the World Heritage Site's character and that "It is essential that the fundamental integrity of the docks as open water spaces is retained".

The proposed development would fundamentally contradict this policy and the general approach to the conservation of the World Heritage Site set out in the document. While we acknowledge the efforts Everton Football Club has taken to mitigate the impact of the





Historic England

stadium, we consider that the proposal would result in substantial harm to the Grade II listed Bramley Moore Dock and cause a 'large/very large' harmful impact to a World Heritage Site, an asset of the highest international significance, and one which is threatened with deletion from the World Heritage List - a matter of national concern.

RECOMMENDATION

For these reasons Historic England recommends that this planning application should be refused, unless the decision-maker concludes that the proposal is shown to be **necessary** to secure substantial public benefits, and that these would outweigh the harm to the World Heritage Site and other heritage assets. Given the international importance of the World Heritage Site, and the degree of harm which the proposed development would cause to it, we consider that this application should accordingly be determined at a national level by the Secretary of State, and we shall request that it is called in to enable this to happen.

Kind regards

Marie Smallwood
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Correspondence or information which you send us may therefore become publicly available.



From: Jackson, Dave
Sent: 24 March 2020 15:56
To: Jones, Peter
Subject: BRAMLEY MOORE DOCK, EVERTON FOOTBALL CLUB - 20f/0001

Peter

Plead find my comments below relating to the drawings and documents submitted relation to surface water drainage and flood risk -

ENVIRONMENTAL STATEMENT – SECTION 11 WATER RESOURCES & FLOOD RISK

11.5.1 – There is no reference in the Operation Phase of any assessment of effect on UU WWTW (Sandon)

ENVIRONMENTAL STATEMENT – SECTION 11.3 FRA

Section 2.5.3 – Table 2.3 refers to ponding being avoided on match days. It is not clear how this can be achieved and further clarification is required.

Section 3.1.8 – In times of flooding reference is made to the use of sump pumps in MSCP and OB Compound to pump water to local drains. Further information is required to understand how this will be possible as the drains will also be surcharged in times of flooding.

Section A3 - Item 5.1 in minutes of meeting on 19 Feb 2019 it states that in the event of a flood warning the match would be cancelled. There does not appear to be any reference to this in FRA or other associated documents. Evidence is required that this has been fully agreed by EFC.

ENVIRONMENTAL STATEMENT – SECTION 11.4 DRAINAGE STRATEGY

Section 4.6 – The pollution mitigation index for the Downstream Defender is less than the pollution hazard index for TTS and Metals. It should be equal to or greater than , as referred to in Section 4.6

Section 4.10 – The above ground storage of flooding at the south east corner of the stadium is considered excessive in relation to its location outside the entrance gates to the ground which could prevent their use. The drainage design should be amended to remove this ponding.

The table shows the volume of ponding to be just over 160m³. Further level & contour information is required to show in more detail the extent of flooding

Section 4.1.3 require more detail regarding the frequency and maintenance of the drainage system. It would be normal practice for a detailed maintenance and operation Plan to be produced as a separate document, which remove the requirement for any condition in a planning approval

Appendix B - Micro drainage calculations are required for a submerged outfalls situation

Thanks

Dave Jackson | Engineer

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THE VICTORIAN SOCIETY

The champion for Victorian and Edwardian architecture

Peter Jones
Liverpool City Council
Cunard Buildings
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Your reference: 20F/0001
Unique ID: 4084814
Our reference: 156988

efcapp@liverpool.gov.uk
Peter.Jones2@liverpool.gov.uk

4 May 2020

Dear Mr Jones,

RE: Bramley-Moore Dock, Regent Road, Liverpool (Liverpool Mercantile Maritime City World Heritage Site, including the Bramley Moore Dock retaining walls (Grade II, *Jesse Hartley*, 1848), Hydraulic Engine House at Bramley Moore Dock (Grade II, *George Lyster*, 1883), and part of the Dock wall from opposite Sandhills Lane to Collingwood Dock with entrances (Grade II, *Jesse Hartley*, 1848)); infilling of dock, erection of a new stadium and associated works.

Thank you for consulting the Victorian Society about this application. We have considered the proposals carefully and would like to offer our comments.

Significance and Harm

The site includes three listed structures, and constitutes part of both the Liverpool Mercantile Maritime City World Heritage Site and the Stanley Dock Conservation Area. The proposals will cause harm to the significance of each of these elements, as follows.

Hydraulic Engine House

The hydraulic engine house has significance as the sole survivor of a group of structures which were historically important for the operation of the dock. For much of its history Bramley Moore Dock was served by elevated railways on its north and east sides; the unusual form of the Hydraulic Engine House was constrained by these railways, and it is hence the last major piece of physical evidence within the dock for these important aspects of its historical character. Some significance also derives from the openness of the interior spaces — engine room, boiler room — which is a characteristic of industrial use. Although sensitive restoration of the fabric associated with some kind of reuse could certainly be positive, there are not yet any detailed proposals, and it is therefore impossible to assess the overall effect on the significance of the building.

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Dock Wall

The section of dock wall which bounds the east of the site is part of the much longer section which runs from its end at Sandhills Lane in the north to the bascule bridge at Collingwood Dock. The wall is constructed using Hartley's characteristic finely-jointed rubble masonry. It is very long and presents a solid plane surface only occasionally relieved by gateways. The two gateways included in the application site are of Hartley's striking monumental design, with two massive tapered piers and a larger central pillar which originally contained a dock policeman's lodge. The original gates, which slide into slots in the walls, are apparently still in situ. The proposals are to restore the existing gateways and to punch three sets of new openings through the stretch of wall between them. These openings are to have a lintel above which the top of the wall will run as it does at present, although it will have to be removed and reconstructed in places to allow for construction traffic. The openings will be divided into four and secured with new steel gates.

The significance of the surviving Dock Wall is in a large part due to its monumental scale and the seldom-broken extent of solid masonry which dominates the western edge of Regent road. Any new openings will compromise the visual strength of the unbroken surface and the integrity which comes from the uniform materiality of the existing wall. If new openings are to be made, such harm cannot be avoided; it can only be mitigated, firstly by keeping the number of new openings to the minimum necessary, and secondly by guaranteeing that the masonry around the openings is treated with great care and attention to detail.

The number and density of new openings proposed in this application is relatively high and will cause a great deal of harm to the significance of the wall. It must be emphasized, however, that the listed structure in this case extends far beyond the boundaries of the application site. The harm to its significance which will be caused by these particular proposals must therefore be assessed with respect to the whole wall, bearing in mind the likely needs of other future applications. An important question that needs to be addressed in this larger context is whether it is better for a limited number of new openings to be spaced as widely as possible, or for them to be concentrated in certain places, allowing long stretches of the wall to remain unbroken elsewhere.

Dock Retaining Walls

The significance of the dock retaining walls is complicated to articulate. Part of their significance relates to the technical qualities of their construction — the details of their design and execution — most of which are not visually manifest. From the point of view of construction history, much of what is most interesting about the dock retaining walls is hidden below ground and water, or appreciable only as a measurement (the extraordinarily small batter, for instance). Part of their significance, however, relates to their visual qualities at both small and large scales. Hartley's characteristic construction method is not only interesting in the abstract but makes a striking visual and textural impact with its marked contrast between the cyclopean granite coping stones and the finely-worked rubble beneath. It is also fundamental to the significance of the retaining walls that they mark a boundary between different materials at different levels; the visibility of the top part of the wall face is hence inextricably connected with the purpose and nature of the dock and thus makes a deep contribution to the significance of both the retaining wall and the dock considered more widely as part of the WHS.

The proposals are to infill the dock and to bring the new surface to the level of the current quays, which will entirely obscure the faces of the dock retaining walls, leaving only the top surfaces of the coping stones exposed. This drastic intervention will have two effects. Firstly it will change the kind of significance the retaining walls have, transforming a complex of significance with historic, aesthetic, and evidential components into an almost entirely archaeological interest. Some of the significance of the dock retaining walls is already essentially archaeological in nature, as discussed above, and will not be affected by the proposed changes. Much of the significance, however, springs from the aesthetic qualities of the visible walls; these qualities will be lost and this part of the significance entirely destroyed. Secondly, the infilling of the dock will erase the function of the retaining walls and utterly negate the way in which they organise space. The way in which the walls act as a boundary, both in mechanical and spatial terms, is fundamental to their significance; again, this aspect of significance will be destroyed.

The harm caused by the proposed development to the significance of the dock retaining walls will thus be severe. Because much of the significance already relates to evidential value of an archaeological kind which will not be affected by the proposed works, the proposals will not cause the significance of the retaining wall to be entirely drained away. In the terms of the NPPG, however, it is clear that 'the adverse impact seriously affects a key element of its special architectural or historic interest' (NPPG, Paragraph: 018 Reference ID: 18a-018-20190723). We therefore conclude that the harm is **substantial** in the terms of the NPPF, and must be considered by your authority accordingly.

World Heritage Site

By contrast, the contribution made by the dock to the Outstanding Universal Value of the World Heritage Site is relatively easy to articulate. Part of the OUV springs from the fact that the Liverpool Docks are the 'largest and most complete system of historic docks anywhere in the world', and that these historic docks are not simply historic but globally pioneering. Bramley Moore Dock is a historically important part of Hartley's 1848 dock works and survives substantially in its original format. The listed elements — dock wall, hydraulic engine house, and dock retaining walls — contribute to its importance, but the principal contribution the dock as whole makes to the Outstanding Universal Value of the World Heritage Site is that it remains an extant wet dock, part of the surviving system of interconnected wet docks. Unlike many of the other docks and river frontage north of the Pier Head Bramley Moore Dock is a part of the World Heritage Site proper rather than the buffer zone, and it seems clear that this is because it remains a substantially intact part of Hartley's original arrangement. The infilling of the dock will mean its total loss as an extant wet dock and hence severe harm to the OUV of the World Heritage Site. This harm cannot be considered substantial, in the context of the extent of the WHS, but it does represent another addition to the harm that has already accrued through insensitive development, and which will further accrue through the gradual realisation of the Liverpool Waters consent. We must remind your authority that Liverpool Maritime Mercantile City World Heritage Site remains on the UNESCO List of World Heritage in Danger; these proposals represent a further contribution to the gradual erosion of its Outstanding Universal Value, and we advise your authority to consider very carefully the harm the proposals will cause with respect to the wider, international, heritage context.

Policy

There is a wealth of policy both general and specific to the Liverpool Docks which we do not wish to reproduce in its entirety here. Most pertinent are the several affirmations to the effect that the infilling of surviving wet docks will only be considered in exceptional circumstances. Perhaps the clearest formulation is in the Liverpool Maritime Mercantile City World Heritage Site Supplementary Planning Document (2009), which states at paragraph 4.7.2 that '**it is essential that the fundamental integrity of the docks as open water spaces is retained**', and at 4.7.6 that '**the surviving areas of docks in the WHS and Buffer Zone, including historic dock retaining walls, quaysides, artefacts and their water spaces should be conserved, retained and enhanced**'. Paragraph 4.7.11 offers some strict conditions under which infilling the water spaces may be acceptable, as follows:

'Proposals to build permanent structures in the water spaces may also be acceptable subject to:

i) the same caveats as in 4.7.10 [such uses not creating nuisance to surrounding occupants; such structures not dominating a waterspace by virtue of its coverage; the water space remaining the dominant characteristic element.]

ii) them not prejudicing water-based activities or the role of the docks as settings for surrounding buildings/developments

iii) the role of the docks in demonstrating innovative technologies and method of dock construction being safeguarded and transmitted

iv) the community benefit of a new structure being proven to substantially outweigh any disbenefits to the cultural heritage

v) the new development being proven to enhance the OUV of the WHS.

All such proposals should therefore generally only occupy a small proportion of the overall water space and not dominate that water space.'

With respect to the dock wall, the SPD states that 'The Dock Wall and its setting should, wherever possible, be retained, repaired and preserved in its entirety' (6.4.6). It goes on:

'If adequate access cannot be achieved through existing openings, strong justification will need to be made to create new openings, by demonstrating that this is essential to deliver major regeneration opportunities or to provide essential permeability and connectivity to the surrounding area.' (6.4.7)

The present proposals, both to infill Bramley Moore Dock almost completely and to create three large new openings in the Dock Wall are in direct opposition to the general tenor of these and other such policies.

Your authority should also note that, given that substantial harm will be caused to the significance of the Dock Retaining Walls, the requirements of the NPPF, paragraph 195 must be met before your authority can grant consent.

Advice

There is, in the opinion of the Victorian Society, no question that the overall impact of the scheme will be severely harmful to the significance of the designated heritage assets on the site, the significance of the Stanley Dock Conservation Area, and the Outstanding Universal Value of the World Heritage Site. The proposals also contain several aspects in particular which are explicitly contrary to various policies of your authority. Whether or not the proposals nonetheless prove to be acceptable will be determined by the strength of their justification and the extent of the measures they include to mitigate as far as possible the harm they will cause.

— Justification

We accept that the erection of this new stadium will bring extensive social and economic benefits to local communities; we consider, in fact, that it should in part be considered as a civic project. In addition to the benefits brought by the scheme itself, however, the impact of the redevelopment of the current Goodison Park should also be considered in your assessment. The proposals for the Goodison Park Legacy Development are apparently underdeveloped and are being pursued as an outline permission in a separate application. Given that the two schemes are causally linked, we think that this fragmented approach is unfortunate. We appreciate that it may be difficult to develop these schemes in parallel, and that it would be unreasonable to demand exact details of a development which will be some years away. Nonetheless, we think more details about the redevelopment of Goodison Park should be sought now so that the overall community benefits of the whole scheme of relocation can be better judged.

As the application correctly identifies, there are two aspects of the proposed relocation that can be clearly distinguished: first, the club's desire to move in order to erect a new, larger, more modern stadium; second, the choice of this particular site. Even if the club's desires for better facilities represent an acceptable justification for the erection of a new stadium somewhere, with all the impacts it will entail, it does not follow that their favoured site is the best option in planning terms — hence the Alternative Sites Assessment (ASA) which aims to demonstrate that Bramley Moore Dock is the best (only) viable option. This ASA is extensive. It requires further clarification, however, to be convincing, as follows.

Many of the sites assessed are rejected on the grounds that they are not available for stadium use because their redevelopment would go against some of LCC's existing policies, either for protecting green space (historic parks or otherwise) or employment land. Many of the policies quoted are written in terms very similar to those of the WHS SPD, in which proposals for certain kinds of development 'will be resisted', for example. The ASA does not include any explanation as to why policies so worded are considered more compelling in the cases of green space or employment land than they are in

terms of the protection of heritage assets. If a hierarchy of importance has been adopted in terms of LCC policies with respect to various kinds of planning concern then this should be made explicit. If not, then the ASA should also explain why development on the chosen site, which unequivocally also goes against various LCC policies, should be considered acceptable.

More generally, the ASA seems to have been compiled with perfection in mind. None of proposed sites definitively meets all the criteria under which they have been assessed, but this is hardly to be expected. For such a major project with such extensive requirements some compromise somewhere will inevitably be necessary. The question that must be addressed is not if any alternative site is perfect, but if any alternative site is better than that proposed. This question cannot be meaningfully addressed unless the proposed site is included as part of the exercise. This is a glaring omission from the ASA: the proposed site at Bramley Moore Dock has not been explicitly assessed alongside the alternative sites according to the criteria given. This omission renders the ASA meaningless as a tool of comparison, and must be corrected before any decision can be made. On the face of it the site of the current application is not likely to generate entirely positive answers to at least three of the 'key questions' put forward in the ASA ('Are there any overriding site specific planning issues?', 'Is the site accessible by sustainable modes of transport?' and 'Will there be any unacceptable environmental or visual impacts?'). It should be shown as part of any acceptable justification for this scheme that when applied to the application site these key questions do not preclude it in the same way as they preclude the assessed alternatives.

— Mitigation

If this application is to gain approval we strongly recommend the following measures are taken in order to mitigate as far as possible the harm that it will cause.

i) Dock retaining wall survey. The survey of the dock retaining wall provided with the application is very thorough, and should be retained as a public record of the dock retaining wall.

ii) Treatment of the surviving capstans, bollards, etc. We welcome the approach to the existing artefacts embedded within the dock surfaces. These form an important part of the historic character of the dock and we think that the scheme takes the right approach in retaining as many of these items as possible. We think, however, that the arbitrary relocation of these items should be resisted. These artefacts were functional items, and much of their significance relates to the evidence they preserve of their function. It is vital to the integrity of these historic items, and to the integrity of the historic site more generally that as many of the items of dock furniture as possible are retained in situ, and that where this is not possible merely decorative relocation is not attempted.

iii) Dock Wall. The exemplary treatment of the masonry the Dock Wall is necessary if the proposals for the new openings are to be accepted. Where the wall is to be taken down entirely for the duration of the construction phase this should be stone by stone: a thorough survey should be made and the stones carefully numbered so that they can be replaced precisely as they currently are above the new lintels when the time comes. Details of the edges of the openings should be worked out now and submitted. The wall is constructed of irregular blocks, and some careful masonry work will be needed to establish square-edged openings in a character which does not detract from the character of the wall. Is it proposed to insert stone dressings around the new openings? Or is it proposed to cut the existing stones to a straight edge?

iv) Further dock infill. Most importantly, if the infilling of Bramley Moore Dock is to be permitted, we strongly urge your authority to make a firmer commitment than currently exists that no more historic docks will be lost in this way. Although there are already clear policies regarding the preservation of open water in the docks, the loss of an entire wet dock within the World Heritage Site changes the situation drastically. We think that this altered situation demands a new and more robust position with respect to future development within the World Heritage Site and its Buffer Zone, and urge your authority to amend your policies accordingly.

Conclusion

The Victorian Society is deeply concerned about the harm which these proposals would cause to Bramley Moore Dock, and to the wider Liverpool Mercantile Maritime City World Heritage Site. Considered purely on the basis of conservation policy and principles the proposals are unacceptable. However, we are mindful of the needs and aspirations of the local community and acknowledge that the application involves a series of complex issues. The most crucial of these are the assertion that Bramley Moore Dock is the only viable site for the new stadium and the demonstration that the public benefits of the scheme would outweigh the harm caused to Bramley Moore Dock and the integrity of the World Heritage Site. Balancing these conflicting issues is ultimately a matter for the planning authority: only if the planning authority is absolutely convinced that this is the only viable site and that the predicted public benefits would outweigh the incontrovertible harm should consent be granted. We judge, however, that the proposals require further justification and greater elaboration before they are given consent. We therefore urge your authority to **withhold consent** from these proposals and seek further information and amendments to the documents. We would be grateful if you could inform us of your decision in due course and consult us again if the documents are updated.

Yours sincerely,

Tom Taylor

Conservation Adviser

Cc: Marie Smallwood, Development Advice Team Leader, Historic England, NW

Merseyside Civic Society Response to the Everton Planning Application and the future of Liverpool's World Heritage Site

For a number of years, the MCS has been represented on the WHS Steering Group. The Society has a long record of promoting the principle that high-quality redevelopment and rigorous conservation should go hand-in-hand in support of each other. We published a White Paper on the World Heritage Site in 2018.

Although we have been prepared to oppose Liverpool City Council and other public authorities on many specific development issues, we have found ourselves to be in active support of the City Council in their dealings with UNESCO. In our view, the level and quality of investment, both public and private, in the heritage of the World Heritage Site has been extraordinary and overwhelmingly positive.

We have looked very hard at the Everton proposals for Bramley-Moore Dock. Our main concerns have been the loss of much of the historic water-space and the reduction of height and drama of the stadium explicit in the course of the development of the design [with a concurrent loss in capacity which makes us concerned about the long-term sustainability of the project in competition with the club's direct competitors]. However, we have studied Everton's detailed arguments in mitigation of both these aspects, and have been persuaded to give the current detailed planning application our support.

These are difficult times, but the MCS intends to organise a debate on the issues arising within the 'North Shore' area, the Masterplan for which is soon to be revealed to the public. We are also going to open up the issue of how to improve the commissioning and review of future Waterfront buildings, to ensure quality and imagination commensurate with the city's famous historic landmarks.

In the meantime, this short statement, to be read alongside our White Paper, should be accepted as our present position; in support of the Everton detailed planning application, and continuing our support for the World Heritage Site.

*Gavin Davenport MA,
Chair, Merseyside Civic Society,
20th March 2020*

Merseyside Environmental Advisory Service
2nd Floor, Magdalen House
Trinity Road, Bootle, L20 3NJ
Director: Alan Jemmett, PhD, MBA

Enquiries: 0151 934 4951

Contact: Lucy Atkinson
Email: measdconsultations@sefton.gov.uk

DEVELOPMENT MANAGEMENT ADVICE

To: Peter Jones
Organisation: Development Management
Liverpool Council

From: Lucy Atkinson

Your Ref: 20F/0001
File Ref: LI20-014
W/P Ref:
Date: 30th April 2020

Development of stadium and associated works, including infilling of dock and demolition of existing structures Bramley Moore Dock, Regent Road, Liverpool

1. Thank you for consulting Merseyside Environmental Advisory Service in respect of this planning application. The proposals comprise the development of a new stadium and associated works, including the infilling of a dock and demolition of existing structures. This response supplements the ecological response (*memo from Peter McKeon to Peter Jones*) already provided on 21st April 2020.
2. Having reviewed the application and supporting documentation, our advice is set out below in two parts.
 - Part One deals with issues of regulatory compliance, action required **prior to determination** and matters to be dealt with through planning conditions. Advice is only included here where action is required or where a positive statement of compliance is necessary for statutory purposes. Should the Council decide to adopt an alternative approach to MEAS Part 1 advice, I request that you let us know. MEAS may be able to provide further advice on options to manage risks in the determination of the application.
 - Part Two sets out guidance to facilitate the implementation of Part One advice and informative notes.

In this case Part One comprises paragraphs 3 to 13, while Part Two comprises paragraphs 14 and 15.

Part One

EIA Conformity

Merseyside Environmental Advisory Service – delivering high quality environmental advice and sustainable solutions to the Districts of Halton, Knowsley, Liverpool, St.Helens, Sefton and Wirral



3. The Environmental Impact Assessment Regulations 2011 set out in Schedule 4 the general requirements for the content of Environmental Statements. These comprise information on: the nature of the development; consideration of alternatives; relevant aspects of the environment; likely environmental impacts arising; proposed mitigation measures; and an indication of any difficulties in compiling the information needed. A non-technical summary of the contents of the Environmental Statement is also required.
4. Having reviewed the submitted Environmental Statement I advise that, subject to the satisfactory receipt of any additional information required by the Council under paragraph 22 of the EIA Regulations, it satisfies these requirements and can be used as a basis for determination of the application.

Archaeology

5. Matters relating to the Historic Environment are dealt with in the Environmental Statement in two parts, the built historic environment (Chapter 18 – KMHeritage) and archaeology (Chapter 19 – Oxford Archaeology North).
6. Chapter 18 sets out the impacts of the proposed development and mitigation measures which have been incorporated into the design phase or will be carried out during construction. These findings, along with the Artefact Appraisal (Appendix 18.6) and the Heritage Asset Survey (Appendix 18.7) have been incorporated into the Design and Access Statement, section 10, Engineering Approach to Heritage. The proposed mitigation is appropriate.
7. Chapter 19 summarises the Desk-Based Assessment carried out by Oxford Archaeology North in 2019 (Appendix 19.1). Section 19.7 proposes appropriate mitigation measures and identifies the need for conditions to secure these.
4. I advise that the applicant be required to undertake a programme of archaeological work and building recording, and that such works be secured by means of the following two conditions:

No development shall take place until the applicant has submitted a written scheme of investigation for archaeological work for approval in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.

And

No development shall take place until the applicant has submitted a written programme of archaeological building recording for approval in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved programme.

5. The use of such conditions is in line with the guidance set out in Paragraph 199, Section 16 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework (2019), published by the Ministry of Housing, Communities & Local Government and Managing Significance in Decision Taking in the Historic



Environment, Historic Environment Good Practice Advice in Planning: 2 (Historic England 2015).

6. The use of such pre-commencement conditions is necessary to ensure the implementation of the required scheme of archaeological investigation and its publication.

Site Waste Management

8. The proposal is major development and involves excavation, demolition and construction activities which are likely to generate significant volumes of waste. Policy WM8 of the Merseyside and Halton Waste Joint Local Plan (WLP), the National Planning Policy for Waste (paragraph 8) and Planning Practice Guidance (paragraph 49) apply. The Construction Management Statement (Appendix 4.1) refers to production of a Resource Management Plan and Materials Management Plan for the proposed works. This is welcomed and these can be secured using suitably worded conditions. This information could be incorporated into the proposed Construction Environment Management Plan.
9. Reference is made to a Construction Waste Management Strategy (Appendix 4.3) but this did not appear on the planning portal.

Waste Collection and Storage

10. An Operational Waste Management Strategy has been submitted (*Buro Happold ref 040026 Rev P04 dated 6 January 2020*) the key objectives of which are to estimate anticipated waste generation from the operation, guide future waste management to ensure spatial provision for clean efficient collection and storage.
11. I consider this is sufficient to demonstrate compliance with policy WM9 of the Merseyside and Halton Joint Waste Local Plan and the Operational Waste Management Strategy should be secured by a suitably worded condition as an approved document.

Sustainability and Low Carbon Energy

12. Both section 15 of the Design and Access Statement (*The People's Project MEIS dated December 2019*) and the Sustainability Statement (*Buro Happold Engineering Doc Ref: 0040026 Rev 01 dated December 2019*) provide details of how sustainability has been addressed through the design process including a solar photovoltaic array connection with the proposed district heat network for Liverpool Waters alongside resource efficiency measures.
13. This is sufficient to demonstrate compliance with UDP policies GEN8 (Environmental Protection) and HD21 (Energy Conservation) and emerging Local Plan policies R7 (Renewable and Low Carbon Energy) and R9 (Solar Panels) subject to heritage and visual elements being satisfactorily addressed. The Sustainability Statement should be secured by a suitably worded condition as an approved document.



Part Two

14. The Programme of Archaeological Works and the Programme of Archaeological Building Recording should each be described in a Written Scheme of Investigation produced by an appropriately qualified and experienced archaeologist and should contain appropriate research objectives and a detailed programme of works that includes a specification of the methods to be used. The WSIs should be of sufficient detail so that the impact of the proposed works can be properly assessed by the Local Planning Authority.
15. At Liverpool Council's request, MEAS will continue to liaise with the applicant's archaeological contractor, to ensure that all aspects of the proposed archaeological mitigation are implemented in accordance with the appropriate professional standards.

I would be pleased to discuss these issues further and to provide additional information in respect of any of the matters raised.

Lucy Atkinson
Environmental Appraisal and Support Services Team Leader



Date: 20 April 2020
Our ref: 309854
Your ref: 20F/0001



Peter Jones
Liverpool City Council
peter.jones2@liverpool.gov.uk

cc. Jamie Johnson
Marine Management Organisation
Jamie.Johnson@marinemanagement.org.uk
In reference to MLA/2020/0109

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Peter,

Planning consultation: Application for Full Planning Permission in accordance with submitted drawings for the demolition of existing buildings/structures on site (listed in the schedule); remediation works; foundation/piling works; infill of the Bramley-Moore Dock, alteration to dock walls and dock isolation works with vehicular and pedestrian links above; and other associated engineering works to accommodate the development of a stadium (Use Class D2) predominantly for football use with the ability to host other events with ancillary offices (Use Class B1a); Club Shop and retail concessions (internal and external to the stadium) (Use Class A1); exhibition and conference facilities (Use Class D1); food and drink concessions (internal and external to the stadium) (Use Classes A3 / A4 / A5); betting shop concessions (Sui Generis); and associated infrastructure including: electric substation, creation of a water channel, outside broadcast compound, photo-voltaic canopy, storage areas/compound, security booth, external concourse / fan zone including performance stage, vehicular and pedestrian access and circulation areas, hard and soft landscaping (including canopies, lighting, wind mitigation structures, public art and boundary treatments), cycle parking structures and vehicle parking (external at grade and multi-storey parking) and change of use of the Hydraulic Tower structure to an exhibition / cultural centre (Use Class D1) with ancillary food and drink concession (Use Class A3).

Location: Bramley Moore Dock, Regent Road, Liverpool

Thank you for your consultation on the above dated and received by Natural England on 20 February 2020.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Further information required to determine impacts on designated sites

In summary, Natural England advises that further information is required to provide appropriate detail and justification particularly regarding the proposed mitigation measures. We advise that uncertainty remains regarding the impacts of the proposed scheme on designated sites, both alone and in-combination.

Our advice follows below and we have provided detailed comments on the HRA in Annex A. The advice within this letter focuses on the following document:

- Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2 v4 by WTG, dated March 2020

Natural England has utilised some of the additional documents available to inform our comments however, we will provide further detailed comments in respect to the Environmental Statement and other documents in due course.

We provide this letter to both Liverpool City Council (LCC) and to the Marine Management Organisation (MMO) to aid consistency and we are keen to work closely with both regulators (and also the Environment Agency) to adopt a coastal concordat approach with this development to ensure a single, robust Habitats Regulations Assessment is provided covering all aspects of the development.

Internationally and nationally designated sites

This application is adjacent to Liverpool Bay Special Protection Area (SPA) and within 1.2km of the Mersey Narrows and North Wirral Foreshore SPA and Ramsar, and the Mersey Narrows Site of Special Scientific Interest (SSSI).

In considering the European site interest, Natural England advises that you, as a competent authority under the provisions of the Habitats Regulations, should have regard for any potential impacts that a plan or project may have¹. The [Conservation objectives](#) for each European site explain how the site should be restored and/or maintained and may be helpful in assessing what, if any, potential impacts a plan or project may have.

Please see the subsequent sections of this letter for our advice relating to SSSI features.

Habitats Regulations Assessment (HRA)

The applicants have provided the document "Report to Inform Habitats Regulations Assessment Stage 1 and Stage 2" which assesses the impacts of the development. We provide the advice enclosed on the assumption that your authority intends to adopt this document as a shadow HRA to fulfil your duty as competent authority. We remind you that as competent authority, it is your responsibility to produce the HRA.

Natural England notes that an appropriate assessment of the proposal has been undertaken in accordance with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended). Natural England is a statutory consultee on the appropriate assessment stage of the Habitats Regulations Assessment process, and a competent authority should have regard to Natural England's advice.

The appropriate assessment concludes that your authority is able to ascertain that the proposal will not result in adverse effects on the integrity of any of the sites in question. Having considered the assessment, and the measures proposed to mitigate for any adverse effects, it is the advice of Natural England that the assessment does not currently provide enough information and/or certainty to justify the assessment conclusion and that your authority should not grant planning permission at this stage.

Further assessment and consideration of mitigation options is required, and Natural England provides detailed advice on the additional assessment work required within Annex A.

Should the applicant wish to discuss the further information required and scope for mitigation with Natural England, we would be happy to provide advice through our [Discretionary Advice Service](#).

¹ Requirements are set out within Regulations 63 and 64 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 63 and 64 are commonly referred to as the 'Habitats Regulations Assessment' process.

The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website. <http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>

In-combination assessment

When your authority undertakes the necessary HRA, consideration also needs to be given to the in-combination effects with other plans and projects, if it can be determined that the other plans or projects, themselves, would not result in likely significant effect. The assessment needs to consider those other plans and projects that could have the same effect such as displacement, disturbance, habitat loss.

Plans or projects comprise the following;

- a) The incomplete or non-implemented parts of plans or projects that have already commenced;
- b) Plans or projects given consent or given effect but not yet started.
- c) Plans or projects currently subject to an application for consent or proposed to be given effect;
- d) Projects that are the subject of an outstanding appeal;
- e) Ongoing plans or projects that are the subject of regular review.
- f) Any draft plans being prepared by any public body;
- g) Any proposed plans or projects published for consultation prior to the application

This could include plans or projects from neighbouring Local Planning Authorities and those in the marine environment.

Liverpool Waters (strategic approach)

We are aware that this development site falls within the wider Liverpool Waters scheme. The development proposed is a major change from that which was identified within the Outline Permission (planning reference 10O/2424) which originally proposed a water sports activity centre within Bramley Moore Dock. From our understanding the original development did not involve any works to infill the dock and therefore no loss of the water, however this application requires the infilling of the entire dock, which we note is the largest dock within the Liverpool Waters site accounting for ~4ha (20%) of all the open water available in the Liverpool Waters docks. As highlighted with evidence from the original permission and other reports (e.g. [TEP report 2015](#)) these docks provide functionally linked supporting habitat for SPA birds.

We acknowledge impacts on supporting habitat has been identified within the HRA, however we would like to highlight our concerns regarding increasing development pressure within all of the Liverpool (and Birkenhead) docks which is likely to cause a reduction in the availability of this supporting habitat available. We advise that a holistic approach to considering the implications of developments is necessary and a strategic approach to delivery of mitigation measures, ultimately ensuring that supporting habitat remains available for SPA birds.

We understand that this current application is a standalone application and must be considered on an individual case basis, however we advise that LCC should ensure that this development does not undermine the proposals as set out within the outline permission for Liverpool Waters. This further includes considering the impacts of the development on the proposed mitigation at Nelson Dock as set out within the Outline Permission HRA. There is a need to ensure that sufficient mitigation is provided across the wider site. Further consideration may be needed towards a review of the outline permission (review of consents) due to change in designated sites and the changing proposals coming forwards and to ensure that mitigation proposed remains sufficient for future developments. We highlight that it is LCC's duty to review existing consents and permissions (Regulations 65 & 66) to ensure that they remain compliant with the Habitats Regulations (2017) and that this applies to the principal consent.

We strongly advise that in order future developments in Liverpool Waters come forwards as Reserved Matters applications, therefore ensuring that the applications meet the requirements as agreed within the Outline Permission. We acknowledge that Peel have been working on a strategic mitigation package and we have provided advice to support such an approach. In line with comments above this development should ensure that a joined up approach with those measures are considered therefore ensuring resilience and wider enhancement opportunities across the site are maximised.

Environmental Statement (ES)

We note that within the Biodiversity Report (Appendix 12.1 of the ES) that tables 10.10, 10.11 and 10.13 within section 12.8 (Likely significant environmental effects of the scheme) include similar information to that presented within the HRA relating to impacts on designated sites, we refer you to our below detailed advice on the HRA and advise that our comments apply equally to the information provided within the above listed tables. It should be ensured that the tables and assessment within the ES are updated.

SSSI

Our concerns regarding the potential impacts upon the Mersey Narrows SSSI coincide with our concerns regarding the potential impacts upon the international designated sites.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Discretionary Advice Service

Natural England can provide quality tailored advice at pre-application, pre-determination and post-consent stages through the Discretionary Advice Service (DAS). Natural England can ensure that appropriate environmental considerations are made at an early stage of a proposal minimising the risk of delays later in the consultation process. More information regarding the Discretionary Advice Service can be found at: <https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals> .

Other advice

Further general advice on the protected species and other natural environment issues is provided at Annex B.

If you have any queries relating to the advice in this letter please contact me at the details below. Please consult us again once the information requested above, has been provided.

Yours sincerely,

Amanda Yeomans

Senior Adviser
Cheshire to Lancashire – Coast and Marine Team
Amanda.yeomans@naturalengland.org.uk

Annex A: Detailed comments on shadow HRA

No.	Section No.	Document Page No.	Comment	Comment for LCC/MMO
1	1.3 Development Proposals	Starting pg. 4 to pg. 9	<p>The construction methodology here provides highly detailed information on all the activities to be undertaken to infill the dock. There is limited further information on the specific construction activities for the stadium development following dock infill with a simple bullet list of activities on page 9. We appreciate a further Appendix provides detail however it seems inconsistent with the detail provided on the initial methods.</p> <p>Should LCC/MMO wish to rely upon this document to provide the HRA for the development then consistent detail is required throughout. We advise that the HRA should cover all aspects of the development through enabling, demolition, construction and operation, therefore the relevant detail should be summarised for all of the construction phase together with bringing in the programme/phasing of works and associated timeline. This should sit within the body of the HRA and detailed information in the Appendix documents provided for further reference.</p>	LCC & MMO
2	1.3- Fish transfer	Page 4	<p>We note that there is quite a lot of detail provided around impacts to fish within this HRA- these fish species are not a designated feature of the designated sites therefore context should be provided to explain why the fish are considered within this assessment i.e. do they form part of a feeding resource for the bird species of the designated sites?</p> <p>NE defer to the EA for detailed advice on impacts to fish species within the dock system.</p>	LCC & MMO
3	1.3 Dock closure	Page 7	Comments on baseline monitoring- NE advises that further detail on any pre-construction baseline monitoring is presented alongside the application documentation. We question what monitoring will be undertaken to establish the level of contaminants if any within the docks and whether there is any risk of transfer of these through the dock system by activities undertaken.	LCC & MMO
4	1.3 Dock reclamation	Pages 7- 8	Comments on source of material and impacts- We note that material for dock infill is to be sourced from licenced area 457, we question whether the existing permission covers this volume of extraction and that this licence is fit for purpose. Please note that any licence granted for extraction prior to 2016 may not have considered impacts on additional features of Liverpool Bay SPA, therefore we advise that a review of consents may be required to ensure that the activity is covered by a	MMO

			<p>licence supported by a robust and up to date HRA.</p> <p>We question how many vessel transfer visits are required to the development site- vessel transfer should be considered as an additional impact pathway for disturbance to birds within the designated sites (mainly Liverpool Bay SPA).</p> <p>Note the in-combination assessment will need to consider any additional marine licence activities within the area, including ongoing dredging and further related activities in the marine environment and those associated with the docks e.g. Isle of Man Ferry Terminal.</p>	
5	1.3. Installation of permanent northern isolation structure	Starting page 8	<p>We note that there is proposed hydrological connectivity between Sandon Dock and Nelson Dock as outlined within Appendix 12.1 Biodiversity (section 12.1.5 (also see page 24 ASLE) but it is unclear how this will be achieved and whether there is further need to consider additional marine licence implications on any further activities. We defer to the MMO to consider implications of the remaining hydrological connectivity and request clarity is provided on the extent of marine licensing requirements throughout the northern docks.</p>	MMO (LCC)
6	1.6 Site selection	Page 10	<p>We acknowledge Mersey Estuary Ramsar has been identified here and welcome the inclusion of this site within the assessment.</p>	LCC & MMO
7	Table for ALSE		<p>NE Overarching comments on ALSE</p> <p>We advise that the impact pathways identified are appropriate, however further consideration of the potential receptors for each pathway is needed. For example it is not clear which designated sites/features are considered with each impact and whether some sites/features can be screened out at this stage and which must be considered further under AA.</p> <p>There is reference to the conservation objectives of the designated sites in some sections of the table, we remind you that consideration at ALSE stage is broad assessment of potential impacts that are likely to have a significant impact, in the absence of any mitigation measures, and therefore require further detailed consideration at AA. At AA the assessment must consider the impact on the conservation objectives and therefore whether there is an adverse effect on the integrity of the designated site.</p>	LCC & MMO
	Table for ALSE-Construction			
8	Table for ALSE-	Page 24	<p>Mobilisation of contaminated sediments- As per comments above we question</p>	MMO (LCC)

	Mobilisation of contaminated sediments		whether further contaminant testing will be undertaken. We note the reference to the Construction Management Plan (CMP) stating “..does not consider there to be any contaminated soils of sediment on site”- however section 5.2 of the CMP states that there “were typical contaminants on site and 2 results were hazardous”. We defer to the EA and CEFAS for further advice, however we advise that clear evidence of thorough consideration of impacts of any contaminants within the dock system is considered. Whilst direct impacts to the designated sites may not be likely there may be additional impacts within the docks which provide functionally linked supporting habitat and furthermore have been identified as mitigation sites for cormorants.	
9	Table for ALSE- Habitat loss within functional habitat	Page 24	NE concurs with the assessment here and further consideration of impacts on FLL is required in an AA. However, referring to our overarching comments above there is no indication as to which features are considered, we note that some species may be excluded from further assessment due to the docks not providing functional habitat based on evidence available (e.g. little gull and red throated diver)	LCC & MMO
10	Table for ALSE- Habitat degradation – air quality & dust deposition	Page 24-25	Potential impacts on Liverpool Bay SPA have been identified, should any mitigation measures be employed to reduce the impact of dust deposition within the site (referring to any measures set out within the CEMP) then we advise that further consideration is required at AA, in line with the People over Wind judgement. With the impact identified we therefore disagree that this is ruled out at this stage.	LCC & MMO
11	Table for ALSE- Habitat degradation – effects on water quality during dock infill preparation – raking of dock prior to infill	Page 25	We recognise here that there is further reference to fish species providing prey species for SPA birds, however there is no further detail recognising which SPA birds are most likely to be impacted. With reference to the potential impact and measures being employed we highlight that further assessment should be undertaken at AA. We question whether additional measures to reduce impact of contaminants within the water column and their transfer between docks is to be applied and if so then we advise that further consideration is required at AA, in line with the People over Wind judgement.	LCC & MMO
12	Table for ALSE- Habitat degradation – effects on water quality during dock infill	Page 26	We note that this section may include potential measures to reduce and mitigate impacts, therefore we advise that further consideration is required at AA, in line with the People over Wind judgement. We note that no consideration here is given towards direct run off to designated sites.	LCC & MMO
13	Table for ALSE- Disturbance of qualifying features during transfer of aggregate to site	Page 26	We advise further justification is provided here, i.e. how many additional vessel visits are anticipated. There is limited detail and evidence provided to support the conclusions made. We highlight that where there is uncertainty of an impact then further consideration at AA is required, therefore caution to using the term “highly unlikely” should be made as this does not provide the certainty as required by the Habitats Regulations- therefore we advise that a precautionary approach is made.	LCC & MMO

14	Table for ALSE- Disturbance of qualifying features – visual and auditory disturbance during transport and transfer of dredged materials	Page 26	We question what the difference is between this impact with that above “Disturbance of qualifying features during transfer of aggregate to site?” This impact could be considered jointly with that above (13). Note comments above also apply here.	LCC & MMO
15	Table for ALSE- Disturbance of qualifying features – visual and auditory disturbance.	Page 27	<p>NE disagrees that LSE is ruled out for this impact pathway. Further evidence and justification is required to demonstrate why noise and visual disturbance will not significantly impact on SPA birds present in area.</p> <p>Visual: We do not agree with the ruling out of visual impacts here with the justification provided that on the basis that qualifying features of designated sites will become accustomed to the works taking place. All of the works represent a significant change to the type of operations currently taking place in and around BMD, coupled with the scale of the development we advise that visual impact pathways require further consideration in the AA.</p> <p>Auditory: The baseline noise levels are stated to be between 47 and 52dB, with average construction noise levels expected range upwards from 67.4dB. We advise further consideration of noise impacts is required where there is more than a 3dB increase from baseline noise levels. Therefore, we consider there is potential for impacts as a result of noise and that further consideration within the AA is required. This should include further detail on the maximum average expected noise levels as well as the minimum of the range, and consideration of the peak noise levels which may be more disturbing particularly as they can be more intermittent.</p> <p>Reference to qualifying features being tolerant of noise levels in excess of 105dB is referenced- however there is no context or reference to what species are being considered here. Noise levels from construction activities are higher than baseline levels and measures such as acoustic hoarding have been identified within the CMP with the statement “Acoustic hoarding will be installed on the western site boundary to mitigate potential noise impacts on wintering birds associated with the surrounding European designated sites as far as practicable” (see section 6.2 pg.44) therefore in line with the People over Wind judgement further consideration is required at AA. Again as per our overarching comment disturbance may be ruled out for certain designated sites and features but note that we do not agree that all features/sites can be ruled out.</p>	LCC & MMO
16	Table for ALSE - Displacement of prey	Page 27	See comments above in relation to fish species which may further apply here. No clear link is provided to which SPA birds are impacted through this pathway within	LCC & MMO

	species for bird species forming qualifying features – noise and vibration		the HRA. NE defers to the EA for further advice on the fish species in question and expects there to be full consideration of impacts on fish within the EIA.	
17	Table for ALSE- Disturbance of qualifying features – lighting effects	Page 28	As mentioned above there may be potential measures that are being relied upon to avoid significant impact for SPA birds therefore if measures to reduce, minimise and avoid impact are being applied then further consideration of impacts is required at AA.	LCC & MMO
	Table for ALSE- Operation			
18	Table for ALSE- Habitat degradation within designated sites - as a result of increased visitor numbers causing trampling effects and disturbance to bird species	Page 28	As per our overarching comments it is not clear what sites are being considered here. Not all sites are likely to have this as an impact pathway, for example with distance to Mersey Estuary SPA/Ramsar. The impact pathway considers “habitat degradation within designated sites” however there is reference to FLL therefore the pathway is broader than that within the title.	LCC & MMO
19	Table for ALSE- Disturbance of qualifying features – visual and auditory disturbance.	Page 28	We note that noise levels are stated to be just 1.2 dB above baseline levels, however as mentioned above the baseline level is 47-52dB and the noise figures stated from activities, match days and events is greater than this. Therefore further evidence and justification is required to support the conclusions here. For visual disturbance there is no consideration of the impacts of the presence of the stadium building on shading impacts onto adjacent docks which may impact upon availability of supporting habitat.	LCC & MMO
20	Table for ALSE- Disturbance of qualifying features – lighting effects.	Page 29	Air quality: Limited evidence and justification is provided here to support the conclusions made, however we note that information is available within the Air Quality report and therefore we advise that the relevant detail from this document is incorporated into the HRA to support conclusions. Lighting: We disagree that impacts associated with lighting are ruled out at this stage based on the limited evidence and justification provided here to support the conclusions made. Further consideration to measures to limit light spill to surrounding habitats is required. The visual disturbance of lighting at this site is likely to be considerable more than the baseline lighting on the site, we question how this will impact upon supporting habitat and SPA bird behaviours such as roosting and	LCC & MMO

			foraging.	
21	5.0 In combination – 5.1. projects	Page 32	We note that reference is made to the EIA chapter for cumulative assessment, we would like to highlight that HRA is a separate environmental assessment required and therefore detailed references and lists should be provided within the HRA. We advise that there are additional schemes that are missing from the in combination list, we advise that you ensure all relevant planning and marine licence applications are considered. We note that other Liverpool Waters developments have not been included such as Northern Link Road, Southern Link Road, Isle of Man Ferry Terminal and Plot A03. There is the potential for marine works to impact in combination for example ongoing maintenance dredging and marine licences associated with Liverpool Cruise Terminal and Isle of Man Ferry terminal.	LCC & MMO
22	Liverpool Waters-	Page 36	Please note that the Liverpool Waters HRA does not include an assessment for Liverpool Bay SPA and NE regards the HRA for Liverpool Waters to be outdated and therefore should not be relied upon to draw the conclusions here. All Liverpool Waters developments are required to provide updated HRAs. Mitigation was identified for Liverpool Waters in the form of roosting pontoons to be provided within Nelson Dock, this is a requirement of the HRA. There is no further consideration or mention of this and how potential impacts from the development may impact and undermine the mitigation proposed. We are aware that a strategic mitigation package is being developed for Liverpool Waters and therefore there is the potential that this development can impact upon those plans. We disagree that Liverpool Waters outline permission is screened out here.	LCC (& MMO)
23	Liverpool Cruise Terminal	Page 36	We advise you ensure that the most up to date HRA is used to consider in combination impacts. We are aware that MMO have produced their own HRA which provides different conclusion to that mentioned within the text. Mitigation has been required for Liverpool Cruise Terminal and consideration of impacts at AA was carried out.	LCC & MMO
24	Wirral Waters	Page 39	Please note that since the EIA and HRA was produced for Wirral Waters there have been a number of changes, including new designated sites and the use of the docks by breeding common terns, therefore it is not appropriate to rely on conclusions made at the time. Further evidence can be seen in standalone applications that have come forwards. Further evidence of impacts is through the need for strategic mitigation. Standalone developments should be considered within the in combination assessment.	LCC & MMO
25	5.2 Plans	Page 41	We advise the North West Marine Plan is considered within this section. We note that the plan is now out for formal consultation so therefore is material consideration within the assessment process. See here for more information:	MMO (& LCC)

			https://www.gov.uk/government/collections/north-west-marine-plan	
26	5.2.2 Wirral Core Strategy	Page 43	<p>We advise that further consideration to updated information associated with the emerging Wirral Local Plan is needed. Information is available from the recent issues and options consultation and initial HRA. See here for more information: https://www.wirral.gov.uk/planning-and-building/local-plans-and-planning-policy/wirral-new-local-plan/new-local-plan</p>	LCC (& MMO)
27	6.0 Appropriate Assessment		<p><u>Overarching Comments</u></p> <p>As per above with the ALSE it is not clear which designated sites and features are being considered further at AA. We advise that it is unlikely based on the evidence provided that all species need to be considered at AA.</p> <p>There is an overall lack of evidence and justification for some of the conclusions made, some examples are provided below but this is not considered to be an exhaustive list of outstanding queries.</p> <p>In- combination projects are not clearly presented within the AA- focus seems to be on the Plans.</p> <p>Inconsistent use of CEMP as a mitigation measure or best practice – refer to comments below under 31.</p> <p>Consideration of impacts under AA requires consideration of the conservation objectives of the designated sites- there is reference to the favourable conservation status however this is a broad term that implies all species of all sites are in favourable condition- no evidence is referenced to support this. Conservation Objectives consider:</p> <ul style="list-style-type: none"> •the extent and distribution of the habitats of the qualifying features •the structure and function of the habitats of the qualifying features •the supporting processes on which the habitats of the qualifying features rely •the populations of each of the qualifying features •the distribution of qualifying features within the site 	LCC & MMO
28	6.1 Breeding birds	Page 45-46	<p>The evidence provided here demonstrates that no breeding birds were recorded at the site in numbers greater than 1% of their population- therefore these birds can be screened out at ALSE as there is no impact pathway for a significant effect. No further consideration of breeding birds is required within the HRA process, however, consideration of impacts to breeding birds is required within the EIA (Ecology chapter) to ensure that measures to avoid impacts to breeding birds such as</p>	LCC & MMO

			disturbing/ destroying any nests are avoided, noting that all breeding birds are protected under the Wildlife and Countryside Act 1981.	
29	6.2. Wintering birds	Page 46- 52	<p>We note that the majority of species are identified in figures >1% of the qualifying feature either on site or within 400m. Many of these species are not features in their own right nor do they form a named component of the assemblage with figures greater than 2,000 or the GB population. However, these species contribute towards the overall assemblage therefore consideration of an impact on these birds with respect to the diversity of the assemblage is required to support any reasoning for not considering the species further in the assessment. We draw your attention to the conservation advice package for Mersey Narrows and North Wirral Foreshore SPA which explains further detail about considering the diversity of the assemblage, please see here: https://designatedsites.naturalengland.org.uk/Marine/SupAdvice.aspx?SiteCode=UK9020287&SiteName=mersey+narrows&SiteNameDisplay=Mersey+Narrows+and+North+Wirral+Foreshore+SPA&countyCode=&responsiblePerson=&SeaArea=&IFCAArea=&NumMarineSeasonality=5</p> <p>We are aware of recent additional survey work that has been undertaken to support the Liverpool Waters developments and the identification of the northern docks of being a key area for cormorants. We advise that all available evidence is utilised to support the HRA, therefore we encourage join up with the other schemes and outline permission for Liverpool Waters.</p>	LCC & MMO
30	6.3 Passage birds	Page 52	The evidence provided here demonstrates that no passage birds were recorded at the site in numbers greater than 1% - therefore these birds can be screened out at ALSE as there is no impact pathway for a significant effect.	LCC & MMO
31	6.5. Assessment of effects	Page 53	<p>We note the reference towards the inbuilt measures presented within the CMP and additional mitigation measures and suggest it would be useful to present a clear list of what these measures are.</p> <p>We appreciate there is a grey area between the need of consideration of further assessment for inbuilt measures, but where these measures are relied upon to reduce, minimise and mitigate impacts they must be assessed within the AA. For example relying on the CEMP is considered within this AA- therefore returning to comments above under ALSE there may be the need to consider further impact pathways at AA.</p> <p>We advise MMO and LCC to consider their position with respect to this to ensure</p>	LCC & MMO

			they are compliant with HRA and take a consistent approach.	
32	6.5.1 Habitat loss within functional habitat beyond boundary of designated sites	Page 53	<p>We advise further evidence and justification is provided for foraging habitat for cormorant. There appears to be inconsistency within the HRA with respect to the need to consider fish species as prey.</p> <p>Further evidence to the area the site provides as functional habitat should be provided to give context of the area of supporting habitat being lost. The importance of the resting resource is considered but again there is no indication to whether there are key hotspots identified from survey work and the importance of the northern docks which has been picked up in other survey work – referring to original work looked at by Liverpool Waters identified the Northern docks as a key area for cormorant.</p> <p>Further information, evidence and certainty is required for the mitigation. For example limited information is provided to explain why 2 platforms are deemed to be suitable, what is the carrying capacity of these platforms, how will they be installed and the timing of the installation? How will success of the mitigation rafts be determined? There is no reference to any monitoring or management plans and we advise that an adaptive management plan will be required to. Justification to the location of the mitigation is required, we note that it is stated that undisturbed areas of Nelson dock will be utilised, but further detail on the location and reasoning behind this location is required and how it will not be impacted by operational activities.</p> <p>The strategic approach to mitigation is identified, and as stated NE supports such an approach however, it is not clear how this mitigation fits into the wider strategic approach and monitoring programme that is being proposed across the wider site. Any implications of this development on the mitigation already set out for Liverpool Waters needs to be considered to ensure that this development does not undermine that which has been already agreed.</p> <p>Noting the potential hydrological connectivity between Sandon Dock and Nelson Dock we advise the MMO to consider any additional marine licence requirements for the pontoons. It would be useful if MMO can provide further clarity on marine licensing across the rest of these docks as there may be wider implications for Liverpool Waters.</p> <p>No consideration of the impacts on adjacent docks such as Nelson dock are</p>	LCC & MMO

			included, for example additional impacts from shading from the presence of the stadium are not picked up and this may impact on additional FLL available in the docks. What proportion of the docks will be impacted?	
33	6.5.2 Habitat degradation - water quality impacts as a result of pollution events	Page 55	Further evidence of potential risk of the impact should be described here, also making reference to direct impact to Liverpool Bay SPA. If additional consideration is looking at oil spill impacts to prey items within Liverpool Bay then there are wider implications than just cormorants- foraging common terns feed within the river Mersey- no consideration is made to wider impacts here.	LCC & MMO
34	6.5.3. Loss of qualifying features- potential bird strike	Page 56	Limited evidence is provided to support the mitigation measures proposed here. For example, what are the flight lines for cormorants across this dock and wider area? What is an appropriate distance from the stadium for the pontoons to reduce likelihood of approaching the structure in flight?	LCC & MMO
35	6.6. Conclusion	Page 57	We advise you ensure correct terminology and a succinct conclusion is present, again reference to negligible (bold text) does not follow the precautionary principle of HRA.	LCC & MMO
36	6.8 Discussion	Page 58	Our overarching advice to LCC and MMO is that NE are unable to concur with the assessment conclusions at the present time based on the need for further evidence and information required. We advise that a review of the ALSE is required to ensure that impacts are assessed at the correct stage of HRA, a number of pathways we advise need further consideration at AA. We therefore advise that LCC and MMO do not adopt the document in its current form to provide the HRA for the development.	LCC & MMO

Annex B: Additional advice

Natural England offers the following additional advice:

Landscape

Paragraph 170 of the National Planning Policy Framework (NPPF) highlights the need to protect and enhance valued landscapes through the planning system. This application may present opportunities to protect and enhance locally valued landscapes, including any local landscape designations. You may want to consider whether any local landscape features or characteristics (such as ponds, woodland or dry stone walls) could be incorporated into the development in order to respect and enhance local landscape character and distinctiveness, in line with any local landscape character assessments. Where the impacts of development are likely to be significant, a Landscape & Visual Impact Assessment should be provided with the proposal to inform decision making. We refer you to the [Landscape Institute](#) Guidelines for Landscape and Visual Impact Assessment for further guidance.

Protected Species

Natural England has produced [standing advice](#)² to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Local sites and priority habitats and species

You should consider the impacts of the proposed development on any local wildlife or geodiversity sites, in line with paragraphs 171 and 174 of the NPPF and any relevant development plan policy. There may also be opportunities to enhance local sites and improve their connectivity. Natural England does not hold locally specific information on local sites and recommends further information is obtained from appropriate bodies such as the local records centre, wildlife trust, geoconservation groups or recording societies.

Priority habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. List of priority habitats and species can be found [here](#)³. Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found [here](#).

Environmental enhancement

Development provides opportunities to secure net gains for biodiversity and wider environmental gains, as outlined in the NPPF (paragraphs 8, 72, 102, 118, 170, 171, 174 and 175). We advise you to follow the mitigation hierarchy as set out in paragraph 175 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.

² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Access and Recreation

Natural England encourages any proposal to incorporate measures to help improve people's access to the natural environment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways should be considered. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be delivered where appropriate.

Rights of Way, Access land and Coastal access

Paragraphs 98 and 170 of the NPPF highlights the important of public rights of way and access. Development should consider potential impacts on access land, common land, rights of way and coastal access routes in the vicinity of the development. Appropriate mitigation measures should be incorporated for any adverse impacts.

England Coast Path

Natural England has a duty to provide coastal access on foot around the whole of the English coast and is aiming to complete this by 2020. This is a new National Trail with an associated margin of land predominantly seawards of this, for the public to access and enjoy. Natural England takes great care in considering the interests of both land owners/occupiers and users of the England Coast Path, aiming to strike a fair balance when working to open a new stretch. We follow an approach set out in the approved Coastal Access Scheme and all proposals have to be approved by the Secretary of State.

We encourage any future proposals / projects to include appropriate provision for the England Coast Path to maximise the benefits this can bring to the area. This should not be to the detriment of nature conservation, historic environment, landscape character or affect natural coastal change. Natural England would be happy to provide suggestions as to the most appropriate areas for coastal access on site. You will find additional information at our website at:

<https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast>.

With the proposed alignment of the England Coast Path to be along Regent Road itself, the development site would fall within part of the default coastal margin (all the land between the line of the trail and the mean low water mark). When coastal access rights have been approved and are available for the public to use, people will then have a statutory rights of access to walk within the coastal margin unless those access rights are excepted (the coastal access rights would not apply to buildings and other land types) or have been excluded by direction for a specific reason. In view of the fact that this area is covered by the Liverpool Waters redevelopment scheme, we have

already decided to propose a direction to exclude coastal access rights covering this site whilst any preparatory work / construction work is taking place.

Once the building work is completed, that 'direction' would then need to be reviewed to see if it is still relevant and consideration would then be given to what, if any, further access management measures might be needed. At the same time, it may be that we would also wish to take that opportunity to consider whether the actual alignment of the England Coast Path should change too, perhaps following any new pedestrian routes closer to the river that might be created as part of the development.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#).



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منظمة الأمم المتحدة
للتربية والعلم والثقافة

联合国教育、
科学及文化组织

Culture Sector World Heritage Centre

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Ref.: CLT/WHC/EUR/20/12652

15 June 2020

Dear Ms Williams,

I wish to inform you that ICOMOS International has reviewed the indicated documentation related to the Bramley-Moore Dock Stadium proposal within the World Heritage property '**Liverpool – Maritime Mercantile City**'.

Please note that taking into account the Technical Review of ICOMOS, it is considered that the proposed Bramley-Moore Dock Stadium project would have a completely unacceptable major adverse impact on the authenticity, integrity and Outstanding Universal Value of the property and should not proceed at this location. ICOMOS also re-iterates its consistent advice that it is not appropriate for further new developments within the property and its buffer zone to be approved and built until such time as the necessary input studies and plans have been fully completed and the Desired state of conservation for the removal of the property from the List of World Heritage in Danger and Corrective Measures have been finalised, agreed, and endorsed by the World Heritage Committee.

I would be grateful if you could share the enclosed ICOMOS Technical Review (Annex) with your relevant national authorities for their consideration and keep the World Heritage Centre informed of ways by which these comments and recommendations are being taken into account.

ICOMOS remains at the disposal of the State Party to respond to requests for further clarification on the Technical Review or assistance. Nevertheless, ICOMOS had shared its concerns in two issues with the World Heritage Centre in relation to the preparation of this Technical Review.

The first relates to the issue that had already been raised several times during discussions between the World Heritage Centre and the representatives of the State Party. The practice of the State Party to share the full application documentation via a link (meaning a very large number of documents - over 400 for this Technical Review) in a one-page cover letter requires an unreasonable amount of time for both the World Heritage Centre and the Advisory Bodies finding the relevant documents. The *Operational Guidelines for the Implementation of the World Heritage Convention* does not include specific restrictions for documents in relation to the notifications provided by the State Party to the Secretariat under Paragraph 172. Nonetheless, I would like to draw your attention to the practice of the other States Parties to the Convention, providing the Secretariat with the related documentation only, and if relevant their summary in one of the working languages of the Convention. We would be grateful if the State Party would definitely rectify this practice for the future.

The second issue relates to a document called "ICOMOS Heritage Impact Assessment" that is part of the application documentation (in 3 parts at Appendix 18.2, available at the application link:

http://northgate.liverpool.gov.uk/DocumentExplorer/Application/folderview.aspx?type=MVMPRD_DC_PLANAPP&key=1166800). The header on every page uses the name of the document and only with these words. It is assumed that this document has been prepared as a separate Heritage Impact Assessment, using the methodology of the ICOMOS 2011 Guidance on Heritage Impact Assessments for Cultural World Heritage Properties

(https://www.icomos.org/world_heritage/HIA_20110201.pdf). It may be that the name of the document was chosen to distinguish it from the more general and wider-ranging Heritage Impact Statement that is also available on the application link as part of the overall proposal documentation. However, it is considered that the use of this terminology is manifestly misleading, and readers may well interpret it as being an ICOMOS-authored assessment document with comments and conclusions of the organisation. For the above reasons, the name of document (including the annotation on each page) must be changed and a retraction issued on the relevant platforms.

Thanking you for your continuous collaboration and support in the implementation of the *World Heritage Convention*, I remain,

Yours sincerely,



Isabelle Anatole-Gabriel
Chief
Europe and North America Unit

Enc.

cc: Permanent Delegation of the United Kingdom of Great Britain and Northern Ireland to UNESCO
United Kingdom National Commission for UNESCO
ICOMOS International

ICOMOS TECHNICAL REVIEW

Property	Liverpool – Maritime Mercantile City
State Party	United Kingdom of Great Britain and Northern Ireland
Property ID	1150
Date of Inscription	2004
Criteria	(ii)(iii)(iv)
Project	Bramley-Moore Dock Stadium Proposal

1. The Proposal

On 26 February 2020, ICOMOS received notice from the State Party, via the World Heritage Centre, in accordance with Paragraph 172 of the *Operational Guidelines for the Implementation of the World Heritage Convention*, of ‘planning proposals’ seeking full planning permission for a stadium at Bramley-Moore Dock, Regent Road, Liverpool, within the Liverpool Maritime Mercantile City World Heritage property, which were submitted to Liverpool City Council by Everton Stadium Development Limited.

Access was simultaneously provided to the documents for the proposals (application 20F/0001), including a Heritage Impact Assessment (HIA), available at:

<http://northgate.liverpool.gov.uk/PlanningExplorer17/ApplicationSearch.aspx>.

The Advisory Body provides its comments on the proposals below.

The Planning Proposal

Liverpool City Council describes the planning proposals as follows:

The proposal is for the construction of a new 52,888 seat football stadium within Bramley-Moore Dock. The development involves the infilling of the dock and associated engineering works to facilitate the scheme. The stadium has been designed with a north - south orientation with circulation space around the ground. The main pedestrian access is from a fan plaza situated to the east of the building which is accessed through three new openings to be created in the dock boundary wall on Regent Road and two existing openings. The public spaces will be available for use on both match days and non-match days. The design includes the creation of a water channel on the west side of the site to retain the visual dock connection and a new multi-storey car park within the stadium building. The stadium is primarily for football use although permission is sought to host other events and a variety of ancillary concessions are included in the application as detailed on the application drawings.

The stadium has been designed with a brick base and a contemporary polycarbonate roof that is open to the elements. The 345 space car park would be built from the same type of materials as the stadium and is within the West Stand of the stadium. Outside the stadium a number of other public spaces are designed to be flexible so community, cultural and business organisations could use them. The existing Grade II listed Hydraulic Tower is to be repaired and reused as an exhibition/cultural space [...]



Extract from the visualisation of the proposed Bramley-Moore Dock Stadium, looking southeast. (Source: Cover of project Proposal Design and Access Statement Meis Architects, 2020).

The proposal under consideration in this Technical Review comprises:

- *demolition of existing buildings/structures on site (as listed in a schedule);*
- *remediation works;*
- *foundation/piling works;*
- *infill of the Bramley-Moore Dock;*
- *creation of a new water channel between the proposed stadium and the waterfront;*
- *alteration to dock walls and dock isolation works with vehicular and pedestrian links;*
- *other associated engineering works;*
- *internal and external shop and retail and food and drink concessions;*
- *exhibition and conference facilities;*
- *betting shop concessions;*
- *associated infrastructure including: electric substation, outside broadcast compound, photo-voltaic canopy, storage areas/compound, security booth, external concourse / fan zone including performance stage, vehicular and pedestrian access and circulation areas, hard and soft landscaping (including canopies, lighting, wind mitigation structures, public art and boundary treatments), cycle parking structures and vehicle parking (external at grade and multi-storey parking); and*
- *change of use of the Hydraulic Tower structure to an exhibition / cultural centre with ancillary food and drink concession.*

2. Background

The property was inscribed on the World Heritage List in 2004 on the basis of criteria (ii), (iii) and (iv). The full Statement of Outstanding Universal Value (SOUV) for the property is provided as an annexe to this Technical Review. Relevantly, in the context of the current proposal, the SOUV makes particular reference to:

the Dock area with its warehouses, dock walls, remnant canal system, docks and other facilities related to port activities [...]

and records that:

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, dock facilities and warehouse construction had worldwide influence [...];

Liverpool was a major centre generating innovative technologies and methods in dock construction and port management in the 18th, 19th and early 20th centuries [...];

The main docks survive as water-filled basins within the property and in the buffer zone [...]

The particular importance of Bramley-Moore Dock is well established. For example in commenting on the concept for a new football stadium at the subject site, Historic England observed in March 2019 that:

Bramley-Moore Dock is one of five linked docks authorised by the 1844 Dock Act, their construction represented the huge confidence in Liverpool's thriving economy and its future expansion. The new docks designed by Jesse Hartley, demonstrate his unrivalled ability as a dock engineer. Constructed from huge granite blocks with very fine mortar joints, and interconnected via a system of locks, they allowed the easy movement of vast numbers of ships within the port. Bramley-Moore Dock, and its sisters, was a fundamental component of the Port of Liverpool's global success. Its international significance led to its inclusion within the boundary of the Liverpool Maritime Mercantile City World Heritage Site and in the Stanley Dock Conservation Area. Its national importance is further recognised in the dock retaining walls and boundary wall both listed at grade II.

The Liverpool – Maritime Mercantile City World Heritage property was inscribed on the List of World Heritage in Danger in 2012 (Decision 36 COM 7B.93) because of the potential danger posed by an Outline Planning Consent (OPC) issued by Liverpool City Council for the Liverpool Waters development project. Preceding the inscription on the List of World Heritage in Danger, the World Heritage Committee in 2011 had already noted its:

extreme concern at the proposed development of Liverpool Waters in terms of the potential impact of its dense, high and mid-rise buildings on the form and design of the historic docks and thus on the Outstanding Universal Value of the property (35 COM 7B.118).

Since then, repeat World Heritage Committee Decisions (37 COM 7A.35, 38 COM 7A.19, 39 COM 7A.43, 40 COM 7A.31, 41 COM 7A.22, 42 COM 7A.7, and 43 COM 7A.47) have addressed the Liverpool Waters development project and the need for major changes to the OPC to place the retention of the attributes of the property which contribute to its Outstanding Universal Value (OUV) at the centre of decision making. Although the State Party's position is that there is no likelihood of the development being undertaken to the full extent presented in the OPC and that there is flexibility and for individual scheme consent by the Liverpool City Council, the World Heritage Committee has specifically determined that the OPC constitutes an ascertained threat to the property (43 COM 7A.47, Decision 4; 2019).

Among other Decisions, in the period since the OPC was granted, and the property was inscribed on the List of World Heritage in Danger, the Committee has consistently sought completion of necessary studies and neighbourhood masterplans as essential input to identify the Desired State of Conservation for removal of the property from the List of World Heritage in Danger (DSOCR) and Corrective Measures. The Committee has also requested that there be a moratorium on new approvals and construction, pending the completion of these essential guideline and regulatory documents.

Development within the property is guided by the Liverpool World Heritage Site Management Plan and by a Supplementary Planning Document (SPD), adopted in October 2009. However, the OPC as

adopted in 2013 diverges from the guidance set by the SPD in 2009 and it is understood that to the extent of any inconsistency, the OPC prevails.

Despite previous expression of concern by the World Heritage Committee and ICOMOS regarding the prospect of a stadium at Bramley-Moore Dock, the consultation process for the current proposal did not extend to the World Heritage Centre nor to ICOMOS, although the *Design and Access Statement* for the proposal notes that other 'heritage' stakeholders were consulted, as follows:

Consultation with stakeholders such as Historic England and Liverpool City Council, as well as other conservation bodies, including the Merseyside civic society, and heritage consultants, have been integral to identifying key heritage considerations, and establishing design approaches with regard to the treatment of existing heritage elements. (Design and Access Statement section 6.5)

The programme of public consultation regarding the potential re-location of the Everton Football Club's home ground and HQ from Goodison Park to the Bramley-Moore Dock site was therefore fundamentally inappropriate, firstly because choices were not offered about alternative new stadium sites and secondly because respondents were not properly informed of World Heritage impacts, requirements and implications. Any suggestion of a popular mandate for the proposal therefore rests on a flawed foundation of incomplete information and a constructed 'binary' choice.

3. ICOMOS Analysis

The Statement of Authenticity for the property, adopted at the time of inscription, is explicit about the need to retain the dock landscape of the property and its setting:

The main docks survive as water-filled basins within the property and in 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 setting, including the buffer zone, should respect and transmit its Outstanding Universal Value.

ICOMOS has participated in previous missions to the property and has previously expressed concerns about the OPC, both before and after it was granted. ICOMOS has also consistently expressed strong concerns that Bramley-Moore Dock is not an appropriate location for the proposed stadium because its construction would cause fundamental adverse impact to key attributes of the OUV of the property, arising, among other factors, from:

- inappropriate location of extensive new built form within the World Heritage property;
- infill of the water-filled Bramley-Moore Dock;
- the physical and visual effect on the property and its setting;
- significant impact on key views;
- disturbance and destruction of archaeological and industrial heritage features; and
- dramatic change to the industrial and maritime character of the property.

These concerns remain – the proposal if built would fundamentally undermine the OUV of the property and would be in contempt of the provisions and obligations for its protection and management.

ICOMOS particularly disputes the underlying philosophical position of the proposal, as for example expressed in the *Design and Access Statement*, the *Heritage Statement* and the so-called '*ICOMOS Heritage Impact Assessment*', that the major adverse impact of the proposal can in any way be counter

balanced by public benefit. The suggestion that the infill of dock is 'unavoidable' and can therefore be acceptable ignores the obligations of the State Party under the World Heritage Convention.

In this regard, ICOMOS has received and considered submissions by Historic England to Liverpool City Council, which, as long ago as January 2018, clearly advised that:

The proposal to infill the dock goes against the established approach to managing the OUV of the World Heritage Site, as set out in the current World Heritage Site SPD, and also appears contrary to Government objectives and policy for the sustainable conservation of irreplaceable heritage assets.

ICOMOS concurs with this advice, noting that the entire concept of the proposed Bramley-Moore Dock Stadium appears to be founded on an incomplete understanding of the values of the property and misconception of the State Party's own policy position for conservation of those values.

ICOMOS notes further that the application's *Heritage Statement* itself (at paragraph 10.33) considers Section 4.7 of the *World Heritage Site Supplementary Planning Document* (SPD) October 2009, which relates to dock water spaces and acknowledges that the proposal is contrary to the applicable guidance which states (*inter alia*):

'it is essential that the fundamental integrity of the docks as open water spaces are retained' (4.7.2) [...]

'the retention of the contributions of the docks as focal points, to setting and openness is critical in both heritage conservation and urban design terms' 4.7.4) [...]

further, 'the surviving areas of docks in the WHS and Buffer Zone, including historic dock retaining walls, quaysides, artefacts and their water spaces should be conserved, retained and enhanced' (4.7.6).

None of these requirements of the State Party's own guidance document for the property are satisfied by the proposal.

The proposal and its numerous supporting documents also err with a further misconception that heritage requirements and impacts can be validly assessed and evaluable based on consideration of the sum of individual elements. Nevertheless, even the 'Heritage Statement' provided by the proponent acknowledges:

However, with regards to the Grade II listed Bramley-Moore Dock Retaining Walls, whilst their physical structure will be carefully conserved it would be reasonable to conclude that the removal of the water from the dock, its partial infill and the construction of a building in it would affect a key element of its special architectural or historic interest (10.9).

Similarly, with regards to the Stanley Dock Conservation Area it could be concluded that, when taking into consideration the overall key character and appearance of the conservation area to be that of interconnecting docks and associated buildings and structures that the infill of the dock would also lead to an adverse impact that would seriously affect a key element of its special interest (10.10).

ICOMOS has considered the reported heritage benefits of the proposal, including increased public access to the property, the retention of boundary walls (albeit with additional penetrations), the conservation and adaptation of the Hydraulic Tower and the provision of a new interpretative water channel. These benefits in no way mitigate or compensate for the profound adverse impact of the infill

of the historic dock and the construction of a major new element which is inappropriate in this context.

ICOMOS acknowledges the outstanding design quality of the proposed new stadium and the thoroughness of the design process, but objects to the implication that these qualities justify its construction at this location. In this context, ICOMOS notes that although the design reflects, to some extent, the materials and forms found along the waterfront part of the property, such design niceties cannot compensate for the completely unacceptable concept. A brand new stadium of outstanding design could and should be built at another site, close to the city centre, but outside the World Heritage property and its buffer zone and visual setting. ICOMOS also acknowledges the importance of football to the history and culture of the City of Liverpool, and the need for a new stadium – but advises that the assertion that it belongs within a World Heritage property inscribed for completely different cultural values should be rejected outright.

4. ICOMOS Conclusions

ICOMOS continues to support the concept of sensitive development and adaptation of the property and its buffer zone on the basis that such development retains and supports the attributes that contribute to the OUV of the property, but is concerned at the ongoing presentation and approval of projects that are inconsistent with the integrity and authenticity of the property, contrary to the State Party's own guidance documents, and contrary to explicit Decisions of the World Heritage Committee.

The proposed Bramley-Moore Dock Stadium project would have a completely unacceptable major adverse impact on the authenticity, integrity and OUV of the property and should not proceed at this location.

ICOMOS reiterates its previous advice that the relevant authorities of the State Party should afford greater weight to the objectives and requirements of the United Kingdom's *National Planning Policy Framework*, and in particular the provisions of paragraphs 192, 193, 194, 196 and 200, to give priority to sustainable conservation and use of heritage assets for community benefit, and afford primacy to conservation of World Heritage.

ICOMOS again re-iterates its consistent advice that it is not appropriate for further new development within the property and its buffer zone to be approved and built until such time as the necessary input studies and plans have been fully completed and the DSOCR and Corrective Measures have been finalised, agreed, and endorsed by the World Heritage Committee. Insofar as such a moratorium is not possible under UK law, that situation itself presents a major and unacceptable threat to the OUV of the property.

The cumulative effect of an ongoing series of individual projects with major adverse heritage impact – of which the Bramley-Moore Dock proposal is but the most recent iteration – has reached a point where the OUV of the property has been irrevocably damaged.

ICOMOS remains at the disposal of the State Party for further clarification on the above or assistance as required.

ICOMOS, Charenton-le-Pont
June 2020

Annexe: Statement of Outstanding Universal Value

Annexe: Statement of Outstanding Universal Value

Brief synthesis

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 America. Liverpool was a pioneer in the development of modern dock technology, transport systems and port management, and building construction.

Six areas in the historic centre and docklands of Liverpool bear witness to the development of one of the world's major trading centres in the 18th, 19th and early 20th centuries. A series of significant commercial, civic and public buildings lie within these areas, including the Pier Head, with its three principal waterfront buildings - the Royal Liver Building, the Cunard Building, and Port of Liverpool Building; the Dock area with its warehouses, dock walls, remnant canal system, docks and other facilities related to port activities; the mercantile area, with its shipping offices, produce exchanges, marine insurance offices, banks, inland warehouses and merchants houses, together with the William Brown Street Cultural Quarter, including St. George's Plateau, with its monumental cultural and civic buildings.

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, dock facilities and warehouse construction had worldwide influence. Liverpool was instrumental in the development of industrial canals in the 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 architecture 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.

Criterion (ii): 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.

Criterion (iii): The city and the port of Liverpool are an exceptional testimony to the development of maritime mercantile culture in the 18th, 19th and early 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.

Criterion (iv): Liverpool is an outstanding example of a world mercantile port city, which represents the early development of global trading and cultural connections throughout the British Empire.

Integrity

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.

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.

Authenticity

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 skillfully 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 historical 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 in 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 setting, including the buffer zone, should respect and transmit its Outstanding Universal Value.

Protection and management requirements

The property is within the boundary of Liverpool City Council and is protected through the planning system and the designation of over 380 buildings. The six sections of the property are protected as Conservation Areas under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990.

The properties within the boundary are in mixed ownership and several institutions have management responsibilities relating to them. The property is subject to different plans and policies, including the Liverpool Unitary Development Plan (2002) and the Strategic Regeneration Framework (July 2001). There are several detailed master plans for specified areas, and conservation plans for the individual buildings. A Townscape Heritage Initiative for Buildings at Risk in the World Heritage site and its buffer zone is successfully encouraging and assisting the restoration of buildings within designated areas of the property. A full Management Plan has been prepared for the property. Its implementation is overseen by the Liverpool World Heritage Site Steering Group, which includes most public bodies involved in the property.

At the time of inscription, the World Heritage Committee requested that the height of any new construction in the property should not exceed that of structures in the immediate surroundings; the character of any new construction should respect the qualities of the historic area, and new construction at the Pier Head should not dominate, but complement the historic Pier Head buildings. There is a need for conservation and development to be based on an analysis of townscape characteristics and to be constrained by clear regulations establishing prescribed heights of buildings.

A Supplementary Planning Document for Development and Conservation in and around the World Heritage site addresses the management issues raised by the World Heritage Committee in 2007 and 2008 and was formally adopted by the Liverpool City Council in October 2009.

Peter Jones
Liverpool City Council
Cunard Building
Water Street
Liverpool
Merseyside
L3 1AH

Your Ref 20F/0001
Our Ref CRTR-PLAN-2020-29311
Monday 30 March 2020

Dear Mr Jones

Proposal: Application for Full Planning Permission in accordance with submitted drawings for the demolition of existing buildings/structures on site (listed in the schedule); remediation works; foundation/piling works; infill of the Bramley-Moore Dock, alteration to dock walls and dock isolation works with vehicular and pedestrian links above; and other associated engineering works to accommodate the development of a stadium (Use Class D2) predominantly for football use with the ability to host other events with ancillary offices (Use Class B1a); Club Shop and retail concessions (internal and external to the stadium) (Use Class A1); exhibition and conference facilities (Use Class D1); food and drink concessions (internal and external to the stadium) (Use Classes A3 / A4 / A5); betting shop concessions (Sui Generis); and associated infrastructure including: electric substation, creation of a water channel, outside broadcast compound, photo-voltaic canopy, storage areas/compound, security booth, external concourse / fan zone including performance stage, vehicular and pedestrian access and circulation areas, hard and soft landscaping (including canopies, lighting, wind mitigation structures, public art and boundary treatments), cycle parking structures and vehicle parking (external at grade and multi-storey parking) and change of use of the Hydraulic Tower structure to an exhibition / cultural centre (Use Class D1) with ancillary food and drink concession (Use Class A3)

Location: Bramley Moore Dock, Regent Road, Liverpool

Waterway: Liverpool Link

Thank you for your consultation.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a statutory consultee in the Development Management process.

The main issues relevant to the Trust as statutory consultee on this application are:

- a) Heritage considerations and potential impact on Trust owned heritage assets.
- b) Sustainable Access utilising the Leeds & Liverpool Canal.
- c) Securing future access along the Waterfront
- d) Water management and pollution prevention

Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that a condition

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relating to production of a pollution prevention plan and a legal agreement to secure 200m of new towpath adjacent to the offside of the Stanley Lock flight on the Leeds & Liverpool Canal and a package of signage/wayfinding to promote sustainable transport routes to the site are necessary to address these matters. Our advice and comments follow:

Heritage Considerations and Potential Impact on Trust Owned Heritage Assets.

The Trust owns and manages the Leeds & Liverpool Canal and associated Stanley Lock Flight which are located approximately 0.5km to the southeast of the application site. The canal enters into the dock system via Stanley Dock and the Trust has a right of navigation through Stanley Dock, Collingwood Dock and Salisbury Dock; before continuing through Trafalgar Dock via the Liverpool Link to the wider dock network to the south.

Along with the application site, the stretch of the Leeds & Liverpool Canal through the Stanley Lock Flight is located within the Liverpool Maritime Mercantile City World Heritage Site (WHS) and Stanley Dock Conservation Area. The Stanley Lock Flight is also Grade II listed.

The potential impact of the proposed development on designated heritage assets is required to be assessed in accordance with NPPF, with any harm weighed against the public benefits of the proposal. The applicant has submitted a Heritage Assessment which concludes (as summarised in para 17.8 of the submitted Planning Statement) that “.....*the proposed development will result in **substantial harm** upon the Grade II listed Bramley Moore Dock retaining walls and the Stanley Dock Conservation Area* “ and, that “*It is anticipated that the proposed development will result in **less than substantial harm** to the UNESCO World Heritage Site, the Grade II listed Regent Road Dock Wall and the setting of the Grade II listed Hydraulic Engine House*”.

The infilling of a dock within an exemplary complex of basins at the heart of the World Heritage Site (WHS) is regrettable. Bramley Moore Dock is not however in the ownership of the Trust and the impact of the proposed development on the outstanding universal value (OUV) of the WHS and on the character and appearance of the conservation area are matters for the Local Planning Authority to consider. The Trust recognises that change can be a necessary component of the historic environment but considered that when change does occur it should be undertaken with sensitivity to safeguard the heritage value and significance of an area for future generations. We would therefore ask the Local Planning Authority, in considering the proposal, to satisfy itself in terms of the level of harm to be attributed to the wider historic environment and the extent to which the public benefits arising from the proposed development outweigh this harm, as required by the NPPF.

Impact on Trust Heritage Assets

The importance of the canal and listed Stanley Lock Flight is acknowledged within the applicants Heritage Statement which concludes at paragraph 7.95 that their contribution to the OUV of the WHS is considered to be Very High. In particular it highlights that

“7.92 The rise of four locks that step down from the Leeds-Liverpool Canal into Stanley Dock and subsequently link to wider Dock network were an important example of the integration of the docks into the wider national transport infrastructure at that time.....”

Before continuing:

“7.94 The lock structures and the canal link are an important element of the overall port management system as conceived and built by Jesse Hartley, providing a vital connection for the exchange of raw and completed goods between the rest of the country and the rest of the world.”

Paragraph 8.72 of the submitted Heritage Statement goes on to state that “*the significance of the listed lock structures and the connection between the Leeds-Liverpool Canal and Stanley Dock lies primarily in the operational and strategic importance of linking the dock complex and one of the key transport networks in Britain during the early 19th century.*” It concludes in Paragraph 8.73 that “*The proposals will not have any impact*

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on the ability to appreciate this interest, or its contribution to the OUV of the WHS. The proposals will sit in the far distance behind buildings which are not significant either in their own right or with regards the OUV of the WHS and will not affect the setting of the canal and its listed structures.”

The roof of the proposed stadium, at 48m in height, would be clearly visible from, and within the setting of, the listed Stanley Lock flight. Views would however diminish as users of the canal corridor travel down the lock flight. It is also considered that the proposed stadium would compete with the listed Tobacco Warehouse (38m high) by virtue of its proposed height, scale and form. The history of big structures in this area is however acknowledged and on balance, the Trust generally agrees with the overall conclusions of the Heritage Assessment in terms of the impact on the Trust owned heritage assets.

If the Council is minded to approve this application we would however ask it to ensure that those public benefits and design interventions referenced in the application (specifically the external cladding of the stadium; the landscaping; retention of the dock wall; retention of the channel of water to aid legibility of the former interlinked complex of basins; retention of historic features and markers) which seek to mitigate the harm, are all secured and delivered as part of the development.

Sustainable Access utilising the Leeds & Liverpool Canal

As set out in the section above, it is a matter for the Council to satisfy itself in terms of the level of harm to be attributed to the wider historic environment and whether the public benefits and other material planning considerations put forward outweigh this harm.

In terms of the public benefits put forward by the applicant, the Trust welcomes the principle of the public benefit titled, *“Access to the WHS: Increasing the Value and Use of BMD”* and as expanded upon at paragraph 9.6 of the heritage statement to *“Provide public access to BMD and open up the Northern Docks to the people of the City, increasing the use of the WHS and unlocking this important element of Liverpool’s heritage for wider public use and enjoyment,”* and *“Facilitate access to revitalised heritage assets within and surrounding the site.”*

We consider that this includes opening up access to the Leeds & Liverpool Canal and Stanley Lock Flight which are acknowledged as being part of the WHS and playing an important role in providing connectivity and historic access to the Northern docks. Therefore, if the Council is minded to approve the application we consider that appropriate measures to improve access between the Northern docks and the Leeds & Liverpool Canal via the Stanley Lock Flight should also be secured as part of the package of public benefits as detailed below.

Existing walking and cycling routes are noted within the Transport Assessment and specific reference made to the off-road route via the Leeds & Liverpool Canal, (as shown at figure 16 (pg62) of the Transport Assessment). Utilising the canal corridor as part of the package of sustainable routes to the site would also accord with the aims of the development and overall strategy. Indeed paragraph 14.46 of the Planning Statement sets out that *“a fundamental aspect of the strategy is to encourage visitors to consider travelling by sustainable modes. To make the stadium accessible and successful, appropriate facilities for travel by train, bus, walking and cycling (as well as surrounding parking zone restrictions) will be promoted so that visitors have an alternative choice to travelling by car.”*

We note that in paragraph 10.2.34 of the Transport Assessment reference is made to Manchester and travel to the Etihad from Piccadilly Station. In Manchester, the Ashton Canal is successfully used on match days as part of the sustainable access route to/from the Etihad. We consider that the Leeds & Liverpool Canal has the potential to provide a similar role for access to the proposed stadium at Bramley Moore Dock.

Within the application documents there are numerous references to the sustainable transport strategy and opening up access to the Northern docks and that this forms a key component, not only in terms of the public benefits of the development but also in terms of the presumption in favour of sustainable development, as set out in the NPPF. Both the Framework Day Transport Strategy (figure 7) and Framework Event Transport

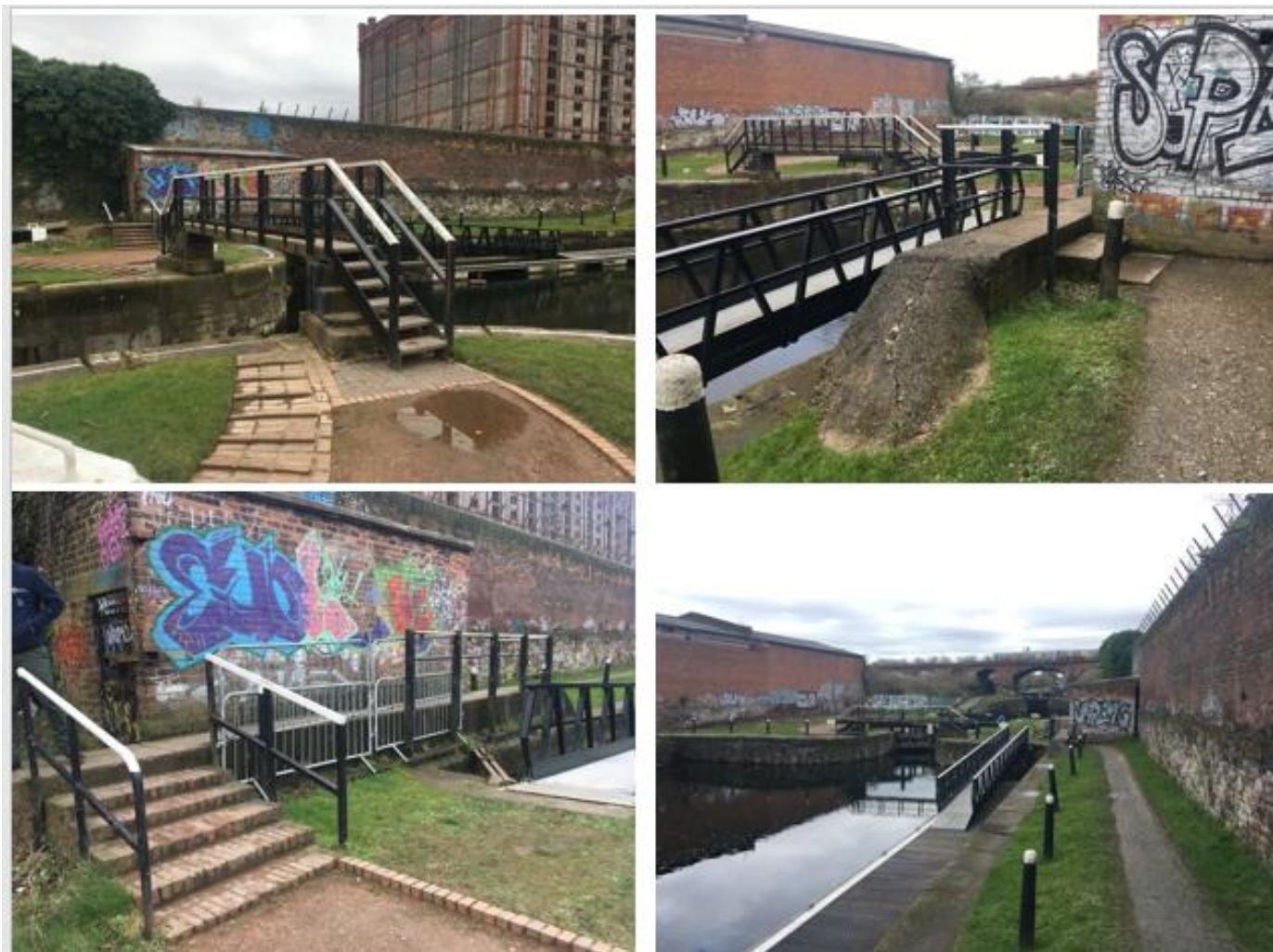
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Strategy Summary (figure 6), indicate that the access and connectivity routes to the stadium includes the Leeds & Liverpool Canal towpath as an '*off road cycle/pedestrian route to site*'.

Whilst we welcome the recognition given to the role the canal corridor can play in providing a sustainable traffic-free route to the site, at present the access arrangements adjacent to the bottom of the Stanley Lock flight are not ideal to accommodate any significant increase in usage. As shown in the images below, this is due to a narrow up and over metal footbridge crossing the canal from the towpath, to a stepped access up onto a



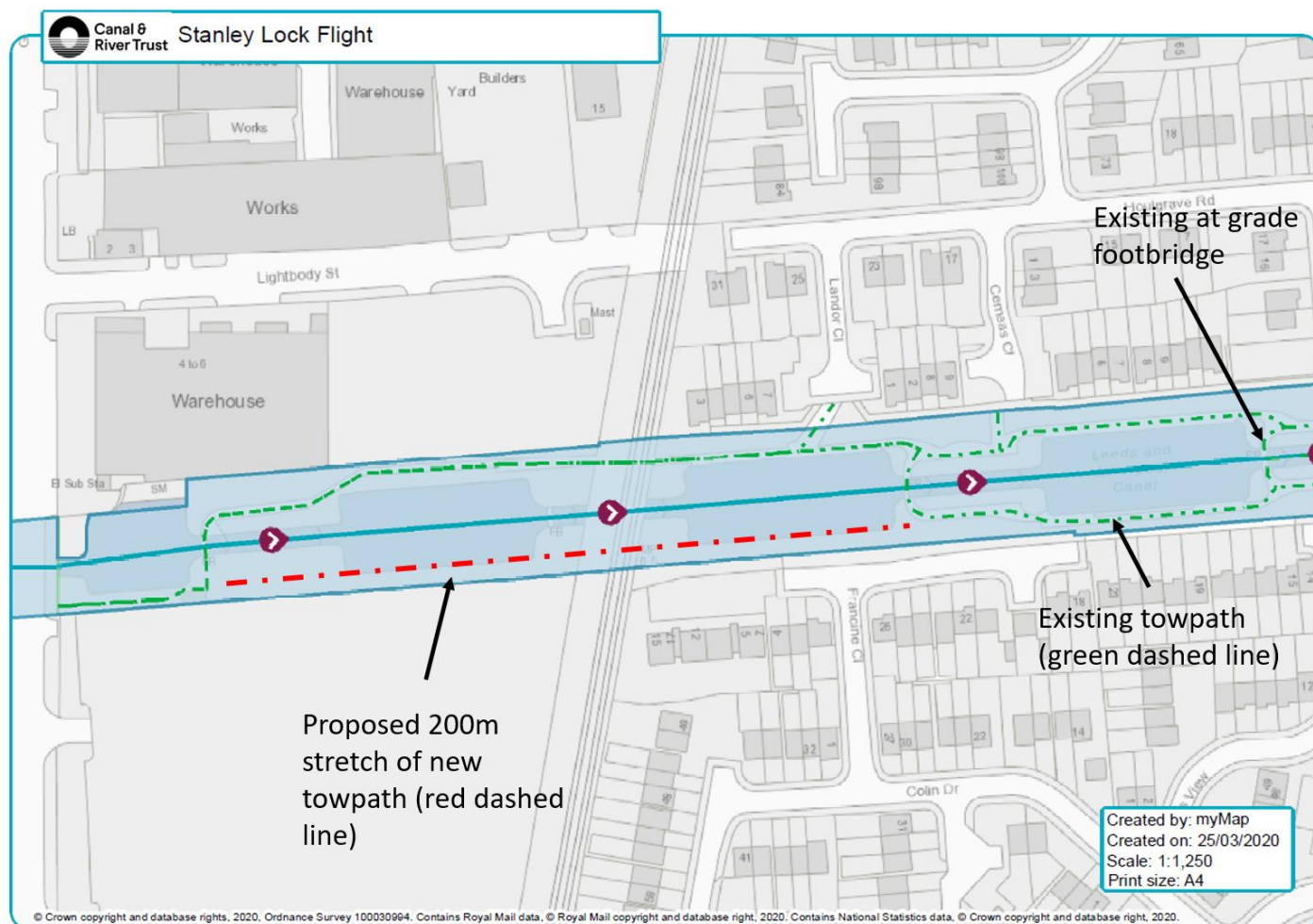
concrete gas pipe which runs adjacent to a brick-built store to allow access to Great Haywood Street for onward travel. As shown in the images above all of these act to hinder access. At present this is acceptable for current usage, although far from ideal. With the very likely significant uplift in usage of this route associated with the proposed development for match days, events and general access to the Northern docks, as acknowledged in the application documents, these existing access arrangements would not be fit for purpose and would increase health and safety risks, as well as the potential liability upon the Trust.

A possible solution to address this awkward access arrangement would be to continue the existing towpath along the offside (non-towpath side) from the second lock on the flight to the bottom lock. As shown on the map below there is an existing towpath (green dotted line) along a stretch of the offside and a footbridge over the canal at top lock which is at grade.

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To make this connection would require the creation of a stretch of approximately 200m of new surfaced towpath, as indicated by the red dashed line on the map above. This would be accessible for all users with an at grade crossing. At the narrowest point along the offside of the canal there is 6m width between the boundary wall and canal edge which would be more than sufficient space to create a towpath. This would also necessitate the removal of the existing brick-built building and alterations to the concrete gas pipe as shown in the images above. The brick-built building previously housed the pump which back-pumped water from the dock into the canal. This building is now redundant. The works would also require some minor vegetation clearance/management. This 'public benefit' would be 'public' in the true sense of the word in that the Trust, as custodian, maintains the historic canal network for the benefit of the public and the towpath is free to all at the point of access.

The Trust generally seeks to maintain its assets in a "steady state", this is based on existing usage. Where new development has the likelihood to increase usage, the Trust's maintenance liabilities will also increase, and we consider that it is reasonable to request a financial contribution from developers to either cover increased maintenance costs, and/or to upgrade towpath surface to a standard which is more durable and thus able to better accommodate increased usage without adding to our future maintenance costs and liability. We therefore consider that if the Council is minded to approve this application, that the proposed development should provide for the creation of the 200m stretch of new towpath as described above and associated works, as well as the removal of the brick-built building/vegetation to facilitate the creation of the new towpath. An initial estimate of the likely cost of providing this is in the region of £250,000.

We consider that this request for a financial contribution is justified and meets the statutory tests as set in the Community Infrastructure Levy Regulations 2010. The works are necessary to support this sustainable transport route and to provide public access to the development and Northern docks as part of the transport strategy for [Canal & River Trust](#)

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the development. The uplift in towpath usage here would be as a direct consequence of the proposed development. The scale of the development would be significant and would have a large catchment, as does the canal corridor. The creation of 200m of new towpath would therefore be commensurate to this scale and fairly and reasonably related in kind to the development. The agreement should set out that the design and specification of the towpath would need to be agreed with the Trust. The towpath works would need to be delivered before the development comes into use.

Finally, paragraph 14.45 of planning statement outlines that *“Improving access to the stadium by providing multi-modal access to the ground, accessible parking adjacent to the stadium and providing fully accessible wayfinding and signage”*. To ensure that the sustainable transport routes are fully utilised a package of wayfinding and signage measures would need to be considered and secured as part of the application via the s106 agreement as the signage would be sited outside of the application site. The signage should include wayfinding to/from the Leeds & Liverpool Canal. Similarly, any interpretation to be provided should include and acknowledge the role the Leeds & Liverpool Canal has played and its integral connection with the Docks.

If the Council is minded to approve this application and agrees that the above public benefits meet the necessary tests we would be happy to work with the Council in terms of the works to be secured as part of the s106 agreement. Whilst there is no obligation on the Local Planning Authority to make the Trust a party to such an agreement where it has no legal interest within the application site boundary, the Trust would wish to be a signatory to any legal agreement where works are to be undertaken on our land.

Securing future access along the Waterfront

Paragraph 16.31 of the Planning Statement sets out that in terms of public access to the site this includes the River Walk along the Waterfront to connect Bramley Moore Dock to the wider Liverpool Waters scheme. The documents set out that the River Walk is anticipated to attract visitors on non-match days and is an important aspect of the proposed development as it will encourage activity throughout the year and allow the public to visit and interact with the heritage features at the site and the northern part of the WHS. This part of Liverpool Waters is however currently inaccessible and unlikely to be delivered until 2036 (in accordance with the approved phasing plan). This connection along the Waterfront would therefore unfortunately not be delivered for some considerable time. As set out on the Access & Circulation - Pedestrian Plan this link along the **waterfront is shown as ‘Potential future pedestrian links to Liverpool Water and City Centre’** and as such dependant on the Liverpool Waters scheme coming forward in the future. It is noted that the Boundary Treatment Plan shows a perimeter security fence where this link would be provided. It is unclear what mechanism would be used to ensure this crucial link is delivered in the future and we would ask the Council to ensure that this key linkage along the waterfront is provided.

Water management and pollution prevention

The proposed infilling of the dock should not impact the water levels with the dock or navigation via the Liverpool Link. Although the docks adjacent to the site are not owned by the Trust, they are hydrologically connected to other docks and the canal which therefore would be susceptible to pollution from the site. Due to the scale and complexity of the proposed development there is potential for the dock network to become polluted during construction works. As such the Trust would ask to be included within the proposed Pollution Response Plan in case changes are needed to our water management and in terms of assisting with any containment. It is noted that section 8.7 of the Construction Management Plan states that such plans are not yet finalised. If the Council is minded to approve the application these should be secured by means of suitably worded condition. The Trust would wish to be consulted further in respect of this matter.

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Please do not hesitate to contact me about matters raised in this response.

Yours sincerely,

Tim Bettany-Simmons MRTPI
Area Planner

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Mr P. Jones
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Derek McKenzie
Chief Planning Officer
Sefton Council
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Telephone: 0345 140 0845 (Option 4)
Email: planning.department@sefton.gov.uk
Date: 3rd April 2020
Our Ref: DC/2020/00355
Your Ref: 20F/0001
Unique ID: 4084914

Dear Mr Jones

Bramley Moore Dock, Regent Road, Liverpool

Application for Full Planning Permission in accordance with submitted drawings for the demolition of existing buildings/structures on site (listed in the schedule); remediation works; foundation/piling works; infill of the Bramley-Moore Dock, alteration to dock walls and dock isolation works to accommodate the development of a stadium (Use Class D2) predominantly for football use with the ability to host other events with ancillary offices (Use Class B1a); Club Shop and retail concessions (internal and external to the stadium) (Use Class A1); exhibition and conference facilities (Use Class D1); food and drink concessions (internal and external to the stadium) (Use Classes A3/A4/A5); betting shop concessions (Sui Generis); and associated infrastructure including; electric substation, creation of water channel, outside broadcast compound, photo-voltaic canopy, storage areas/ compound, security booth, external concourse/ fan zone including performance stage, vehicular and pedestrian access and circulation areas, hard and soft landscaping (including canopies, lighting, wind mitigation procedures, public art and boundary treatments), cycle parking structures and vehicle parking (external at grade and multi-storey parking) and change of use of Hydraulic Tower Structure to an exhibition/ cultural centre (Use Class D1) with ancillary food and drink concession (Use Class A3).

I would like to take the opportunity to thank you for consulting Sefton Council on the planning application above.

The Council is supportive of this proposal in principle and believe it has significant potential to bring regeneration to the wider area.

A project of this kind will undoubtedly bring major opportunities for the local economy, and I welcome this. However, it is not currently clear what the full extent of those economic benefits and opportunities will be. We would welcome further dialogue in this respect in order to maximise those potential benefits with any investment made.

Notwithstanding the above, I have consulted with a number of colleagues on different aspects of the proposal that would normally be included as part of a planning response. A summary of the feedback is set out below. However, the full technical comments are contained in the attached Annex.

Air Quality

The Environmental Health Manager has reviewed the air quality assessment that has been submitted in support of the proposal, and has raised a number of queries in relation to the report and its conclusions. The assessment has by using modelling predicted that levels of NO₂ within the Miller's Bridge AQMA will increase as a result of the construction traffic, which is deemed to have a moderate air quality impact. Levels of NO₂ will also increase in the AQMA as a result of traffic associated with future users of the development when it becomes operational, this impact is deemed to have a negligible impact.

The Environmental Health Manager suggests this requires further consideration subject to the following comments. It is noted that only two receptors within the Miller's Bridge AQMA have been modelled and that the future air quality impact affecting the nearest receptors to the Millers Bridge junction (flats located on the corner of Derby Road /Millers Bridge) has not been modelled/determined. The assessment has also used Sefton's monitoring data from 2017 to verify the modelling and to assist in the determination of baseline air pollution levels. There is more recent monitoring data (2018) now available, which can be found via the following web link:

<https://www.sefton.gov.uk/media/1632479/Annual-Air-Quality-Status-Report-2019-.pdf>

In view of the above to fully assess the air quality impact of the development, it is recommended that the report should be updated utilising Sefton's latest monitoring data from 2018 and the modelling should also include the additional sensitive receptor mentioned above.

Highways

The Highways Manager has reviewed the Transport Statement, Design and Access Statement, Event/Matchday Transport Strategy, Framework Travel Plan and Construction Strategy, which have been submitted as part of the application to consider the impact the proposals will have on transport and propose management strategies and mitigation measures.

Given the wide nature of the proposals and that they do not just include a football stadium, the application has been assessed primarily in three main sections: Match days, Non-event days and Non-Match days. Also, given the location of the development site an assessment has been carried out to consider the highways impacts of the development on Sefton as well Liverpool. I attach some detailed technical comments in an Annex.

To summarise:

- It is recommended that a full and robust assessment of the development, particularly with regards to the impact of the proposal on Bootle, during match days, is carried out as additional information is required in relation to additional vehicle movements and parking demand in the Bootle area.

- It is requested that Sefton Council be consulted on the Full Construction Management Plan and on the Travel Plan.
- It is requested that Sefton Council be invited to be a member of the Bramley-Moore Dock Transport Working Group after the construction of the proposal.

Regeneration and Social Value

The consultancy CBRE have carried out extensive work identifying the regeneration related impacts and benefits which are identified in the main as being either during the Construction or Operational Phases.

Significantly there is no reference to Sefton in the documentation, despite it being 1-2 miles away from the application site. My Council needs CBRE /the applicant to clarify how Sefton residents and businesses, particularly within Bootle Town Centre, could benefit from the proposals, given the proposed physical links into Bootle (bus, train and car movements) and potential positive impacts that could assist our regeneration plans for Bootle town centre as well as North Liverpool.

We would be happy to discuss with CBRE these areas in further detail such that the full extent of the potential benefits are captured.

Finally, I would like to repeat Sefton Council's support in principle for this proposal. We would wish to play an inclusive and full role with your Council in ensuring that the project provides the maximum benefits to local communities while minimising the harmful elements which such a proposal could entail for the Borough. Would it be possible for you to clarify/confirm what the best process would be for us to engage with you on this, and if anything exists at present across your authority that our officers could engage with in order to address the points above?

I appreciate it may take time for Liverpool City Council to assess the application and I have no doubt your officer team will be reviewing the application to make sure the identified benefits are realised, including through the use of appropriate conditions and section 106 agreements where necessary. It would be very beneficial for Sefton officers to contribute to that process and I would request the opportunity for some officers to be involved.

Do please get in touch if you would like to clarify any aspect of this response, and to let me know of the likely timing of the next stages in assessing this proposal.

Yours sincerely



Derek McKenzie
Chief Planning Officer

Annex

Sefton Council response to Liverpool Council

Technical Requirements: Bramley-Moore Dock, Regent Road, Liverpool

The following is a summary of technical comments following consultation with different service areas within the Council and relate to air quality, highways and regeneration.

Air Quality

The Environmental Health Manager suggests further consideration is required subject to the following comments. It is noted that only two receptors within the Miller's Bridge AQMA have been modelled and that the future air quality impact affecting the nearest receptors to the Millers Bridge junction (flats located on the corner of Derby Road/Millers Bridge) has not been modelled/determined. The assessment has also used Sefton's monitoring data from 2017 to verify the modelling and to assist in the determination of baseline air pollution levels. There is more recent monitoring data (2018) now available, which can be found via the following web link:

<https://www.sefton.gov.uk/media/1632479/Annual-Air-Quality-Status-Report-2019-.pdf>

In view of the above to fully assess the air quality impact of the development, it is recommended that the report should be updated utilising Sefton's latest monitoring data from 2018 and the modelling should also include the additional sensitive receptor mentioned above.

Highways

A Transport Assessment has been submitted with the proposal, which is one of the technical assessments included in the Environmental Statement. The application also includes a match day transport strategy that has been developed in conjunction with Liverpool City Council Highways Authority, Liverpool City Region Combined Authority, Merseytravel train, bus and taxi operators to ensure that there is appropriate access to the site. Support coaches are accommodated and appropriate provision is made for any necessary match day road closures. Parking restrictions are proposed to prevent parking on local streets, which would affect residents and businesses with a signage strategy to warn motorists and divert traffic onto alternative routes. A Framework Event Transport Strategy has been submitted with the application.

The Highways Manager has reviewed the Transport Statement, Design and Access Statement, Event/Matchday Transport Strategy, Framework Travel Plan and Construction Strategy, which have been submitted as part of the application to consider the impact the proposals will have on transport and to propose management strategies and mitigation measures. The Highways Manager has provided the following comments.

Given the wide nature of the proposals and that they do not just include a football stadium, the application has been assessed primarily in three main sections: Match days, Non-event days and Non-Match days. Also, given the location of the development site an assessment has been carried out to consider the highways' impacts of the development on Sefton as well Liverpool.

Trip Generation

In December 2018 Everton sent a travel survey to all registered home supporters and all those who had attended a match at Goodison Park in the last five seasons to establish the travel habits and modal share of supporters. The purpose of this was to establish a baseline picture of travel patterns to Goodison Park in order to consider the future travel patterns for the proposed development.

The travel surveys and data held by the football club included geographical information, that details the supporters home addresses, the locations of the commencement point of the journey to the stadium and how long before kick-off the supporter arrived in or around Goodison Park. From this information it was shown that 76% of supporters live within the Liverpool City Region, of which around two thirds live outside the areas directly impacted by the proposed development, including the majority of Sefton.

The Transport Assessment has demonstrated that the primary use of the proposed development will occur at weekends but through the use of TRICS (Trip Rate Information Computer System), the industry standard software, the expected trips generated by the other uses of the site e.g. exhibition and conference facilities, has been calculated for the am and pm weekday peaks.

In a worst-case scenario in which all conferencing facilities are simultaneously in use, the development would generate approximately 227 vehicle trips in the AM peak and 133 in the PM peak.

Travel to work data from the 2011 Census has been used to assess the likely distribution pattern of non-match day traffic on the network, which is considered acceptable. Through this, the assessment has shown that at the junctions of Sandhills Lane(A5055)/Derby Road (A565) and Sandhills Lane(A5055)/Regent Road (the junctions closest to Sefton) there would be an expected increase of 1 trip per minute in the am peak and 1 trip every two minutes in the pm peak. If all these additional trips passed through Sefton they would likely be distributed over a number of different roads on the network and as such are not expected to have an adverse impact for Sefton.

For weekend and weekday match days the Transport Assessment has concluded that the traffic generated by the proposals would not coincide with the peak traffic periods and that they can be accommodated on the network. Also, as part of the assessment, assumptions have been made on the modal patterns of the supporters, based on the supporter surveys and sustainable transport capacities. From this an Event/Matchday Transport Strategy has been developed in order to manage and mitigate the impact of the match day traffic on all transport modes.

A major part of the Event/Matchday Transport Strategy is to provide a shuttle bus service from Bootle and to promote the commercial bus services from Bootle and Sefton. These services are promoted as part of a joined up transport system that would enable motorists to utilise the car parking facilities within the Bootle District Centre and then the bus services. Even though they will be mainly outside the weekday peak hours, the Transport Assessment has not provided details of the impact these additional vehicle movements will have on the network within the Bootle area, particularly for the weekday match days. Additional information will be required in this regard, to enable a full assessment of the impact the proposed development will have on south Sefton.

Match Day Transport Strategy

A Match Day Transport Strategy has been developed to achieve the modal targets that have been set based on the available carrying capacities of each transport mode on match days. Within this, details of proposed on site and off site car parking facilities, controlled parking zones, temporary road closures, shuttle buses and taxi ranks have been provided.

No temporary road closures are proposed within Sefton for match days but the control parking zone does extend to the southernmost residential streets of Sefton. These are Olivia Street and Orlando Street.

A proposed shuttle bus link has been identified from Bootle as well as commercial bus and rail links from Sefton. The use of public, private and on street parking facilities within Bootle have also been put forward as facilities to accommodate supporters and the traffic generated by the development on match days.

The Transport Assessment and its conclusions were utilised for the development of the Match Day Transport Strategy. The Assessment concluded that during match days the car parking capacity of Bootle is underutilised and can accommodate the expected additional demand from supporters. Whilst this would be accepted for the weekend match days, for weekday matches there may be a conflict between the supporter demand and the commuter demand. Further review and details for parking for weekday matches within Bootle District Centre and surrounding area should be provided.

Within the Transport Assessment it is detailed that Mott MacDonald established the Bramley-Moore Dock Transport Working Group consisting of transport stakeholders such as Liverpool City Council, Merseytravel, Merseyside Police and other transport stakeholders. It is indicated that once the stadium opens the group will continue to meet periodically to review and monitor the Transport Strategy and review ways it can be improved. Sefton Council must be involved in the working group following completion of the development.

Following receipt of the additional district centre review, further consideration will be given to the parking and network impacts the development may have and the extent of the proposed controlled parking zone. Any streets in Sefton that are within the proposed controlled parking zone will require direct consultation prior to considering its implementation.

Nevertheless, any proposed controlled parking zone in Sefton will require a Traffic Regulation Order and must be delivered by Sefton. Any such order and necessary changes to any existing orders and associated infrastructure alterations should be conditioned on any planning approval for the development and all costs will have to be met by the applicant.

Construction Traffic

It is detailed that construction of the proposed stadium will take around three years. A draft construction management plan has been prepared as part of the application. The management plan sets out that during construction phases the peak level of staff on site will be 1300 and that no staff parking will be permitted on site. The construction workers will be encouraged to use public transport, walking and cycling. Workers will be actively discouraged from parking on local streets nearby the development site. For those choosing to drive, workers must park in car parks remote from the site. A park and ride shuttle from

appropriate car parks may be provided by the contractor.

The construction management plan estimates that through the whole three-year process HGV traffic generation will peak at around 96 vehicles per day. The construction management plan details the HGV construction route as passing through Sefton, namely Derby Road/Rimrose Road (A565) and Dunningbridge Road (A5036).

The draft construction management plan includes an estimation of the likely number of HGV movements generated by deliveries, removals and other construction processes. The contractors estimate that average daily movements will peak at 96 movements per day, this would last for around 24 weeks and would take place around two years into the construction project. In the first-year movements would average 41 to 51 movements per day, 53 to 95 movements in the second year and 96 to 43 in the third year.

Following planning approval and the appointment of a contractor/s to undertake the construction of the stadium the applicant has acknowledged that a Full Construction Management Plan will need to be agreed in writing with Liverpool City Council Planning Authority before any development commences. A suitable form of planning condition to any planning approval for this development must be included to this effect and given the proposed HGV routes and the level of construction staff, Sefton Council must be consulted on the Full Construction Management Plan and the associated approval of details application.

The Full Construction Management Plan must also provide details of the expected numbers of abnormal load vehicles and details of their proposed routes and timings. Sefton Council must be notified accordingly when any abnormal load route is proposed through Sefton. As well as this, details regarding the proposed delivery times and routes for all goods vehicles must be included.

Fully detailed parking arrangements for construction staff must be included with the Plan and all measures to reduce the volume of traffic generated by the construction of the proposed development.

Travel Plan

A Framework Travel Plan has been submitted as part of the application, the basic principles of which are acceptable. A suitable condition requiring a Full Travel Plan should be included in any development approval and any subsequent approval of details application must be referred to Sefton Council for review.

The Full Travel Plan must have specific aims and targets and a robust monitoring procedure and full consideration of the facilities within Sefton that can be utilised or improved should be given.

Conclusion

To undertake a full and robust assessment of the development, particularly with regards to the impact of the proposals on Bootle during match days, additional information is required in relation to additional vehicle movements and parking demand in the Bootle area.

Regeneration and Social Value

The Regeneration Team Manager has been consulted and has provided the following comments.

The use and location of the use is such that there will inevitably be impacts on Sefton Borough, which are both wider ranging and will have a mix of positive and negative effects in term of regeneration strategy for the Borough.

The proposed use will have a number of a number of elements which the Borough could benefit from that could help it deliver its Town Centre Investment Framework for Bootle, but also some adverse impacts which will require mitigating. The anticipated benefits would need to be structured properly so Sefton residents actually do benefit. At present the submission is not sufficiently detailed to articulate how this would be achieved. The Economic Impact Assessment submitted makes no reference to Sefton but refers to benefits being realised within the North Liverpool area – North Docks/Liverpool Waters and Ten Streets regeneration areas but no mention of Bootle Town Centre where there clearly is an impact albeit traffic and footfall in the area.

We would be happy to discuss with CBRE these areas in further detail such that the full extent of the potential benefits are captured.

Garner, Brian

From: Planning
Sent: 16 October 2020 14:12
To: Jones, Peter
Subject: FW: Planning Reference: 20F/0001: Site Address Bramley Moore Dock, Regent Road, Liverpool, L3 0AP. Sport England Reference: PA/20/NW/LV/54932

From: Melanie Hughes <Melanie.Hughes@sportengland.org>
Sent: 16 October 2020 13:57
To: Planning <Planning@liverpool.gov.uk>
Subject: Planning Reference: 20F/0001: Site Address Bramley Moore Dock, Regent Road, Liverpool, L3 0AP. Sport England Reference: PA/20/NW/LV/54932

Peter,

Thank you for consulting Sport England on the additional information.

Sport England have no further comments to add to those below.

Kind Regards,

Melanie

Melanie Hughes Planning Manager **T:** 07765897897 **M:** 07765897897

We have updated our Privacy Statement to reflect the recent changes to data protection law but rest assured, we will continue looking after your personal data just as carefully as we always have. Our Privacy Statement is published on our [website](#), and our Data Protection Officer can be contacted by emailing [Gaile Walters](#)

From: Melanie Hughes
Sent: 12 March 2020 16:50
To: planningandbuildingcontrol@liverpool.gov.uk
Subject: Planning Reference: 20F/0001: Site Address Bramley Moore Dock, Regent Road, Liverpool, L3 0AP. Sport England Reference: PA/20/NW/LV/54932

FAO Peter Jones

Dear Peter

Thank you for consulting Sport England on the above named application.

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space#open-space-sports-and-recreation-facilities>

This application falls within the scope of the above guidance as it relates to the creation of a major sports facility.

Sport England assesses this type of application in light of the National Planning Policy Framework (NPPF) and against its own planning objectives, which are Protect - To protect the right opportunities in the right places; Enhance - To enhance opportunities through better use of existing provision; Provide - To provide new opportunities to meet the needs of current and future generations. Further information on the objectives and Sport England's wider planning guidance can be found on its website:

<https://sportengland-production-files.s3.eu-west-2.amazonaws.com/s3fs-public/2020-01/planning-for-sport-guidance.pdf?V91Twg6jajoe7TpardJDn9h6s9AiSqw0>

<https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport>

In terms of the proposal for the new stadium, the redevelopment of the existing site was considered through the process, however the redevelopment of the site, including the expansion of the seating bowl is not considered possible in consideration of modern safety standards. This was not possible due to land ownership constraints and the proximity of existing housing. A site search was completed within the location of the clubs catchment however identified no alternative locations. The Bramley-Moore Dock has therefore been identified as the only site that meets the clubs requirements. It is therefore considered imperative that the Club seeks to increase the capacity of the stadium and improve the stadium facilities to compete commercially with top tier EPL and European Clubs.

It is noted that the issue regarding the current location of the club at Goodison Park was considered at length through the Kirby appeal (APP/V4305/V/08/1203375) with the Inspector concluding *"Goodison Park is agreed by all to be in need of very significant work to improve to a suitable level, and that would require, a much larger site than Everton Football Club possess at Goodison Park. The matter has been exhaustively explored by the club over the past ten years. There is no credible evidence that a stadium of the kind that Everton Football Club needs can be provided at or near Goodison Park. It is clear that had it been feasible to stay at or near the current site, Everton Football Club would have done so"*.

This being the case, Sport England offers its **support** for this application as it is considered to meet planning for sport principle 6 which is to; *Support improvements to existing sport and physical activity provision where they are needed.*

It is noted that the submitted application is for a new stadium at Bramley-Moore Dock and the stadium has been designed for the use of Everton Football Club. Whilst this application only considers the new stadium, it is noted that the development of a new stadium represents one of the two strands of the "peoples project". The second element will involve the demolition of the existing Goodison Park stadium and redevelopment of the site for mixed use, including housing, commercial space, community/ leisure and open space. The planning statement is therefore clear that although the second element of the proposal does not form part of this application, the second element should be considered alongside the stadium development as they form part of the peoples project.

Sport England has therefore considered the application on this basis and has considered the application in light of the National Planning Policy Framework (in particular Para. 97), and against its own Playing Fields Policy, which states:

'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:

www.sportengland.org/playingfieldspolicy

It is noted that the demolition of the existing Goodison Park Stadium will involve the loss of the existing playing field and/or the provision of replacement playing field. It therefore needs to be considered against Exception 4 of the above policy, which states:

'The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- of equivalent or better quality, and
- of equivalent or greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

The submitted proposal therefore seeks to relocate the existing stadium at Goodison Park to Bramley-Moore Dock and therefore in consideration of the planning statement, the application is considered to meet the requirements set out under Exception E4 of Sport England's Playing Field Policy.

In terms of quality, the proposal sets out a number of improvements, including:

- Improved capacity to meet current the demand
- Improved spectator viewing experience
- Overall improvements to the facilities accessibility – The opportunity and ability of families with small children and disabled supporters to circulate around the stadium.
- Improved Information communications technology
- A dedicated concourse for managing crowds
- Improved team and players facilities, including dug out, tunnel and area surrounding the pitch
- Improved corporate and media facilities
- Enhanced office space.

In light of the above, Sport England is satisfied that the proposal will meet playing field policy – Exception 4, and as such Sport England does not wish to raise a statutory objection to the development.

Whilst this application only considers the new stadium, it is noted that the development of a new stadium represents one of the two strands of the "peoples project". The second element will involve the demolition of the existing Goodison Park stadium and redevelopment of the site for mixed use, including housing, commercial space, community/ leisure and open space. The planning statement is therefore clear that although the second element of the proposal does not form part of this application, the second element should be considered alongside the stadium development as they form part of the "peoples project".

Sport England, in conjunction with Public Health England, has produced '**Active Design**' (October 2015), a guide to planning new developments that create the right environment to help people get more active, more often in the interests of health and wellbeing. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards the Government's desire for the planning system to promote healthy communities through good urban design. Sport England would commend the use of the guidance in the master planning process for new residential developments. The document can be downloaded via the following link:

<http://www.sportengland.org/activedesign>

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

Yours sincerely,

Melanie Hughes
Planning Manager

M: 07765897897

F: 01509 233192

E: Melanie.Hughes@sportengland.org



We have updated our Privacy Statement to reflect the recent changes to data protection law but rest assured, we will continue looking after your personal data just as carefully as we always have. Our Privacy Statement is published on our [website](#), and our Data Protection Officer can be contacted by emailing [Louise Hartley](mailto:Louise.Hartley@sportengland.org)

The information contained in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000. Additionally, this email and any attachment are confidential and intended solely for the use of the individual to whom they are addressed. If you are not the intended recipient, be advised that you have received this email and any attachment in error, and that any use, dissemination, forwarding, printing, or copying, is strictly prohibited. If you voluntarily provide personal data by email, Sport England will handle the data in accordance with its Privacy Statement. Sport England's Privacy Statement may be found here <https://www.sportengland.org/privacy-statement/>. If you have any queries about Sport England's handling of personal data you can contact Louise Hartley, Sport England's Data Protection Officer directly by emailing DPO@sportengland.org

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**United Utilities Water Limited
Developer Services & Metering**
2nd Floor, Grasmere House
Lingley Mere Business Park
Lingley Green Avenue
Warrington
WA5 3LP

Planning.liaison@uuplc.co.uk

Liverpool City Council
2nd Floor, Millennium House Victoria Street
Liverpool
L1 6JF

Your ref: 20F/0001
Our ref: DC/20/784
Date: 15-MAY-20

Dear Sir/Madam

Location: Bramley Moore Dock, Regent Road, Liverpool

Proposal: Application for Full Planning Permission in accordance with submitted drawings for the demolition of existing buildings/structures on site (listed in the schedule); remediation works; foundation/piling works; infill of the Bramley-Moore Dock, alteration to dock walls and dock isolation works with vehicular and pedestrian links above; and other associated engineering works to accommodate the development of a stadium (Use Class D2) predominantly for football use with the ability to host other events with ancillary offices (Use Class B1a); Club Shop and retail concessions (internal and external to the stadium) (Use Class A1); exhibition and conference facilities (Use Class D1); food and drink concessions (internal and external to the stadium) (Use Classes A3 / A4 / A5); betting shop concessions (Sui Generis); and associated infrastructure including: electric substation, creation of a water channel, outside broadcast compound, photo-voltaic canopy, storage areas/compound, security booth, external concourse / fan zone including performance stage, vehicular and pedestrian access and circulation areas, hard and soft landscaping (including canopies, lighting, wind mitigation structures, public art and boundary treatments), cycle parking structures and vehicle parking (external at grade and multi-storey parking) and change of use of the Hydraulic Tower structure to an exhibition / cultural centre (Use Class D1) with ancillary food and drink concession (Use Class A3).

With regard to the above development proposal, United Utilities Water Limited ('United Utilities') wishes to provide the following comments. Please note we have requested additional information.

Request for Additional Information Prior to Determination – Access to Assets During Events

United Utilities notes the site is adjacent to our wastewater treatment works at Sandon Dock and in proximity to a range of water and wastewater assets including the Mersey Estuary Pollution Alleviation Scheme. We would be grateful if the applicant can confirm what plan exists to ensure that 24 hour access can be maintained to all our assets especially during event days. This should include consideration of appropriate provision within event day traffic management plans in order to ensure that access to our assets can be maintained.

Flood Risk

We note the submitted Flood Risk Assessment. You should ensure you consult with the Environment Agency and Lead Local Flood Authority to ensure that this is considered and any necessary mitigation and appropriate conditions are included within any permission you may grant. This is particularly important with respect to tidal flood risk.

Non-Mains Sewerage

We note that the applicant is proposing the use of non-mains sewerage for a small part of the site. We recommend you discuss this with the Environment Agency to determine if they consider this approach acceptable.

Drainage

In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. Following our review of the submitted Drainage Strategy, we can confirm we have no in principle objection to the proposed approach and therefore should planning permission be granted we request the following condition is attached to any subsequent Decision Notice.

Recommended Drainage Condition

Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The details of the drainage schemes shall be in accordance with the principles set out in the submitted Drainage Strategy of Appendix 11.4 of the Environmental Statement (Ref: BMD01-BHE-ZX-XX-RP-C-0300 - Drainage Strategy 0040026 Dated 18 November 2019 Revision P04). The drainage schemes must include:

- (i) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;*
- (ii) Foul and surface water shall drain on separate systems; and*
- (iii) A timetable for its implementation.*

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and no surface water shall discharge to the public sewer either directly or indirectly.

The development hereby permitted shall be carried out only in accordance with the approved drainage schemes and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

Please note, United Utilities are not responsible for determining an acceptable rate of discharge to the dock. This is a matter for discussion with the Lead Local Flood Authority, the Environment Agency and Peel.

Our understanding is that the applicant is not proposing to adopt the on-site drainage system. If the applicant intends to offer wastewater assets forward for adoption by United Utilities, the proposed detailed design will be subject to a technical appraisal by an Adoptions Engineer as we need to be sure that the proposal meets the requirements of Sewers for Adoption and United Utilities' Asset Standards. The detailed layout should be prepared with consideration of what is necessary to secure a development to an adoptable standard. This is important as drainage design can be a key determining factor of site levels and layout. The proposed design should give consideration to long term operability and give United Utilities a cost effective proposal for the life of the assets. Therefore, should this application be approved and the applicant wishes to progress a Section 104 agreement, we strongly recommend that no construction commences until the detailed drainage design, submitted as part of the Section 104 agreement, has been assessed and accepted in writing by United Utilities. Any work carried out prior to the technical assessment being approved is done entirely at the developer's own risk and could be subject to change.

Management and Maintenance of Sustainable Drainage Systems

Without effective management and maintenance, sustainable drainage systems can fail or become ineffective. As a provider of wastewater services, we believe we have a duty to advise the Local Planning Authority of this potential risk to ensure the longevity of the surface water drainage system and the service it provides to people. We also wish to minimise the risk of a sustainable drainage system having a detrimental impact on the public sewer network should the two systems interact. We therefore recommend the Local Planning Authority include a condition in their Decision Notice regarding a management and maintenance regime for any sustainable drainage system that is included as part of the proposed development.

We recommend the Local Planning Authority consults with the Lead Local Flood Authority regarding the exact wording of any condition. You may find the below a useful example:

Recommended Management and Maintenance Condition

Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a management company; and*
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.*

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

Please note United Utilities cannot provide comment on the management and maintenance of an asset that is owned by a third party management and maintenance company. We would not be involved in the discharge of the management and maintenance condition in these circumstances.

The applicant can discuss any of the above with Developer Engineer, **Andy Jack**, by email at wastewaterdeveloperservices@uuplc.co.uk.

Water Supply

The applicant should be instructed to lay their own private pipe, to United Utilities standards, back to the existing main. If this should involve passing through third party land United Utilities must receive a solicitor's letter confirming an easement, prior to connection.

If the applicant intends to obtain a water supply from United Utilities for the proposed development, we strongly recommend they engage with us at the earliest opportunity. If reinforcement of the water network is required to meet the demand, this could be a significant project and the design and construction period should be accounted for. Discussions have commenced with the developer over the network re-inforcement required for meeting the demands for this new development and we recommend that this dialogue continues.

As this development requires a large demand, the developer should be advised to incorporate the facility for on-site storage and boosting pressures e.g. break tanks and pumps.

Please note, all internal pipework must comply with current Water Supply (water fittings) Regulations 1999.

To discuss a potential water supply or any of the water comments detailed above, the applicant can contact the team at DeveloperServicesWater@uuplc.co.uk

United Utilities' Property, Assets and Infrastructure

The applicant should note that there are water mains and assets identified as no longer in use within the application site. There are also sewers in proximity to the application site including large strategic assets. **We request that the developer contacts United Utilities for advice on identifying the exact location of the water mains / sewers and to confirm the status of the no longer in use assets prior to commencing development. We also recommend the following condition regarding the protection of our assets.**

Recommended Condition

No construction shall commence (including any earthworks) until details of the means of ensuring the water and wastewater infrastructure laid within and adjacent to the site are protected from damage as a result of the development have been submitted to and approved

by the Local Planning Authority in writing. The details shall include a survey which identifies the location of the infrastructure, the status of any not in use assets and outline the potential impacts and any mitigating measures (including a timetable for implication) to protect and prevent damage to the water and wastewater infrastructure during construction and during the operational life of the development. Any mitigation measures shall be implemented in full in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: In the interest of public health and to ensure protection of the public water supply and wastewater services.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Where United Utilities' assets exist, the level of cover to the water mains and public sewers must not be compromised either during or after construction.

For advice regarding protection of United Utilities assets, the applicant should contact the teams as follows:

Water assets – DeveloperServicesWater@uuplc.co.uk

Wastewater assets – WastewaterDeveloperServices@uuplc.co.uk

It is the applicant's responsibility to investigate the possibility of any United Utilities' assets potentially impacted by their proposals and to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

A number of providers offer a paid for mapping service including United Utilities. To find out how to purchase a sewer and water plan from United Utilities, please visit the Property Searches website; <https://www.unitedutilities.com/property-searches/>

You can also view the plans for free. To make an appointment to view our sewer records at your local authority please contact them direct, alternatively if you wish to view the water and the sewer records at our Lingley Mere offices based in Warrington please ring [0370 751 0101](tel:03707510101) to book an appointment.

Due to the public sewer transfer in 2011, not all sewers are currently shown on the statutory sewer records and we do not always show private pipes on our plans. If a sewer is discovered during construction; please contact a Building Control Body to discuss the matter further.

Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/builders-developers.aspx>

Yours faithfully

Adam Brennan
United Utilities
Developer Services and Metering