

while the lamps would be retained in their original position, which is framed by the curved plinth wall and railings.

- 5.28 Clearly, the Proposed Development would bring substantial benefits in relation to appreciate and experience the railings and lamp columns. The current site hoarding, immediately inside the railings, considerably detracts from their setting, while the panels or railings, between the supporting posts, are entirely missing on the north side of the space.

Roman Catholic Church of Our Lady of Reconciliation of De La Salette

- 5.29 The church is located to the west of the Application Site, and is separated from the western tenement block by an area of recent housing. The scale and form of the church, which define the landmark qualities of the building within the Vauxhall area, are such that the Proposed Development is unlikely to affect the significance of the building by causing change within its setting. Despite the scale of the existing tenements, their perceived mass is considerably reduced by the way the three separate blocks 'step-up' the slope to the east. The proposed new blocks would be seen in this context and would form part of the wider townscape setting of the church, rather than challenge or compete with its landmark status.

6. Conclusions

- 6.1 The Eldon Grove tenements, and related railings and lamp stands, survive as the most dramatic part of the Bevington Street master plan and retain considerable special architectural and historic interest.
- 6.2 However, the buildings have remained vacant for many years. Extensive fire damage to the roofs and the removal of all of the windows have left the buildings vulnerable to further deterioration and the poor condition of the buildings and structures is recognised by their inclusion on the Liverpool City Council Buildings At Risk register.
- 6.3 The Proposed Development now provides an opportunity to safeguard the listed buildings as the focus of a heritage-led regeneration scheme that would repair and re-use the existing buildings, while providing new-build apartments to the north and south of the listed tenements. The proposed blocks to the north of the tenements would follow the same plan form as the original Bevington Street master plan, while the two proposed blocks to the south would be located within the former recreational ground. That area has remained undeveloped since forming the principal open space within the Bevington Street area from 1912, although the quality of the space has been considerably eroded. The proposed layout has been designed to provide a formal relationship with listed tenements and a sense of the spatial qualities of the recreational ground.
- 6.4 Given the above context, the change to the setting of the tenements, by virtue of the two proposed apartment blocks within the recreational ground, is far outweighed by the potential to repair and safeguard the listed buildings, and associated structures, in a long term sustainable use that is compatible with their significance.

Appendix 1: Heritage Legislation, Planning Policy and Guidance

Heritage Legislation, Planning Policy and Guidance

The proposals for the site should be considered in light of policy and guidance in respect of heritage assets. The statutory duties, national policy, and regional and local plan policy and guidance relevant to the Proposed Development are summarised below:

Statutory Duties (1990 Act)

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides that listed building consent is required for:

“(s.7) ... any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest...”

In determining such applications the following duty is placed upon the decision maker:

“s.16(2) In considering whether to grant listed building consent for any works the local planning authority, or as the case may be, the Secretary of State 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 Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in the exercise of planning functions with respect to any buildings or land in a conservation area that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The concept of ‘preserve’ has been interpreted through case law to mean ‘to cause no harm’.

National Planning Policy

The National Planning Policy Framework, 2012

The National Planning Policy Framework (NPPF) was introduced in March 2012 as the full statement of Government planning policies covering all aspects of the planning process. Chapter 12 outlines the Government’s guidance regarding the conservation and enhancement of the historic environment.

Paragraph 128 of the NPPF outlines the information required to support planning applications affecting heritage assets, stating that applicants should provide a description of the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the asset’s importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

Paragraph 129 sets out the principles guiding the determination of applications affecting designated and non-designated heritage assets, and states that:

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal . . . They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.”

Paragraph 131 elaborates that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, putting them into viable uses consistent with their conservation, as well as the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132 requires when considering the impact of a proposed development on the significance of a designated heritage asset, that great weight should be given to the asset’s conservation and the more important the asset, the greater that weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss requires clear and convincing justification. It is noted that substantial harm to or loss of a grade II listed building should be exceptional and substantial harm to or loss of designated heritage assets of the highest significance should be wholly exceptional.

Paragraph 133 states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm and or loss is necessary to achieve substantial benefits that outweigh that harm or loss, or all of the following apply:

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

Paragraph 134 requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Paragraph 135 confirms that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. It also states the following:

“In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”

Paragraph 137 requires local planning authorities look for opportunities for new development within the setting of heritage assets to better reveal their significance. With respect to setting, the policy notes that proposals that preserve those elements of setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably. The setting of a heritage asset is defined by the NPPF as:

*“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of setting may make a positive or negative contribution to the significance of an assets, may affect the ability to appreciate that significance or may be neutral”.*⁶²

Paragraph 138 highlights that not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

Local Planning Policy

Liverpool Unitary Development Plan (November 2002)

Policy GEN3 confirms the Council’s aim to protect and enhance the built environment of the City by, inter alia, preserving and enhancing historically and architecturally important buildings and areas and, where appropriate, improving them. It states that a high standard of design and landscaping will be encouraged in new development, together with improved accessibility and creating an attractive, safe and secure environment.

Policy HD1 clearly states that the City Council will take positive action to secure the retention, repair, maintenance and continued use of listed buildings. This may include the relaxation of planning policies in order to secure the retention of a building of special architectural or historic interest. The supporting text confirms that listed buildings are vitally important to national identity and form a central part of the City’s cultural heritage.

Listed buildings can also contribute to economic development by attracting tourism and providing floorspace for businesses. The City Council will therefore take a pro-active approach to ensuring the continued use and repair of listed buildings.

Policy HD4 establishes that consent will not be granted for extensions, alterations, the change of use, or any other works to a listed building that would adversely affect its architectural or historic character or where full information necessary to assess the impact of the proposals has not been provided. Any works which are not of a high standard of design in terms of form, scale, detailing and materials will not be approved, and the needs of disabled people should be provided for in a manner which preserves the special interest of the building.

Policy HD5 asserts that planning permission will only be granted for development affecting the setting and important views of a listed building where the setting and important views of the

⁶² NPPF Annex 2: Glossary

building are preserved. This will include control over the design and siting of new development and control over the use of adjacent land

Policy HD11 states that planning permission will not be granted for development in a conservation area which fails to preserve or enhance its character; and applications which are not accompanied by the full information necessary to assess the impact of the proposals on the area, including all details of design, materials and landscaping. The policy states that proposals for new development will be permitted having regard to the following criteria:

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

Draft Core Strategy (2012)

Strategic Policy 1 outlines the sustainable development principles against which all new development proposals will be assessed. The criteria include the need to protect and enhance environmental and heritage assets. The policy's supporting text confirms that *"Liverpool's environmental and heritage assets are an integral part of Liverpool's distinctive character and make a vital contribution to the attractiveness of the City as a place in which to live, work and invest. Their protection is therefore important"* (Paragraph 6.33).

The requirement for new development proposals to protect and enhance the character and identity of the City's historic fabric, including the wider setting of heritage assets, is confirmed by Strategic Policy 23.

Strategic Policy 24 relates to the historic environment and confirms that heritage assets will be protected from inappropriate development by requiring development proposals within or adjacent to them to demonstrate that it will preserve and enhance them and the special features for which they are designated. These 'features' include both the buildings and landscaping that are integral to their character, important views within and to them, and their settings.

Guidance

Good Practice Advice Note 3: The Setting of Heritage Assets, Historic England (March 2015)

The document provides Historic England's guidance on managing change within the setting of heritage assets. The guidance makes it clear at paragraph 9 that setting is not a heritage asset, nor a heritage designation, rather its importance lies in what it contributes to the significance of the relevant heritage asset itself. The guidance sets out the need for a systematic and staged approach to assessing the impact of development proposals in the setting of a heritage asset. It confirms that such assessment should be based on an understanding of the significance of the heritage assets affected and then the contribution of setting to that significance. Guidance is provided on what potential attributes of setting may or may not make a contribution to the significance of a heritage asset, noting that in any one instance a limited selection of the attributes will be of particular relevance to an asset. These attributes can comprise:

- the asset's physical surroundings;
- appreciation of the asset;
- an asset's associative relationships with other heritage assets.

When assessing the effect of a proposed development on the significance of a heritage asset through effects on setting, matters of location and siting of development; the form and appearance of development; additional effects; and, permanence are highlighted.

National Planning Practice Guidance (2014)

Whilst not planning policy the Planning Practice Guidance provides a clear indication of the Government's approach to the application of national policy contained in the NPPF. Where there is conflict between the guidance in the PPG and earlier documents the PPG will take precedence.

Principles of Selection for Listing Buildings, Department for Culture, Media and Sport (2011)

This guidance sets out the general principles applied when deciding whether a building is of special architectural or historic interest and provides a useful framework for assessing and understanding significance of such designated heritage assets.

Conservation Principles: Policies and Guidance, Historic England (2008)

This guidance document sets out Historic England's approach to making decisions and offering guidance about all aspects of England's historic environment. The contribution of elements of a heritage asset or within its setting to its significance may be assessed in terms of its "heritage values".

Appendix 2: List Entry for Eldon Grove

ELDON GROVE LABOURERS' DWELLINGS, WEST BLOCK, AND ATTACHED RAILINGS

List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: ELDON GROVE LABOURERS' DWELLINGS, WEST BLOCK, AND ATTACHED RAILINGS

List entry Number: 1252983

Location

ELDON GROVE LABOURERS' DWELLINGS, WEST BLOCK, AND ATTACHED RAILINGS, BEVINGTON STREET

The building may lie within the boundary of more than one authority.

County:

District: Liverpool

District Type: Metropolitan Authority

Parish:

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 24-Sep-1993

Date of most recent amendment: Not applicable to this List entry.

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

UID: 436108

Asset Groupings

This list entry does not comprise part of an Asset Grouping. Asset Groupings are not part of the official record but are added later for information.

List entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

The following buildings shall be added:

SJ 3491 LIVERPOOL BEVINGTON STREET (north side) 392-/23/10011 (STREETS A-K) Eldon Grove Labourers' Dwellings, West Block, and attached railings

II

Council houses. Opened in June, 1912. Brick, cement and render, with implanted timber framing. Hipped roof of blue and grey slates. Three storey, rectangular block dominated by framed and gabled bays, that to the centre larger than the sides. Flats entered off railed walkway; upper-floor flats reached by segmental-arched, open stairwells giving onto first- and second-floor balconies which stretch between the gabled bays. Doors and glazing of an original design. Stacks to front and rear roof slopes, as well as returns. Western element in a group of three blocks, identical in design to the eastern block. Forms a group with the railings to the recreation ground and lamp standards.

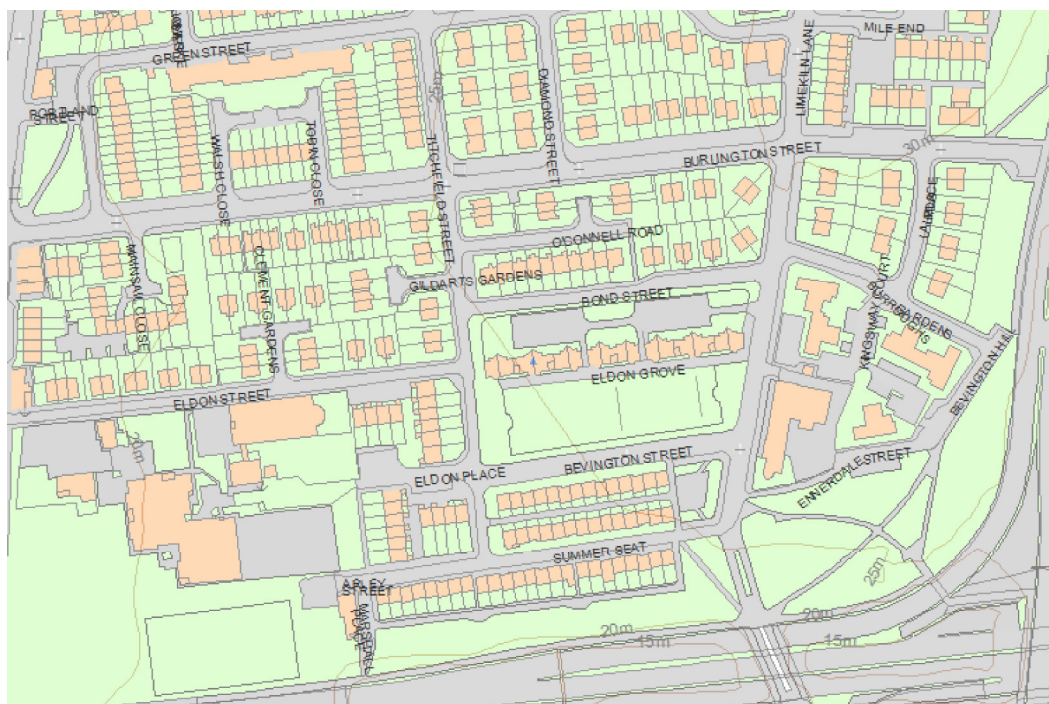
Listing NGR: SJ3456391671

Selected Sources

Legacy Record - This information may be included in the List Entry Details

National Grid Reference: SJ 34563 91671

Map



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ELDON GROVE LABOURERS' DWELLINGS, CENTRE BLOCK AND ATTACHED RAILINGS

List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: ELDON GROVE LABOURERS' DWELLINGS, CENTRE BLOCK AND ATTACHED RAILINGS

List entry Number: 1252984

Location

ELDON GROVE LABOURERS' DWELLINGS, CENTRE BLOCK AND ATTACHED RAILINGS, BEVINGTON STREET

The building may lie within the boundary of more than one authority.

County:

District: Liverpool

District Type: Metropolitan Authority

Parish:

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 24-Sep-1993

Date of most recent amendment: Not applicable to this List entry.

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

UID: 436110

Asset Groupings

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List entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

SJ 3491 LIVERPOOL BEVINGTON STREET (north side)

392-/23/10013 (STREETS A-K) Eldon Grove Labourers' Dwellings, Centre Block and attached railings

II

Council houses. Opened in June, 1912. Brick, cement and render, with implanted timber framing. Hipped roof of blue and grey slates. Three-storey rectangular block dominated by a pair of framed and gabled canted bays. Bilaterally symmetrical about the open stair well which leads to first- and second-floor balconies spanning the elevation between the gabled bays. Railings to ground floor and balconies. Forms the centre element in a group of three blocks.

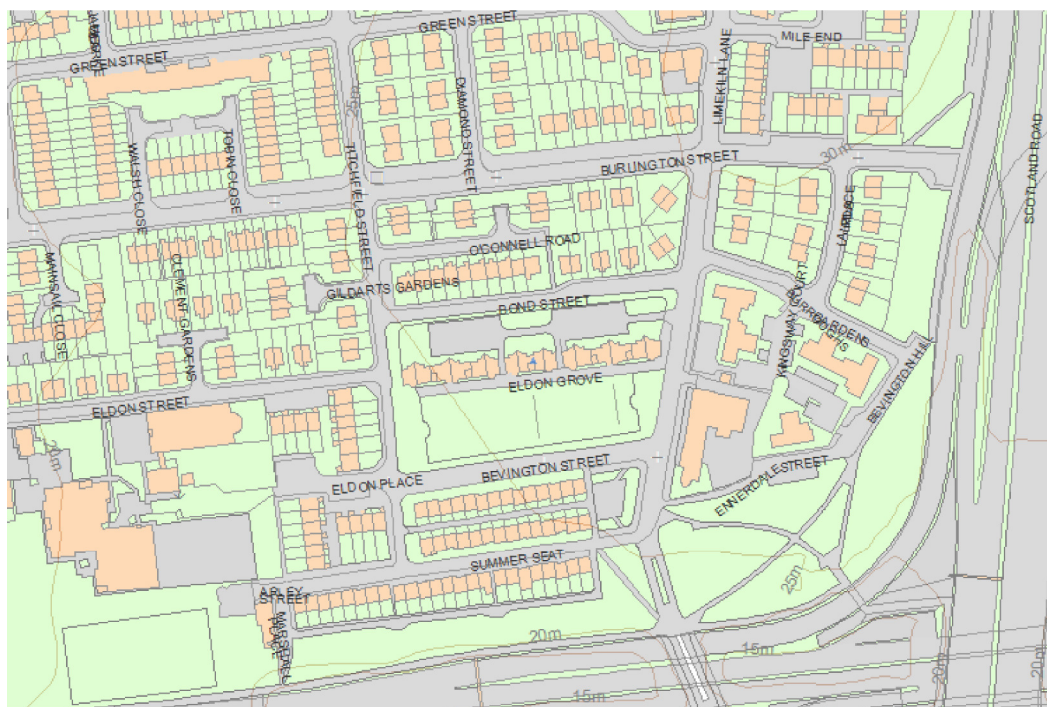
Listing NGR: SJ3460291675

Selected Sources

Legacy Record - This information may be included in the List Entry Details

National Grid Reference: SJ 34602 91675

Map



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Historic England

ELDON GROVE LABOURERS' DWELLINGS, EASTERN BLOCK, AND ATTACHED RAILINGS

List Entry Summary

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Name: ELDON GROVE LABOURERS' DWELLINGS, EASTERN BLOCK, AND ATTACHED RAILINGS

List entry Number: 1252997

Location

ELDON GROVE LABOURERS' DWELLINGS, EASTERN BLOCK, AND ATTACHED RAILINGS, BEVINGTON STREET

The building may lie within the boundary of more than one authority.

County:

District: Liverpool

District Type: Metropolitan Authority

Parish:

National Park: Not applicable to this List entry.

Grade: II

Date first listed: 24-Sep-1993

Date of most recent amendment: Not applicable to this List entry.

Legacy System Information

The contents of this record have been generated from a legacy data system.

Legacy System: LBS

UID: 436116

Asset Groupings

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List entry Description

Summary of Building

Legacy Record - This information may be included in the List Entry Details.

Reasons for Designation

Legacy Record - This information may be included in the List Entry Details.

History

Legacy Record - This information may be included in the List Entry Details.

Details

SJ 3491 LIVERPOOL BEVINGTON STREET (north side)

392-/23/10014 (STREETS A-K) Eldon Grove Labourers' Dwellings, Eastern Block, and attached railings

II

Council houses. Opened in June, 1912. Identical in design to western block.

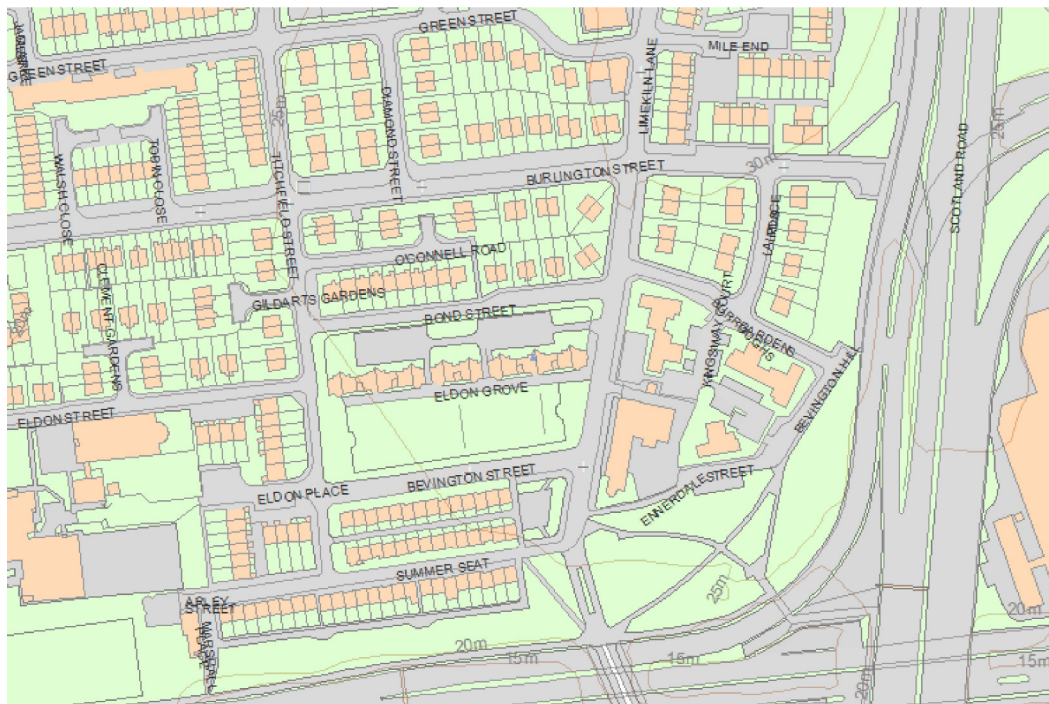
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Selected Sources

Legacy Record - This information may be included in the List Entry Details

National Grid Reference: SJ 34637 91681

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