

**PLANNING, DESIGN & STATEMENT**

**IN SUPPORT OF A  
PLANNING APPLICATION  
AT**

**21-22 SMITHDOWN PLACE  
LIVERPOOL  
L15 9EN**



**FEBRUARY 2015**

| <b>CONTENTS</b>                         | <b>Page No.</b> |
|---|-----------------|
| <b>1.0 INTRODUCTION</b>                 | <b>3</b>        |
| <b>2.0 SITE DESCRIPTION AND HISTORY</b> | <b>3</b>        |
| <b>3.0 THE PROPOSAL</b>                 | <b>3</b>        |
| <b>4.0 THE POLICY FRAMEWORK</b>         | <b>3</b>        |
| <b>5.0 PLANNING ASSESSMENT</b>          | <b>6</b>        |
| <b>6.0 SUMMARY AND CONCLUSIONS</b>      | <b>7</b>        |

## **1.0 INTRODUCTION**

- 1.1 This Planning, Design and Access Statement has been prepared on behalf of the applicant, Connells Group ('Connells'), to accompany the full planning application for the change of use of 21-22 Smithdown Place, Liverpool from Class A1 (Retail) to Class A2 (Financial and Professional Services).
- 1.2 The Statement draws on current Government Guidance contained in the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), together with Local Development Plan policy, which in this case comprises the 'saved' policies of the Liverpool Unitary Development Plan (UDP) adopted 2002.

## **2.0 SITE DESCRIPTION AND HISTORY**

- 2.1 The application site is situated to the south western end of Smithdown Place, at the junction with Allerton Road, within the Allerton Road District Centre. The character of the surrounding area is pedestrianised and combines traditional and modern features.
- 2.2 No. 21-22 Smithdown Place is located within an existing row of units comprising a mixture of Class A1, A2, A3 and A4 uses. The property is currently in Class A1 use. The building is not listed.
- 2.3 Pre-application advice has been sought previously in regard to the proposed change of use of the property from Class A1 to A2 (ref. 0878/14). The written response received in November 2014 (full date unspecified) advised that the change of use of 21-22 Smithdown Place would accord with the relevant policies of the Liverpool Unitary Development Plan and considered that such a proposal would be capable of being supported.

## **3.0 THE PROPOSAL**

- 3.1 The proposal seeks permission for the change of use of the property from Class A1 to A2. The proposal does not involve any external alterations to the premises nor does it encourage increased vehicular use.
- 3.2 The arrangements for bin and cycles stores will remain as existing.

## **4.0 THE POLICY FRAMEWORK**

- 4.1 The legislative framework for consideration of this application is provided by the Town and Country Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990.

- 4.2 Section 38(6) of the 2004 Act requires planning applications and appeals to be determined in accordance with the policies of the Development Plan unless material considerations indicate otherwise.
- 4.3 Section 70(2) of the Town and Country Planning Act 1990 states also that in the determination of applications: “The Authority shall have regard to the provisions of a development plan, so far as material to the application, and to any other material consideration.”
- 4.4 Government guidance relevant to the consideration of this application is contained within the National Planning Policy Framework (NPPF) which was published in March 2012 and the National Planning Policy Guidance (NPPG) published in March 2014.

### **National Planning Policy Framework**

- 4.5 The NPPF replaced previous Government guidance set out in Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PSSs).
- 4.6 The NPPF establishes a presumption in favour of sustainable development and recognises at paragraph 14 that this is the “golden thread” running through both plan-making and decision-taking.
- 4.7 For decision-taking this means:
- *approving development proposals that accord with the development plan without delay; and*
  - *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
    - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
    - *Specific policies in this Framework indicate development should be restricted.”*
- 4.8 Paragraph 17 sets out the Governments core planning principles which include proactively supporting sustainable economic development to deliver thriving local places, making every effort to objectively identify and then meet the housing, business and other development needs of an area and respond positively to wider opportunities for growth, as well as seeking to secure high quality design and good standard of amenity for existing and future occupants of land and buildings.
- 4.9 The NPPF emphasises the importance of supporting economic growth in order to deliver sustainable development. On this basis, paragraph 19 states that:

*“The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”*

- 4.6 Paragraph 21 seeks to ensure that planning policies do not create barriers to investment opportunities and that in drawing up Local Plans, Local Planning Authorities should:

*“Support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan to allow a rapid response to changes in economic circumstances.”*

- 4.7 Paragraph 23 of the NPPF seeks to ensure the vitality of town centres and recognises that when formulating their Local Plans, Local Planning Authorities should:

- *“recognise town centres as the heart of their communities and pursue policies to support their viability and vitality;*
- *define the extent of town centres and primary shopping areas, based on a clear definition of primary and secondary frontages in designated centres, and set policies that make clear which uses will be permitted in such locations”*

### **National Planning Policy Guidance**

- 4.10 The NPPG is a web based resource providing information on various topic areas. Over 150 documents have been cancelled by the publication of the NPPG including Technical Guidance and Circulars.
- 4.11 The NPPG sets out at paragraph 001, *“LPA’s should plan positively to support town centres to generate local employment, promote beneficial competition within and between town centres, and create attractive diverse places where people want to live and work”.*
- 4.12 Continuing at paragraph 001, the NPPG states that *“LPA’s should assess and plan to meet the needs of main town centre uses in full, in broadly the same way as for their housing and economic needs, adopting a ‘town centre first’ approach and taking account of specific town centre policy”.*
- 4.13 Paragraph 002 of the NPPG makes further clear that *“a positive vision or strategy for town centres, articulated through the Local Plan, is key to ensuring successful town centres which enable sustainable economic growth and provide a wide range of social and environmental benefits. Once adopted, a Local Plan, including any town*

*centre policy that it contains, will be the starting point for any decisions on individual developments". This enshrines that the "starting point" for any planning decisions on any given planning application, must be the relevant local plan policy.*

### **Liverpool Unitary Development Plan**

- 4.14 Policy S5 of the Liverpool Unitary Development Plan identifies the District Centres, which includes the Allerton Road District Centre where the application site is located. The policy seeks to maintain and enhance the vitality and viability of the District Centres in order to secure the best access to shopping and other related facilities fundamental to the success of the District Centres.
- 4.15 Policy S13 is the key relevant policy in this instance, concerning the use of shops for Class A2 uses. Similarly to the above, the policy states that A2 uses will be permitted provided that they do not cause harm to the vitality and viability of the parent frontage and wider centre.

### **The Emerging Core Strategy**

- 4.16 The Council is currently preparing a new Development Plan Document, the Liverpool Core Strategy, and whilst having not been adopted, the emerging strategy continues to amplify the approach currently adopted.

## **5.0 PLANNING ASSESSMENT**

- 5.1 In accordance with national guidance and the Development Plan policies described above, proposals should maintain and enhance the vitality and viability of the existing District Centre.
- 5.2 While the application proposal would result in the loss of an A1 use, the use of the premises as an Estate Agency (use Class A2) is entirely appropriate within this identified District Centre location and will contribute to the attractiveness and diversity of the area.
- 5.3 The Liverpool UDP does not set a percentage threshold for permitted non-A1 uses within the frontage therefore the matter of whether there is an overconcentration of non-retail uses in a particular location is subjective. Nevertheless, both Smithdown Place and Allerton Road are dominated by Class A1 uses and, as such, the addition of a Class A2 use is not considered to be harmful to the vitality, viability or established retail character of the frontage. The premises are not located within an identified primary or secondary shopping frontage.
- 5.4 The application does not seek to make any changes to the external appearance of the property. The nature of the proposed Class A2 use means that the hours of operation are restricted to daytime use and will not cause undue noise or disruption to neighbouring tenants.

- 5.5 Moreover, it will maintain the general appearance of a conventional shop front which is in keeping with neighbouring units and maintains the offer and attractiveness of the frontage, in turn, encouraging continuing footfall from visitors to the District Centre.
- 5.6 The proposal will not create any adverse visual effects on the character and appearance of the Allerton Road District Centre, or on the setting of the building itself as the proposal does not involve any external alterations to the premises.
- 5.7 The nature of the proposal does not encourage increased vehicular use and it is expected that staff and visitors will access the site by foot or use existing District Centre parking.

## **6.0 SUMMARY AND CONCLUSIONS**

- 6.1 The change of use as proposed is entirely appropriate within the Allerton Road District Centre and would not cause detriment to the vitality or viability of this area, in accordance with the relevant national and local planning policies set out above.
- 6.2 The proposed A2 use will secure the retention of a conventional shop window display in keeping with the neighbouring premises along the frontage and the wider character of the area.
- 6.3 The proposal is in accordance with those policies of the Development Plan and with the principles of the NPPF and NPPG.
- 6.4 Having regard to the forgoing, the planning balance lies to support the change of use from Class A1 to Class A2 use and therefore the application, the subject of this Statement, should be approved without delay.