

# **SUPPORTING PLANNING STATEMENT**

October 2017

**APPLICATION FOR RESIDENTIAL DEVELOPMENT**

**ROSE PLACE, LIVERPOOL**

on behalf of:

**LEGACIE DEVELOPMENTS**



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## 1. INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of the applicant, Legacie Developments, in support of a detailed Planning Application for the demolition of existing buildings and the construction of a new residential development with a ground floor commercial unit. A total of 127 apartments (Use Class C3) are to be provided in conjunction with commercial / retail use (Classes A1, A2, A3, A4 or B1), ancillary residents' facilities (lounge and fitness gym), residents' roof top garden terraces, parking/cycle spaces, and associated development.
- 1.2 The proposed development provides an opportunity to bring forward a high-quality residential-led development on a thoroughfare route into the city centre on a site which is largely vacant, of poor environmental quality, is underused and which does not make efficient use of previously developed land.
- 1.3 Responding to the local environmental context of the site, the design proposals have been through several iterations during the pre-application stage. Ongoing correspondence with planning officers and consultees has informed the design applied for.
- 1.4 In promoting the proposed scheme it is recognised that due regard must be given to a number of relevant up-to-date policy considerations as well as other material planning considerations. In developing these proposals, full regard has been given to the provision of Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 1.5 The general approach to, and content of, this application has been discussed with officers of Liverpool City Council (LCC) prior to its submission and during the application process. These discussions have influenced the evolution of the scheme into its final form and the supporting information accompanying the application.
- 1.6 Our ongoing dialogue has enabled us to agree a list of documents which accompany this application. These include:
- Design and Access Statement, including contextual design analysis/visual assessment, prepared by FCH Architects

- Transport Statement, including Minimum accessibility standard assessment (MASA) and Traffic Management Plan, prepared by Prime Transport Planning;
- Desktop Ground Conditions (Phase 1), prepared by Clancy;
- Phase 1 Ecological Assessment, including bat survey, prepared by Penny Anderson Associates;
- Framework Travel Plan, prepared by Prime Transport Planning;
- Employment Land Statement, prepared by Matthews and Goodman;
- Drainage Strategy, prepared by Muir Associates;
- Ventilation Strategy, prepared by Progressive Services Design;
- Utilities Strategy, prepared by Progressive Services Design;
- Air Quality Assessment, prepared by Wardell Armstrong; and
- Acoustic Survey, prepared by Clement Associates.

1.7 The application is also supported by a full set of plans and elevations, prepared by the scheme architects, FCH Architects, and landscape plans and details prepared by Layer.

1.8 The remainder of this statement:

- provides context and describes the site and its surroundings;
- describes the development proposals;
- outlines the Development Plan framework and relevant national policy guidance;
- provides a detailed analysis of the main planning considerations; and,
- concludes by summarising the main points raised in this document.

## **2. DEVELOPMENT CONTEXT**

- 2.1 This section briefly describes the site, its surroundings and local setting, and outlines the relevant planning history of the site.

### **SITE DESCRIPTION**

- 2.2 The application site comprises an area of 0.35 hectares in the central urban area of Liverpool and fronts the corner of St Anne Street (B5186) and Rose Place. The application site is located on the periphery of the city centre in West Everton on a thoroughfare into the city centre from the north.
- 2.3 The site is currently occupied by a single-storey 20th Century industrial building with a walled, small compound/ parking area to the St Anne Street frontage. The existing industrial unit is constructed of brick beneath a pitched steel truss lattice roof covered in asbestos cement sheets. The building and site is in a state of disrepair and is only partially used. The dilapidated condition of the premises with frontage to St Anne Street does not convey a favourable impression in an area that is the gateway to the city centre. Very little natural habitat exists on the site and that which does is in the form of a few scattered bushes and self-seeded vegetation.
- 2.4 The site is bounded to the north by Hopscotch Nursery and other commercial premises, to the east is Rose Place, to the south is St Anne Street, and to the west are other commercial/ industrial premises. Liverpool City Centre is approximately 0.7 miles to the south west.
- 2.5 The area surrounding the site comprises industrial buildings of similar age and construction, but also a mix of uses including new residential developments. At the junction of Rose Place with Fox Street is 'St Mary of the Angels', a former Roman Catholic Church which closed in 2001, but is now rented as rehearsal space to the Royal Liverpool Philharmonic Orchestra. Liverpool One Church, on Richmond Row, is a new church which has established itself in a permanent location on Richmond Place together with a personal training and sports massage business. Millstead primary school is located to the north and Jamworks City Point, a modern block of student apartments fronts the point where Great Homer Street becomes St Anne Street. St Anne Street Police station is situated in close proximity to the west of the application site and the surrounding outer lying areas contain pockets of traditional housing.

- 2.6 The remaining employment in the locality is relatively small-scale, consisting a mix of light and heavy uses, favoured by local businesses operating from outdated premises but attracted by the flexible lease terms and cheap rent being offered.
- 2.7 The site is allocated under Policy E1 of the adopted Liverpool UDP (2002) as 'Primarily Industrial areas'. This policy generally seeks to restrict uses other than employment uses in such areas.
- 2.8 St. Anne Street is a 'B' classified road that runs on a generally north to south alignment and provides a connection between Great Homer Street in the north and the signalised junction of Hunter Street/ New Islington/Norton Street to the south. Fronting the site the road is a dual-carriageway with two lanes in either direction. The frontage to St. Anne Street is generally commercial in nature.
- 2.9 A bus stop is located immediately adjacent to the proposed development which provides access to southbound services; access to northbound services is facilitated via a bus stop located circa 500m to the north of the site.
- 2.10 Pedestrian connections across St Anne Street are facilitated via a pelican crossing and a subway located some 100m to the north of the site, however the physical environment of the subway is probably not conducive to its safe use, especially during the hours of darkness. The pelican crossing provides for safe pedestrian access to the northbound bus stop. Cycle lanes are provided in the vicinity of the proposed development, including along St Anne Street.
- 2.11 Rose Place runs on a generally east to west alignment and provides a connection between Fox street in the east to St. Anne Street in the west. It should be noted that due to St Anne Street being a dual carriageway, the St Anne Street/Fox Street junction only allows for left turns i.e. no right turns can be undertaken due to the presence of the central reservation.
- 2.12 The Application Site is not located within, nor adjacent to any locally designated Conservation Areas, nor is it within the immediate setting of any statutory listed buildings.
- 2.13 The Environment Agency Flood Map for the area indicates that the site is located within Flood Zone 1, where there is a low probability (less than 1 in 1,000 annual probability of river or sea flooding in any year) of flooding.

- 2.14 The site and surrounding area is located within an Air Quality Management Area (AQMA).

### PLANNING HISTORY

- 2.15 A review of the planning history of the site and immediate area identifies that there are a number of historic applications for Rose Place as a whole which largely entail minor alterations to the buildings either side of the road relating to the industrial uses. Scott's bakery used to occupy the application site and consent was granted in 1974 (reference B38636) for the change of use of the former Scott's Bakery to office premise with parking for 26 cars. There have been no significant applications of note since then.
- 2.16 There have however been a number of applications in the wider local area which are of note, as follows:-

Location	Application Number	Address	Details	Status
Great Homer Street	16F/2797	Virgil Street/Great Homer Street, Liverpool, L5 5BY	To demolish existing building, erect a 9 storey apartment blocks containing 277 residential units (C3 Use), ground floor communal space with associated access, servicing, car parking and landscaping.	Approve with Conditions 1-7-2017
Phoenix Place	15F/1855	Land between Iliad Street and Clegg Street, Liverpool, L5 3LU	To erect 2 blocks (seven storey and six storey) to accommodate 348 student rooms (274 cluster rooms and 74 studios) with associated student communal space/facilities and hard and soft landscaping.	Approve with Conditions 2-4-2016
St Anne's Street	16F/0823	Land at Fox Street/St Anne's Street, Liverpool 3	To demolish existing buildings and erect 3 residential blocks ranging from 5 to 8 storeys to accommodate 313 flats with associated parking and landscaping (amended plans).	Approve with Conditions 29-9-2016
Fox Street (Initial Application)	14F/1767	Swainbanks Limited 50 Fox Street, Liverpool, L3 3BQ	To convert Swainbanks building and redevelop remainder of site with 3 no. five to six-storey buildings to provide a total of 360 no. residential units, including 30 no. two and three bedroom apartments (Use Class C3), 300 no. one bedroom studios (Use Class C3) and 30 no. two, three, four and five bedroom cluster apartments in multiple occupation (Use Class C4) with ancillary gym, lounge, bistro and leisure facilities, central management suite, refuse and cycle storage, a 179 no. space basement car park accessed from	Approve with Conditions 22-04-2015

			Douro Street, amenity space and vehicular lay-by to Fox Street.	
Fox Street (Follow Up application)	15F/1640	58 Fox Street, Liverpool, L3 3BQ	To erect seven storey block comprising 40 no. flats with associated works.	Approve with Conditions 20-12-2016
Fox Street	16F/2252	Land & Buildings at Fox Street, Liverpool, L3 3BQ	To convert Swainbank building (Block A) and erect 3 new blocks (B, C, E & D) to provide 400 residential units (C3) and 4 commercial units, (alternative to previously approved `schemes 14F/1767 and 15F/1640) so as to remove basement car park and provide 40 parking spaces at ground level.	Application registered 15/09/2016

- 2.17 These demonstrate that a number of sites within the area have been granted approval for residential development, with all but the first site being located within the 'Primarily Industrial Area' policy allocation under Policy E1 of the UDP. These developments are significant and will dramatically change the character of the area within which the site is located.



### 3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The Proposed Development comprises the demolition of the existing buildings and the construction of a new residential development with a ground floor commercial unit. A total of 127 apartments (Use Class C3) are to be provided in conjunction with commercial / retail use (Classes A1, A2, A3, A4 or B1), ancillary residents' facilities (lounge and fitness gym), residents' roof top garden terraces, parking/cycle spaces, and associated development.

#### Floor Layouts

- 3.2 The building takes the form of a single storey podium covering the entire site area, with accommodation above arranged in an 'H' plan form. The western element of the upper floors faces St Anne's Street and is 7 storeys high (including the ground floor), while the eastern element is 8 storeys high (including the ground floor). The linking section rises to 6-storeys (including the ground floor). The remaining podium rooftop areas are laid out as communal terraces/ gardens. The accommodation is briefly laid out as described below and comprises:-
- 3.3 **Ground Floor Plan** - The ground floor plan accommodates a commercial/ retail unit of 170 sq.m, the residential entrance and lobby area, residential post room, together with 51 car parking spaces (including 3 disabled), 42 cycle parking spaces, furniture storage/ loading bay, refuse store and associated plant rooms. The commercial unit fronts on to St Anne Street to provide active frontage, while the residential entrance and car parking are accessed from Rose Place.
- 3.4 **First Floor Plan** – This level provides a residents' lounge and gym, both of which directly overlook two rooftop communal terrace/ gardens. Seventeen apartments are provided across this level comprising 9 x two-bedroom units and 8 x one-bedroom units.
- 3.5 **Second to Fifth Floor Plan** – The plan form across these floors is consistent and provides 21 apartments per floor comprising 9 x two-bedroomed apartments, 8 x one-bedroomed apartments and 4 x studios.
- 3.6 **Sixth Floor Plan** – At this level the connecting element of the building does not provide apartments or enclosed floorspace but instead provides a roof-top terrace which is accessed from either the western or eastern blocks. A total of 17 apartments are provided comprising 9 x two-bedroomed apartments and 8 x one-bedroomed apartments.

- 3.7 **Seventh Floor Plan** – At this level the western block is at roof level while the eastern block provides 9 further apartments; 4 x two-beds and 5 x one-beds.

### Residential Accommodation

- 3.8 The proposal seeks to create a modern and well considered residential development with a mix of apartment types that responds to the character of the surrounding area as well as local demand. The proposed mix of apartments is set out below.

	Proposed Scheme
<b>Total number of apartments</b>	127
<b>1 bed studios</b>	16 (13%)
<b>1 bed apartments</b>	58 (46%)
<b>2 bed apartments</b>	53 (42%)

Table 3.1

### DESIGN

- 3.9 The location of the site provides an opportunity to create a high quality building on a thoroughfare into the city centre. The Proposed Development has been progressed following a detailed analysis of the site and local context whilst taking into consideration the national and local requirements for residential developments.
- 3.10 The proposals have been developed through careful consideration of the site including:
- Analysis of the local character and context;
  - Evaluation of use requirements of the local area;
  - Detailed analysis of the site itself including orientation, topography, access, proximity to neighbours and connection with the streetscape;
  - Review of relevant planning policy, land use designations and discussions with LCC planners during the pre-application process; and
  - Assessment, consideration and reduction of environmental impacts as part of an iterative design development.
- 3.11 The building has been designed to be fully accessible to all users, to comply with all relevant parts of the Building Regulations and to provide access for all.

### Materials and Appearance

- 3.12 The form of this building is unapologetically contemporary but its detailing has drawn its inspiration and influences from the different eras that comprise the area's heritage. The base sets the tone for residential use with a warm, hand-made brick, with a traditional horizontal bonding redolent of the terraced housing that came to the area first. Above, the industrial history of the area is evoked in a mixture of grey and brown, plain and patterned concrete cladding with a vertical emphasis.
- 3.13 The balconies that wrap around the elevations will give the whole building a softer expression and a degree of animation, especially when inhabitants occupy the balconies. They will also restore a degree of horizontality, tempered by a texture generated by perforated metal detailing in the screens.

### Refuse Strategy

- 3.14 Residential refuse stores are located on the ground floor next to the stair and lift cores, with access from/ collection point from Rose Place. The commercial/office unit has its own bin store located off Rose Place. Residential Waste provision is calculated on 'BS6906-2005 Table 1 – Domestic' the formula for which is:-

No. dwellings x volume arising (70 litres) x average no. bedrooms + 30 litres

- 3.15 In this case the calculation is:-

$$127 \times 70 \times 1.4567 + 30 = 12980.1$$

$$12980.1 / 1100 \text{ litre} = 11.8$$

12x1100 litre bins are therefore required (50/50 split between recycling and general waste). This is on the basis of a weekly collection cycle.

- 3.16 In terms of the commercial waste the calculation is based on BS6906-2005 Table 1 – Supermarket (small). In this case the calculation is:-

Volume per m<sup>2</sup> sales area (100 litres) x sales area

- 3.17 A typical sales to ancillary area of 50/50 is assumed (5.03 Planning, Retail trading 13-7, Metric Handbook). Thus:-

$$100 \times (172 \times 0.5) = 8600 \text{ litres}$$

$$8600 \text{ litres} / 1100 \text{ litre bin} = 7.8 \text{ bins}$$

8x1100 litre bins required based on a weekly collection cycle.

- 3.18 Provision has been provided within the development based on these calculations.

### Landscaping

- 3.19 The site is too confined to provide significant levels of landscaping at ground floor. Given the proposed massing of the development, the opportunity is provided to create a podium-top garden terrace for use by residents. The configuration of the development allows for two landscaped spaces to be provided at podium level for residents to enjoy and relax in. These are overlooked by apartments, as well as the resident's lounge and gym, with the intention of creating a community feel within the development. The landscaping will create a clear, visual identity for the site and complement the architectural language of the buildings to ensure a holistic approach to the whole development.

### Access & Parking

- 3.20 The main points of access onto the site for pedestrians are from St Anne Street and Rose Place. These routes have ramped access and offer pedestrians access to the ground floor commercial/office unit, residential accommodation, or residential car park.
- 3.21 The courtyard can also be accessed through the residential lobby or residential car park. It has been important throughout the design that the building be accessible to all, both in consideration of the commercial and residential elements.
- 3.22 Access to the car park is via Rose Place where vehicle entry is fob controlled for maximum security. A total of 51 (3 accessible) car parking spaces are to be provided, as well as 5 motorcycle spaces and 42 cycle spaces.

### Drainage

- 3.23 In terms of surface water, it is proposed that a separate surface water drainage system is provided on the development. Based on a proposed drained hardcover area of 2480m<sup>2</sup> and a discharge rate of 25.6 l/sec, a storage volume of 37.15m<sup>3</sup> would be

required on the development, based on a 1:100 year storm return period with a 30% increase on rainfall intensity to cater for climate change.

- 3.24 It is proposed to discharge the surface water into the surface water sewers located in Rose Place at a controlled rate of 26.62 l/sec, in accordance with Liverpool City Council's Requirement for 30% Betterment for redeveloped Brownfield Sites.
- 3.25 Attenuation will be provided on site and will provide adequate storage below ground for the 1 in 100 year + 30%
- 3.26 Proposed building finished floor levels will be such that there will be no risk of flooding following on or off site drainage failure.
- 3.27 In relation to foul water, it is proposed that a separate foul water drainage system is provided on the development discharging to the existing public foul sewer located within Rose Place. If possible the reuse of the existing connection should be adopted subject to review of levels.
- 3.28 It would appear from a review of the drainage plans a gravity system can be adopted on the site.

### STATEMENT OF CONSULTATION

- 3.29 Consistent with the Council's Adopted Statement of Community Involvement (Adopted 21st June 2013), the applicant has undertaken pre-application discussions with Senior Officers of the local planning authority. A formal pre-application application was made to Liverpool City Council Planning Authority. A meetings was held with Joanne Mills and Sam Campbell and subsequent telephone conversations and emails.
- 3.30 This process enabled the required supporting documentation to be agreed (summarised earlier) and advice received has been used to inform the proposals presented in this application. Full consideration was made of all comments received at the Pre-App stage and the scheme has progressed and been revised as a result of the comments made.
- 3.31 In determining the appropriate approach to pre-application consultation, both the Applicant and their main professional advisors have sought to adopt a 'best practice'

approach to both design and delivery. Pre-application discussions with Liverpool City Council commenced in advance of the submission of the application.

- 3.32 Given that no residential properties immediately adjoin the site we did not believe that a wider community engagement exercise was necessary. However, should the application attract significant local interest we would be happy to arrange for a public consultation event to take place to inform members of the public or key local interests.
- 3.33 Given the above, we believe that an appropriately comprehensive process of pre-application consultation has been undertaken.

## 4. PLANNING POLICY

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that when determining a planning application, the decision maker must make their determination in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 Given this obligation, this chapter therefore considers national planning policy guidance relevant to the application, which is a material consideration in the determination of this application, as well as reviewing the development plan for the site which currently consists of the Liverpool UDP of November 2002. The Council is producing one Local Plan for Liverpool which will set out a spatial vision, spatial objectives and strategic policy as well as dealing with site allocations. However, the Draft Liverpool Local Plan September 2016 is only at an early stage in its development and therefore would not be a material consideration to this application.

### NATIONAL PLANNING POLICY

- 4.3 The National Planning Policy Framework (NPPF) was published on 27<sup>th</sup> March 2012. It outlines a clear presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-making. The Ministerial Foreword sets the tone of the document when it states that,

*'Development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan, and every decision.'*

- 4.4 The NPPF outlines that the primary objective of development management is to foster the delivery of sustainable development. Local planning authorities should look for solutions rather than problems, working pro-actively with applicants to secure developments that improve the economic, social and environmental conditions of an area. The concept of sustainable development is reinforced throughout the NPPF, including Paragraph 49 which states that housing applications should be considered in the context of sustainable development.
- 4.5 The Framework identifies 12 core planning principles which should underpin both plan making and decision taking. Amongst other things, planning should:

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made to objectively identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- Take account of the different roles and character of different areas, promoting the vitality of our main urban areas.
- Encourage the effective use of land by reusing land that has been previously developed.
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

4.6 The proposed development is consistent with the NPPF's core planning principles. It is important that Councils take advantage of brownfield development opportunities, particularly those which relate to underused assets/properties such as this. It is important that the proposals look to realise the full potential of the site whilst bringing a largely vacant brownfield site into positive and productive reuse.

4.7 Section 4 of the NPPF relates to the promotion of sustainable transport. Paragraph 32 states that, *'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'* The proposed development would not have a material adverse impact on the road network. There is therefore no justification for refusing the proposed scheme on transport grounds.

4.8 Section 6 of the NPPF deals with the need to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. In particular, Paragraph 50 states that local planning authorities should:

- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and
- Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.



4.9 Section 7 of the NPPF relates to Good Design. Paragraph 56 in particular states that a well-designed development is key to sustainable development and that it is 'indivisible from good planning, and should contribute positively to making places better for people.' In summary it states that Councils should aim to ensure developments:

- will function well and add to the overall quality of the area;
- establish a strong sense of place;
- optimise site potential and sustain an appropriate mix of uses;
- respond to local character and identity;
- create safe and accessible environments;
- Are visually attractive as a result of good architecture and appropriate landscaping.

4.10 In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. The application scheme responds to this as it has been designed to a high standard by a leading architect.

4.11 Attention should also be paid to Paragraph 111, which encourages '*the effective use of land by re-using land that has been previously developed (brownfield land)*'.

4.12 The NPPF is the latest in a sequence of similar policy statements recording successive Governments' growing commitments to removing obstacles to investment, development and the creation of jobs. It is therefore an important consideration in the context of this proposal. It is concluded that this proposal represents a positive response from the NPPF with particular regard to sustainability, good design and appropriate approach in respect of regeneration projects.

#### **NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)**

4.13 On 6<sup>th</sup> March 2014 the Department for Communities and Local Government (DCLG) launched a new planning practice guidance web-based resource. The NPPG, in a similar manner to the NPPF, states good design is integral to sustainable development, and is about creating places that work well for everyone whilst looking good, lasting well, and adapting to the needs of future generations. The NPPG states that the key issues to be considered in development are:

- Local character;

- Safe, connected and efficient streets;
- Network of greenspaces;
- Crime prevention;
- Security measures;
- Access and inclusion;
- Efficient use of natural resources;
- Cohesive and vibrant neighbourhoods.

4.35 The NPPG then states that development should look to be:

- Functional;
- Supportive of mixed uses and tenures;
- Inclusive of successful public spaces;
- Adaptable and resilient;
- Distinctive in character;
- Attractive;
- Permeable to movement.

4.14 The NPPG provides guidance for applicants and Councils stating that decision-taking does not normally require consideration of viability. However, where the deliverability of the development may be compromised by the scale of planning obligations and other costs, a viability assessment may be necessary.

4.36 The NPPG sets out in relation to brownfield sites, that Local Planning Authorities should seek to work with interested parties to promote their redevelopment. To incentivise the bringing back into use of brownfield sites, Local Planning Authorities should:

- Consider the different funding mechanisms available to them to cover potential costs of bringing such sites back into use; and
- Take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable.

## DEVELOPMENT PLAN

4.15 As outlined earlier Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the statutory development plan, unless material considerations indicate otherwise. The Liverpool

UDP is an older-style document, having been adopted in 2002. Whilst a number of policies within the Liverpool UDP have been 'saved', Paragraph 215 of the National Planning Policy Framework (NPPF) sets out that due weight should be given only to those policies in existing plans according to their degree of consistency with the Framework. With this in mind, it is now a held principle by the Planning Inspectorate on behalf of the Secretary of State that whilst some policies may be classed as 'saved', they would only hold material weight if they are up-to-date in respect of the requirements of the NPPF.

4.17 Whilst having regard to the above, the following UDP policies are considered relevant to this application:

Policy <b>E1</b> :	Primarily Industrial Areas
Policy <b>GEN1</b> :	Economic Regeneration
Policy <b>GEN4</b> :	Housing
Policy <b>GEN6</b> :	Transportation
Policy <b>GEN8</b> :	Environmental Protection
Policy <b>H5</b> :	New Residential development
Policy <b>HD18</b> :	General Design Requirements
Policy <b>HD19</b> :	Access for all
Policy <b>HD20</b> :	Crime Prevention
Policy <b>HD21</b> :	Energy Conservation
Policy <b>HD23</b> :	New Trees and Landscaping
Policy <b>HD24</b> :	Public Art
Policy <b>OE7</b> :	Habitat Creation and Enhancement
Policy <b>OE14</b> :	Open Space in New Residential Developments
Policy <b>T6</b> :	Cycling
Policy <b>T7</b> :	Walking and pedestrians
Policy <b>T8</b> :	Traffic Management
Policy <b>T9</b> :	Road Safety
Policy <b>T12</b> :	Car Parking Provision in New Developments
Policy <b>T13</b> :	Car Parking Provision for the Disabled
Policy <b>EP9</b> :	Waste Storage
Policy <b>EP11</b> :	Pollution

- 4.18 The Application Site is allocated under the adopted UDP policy E1 as 'primarily industrial area'. Policy E1 only allows non industrial/business uses to be developed if the proposal:
- i. Would clearly act as a catalyst to the comprehensive redevelopment of the site or area primarily for industrial/business use;
  - ii. Would not prejudice the long term development of the area primarily for these uses;
  - iii. Does not involve the development of a warehouse in the city centre in excess of 2,500 square metres;
  - iv. Would not cause unacceptable traffic and highway congestion and related problems or have an adverse impact on residential amenity or on the operation of existing businesses; and
  - v. Would not conflict with other policies in the plan
- 4.19 However, notwithstanding the Primarily Industrial UDP allocation of the site, the principle of residential-led redevelopment has been established on several sites within the neighbouring area; further consideration of the policy is provided in the next section.
- 4.20 Chapter 9 of the UDP sets out a number of housing policies. Policy H5 sets out a number of practical development control criteria, to be taken into account in considering new residential developments. These include density and design, the context of the character of the surrounding area, highway/parking considerations and open space. The policy states that new developments will need to accord with Policy HD18 (General Design Guidance) and OE14 (Provision of New Open Space).
- 4.21 Of the 'General Policies' Policy GEN1 promotes the principle of mixed use development in appropriate locations. Paragraph 5.109 also states that residential uses within mixed use developments can introduce diversity, security and life into areas of regeneration.
- 4.22 Policy GEN3 states that the UDP aims to protect and enhance the built environment of the City by encouraging a high standard of design and landscaping in developments and creating an attractive environment which is safe and secure both day and night. Policy GEN4 promotes a good quality living environment for all Liverpool's residents.
- 4.23 Chapter 7 of the UDP is relevant to this application as it concerns design and the built environment. UDP Policy HD18 requires that careful consideration is given to a number of design related criteria, which all applications should comply with, including:

- Scale, density and massing relating well to its locality;
- Local distinctiveness;
- Building lines relating to the immediate locality; and
- Materials.

- 4.24 Policy HD19 states that the City Council will ensure that consideration is given to the need to ensure ease of access and movement for disabled people between and within public areas.
- 4.25 Policy HD20 relates to crime prevention and states that, the City Council will encourage developers, in the design and layout of new developments, to incorporate measures which reflect the need to make proper provision for personal safety and crime prevention.
- 4.26 Policy HD21 states that, in order to conserve energy resources the City Council will expect developers to minimise the overall demand for energy arising from their development proposals by taking into account the need for energy sensitive siting, orientation and layout in the design of new developments.
- 4.27 Policy HD23 outlines that, all new development proposals should make proper provision for the planting and successful growth of new trees and landscaping, including any replacement planting provided as compensation for the loss of any trees due to development.
- 4.28 Policy HD24 relates to Public Art and states that, the Council will encourage the provision of appropriate new works of art, including the visual arts, crafts and landscape design, within public places and as part of new development proposals. Such works of art will be expected to contribute to their surroundings and the amenity of the wider area.
- 4.29 This proposal is consistent with Policy GEN6 which states that, the City Council will promote and support initiatives designed to maximise the role of cycling as a transport mode and that, the City Council will implement measures to encourage walking as a mode of transport and to make the pedestrian environment safer and more convenient, as well as encouraging the siting of developments close to public transport links.
- 4.30 The transportation policies within Chapter 11 of the UDP are covered within the Prime Transport Planning Transport Statement. In summary, this proposal is consistent with

Policy T6 and T7 which promote and encourage cycling and safe pedestrian movements. The scope of an appropriate Transport Statement has been discussed and agreed with the Council prior to its submission (Policy T15) and this document gives appropriate consideration to questions of traffic management and road safety in accordance with Policies T8 and T9. Policy T12 outlines that any new development which generate a demand for car parking will be required to make provision for car parking on site, to meet the minimum operational needs of the development and T13 sets out the requirement for disabled parking facilities to be included within the scheme.

- 4.31 Policy T13 states that a minimum of 6% of the first 100 spaces, should be reserved for Blue Badge holders. Parking bays should be wide enough to facilitate the easy transfer of a wheelchair to and from a car, located close to the point of access to and from the development served.
- 4.32 Policy EP9 seeks to ensure that proposals provide adequate provision for onsite storage of waste and recycling. Policy EP11 outlines that Planning permission will not be granted for development which has the potential to create unacceptable air, water, noise or other pollution or nuisance.
- 4.20 Of the remaining UDP policies which could be considered to be relevant to the application proposals. This development represents a positive response to Policy OE7 as it has undertaken the landscaping in an ecologically sensitive manner.
- 4.21 Other material planning considerations include:
- Ensuring a Choice of Travel SPD (2008);
  - Design for Access for All SPD (July 2010);
  - Planning Advice Note: Refuse Storage & Recycling Facilities In New Development (March 2005);
  - Supplementary Planning Guidance Note 8: Car and Cycle Parking Standards (1996);
  - Supplementary Planning Guidance Note 10: New Residential Development (1996); and
  - Section 106 Planning Obligations.

## **ENSURING A CHOICE OF TRAVEL**

4.22 Adopted in December 2008, this SPD was written to provide guidance to developers with regard to access and transport requirements. The objectives of this SPD are to:

- Ensure that there is reasonable access to new developments, through a good choice of transport methods;
- To reduce the environmental impact of travel;
- To improve road safety;
- Promote healthier lifestyles and reduce the level of traffic growth and congestion;
- Reducing car parking spaces in new developments where appropriate.

## **DESIGN FOR ACCESS FOR ALL**

4.23 This SPD was written in 2010 to highlight the most important principles in designing inclusive buildings, which meet the needs of all users including disabled people. The SPD indicates that 10% of all new dwellings must be wheelchair accessible, and that accessible units must be built to Lifetime Homes standard. The Lifetime Homes standard no longer exists and has been replaced with changes to Part M of the Building Regulations.

## **REFUSE STORAGE & RECYCLING FACILITIES IN NEW DEVELOPMENTS**

4.37 The purpose of this guidance note is to provide advice on the Council's recommended standards for refuse storage and recycling in all new residential developments. The guidance note also covers the provision of recycling facilities at all developments, building upon UDP Policy HD18 and EP9.

## **SUPPLEMENTARY PLANNING GUIDANCE NOTE 8 CAR AND CYCLE PARKING STANDARDS**

4.38 The purpose of this guidance note, which was adopted by the City Council in April 1996, is to set out the Council's standards for car parking, including layout and design, in relation to proposals for new development. This guidance note also supplements Policy T12 (Car Parking Provision in New Developments) and Policy T6 (Cycling) in the Liverpool Unitary Development Plan.

## **SUPPLEMENTARY PLANNING GUIDANCE NOTE 10: NEW RESIDENTIAL DEVELOPMENT**

- 4.39 This note supplements Policy H5 (New Residential Development) in the Liverpool Unitary Development Plan and was adopted in 1996. The main objective of the policy is to ensure that new developments are well integrated into their surroundings and offer a good standard of amenity to future occupants whilst protecting the amenity of existing occupiers.
- 4.40 The note then goes on to set out criteria required to achieve these objectives under the headings of density, design, layout, space around buildings, garden provision, landscaping, boundary treatment and parking and highways.

## **SECTION 106 PLANNING OBLIGATIONS**

- 4.41 The purpose of this guidance note is to provide guidance on Section 106 Planning Obligations. These legal agreements will be negotiated between LCC and developers in the context of a grant of planning permission. They are intended to make development proposals acceptable, which might otherwise be unacceptable, and provide a means to ensure that a proposed development contributes to the creation of sustainable communities, particularly by securing contributions towards the provision of infrastructure and facilities.
- 4.42 The guidance note expands the policies for securing Section 106 contributions set out within the UDP (including policies OE14, HD23, HD24).



## 5. PLANNING ASSESSMENT

5.1 Having set out the policy background this chapter considers the principal issues that are considered relevant in the context of this application:

- The Principle of Development
- Housing Development
- Scale, Massing & Design
- Impact on Heritage and Townscape
- Access & Parking Provision
- Residential Amenity
- Potential S.106 Obligations

### PRINCIPLE OF DEVELOPMENT

5.2 Having regard to the relevant policy framework it is evident that the proposed development accords with local and national policy objectives to support sustainable development and regeneration.

5.3 At the national policy level, Paragraph 22 of the NPPF makes it clear that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for the purpose.

5.4 In this instance, there is no reasonable prospect of the site being used for industrial use, and therefore, applications for alternative uses of land or buildings should be treated on their own merits having regard to market signals and the relative need for different land uses to support local communities. It has been illustrated through other planning applications in the surrounding area that the suitability of the area for residential accommodation is well established.

5.5 The site is allocated in the current UDP as being within an area identified for Primarily Industrial use, however, since the UDP's adoption in 2002 the aspirations for the area in which the Application Site sits has changed.

5.6 The application is accompanied by an Employment Land Statement, prepared by Matthews & Goodman (M&G). This Statement illustrates that the application site is no longer suitable or desirable for employment uses. It goes on to state that, the loss of the application site (0.25 hectares) will have a negligible impact upon the overall employment land supply figures.

- 5.7 GL Hearn were commissioned by Liverpool City Council to provide an Employment Land Study as part of the process of preparing the new Local Plan. The report was published in February 2017. According to the report the Council has identified that just under 2 hectares of employment land has been lost since 2013 to residential and other non-employment uses. The identified current employment land supply for the city has earmarked 29 sites across the city to support employment uses which cumulatively provide potential for 62.8 ha of developed land across the city for purely B-class purposes (this figure does not include the 314,500 sqm of B1 development at Liverpool Waters). The Report identifies a good supply of existing buildings within Liverpool comprising some 435,000 sq.m and therefore the loss of the application site amounting to 1,783.2 sq.m is insignificant. The Study also states that the Council does not need to specifically protect employment space and recommends taking a more flexible approach to development proposals for the area.
- 5.8 Importantly the existing accommodation on site does not conform to prospective occupiers' requirements and expectations. The location is some distance from a main dual carriageway or motorway and coupled with the fringe city centre position is unfavoured by modern occupiers. The current specification, design and a layout of the buildings on site do not meet the current demands of modern occupiers and the physical environment is not favourable for growth industry sectors, or for office use. A structural survey has concluded the building is unsafe for occupation. The cost of refurbishment works to bring up to modern standards would not prove economically viable as the underlying constraints of the building and site configuration do not make it an attractive proposition.
- 5.9 Site access for larger commercial vehicles is tight as Rose Place is a narrow cobbled surfaced street. In addition, the main access doors are on the front elevation and therefore loading is restricted to the street which does not suit modern requirements. The location of the site is also not appropriate for redevelopment for industrial uses due to the increasingly changing character of the area to mixed-use.
- 5.10 Although now abandoned, the previous Core Strategy highlighted the Council's current thinking towards employment policy, given the age of the UDP. Strategic Policy 2 emphasised that new employment development be directed towards the City's five identified Strategic Investment Areas (SIAs) or 'Arc of Opportunity' of which the application site does not fall within. It is therefore considered that the proposal will not

undermine the future business use of the remaining industrial area or harm the economic growth of the wider City.

- 5.11 As the M&G Report outlines, recent B2/B8 activity has focused around sites in Speke, Halewood and Stonecross and away from city or fringe of city centre location which are no longer deemed desirable. Much of the demand is for larger modern warehouse facilities with limited take-up for units below 929sqm (10,000sqft).
- 5.12 In addition, once the consented residential developments are completed, the application site will be surrounded by new, apartment blocks of residential development. The site will therefore be out of character on a gateway thoroughfare into the city centre. Redevelopment of the site for residential use will be more in-keeping with the immediate area.
- 5.13 The application site is a brownfield redevelopment opportunity which has been vacant and largely underused on a long term basis. The NPPF promotes the reuse of previously developed land, as seen in Paragraph 111, and pro-actively seeks to deliver new homes where such opportunities exist. This is also echoed in UDP Policy EP1, particularly where such development would also be highly sustainable.
- 5.14 The proposed development accords with these principles and the application site is certainly located within a highly sustainable urban location. It is well placed in terms of close proximity of bus and rail provision thereby enabling residential occupiers to be far less reliant upon the use of a private car. Its proximity to the city centre also means that it enjoys safe, direct and attractive pedestrian/cycle linkages to local services including retail, leisure, community facilities, health care, and places of employment.
- 5.15 In summary, the high-quality proposal will contribute towards a complimentary mix of uses, in a highly accessible location, stimulating the regeneration of an underdeveloped part of Liverpool, enhancing the profile and image. The apartments will contribute towards a healthy mix of residential accommodation within a sustainable location enabling people to live and work in close proximity.
- 5.16 The redevelopment of a brownfield site and semi-vacant industrial units will enhance the character of this gateway into the City Centre without prejudicing redevelopment potential of nearby land. The proposal presents an efficient re-use of an urban brownfield site according with policy EP1. In addition, an increased residential population will have benefits in terms of knock-on spending for local businesses. We therefore consider that this development proposal accords with the NPPF, Policies

GEN1, GEN4, H3, H5, E1, E2, S14 & EP1 of the adopted Liverpool Unitary Development Plan.

## HOUSING PROVISION

- 5.17 NPPF paragraph 47, requires local planning authorities to identify and update annually a supply of specific deliverable sites, sufficient to provide five years' worth of housing against their housing requirements. A Strategic Housing Land Availability Assessment (SHLAA) needs to be prepared "to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the planned period".
- 5.18 The last City Council SHLAA was published in 2016. Our research of the relevant documents suggests that the application site was not recorded as a residential development opportunity which would contribute towards the five year supply. The site would therefore make a "windfall" contribution towards the City Council's housing supply which would be positive consideration in the case for a grant of permission.
- 5.19 The NPPF has a stated aim for local authorities to 'to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities'. The proposed development will boost the supply of new homes within Liverpool's city fringe.
- 5.20 The proposals entirely accord with national policy in so far as the application will deliver new housing development, which will assist Liverpool City Council by contributing towards the central government objective of significantly boosting the supply of housing.
- 5.21 The proposed scheme is a regeneration project that will help to transform this area of the city and improve the environment on a thoroughfare into the city centre which benefits from good accessibility. The proposed development has the capacity to accommodate 127 households, attracting a number of additional residents to the area, and contributing to the longstanding policy ambition of providing a choice of homes in a variety of locations. The proposals therefore accord with the current and emerging strategic spatial policies for development in Liverpool.

## SCALE, MASSING AND DESIGN

- 5.22 It is considered that the application scheme is a very positive response to the general design principles which are enshrined in a number of UDP policies.
- 5.23 In terms of layout, the architects have undertaken a detailed analysis of the site and the surrounding area, whilst also taking into consideration the national and local requirements for residential development. Key points are:
- the site's relationship with the road hierarchy, views and local context (existing and emerging)
  - city design quality;
  - the history of the site;
  - movement and connections;
  - the emerging form of development in the local context, and
  - local land uses.
- 5.24 The proposed development reflects the ambitions of Liverpool both now and in the past. Across Liverpool the diversity of scale, the juxtaposition of the horizontal and the vertical, the change in tone and texture, the variety of form and structure have helped to define the city and its identity.
- 5.25 The Design and Access Statement explains the evolution of the form and massing of the development through a consideration of different approaches, response to context and during pre-application discussions. The proposed two blocks on top of a plinth is considered to make efficient use of the site, deliver a number of benefits and create an attractive and interesting form in the townscape.
- 5.26 In terms of materials, the proposed scheme will be constructed using a carefully balanced palette of materials chosen to reflect the historic terraced housing and industry of the area. Further details of the proposed materials are outlined in the Design and Access Statement. The materials will harmonise with other schemes coming forward in the area, will reflect the historical character of the area whilst being unashamedly modern.
- 5.27 It is considered that the application scheme is a very positive response to the design principles, which are enshrined in Section 7 of the NPPF and UDP policies (including HD18).

## APARTMENT TYPE AND MIX

- 5.28 This scheme is aimed at the private residential sector, with exemplar levels of service, communal facilities and onsite management team. In line with the updated standards, all of the 1-bedroom and 2-bedroom apartments and communal spaces are designed to M4(2) standard, which broadly reflects the requirements of Lifetime Homes. The space standards of M4(2) allow a generous lobby, movement around the beds, space to use the bathrooms, space around furniture and space around the kitchen facilities. The studio apartments are designed to M4(1) standard, which means that they make provision for most people, including wheelchair users, to approach and enter the dwelling and to access habitable rooms and sanitary facilities on the entrance storey. This is considered acceptable for the nature of studio apartments. Compliance with these standards will be approved as part of the Building Regulations approval process.
- 5.29 Given the above provisions, it is proposed that none of the apartments are initially fitted out to Part M4(3) level (fully wheelchair adaptable/accessible). Instead, the apartment blueprint allows that as the demand for accessible dwellings presents itself, the larger apartments can be converted to meet demand. This proposal avoids an overprovision which would be unnecessary for the vast majority of non-wheelchair user residents, and instead offers flexibility for the future.
- 5.30 The proposed development provides a range of unit sizes from 1-bed studios to 2-bed apartments. The mix proposed responds to market demand, which is for affordable, yet very good quality residential accommodation.
- 5.31 The apartments will be for private rental and, given their location, do not include family or affordable housing in accordance with planning policies which state that the provision of such housing is not a specific requirement. The mix proposed is both robust and viable and complements that across the wider area.

## ACCESS AND PARKING

- 5.32 Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. A Transport Statement has been provided with the planning application which provides a full analysis of access to the site and traffic generation, as well as further details regarding parking arrangements for the site.

- 5.33 In terms of public transport the site has good accessibility. The nearest bus stop to the site is located on St. Anne Street, which is circa 150m away, and provides access to southbound services. The nearest bus stop providing access to northbound services is circa 500m to the north of the site. These provide convenient high frequency connections to a number of destinations including Liverpool city centre, Crosby, Anfield, Skelmersdale and Kirkdale. Bus travel is therefore a viable mode of transport and provides a reasonable choice for a number of residents of the site.
- 5.34 The nearest railway stations to the site is Liverpool Lime Street which is approximately a 1,000m walk distance from the development to the south-west, this being equivalent to a 13 minute walk, which is considered to be a reasonable walking distance for many people.
- 5.35 Lime Street Station is located on the Wirral Line of the Merseyrail network, providing connections to Chester, Ellesmere Port, West Kirby and New Brighton and the various stations in between. Lime Street Station also provides access to the national rail network with the City Line connecting Liverpool to destinations such as Manchester, Wigan and Preston and the West Coast Mainline connecting Liverpool to destination further afield including London.
- 5.36 The site is located within a well-established urban area adjacent to Liverpool city centre, with an extensive footway network in place on the roads fronting the site and roads connecting the site with the wider area. The footways surrounding the development are generally 2m in width including St Anne Street (the western frontage) and Rose Place (the southern frontage). Some parts of Liverpool city centre are within a 1,200m walking distance from the site, while most of the city centre is within a 2,000m walking distance. Many amenities, educational establishments, employment opportunities, settlements and bus/train stations are therefore within reasonable walking distance.
- 5.37 The site also has good accessibility by bike with most of the city centre accessible within a 10-minute cycle time. The settlements of Kirkdale, Vauxhall, Fairfield, Kensington, Tuebrook, Wavertree, Toxteth, amongst others are within the 5,000m cycle catchment, or a 25-minute cycle time. Further, additional employment areas, including Liverpool Innovation Park, are within a 25-minute cycle time.

- 5.38 The proposed development includes provision for 51 parking spaces at ground floor level (of which 3 will be accessible spaces (6% in line with the required standards)); this represents a ratio of 40%. It is considered that, the demand for car parking generated by these proposals is likely to be low due to the site's location, the good levels of accessibility to a range of amenities and public transport services and the 'car free' nature of the development proposals.
- 5.39 Secure cycle storage will also be available at ground floor level (42 spaces); circa 33% of the number of apartments.
- 5.40 The Transport Statement includes a Minimum Accessibility Standard Assessment (MASA). This shows that for access on foot, cycle and public transport, and for vehicle access and parking the development meets the minimum accessibility standards.
- 5.41 The Transport Statement shows that the impact of the development on the highway network will not be severe.
- 5.42 The development therefore complies with all relevant national and local planning policy in relation to transport, access and parking, including Policies T6, T7, T12, T13 and T15.

#### **AMENITY/ENVIRONMENTAL ISSUES**

- 5.43 The location of the proposed development in an urban, commercial/ mixed use location, means that the proposal itself is not likely to have a significant impact upon the amenity of neighbouring uses. Given that industrial uses exist within the area (as well as the site being located close to main roads) it is however important to ensure that the proposed development will be adequately designed and constructed to ensure that complaints from residents towards the industrial uses do not occur. In terms of the amenity of the development's residents, the main considerations relate to noise. For these reasons, a noise assessment has been completed in support of this application by Clement Acoustics.
- 5.44 The assessment appraised the potential impact on future residents from existing environmental noise. The proposed development has been identified to accord with the tests of the NPPF at paragraph 123 as it is not expected to have an adverse impact on health and quality of life. In addition all potential adverse impacts on health and quality of life related to noise can be mitigated using the glazing and ventilation strategy. The glazing and ventilation strategy achieves both ventilation and internal



ambient noise levels below stated minimum thresholds, therefore the proposal is considered acceptable.

## **REFUSE**

- 5.45 A Refuse and Waste management strategy is set out in detail within the Design and Access Statement, and further information is provided in Section 3 above. However, in summary it comprises a residential refuse chute which terminates at the ground floor level. A total of 12 no. 1,100 litres bins are to be provided for the residents, to be split 50:50 between general waste and recycling. These bins will be collected weekly, facilitated by the building management.
- 5.46 A separate refuse store is proposed for the commercial unit, which, based on a worst case scenario of the unit being in use as a mini supermarket, will provide 8 no 1,100 litre bins. The commercial waste store is accessed from the commercial unit. Weekly collections will take place.
- 5.47 On this basis it is considered that refuse provision has been adequately considered in the design of the proposals.

## **GROUND CONDITIONS**

- 5.48 A Phase 1 Preliminary Risk Assessment, providing an initial environmental assessment relating to ground conditions and contaminated land, has been submitted in support of this application. The assessment identified that the historical OS maps dating back to 1850 show that the site was first occupied by a flour cloth manufactory until the late 1800s when the site was used as a horse repository. In the early 1900s, the site became a furniture depository which was subsequently demolished during world war two. Later on, the site was developed as part of the adjoining bakery, becoming a works in the early 1980s and a depot in the early 1990s.
- 5.49 The surrounding area has been occupied by mixed residential and industrial land with mills, timber yards, warehouses, depots, engineering works, builder yards and garages all located within close proximity to the site.
- 5.50 The assessment identified the potential for Made Ground soils to be present beneath the site at depth of up to 2.9m. To support the development, further investigation should be undertaken as follows:-

- Carry out Unexploded Ordnance Risk Assessment to see if a risk is present during intrusive works from UXO.
- The drilling of boreholes in the location of proposed new structures to assess the nature and depth of any Made Ground soils present beneath the site.
- Soil samples should be recovered and submitted for chemical testing to comprise a minimum of pH and metals, asbestos screening, PAH and TPH.
- The ground investigation should allow for excavations/boreholes to be taken through any Made Ground soils and into the underlying natural strata. In-situ testing should be carried out during drilling to provide adequate recommendations for foundation design.
- The installation of a minimum of three gas monitoring wells in the location of the proposed new structures are recommended, with provision for an initial 6 monitoring visits carried out over a 2 month period in accordance with CIRIA Report C665.

5.51 Providing the above Phase II works are undertaken and any remediation required is satisfactorily dealt with, the site can be made suitable for the proposed development. Conditions are expected to be attached to any grant of consent to provide control over future ground investigation works.

### **FLOOD RISK/DRAINAGE**

5.52 The site is located within Flood Zone 1, and is not within a Critical Drainage Area. As the application site is currently 100% impermeable the proposed development provides an opportunity to reduce local area flood risk by controlling surface water on site. Surface water will primarily be controlled using flow controls and storage tanks before being discharged to the public system.

5.53 The proposed system will be designed to control surface water run-off for all storms up to and including the 100 year plus climate change event. Water will be stored on site below ground before being discharged at an acceptable flow rate.

### **ECOLOGY**

5.54 An Ecological appraisal has been submitted in support of this application. The appraisal identified through completion of an Extended Phase 1 Habitat Survey that:-

- There are a number of protected sites and species within the search area, however all sites and records of species returned in the desk study were considered sufficiently distant and isolated from the site not to be impacted by the development proposals.
- There are no areas of habitat of nature conservation interest.
- Japanese knotweed was recorded in the grounds of the building.
- The survey identified negligible potential for roosting bats to be present within the building and no evidence of roosting was found during the building inspections. The surrounding habitats were considered to be of very low value to foraging and commuting bats.
- No active or disused birds' nests were observed. The building was not considered suitable for use by nesting or foraging black redstart.
- The building and site have very low ecological value.

5.55 The scheme will include landscaping which utilises native species where possible to enhance the overall biodiversity opportunities across the site. Subject to appropriate mitigation it is considered that the proposal provides an opportunity to enhance the existing biodiversity contribution of the site.

#### **POTENTIAL S.106 OBLIGATIONS**

5.56 There is a policy requirement to provide open space/ public realm, street trees, and public art by way of a Section 106 Agreement in relation to the proposed development. Further discussions will take place with officers during the consultation of the planning application regarding any legal agreement to meet these policy objectives.

#### **CONCLUSION**

5.57 In conclusion, the proposed development accords with the strategic objectives and relevant policies of the adopted development plan and will deliver a wide range of benefits. Although the site is allocated for Primarily Industrial Uses we have set out above why we believe that planning consent for the proposed development should continue to be granted.

5.58 The proposal will regenerate an underutilised brownfield site with a quality residential-led scheme. The Application Site is in a sustainable location and the site is suitable and appropriate for the proposed scheme. The scheme therefore accords with the development plan and other relevant material considerations.

5.59 In conclusion, the proposed development is consistent with the aims, objectives and requirements of the NPPF and the Council should apply the presumption in favour of sustainable development and grant planning consent.

## 6. SUMMARY AND CONCLUSIONS

- 6.1 This document seeks to assess the application proposal against the planning policy framework which will be used to determine the planning application. This section summarises a number of general and site-specific arguments in favour of the proposed development.
- 6.2 Pre-application discussions have taken place with officers of the Council prior to submission of the application. The comments received have helped develop and shape the scheme into the form as presented by this application.
- 6.3 The application has been considered against the policies of the current development plan, Supplementary Planning Documents and local guidance, and national government guidance. It has been illustrated that the proposal conforms to the criteria set out in these policies and that the principle of development is acceptable. This report clearly demonstrates that the proposed development has policy support and is aligned with national policy.
- 6.4 The principle of residential development is considered acceptable in this location as it is a previously developed site and is located in an accessible location within easy reach of Liverpool City Centre. More importantly, the proposed development offers an opportunity to bring forward a high-quality residential-led development on a thoroughfare route into the city centre on a site which is largely vacant, of poor environmental quality, is underused and which does not make efficient use of previously developed land.
- 6.5 In summary the proposal will:
- Provide a high quality residential-led development which will enhance this route into the city centre providing a more appropriate gateway building;
  - Revitalise an underutilised/vacant, brownfield site which is located in a sustainable location;
  - Provide significant financial investment in the site;
  - Deliver a variety of high quality, well designed apartments that will grow the local community in the area; and
  - Create new jobs associated with construction, sales and then operation of the residential development.

- 6.6 The NPPF makes it clear that there is a '*presumption in favour of sustainable development*' and that this is the 'golden thread' running through both plan making and decision taking. The proposed development is consistent with the NPPF's core principles. The scheme has been designed to a high standard, makes use of brownfield land and is in a sustainable, urban location that benefits from nearby services and community facilities.
- 6.7 In summary, the proposed development will provide a high quality residential scheme in a sustainable location. We have illustrated that the application site is suitable and appropriate for residential development.
- 6.8 Statute requires that this application be determined in accordance with the development plan unless material considerations dictate otherwise. This proposal satisfies all relevant national and local policy considerations. In these circumstances, this application should be welcomed and planning permission granted accordingly.