

## Planing Statement - Appendix 5

# **Appendix 5 Planning Policy**

## **Adopted Planning Policy**

### **Unitary Development Plan (2002)**

#### **Office Development (Policy E2)**

1. Within the Main Office Area in the City Centre, and on the sites identified in Schedule 6.2 and on the Proposals Map, planning permission will be granted for Use Classes A2, 81 and complementary service uses (such as Classes A1 and A3).
2. In parts of the City outside the Main Office Area, planning permission will be granted for appropriate Use Classes A2 and 81, subject to consideration of residential amenity, traffic generation and other Plan policies.

#### **Economic Regeneration (Policy GEN 1)**

The Plan aims to reverse the decline in economic activity, investment and employment which Liverpool has experienced in recent years through:

- i. the identification of Regeneration Areas in which available resources for regenerating the City's economy will be concentrated. These are:
  - City Centre, and in particular the Main Retail Area and the Paradise Street Development Area (PSDA)
  - Waterfront, Docks and Hinterland
  - Eastern Corridor
  - Speke/Garston
  - Gillmoss/Fazakerley/Aintree.
- i. the provision and servicing of sites for economic development and investment, and the protection of adequate reserves of industrial/business land from other types of development;
- ii. encouraging small scale economic development in appropriate locations throughout the City;
- iii. strengthening the commercial role of the City Centre;
- iv. promoting and enhancing the role of Liverpool Airport and the City's docks;
- v. promoting the principle of mixed use development in appropriate locations;
- vi. maximising the contribution of telematics to the securing of economic regeneration;
- vii. promoting the role of Liverpool as a regional retail, cultural and tourism centre;
- viii. encouraging leisure developments in locations which complement the economic functioning of existing shopping centres, or in other highly accessible locations where there will be no significant harm to vitality and viability elsewhere; and
- ix. promoting regeneration within the City's most deprived communities by seeking, through policies within the Plan, to facilitate the work being undertaken by the Local Partnerships.

## **Transportation (Policy GEN 6)**

The Plan aims to provide a balanced provision of transport infrastructure which:

- i. provides access to employment, leisure, retail and other facilities for all of the City's residents;
- ii. meets the transport needs of people who are economically and socially disadvantaged;
- iii. allows for the safe, efficient and easy movement of goods into and throughout the city, in order to help secure the regeneration of the local economy;
- iv. protects & enhances the environment through reducing the reliance on the private car.
- v. promotes, in conjunction with the Passenger Transport Authority, investment in the public transport network and associated facilities;
- vi. improves facilities for cyclists and pedestrians;
- vii. provides a framework for investment in the efficiency of the road system; and
- viii. reduces the availability of car parking facilities which would attract car borne commuters.

## **Environmental Protection (Policy GEN 8)**

The Plan aims to protect and enhance Liverpool's environment by:

1. Promoting the recycling of land for productive use through the treatment of vacant, derelict and underused land;
  - i. controlling uses which can contribute to the incidence of land, air, water pollution and light spillage;
  - ii. seeking to secure the efficient disposal of waste and to encourage recycling, reclamation and reuse of waste wherever possible;
  - iii. protecting land drainage and preventing flooding;
  - iv. investigating and promoting the concept of renewable energy; and
  - v. ensuring that all developments (including minerals operations) are carried out with due consideration for the environment and public health.

## **Liverpool City Centre (Policy GEN 9)**

The Plan aims to maintain and enhance the City Centre's role and function as a regional centre by:

- i. furthering economic development;
- ii. securing new retail investment in the Main Retail Area;
- iii. promoting the development of the Paradise Street Development Area;
- iv. improving access and circulation;

- v. enhancing the living environment;
- vi. improving the general physical environment; and
- vii. promotion, marketing and gathering of information.

### **Leisure Development (Policy E9)**

1. Planning permission will be granted for leisure development (as defined below) in the City and District Centres, on those sites listed in Schedule 6.4 and in other locations including edge of centre sites provided:
  - i. the applicant clearly demonstrates that there is a need for the proposal and that a sequential approach to site selection has been adopted;
  - ii. the design and scale of the proposal is appropriate to the particular location and the surrounding area;
  - iii. residential amenity is not adversely affected;
  - iv. highway, traffic and servicing matters are addressed to the satisfaction of the local planning authority;
  - v. it is demonstrated by the applicant that the proposal, either by itself or in conjunction with other proposals, will not undermine the vitality, viability or predominant retail function or evening economy of any nearby Town, District or Local Centre;
  - vi. the site is, or will be made, highly accessible to modes of transport other than the car; and
  - vii. the proposed development would not prejudice or undermine other Plan policies or objectives

### **Use of Shops for Class A2 (Financial and Professional Services) Uses (Policy S13)**

1. Within the core of the City Centre Main Retail Area, as shown on the Proposals Map and in Figure 1 0.2, planning permission for uses falling within Class A2 of the Town and Country Planning (Use Classes) Order 1987 will be granted at ground floor level provided the proposal:
  - i. does not result in the loss of a retail unit with a frontage in excess of 10 metres;
  - ii. would not result in more than 2 non class A1/A3 Retail Units in a frontage, or exceed about 20% of non class A1 /A3 retail frontage within a block.
1. Within the remainder of the City Centre Main Retail Area (beyond the core) and in the District and Local Centres, planning permission for A2 uses at ground floor level will be permitted provided the proposal does not have a significantly detrimental impact on the vitality and viability of the parent frontage or the centre itself.
2. Elsewhere in the City, planning applications for A2 uses will be determined in accordance with the provisions of other relevant policies.

### **Use of Shops for Other Premises for Class A3 (Food and Drink) Uses (Policy S14)**

1. In the City Centre Main Retail Area and in the District and Local Centres planning permission for A3 uses at ground floor level will be permitted provided the proposal:
  - i. does not result in the loss of shopping floorspace which if used for A3 use would undermine the vitality and viability of the parent centre;

- ii. would not increase the level of disturbance or nuisance to a level that would be unduly detrimental to the amenities enjoyed by anyone living nearby; and
  - iii. would not generate traffic movements or a demand for parking that would be unduly detrimental to highway safety or residential amenities.
2. Elsewhere in the City A3 uses will be permitted provided the proposal:
- i. would not increase the level of disturbance or nuisance to a level that would be unduly detrimental to the amenities enjoyed by anyone living nearby; and
  - ii. would not generate traffic movement or a demand for parking which would be unduly detrimental either to highway safety or residential amenity.

### **Cycling (Policy T6)**

The City Council will promote and support initiatives designed to maximise the role of cycling as a transport mode by:

- i. adopting a Cycling Strategy for Liverpool which will include the formulation of a Strategic Cycle Route Networking and the setting of targets regarding cycle use;
- ii. improving the condition of designated cycle routes in the City;
- iii. catering for cyclists' needs in the design of all new highway improvement schemes, traffic management schemes, road safety schemes, the road maintenance programme, and giving consideration to the provision of safe cycling routes through all major development and redevelopment sites;
- iv. improving road signage, road conditions, junction priorities and carriageway crossings where cycle routes join highways;
- v. introducing appropriate traffic calming and speed reduction measures on designated cycle routes and areas of high cycle usage; and
- vi. ensuring that secure cycling parking facilities are provided at locations regularly visited by the public and requiring new developments to provide secure cycle parking facilities.

### **Car parking provision in new developments (Policy T12)**

All new developments including changes of use, 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. Additional space for non operational car parking will be permitted up to a maximum standard. This will be determined by:

- i. the nature and type of use;
- ii. whether off-site car parking would result in a danger to highway and pedestrian safety;
- iii. whether the locality in which the proposed development is located is served by public car parking facilities;
- iv. whether off-site parking would result in demonstrable harm to residential amenity; and
- v. the relative accessibility of the development site by public transport services.

The City Council will investigate the feasibility of levying commuted sums from developers in lieu of car parking provision for developments within the City Centre controlled parking zone.

### **Car parking provision for the disabled (Policy T13)**

Car parking for the disabled should be provided in accordance with the following specific standards:

- i. a minimum of 6% of the first hundred parking spaces in a development should be reserved for Orange Badge holders. Thereafter, the number of spaces will be negotiable;
- ii. parking bays should be wide enough to facilitate the easy transfer of a wheelchair to and from a car;
- iii. disabled parking bays should be clearly marked as such and be located close to the point of access to and from the development served; and
- iv. within multi-storey car parks, disabled parking bays must be adjacent to lifts.

### **Traffic Impact Assessment (Policy T15)**

1. Where planning permission is sought for new development which is likely to result in a material change in the character or volume of traffic on the surrounding highway network, the applicant will be required to submit a full Traffic Impact Assessment (TIA). Proposals which exceed any of the following parameters will generally require a TIA as part of the planning application:
  - i. residential developments in excess of 200 units;
  - ii. business development (Use Classes 81 and 82) in excess of 5,000 square metres gross;
  - iii. warehousing development (Use Class 88) in excess of 10,000 square metres gross;
  - iv. retailing development (Use Class A 1) in excess of 1,000 square metres gross;
  - v. 100 trips in/out combined in the peak hour; and/or
  - vi. 100 on-site parking spaces.
1. Where extra traffic generated by a proposed development requires road or public transport improvements in the vicinity of the scheme (or beyond), to the extent that works are necessary to enable the proposed development to proceed, conditions may be imposed on any planning permission making its implementation subject to the completion of the works. Where transport improvements will be needed to enable the proposal to go ahead, these should be provided first.

### **Access for all (Policy HD16)**

There will be a presumption in favour of the preservation of scheduled ancient monuments and other nationally important monuments and their settings. Planning permission for development which would have an adverse effect on their site or setting will not be granted.

### **General Design Requirements (HD18)**

When assessing proposals for new development, the City Council will require applications to comply with the following criteria, where appropriate, to ensure a high quality of design:

- i. the scale, density and massing of the proposed development relate well to its locality;

- ii. the development includes characteristics of local distinctiveness in terms of design, layout and materials;
- iii. the building lines and layout of the development relate to those of the locality;
- iv. external boundary and surface treatment is included as part of the development and is of a design and materials which relate well to its surroundings;
- v. all plant machinery and equipment are provided within the building envelope or at roof level as an integral part of the design;
- vi. the development pays special attention to views into and out of any adjoining green space, or area of Green Belt;
- vii. the development has regard to and does not detract from the city's skyline, roofscape and local views within the city;

### **Heritage and Design in the Built Environment (GEN 3)**

The Plan aims to protect and enhance the built environment of the City by:

- i. preserving and enhancing historically and architecturally important buildings and areas and, where appropriate, improving them through the leveraging of available funds;
- ii. encouraging a high standard of design and landscaping in developments;
- iii. improving accessibility for people with mobility and sensory impairments; and iv. creating an attractive environment which is safe and secure both day and night.

### **Conservation Area (HD7)**

1. The City Council will continue to review the boundaries of existing conservation areas and consider the designation of new conservation areas in accordance with consistent standards, and will carry out an assessment of the special interest of each area.
2. Article 4 Directions will be imposed to control permitted development in conservation areas, where appropriate.

### **Preservation and Enhancement (H8)**

The City Council will take positive action to secure the preservation or enhancement of conservation areas and will:

- i. seek support and funding from all available sources for the repair of buildings and environmental improvements;
- ii. prepare action plans for priority areas;
- iii. use its available powers to secure the removal of features which significantly detract from the character of the area; and
- iv. provide planning guidance and advice to owners and developers.

### **New Development adjacent to Conservation Areas (HD12)**

Development on land adjacent to a conservation area will only be permitted if it protects the setting of the conservation area and important views into and out of it.

### **Green Space (OE11)**

Planning permission will not be granted for built development on part or all of any green space unless the proposed development can be accommodated without material harm to:

- i. the recreational function of the green space, unless:
- ii. the development is ancillary to the use of the site for active or passive outdoor recreation and enhances its value for these activities;
- iii. the site does not lie in an area of open space deficiency or its development would not create an area of open space deficiency;
- iv. a replacement facility of at least equal quality and suitable size is provided at an appropriate location to ensure that an area of open space deficiency would not otherwise be created ;
- v. in the case of green space in educational use, the development is specifically required for educational purposes and that suitable and convenient alternative recreational facilities are available.
- vi. the visual amenity value of the green space in terms of:
- vii. important vistas into and across the site;
- viii. key frontages which are visible from a main road;
- ix. important trees and landscape features, and the character of the site within the surrounding area; or its importance as open land in an otherwise closely developed area;
- x. its relationship to adjoining green spaces, particularly whether the development might destroy a valuable link between areas of green spaces; and
- xi. any known nature conservation value as identified in policy OE5.

### **Green space (OE12)**

The City Council will seek to enhance the overall stock of publicly accessible green space by:

- i. improving the quality and management of existing parks, playing fields, golf courses and cemeteries;
- ii. pursuing opportunities for new recreational provision in areas of local open space deficiency as identified in this Plan, particularly on green spaces surplus to the City Council requirements for other purposes; and
- iii. providing new parks as identified on the Proposals Map.

### **Existing Trees and Landscaping (HD22)**

1. In order to protect and integrate existing trees and landscape features within new developments, the City Council will:
  - i. require the retention of key ecological and natural site features, such as trees, hedges, walls and ponds;
  - ii. require the submission of a full independent tree survey to enable the effect of the proposal on the trees to be fully assessed;



- iii. refuse planning permission for proposals which cause unacceptable tree loss, or which do not allow for the successful integration of existing trees identified for retention following consideration of the tree survey;
- iv. require layouts to provide adequate spacing between existing trees and buildings, taking into account the existing and potential size of trees and their impact both above and below ground level; and
- v. require retained trees and woodland to be protected and managed during construction, preventing all site works within the branch spread of any retained tree.

2. The City Council will protect existing trees and woodland areas by:

- i. making tree preservation orders on trees or groups of trees, where appropriate;
- ii. only allowing the removal of any protected tree in exceptional circumstances, such as where the tree is a danger to public safety or is diseased, and on condition that appropriate replacement planting takes place;
- iii. ensuring the proper and beneficial management of trees and woodland areas in its ownership; and
- iv. carrying out a review of existing Tree Preservation Orders.

### **New Trees and Landscaping (HD23)**

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 and in particular should:

- i. provide high quality landscaping and boundary treatment including the submission of such details as part of any full planning application; and
- ii. promote nature conservation through the use of native species and the creation of wildlife habitats where appropriate.

### **Light Spillage (HD28)**

The City Council will require developers to take account of the following principles in schemes where external lighting is required;

- i. the lighting scheme proposed is the minimum required for security and working purposes to undertake the task, and
- ii. light spillage and potential glare is minimised particularly to:
- iii. residential and commercial areas;
- iv. areas of wildlife interest; and
- v. areas whose open landscape qualities would be affected, particularly those open areas on the urban fringe.

### **Waste (EP9)**

Planning permission will only be granted for development generating commercial waste where there is:

- i. adequate provision for the on-site storage of all waste arising from the operation of the premises; and
- ii. adequate access to enable waste to be transferred effectively to a licensed waste disposal contractor

### **Contaminated Land (EP2)**

- i. Before determining any application for planning consent on land which the City Council considers is seriously contaminated, the Council will require the applicant:
  - ii. to submit details of a site survey identifying the type, degree and extent of any contamination; and
  - iii. to submit details to the City Council of specific remedial measures required to deal satisfactorily with any hazard, together with the proposed timescale for the implementation of the measures.
1. Planning permission will only be granted prior to a full site investigation, where the Council considers that any known or suspected contamination is unlikely to adversely affect the proposed redevelopment. This permission may be subject to conditions requiring a site investigation together with the remediation of any contamination.

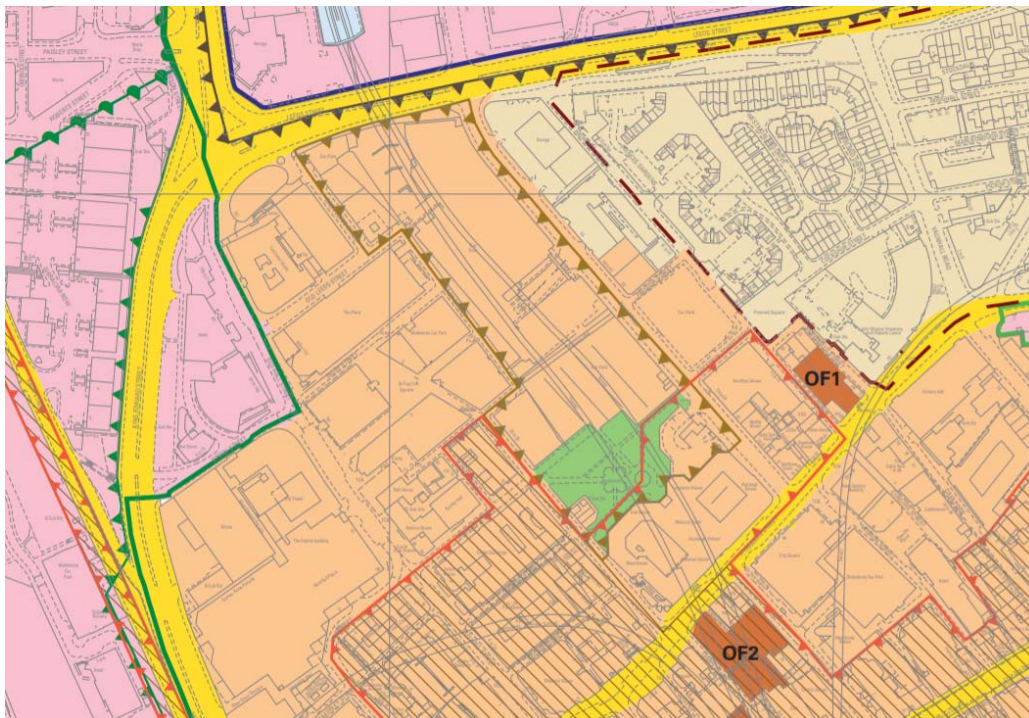
### Supplementary Planning Documents (SPD)

#### **The Liverpool Commercial Quarter**

- Pages 22-24

### Emerging Planning Policy

#### **Extract from the emerging Local Plan policies map**



## Policy CC1 – Main Office Area

1. Within the Main Office Area and on Sites for Office Development identified within Schedule 7 and on the City Centre Policies Map planning permission will be granted for Use Classes A2 and B1. On land at Pall Mall identified on the City Centre Policies Map, proposals for new development will be considered against Policy CC1a.
2. Vacant land within the Main Office Area and Sites for Office Development will primarily be protected for office development. Proposals for other purposes should clearly demonstrate that:

The proposed use is complementary to the main office use of the area, providing an ancillary service to meet day-to-day needs of local employees and residents living in the area, subject to compliance with other plan policies; **or**

There is no reasonable prospect of the site being used for office development. This will require evidence to demonstrate that the site has been appropriately marketed for A2 and B1 Class Uses, across a range of media for at least 24 months; **and**

- i. use of the site for non-office purposes will not adversely affect the City's overall capacity to meet future demand for office development; or
  - ii. use of the site for other purposes will bring wider economic, social or environmental regeneration benefits which outweigh the economic impact of the loss of land for office space. This will require evidence to demonstrate:
    - a net increase in employment;
    - a need/demand for the proposed use;
    - a lack of a suitable alternative site/premises for the non-office uses;
    - the satisfactory relocation of displaced businesses (where applicable);
    - improvements to the physical/operational environment of the Main Office Area; and
    - that the proposal forms part of a comprehensive regeneration scheme.
1. In relation to both a. and b. above, the proposal will not be incompatible with existing retained employment or residential uses within the vicinity. In the case of other town centre uses, including retail and leisure, the proposal complies with Policies CC19 and SP6.
  2. In the case of vacant buildings which fall within the Main Office Area, where permitted development rights do not apply, proposals for other uses should clearly demonstrate that they meet criteria 2a. above or there is no reasonable prospect of the building being used for offices. This will require evidence to demonstrate that the building is not suitable for offices and it has been appropriately marketed for A2 and B1 Class Uses, across a range of media for at least 24 months.
  3. All developments within the Main Office Area should contribute to enhancing the public realm, including walking and cycling routes and green infrastructure measures, and ensure that buildings are energy efficient and of high architectural quality.
  4. Development proposals within that part of the Main Office Area lying in the World Heritage

Site or its Buffer Zone should:-

- a. Ensure that they do not compromise any of the key views of the landmark buildings identified in the World Heritage Site SPD.
- b. In those cases where it is considered appropriate to allow a development which would close a view along a street in the World Heritage Site, any building should include a high-quality facade.

### **Policy CC1a – Pall Mall (Zone A)**

1. On land at Pall Mall, identified on the City Centre Policies Map, planning permission will be granted for office-led development (Use Classes A2, B1) which will support the expansion of the City's Commercial District and therefore the successful functioning of the Main Office Area as the primary location for professional, financial and other business services. The objective for new development at Pall Mall should be to ensure that existing office provision in the Main Office Area is enhanced by the provision of additional capacity and employment space which is suited to the requirements of modern occupiers.
2. Planning permission for others uses, which support the office-led development of Pall Mall, including small scale ground floor retail and leisure uses, restaurants and bars that animate streets and spaces will be permitted where it is clearly demonstrated that they would enhance the area's offer as the primary location for professional, financial and other business services and would contribute to place- making and a vibrant environment, day and night. Provided that the identified site capacity of 1,200,000 sq ft of office floorspace is not undermined over the plan-period, residential and hotel development will also be acceptable including that which makes more efficient use of office land.
3. The site is divided into three zones:
  - a. Zone A - Development will be predominantly office led. There shall be no more than 25% of total floor-space in non-office use, unless a minimum of 400,000 sq ft of office floor space has first been delivered.
  - b. Zone B - Development will be predominantly office led, but should include a multi-storey car-park to replace existing car-parking that would be lost as a result of development. There shall be no more than 25% of total floor-space in non-office uses(excluding car-parking), unless a minimum of 400,000 sq ft of office floor space has first been delivered.
  - c. Zone C - Development will be office-led, but may include a mix of other uses, including residential. There shall be no more than 50% of total floor-space in non-office use, unless a minimum of 400,000 sq ft of office floor space has first been delivered.
1. All proposed development should also demonstrate that:
  - a. It is of a high design quality which:
    - i. contributes towards achieving a distinctive and contextual character;
    - ii. respects the scale of surrounding buildings and local topography, including strengthening the emerging cluster of tall buildings in the Commercial District;
    - iii. contributes towards public realm enhancement through provision of on-site public open space, green infrastructure, landscaping and public art in developments, and/or through developer contributions towards co-ordinated provision within the wider Pall Mall site;
    - iv. maximises ground floor uses with active frontages, particularly around key public spaces and pedestrian desire lines, as well as surrounding streets;

- v. improves linkages with surrounding areas, particularly for walking and cycling, and provides for inclusive access; and
- vi. does not adversely impact upon residential and environmental amenity and business operation;
- a. It responds to the sensitive historic surroundings including Liverpool's World Heritage Site (Policy HD2), conservation areas and other heritage assets. Developments should:
  - i. comprise of a design typology and quality that responds positively to the attributes of Outstanding Universal Value (OUV) of Liverpool's World Heritage Site (WHS);
  - ii. ensure that they do not compromise any of the key views of the landmark buildings and the strategic
  - iii. and local vistas identified in the World Heritage Site SPD; and
  - iv. continue or reinstate historic building lines;
- a. It provides car parking to cater for the proposal in line with the City Council's current standards, as well as compensatory provision for loss of public car parking, where this meets an identified demand and sustainable travel objects, whilst accommodating servicing and maintenance needs, in accordance with Policy TP8;
- b. It contributes towards the long-term management of the wider Pall Mall site.