

Planning Statement

Land at Harthill Road, Liverpool

August 2016

Turley

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15 Dec 2015

Executive Summary

Introduction

1. This Planning Statement supports a full planning application for the residential development of land at Harthill Road, Liverpool. Three separate and related applications for Listed Building Consent (LBC) concerning Beechley House, Beechley Stables and the entrance gateway have been submitted to the Council in order to facilitate their redevelopment for residential apartments.
2. This Planning Statement sets out the context for the development by providing the background to the proposals including a description of the site, its surroundings, the proposed development and relevant planning history and policy framework. It assesses the proposals against the identified policy framework and the key issues to set out the case that clearly points to a grant of planning permission for the development.

Application Site and Surroundings

3. The application site extends to approximately 5.24 hectares and is located to the north of Allerton. The northern extent of the site comprises a council maintenance depot and the central extent of the site comprises land used by a model railway club and Calder Kids adventure playground and associated building. Beechley House (a former care home facility) and associated gardens, and Beechley Stables and associated paddocks, comprise the western and southern extents of the site.
4. The site is bound by Harthill Road to the north west and Allerton Road to the south west which provide connections to the surrounding residential areas to the north and east. Harthill Road also provides access to the A562 to the north of the site providing a direct route into Liverpool City Centre and surrounding areas such as Speke. Calderstones Park lies beyond the eastern and south-eastern boundaries of the site.
5. Existing vehicular access to the site is provided from points along Harthill Road: one to Beechley House towards the southern end of Harthill Road; one into the stables; and one into the depot. There are no public footpaths or Public Rights of Way across the site. Due to the land being solely privately owned, the site is not publically accessible.
6. There are a range of facilities within a 30 minute walking distance of the site including s Medical Centre, Tesco Superstore to the west (10 minutes), Dovedale Junior School, Calderstones Secondary School and Sixth Form College and Londis convenience store.
7. The site is well connected in terms of public transport with bus services within 10 minutes walking distance along Menlove Avenue (A562) and Mather Avenue (B5180). These bus services provide access to surrounding residential areas as well as Garston, Liverpool One Bus Station, Liverpool John Lennon Airport and Halewood Shopping Centre. Mossley Hill train station is also located 16 minute walk to the west of the site providing access to areas including Liverpool and Manchester.

Relevant Background

8. The planning history of the site and housing land supply in Liverpool provide relevant context to the application proposals.
9. Existing buildings / facilities on site have been subject to a number of planning applications and LBCs in order to facilitate development. Beechley House has been subject to a number of applications to facilitate its use as a care home and Beechley Stables for its use as a riding centre. Further applications in relation to the Calder Kids Adventure Playground and the model railway have also been determined by the Council.
10. There is no up-to-date assessment of Full Objectively Assessed Needs (FOAN) for housing in Liverpool in accordance with the National Planning Policy Framework ("the Framework") and Planning Practice Guidance (PPG). In the absence of a FOAN, the Council has accepted that it is unable to demonstrate a deliverable five year supply of housing land.

Proposed Development

11. The description of the development is as follows:

"Full planning application for a residential development comprising 39 no. dwellings and the conversion of existing buildings into 12 homes/properties, with access from Harthill Road, parking, landscaping and amenity space."
12. The development proposals have been carefully prepared through a detailed assessment of the site, its constraints, context and the overall aspiration to create a new, high quality sustainable residential development.
13. The layout and use of the site seeks to respect the site's location within the setting of the Grade II listed Beechley House, Beechley Stables, the Lodge, and being adjacent to Calderstones Park. In addition, the redevelopment of these buildings seeks to preserve and enhance their heritage value to the area.
14. The development will comprise a range of large detached dwellings and apartments of between 1 and 3-bedrooms. This will improve the overall housing offer in Liverpool.
15. Vehicular and pedestrian access to the site will be taken from Harthill Road which lies to the north west of the site. Access to Beechley and Grounds will be via two existing access points from Harthill Road: The existing access to Beechley House will be retained and utilised for access to the proposed apartments within Beechley House; Similarly, the existing access to the Stables associated to Beechley House will also be retained and utilised for this aspect of the development for pedestrian use only. Access to Park View and the Depot sites will be from the existing access from Harthill Road adjacent to Harthill Lodge, a grade II Listed Building.
16. Areas of landscaping and open space will be created and preserved in order to complement the adjacent Calderstones Park and provide appropriate screening from surrounding development into and out of the site.

Planning Appraisal

17. The adopted development plan (the Liverpool Unitary Development Plan (UDP)) is substantially out-of-date as it was only intended to inform development needs up to 2001 and was prepared in accordance with the Town and Country Planning Act 1990.
18. Liverpool City Council (LCC) has accepted that it is unable to robustly demonstrate a deliverable five year supply of housing land. As a result, there is an urgent and pressing need to release sites for housing development in Liverpool; the presumption in favour applies.
19. The application site is located within the Calderstones / Woolton Green Wedge. However, as LCC is unable to demonstrate a five year supply of housing land, Policy OE3 is out-of-date, in accordance with the Framework. As a result, only limited weight can be attributed to the policy in the consideration of this planning application. In any case, the gap between the residential areas will be retained after development, in line with the overall objective of Policy OE3.
20. The application site is also identified as green space within the adopted development plan (Policy OE11). It is demonstrated that the proposals will not result in any harm to the objectives of this policy. It is acknowledged that the proposals will result in a change to the visual amenity of the site which indicates a minor conflict against this aspect of Policy OE11. However, this minor conflict needs to be considered in balance with the benefits to the other objectives of that policy, the development plan as a whole, and other relevant material considerations.
21. The Council has recently recognised a need to review existing open spaces in order to ensure that future housing needs are met across the City. The proposed development responds to the recognised need to release areas of green space to meet housing requirements in the City, particularly for higher value housing. The site represents a suitable location for this purpose due to its limited value or function as a green space.
22. The supporting technical documents demonstrate that the application site is free from significant constraints. The proposed development will not result in any harm in terms of amenity, environmental, traffic, technical or other acknowledged public interests. The proposals comply with the technical and environmental policies of the development plan and the Framework.

Planning Balance and Conclusions

23. This Statement demonstrates that there are no adverse impacts resulting from the development that would significantly and demonstrably outweigh its benefits when assessed against the Framework as a whole.
24. In this regard, numerous benefits will arise from the scheme, including:
 - Creation of a high quality residential environment which respects the character of the area – The development has been carefully designed to respond positively and sympathetically to its built and environmental context and the character and appearance of the surrounding area.

- A commitment to the early delivery of the site by a major national housebuilder, boosting supply and making an important contribution to the City's five year housing land supply.
 - Support for the transition to a low carbon future – The development will mitigate and can adapt to future climate change through sustainable design and a commitment to deliver high quality, energy efficient homes. It will meet national housing standards in relation to carbon reduction and promote sustainable travel choices.
 - Provision of ecological and biodiversity enhancements through the adoption of a high quality landscaping strategy.
 - Improvements in housing mix and choice – The proposed development will provide a balanced mix of dwellings, offering a choice of type and size, with an emphasis on improving the quality and quantum of housing capable of maintaining economically active households within the City.
 - The provision of managed amenity space.
 - Development in a sustainable location – The development is within easy reach of a range of local shops and services which will reduce reliance on the private car.
 - Increased Council Tax revenue and capital receipts from the sale of the site to further invest back into the City and assist in achieving the economic growth objectives.
25. The impact on green space is limited as the site is not currently publically accessible, is visually enclosed and does not provide any recreational or specific ecological function. Only limited weight can be afforded to the Green Wedge policy (OE3) given the acknowledged shortfall in housing land in the City.
26. Overall, any potential conflict with the Development Plan (Policies OE3 and OE11) is clearly outweighed by compliance with the aims and objectives of the plan overall. There are material considerations which add further support weighing strongly in favour of the proposed development and are to be afforded significant weight in the planning balance.
27. In accordance with Section 38(6) of the 2004 Act and by reference to the presumption in favour of sustainable development set out within the Framework, planning permission should be granted without delay.

1. Introduction

1.1 This Planning Statement has been prepared by Turley on behalf of Redrow Homes (“Redrow”). It supports an application for the residential development of land at Harthill Road, Liverpool.

1.2 The description of development is as follows:

“Full planning application for a residential development comprising 39 no. dwellings and the conversion of existing buildings into 12 homes/properties, with access from Harthill Road with associated car parking, landscaping and amenity space.”

1.3 This statement sets out the context for the development by providing the background to the proposals including a description of the site, its surroundings, the proposed development and relevant planning history and policy framework. It assesses the proposals against the identified policy framework and the key issues to set out the case that clearly points to a grant of planning permission for the development.

Accompanying Documents

1.4 This application is accompanied by the following documents:

- Completed application forms and certificates
- Design and Access Statement, prepared by Turley Design
- Design summary for the heritage assets, prepared by Edward Architecture + Redrow
- This Planning Statement, prepared by Turley Planning
- Architectural Drawings, prepared by MCK and Edward Architecture:
- Ecological Assessment, prepared by ERAP
- Bat Survey, prepared by ERAP (to be provided at a later date)
- Heritage Appraisal, prepared by Turley Heritage
- Archaeological Assessment, prepared by Nexus
- Flood Risk Assessment, prepared by Betts Hydro
- Transport Statement, prepared by Axis
- Landscape and Visual Impact Assessment, prepared by Turley Design
- Ground Conditions Report, prepared by Betts Associates
- Structural Survey Report, prepared by Carr Faulkner Associates

Structure

1.5 The remainder of this statement is structured as follows:

- Section 2 describes the application site and its surroundings
- Section 3 sets out the background to the application
- Section 4 describes the development proposals
- Section 5 sets out the planning policy context
- Section 6 comprises an appraisal of the application proposals, and
- Section 7 sets out the conclusions and planning balance in favour of a grant of planning permission.

2. Site and Surroundings

Site Location

- 2.1 The application site comprises an area of land in the Calderstones area of Liverpool which is bound by Harthill Road to the northwest and Allerton Road to the southwest. The site is located approximately 6km southeast of Liverpool City Centre and approximately 5km to the north west of Liverpool John Lennon Airport.
- 2.2 A location plan is provided at **Appendix 1**.

Site Description

- 2.3 The site extends to approximately 5.24ha and is located to the north of Allerton, Liverpool. The northern extent of the site comprises a council maintenance depot and the central extent of the site comprises land used by a model railway club and Calder Kids adventure playground and associated building. Beechley House (a former care home facility) and associated gardens, and Beechley Stables and associated paddocks comprise the western and southern extents of the site.
- 2.4 The site is bound by Harthill Road to the north west and Allerton Road to the south west which provide connections to the surrounding residential areas to the north and east. Harthill Road also provides access to the A562 to the north of the site providing a direct route into Liverpool City Centre and surrounding areas such as Speke.
- 2.5 Calderstones Park, which is a 94 acre public park with woodland, lake, fields and a variety of attractions such as a Japanese garden and an old English garden, lies beyond the eastern and south-eastern boundaries of the site. An allotment lies between the northern boundary of the site and Harthill Road and Calderstones Secondary School is beyond Harthill Road to the west of the site.
- 2.6 The site is not located within a designated conservation area; however there are a number of listed buildings within the site including Beechley House which was constructed in 1835-6 and is a Grade II Listed Building. The associated entrance gates, Ha Ha and Beechley Stables are also separately Grade II Listed (see **Figure 2.2**). The house was converted to use as a care home in the C20 and resultant changes to the building, including sub-division and adaptation for use, have had a harmful impact on the building¹.

Figure 2.1: Images of Beechley House (top left), Entrance Gates (top right), Ha Ha (bottom left) and Stables (bottom right).

¹ Heritage Appraisal, pg 22.



- 2.7 The site is enclosed by extensive belts of mature trees which significantly limit views into and out of the site (see **Figure 2.3**). In addition, a sandstone boundary wall also delineates the site boundary along Harthill Road, which further restricts views of the site (see **Figure 2.3**).

Figure 2.2: Images of mature trees along Allerton Road (left) and the sandstone boundary wall along Harthill Road (right).



- 2.8 In terms of topography, the ground gently slopes. The depot site is situated at a higher level than Beechley House. The visual impacts of the topography of the site are limited by the extensive amount of mature tree planting around the site.
- 2.9 Existing vehicular access to the site is provided from points along Harthill Road: one to Beechley House towards the southern end of Harthill Road; one into the stables; and one into the depot. There are no public footpaths or Public Rights of Way across the site. Due to the land being solely privately owned, the site is not publically accessible.

- 2.10 The accompanying Flood Risk Assessment, prepared by Betts Hydro, confirms that the site lies within Flood Zone 1 and is therefore at low risk of flooding.

Surroundings

- 2.11 The application site is located adjacent to the existing built up area of Calderstones to the south west which comprise a range of size and design of dwellings. However, they are primarily large, detached and semi-detached homes.
- 2.12 Calderstones Secondary School is located immediately adjacent to the north western boundary of the site. There are over 1,540 pupils on roll at the school and over 260 pupils on roll at the specialist Science College / sixth form, located on the same site.
- 2.13 The site is well connected in terms of public transport with bus services within 10 minutes walking distance (c.700 metres) along Menlove Avenue (A562) to the north and Mather Avenue (B5180) to the south west of the site. These bus services provide access to surrounding residential areas as well as Garston, Liverpool One Bus Station, Liverpool John Lennon Airport and Halewood Shopping Centre (bus services 86, 86A, 75 and 76). Mossley Hill train station is also located a 16 minute walk to the west of the site providing access to areas including Liverpool and Manchester.
- 2.14 The site is also well connected in terms of pedestrian access as the roads in the vicinity of the site have footways on either side of the carriageway and street lighting. There are a range of facilities within a 30 minute walking distance (up to 2km) of the site including Storrsdale Medical Centre to the south west (7 minutes), Tesco Superstore to the west (10 minutes), Dovedale Junior School to the north west (18 minutes), Calderstones Secondary School and Sixth Form College directly adjacent to the north west boundary and Londis convenience store to the south (13 minutes).
- 2.15 The surrounding highway network offers opportunities for cycling. Facilities located within a reasonable cycling distance of the site (up to 5km) include the centres of Halewood, Woolton, Speke; and also Liverpool John Lennon Airport, Sefton Park, Wavertree and Gateacre.

3. Relevant Background

- 3.1 An understanding of the applicant, the planning history of the site, and the housing land supply position in Liverpool provide relevant context for the current application, as discussed below.

Liverpool Housing Partnership

- 3.2 The Proposed Development is being brought forward through the Liverpool Housing Partnership.
- 3.3 Liverpool Housing Partnership is an agreement between Liverpool City Council and private developer Redrow Homes, affordable housing provider Liverpool Mutual Homes (LMH) and property contractor Wilmott Dixon. It has a critical role to place in the future of the City, providing the funding, land and expertise to deliver the high quality housing the City needs to achieve its long term growth objectives.
- 3.4 In June 2016, the partnership's inception was named 'Property Deal of the Year' in the Insider Merseyside Property Awards. Judges said it was *"a shining example of private and social housing working together."*
- 3.5 To drive up the range and quality of properties in the city. Redrow Homes and LMH will jointly build 1,500 new homes and LMH aims to bring up to 1,000 back into use as part of a £205 million investment over the next five years.
- 3.6 A total of 25 hectares of brownfield land which has previously been used for development is being assembled for the programme, which will see 580 new homes built and 71 houses refurbished.
- 3.7 The Partnership has already begun to address these issues through the delivery of new housing at various sites including the former Watergate School in Woolton and Holly Lodge School in West Derby.
- 3.8 Redrow Homes is one of the UK's leading homebuilders, completing around 4,000 new homes across England and Wales in the 2014/15 financial year, with a strong emphasis on high quality housing in prime locations.
- 3.9 Redrow has a strong association with Liverpool – founder/chairman Steve Morgan was born and spent his childhood years in Garston; the housebuilder has completed around 2,000 new homes in and around Liverpool during its 40 year history; and ongoing developments include Summerhill Park, in the Broadgreen area, plus New Heys and Calderstones Grange, in Allerton.
- 3.10 The group has won numerous awards over the years, including, most recently, the 2015 and 2014 What House? Gold award for Best Large Housebuilder, the 2014 Building Awards Housebuilder of the Year and five consecutive 5* awards in the Home Builder Federation (HBF) annual customer satisfaction survey in 2011-2015. The group employs over 1,800 people as well as providing work for thousands of sub-contractors and supporting a mostly UK based supply chain.

Planning History

Application Site

Beechley House and Stables

- 3.11 In order to facilitate the conversion of Beechley House into a care home, the site has been subject to the following applications / listed building consents:
- Listed building consent to carry out internal alterations and minor external alterations (LPA ref. 92L/1900). Approved with conditions.
 - Listed building consent to erect self-help short stay units for the disabled (LPA ref. 94L/239 and 94P/238). Approved.
- 3.12 In addition, an application to extend the paddock areas, layout additional parking for horse trailers and the creation of a new horse trail was approved in March 2012 (LPA ref: 11F/2052) at Beechley Stables.

Adventure Playground and Model Railway

- 3.13 The land to the north of the site, which is in use for the Calder Kids Adventure Playground and model railway (Merseyside Live Steam and Model Engineers), has been subject to two applications to site a secure storage container for the model railway. The first of which was refused in 2009 due to the harm on the openness of the Calderstones / Woolton Green Wedge and the visual amenity value of the green space, and that the application failed to demonstrate the proposed container would be positioned and sited without harming the protected trees (LPA Ref: 09F/2392).
- 3.14 The application was resubmitted in 2010 and subsequently approved with conditions (LPA ref: 10F/2335). A Design and Access Statement accompanied the application and provided further information on the siting and design of the storage container and demonstrated that the development would not impact on the visual amenity of the area, due to it being screened from existing structures, or harm any protected trees.

Other relevant applications

- 3.15 A number of other applications on the site have been approved, however due to the date of the applications no further information was available. These include the following:
- Beechley Stables - the erection of a covered riding centre and the rebuilding of adjacent boundary. Approved in January 1993 (LPA Ref: 92D/2498).
 - Beechley House – to use the premises as a private hotel. Approved in October 1991 (LPA ref: 91D/2524).
 - Calder Kids Adventure Playground – to erect single storey extension for playroom and store. Approved in December 1990 (90P/2512).
 - Merseyside Live Steam and Model Engineers - the erection of a club room. Approved in July 1960 (LPA ref: B13086).

- Beechley House / Stables - To erect single storey indoor Riding Centre for the disabled, conversion of part of stables (to form office administrative and educational facilities) together with ramps, ancillary works and car park in connection with use of outdoor centre and paddock. Approved in April 1988 (LPA ref: 88D/2812).

Housing Land Supply

- 3.16 There is no up-to-date assessment of Full Objectively Assessed Needs (FOAN) for housing in Liverpool in accordance with the National Planning Policy Framework ("the Framework") and Planning Policy Guidance (PPG).
- 3.17 In the absence of a FOAN, the Council is unable to demonstrate a deliverable 5-year land supply and in their evidence to an appeal determined in June 2015 LCC conceded that is the case².
- 3.18 Planning applications for residential development should, therefore, benefit from the presumption in favour of sustainable development and relevant policies for the supply of housing should be considered out-of-date, in accordance with Paragraph 49 of the Framework.

² Appeal ref. APP/Z4310/W/15/3006792 – Former St Malachy's School, Beaufort Street, Toxteth

4. Proposed Development

- 4.1 In summary, the development comprises:

“Full planning application for a residential development comprising 39 no. dwellings and the conversion of existing buildings into 12 homes/properties, with access from Harthill Road and associated parking, landscaping and amenity space.”

- 4.2 The accompanying Design and Access Statement provides a high level of detail to inform an assessment of the proposals through explaining how the design has evolved in response to an analysis of the opportunities and constraints for the site; in particular, heritage, existing trees, landscaping and topography. Further details are contained in the accompanying technical reports; a summary of the scheme is provided below.

Layout

- 4.3 The development proposals have been carefully prepared through a detailed assessment of the site, its constraints, context and the overall aspiration to create a new, high quality sustainable residential development in Liverpool.
- 4.4 The proposed layout of the site is detailed on the Proposed Site Plan, provided at **Figure 4.1**.

Figure 4.1: Proposed Site Plan



- 4.5 The layout of the development comprises three areas: 'Beechley and Grounds' which comprises Beechley House, the Stables, and the associated grounds; 'Park View' which comprises the middle aspect of the development; and 'the Depot', which comprises the land used by the council maintenance depot.
- 4.6 Vehicular and pedestrian access to the site will be taken from Harthill Road which lies to the north west of the site. Access to Beechley and Grounds will be via two existing access points from Harthill Road: The existing access to Beechley House will be retained and utilised for access to the proposed apartments within Beechley House; Similarly, the existing access to the Stables associated to Beechley House will also be retained and utilised for this aspect of the development for pedestrian use only. Access to Park View and the Depot sites will be from the existing access from Harthill Road adjacent to Harthill Lodge, a grade II Listed Building.
- 4.7 Of the 39 proposed new dwellings: 20 detached size dwellings will be located in the Depot area of the site; 12 detached size dwellings will be located in the Park View area; three detached size dwellings will be located in the grounds of Beechley, south of Beechley House; and four terraced dwellings will be located adjacent to Beechley House fronting onto Harthill Road. All houses will have driveways and front and rear gardens. The detached dwellings will also have individual garages.
- 4.8 Beechley House will be converted into six apartments and two duplex apartments, two will comprise one-bed apartments and the remaining six will comprise two-bed apartments. The Stables will be converted into three Mews with two of which will comprise two-bed and one will comprise three-beds. The Summer House will be converted into a one bedroom bungalow. The courtyard of Beechley House will be used as a car park exclusively for residents parking of the proposed apartments, each with an allocated space. The layout of the car park has been designed to retain the existing wall within the courtyard.
- 4.9 The grounds of Beechley, between Beechley House and the proposed dwellings in the southern extent of the grounds, will be retained as managed amenity space. The Ha Ha will be retained.
- 4.10 The dwellings in the Depot area of the site will be positioned so as to create two cul-de-sacs, with each dwelling having their own private driveway and garden to the rear. The dwellings in the Park View area generally face inwards towards the boundary of Calderstones Park in a 'parkland' layout. Properties 1 and 2 within Park View will face towards Harthill Road as per the existing properties along this road. Properties 13, 14, 15, 16, 17, 18 and 19 within Beechley and Grounds face inwards towards the grounds of Beechley.

Appearance

- 4.11 A variety of housetypes are proposed, which vary in terms of footprint and eaves and ridge height provide interest to the streetscene and respond to the local character of the area. A range of roof styles and pitches, combined with a varied building line and orientation of buildings, will respond to local building character.

Landscaping

- 4.12 Landscaping will be of a high quality scheme and will be provided across the site to enhance amenity, biodiversity value and connectivity to the surrounding landscape. The site will comprise various hard and soft landscape elements including the retention of existing trees, where possible.

Scale

- 4.13 The majority of dwellings will comprise large, detached, sized dwellings with the exception of four semi-detached dwellings along Harthill Road. The topography of the site will add slight variances to height and ridge line, which will add interest to the street scene.

Housing Mix

- 4.14 A total of six different house types are proposed, in order to create a varied and interesting street scene. The proposed housing mix is summarised at **Table 4.1**.

House type	Dwelling Type	No. of Bedrooms	No. Proposed
LTH Ledbury	Terraced	2	1
LTH Ledbury 3	Terraced	3	1
LTH Malvern	Terraced	3	2
Henley	Detached	4	6
Balmoral	Detached	4	9
Richmond	Detached	4	8
Blenheim	Detached	5	7
Sandringham	Detached	5	5

- 4.15 A total number of eight apartments will be provided in Beechley House, two of which are one-bed apartments and the remaining six are two-bed apartments. Beechley Stables will comprise three Mews, two will be two-bed and one three-bed and Beechley Summer House will comprise a one-bedroom bungalow.

Access and Parking

- 4.16 Vehicular access to the site will be taken from the following access points along Harthill Road:
- The Harthill Depot development area would be served via an improvement to the existing depot access road connection to Harthill Road. The proposed access road route would be 5.0m width, a suitable operating standard to serve a residential development of up at least 50 units. Furthermore the connection to

Harthill Road provides more than acceptable lateral visibility for safe side road access to a 20mph mainline route;

- In order to support the residential re-development it is proposed that a new segregated 2.0m footway route would be provided to the north of the existing access road, providing a connection to the existing footway along Harthill Road. Further pedestrian access to Harthill Road to the south would be provided via dedicated footway access via connections through the adjacent Park View site. These new pedestrian links would also connect to existing internal park pedestrian / cycle routes, therefore providing improved access to Calderstones Park from Harthill Road;
- The Park View development area and adjoining land to the south of Beechley House is proposed to be served by a new side road access connection to the improved former Harthill Depot access road. The access will be a minimum 5.0m width roadway, with a segregated 2.0m footway to the northern side of the route, which connects to a dedicated southern through connection to Harthill Road via a speed table crossing point of the route. The remainder of the highway layout, serving the 15 proposed residential dwellings is proposed to be delivered as a low speed 'shared surface' style layout.
- Vehicle access to the redeveloped Beechley House & Stables site would be served via an improvement to the retained Beechley House driveway which connects onto Harthill Road. The access point represents the only practical access option to serve the site given land ownership constraints and proximity to existing heritage assets. This will comprise:
 - Widening of proposed site access road connection to 4.8m;
 - Minimum 6m left turn entry / exit radii;
 - 2.0m footway to one side of the access way.
- The proposed three dwellings in the paddock area will be accessed from the Depot road.
- The existing internal access road routes would be enhanced as part of the re-development scheme to ensure suitable access for resident and service vehicles, along with an additional dedicated footway connection. It is intended that the central access road would operate as a clockwise circular one-way system around the central landscaping feature to minimise the potential for vehicle conflicts.

4.17 Overall car parking provision across the different site elements would be provided at a level that at least accords with minimum local parking requirements and therefore would assist in avoiding the need for any on-street parking to take place associated with the proposed development

- 4.18 The site will also provide comprehensive vehicle, cycle and pedestrian connections both within and beyond the site boundary helping to ensure that the development is readily accessible for all and integrates well into its surroundings.
- 4.19 Walking and cycling will be promoted within the site through the provision of footways and street lighting throughout. The internal highway layout will be cycle and pedestrian-friendly and provide good connectivity to adjacent areas.
- 4.20 Access to the site is described in further detail in the Design and Access Statement and the Transport Statement.

Conclusion

- 4.21 The Proposed Development has been designed to the highest quality and to suit to the parkland and residential setting which surrounds the site. The proposal includes predominately large detached homes in sustainable location within a desirable area of the City. The homes have large separation distances so as to ensure the area blends into the existing surroundings.

5. Planning Policy Context

Introduction

- 5.1 In accordance with the provision of Section 38(6) of the Planning and Compulsory Purchase Act 2004, this application falls to be considered against the provisions of the adopted Development Plan, unless material considerations indicate otherwise.
- 5.2 Planning policy, development plan documents and guidance applicable to the development proposals is contained in:
- The National Planning Policy Framework
 - The Development Plan comprising the:
 - Saved policies of the Liverpool Unitary Development Plan, and
 - Joint Merseyside and Halton Waste Local Plan.
 - Associated local supplementary planning documents / guidance including:
 - Ensuring a Choice of Travel SPD
 - Design for Access for All SPD
 - Trees and Development SPG
 - New Residential Development SPG
 - Other material considerations including the emerging Liverpool Local Plan and evidence base documents.
- 5.3 The key messages from this policy context are summarised below.

National Planning Policy

The National Planning Policy Framework

- 5.4 The National Planning Policy Framework (“the Framework”) sets out the Government’s planning policies for England and how these are expected to be applied; it also sets out the requirements for the planning system to the extent that it is relevant, proportionate and necessary to do so. The Framework does not form part of the statutory development plan but does provide guidance for local authorities and others in plan making and decision-taking and represents an up-to-date and comprehensive expression of national planning policy.

Positive Planning

- 5.5 The Government has made clear its expectation, through the Framework, that the planning system should positively embrace well-conceived development to deliver the economic growth necessary and the housing needed to create inclusive and mixed communities. Local Planning Authorities are encouraged to approach decision-taking in

a positive way looking for solutions rather than problems, and working proactively with applicants to secure development that would improve the economic, social and environmental conditions of the area (paragraphs 186 and 187).

Achieving Sustainable Development

- 5.6 The presumption in favour of sustainable development is the 'golden thread' running through the Framework for both plan making and decision taking. Paragraph 14 sets this out as follows:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For plan-making this means that:

- *Local planning authorities should positively seek opportunities to meet the development needs of their area*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, or*
 - *specific policies in this Framework indicate development should be restricted.*

For decision-taking this means:

- *approving development proposals that accord with the development plan without delay, and*
- *where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, or*
 - *specific policies in this Framework indicate development should be restricted."*

Development Plans

- 5.7 Paragraphs 11 and 12 of the Framework reiterate the status of the development plan as the starting point for decision making unless material considerations indicate otherwise.
- 5.8 The Framework makes clear that for development plans to be afforded full weight in the decision making process they should be up-to-date; prepared and adopted in

accordance with the Planning and Compulsory Purchase Act 2004³; and have no more than limited conflict with the Framework. Where the development plan policies are likely to be regarded as out of date or have more than 'limited conflict' with the Framework this will inform the weight that a decision-taker may apply (Paragraphs 214 and 215).

- 5.9 Emerging development plans may also be afforded weight in the decision making process according to their stage of preparation, and the extent of unresolved objections to them (Paragraph 216).

Housing Development

- 5.10 In order to “boost significantly” the supply of housing local planning authorities should:

- Use their evidence base to ensure that their Local Plans meet the full objectively assessed needs for market and affordable housing, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.
- Identify a 5-year land supply of deliverable sites for housing development with an additional 5% (minimum) flexibility allowance, or 20% where there has been a record of persistent under-delivery; to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market, and
- Identify a supply of specific developable sites or broad locations for growth for years 6 – 10 and, where possible, for years 11 – 15 (Paragraph 47).

- 5.11 Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant development plan policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites (Paragraph 49).

- 5.12 The remainder of the Framework contains thematic chapters. Of relevance to the proposed development, it requires local planning authorities to:

- help achieve economic growth by proactively supporting an economy fit for the 21st Century to create jobs and prosperity by taking a positive approach to sustainable development
- seek high quality and inclusive design
- promote sustainable transport and only refuse development where the residual cumulative impacts are severe
- promote healthy communities
- recognise the importance of high quality green spaces and the important contribution that access to them makes to the health and well-being of communities
- conserve the natural and historic environment, and

- help meet the challenge of climate change and the move to a low carbon future.

Heritage Policies

- 5.13 In assessing the acceptability of the Proposed Development in heritage policy terms, substantial weight is required to be attached to the provisions of the Framework and the need to weigh any 'harm' to the significance of a heritage asset in the overall planning balance against the identified public benefits of the Proposed Development (paragraph 134).
- 5.14 It is also necessary to be aware that the Framework advises that those proposals which preserve those elements of setting that make a positive contribution to or better reveal the significance of an asset should be treated favourably.
- 5.15 In undertaking this balancing exercise it is necessary for the decision maker (and for the purposes of this policy assessment, the applicant) to exercise the statutory duty set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 5.16 Section 66 requires the decision maker to have "special regard" to the desirability of preserving a listed building or its setting or any features of special architectural interest which it possesses. Preservation is widely interpreted to mean 'to do no harm'.
- 5.17 Case Law has established that where 'harm' to the significance of a heritage asset is occasioned then a presumption against planning permission being granted is activated. This is irrespective of whether said harm constitutes substantial or less than substantial harm in NPPF terms. It is not however, an irrebuttable presumption: such harm can be outweighed by other considerations.

The Development Plan

- 5.18 The adopted Development Plan for Liverpool comprises the saved policies of the Liverpool Unitary Development Plan (November 2002) and the Joint Merseyside and Halton Waste Local Plan.

Liverpool Unitary Development Plan (2002)

- 5.19 The Liverpool Unitary Development Plan (UDP) was adopted in November 2002 and prepared under the provisions of the Town and Country Planning Act 1990. The Plan is, therefore, not considered to be up-to-date within the context of Paragraph 214 of the Framework. As a result, the weight to be given to relevant saved policies will depend on their degree of consistency with the Framework.
- 5.20 The UDP was intended to cover the period up to 2001. Notwithstanding, the majority of its policies have been saved until replaced by the emerging Liverpool Local Plan.

Strategic Objectives

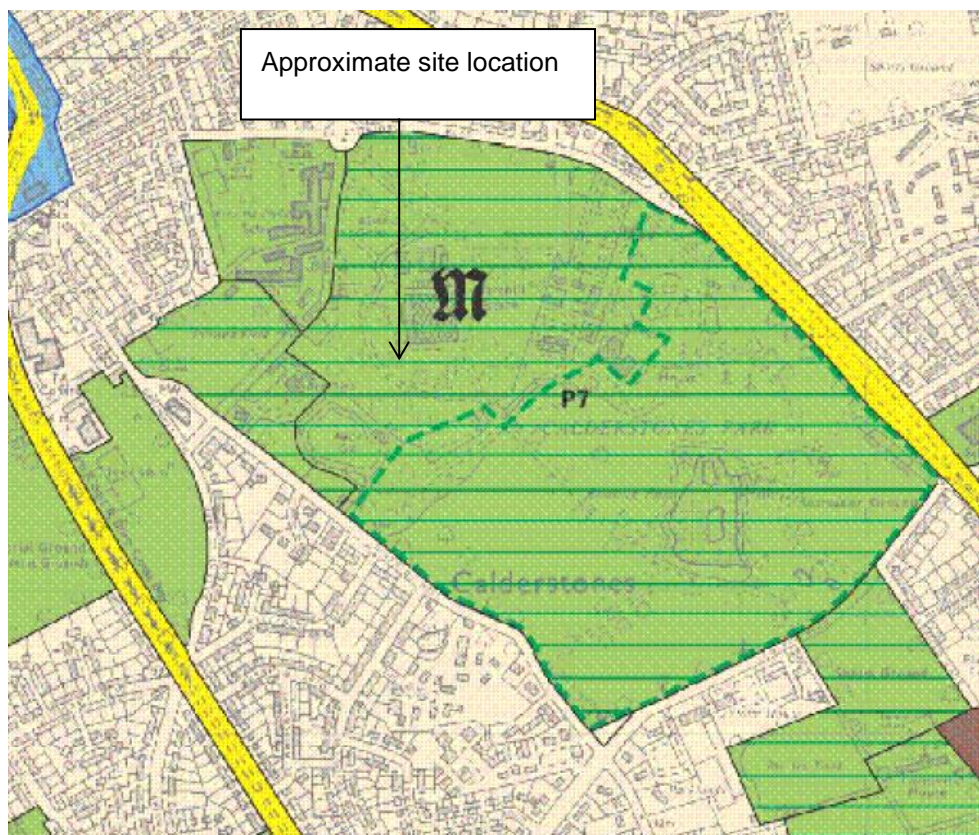
- 5.21 The strategic objectives and policies of the UDP were set within the context of the economic, social and environmental conditions that affect Liverpool and the corporate programmes designed to address issues arising from them. The UDP is underpinned by three major themes: economic regeneration, environmental improvement and reduction of inequality.

- 5.22 Those themes underpin the general, strategic criteria-based policies of the Plan, including reversing the decline in economic activity (GEN1), preserving and enhancing historically and architecturally important buildings (GEN3), promoting a good quality of living environment (GEN4) and promoting the recycling of land for productive use through the treatment of vacant, derelict and underused land (GEN8).

Site Designation

- 5.23 The Liverpool UDP Proposals Map shows the site is allocated as Green Wedge (**Policy OE3**) and green space (**Policy OE11**). The Proposals Map also indicates there is an Ancient Monument within part of the site (**Policy HD16**).

Figure 5.1 Liverpool UDP Proposals Map



Green Wedge

- 5.24 Policy OE3 (Green Wedge) states that LCC will protect and improve the open character, landscape, recreational and ecological quality of the Green Wedges at Calderstones / Woolton and Otterspool by resisting new development that “*would affect the predominantly open character of the Green Wedges or reduce the physical separation between existing built up areas*”.
- 5.25 The policy is permissive of development but notes that where new built development is permitted within the Green Wedges, the Council will require that such development:
- Has regard to the openness of the Green Wedge and the purposes of including land within it

- Should be in accordance with the criteria set down in Policy HD18 and, in particular, uses materials and built forms sympathetic to the character of the area
 - Retains existing vegetation and special site features where appropriate, and
 - Provides and maintains a high standard of landscaping.
- 5.26 The supporting text (Paragraph 8.24) confirms that the Green Wedge policy was first adopted by LCC in 1988 and was designed to protect extensive linked areas of open spaces of City-wide importance. Two Green Wedges are identified at Calderstones / Woolton (within which the application site is located) and at Otterspool, and *“provide a physical and visual break between major residential areas, and to help to ensure that the City can continue to offer high quality environments in those areas”*.
- 5.27 Paragraph 8.25 refers to a city-wide function of Green Wedges to:
- Afford a valuable amenity for a large number of people
 - Provide diverse recreational facilities, including opportunities for more passive leisure pursuits such as walking, nature rambles and school visits
 - Provide a mature ecological environment for birds, animals and plants
 - Contain buildings of historical, architectural and educational interest; and
 - Give the appearance of a ‘parkway’ approach to the city along particular transport routes.
- 5.28 Paragraphs 8.29 and 8.30 of the UDP confirm that the Calderstones / Woolton Green Wedge comprises 300 hectares of open land within Liverpool’s southern suburbs, the majority of which is within the City Council’s ownership.
- 5.29 The concept of a Green Wedge is not formally recognised within the Framework. The Framework provides general planning guidance relating to the protection of valued landscapes but it does not set out any guidance specific to Green Wedge designations. It is important to draw the clear distinction between this designation and the Green Belt, a designation the Framework explicitly seeks to prevent development within and to maintain the openness of. A Green Wedge is clearly not afforded the same level of national policy protection from development.

Green Space

- 5.30 Policy OE11 affords a general level of protection to all designated green space across the City. It seeks to protect the amenity value of the City’s green space and takes a protective stance, which necessitates the consideration of any development proposals against a number of criteria, the combination of which together form the green space’s ‘amenity’ value. The four criteria comprise the recreational function and visual amenity value of the site, its relationship to adjoining green spaces and any inherent nature conservation value that the site may have.
- 5.31 The supporting text confirms that **all** sites of over 0.5 hectares are identified on the UDP Proposals Map as ‘green space’ and that no qualitative assessment was carried out when identifying those sites in the plan. As such, green space *“is a descriptive term*

*which does not ascribe functions or values to each space*⁴ and Policy OE11 *“is not intended as a restrictive block on the development of green space in all cases, but allows the merits of a proposal to be considered against the intrinsic value of the particular green space in question”*⁵.

- 5.32 Paragraph 73 of the Framework confirms that planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. Given the age of the UDP and its supporting evidence base, the green space policy is not based on any ‘up-to-date’ assessment of need. The weight that can be afforded to Policy OE11 when determining planning application is, therefore, reduced.
- 5.33 Policy OE12 (Enhancement of Green Space) states that the Council will seek to enhance the overall stock of publicly accessible green space by improving the quality and management of existing parks, playing fields, golf courses and cemeteries; pursuing opportunities for new recreational provision in areas of local open space deficiency; and providing new parks as identified on the Proposals Map.
- 5.34 The supporting text to Policy OE12, comments on the relatively high quantum of open space in the city (at the time the UDP was prepared) and highlights qualitative issues as being of a greater concern, particularly in light of the council’s limited resources. Those circumstances have not changed significantly in the intervening period; rather, council resources have diminished and the ability to manage and maintain the quantum and quality of open spaces across the City is reduced.

Housing Policies

- 5.35 Strategic Policy GEN4 (Housing) aims to promote a good quality living environment for all Liverpool’s residents by improving the living environment of existing housing areas and considering carefully the design and layout of new housing developments.
- 5.36 Policy H1 (The Provision of Land for New Housing) sets out a target to make provision for at least 23,100 dwellings between April 1986 and March 2001. The supporting text confirms that this level of provision is largely driven by a need to replace dwellings to be demolished, with only a small number of new dwellings (c. 3,300) to meet the needs of new households in the city.
- 5.37 The housing requirement set out at Policy H1 is clearly time-expired as it was only intended to guide development until March 2001; now over 15 years ago. The evidence that underpinned the requirement dates back to the early 1980s and a time when the main priority was to reverse the decline in the resident population of Liverpool. The figure did not comprise a Full Objectively Assessed Need (OAN), as is required by the Framework and, the Council has recently accepted that it is unable to demonstrate a five year supply of housing land. In accordance with Paragraph 49 of the Framework, policies for the supply of housing in the UDP should be considered to be out-of-date and no material weight can be afforded to the housing requirement set out at Policy H1.

⁴ UDP Paragraph 8.140

⁵ UDP Paragraph 8.141

5.38 Policy H5 (New Residential Development) confirms that proposals for new residential development will be granted where:

- (i) The density, design and layout respects the character of the surrounding area, and maintains levels of privacy and amenity for existing and future residents, and
- (ii) The highway and parking provision ensures a safe, attractive, convenient and nuisance-free highway environment for pedestrians, cyclists and drivers.

5.39 Proposals should also comply with the provisions of Policy HD18 (General Design Requirements) and Policy OE14 (Provision of New Open Space).

Heritage Policies

5.40 The UDP seeks to protect and enhance the built environment of the City by, inter alia, preserving and enhancing historically and architecturally important buildings and areas and, where appropriate, improving them through the leveraging of available funds (Policy GEN3). This policy is consistent with relevant paragraphs of the Framework and can, therefore, be afforded material weight when determining planning applications.

5.41 Policies HD1, HD4 and HD5 of the UDP advise that the retention, repair and continued use of listed buildings and buildings within conservation areas will be supported by the City Council. Policy HD1 also states that in order to secure the retention of listed buildings, the Council will relax planning and other City Council policies to secure the retention of a building of special architectural or historic interest, subject to reasonable standards of health and safety being ensured.

5.42 Policy HD5 confirms that planning permission will only be granted for development affecting the setting of a listed building, where it preserves the setting and important views of the building. Where appropriate, this will include control over the design and siting of new development, control over the use of adjacent land, and the preservation of trees and landscape features.

5.43 Policy HD5 is not wholly consistent with policy contained in the Framework and guidance prepared by Historic England (HE) (previously known as English Heritage). HE guidance provides detail on how to define and assess setting and the associated impact of any changes arising a development. It confirms that setting is not a heritage asset, nor a heritage designation, rather the importance of setting lies in what contributes to the significance of the relevant heritage asset itself. Further detailed commentary on this matter is set out in the Heritage Statement.

5.44 Policy HD16 on protection of ancient monuments sets a presumption in favour of the preservation of scheduled ancient monuments and their setting. It notes permission will not be granted which would have an adverse effect on their site or setting.

Social Facilities

5.45 Policy C1 states that any development proposals that involve the loss of an existing facility in cultural, religious or social use, for which there is a demonstrable local need,

the City Council will seek to negotiate with the developer to ensure that the facility is either relocated or is incorporated or replaced within a new development.

Development Management Policies

- 5.46 The UDP also contains a number of development management policies which are broadly consistent with the aims of the Framework. Those of relevance to the application proposals seek to ensure that new development:
- Is of a high quality of design and landscaping. New development should relate well to its locality and include characteristics of local distinctiveness in terms of design, layout and materials; ensure that there is no severe loss of amenity or privacy to adjacent residents; make adequate arrangements for the storage and collection of refuse within the site; and provide adequate arrangements for pedestrian and vehicular access and for car parking (Policies GEN3 and HD18).
 - Makes appropriate provision for recreational open space to meet the needs generated by the development. This should ideally be provided on-site on the basis of 50 sq m per dwelling (Policy OE14).
 - Is fully accessible for everyone, including disabled people (Policy HD19).
 - Creates an attractive environment which is safe and secure by incorporating measures which reflect the need to make proper provision for personal safety and crime prevention (Policies GEN3 and HD20).
 - Retains Public Rights of Way and / or recreational routes, unless an acceptable and equivalent alternative is provided (Policy OE17).
 - Protects the nature conservation interest of open land and the water environment in the City (Policy OE5).
 - Would not be at direct unacceptable risk from flooding or be likely to increase the risk of flooding elsewhere (Policy EP13).
 - Retains key ecological and natural site features, such as trees, hedges, walls and ponds and secures protection measures during construction (Policy HD22).
 - Incorporates landscaping undertaken in an ecologically sensitive manner in order to enhance nature conservation interest (Policy OE7).
 - Makes 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 (Policy HD23).
 - Reduces the reliance on the private car and improves facilities for cyclists and pedestrians and people with mobility and sensory impairments (Policies GEN6 and GEN3).

- Provides secure cycle parking facilities, safe and convenient walking routes through the site, and adequate car parking spaces (Policies T6, T7 and T12).
- Would not be adversely affected by exposure to any known or suspected contamination or at risk from the generation or migration of landfill gas (Policies EP2 and EP3).
- Would not create unacceptable air, water, noise or other pollution or nuisance or adversely affect the quality or supply of surface water or groundwater (Policies EP11 and EP12).
- Permanently preserves archaeological remains and their settings in situ, or secures an appropriate programme of mitigation including investigation, excavation and recording before development begins (Policy HD17).
- Encourages the provision of appropriate new works of public art (Policy HD24).
- Secures the efficient disposal of waste and encourage recycling, reclamation and reuse of waste, wherever possible (Policy GEN8).
- Minimises the overall demand for energy arising from the development by taking into account the need for energy sensitive siting, orientation and layout in the design of new developments (Policy HD21).
- Retains key ecological and natural site features, such as trees, hedges and walls (Policy HD22)
- Minimises light spillage and potential glare by ensuring that the lighting scheme is the minimum required for security and working purposes (Policy HD28).

Joint Merseyside and Halton Local Plan

- 5.1 The Waste Local Plan was adopted in July 2013. It contains a number of general policies that are relevant to most forms of development including: ensuring that construction implements measures to achieve the efficient use of resources (Policy WM8); and that sustainable waste management principles are incorporated into development proposals (Policy WM9).

Other Material Considerations

Supplementary Planning Documents / Guidance

- 5.2 Liverpool City Council has adopted Supplementary Planning Guidance (SPGs) and Supplementary Planning Documents (SPDs) which expand on policies within the UDP. Those of relevance to this application are summarised below.

New Residential Development SPG

- 5.3 Adopted in April 1996, Supplementary Planning Guidance Note 10 relates to new residential development and supplements Policy H5 of the UDP. It provides guidance to help 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.

- 5.4 The note confirms that all new residential developments are expected to have reasonable levels of privacy and amenity. Each development will be assessed on its merits, using minimum standards as a benchmark.
- 5.5 Developers of housing sites exceeding 25 dwellings are required to make appropriate provision for recreational open space: preferably on-site provision equivalent to 50 sq m per dwelling.

Trees and Development SPG

- 5.6 Supplementary Planning Guidance Note 6 was adopted in November 2002 and relates to Trees and Development. It supplements UDP Policies HD22 and HD23 and seeks to ensure that existing trees are protected and integrated into new development, and that new tree planting is carried out adequately.
- 5.7 As general guidance, the SPD confirms that LCC will seek the provision of at least two trees per dwelling on new residential developments. Where appropriate, landscaping proposals and site layouts should allow for the inclusion of native species.

Design for Access for All SPD

- 5.8 Adopted in November 2002, the Design for Access for All SPD seeks to highlight the most important principles in designing inclusive buildings, which meet the needs of all users including disabled people. It provides guidance to developers on how to integrate inclusive design principles into new developments and sets out LCC's requirements in respect of provision for disabled people in new development.

Ensuring a Choice of Travel SPD

- 5.9 The Ensuring a Choice of Travel SPD was adopted by LCC in December 2008 and provides guidance on the access and transport requirements for new development.
- 5.10 Developments are encouraged in locations with the best levels of access. A Minimum Accessibility Standard Assessment (MASA) should be undertaken to assess the levels of accessibility of a proposed development.
- 5.11 The document also outlines car and cycle parking guidelines for various types of development. Outside of the City Centre, new housing developments should look to provide an average of 1.5 spaces per dwelling.
- 5.12 Proposals for more than 50 dwellings must be accompanied by a Transport Assessment which examines the demand for travel generated by a development and how this can be met in a safe and sustainable way. A Travel Plan is also required for residential developments above 30 dwellings.

Emerging Liverpool Local Plan

- 5.13 LCC is currently preparing a new Local Plan which will eventually replace the Liverpool UDP. The first stage of public consultation took place between December 2013 and April 2014 and sought views on what the Local Plan should contain.
- 5.14 The 'Shaping the Liverpool Local Plan' (December 2013) document confirms that the Local Plan will be a single document which sets out strategic objectives for the development of the City over the next 15-20 years, and more detailed guidance to

manage the type, location and scale of this development, including allocation of specific sites. Previous work involved in preparing and consulting upon the Core Strategy will be retained and up-dated to become the central strategy of the Local Plan.

- 5.15 The Submission draft of the Core Strategy was published in 2012. Whilst the document is no longer being progressed, it comprises the most recent expression of the Council's policy direction up to 2028. The stated objectives include creating, *inter alia*, a strong economy, residential neighbourhoods that meet housing needs, an average annual housing requirement of c. 2,400 dwellings, high quality green infrastructure and an attractive and safe city with a strong local identity.

Local Plan Evidence Base

- 5.16 The Liverpool Local Plan is being informed by various evidence base documents which have been prepared over the past few years.

Liverpool Strategic Housing Market Assessment (May 2011)

- 5.17 GVA prepared a Strategic Housing Market Assessment (SHMA) in May 2011 to assist the Council in the preparation of the Core Strategy.
- 5.18 In terms of existing housing stock, the SHMA identifies that almost half of all houses in the City are terraced properties (45.8%), with just 6.9% of residents living within a detached property⁶. In terms of dwelling size, the majority of properties have three bedrooms (53.8%). Just 12.7% of all properties in the City have four bedrooms or more⁷. Just under half (40%) of all properties within the City fail to meet the Decent Homes Standard.
- 5.19 The application site is located within the 'Suburban Core' Housing Market Sub-Area of the City, which contains the neighbourhoods of Allerton, Woolton, Mossley Hill, Gateacre and Childwall, and enjoys high levels of demand for housing.
- 5.20 A substantial part (44%) of Liverpool's workforce chooses to live outside the City. In order to achieve a higher level of containment, and meet economic growth ambitions for Liverpool the study identifies a requirement to meet the needs of residents that would otherwise chose to move out of the City. In particular, there is demand for aspirational housing in good quality neighbourhood surroundings, including good schools and services. These properties should provide 'traditional family accommodation' and be semi-detached and / or detached.

Liverpool Strategic Housing Land Availability Assessment (September 2014)

- 5.21 LCC prepared a Strategic Housing Land Availability Assessment (SHLAA) for Liverpool in September 2014. The SHLAA reflects the City's housing supply position at a base date of 1 April 2013.
- 5.22 The SHLAA claims to identify sites to accommodate a total of 12,681 dwellings within the five year period (i.e. 1 April 2013 - 31 March 2018). When this level of supply is considered against the draft housing requirement within the Submission draft Core

⁶ Based on information taken from the 2001 Census

⁷ Based on the 2010 Household Survey

Strategy, it represents a shortfall of 155 dwellings if a 5% buffer is applied, and a shortfall of 1,989 dwellings if a 20% buffer is applied. The document, therefore, acknowledges that the council was unable to demonstrate a five year supply of housing land at that time.

Liverpool Open Space Study (November 2005)

- 5.23 Atkins produced an Open Space Study on behalf of LCC in November 2005. The document provides an assessment of the quantity, quality and value of parks and open spaces in the City and identifies whether provision is meeting local needs.
- 5.24 The Study indicates that open space provision across the City provides a total of 3,006 hectares; just over a quarter (27%) of the total area of the City.
- 5.25 In the South Liverpool sub-area (within which the application site is located), accessibility to large natural green spaces is 'excellent'. The Study recommends that new formal children's play areas be established within areas of new housing development in South Liverpool.

Strategic Green and Open Spaces Review Board Interim Report (December 2015)

- 5.26 The Strategic Green and Open Spaces Review Board Interim Report (December 2015) recognises the need to review existing open spaces to meet the demand for housing in the City. This approach is consistent with national planning policy as set out in Paragraph 73 of the Framework. It represents an important step to reviewing sites subject to Policy OE3 and OE11 allocations, and reduces the weight that can be attached to those policies in the UDP.

Relevant High Court and Court of Appeal Judgments

Green Gap / Wedge Policies

- 5.27 Judgement relating to a proposed residential development within an identified Green Gap in Cheshire East borough has recently been handed down in the Court of Appeal⁸. The aims of the Green Gap policy in Cheshire East are comparable with the Green Wedge policy (OE3) in Liverpool, in that it seeks to prevent permanent development within the identified area in order to maintain separation between settlements. The judgment provides clarity on the weight to be attached to UDP Policy OE3 and is, therefore, highly relevant to the determination of this planning application.
- 5.28 The judgment revolved around the interpretation of Paragraph 49 of the Framework, and particularly the meaning of 'relevant policies for the supply of housing' and when policies should be regarded as being out of date in the absence of a five year housing land supply.
- 5.29 Presiding in the Court of Appeal, Lord Justice Lindblom found that, when read in the context of the Government's ambition to "boost significantly the supply of housing" and the Framework as a whole, Paragraph 49 seeks to deliver housing, particularly where authorities cannot demonstrate a five year supply. It should, therefore, be interpreted widely and the words "relevant policies for the supply of housing" should be applied to all policies which have the effect of restricting residential development. To that extent,

his conclusion is that in absence of a five year supply, Paragraph 49 reduces the weight that should be attached to 'Green-Gap type' policies in the decision making process.

Sustainable Development

- 5.30 On 16 March 2016, Mr Justice Coulson handed down judgment⁹ confirming that, even where a proposed development conflicts with the adopted development plan, the presumption in favour of sustainable development remains a material consideration.
- 5.31 The judgment centres on the meaning and interpretation of the presumption in favour of sustainable development at the heart of the Framework. Paragraph 14 confirms that this *"should be seen as a golden thread running through both plan-making and decision-taking"*.
- 5.32 In the case, Wychavon District Council sought to argue that the presumption in favour embodied in Paragraph 14 only applies where it is found that the development plan was silent or absent, or if the relevant policies were out-of-date. In reaching his decision, J. Coulson found that:

"That cannot possibly be right; that would be such an important limitation on the 'golden thread' that, if such was the intention of the NPPF, it would say so in the clearest terms.

Where there is a conflict between a proposal and a development plan, the policies within the NPPF, including the oft-repeated presumption in favour of sustainable development, are important material considerations to be weighed against the statutory priority of the development plan. In my view, it is as simple as that." (Paragraphs 43 and 44)

- 5.33 On this basis, when taken as a whole, the policies of the Framework, including the presumption in favour of sustainable development, are important material considerations to be weighed against the statutory priority of the development plan.

Other Government Reports and Guidance

The Plan for Growth (HM Treasury, March 2011)

- 5.34 The 'Plan for Growth' and accompanying Written Ministerial Statement is based on the premise that *"...there is a pressing need to ensure that the planning system does everything it can to help secure a swift return to economic growth"*. It seeks to establish a new set of priorities for the planning system which reflect the importance of sustainable growth within the current economic context.

- 5.35 In heralding the presumption in favour of sustainable development in the subsequent National Planning Policy Framework, the Minister for Decentralisation stated:

*"The Government's clear expectation is that the answer to development should wherever possible be "yes", except where this would compromise the key sustainable development principles set out in national planning policy"*¹⁰.

⁹

Wychavon District Council v Secretary of State for Communities and Local Government and Crown House Developments Ltd (CO/4348/2015) (16 March 2016)

¹⁰

Written Ministerial Statement: Planning for Growth. Greg Clark Minister of State for Decentralisation (23 March 2011)

5.36 The Statement goes on to say that:

“When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant – and consistent with their statutory obligations – they should therefore [inter alia]:

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing....”

5.37 The Plan also highlights the importance of retaining and encouraging investment of businesses within the UK, including the promotion of *“labour mobility by boosting the supply of housing through support for the housebuilding industry”*¹¹.

5.38 The CLG’s Chief Planner has made clear that the Minister’s statement comprises a material consideration in planning decisions¹².

Laying the Foundations: A Housing Strategy for England (Communities and Local Government, November 2011)

5.39 The Strategy was introduced in the autumn 2011 budget statement. It was a response to earlier Ministerial Statements and budget announcements which recognised that a thriving, active but stable housing market is critical to the economic and social wellbeing of the country. It set out Government proposals to get the housing market moving.

5.40 The Strategy also set out the Government’s incentives for housing growth through the New Homes Bonus, Community Infrastructure Levy and simplification of planning policy through the National Planning Policy Framework.

Housing and Growth (Communities and Local Government, September 2012)

5.41 On 6 September 2012 the Secretary of State for Communities and Local Government made a further announcement confirming that the number one priority for Government is to get the economy growing. He stated that the need for new homes is acute, but supply remains constrained, noting that housing schemes in areas of high demand could provide a real benefit to the local community once delivered. The Statement set out Government’s commitment to work in partnership with local authorities, promoters and the community to deliver major housing sites.

The Queens Speech (27 May 2015)

5.42 The State Opening of Parliament for the newly-elected Conservative Government took place on 27 May 2015. In the Queen’s Speech, the Government set out its policies and proposed legislation for the new parliamentary session. It provided a clear indication of the Government’s ongoing commitment to housing delivery and, in particular, included promises to, *inter alia*:

- Give effect to other changes to housing and planning legislation that would support housing growth, and

¹¹ Page 9, The Plan for Growth (HM Treasury, March 2011)

¹² Letter from Steve Quartermain (Department for Communities and Local Government Chief Planner) to all Chief Planning Officers in England (31 March 2011)

- Simplify and speed up the neighbourhood planning system, to support communities that seek to meet local housing and other development needs through neighbourhood planning.

Fixing the Foundations: Creating a More Prosperous Nation (July 2015)

5.43 In July 2015, the Government published a '15-point plan' to *"boost the UK's productivity growth, centred around two key pillars: encouraging long-term investment, and promoting a dynamic economy"*.

5.44 Increasing housing delivery is seen as a fundamental part of promoting a dynamic economy. The document states:

*"The UK has been incapable of building enough homes to keep up with growing demand. This harms productivity and restricts labour market flexibility, and it frustrates the ambitions of thousands of people who would like to own their own home."*¹³

5.45 In order to tackle this, the Government pledged to introduce more 'planning freedoms' and ensure that there are more houses available to buy.

Housing and Planning Bill

5.46 The Department for Communities and Local Government is currently progressing a Housing and Planning Bill which will, once enacted, set out provisions to promote the supply of housing across the country, and amending affordable housing policy to encourage the development of 'Starter Homes'¹⁴ as part of Section 106 Agreements.

5.47 The Bill is currently at committee stage and being examined by the House of Lords. It is expected to gain royal assent before the end of 2016.

Summary and Conclusions

5.48 The Government has made clear its expectation through the Framework and Ministerial Statements that local planning authorities should adopt a positive approach to development which makes a contribution to economic growth and does not compromise key sustainable development principles. Housing development is recognised as a key component of growth.

5.49 The development plan is the starting point in the decision-making process. The weight to be attached to relevant policies in the development plan depends upon whether they are up-to-date and their degree of consistency with the policies of the National Planning Policy Framework.

5.50 The application site is identified as green space within the Liverpool Unitary Development Plan, upon which the merits of a proposed development need to be considered against the intrinsic value of the particular green space in question (Policy OE11).

5.51 The site is also located within the defined Green Wedge, where Policy OE3 seeks to maintain the predominantly open character and separation between existing built-up

¹³ Page 11, Fixing the Foundations: Creating a More Prosperous Nation (July 2015)

¹⁴ New dwellings that are available for purchase by first-time buyers at a discount of at least 20%

areas of the City. However, this policy needs to be viewed in the context of the recent Court of Appeal judgment¹⁵ which has found such policies to be relevant to the supply of housing and so out-of-date where an authority is unable to demonstrate a deliverable five year housing land supply.

- 5.52 The proposal will contribute towards the overarching objectives and policy ambitions of the adopted development plan and emerging evidence base to deliver a range and quality of housing development in the City; this is consistent with the golden thread running through the Framework setting out a presumption in favour of sustainable development and a significant material consideration in the decision making process.

¹⁵

Richborough Estates Partnership LLP v Cheshire East Borough Council and Secretary of State for Communities and Local Government (C1/2015/0894) (17 March 2016)

6. Planning Appraisal

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to the Development Plan as a whole and requires that:

“If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.”

- 6.2 This is in addition to Section 54A of the 1990 Act, and is a reiteration of the presumption in favour of development that accords with an adopted and up to date Development Plan, as qualified by Paragraph 12 of the Framework.
- 6.3 The Framework makes clear that development plans should be kept up-to date and in accordance with its policies at all times, following the approach of the presumption in favour of sustainable development. For that reason, wherever an adopted Development Plan is absent, silent or not up to date, or where there is more than limited conflict with its policies, the Framework will carry greater weight as a material consideration in the decision-making process.
- 6.4 This section of the Planning Statement considers the compliance of the proposal with the development plan and other material considerations which may carry weight in the decision making process.

Issue 1: Compliance with the Development Plan

- 6.5 The second part of Paragraph 14 of the Framework sets out clear guidance for decision makers, stating that unless material considerations indicate otherwise, the presumption in favour of sustainable development means:

“Approving development proposals that accord with the development plan without delay.”

- 6.6 Having identified those parts of the development plan that are relevant and up-to date in Section 5 of this Statement, this section assesses whether the development proposals are consistent with the development plan as a whole.

Principle of Development

- 6.7 The application site is identified as Green Space within the Liverpool UDP (Policy OE11). This designation was applied to the majority of green spaces in the city at the time the UDP was prepared. Sites range from city parks to incidental areas of open space and school playing fields. The Open Space designation essentially recognises that a site is open and free from development. It not necessarily follow that such sites are publically access or currently have, or have the potential to have, a recreational function.
- 6.8 The policy seeks to protect the amenity value of the City’s green space and takes a protective stance, which necessitates the consideration of any development proposals against a number of criteria, the combination of which together form the green space’s

'amenity' value. The four criteria comprise the recreational function and visual amenity value of the site, its relationship to adjoining green spaces and any inherent conservation value that the site may have.

6.9 Policy OE11 is permissive of development subject to satisfying the criteria set out in the Policy and allows the merits of a development proposal to be weighed against the value of a particular green space. There are four key areas of consideration as confirmed by the policy:

- The site's recreational function
- The visual amenity of the site
- Relationship with adjoining green spaces
- Nature conservation value

6.10 The application site is considered against these criteria in turn below.

Recreational function

6.11 The application site is not currently used for recreation purposes and, accordingly, should not be treated as land which is currently in recreation use. This is evidenced by reference to the fact that the site is not publically accessible and contains no formal or informal publically accessible recreational facilities (e.g. sports pitches, furniture, footpaths etc.).

6.12 The site is physically separate from the adjacent Calderstones Park, does not form part of the functional or publically accessible park area and is not accessible from the park.

6.13 Whilst the site contains private recreational facilities, access to these is strictly controlled and serve a specific community purpose unrelated to their location adjacent to Calderstones Park. Rather than comprising recreational facilities, the facilities on site would be classed as a form of 'social facility' which are protected from development by Policy C1. This is considered further below.

6.14 The development does not propose to utilise any land which is currently accessible to the general public or which forms a functional part of Calderstones Park. None of the site is publically accessible by right.

6.15 Insofar as Policy OE11 is concerned, the site does not have a recreational function which Policy OE11 seeks to protect.

Visual amenity

6.16 The existing site is enclosed by a high stone boundary wall and significant level of mature trees and vegetation which generally limits views and provides separation of the site from its surroundings. As confirmed within the Landscape and Visual Impact Assessment (LVIA), mature trees provide a high degree of enclosure to the area; limiting views to those in close proximity to the site.

6.17 The site is distinct and well screened from Calderstones Park. It does not form an integral part of the park and views into the site from the park and surrounding area,

including Harthill Road and Allerton Road are strictly limited due to the presence of dense vegetation/woodland and walled and fenced boundaries.

- 6.18 The proposed development is a sensitively designed scheme which works around these physical features and which avoids encroachment into the more open areas of the park, and is therefore capable of being delivered without material harm of the visual amenity of the green space. In this regard, the most visually prominent parts of the site will be kept free from development (e.g. the area fronting Allerton Road) whilst existing mature trees will be retained where possible.
- 6.19 Within the surrounding character areas, there will be a minor adverse effect experienced in the Calderstones and Harthill Estate Gardens area relating to indirect effects on views. Although views of built development will be largely filtered and softened by vegetation, housing will be introduced to a number of views that are currently occupied by parkland trees and ornamental shrubs.
- 6.20 The proposal will have an overall beneficial localised change on the landscape character: the listed buildings will be sensitively redeveloped, the large unsympathetic equestrian arena will be removed and there will be an increase in residential properties. Overall these changes are perceived as beneficial on account of the improvement to the street frontage on Harthill Road, the enhancement of landscape features, the increased longevity and use of heritage assets and the reflection of local characteristics in the design.
- 6.21 In light of the above, while there will be change to the visual amenity of the site arising from a reduction of openness, any harm to this objective of Policy OE11 is minimal due to:
- the limited range of views into the site currently available from surrounding viewpoints
 - the preservation of key, long-range views through and over the site that the proposed development will ensure
 - new tree planting that will maintain the impression of space and openness, and
 - the high quality of the development and landscape setting proposed.

Relationship with adjoining green spaces

- 6.22 The development utilises only land which over which there is no public access or right of access. Access to the adjacent Calderstones Park will be retained in full and the character and appearance of key recreational routes to and through the park will be unaffected by the development. Whilst residential units occupying the depot site will share the access to Calderstones Park located off Harthill Road, this has been designed in such a manner that its character remains and will not prejudice its function and feel as a means of access to the park. The pedestrian access to the park located off the depot access will be unaffected by the proposals.
- 6.23 The site is physically, functionally and visually separated from wider land used for recreation purposes. Whilst some parts of the development will be visible from within

Calderstones Park, these will be limited to infrequent glances due to the level of screening which the development site benefits from. The development will not have a detrimental impact on the character, function, accessibility or usability of the adjacent Calderstones Park.

- 6.24 As a result, the application site has no relationship with adjoining green space, other than on a map, and the development would not compromise the third objective of Policy OE11.

Nature conservation

- 6.25 The application site does not have any inherent nature conservation value warranting specific protection.
- 6.26 An Ecological Assessment of the application site has been undertaken and is submitted as part of this planning application. The assessment confirms that the application site has no statutory or non-statutory designation for nature conservation and is of relatively limited ecological value.
- 6.27 In light of the above, the proposed development site does not make any significant contribution to the ecological value of the surrounding area and the proposed development for residential use would not harm the fourth objective of Policy OE11.
- 6.28 Opportunities exist to enhance the ecological benefit and biodiversity of the application site. New trees will be planted and residential gardens provided which will serve to maintain and improve the ecological value of the site as part of the development and will be selected to enhance biodiversity.
- 6.29 In particular, the existing planting within the site will be supplemented by a planting scheme including a mix of wildlife-friendly and native species, such as hawthorn, food wood and hazel. The landscaping scheme will also maintain and / or enhance potential wildlife corridors within the site. Bat and bird boxes will also be provided on suitable retained trees within the site.

Conclusion on Green Space (Policy OE11)

- 6.30 The Council's Strategic Green and Open Spaces Review Board Interim Report in December 2015 recognised a need to review existing open spaces in order to ensure that future housing needs are met across the City. Whilst the interim report can only be afforded limited weight when determining planning applications, the proposed development responds to issues identified within it of the recognised need to release areas of green space to meet housing requirements in the City. The application site represents a suitable location for this purpose due to its limited function as a green space.
- 6.31 Having regard to the Policy OE11 criteria it is clear that the development will not result in any harm to the objectives of the open space policy and will:
- Not result in a loss of the recreational function of the green space, by virtue of the fact that the site currently has no public access (by right) and does not presently hold any recreational value.

- Have limited impact on the visual amenity value of the site due to the retention of boundary walls and mature trees which currently, and will continue to, limit public views
 - Not affect any relationship to adjoining green space given the existing mature vegetation and stone boundary wall which act as a physical, functional and visual boundary to the site from publicly accessible green space.
 - Not adversely affect the conservation or ecological value of the site.
- 6.32 The assessment demonstrates that while the harm to the objectives of Policy OE11 are limited, the development will result in the following benefits to its objectives; it will:
- Create footpath links offering physical and functional connections to adjacent green spaces; and
 - Provide ecological and biodiversity enhancements through the provision of a high quality landscaping strategy.
- 6.33 While there will be change to the visual amenity of the site, strict interpretation of Policy OE11 indicates only a minor conflict against this aspect of the policy. This needs to be considered in balance with the benefits to the overall objectives of Policy OE11, the development plan as a whole, and other relevant material considerations.
- 6.34 Having regard to the above, it is considered that the proposals put forward are compliant with Policy OE11 of the UDP.

Assessment of social facilities policy

- 6.35 Policy C1 is also permissive of the development of land containing existing social facilities subject to specific criteria being met.
- 6.36 In this case, each of the facilities which will be displaced by the development will be relocated within new accommodation off site, including the model railway club and Calder Kids adventure playground. The land owner has engaged which each of the organisations on site to secure their relocation into new facilities which better meet their needs than their current constrained locations. Both organisations are supportive of the proposals to relocate to more sites.

Green Wedge

- 6.37 The site forms part of the Calderstones/Woolton Green Wedge which extends across a large area of predominantly open land between Hunts Cross/Speke and Allerton. Policy OE3 of the Liverpool UDP relates.
- 6.38 Paragraph 8.24 of the Liverpool UDP notes that the Green Wedge policy is designed to protect extensive linked areas of open space of City-wide importance. It goes on to state that Green Wedges provide a physical and visual break between major residential areas and help to ensure the City can continue to offer high quality environments in these areas.

- 6.39 Policy OE3 establishes the objective of protecting and improving the open character, landscape, recreational and ecological quality of the Green Wedges. Restricting development in the Green Wedge is an important means of achieving this.
- 6.40 However Policy OE3 does not preclude development in the Green Wedge outright rather it seeks to restrict it to the extent needed to ensure that the predominantly open character of the Green Wedge and the physical separation between built up areas which the Green Wedge provides is retained.
- 6.41 It is also noteworthy that the concept of a Green Wedge is not formally recognised in the Framework. The Framework provides general planning guidance relating to the protection of valued landscapes but it does not set out any guidance specific to Green Wedge designations. This contrasts with the Green Belt, a designation which the Framework explicitly seeks to prevent development within and to maintain the openness. A Green Wedge is clearly not afforded the same level of policy protection from development.
- 6.42 The extent to which Policy OE3 prevents development in the Green Wedge depends on the context presented in each case. This includes:
- (a) The site – its role and location within the Green Wedge, the extent to which it is already occupied by built structures, its external visibility and openness;
 - (b) The development – the layout and arrangement of buildings and their visibility.
- 6.43 These two aspects are considered in turn below.
- a) The Site***
- 6.44 Unlike the majority of the Green Wedge the application site is not currently accessible to the public and provides no recreational function. It is physically and visually separate from surrounding open land which is publically accessible, including Calderstones Park.
- 6.45 Much of the site is surrounded by high level walls and existing buildings. As such it is clearly not read as an integral part of a continuous area of open land typical of much of the Green Wedge. It makes a very limited contribution to the Green Wedge and its function and character as a large and open expanse of green land within the urban area.
- 6.46 External views into the site are limited by the extensive landscaping and boundary wall which surround the site and it makes a very limited contribution to the open character of the Green Wedge.
- 6.47 The application site comprises a relatively small element (approximately 6%¹⁶) of the wider Green Wedge. Its partial redevelopment in terms of impact on character would be insignificant given the substantial amount of publically accessible and more visually open land that will remain.
- 6.48 Finally, development of the site will not lead to the surrounding residential areas from merging together or being experienced as a continuous urban area.

¹⁶ Paragraph 8.29 of the Liverpool UDP indicates that the Green Wedge comprises a total of c. 300 hectares

- 6.49 Considered against this baseline, it is evident that the site has the capacity to accommodate some development without material harm to the Green Wedge and in a manner which ensures the criteria of Policy OE3 are satisfied.

b) The Development

- 6.50 The layout for the proposed development has been sensitively designed to ensure that substantial green corridors are provided along the site's boundaries and through the site in order to maintain the site's sense of openness at its current level. Moreover, the majority of development will be limited to areas of the site where development and/or substantial levels of activity already exist. Much of the site will remain open and free from development.
- 6.51 This layout, in addition to the existing boundary wall and mature vegetation will help to reduce the visual impact of the development from outside the application site. Redrow has intentionally designed the scheme so that views into the site from Harthill Road and Calderstones Park are still predominantly 'green', and the new housing is viewed within a high quality, substantial landscaped setting.
- 6.52
- 6.53 Low density housing, an informal 'parkland' layout and retention of key areas of structural woodland and open land will ensure that the individual properties nestle into the existing landscape setting and the overall sense or impression of 'openness' of the site is maintained.
- 6.54 A high standard of landscaping will be provided, with existing vegetation and features retained wherever possible. A material palette which is sympathetic to the character of the area is also proposed in order to help achieve compliance with Policy OE3.

Conclusion on the objectives of Green Wedge (Policy OE3)

- 6.55 In this case, the site is considered to have the potential to accommodate development without giving rise to conflict with Policy OE3 having regard to the following:
- The site is occupied by a series of existing buildings and so does not comprise an open expanse of land beyond the built up area;
 - The site's visibility is low due to the effect of screening provided by existing fencing and walled boundaries and dense vegetation/woodland;
 - The site comprises a small part of the Green Wedge, located at its northern end and which makes a very limited contribution to the Green Wedge's open character.
- 6.56 This context is important, but compliance with Policy OE3 requires a considered design to be presented. In this regard, the following key features of the development presented by Redrow are important:
- An open, green link of substantial width will be retained through the site to the south and north of the depot site so as to ensure the full north-south extent of the Green Wedge is maintained as open land;

- The majority of development will be restricted to areas of land occupied by existing buildings and hardstanding;
- Development will otherwise be directed to locations where its visibility from the park and other prominent viewpoints will be low (e.g. within the depot site which is wholly enclosed, within the grounds of Beechley House which is enclosed along Harthill Road and set back from Allerton Road); and
- Low density housing, an informal layout and retention of key areas of structural woodland and open land ensures that the individual units nestle into the existing landscape setting and the overall sense of openness and definition of the individual plots is maintained.

6.57 Having regard to the above, it is considered that the proposals put forward maintain the predominantly open character of the Green Wedge and do not result in a reduction in the physical separation between existing built up areas.

Meeting Housing Requirements

6.58 As explained in Section 3 of this Statement, Liverpool City Council has acknowledged that there is a shortfall against the five year housing requirement in the City. Significant development is, therefore, required to meet the short term housing need and the housing delivery objectives of the plan.

6.59 Policy OE3 is a policy that seeks to restrict the supply / location of new housing development. In the circumstances, and in absence of a deliverable five year housing land supply, that policy should be regarded as out-of-date, in accordance with Paragraph 49 of the Framework. This view is supported by the recent Court of Appeal judgment in the Willaston case (see above) which confirms that, “relevant policies for the supply of housing” should be interpreted widely, and include those policies which have the effect of restricting where residential development takes place (such as Policy OE3). Only limited weight can be attributed to any conflict with UDP Policy OE3 in the context of the shortfall in housing land in Liverpool and the Government’s drive to “*boost significantly the supply of housing*”¹⁷.

6.60 The application site is deliverable and the proposals would go some way in helping to address the clear and identified shortfall in supply in the city. This consideration weighs strongly in favour of the proposals. Paragraph 47 of the Framework cannot therefore be satisfied and Paragraphs 49 and hence 14 are engaged, adding a positive presumption in favour of a grant of permission in the planning balance.

Historic Environment

6.61 The development plan contains policies that are designed to protect the historic environment, including the setting of listed buildings (UDP Policy HD5). However, the development plan was adopted in 2002 and is therefore not consistent with the most up-to-date policy contained in the Framework and guidance prepared by Historic England¹⁸ (formerly English Heritage).

¹⁷ Paragraph 47, The Framework

¹⁸ The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning

- 6.62 The Historic England guidance provides detail on how to define and assess setting and the associated impact of any changes arising from a development. It confirms that setting is not a heritage asset, nor a heritage designation, rather the importance of setting lies in what contributes to the significance of the relevant heritage asset itself.
- 6.63 The Framework defines the setting of a heritage asset as:
- “...the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”¹⁹*
- 6.64 The assessment of the application proposals, against the relevant heritage policy in the adopted UDP, takes accounts of the current HE guidance and the Framework. Full details and analysis are set out in the submitted Heritage Statement that accompanies the application and the single-topic Environmental Statement.
- 6.65 There are a number of listed buildings within and adjacent to the application site, upon which the proposed development has the potential impact on their setting. These are listed within Section 2 of the accompanying Heritage Statement and include:

Listed Building	Grade	Date of Designation
Beechley	II	9 January 1992
Entrance Gates to Beechley	II	9 January 1992
Ha Ha approx. 30 metres south-east of Beechley	II	9 January 1992
Beechley Stables	II	9 January 1992
Harthill Lodge (Harthill Road)	II	9 January 1992
Harthill Lodge (Calderstones Road)	II	14 March 1975
Quarry Bank House	II	14 March 1975
South Lodge to Quarry Bank House	II	14 March 1975
Calder High School	II	14 March 1975
Entrance to Calderstones Park	II	14 March 1975
Calderstones House	II	14 March 1975
Calderstones Stables	II	14 March 1975
Church of All Hallows	I	28 June 1952

- 6.66 Beechley House, the entrance gates, the Ha Ha, and Beechley Stables are within the application site.

- 6.67 The Proposed Development will provide a sustainable long term opportunity to secure a new use for Beechley House which is a listed building that is currently vacant, deteriorating and vulnerable to further decay.
- 6.68 The proposed apartment layout will enable all of the partitions, installed for the previous care home use, to be removed, with key spaces such as the foyer, staircase and first floor landing retained in their original form and restored where necessary.
- 6.69 Externally, the metal fire escapes will be removed along with the curved corridor to the summerhouse, the ha ha and gateway will be repaired and the setting of the villa will be greatly enhanced with the removal of the equestrian arena.
- 6.70 The proposed houses to the eastern most end of the grounds will be largely obscured, the eastern tree belt will rise above the proposed houses and they will have a negligible impact on the setting of the listed villa.
- 6.71 In summary, the Proposed Development will therefore sustain and enhance the significance of Beechley and the associated ha ha and entrance gateway in accordance with NPPF paragraph 131 and the special architectural and historic interest of the listed building and structures in response to the 'statutory duties' of Sections 16 and 66 of the 1990 Act.
- 6.72 Overall, the Heritage Statement concludes that the proposed development will therefore sustain and enhance the significance of Beechley and the associated ha ha and entrance gateway in accordance with the 'statutory duties' of Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraph 131 of the Framework and local planning policies to which material weight can be attributed.

Development Management Policies

- 6.73 The technical information and reports submitted in support of this application demonstrate that the development proposals are capable of meeting all of the relevant requirements of other technical / development management policies identified. The findings of the relevant reports are summarised below, in referring to the relevant policies of the UDP:
- The Design and Access Statement demonstrates how the illustrative design of the development positively respects and responds to the density, design and layout of the local area in which it is situated, maintains level of privacy and amenity for existing and future residents, and demonstrates 'good design' in accordance with Policies H5 and HD18.
 - Each dwelling will have access to a private rear garden, and a substantial amount of public open space will be provided within the site, in accordance with Policy OE14.
 - All dwellings will be built to current Building Requirements and will, therefore, be fully accessible, as required by Policy HD19.
 - The Transport Statement demonstrates that the application site occupies a sustainable location with access to public transport services and within easy

reach of a range of local facilities; the development would have no perceptible impact on the highway network, and will ensure a safe, attractive, convenient and nuisance-free highway environment for pedestrians, cyclists and drivers, in accordance with Policies H5, T6 and T7.

- The submitted Transport Statement also confirms that there will be no detrimental impact to the safe and efficient operation of the highway network and the proposal will accord with the Council's parking standards in accordance with Policies T12 and T15.
- The Ecological Assessment confirms that there are no overriding ecological factors present that would preclude development at this site in accordance with Policy OE5, OE7 and HD22. Indeed, opportunities exist for a net benefit in biodiversity to be secured.
- The Arboricultural Impact Assessment demonstrates that the proposals would not result in the unacceptable loss of or damage to trees. A large amount of additional street tree planting is proposed within the scheme and the majority of existing trees will be retained in accordance with Policy HD22 and HD23.
- The Flood Risk Assessment confirms that the site lies wholly within Flood Zone 1; there would be no increased risk of flooding as a result on the proposed development and that appropriate attenuation features will be provided on site to ensure there will be no risk of additional surface water or to ground water quality in accordance with Policy EP12 and EP13.
- The Geo-Environmental Appraisal indicates that the topsoil and made ground are not suitable to support the structural loads associated with the development. The development will, therefore, require the use of spread foundations taken down through the topsoil and / or made ground. This can be secured via condition and will ensure that the development is carried out in accordance with Policy EP3.
- The Archaeological Assessment concludes that the potential for archaeological features is high, but that the significance of the likely features to be found is low. Accordingly, with appropriate mitigation measures including implementation of a programme of archaeological work, it is concluded that there will be no conflict with Policy HD17.

Conclusion on Compliance with the Development Plan

- 6.74 The proposed development is consistent with a key objective of the development plan to ensure that good quality housing, appropriate to people's needs, is available for all those who wish to live in the City. This key objective accords with the Framework.
- 6.75 It is acknowledged that there is a significant shortfall against the five year housing requirement in the City and the development will make an important contribution towards meeting the short-term housing need. The application, therefore, needs to be considered within the context of Paragraph 47 of the Framework which aims to "*boost significantly the supply of housing*"; relevant policies for the supply of housing, including policy the Green Wedge policy (OE3) should, therefore, be afforded limited weight.

- 6.76 The application site is identified as green space and is located within the defined Green Wedge on the proposals map to the UDP. However, the site has no current recreational use, is not publically accessible and is physically and visually separated from adjacent areas of green space. The proposed development is broadly compliant with the exception criteria set out in Policy OE11 for development on green space and whilst the development will result in a change to the visual amenity of the site, the harm to the objectives of Policy is very limited and needs to be considered in the wider context of the development plan.
- 6.77 Careful consideration has been given to the setting of the listed buildings which are located within close proximity to the site. The development will preserve those elements of setting that contribute to the significance of the listed buildings.
- 6.78 The development proposals are capable of meeting all of the relevant requirements of other technical / development management policies identified.

Issue 2: Assessment of Other Material Considerations

- 6.79 Both the Act and the Framework refer to other material considerations that may be taken into account in the decision-making process. In this case, the principal material consideration is the Framework, together with other relevant documents including relevant Ministerial Statements and Court Judgements.

Compliance with the National Planning Policy Framework

Core Planning Principles

- 6.80 Paragraph 17 of the Framework sets out twelve core land-use planning principles that should underpin both plan-making and decision-taking. The development proposals are aligned with the following principles of relevance:
- Proactively drive and support sustainable economic development to deliver homes 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 of growth.
 - Seek to secure high quality design and good standard of amenity for existing and future occupants.
 - Supports the transition to a low carbon future.
 - Contributes to conserving and enhancing the natural environment.
 - Actively manage growth to make the fullest possible use of public transport, walking and cycling.
 - Take account of and support local strategies to improve health, social, cultural wellbeing for all and deliver community facilities to meet local needs.

Presumption in Favour of Sustainable Development

- 6.81 The introduction to Paragraph 14 of the Framework sets out the presumption in favour of sustainable development which is at the heart of the Framework and the 'golden thread' running through it. The Framework confirms that development proposals that accord with the development plan should be approved without delay.
- 6.82 The Framework requires that an overall approach is taken to sustainable development, incorporating social, economic and environmental elements (Paragraph 7). These elements should not be considered in isolation.
- 6.83 Paragraph 6 of the Framework makes clear that Sustainable Development means consideration of development proposals against Paragraphs 18 – 219 of the Framework as a whole. Such an assessment should be read in the context of the three dimensions set out in Paragraph 7 of the Framework, and the guidelines at paragraphs 8 – 17. All elements of a scheme should be balanced; even if there is a conflict with one aspect of policy, a development may still be sustainable.
- 6.84 Not all of the policies in the Framework will be relevant to a particular development. Those elements of the Framework that are identified as relevant to this application are discussed in more detail below.

Building a Strong, Competitive Economy

- 6.85 The Framework confirms at Paragraph 18 that the Government is committed to securing economic growth in order to secure jobs and prosperity. Planning should not be an impediment to sustainable growth and significant weight should be placed on the need to support economic growth through the planning system (Paragraph 19).
- 6.86 Housing development is a key component of economic growth; this is recognised in Government policy and Ministerial guidance.
- 6.87 Government statements recognise the importance of housing development to achieving economic growth and recovery. A press release issued by the Housing and Local Government Minister advises that:
- “...increasing the rate of house building is the top priority for the Government” and “there is no room for complacency in the drive to build more homes”²⁰.*
- 6.88 A number of recent appeal decisions issued by the Planning Inspectorate have explicitly recognised the socio-economic benefits of housing developments and the weight to be afforded to these in the decision-making process, even where, unlike this case, there is a five year supply²¹.
- 6.89 The proposals will make a significant contribution towards local priorities for economic development and the focus for Liverpool to be the driver of growth in Merseyside. The development will provide a high quality housing offer attracting highly skilled workers into the area, who will help to support and grow the type of businesses desired in Liverpool in the future. Local jobs will be created through the construction process and

²⁰ Increasing the Number of Available Homes: Grant Shapps MP (Housing Minister) (19 May 2011)

²¹ E.g. Appeal Decision in respect of Land at Hill Top Farm, By-Pass Road, Northwich (PINS ref. APP/A0665/W/14/3000528) (3 September 2015)

new residents will contribute towards a significant rise in expenditure to support the local economy and generate additional council tax receipt

- 6.90 On this basis, the provision of quality housing at Harthill Road will make an important contribution towards the achievement of sustainable economic growth in Liverpool and is fully supported by the requirements and advice of the Framework. Indeed, Paragraph 19 is clear that “significant weight” should be placed on the need to support economic growth through the planning system.

Promoting Sustainable Transport

- 6.91 The application is supported by a Transport Assessment (TA) which assesses the accessibility of the site, the existing capacity of the highway network and the traffic generation associated with the proposals.

- 6.92 It can be concluded from the analysis in the TA that the proposals:

- Are located in a highly sustainable location, with a high quality road network, good pedestrian facilities and access to buses and trains within comfortable walking distances. A range of local services and facilities are also within close proximity to the site, including local shops, schools and health facilities.
- The proposed vehicular access points to the site have been demonstrated to operate well within capacity once the development is complete, with no queues or delays predicted.
- There are no existing highway safety problems within the vicinity of the site that need attention or would be exacerbated by the development traffic.
- The proposed development will not result in any material increase in queues or delays at junctions on the surrounding highway network.

- 6.93 The TA concludes that, in transport and highways terms, the proposed development is acceptable and there are no overriding issues that should prevent the granting of planning permission. It certainly does not identify any impact which can be determined as being ‘severe’ and therefore meets the test set out at Paragraph 32 of the Framework.

- 6.94 The site is also capable of offering a range of opportunities to encourage sustainable transport modes to be taken up by future residents in preference to the use of the private car; this is consistent with Paragraph 37 of the Framework.

- 6.95 The proposals therefore accord with the Framework in terms of promoting sustainable transport.

Delivering a Wide Choice of High Quality Homes

- 6.96 Paragraph 47 of the Framework states that to “boost significantly” the supply of housing, local planning authorities should identify a supply of specific immediately deliverable sites sufficient to provide 5 years supply with an additional (minimum) buffer of 5%; and identify further deliverable sites to meet the requirements of years 6 – 10. Paragraph 48

requires housing applications to be considered in the context of the presumption in favour of sustainable development.

- 6.97 Recent appeal decisions in Liverpool have confirmed that there has been persistent under-delivery of housing in the Borough, requiring a 20% buffer to be provided. This position has been accepted by the Council.
- 6.98 On any measure, as the Council cannot demonstrate a five year housing supply, there is an urgent need to grant planning permission for new housing on unconstrained, deliverable housing sites in sustainable locations. The development of up to 51 new homes on the application site will make an important contribution towards meeting the existing deficiency in the Council's deliverable and overall supply.
- 6.99 Moreover, the development proposals will increase the opportunities for the delivery of a wide choice and mix of new housing to meet identified local market needs, which is a significant material consideration and positive benefit to the scheme.

Housing Mix and Choice

- 6.100 Paragraph 50 of the Framework states that local 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.
- 6.101 The proposed development will provide a mix of dwellings offering a choice of type and size. The development will complement and widen the existing housing stock and reflect local needs in accordance with the Framework. In particular, it will help to meet the need for large, homes in the City.

Requiring Good Design

- 6.102 The proposals have a high quality design standard and show how the development can be assimilated into the wider area.
- 6.103 The accompanying Design & Access Statement confirms that:
- The proposals have been informed by an assessment of the site's historic, spatial, landscape and physical context.
 - The application site is largely free of technical constraints and benefits from its close proximity to a range of local services within a short walking and cycling distance of the site.
 - The character and appearance of the proposed development respond to the site's unique attributes and will create a sustainable, high quality design which relates positively to its setting.

- 6.104 In light of the above, it is clear that the development is capable of achieving a high quality of design and creating an attractive local environment.

Promoting Healthy Communities

- 6.105 Healthy communities are those that interact and are cohesive. The location of this development site ensures that it will contribute positively to this objective. In addition,

the development proposes new pedestrian and cycle links to the surrounding area, ensuring that it is not a stand-alone development.

- 6.106 It is an ideal location for residential development, located immediately adjacent to a vibrant and sustainable residential area and in close proximity to existing local facilities and services which are easily accessible by foot and bicycle.
- 6.107 The illustrative masterplan indicates how the development will create informal recreation open spaces and permeable and legible pedestrian and cycle routes through the site and into surrounding residential areas.
- 6.108 The proposals would therefore promote the principles of a healthy community and deliver sustainable development in this respect.

Meeting the Challenge of Climate Change

- 6.109 The Flood Risk Assessment (FRA) confirms that the application site lies entirely within Flood Risk Zone 1 and is, therefore, considered to be at low risk from flooding.
- 6.110 An outline drainage strategy has been prepared, which includes attenuation storage methods and these will take the form of ponds, swales, attenuation tanks and / or oversized pipes. The utilisation of these attenuation methods will ensure that there is no direct flood risk to the development or surrounding developments.
- 6.111 As a result, the proposals would accord with the Framework in terms of meeting the challenge of climate change.

Conserving the Natural Environment

- 6.112 The submitted technical documents demonstrate that the development of the site could be achieved without any harmful impacts on the natural environment.
- 6.113 Whilst part of the site is greenfield, other parts of the site are brownfield (where there is existing visible development). The development supports Paragraph 111 of the Framework, which seeks to encourage the re-use of brownfield sites. However, Paragraph 111 is not a 'brownfield first' policy. There are insufficient brownfield sites in Liverpool to accommodate the development requirements in the City, necessitating the use of greenfield sites. Paragraph 110 is clearly not focussed on precluding greenfield development where there are no alternatives and there is no conflict with the Framework in this respect.

Ecology

- 6.114 An Ecological Assessment has been undertaken. The assessment confirms that:
- The application site does not form part of any statutory or non-statutory designation for nature conservation.
 - There are, however, two locally designated sites within 1km of the site; Calderstones Park Local Wildlife Site and Hillfort Road and Simpson's Pavilion. It is considered that due to the distances involved and the barriers created by main roads and residential development, there will be no direct or indirect impact to these sites as a result of the proposed development.

- There are no protected plant species on the site, the existing trees, shrubs and grassland areas do provide habitats for nesting birds. Breeding bird surveys were undertaken during April – June 2015 and indicate that the application site supports a moderate diversity of species. The majority of species were all common species, but there was also a low – moderate number of Section 41 species²² recorded on site. The report sets out a number of enhancements and approaches that will, if implemented, avoid or minimise potential impacts on breeding birds. These measures can be secured via planning condition(s).
- Japanese knotweed and Himalayan balsam are present on the site and prior to development works commencing, a method statement will be produced for the removal of these species, which can be controlled by standard condition.
- Bat surveys have already been undertaken and demonstrate that the existing (derelict) building on the site has negligible potential for roosting bats. There are six trees which have been assessed as Category 2 with some potential for roosting bats; however these trees will not be removed as part of the proposals.
- Bat activity surveys are being undertaken.
- Biodiversity enhancement opportunities will include the introduction of a mix of wildlife friendly species into the planting scheme. In addition, landscaping will prioritise the maintenance and enhancement of potential wildlife corridors. Finally, bat and bird boxes will be installed on suitable trees and incorporated within the new build. These measures can be secured through 'designed-in' mitigation and by planning condition.

6.115 In conclusion, the assessment confirms that the proposed development will secure an opportunity to implement beneficial measures, including habitat management and habitat creation that will safeguard habitats for wildlife such as birds and bats. The aim of providing a net gain in biodiversity is in accordance with Paragraph 109 of the Framework.

Trees

- 6.116 A Tree Survey has been undertaken in order to confirm the location of all trees on the site. The layout has been designed to retain as many existing trees as possible. Whilst it will be necessary to remove a small number of trees in order to facilitate the new and upgraded vehicular access points into the site, these have been carefully located so as to reduce the extent of tree loss necessary.
- 6.117 A Tree Survey Report and Arboricultural Impact Assessment have been prepared and confirm that:
- The application site contains 156 no. individual trees, 45 no. tree / vegetation groups and 1 no. wooded area. Of the trees and vegetation on the site, 25% are of high value (Category A), 47% are of moderate quality (Category B), 22% are of low quality (Category C) and 5% are recommended for removal (Category U).

- The main area of the proposed development is sited within the open parts of the site, and the indicative plan does not indicate any requirements to directly develop housing on treed areas.
- Some tree removal will be necessary to facilitate access into the site. However, the proposed access points have been positioned so as to limit the extent of removal required. The tree loss needed is marginal given the number of trees within the site and the indicative proposal provides an excellent opportunity for new planting to more than mitigate the required losses.
- All trees to be retained will be appropriately protected during the construction phase of the development.

6.118 In summary, the submitted reports confirm that the proposed development is based around the existing landscape features of the site and seeks to integrate them successfully into the overall design. The existing trees are retained wherever possible to provide a high quality landscape setting.

Ground Conditions

6.119 A desk-based Geo-Environmental Appraisal of the application site indicates that:

- There are no recorded superficial deposits recorded on site;
- The bedrock deposits of the Chester Pebble Beds are classed as a Principal Aquifer (High Permeability);
- The site does not lie within a Groundwater Source Protection Zone as defined by the Environment Agency;
- The nearest water feature is a pond 163m east of the site;
- There is one water abstraction within 1000m of site;
- the site has estimated low levels of risks of ground gas and risks of / from Radon; and
- Possible contamination sources are likely from historic land use, road and footpath use, and neighbouring allotments.

6.120 Intrusive site investigations are recommended.

Summary and Conclusions

6.121 The proposals are consistent with the objectives of the development, particularly those pertaining to the provision of new housing. Whilst the proposals will result in potential conflict the objectives of UDP Policy OE3, this policy is out-of-date given the shortfall in deliverable housing land supply and can only be afforded limited weight. The development will also result in a minor conflict with one of the criteria of policy OE11, but otherwise positively supports the objectives of that policy. The application proposals comply with all other relevant development management policies and the overall

strategy and objectives of the UDP. When read as a whole, the application accords with the Development Plan.

- 6.122 The proposals are entirely consistent with the Framework and represent sustainable development when considered against the requirements of Paragraphs 18 to 219 of that document.
- 6.123 In the circumstances, the proposals are compliant with Paragraph 38(6) of the 2004 Act and the first part of Paragraph 14 of the Framework, therefore, applies. On this basis, there is a strong presumption in favour of granting planning permission for the proposed development. Material considerations add further weight to the conclusion that planning permission should be granted without delay.

7. Planning Balance and Conclusions

- 7.1 This Planning Statement accompanies a full planning application for the development of land off Harthill Road for 39 residential dwellings, the conversion of existing buildings into 12 apartments, and means of access, landscaping and amenity space. The planning application is accompanied by a masterplan and a detailed Design and Access Statement which, collectively, demonstrate how the site could be developed to provide up to 51 high-quality homes and apartments.
- 7.2 The adopted Development Plan is substantially out-of-date as it was only intended to inform development needs up to 2001 and was prepared in accordance with the 1990 Act. Nevertheless, the application accords with those policies of the UDP that are relevant and up-to-date in accordance with the Framework and to which material weight can be applied.
- 7.3 The council has accepted it is unable to robustly demonstrate a deliverable five year supply of housing land. As a result, there is an urgent and pressing need to release sites for housing development in Liverpool in order to 'boost significantly' supply in accordance with the Framework, resulting in an added presumption in favour of housing development.
- 7.4 The application site is located within the Green Wedge; following the recent Court of Appeal ruling in the Willaston case the relevant policy, OE3, is a policy for the supply of housing. As the council is unable to demonstrate a deliverable five-year housing land supply the policy is out-of-date and the weight that can be attributed to it is reduced. In any case, the development will not result in significant harm to the overall objectives of Policy OE3 given that the site makes limited contribution to the purposes of Green Wedge and a significant gap will be retained between residential areas following the development.
- 7.5 The application site is also identified as green space within the adopted development plan (Policy OE11). Overall, it has been demonstrated that the existing site currently makes a limited contribution to the purposes of the Policy, and the proposed development retains the existing limited contributions. Further, it has been demonstrated that the proposals will overall make a positive contribution to the objectives of Policy OE11, through the provision of opening up an aspect of the site for informal recreational activities, creating links to adjacent green spaces, and providing ecological and biodiversity enhancements through the provision of a high quality landscaping strategy. There will be change to the visual amenity of the site resulting in a minor conflict against this aspect of Policy OE11. However, that needs to be considered in balance with the benefits to the objectives of that policy, the development plan as a whole, and other relevant material considerations.
- 7.6 The Council has recently recognised a requirement to review existing open spaces in order to ensure that future housing needs are met across the City. The proposed development responds to that issue and represents a suitable location for new housing together with a retained and publicly accessible area of open space.

- 7.7 The supporting technical documents demonstrate that the application site is free from significant constraints. The proposed development will not result in any harm in terms of amenity, environmental, traffic, heritage or other acknowledged public interests. There are consequently no adverse impacts resulting from the development that would significantly and demonstrably outweigh its benefits when assessed against the Framework as a whole.

The Benefits

- 7.8 Numerous benefits arise from the scheme, including:
- Creation of a high quality residential environment which respects the character of the area – The development has been carefully designed to respond positively and sympathetically to its built and environmental context and the character and appearance of the surrounding area.
 - A commitment to the early delivery of the site by a major national housebuilder, boosting supply and making an important contribution to the City's five year housing land supply.
 - Support for the transition to a low carbon future – The development will mitigate and can adapt to future climate change through sustainable design and a commitment to deliver high quality, energy efficient homes. It will meet national housing standards in relation to carbon reduction and promote sustainable travel choices.
 - Provision of ecological and biodiversity enhancements through the adoption of a high quality landscaping strategy.
 - Improvements in housing mix and choice – The proposed development will provide a balanced mix of dwellings, offering a choice of type and size, with an emphasis on improving the quality and quantum of housing capable of maintaining economically active households within the City.
 - The provision of managed amenity space.
 - Development in a sustainable location – The development is within easy reach of a range of local shops and services which will reduce reliance on the private car.
 - Increased Council Tax revenue and capital receipts from the sale of the site to further invest back into the City and assist in achieving the economic growth objectives.

The Harm

- 7.9 It is acknowledged that the proposals will result in a change to the visual amenity of the site which indicates a minor conflict against this aspect of Policy OE11. However, this minor conflict needs to be considered in balance with the benefits to the other objectives of that policy, the development plan as a whole, and other relevant material considerations.

- 7.10 Only limited weight can be afforded to the Green Wedge policy (OE3) given the acknowledged shortfall in housing land in the City. In any case, it is considered that the proposals put forward maintain the predominantly open character of the Green Wedge and do not result in a reduction in the physical separation between existing built up areas.

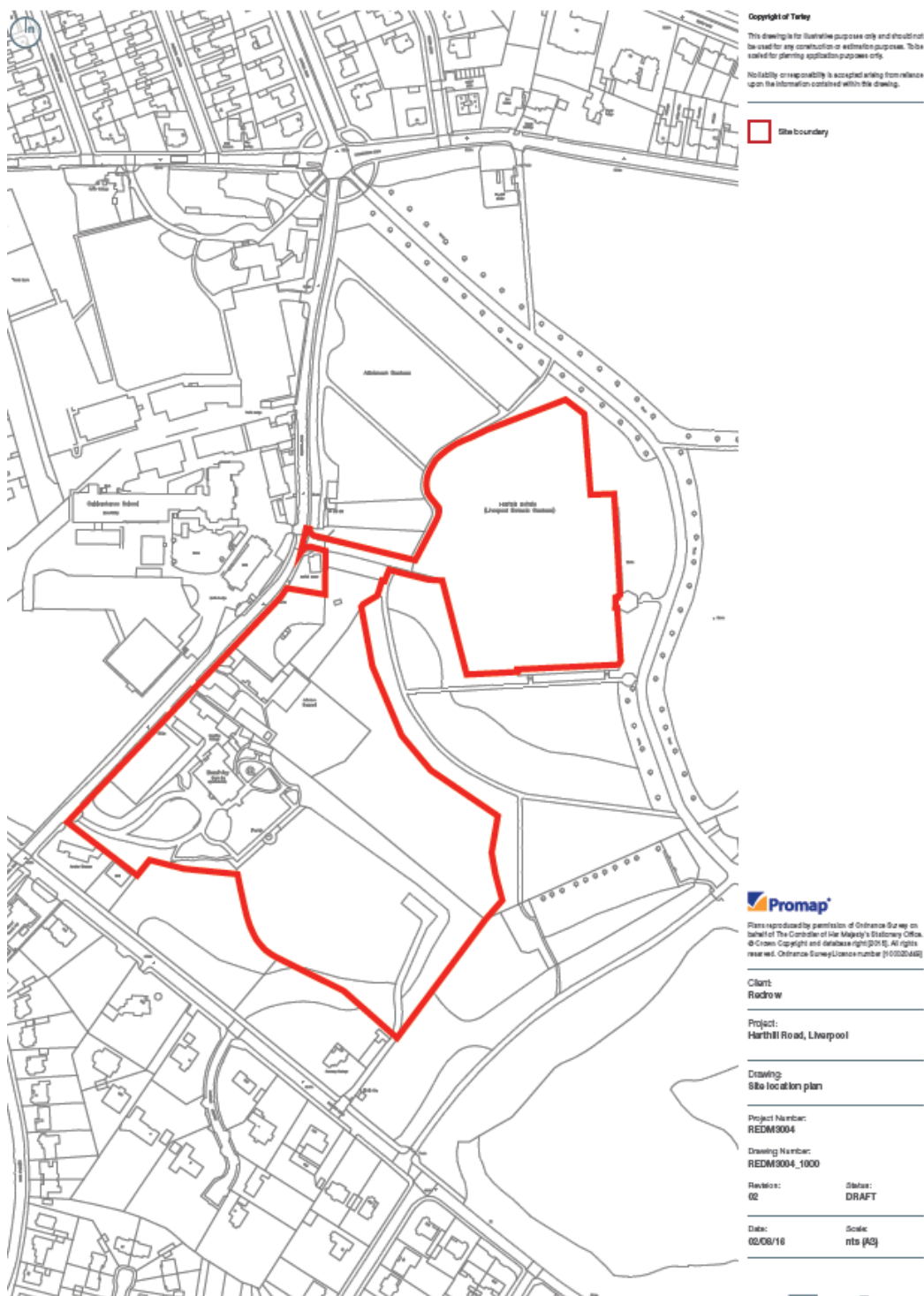
Presumption in Favour of Sustainable Development

- 7.11 The presumption in favour of sustainable development means that a planning application or appeal should be approved where it accords with the development plan or, where the development plan is absent, silent or relevant policies are out-of-date, unless any adverse impacts of doing so would '*significantly and demonstrably*' outweigh the benefits when assessed against the policies in the Framework as a whole. It is clear from the assessment above that the adverse impacts associated with the scheme are not significant and do not demonstrably outweigh the benefits; rather, the converse is true.
- 7.12 The development proposals constitute sustainable development and there are no specific policies in the Framework that indicate the development should be restricted. Paragraph 14 of the Framework, with the added presumption provided by Paragraph 49, makes clear that permission should be granted.

Overall Conclusion on Planning Balance

- 7.13 The potential conflict with the Development Plan (Policies OE3 and OE11) is clearly outweighed by compliance with the aims and objectives of the plan overall. Substantial sustainable economic, environmental and social benefits have been demonstrated above. There are material considerations which add further support weighing strongly in favour of the proposed development and are to be afforded significant weight in the planning balance.
- 7.14 In accordance with Section 38(6) of the 2004 Act and by reference to the presumption in favour of sustainable development set out within the Framework, planning permission should be granted without delay.

Appendix 1: Site Location Plan



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