

SUPPORTING PLANNING STATEMENT

September 2017

PROPOSED RESIDENTIAL DEVELOPMENT

18-24 SEEL STREET, LIVERPOOL

on behalf of:

HDCO EPL3 Limited



Table of Contents

1.	INTRODUCTION	1
2.	DEVELOPMENT CONTEXT.....	3
3.	DESCRIPTION OF PROPOSED DEVELOPMENT.....	7
4.	PLANNING POLICY	13
5.	PLANNING ASSESSMENT.....	25
6.	SUMMARY AND CONCLUSIONS	39

1. INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of the applicant, HDCO EPL3. The application seeks full planning permission for the demolition of the existing building and the erection of a building up to 11 storeys comprising residential apartments (Use Class C3), ground floor commercial units (Use Classes A1, A2, A3, or A4), ancillary residential amenities (including gym, plunge pool, sauna, cycle parking, roof top garden and landscaped courtyard) and associated works. The application concerns a site at 18-24 Seel Street, Liverpool which borders part of the wider Wolstenholme Square development site (referenced 15F/1320).
- 1.2 This Statement describes the proposals and examines the planning issues which they raise. It should be read in conjunction with the series of detailed technical reports that also accompany the application.
- 1.3 In promoting the proposed development the applicant appreciates that due regard must be given to a number of relevant up-to-date policy considerations as well as other material planning considerations, the major one being that the proposal represents a replacement building. In developing these proposals, full regard has been given to the provision of Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 1.4 The general approach to, and content of, this application has been discussed with Senior Officers of Liverpool City Council (LCC) prior to its submission. These discussions have influenced the evolution of the scheme into its final form and the supporting information accompanying the application.
- 1.5 Our pre-application dialogue has enabled us to settle the list of documents which accompany this application. These include:
- Design & Access Statement, prepared by FCH Architects;
 - Landscaping Designs, prepared by Layer;
 - Planning Statement, prepared by Zerum;
 - Heritage Assessment, prepared by Garry Miller Historic Building Consultancy;
 - Noise Assessment, prepared by Clement Acoustics;

- Transport Statement, prepared by DTPC;
- Interim Travel Plan, prepared by DTPC;
- Drainage Strategy, prepared by Clancy Consulting;
- Geo-Environmental Phase 1 Desk Study, prepared by Clancy Consulting;
- Ventilation Strategy, prepared by Abacus Consult Ltd;
- Energy Strategy, prepared by Abacus Consult Ltd; and
- Ecology, prepared by Penny Anderson Associates.

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

1.7 The remainder of this statement:

- Provides context and describes the site and its surroundings;
- Describes the development proposals;
- Outlines the Development Plan and relevant national policy guidance;
- Provides a detailed analysis of the main planning considerations;
- Concludes by summarising the main points raised in this document which we consider support a grant of planning permission.

2. DEVELOPMENT CONTEXT

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

SITE DESCRIPTION

- 2.2 The site borders Liverpool's Ropewalks District, within Liverpool City Centre. The site currently comprises of offices for 'Person Shaped Support' ('PSS') a non for profit organisation providing community support and care. The site borders the Wolstenholme Square development which sits on the south east boundary.
- 2.3 Details of the site location and strategic context can be found in the Design & Access Statement, produced by FCH Architects. The Google Map extract below (Figure 2.1) illustrates the site, highlighted in red, in the context of its surroundings.

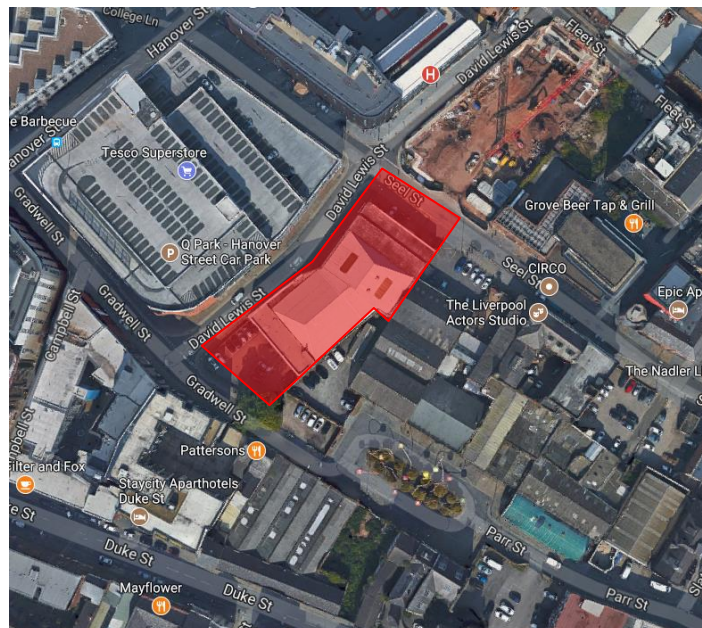


Figure 2.1

- 2.4 The Application Site is bound by Seel Street to the north, David Lewis Street to the west, Gradwell Street to the south, and the rest of the Wolstenholme Square development area to the east. The Times Hotel development at 42-46 Seel Street lies a short distance to the east. Both this and the Wolstenholme Square development are being brought forward by Wolstenholme Square Developments Ltd and form part of the same wider development.

- 2.5 The building heights in the immediate surroundings are of 7 to 10 storeys and comprise residential, a multi-storey car park with some retail outlets and a Premier Inn hotel. The wider area typically comprises two and three-storey historic warehouses, some of which are used for pubs, bars and residential purposes.
- 2.6 The Wolstenholme Square development (reference 15F/1320) involves the creation of a mixed use development comprising four blocks of between seven to ten-storeys that will accommodate ground floor commercial units and studios with apartments on the upper floors. The scheme will also include wider public realm works, commercial courtyards and pavement cafes, refuse and cycle parking, plant, substation and other back of house facilities.
- 2.7 The Times Hotel development (reference 16F/0636) comprises the construction of a five to seven-storey building for hotel use with ground floor reception, bar, restaurant and an ancillary rooftop bar terrace.
- 2.8 The site is just outside the Duke Street Conservation Area, locally designated by Liverpool City Council for its special architectural and historic interest and character. Liverpool Ropewalks is the old Georgian merchants' area of the city centre built as a result of the 'Old Dock' of 1715 that launched Liverpool as a global port. There have been substantial improvements to the streetscape of the area in recent years through the use of Townscape Heritage Initiative (THI), a now obsolete grants programme, and private investment in the building stock.
- 2.9 This mixture of old and new vernaculars within the vicinity of the Application Site has resulted in a mixture of scales along the street. The scale changes from derelict/vacant plots, to high density residential, to that of 4 and 5 storey Georgian townhouses.
- 2.10 105 Duke Street and 48, 50 and 52 Seel street are all grade II listed and within close proximity to the site. 36 Slater Place, which has since burnt down, was also grade II.

SITE ACCESSIBILITY

- 2.11 The site is within a highly accessible, city centre location, making access to any future development very easy by the main forms of travel, including pedestrian access, cycle, public transport and car. Sub-regional rail travel around Merseyside is possible from Liverpool Central Station, a 3 minute walk away, with further national travel accessed through the Liverpool Lime Street Station, a 10 minute walk away.
- 2.12 Public bikes (via CityBike) are provided by the 'Hanover Street' stand at the junction of Hanover Street and Seel Street, which is a 2 minute walk from the site. These provide a link to more than 140 stations across the city. Future plans for expansion include a total of 1,000 bikes available to hire spread across 160 locations.
- 2.13 There is also ample on-street bay parking in the immediate vicinity, though constrained by single yellow line restrictions. There is a multi-storey car park next to the site.
- 2.14 The accompanying Design & Access Statement and Transport Statement provide more detail in terms of the site's connections and accessibility.

PLANNING HISTORY

- 2.15 A review of the planning history of the site reveals that there is very little relevant planning history for the site address. A summary all the applications can be found below:
- **B11975-** To extend storage premises within existing curtilage (garage) – approved without conditions 2nd September 1959.
 - **94P/1254-** To alter external appearance cladding of roof and side elevation – approved with conditions 10th August 1994.
 - **95P/1098-** To alter external appearance of premises - installation of 2 windows on front elevation – approved with conditions 18th July 1995.
 - **01A/0898-** To display illuminated advert hoarding – Approved with conditions 4th June 2001.
 - **04F/4309-** To erect extension at rear, lay out car parking and to erect new boundary in connection with accommodation works consequent on the provision of new link road between Seel Street and Gradwell Street as part

of the Paradise Street Development Area to which permission no.040/0600 refers – approved with conditions 22nd December 2004.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The preliminary sub-sections of this Statement have already touched upon the context and content of the application. More detail is provided as part of the submitted Design and Access Statement (D&AS), prepared by FCH Architects.
- 3.2 The application seeks to secure detailed planning approval for the development of a 11 and 9 storey building comprising residential apartments (Use Class C3) and ground floor commercial unit (Use Class A1, A3, A4).
- 3.3 The proposed Site Layout Plan shows the extent of the proposed development in relation to the surrounding land uses and wider area. Careful thought has been given to ensure that the proposed scheme relates to the surrounding land uses (both current and future) and respects both wider views of the development, and its more immediate surroundings.

ACCOMMODATION

- 3.4 A dialogue is created between the proposed development and the buildings surrounding the site. The height of the Wolstenholme Square development ranges from 11 to 9 storeys with the greatest height positioned to the western edge of the square, closest to Liverpool One. Being 9 and 11 storeys, the proposed building responds to the emerging height of the Wolstenholme Square development.
- 3.5 The building mass is at two levels with a central 11 storey core and two, 9 storey side elevations on Gradwell Street and Seel Street. There is a roof garden to be included as part of the design across all levels.
- 3.6 At ground floor level, the proposed development will offer leisure and commercial units fronting onto Seel Street and Gladwell Street, with plant and storage space located to the rear of the building. The residential entrance lobby is located on David Lewis Street along with another entrance servicing the residents' gym and plunge pool, also at ground floor level.
- 3.7 Floors 1 to 8 accommodate 10 no. one-bedroomed apartments, 7 no. two- beds and four studios located around a central spine corridor. There are four apartments with balconies on each of these floors; a studio, 2 no. one beds, and 1 no. two bed. One of the single bedrooms has two balconies. Each of the balconies are accessible

through the living or bedroom areas of the units. The balconies are aligned vertically through the building and overlook the proposed courtyard to the rear of the development, with the exception of the 2-bedroom unit balconies which add interest and activity to the building corner at the Gradwell Street and David Lewis Street junction.

3.8 Floors 9 and 10 contain 11 no. one-bedroom apartments and 5 no two-bedroom apartments, located around a central core and spine corridor. There is access to a garden terrace at either end of the corridor from the 9th floor, which is located on the roof-top of the 8th floor. There are three balconies to each of these two floors; all overlook the rear courtyard. Two provide external amenity space from a bedroom and lounge area of a one-bedroomed apartment, and one provides external amenity space from a bedroom of a further one-bedroomed apartment.

3.9 In summary, the proposed accommodation includes:

32 x Studio apartments

102 x 1-Bed apartments

66 x 2-Bed apartments

Total 200 Apartments

3.10 As outlined in the Design and Access Statement the proposed development has been designed so as not to discriminate against disabled people and to ensure long term flexibility by applying the 'Lifetime Homes' standards. The Design and Access Statement also includes typical apartment layouts for all types of apartments proposed.

DESIGN

3.11 The aim of the scheme is to create a modern high quality development that relates, respects and responds to the character of the surrounding area and its heritage assets.

3.12 The design opportunities were considered to include:

- creating a development of note, which links the potential of the Ropewalks within the city centre providing a key interface between the two areas;
- bringing people in to the area, supporting local businesses and encouraging further development of the area;

- providing new residential accommodation within close proximity of the city centre;
- providing a safe environment for the building users;
- acting as a catalyst for regeneration and future developments in the area;
- creating a building of architectural merit;
- allowing the building's residents to benefit from the newly created external space and public realm of Wolstenholme Square;
- maximising access from the city centre; and
- encouraging active frontage along the main streets surrounding the development.

3.13 Constraints include:

- site's location within the World Heritage Site Buffer Zone; and
- existing structures and consented schemes around the site creating a limited space in terms of solar gain, form and layout.

3.14 The application proposals have been developed following a detailed analysis of the above matters, along with the local context of the site, whilst taking into consideration the national and local requirements for mixed-use commercial developments. The accompanying Design and Access Statement sets out how the design concept for the scheme has developed in terms of both form and function. The proposals have been developed through careful consideration of the site including:

- analysis of the local character and context;
- evaluation of use requirements of the local area;
- detailed analysis of the site itself including orientation, topography, access, proximity to neighbours and connection with the streetscape;
- review with planners during the pre-application process; and
- pressures of the site in terms of viability/deliverability.

3.15 The proposed scheme has been modified to meet the comments and requirements discussed during Pre-Application meetings. The Design and Access Statement outlines the changes in full.

- 3.16 The building has been designed to be fully accessible to all users, to comply with all relevant parts of the Building Regulations and to provide access for all. Further details of the buildings accessibility are outlined in the Design and Access Statement.
- 3.17 The proposal seeks to create a modern and well considered development with a mix of residential unit types that responds to the character of the surrounding area, and fulfils market demands.

REFUSE STRATEGY & SERVICING

- 3.18 A refuse and servicing strategy has been prepared, and is included within the Design and Access Statement. The separate residential and commercial refuse stores are located within the ground floor level with a collection point to the rear of the building accessible from Gradwell Street.

LANDSCAPING

- 3.19 The site includes hard landscaping to the rear entailing a terrace and courtyard. This makes the most of the space surrounding the building and enables storage of cycles, and service points for the building to the rear. The building fronts the pavement on three sides with entrances on each thereby enhancing the activity at street level.

ACCESS & PARKING

- 3.20 Given the highly accessible location, no car parking is proposed. There is provision for 90 cycles in an internal store to the rear of the ground floor, accessible from Gradwell Street and with internal access to the building.
- 3.21 As the Transport Statement confirms, given the highly accessible nature of the scheme, and in keeping with similar schemes in the city centre, residents would be able to walk/cycle/car share or use public transport to travel, though car travel can be facilitated through the ample on street parking and near-by private multi-stories. There will be no onsite provision of parking for residents. The supporting Transport Statement explains and provides a justification for this approach in further detail.

MATERIALS

- 3.22 In terms of materials, the proposed scheme will be constructed using a carefully balanced palette of materials including brickwork, flat plate steel balconies, light grey stone and opaque glazed bands.
- 3.23 The scheme will be made of a carefully considered contemporary material palette, with a reference to the features of the surrounding buildings. The architecture of the proposal will be honest about the modern era of its build, whilst respecting the distinctive qualities of its surroundings, in order to avoid a pastiche facsimile of the sites surroundings.
- 3.24 The accompanying Design and Access Statement provides further details on the choice of materials, elevational details and the care which has been taken to respect elements of the existing surrounding vernaculars in a 'crisp' contemporary manner.

STATEMENT OF CONSULTATION

- 3.25 Consistent with the Council's Adopted Statement of Community Involvement (Adopted 21st June 2013), the applicant has undertaken pre-application discussions with senior officers of the local planning authority where the application site, the proposed scheme and supporting documentation were discussed. That process enabled the required supporting documentation to be agreed (summarised earlier).
- 3.26 In determining the appropriate approach to pre-application consultation, both the applicant and their main professional advisors have sought to adopt a 'best practice' approach to both design and delivery. Pre-application discussions with Liverpool City Council commenced in advance of the submission of the application.
- 3.27 As we do not consider the proposal to be more than of local importance and as it accords with the recent Strategic Investment Framework, the nearby Ropewalks SPD and Liverpool Development Plan, we do not believe that a wider community engagement exercise is necessary. However, should the application attract significant local interest on its submission we would be happy to arrange for a public consultation event to take place to inform members of the public or key local interests.

- 3.28 Given the above, we believe that an appropriately comprehensive process of pre-application consultation has been undertaken.

4. PLANNING POLICY

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that when determining a planning application, the decision maker must make their determination in accordance with the development plan unless material considerations indicate otherwise.

4.2 Given this obligation, this chapter therefore considers national planning policy guidance relevant to the application, which is a material consideration in the determination of this application, as well as reviewing the development plan for the site which currently consists of the Liverpool UDP of November 2002.

NATIONAL PLANNING GUIDANCE

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

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

4.4 The NPPF outlines that the primary objective of development management is to foster the delivery of sustainable development. Local planning authorities should look for solutions rather than problems, working pro-actively with applicants to secure developments that improve the economic, social and environmental conditions of an area. The concept of sustainable development is reinforced throughout the NPPF, including Paragraph 49 which states that housing applications should be considered in the context of sustainable development.

4.5 The Framework identifies 12 core planning principles which should underpin both plan making and decision taking. Amongst other things, planning should:

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made to objectively identify

and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- Take account of the different roles and character of different areas, promoting the vitality of our main urban areas.
- Encourage the effective use of land by reusing land that has been previously developed.
- Promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural area.

4.6 The proposed development is consistent with the NPPF's core planning principles. Paragraph 19 confirms that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

4.7 Attention should also be paid to Paragraph 111, which encourages '*the effective use of land by re-using land that has been previously developed (brownfield land)*'. It is important that Councils take advantage of brownfield development opportunities, particularly those which relate to underused assets/properties such as this. The applicant recognises that it is important that the proposals look to realise the full potential of the site, whilst bringing an underutilised brownfield site into positive and productive reuse.

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

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

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

- 4.10 In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. The proposed scheme responds to this advice as a high quality development is proposed, adopting an innovative approach to the creation of new commercial space, and thus jobs, within the wider regeneration context.
- 4.11 The NPPF is the latest in a sequence of similar policy statements recording successive Governments' growing commitments to removing obstacles to investment, development and the creation of jobs. It is therefore an important consideration in the context of this proposal. We have concluded that this proposal represents a positive response from the NPPF with particular regard to sustainability, good design and appropriate approach in respect of regeneration projects.
- 4.12 The NPPF's policies on the historic environment are set out in Chapter 12, paragraphs 126-141. Paragraph 126 notes that local authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account the desirability of new development making a positive contribution to local character and distinctiveness.
- 4.13 Paragraph 128 requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Paragraph 129 then goes on to state Local Planning Authorities should undertake an assessment of 'significance' into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

- 4.14 Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In the case of a development proposal leading to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Paragraph 137 also states that local planning authorities should look for opportunities for new development within Conservation Areas, World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

- 4.15 Consistent with the NPPF, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission with respect to any buildings or other land in a conservation area, the local planning authority shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Although the site is not within the Conservation Area, it has the potential to effect views into and out of the Conservation Area.
- 4.16 Similarly, the desirability of protecting the setting of listed buildings is set out in Section 66 of the Act. Section 66 requires that in considering whether to grant planning permission for development that affects a listed building or its setting, the local authority shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

NATIONAL PLANNING PRACTICE GUIDANCE (NPPG)

- 4.17 On 6th March 2014 the Department for Communities and Local Government (DCLG) launched a new planning practice guidance web-based resource. It was accompanied by a Ministerial Foreword which included a list of the previous planning practice guidance documents cancelled when the NPPG site was launched.
- 4.18 The NPPG, in a similar manner to the NPPF, states good design is integral to sustainable development, and is about creating places that work well for everyone

whilst looking good, lasting well, and adapting to the needs of future generations. The NPPG states that the key issues to be considered in development are:

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

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

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

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

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

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

DEVELOPMENT PLAN

- 4.22 As outlined earlier Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the statutory development plan, unless material considerations indicate otherwise.
- 4.23 The Liverpool Unitary Development Plan (UDP) is an older-style document, having been adopted in 2002. Whilst a number of policies within the Liverpool UDP have been 'saved' since 2007, Paragraph 215 of the National Planning Policy Framework (NPPF) sets out that due weight should be given only to those policies in existing plans according to their degree of consistency with the Framework. With this in mind, it is now a held principle by the Planning Inspectorate on behalf of the Secretary of State that whilst some policies may be classed as 'saved', they would only hold material weight if they are up-to-date in respect of the requirements of the NPPF.
- 4.24 Having regard to the above, the following UDP policies are considered relevant to this application:

Policy GEN1:	Economic Regeneration
Policy GEN3:	Heritage & Design in the Built Environment
Policy GEN4:	Housing
Policy GEN5:	Shopping
Policy GEN6:	Transportation
Policy GEN8:	Environmental Protection
Policy GEN9:	Liverpool City Centre
Policy H1:	The Provision of Land for New Housing
Policy H3:	City Centre Living
Policy H5:	New Residential development
Policy HD5:	Development Affecting the Setting of a Listed Building
Policy HD12:	New Development Adjacent to Conservation Areas
Policy HD18:	General Design Requirements
Policy HD19:	Access for All
Policy HD20:	Crime Prevention
Policy HD21:	Energy Conservation
Policy HD23:	New Trees and Landscaping
Policy HD24:	Public Art
Policy HD28:	Light Spillage
Policy OE7:	Habitat Creation and Enhancement

Policy S16:	Shop front Design
Policy E6:	Mixed Use Areas
Policy T6:	Cycling
Policy T7:	Walking and Pedestrians
Policy T12:	Car Parking Provision in New Developments
Policy T14:	City Centre Car Parking Strategy
Policy EP9:	Waste Storage
Policy EP11:	Pollution

4.25 The Application Site lies within Liverpool City Centre and is allocated in the Council's adopted UDP as being within an area which is Mixed Use (as outlined in Policy E6). In these Mixed Use Areas, as defined on the Proposals Map, planning permission will be granted for:

- i. Those uses specified in the Mixed Use Area profiles subject to the provisions of other relevant Plan policies.
- ii. a range of complementary uses will be encouraged, subject to the provision of other relevant Plan policies.

4.26 Chapter 9 of the UDP sets out a number of housing policies. Policy H3 is relevant in that it specifically encourages and supports proposals which will improve city centre housing stock. Paragraph 9.60 states that, some forms of city centre residential accommodation will prove more suitable for some groups of people than for others.

4.27 Policy H5 sets out a number of practical development control criteria, to be taken into account in considering new residential developments. These include density and design, the context of the character of the surrounding area, highway/parking considerations and open space. The policy states that new developments will need to accord with Policy HD18 (General Design Guidance).

4.28 Of the 'General Policies' Policy GEN1 promotes the principle of mixed use development in appropriate locations. Paragraph 5.109 also states that residential uses within mixed use developments can introduce diversity, security and life into areas of regeneration. Policy GEN9 states that the UDP aims to improve the living environment of the city centre. Policy GEN4 promotes a good quality living environment for all Liverpool's residents.

- 4.29 Chapter 7 of the UDP is particularly relevant to this application as it concerns heritage, design and the built environment. In particular, Policy HD5 and HD12 require a high standard of design and establish that consent will not be granted for works that would adversely affect the architectural or historic character to the setting of listed buildings and conservation areas, respectively.
- 4.30 UDP Policy HD18 requires that careful consideration is given to a number of design related criteria, which all applications should comply with, including:
- Scale, density and massing relating well to its locality;
 - Local distinctiveness;
 - Building lines relating to the immediate locality; and
 - Materials.
- 4.31 Further to the above, Policy HD19 ensures that in order to achieve a fully accessible environment for everyone, all new non-residential development proposals provide suitable provision for disabled people, both as employees and customers.
- 4.32 Policy HD20 relates to crime prevention and states that, the City Council will encourage developers, in the design and layout of new developments, to incorporate measures which reflect the need to make proper provision for personal safety and crime prevention. Such matters have been given appropriate weight.
- 4.33 Policy HD21 states that, in order to conserve energy resources the City Council will expect developers to minimise the overall demand for energy arising from their development proposals by taking into account the need for energy sensitive siting, orientation and layout in the design of new developments.
- 4.34 Policy GEN3 states that the UDP aims to protect and enhance the built environment of the City by encouraging a high standard of design and landscaping in developments and creating an attractive environment which is safe and secure both day and night. Developments should also preserve and enhance historically and architecturally important buildings and areas, and, where appropriate, improve them through the leveraging of available funds. Policy GEN6 then goes on to state that, the City Council will promote and support initiatives designed to maximise the role of cycling as a transport mode. The City Council will also implement measures to encourage walking as a mode of transport and to make the pedestrian environment

safer and more convenient, as well as encouraging the siting of developments close to public transport links.

- 4.35 Policy T6 ensures that secure cycling parking facilities are provided at locations regularly visited by the public, and requires new developments to provide secure cycle parking facilities. Policy T7 promotes and encourages safe pedestrian movements. Policy T12 outlines that any new development which generate a demand for car parking will be required to make provision for car parking on site, to meet the minimum operational needs of the development.
- 4.36 Of the remaining UDP policies which could be considered to be relevant to the application proposals. This development represents a positive response to Policy EP1 which promotes and encourage the reuse of derelict and redundant land for appropriate uses. Policy EP9 seeks to ensure that proposals provide adequate provision for onsite storage of waste and recycling. Policy EP11 outlines that Planning permission will not be granted for development which has the potential to create unacceptable air, water, noise or other pollution or nuisance.
- 4.37 HD23 identifies a desire to incorporate landscaping and new trees as part of any new development and promotes conservation and creation of new habitats where appropriate.
- 4.38 The design of commercial shop fronts is guided by S16 where appropriate size, materials and proportions are required. Access, security and sensitivity to location are all considered under this policy.
- 4.39 In assessing the natural conservation interests, policy OE7 looks into how management of land should preserve and enhance habitats. Encouragement of appropriate landscape measures and implementation.

OTHER MATERIAL CONSIDERATIONS

- 4.40 Other material policy considerations include:
- World Heritage Site SPD (October 2009);
 - Ensuring a Choice of Travel SPD (March 2010);
 - Design for Access for All SPD (July 2010);
 - Strategic Investment Framework (2012);
 - Planning Advice Note: Refuse Storage & Recycling Facilities in New Development (March 2005);

- Planning Advice Note: Section 106 Planning Obligations.

WORLD HERITAGE SITE

- 4.41 The site is within the World Heritage Site of Liverpool Buffer Zone, and as such, the above SPD is applicable. The overarching aim of this document is to provide guidance for protecting and enhancing the Outstanding Universal Value (OUV) of Liverpool Maritime Mercantile City World Heritage Site, whilst encouraging investment and development which secures a healthy economy and supports regeneration. Its intention is to ensure that the significant historic buildings are properly conserved and that the much-needed new developments integrate harmoniously with them. The outstanding universal value of the World Heritage Site (WHS) has proven potential to inspire new development, to attract investment and visitors and to be a source of local civic pride: the SPD seeks to capitalise on that potential.
- 4.42 The Buffer Zone was identified around the WHS, to ensure that development proposals within it, that might adversely affect the setting of the WHS, can also be carefully considered. Developments are also considered for their potential positive effects on the townscape, such as by re-instating a street frontage, utilising derelict or disused land and re-connecting different parts of the city, as well as their positive economic benefits in providing investment and activity.

ENSURING A CHOICE OF TRAVEL

- 4.43 Adopted in December 2008, this SPD was written to provide guidance to developers with regard to access and transport requirements. The objectives of this SPD are to:
- Ensure that there is reasonable access to new developments, through a good choice of transport methods;
 - To reduce the environmental impact of travel;
 - To improve road safety;
 - Promote healthier lifestyles and reduce the level of traffic growth and congestion;
 - Reducing car parking spaces in new developments where appropriate.

DESIGN FOR ACCESS FOR ALL

- 4.44 This SPD was written to highlight the most important principles in designing inclusive buildings, which meet the needs of all users, including disabled people. The SPD indicates that all new non-residential development proposals should provide suitable provision for disabled people, both as employees and customers.

STRATEGIC INVESTMENT FRAMEWORK 2012

- 4.45 Liverpool's City Centre's Strategic Investment Framework (SIF) creates a 15 year vision for the City Centre, outlining key developments and improvements to the principal business and residential districts. The site falls into the 'Creative Quarter' (as identified in Figure 4.2 below).



Figure 4.2

- 4.46 The SIF also identifies the promotion of Ropewalks, within the Creative Quarter, as Liverpool's alternative/independent neighbourhood. Although the site is not within the defined Ropewalks area it is immediately adjacent to it. Historically a trade/industrial area, now this neighbourhood largely contributes to the night-time economy of Liverpool, a mix of independent retail, bars, cafes and restaurants with residential upper floors, and has a prime location within easy walking distance of the rest of the City Centre. It states that Ropewalks is an 'Urban Village' which has huge

potential as an independent, creative and cosmopolitan area of the City where people can live, work and visit.

REFUSE STORAGE & RECYCLING FACILITIES IN NEW DEVELOPMENTS

- 4.47 The purpose of this guidance note is to provide advice on the Council's recommended standards for refuse storage and recycling in all new commercial developments. The design of commercial and industrial development can also help to create the opportunities for the segregation and collection of waste materials upon which economically viable recycling regimes are reliant.
- 4.48 This note states that planning conditions regarding refuse disposal may be attached to permissions for A3 uses. These conditions will normally relate to waste being kept within the curtilage of the premises except on days when trade waste would be collected and will also require the provision of offsite litterbins, particularly for take aways. The guidance note also covers the provision of recycling facilities at all developments, building upon UDP Policy HD18 and EP9.

SECTION 106 PLANNING OBLIGATIONS

- 4.49 The purpose of this guidance note is to provide guidance on Section 106 Planning Obligations. These legal agreements will be negotiated between LCC and developers in the context of a grant of planning permission. They are intended to make development proposals acceptable, which might otherwise be unacceptable, and provide a means to ensure that a proposed development contributes to the creation of sustainable communities, particularly by securing contributions towards the provision of infrastructure and facilities.
- 4.50 The guidance note expands of the policy for securing Section 106 contributions set out within the UDP (including policies HD23 & HD24, and the Refuse Storage & Recycling Facilities in New Developments Guidance Note). The City Council's Executive Board in 2005 and 2008 have agreed that the following short term interim measures to secure S106 planning obligations from developers, which build on existing national and local planning policies, be adopted for development control purposes pending the adoption of emerging planning policy.

5. PLANNING ASSESSMENT

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

- The Principle of Development
- Housing Provision
- Scale, Massing & Design
- Heritage Considerations
- Ecology
- Flood risk/Drainage
- Ground Conditions
- Access & Parking Provision
- Amenity
- Planning Obligations

PRINCIPLE OF DEVELOPMENT

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

5.3 The application site is shown within a “Mixed Use Area” in the Liverpool UDP, where Policy E6 is applicable. Given the mixed use nature of the proposal, there is therefore strong policy support for development which can make a significant contribution to the regeneration of the local economy, providing enhanced employment prospects and opportunities for environmental improvement.

5.4 In line with Policy GEN1 of the UDP, the proposal is a viable, deliverable, high-quality mixed use development scheme which will encourage life and further investment into the area.

5.5 This proposal, borders the ongoing redevelopment of Wolstenholme Square, which provides the opportunity to redevelop a large urban brownfield area, reinforcing the built form and providing active and visually enhanced frontages around all sides of the square, and onto Seel Street.

- 5.6 The development will also encourage the diversification of the Concert and Wolstenholme area by creating daytime focused uses in the form of residential activity and use of the commercial units on the ground floor. The long term success of increased City Centre activity in Liverpool and other cities of the UK is dependent upon the creation of a vibrant mix of land uses and other support facilities and services.
- 5.7 The application site is a brownfield redevelopment opportunity and the proposal seeks to make more efficient use of a centrally located urban site. The NPPF promotes the reuse of previously developed land, and pro-actively seeks to deliver new business opportunities in existing town centres, particularly where such development would also be highly sustainable. The proposed development accords with these principles, and the application site is located within a highly sustainable, urban, brownfield location. It is well placed in terms of close proximity of bus and rail provision thereby enabling guests and visitors to be far less dependent upon the use of a private car.
- 5.8 In accordance with Paragraph 111 of the NPPF, the proposal will not only make more efficient use of an underutilised site, but it will also create a vibrant and viable residentially-led mixed use development that will sit alongside the wider regeneration that is coming forward in the Ropewalks area. We believe that this scheme represents high-quality, socially responsible urban regeneration, providing good quality residential accommodation and a new commercial unit that provide desired housing, as well as employment.
- 5.9 The applicant has therefore identified the opportunity to deliver a scheme of mixed apartment unit sizes, to respond to different demands. As part of the Wolstenholme Square scheme a centrally managed development will ensure that the highest standards of maintenance and services are upheld, for the benefit of future residents and users. The Ropewalks area's wide attractions are seen as a significant positive factor, which in turn, allows the development (and its occupiers) to make a positive contribution to the strengths of the existing neighbourhood/community.
- 5.10 In summary, the proposed development with ground floor commercial uses will contribute towards a complementary mix of uses suited within the context of the regenerated Ropewalks area, in a highly accessible location, promoting residential uses within the city centre. The residential units will provide high-quality

accommodation, which will support the focus of Concert and Wolstenholme, diversifying the use of the area.

- 5.11 Increased pedestrian activity, combined with active ground floor building frontages, will assist in the animation of adjacent streets and land, thereby creating a more attractive and inviting local environment. We therefore consider that this development proposal accords with the NPPF, Policies GEN4, E6, E8, EP1.

HOUSING PROVISION

- 5.12 NPPF paragraph 47, requires local planning authorities to identify and update annually a supply of specific deliverable sites, sufficient to provide five years' worth of housing against their housing requirements. A Strategic Housing Land Availability Assessment (SHLAA) needs to be prepared "to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the planned period".
- 5.13 The last City Council SHLAA was published in 2016. The site is not identified within the document and therefore represents a windfall housing site which will bolster the city's 5-year supply of deliverable housing land.
- 5.14 The NPPF has a stated aim for local authorities to 'deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities'. The proposed development will boost the supply of new homes within Liverpool City Centre.
- 5.15 The proposals entirely accord with national policy in so far as the application will deliver new housing development, which will assist Liverpool City Council by contributing towards the central government objective of significantly boosting the supply of housing.
- 5.16 It has been a longstanding ambition of the Council's, having been central to the UDP, to develop mixed use areas in the city centre, with high quality new development to enhance commercial, residential and leisure provision. This reflected the planned provision of a range of housing developments to meet changing and varied needs, and the ambition to make the city a more attractive place in which to live.

SCALE, MASSING & DESIGN

- 5.17 In the formulation of the scheme design and layout, regard has been paid to UDP Policy HD18, with its emphasis on the need to deliver high quality urban design and architecture. The design of the scheme has a resultant prominence on the surrounding street scene, careful consideration has been given to the proposed size, scale and design of the building. Particular care has been taken in considering an appropriate scale, matching that of the surrounding Wolstenholme Square developments.
- 5.18 A design exercise was undertaken that reviewed the opportunities and constraints of the site. The application site's end of block position is important both within its immediate vicinity and also within the context of the surrounding area. As outlined in the Design and Access Statement, scale within the viewpoints is important and the proposal both challenges and complements the surroundings. If handled well, and we believe it has been, the challenge of the location can be its major quality, making a 'statement' of the regeneration potential of the area.
- 5.19 The proposed development reflects the range of building heights located within close proximity of the site. The proposal aims to provide a scale of attractive development appropriate to the local area at a density appropriate for energy and space efficient city centre development. The development is of a scale and modelling that is considered appropriate for this site in the City Centre, and will create a defined and strengthened urban form with engaging frontage, increasing the vitality of Gradwell Street and Seel Street. The Heritage and Townscape Assessment expands on appropriate scale within the development site's immediate context.
- 5.20 In terms of layout, the architects have undertaken a detailed analysis of the site and the surrounding area, whilst also taking into consideration the national and local policy requirements for mixed use development. Key points are:
- The site's relationship with key landmarks;
 - City design quality;
 - Nearby listed terrace;
 - Movement and connections; and
 - Local land uses.

- 5.21 In terms of materials, the proposed scheme will be constructed using a carefully balanced palette of materials. Further details of the proposed materials are outlined in the Design and Access Statement.
- 5.22 A complementary palette of materials is proposed to ensure the development harmonises with the historic context of the nearby Ropewalks whilst maintaining its own identity through contemporary forms. The use of a combination of materials maintains the consistency of the area, but in a contemporary way. The proposed façade on Seel Street reflects the proportions and symmetry of the adjacent existing buildings.
- 5.23 Materials have been chosen to be thermally efficient (in line with UDP Policy HD21) whilst taking advantage of new techniques to deliver a high quality finished product to the standards prescribed within Paragraph 56 of the NPPF, and the development aspirations of the NPPG.
- 5.24 It is considered that the application scheme is a very positive response to the design principles which are enshrined in Section 7 of the NPPF, UDP policies (including HD18, HD19, HD20 and HD23) and more directly set out in a Strategic Policy 23 of the Core Strategy Submission Draft.

HERITAGE CONSIDERATIONS

- 5.25 Given that the proposed development involves development that borders on to a Conservation Area, as well as within the World Heritage Site Buffer Zone, and within the setting of other listings, heritage considerations are central to the assessment of the merits of this proposal. This is a key issue which was discussed in the Pre-Application meeting and it is one which sensibly justified the need for a Heritage Assessment.
- 5.26 Our analysis of the heritage context of the application proposals reflects a physical/visual analysis of the presence of the existing site, its negative contribution to the area, the scale and form of the proposed development and its resultant relationship with specific heritage interests, the neighbouring conservation area, and WHS Buffer Zone.
- 5.27 The heritage issues raised by the proposal are its impact upon the significance (i.e. heritage interest and value) of the conservation area and upon the setting of the

listed buildings. Not all elements of the Duke Street Conservation Area necessarily contribute to their significance, and it should be considered that the loss of the current PSS building, which does not make a positive contribution to the setting of the conservation area, should make way for a more positive contribution to the significance of the presently 'at risk' Duke Street Conservation Area, which is also sensitive to development within the wider World Heritage Site Buffer Zone. Therefore, the proposals should be considered as less than substantial harm under Paragraph 134 of the NPPF.

- 5.28 The site also forms part of the setting of the listed buildings that feature further up Seel Street. These are taken into account within the Duke Street Conservation Area, which over the years has seen the loss of numerous listed buildings due to severe decay - a key reason as to why the area is now listed as 'at risk' by Historic England. The proposal maintains the important historic street form along Seel Street by conserving the building line of the existing Georgian terrace. By maintaining a strong building line which is flush against the pavement, but meeting the larger scale of developments on Wolstenholme Square, the views along Seel Street and the Georgian mercantile setting of the nearby Conservation Area is maintained. This accords with the Buffer Zone aims of the World Heritage Site SPD.
- 5.29 The listed terraces on Seel Street are characterised by regularity, strong vertical emphasis and a consistent window rhythm, with twinned doorways. As outlined in the Design and Access Statement, the proposed elevations have acknowledged the predominant characteristics of these surroundings. The vertical piers of the building extend beyond the roof level and, together with glass balustrades, form the edge of the roof terrace garden. Further interest is created by the two stepped terraces at each narrow end of the building, which are two storeys below the main roof level. These lower elements reduce the overall mass of the building as it is read with adjacent properties and sets the building appropriately within its immediate context. The proposal gives the opportunity to provide a complementary addition to this area of the city, creating an engaging design on a popular street, and enhancing the Concert & Wolstenholme identity (through the provision of further bars/restaurant/commercial premises) to its immediate context.
- 5.30 It is therefore considered that, the proposed new development acknowledges the historical character and precedent of the area, reflecting the defining architectural characteristics of the surrounding late Georgian townscape and contemporary

developments of Wolstenholme Square. The building therefore adopts the rectangularity, vertical emphasis, fenestration rhythm and horizontality.

- 5.31 In summary, the proposal will enhance Ropewalks by providing a high-quality development whose design is a contemporary acknowledgement of the mercantile city's heritage, which forms its surroundings. The scheme is therefore compliant with national policy as expressed within NPPF Paragraphs 134 and 137 along with Liverpool UDP policies GEN3, HD5, HD11 and HD12. It is therefore considered that consent for the development should be granted.

ECOLOGY

- 5.32 An Ecological appraisal has been submitted in support of this application. The appraisal identified through completion of an Extended Phase 1 Habitat Survey that the site has no current designations of ecological interest. The survey identified only common species which are frequent in this type of urban environment; no rare species were recorded. The building was identified as having negligible potential for bat roosting. All identified sites and records of species within the searched area were considered isolated from the site and would not be impacted by the proposed development.

FLOOD RISK/ DRAINAGE

- 5.33 The site is located within Flood Zone 1, and is not within a Critical Drainage Area. As the application site is currently 100% impermeable the proposed development provides an opportunity to reduce local area flood risk by controlling surface water on site. Surface water will primarily be controlled using flow controls and storage tanks before being discharged to the public combined sewer system. The proposed system will be designed to control surface water run-off for all storms up to and including the 100 year plus climate change event. Water will be stored on site below ground before being discharged at an acceptable flow rate.

GROUND CONDITIONS

- 5.34 A Phase 1 Preliminary Risk Assessment, providing an initial environmental assessment relating to ground conditions and contaminated land has been submitted in support of this application. The assessment identified that the site used to be developed with several coffee, dried fruit and tobacco packing warehouses. Since 1944 the building was presumed ruins, since this warehousing units occupied the space of varying

functions. The site was then demolished and became car park and unspecified buildings.

5.35 The assessment identified the potential for Made Ground soils to be present beneath the site at depth. To support the application further investigation should be undertaken through bore holes and trial pits. Further details of the proposed further investigation are set out in the Phase I Ground Risk Assessment report.

5.36 The ground conditions assessment identified a need for an Unexploded Ordinance Risk Assessment which will be used to assess the potential for UXO beneath the site. With appropriate mitigation, the site can be made suitable for the proposed residential and commercial development.

VENTILATION

5.37 The proposed ventilation strategy complies with Part L of the Building Regulations and EPC's and will be implemented for the apartments, commercial and plunge pool areas of the development. In the apartment areas, ventilation will be of a continuous mechanical supply, purge ventilation is accounted for by the use of the openable windows. The commercial units will use the ceiling void for mechanical extraction and heat recovery, with intake and exhaust on the exterior of each unit. The plunge pool will be managed by air handling plant at the ground floor plantroom. External louvres will again deal with the intake and exhaust. The plant will be acoustically treated as necessary to ensure that the relevant noise standards are maintained.

ACCESS & PARKING

5.38 Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe. UDP Policy GEN6 also confirm the need for development proposals to avoid having a negative impact upon local traffic management road safety.

5.39 In response to the above, DTPC were appointed to provide transport and highway advice for the traffic and transportation implications associated with the proposed scheme.

- 5.40 The accompanying Transport Statement (TS) states that the overriding theme of national policy is that developments must be accessible by sustainable means of transport and accessible to all members of the local community. Local policy is to echo the sustainability sentiment of national policy. There is a clear presumption in favour of sustainable development.
- 5.41 The proposed development is located in the urban environment which makes it a sustainable use of land. There are pedestrian and cycle linkages to a number of locations, frequent public transport services to other major centres and interchanges, and adequate off-site parking provision, which ensure that this development is as sustainable, as required in local and national policy.
- 5.42 The TS has critically assessed the walking, cycling and public transport accessibility of the site. In relation to accessibility by walking, it found that, the local area has excellent facilities to promote movement of pedestrians, and the proposed development site is located in the urban area with a range of local land uses, services and facilities. The proposed application site can therefore be considered as being highly accessible on foot.
- 5.43 In relation to cycling, there are a variety of leisure, residential and amenity attractions within the cycle catchment area that can be accessed from the proposed scheme. The *National Travel Survey* identified that bicycle use depends on topography, and that a mean distance of between 5 – 10 kilometres is considered a reasonable travel distance between home and workplace. A 5 km distance incorporates a substantial part of the adjacent wider area. A 5 minutes cycle radius from the site can be seen in the Cycling Isochronal Map within the TS.
- 5.44 Accessibility to bicycles is ensured by the Citybike scheme, the largest public bike sharing scheme outside London. There are currently 140 bike stations in operation in Liverpool with a range of tariffs available, and one a short walk from the site on the junction of Seel and Hanover Street, as well as the proposed Wolstenholme Square Site station. There is therefore a variety of leisure, employment and attractions within the cycle catchment area that can access the site. In conclusion, the proposed application site can be considered as being served by the cycle network and is therefore accessible by cycle.
- 5.45 In terms of public transport, the development site is located very close (within 200 metres) to the nearest bus stops. These bus services provide an opportunity for

residents, staff and visitors to access the wider area from the proposed development via public transport.

- 5.46 In summary, the application site can be considered as having a very good potential to be accessible by walking, cycle and public transport in accordance with planning policy guidance related to urban areas, included in UDP Policy GEN6.
- 5.47 The development makes no provision for off-street parking. However, given the excellent public transport, walking and cycling routes in this locality and the provision of cycle parking within the development, the proposed mixed use scheme can be adequately accommodated without adverse impacts upon the operation of the local highway network, in line with Paragraph 32 of the NPPF. A no car parking approach can be appropriate in locations that are accessible by a wide range of sustainable transport options such as the Application Site. The proposal is therefore in line with local policy guidance which promotes sustainable transport choices that will mitigate the impact of proposals on the environment, respond to congestion affecting roads and public transport in the area, and promote healthier lifestyles.
- 5.48 An Interim Travel Plan has been submitted with the application and this will be agreed, prior to first occupation of the development, incorporating mechanisms for implementation, monitoring and review, on a regular basis. This shall include the appointment of a designated Travel Plan Co-ordinator. The site is highly accessible on foot and cycle, and situated in close proximity to numerous bus routes. Providing secure cycle parking spaces is considered to adequately cater for all residents, staff, and visitors of the development.
- 5.49 On the basis of the above information, it is considered that the proposal would accord with the NPPF, Policies HD18, HD19, T6, T7, and T12 of the Liverpool UDP, as well as the *Ensuring a Choice of Travel* – SPD, *Design for Access for All* – SPD and Liverpool's Local Transport Plan.

AMENITY

- 5.50 The location of the proposed development within an urban mixed use location means that the proposal itself is not a departure from the nature of the surrounding area as a residential led scheme with ground floor commercial units, and is indeed a complementary use. It is recognised that the proposed development will have a

complementary interface with surrounding land uses given its scale when compared with the surrounding sites' ongoing development.

- 5.51 Delivering residential units in this location does not come without its challenges, given the night time entertainment uses within the locality. There is therefore a challenge to ensure adequate levels of amenity for future residents of this development relative to the activity created by these night time entertainment venues. The second challenge is to ensure that an increase in residents in this area would not unduly inhibit the operations of such premises through noise nuisance complaints.
- 5.52 In response a Noise Assessment has been undertaken by Clement Acoustics and is submitted in support of the application. It finds that noise levels at the proposed development have been assessed, and may be controlled through the use of an appropriate sound insulation scheme including appropriate glazing and ventilation. Therefore, appropriate planning conditions can be applied to the proposed development to ensure reasonable internal noise levels in the proposed accommodation, and to control noise from any mechanical plant. Based on this, noise should not be considered a determining factor in relation to any planning permission being sought. We therefore consider that, through appropriate mitigation measures, adequate levels of amenity will be afforded for future residents of this development, whilst safeguarding the operation of local businesses.
- 5.53 All of the proposed units are of typical city centre sizes, and will offer reasonable levels of privacy and outlook to residents. The 'back of house' operations includes a bin store, and secure internal cycle storage. Restricted access to the upper floors and around the clock staffed reception will reduce anti-social behaviour and opportunity for crime. It is therefore considered that the arrangement, size, access and security arrangements of the scheme will provide a good level of amenity to future residents.
- 5.54 Refuse and recycling facilities are to be provided in line with the guidelines set in the Refuse Storage & Recycling Facilities in New Developments guidance note. Waste generated by the residential units is dealt with through the use of a single bin chute which runs throughout the building and to a designated bin store at the rear of the building. The commercial units maintain their own separate bin stores again backing onto the rear of the property. These will only be placed outside immediately prior to refuse collection. This will mitigate problems of odour, vermin, litter and detritus, and

avoid blocking of the public highway. Servicing of the development will need to be carried out in accordance with a management strategy, which can again be secured by condition.

- 5.55 The application is supported by a Daylight Assessment. The report conclusions state that:-

"Building Research Establishment Guidance (Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice) and BS 8206-2:2008 (Lighting for Buildings, Part 2: Code of Practice for Daylighting) were used to assess potential impacts and determine the significance of any change in access to daylight and sunlight.

Worst case windows were identified surrounding the development which would receive some obstruction as a result of the proposed development. The results of the detailed technical analysis demonstrate that the daylight targets would be achieved 12 locations of the 65 assessed locations. Further analysis of the worst case internal room layouts for the ground floor at Epsley House showed that the worst-case room assessed was below the BRE Criteria however considering the temporary nature of the use of these student rooms, these are considered to be less sensitive. Given the results of a worst-case assessment of the first floor of Lever Court it is considered that all rooms of Lever Court should receive over 50% 0.2% Sky Factor and therefore sufficient daylight."

- 5.56 Therefore, although it may be concluded that the results are not as positive as may desired, the following should be taken into consideration:-

1. Gradwell Street is a narrow street characteristic of the historic nature of the area.
2. The existing building on the site is particularly low within the surrounding context and therefore development of the site to a height even lower than is proposed would lead to similar daylight assessment results.
3. The proposed development is in keeping with the characteristics of the historic nature of the surrounding area, particularly in relation to building grain and building to the back of pavement.
4. The proposed development makes efficient use of a highly sustainable city centre location.
5. The development is important in regeneration terms in removing a building which is not in keeping with the surrounding area and replacing it with a high quality

residential development which will deliver luxury 1, 2 and 3 bedroomed apartments.

6. The development forms Phase II of the wider Wolstenholme Square development which is a significant development within the Ropewalks and city centre, and will lead to significant investment in the wider public realm.
7. The development will create a more active and engaging street scape through the creation of commercial units at ground level.
8. New jobs will be created in association with the construction, and management of the scheme.
9. Within this context, the results contained within the technical daylight assessment should not be viewed as absolute as the guideline values are not achievable in all circumstances where development might be necessary or desirable, such as in this case.
10. The results of the daylight assessment should be balanced against the benefits of the proposed development.

5.57 In summary, the layout and design of the development will provide high quality and secure accommodation for residents, whilst safeguarding the noise amenity of neighbouring occupiers. There will be increased activity and animation of adjacent streets and spaces, which will create a more vibrant, secure and inviting local environment. On this basis, it is considered that the proposal accords with the NPPF, NPPG guidelines, Policies GEN9, E6, HD18, HD20, EP1, EP9 & EP11 of the Liverpool UDP and Strategic Policies 23 of the Liverpool Core Strategy Submission Draft.

PLANNING OBLIGATIONS

- 5.58 Whilst UDP Policies and the Planning Advice Note on Section 106 Agreements require open space, trees and landscaping, and public art in new developments, policies allow for provisions to be made through Section 106 agreements if it is not possible to provide these on site.
- 5.59 The application site is located within a built up urban area which would not traditionally lend itself to the provision of public open space. However the proposal provides a fully landscaped roof garden on multiple levels, as well as a street-level rear courtyard for residents.
- 5.60 This site is currently underutilised, by way of its low rise height, which does not utilise the site's potential within an otherwise bustling district. This application presents a realistic

and high-quality redevelopment opportunity to provide an appropriate density of development, as well as aesthetic enhancement of this site.

- 5.61 As outlined in Section 4, the NPPG sets out a requirement for Local Planning Authorities to work with interested parties to promote the redevelopment of brownfield sites. It is widely recognised that the redevelopment of brownfield sites can be difficult and expensive due to the high abnormal costs associated with mitigation and site assembly. Local Planning Authorities are therefore encouraged to consider the different funding mechanisms available to them to cover potential costs of redeveloping sites into more efficient and appropriate uses; and to take a flexible approach in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable.
- 5.62 Historically, the City Council has ensured that Liverpool is responsive to changing economic circumstances and consistently been reasonable in its approach to demanding developer contributions. With this, and the above, in mind, the applicant asks that the Council take such considerations into account when debating the need for planning contributions.

6. SUMMARY AND CONCLUSIONS

- 6.1 This document seeks to address the main elements of the application proposal and to provide an overview of the planning policy framework against which the application will be assessed. This section summarises a number of general and site-specific arguments in favour of the proposed development.
- 6.2 Pre-application discussions have taken place with Officers of the Council prior to submission of the application. The comments received have helped develop and shape the scheme into the form as presented by this application.
- 6.3 The application has been considered against the policies of the current development plan, and national government guidance. It has been illustrated that the proposal conforms to the criteria set out in these policies and that the principle of development is acceptable. This statement clearly demonstrates that the proposed development has policy support and is aligned with national policy.
- 6.4 The principle of residential-led mixed use development is considered acceptable in this location as it will make more efficient use of a highly accessible site in Liverpool City Centre. As such it is located in an area appropriate for redevelopment, with specific guidelines stating its suitability to ground floor commercial usage with residential units above.
- 6.5 The proposed development respects the context in which it will sit and reflects the recent high quality re-developments, both existing and proposed, that surround the site.
- 6.6 From a heritage perspective, the proposed redevelopment involves redevelopment of a plot which affects the setting of the Duke Street Conservation Area, Ropewalks district, as well as listed buildings. The proposed new building provides a high-quality development whose design is a contemporary acknowledgement of the late Georgian suburb and the building's location within the setting of listed buildings.
- 6.7 The proposed scheme represents significant investment that will act as a catalyst for further future investment in the area. The development will create a positive statement as to what can be achieved on underutilised land.

- 6.8 It is also important to consider the benefits associated with the particular form and type of development which is proposed. The development is centrally managed ensuring that the highest standards of maintenance and services are upheld, for the benefit of the residents, staff and visitors, as well as the site's neighbours. Commercial units on the ground floor should encourage both evening and daytime visits to the ground floor, while the residential nature of the upper floors will enhance activity surrounding the building around the clock.
- 6.9 In summary the proposal will:
- Bring more active usage to a key City Centre, brownfield site which is located in a sustainable location;
 - Provide significant financial investment in the site and area;
 - Deliver a variety of much needed high quality, residential units that will encourage a mix of people into this area of the city throughout the day;
 - Create a more active and engaging street scape through the creation of commercial units at ground level; and
 - Create new jobs associated with construction, and management of the scheme.
- 6.10 The NPPF makes it clear that there is a '*presumption in favour of sustainable development*' and that this is the 'golden thread' running through both plan making and decision taking. The proposed development is consistent with the NPPF's core principles. The scheme has been designed to a very high standard, makes use of a previously developed site and is in a sustainable, urban location that both benefits from and enhances the bustling Ropewalks district.
- 6.11 In summary, the proposed development will provide a high quality residential led scheme in a sustainable location. We have illustrated that the application site is entirely suitable and appropriate for the proposed development.
- 6.12 Statute requires that this application be determined in accordance with the development plan unless material considerations dictate otherwise. This proposal satisfies all relevant national and local policy considerations. In these circumstances, this application should be welcomed and planning permission granted accordingly.