

SUPPORTING PLANNING STATEMENT

November 2017

PROPOSED MIXED USE DEVELOPMENT

ST JAMES COURT

on behalf of:

CITIPADS LIMITED



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1. INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of the applicant, Citipads Limited. It accompanies a full detailed planning approval for demolition of existing buildings and erection of part 11 / part 12 storey residential development comprising 217 residential apartments (Use Class C3), two commercial units (Use Classes A1, A2, A3 & A4) with associated terraces, access, servicing, parking and landscaping.
- 1.2 This application maintains the precedent of a currently consented application on the same site (ref: 15F/2835). The details of which are as follows: to demolish one storey commercial block and erect 7/11 storey mixed use development, consisting 4 studios/workshop units on ground floor (B1 use) and 157 residential apartments (C3 Use) on upper floors.
- 1.3 This application is significantly similar and mirrors the principle of development from the already consented scheme. The variation in this proposal is principally an addition in height of 1 storey. The additional height is sought through stepped upper floors to increase design quality of the proposal.
- 1.4 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.
- 1.5 The new development aims to introduce an interesting and well-designed scheme complimenting the surrounding development context while creating an exciting intervention on a currently underutilised and prominent location.
- 1.6 In promoting the proposed use our client appreciates that due regard must be given to several relevant up-to-date policy considerations as well as other material planning considerations. In developing these proposals, full regard has been given to the provision of Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 1.7 The general approach to, and content of, this application has been discussed with Senior Officers of Liverpool City Council (LCC) prior to its submission. The principle of development already being established by the consented application the discussions principally concerned the additional height of the scheme. These discussions also influenced the evolution of the scheme as a

whole into its final form and the supporting information accompanying the application.

1.8 The approach to this application sought a robust submission accompanied by a greater range of technical reports to that of the original consent. This approach ensured a more thorough submission was provided to allow a more comprehensive considered proposal.

1.9 Our pre-application dialogue has enabled us to agree the list of documents which accompany this application, and specifically the inclusion of a Townscape Visual Impact Assessment to consider the increased height. These include:

- Design & Access Statement, prepared by FCH Architects;
- Townscape & Visuals Assessment, prepared by Layer;
- Ground Conditions Phase 1 Geo-Environmental Desk Study, Prepared by Clancy Consulting;
- Drainage Strategy, prepared by Clancy Consulting;
- Transport Statement, prepared by Vectos;
- Air Quality Assessment, prepared by Smith Grand Environmental Consultancy LLP;
- Planning Statement, prepared by Zerum;
- Heritage Assessment, prepared by Garry Miller; and
- Landscape Strategy, prepared by DEP Landscape Architecture.

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

1.11 The remainder of this statement:

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

2. DEVELOPMENT CONTEXT

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

SITE DESCRIPTION

- 2.2 This application concerns a site currently being utilised as light industry with multiple units based in one single storey block. The business units are currently vacant and have been for some time.
- 2.3 The site is located at the southern edge of Liverpool City Centre within the Baltic Triangle. Traditionally the Baltic Triangle area of Liverpool was a zone for industrial use, however, in recent years this character has changed and the area is now home to a thriving cluster of digital and creative businesses; a growing amount of residential accommodation, hotels and food, drink and entertainment uses alongside traditional industrial uses. The Liverpool One development to the north has brought parts of the Baltic Triangle within convenient walking distance of more shops and it is now connected clearly with the City Centre.
- 2.4 The Application Site is approximately 0.21 hectares and is bound by Greenland Street to the South, New Bird Street to the North and St James Street to the East.
- 2.5 The site is within the 'Buffer Zone' of the Liverpool World Heritage Site and designated as a primarily industrial area within the Unitary Development Plan. The wider area is also characterised by a mix of historic warehouses and more contemporary industrial buildings, there is therefore a variety of building styles and the area's maritime past and its more recent economic function as an industrial area is visible throughout the area.
- 2.6 The site is situated close to existing residential areas in the City Centre, and a short walk away from the City's business district and main shopping district. It is surrounded by a mix of residential and commercial use buildings and is extremely well located in relation to the amenities and facilities of Liverpool City Centre.

- 2.7 Further detail 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 in the context of its surroundings.



Figure 2.1

SITE ACCESSIBILITY

- 2.8 The site benefits from excellent transport links. Recently the Baltic Triangle has seen a flurry of regeneration activity and with this has come extensive public realm works, including new bus stops and public transport routes within the area. These, along with existing frequent bus services along St James Street and new bus services along the Strand and up Parliament Street would increase the ease at which people can access the site via sustainable public transport.
- 2.9 Public bikes (via City Bike) are provided by a stand which is a 1 minute walk from the site south east. These provide a link to stations throughout the City, with plans for over 100 stations in the City Centre and Inner City.

2.10 There is some on street parking in the immediate vicinity. There are also designated parking lots within a short walk of the proposal site. It is noted that the current provision of parking in the Baltic Triangle is underserviced for the future development potential and schemes currently being brought forward. The details of which are discussed in the context of policy and guiding documents later in this statement.

2.11 The accompanying Design & Access Statement and Transport Statement provide more detail in terms of the site's connections and accessibility. Figure 2.3 illustrates the local transport infrastructure.

PLANNING HISTORY

2.12 The sites relevant planning history is outlined in table 2.2 below:

Application Reference	Description of Proposal	Status
15F/2835	To demolish one storey commercial block and erect 7/11 storey mixed use development, consisting 4 studios/workshop units on ground floor (B1 use) and 157 residential apartments (C3 Use) on upper floors	Approve with Conditions 06-05-2016
15F/3101	To continue to use part of former carpet showroom to gymnasium (D2 Use).	Approve with Conditions 03-02-2016
13F/2638	To change use from carpet warehouse and showroom to gymnasium (D2 Use).	Withdrawn 10-02-2014
06F/1903	To erect 114 units of residential accommodation with ground floor retail units and basement car parking	Approve with Conditions 28-02-2007
04F/3077	To erect mixed development of 138 residential apartments with ground floor retail units and basement car parking	Withdrawn 28-09-2004

Figure 2.2

A further context of development potential in the Baltic Triangle is set out later in this statement using supporting guidance and informative documents produced by Liverpool City Council.

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 (DAS), prepared by FCH Architects.
- 3.2 In summary, the application seeks to secure detailed planning approval for demolition of existing buildings and erection of part 11 / part 12 storey residential development comprising 217 residential apartments (Use Class C3), two commercial units (Use Classes A1, A2, A3 & A4) with associated terraces, access, servicing, parking and landscaping.
- 3.3 The proposed Site Layout Plan (Appendix 2) shows the extent of the proposed development in relation to the nearest road, surrounding land uses and wider area. Careful thought has been given to ensure that the proposed scheme conforms 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 The scheme proposes a single building. The main residential entrance for the building is via Greenland Street with car parking accessible from New Bird street with internal access through to the main residential lobby. The two commercial units front onto St James Street with the one unit also having access off Greenland Street.
- 3.5 Starting at the bottom of the proposed development and working up through the building, the ground floor contains 37 car parking spaces, including 2 disabled spaces. The car park will be accessed from New Bird Street. The east of the building contains two double height commercial units of 187m² and 151m² respectively. A double height main reception lobby, the main frontage to Greenland Street a refuse store & 156 space cycle store are also accessed off this street. The main stair core and elevator shafts are central and beyond the main reception lobby alongside post boxes, lobby and concierge service desk with associated office. The plant and switch room are located at the North West of the building on this floor. In between the car park entrance and switch and plant location is an individual door which functions primarily as a means of fire escape.

- 3.6 The upper ground floor contains a communal deck terrace for the residents of the building which fronts onto the area West of the building. This is accessible via the main corridor which runs around a u-shape corridor providing access to the apartments. The apartments to the Greenland Street side of the building come off both sides of the internal corridor with the internally facing rooms having access onto the communal terrace along with the two units serviced by the eastern corridor. Due to the double height reception and commercial units. The floor comprises 8 x 2 bed, 6 x 1 bed rooms and 1 studio.
- 3.7 The first through seventh floors are made up of 10 x 2 bed, 11x 1 bed rooms and 2 studios. These take up the full floor plate of the building with the central terrace present through the core of the building. The South East corner units have a small balcony area.
- 3.8 At the 8th floor the building loses the back end of its elevation at New Bird Street and begins to step inwards on the western side of Greenland Street. This creates 2 additional terraces. This floor accommodates a similar south-eastern corner balcony and 7 x 2 bedrooms, 8 x 1 bed rooms and 2 studios.
- 3.9 The 9th floor is similar to the previous floor with a further step in elevation down, removing an additional 2 apartments. This creates a further 2 terraces on the Greenland Street elevation. There are 5 x 2 bed apartments 8 x 1 bed apartments and 2 studios.
- 3.10 The 10th and final floor steps the elevation on Greenland street and along the corner of New Bird and St James Street back an additional level creating a further 4 terraces. This leaves 4 x 2 bedroom apartments, 4 x 1 bedroom apartments and 1 x Studio.
- 3.11 The central Stair core and lift remains constant through the floors located in the south east part of the building.
- 3.12 In summary, the proposed accommodation includes:

Parking

- 37 no. ground floor car parking spaces (inclusive 2 disabled spaces)
- 156 no. internal cycle parking spaces

Residential Accommodation

- 94 no. 2 bed apartments
- 103 no. 1 bed apartments
- 20 apartments

3.13 A full schedule of proposed accommodation is provided at Appendix 3.

DESIGN

3.14 The aim of the scheme is to create a modern high quality development that relates to, respects and responds to the emerging character of the surrounding area. The proposals represent an opportunity to regenerate a vacant site.

3.15 The development comprises high quality accommodation amongst vibrant mixed used scheme in a key location. This combines with an engaging design which is both sympathetic to its surrounding and interesting in design, emphasising the high quality demanded by the client.

3.16 The site has been developed following a detailed analysis of the site and local context whilst taking into consideration the national and local requirements for residential developments. The accompanying DAS sets out how the design concept for the scheme has developed in terms of both form and function.

3.17 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 and heritage assets;
- Recent planning consents on the site and surrounding sites;
- Pressures of the site.

3.18 The proposal seeks to create a modern and well considered development with a mix of residential and commercial units. The scheme responds to the character of the surrounding area and fulfils market demands.

REFUSE STRATEGY & SERVICING

- 3.19 A refuse and servicing strategy has been drafted, and is included within the Design & Access Statement. The residential refuse store is located within the ground floor level. This is accessed from Greenland Street making collection easy as it is a secondary street. The dead end means that the refuse truck will not unduly delay traffic. The refuse is dealt with away from the residential accommodation using a dedicated chute and storage area.
- 3.20 Further information on servicing is included within the Transport Statement. In summary, larger deliveries are accommodated on Greenland Street for both the residents and the commercial units. Emergency services and general servicing of the building can take place on New Bird Street or St James Street.
- 3.21 This arrangement is typical of a development of this scale and is thought through with safety requirements and practicality in mind.

LANDSCAPING

- 3.22 The scheme includes hard and soft landscaping in and around the perimeter of the site. Proposed new landscaping for the site will create a clear, visual identity for the site and complement the architectural language of the building to ensure a holistic approach to the whole development.
- 3.23 An introduction of pedestrian routes around the building especially on New Bird Street and Greenland Street will add to the accessibility and overall appearance of the building. This is reinstating footpaths that were previously not in place and providing a comprehensive landscaping strategy for a scheme which was previously visually dull.
- 3.24 St James Street will see significant improvement in the addition of tree planting and benches. This will improve the visual appearance and add an environmental benefit to the scheme and maintain an interesting active frontage along the commercial frontage.
- 3.25 The upper ground floor contains a residential terrace space. This provides a heavily landscaped and relaxing space for the residence of the proposed building to enjoy. The scheme involves planting, seated areas alongside informal eating areas and

raised planers. Additional detail can be found in the accompanying Landscape Strategy.

ACCESS & PARKING

- 3.26 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. Parking provided within the scheme to allow some residents to use. The supporting Transport Statement explains and provides a justification for this approach in further detail.
- 3.27 The buildings have 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 & Access Statement.
- 3.28 As is the case with many city centre residential schemes, it is anticipated that prospective residential purchasers will have made a choice that they wish to live in a busy urban environment where car ownership may be considered to be unnecessary. For those who do own a car there are car parking spaces available within the development and potentially elsewhere in the city where contract parking can be secured if required.
- 3.29 The 37 spaces will be offered on a first come basis pending applications for a permit from residents.

MATERIALS

- 3.30 In terms of materials, the proposed scheme will be constructed using a carefully balanced palette of materials including aluminium panelling finished in bronze, horizontal limestone tiles breaking up the levels, aluminium curtain walling entrances, frameless glass balconies, with aluminium window frames.
- 3.31 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.

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.

DEVELOPMENT PLAN

- 4.3 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.
- 4.4 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' in 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.
- 4.5 Having regard to the above, the following UDP policies are considered relevant to this application:
- Policy E1: Primarily Industrial Areas
 - Policy H3: City Centre Living
 - Policy H5: New Residential Development
 - Policy GEN1: Economic Regeneration
 - Policy GEN3: Heritage & Design in the Built Environment
 - Policy GEN4: Housing
 - Policy GEN8: Environmental Protection

- Policy GEN9: Liverpool City Centre
- Policy HD5: Development Affecting the Setting of a Listed Building
- 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 T6: Cycling
- Policy T7: Walking and Pedestrians
- Policy T8: Traffic Management
- Policy T9: Road safety
- Policy T12: Car Parking Provision in New Developments
- Policy T13: Car Parking for the Disabled
- Policy T15: Traffic Impact Assessment
- Policy EP1: Vacant, Derelict and Neglected Land
- Policy EP9: Waste Storage

4.6 The Application Site is allocated in the Council's adopted UDP as being within a 'Primarily Industrial' area. Policy E1 is therefore relevant and states that, within the primarily industrial areas, planning permission will be granted for industrial/business uses (Use Classes B1/B2/B8) and small scale ancillary uses. Planning permission for other uses will only be granted where the proposal;

- i. Would clearly act as a catalyst to the comprehensive redevelopment of the site or area primarily for industrial/business use;
- ii. Would not prejudice the long term development of the area primarily for these uses;
- iii. Does not involve the development of a warehouse in the City Centre in excess of 2,500 square metres
- iv. Would not cause unacceptable traffic and highway congestion and related problems or have an adverse impact on residential amenity or on the operation of existing businesses; and
- v. Would not conflict with other policies in the Plan

4.7 However notwithstanding the Primarily Industrial UDP allocation of the site, the principle of residential led mixed use redevelopment has been established by the previously consented scheme on this site.

- 4.8 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. It suggests that the lack of amenity and play space combined with the impact of living close to pubs, cafes, night clubs and other sources of noise and disruption, would not tend to attract families. Such locations, it identifies, will appeal to those who are young, single and students.
- 4.9 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).
- 4.10 Of the 'General Policies' Policy GEN1 promotes the principle of mixed use development in appropriate locations. Paragraph 5.109 also states that residential uses within mixed use developments can introduce diversity, security and life into areas of regeneration.
- 4.11 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.
- 4.12 Policy GEN4 promotes a good quality living environment for all Liverpool's residents. This includes careful design and layout of housing proposals in particular those with special needs including the elderly and disabled.
- 4.13 GEN8 seeks to promote the reuse and recycling of land for productive use from derelict states. It encourages recycling and controls usage that may have environmentally adverse impacts such as air, water pollution and light spillage.
- 4.14 GEN9 looks at Liverpool city centre and promotes furthering economic development alongside improvement of the general environment. This includes enhancing the living environment and improving access and circulation around the city centre.
- 4.15 Policy HD5 says that planning permission for development affecting the setting of a listed building will only be permitted where it preserves the setting of the listed building

and important views. This includes siting and design of new buildings alongside adjacent land uses and preservation of trees and landscape views.

- 4.16 Land adjacent to conservation areas is protected from development which will harm the setting of the conservation area and important views in and out of it.
- 4.17 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.
- 4.18 Policy HD19 states that the City Council will ensure that consideration is given to the need to ensure ease of access and movement for disabled people between and within public areas.
- 4.19 Policy HD20 relates to crime prevention and states that, the City Council will encourage developers, in the design and layout of new developments, to incorporate measures which reflect the need to make proper provision for personal safety and crime prevention.
- 4.20 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.
- 4.21 Policy HD23 outlines that, all new development proposals should make proper provision for the planting and successful growth of new trees and landscaping, including any replacement planting provided as compensation for the loss of any trees due to development.
- 4.22 The transportation policies within Chapter 11 of the UDP are covered within the Vectos Transport Statement. In summary, this proposal is consistent with Policy T6 and T7 which promote and encourage cycling and safe pedestrian movements. A Transport Statement is required for all developments proposing over 200 units as part of Policy T15. Management of traffic and road safety are considered under Policies T8 and T9. Policy T12 outlines that any new development which generate a demand for

car parking will be required to make provision for car parking on site, to meet the minimum operational needs of the development. T13 Looks at the provision of disabled spaces as part of a development and sets out the requirements based on size of development.

- 4.23 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.

NATIONAL PLANNING GUIDANCE

- 4.24 The National Planning Policy Framework (NPPF) was published on 27th March 2012 and is the Government's attempt to put in place a clearer, more consistent National Planning Policy Framework which consolidates more than 1,000 pages of national planning policy, in 47 documents, into 1 document. This Framework has replaced all the other national planning policy documents.

- 4.25 The NPPF has a clear presumption in favour of sustainable development which should be seen as a golden thread running through both plan 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.'

- 4.26 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.

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

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

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

4.29 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.

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

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

- 4.31 The proposed residential accommodation actively responds to this advice and will meet a demand within Liverpool's housing market.
- 4.32 Section 7 of the NPPF relates to Good Design. Paragraph 56 in particular states that a well-designed development is key to sustainable development and that it is 'indivisible from good planning, and should contribute positively to making places better for people.' In summary it states that Councils should aim to ensure developments:
- will function well and add to the overall quality of the area;
 - establish a strong sense of place;
 - optimise site potential and sustain an appropriate mix of uses;
 - respond to local character and identity;
 - create safe and accessible environments;
 - Are visually attractive as a result of good architecture and appropriate landscaping.
- 4.33 In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. The application scheme responds to this as it has been designed to a very high standard by a leading architect, and makes use of land that is currently vacant and disused.
- 4.34 Also of relevance to this application is Paragraph 22, which discourages the long term protection of sites allocated for employment use where '*there is no reasonable prospect of a site being used for that purpose.*' As there is no reasonable prospect of the site being used for the allocated primarily industrial use, this application for an alternative use of the land should be treated on its merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 4.35 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.

- 4.36 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 consider the desirability of new development making a positive contribution to local character and distinctiveness.
- 4.37 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.
- 4.38 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 134). Paragraph 137 also states that local planning authorities should look for opportunities for new development within Conservation Areas and 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.
- 4.39 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.

PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

- 4.1 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.
- 4.2 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)

- 4.40 On 6 March 2014 the Department for Communities and Local Government (DCLG) launched this planning practice guidance web-based resource.
- 4.41 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.
- 4.42 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.

4.43 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.

4.44 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.

OTHER MATERIAL CONSIDERATIONS

4.45 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);
- Baltic Triangle Planning Framework (2008);
- Baltic Triangle Development Framework Draft (2017);
- Planning Advice Note: Refuse Storage & Recycling Facilities in New Development (March 2005);
- Planning Advice Note: Section 106 Planning Obligations.

WORLD HERITAGE SITE

- 4.1 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.
- 4.2 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

- 4.46 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

- 4.47 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 10% of all new dwellings must be wheelchair accessible, and that accessible units must be built to Lifetime Homes standard.

STRATEGIC INVESTMENT FRAMEWORK 2012

- 4.48 Liverpool's City Centre 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 pink on Figure 4.1 below).



Figure 4.1

- 4.49 The SIF highlights areas of opportunity, one of which is the extending Baltic Triangle. It identifies the Baltic Triangle and Ropewalks neighbourhoods as attractive locations for creative and digital sectors. In addition, the Baltic Triangle offer a wide variety of independent shops, bars and restaurants, as well as art galleries, recording studios and performance venues. All of which are vitally important to the visitor economy.
- 4.50 The SIF also identifies the promotion of the Baltic Triangle, within the Creative Quarter, as Liverpool's alternative/independent neighbourhood. 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.
- 4.51 One of the 'Strategic Actions' identified in the SIF is to expand the residential population and create distinctive neighbourhoods. It suggests that implementation will expand the City Centre population from 32,000 to over 42,000.
- 4.52 The potential of the Baltic Triangle and the scope for significant redevelopment opportunities are highlighted in the City Centre Strategic Investment Framework. In addition, a Manifesto for the area has also been produced in association with Liverpool Vision which, while this is not a statutory planning document, further strengthens the message that the area is developing an exciting mixed use area with a creative, industrious, pioneering agenda.

BALTIC TRIANGLE PLANNING FRAMEWORK

- 4.53 The Baltic Triangle Planning Framework was adopted in 2008 and provides detailed guidance for new development, regeneration and conservation in the Baltic Triangle area.
- 4.54 The preparation of the Framework was undertaken in the context of the Planning and Compulsory Purchase Act 2004, and whilst it is not a statutory document, it is intended to provide interim planning policy guidance until such time as the Council prepares new statutory policy covering the Baltic Triangle area as part of its Local Plan, which will replace the Unitary Development Plan as the development plan for the City.

- 4.55 The Framework sets out the City's aspirations to create a vibrant mixed use area. The document establishes a framework allowing for residential, office, creative industries, hotel and entertainment uses whilst retaining the area's employment focus. The Framework is not a statutory document, but has been adopted for development control purposes.

BALTIC TRIANGLE DEVELOPMENT FRAMEWORK

- 4.56 The Baltic Triangle Development Framework sets out a shared vision for the potential of the area looking forward. It provides a context for regeneration and principles of development which can be used to guide future development and inform the best use of space and aspirations for the Baltic Triangle.
- 4.57 The document is currently in draft form having been released and undergoing consultation throughout September- November 2017. The document informs the potential to create inclusive mixed use developments which compliments the vibrancy and vitality of the area.

REFUSE STORAGE & RECYCLING FACILITIES IN NEW DEVELOPMENTS

- 4.58 The purpose of this guidance note is to provide advice on the Council's recommended standards for refuse storage and recycling in all new residential developments. The guidance note also covers the provision of recycling facilities at all developments, building upon UDP Policy HD18 and EP9.
- 4.59 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.
- 4.60 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 takeaways. The guidance note also covers the provision of recycling facilities at all developments, building upon UDP Policy HD18 and EP9.

SECTION 106 PLANNING OBLIGATIONS

- 4.61 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.
- 4.62 The guidance note expands of the policy for securing Section 106 contributions set out within the UDP (including policies, HD23, HD24). 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 the emerging Local Plan.

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
- Access & Parking Provision
- Landscaping
- Technical Reports- Drainage, Ground Conditions, Air Quality and Noise.
- Amenity
- Planning Obligations

PRINCIPLE OF DEVELOPMENT

5.1 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.

5.2 The previously consented application (Ref: 15F/2835) has established the principle for a residential-led mixed use development on this site. The proposed scheme has retained much of the original scheme in form and function with only minor amendments which do not deviate from the principles of the development already consented for this site.

5.3 The original consent which established the principle of the proposed development had limited documents supporting it. The current application is supported by a comprehensive suite of technical documents enabling the authority to properly consider the proposals and these are set out in the context of this application in turn through this planning assessment.

5.4 In addition to the principle established through relevant planning history, 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.

- 5.5 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.
- 5.6 This proposal, borders ongoing redevelopment in the area and as such provides the opportunity to redevelop a large urban brownfield area, reinforcing the built form and providing active and visually enhanced frontages on key active streets surrounding the proposed development.
- 5.7 The application site is a brownfield redevelopment opportunity and the proposal seeks to make more efficient use of the currently single storey vacant site. The NPPF promotes the reuse of previously developed land. The proposed development accords with this principle, and the application site is located within a highly sustainable, urban, brownfield location. It is well placed in terms of close proximity of bus 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 Baltic Triangle. We believe that this scheme represents high-quality, socially responsible urban regeneration, providing good quality residential accommodation and new commercial units 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. The highest standards of maintenance and services are upheld, for the benefit of future residents and users. The development site is within an area which already has an established community identity. This proposed use compliments this use by promoting a sustainable scheme which regenerates a key site and is of mixed use creating opportunity and vibrancy increasing the business capabilities of the surrounding business uses whilst also supporting the newly proposed commercial units.

- 5.10 In summary, the proposed development with ground floor commercial uses will contribute towards a complementary mix of uses suited alongside the high quality residential units.
- 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 Development Plan Policies GEN4, GEN9, E6, E8, EP1 and the NPPF Policies.

HOUSING PROVISION

- 5.12 The provision of an additional 217 dwellings to the city's housing stock helps to improve the quality and diversity of dwellings provided within the city centre area. This is provided as part of a mixed use offering on vacant land which proposes appropriate housing in an increasingly residential area. This is in accordance with UDP policies H3 and H5. The development also introduces appropriately thought out density and amenity into the design of the building. Creating a development proposal which caters for the wider complexities of residential development as expressed in the technical reports and also the general amenity of the proposed residence.
- 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 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".
- 5.15 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 whilst also adding to the mix of uses emerging in the area creating a vibrant place.

- 5.16 The proposal 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.
- 5.17 It has been a longstanding ambition of the Council's, having been central to the UDP, to develop mixed use areas, with high quality new development to enhance commercial, residential 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. This echos the ambitions of UDP Policies H3 and H5.

SCALE, MASSING & DESIGN

- 5.18 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. A positive impact upon the Townscape of the area. C consideration has been given to the proposed size, scale and design of the building. Care has been taken in considering an appropriate scale, matching that of the emerging developments and the context of listed structures, in particular the Anglican Cathedral. These have been considered alongside the sites prominence at the end of St James Street.
- 5.19 A design exercise was undertaken that reviewed the opportunities and constraints of the site. The applications location at the end of Greenland Street and New Bird Street means the principle frontage addresses St James Street, a prominent street within the Baltic Triangle. As the Baltic triangle is evolving in scale and Mass the area benefits from regeneration this proposal has the opportunity to make a 'statement' of the regeneration potential of the area through sensitive handling of height and finish alongside functional amenity use.
- 5.20 As noted this proposal builds slightly on the existent consent by adding an additional storey. The increase in height has been considered in depth through the design evaluation with a stepped approach to building height. Reflecting the main frontage, the building increases in height up to 12 storeys at the corner of St James Street and Greenland Street. Terraces introduced at these steps alongside balconies at the

prominent corner location enhance the design and settle the development in its setting.

5.21 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 structures;
- Movement and connections; and
- Local land uses.

5.22 The supporting Townscape and Visual Impact Assessment (TVIA) considered the development would introduce a notable change into the immediate and local townscape but in view of the condition of the existing area, the retention of the existing street layout and the consistency of the development with current planning policy to create a landmark building in this vicinity, it is assessed that the effects will be beneficial.

5.23 The existing movement and access corridors are retained and building heights and scale are in keeping with existing planning policy and the planning framework devised for this area. The development respects the fact that it is within the WHS Buffer Zone and is assessed that it will provide a major beneficial contribution to improving the local townscape.

5.24 The assessment considers the visual effect to be beneficial or of no change. Key vistas and views to landmark buildings have been retained, and the development will provide a new focal point at a key road intersection.

5.25 In terms of materials, the proposed scheme will be constructed using a carefully balanced palette of materials.

5.26 A complementary palette of materials is proposed to ensure the development harmonises with the historic context of the nearby listed buildings and the historic uses of the area 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. Further details of the proposed materials are outlined in the Design and Access Statement.

- 5.27 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 UDP Policy HD 18 Paragraph 56 of the NPPF, and the development aspirations of the NPPG.
- 5.28 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

- 5.29 Given that the proposed development is within the World Heritage Site Buffer Zone, and within the setting of other listed buildings, potential heritage impacts have been considered as part of this application.
- 5.30 The supporting heritage statement has undertaken 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.
- 5.31 The heritage issues considered through this application are its potential impact upon the significance (i.e. heritage interest and value) and setting of the listed buildings. It is considered that the current structures on site do not make a positive contribution to the setting of world heritage site buffer zone, and that the proposal would make a more positive contribution.
- 5.32 The key buildings included and considered the most likely to be affected by the current proposals are the Grade I Listed Anglican Cathedral and Grade II former North and South Wales Bank.
- 5.33 The Grade I Anglican Cathedral as a key landmark in the buffer zone and skyline of the WHS within the surrounding context of the city views will only be impacted upon along New Bird Street and Greenland Street. The impact along these streets when viewing uphill is considered to be minor.

- 5.34 The Grade II Former North and South Wales Bank is the building in closest proximity to the application site. Following the redevelopment, the building will still remain a distinctive feature at the St. James Street/Parliament Street junction and consequently will principally be unharmed.
- 5.35 The site in its present industrial role is a negative component of the setting of the WHS, the Cathedral and the listed buildings within its proximity. The proposal seeks to regenerate the site to form a mixed use development that is in accordance with the character of, and planning vision for, the Baltic Triangle. The harm on the Anglican Cathedral and Former North and South Wales Bank are such that it is considered in planning terms to be less than substantial.
- 5.36 It is therefore considered that, the proposed new development acknowledges the historical character and precedent of the area, affecting the context heritage assets in a minimal way which has already been deemed acceptable under the previously consented scheme. The building adopts an improved design representing a well thought out concept for the site.
- 5.37 The scheme is therefore compliant with Liverpool UDP policies GEN3, HD5 and HD11 and NPPF Paragraphs 134 and 137. outlining that the harm caused is to be weighed against the public benefit of the proposal. The regeneration of the site in accordance with planning policy as set out through this document, along with the provision of housing, investment and employment associated with the scheme represents key public benefits which will outweigh this harm.

ACCESS & PARKING

- 5.38 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 which ensures this development is as sustainable as required in local and national policy.
- 5.39 The supporting Transport Statement (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 pedestrian. The proposed application site can therefore be considered as being highly accessible on foot.

- 5.40 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. A 5 minutes cycle radius from the site can be seen in the Cycling Isochronal Map within the TS. This is considered to capture a larger amount of the city centre and is conveyed to be a reasonable distance to expect for short journeys. Outside of this a distance of over 5 miles is not considered uncommon for a commute. This proves the site to be well located for amenity, pleasure and commuting on bike.
- 5.41 Accessibility to bicycles is ensured by the Citybike scheme, the largest public bike sharing scheme outside London. There are currently 130 bike stations in operation in Liverpool with a range of tariffs available, and one a short walk from the site on the junction of St James Street and Greenland Street on the amenity grass area opposite the site. In conclusion, the proposed application site can be considered as being served by the cycle network and is therefore accessible by cycle.
- 5.42 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.
- 5.43 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.
- 5.44 The development makes provision for 37 car parking spaces inclusive of 2 disabled spaces. 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. The limited number of parking reflects this position and as such is deemed appropriate due to the wide range of sustainable transport options available to 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.
- 5.45 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 more than cater for all residents, staff, and visitors of the development in accordance with recommended guidance.

- 5.46 On the basis of the above information, it is considered that the proposal would accord with Policies HD18, HD19, T6, T7, T12 and T13 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 and the Paragraph 32 of the NPPF which states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

LANDSCAPE

- 5.47 The landscaping featured as part of this develop has 3 key elements. These include a scheme of substantial enhancement to the streetscape including the addition of street furniture and tree planting alongside the reinstatement of curb sides along Greenland Street and New Bird Street. A lower ground floor terrace is landscaped to provide a breakout and relaxing environment for residence of the dwelling. This includes informal seating areas and benches for eating alongside raised planting beds. Landscaped terrace gardens are also provided for the amenity use of upper floor residents with adjoining apartments.
- 5.48 As the scheme imposes new active frontage and creates a more vibrant streetscape that has a considerably enhanced design than that of the currently vacant site it is considered that the proposal meets the requirements of Policy HD23 in the provision of high quality public realm. Policy T7 is also assisted in that the development enhances the current pavement for pedestrians by reinstating a well paved and previously non-existent curb side to the new development.

TECHNICAL- DRAINAGE

- 5.49 The current site is 100% impermeable. The proposal presents an opportunity to reduce the risk of local flooding by providing a comprehensive strategy to deal with rainwater. The use of flow controls and storage tanks allows for the surface water to be collected before being discharged into the public combined sewer system. This

system will manage a 1in 100 year plus event sufficiently and reduce the Liverpool city Councils existing run off rate by 30%.

- 5.50 It is shown above and in further detail of the accompanying drainage strategy that the scheme improves upon and meets the drainage requirements of the proposal.

TECHNICAL- GROUND CONDITIONS

- 5.51 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 survey found that the site was first developed with small residential and commercial properties along with engineering works, a foundry and garage, with below ground tank. A public house was also located in the south-east corner of the site. These findings date to the 1850's. Due to the heavily industrialised nature of the site in subsequent years it was considered that there is potential for ground contamination.
- 5.52 It is worth noting that post war the number of building were shown as 'ruins' indicating bombing in the area. This identified risk of unexploded bombs as worth considering prior to any intrusive works. As such an Unexploded Ordinance Risk Assessment was recommended ahead of any intrusive works.
- 5.53 The recommended treatment for development based on the anticipated ground conditions is to have a piled foundation solution which will help to deal with the heavy load associated with a multi-storey apartment block.
- 5.54 A minimum of 3 ground gas monitoring wells is recommended as part of the scheme. In place of the proposed development. Alongside this ground investigation should include excavation to through made ground soils and in-situ testing to test soil strength/density allowing more detailed foundation design. It is advised that further to this a small number of rotary cored bore holes are advanced into the bedrock which is considered low lying with associated rock lodging and laboratory analysis to allow detailed pile design
- 5.55 Further detailed analysis can be found in the accompanying Geo-Environmental appraisal which expresses the technical detail required and considered manageable to bring this proposal forward.

TECHNICAL- AIR QUALITY

- 5.56 The Air Quality Assessment details that the precedent of a suitable scheme has already been established and that moving forward it is considered the difference between the scheme represents the addition of 5 car parking spaces only in this proposal. The proposed ground floor uses including the car parking facilities are considered to not present a sensitive end use contributing to NO₂ Concentration short or long term.
- 5.57 The current scheme represents a level which is substantially below the criteria for a detailed Air Quality Assessment. The additional traffic from the additional 5 cars and the traffic movements expected to be as part of the scheme is expected to not give rise to any significant adverse impacts on the air quality of nearby residential facades.
- 5.58 Construction dust can be dealt with as part of standard management practices. As a result of all the above the development is not considered to need any specific measures with design of the building or otherwise and is considered to be a suitable development with no constraints in way of Air Quality.

TECHNICAL- NOISE

- 5.59 A Noise Assessment outlines the required mitigation needed in order to secure an appropriate level of noise relating to the residential aspect of this proposal. The key considerations are the internal levels of noise experienced by the residence from the outside premise. In particular this is in relation to the hanger 34, Observatory and Constellations venues which function as nightclubs and music venues which could impact the residential nature of the proposal. These venues have formed part of the survey and agreed levels of mitigation decided with LCC. This is also the case for the internal insulation from the commercial units below and the ventilation and plant noise proposed as part of the building.
- 5.60 The mitigation in place reflects a comprehensive approach to ensure that the residential dwelling is appropriate in its setting and not adversely effected or affecting the current outside uses. The agreed levels of noise egress are explained in more details in the accompanying Noise Assessment.
- 5.61 Should there be any change in the baseline conditions surrounding the development which will affect the acoustic mitigation strategy during determination or following

grant of consent the capacity to to revisit the levels of acceptable mitigation should be retained.

AMENITY

- 5.62 The location of the proposed development within an emerging urban mixed use location means that the proposal itself is not a departure from the nature of its surroundings as a residential led scheme with ground floor commercial units.
- 5.63 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.
- 5.64 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 accessed via Greenland Street. Servicing of the development will need to be carried out in accordance with a management strategy, which can again be secured by condition.
- 5.65 In summary, the layout and design of the development will provide high quality and secure accommodation for residents, whilst safeguarding the 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 accord with Policies GEN9, E6, HD18, HD20, EP1, EP9 & EP11 of the Liverpool UDP and Strategic Policies 23 of the Liverpool Core Strategy Submission Draft and the NPPF, NPPG guidelines.

PLANNING OBLIGATIONS

- 5.66 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.

- 5.67 The application site is located within a built up urban area which would not traditionally lend itself to the provision of public open space due to the tight urban grain of the area. The current proposal is in keeping with that position however, it has proposed street level landscaping scheme including tree planting and re-instatement of the pedestrian footpaths along both New Bird Street and Greenland Street to improve the pedestrian environment around the development.
- 5.68 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.
- 5.69 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 Discussions have have taken place with senior 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 and as established by planning history on the site.. This report clearly demonstrates that the proposed development has local policy support and is aligned with national policy.
- 6.5 The additional height to this scheme is minor in its addition to the previous scheme and is complimented by the design quality of the building overall. The stepped terraces create interest to the townscape. Alongside this the reintroduction of pedestrian pavement supplemented by landscaping at groundfloor level goes towards the ongoing improvement in the area which will contribute towards the wider objectives of the Baltic Triangle and Liverpool as a whole.
- 6.6 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.
- 6.7 In summary the proposal will:

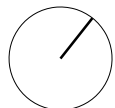
- Bring more active usage to a currently vacant brownfield site, which is located in a sustainable location;
- Provide significant financial investment in the site and area;
- Deliver a variety of much needed high quality, residential units that will encourage a mix of people into this area of the city throughout the day;
- Create a more active and vibrant street scape through the creation of commercial units at ground floor level; and
- Create new jobs associated with construction, and management of the scheme.

6.8 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 growing investment in the Baltic Triangle.

6.9 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.

6.10 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.

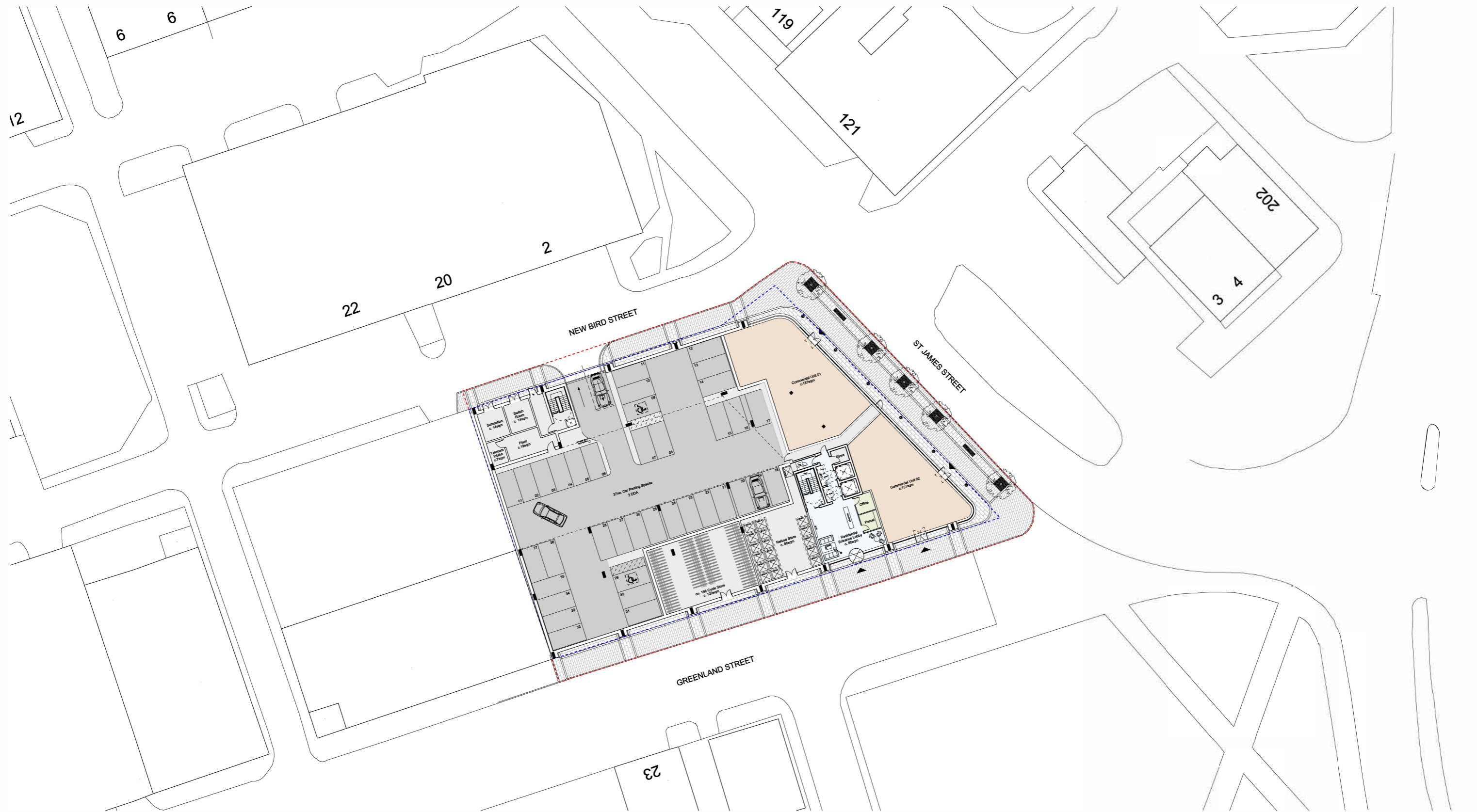
APPENDIX 1 – SITE LOCAITON PLAN



FALCONER
CHESTER
HALL



APPENDIX 2 – PROPOSED SITE PLAN



FALCONER CHESTER HALL



London | Liverpool | Manchester | Kuala Lumpur | Telephone +44(0)151 243 5800

Project Title
St James Court, Liverpool

Drawing Title
Proposed Site Plan

Client
CitiPads

Drawn By
SN

Date
November 2017

Scale
1:500@A3

Project No.
P17-003

Drawing No.
02-02-001

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--- Application Site Boundary
--- Site Ownership Boundary

APPENDIX 3 – SCHEDULE OF ACCOMMODATION

4.0 DESIGN PROPOSAL

4.8 SCHEDULE OF ACCOMMODATION

4.8.1 Schedule of Accommodation.

LOWER GROUND FLOOR			
Commercial Unit 01 - c. 187 sq.m / 2,022 sq.ft			
Commercial Unit 02 - c. 151 sq.m / 1,628 sq.ft			
Residential Lobby / Concierge			
Substation/ Plant/ Refuse/ Cycle Store			
Car Parking - 37no. Spaces			
UPPER GROUND FLOOR			
Studio Apt	x 1		
1 Bed Apt	x 6		
2 Bed Apt	x 8	Subtotal x 15	
FIRST - SEVENTH FLOORS			
Studio Apt	x 2 (x7) = 14		
1 Bed Apt	x 11 (x7) = 77		
2 Bed Apt	x 10 (x7) = 70	Subtotal x 23 (x7) = 161	
EIGHTH FLOOR			
Studio Apt	x 2		
1 Bed Apt	x 8		
2 Bed Apt	x 7	Subtotal x 17	
NINTH FLOOR			
Studio Apt	x 2		
1 Bed Apt	x 8		
2 Bed Apt	x 5	Subtotal x 15	

TENTH FLOOR			
Studio	x 1		
1 Bed Apt	x 4		
2 Bed Apt	x 4	Subtotal x 9	
TOTAL			
Studio Apt	x 20 (9%)		
1 Bed Apt	x 103 (47%)		
2 Bed Apt	x 94 (44%)	TOTAL x 217	
TOTAL RESI NET AREA			
- 10,975 sq.m. / 118,145 sq.ft.			
TOTAL RESI GROSS AREA			
- 13,744 sq.m. / 147,948 sq.ft.			
TOTAL RESI RATIO			
- 80%			

Note: All net/gross areas based upon residential floors and exclude the ground floor.

Note: All figures/areas are approximate and subject to measured survey, planning/building regulations approval and detailed design.