

Planning Statement

Land at Woolton Road, Allerton, Liverpool

Redrow Homes NW

May 2016

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Client

Redrow Homes NW

Our reference

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Executive Summary

Introduction

1. This Planning Statement supports an outline planning application for the residential development of land at Woolton Road in Allerton, Liverpool. All detailed matters are reserved for future approval, with the exception of access which is to be taken from Woolton Road and Allerton Road. A separate and related application for Listed Building Consent (LBC) is submitted to remove part of the boundary wall around the site to facilitate access to the proposed development.
2. This Planning Statement sets out the context for the development by providing the background to the proposals including a description of the site, its surroundings, the proposed development and relevant planning history and policy framework. It assesses the proposals against the identified policy framework and the key issues to set out the case that clearly points to a grant of planning permission for the development.
3. The application is accompanied by a single topic Environmental Statement relating to heritage issues.

Application Site and Surroundings

4. The application site extends to approximately 13.5 hectares and is located on the eastern side of Allerton; c. 7km to the south east of Liverpool City Centre and c. 3km to the north west of Liverpool John Lennon Airport. The site comprises open grassland and areas of mature trees. A former sports pavilion, which is now in an advanced stage of disrepair, is located in the southern part of the site. Views into and out of the site are limited by the boundary wall and extensive amount of mature tree planting both within and at the boundaries of the site.
5. The application site is located immediately adjacent to the existing built up area of Allerton. Adjacent residential development to the north, west and south comprise a range of size and design of dwellings.
6. Existing vehicular access to the site is provided through two breaks in the boundary wall at points along Woolton Road. These access points are currently closed to prevent illegal access to the site.
7. There are a range of facilities within a 30 minute walk of the site, including primary schools, foodstores, public parks and Woolton village centre. A number of local services are located at the junction of Heath Road and Mather Avenue and include a pharmacy, sandwich bar, newsagents and convenience store, florists and a beauty salon.
8. The site is well positioned in relation to public transport, with easy access to existing bus stops along Woolton Road, Mather Avenue and Menlove Avenue. Liverpool South Parkway railway station is also within walking distance from the site, and can be accessed via the bus services that operate along Woolton Road. In addition, the surrounding highway network offers opportunities for cycling to locations such as

Halewood, Woolton, Speke; and also Liverpool John Lennon Airport, Sefton Park, Wavertree and Gateacre.

Relevant Background

9. The planning history of the site and the housing land supply position in Liverpool provide relevant context to the application proposals.
10. Liverpool City Council (LCC) has previously granted full planning permission for the erection of an equestrian centre on the application site. The development included the erection of a number of large scale buildings with a total floor area of c. 2,400 sq m. The development also proposed a new access road from Woolton Road, external paddocks with associated fencing and hard and soft landscaping. That consent was implemented in November 2014 through construction of the site access from Woolton Road and, therefore, remains extant in perpetuity. LCC also granted full planning permission for a detached 'zero carbon' house at the site of the redundant sports pavilion in April 2013.
11. There is no up-to-date assessment of Full Objectively Assessed Needs (FOAN) for housing in Liverpool in accordance with the National Planning Policy Framework ("the Framework") and Planning Practice Guidance (PPG). In the absence of a FOAN, the Council has accepted that it is unable to demonstrate a deliverable five year supply of housing land.

Proposed Development

12. The description of development is:

"Outline planning application for the development of land for the erection of up to 160 no. dwellings and open space with all matters reserved except for access."
13. The development proposals have been carefully prepared through a detailed assessment of the site, its constraints, context and the overall aspiration to create a new, high quality sustainable residential neighbourhood for Allerton. The illustrative masterplan demonstrates how a development of up to 160 no. dwellings can be accommodated on the site.
14. The layout also seeks to respect the site's location within the setting of designated heritage assets, including Allerton Priory (Grade II*) and Allerton Lodge (Grade II). A large area of public open space is proposed towards the centre of the site, creating a buffer between the Priory and new development.
15. The site has been designed with an 'open' aspect, and houses will front out towards the central open space and boundary trees. Tree lined boulevards are proposed to provide open and wider streets creating a broad vista through the site towards the Priory.
16. The indicative development mix comprises a range of 3, 4 and 5 bed houses. This mix of housing reflects the strong market demand for large, detached properties in this part of Liverpool and the general requirement to broaden the range of quality family housing stock in the city as outlined within the Council's SHMA.

17. Three vehicular accesses to the site will be provided; two of which are existing. Each entrance will provide access to separate development parcels. Details of these access points are provided within the accompanying Transport Assessment. The internal highway network will be cycle-friendly and provide good connectivity to adjacent areas and existing on-highway cycle routes and Public Rights of Way.
18. A network of internal pedestrian and cycle routes will provide connectivity throughout the development with external connections at each of the vehicular access points onto Woolton Road and Allerton Road, and a link at the eastern boundary into Allerton Tower Park.
19. Areas of open space will be created to the site boundaries and within the centre of the site, with properties fronting out on all sides. Landscaping within the site and the public open space will respect and complement the parkland style setting of the development.
20. The development will include extensive areas of public open space, creating an attractive setting for the dwellings and providing opportunities for casual recreation for new residents as well as opening up the site to the wider public.

Planning Appraisal

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

26. The supporting technical documents demonstrate that the application site is free from significant constraints. The proposed development will not result in any harm in terms of amenity, environmental, traffic, technical or other acknowledged public interests. The proposals comply with the technical and environmental policies of the development plan and the Framework.
27. The Environmental Statement confirms that the development will not give rise to any significant environmental effects.

Planning Balance and Conclusions

28. This Statement demonstrates that there are no adverse impacts resulting from the development that would significantly and demonstrably outweigh its benefits when assessed against the Framework as a whole.
29. In this regard, numerous benefits will arise from the scheme, including:
- Creation of a high quality residential environment which respects the character of the area – The development has been carefully designed to respond positively and sympathetically to its built and environmental context and the character and appearance of the surrounding area.
 - A commitment to the early delivery of the site by a major national housebuilder, boosting supply and making an important contribution to the City's five year housing land supply.
 - Support for the transition to a low carbon future – The development will mitigate and can adapt to future climate change through sustainable design and a commitment to deliver high quality, energy efficient homes. It will meet national housing standards in relation to carbon reduction and promote sustainable travel choices.
 - Provision of ecological and biodiversity enhancements through the adoption of a high quality landscaping strategy.
 - Improvements in housing mix and choice – The proposed development will provide a balanced mix of dwellings, offering a choice of type and size, with an emphasis on improving the quality and quantum of family housing capable of maintaining economically active households within the City.
 - Open the site up to the public for recreational use – Approximately 6.5 hectares of publicly available open space will be provided for use by future and existing residents for informal recreational activities and a children's play area.
 - Creation of footpath and cycle links throughout the site, offering physical and functional connections to adjacent green spaces.
 - Development in a sustainable location – The development is within easy reach of a range of local shops and services which will reduce reliance on the private car.

- Increased Council Tax revenue and receipt of New Homes Bonus payments to further invest back into the borough and assist in achieving the economic growth objectives.
30. The only material adverse impact (or 'harm') that would arise as a consequence of the development is the loss of designated green space and conflict with the Green Wedge policy. However, the impact on green space is limited as the site is not currently publically accessible, is visually enclosed and does not provide any recreational or specific ecological function. Only limited weight can be afforded to the Green Wedge policy (OE3) given the acknowledged shortfall in housing land in the City.
31. Overall, the limited conflict with the Development Plan (Policies OE3 and OE11) is clearly outweighed by compliance with the aims and objectives of the plan overall. There are material considerations which add further support weighing strongly in favour of the proposed development and are to be afforded significant weight in the planning balance.
32. In accordance with Section 38(6) of the 2004 Act and by reference to the presumption in favour of sustainable development set out within the Framework, planning permission should be granted without delay.

1. Introduction

1.1 This Planning Statement has been prepared by Turley on behalf of Redrow Homes NW (“Redrow”). It supports an outline planning application for the residential development of land at Woolton Road in Allerton, Liverpool. All matters are reserved for future approval, except for access, which is to be taken from Woolton Road and Allerton Road.

1.2 The description of development is as follows:

“Outline planning application for the development of land for the erection of up to 160 no. dwellings and open space with all matters reserved except for access.”

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

1.4 A separate and related application for Listed Building Consent (LBC) is submitted to remove part of the boundary wall around the site to facilitate an additional access to the proposed development.

Accompanying Documents

1.5 The application is accompanied by the following documents:

- Completed application forms and certificates
- Parameter Plan & Illustrative Masterplan, prepared by Redrow
- Design & Access Statement, prepared by Turley Design
- This Planning Statement, prepared by Turley Planning
- Heritage Statement, prepared by Turley Heritage
- Ecological Appraisal (including Bat Activity & Breeding Bird Surveys), prepared by TEP
- Geo-Environmental Appraisal, prepared by Sirius
- Flood Risk Assessment, prepared by Waterco
- Transport Assessment, prepared by SCP
- Tree Survey & Arboricultural Impact Assessment, prepared by TBA
- Landscape & Visual Impact Assessment, prepared by TEP
- Noise Impact Assessment, prepared by REC

- Air Quality Assessment, prepared by REC
- Archaeological Assessment, prepared by L-P: Archaeology
- Statement of Community Engagement, prepared by Turley Engagement
- Environmental Statement, prepared by Turley Planning and Heritage

Structure

1.6 The remainder of this statement is structured as follows:

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

2. Site and Surroundings

Site Location

- 2.1 The application site comprises land to the west of Woolton Road in the Allerton area of Liverpool. It is located c. 7km to the south east of Liverpool City Centre, and c. 3km to the north west of Liverpool John Lennon Airport.
- 2.2 A Location Plan is provided at **Appendix 1**.

Site Description

Figure 2.1: Application Site



(Source: Google Earth)

- 2.3 The site extends to approximately 13.5 hectares and is located on the eastern side of Allerton. It comprises open grassland and areas of mature trees (see **Figure 2.1**). A former sports pavilion is located in the southern part of the site; however it is now in an advanced state of disrepair (see **Figure 2.2**).

Figure 2.2: Application Site



- 2.4 Residential properties are located immediately to the west of the site on Allerton Road. They are set at a slightly lower level than the application site and separated from it by the carriageway and a wide grassed reservation which also contains a number of mature trees.
- 2.5 The southern boundary of the site is defined by Woolton Road (B5171); a dual-carriageway which provides connections between the residential areas of Allerton to the west and Woolton to the east. The road has a wide central reservation, which includes mature trees and a small number of residential properties where it passes the application site. Clarke Gardens is located beyond Woolton Road to the south.
- 2.6 The Orchard residential care home is located to the east of the site. The care home is single-storey and forms a courtyard with private garden areas to the north, west and south.
- 2.7 Allerton Priory, which was converted into residential apartments in the early 2000s, is situated to the north of the application site. The building is Grade II* listed for its historical and architectural importance. A more modern housing scheme has been developed to the north east of the original Priory (see **Figure 2.3**). The residential units are accessed via a private road (Ye Priory Court) which forms the northern boundary of the application site, and connects to Allerton Road. Allerton Park Golf Course is located beyond Ye Priory Court to the north.

Figure 2.3: Allerton Priory and Adjacent Residential Development



- 2.8 The former lodge to Allerton Priory is located at the junction of Allerton Road and Ye Priory Court, with private gardens provided to the south. The property is listed (Grade II) and within private ownership.

- 2.9 The entire site is enclosed by extensive belts of mature trees, which significantly limit views into or out of the site (as shown as **Figure 2.4**). A sandstone boundary wall, up to 2 metres in height, also delineates the boundary along Allerton Road and Woolton Road, further restricting views of the site from the surrounding road network.

Figure 2.4: Views along Allerton Road and Woolton Road



- 2.10 In terms of topography, the ground slopes gently down from north-east to south-west. Allerton Priory is situated at a higher level than the application site, whilst the residential properties along Allerton Road sit at a slightly lower level. The visual effects of this topography in terms of views into and out of the site are limited by the boundary wall and extensive amount of mature tree planting both within and at the boundaries of the site.
- 2.11 Existing vehicular access to the site is provided through two breaks in the boundary wall at points along Woolton Road. These access points are currently closed to prevent illegal access to the site.
- 2.12 The accompanying Flood Risk Assessment, prepared by Waterco, confirms that the site lies within Flood Zone 1, meaning it is at low risk of flooding.

Surroundings

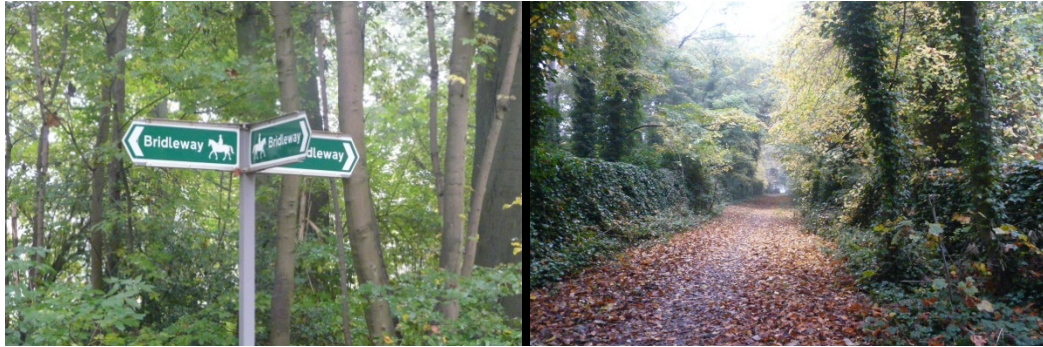
- 2.13 The application site is located immediately adjacent to the existing built up area of Allerton. Adjacent residential development to the north, west and south comprise a range of size and design of dwellings.
- 2.14 Redrow is currently constructing residential dwellings on the site of the former New Heys School, to the north west of the application site (see **Figure 2.5**). Bounded by Allerton Road, Heath Road and Mather Avenue (B5180), the development is providing a range of 3, 4 and 5 bedroom properties and marketed as Calderstones Grange and New Heys. The development has proved particularly popular with relatively good sales volumes (equivalent to 50 dwellings per annum) and a number of the properties along Heath Road and Allerton Road are already occupied.

Figure 2.5: Redrow Development at Calderstones Grange and New Heys



- 2.15 The site is well positioned in relation to public transport. There are bus services along Woolton Road with stops provided to the north of the junction with Allerton Road, adjacent to the application site boundary. These services provide access to surrounding residential areas as well as Garston, Liverpool South Parkway rail station and Hunts Cross shopping centre (bus services 166, 188, 266 and 288). Additional bus stops on Mather Avenue and Menlove Avenue, c. 600 metres from the site, provide frequent access to Liverpool City Centre and Liverpool John Lennon Airport.
- 2.16 The site is also well connected in terms of pedestrian access as the roads in the vicinity of the site have footways on either side of the carriageway and street lighting. There are a range of facilities within a c.30 minute walking distance (up to 2km) of the site, including Springwood Heath Primary School on Danefield Road, Tesco superstore in Woolton, Allerton Tower Park and Woolton village centre. A number of local services are located at the junction of Heath Road and Mather Avenue, within a comfortable walking distance of the application site. Facilities include a pharmacy, sandwich bar, newsagents and convenience store, florists and a beauty salon.
- 2.17 There are also a number of primary schools located within a 20 minute walk of the application site. These include Springwood Heath Primary School on Danefield Road (c. 500 metres to the south west), Garston CofE Primary School on Holman Road (c. 1.4 km to the south west), Gilmour Infant School on Southbank Road (c. 1.9 km to the west) and Booker Avenue Infant and Junior Schools on Booker Avenue (c.1.6km to the north west).
- 2.18 The surrounding highway network offers opportunities for cycling. Facilities located within a reasonable cycling distance of the site (up to 5km) include the centres of Halewood, Woolton, Speke; and also Liverpool John Lennon Airport, Sefton Park, Wavertree and Gateacre.
- 2.19 Public Rights of Way (PRoW) run to the north and east of the application site. An existing bridleway runs between Allerton Road and Menlove Avenue (A582), passing to the north of the application site. A further bridleway runs north to south from Woolton Road, to the east of the application site, and provides a route towards Allerton Park Golf Course.

Figure 2.6: Public Bridleways Adjacent to the Site



- 2.20 The nearest train station is Liverpool South Parkway. The station is c. 1km to the south of the application site and within easy walking distance. It can also be accessed via the bus services that operate along Woolton Road. The station is on two main lines: the City Line from Liverpool to Manchester via Warrington and the Liverpool branch of the West Coast Main Line to London via Crewe. As a result, it provides access and links across the region and country, including to Liverpool City Centre and its suburbs, Manchester, Crewe, Birmingham and routes across to East Yorkshire and East Anglia.

3. Relevant Background

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

Planning History

Application Site

Equestrian Centre

- 3.2 Full planning permission for the erection of an equestrian centre was granted by Liverpool City Council in November 2011 (LPA ref. 11F/0590). The development briefly comprised a number of buildings with a total floor area of c. 2,400 sq m, including a large indoor 'arena' of 40m x 20m and 7.5 metres in height, a two-storey stable block to accommodate 38 horses, and a residential dwelling for the site manager. The development also proposed a new access road, 21-space car park and 14 parking spaces for horse boxes and trailers, a link to the adjacent bridleway, external paddocks with associated fencing, attenuation / ecology ponds, retained grassland and hard and soft landscaping.
- 3.3 The built development was to be concentrated on the western part of the site. A circular route was to be created around the perimeter of the site with substantial new tree planting, particularly along the northern boundary, to contain views into /out of the development (see **Figure 3.1**).

Figure 3.1: Approved Layout – Equestrian Centre



- 3.4 The consent was implemented in November 2014 through construction of a site access from Woolton Road and, therefore, remains extant in perpetuity.

Zero Carbon House

- 3.5 Full planning permission to erect a detached 'zero carbon' house at the site of the redundant sports pavilion was granted in April 2013 (LPA ref. 11F/0592). The permission included a garage, sunken garden with associated driveway, hard and soft landscaping works, and the creation of an ecology pond.

Figure 3.2: Zero Carbon House



- 3.6 The composite plan at **Figure 3.3** shows the cumulative layout of the approved equestrian centre and zero carbon house on the application site.

Figure 3.3: Cumulative Layout of Approved Development



Surroundings

Allerton Priory

- 3.7 Allerton Priory lies immediately to the north of the application site which was once part of its grounds. The building was originally constructed as a private dwelling in the mid C19th. It was converted to a school in the first half of the twentieth century and, for at least part of that time the application site was in use as playing fields for the school. Allerton Priory was subsequently used as a nursing home (c. 1986 – 1994/5) and the grounds fell into disuse.
- 3.8 Most recently, full planning permission and listed building consent was granted for the conversion of the Priory to create 18 no. apartments and the erection of 27 no. new dwellings in the grounds in September 2000 (LPA refs: 99P/1037 and 01L/2034). That development has been implemented.
- 3.9 The land, comprising the current application site, was subsequently sold off from the Priory and is now in completely separate ownership. It has not been in use since 2006 and is now significantly overgrown.

Housing Land Supply in Liverpool

- 3.10 There is no up-to-date assessment of Full Objectively Assessed Needs (FOAN) for housing in Liverpool in accordance with the Framework and PPG.
- 3.11 In the absence of a FOAN, the Council is unable to demonstrate a deliverable 5-year land supply and in their evidence to an appeal determined in June 2015 LCC conceded that is the case¹.
- 3.12 Planning applications for residential development should, therefore, benefit from the presumption in favour of sustainable development and relevant policies for the supply of housing should be considered out-of-date, in accordance with Paragraph 49 of the Framework (see below).

Community Consultation

- 3.13 Redrow recognises the importance of pre-application consultation with the local community at an appropriate scale to the development proposal.
- 3.14 Following consideration of national and local guidance on appropriate community involvement methods, Redrow undertook a multi-layered approach to engagement to ensure awareness of the project to as many local residents and stakeholders as possible and allow opportunity for members of the public to comment on the draft proposals, prior to the preparation and submission of the planning application.
- 3.15 As part of the pre-application process, Redrow and the development team undertook a pre-application consultation programme, which sought to engage with key stakeholders and the local community.

¹ Appeal ref. APP/Z4310/W/15/3006792 – Former St Malachy's School, Beaufort Street, Toxteth

- 3.16 Details of the consultation activities undertaken, a summary of the feedback received, and the project team's response are provided within the accompanying Statement of Community Engagement.
- 3.17 In summary, the consultation programme consisted of:
- Pre-application engagement with planning, conservation and design officers at Liverpool City Council, and Historic England
 - notification to local stakeholders with the offer of a face-to-face meeting
 - circulation of a four sided A4 consultation leaflet to over 800 local properties in close proximity to the application site, and
 - a dedicated consultation website, which included details of the scheme, a PDF download of the Consultation Leaflet and an online feedback form.
- 3.18 A range of feedback channels were provided to enable the community to comment on the proposals, including a dedicated email address, a Freepost address and a community information telephone line.
- 3.19 In total, 51 pieces of feedback were received within the consultation period (25 February – 9 March 2016). Feedback was mixed: 23% of respondents were supportive of the scheme whilst 63% objected. The remaining 14% of respondents were neutral and submitted further questions.
- 3.20 All of the feedback received has been recorded and considered by the project team. This is presented in full in the Statement of Community Engagement, alongside a summary of how the scheme has evolved in response to the feedback received.

4. Proposed Development

- 4.1 In summary, the development comprises:

“Outline planning application for the development of land for the erection of up to 160 no. dwellings and open space with all matters reserved except for access.”

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

Layout

- 4.3 The development proposals have been carefully prepared through a detailed assessment of the site, its constraints, context and the overall aspiration to create a new, high quality sustainable residential neighbourhood for Allerton.
- 4.4 The illustrative masterplan (provided at **Appendix 2** and **Figure 4.1**) demonstrates how a development of up to 160 no. dwellings can be accommodated on the site. It has evolved to take account of the site's connections and existing landscape features, and seeks to integrate them successfully into the overall design, making use of the best environmental assets.
- 4.5 The layout also seeks to respect the site's location within the setting of designated heritage assets, including Allerton Priory (Grade II*) and Allerton lodge (Grade II). A large area of public open space is proposed towards the centre of the site, creating a buffer between the Priory and new development.
- 4.6 The site has been designed with an 'open' aspect, and houses will front out towards the central open space and boundary trees. Tree lined boulevards are proposed to provide open and wider streets creating broad vistas through the site towards the Priory.

House Types

- 4.7 The indicative development mix comprises a range of 3, 4 and 5 bed houses. This mix of housing reflects the strong market demand for large, detached properties in this part of Liverpool, and the general need to improve the range and quality of housing in the city as outlined within the Council's SHMA.
- 4.8 The application scheme will comprise a range of 2, 2.5 and 3 storey dwellings reflecting the character of the locality.

Figure 4.1: Illustrative Masterplan



Access

Vehicular Access and Parking

- 4.9 Three vehicular accesses to the site will be provided; two of which are existing. Each entrance will provide access to separate development parcels.
- 4.10 The existing access from Woolton Road to the south east part of the site will be upgraded to create a priority junction, approximately 150 metres west of the existing houses located outside the site within the central reservation of Woolton Road. The junction will provide access to c. 25 houses. A new link connecting both sides of Woolton Road will be created, allowing all turning movements in and out of the site.
- 4.11 The existing access adjacent to the disused sports pavilion at the southern end of the site will be upgraded to provide a left in / left out arrangement and will serve c. 60 dwellings.
- 4.12 A new priority junction will be created from Allerton Road, approximately 150 metres to the south of the junction with Heath Road. This access will serve c. 75 dwellings.
- 4.13 Details of these access points are provided within the accompanying Transport Assessment, prepared by SCP.

- 4.14 A network of internal pedestrian and cycle routes will provide connectivity throughout the development with external connections at each of the vehicular access points onto Woolton Road and Allerton Road, and a link at the eastern boundary into Allerton Tower Park. This network will provide recreational routes through the site as well as direct connections to the local highway network and local bus stops.
- 4.15 The development will provide a range of house types with a mix of garages and driveways to accommodate off-street parking for each property. The detailed layout of the development, including each vehicular access, will be designed to accommodate all typical servicing requirements of residential development, including refuse collection vehicles.

Walking and Cycling

- 4.16 Walking and cycling will be promoted within the site by the provision of footways and street lighting throughout. New footways will link into existing connections to the surrounding area, including the Public Rights of Way to the east of the site (Allerton Tower Park).
- 4.17 The internal highway network will be cycle-friendly and provide good connectivity to adjacent areas and existing on-highway cycle routes and Public Rights of Way.

Open Space and Landscaping

- 4.18 The illustrative layout has been designed to reflect the site's topography and to retain, as far as possible, the existing landscape features, including large established trees.
- 4.19 Areas of open space will be created to the site boundaries and within the centre of the site, with properties fronting out on all sides. A footpath network is proposed through the site linking a central greenspace to the outer edges of the landscape structure.
- 4.20 Landscaping within the site and the public open space will respect and complement the parkland style setting of the development.
- 4.21 A substantial amount of new tree planting is proposed across the site, including within public open space, private areas, highway verges and front gardens. Both formal and informal landscaping will be used to create a range of street scenes and add interest.
- 4.22 The development will include extensive areas of public open space, creating an attractive setting for the development and providing opportunities for casual recreation for new residents as well as opening up the site to the wider public.
- 4.23 The majority of the existing trees along the site boundaries will be retained, except where some removals are necessary to provide vehicular access to the site. Compensatory and additional landscaping will be provided across and at the boundaries to maintain its wooded character.

Conclusion

- 4.24 The application documents demonstrate how the detailed analysis and technical reports have informed the illustrative development layout for the site. Whilst all matters, with the

exception of access, are reserved for subsequent approval, it is clear that the site is capable of delivering a high quality development comprising a range and mix of up to 160 dwellings in a sylvan / parkland setting.

5. Planning Policy Context

Introduction

- 5.1 Planning policy, development plan documents and guidance applicable to the development proposals is contained in:
- The National Planning Policy Framework
 - The Development Plan comprising the:
 - Saved policies of the Liverpool Unitary Development Plan, and
 - Joint Merseyside and Halton Waste Local Plan.
 - Associated local supplementary planning documents / guidance including:
 - Ensuring a Choice of Travel SPD
 - Design for Access for All SPD
 - Trees and Development SPG
 - New Residential Development SPG
 - Other material considerations including the emerging Liverpool Local Plan and evidence base documents.
- 5.2 The key messages from this policy context are summarised below.

National Planning Policy

The National Planning Policy Framework

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

Positive Planning

- 5.4 The Government has made clear its expectation, through the Framework, that the planning system should positively embrace well-conceived development to deliver the economic growth necessary and the housing needed to create inclusive and mixed communities. Local Planning Authorities are encouraged to approach decision-taking in a positive way looking for solutions rather than problems, and working proactively with applicants to secure development that would improve the economic, social and environmental conditions of the area (paragraphs 186 and 187).

Achieving Sustainable Development

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

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

For plan-making this means that:

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

For decision-taking this means:

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

Development Plans

- 5.6 Paragraphs 11 and 12 of the Framework reiterate the status of the development plan as the starting point for decision making unless material considerations indicate otherwise.

- 5.7 The Framework makes clear that for development plans to be afforded full weight in the decision making process they should be up-to-date; prepared and adopted in accordance with the Planning and Compulsory Purchase Act 2004²; and have no more than limited conflict with the Framework. Where the development plan policies are likely to be regarded as out of date or have more than ‘limited conflict’ with the Framework this will inform the weight that a decision-taker may apply (Paragraphs 214 and 215).

²

The Framework, footnote 39

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

Housing Development

- 5.9 In order to “boost significantly” the supply of housing local planning authorities should:
- Use their evidence base to ensure that their Local Plans meet the full objectively assessed needs for market and affordable housing, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.
 - Identify a 5-year land supply of deliverable sites for housing development with an additional 5% (minimum) flexibility allowance, or 20% where there has been a record of persistent under-delivery; to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market, and
 - Identify a supply of specific developable sites or broad locations for growth for years 6 – 10 and, where possible, for years 11 – 15 (Paragraph 47).
- 5.10 Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant development plan policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites (Paragraph 49).
- 5.11 The remainder of the Framework contains thematic chapters. Of relevance to the proposed development, it requires local planning authorities to:
- help achieve economic growth by proactively supporting an economy fit for the 21st Century to create jobs and prosperity by taking a positive approach to sustainable development
 - seek high quality and inclusive design
 - promote sustainable transport and only refuse development where the residual cumulative impacts are severe
 - promote healthy communities
 - recognise the importance of high quality green spaces and the important contribution that access to them makes to the health and well-being of communities
 - conserve the natural and historic environment, and
 - help meet the challenge of climate change and the move to a low carbon future.

The Development Plan

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

Liverpool Unitary Development Plan

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

Strategic Objectives

- 5.15 The strategic objectives and policies of the UDP were set within the context of the economic, social and environmental conditions that affect Liverpool and the corporate programmes designed to address issues arising from them. The UDP is underpinned by three major themes: economic regeneration, environmental improvement and reduction of inequality.
- 5.16 Those themes underpin the general, strategic criteria-based policies of the Plan, including reversing the decline in economic activity (GEN1), preserving and enhancing historically and architecturally important buildings (GEN3), promoting a good quality of living environment (GEN4) and promoting the recycling of land for productive use through the treatment of vacant, derelict and underused land (GEN8).

Site Designation

- 5.17 As shown on the UDP Proposals Map, the application site is designated as 'green space' and is also located within a Green Wedge.

Green Wedge

- 5.18 Policy OE3 (Green Wedge) states that LCC will protect and improve the open character, landscape, recreational and ecological quality of the Green Wedges at Calderstones / Woolton and Otterspool by resisting new development that *"would affect the predominantly open character of the Green Wedges or reduce the physical separation between existing built up areas"*.
- 5.19 Where new built development is permitted within the Green Wedges, the Council will require that such development:
- Has regard to the openness of the Green Wedge and the purposes of including land within it
 - Should be in accordance with the criteria set down in Policy HD18 and, in particular, uses materials and built forms sympathetic to the character of the area
 - Retains existing vegetation and special site features where appropriate, and
 - Provides and maintains a high standard of landscaping.
- 5.20 The supporting text (Paragraph 8.24) confirms that the Green Wedge policy was first adopted by LCC in 1988 and was designed to protect extensive linked areas of open spaces of City-wide importance. Two Green Wedges are identified at Calderstones / Woolton (within which the application site is located) and at Otterspool, and *"provide a physical and visual break between major residential areas, and to help to ensure that the City can continue to offer high quality environments in those areas"*.

- 5.21 Paragraph 8.25 refers to a city-wide function of Green Wedges to:
- Afford a valuable amenity for a large number of people
 - Provide diverse recreational facilities, including opportunities for more passive leisure pursuits such as walking, nature rambles and school visits
 - Provide a mature ecological environment for birds, animals and plants
 - Contain buildings of historical, architectural and educational interest; and
 - Give the appearance of a 'parkway' approach to the city along particular transport routes.
- 5.22 Paragraphs 8.29 and 8.30 of the UDP confirm that the Calderstones / Woolton Green Wedge comprises 300 hectares of open land within Liverpool's southern suburbs, the majority of which is within the City Council's ownership.
- 5.23 The concept of a Green Wedge is not formally recognised within the Framework. The Framework provides general planning guidance relating to the protection of valued landscapes but it does not set out any guidance specific to Green Wedge designations. It is important to draw the clear distinction between this designation and the Green Belt, a designation the Framework explicitly seeks to prevent development within and to maintain the openness of. A Green Wedge is clearly not afforded the same level of national policy protection from development.
- Green Space***
- 5.24 Policy OE11 affords a general level of protection to all designated green space across the City. It seeks to protect the amenity value of the City's green space and takes a protective stance, which necessitates the consideration of any development proposals against a number of criteria, the combination of which together form the green space's 'amenity' value. The four criteria comprise the recreational function and visual amenity value of the site, its relationship to adjoining green spaces and any inherent nature conservation value that the site may have.
- 5.25 The supporting text confirms that **all** sites of over 0.5 hectares are identified on the UDP Proposals Map as 'green space' and that no qualitative assessment was carried out when identifying those sites in the plan. As such, green space *"is a descriptive term which does not ascribe functions or values to each space"*³ and Policy OE11 *"is not intended as a restrictive block on the development of green space in all cases, but allows the merits of a proposal to be considered against the intrinsic value of the particular green space in question"*⁴.
- 5.26 Paragraph 73 of the Framework confirms that planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. Given the age of the UDP and its supporting evidence base, the green space policy is not based on any 'up-to-date'

³ UDP Paragraph 8.140

⁴ UDP Paragraph 8.141

assessment of need. The weight that can be afforded to Policy OE11 when determining planning application is, therefore, reduced.

- 5.27 Policy OE12 (Enhancement of Green Space) states that the Council will seek to enhance the overall stock of publicly accessible green space by improving the quality and management of existing parks, playing fields, golf courses and cemeteries; pursuing opportunities for new recreational provision in areas of local open space deficiency; and providing new parks as identified on the Proposals Map.
- 5.28 The supporting text to Policy OE12, comments on the relatively high quantum of open space in the city (at the time the UDP was prepared) and highlights qualitative issues as being of a greater concern, particularly in light of the council's limited resources. Those circumstances have not changed significantly in the intervening period; rather, council resources have diminished and the ability to manage and maintain the quantum and quality of open spaces across the City is reduced.

Housing Policies

- 5.29 Strategic Policy GEN4 (Housing) aims to promote a good quality living environment for all Liverpool's residents by improving the living environment of existing housing areas and considering carefully the design and layout of new housing developments.
- 5.30 Policy H1 (The Provision of Land for New Housing) sets out a target to make provision for at least 23,100 dwellings between April 1986 and March 2001. The supporting text confirms that this level of provision is largely driven by a need to replace dwellings to be demolished, with only a small number of new dwellings (c. 3,300) to meet the needs of new households in the city.
- 5.31 The housing requirement set out at Policy H1 is clearly time-expired as it was only intended to guide development until March 2001; now over 15 years ago. The evidence that underpinned the requirement dates back to the early 1980s and a time when the main priority was to reverse the decline in the resident population of Liverpool. The figure did not comprise a Full Objectively Assessed Need (OAN), as is required by the Framework and, the Council has recently accepted that it is unable to demonstrate a five year supply of housing land. In accordance with Paragraph 49 of the Framework, policies for the supply of housing in the UDP should be considered to be out-of-date and no material weight can be afforded to the housing requirement set out at Policy H1.
- 5.32 Policy H5 (New Residential Development) confirms that proposals for new residential development will be granted where:
- (i) The density, design and layout respects the character of the surrounding area, and maintains levels of privacy and amenity for existing and future residents, and
 - (ii) The highway and parking provision ensures a safe, attractive, convenient and nuisance-free highway environment for pedestrians, cyclists and drivers.
- 5.33 Proposals should also comply with the provisions of Policy HD18 (General Design Requirements) and Policy OE14 (Provision of New Open Space).

Heritage Policies

- 5.34 The UDP seeks to protect and enhance the built environment of the City by, *inter alia*, preserving and enhancing historically and architecturally important buildings and areas and, where appropriate, improving them through the leveraging of available funds (Policy GEN3). This policy is consistent with relevant paragraphs of the Framework and can, therefore, be afforded material weight when determining planning applications.
- 5.35 Policy HD5 confirms that planning permission will only be granted for development affecting the setting of a listed building, where it preserves the setting and important views of the building. Where appropriate, this will include control over the design and siting of new development, control over the use of adjacent land, and the preservation of trees and landscape features.
- 5.36 Policy HD5 is not wholly consistent with policy contained in the Framework and guidance prepared by Historic England (previously known as English Heritage). HE guidance provides detail on how to define and assess setting and the associated impact of any changes arising a development. It confirms that setting is not a heritage asset, nor a heritage designation, rather the importance of setting lies in what contributes to the significance of the relevant heritage asset itself. Further detailed commentary on this matter is set out in the Heritage Statement.

Development Management Policies

- 5.37 The UDP also contains a number of development management policies which are broadly consistent with the aims of the Framework. Those of relevance to the application proposals seek to ensure that new development:
- Is of a high quality of design and landscaping. New development should relate well to its locality and include characteristics of local distinctiveness in terms of design, layout and materials; ensure that there is no severe loss of amenity or privacy to adjacent residents; make adequate arrangements for the storage and collection of refuse within the site; and provide adequate arrangements for pedestrian and vehicular access and for car parking (Policies GEN3 and HD18).
 - Makes appropriate provision for recreational open space to meet the needs generated by the development. This should ideally be provided on-site on the basis of 50 sq m per dwelling (Policy OE14).
 - Is fully accessible for everyone, including disabled people (Policy HD19).
 - Creates an attractive environment which is safe and secure by incorporating measures which reflect the need to make proper provision for personal safety and crime prevention (Policies GEN3 and HD20).
 - Retains Public Rights of Way and / or recreational routes, unless an acceptable and equivalent alternative is provided (Policy OE17).
 - Protects the nature conservation interest of open land and the water environment in the City (Policy OE5).

- Would not be at direct unacceptable risk from flooding or be likely to increase the risk of flooding elsewhere (Policy EP13).
- Retains key ecological and natural site features, such as trees, hedges, walls and ponds and secures protection measures during construction (Policy HD22).
- Incorporates landscaping undertaken in an ecologically sensitive manner in order to enhance nature conservation interest (Policy OE7).
- Makes proper provision for the planting and successful growth of new trees and landscaping, including any replacement planting provided as compensation for the loss of any trees due to development (Policy HD23).
- Reduces the reliance on the private car and improves facilities for cyclists and pedestrians and people with mobility and sensory impairments (Policies GEN6 and GEN3).
- Provides secure cycle parking facilities, safe and convenient walking routes through the site, and adequate car parking spaces (Policies T6, T7 and T12).
- Would not be adversely affected by exposure to any known or suspected contamination or at risk from the generation or migration of landfill gas (Policies EP2 and EP3).
- Would not create unacceptable air, water, noise or other pollution or nuisance or adversely affect the quality or supply of surface water or groundwater (Policies EP11 and EP12).
- Permanently preserves archaeological remains and their settings in situ, or secures an appropriate programme of mitigation including investigation, excavation and recording before development begins (Policy HD17).
- Encourages the provision of appropriate new works of public art (Policy HD24).
- Secures the efficient disposal of waste and encourage recycling, reclamation and reuse of waste, wherever possible (Policy GEN8).
- Minimises the overall demand for energy arising from the development by taking into account the need for energy sensitive siting, orientation and layout in the design of new developments (Policy HD21).
- Retains key ecological and natural site features, such as trees, hedges and walls (Policy HD22)
- Minimises light spillage and potential glare by ensuring that the lighting scheme is the minimum required for security and working purposes (Policy HD28).

Joint Merseyside and Halton Local Plan

- 5.38 The Waste Local Plan was adopted in July 2013. It contains a number of general policies that are relevant to most forms of development including: ensuring that construction implements measures to achieve the efficient use of resources (Policy

WM8); and that sustainable waste management principles are incorporated into development proposals (Policy WM9).

Other Material Considerations

Supplementary Planning Documents / Guidance

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

Trees and Development SPG

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

New Residential Development SPG

- 5.42 Adopted in April 1996, Supplementary Planning Guidance Note 10 relates to new residential development and supplements Policy H5 of the UDP. It provides guidance to help ensure that new developments are well integrated into their surroundings and offer a good standard of amenity to future occupants whilst protecting the amenity of existing occupiers.
- 5.43 The note confirms that all new residential developments are expected to have reasonable levels of privacy and amenity. Each development will be assessed on its merits, using minimum standards as a benchmark.
- 5.44 Developers of housing sites exceeding 25 family dwellings are required to make appropriate provision for recreational open space: preferably on-site provision equivalent to 50 sq m per dwelling.

Design for Access for All SPD

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

Ensuring a Choice of Travel SPD

- 5.46 The Ensuring a Choice of Travel SPD was adopted by LCC in December 2008 and provides guidance on the access and transport requirements for new development.
- 5.47 Developments are encouraged in locations with the best levels of access. A Minimum Accessibility Standard Assessment (MASA) should be undertaken to assess the levels of accessibility of a proposed development.

- 5.48 The document also outlines car and cycle parking guidelines for various types of development. Outside of the City Centre, new housing developments should look to provide an average of 1.5 spaces per dwelling.
- 5.49 Proposals for more than 50 dwellings must be accompanied by a Transport Assessment which examines the demand for travel generated by a development and how this can be met in a safe and sustainable way. A Travel Plan is also required for residential developments above 30 dwellings.

Emerging Liverpool Local Plan

- 5.50 LCC is currently preparing a new Local Plan which will eventually replace the Liverpool UDP. The first stage of public consultation took place between December 2013 and April 2014 and sought views on what the Local Plan should contain.
- 5.51 The 'Shaping the Liverpool Local Plan' document confirms that the Local Plan will be a single document which sets out strategic objectives for the development of the City over the next 15-20 years, and more detailed guidance to manage the type, location and scale of this development, including allocation of specific sites. Previous work involved in preparing and consulting upon the Core Strategy will be retained and up-dated to become the central strategy of the Local Plan.
- 5.52 The Submission draft of the Core Strategy was published in 2012. Whilst the document is no longer being progressed, it comprises the most recent expression of the Council's policy direction up to 2028. The stated objectives include creating, *inter alia*, a strong economy, residential neighbourhoods that meet housing needs, an average annual housing requirement of c. 2,400 dwellings, high quality green infrastructure and an attractive and safe city with a strong local identity.

Local Plan Evidence Base

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

Liverpool Strategic Housing Market Assessment (May 2011)

- 5.54 GVA prepared a Strategic Housing Market Assessment (SHMA) in May 2011 to assist the Council in the preparation of the Core Strategy.
- 5.55 In terms of existing housing stock, the SHMA identifies that almost half of all houses in the City are terraced properties (45.8%), with just 6.9% of residents living within a detached property⁵. In terms of dwelling size, the majority of properties have three bedrooms (53.8%). Just 12.7% of all properties in the City have four bedrooms or more⁶. Just under half (40%) of all properties within the City fail to meet the Decent Homes Standard.
- 5.56 The application site is located within the 'Suburban Core' Housing Market Sub-Area of the City, which contains the neighbourhoods of Allerton, Woolton, Mossley Hill, Gateacre and Childwall, and enjoys high levels of demand for housing.

⁵

Based on information taken from the 2001 Census

⁶

Based on the 2010 Household Survey

- 5.57 A substantial part (44%) of Liverpool's workforce chooses to live outside the City. In order to achieve a higher level of containment, and meet economic growth ambitions for Liverpool the study identifies a requirement to meet the needs of residents that would otherwise chose to move out of the City. In particular, there is demand for aspirational housing in good quality neighbourhood surroundings, including good schools and services. These properties should provide 'traditional family accommodation' and be semi-detached and / or detached.

Liverpool Strategic Housing Land Availability Assessment (September 2014)

- 5.58 LCC prepared a Strategic Housing Land Availability Assessment (SHLAA) for Liverpool in September 2014. The SHLAA reflects the City's housing supply position at a base date of 1 April 2013.
- 5.59 The SHLAA claims to identify sites to accommodate a total of 12,681 dwellings within the five year period (i.e. 1 April 2013 - 31 March 2018). When this level of supply is considered against the draft housing requirement within the Submission draft Core Strategy, it represents a shortfall of 155 dwellings if a 5% buffer is applied, and a shortfall of 1,989 dwellings if a 20% buffer is applied. The document, therefore, acknowledges that the council was unable to demonstrate a five year supply of housing land at that time.

Liverpool Open Space Study (November 2005)

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

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

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

Relevant High Court and Court of Appeal Judgments

Green Gap / Wedge Policies

- 5.64 Judgement relating to a proposed residential development within an identified Green Gap in Cheshire East borough has recently been handed down in the Court of Appeal⁷. The aims of the Green Gap policy in Cheshire East are comparable with the Green

⁷

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

Wedge policy (OE3) in Liverpool, in that it seeks to prevent permanent development within the identified area in order to maintain separation between settlements. The judgment provides clarity on the weight to be attached to UDP Policy OE3 and is, therefore, highly relevant to the determination of this planning application.

- 5.65 The judgment revolved around the interpretation of Paragraph 49 of the Framework, and particularly the meaning of ‘relevant policies for the supply of housing’ and when policies should be regarded as being out of date in the absence of a five year housing land supply.
- 5.66 Presiding in the Court of Appeal, Lord Justice Lindblom found that, when read in the context of the Government’s ambition to “boost significantly the supply of housing” and the Framework as a whole, Paragraph 49 seeks to deliver housing, particularly where authorities cannot demonstrate a five year supply. It should, therefore, be interpreted widely and the words “relevant policies for the supply of housing” should be applied to all policies which have the effect of restricting residential development. To that extent, his conclusion is that in absence of a five year supply, Paragraph 49 reduces the weight that should be attached to ‘Green-Gap type’ policies in the decision making process.

Sustainable Development

- 5.67 On 16 March 2016, Mr Justice Coulson handed down judgment⁸ confirming that, even where a proposed development conflicts with the adopted development plan, the presumption in favour of sustainable development remains a material consideration.
- 5.68 The judgment centres on the meaning and interpretation of the presumption in favour of sustainable development at the heart of the Framework. Paragraph 14 confirms that this *“should be seen as a golden thread running through both plan-making and decision-taking”*.
- 5.69 In the case, Wychavon District Council sought to argue that the presumption in favour embodied in Paragraph 14 only applies where it is found that the development plan was silent or absent, or if the relevant policies were out-of-date. In reaching his decision, J. Coulson found that:

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

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

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

⁸

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

Other Government Reports and Guidance

The Plan for Growth (HM Treasury, March 2011)

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

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

"The Government's clear expectation is that the answer to development should wherever possible be "yes", except where this would compromise the key sustainable development principles set out in national planning policy"⁹.

5.73 The Statement goes on to say that:

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

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

5.74 The Plan also highlights the importance of retaining and encouraging investment of businesses within the UK, including the promotion of "labour mobility by boosting the supply of housing through support for the housebuilding industry"¹⁰.

5.75 The CLG's Chief Planner has made clear that the Minister's statement comprises a material consideration in planning decisions¹¹.

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

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

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

⁹ Written Ministerial Statement: Planning for Growth. Greg Clark Minister of State for Decentralisation (23 March 2011)

¹⁰ Page 9, The Plan for Growth (HM Treasury, March 2011)

¹¹ Letter from Steve Quartermain (Department for Communities and Local Government Chief Planner) to all Chief Planning Officers in England (31 March 2011)

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

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

The Queens Speech (27 May 2015)

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

- Give effect to other changes to housing and planning legislation that would support housing growth, and
- Simplify and speed up the neighbourhood planning system, to support communities that seek to meet local housing and other development needs through neighbourhood planning.

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

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

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

*"The UK has been incapable of building enough homes to keep up with growing demand. This harms productivity and restricts labour market flexibility, and it frustrates the ambitions of thousands of people who would like to own their own home."*¹²

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

Housing and Planning Bill

- 5.83 The Department for Communities and Local Government is currently progressing a Housing and Planning Bill which will, once enacted, set out provisions to promote the supply of housing across the country, and amending affordable housing policy to encourage the development of 'Starter Homes'¹³ as part of Section 106 Agreements.
- 5.84 The Bill is currently at committee stage and being examined by the House of Lords. It is expected to gain royal assent before the end of 2016.

¹² Page 11, Fixing the Foundations: Creating a More Prosperous Nation (July 2015)

¹³ New dwellings that are available for purchase by first-time buyers at a discount of at least 20%

Summary and Conclusions

- 5.85 The Government has made clear its expectation through the Framework and Ministerial Statements that local planning authorities should adopt a positive approach to development which makes a contribution to economic growth and does not compromise key sustainable development principles. Housing development is recognised as a key component of growth.
- 5.86 The development plan is the starting point in the decision-making process. The weight to be attached to relevant policies in the development plan depends upon whether they are up-to-date and their degree of consistency with the policies of the National Planning Policy Framework.
- 5.87 The application site is identified as green space within the Liverpool Unitary Development Plan, upon which the merits of a proposed development need to be considered against the intrinsic value of the particular green space in question (Policy OE11).
- 5.88 The site is also located within the defined Green Wedge, where Policy OE3 seeks to maintain the predominantly open character and separation between existing built-up areas of the City. However, this policy needs to be viewed in the context of the recent Court of Appeal judgment¹⁴ which has found such policies to be relevant to the supply of housing and so out-of-date where an authority is unable to demonstrate a deliverable five year housing land supply.
- 5.89 The proposal will contribute towards the overarching objectives and policy ambitions of the adopted development plan and emerging evidence base to deliver a range and quality of housing development in the City; this is consistent with the golden thread running through the Framework setting out a presumption in favour of sustainable development and a significant material consideration in the decision making process.

¹⁴

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

6. Planning Appraisal

Introduction

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

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

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

Issue 1: Compliance with the Development Plan

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

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

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

Principle of Development

Protection of Green Space

- 6.6 The application site is identified as Green Space within the Liverpool UDP (Policy OE11). This designation was applied to the majority of green spaces in the city at the time the UDP was prepared. Sites range from city parks to incidental areas of open space and school playing fields. The policy seeks to protect the amenity value of the City's green space and takes a protective stance, which necessitates the consideration of any development proposals against a number of criteria, the combination of which together form the green space's 'amenity' value. The four criteria comprise the recreational function and visual amenity value of the site, its relationship to adjoining green spaces and any inherent conservation value that the site may have.

6.7 Paragraph 8.141 of the UDP confirms that the policy is not intended to form a restrictive block on the development of all green space, but to allow the merits of a development proposal to be weighed against the value of a particular green space.

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

i) Recreational function

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

6.10 While the site was once used as playing fields associated with the former school at Allerton Priory; that use ceased in the mid-1990s and the land has been devoid of any active recreational function since that time. The site has never been publicly available for recreational purposes and, it follows that the development of the site for alternative uses would not harm that objective of Policy OE11.

6.11 Conversely the development proposal includes generous amounts of open space within the site, including areas of amenity and meadow grassland, formal footpaths and a play area. It will, clearly, make a positive contribution towards this objective of Policy OE11.

ii) Visual amenity value

6.12 The existing site is enclosed by a high stone boundary wall and significant level of mature trees and vegetation, to the extent that long range views looking into the site, for example from Clarke Gardens or Allerton Park Golf Course, are not possible. Short range views from Allerton Road and Woolton Road are limited to higher level views over the boundary wall in gaps between mature trees. In the circumstances, the site currently has limited visual amenity value, other than an 'impression' of mature trees and potential openness beyond the boundary wall.

6.13 As confirmed within the Landscape and Visual Impact Assessment (LVIA), mature trees along wide grass verges on adjacent roads and around the golf course, Allerton Tower Park, Clarke Gardens and Simpson Ground provide a high degree of enclosure to the area; limiting views to those in close proximity to the site. To the west, views of the site are limited by existing built development including predominantly two storey semi-detached and detached properties and some larger properties on the corner of Allerton Road and Woolton Road.

6.14 In terms of shorter range views, the extent of existing mature trees and the sandstone boundary wall around the site provides a high degree of enclosure and generally limits views and provides separation of the site from its surroundings.

6.15 The LVIA confirms that:

- The bridleways to the north and east of the site are bordered by sandstone walls and woodland which provide a high degree of enclosure during summer months and only allow glimpses of grassland within the application site in winter months, heavily filtered by tree branches.

- Views towards the application site from Allerton Tower Park are restricted by mature trees within the park, although occasional glimpses towards the walls bordering the bridleway to the east of the application site are possible.
 - Trees around the southern edge of Allerton Park Golf Course provide wooded enclosure and generally screen views of the site during summer months and heavily filter southerly views during winter.
 - From the areas of grassland within the northern part of Clarke Gardens, there are views towards trees and the sandstone wall along the application site's boundary with Woolton Road. There are occasional heavily filtered glimpses through the trees towards grassland and the derelict sports pavilion in the southern corner of the site.
 - Simpson Ground to the south east of the site is characterised by mature woodland along its north western and northern boundaries which provides enclosure and screening of the application site for people using this open space.
 - The mature trees within the Allerton Priory gardens provide a wooded setting and a high degree of enclosure to the priory. They provide screening to the grassland across the application site in summer months, and heavily filter views of the site from the priory in winter months.
 - Existing trees on the eastern boundary of the application site provide a high degree of screening to the site from the east (i.e. from The Orchard residential care home).
 - Residential properties within the central reservation on Woolton Road have northerly views towards the boundary wall and trees within the application site. Those trees provide screening to the rest of the site in summer, but there would be filtered views through in winter months.
 - Views along Allerton Road are characterised by the sandstone wall bordering the site and of a mature wooded belt of trees beyond. This provides a high degree of filtering of grassland within the site, although glimpsed views would be possible in the winter months.
 - Residential properties along Allerton Road are on slightly lower ground than the application site, beyond a wide grass verge planted with mature trees. Views of the site are partially filtered by trees, but are direct towards the sandstone wall and trees behind. Properties closest to Heath Road restrict views of the site from other properties further to the west.
- 6.16 In developing the site for residential development, there will inevitably be a change in its visual appearance. However, change does not necessarily equate to any diminution in value.
- 6.17 Following the proposed development, short range views from Allerton Road and Woolton Road will be of high quality, spacious residential development in a mature parkland setting. Residential dwellings will be set-back from the site boundaries,

particularly along the Allerton Road and Woolton Road frontages. Views of the development from public view points will be heavily filtered by the mature boundary trees and sandstone wall to be retained as part of the development. The illustrative layout of the site has been carefully designed to provide the opportunity for a series of viewpoints across and through the site, providing visual links between Allerton Priory (in the winter) and the extensive tree planting at the site boundary.

6.18 The proposed development has been sensitively designed to integrate with its built and landscape setting. Areas of open space will be provided around the edges of the site, with houses set back from the Allerton Road and Woolton Road frontages. This, and extensive tree planting across the development, will help to minimise the visual impact of the scheme when viewed from beyond the site. The illustrative layout and house type profile is consistent with and reflective of the character of the surrounding area. The proposed scale of development positively responds to the visual amenity value of the site within its context. Where the development is visible, houses will be viewed within a high quality, parkland setting.

6.19 In light of the above, while there will be change to the visual amenity of the site arising from a reduction of openness, any harm to this objective of Policy OE11 is minimal due to:

- the limited range of views into the site currently available from surrounding viewpoints
- the preservation of key, long-range views through and over the site that the proposed development will ensure
- substantial new tree planting that will maintain the impression of space and openness, and
- the high quality of the development and landscape setting proposed.

iii) Relationship to adjoining green spaces

6.20 The site is physically, functionally and visually separated from wider land used for recreation purposes, including Clarke Gardens and Allerton Park Golf Course, by the high stone boundary wall and the extent of mature trees and vegetation around the site, particularly at its boundaries.

6.21 These features make a clear distinction between the existing land used for recreation purposes to the north and south and the application site, which comprises land which is not in recreational use.

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

6.23 On the contrary, the proposed development will facilitate public access to the application site for recreational purposes. Furthermore, the provision of footpath and cycle links through the site to the existing bridleway which runs along the eastern boundary will

improve physical connections to adjacent open space which is publicly accessible. This is a material benefit of the proposed development.

iv) Inherent nature conservation value

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

Conclusion on Green Space (Policy OE11)

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

boundary to the site from publicly accessible green space (including Clarke Gardens and Allerton Park Golf Course).

- Not adversely affect the conservation or ecological value of the site.
- 6.31 The assessment demonstrates that while the harm to the objectives of Policy OE11 are limited, the development will result in the following benefits to its objectives; it will:
- Open up the site for recreational use; providing c. 6.5 ha of publicly available open space for informal recreational activities and a children's play area
 - Create footpath and cycle links offering physical and functional connections to adjacent green spaces; and
 - Provide ecological and biodiversity enhancements through the provision of a high quality landscaping strategy.
- 6.32 While there will be change to the visual amenity of the site. Strict interpretation of Policy OE11 indicates only a minor conflict against this aspect of the policy. This needs to be considered in balance with: the benefits to the overall objectives of policy OE11, the development plan as a whole, and other relevant material considerations.

Green Wedge

- 6.33 The application site forms part of the Calderstones / Woolton Green Wedge, which extends across a large area of predominantly open land between Hunts Cross / Speke and Allerton. Paragraph 8.24 of the Liverpool UDP notes that the Green Wedge policy (OE3) is designed to protect extensive linked areas of open space of City-wide importance. It goes on to confirm that Green Wedges provide a physical and visual break between major residential areas and help to ensure that the City can continue to offer high quality environments in these areas.
- 6.34 Policy OE3 establishes the objective of protecting and improving the open character, landscape, recreational and ecological quality of the Green Wedges. Restricting built development in the Green Wedge is an important means of achieving this. However, Policy OE3 does not preclude development in the Green Wedge outright. Rather, it seeks to restrict it to the extent needed to ensure that the predominantly open character of the Green Wedge and the physical separation between built-up areas which it provides is retained.
- 6.35 The extent to which Policy OE3 prevents development in the Green Wedge depends on the context presented in each case. This includes:
- (a) The site – its role and location within the Green Wedge, its external visibility and openness, and
 - (b) The development – its layout and arrangement of buildings and their visibility.

These two aspects are considered in turn below.

a) The Site

- 6.36 Unlike the majority of the Green Wedge the application site is not currently accessible to the public and provides no recreational function. It is physically and visually separate from surrounding open land which is publically accessible, including Clarke Gardens and Allerton Park Golf Course.
- 6.37 External views into the site are limited by the extensive landscaping and boundary wall which surround the site and it makes a very limited contribution to the open character of the Green Wedge.
- 6.38 The application site comprises a relatively small element (approximately 4.5%¹⁵) of the wider Green Wedge. Its loss in terms of impact on character would be insignificant given the substantial amount of publically accessible and more visually open land that will remain.
- 6.39 Finally, development of the site will not lead to the residential areas of Allerton and Woolton from merging together or being experienced as a continuous urban area.

b) The Development

- 6.40 The illustrative layout for the proposed development has been sensitively designed to ensure that substantial green corridors are provided along the site's boundaries with Allerton Road and Woolton Road, with the proposed dwellings set back from the boundary. This layout, in addition to the existing boundary wall and mature vegetation, and the associated change in levels, will help to reduce the visual impact of the development from outside the application site. Redrow has intentionally designed the scheme so that views into the site from Allerton Road and Woolton Road are still predominantly 'green', and the new housing is viewed within a high quality, substantial landscaped setting.
- 6.41 In addition, substantial areas of public open space will be provided within the site, for the use of future residents of the development as well as existing residents in the local area.
- 6.42 Low density housing, an informal 'parkland' layout and retention of key areas of structural woodland and open land will ensure that the individual properties nestle into the existing landscape setting and the overall sense or impression of 'openness' of the site is maintained.
- 6.43 A high standard of landscaping will be provided, with existing vegetation and features retained wherever possible. A material palette which is sympathetic to the character of the area is also proposed in order to help achieve compliance with Policy OE3.

Conclusion on the objectives of Green Wedge (Policy OE3)

- 6.44 Policy OE3 seeks to resist development within the defined Green Wedge where it would comprise the function of the Green Wedge in keeping residential areas separate and the open character of green space.
- 6.45 The application site is enclosed by strong boundary features and only limited views into the site from surrounding roads and adjacent green space are available. The proposed

¹⁵ Paragraph 8.29 of the Liverpool UDP indicates that the Green Wedge comprises a total of c. 300 hectares

development will maintain the predominantly open character of the Green Wedge, consistent with that objective of Policy OE3.

- 6.46 While the development will result in some reduction in the degree of separation between the built-up areas of Allerton and Woolton, the extent of that encroachment and reduction of the gap will be minimal (both perceived and actual). A significant gap between the two areas would remain after development and the extent of land remaining would continue to meet the function as Green Wedge; the development would certainly not lead to these two areas merging together. This limited harm against the objectives of Policy OE3, must be weighed in the planning balance; this is particularly important in the context of housing land supply considered below.

Meeting Housing Requirements

- 6.47 As explained in Section 3 of this Statement, Liverpool City Council has acknowledged that there is a shortfall against the five year housing requirement in the City. Significant development is, therefore, required to meet the short term housing need and the housing delivery objectives of the plan.
- 6.48 Policy OE3 is a policy that seeks to restrict the supply / location of new housing development. In the circumstances, and in absence of a deliverable five year housing land supply, that policy should be regarded as out-of-date, in accordance with Paragraph 49 of the Framework. This view is supported by the recent Court of Appeal judgment in the Willaston case (see above) which confirms that, “relevant policies for the supply of housing” should be interpreted widely, and include those policies which have the effect of restricting where residential development takes place (such as Policy OE3). Only limited weight can be attributed to any conflict with UDP Policy OE3 in the context of the shortfall in housing land in Liverpool and the Government’s drive to “*boost significantly the supply of housing*”¹⁶.
- 6.49 The application site is deliverable and the proposals would go some way in helping to address the clear and identified shortfall in supply in the city. This consideration weighs strongly in favour of the proposals. Paragraph 47 of the Framework cannot therefore be satisfied and Paragraphs 49 and hence 14 are engaged, adding a positive presumption in favour of a grant of permission in the planning balance.

Historic Environment

- 6.50 The development plan contains policies that are designed to protect the historic environment, including the setting of listed buildings (UDP Policy HD5). However, the development plan was adopted in 2002 and is therefore not consistent with the most up-to-date policy contained in the Framework and guidance prepared by Historic England¹⁷ (formerly English Heritage).
- 6.51 The Historic England guidance provides detail on how to define and assess setting and the associated impact of any changes arising from a development. It confirms that setting is not a heritage asset, nor a heritage designation, rather the importance of setting lies in what contributes to the significance of the relevant heritage asset itself.

¹⁶

Paragraph 47, The Framework

¹⁷

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

6.52 The Framework defines the setting of a heritage asset as:

“...the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”¹⁸

6.53 The assessment of the application proposals, against the relevant heritage policy in the adopted UDP, takes accounts of the current HE guidance and the Framework. Full details and analysis are set out in the submitted Heritage Statement that accompanies the application and the single-topic Environmental Statement.

6.54 There are a number of listed buildings in close proximity to the application site, upon which the proposed development has the potential impact on their setting. These are listed within Section 2 of the accompanying Heritage Statement and include:

- Allerton Priory (Grade II*)
- Lodge to Allerton Priory (Grade II)
- Allerton Tower Orangery (Grade II)
- Lodge to Allerton Tower, with adjoining gate piers (Grade II).

6.55 In addition, the application site includes a non-designated heritage asset (Farmstead to south of Allerton Priory).

6.56 In respect of Allerton Priory, the Heritage Statement confirms that:

- Allerton Priory is located outside of the application site. As a result, any effects arising from the development would be indirect; there will be no direct impacts on the fabric of the building and the special architectural interest of the Priory will be preserved.
- The special historic interest of Allerton Priory is derived from important historic associations, for example as an early example of the gradual pattern of Liverpool merchants moving out of the centre of the City and establishing a suburban area to the south. The association with Alfred Waterhouse and Gillow and Company makes a significant contribution to the special historic interest of the current Priory. The historic interest of the building, including its role within the development of the Allerton area, would be preserved (i.e. not harmed) by the proposed development.
- The application site forms part of a multi-layered landscape, elements of which, including the boundary wall and tree belt associated with the Priory, contribute to the historic interest of the Grade II* listed building. However, the contribution that the historic ‘layers’ of development make to the significance of Allerton Priory will not be effected by the proposed development.

¹⁸

- The driveway (now known as Ye Priory Court) is contemporary with the Priory and its immediate grounds and as a bespoke feature, designed to firstly screen and then reveal the Priory; it makes an important contribution to the setting, and significance, of the listed building. The driveway also provides a specific designed connection between the Lodge and Priory. The Proposed Development would be located in the open space to the south of the drive. The low embankment within the application site, parallel to the western end of the drive, would partly screen the northern block of housing. This embankment would have obscured views from the drive into the estate prior to the fragmentation of the Priory and grounds.
- In views south from the central section of the drive, the development is likely to be more prominent, although any views would be heavily filtered through the trees and bushes along the southern edge of the drive. The masterplan includes a significant area of landscape planting between the Priory drive and the northern edge of the proposed houses. The planting is similar in area and will have a screening effect consistent with that approved as part of the previously approved equestrian centre development.
- As the drive approaches the Priory, it develops a highly enclosed character as the designed rock outcrops, alignment of the narrow carriageway and enclosing effect of the canopies of the mature trees combine to create an introverted space. At this point, the proposed development would have a neutral impact and would preserve the contribution that this part of the immediate setting makes to the overall significance of the heritage asset.
- During winter months, existing trees heavily filter views of the Priory and prevent a full appreciation of the special architectural interest of the building from being gained. At no point can a clear vista be gained of the Priory from the application site. The relationship of the Priory with its wider former grounds, within the enclosing boundary wall and tree belt, has been substantially eroded by the above tree growth.
- In conclusion, the proposed development would preserve (i.e. not harm) those aspects of setting that make a positive contribution to the significance of the heritage asset. In this context it is also important to note that the principle of developing buildings of a significant scale and massing has previously been accepted by LCC through the approval of the equestrian centre development.
- The noise of the adjoining suburbs is clearly discernible from within the application site, however, there is a sense of tranquillity gained from an area of land that has been marginalised and left without a function. The Equestrian Centre would have created a significant amount of activity, while retaining parts of the open space, and the character of the former grounds to the Priory would change in this respect. If, considered harmful to the setting of the Priory, the introduction of activity on to the application site would be at the very lowest scale of 'harm' and in the context of what has been permitted and of the overall significance of the heritage asset, the impact would be negligible. The impact on the quiet character of the site would be balanced, from a heritage perspective, by

the positive benefits of gaining public access to a Site that has previously been inaccessible to the public.

- The boundary wall and related tree belt that define the former grounds of the Priory make an important contribution to the setting of the current Priory. They define the extent of the former estate (prior to fragmentation in 2000), and they give an impression of a high status residential estate. A new entrance is proposed into the site, through the wall from Allerton Road. The new opening in the wall would make a negligible intervention in the structure and would not affect the contribution of the wall to the significance of the Priory. The extensive tree belt that screens the former Priory estate from adjoining residential areas would be retained within the Proposed Development and in combination with the boundary wall would preserve the special historic interest of the Priory as a former high status residence.
- The Priory was designed to take advantage of its elevated position, for example with the inclusion of a viewing platform at roof level to gain long distance views across the Mersey to the Welsh hills. Given the height of the roof, extent of intervening tree cover and topography of the application site, which slopes downhill to the west, it is unlikely that the proposed development would impact on the long distance views that the building was intended to benefit from. This aspect of setting would not be affected.

6.57 In respect of the Allerton Priory Lodge, the Heritage Statement concludes that:

- The special architectural and historic interest of the lodge derives from its architectural style and quality and the association with Waterhouse and Morris. Those aspects of special interest would not be affected by the proposed development.
- The Lodge is experienced at the entrance to the Priory driveway, just inside the boundary wall. It is sited to address the drive and is clearly understood as an entrance lodge to a high status residence. The decorative boundary wall and gate pillars, immediately associated with the Lodge, emphasise the status of the entrance. These aspects of setting make an important contribution to the special architectural and historic interest of the Lodge and would not be affected by the proposals.
- The Lodge is experienced against the background of tall mature trees that contribute to the tree belt that screens the former Priory grounds from the adjoining suburban area to the western side of Allerton Road. The trees and associated boundary wall would be retained by the proposed development. The additional entrance to the site would have a negligible impact on the visual qualities of the boundary wall. It would not harm this aspect of setting and the contribution it makes to the special interest of the listed building.
- The tree belt, immediately south of the Lodge does not benefit from the screening effect of smaller trees and large shrubs, and views are gained into the application site under the bows of the larger mature deciduous trees. The proposed houses would be set back behind the Lodge and an area of landscaping, incorporating

clumps of trees between the rear of the Lodge and the proposed development; this is consistent with the proposed landscaping scheme for the approved equestrian centre.

- In conclusion, the proposals will not affect the setting of the Lodge which would still be fully appreciated as a clearly identifiable building type, associated with the boundary wall of the original estate, the entrance gateway and the drive to a significant residence.

6.58 Due to the distance, topography and extent of intervening development, the proposed development will not have any discernible impact on the significance (including setting) of the other identified heritage assets¹⁹.

6.59 Overall, the Heritage Statement and Environmental Statement conclude that the proposed development is not harmful to the significance of the heritage assets assessed and is, therefore, consistent with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Framework and local planning policies to which material weight can be attributed.

Development Management Policies

6.60 The technical information and reports submitted in support of this application demonstrate that the development proposals are capable of meeting all of the relevant requirements of other technical / development management policies identified. The findings of the relevant reports are summarised below, in referring to the relevant policies of the UDP:

- The Design and Access Statement demonstrates how the illustrative design of the development positively respects and responds to the density, design and layout of the local area in which it is situated, maintains level of privacy and amenity for existing and future residents, and demonstrates 'good design' in accordance with Policies H5 and HD18.
- Each dwelling will have access to a private rear garden, and a substantial amount of public open space will be provided within the site, in accordance with Policy OE14.
- All dwellings will be built to current Building Requirements and will, therefore, be fully accessible, as required by Policy HD19.
- The Transport Assessment demonstrates that the application site occupies a sustainable location with access to public transport services and within easy reach of a range of local facilities; the development would have no perceptible impact on the highway network, and will ensure a safe, attractive, convenient and nuisance-free highway environment for pedestrians, cyclists and drivers, in accordance with Policies H5, T6 and T7.
- The submitted Transport Assessment also confirms that there will be no detrimental impact to the safe and efficient operation of the highway network and

¹⁹

Allerton Tower Orangery, Stables and Lodge; and Allerton Hall and Obelisk

the proposal will accord with the Council's parking standards in accordance with Policies T12 and T15.

- The Air Quality Assessment confirms that whilst there is potential for air quality impacts to occur as a result of fugitive dust emissions during the construction phases, assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by earthworks, construction and trackout activities will be negligible. The results of the dispersion modelling assessment predict that the impacts on NO₂ and PM₁₀ levels as a result of operational phase vehicle exhaust emissions will be negligible at all sensitive receptor locations. The overall significance of potential impacts is determined to be negligible, in accordance with Policy EP11.
- The Ecological Assessment confirms that there are no overriding ecological factors present that would preclude development at this site in accordance with Policy OE5, OE7 and HD22. Indeed, opportunities exist for a net benefit in biodiversity to be secured.
- The Arboricultural Impact Assessment demonstrates that the proposals would not result in the unacceptable loss of or damage to trees. A large amount of additional street tree planting is proposed within the scheme and the majority of existing trees will be retained in accordance with Policy HD22 and HD23.
- The Flood Risk Assessment confirms that the site lies wholly within Flood Zone 1; there would be no increased risk of flooding as a result on the proposed development and that appropriate attenuation features will be provided on site to ensure there will be no risk of additional surface water or to ground water quality in accordance with Policy EP12 and EP13.
- The Geo-Environmental Appraisal indicates that the topsoil and made ground are not suitable to support the structural loads associated with the development. The development will, therefore, require the use of spread foundations taken down through the topsoil and / or made ground. This can be secured via condition and will ensure that the development is carried out in accordance with Policy EP3
- The Archaeological Assessment concludes that the potential for archaeological features from any period prior to the Post Medieval period is low. Whilst there may be the potential for some archaeological remains of the former Home Farm to be present, this area of the site is shown as public open space on the illustrative masterplan and any archaeological remains will, therefore, not be disturbed. The only structure to be impacted by the development is the former sports pavilion in the southern corner of the site; this has no archaeological or historic value and, as such, it is concluded that no archaeological works would be required in accordance with Policy HD17.
- The Statement of Community Involvement confirms that the consultation exercise has been undertaken in accordance with the City Council's Statement of Community Involvement.

Conclusion on Compliance with the Development Plan

- 6.61 The proposed development is consistent with a key objective of the development plan to ensure that good quality housing, appropriate to people's needs, is available for all those who wish to live in the City. This key objective accords with the Framework.
- 6.62 It is acknowledged that there is a significant shortfall against the five year housing requirement in the City and the development will make an important contribution towards meeting the short-term housing need. The application, therefore, needs to be considered within the context of Paragraph 47 of the Framework which aims to "*boost significantly the supply of housing*"; relevant policies for the supply of housing, including policy the Green Wedge policy (OE3) should, therefore, be afforded limited weight.
- 6.63 The application site is identified as green space and is located within the defined Green Wedge on the proposals map to the UDP. However, the site has no current recreational use, is not publically accessible and is physically and visually separated from adjacent areas of green space. The proposed development is broadly compliant with the exception criteria set out in Policy OE11 for development on green space and whilst the development will result in a change to the visual amenity of the site, the harm to the objectives of Policy is very limited and needs to be considered in the wider context of the development plan.
- 6.64 Careful consideration has been given to the setting of the listed buildings which are located within close proximity to the site. The development will preserve those elements of setting that contribute to the significance of the listed buildings.
- 6.65 The development proposals are capable of meeting all of the relevant requirements of other technical / development management policies identified.

Issue 2: Assessment of Other Material Considerations

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

Compliance with the National Planning Policy Framework

Core Planning Principles

- 6.67 Paragraph 17 of the Framework sets out twelve core land-use planning principles that should underpin both plan-making and decision-taking. The development proposals are aligned with the following principles of relevance:
- Proactively drive and support sustainable economic development to deliver homes and thriving local places that the country needs. Every effort should be made to objectively identify and then meet the housing, business, and other development needs of an area and respond positively to wider opportunities of growth.
 - Seek to secure high quality design and good standard of amenity for existing and future occupants.

- Supports the transition to a low carbon future.
- Contributes to conserving and enhancing the natural environment.
- Actively manage growth to make the fullest possible use of public transport, walking and cycling.
- Take account of and support local strategies to improve health, social, cultural wellbeing for all and deliver community facilities to meet local needs.

Presumption in Favour of Sustainable Development

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

Building a Strong, Competitive Economy

- 6.72 The Framework confirms at Paragraph 18 that the Government is committed to securing economic growth in order to secure jobs and prosperity. Planning should not be an impediment to sustainable growth and significant weight should be placed on the need to support economic growth through the planning system (Paragraph 19).
- 6.73 Housing development is a key component of economic growth; this is recognised in Government policy and Ministerial guidance.
- 6.74 Government statements recognise the importance of housing development to achieving economic growth and recovery. A press release issued by the Housing and Local Government Minister advises that:
- "...increasing the rate of house building is the top priority for the Government" and "there is no room for complacency in the drive to build more homes"*²⁰.
- 6.75 A number of recent appeal decisions issued by the Planning Inspectorate have explicitly recognised the socio-economic benefits of housing developments and the weight to be

²⁰

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

afforded to these in the decision-making process, even where, unlike this case, there is a five year supply²¹.

- 6.76 The proposals will make a significant contribution towards local priorities for economic development and the focus for Liverpool to be the driver of growth in Merseyside. The development will provide a high quality housing offer attracting highly skilled workers into the area, who will help to support and grow the type of businesses desired in Liverpool in the future. Local jobs will be created through the construction process and new residents will contribute towards a significant rise in expenditure to support the local economy and generate additional council tax receipt
- 6.77 On this basis, the provision of quality family housing at Woolton Road will make an important contribution towards the achievement of sustainable economic growth in Liverpool and is fully supported by the requirements and advice of the Framework. Indeed, Paragraph 19 is clear that “significant weight” should be placed on the need to support economic growth through the planning system.

Promoting Sustainable Transport

- 6.78 The application is supported by a Transport Assessment (TA) which assesses the accessibility of the site, the existing capacity of the highway network and the traffic generation associated with the proposals.
- 6.79 It can be concluded from the analysis in the TA that the proposals:
- Are located in a highly sustainable location, with a high quality road network, good pedestrian facilities and access to buses and trains within comfortable walking distances. A range of local services and facilities are also within close proximity to the site, including local shops, schools and health facilities.
 - The proposed vehicular access points to the site have been demonstrated to operate well within capacity once the development is complete, with no queues or delays predicted.
 - There are no existing highway safety problems within the vicinity of the site that need attention or would be exacerbated by the development traffic.
 - The proposed development will not result in any material increase in queues or delays at junctions on the surrounding highway network.
- 6.80 The Transport Assessment concludes that, in transport and highways terms, the proposed development is acceptable and there are no overriding issues that should prevent the granting of planning permission. It certainly does not identify any impact which can be determined as being ‘severe’ and therefore meets the test set out at Paragraph 32 of the Framework.
- 6.81 The site is also capable of offering a range of opportunities to encourage sustainable transport modes to be taken up by future residents in preference to the use of the private car; this is consistent with Paragraph 37 of the Framework.

²¹

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

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

Delivering a Wide Choice of High Quality Homes

- 6.83 Paragraph 47 of the Framework states that to “*boost significantly*” the supply of housing, local planning authorities should identify a supply of specific immediately deliverable sites sufficient to provide 5 years supply with an additional (minimum) buffer of 5%; and identify further deliverable sites to meet the requirements of years 6 – 10. Paragraph 48 requires housing applications to be considered in the context of the presumption in favour of sustainable development.
- 6.84 Recent appeal decisions in Liverpool have confirmed that there has been persistent under-delivery of housing in the Borough, requiring a 20% buffer to be provided. This position has been accepted by the Council.
- 6.85 On any measure, as the Council cannot demonstrate a five year housing supply, there is an urgent need to grant planning permission for new housing on unconstrained, deliverable housing sites in sustainable locations. The development of up to 160 new homes on the application site will make an important contribution towards meeting the existing deficiency in the Council’s deliverable and overall supply.
- 6.86 Moreover, the development proposals will increase the opportunities for the delivery of a wide choice and mix of new housing to meet identified local market needs, which is a significant material consideration and positive benefit to the scheme.

Housing Mix and Choice

- 6.87 Paragraph 50 of the Framework states that local authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.
- 6.88 The proposed development will provide a mix of dwellings offering a choice of type and size. The development will complement and widen the existing housing stock and reflect local needs in accordance with the Framework. In particular, it will help to meet the need for large, family homes in the City.

Requiring Good Design

- 6.89 The scheme is submitted in outline with all matters reserved for future approval, except for access. The proposals are supported by detailed design and access information and an illustrative masterplan setting out design parameters and demonstrating how the development can be assimilated into the wider area.
- 6.90 The accompanying Design & Access Statement confirms that:
- The proposals have been informed by an assessment of the site’s historic, spatial, landscape and physical context.
 - The application site is largely free of technical constraints and benefits from its close proximity to a range of local services within a short walking and cycling distance of the site.

- The character and appearance of the proposed development, presented in the development parameters and illustrative masterplan, respond to the site's unique attributes and will create a sustainable, high quality design which relates positively to its setting.

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

Promoting Healthy Communities

6.92 Healthy communities are those that interact and are cohesive. The location of this development site ensures that it will contribute positively to this objective. In addition, the development proposes new pedestrian and cycle links to the surrounding area, ensuring that it is not a stand-alone development.

6.93 It is an ideal location for residential development, located immediately adjacent to a vibrant and sustainable residential area and in close proximity to existing local facilities and services which are easily accessible by foot and bicycle.

6.94 The illustrative masterplan indicates how the development will create informal recreation open spaces and permeable and legible pedestrian and cycle routes through the site and into surrounding residential areas.

6.95 The proposals would therefore promote the principles of a healthy community and deliver sustainable development in this respect.

Meeting the Challenge of Climate Change

6.96 The Flood Risk Assessment (FRA) confirms that the application site lies entirely within Flood Risk Zone 1 and is, therefore, considered to be at low risk from flooding.

6.97 An outline drainage strategy has been prepared, which includes attenuation storage methods and these will take the form of ponds, swales, attenuation tanks and / or oversized pipes. The utilisation of these attenuation methods will ensure that there is no direct flood risk to the development or surrounding developments.

6.98 As a result, the proposals would accord with the Framework in terms of meeting the challenge of climate change.

Conserving the Natural Environment

6.99 The submitted technical documents demonstrate that the development of the site could be achieved without any harmful impacts on the natural environment.

6.100 While the site is greenfield, Paragraph 111 of the Framework, which seeks to encourage the re-use of brownfield sites is not a 'brownfield first' policy. There are insufficient brownfield sites in Liverpool to accommodate the development requirements in the City, necessitating the use of greenfield sites. Paragraph 110 is clearly not focussed on precluding greenfield development where there are no alternatives and there is no conflict with the Framework in this respect.

Ecology

6.101 An Ecological Assessment has been undertaken by TEP. The assessment confirms that:

- The application site does not form part of any statutory or non-statutory designation for nature conservation.
- There are, however, two locally designated sites within 1km of the site; Calderstones Park Local Wildlife Site and Hillfort Road and Simpson's Pavilion. It is considered that due to the distances involved and the barriers created by main roads and residential development, there will be no direct or indirect impact to these sites as a result of the proposed development.
- There are no protected plant species on the site, the existing trees, shrubs and grassland areas do provide habitats for nesting birds. Breeding bird surveys were undertaken during April – June 2015 and indicate that the application site supports a moderate diversity of species. The majority of species were all common species, but there was also a low – moderate number of Section 41 species²² recorded on site. The report sets out a number of enhancements and approaches that will, if implemented, avoid or minimise potential impacts on breeding birds. These measures can be secured via planning condition(s).
- Japanese knotweed and Himalayan balsam are present on the site and prior to development works commencing, a method statement will be produced for the removal of these species, which can be controlled by standard condition.
- Bat surveys have already been undertaken and demonstrate that the existing (derelict) building on the site has negligible potential for roosting bats. There are six trees which have been assessed as Category 2 with some potential for roosting bats; however these trees will not be removed as part of the proposals.
- Bat activity surveys were undertaken by TEP in May – August 2015 and indicated that the site is used by at least four species of bat for foraging and dispersal, predominately common pipistrelle. Bat activity was principally associated with the trees that border the site, which are of value to bats in themselves and also to the connectivity they provide across and beyond the site to adjacent habitats such as the woodland to the north and east. The survey confirms that bat activity across the existing areas of grassland within the site was very low. As a result, the loss of the majority of this habitat will not impact on bat activity across the site.
- Biodiversity enhancement opportunities will include the introduction of a mix of wildlife friendly species into the planting scheme. In addition, landscaping will prioritise the maintenance and enhancement of potential wildlife corridors. Finally, bat and bird boxes will be installed on suitable trees and incorporated within the new build. These measures can be secured through 'designed-in' mitigation and by planning condition.

²²

Natural Environment and Rural Communities Act 2006

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

Trees

- 6.103 A Tree Survey has been undertaken by TBA Landscape Architects in order to confirm the location of all trees on the site. This confirms that all of the trees on the site are protected by a Tree Preservation Order (TCP 225).
- 6.104 The illustrative layout has been designed to retain as many existing trees as possible. Whilst it will be necessary to remove a small number of trees in order to facilitate the new and upgraded vehicular access points into the site, these have been carefully located so as to reduce the extent of tree loss necessary.
- 6.105 A Tree Survey Report and Arboricultural Impact Assessment have been prepared by TBA and confirm that:
- The application site contains 156 no. individual trees, 45 no. tree / vegetation groups and 1 no. wooded area. Of the trees and vegetation on the site, 25% are of high value (Category A), 47% are of moderate quality (Category B), 22% are of low quality (Category C) and 5% are recommended for removal (Category U).
 - The main area of the proposed development is sited within the open parts of the site, and the indicative plan does not indicate any requirements to directly develop housing on treed areas.
 - Some tree removal will be necessary to facilitate access into the site. However, the proposed access points have been positioned so as to limit the extent of removal required. The tree loss needed is marginal given the number of trees within the site and the indicative proposal provides an excellent opportunity for new planting to more than mitigate the required losses.
 - All trees to be retained will be appropriately protected during the construction phase of the development.
- 6.106 In summary, the submitted reports confirm that the proposed development is based around the existing landscape features of the site and seeks to integrate them successfully into the overall design. The existing trees are retained wherever possible to provide a high quality landscape setting.

Noise and Vibration

- 6.107 A Noise Impact Assessment has been prepared by REC. The assessment concludes that, without mitigation, noise levels within the gardens of proposed dwellings adjacent to Woolton Road will exceed recommended limits as a result of high background noise levels. However, this can be satisfactorily mitigated by the installation of acoustic fencing around affected gardens and provision of alternative ventilation systems for affected properties, both of which can be secured by condition.

6.108 It is considered that the scale and nature of any additional noise and / or vibration during demolition and construction will be minimal and short term and there are no material sources of vibration in the area. Best practice measures, including restricted hours of working, will assist in ensuring that construction stage noise issues do not cause a nuisance.

6.109 In summary, it is concluded that, with the proposed mitigation measures in place, the proposed dwellings will enjoy a satisfactory noise environment and the proposals accord with the requirements of the Framework.

Air Quality

6.110 An Air Quality Assessment of the proposed development has been undertaken by REC. The assessment quantifies pollutant levels across the application site, considers its suitability for residential use and assesses the potential impacts of the development.

6.111 In summary, the Air Quality Assessment demonstrates that:

- During the construction phase of the development, there is the potential for air quality impacts arising from fugitive dust emissions as a result of earthworks, construction and trackout activities. However, the use of good practice control methods will provide sufficient mitigation and reduce potential impacts to an acceptable level.
- Existing pollutant levels across the site are below the relevant air quality standards. As such, the location is suitable for residential use without the inclusion of any mitigation methods.
- The dispersion modelling undertaken concludes that vehicle exhaust emissions generated by vehicles accessing the site once completed will not be significant at any sensitive location in the vicinity of the site.

6.112 In light of these findings, it is concluded that air quality issues are not a constraint to development, and the proposals accord with the requirements of the Framework in this regard.

Ground Conditions

6.113 Sirius has completed a detailed Geo-Environmental Appraisal of the application site which indicates that the topsoil and / or made ground are underlain by a strata of the CRB Formation. This typically comprises an upper layer of residual sandstone, recovered as medium dense to very dense sand, over competent sandstone bedrock. The assessment indicates that the topsoil and made ground are not suitable to support the structural loads associated with the development. The development will, therefore, require the use of spread foundations taken down through the topsoil and / or made ground.

6.114 Asbestos containing materials were not observed during the investigation; however, prior to the demolition of the existing pavilion building on site, an asbestos survey will be undertaken and can be secured via planning condition. The assessment also indicated that no significant pollutant linages exist for either the site end users or controlled waters.

Summary and Conclusions

- 6.115 The proposals are consistent with the objectives of the development, particularly those pertaining to the provision of new housing. Whilst the proposals will result in some limited harm to the objectives of UDP Policy OE3, this policy is out-of-date given the shortfall in deliverable housing land supply and can only be afforded limited weight. The development will also result in a minor conflict with one of the criteria of policy OE11, but otherwise positively supports the objectives of that policy. The application proposals comply with all other relevant development management policies and the overall strategy and objectives of the UDP. When read as a whole, the application accords with the Development Plan.
- 6.116 The proposals are entirely consistent with the Framework and represent sustainable development when considered against the requirements of Paragraphs 18 to 219 of that document.
- 6.117 In the circumstances, the proposals are compliant with Paragraph 38(6) of the 2004 Act and the first part of Paragraph 14 of the Framework, therefore, applies. On this basis, there is a strong presumption in favour of granting planning permission for the proposed development. Material considerations add further weight to the conclusion that planning permission should be granted without delay.

7. Planning Balance and Conclusions

- 7.1 This Planning Statement accompanies an outline planning application for the residential development of land at Woolton Road in Allerton, Liverpool. All matters are reserved for future approval, with the exception of the means of access, which is to be taken from two existing points on Woolton Road and a new access point from Allerton Road. The planning application is accompanied by development parameters, an illustrative masterplan and a detailed Design and Access Statement which, collectively, demonstrate how the site could be developed to provide up to 160 high-quality family homes alongside a significant amount of public open space.
- 7.2 The adopted Development Plan is substantially out-of-date as it was only intended to inform development needs up to 2001 and was prepared in accordance with the 1990 Act. Nevertheless, the application accords with those policies of the UDP that are relevant and up-to-date in accordance with the Framework and to which material weight can be applied.
- 7.3 The council has accepted it is unable to robustly demonstrate a deliverable five year supply of housing land. As a result, there is an urgent and pressing need to release sites for housing development in Liverpool in order to 'boost significantly' supply in accordance with the Framework, resulting in an added presumption in favour of housing development.
- 7.4 The application site is located within the Calderstones / Woolton Green Wedge; following the recent Court of Appeal ruling in the Willaston case the relevant policy, OE3, is a policy for the supply of housing. As the council is unable to demonstrate a deliverable five-year housing land supply the policy is out-of-date and the weight that can be attributed to it is reduced. In any case, the development will not result in significant harm to the overall objectives of Policy OE3 given that the site makes limited contribution to the purposes of Green Wedge and a significant gap will be retained between Woolton and Allerton following the development. The application site is also identified as green space within the adopted development plan (Policy OE11). Overall, the proposals will make a positive contribution to the objectives of Policy OE11. There will be change to the visual amenity of the site resulting in a minor conflict against this aspect of Policy OE11. However, that needs to be considered in balance with the benefits to the objectives of that policy, the development plan as a whole, and other relevant material considerations.
- 7.5 The Council has recently recognised a requirement to review existing open spaces in order to ensure that future housing needs are met across the City. The proposed development responds to that issue and represents a suitable location for new housing together with a retained and publicly accessible area of open space.
- 7.6 The supporting technical documents demonstrate that the application site is free from significant constraints. The proposed development will not result in any harm in terms of amenity, environmental, traffic, technical heritage or other acknowledged public interests. There are consequently no adverse impacts resulting from the development

that would significantly and demonstrably outweigh its benefits when assessed against the Framework as a whole.

- 7.7 The Environmental Statement confirms that the development will not give rise to any significant environmental effects.

The Benefits

- 7.8 Numerous benefits arise from the scheme, including:

- Creation of a high quality residential environment which respects the character of the area – The development has been carefully designed to respond positively and sympathetically to its built and environmental context and the character and appearance of the surrounding area.
- A commitment to the early delivery of the site by a major national housebuilder, and the resultant contribution to the City's five year housing land supply.
- Support for the transition to a low carbon future – The development will mitigate and can adapt to future climate change through sustainable design and a commitment to deliver high quality, energy efficient and low carbon homes. It will meet national housing standards in relation to carbon reduction and promote sustainable travel choices.
- Provision of ecological and biodiversity enhancements through the adoption of a high quality landscaping strategy.
- Improvements in housing mix and choice – The proposed development will contribute towards a balanced mix of dwellings in Liverpool, providing a choice of type and size, with an emphasis on improving the quality and quantum of family housing capable of maintaining economically active households within the City.
- Open the site up to the public for recreational use – Approximately 6.5 hectares of publicly available open space will be provided for use by future and existing residents for informal recreational activities and a children's play area.
- Creation of footpath and cycle links throughout the site, offering physical and functional connections to adjacent green spaces.
- Development in a sustainable location – The development is within easy reach of a range of local shops and services which will reduce reliance on the private car.
- Increased Council Tax revenue and receipt of New Homes Bonus payments to further invest back into the City and assist in achieving economic growth objectives.

The Harm

- 7.9 The only material adverse impact (or 'harm') that would arise as a consequence of the development is the loss of designated green space and a degree of conflict with the

Green Wedge policy. However, the impact on green space is limited as the site is not currently publically accessible, is visually enclosed and does not provide any recreational or specific ecological function.

- 7.10 Only limited weight can be afforded to the Green Wedge policy (OE3) given the acknowledged shortfall in housing land in the City.

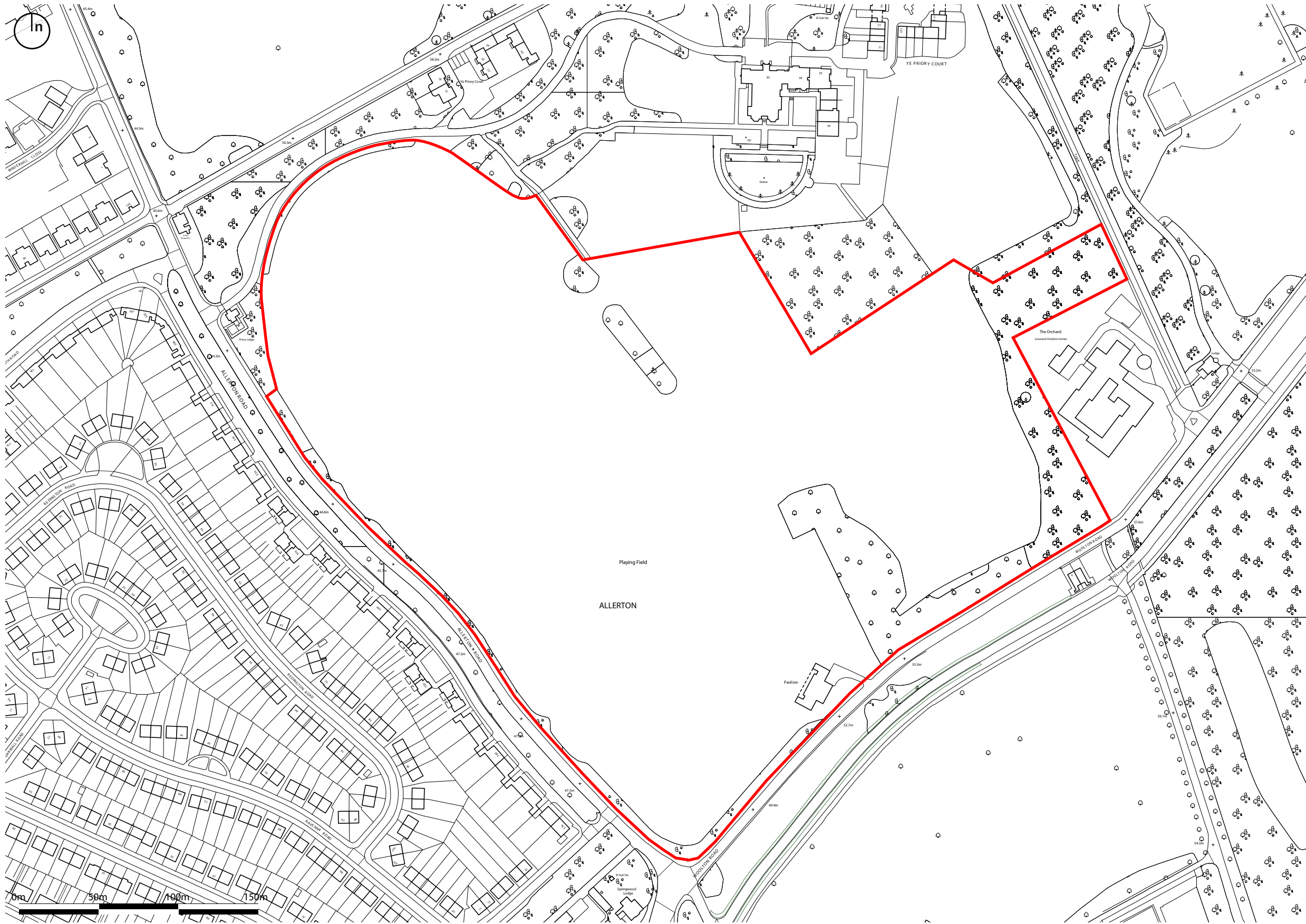
Presumption in Favour of Sustainable Development

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

Overall Conclusion on Planning Balance

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


Appendix 1: Location Plan




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 Site boundary


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Client:
Redrow Homes NW

Project:
Woolton Road, Allerton

Drawing:
Location Plan

Project Number:
REDM2039

Drawing Number:
10_1

Revision:
-

Status:
Final

Date:
November 2015

Scale:
1:2,500 (A3)

Appendix 2: Illustrative Masterplan



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Client:
Redrow Homes

Project:
Woolton Road, Liverpool

Drawing:
Illustrative Layout Plan

Project Number:
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4001

Revision:
00

Status:
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