

# Princes Dock Boundary Wall

## Liverpool Waters Conformity Statement

5 December 2017

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

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# 1 Introduction

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## 1.1 Overview

**1.1.1** This document sets out how the proposal conforms with the extant *Liverpool Waters Outline Planning Consent (100/2424)*. Although this application stands separate to the Liverpool Waters proposal, it is important to show how the extant permission has been considered and how the conditions, approved documents and studies set in the outline consent have been used to enable this development to be consistent with the objectives of the Liverpool Waters proposal.

**1.1.2** Whilst this development proposal is located within the redline boundary of the extant Liverpool Waters outline planning consent, it will not seek to discharge any of the conditions or reserved matters set within the extant decision notice.

**1.1.3** The outline extant decision notice and *Liverpool Waters Parameters Plan Report (November 2011)* have been used extensively when bringing forward this proposed development.

**1.1.4** It is important to note however, that although the team have looked into the conditions and parameters that associate with the Liverpool Waters consent, not all conditions are relevant to this specific development as can be seen in Section 3 of this document. Also, several conditions set within the extant decision notice refer to discussions and negotiations with Liverpool City Council. Certain information that is requested within a number of conditions should be expected when a decision has been made and this information should be requested within the decision notice for this standalone application for the new dock boundary wall opening if required.

## 1.2 Quantum of Development

**1.2.1** Within Schedule 1 of the *Liverpool Waters Outline Planning Consent* an agreed planned floorspace per neighbourhood is set out to show the parameters of each use class within the area. The floorspace calculation was determined through a schedule of accommodation which set out an estimated floor space and use class for each plot within the Liverpool Waters redline boundary.

**1.2.2** Within the *Liverpool Waters Parameters Plan Report (November 2011)* the development site is located within Princes Dock (Neighbourhood

A) as shown in Parameter Plan 002 – Liverpool Waters Neighbourhood Plan.

- 1.2.3** Within the *Liverpool Waters Parameters Plan Report (November 2011)* there is no development parcel for this proposed work. The development parcel located close but not encompassing this specific planning application is parcel 1c (Parameter Plan 004 – Liverpool Waters Development Plots).
- 1.2.4** Parameter Plan 005 shows the Liverpool Waters Development Plots. Within the Princes Dock Neighbourhood Area, there is no Liverpool Waters proposed development located on the site for this application.
- 1.2.5** It is important to state that because the proposal is for an opening in the dock boundary wall and improved public realm there is no additional footprint and therefore will not impact Liverpool Waters' Quantum of Development and does not detract from the ability to deliver the outline consent.

## 2 Liverpool Waters Parameter Plans Conformity

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Mentioned throughout the extant consent for Liverpool Waters are the ten Parameter Plans which provide vital information on the parameters and restrictions of the whole scheme (see *Liverpool Waters Parameter Plan Report, November 2011*). These have been considered throughout the design of the proposed development and have been used to help the development to respond positively to the Liverpool Waters scheme.

### 2.1.1 *Parameter Plan 001 – Site Plan*

The proposed development falls within the Liverpool Waters site boundary and therefore conforms with Plan 001.

### 2.1.2 *Parameter Plan 002 – Neighbourhood Plan*

The proposed development sits within Neighbourhood A – Princes Dock so is in align with Plan 002.

### 2.1.3 *Parameter Plan 003 – Phasing Plan*

This parameter plan indicates where the Liverpool Waters proposal should start from. The plan highlights that Neighbourhood A – Princes Dock should be Phase One, therefore the proposal conforms to Plan 003.

### 2.1.4 *Parameter Plan 004 – Development Parcels*

Each neighbourhood is broken down into a number of development parcels. This development does not lie within any development parcel and therefore does not conform exactly to 004 but does not impact any other development.

### 2.1.5 *Parameter Plan 005 – Development Plots*

Going further into detail, 88 plots have been identified within the overall Liverpool Waters scheme. The proposed development does not conform to Plan 005 as there is no development plot identified for this site. Therefore, this is additional development to the Liverpool Waters Outline Consent but as mentioned, the quantum of development is not impacted.

### 2.1.6 *Parameter Plan 006 – Building Heights*

The maximum building height for each proposed development plot is highlighted in parameter plan 006. As no plot is identified

for this site, there is also no proposed building height listed in Plan 006 and therefore the plan is not applicant to the proposed development.

#### 2.1.7 *Parameter Plan 007 – Access and Movement Plan*

This plan identifies proposed access and egress points throughout the site and how development should be supported with new links for public movement. The proposed development does not conform to Plan 007 as it creates a new access point where there isn't currently one proposed. However, the supporting *Design and Access Statement* justifies the reasons for the location of the opening and we believe that although the proposal doesn't conform to this plan, it helps create a better environment for Princes Dock.

#### 2.1.8 *Parameter Plan 008 – Parking Plan*

Location for car parking to support the Liverpool Waters scheme is indicated in Plan 008. This plan is not applicable as parking is not proposed in our application and doesn't prevent any of the proposed parking to take place based on this plan.

#### 2.1.9 *Parameter Plan 009 – Buildings To Be Demolished*

The proposed development does not impact on any buildings that are planned to be demolished within the Liverpool Waters site so is in line with Plan 009. Part of the Dock Boundary Wall will be removed to allow the opening and the impact on this is picked up in more detail within the supporting *Heritage Impact Assessment*.

#### 2.1.10 *Parameter Plan 010 – Areas of High Potential for Underground Archaeology*

Plan 010 highlights areas within Liverpool Waters where it is considered that archaeological "assets" of various values are sited. The site is adjacent to an area where there is high potential of underground archaeology. Due to the low nature impact of the works, the supporting *Heritage Impact Assessment* and *Archaeological Assessment* establishes that where heritage assets may be affected by the proposed development, they are not done so negatively. Therefore, the development conforms to Plan 010.

#### 2.1.11 It is considered that the development proposal does not negatively impact these parameter plans or Liverpool Waters by not precisely conforming to the ones highlighted above.



### 3 **Liverpool Waters Outline Consent Condition Conformity**

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Within the extant outline consent for Liverpool Waters (10O/2424) there are 77 conditions of varying detail and importance. This section of the Conformity Statement discusses each condition to show how the extant consent will be complied with within this new proposal and what has been (and what will be) actioned to meet the requirements for any necessary further work. Shorter statements for unrelated conditions or ones that cannot be responded to at this time are also set out below.

Key supporting documentation from the outline application can still be applied to answer certain conditions within the extant consent and these documents are referred to when necessary for information. In addition to this, more recent documentation that support this application are also referred to, in order to provide more detailed references and information to help respond to these conditions.

Providing this information upfront within the application not only shows how the development plans to conform to the extant consent, it could also negate the need for several conditions that would be set out in the new decision notice for this proposal.

As mentioned within this Conformity Statement it is important to note that several conditions set within the extant decision notice request information that isn't expected to be available at this time of the development phase. If further information is required, it is believed these requests could be set as conditions within the decision notice for this planning application.

Conditions 9 to 24 discuss a range of different strategies for key aspects of Liverpool Waters in and around different neighbourhoods. Although none of these strategies have been submitted to Liverpool City Council to discharge these conditions as of yet, they are referred to below and it is explained how the client will look to address these specific conditions.

#### 3.1 **Condition 1 – Quantum of Development**

**3.1.1** The outline planning permission approves a wide range of development across a number of use classes. As this development does not fall under a use class the quantum of development for the outline consent is not impacted. Therefore, this development proposal conforms to this condition.

## 3.2 Condition 2 – Floorspace allocations

- 3.2.1 As discussed above, there is no floorspace allocated to the proposed development therefore it does not impact the land use or floorspace of the outline consent. The development conforms to this condition.

## 3.3 Condition 3 – Liverpool Waters Supporting Documentation

- 3.3.1 This development proposal has used a wide range of documentation from the Liverpool Waters extant outline consent to understand the site and the wider context to make sure this development conforms to the overall scheme.
- 3.3.2 Section 2 of this document highlights the way this development conforms with the majority of the *Liverpool Waters Parameter Plan Report (November 2011)* and the public realm has been influenced by the *Statement of Key Development Principles (November 2011)* and *Design and Access Statement (November 2011)*.
- 3.3.3 The *Conservation Management Plan for the Protection, Conservation and Preservation of Heritage Assets (November 2011)* has acted as guidance for the site. The development is not deemed to have impact upon the Outstanding Universal Value and surrounding heritage assets and as the *Archaeological Statement and Heritage Impact Assessment* discuss this in more detail.
- 3.3.4 These documents as well as other principal application documents have constantly been discussed and referred to, making sure this development conforms to the outline parameters of Liverpool Waters as far as possible. This can be seen within the design and the parameters of the proposal and therefore, this application conforms to Condition 3.

## 3.4 Condition 4 – Parameter Plan Compliance

- 3.4.1 Identified in Section 2 of this document, the development proposal is carried out in general accordance of the parameters set out in the *Liverpool Waters Parameter Plan Report (November 2011)*. This condition highlights 5 parameter plans to conform with:
- *Parameter Plan 002*: The development sits within the boundary of Neighbourhood A – Princes Dock
  - *Parameter Plan 003*: The development is located within Neighbourhood A – Princes Dock which is the first phase of Liverpool Waters.

- *Parameter Plan 004*: The development is not within a development parcel and therefore the plan is not applicable.
- *Parameter Plan 005*: The development is not located within a development plot as identified on this parameter plan and therefore the plan is not applicable.
- *Parameter Plan 006*: As there is no development plot indicated, there is no maximum height listed for this site. The development proposal does not seek to develop any kind of tall building or structure and therefore is not applicable.

Where relevant, the development conforms to these parameter plans. Therefore, the development does not impact negatively on this condition.

### 3.5 Condition 5 - Liverpool Waters Environmental Impact Assessment

- 3.5.1** Throughout the design of this scheme the *Liverpool Waters Environment Statement (November 2011)* has been used to ensure that the development is suitably located and that its massing, scale and effects on the neighbouring development and surrounding area are considered.
- 3.5.2** A lot of the mitigation measures set within Schedule 6 of the extant consent are not relevant to this development proposal as they either discuss other locations within Liverpool Waters, different use classes not proposed in this application or details that are not required for this scale of development or at this stage of time.
- 3.5.3** However, topics including *Archaeology and Cultural Heritage, Traffic and Transport* have been considered in more detail in the supporting documents.

### 3.6 Condition 6 – Approval of further details

- 3.6.1** As this is a standalone application to the extant permission, key details will not be submitted as reserved matters as part of the consent. A full

planning application has been submitted with detailed plans and supporting documentation for this development proposal.

### **3.7 Condition 7 – Development start date**

- 3.7.1** Similar to Section 3.6 (Condition 6), as this development proposal is a standalone planning application to the Liverpool Waters extant consent, this condition is not applicable to this proposal.

### **3.8 Condition 8 – Development start date**

- 3.8.1** Again, this condition does not apply to the development proposal and the application does not need to conform to it.

### **3.9 Condition 9 – Implementation Phasing Plan**

- 3.9.1** The Implementation Phasing Plan ensures that the development progresses generally from the city centre northwards towards the Northern Docks.
- 3.9.2** The development site is set within Princes Dock which is the first neighbourhood to be delivered and therefore conforms to this condition.

### **3.10 Condition 10 – Highway and Public Transport Enhancement Strategy**

- 3.10.1** This condition relates to enhancement works to highway and public transport within Schedule 2 of the outline planning permission. Within the condition, it states that that work carried out in Schedule 2 should be discussed in advance of any development in Neighbourhoods B, C, D and E. This development falls within Neighbourhood A and therefore, specific work submitted upfront for this enhancement strategy is not applicable to this application and the condition does not need to be complied with.
- 3.10.2** However, the supporting *Transport Statement* and *Design and Access Statement* relating specifically to this development has been produced to show how the proposal interacts with the existing highway infrastructure which is already in place within Princes Dock and

surrounding area and show that the development does not negatively impact on existing services.

### **3.11 Condition 11 – Detailed Neighbourhood Masterplans**

**3.11.1** The design team have worked with Peel and other stakeholders regarding Princes Dock developments to create a draft Princes Dock Neighbourhood Plan. However, at the time of submission, this masterplan has not been formally issued.

**3.11.2** Key members of Liverpool City Council including the planning officers have attended collective workshop meetings to discuss the Princes Dock masterplan. The design team have been in detailed discussions with LCC, Peel and stakeholders to consider the need for a neighbourhood masterplan and the contributions this development will have on the area and the relationship it will play with existing and future buildings.

**3.11.3** Liverpool City Council have been informed that a detailed neighbourhood masterplan will be produced for Princes Dock and this development will be aligned with it.

### **3.12 Condition 12 – Detailed Neighbourhood Phasing Plan**

**3.12.1** Although a Neighbourhood Phasing Plan has not been produced as of yet, this plan will be looked at when discussing condition 9 in further detail.

**3.12.2** However, the development conforms to this condition as the site is situated within Princes Dock, which is seen as the 1st phase of Liverpool Waters.

### **3.13 Condition 13 – Neighbourhood Conservation Management Strategy**

**3.13.1** As part of this planning application, a supporting *Heritage Impact Assessment* and *Archaeological Statement* have been submitted discussing the impact this development has specifically to this plot of land.

**3.13.2** Points i – v within Condition 13 of the extant consent are considered within these specific supporting statements and as stated within the

*Heritage Impact Assessment*, the *Liverpool Waters Conservation Management Plan (March 2011)* will be updated to include provisions for recording and conserving all heritage assets within the development site in the near future.

### **3.14 Condition 14 – Archaeological Evaluation and Investigation**

**3.14.1** The archaeology of the development site has been assessed in the *Liverpool Waters GIS Archaeological Deposit Model (November 2011)*. This records the location of the surviving east wall of the Princes Dock which is of high archaeological potential. The land between the dock wall and the dock boundary wall is of medium potential.

**3.14.2** Further information about the archaeological importance of this area is discussed in the supporting *Archaeological Statement (March 2017)*.

### **3.15 Condition 15 – Water Environment Protection Strategy**

**3.15.1** This development proposal will not look to impact existing water courses, controlled waters or dock water space due to the plot location. Therefore, Condition 15 does not apply. Further details about the site's landscape can be found in the *Design and Access Statement*.

### **3.16 Condition 16 – Neighbourhood Ecological and Biodiversity Strategy**

**3.16.1** Due to the low impact and transient nature of the development, an Ecological Appraisal was not undertaken for the site.

**3.16.2** Previous studies around this location have been undertaken recently. The studies have concluded that the site is located within an urban environment which means it is frequently subjected to noise, light and human presence and is unlikely to provide suitable foraging or resting areas for qualifying bird species. Therefore it was not considered that the development would result in direct or indirect impacts upon designated sites or nature conservation interest.

**3.16.3** The species diversity was deemed to be low and it is not anticipated that there would be loss of biodiversity following development of the site.

Habitats on site were also not considered to have the potential to support protected species.

- 3.16.4** This condition is not complied as no ecological information has been submitted but it has been deemed there will be no significant or long-term impact upon the site as a result of this proposal.

### **3.17 Condition 17 – Neighbourhood Sustainability Strategy**

- 3.17.1** This condition does not apply to this application but discussions regarding sustainability will be held with Liverpool City Council if required.

### **3.18 Condition 18 – Neighbourhood Energy Strategy**

- 3.18.1** Similar to Condition 17, this condition does not apply to the development.

### **3.19 Condition 19 – Neighbourhood Inclusive Access Strategy**

- 3.19.1** Access has been considered extensively within the development proposal, and the supporting *Design and Access Statement* sets out how the development ensures inclusive access for all users within the development. More details can also be found in the drawings package.

### **3.20 Condition 20 – Neighbourhood Ground Contamination and Earthworks Strategy**

- 3.20.1** Due to the low impact nature of the proposed development, a Neighbourhood Ground Contamination and Earthworks Strategy has been scoped out and is not required. Therefore, the development does

not conform with Condition 20; however, there will be no negative impact resulting from this.

### **3.21 Condition 21 – Neighbourhood Flood Risk Protection Measures**

**3.21.1** A *Flood Risk Assessment* (November 2011) was published as part of the Liverpool Waters outline application and contains more details information for reference.

**3.21.2** The development area was analysed within this document and was considered to be at low risk of fluvial flooding when direct comparison was made between the 1 in 200 year Mersey Levels and the existing site levels.

**3.21.3** The Flood Risk Assessment concluded that any development considered located in within Flood Zone 1 (Princes Dock) was suitable for the area. By definition, there would be no loss of functional floodplain to the River Mersey in either the construction or permanent phase and the site is therefore considered to be at low risk of fluvial flooding from the adjacent River Mersey. The assessment also concluded that the site is at low risk of pluvial, groundwater and infrastructure flooding.

**3.21.4** Therefore, no further information will be submitted relating to this condition or detail of work as it does not need to be applied to.

### **3.22 Condition 22 – Neighbourhood Travel Plans**

**3.22.1** A *Transport Statement* has been submitted as part of this application to show the impact this development would have on the surrounding area. It is concluded that the development would have no negative impact to the neighbourhood and that services and infrastructure already within Princes Dock and neighbouring areas would be able to support this



proposal. A *Travel Plan* was deemed unnecessary for this type of proposal.

### **3.23 Condition 23 – Neighbourhood Waste Minimisation and Management Strategy**

- 3.23.1** A Neighbourhood Waste Minimisation and Management Strategy has not been produced as the development does not require one and will not produce any waste post construction.

### **3.24 Condition 24 – Neighbourhood Car and Cycle Parking Management Strategy**

- 3.24.1** No parking will be produced from this application and therefore a strategy is not required. However, the *Design and Access Statement*, *Transport Statement* and *Drawings Package* refer to a number of issues that would be picked up in the strategy such as lighting and surface marking. Although the development doesn't conform to Condition 24, it is concluded this proposal will not negatively impact on the outline consent.

### **3.25 Condition 25 – Buildings and Structures**

- 3.25.1** Condition 25 requests a number of points when submitting information as a reserved matters application. However, as no buildings or structures are proposed within this application, most of the points are not applicable. However, where relevant the supporting *drawings package* and *Design and Access Statement* pick up on points including elevation drawings, external materials and lighting locations.

### **3.26 Condition 26 – Public Realm, Landscaping and Movement Routes**

- 3.26.1** The *Design and Access Statement* and *Drawings Package* include all the information that is required to discharge this condition, therefore the proposal conforms to this condition.

### **3.27 Condition 27 – Conservation Management of Heritage Assets**

**3.27.1** The *Heritage Impact Assessment* and *Archaeological Statement* goes into further detail regarding the conservation of heritage assets.

### **3.28 Condition 28 – Recreation Facilities**

**3.28.1** This development falls under Neighbourhood A and not C, D or E so therefore does not need to refer to this condition.

### **3.29 Condition 29 – Recreation Facilities**

**3.29.1** This development falls under Neighbourhood A and not C, D or E so therefore does not need to refer to this condition.

### **3.30 Condition 30 – Groundworks Investigation Statement**

**3.30.1** Due to the low impact nature of the proposed development, a Neighbourhood Groundworks Investigation Statement has been scoped out and is not required. Therefore, the development does not conform with Condition 30; however there will be no negative impact resulting from this.

### **3.31 Condition 31 – Drainage Details**

**3.31.1** The drainage of the site will not impact dramatically, any details required would be conditioned within the decision noticed for this planning application.

### **3.32 Condition 32 – Potable Water Supply**

**3.32.1** As this development falls within Neighbourhood A (Princes Dock) there is no need for a detailed Water Supply Statement as part of this application so this condition does not apply.

### **3.33 Condition 33 – Flood Risk Protection Plan**

**3.33.1** A *Flood Risk Assessment* (November 2011) was published as part of the Liverpool Waters outline application and contains more details information for reference.

**3.33.2** The development area was analysed within this document and was considered to be at low risk of fluvial flooding when direct comparison

was made between the 1 in 200 year Mersey Levels and the existing site levels.

**3.33.3** The Flood Risk Assessment concluded that any development considered located in within Flood Zone 1 (Princes Dock) was suitable for the area. By definition, there would be no loss of functional floodplain to the River Mersey in either the construction or permanent phase and the site is therefore considered to be at low risk of fluvial flooding from the adjacent River Mersey. The assessment also concluded that the site is at low risk of pluvial, groundwater and infrastructure flooding.

**3.33.4** Therefore, no further information will be submitted relating to this condition or detail of work as it does not need to be applied to.

### **3.34 Condition 34 – Ecological and Biodiversity Statement**

**3.34.1** Due to the low impact and transient nature of the development, an Ecological Appraisal was not undertaken for the site.

**3.34.2** Previous studies around this location have been undertaken recently. The studies have concluded that the site is located within an urban environment which means it is frequently subjected to noise, light and human presence and is unlikely to provide suitable foraging or resting areas for qualifying bird species. Therefore it was not considered that the development would result in direct or indirect impacts upon designated sites or nature conservation interest.

**3.34.3** The species diversity was deemed to be low and it is not anticipated that there would be loss of biodiversity following development of the site. Habitats on site were also not considered to have the potential to support protected species.

**3.34.4** This condition is not complied as no ecological information has been submitted but it has been deemed there will be no significant or long-term impact upon the site as a result of this proposal.

### **3.35 Condition 35 – Water Protection Statement**

**3.35.1** The development will not look to dramatically impact existing water courses, controlled waters or dock water space due to the plot location. However, each point of the condition has been discussed below. Further discussions regarding water protection will be held with Liverpool City Council and it is considered sensible that further details

required can be negotiated and potentially conditioned within the decision notice of this application.

### **3.36 Condition 36 – Sustainability Statement**

- 3.36.1** Further discussions regarding sustainability will be held with Liverpool City Council and it is considered sensible that further details required can be negotiated and potentially conditioned within the decision notice for this application although it is considered that this condition is not applicable to this development.

### **3.37 Condition 37 – Energy Supply Statement**

- 3.37.1** This condition is not applicable to the proposed development.

### **3.38 Condition 38 – Waste Minimisation and Management Details**

- 3.38.1** The proposed development will not generate any waste during occupation therefore this condition is not applicable to the application.

### **3.39 Condition 39 – Construction Environmental Management Plan**

- 3.39.1** Information will be provided following consent, once a contractor has been instructed. It is considered sensible that further details required can be negotiated and potentially conditions within the decision notice for this application if applicable.

### **3.40 Condition 40 – Highways and Public Transport Enhancement**

- 3.40.1** No public transport enhancements will be required for this development as transport demand can be met using the exiting surrounding transport network. The *Transport Statement* sets out the calculated traffic generation of the development site and demonstrates that the increase in traffic as a result of the development would be highly unlikely to lead to operational difficulties requiring highway works.

### **3.41 Condition 41 – Car and Cycle Parking Management Details**

- 3.41.1** No parking will be produced from this application and therefore a strategy is not required. However, the *Design and Access Statement*, *Transport Statement* and *Drawings Package* refer to a number of issues that would be picked up in the strategy such as lighting and surface marking. Although the development doesn't conform to Condition 24, it is concluded this proposal will not negatively impact on the outline consent.

### **3.42 Condition 42 – Detailed Travel Plan**

- 3.42.1** It was concluded that a Travel Plan is not necessary for this type of development and therefore this condition is not applicable.

### **3.43 Condition 43 – King Edward Business Relocation**

- 3.43.1** As this development falls under Neighbourhood D and not Neighbourhood B, this condition does not apply to this planning application.

### **3.44 Condition 44 – Erection of construction related structures/buildings**

- 3.44.1** Further discussions regarding construction will be held with Liverpool City Council and it is considered sensible that further details required can be negotiated and potentially conditioned within the decision notice for this application.

### **3.45 Condition 45, 46 and 47– Construction Noise and Vibration**

- 3.45.1** Further discussions regarding construction will be held with Liverpool City Council and it is considered sensible that further details required can be negotiated and potentially conditioned within the decision notice for this application.

### **3.46 Condition 48 – Hours of Construction**

- 3.46.1** Further discussions regarding construction will be held with Liverpool City Council and it is considered sensible that further details required can be negotiated and potentially conditioned within the decision notice for this application.

### **3.47 Condition 49, 50, 51, 52– Operational Noise Conditions**

- 3.47.1** The type of development proposed will not warrant the need for any operational times, therefore these conditions are not applicable.

### **3.48 Condition 53 – Air Quality**

- 3.48.1** Due to the low impact nature of the works, and the scoping out of a full Environmental Appraisal, an Air Quality Assessment was not deemed necessary.

### **3.49 Condition 54 – Lighting**

- 3.49.1** Further discussions regarding lighting design will be held with Liverpool City Council and it is considered sensible that further details required can be negotiated and potentially conditioned within the decision notice for this application.

### **3.50 Condition 55 – Code for Sustainable Homes**

- 3.50.1** This condition is now out of date as 1<sup>st</sup> January 2016 has passed. Condition 56 will apply instead.

### **3.51 Condition 56 – Code for Sustainable Homes**

- 3.51.1** This condition does not apply as the development is not a residential dwelling unit.

### **3.52 Condition 57 – BREEAM**

- 3.52.1** Due to the small scale of this development and its transient nature, BREEAM standard is not deemed necessary.

### **3.53 Condition 58 – Public Open Space and Key Linkages**

- 3.53.1** Public realm around the development will be improved and this can be seen within the drawings package and *Design and Access Statement*.
- 3.53.2** Condition 11 sets out how open space and relationships with future developments have been assessed.
- 3.53.3** The emerging Princes Dock Masterplan will highlight how key areas of public open space and key linkages will be managed and explains why certain linkages may not be implemented in accordance to the outline consent

### **3.54 Condition 59 – Control of retail and leisure floorspace delivery relative to residential and office occupation**

- 3.54.1** This does not apply to this application as it is not proposed to have any use classes within the development stated within the condition.

### **3.55 Condition 60 – Size of Convenience Goods Retail Units**

- 3.55.1** This does not apply to this application as it is not proposed to have any use classes within the development stated within the condition.

### **3.56 Condition 61 – Size of Comparison Goods Retail Units**

- 3.56.1** This does not apply to this application as it is not proposed to have any use classes within the development stated within the condition.

### **3.57 Condition 62 – Removal of Permitted Development rights to prevent change of use,**

## **amalgamation, subdivision and installation of mezzanine floors to retail units**

**3.57.1** This does not apply to this application as it is not proposed to have any use classes within the development stated within the condition.

### **3.58 Condition 63 – Removal of Permitted Development rights to prevent change of use, amalgamation, subdivision and installation of mezzanine floors to retail units**

**3.58.1** This does not apply to this application as it is not proposed to have any use classes within the development stated within the condition.

### **3.59 Condition 64 – Removal of Permitted Development rights to prevent change of use,**



## **amalgamation, subdivision and installation of mezzanine floors to retail units**

**3.59.1** This does not apply to this application as it is not proposed to have any use classes within the development stated within the condition.

### **3.60 Condition 65 – Prevention of the sale or hire of motor vehicles**

**3.60.1** This does not apply to this application as it is not proposed to have any use classes within the development stated within the condition.

### **3.61 Condition 66 – Net to gross floor space ratios**

**3.61.1** As this development does not include retail development, this condition does not apply.

### **3.62 Condition 67 – A3 and A4 Use Classes - Ventilation and Fume Control**

**3.62.1** As this development does not propose any A3 or A4 use class activities then this condition does not apply to this application.

### **3.63 Condition 68 – Other Land Uses - Ventilation and Fume Control**

**3.63.1** This does not apply to this application as it is not proposed to have any use classes within the development stated within the condition.

### **3.64 Condition 69 – Emissions**

**3.64.1** The development does not relate to heat and power generation from decentralised energy sources so does not need to comply with this condition.

### **3.65 Condition 70 – Highway Requirements**

**3.65.1** Throughout the application process there has been discussions regarding Highway Requirements held with Liverpool City Council and further information can be found within the *Transport Statement*.

- 3.65.2** It is considered sensible that further details required can be negotiated and potentially conditioned within the decision notice for this application.

### **3.66 Condition 71 – Highway Requirements**

- 3.66.1** As this development is not situated in Neighbourhood C, D or E, condition 71 does not need to be complied with.

### **3.67 Condition 72 – Servicing / Parking Area Restrictions**

- 3.67.1** This condition is not applicable to this proposal as there is no servicing or parking areas proposed as part of this development.

### **3.68 Condition 73 – Liverpool Airport**

- 3.68.1** This development does not fall under the definitions of a tall building so does not need to comply with this condition.

### **3.69 Condition 74 – Liverpool Airport**

- 3.69.1** This development does not fall under the definitions of a tall building so does not need to comply with this condition.

### **3.70 Condition 75 – Parcel 1F Archaeology**

- 3.70.1** This development does not fall within Parcel 1F so does not need to comply with this condition.

### **3.71 Condition 76 – Parcel 3G Archaeology**

- 3.71.1** This development does not fall within Parcel 3G so does not need to comply with this condition.

### **3.72 Condition 77 – General requirement for work to be undertaken in accordance with the approved details**

- 3.72.1** We would look to work with Liverpool City Council as much as possible to ensure work is undertaken correctly based on relevant conditions.

## **4 Conclusion**

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- 4.1.1** As can be seen across this *Liverpool Waters Conformity Statement* each condition of the extant permission has been reviewed and evaluated.
- 4.1.2** Where development does not conform to Liverpool Waters extant permission it is seen that there would be very little impact on the consent due to this. As the development does not consist of buildings or footprint, it has a negligible impact on the outline consent.
- 4.1.3** As mentioned throughout the document, it is proposed that discussions take place with Liverpool City Council to discuss key conditions related to this development proposal. Further information requested regarding

this proposal should be set within the conditions of the decision notice of the application.

- 4.1.4** This planning application complies with the majority of Liverpool Waters extant outline permission conditions (10O/2424) and should be granted permission.