



Planning Statement Addendum

On behalf of:
Derwent Group

In respect of:
Phase 1 and 2.1 Development
Liverpool Shopping Park
Edge Lane, Liverpool



Date:
November 2016

Reference:
MA/DG/001-15A/R001 m v1

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1.0 Executive Summary

- 1.1 This pertains to an amendment application for the approved development 13F/2313. The amendment relates to the layout of units within a specific part of the wider site which is amended to reflect occupier requirements and will allow that to be implemented more quickly and accelerate the long awaited jobs and investment.
- 1.2 This is an Addendum Statement which cross-refers to amended drawing material. This amended drawing material incorporates a larger part of the site given the aspiration to now deliver a greater proportion of the development at the outset- all of these areas identified will be ready for first occupation by October 2017.
- 1.3 The originally approved development (13F/2313) secured consent for the demolition of existing buildings, and the erection of 31 new retail units (Use Class A1) and 7 restaurant units (Use Class A3) along with associated parking, servicing, landscaping, public realm and access works on land to the south of Edge Lane between Rathbone Road and the railway line. The application site includes for the retention of 4 retail units that are largely complete on land immediately west of the railway line, and the remodelling of the former MFI unit on land north of Edge Lane to provide 4 units alongside parking, servicing and other associated works.
- 1.4 Since that point an NMA application was submitted to amend the layout of the former MFI unit to accommodate its current occupier (B & M). An application to reconfigure the layout of this area (15F/3053) was submitted in November 2015 and has very recently been approved. This sought to reflect design development in terms of occupier requirements and design development in terms of highway layout.
- 1.5 In the interim period, terms have been agreed with a range of occupiers and the unit configuration and parking layout needs to be amended. The amendments will not result in any increase in retail or commercial floorspace over and over above that already approved, or any breach of conditions which pertain to the use of the approved buildings.

- 1.6 Whilst the development itself is employment generating, the wider proposals can deliver 1230 net new permanent jobs for this area of Liverpool. Given local deprivation, this provides a much needed boost to the local economy. In addition to this, the developments all contribute to the enhancement of the Edge Lane corridor which is a key gateway to the city centre.



2.0 Introduction and Background

- 2.1 This Statement is submitted on behalf of Derwent Group Ltd in support of a S73 planning application to amend approved drawings on 13F/2313. The effect of these changes are to the approved layout in this area but with no consequence for the overall quantum of development, type of uses or any prospect of breach of the floorspace controls pertaining to the A3 or A1 uses on the subject site.
- 2.2 The proposed development on the subject site should be seen in the wider context of the Edge Lane Central Development Framework which includes the redevelopment of the former Robinson Willey site on Mill Lane and the former Ian Skelly site and adjacent land. The wider suite of development has already resulted in the clearance of vacant buildings (including some which had passed into dereliction), the completion of 4 new retail units to the west of the railway line and the former MFI (collectively known as phase o). Occupiers have been secured in the form of Kidzfantasyland and B & M both of whom are understood to be trading well. As a whole, the applicant is working actively (without any gap funding) to deliver the comprehensive redevelopment of a significant part of the Edge Lane corridor.

Site Location and Description

- 2.3 The application site is extensive and occupies a prominent location east of Liverpool city centre. It covers three key parcels with key areas to the north and south of Edge Lane which are highly prominent (inclusive of an area that is located to the west of the railway line). In addition to areas of highway land, its eastern boundaries will be formed by a new junction access for a realigned Milton Road and its western boundary formed by a remodelled junction with Rathbone Road.
- 2.4 The application site principally falls within the allocated Edge Lane Retail Park, which is allocated as a Retail Warehouse Park in the Liverpool UDP (adopted 2002). In addition, the north-eastern part of the site is currently used as Rathbone Road Recreation Ground. This is allocated as a Public Open Space within the UDP. The Rathbone Road Recreation Ground is an area of underused open space of circa 2.3 hectares, including grassed areas, permissive footpaths and play facilities in the form of a multi-use games area and a former BMX track.
- 2.5 Within the application site, to the western boundary, the existing Montrose Office Park provides offices and now includes a marketing suite for the Liverpool Shopping Park scheme.

Planning History

- 2.6 The planning records for the application site are comprehensive in scale. In planning terms, there is no evidence of a comprehensive initial application which sets the principle for its gradual development as a strategic retail park until those approved in 2011. In essence, until that point the retail park has emerged through piecemeal applications which result in a range of planning units with design visions and restrictions which are bespoke to each.
- 2.7 Mezzanine floors have been introduced into several of the existing retail units, many of which were completed as permitted development prior to the enactment of the Mezzanine Regulations in August 2006. Subsequent to 2006, applications have been submitted both for new mezzanines (such as that in Unit 8, under application 08F/1232), and through the Certificate route to regularise the lawful status of mezzanine floors which were approved.
- 2.8 In January 2010 a Development Framework for the Edge Lane Central (ELC) area, including the application site, was approved by the Liverpool City Council's executive board in order to guide the redevelopment and regeneration of this wider area. Following the approval of the Framework, detailed applications for the main retail park site (10F/2235) and land at 491-499 Edge Lane (ref. 10F/0496) were submitted and subsequently approved for their redevelopment to create a hugely improved retail and leisure development as well as a modern employment development on the opposite side of Edge Lane.
- 2.9 Application 13F/2313 is effectively the parent consent for this proposal and was approved in March 2015. The approved development (13F/2313) secured consent for the clearance of existing buildings, and demolition of existing buildings, and the erection of 31 new retail units (Use Class A1) and 7 restaurant units (Use Class A3) along with associated parking, servicing, landscaping, public realm and access works on land to the south of Edge Lane between Rathbone Road and the railway line.
- 2.10 An application to reconfigure the layout of this area (15F/3053) was submitted in November 2015 and has very recently been approved. This sought to reflect design development in terms of occupier requirements and design development in terms of highway layout. In the interim period, terms have been agreed with a range of occupiers and the unit configuration and parking layout needs to be amended.
- 2.11 Subsequent applications have been submitted and approved to deliver early investment at land to the west of the railway line and the conversion of the former MFI unit (known as the

phase o scheme) and this is evidenced by four new retail units west of the railway line and the now trading B & M.

- 2.12 Approval has recently been secured in relation to the future use of the former Ian Skelly site for a bulky retail-led development that will be anchored by a new flagship B & Q store as well as other retail uses. The development will also include a substantive piece of public art to signify and enhance the gateway into the city centre.
- 2.13 In addition, approvals have been secured for the re-use of the former Robinson Willey site to deliver trade counter and employment uses in line with the Development Framework. It is envisaged that applications will imminently be submitted to discharge relevant planning conditions as well as an NMA to address minor design development to reflect occupier needs.
- 2.14 The Council will also be aware of prior approval applications pertaining to demolition works which have allowed the removal of buildings such as the Skelly showroom.

3.0 Development Proposals

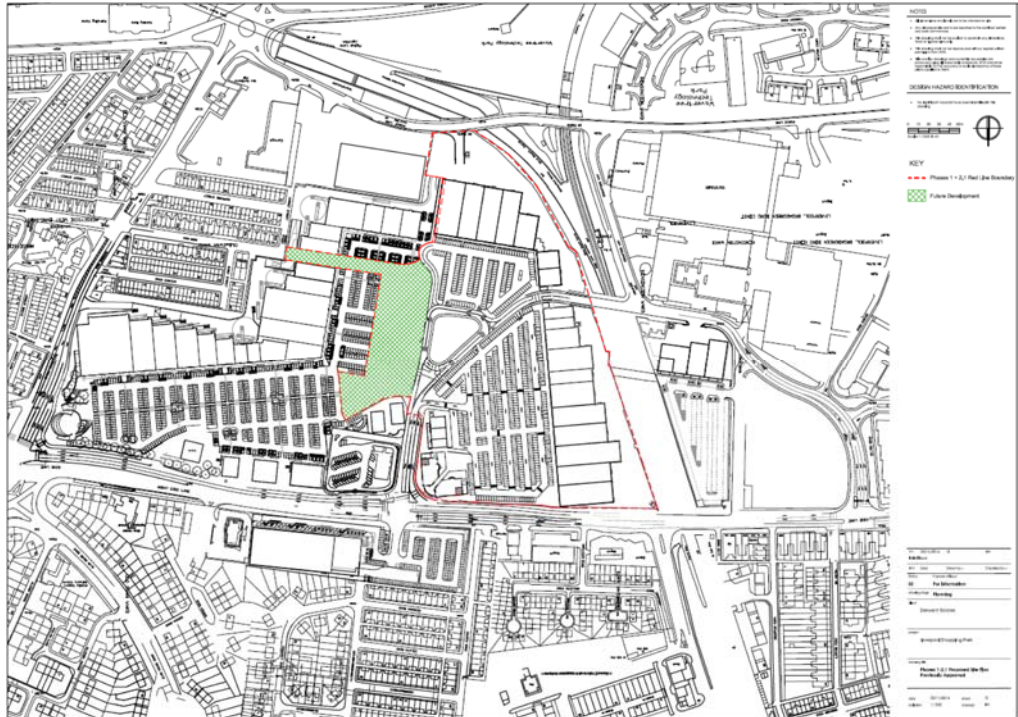
- 3.1 This Addendum Statement is submitted on behalf of Derwent Group in support of a S73 planning application to amend approved drawings on 13F/2313. The effect of these changes are to the approved layout in this area but with no consequence for the overall quantum of development, type of uses or any prospect of breach of the floorspace controls pertaining to the A3 or A1 uses on the subject site. The key purpose of the development is to allow early implementation of engineering and highway works to accelerate development of the units.



- 3.2 The approved development (13F/2313) secured consent for the clearance of existing buildings, and demolition of existing buildings, and the erection of 31 new retail units (Use Class A1) and 7 restaurant units (Use Class A3) along with associated parking, servicing, landscaping, public realm and access works on land to the south of Edge Lane between Rathbone Road and the railway line.
- 3.3 The original submission identified works to an area identified as the Western Quarter. This is bounded to the north by Edge Lane, to the east by Montrose Way and to the west by the railway line. The southern boundary is formed by the proposed route of the realigned estate road as it crosses the railway line.
- 3.4 Within that area, the original submission identified:
- 9 no. non-food A1 units providing 12405m² floorspace
 - 1 no. food retail unit providing 1495m² floorspace
 - 5 no. A3 units providing 1254m² floorspace

- 3.5 Following extensive design dialogue with end tenants we need to resolve some amendments to this area and are also pleased to expand the area of coverage southwards to the boundary of Pighue Lane. Unit numbering has also been updated to reflect dialogue with the Council's Streetworks department and the official addresses which will be imposed.
- 3.6 Through this wider coverage, the amended details now identify:
- 17 no. non-food A1 units providing 20674m² floorspace
 - 1 no. food retail unit providing 1495m² floorspace
 - 5 no. A3 units providing 1161m² floorspace
- 3.7 The planning approval is governed by approved drawings and floorspace controls through planning conditions. This application seeks to amend a number of approved drawings to reflect design development, but does not seek to amend any of the conditions pertaining to end uses or floorspace controls. There will be no increase in provision in terms of commercial floorspace, or the nature of end uses within the wider scheme which is planning approved.
- 3.8 Unit 12 is located closest to the Edge Lane frontage, and this will provide for a foodstore (1495m² inclusive of a non-trading mezzanine), with the remainder of the terrace providing units for comparison retailing. Terms have been agreed with occupiers for the majority of these units and their layout are geared to their requirements. the Units 14-30B are retail units for comparison retailing all with mezzanine floors.
- 3.9 A3 uses will be provided in 5 units between the Edge Lane junction and the existing roundabout. Two of these are larger L shape units to replace the existing Frankie and Benny (units 2 and 3) with three smaller units (6, 8 and 10) more centrally positioned within the site.





- 3.10 The scheme results in no changes to access arrangements to Edge Lane but will result in changes to the alignment of estate roads within the retail park between Edge Lane and the railway line. The plan shown identifies the area of change and includes for areas of existing adopted highway which will need to be stopped up and also areas of parking to the west that will be incorporated in an application for the residual elements of the Liverpool Shopping Park development in December 2016.
- 3.11 This application does not seek any changes (at all) beyond the dotted boundary from the development already subject of planning approval. The application is accompanied by a transport note which confirms in these respects.
- 3.12 Within this quadrant of the Retail Park site, vacant buildings were demolished in 2014/2015 as early clearance works. These typical first generation retail park units provided 14383m² of non-food retail floor space, including operational mezzanines. In addition, the site previously supported a cinema and a gym both of which are now closed and demolished.
- 3.13 The scheme approved under 13F/2313 provided an A3 unit broadly in the location of proposed units 6-10 (evens), an A3 unit in the broad location of proposed units 2-3, and A1 units in the locations of proposed units 14-30B inclusive of substantive mezzanine provision. In terms of the area south of the proposed new estate road, this included an anchor foodstore and 2 non-food units. This application deals with the following units (all figures in sq m gross internal) as

shown on drawing M8565 A1009 P2.

UNIT	GF	MEZZ	TOTAL	OCCUPIER TYPE
2	372	0	372	A3
4	372	0	372	A3
6	151	0	151	A3
8	151	0	151	A3
10	116	0	116	A3
12	1031	465	1496	A1 FOOD
14	934	372	1306	A1 NON FOOD
16	1210	925	2135	A1 NON FOOD
18	959	372	1331	A1 NON FOOD
20	936	898	1834	A1 NON FOOD
22	934	716	1650	A1 NON FOOD
24	510	254	764	A1 NON FOOD
26	959	372	1331	A1 NON FOOD
28	615	343	958	A1 NON FOOD
30A	283	232	515	A1 NON FOOD
30B	292	232	524	A1 NON FOOD
39	1167	1019	2186	A1 NON FOOD
41	957	465	1422	A1 NON FOOD
43	957	465	1422	A1 NON FOOD
45	956	465	1421	A1 NON FOOD
47	635	303	938	A1 NON FOOD
49	340	0	340	A1 NON FOOD
51	344	254	598	A1 NON FOOD
MANAGEMENT SUITE	28	232	260	MANAGEMENT SUITE

4.0 Assessment of Development

4.1 This section of the report assesses the proposal's compliance with relevant development plan policy and should be read alongside the accompanying documents and drawings. The following issues are considered central to determination of the application proposals under Section 38(6) in terms of assessing compliance with relevant national guidance, development plan policies, and other material considerations:

- Principle of development;
- Physical, Social and Economic Regeneration; and
- Traffic and Transportation.

Principle of development

4.2 The development proposals are based on the redevelopment of an underperforming retail park site which contributes negatively to streetscene and provides very little contribution to the economic performance of the city and the Mayoral Development Zone more specifically.

4.3 It has been identified that a better laid out retail park can be achieved through the incorporation of the existing Rathbone Road Recreation Ground, and that it is important that any such proposal should provide commitment to deliver replacement parkland facilities. In addition, the applicant is in control of several other land parcels along the Edge Lane corridor that present the opportunity for gainful redevelopment to promote economic vitality, improved streetscene and mitigate the loss of facilities that would otherwise result from the proposal to redevelop the retail park.

4.4 These principles were established in 2010 through the Council's adoption of the Edge Lane Central Development Framework and then latterly through the approval of the suite of planning applications submitted through 2010. This confirmed the regenerative benefit of a step-change improvement in the offer of the retail park and leisure facilities, alongside other developments to mitigate the loss of park and employment space and to otherwise bring active uses to redundant sites.

4.5 Subsequent to the approval of the key application 2010/2235/FUL in August 2011, revisions were approved which allowed early investment to the phase o area (area west of the railway line and the former MFI) and adjusted the layout and scheme composition, all underpinned by detail retail impact justification and the substantial regeneration benefits arising.

- 4.6 The March 2015 approval (13F/2313) secured consent for the clearance of existing buildings and the erection of 31 new retail units (Use Class A1) and 7 restaurant units (Use Class A3) along with associated parking, servicing, landscaping, public realm and access works on land to the south of Edge Lane between Rathbone Road and the railway line.
- 4.7 The Draft Local Plan makes numerous references to the subject site, which is identified as a key regeneration opportunity and specifically annotated on the Key Diagram. Objective 1 seeks to ensure economic growth whilst addressing disadvantage. It seeks to maximise opportunity for economic growth, investment and job creation along the Edge Lane Corridor.
- 4.8 A key consideration is proposed policy approach 22 which is concerned with out of centre retail facilities. This is a criteria-driven policy, the first three parts of which set out the requirement to comply with impact and sequential policy tests, and at bullet 4 states that;
"New and redeveloped retail and leisure facilities will be supported at Edge Lane Shopping Park in accordance with existing consents in order to enable the modernisation and enhancement of the shopping environment in this location and to contribute to the wider regeneration of the Edge Lane Corridor. Any future applications at this location must comply with Part 1 above."
- 4.9 The site is not located within an existing defined centre and as both retail uses and restaurant uses are defined by the NPPF as 'main town centre uses', and as such the key consideration is the out-of-centre location of the site. As already highlighted, the proposed A1 and A3 units are essentially an amendment to the approved position in terms of arrangement but will not result in any increase in the quantum and type of retail floorspace already approved.
- 4.10 The following table seeks to summarise the floorspaces associated with the approved units (in sq m) in this area as compared to that approved under 13F/2313 and the reconfiguration provided by 15F/3053. For the sake of clarity, in terms of 13F/2313 the analysis is inclusive of approved units 20A (foodstore), 21-22, 23-25 and 26-30- all as shown on approved plan M8049 A531 P8. In the same respect, the floorspace for 15F/3053 is inclusive of approved units L and M, 21-25 and 26-30- all as shown on approved plan M8565 A502 P2.

APP REF	13F/2313			15F/3053			PROPOSAL		
ELEMENT	GF	Mezz	Total	GF	Mezz	Total	Prop GF	Prop Mezz	Prop Total
A3 units	790	0	790	557	0	557	1254	0	1254
Flex A1/A3	0	0	0	502	251	753	0	0	0
Non Food A1	11892	6735	18627	12437	6940	19377	12980	7693	20673
Food A1	6968	0	6968	6968	0	6968	1031	464	1495
TOTAL	19650	6735	26385	20464	7190	27655	15265	8157	23422
Max A1			25114			27098			22168
Max A3			790			1310			1254

- 4.11 The table clearly identifies that there is no overall uplift in the quantum of commercial development within this part of the site as compared to the parent approval, and we have previously shown that there is no increase in retail floorspace from what was previously built and trading within the same subject area.
- 4.12 The applicant notes the retail user conditions which set upper thresholds for the provision of *overall retail floorspace* and *convenience floorspace* within the wider scheme. The applicant confirms that there is no intent to seek to deliver development which would require those thresholds to be amended upwards. As such, the principle of improved retail development within this area of Edge Lane has already been accepted and its extent is also within the scope of that which is already capable of lawful occupation.
- 4.13 Given that the Council has found those previous proposals acceptable in planning terms, it is concluded that they accepted that there was no failure of the requirements of the sequential approach and that the proposals will not result in impacts that would represent significant adverse harm to the ongoing vitality or viability of any existing defined centre. Therefore, in accordance with paragraph 27 of the NPPF, the proposed development should be approved.

Physical, Social and Economic Regeneration

- 4.14 The development proposed is an integral part of the wider aspirations of the adopted Edge Lane Central Development Framework. Derwent, as the principal owner, has submitted planning applications to deliver the aspirations of stakeholders. The proposals read as a whole can deliver in excess of 1380 net new permanent jobs for this area of Liverpool. Given the extent of local deprivation and the growing inequality gap, this provides a much needed boost to the local economy. In addition to this, the developments all contribute to the enhancement of the Edge Lane corridor which is a key gateway to the city centre.





4.15 The approved application to which this 573 relates was informed by an additionality analysis which considered the wider benefits of the scheme with reference to direct and indirect effects. It concluded that the wider scheme will deliver the following benefits

- 1,381 net additional full time equivalent (FTE) jobs to be created for people in the local area (2,072 in total).
- £28.6 million net additional local effect from 1,381 FTE jobs to the local economy
- 325 FTE net additional construction jobs (359 FTE gross)
- £9.8 million net additional local effect from construction jobs
- £15.12 million additional local effect from business rates per annum created through the additional commercial floorspace
- £4.14m reduced public burden due to reduction in JSA claimants
- £85,000 receipts from New Homes Bonus through development of 11 family homes

Traffic and Transportation

4.16 It is also clear that this is a highly sustainable location, and care has been taken to ensure that servicing movements to and from the site can be undertaken in forward gear and that there are opportunities for it to be used by those on foot or cycle or indeed using public transport. The submitted Transport Note concludes that the development will not result in any increases in traffic attraction above that previously approved and found acceptable in transport terms. As such the development proposal complies with the relevant requirements of policies T6, T7, T12, T13, T15 as well as HD19.

5.0 Conclusions

- 5.1 The proposed development, through its ability to create new jobs, ability to attract new businesses to the area and the redevelopment of a key gateway site will deliver economic growth. The NPPF provides support for development that can deliver economic development stating that '*significant weight should be place on the need to support economic growth through the planning system*'.



- 5.2 This report demonstrates how the proposed development accords with the development plan policies and therefore should be approved in accordance with the guidance set out within the NPPF which states that local planning authorities should approve; '*development proposals that accord with the development plan without delay*'.

