



Planning Statement

On behalf of:
Derwent Group

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



Date:
July 2016

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

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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 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.
- 1.3 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.
- 1.4 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.
- 1.5 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 0). 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

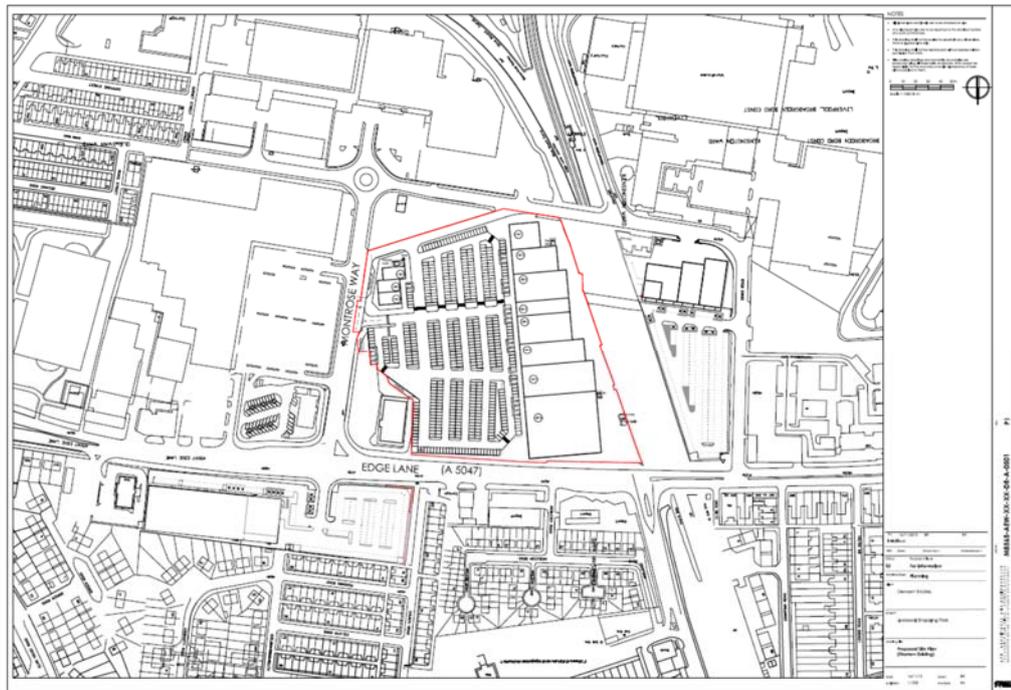
- 2.6 The planning records for the application site are comprehensive in scale. In planning terms, there is no evidence of a comprehensive initial application which sets the principle for its gradual development as a strategic retail park until those approved in 2011. In essence, until that point the 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 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.
- 3.2 The consequence of this is to change the approved layout of the area for the area of land shown red below (overlaid on the existing), which is largely bound by Edge Lane, Montrose Way and the railway line. The key purpose of the development is to allow the early implementation of engineering and highway works and as a consequence to accelerate the delivery of development for these units.



- 3.3 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.
- 3.4 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.

- 3.5 Unit 36A 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 29-36C are retail units for comparison retailing all with mezzanine floors.
- 3.6 Units 39-41 are located between the Edge Lane junction and the existing roundabout and for these we seek flexible A1/A3 consent albeit it is considered more likely that these will trade within A3. Unit 37-38 represent a larger A3 offer than shown on previous approvals and is now split over 2 units with the format geared to the requirements of the intended occupiers.
- 3.7 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. 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.

Quantum and Composition

- 3.8 It is important to reflect on whether this layout will result in any material change to what has previously been accommodated upon the site and also what has been subject of approvals.
- 3.9 Within this quadrant of the Retail Park site, a number of vacant buildings were demolished in 2014/2015 as part of early clearance works for the wider development. These typical first generation retail park units provided 14383m² of non-food retail floor space, including operational mezzanines.
- 3.10 The scheme approved under 13F/2313 provided an A3 unit broadly in the location of proposed units 39-41, an A3 unit in the broad location of proposed units 37-38, and A1 units in the locations of proposed units 29-36C inclusive of substantive mezzanine provision.

- 3.11 The 15F/3053 scheme sought reconfiguration but did not result in any material change to the general character of development, and this approach is continued here.
- 3.12 In terms of this application, it deals with the following units (all figures in sq m gross internal) as shown on drawing M8565 A521 P5.

UNIT	GF	MEZZ	TOTAL	OCCUPIER TYPE
29	467	232	699	A1 NON FOOD
30	697	348	1045	A1 NON FOOD
31	933	372	1305	A1 NON FOOD
32	509	255	764	A1 NON FOOD
33	934	743	1677	A1 NON FOOD
34	936	836	1772	A1 NON FOOD
35	1161	1045	2206	A1 NON FOOD
36A	1031	465	1495	A1 FOOD
36B	934	372	1306	A1 NON FOOD
36C	934	697	1631	A1 NON FOOD
37	418	0	418	A3
38	418	0	418	A3
39	139	0	139	A1/A3 FLEX
40	139	0	139	A1/A3 FLEX
41	139	0	139	A1/A3 FLEX
42	557	0	557	A3

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 0 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 Thereafter, 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.
- 4.7 The Submission Draft Core Strategy makes numerous references to the subject site, which is identified as a key regeneration opportunity and specifically annotated on the Spatial Strategy Key Diagram. Objective 1 seeks to ensure sustainable economic growth whilst addressing severe economic disadvantage in parts of the city. It makes reference to maximising the opportunities for economic growth, new business development and job creation along the Edge Lane Corridor.
- 4.8 Further reference is provided at paragraph 3.42 which re-affirms the pressing need for regeneration upon the subject site. It states:
"The Urban Core also includes the Eastern Gateway SIA, located in the Edge Lane corridor, the main route into Liverpool from the M62 motorway. This SIA is a primary location for Liverpool Innovation Park and other IT businesses in the emerging "Knowledge Quarter". A retail warehouse park is also located on Edge Lane: this is now in need of appropriate modernisation and planning permission was granted in 2011 for its redevelopment."
- 4.9 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."
- 4.10 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.
- 4.11 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 also the

reconfiguration provided by 15F/3053. For the sake of clarity, in terms of 13F/2313 the analysis is inclusive of approved units L and M, 24-25 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, 24-25 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	Proposed GF	Proposed Mezz	Proposed Total
A3 units	1207	0	1207	557	0	557	836	0	836
Flex A1/A3	0	0	0	502	251	753	418	0	418
Non Food A1	10247	5489	15736	8628	5692	14320	7738	4667	12405
Food A1	0	0	0	0	0	0	1031	464	1495
TOTAL	11454	5489	16943	9130	5943	15630	10023	5131	15154
Max A1			15736			15063			14318
Max A3			1207			1310			1254

- 4.12 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 previous 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.
- 4.13 The previous approval can be read to conclude that within those stated thresholds that any impact on centres of planned investment does not result in any conflict in the requirements of NPPF paragraphs 24-26, especially when read in context with the substantial regenerative benefits that can be accrued.
- 4.14 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.
- 4.15 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 also be approved.

Physical, Social and Economic Regeneration

- 4.16 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 several planning applications in order to deliver the aims and aspirations of the various stakeholders. Whilst the development itself is employment generating, 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.
- 4.17 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

- 4.18 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*'.