



Department for  
Communities and  
Local Government

Miss Hannah Smith  
Ove Arup & Partners Ltd  
Admiral House Rose Wharf  
78 East Street  
Leeds  
West Yorkshire  
LS9 8EE

Our Ref: APP/Z4310/V/13/2206519

15 January 2015

Dear Madam

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77  
APPLICATION BY PLUS DANE GROUP  
AT PRINCES PARK (THE WELSH STREETS), LIVERPOOL L8  
APPLICATION REFERENCE 13F/0443**

1. I am directed by the Secretary of State to say that consideration has been given to the report of the Inspector, C Thorby MRTPI, IHBC, who held a public local inquiry between 17 June and 2 July 2014 into your client's hybrid application for: *demolition of the existing buildings in phase A with exception of no's 6-46 Kelvin Grove, 1-16 Madryn Street, 125-127 South Street and 138-146 High Park Street; the construction of 154 new dwelling houses and refurbishment of existing housing stock to provide 37 refurbished dwellings, full details submitted for phase A; the proposed demolition of the existing buildings in development phase B and redevelopment to provide 73 new dwelling houses, outline details submitted for phase B with all matters reserved*, in accordance with application reference 13F/0443 dated 18 February 2013. The inquiry was conjoined with a Compulsory Purchase Order (CPO) Inquiry for land within phase A of the planning application site.
2. On 24 September 2013 the Secretary of State directed, in pursuance of section 77 of the Town and Country Planning Act 1990, that the application be referred to him instead of being dealt with by the relevant planning authority, Liverpool City Council (the Council) because the proposals may conflict with national policies on important matters.

## **Inspector's recommendation and summary of the decision**

3. The Inspector recommended that planning permission be granted. For the reasons given below, the Secretary of State disagrees with the Inspector's recommendation and refuses planning permission. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.
4. A separate letter, also being issued today, sets out the Secretary of State's decision on the CPO referred to above.

## **Procedural Matters**

5. In reaching this position the Secretary of State has taken into account the Environmental Statement which was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. Having had regard to the Inspector's comments at IR4, the Secretary of State is content that the Environmental Statement complies with the above regulations and that sufficient information has been provided for him to assess the environmental impact of the application.

## **Policy considerations**

6. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the saved policies in the 2002 Liverpool Unitary Development Plan (UDP) and the Joint Waste Plan for Merseyside and Halton (2013). The Secretary of State considers that the most relevant development plan policies are those identified by the Inspector at IR16-22 and also UDP policy HD5 which seeks to preserve the setting of listed buildings.
7. In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act), the Secretary of State has paid special regard to the desirability of preserving those listed structures potentially affected by the scheme or their settings or any features of special architectural or historic interest which they may possess. The Secretary of State has also paid special attention to the desirability of preserving or enhancing the character or appearance of conservation areas, as required by section 72(1) of the LBCA Act.
8. Other material considerations which the Secretary of State has taken into account include the National Planning Policy Framework (the Framework), the supporting planning practice guidance, the documents identified at IR23-26 and 29-32, the Written Ministerial Statement of 10 May 2013 (Inquiry document CD6.19) and the recommendations of George Clarke, the independent empty homes advisor appointed by the Government, in his Empty Homes Review (CD6.20).
9. The Secretary of State notes that the Council is currently preparing a Local Plan but that this is at an early stage. As any proposals are liable to change, he attributes very limited weight to the emerging Plan, though he notes that the identification of the site in the emerging Plan documentation as being within

Liverpool's urban core and a housing and neighbourhood renewal area is consistent with designations in other documents such as the Liverpool Housing Strategy and Empty Homes Strategy (IR27-28).

## **Main issues**

10. The Secretary of State considers that the main issues in this case are those identified by the Inspector at IR206.

*The extent to which the proposed development is consistent with Government policies in planning for the conserving and enhancing of the historic environment*

11. The Secretary of State has given careful consideration to the assessments of heritage and historic matters put forward by the Inquiry parties and the Inspector's conclusions at IR207-213. The Secretary of State has had regard to the physical condition of properties in the Welsh Streets (IR208). For the reasons at IR210 he agrees with the Inspector that their condition is not the result of deliberate neglect or damage. Consequently the Secretary of State has taken into account the condition of properties in assessing the heritage value of these Streets as a whole.

12. The Secretary of State notes that the heritage value of the best and most complete surviving examples of Richard Owens' estates has been recognised in the designation of Kensington Fields estate and Toxteth Park and Avenues as conservation areas, but he also notes that those areas are not only later in date than the Welsh Streets but of a very different character (IR142). Having taken account of the differing views expressed at the Inquiry, the Secretary of State agrees with the SAVE's assessment of heritage matters for the reasons at IR143-145 and 147. Specifically with regard to 'The Beatles', although Ringo's birthplace at No. 9 Madryn Street would be retained together with part of Madryn Street, only a stub of this terrace would be saved. The Secretary of State does not agree with the Inspector that the significance of Ringo Starr's house would not be lost as a consequence of the proposals (IR212). The Secretary of State agrees with SAVE and the National Trust that the demolition of much of Madryn Street will significantly harm the ability to understand and appreciate this part of Liverpool's Beatles heritage (IR148 and 191), which he considers to be of importance to the City. Although there are many other surviving terraced streets in the area where visitors could go to see a similar environment to the one where Ringo Starr was born, the Secretary of State places importance on the actual street where he was born and he agrees with SAVE that the proposals would be short sighted as regards the future tourism potential of Madryn Street (IR148).

13. For the above reasons, although the Welsh Streets are non-designated heritage assets the Secretary of State does not agree with the Inspector's conclusion at IR213 that these streets are of low significance for Liverpool's heritage. The Secretary of State considers that the surviving built and cultural heritage in the Welsh Streets is of considerable significance for the above reasons, and that the proposal would have a harmful effect on the significance of the Welsh Streets as a non-designated heritage asset.

14. The Secretary of State has given careful consideration to the Inspector's assessment at IR214-217. He recognises that the proposals would be outside the

neighbouring conservation areas and that the Welsh Streets are set behind grand villas with little inter-visibility (IR214). However, the Secretary of State has also given careful consideration to SAVE's assessment at IR150-156. In view of the functional relationship between the Welsh Streets and the two conservation areas (IR150-155) and notwithstanding the limited inter-visibility he agrees with SAVE that the Welsh Streets are an important part of the setting of the conservation areas. Given the harm considered below to the setting of listed buildings along Devonshire Road, which are an integral part of the Princes Park conservation area, and given the views through the gaps between these villas (IR152) he considers that the proposed scale of demolition would have a detrimental impact on the setting, character and appearance of the Princes Park conservation area. Consequently he disagrees with the Inspector that there would be no harm to this conservation area (IR214). Rather, he considers there would be some harm and he attaches considerable importance and weight to this.

15. Turning to listed buildings, the Secretary of State has considered the Inspector's assessment at IR215 alongside SAVE's point that Owens deliberately avoided placing a terrace facing onto South Street, which was effectively a mews street behind the Devonshire Road properties that had principal rooms running the full depth of the buildings. The Secretary of State agrees with SAVE that this was a harmonious and mutually beneficial relationship, which is easily understood and appreciated (IR150). Though he agrees with the Inspector that the harm to the setting of the listed buildings along Devonshire Road would be less than substantial, he considers that the Inspector's assessment of this harm as 'small' (IR215) underplays the degree of harm to the setting of those listed buildings that would arise from the end of the harmonious relationship that SAVE identifies and the impact of the new housing facing onto South Street. The Inspector acknowledges that the setting of the listed buildings would not be preserved (IR245) and the Secretary of State attaches considerable importance and weight to this harm.
16. In view of the harm to the heritage value of the Welsh Streets and the harm to the setting, character and appearance of the Princes Park conservation area and the setting of listed buildings within it along Devonshire Road, the Secretary of State considers that the development would conflict with UDP Policy GEN3 which aims to preserve and enhance historically and architecturally important buildings and areas, UDP Policy HD5 which seeks to protect the setting of listed buildings, and UDP Policy HD12 which seeks to protect the setting of conservation areas. In coming to this view the Secretary of State has considered the consistency of the policies in the UDP with the Framework. Policy GEN3 is expressed in aspirational terms but is considered to be consistent with the Framework and is given full weight in the determination of this application. UDP policies HD5 and HD12 are not fully consistent with the Framework because these are inflexible policies that only permit development if the settings of, respectively, any affected listed buildings and conservation areas are preserved whereas the approach in paragraph 134 of the Framework allows countervailing benefits to be taken into account which is absent from Policies HD 5 and HD 12. Nonetheless, the Secretary of State has given due weight to these policies to the extent that they seek to protect the historic environment.

17. The Secretary of State agrees with the Inspector that there would be no effect on the Empress Public House as its setting is a wide range of modern and Victorian housing (IR216).

*The extent to which the proposed development is consistent with policies in requiring good design*

18. The Secretary of State has carefully considered the design of Phase A, for which full details have been submitted, and the Inspector's conclusions at IR218-224 as well as the applicant's and Council's approach to design summarised at IR89-103. UDP Policy HD18 requires, inter alia, that development should be of a density that relates well to its locality and include characteristics of local distinctiveness in terms of design, layout and materials, and that building lines and layout should relate to those of the locality. The Secretary of State notes the efforts to achieve a degree of continuity with the existing heritage and townscape (IR218), but he does not agree that the design would fit in well with the character of the area (IR219). Rather, he agrees with SAVE that the design of the proposal is poor and fails to respond to local character, history and distinctiveness for some of the reasons put forward at IR157 – 162 and set out below.

19. Though the proposals retain some of the existing street names and the geographical location and orientation of those streets, the Secretary of State considers that in other respects the existing character of the Welsh Streets would effectively be lost. Existing density would be halved and the Secretary of State agrees with SAVE that the proposed scheme takes a suburban approach given the space surrounding buildings and the focus on the private plot rather than the collective street (IR157).

20. The Secretary of State agrees with SAVE that the strong existing street line would be weakened by set backs and space for off-street parking, harming the character of the area. The existing street pattern would be broken. The gaps between the semi-detached houses, punctuated by an excess of parking spaces, would be highly apparent when viewed from the ends of the streets, and all the more so as people walk or drive down the streets (IR158).

21. The Secretary of State notes that new build houses themselves will not be much larger than the existing terraces in terms of internal floor space. He agrees with SAVE that the new Green Street would be an inefficient use of space, as there is no shortage of public open space in the area, no evidence of lack of permeability across the site presently, and the loss in terms of the disruption of the existing street pattern (including the truncating of Madryn Street) far outweighs any supposed benefits of the Green Street (IR159).

22. The Secretary of State also agrees that the loss of mature street trees would be a significant loss in design and sustainability terms, and that they should be retained and managed appropriately (IR161). In view of this significant loss, he also considers that the proposal conflicts with UDP policy HD22 which seeks to protect existing trees and, inter alia, states that planning permission to be refused for proposals which cause unacceptable tree loss.

23. In view of the Secretary of State's conclusions above regarding the design of Phase A, which links to his assessment of harm in relation to heritage matters, he

considers that the proposal would fail to comply with UDP policy HD18 in so far as that policy is concerned with seeking to protect local character. For the same reasons he considers that the proposal would also fail to satisfy paragraph 58 of the Framework in terms of the need for development to respond to local character and history, and reflect the identify of local surroundings.

*The extent to which the proposed development is consistent with Government policies on bringing back empty homes into residential use*

24. The Secretary of State has given very careful consideration as to whether the proposals are consistent with Government policies on bringing back empty homes into residential use. He has considered the cases put forward by the Council, the applicant, SAVE and other interested parties, and the Inspector's conclusions at IR225-231. The Secretary of State has also taken into account paragraph 51 of the Framework and the documents at IR 29-32 including *Laying the Foundations* which sets out the Government's intention to increase the number of empty homes that are brought back into use as a sustainable way of increasing the overall supply of housing. The Secretary of State acknowledges that neither *Laying the Foundations* nor the Council's Housing Strategy preclude demolition of empty homes and their replacement as a method of achieving better housing (IR227). However, the proposals have to be considered in light of the Government's position as set out in the written Ministerial Statement of 10 May 2013 (inquiry document CD6.19) and the acceptance of George Clarke's recommendations which make clear that refurbishment and upgrading of existing homes should be the first and preferred option, and that demolition of existing homes should be the last option after all forms of market testing and options for refurbishment are exhausted.
25. The Secretary of State accepts that all the options assessed in the Princes Park Neighbourhood Renewal Assessment Review and Update Report (Inquiry document CD6.8, the updated NRA ) have a funding deficit and require a level of grant or gap funding to proceed on the basis of the assumptions made (IR226). However, in this case, the options assessed in the updated NRA did not include approaches such as that advocated by SAVE (IR121 – 123) or an intermediate scheme involving more selective demolition within a scheme of mass refurbishment as advocated by George Clarke in his letter to the Inspector of 24 June 2014. Whilst the Secretary of State acknowledges that not all possible forms of market testing and options for refurbishment necessarily need to have been considered, he is not persuaded that the NRA was sufficiently broad in its scope and analysis, and therefore he considers that it did not adequately take forward George Clarke's best practice recommendations on empty homes.
26. Overall, although some demolition within the Welsh Streets may be justified, the Secretary of State is not persuaded that the scale of demolition proposed in this case - 439 units leaving just 37 for refurbishment - has been demonstrated to be necessary and that all forms of market testing and options involving more refurbishment have been exhausted. Consequently, though the proposal does not conflict with the Council's Housing and Empty Homes Strategies (IR31-32) and nor therefore does it conflict with paragraph 51 of the Framework, he concludes that the proposal does conflict with the policy set out in the May 2013 Ministerial Statement to take forward George Clarke's best practice recommendations on empty homes.

*The extent to which the proposal is consistent with Government policy on meeting housing needs and delivering a wide choice of quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities*

27. The Secretary of State notes that although there are no recently examined housing figures, according to the SHLAA, Liverpool City Council has a five year housing land supply plus a 12% buffer (IR232) and he agrees with the Inspector that the net loss of 210 units would not have any adverse effect on the adequacy of the Council's housing land supply and only a negligible effect in meeting potential housing targets for the City (IR234).
28. The Secretary of State agrees that the factors identified at IR233 need to be taken into account. However he takes the view that further market testing and options appraisal may indicate that an alternative scheme involving substantially less demolition and correspondingly more refurbishment and upgrading of intrinsically characterful Victorian homes to modern standards could deliver a broadly comparable package of social, economic and environmental benefits to the area.
29. The Secretary of State accepts the Inspector's conclusion that the proposals would meet the aim at paragraph 50 of the Framework to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities (IR236). However, in his view, so too would a future for the Welsh Streets involving less demolition and more refurbishment that would retain more of its heritage value.

#### *Other matters*

30. The Secretary of State agrees with the Inspector's assessments at IR239-241 in regard to climate change, loss of commercial units, overlooking and healthy communities, though he does not consider that the proposals have been demonstrated to have any significant advantage in regard to health impacts compared with options involving less demolition and more refurbishment that were not appraised in the updated NRA.

#### **Conditions**

31. The Secretary of State has considered the Inspector's reasoning and conclusions on conditions at IR196-202. He is satisfied that the conditions proposed at Annex A of the Inspector's report are reasonable and necessary, and would meet the tests of paragraph 206 of the Framework. However, he does not consider that these conditions overcome his reasons for refusing planning permission.

#### **Planning balance and overall conclusion**

32. The Secretary of State agrees with the Inspector that the planning application would provide some benefits in terms of widening the choice of housing types, including accessible homes (IR243) and the larger family housing which is in demand in Liverpool. The proposal has funding and could be delivered (IR227), whereas no specific alternative scheme has yet been demonstrated to be viable. These factors carry significant weight. The proposal would create local jobs in construction (IR243) and this attracts some weight.

33. However the Secretary of State places less significant weight on the other benefits identified at IR233, 236 and 243, because he is not persuaded that all forms of market testing and options involving more refurbishment have been exhausted and he considers that potential schemes that incorporate more refurbishment would also achieve most of the benefits at IR243.
34. The Secretary of State attaches substantial weight to the harm the proposed development would cause to the significance of the Welsh Streets as a non designated heritage asset, and considerable importance and weight to the harm to the setting of the Princes Park conservation area and to the harm to the setting of listed buildings within it along Devonshire Road, which would not be preserved. Paragraph 135 of the Framework requires a balanced judgement having regard to the scale of any harm or loss and the significance of non-designated heritage assets. For designated heritage assets, Paragraph 134 requires any less than substantial harm to their significance to be weighed against the public benefits of the proposal. In this case, although the proposal would provide some significant public benefits, the Secretary of State concludes that these would not be outweighed by the sum of harm to heritage assets and trees, and the conflict with national policy to take forward George Clarke's best practice recommendations on empty homes.
35. The Secretary of State considers that the proposal would not comply with UDP policies GEN 3, HD5 and HD12 relating to historic environment, or with policy HD18 in so far as this is concerned with seeking to protect local character, or with policy HD22 regarding existing trees. For these reasons he concludes that the proposal conflicts with the development plan as a whole. Moreover the proposal also conflicts with paragraph 58 of the Framework, which requires that developments respond to local character and history.

### **Formal decision**

36. Accordingly, for the reasons given above, the Secretary of State disagrees with the Inspector's recommendation. He hereby refuses your client's application for: *demolition of the existing buildings in phase A with exception of no's 6-46 Kelvin Grove, 1-16 Madryn Street, 125-127 South Street and 138-146 High Park Street; the construction of 154 new dwelling houses and refurbishment of existing housing stock to provide 37 refurbished dwellings, full details submitted for phase A; the proposed demolition of the existing buildings in development phase B and redevelopment to provide 73 new dwelling houses, outline details submitted for phase B with all matters reserved*, in accordance with application reference 13F/0443 dated 18 February 2013.

### **Right to challenge the decision**

37. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged by making an application to the High Court within six weeks from the date of this letter.
38. A copy of this letter has been sent to Liverpool City Council, SAVE Britain's Heritage, the National Trust, George Clarke, Louise Ellman MP and Luciana



Berger MP. A notification letter has been sent to all other parties who asked to be informed of the decision.

Yours faithfully

*Julian Pitt*

**Julian Pitt**

Authorised by Secretary of State to sign in that behalf

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# **Report to the Secretary of State for Communities and Local Government**

**by C Thorby MRTPI IHBC**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date 22 September 2014**

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Town and Country Planning Act 1990

Liverpool City Council

Application for planning permission by

Plus Dane Group

Site at

Princes Park (the Welsh Streets), Liverpool L8

Princes Park (The Welsh Streets) Liverpool L8

File Ref(s): APP/Z4310/V/13/2206519

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**File Ref: APP/Z4310/V/13/2206519**  
**Princes Park (The Welsh Streets) Liverpool 8**

- The application was called in for decision by the Secretary of State by a direction, made under section 77 of the Town and Country Planning Act 1990, on 24 September 2013
- The application is made by Plus Dane Group to Liverpool City Council.
- The application Ref 13F/0443 is dated 18 February 2013.
- The development proposed is the proposed demolition of the existing buildings in phase A with exception of no's 6 - 46 Kelvin Grove, 1 - 16 Madryn Street, 125 - 127 South Street and 138 - 146 High Park Street. The construction of 154 new dwelling houses and refurbishment of existing housing stock to provide 37 refurbished dwellings. Full details submitted for phase A. The proposed demolition of the existing buildings in development phase B and redevelopment to provide 73 new dwellings houses. Outline details submitted for phase B with all matters reserved.
- The reason given for making the direction was that the proposals may conflict with national policies on important matters.
- On the information available at the time of making the direction, the following were the matters on which the Secretary of State particularly wished to be informed for the purpose of his consideration of the application are listed in the call-in letter:
  - a) The extent to which the proposed development is consistent with Government policies in planning for the conserving and enhancing of the historic environment.
  - b) The extent to which the proposed development is consistent with Government policies in requiring good design.
  - c) The extent to which the proposed development is consistent with Government policies on bringing back empty homes into residential use.
  - d) Finally, the planning balance and the extent to which the proposed development is consistent with national and local planning policy.

**Summary of Recommendation: that Planning permission be granted.**

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**Preliminary Matters**

1. The planning application was submitted by the Plus Dane Group (PDG) and was accompanied by a wide range of documents (CD1.1-CD1.10.95). An Environmental Statement (ES)(CD1.5) accompanied the application.
2. The inquiry sat for 10 days on 17-20 and 24-27 June, and 1-2 July 2014. It was conjoined with a Compulsory Purchase Order (CPO) Inquiry for land within phase A of the planning application site. During the inquiry, there was an accompanied visit to inspect the internal and external condition of 5 properties. I made an accompanied visit to two local residents' properties on 2 July 2014, followed by an unaccompanied visit of the site, surrounding area, and other relevant locations throughout Liverpool.
3. Liverpool City Council (LCC) and the Plus Dane Group (PDG) presented a joint case represented by the same advocate. Their cases are reported jointly. Save Britain's Heritage (SAVE) was granted Rule 6 status and was a qualifying objector to the CPO.
4. The ES was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Environmental Statement complies with the above regulations and sufficient information has been provided to assess the environmental impact of the planning application.
5. The reporting of the parties' cases is based on summarised evidence given at the inquiry, both oral and written, and edited closing submissions – see Inquiry documents for the references. The Core Documents are listed at the end of this

report. With a few exceptions, all of these are hyperlinked to the Programme Officer's dedicated inquiry website where the full text of the documents is available.

### **The Site and Surroundings**

6. The application site is within Toxteth, a mainly residential, inner city area south of Liverpool city centre. The site is comprised of several streets of Victorian terraced housing widely known, and referred to in this report, as the Welsh Streets. Toxteth has a wide variety of house types with grand Victorian houses along Princes Road/Princes Avenue and around Princes Park which are included in conservation areas; fine villas and a former stable block along Devonshire Road (which back onto the application site) which are grade II listed buildings, and, tightly knit pre-1919 rows of terraced houses together with modern social and private housing seen elsewhere. Two of the largest parks in Liverpool, Sefton Park and Princes Park (a grade II\* registered park and garden), are in the Toxteth area (the site and surroundings are best described and seen in CD1.1 and CD1.5 pages 9-12).
7. The Welsh Streets comprises a grid of two storey terraces with some larger three storey terraces along Kelvin Grove. It is bounded by High Park Street to the west, South Street to the east, Admiral Street to the south and Kelvin Grove to the north. It encompasses the following streets: Wynnstay Street, Voelas Street, Treborth Street, Rhiwlas Street, Powis Street, Pengwern Street, Madryn Street, Kinmel Street and Gwydir Street. The site is mainly residential with some scattered commercial uses mainly along High Park Street.
8. The existing houses within Phase A of the scheme, with the exception of a small number of properties, are mostly vacant. The vacant houses have been boarded up with all openings, both front and back, sealed with metal sheeting. The residential units in Phase B (the subject of the outline planning permission) are predominantly occupied.

### **Planning Policy**

#### National Planning Policy Framework

9. Sections 6, 7 and 12 of the National Planning Policy Framework (the Framework) are referred to in the call-in letter<sup>1</sup>. Reference is made throughout this report, where necessary, to other relevant sections/paragraphs of the Framework.
10. Section 6 deals with delivering a wide choice of quality housing. It sets out what local planning authorities should do to boost the supply of housing in the country (paragraph 47) and deliver a wide choice of high quality homes (paragraph 50). Paragraph 51 states that *'local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers'*.
11. Section 7 deals with design. The policies promote high quality design of the built environment, noting that good design is a key aspect of sustainable development and is indivisible from good planning (paragraph 56).

12. Section 12 deals with conserving and enhancing the historic environment. Paragraph 126 stresses the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring. Paragraph 132 of the Framework relates to designated heritage assets indicating that great weight should be given to the asset's conservation.
13. In addition to the matters raised in the call in letter, the Framework recognises that the planning system can play an important role in facilitating interaction and creating healthy, inclusive communities (paragraph 69). Paragraph 95 indicates local planning authorities should support the move to a low carbon future by planning to reduce greenhouse gas emissions and actively support energy efficiency improvement.
14. *Planning practice guidance* (PPG) was issued in March 2014 and has been taken into account in all of the witnesses' written or oral evidence. It is referred to where necessary in the report.

#### The development plan

15. The development plan comprises the Liverpool Unitary Development Plan adopted November 2002 and the Joint Merseyside and Halton Waste Local Plan 2013. The following is a summary of the relevant policies referred to in written and oral evidence. Those policies within the UDP that are referred to have been 'saved' for further period.  
*Liverpool Unitary Development Plan (UDP) adopted November 2002 (CD5.1).*
16. GEN3, HD12 and HD15, seek to protect the historic environment. GEN3 aims to protect and enhance the built environment of the city by among other things, preserving and enhancing historically and architecturally important buildings and areas, encouraging high standards of design, improving accessibility and creating a safe and attractive environment. HD12 seeks to protect the setting of conservation areas and HD13 seeks to protect the character and setting of historic parks.
17. Policy GEN4 aims to promote a good quality living environment by, among other things, improving the living environment of existing housing areas and carefully considering housing design and layout. HD18 sets out criteria including those relating to scale, density, massing, local distinctiveness and views to ensure a high quality design. HD22/HD23 seek to protect and integrate trees by refusing planning permission where there is an unacceptable tree loss, and make the proper provision for new trees and planting.
18. GEN8 seeks to protect and enhance Liverpool's environment by, among other things, recycling vacant, derelict and underused land, promoting renewable energy, ensuring that developments are carried out with consideration for the environment and public health.
19. HD19 seeks a fully accessible environment for all. HD20 sets out criteria to make proper provision for personal safety and crime prevention. HD21 seeks development to minimise the overall demand for energy though energy

sensitive measures. HD24 encourages the provision of appropriate new artworks.

20. H2 is relevant where it indicates that LCC will take an area approach to tackling regeneration. H4 confirms that planning permission will be granted for new residential development in Primary Residential Areas (this includes the application site) where they meet other policies of the plan. H5 sets out criteria for new residential development including respecting local character; protecting residents' amenity and highway safety.
21. EP1 seeks to promote and encourage the reclamation of derelict land and the restoration of neglected land. EP2, EP11 and EP12 relate to environmental protection including the control of pollution, treatment of contaminated land and protection of water resources. OE11 and OE14 relate to the protection and provision of green space.

*The Joint Waste Plan for Merseyside and Halton Plan (2013)(CD5.2)*

22. Policy WM8 seeks to minimise waste during demolition and construction, including through the use of methods that minimise waste production and encourage re-use and recycling. Policy WM9 requires the design and layout of new developments to address waste and recycling provision as part of the proposals.

Supplementary Planning Guidance/Documents (SPG/SPD)

23. *SPG6 Trees and Development (adopted 2002)(CD5.5)*. The SPG expects new developments to ensure that existing trees are protected and integrated into new development, and that new planting is carried out adequately.
24. *SPG10 New Residential Development (adopted 2002)(CD5.7)*. This offers guidance to 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.
25. *SPD - Design for Access for All (adopted 2011)(CD5.3)*. Highlights the most important principles in designing inclusive buildings to meet the needs of all users including disabled people, promoting a high quality and inclusive environment for all, irrespective of age, gender, mobility or impairment.
26. *SPD - Ensuring a Choice of Travel (adopted 2008)(CD5.4)*. This provides guidance on the access and transport requirements for new development across Merseyside.

Liverpool Core Strategy (CD5.8)

27. The Draft Submission Core Strategy (CS) was at an advanced stage of preparation. However, LCC decided to abandon its progress in favour of producing a Local Plan (LP). The CS is now a core document for the LP but, in itself, is no longer an emerging plan. The LP is at an early stage of production and has not been put forward as a policy document for this Inquiry. The LP and CS therefore carry very limited weight. However, the identification of the site within Liverpool's urban core and a housing and neighbourhood renewal area is

consistent with designations in other documents such as the Housing Strategy and Empty Homes Strategy.

28. Notwithstanding this for ease of reference the following is a summary of relevant CS policies. To provide more private sector family homes in the urban core to address the imbalance in the existing housing stock - Strategic Objective 2. To contribute to a sustainable community, deliver high quality design, and implement low carbon options - Policy SP1. To broaden house choice and assist in housing market renewal - SP9, SP11, SP13 and SP15. To achieve high quality design, a safer environment and protect of local character including that of the historic environment - Policy SP23.

#### Other documents

29. *'Laying the Foundations' A Housing Strategy for England (DCLG 2011)*(CD6.17) (referred to hereafter as 'Laying the Foundations') sets out the Government's strategy aimed at achieving a thriving, active but stable housing market that offers choice, flexibility and affordable housing. It includes a strategy for bringing empty homes back into use.
30. *Princes Park Neighbourhood Renewal Assessments 2005, 2010 and 2013* (CD6.6-6.8). The assessments are detailed studies considering environmental and socio-economic issues that may have an adverse impact on housing and living conditions, the community and employment/business and the sustainability of the area. The details of the assessments and the history of the renewal area are set out in more detail in the parties' cases.
31. *LCC's Housing Strategy 2013-2016* (CD6.3) sets out LCC's cross department strategy to achieve a range of good quality homes to meet the needs of residents to support economic growth, improve the supply of housing, choice and quality and build safe and sustainable communities. The strategy indicates that it takes into account local and national planning policy. The details of LCC's strategy are referred to where relevant within the report, but include a commitment to build new homes, improve housing stock and bring empty homes back into use.
32. *LCC Empty Homes Strategy* (CD6.4) seeks to support LCC's Housing Strategy aim to reduce long term empty homes, recognising that empty homes have a negative social and environmental impact on local communities. The details of LCC's strategy are referred to where relevant within the report.

#### **Planning History**

33. Prior approval for demolition was submitted to LCC in March 2011. The proposal related to properties that were within the ownership of the LCC at that time. The application was withdrawn following a Screening Direction by the SofS who determined that an Environmental Impact Assessment was required and therefore planning permission would be necessary for the demolition.

#### **The Proposals**

*The proposals are best described in CD1.10.1/2/3. Visuals can be seen in CD10.1.90-95)*

34. The proposals consist of a hybrid application which is full in part and outline in part (hereafter referred to as 'the scheme'). It seeks full details to be agreed



for phase A of the scheme, with all matters reserved in respect of Phase B. The various elements of the scheme are outlined below:

*Phase A – Full Details Submitted*

35. The demolition of the existing buildings with the exception of No's 6-46 Kelvin Grove, 1-16 Madryn Street, 125-127 South Street and 138-146 High Park Street. The total number of properties proposed to be demolished within this phase is 279 units. The construction of 154 new dwelling houses and the refurbishment of existing stock in No's 6 -28 Kelvin Grove, 38-46 Kelvin Grove, 1-16 Madryn Street, 138-146 High Park Street to provide 37 refurbished dwellings. The existing units at 30-34 Kelvin Grove would be retained. 125/127 South Street would be retained with alterations. The new development proposes deletion of Rhiwlas Street, part of Madryn Street and the insertion of the new central Green Street between Kinmel Street and Voelas Street (see CD1.10.3).
36. The housing mix would be as follows:
- 46 no. 2 bedroom, 2 storey houses (new build)
  - 93 no. 3 bedroom, 2 storey houses (new build)
  - 13 no. 3 bedroom, 2/3 storey houses (new build)
  - 18 no. 2 bedroom, houses (refurbishments 1-16 Madryn Street, 140 & 142 High Park Street)
  - 3 no. 3 bedroom, houses (refurbishments 138, 144 and 146 High Park Street)
  - 16 no. 2 bedroom, 4 bedroom and 6 bedroom houses (refurbishments 6 – 46 Kelvin Grove)
37. Within Phase A, around 116 new houses could be for affordable housing with a mix of rent and shared ownership. The 37 refurbished houses could be a mix of affordable and market price dwellings (see paragraph ...for details of tenure).

*Phase B – All Matters Reserved*

38. For Phase B the demolition of the existing 160 buildings and re-development to provide up to 73 residential properties is proposed.
39. An indicative layout is shown on the phasing plan (CD1.10.89). Pengwern Street is to be extended to link in with the new 'green street' provided in Phase A and the creation of a 'new street' between Admiral Street and Kinmel Street. On Page 18 of the Environmental Statement (CD1.5) the applicants confirm the parameters of Phase B. The indicative information shows that no infill or refurbishment is proposed as part of Phase B, with all housing taking the form of new-build, comprising three similar sized housing grid blocks. The housing mix, type and design would be similar to Phase A.

**Agreed matters**

40. During the Inquiry PDG, LCC and SAVE agreed a condition survey of several of the Welsh Streets houses (document reference LCC-inq-013).

## **THE CASE FOR LIVERPOOL CITY COUNCIL (LCC) AND THE PLUS DANE GROUP (PDG)**

41. The application was submitted by PDG on 18 February 2013. PDG is a Registered Social Provider with an asset base of 18,000 homes in ownership and management across Merseyside and Cheshire. PDG has extensive involvement in many regeneration projects, involving new build, demolition and refurbishment in the area<sup>2</sup>.
42. Although the application was called-in for determination by the Secretary of State, it was considered by LCC's planning committee where it resolved to grant planning permission subject to conditions. LCC and PDG are therefore both promoting the application and presenting a joint case.

### **Housing Market Renewal Initiative (HMRI)**

43. While the application is to be considered against local plan policy and other material considerations in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, it is necessary to explain the background to the approach leading to the current form of the application.
44. Proposals for the Princes Park area (including the Welsh Streets) were developed over many years following the Government's HMRI programme, launched in 2002. The aim of the HMRI was to tackle problems of neighbourhood decline and deprivation as a consequence of housing market failure. The HMRI programme ran until 2011. Following LCC's commissioning of a Neighbourhood Renewal Assessment (NRA)(2005)(CD6.6), Princes Park was declared a Renewal Area in 2005 recognising that there was a significant failure in the housing market resulting in high levels of vacancy and low demand<sup>3</sup>.
45. The NRA (2005) considered housing, environmental and socio-economic issues in Princes Park. It defined geographical areas testing a variety of options to determine the most appropriate type of intervention. It tested options ranging from do minimum, renovation to various standards, renovation/redevelopment and clearance/redevelopment against a series of criteria<sup>4</sup>.
46. The NRA (2005) conclusion defined four distinct areas of intervention for Princes Park as follows<sup>5</sup>:
  - The area of the Welsh Streets recommended for phased redevelopment.
  - The Camelot Streets and the remaining three Welsh Streets recommended for investment in existing properties and selective demolition where required.
  - The Dickens Streets to remain as they are with environmental improvements and face lifting.
  - Princes Road and Devonshire Road to remain as they are with environmental improvements and tackling vacancy.

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<sup>2</sup> LCC-10-B

<sup>3</sup> LCC-1-B, LCC -2-B

<sup>4</sup> LCC-10-B

<sup>5</sup> CD6.6 3.1

47. Demolition was only recommended in two of the four areas and partial demolition only was recommended in one of these areas (Camelot Street). Demolition was considered as part of a wide and diverse range of solutions to achieve the best outcome for local residents, the economy and the local environment. The NRA (2005) stated *'the Welsh Streets environment is very bleak, and clearance followed by effective redevelopment will contribute significantly to the regeneration and improvement of the area'*.
48. The NRA was updated in 2010 (CD6.7) reconsidering the assumptions made at the time of the 2005 assessment and the options for the whole area. The NRA update (2010) confirmed that interventions, as described above, should be delivered alongside each other rather than be delivered alone or without the other interventions to ensure comprehensive regeneration of the area<sup>6</sup>.
49. It concluded that clearance of the application site remained the most appropriate option to achieve the objectives for the area, to deliver significant change and to secure the long term future of the Princes Park renewal area.
50. The NRA was updated again in 2013<sup>7</sup> (undertaken by consultants DTZ), focusing on options for the Welsh Streets area, the subject of the planning application, as many of the other interventions including refurbishment and improvement had taken place. The update took into account changes in the economy, housing market and national and local planning policy, including local and national Housing and Empty Homes Strategies. However, in recognition of cuts in funding for housing regeneration and as many of the houses in the Welsh Streets had been vacant for many years leading to a very poor environment, it was considered that greater emphasis needed to be given to deliverability<sup>8</sup>.
51. The criteria used were the same as the NRA (2005) and NRA update (2010) and these sought to look at all options objectively. This formed stage one of the assessment. However, stage two of the assessment added further criteria assessing the deliverability of the proposals. This included a development appraisal which compared the anticipated values of each option against the costs of delivery together with a risk assessment for delivery. This was updated again in 2014 for the Inquiry<sup>9</sup>.
52. Stage one options were tested for the application site ranging from do nothing, renovate all properties, a range of demolition and renovation, and finally demolition of all properties. Demolition of the Welsh Streets again proved to be the best option to achieve the comprehensive improvement of the area.
53. The stage two assessment found that in terms of renovation, the cost of bringing many of the vacant terraces up to modern habitable standards when set against the average value that the area can achieve was not likely to be cost effective for the number properties involved and the state of disrepair of many of the houses. The assessment also found that the risk factors to delivery increase with amount of refurbishment. Funding was one of the major risk factors. Although bank lending is improving for mortgages, developer finance has not improved significantly and getting finance for refurbishment was likely to be extremely

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<sup>6</sup> LCC -10-B, LCC-1-B

<sup>7</sup> CD6.8

<sup>8</sup> LCC-10-B

<sup>9</sup> LCC-3-B

difficult. There was no evidence that any developer or investor would take on the whole area and this would risk the comprehensive approach required to achieve the main social, economic and environmental benefits sought for the area which sporadic refurbishment could not achieve.

54. The full range of renovation/demolition was considered; however, the conclusion of the NRA update was that demolition and rebuilding of the Welsh Streets was the strongest option in terms of deliverability, and against housing, environment and socio-economic benefits sought by the NRA. An important point is that throughout the NRA process all options were considered unviable without grant funding or LCC funding. Phase A is fully funded but includes LCC meeting the funding gap and the Cluster of Empty Homes funds allowing refurbishment of 37 properties.
55. Although stopped by the Government in 2011, the HMRI Programme should be considered in context. The Audit Commission report *Housing Market Renewal* (2011)<sup>10</sup> indicated that HMRI achievements have been significant and continue to make progress making a difference to the communities they serve with fewer empty houses. The report noted that the programme has made a substantial contribution to improving housing and economic circumstances in local areas.
56. In the early years of the HMRI, many terraced houses in the identified redevelopment areas were vacant and in a very poor state of repair with limited demand from owner/occupiers. In Liverpool as a whole, HMRI has made substantial progress in tackling the causes of low housing demand and in creating neighbourhoods and communities in which people want to live. Although it is impossible to separate out the impact of the interventions undertaken within Princes Park to date from that of changes in the general market conditions, the actions do appear to have supported the stabilisation of the Princes Park Renewal Area. With the exception of transformation and regeneration of the Welsh Streets the other interventions recommended by the NRA (2005) have been completed<sup>11</sup>.
57. It is also important to note that the NRA was an LCC initiative, separate from the planning process and consideration of the area followed all relevant HMRI advice and good practice of the time. Nevertheless, discussion about the site, the subsequent master-plan and the planning application followed on from the NRA conclusions. Whilst the NRA update (2013) was considered against HMRI objectives, also took into account national policy including '*Laying the Foundations*', and two of the LCC's key strategies for housing, the Housing Strategy and Empty Homes Strategy which are set out below in the context of the consideration of housing policies<sup>12</sup>.

### **Does the application accord with national and local policy for empty homes?**

58. The Housing Strategy (CD6.3), an LCC cross-department document (2013--2016)<sup>13</sup>, sets a number of strategic priorities, including (Priority B) Improving Housing Choice:

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<sup>10</sup> CD6.39

<sup>11</sup> LCC-10-B

<sup>12</sup> CD13.1 and LCC-inq-026

<sup>13</sup> CD6.3

“A major contribution to improving housing choice, and to retaining and creating jobs, will be delivered by completing the regeneration activity in housing renewal areas through the replacement of unsustainable stock with new, sustainable homes and refurbishment programmes where relevant and viable. This complements the mayoral commitment to build 1,500 new homes in some of the most deprived areas of the city. Particular focus for this activity will be, inter alia, the Welsh Streets [emphasis added].

59. Priority B supports completing the regeneration of the areas highlighted in the Housing Strategy, including the Welsh Streets. Their redevelopment would contribute to these and other objectives of the Strategy including supporting economic growth, building safe and sustainable communities, improving housing standards, improving energy efficiency and reducing fuel poverty.
60. Priority C - Providing Affordable Homes. The proposed redevelopment of phase A of the Welsh Streets would deliver some 116 new affordable homes and up to 37 affordable refurbished homes. This clearly complies with the Housing Strategy objective, which, among other things, aims to support Registered Providers to develop programmes that provide the right kind of housing in sustainable locations.
61. Priority D addresses tackling empty homes which complements and supports a mayoral priority of bringing 1000 empty homes back into use through refurbishment programmes. LCC and its partners are adopting a number of approaches and accessing a variety of funding sources to address the chronic problem of vacant houses in Liverpool – currently at a level which is well above the national average. LCC recognises that the reasons for individual properties becoming and remaining empty for long periods are varied and complex and there is no ‘one size fits all’ approach to bringing them back into use. Therefore, it has adopted a range of approaches appropriate to particular circumstances. The planning application meets the aims of the housing strategy retaining 40 properties and refurbishment of 37 of these which is achieved with the aid of the Cluster of Empty Homes Funding<sup>14</sup>.
62. The scheme meets Priority E which is to improve housing standards by reducing the number of non-decent houses in the city. The strategy recognises that Liverpool’s Housing Stock Conditions Survey 2010 identified a large number of dwellings that failed the requirements of decent homes standards<sup>15</sup>.
63. The Council’s Empty Homes Strategy (CD6.4) was adopted in 2010. Although its timeframe was intended to be 2010-13, it remains extant until LCC issues its updated Empty Homes Strategy later in 2014<sup>16</sup>. The strategy sets out the problems caused by empty properties, and the benefits of addressing this issue. It recognises that Liverpool has a serious problem with high vacancy levels due to a combination of economic decline and population loss with a poor housing offer including a high prevalence of pre-1919 terraces. It identifies a number of measures by which they will be tackled including housing renewal.
64. The scheme for both phase A and B accords with the range of initiatives identified in the strategy in dealing with empty homes as it removes

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<sup>14</sup> LCC-inq-026

<sup>15</sup> LCC-8-B

<sup>16</sup> ME evidence in chief

deteriorating, unsustainable stock in a specific intervention area, thereby providing sites for new homes. The demolition of the Welsh Streets and their replacement with modern homes, together with the retention of 40 homes in phase A as part of the renewal of the wider area is in accordance with the Empty Homes Strategy<sup>17</sup>.

65. '*Laying the Foundations*' (CD6.17) has been taken into account and the scheme would by offering more choice, flexibility and affordable housing help stabilise the housing market as sought by this document<sup>18</sup>.

66. SAVE consideration that LCC/PDG have failed to met the Framework (paragraph 51) advice on empty homes because they have not taken into account other options for refurbishment or that appraisals relating to viability is flawed is misguided for the following reasons<sup>19</sup>:

- There are no viable and worked up details of the other options put forward by SAVE – all SAVE's options are ideas for retention of an unspecified refurbishment scheme in the hope of long term change;
- There is no explanation of how a comprehensive scheme for refurbishment could be achieved in a viable and timely manner with a refurbishment scheme;
- The only examples of refurbishment schemes put forward by SAVE are for low numbers (e.g. 37 houses over 6-7 years<sup>20</sup> at or the eight Welsh Street 'homes for a pound' initiative) or they are completely different like Saltaire, which is an industrial village and a World Heritage Site;
- SAVE's approach, which is not comprehensive, would doom the Welsh Streets to years of further delay and decay;
- A mix of houses would not be achieved (see section below for housing policy references), in contrast to the proposed housing and tenure mix achieved by the proposed scheme;
- SAVE's valuations for resale which they suggest would make refurbishment viable are based on comprehensive redevelopment of the area providing an uplift, which cannot be achieved by piecemeal refurbishment. Therefore, their appraisal of viability is wholly unrealistic;
- Other figures put forward by SAVE relating to viability appraisals are wrong and had to be altered during the Inquiry, and, they were put forward on behalf of a witness who did not appear. Therefore they lack credibility.

67. Planning permission for demolition of phase B would complete the master-plan, providing a renewed and upgraded housing scheme within a renewal area. This would meet the wishes of the local residents who live there. Given the controversy over demolition of properties in the Welsh Streets, outline planning permission for demolition would the reduce risk and this would enable PDG to

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<sup>17</sup> LCC-8-b

<sup>18</sup> LCC-inq-026

<sup>19</sup> LCC-9-B/EIC, XX

<sup>20</sup> SBH 3-B

secure funding to work up a full scheme. Without planning permission the risk for phase B is likely to be too great for lenders<sup>21</sup>.

68. The demolition of houses in phase A (with an element of refurbishment for which there is funding) and in phase B, and the rebuilding with new homes is in accordance with the strategic objectives of the Housing and Empty Homes Strategies to achieve sustainable communities and therefore complies with national and local Empty Homes strategies.

**Does the proposal meet housing needs and deliver a wide choice of quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities?**

69. The Strategic Housing Market Assessment (SHMA )(2011)(CD6.2) is being updated but the information it contains, drawn from a number of primary and secondary sources, is a representative picture of the city and its residents. It makes a range of recommendations related to balancing the housing market, affordable housing targets, tenure mix, and property size. With regard to objectively assessed needs for housing, the SHMA modelled demographic drivers, economic projections and national and local policies to develop a range of growth scenarios.
70. The SHMA indicates that there will be growth in population in the centre of the city which, depending on the growth scenario, could be in excess of potential capacity. Although there are no recently examined housing figures, according to the Strategic Housing Land Availability Assessment (2013)(CD6.1) LCC has enough land to meet a range of SHMA household provision projections for the next 5 years plus a 12% buffer. LCC can therefore demonstrate a 5 year housing land supply. Although there would be a net loss of some 210 dwellings from demolition for both phase A and B, this would not undermine LCC's 5 year housing land supply and the proposals would not conflict with the aim of the Framework (paragraph 47) which seeks to boost the supply of housing<sup>22</sup>. In the context of finding some 40,000 over the plan period it would have a minimal effect<sup>23</sup>.
71. According to the 2011 census figures Liverpool has a considerable over supply of terraced stock (particularly pre-1919 terraces) and flats, and a relative shortage of semi-detached and detached properties compared to the national average<sup>24</sup> meaning there is a significant lack of housing choice. Moreover, Liverpool has a greater proportion of low value housing stock compared to other cities<sup>25</sup>. To retain the two bedroom terraces would fail to achieve LCC's policy objectives of providing a mix of housing to meet the various needs of the community.
72. The proposed mix of house types and tenure would provide more choice for people in line with the Framework, the national housing strategy '*Laying the Foundations*' and priority B of the LCC Housing Strategy. This is an important aspect of the proposal as a wider choice of housing was recommended in the NRA update (2013), to make the Welsh Streets better able to retain and attract a mix

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<sup>21</sup> LCC-3-B, LD evidence in chief

<sup>22</sup> LCC-3-B

<sup>23</sup> CD13.1 committee report

<sup>24</sup> LCC-1-D table 2

<sup>25</sup> LCC-1-B para. 3.10

of residents including families and economically active residents ensuring a sustainable community. Additionally, PDG have long worked in Liverpool and know the housing needs and demands of its residents. The tenure type and mix has been informed by demand profiles from PDG's existing housing management information; demand profiles from current social housing waiting list (Property Pool Plus) in conjunction with LCC and other local Registered Housing Providers, as well as the Community Insight report of L8 provided by Oxford Consultants for Social Information and the Housing Association Charitable Trust<sup>26</sup>, and sales projections/demand information from local estate agents.

73. There is a lack of new build housing in the Liverpool L8 postcode area. This makes demand high with new build at Clevedon Park (600m from the site) being very popular including with former residents of the Welsh Streets. The feedback from previous, current and proposed PDG tenants informed the decision on which house types to provide. A constant theme throughout the NRA process and the planning application consultation responses has been the demand for a greater choice of homes<sup>27</sup>. PDG, who know the area, would provide affordable housing and market housing with a range of tenures appropriate for the area.
74. SAVE's assessment of housing need and mix is not objective and looks at parts of the SHMA rather than the whole document including the conclusions. For example, Property Pool Plus database used by SAVE as evidence of demand is not comprehensive. It is not an accurate evidence base for assessing need or demand for smaller dwellings in Liverpool. Neither is the information arising from the bedroom tax about under occupation of larger houses sufficient to demonstrate a shortage of small dwellings or an over-supply of large dwellings<sup>28</sup>. By contrast, LCC's/PDG's approach is based on thorough research.
75. In conclusion demolition and rebuild with an element of refurbishment as proposed, would deliver a wide choice of housing, meeting housing needs and create a sustainable, mixed and inclusive community in accordance with the Framework paragraph 50 and Priority B of Liverpool's Housing Strategy.

**Would the proposed development be consistent with Government policies in planning for the conserving and enhancing of the historic environment?**

*The Welsh Streets*

76. The Welsh Streets are a dense area of terraces built for workers in the late nineteenth century developed by Richard Owens. They are part of a pattern of intensive building activity throughout Liverpool, as the city expanded, due to its maritime trade and ancillary services. The development of the Welsh Streets closely follows the pattern of this period for construction for workers' housing elsewhere in the city, most notably in Anfield and other areas, a type that is commonplace in Liverpool. Owens was responsible for planning the development of more than 325 acres of land for speculative housing in the suburbs of Liverpool, building a number of estates; he built about 9,000 homes in the city, of which about 4,500 remain. Much of Owens' work therefore survives in the city. In terms of the Welsh connection, there are other areas of Liverpool as well

<sup>26</sup> LCC-10-B para 106 and appx 5

<sup>27</sup> LCC-10-B

<sup>28</sup> LCC-inq-026



as Toxteth where Welsh migrants constructed and lived in large numbers (some 70,000 terraced houses<sup>29</sup>) and the Welsh influence in housing construction in Liverpool is commonplace.

77. The best of Owens' work is recognised in the designation of Kensington Fields Conservation Area and Toxteth Park and Avenues Conservation Area<sup>30</sup>. These areas are of heritage value, master-planned by Owens, with a regular grid and a strong spatial character which remains intact. By contrast, a number of streets in Owens 'Estate 3' which encompassed the Welsh Streets (the subject of the application) have been demolished or have modern infill leaving the estate fragmented and its overall plan form compromised<sup>31</sup>. The integrity and cohesiveness of the area have been further compromised by substantial loss of housing in the 1970s demolitions<sup>32</sup> and exacerbated by the many individual alterations to houses – re-roofing in non-slate, changed doors and windows in different styles and materials, rendering, cladding and painting of elevations, loss of some rear yards to a variety of extensions.
78. Although SAVE seeks to establish an architectural hierarchy of the Welsh Streets, describing various typologies, there are several streets where the design of the houses does not fit the hierarchy theory. For example, higher specification streets are found some distance from the grander Princes Park and Princes Avenue. The likely reason for the variety of house plans and architectural detailing in the terraced streets is to appeal to different demographics, rather than the result of a subtle and comprehensive master-plan<sup>33</sup>.
79. The scheme would retain No. 9 Madryn Street, Ringo Starr's birthplace and home until he was 5 years old. There is no evidence that the attraction of the house is diminished by only being able to see the exterior (just as people are still taken to see the site and replica of the Cavern club). English Heritage has declined to list the building and neither the National Trust, or the Beatles museum (or any other tourism operation) has ever shown any interest in running the building as a tourist attraction<sup>34</sup>. The cultural significance is limited to No. 9 Madryn Street which would be preserved.
80. The houses in Kelvin Grove are of a higher architectural quality and closer to Princes Park, but that is tempered by the poor infilling of parts. The remainder of Welsh Streets are neutral, or of very low value.<sup>35</sup> The Framework (paragraph 135) indicates that in weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset. When assessed against the benefits, the very high level of public benefit, which would significantly improve the environmental, economic and social well-being of the area would greatly outweigh any harm to the Welsh Streets<sup>36</sup>. The scheme would accord with local and national policy in this respect.

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<sup>29</sup> LCC-7-B page 20

<sup>30</sup> LCC-7-B para 3.19

<sup>31</sup> LCC-7-B

<sup>32</sup> LCC-7-B 4.15

<sup>33</sup> LCC-7-D para 4.5

<sup>34</sup> LCC INQ 015 .

<sup>35</sup> LCC-7-B para 4.20

<sup>36</sup> LCC-inq-026

*Condition/managed decline of the Welsh Streets*

81. There is no evidence of deliberate neglect of or damage to a heritage asset. The Welsh Streets had been in a deteriorating condition for a long period and prior to LCC's intervention. LCC's removal of rainwater goods was for safety and security grounds<sup>37</sup>. It is evident that many properties have been the subject of forced entry and removal of lead etc., and LCC has needed to take pragmatic steps to secure the buildings. Their poor, deteriorating condition should be taken into account when assessing their heritage value<sup>38</sup>.

*Setting of the Conservation Areas, registered park and listed buildings*

82. Princes Park is a grade II\* registered park and garden built around 1842<sup>39</sup>. Princes Park, Princes Road/Avenue (known as the Boulevard) built around 1846 are conservation areas where part of their significance is that they were designed as a set piece - a grand, straight, processional way leading to the park, flanked by very fine, large scale houses and a good example of large scale Victorian infrastructure planning. For this reason, the two conservation areas have their boundaries drawn tightly around them - they are to be read together as part of this civic approach. There are 13 listed entries, all grade II, covering the villas and former stables, along Devonshire Road which backs onto the Welsh Streets<sup>40</sup>. They are of architectural value both individually and as a group.
83. The Welsh Streets are very different in character and appearance to buildings in the conservation areas, and most post-date the Princes Avenue/Park developments by some 40 years. There was no grand design in tying the Welsh Streets to the Park and The Boulevard. There is no historic or spatial master-planning reason to include the Welsh Streets in either of these areas. The relationship is not symbiotic, but incidental. Spatially, there is proximity, but the typologies are very different.
84. The Welsh Streets were laid out to follow the original field boundaries (a functional and practical response to the existing development parcels) and their alignment relates to Princes Avenue, rather than Princes Park as suggested by SAVE<sup>41</sup>.
85. There is little inter-visibility between Welsh Streets and Princes Park and Princes Road Conservation Areas, due to the large scale of the buildings on Devonshire Road and Princes Avenue. There are glimpsed views of the park from the end of South Street, but the Welsh Streets are not visible from the park and only oblique views of Princes Avenue from High Park Street exist<sup>42</sup>. There is no evidence that the design of the Welsh Streets took account of the Park, or the large listed terraces and villas of Devonshire Road. For most of its length, South Street presents a series of gables towards the listed Devonshire Road houses. The listed Devonshire Road villas are grand and imposing but they would have been designed to have views from the rear of largely agricultural smallholdings not terraced housing<sup>43</sup>. The Welsh Streets as they exist contribute merely as part

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<sup>37</sup> MK EIC

<sup>38</sup> LCC-7-B

<sup>39</sup> SBH-1-C

<sup>40</sup> CD1.5

<sup>41</sup> LCC-7-B,

<sup>42</sup> LCC-7-B para 4.19

<sup>43</sup> LCC-7-B para 4.19

of the variety of residential housing surrounding the conservation areas and the park. Moreover, previous demolitions and the deteriorating state of the houses particularly in phase A has a negative effect on the setting of these heritage assets.

86. The new development would have a similar physical and visual relationship to the conservation areas and registered park as the existing houses; it would be part of the grid of residential streets surrounding the park, where there are a variety of styles, ages and sizes. The views would be retained as would their spatial relationship. Therefore their settings would be preserved without any harm to the significance of the conservation areas or the registered park<sup>44</sup>.
87. With regard to the listed buildings, just as now, they would back onto a grid of two and three storey houses. Although there would not be blank, flank walls facing their rear elevations, this element of the Welsh Streets makes no difference to the way the buildings are experienced or valued and the setting of the listed buildings would be preserved. The upgrading of the environment would, in fact, be a positive benefit.
88. The setting of the conservation areas and listed buildings would be preserved in accordance with UDP policies GEN3, HD12 and HD15 and national policy<sup>45</sup>.

**Would the proposals be consistent with the Framework policies on design?**

89. The Framework (paragraphs 59-61) makes clear that design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally. Policies and decisions should not impose architectural styles or particular tastes, but support local distinctiveness and address the connections between people and places and the integration of new development into the natural, built and historic environment.
90. LCC's/PDG's early master-planning process for the planning application has been driven by contextual analysis, based on current best practice and engagement with the local community. An extensive consultation exercise led to the Community Vision Statement/Principles of Regeneration and constituted the basis of the design. A thorough design process followed incorporating guidance from CABE, English Heritage, local residents and LCC's urban design officers. Public consultation and community involvement has been at the centre of the design process for the area since 2003, leading to the planning application proposals. Evidence of an extensive consultation process can be seen in the Statement of Community Involvement<sup>46</sup>.
91. Throughout the design process, the layout of the development has evolved to reflect and incorporate comments from the local community (through further consultation work), requirements of statutory consultees and discussions with the Council's Planning, Urban Design and Highways departments. The core principles have remained intact and this has led to a robust, considered design which

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<sup>44</sup> LCC-7-B/D

<sup>45</sup> LCC-inq-026

<sup>46</sup> SCI page 24

addresses the needs and requirements of the local community, considers all the existing site constraints, respects the urban grain and heritage of the area, and provides a coherent strategy<sup>47</sup>.

92. The scheme, whilst taking as a starting point the existing layout, adjusts that layout to provide for more private amenity, functional and attractive landscaping, some larger internal layouts, car-parking arrangements and more considered ease of movement based on home-zone principles. The application scheme responds well to local character, reflecting, but not reproducing, the existing layout, and creating a more attractive and sustainable area.
93. The historic street pattern would largely be retained. Only Rhiwlas Street would be lost in phase A. Treborth Street and Gwydir Street would be removed in phase B, although Gwydir Street is shown illustratively to be realigned. The retention of the existing street pattern would ensure consistency and retain existing characteristics of the urban grain. Some terraces have been replaced largely with an arrangement of semi-detached properties, although the terrace typology has been retained for the wider streets, including the extended Pengwern Street. Three storey buildings also mark the important junctions, providing focus and legibility at key points<sup>48</sup>.
94. The layout also accommodates rear private space that is much larger than that provided by the existing yards, and also allows for improved interface distances, whilst still retaining the same general layout.
95. Although there will be gaps between the semi-detached houses where none exist at present, there would still be a strong building line, reinforced by 3 storey building at the corners. The perception would be that the street grid and most of the existing streets have been retained. Moreover, semi-detached dwellings are an existing feature in the wider area and their form and layout, with gaps between houses would not look out of place. The degree of enclosure of streets and intrinsic rhythms of the application scheme will make the streets read as urban not suburban, in a form of enclosure resonant of the existing<sup>49</sup>.
96. The proposed density is lower than exists at present, but complies with guidance in the 'Urban Design Compendium' and the 'Town and County Planning Association Guidance' both recognised sources of good design guidance<sup>50</sup>. It therefore accords with modern guidance, enables a choice of homes with gardens and parking and there is enhancement to the local environment arising from the lower density. SAVE's advancement of the redevelopment scheme at Hindpool where larger housing was inserted within the historic street pattern would similarly reduce the density<sup>51</sup>.
97. The materials would coordinate with the existing street scene and those seen in the area. Transitions would be provided into home zone streets at dropped crossings, with entrances into the zones marked with a threshold of (visually) contrasting paving, as a signal to drivers to slow down<sup>52</sup>. There would be a

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<sup>47</sup> LCC-13-B,

<sup>48</sup> LCC-13-B

<sup>49</sup> LCC-7-B page 22

<sup>50</sup> RB evidence in chief

<sup>51</sup> PB and PS evidence in chief

<sup>52</sup> CD1.10.91-95

human streetscape, providing seating and street trees. The pavements would be flagged and paved, with panels of macadam in the highway broken up by bands of granite setts. Other than in relation to the gaps between buildings, the proposed ratio of building height to street width would be generally consistent with current conditions and the present street widths will be retained.

98. The design draws on some of the local vernacular architectural characteristics of existing Victorian terraces, in terms of building line and setback, the use of rhythmic, repetitive window and door openings<sup>53</sup>. The facade treatments (fenestration, roof line, rhythm, colour, proportion, materials, large window openings, prominent detailing and banding, subtle differences in brick colour and a limited pallet of materials etc.) would work together to create a character that is contemporary, but is drawn from local precedents<sup>54</sup>. Modern materials would be used, but they are typically seen on many houses in the area including in the Welsh Streets. Their use does not mean that the materials are of poor quality as suggested by SAVE.
99. The parking spaces comply with relevant standards and would not overwhelm views along in the street. Safety and security have been considered through incorporating rear gardens as a replacement for rear yards, and where alleyways are proposed they will be gated with access controlled to residents only<sup>55</sup>. There would be active street frontages, safe and accessible environments, clear and legible pedestrian routes and high quality public space. Although the existing trees would be removed they are not protected and there is no evidence that they are good specimens. New street trees would be planted and the environment would not be diminished by the loss of existing trees.
100. The size and design of the gardens has been very carefully thought through and would facilitate the use of the outside space and neighbourly cohesion. It is highly unlikely that gardens would prevent residents using the park as suggested by SAVE, they have different purposes and residents would still have the same relationship to the park as those of other surrounding houses<sup>56</sup>.
101. SAVE's overriding criticisms that: a) the scheme breaks up the established street pattern and adopts a suburban development model, with much lower development densities and gaps between buildings, and b) the scheme weakens the traditional texture and there will be a loss of the traditional proportion system are therefore unfounded.
102. In summary the application scheme would<sup>57</sup>:
  - Retain, where possible, the existing urban grain of the area together with key views out of the site as well as any new development integrating with, and complementing, the local area in terms of scale, density, massing, height, landscape, layout, materials and access;
  - Achieve Lifetime Homes standards, providing a range and quality of housing which is currently not available in the area;
  - Improve private amenity space associated with the development as well as utilising opportunities to plan out crime and anti-social behaviour to

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<sup>53</sup> LCC-13-B page 24

<sup>54</sup> CD1.10.39, 1.10.90

<sup>55</sup> LCC-9-B para 78 - 80

<sup>56</sup> LCC-7-B

<sup>57</sup> LCC-7-B, LCC-13-B

- create a safe and accessible environment;
- Integrate the development within the existing neighbourhood communities to ensure a sense of community is retained; and
- Provide high quality open space for use by local residents, together with improvements to the public realm, as well as a change in priority of the use of local streets by residents and cyclists, rather than cars. The changes will also introduce a mix of parking provision and potential for Home Zones.

103. It would meet UDP policies GEN4, HD18, HD22, HD23 and GEN8 and national policies relating to design.

### **Promoting healthy communities**

104. Whilst it is acknowledged that the proposals will result in a reduction of available retail space on the application site as a consequence of the development, the existing Park Road centre lies in walking distance and a range of local retail services can be found in the surrounding streets, including north of High Park Street, Admiral Street and North Hill Road. These surrounding areas are all readily walkable from the Welsh Streets, and provide services such as a launderette, barbers, cafes, small grocery shops and newsagents<sup>58</sup>.

105. The proposals would provide good opportunities for social interaction, with active street frontages, the provision of a new central Green Street which provides opportunities for residents to utilise the public space; and the creation of new pedestrian routes, improving north-south permeability across the area, which will in turn improve access to local facilities such as the adjacent Princes Park or St Silas Primary School on Pengwern Street.

106. For the reasons set out in evidence, the scheme will promote the objectives of healthy and inclusive communities by providing the type of housing needed by the community and is designed in a manner that promotes community cohesion and inclusivity<sup>59</sup>.

107. It clear from the evidence of residents that the existing houses that are still occupied, mainly phase B, give rise to real issues of damp, vermin and unhealthy living conditions generally<sup>60</sup> and that residents have had to contend with the sort of issues and delays which should not be expected of them. The housing in the Welsh Streets needs replacement which the scheme will deliver.

108. With regard to SAVE's petition with 862 signatories (CD1.13.1) objecting to the proposal, only around 84 people who signed were from Liverpool. Also, a layout plan with an idea for an alternative scheme devised for the Welsh Streets Home Group was attached. However, there are no alternative schemes before LCC and none suggested are viable or deliverable. The Welsh Streets Home Group is in support of the scheme and the petition is not representative of many of the Welsh Streets local resident's views, and would not be an indication that the local community would be undermined by the scheme.

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<sup>58</sup> LCC-9-B

<sup>59</sup> LCC13/D paras.15-2.16

<sup>60</sup> Local residents evidence

## **Climate change**

109. The ES (CD1.5) examined in detail the effect of the proposal in relation to climate change including adaptation and mitigation. The scheme is designed to a high standard and would deliver houses to Code for Sustainable Homes level 3. This compares very favourably with the existing properties which, even to bring them up to a basic standard (nowhere approaching Code 3), will be prohibitively expensive<sup>61</sup>. In any event, as the Decent Homes guidance<sup>62</sup> makes clear, a basic standard sets a bottom line and does not provide a standard which best meets climate change issues.
110. SAVE suggest that the existing houses could be just as energy efficient if refurbished and that there is embodied carbon in the existing buildings which would be lost through demolition. No energy efficiency evidence specific to the properties was provided by SAVE and no assessment was carried out. Providing some additional insulation in the roof to the existing buildings as they suggest would not deal with heat loss through old walls that do not have insulation (and are not proposed to be insulated) or houses that are energy inefficient.
111. Their evidence presented on this matter was an out-of-date, 8 year old report commissioned by the Empty Homes Agency in 2006. This was (as set out in the document) statistically insignificant and could not be regarded as representative of housing in the Country generally<sup>63</sup>. The study was carried out on only 6 houses and only one of those had any similarity to the Welsh Street houses, the three comparator new houses where built to less energy efficient houses than Code 3. The information was not to be relied upon.

## **Conclusion**

112. For these reasons as set out in the written and oral evidence, the proposals would not conflict with local or national policy, but positively promote the provision of a choice of well designed, energy efficient housing in a high quality sustainable community in accordance with all relevant UDP policies and the Framework. They would constitute sustainable development in accordance with overarching aim of the Framework<sup>64</sup>.

## **THE CASE FOR SAVE**

113. The Welsh Streets consist of a grid-plan of streets containing terraced houses which are of heritage value. They are located in the inner core between the city centre and the leafy areas of affluent housing around Princes Park and Sefton Park. The streets are generously wide, with some magnificent street trees. The Welsh Streets are highly accessible by public transport, in an area of low existing car ownership. They therefore represent a potentially highly sustainable location for a wide range of people wishing to live at the existing density in the inner core, who might not wish or be able to afford to live in flats in the city centre or larger properties in the suburbs<sup>65</sup>.

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<sup>61</sup> LCC-3-B

<sup>62</sup> LCC4/C

<sup>63</sup> SBH-3-C

<sup>64</sup> LCC-inq-026

<sup>65</sup> LCC-inq-001

## **Housing Market Renewal Initiative (HMRI)**

114. HMRI has been revoked by the present Government, as set out in a written Ministerial Statement on 24 November 2011 (CD6.18):

“The last Government’s housing market renewal pathfinder programme imposed large scale Whitehall targets for demolition and clearance across the midlands and the north of England. The centrally driven schemes were often resented by local communities and created as many problems as they solved. This top-down approach has not worked, often resulting in blighted areas where large scale demolition and clearance projects have been stopped in their tracks, leaving some families isolated in abandoned streets.

There was widespread public controversy over an obsession with demolition over refurbishment.... the demolition of our nation’s Victorian heritage and perverse incentives being given to run down neighbourhoods.

The designation of areas for demolition effectively increased deprivation in those areas; many social landlords prepared the ground by voiding and boarding up properties. In turn, this undermined the housing market as mortgage lenders were unwilling to lend in such areas. Areas were effectively managed into decline — to make the notional benefits of wholesale demolition more attractive, ensuring a larger windfall gain for the state.

Local communities in some of the most deprived areas of the country were told they would see a transformation of their areas, which in reality amounted to bulldozing buildings and knocking down neighbourhoods, pitting neighbour against neighbour and leaving families trapped in abandoned streets. This was wrong”.

115. The planning application for demolition and rebuild is a direct continuation of the depredations of the now-cancelled Housing Market Renewal Initiative (HMRI) being environmentally, economically, and socially wasteful<sup>66</sup>. There have been radical changes in national policy on empty homes since the circumstances that existed under HMRI, which the planning application does not take into account.

### **Does the application accord with national and local policy for empty homes?**

116. ‘*Laying the Foundations*’ (2011) made clear the Government’s intention to increase the number of empty homes back into use<sup>67</sup>. Encouragement for bringing empty housing and building back into use is set out in the Framework (paragraph 51).
117. The Government’s changed approach was emphasised again in a written Ministerial Statement on 10 May 2013<sup>68</sup>, rejecting HMRI and stating that ‘the obsession with demolition over refurbishment was both economically and environmentally wasteful, as well as involving significant damage of our nation’s heritage’. It is against this background of fundamentally changed policy that the scheme must be viewed.

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<sup>66</sup> SBH/1/C appendix 9.

<sup>67</sup> CD6.17 Chapter 5, para.4

<sup>68</sup> CD6.19



118. There is strong policy support for the retention of the Welsh Streets as set out above. The policies referred to are not “do minimum” policies, but encourage planning authorities to bring as many empty homes as possible back into use. The Government also accepted in full George Clarke’s (Ambassador to the Empty Homes Agency set up to advise the Government) 12 Recommendations which include that ‘refurbishing and upgrading existing homes should always be the first and preferred option rather than demolition.’<sup>69</sup>
119. To justify demolition despite this policy framework, LCC and PDG have relied on the argument that it is not viable to bring the Welsh Streets back into use, which SAVE does not accept. Assessing the viability/deliverability of refurbishment in the Welsh Streets requires consideration of a number of overlapping factors set out below where SAVE consider that LCC and PDG have either failed to take into account or have used figures which favour demolition<sup>70</sup>:
120. *a) Marketing of the site/availability of alternatives.* LCC has never attempted to market test the properties or to seek to redevelop the area other than through its developer partner PDG and therefore LCC’s/PDG’s views that there would be no developer able and willing to undertake greater refurbishment of the Welsh Streets may not be correct.
121. LCC has never seriously considered a mix of refurbishment and selective demolition in the Welsh Streets. The NRAs have never changed their criteria, despite changes in policy and in Liverpool’s demographics. The very narrow range of options presented in the NRA update (2013) includes full refurbishment or full demolition, or demolition with only very minimal amounts of refurbishment. LCC has never tested an option for refurbishment, for example, of all of Kelvin Grove and Madryn Street, with demolition elsewhere in Phase A. It has never tested refurbishment of Phase B in the absence of full refurbishment of Phase A. It has never sought to explore whether properties in the best condition could be retained and those in the worst condition selectively demolished and replaced with new build, with further new build on the vacant sites. There are many possible permutations, but none of them have been seriously considered.
122. Furthermore, the NRA options assessment includes a high level of duplication of those criteria favouring demolition over refurbishment, and the scoring is unfair and biased, based on the assumption that Victorian terraces are obsolete.<sup>71</sup>
123. LCC/PDG have not considered delivering refurbishment through a mix of homesteading/£1 Homes and developer-led demolition/new build. LCC’s pilot £1 Homes scheme generated a huge amount of demand (with 609 registered enquiries, of which 206 indicated they had capital available to complete the works required without any borrowing, for only eight houses<sup>72</sup>). There is no reason why equally high levels of demand could not be generated for £1 Homes in the Welsh Streets, and no reason why such a scheme could not be opened up to people from outside Liverpool itself. LCC’s/PDG’s objection to this appears to be that it cannot provide a comprehensive approach to regenerating the Welsh Streets. However, SAVE has never suggested that the whole of the Welsh

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<sup>69</sup> CD6.20

<sup>70</sup> SBH-1-B/D, SBH-inq-008

<sup>71</sup> SBH/3/B/C paras 33-36/appendix 6 (SBH/3/C),(SBH/1/B, para.99

<sup>72</sup> LCC/1/B, para.4.123.

Streets should be sold as £1 Homes; there is, though, no reason why a mix of creative measures cannot be combined as part of an overall comprehensive approach. Again, nothing like this has been pursued<sup>73</sup>.

124. It remains unclear why LCC is seeking demolition of Phase B, without having produced evidence as to the condition of the Phase B properties which are better than those in Phase A<sup>74</sup>.
125. Although LCC/PDG challenged a number of the alternative approaches there was no serious challenge to the models of light touch renovation such as in Lucerne Street, which did not require any public funding, or the Bread Streets which received simple home zoning treatment and are now very popular.
126. *b) Market demand/value of refurbished properties.* LCC's/PDG's stance on the Victorian terraced houses of the Welsh Streets as obsolete may have affected perceptions of their desirability, but perceptions are transient. Although they may not have been in demand in the early 2000s, the current popularity of refurbished properties in other areas including Kensington Fields, Toxteth Park and Avenue, and other parts of Princes Park where there are similar terraced houses demonstrates that there is a demand.<sup>75</sup>
127. SAVE's evidence on the market value of refurbished houses was submitted in writing and therefore not cross-examined. Nevertheless, it provides a clear valuation of £75,000-80,000 for a typical two-bedroom refurbished terrace house, and £80,000-85,000 for a slightly larger three-bedroom terrace and around £130,000 for a three storey terraced house based on a number of comparable properties in the local area.<sup>76</sup> LCC/PDG's lower value comparators are likely to be where houses are in a poorer condition. The valuations provided do not necessarily indicate the full future potential of refurbished Welsh Streets terraces, particularly if there is increased demand with a growing population. Valuations as at today's date are clearly important when gauging the viability of an increased proportion of refurbishment. LCC's/PDG's valuation of new properties in the developer appraisal and updated in their evidence is unrealistically high and not in line with comparators in the area.
128. *c) Cost of refurbishment/overall developer appraisal.* The cost of refurbishment has been agreed between the parties at an average of £52,284 per property generally to a decent homes standard. These are only representative: some properties will be cheaper to refurbish, others more expensive. LCC and PDG appear not to have looked into the possibility of selecting the best for retention and the worst for demolition.
129. SAVE does not accept some of the assumptions on sales costs, finance costs, VAT, developer profit, and external costs<sup>77</sup> which tip refurbishment of properties into a negative residual land valuation. Refurbishment options would save LCC/PDG both demolition and acquisition costs.

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<sup>73</sup> SBH-1-B

<sup>74</sup> SBH-1-B, AF evidence in chief

<sup>75</sup> DN, LD cross examination

<sup>76</sup> SBH/7/E, para.4.2.

<sup>77</sup> CD6.8, p.70, table 9.9.

130. SAVE consider that LCC/PDG have failed to explore alternative options for bringing more of the empty homes in the Welsh Streets back into use, and have not demonstrated that it would not be viable to do so. The questions over figures and the assumptions made in the developer appraisal mean that demolition and rebuild may not be the only viable option. Accordingly the proposals are contrary to Government policy on bringing empty homes back into use.

**Does the proposal meet housing needs and deliver a wide choice of quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities?**

131. One of the key planks of LCC's/PDG's case for demolition is that there is an oversupply of smaller, Victorian terraced housing in Liverpool's inner core which needs to be replaced by three-bed, semi-detached properties with gardens and off-street parking. By contrast, SAVE's case is that there is clear need for smaller properties including terraces. These are a valuable housing resource for people seeking affordable housing in the inner core which should not be lost, particularly when there a very large number of vacant sites in Liverpool which could and should be developed for new build.
132. LCC's evidence base on housing need is out-of-date. The SHMA (CD6.2) was published in 2011 and fails to capture not only the changes in housing supply over a period of three years, but also changes as a result of policies such as the bedroom tax, and the changes in Liverpool's demographics shown by the publication of the 2011 Census.
133. The 2011 Census, by contrast, shows that Liverpool has a much larger proportion of 3-bedroom properties than England as a whole, and a less than average supply of 2-bedroom properties<sup>78</sup>. SAVE puts forward Property Pool Plus data<sup>79</sup> (the database is said to be used by all but one of Liverpool's Registered Providers for 50-80% of their properties) which is up-to date. This shows very high demand for one- and two-bedroom properties; the need for smaller properties may be even greater than suggested by these figures, as they represent demand rather than necessarily need.
134. The "Bedroom Tax in Merseyside report" from the National Housing Federation<sup>80</sup> and figures from Liverpool Mutual Homes<sup>81</sup> indicate that there is an oversupply of under-occupied larger social housing and a shortage of smaller properties. Moreover, there are pre-existing very high levels of under-occupancy of Liverpool housing and increasingly high proportion of one-person households, a trend which is even more pronounced in the L8 postcode (including Princes Park)<sup>82</sup>.
135. In terms of population, the SHMA states that Liverpool's population was declining (paragraph 9.14) and the total population estimate as of 2008 stood at just under 440,000 (paragraph 9.17). However Liverpool's population grew by 5.5%

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<sup>78</sup> SBH/1/C

<sup>79</sup> SBH-1-C

<sup>80</sup> SBH-1-C appx 12.

<sup>81</sup> SBH-1-B, para.40.

<sup>82</sup> LCC/10/C, p.7.

to 2011 and was projected to reach 457,000 in 2031 (paragraph 4.31) but according to the Office of National Statistics it was already 469,000 in 2012.<sup>83</sup>

136. SAVE submits that there is every likelihood a revised SHMA would be very different and show a much greater need for smaller properties. The application would result in a net loss of around 210 smaller homes which could help to meet this need and be available to households on lower incomes. Far from being obsolete, they are very flexible and adaptable in terms of internal space, one of the great design features of Victorian terraced housing.
137. LCC could continue to deliver large numbers of three-bed semi-detached houses, on the many existing vacant sites, large and small, across Liverpool identified in the SHLAA. The failure to build elsewhere indicates that LCC could be engineering the housing and demographic make-up of the inner core through demolition and replacement, rather than in simply meeting perceived demand for a certain type of housing.<sup>84</sup> There are various examples such as Lucerne Street, Bread Streets in Liverpool, Chimney Pot Park, Hindpool and Saltaire where refurbishment has been effective.
138. SAVE considers that HMRI, a policy devised to correct oversupply of housing in the context of declining population within certain cities, is still being applied despite the fact that Liverpool's population is now increasing, and is expected to continue to increase.
139. In conclusion, LCC may be failing to meet housing demand and need in Liverpool. Accordingly the proposals are contrary to the Framework (paragraph 47) on boosting the supply of housing and providing a range of housing to meet the needs of the local population (paragraph 50).

**Would the proposed development be consistent with the Government's policies in planning for the conserving and enhancing of the historic environment?**

*Welsh Streets*

140. The Framework recognises and values a wide range of heritage assets. The Welsh Streets are undesignated heritage assets developed in the early 1870s and were designed by the Welsh born architect Richard Owens. They abut the Princes Park Conservation Area with the Princes Road Conservation Area immediately north of Kelvin Grove. An important group of statutorily listed buildings are adjacent in Devonshire Road. Princes Park on the other side of Devonshire Road is Grade II\* on the Register of Historic Parks<sup>85</sup>.
141. Welsh born architect Richard Owens is an important historical figure in Liverpool as he was responsible for the layout of many other residential areas that shaped the development of Liverpool in the second half of the 19th century<sup>86</sup>. These include several individual buildings that are now listed and within Liverpool's World Heritage Site, and a residential estate in Kensington Fields which is now a Conservation Area.

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<sup>83</sup> SBH-1-B para.32.

<sup>84</sup> MK cross examination.

<sup>85</sup> SBH-1-B

<sup>86</sup> SBH-5-B

142. At least 50% of Richard Owens' terraced housing in Liverpool has already been destroyed (some 4,500 houses)<sup>87</sup>; the proposals would see the destruction of over 10% of the remainder. Some of Richard Owens' work is already conserved in the Kensington Fields and Toxteth Park and Avenue Conservations Areas. However, these conservation areas (representing a tiny proportion of Liverpool's heritage of Victorian terraced housing) are not only later in date than the Welsh Streets of a very different character.
143. The Welsh Streets were part of Richard Owens' Estate No.3 the most extensive area of speculative housing laid out by him and carefully master-planned on the basis of hierarchical principles of architectural variation.<sup>88</sup> This was a 'compositional turning point in the history of speculative housing development in Liverpool'.<sup>89</sup> Owens used subtle architectural variation and detailing throughout the Welsh Streets to give them logical coherence and to set them sympathetically within the wider townscape: for example with the larger, bay window properties with front enclosures addressing principal thoroughfares such as High Park Street and those closer to Princes Avenue<sup>90</sup>.
144. The rows of terraced houses, with their variety of bay and flat frontages, are of notable architectural and historic interest in their own right as well as a group. Each street has its own distinct architectural details (flat fronts, bay windows, chequerboard brickwork), which in themselves are designed to create a hierarchy moving towards the larger houses of Kelvin Grove towards Princes Park. The houses were soundly and solidly built, using good quality red brick, local sandstone for window sills and lintels, and Welsh slate for roofs. They were constructed by and lived in by Welsh workers. There is no doubt that they are the closest and most complete surviving area of mid-Victorian terraced workers' housing in the area.
145. LCC/PDG suggest that the Welsh Streets have been denuded of their original character. Whilst there have been changes made (for example to roofing materials, windows and doors, painting of brickwork, and rebuilding to the rear of properties), the Welsh Streets are significant for the high degree of coherence which remains. The original street pattern and rhythm remains, and the original buildings are substantially retained with the exception of a small number of gap sites and in-fill houses. LCC/PDG suggest that the terraced housing in the Welsh Streets is ubiquitous in Liverpool reducing the significance of the Welsh Streets. However, Liverpool is England's greatest Victorian city,<sup>91</sup> so it is unsurprising that it has a large number of Victorian terraces (although not vastly more than other northern core cities<sup>92</sup>). This is not an appropriate justification for demolition. Huge swathes of Liverpool's Victorian terraces have already been lost making the Welsh Streets more valuable.<sup>93</sup>
146. Since the Welsh Streets houses were progressively bought up by LCC from the early 2000s there has been erosion of the character due to neglect. The Framework para.130 indicates that if there is evidence of deliberate neglect their

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<sup>87</sup> GC cross examination.

<sup>88</sup> SBH-5-B, para.4.14.

<sup>89</sup> SBH-5-B, para.4.1.

<sup>90</sup> SBH/5/D.

<sup>91</sup> RB cross examination.

<sup>92</sup> LCC-INQ-021.

<sup>93</sup> SBH/1/B, paras 19 and 34.

deteriorated state should not be taken into account. There is clear evidence of such deliberate neglect here. For example, rainwater goods and lead flashing have been systemically removed from properties and not replaced.<sup>94</sup> This has had regrettable consequences for the buildings, which have been exposed to water erosion. There has been no proper effort to keep the vacated houses in good condition.<sup>95</sup> The condition of the houses should not therefore influence their heritage value.

147. The Welsh Streets are unique survivors in terms of their stage of development in the evolution of master-planning of speculative housing development in mid-Victorian Liverpool, with the use of hierarchy and planned streets. Owens' influence in the development of Victorian Liverpool is important and is of architectural and historic and social interest.
148. Madryn Street has particular 20<sup>th</sup> century cultural value because of its associations with The Beatles. No. 9 Madryn Street was Ringo Starr's birthplace and childhood home for five years and several of his family, including grandmother, lived in other houses in the street. Ringo Starr's story of 'rags to riches' is compelling and can be understood when visiting Madryn Street (contrasting with the more affluent upbringings of John Lennon and Paul McCartney).<sup>96</sup> On the opposite side of High Park Street the Empress Public House is another building with strong connections with the Beatles, being one of their first performance venues and appearing on the cover of Ringo Starr's 1970 solo album. This context is very important to Beatles tourists from around the world who visit Madryn Street in huge numbers on a daily basis. Although his birthplace will be retained, only a stub of the terrace will be saved, The remaining houses will be demolished, significantly harming the ability to understand and appreciate this important part of Liverpool's Beatles heritage – as well as short-sighted as regards Madryn Street's future tourism potential.<sup>97</sup>
149. The Welsh Streets are therefore a significant non-designated heritage asset of architectural, social and cultural interest which would be almost completely lost as a result of the proposals. In line with considerations of the Framework paragraph 135, SAVE's view is that the harm to the significance of the non designated heritage asset outlined above, would not be outweighed by any benefits of the scheme.
150. *Conservation areas and listed buildings.* The Welsh Streets carefully and sympathetically address the conservation areas, which directly abut them, with the highest status properties towards Princes Avenue/Road and the dramatic set piece entrance to the Grade II\* Princes Park through the Sunburst Gate. The streets respectfully turn their gable ends to the larger listed villas on Devonshire Road. Owens deliberately avoided placing a terrace facing onto South Street, which was effectively a mews street behind the Devonshire Road properties, which also had principal rooms running the full depth of the buildings.<sup>98</sup> This is a harmonious and mutually beneficial relationship, which is easily understood and appreciated.<sup>99</sup>

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<sup>94</sup> SBH-INQ-003.

<sup>95</sup> SBH/1/B, para.77.

<sup>96</sup> SBH-1-B

<sup>97</sup> SBH/6/B, paras 19-30 SBH/1/B, para.83.

<sup>98</sup> SBH-1-B, paras 70-71.

<sup>99</sup> CD1.11 and representations,

151. Although the listed Devonshire Road properties were being constructed slightly earlier than the Welsh Streets, in the 1850s and 1860s, the architects and owners of the properties would have expected and welcomed the construction of workers' houses in this location: they were the merchants and magnates whose wealth was built on Liverpool's rapidly expanding trade and industry, which in turn required and was supported by its huge population growth.<sup>100</sup> The Princes Park Conservation Area Appraisal (CD6.32) demonstrates that Princes Park was intended as a transition from the dense inner city housing to the southern suburbs.<sup>101</sup> The Park, although constructed earlier than the Welsh Streets, was not reserved for the elite, but from its opening in 1843 had public access.
152. There has therefore long been a functional relationship between the Welsh Streets and the two conservation areas, to add to their visual relationships (which include views from Devonshire Road West, from Princes Avenue, from the 27 listed buildings on Devonshire Road and Princes Gate West, and from Devonshire Road itself through the gaps between the villas). They have co-existed for almost 150 years and the Welsh Streets are an important part of the setting of the conservation areas and listed buildings. Demolition would sever the remaining parts of Estate No.3 from their important historical context.
153. English Heritage (EH) guidance (CD6.15) on setting makes clear that 'the setting of a heritage asset can enhance its significance whether or not it was designed to do so.' The EH guidance on setting also states that 'the contribution that setting makes to the significance does not depend on there being public rights or an ability to access or experience that setting.'<sup>102</sup> Many of the views into and out of the conservation areas are publicly accessible, but there are also private views, including even from Kelvin Grove properties directly to the Sunburst Gates themselves.<sup>103</sup>
154. The Welsh Streets contribute to the setting of the conservation areas and adjoining listed buildings, and their demolition would cause harm (albeit not substantial harm) to designated heritage assets (the Framework para.134).
155. The new design of the new housing and street layout proposed, as outlined below, is suburban and undistinguished in character the scale of the harm and loss and will form a stark contrast with the early Victorian character and appearance of the adjoining Princes Park and Princes Road Conservation Areas.
156. In conclusion, the Welsh Streets which are of high significance as non designated assets would be lost and there would be harm to designate heritage assets, which although less than substantial would not be outweighed by public benefits. The harm to the historic environment would not be outweighed by any public benefits of the scheme.

**Would the proposals be consistent with the Framework policies on design?**

157. The design of the proposals is poor and fails to respond to local character, history and distinctiveness. Failures of the scheme in design terms result from

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<sup>100</sup> AF evidence in chief

<sup>101</sup> CD6.32, e.g. p.5, p.8.

<sup>102</sup> CD6.15, p.5.

<sup>103</sup> SBH/1/C appendix 4, p.47.

the low-density, semi-detached houses despite the Welsh Streets' inner city location. The proposals retain some of the existing street names and the geographical location and orientation of those streets, but otherwise the existing character of the Welsh Streets would effectively be lost. Existing density would be halved and the proposed scheme takes a suburban approach, with space surrounding buildings and the focus on the private plot rather than the collective street.<sup>104</sup>

158. The strong existing street line would be weakened by set backs and space for off-street parking, harming the character of the area. The street pattern would be broken. The gaps between the semi-detached houses, punctuated by an excess of parking spaces, would be highly apparent when viewed from the ends of the streets, and all the more so as people walk or drive down the streets. There is limited need for these facilities in this location given the proximity of Princes Park and existing low levels of car ownership.
159. The new build houses themselves will not be much larger than the existing terraces in terms of internal floor space. The Green Street is also an inefficient use of space: there is no shortage of public open space in the area, no evidence of lack of permeability across the site presently, and the loss in terms of the disruption of the existing street pattern (including the truncating of Madryn Street) far outweighs any supposed benefits of the Green Street.
160. The HCA Urban Design Compendium (CD6.11) indicates that the density proposed is clearly suburban, whereas the existing density is urban.<sup>105</sup> With density eroded, so too would benefits of higher densities in inner city locations be lost, including social proximity, improved viability of public services, and support for public transport.<sup>106</sup>
161. The loss of mature street trees would be a significant loss in design and sustainability terms. They should be retained and managed applying an ordinary tree maintenance regime, taking up the paving slabs around them and laying a flexible, permeable material, which would not be expensive to do.<sup>107</sup>
162. The proposed new houses, fail to respond to local character and history, and fail to reinforce the local distinctiveness of the existing Welsh Streets. By reason of their layout, disposition, unsympathetic modern materials and design, they do not meet the aspirations of the Framework (paragraphs 56- 68).
163. A further point is that if the construction contract for Phase B is be let before demolition commences demolition could take place without the new build following, and continue to remain subject to interim landscaping after many years degrading the area further for many years.

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<sup>104</sup> SBH-2-B, para.3.1.

<sup>104</sup> SBH/1/C appendix 4, p.47.

<sup>104</sup> SBH-2-B, para.3.1.

<sup>105</sup> CD6.11, section 3.3, p.48 (table 3.3)

<sup>106</sup> CD6.11, section 33, p.46.

<sup>107</sup> AF evidence in chief and cross examination.



### **Would it promote healthy communities?**

164. Surveys of local residents initially showed strong opposition to demolition and satisfaction with the existing houses<sup>108</sup>. More recently they have indicated support for the scheme. However, these are surveys of an increasingly small population size of remaining residents (e.g. 92 respondents in the 2012 survey<sup>109</sup>), asking cost-neutral questions,<sup>110</sup> and LCC/PDG have confirmed that people already decanted from Phase A are not likely to be returning to the Welsh Streets, having moved once already,<sup>111</sup> and that there are no promises people in Phase B would be given a new build house in Phase A: they would have to join the general housing waiting list.<sup>112</sup> Phase B residents would either have to purchase a new build property themselves or be allocated a house through the general housing waiting list according to their level of need. A scheme involving greater refurbishment would better serve to create a healthy, inclusive community, allowing existing residents who wished to stay in the Welsh Streets a chance to remain in their homes and creating opportunities for a wider mix of people to move into the area in accordance with the aims of the Framework (paragraph 69).
165. The scheme would involve the loss of all employment land,<sup>113</sup> including currently operating businesses used both by people from the Welsh Streets and from further afield where shops and services have already been lost, together with loss of the attendant benefits that a mix of uses brings within predominantly residential development. It would create a more inward-looking, suburban area of housing in an inner core location that could, if refurbished rather than redeveloped, be sustainable at its present density and provide a more mixed and healthy. The proposed development would encourage car use in an area of low existing car ownership. There would be a loss of the existing green space at the end of Voelas Street which serves the local community.

### **Failure to meet climate change policies**

166. Demolition would involve the loss of the embodied carbon within the existing buildings, failing to meet the challenge of climate change. It would take 50 years for improved energy efficiency of new build to make up for the carbon footprint of the loss of embodied energy as a result of demolition and new construction.<sup>114</sup> A typical Victorian terraced house contains embodied energy equivalent to 15,000 litres of petrol and that it would take at least 30 years to recoup the energy used in demolition and construction<sup>115</sup>.
167. LCC/PDG have not sought to quantify the improved energy efficiency of new build properties to Code for Sustainable Homes, level 3,<sup>116</sup> so it is submitted that little weight can be placed on this as a benefit of the scheme. In comparison, the agreed refurbishment works would render the refurbished terraces broadly

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<sup>108</sup> CD4.8, appx 3, p.41 para.18 , SBH/1/B para.53,SBH-INQ-007.

<sup>109</sup> CD2.1, p.24.

<sup>110</sup> CD.6.8, appx B,

<sup>111</sup> CB cross examination

<sup>112</sup> LD cross examination.

<sup>113</sup> SBH-1-C appx 7.

<sup>114</sup> SBH-3-B.

<sup>115</sup> SBH-1-B, paras 88-89.

<sup>116</sup> SC cross examination.

equivalent to 30-year Decent Homes Standards. This is all the more reason why the existing properties should be retained and refurbished.

168. The scheme might involve salvage of existing materials, but the application itself appears to be limited to salvage of a small number of granite kerbstones and thresholds<sup>117</sup>. The proposed condition in this regard is in very general terms (not for re-use of the imperial-sized bricks of the Welsh Streets in their current form), and very limited weight can be given to the prospect of materials being recycled in an energy-efficient way.

### **Conclusion**

169. It is submitted that the harm caused by the scheme clearly outweighs its supposed benefits. While LCC consider that the site would be left for another 5-10 years before a new planning application comes forward, if this application is not granted consent, no weight should be afforded to this assertion, in circumstances where there has been a complete failure to consider alternatives or to test even a sample of the properties for refurbishment on the open market. There are statutory powers available to deal with the site if it does not come forward within an appropriate timeframe following refusal of planning permission.
170. The proposed demolition would fail to provide a sustainable development contrary to aims and objectives of the Framework.

### **THE CASE FOR INTERESTED PARTIES IN SUPPORT**

171. The following is a summary of cases from interested parties in support of the scheme who spoke at the Inquiry.
172. *Mayor Anderson* (Mayor of Liverpool). Mayor Anderson was not called as a witness as part of LCC/PDG's evidence and therefore his comments are reported separately. Mayor Anderson made the following points:
- The mayoral pledges for new schools, jobs and homes have set out the City's aspirations and highlight that economic growth, good quality homes, and a wider choice of housing are mutually supportive;
  - Everyone should have the opportunity to live in a pleasant home in a thriving and attractive neighbourhood and this is reflected in the LCC's Housing Strategy priorities which include improving housing choice, providing affordable homes, tackling empty homes, improving housing standards and making homes energy efficient;
  - The Welsh Streets intervention is only one of many projects in place to ensure our residents and future residents are getting the choice of good quality housing they deserve across the City;
  - There are a number of other initiatives across the City which target clusters of empty homes. However, this is not always appropriate and in the case of the Welsh Streets this is not what the area needs, the market can sustain and what the majority of local residents want;

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<sup>117</sup> CD1.10.79

- Toxteth is in a terrible predicament as the Welsh Streets have been moribund for over 10 years. Residents have made it clear that they want change with new modern homes, gardens and parking space.

173. *Councillor A O'Byrne* (assistant Mayor and Cabinet Member for Housing) made the following points:

- The residents of the Welsh Streets have waited far too long for regeneration. They have shown determination, resilience and fantastic community spirit to fight for a future where boarded-up, derelict properties are replaced by modern family housing;
- As Chair of the Welsh Streets Community Champions Group Residents it has become clear that the residents of the current properties suffer from damp homes, infested with vermin and have no outside space. This scheme offers them the home they want;
- Delivery of the scheme has been a priority, funding is secured and the Council are committed to delivering the scheme as soon as approval is granted;
- There are no other developers lobbying the Council with comprehensive and viable alternative proposals;
- Local residents want to be listened to – they want comprehensive and positive regeneration of the Welsh Streets which the scheme will deliver.

174. Eight current and former residents of the Welsh Streets phases A and B made the following points:

- The existing houses were modest homes for manual workers with no proper foundations and no damp proofing. They are no longer fit for purpose;
- People are living in them are struggling in poor conditions within or close to empty, abandoned streets;
- The area is an eyesore and needs to be returned to a vibrant and attractive place to live;
- No-one has come forward to live in them and refurbish them;
- There is great support for demolition and new homes to be built;
- We are looking forward to homes with gardens, repopulation, better access to houses and streets;
- It is not about the houses, but the whole area;
- Ringo's birthplace/Madryn Street should not be saved at the expense of new homes, better living conditions and an improved environment.

175. *Welsh Streets Home Group* (WSHG). The WSHG made the following points. WSHG support the planning application as a compromise solution retaining some 40 properties. Delivery is the priority and the scheme has a greater level of community support than any other suggested over the last 10 years, and it has immediate funding that could enable its delivery. There is a deepening crisis

around living conditions in this failed area of the Princes Park renewal scheme. Local residents are increasingly worried about whether there will be an end to the fate of the Welsh Streets which has a very poor living environment where damp, arson, vermin, fly-tipping, crumbling homes, anger and anxiety exist.

176. The WSHG were formed from a campaign group starting in 2002, and by 2004 were a group of residents from the demolition Zone who wanted a forum to discuss the future of the area, and put forward their views/liaise with LCC. WSHG worked tirelessly for many years to try and change the fate of the area, from a starting point of saving the houses. In the past they sought to put other options for refurbishment together and have commissioned design options to look at alternatives to demolition in the hope of saving the houses. WSHG and PDG put forward a joint bid to DCLG Empty Homes Fund in 2011 in an attempt to gain funding to refurbish Kelvin Grove, however the bid failed. WSHG now sadly accept that there will be a loss of houses, shops and trees but living conditions are dire for many people in both phases A and B of the area and the planning application offers an end to the environmental conditions currently suffered in the area.
177. WSHG have worked closely and put views to LCC/PDG about the planning application through a Design Diplomacy approach, encouraging PDG and LCC to engage with residents, including those seeking to buy or rent in the Welsh Streets. The architectural practice Constructive Thinking came up with different solutions to refurbish the remaining properties. As a result of consultation and community involvement some 40 properties would not be demolished and WSHG supports the scheme.

178. **Written representations in support of the planning application**

179. The following is a summary of four written representations from local residents and others made in support which were received by the planning inspectorate:
- The houses are not in any condition to live in;
  - They are damp, rotting and full of mould to a point where the bed felt wet getting into it;
  - The kitchen and bathroom were damp and smelled and the wallpaper would not stay on the walls;
  - The houses should be knocked down and new ones built to make the area presentable and to rebuild the community;
  - The houses are sinking with no foundations, they are rotting and disgusting;
  - Residents want houses where their children can be safe and well which is not the case with the existing houses;
  - The houses should have been demolished years ago.

**THE CASE FOR INTERESTED PARTIES OBJECTING TO THE PROPOSAL**

180. Two former Welsh Streets residents, two existing occupiers and two local residents made the following representations at the Inquiry:

- The houses are suitable for families, close to the town centre, with on-street parking and trees on the road;
- The Council refused to listen to residents' concerns. They bought up properties and the area was blighted with houses tinned-up on a regular basis, neighbours leaving, the area turning into a ghost town. This was managed decline and social engineering;
- The Council has destroyed the Welsh Streets community;
- The HMRI scheme was extremely divisive, the consultation process was very stressful;
- There is no sense in demolishing over 400 houses when there is a growing housing list;
- There is no problem with damp;
- The demolition is not in accordance with best practice in sustainable development;
- The proposals are inconsistent with the former draft submission core strategy by reducing business and houses;
- There are examples in other northern cities of refurbishment being successful;
- Not enough consideration has been given to the cultural and heritage significance of the area;
- Some of the Welsh Street properties are in reasonable condition compared to others elsewhere in Liverpool;
- The new houses will overlook properties on Devonshire Road.

### **Written representations objecting to the planning application**

181. The following is a summary of the written objections received by the planning inspectorate (CD1.11).
182. *Merseyside Civic Society*. The scale of demolition is inconsistent with the intended application of HMRI. Loss of houses in this area of acute need should be rejected in favour of restoration and refurbishment of houses which are of heritage value. This would retain the distinctive character and preserve the identity of the Welsh Streets. It is tragic that so many homes and residents have been lost already with negative social, economic and environmental impacts. The money spent on HMRI could have been used to renovate the properties. The density is too low to support local services in an inner city location.
183. *Homes Under Threat (HUT)*. CABE and partners recommend that nothing should be demolished until its real value has been established by a range of stakeholders, including the local community, there is a clear and deliverable strategy in place as to what will replace it and there is assurance that cleared houses will be replaced by something of demonstrably better quality. These processes do not just relate to preservation or retention of built fabric, but can and should lead to consideration of the creative adaptation of the existing environment.

184. A prominent example of this is where the streets and facades of the houses have been retained, but the built fabric has been replaced. A scheme in Nelson, Lancashire, had a successful conservation led regeneration scheme. Government funding has a role to play in helping local authorities. £1 houses have been successful in Stoke. Twenty refurbished and ten new homes have been provided in Liverpool, postcode L7. The houses could be given up for homesteading or to local housing associations. Demolition can negatively affect communities and the environment.
185. *George Clark, Independent Empty Homes Advisor.* The Welsh Streets application for redevelopment is neither appropriate, of good enough design quality and is against Government housing or planning policy as set out in my Empty Homes Review (EHR) Recommendation to the government. Homes in Phase B, an unfunded application, should not be emptied until full permission has been granted and funding in place for delivery (EHR recommendation 7). For both phases, refurbishing and upgrading should always be the first and preferred option. Demolition should be the last option after all forms of market testing and options for refurbishment have been exhausted (EHR recommendation 1). A more creative approach is required.
186. *Professor Lord Alton of Liverpool, Roscoe Foundation for Citizenship.* So many problems of dereliction have been caused by social landlords leaving houses empty, and could have been, and could still be, resolved by marketing empty publicly owned properties to local firms and families for renovation. For too long demolition has been the solution when it has been a major factor in causing dereliction and destroying communities.
187. *Wayne Hemmingway, Hemmingway Design.* Just about everything in the Welsh Streets is sustainably salvageable, particularly in this economic climate where new buildings rarely make money. People like to live in houses in streets with outside space which the existing houses offer. Perfectly lovely streets are being cleared repeating mistakes of the past such as slum clearance which paved the way for tower blocks that didn't work in the 1960s. We need mortgage companies and the Government to support housing renovation. Housing grants from local authorities enable refurbishment and produce thriving areas. Renovation would cost around £35,000.
188. *Eric Reynolds of Urban Space Management Limited.* The demolition proposal is flawed and outmoded and the case against it economically and socially is clear. The case for retention and refurbishment is very strong because there is demand for housing in the area (sales values of £75,000 – £85,000); there is a recent condition survey which shows the houses can be refurbished for £51,000 - £73,000; significant time would be saved refurbishing the existing buildings; it would be much less wasteful; social and historic value would be preserved, houses could provide a range of residential units.
189. *Professor Dr. D. Ben Rees, Chairman of the Liverpool Welsh Heritage Society.* The streets are special because they are grouped together, were built for a special purpose by Welsh builders and could easily be renovated. They are unique and important. The houses should be renovated for those who need well built homes and as a reminder of our heritage.
190. *Dr. Andreas Schulze Bäing (writing in a private capacity).* Sufficient density is a key requirement for walkable cities and sustaining key infrastructure. Cautious

urban renewal principles should be applied, keeping as much of the built environment as possible, not least because of embedded historic material and energy resources contained within the existing buildings. British housing development is structured so that developers would not consider redevelopment below a certain spatial scale and argue for comprehensive demolition and rebuilding of whole blocks rather than the cautious approach of individual houses.

191. *National Trust*. The National Trust strongly supports SAVE's case to preserve Ringo Starr's house and the streets in which it stands. If individual buildings are kept while those surrounding it are demolished, that context is lost and our understanding of the environment in which the Beatles grew up weakened. LCC are encouraged to preserve as many of the surrounding houses as possible because of their heritage value, and because restored they have been shown throughout the country to make excellent homes.
192. *Professor Neil Jackson (writing in a private capacity)*. The proposals destroy the orientation and layout of the existing urban landscape. The arrangement of the houses in squares with gardens reaching in toward the centre fails to respond to the existing prevailing layout. The introduction of a cross street effectively kills the linear arrangement of the site and loses the sense of hierarchy. Unlike the existing houses the new layout shows no response to sunlight. The introduction of semi-detached houses destroys the rhythm and scale of the existing street pattern. Suburban in character semi-detached houses are alien to the inner city location of the Welsh Streets.
193. The terraces fail to follow the building line. The mono-pitch roof is out of context. The buildings on Kelvin Grove are too small. The two storey corner blocks are truncated and too small. There is a disparity of scale between the taller corner buildings and the existing houses. In contrast to the Welsh Street terraces, it is hard to recognise any sense of order, hierarchy or meaning behind the proposed variations in materials and housing types. The internal arrangements do not always reflect good practice. Not all the details are shown on the plans, such as rainwater goods. Vehicles are not shown on the scheme visuals. Vehicles will make it difficult for children to play and they will obstruct views. Gardens will be difficult to maintain. It will be difficult to collect rubbish if alleyways are closed.
194. Six former and existing Welsh Streets' residents made the following comments:
- The existing houses were lovely and there was a strong community.
  - None of the owner /occupiers wanted to leave.
  - Houses were kept deliberately empty even though there were families on the housing waiting list.
  - Fighting for retention has been very stressful.
  - People in the Welsh Streets were not involved with the decision to demolish.
  - Some houses are in good condition with no damp.
  - The houses are part of the historic Toxteth
  - I would rent/buy one of the houses if it were refurbished

195. In addition, a number of letters objecting and in support were received by the Council during their consultation process, making similar points to those set out above. The responses include a petition submitted by SAVE objecting to the proposals. These are set out in the Council's report (CD1.13.1).

### **CONDITIONS**

196. LCC and PDG submitted a list of suggested conditions to be attached to the proposal should it be granted planning permission (CD11.1). The conditions were discussed without prejudice in a discrete session at the inquiry. SAVE and other objector comments are incorporated into the comments below. There are separate lists of conditions for phase A and phase B as these relate to a full and outline application respectively.
197. Conditions 1, 2, 24 and 25 - time limit and approved drawings (phase A) and conditions 3 and 26 requiring approval of phasing before any work starts including demolition, are necessary in the interests of good planning. Conditions 4, 5, 18, 29, 30, 40 and 51 are necessary to ensure the site is sustainably drained and there is no risk of flooding, either at or off the site.
198. Conditions 6, 7, 28, 31 and 45 would encourage recycling, prevent any adverse effects of demolition and construction work on the amenities of neighbouring premises, the local environment and the transport network. Conditions 8, 10, 11, 12, 20, 32, 34 35, and 42 seeking details of bin storage, boundary treatment, design of alley ways are necessary for phase A; windows and doors lighting, CCTV, external materials for the buildings and all hard surfaces, cross sections are necessary for phases A and B to ensure a satisfactory residential environment. Conditions 9, 33, 46, 47 and 50 relating to mitigating the effect of demolition and construction on bats, birds and the eradication of Japanese Knotweed are necessary in the interests of the conservation of species and habitats.
199. Details of landscaping and its implementation are necessary for phase A (conditions 13, 14 and 15), and only details of implementation for phase B (conditions 36 and 37) to compensate for lost trees and to ensure a satisfactory appearance to the development. In the interests of protecting the environment and having regard to the vacant nature of parts of the ground, conditions 16,17 and 38 and 39 seeking the investigation of the land for contamination and any necessary remediation, would be necessary. Conditions 19 and 41 relating to accessibility would be necessary to ensure that the environment is inclusive to all. Conditions 21, 22 and 43 relating to off-site highway works (phase A) including making good of pathways and redundant access points (phases A and B) would be necessary in the interests of highway safety. Condition 44 for a travel plan would be necessary to promote sustainable means of transport. Condition 52 would be necessary in the interests of recording the archaeology of the area.
200. The mix of properties is not fixed by the proposal as PDG would seek flexibility to meet the precise tenure demands of the market when the development nears completion. There are no local plan affordable housing policies; however, condition 24 for phase A, would ensure that the affordable housing benefits for the whole scheme (between 60 – 90% of the units) would be achieved, in the most appropriate tenure arrangement.



201. The Welsh Streets are non designated heritage assets, and the Framework (paragraph 36) indicates that where demolition without replacement would cause harm it would normally be tied to planning permission and a contract for construction. For phase B demolition is proposed without a full application being in place. However, LCC's and PDG's argument is convincing that planning permission for demolition would enable PDG to secure funding for phase B as the development risk would be reduced. Therefore, it would be appropriate for the commencement of development to be tied to the submission of an approved scheme, as by that stage, PDG would be likely to be in a position to deliver phase B, with a fully funded worked up proposal.
202. Public art conditions are proposed: although this may be desirable, it would not be necessary to make the development acceptable in planning terms as advised by national Planning Practice Guidance and it would not meet the tests contained therein. A condition requiring details of new planting for phase B would not be necessary as landscaping is a reserved matter. These conditions are not recommended to be imposed.

### **INSPECTOR'S CONCLUSIONS**

*The following conclusions are based on the oral and written evidence submitted to the inquiry and on inspections of the site and its surroundings.*

#### **Background**

203. The application site is within Toxteth, a mainly residential, inner city area south of Liverpool city centre. The site is comprised of several streets of tightly knit rows of Victorian terraced housing, known as the Welsh Streets, which are within the Princes Park renewal area. [6,78,113]
204. Due to a decline in the housing market in Toxteth, Princes Park renewal area was declared under the HMRI programme. As part of the programme the Welsh Streets, the subject of the application, were identified in 2005 for demolition and rebuild. The area comprising Phase A of the planning application site was tackled first, and from 2005 onwards most of the remaining owner/occupiers were decanted or bought out and the terraced rows of houses became empty and have subsequently deteriorated. The condition and appearance of the streets within phase B fare better, as many of the houses are lived in. Nevertheless, the negative influence of the empty streets on the local environment spreads over the adjoining area.
205. LCC, PDG and SAVE's cases set out the history of the HMRI programme in some detail including its successes and failures. There is no doubt that the 2005 designation of the area for demolition contributed to the decline of the Welsh Streets. However, the HMRI programme ceased in 2011 and was separate to the planning system and is not under scrutiny in consideration of this application. [43-57inc.,107,114,115]
206. By virtue of section 38(6) of the Planning and Compulsory Purchase Act 2004, determination of the planning application must be made in accordance with the development plan unless material considerations indicate otherwise. As identified in the matters raised by the Secretary of State consistency with the Framework is a significant material consideration. Having regard to the matters raised by the

Secretary of State and all other parties the main issues can be summarised as follows:

- i) The extent to which the proposed development is consistent with Government policies in planning for the conserving and enhancing of the historic environment;
- ii) The extent to which the proposed development is consistent with Government policies in requiring good design;
- iii) The extent to which the proposed development is consistent with Government policies on bringing back empty homes into residential use;
- iv) The extent to which the proposal is consistent with Government policy on meeting housing needs and delivering a wide choice of quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities;
- v) Whether the public benefits of the scheme would outweigh any adverse effect of the proposal.

**The extent to which the proposed development is consistent with Government policies in planning for the conserving and enhancing of the historic environment**

207. The Welsh Streets are part of the Victorian heritage of Liverpool reflecting the need for housing in the inner core to serve workers for the docks and other industries around the mid to late 1800s. They form part of some 70,000 or more terraced properties built across the city and are representative of Victorian social, environmental and economic changes in Liverpool. They are typical therefore of Victorian, terraced, workers' houses, ubiquitous within Liverpool and seen in many other northern industrial cities. [76,77,141]
208. Although the Welsh Streets were built as part of a larger estate of terraced houses they have a distinct character with relatively strong and harsh building lines, rows of flank gables at the end of the streets, some consistency of traditional materials, a variety of architectural features identifying each street, small yards and back alleys. However, bomb damage, and selective demolition and rebuilding have destroyed much of the original estate plan form. Furthermore, although externally the houses in phase B are in reasonable condition, most of the houses in phase A have been vacant, some over many years, and have deteriorated significantly. There are some very nice architectural details which add variety and interest. However, the metal sheeting covering the properties has not saved the houses from loss of bay windows, fenestration, doors, and other architectural features. The houses vary in condition but the poorest ones have lost ceilings and floors, and their rear elevations are crumbling. [80,145,144, 174,179]]
209. There is a hierarchy of architectural styles with the better houses seen along the more important thoroughfares and close to the grand Princes Avenue/Road. This may have been an interesting development in master-planning of estates at the time and is of relevance to the works of the developer Richard Owens. However, it is of little value on the ground as the estate plan-form and the architectural hierarchy has been eroded and this adds little to the significance of the Welsh Streets. The grander three storey houses on Kelvin Grove (apart from the modern infill) differ from the modest terraced houses and many are in reasonable

- condition; however, they are to be retained. Overall, the Welsh Streets, although distinct in character, are typical of many other Victorian streets of terraced houses in Liverpool. They cannot be considered to be architecturally special or distinguished and their significance in this respect is low. [78,147]
210. LCC has been assembling land at the application site since 2005, to enable re-development of the Welsh Streets as part of a comprehensive package of measures to regenerate the area. This has allowed houses in phase A to sit empty and deteriorate for many years. However, there is no evidence of deliberate neglect of the properties to reduce their heritage value: the removal of rainwater goods and boarding up was to protect the area from vandalism and theft. The condition of the properties is not the result of deliberate neglect or damage and it should therefore be taken into account when assessing the architectural and historic merit of the Welsh Streets as a whole. [81,146]
211. The Welsh connection is of social interest. Developed as part of a larger estate by Welshman, Richard Owens, a prolific Victorian designer and developer in Liverpool, the houses were built and occupied by Welsh workers. However, Richard Owens developed over 9,000 houses in Liverpool (many built and occupied by Welsh workers) of which some 4,500 remain. Moreover, the heritage value of the best and most complete surviving examples of Richard Owens' estates has been recognised in the designation of Kensington Fields estate and Toxteth Park and Avenues as conservation areas. The Welsh street names would not be lost as most survive in the new development. The Welsh connection is of some local interest but not greatly significant to the development of Liverpool or of Owens work as a whole.
212. There is a strong connection to 'The Beatles', a key cultural influence in Liverpool attracting significant numbers of national and international tourists. No 9 Madryn Street was the birthplace of Ringo Starr and the street was home to some of his relatives. The adjacent Empress Public House (a non-designated heritage asset) and Admiral Street are also associated with 'The Beatles', increasing their connection to the area. However, No 9 is to be retained and the significance of the house would not be lost. Part of the Madryn Street terrace would be demolished; however, the section to be retained (containing No 9) has terraced houses on both sides and the original context to the house would still be experienced to some extent. Furthermore, there are many other surviving terraced streets in the area where visitors could go to see a similar environment to the one where Ringo Starr was born. The Empress Public House and Admiral Street are not within the planning application site and their cultural interest would remain unaltered. [79,148,191]
213. Overall, the Welsh Streets are of limited architectural merit. They are of some social and cultural interest and there is an historic significance as part of the Victorian city of Liverpool. However, for the reasons given, although all parties accept they are non-designated heritage assets, they are of low significance. For non designated heritage assets, the Framework (paragraph 135) indicates that a balanced judgement will be required having regard to the scale of harm and the significance of the asset.
214. The Welsh Streets are close to the large, landscaped Princes Park, a grade II\* registered park and garden of national importance. The park influences the rows of grand houses both facing towards it and along Princes Avenue and Road (The

Boulevard) leading to the park, which were built around the 1840s for wealthy merchants and business owners. Victorian architectural hierarchy is of high significance here, with the more modest workers' houses set behind the grand villas with little inter-visibility. The Welsh Streets form part of the more modest urban townscape, set behind the villas with little reference to the character and appearance of the conservation area or park. Over time, the back land area has become occupied by a mixture of modern and Victorian housing. The replacement of the Welsh Streets would be with houses of similar scale and visual impact, and they would not compete with grander houses or erode the Victorian hierarchy. The mixed urban setting would be preserved and there would be no harm to the conservation areas or the registered park. [82-86inc.,150-156inc.]

215. There are a range of grand, grade II listed villas, terraced houses and a stable block built around 1850s -60s along Devonshire Road, which back onto South Street (part of the application site) with high brick garden walls and former outbuildings. They are part of the area of large houses facing towards Princes Park and they are of significant architecture value both individually and as a group. South Street still retains some characteristics as the likely rear service road/mews to the listed houses as the blank gables of the Welsh Streets face onto it for some its length, making it a low key and rather bland street. This relationship would be altered and the new houses would face towards the rear of the listed houses, raising the importance of the street as a residential environment. The South Street elevation would still be read as the less important rear façade, and change would make little difference to the way the buildings would be experienced and understood. Nevertheless, there would be change in the nature of the immediate setting from which would arise some small, less than substantial harm. Paragraph 134 of the Framework indicates that the harm to designated heritage assets should be balanced against the public benefits of the proposal. [85,87,150,151,156]
216. There would be no effect on the Empress Public House, a non designated heritage asset, which is outside the site, as its setting is a wide range of modern and Victorian housing. [158]
217. To conclude, the setting of the conservation areas, registered park and other non-designated heritage assets would be preserved. The Welsh Streets are non-designated heritage assets of low significance, but most of the houses would be demolished by the proposals. There would be less than substantial harm to the listed buildings along Devonshire Road. However, it is necessary to examine the merits of the development and the public benefits of the scheme before coming to a conclusion on harm to historic environment and compliance with policy. In the following section the design merits are assessed. The planning balance section towards the end of the report assesses the benefits and weighs these against any adverse effects.

### **The extent to which the proposed development is consistent with Government policies in requiring good design**

218. The layout and plan form of the proposed development for phase A (the full application) would be a traditional grid, reflecting the urban grain of the area, with housing facing towards streets and private gardens to the rear. The existing long, terraced streets along Powis Street and Voelas Street would be broken up

- but this would add variety to the street scene with increased routes to move across the area. Only Rhiwlas Street and half of Madryn Street would be removed altogether, and the Welsh Street names would be retained leaving a connection to the existing layout. [92,93,157]
219. Some of the houses would be set back and there would be gaps between them. However, the very regular street layout and the long vistas ensure that the rows of houses would form a strong building line and there is a sense of continuity with a repeating pattern of scale, house types, architectural details, planting, parking and enclosures. A new neighbourhood would be created with its own identity, but materials would reflect the existing, traditional, urban palette, linking in tone and texture with buildings in the area. Additionally, a similar scale to the existing development would be maintained, mainly two storeys with three storey buildings to mark the corners. Although there would be some unusual mono-pitched roofs, most of the houses would have traditional roof slopes and their design and scale would fit in well with the character of the area. [93,94,95,158,192,193]
220. There would be a mix of terraced and semi-detached houses, with corner blocks, and this would be neither low density suburban nor densely urban in character. The mix, form and density of the houses would take right approach as the wider area is of low scale residential properties, where there is a mixture of house types and densities. The nearby Princes Park, itself, was built as a transition between the dense core and the outer suburbs and the density would be appropriate. [95,96,160]
221. The application site is not within a conservation area where traditional materials may be necessary and there is no reason why the use of modern materials, including double glazing would be unacceptable. Street trees would be lost but they are not protected and their removal would enable a complete overhaul of the public realm, establishing home zones, with a range of materials and new planting (including trees), contributing to the cohesive appearance of the development. The introduction of off-street parking, private gardens, and rear alleyways to access sheds and bins, (meeting LCC's standards for residential development set out in SPG10), would provide a highly practical living environment. Together with homes built to 'lifetime home' standards the development would be suitable for a wide range of household types, attracting residents to stay and helping to build a strong community. [97,98,157,162]
222. Active street frontages would overlook streets and open spaces. There would be gated alleyways, off street parking and clearly defined public and private open space. This would all help to reduce crime and opportunities for anti-social behaviour, ensuring a safe environment for residents. Although the existing public open space at the end of Voelas Street, caused by previous demolition, is designated green space, the site is not in an area of green space deficiency and with the large Princes Park nearby and private gardens there would be no loss of facilities for residents. There would be new public open space which would be landscaped as part of Green Street. The open space would be integral to the overall public realm improvements and would be an attractive addition, benefiting all local residents. [99,102,105,158,159,194]
223. Illustrations show that Phase B (outline application) would be developed in the same way, completing the overall master-plan for the area. I am satisfied that,

as LCC would control the details of development for phase B as reserved matters, a development which integrates with, and is complementary to, phase A could be achieved. [67,163]

224. In conclusion, the scheme would create a new neighbourhood of high quality design, which would improve the local environment. It would comply with section 6 of the Framework relating to design and the relevant UDP policies GEN4, GEN8, HD18, HD19, HD22 and HD23 seeking to protect local character. The scheme would also comply with UDP Policies OE11 and OE14 relating to open space.

**The extent to which the proposed development is consistent with Government policies on bringing back empty homes into residential use**

225. In recognition of the high level of vacant properties in Liverpool, LCC has identified as a priority in its Housing Strategy, reducing the number of empty homes. This is supported by their Empty Homes Strategy, which identified a number of initiatives and means for tackling vacancy and delivering refurbishment across the city, including the continuation of investment in housing renewal areas. The Housing Strategy recognises that refurbishment is an option where relevant and viable. Both the housing strategy and the Empty Homes Strategy support Government policy contained in *'Laying the Foundations'* which seeks to improve the housing market. [58-63inc.,116,117]
226. The NRA update (2013) for Princes Park assessed options for refurbishment/ demolition for the Welsh Streets and found that in terms of viability and deliverability the best option to achieve regeneration benefits for the Princes Park area was demolition and rebuild. SAVE has put forward arguments about the nature of the NRA and the viability appraisal, but, even if these were accepted, it would not alter the conclusion that all options have a funding deficit and require a level of grant or gap funding to proceed. There is no doubt that obtaining funding for refurbishment would be a riskier option with lenders less likely to invest in the poorer properties, where refurbishment is piecemeal and the Welsh Street environment remains poor. [50,54,121,122,129]
227. The environment of the Welsh Streets has suffered significantly from the wait (some 10 years) for a deliverable scheme. The scheme has funding, with gap funding provided by LCC, and the securing of Cluster of Empty Homes funding to refurbish 37 properties. Therefore, it is a scheme which could be delivered and this is a very important consideration meeting the aims of the Housing Strategy and *'Laying the Foundations'* to deliver decent homes. Moreover, neither document precludes demolition of empty homes and their replacement as a method of achieving better housing. [172,173,174]
228. Imaginative alternatives were suggested as were sources of funding. Nevertheless, there are no alternative schemes for refurbishment for the Welsh Streets put to the Inquiry that have funding and/or are likely to be deliverable within a reasonable timescale. All of the examples suggested, either in Liverpool or other parts of the Country, were small scale interventions and there is no evidence that they could be successful for a large number of houses, such as at the Welsh Streets. Additionally, starting a new process now with alternatives would only be likely to achieve piecemeal interventions and would not secure wider public realm improvements. Funding may not be forthcoming for

alternatives and could leave the fate of the Welsh Streets to many years of further decline. [66,121,123,127,128,129,183,187,188,189]

229. The detailed funding circumstances of Lucerne Street and surroundings, and the area known as Bread Streets which have been renovated are not known. However, in contrast to the Welsh Streets, Lucerne Street is located next to a very vibrant commercial road, and the Bread Streets slope down sharply to the River Mersey close to the city centre. Therefore, their circumstances cannot be compared with the Welsh Streets. [66,137]
230. The demolition and rebuilding of empty homes in the Welsh Streets has to be seen in the context of the city as a whole, where it is only one of many interventions including refurbishment and environmental improvements undertaken in many renewal areas. Within the Princes Park renewal area, demolition of the Welsh Streets is similarly only one part of a comprehensive scheme encompassing refurbishment and tackling vacancy. Moreover, LCC and PDG have been able to secure funding from the Cluster of Empty Homes Fund awarded for various projects in need across the city, some of which has been allocated to the Welsh Streets, enabling 40 houses to be retained of which 37 houses would be refurbished. [56,115,180,182,]
231. Both the Housing and Empty Homes Strategies recognise that a variety of options may be necessary to achieve decent homes in Liverpool and bringing back empty homes is only one of many measures set out in 'Laying the Foundations' to improve the housing market. The application scheme would deliver a well-designed scheme of decent homes which can be funded, together with an element of funded refurbishment meeting the aims of local and national housing strategies to deliver housing. [29,31,32]

**The extent to which the proposal is consistent with Government policy on meeting housing needs and delivering a wide choice of quality homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities**

232. While the Framework seeks to boost significantly the supply of housing in the Country (paragraph 47), there will be an overall loss of some 210 small dwellings. There are no up-to-date development plan policies for housing targets or housing land supply. The UDP is 12 years old, the CS is not an emerging plan and carries little weight and the LP is at an early stage of preparation. The SHMA (2011) and the SHLAA (2012) data indicate that according to a range of population growth scenarios, LCC has sufficient land to meet predicted growth for the next five years plus a 12% buffer. Although SAVE put higher figures forward for the plan period, in all estimations housing targets could be in excess of 40,000 for the plan period. [70,135]
233. While there would be a loss of (small) dwellings, there is a number of other factors to taken into account in the redevelopment of the Welsh Streets as follows: [58,59,132,133,135]
- A key priority of the Housing Strategy and the Framework is to provide decent, high quality homes which the scheme achieves;

- The Housing Strategy, in line with the Framework, seeks delivery of a wide choice of housing types which, through the provision of a range of sizes, tenures and lifetime homes standards, the scheme achieves;
- There would be increased opportunities for home ownership within the scheme as sought by the Housing Strategy and the Framework, which could bring economically active residents in to support local services;
- The reduction in the number of existing houses allows for the provision of some larger houses, private gardens, parking and public realm improvements, achieving a high quality environment and a good standard of amenity for residents (a core principle of the Framework).

234. These are all points which would be of social, economic and environmental benefit to the area and would compensate for the reduction in the total number of dwellings within the site. Additionally, the loss of 210 houses would not have any adverse effect on LCC's figures for the five year housing land supply and have a negligible effect in meeting potential housing targets. [70,72]

235. The city centre is becoming a more popular place to live and there could be a greater demand for small properties in the inner core in the future. There may be under occupation of larger, affordable dwellings in the area, brought to light by the bedroom tax. Nevertheless, even though these may be legitimate trends, there is no suggestion that the type and tenure of the proposed houses is not appropriate for the existing housing market where according to the SHMA and PDG's figures (which can be relied upon as they are a major housing provider with extensive experience in the area), a range of house types including larger family housing is in demand. [74,136,137,138]

236. In conclusion, the scheme would meet the Framework (paragraph 50) aim to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. In this respect it would meet the UDP policies H2, H4 and H5.

### 237. **Other matters**

238. The following matters were raised either at or before the Inquiry by the main parties, local residents or by the Inspector:

239. *Whether the scheme meets the challenge of climate change* - There may be embodied carbon in the existing buildings to be demolished; however, the lack of up to date information relevant to the existing circumstances means this cannot be quantified or assessed. The new homes will achieve Code for Sustainable Homes, level 3, meet current building regulations, provide homes in a sustainable location with access to services and would therefore meet the aims of the Framework (paragraph 93) to help address the impacts of climate change. [109,110,111,166,167,168,190]

240. *Loss of commercial units* - The site sits within a UDP-designated Primary Residential Area where a completely residential scheme would be acceptable. The loss of commercial units, which may contribute to the local economy, would be outweighed by the creation of a residential community with new residents helping to support and boost the local economy by using local shops and services. *Overlooking* - There would be windows facing towards the rear of



properties along Devonshire Road. However, their distance from the gardens and houses would ensure that there would be no intrusive overlooking. [104,165]

241. *Whether the scheme would promote healthy communities* – All the points raised in the section 8 of the Framework relating to healthy communities are addressed in the above conclusions and there is no need to repeat these. There is no doubt that the scheme would help to create and promote a healthy community meeting the aims of the Framework. [104-108inc.,164,165]

### **Planning balance**

242. I have concluded that the planning application would meet national and local policies on design, empty homes and delivery of a wide choice of homes, and that there would no adverse effect from any other matters raised. However, there would be a loss of a non designated heritage asset and less than substantial harm to the setting of listed buildings. As stated before, paragraph 135 of the Framework seeks a balance between scale of loss and significance for non designated heritage assets. For designated heritage assets, Paragraph 134 seeks any harm to be balanced against the public benefits of the proposal.

243. In this case, there would be a range of public benefits arising from the proposal which can be summarised as follows:

- Substantial improvement in the residential environment, through repopulation of the Welsh Streets phase A, and the creation of a new, well-designed and laid out area of housing, public realm and open space;
- A wider choice of houses, including the provision of accessible homes, which would bring in a variety of household types, thereby helping to build a healthy and sustainable community;
- The scheme would provide mainly affordable housing; however, around one quarter of the housing could be for private sale encouraging economically active residents to the area, helping to support local services;
- The image of the area would be improved and along with a wider range of high quality housing and the other benefits mentioned above, would help to uplift the local housing market;
- There would be local jobs created in construction helping the local economy.

244. The environmental, social and economic benefits would, in my view, be substantial. The benefits should be seen in the light of the existing very bleak environment of the Welsh Streets, which blights the whole area and is, and has been for many years, very damaging to the local area. In addition the scheme would end years of uncertainty and anxiety for local residents of the area, where the local community has been divided both for and against demolition. In particular, the residents of the Welsh Streets, many represented by the Welsh Streets Home Group, who after a long campaign now support the scheme. The scheme is deliverable and funded, and all indications are that it would go ahead if granted planning permission. This would, no doubt, result in a considerable improvement in the quality of life of the existing local residents.

245. The Welsh Streets are of low significance as non designated heritage assets, and their loss would be outweighed by the substantial benefits. Although the setting

of the listed buildings would not be preserved, the adverse effects would be less than substantial and of a low order, and would be outweighed by the public benefits. I have had regard to the great weight to be attached to the preservation of the historic environment, and the duty to pay special regard to the desirability of preserving listed buildings and their setting. However, in this case, the public benefits are convincing and would clearly outweigh any harm to the historic environment. I consider that the scheme would comply with the Framework and UPD policies GEN12, HD12 and HD15 relating to the historic environment.

### **Overall Conclusion**

246. The planning application is a result of many years of assessments, studies, consultations and negotiations. The scheme has therefore been carefully considered taking all viewpoints into account. The social, economic and environmental benefits are all factors which, taken together, could bring about lasting regeneration of the Princes Park renewal area long sought by LCC and local residents. As set out above, it has been assessed against all material considerations, it fully meets national and local plan policy and it would be sustainable development.

### **RECOMMENDATION**

247. I recommend that planning permission is granted subject to conditions set out in annex A.

*Christine Thorby*

INSPECTOR

## **ANNEX A**

### **Schedule of conditions**

1. The development hereby permitted shall be commenced before the expiration of 3 years from the date of this permission.
  
2. The development hereby approved shall be carried out in accordance with the following drawings and documents unless otherwise agreed in writing by the local planning authority:
  - 07-030-01 Site Location Plan
  - 07-030-02 Site Plan as Existing
  - 07-030-03 Proposed Overall Site Layout Rev A
  - 07-030-04 Proposed Overall Demolition Layout Rev A
  - 07-030-05 Proposed Site Layout Phase A Rev A
  - 07-030-06 Massing & Building Heights: Phase A Rev A
  - 07-030-07 Key Site Dimensions: PHASE A Rev A
  - 07-030-08 Finished Floor Levels: PHASE A Rev A
  - 07-030-09 Housetypes & Tenure Mix: PHASE A Rev A
  - 07-030-10 Proposed Roof Plan: PHASE A Rev A
  - 07-030-11 Parking Strategy: PHASE A Rev A
  - 07-030-12 Existing Overall Property Ownership Layout
  - 07-030-21 Proposed Block Layout: Block P-A1 Rev A
  - 07-030-22 Proposed Block Layout: Block P-A2 Rev A
  - 07-030-23 Proposed Block Layout: Block P-A3 Rev A
  - 07-030-24 Proposed Block Layout: Block P-A4 Rev A
  - 07-030-25 Proposed Block Layout: Block P-A5 Rev A
  - 07-030-26 Proposed Block Layout: Block P-A6 Rev A
  - 07-030-31 Proposed Floor Plans: House Type A1 Rev A
  - 07-030-32 Proposed Floor Plans: House Type A2
  - 07-030-33 Proposed Floor Plans: House Type B1 Rev A
  - 07-030-34 Proposed Floor Plans: House Type B2
  - 07-030-35 Proposed Floor Plans: House Type C1
  - 07-030-36 Proposed Floor Plans: House Type NB1
  - 07-030-37 Existing Floor Plans: House Type R1
  - 07-030-38 Proposed Floor Plans: House Type R1
  - 07-030-39 Existing & Proposed Floor Plans: House Type R2
  - 07-030-40 Proposed Bat Zone: House Type NB1
  - 07-030-41 Proposed Floor Plans: House Type D1
  - 07-030-42 Proposed Floor Plans: House Type R5
  - 07-030-51 Typical Elevations: House Type A1
  - 07-030-52 Typical Elevations: House Type A2
  - 07-030-53 Typical Elevations: House Type A2 (Variant)
  - 07-030-54 Typical Elevations: House Type B1
  - 07-030-55 Typical Elevations: House Type B2
  - 07-030-56 Typical Elevations: House Type B2 Terrace
  - 07-030-57 Typical Elevations: House Type C1
  - 07-030-58 Typical Elevations: House Type NB1
  - 07-030-59 House Type Elevational Variations
  - 07-030-60 Existing & Proposed Elevations: House Type R2
  - 07-030-61 Street Elevations: Sheet 1 Rev A

07-030-62 Street Elevations: Sheet 2  
07-030-63 Street Elevations: Sheet 3  
07-030-64 Street Elevations: Sheet 4Rev A  
07-030-65 Street Elevations: Sheet 5Rev A  
07-030-66 Street Elevations: Sheet 6  
07-030-67 Street Elevations: Sheet 7Rev A  
07-030-68 Typical Elevations: House Type D1  
07-030-69 Typical Elevations: House Type R5  
07-030-71 Site Section X-XRev A  
07-030-90 Typical Boundary Treatments  
1767-01 Ground Floor Plan: As Existing Nos.: 6 to 28  
1767-02 First Floor Plan: As Existing Nos.: 6 to 28  
1767-03 Second Floor Plan: As Existing Nos.: 6 to 28  
1767-04 Typical Floor Plan: As Proposed (w Outrigger)  
1767-05 Typical Floor Plan: As Proposed (w/o Outrigger)  
1767-06 Floor Plans: As Existing Nos.: 38 to 42 & 46  
1738-02 Existing Ground Floor Plans (Odd Numbers)  
1738-03 Existing First Floor Plans (Odd Numbers)  
1738-04 Existing Ground Floor Plans (Even Numbers)  
1738-05 Existing First Floor Plans (Even Numbers)  
1738-06 Existing & Proposed Floor Plans: 4 Madryn StRev A  
1738-07 Existing & Proposed Floor Plans: 7 Madryn StRev A  
1738-08 Existing & Proposed Floor Plans: 14 Madryn StRev A  
12.510.101 Masterplan Rev D  
12.510.102 Proposed Hard Materials Explanatory Sheet  
12.510.103 General Arrangement (1 of 6) Rev B  
12.510.104 General Arrangement (2 of 6) Rev B  
12.510.105 General Arrangement (3 of 6) Rev B  
12.510.106 General Arrangement (4 of 6) Rev B  
12.510.107 General Arrangement (5 of 6) Rev B  
12.510.108 General Arrangement (6 of 6) Rev B  
12.510.109 Temporary Landscape Treatment for Phasing Rev A  
12.510.110 Green Street Explanatory Sheet Rev B  
12.510.111 Green Street - Central Square Rev A  
12.510.112 Typical Homezone Layout Rev B  
12.510.113 Typical Road Entrance Layout Rev B  
12.510.114 Typical Property Layout - Boundaries + Edging  
12.510.115 Salvaged Materials Drawing  
12.510.121 Typical Cross Sections Rev B  
12.510.130 Proposed Tree Works Plan Rev A  
12.510.131 Proposed Tree Species Explanatory Sheet  
12.510.132 Proposed Plant Species List  
12.510.137 Planting Plan - Key Diagram + Schedule Rev B  
12.510.138 Typical Planting bed  
12.510.140 Tree Pit Details 01 - Trees in Soft Areas  
12.510.141 Tree Pit Details 02 - Trees in Hard Areas Rev A  
12.510.142 Typical Boundary detail - rear

3. Prior to commencement of development (including demolition) within Phase A, a full phasing plan shall be submitted to, and approved in writing by the local planning authority. The phasing plan shall include a timescale for the implementation of each part of development within Phase A. The development shall be implemented in accordance with the approved phasing plan.
4. Prior to commencement of development within Phase A, a surface water regulation scheme for the phase shall be submitted to and approved in writing by the local planning authority. The scheme shall include;  
Completed copy of the hydraulic calculations used to design the surface water drainage system.  
All relevant plans and details of the drainage design.  
A summary document to link the strategy used in the drainage design to the previously approved Flood Risk Assessment (to clarify run-off rates, storage volumes).  
The scheme shall be fully implemented and subsequently retained, in accordance with the timing / phasing arrangements embodied within the scheme.
5. Prior to commencement of development within Phase A, a scheme for the management of overland flow from surcharging of the site's surface water drainage system has been submitted to and approved in writing by the local planning authority. The scheme shall include, details of the proposed ground levels, proposed building finished floor levels and means of safe access during extreme flood conditions.  
The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme.
6. Prior to commencement of demolition within Phase A full details of a demolition management plan and an interim landscaping plan for each plot or phase of the demolition/development shall be submitted to and approved by the local planning authority, the approved demolition plan to be implemented as demolition progresses and the approved interim landscaping plan to be implemented within 6 months from completion of demolition. The details shall include:
  - (a)demolition management plan shall include:
    - (i) details of method and phasing of demolition
    - (ii) hours of working
    - (iii) provision of wheel washing facilities
    - (iv) dust suppression measures
    - (v) vehicular routes in and around the site
    - (vi) compound location
    - (vii) parking of construction and other vehicles within the site of part thereof
    - (viii) the sheeting over of open vehicles during transit of goods and materials
    - (ix) site waste management plan
    - (x) method for reclaiming and storing material to be re-used in development
    - (xi) method statement for the protection of public sewers crossing the site both during and after demolition.
  - (b)interim landscape plan shall include:
    - (i) details of boundary/security treatment
    - (ii) details of after treatment of sites
    - (iii) construction of gable ends to numbers 15 and 16 Madryn Street

7. Prior to commencement of development (excluding demolition) within Phase A, a detailed construction method statement shall be submitted to and approved in writing by the local planning authority. The statement shall include:
  - (i) commencement and completion dates
  - (ii) hours of operation for construction work
  - (iii) measures to control noise and dust
  - (iv) details of site compounds, storage of plant and materials
  - (v) temporary highway works or closures
  - (vi) access for construction traffic
  - (vii) parking of vehicles of site operatives and visitors
  - (viii) wheel washing facilities
  - (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works.The scheme shall be implemented in accordance with the approved statement before the development is occupied/brought into use.
8. Prior to commencement of any development (excluding demolition) within Phase A, details of the following shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is occupied/brought into use:
  - (i) bin storage facilities
  - (ii) all new boundary treatment, gates and means of enclosure
  - (iii) all new external windows and doors to be installed as part of the development
  - (iv) location, design, height, orientation and luminance of any external lighting
  - (v) location, design and orientation of CCTV systems
  - (vi) detailed design of alley ways and method of securing them
9. Prior to commencement of development (excluding demolition) within Phase A, a scheme for integrating bird boxes within the scheme, for those species that nest around buildings, shall be submitted to and approved in writing by the local planning authority, and shall be implemented before each phase of the development to which it relates is occupied/brought into use.
10. Prior to commencement of development (excluding demolition) within Phase A existing and proposed site plans and cross sections showing land levels/building heights within Phase A and the surrounding land/buildings shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
11. Prior to commencement of development (excluding demolition) within Phase A, samples or specifications of all materials to be used in the external construction of this development shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is occupied/brought into use.
12. Any external materials used in the refurbishment of buildings on Madryn Street, High Park Street and Kelvin Grove hereby permitted shall match in materials, colour, style, bonding and texture those of the existing building.
13. Prior to commencement of development (excluding demolition) within Phase A, full details of the number, size, species, root treatment or container type and

location of trees and shrubs to be planted and the treatment of all ground surfaces not built upon shall be submitted to and approved in writing by the local planning authority.

14.(i) The approved landscaping scheme within Phase A shall be completed either (a) not later than the first planting season following completion of the development or (b) during the appropriate planting season progressively as the development proceeds, in accordance with a programme to be agreed in writing with the local planning authority.

(ii) Any trees or shrubs which die, become diseased, damaged or are removed within 3 years of planting shall be replaced with trees and shrubs of similar sizes and species or as may otherwise be agreed with the local planning authority in the first available planting season thereafter, all works to be carried out to BS 4428: 1989 "Code of Practice for General Landscape Operation".

15. Prior to commencement of development within Phase A (excluding demolition), a management plan for the continuous maintenance of public realm, hard and soft landscaping, in perpetuity for the lifetime of the development, shall be submitted to and approved in writing by the local planning authority, which shall include measures for the maintenance of all trees to be located within the application site and on adjacent streets; the management plan shall be implemented in full, at nil cost to the City Council (unless or until the public realm is adopted by the City Council), and shall include the following details:

- (i) locations of all new trees
- (ii) size, species and methods of root containment of all new trees
- (iii) tree pit specification including size, soil type, irrigation, aeration, method of staking/anchorage, surface treatment
- (iv) 5 year post planting maintenance regime, and
- (v) post adoption routine maintenance

16. No part of the development (excluding demolition) within Phase A hereby permitted shall commence until;

a) A contaminated land investigation and assessment methodology, including analysis suite and risk assessment methodologies has been completed and submitted to and approved by the local planning authority in writing, prior to any site investigations.

b) A site investigation and assessment has been carried out by competent persons to determine the status of contamination including chemical, radiochemical, flammable or toxic gas, asbestos, biological and physical hazards at the site and submitted to the local planning authority. The investigations and assessments shall identify the nature and extent of any contaminants present, whether or not they originate on the site, their potential for migration and risks associated with them.

The assessment shall consider the potential risks to:

- i. human health,
- ii. controlled waters,
- iii. property (existing or proposed) including buildings, pets, and service lines and pipes,
- iv. adjoining land,
- v. ecological systems, and
- vi. Archaeological sites and ancient monuments.

c) A detailed remediation scheme (if required), has been submitted to and agreed in writing with the local planning authority. This scheme shall include an appraisal of remedial options (including any capping requirements), implementation timetable, works schedule, site management objectives, monitoring proposals and remediation validation methodology. The scheme once completed must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.

17. After development commences and prior to occupation within Phase A;
  - a) Following completion of the measures identified in the approved remediation scheme and prior to occupation of any part of the development, a verification report which shall confirm the adequacy of remediation must be prepared and submitted to and approved in writing by the local planning authority. If a phased approach to the development is being proposed, then a validation/completion report for an agreed number of plots within each of the proposed phases shall be submitted to the Local Planning Authority and approved in writing.
  - b) If any potentially contaminated (unusual/suspect) material or flammable/toxic gas not previously identified is discovered, this must be reported in writing to the local planning authority and a further assessment and a revised remediation scheme will be required by the local planning authority. If no contamination is found then this should be detailed in the remediation verification report.
18. Prior to commencement of development within Phase A (excluding demolition), a scheme for the disposal of foul and surface waters shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and completed before the development is occupied/brought into use.
19. Prior to commencement of any part of the development in Phase A (excluding demolition), an Access Strategy for Phase A shall be submitted to and approved in writing by the local planning authority. The Access Strategy shall set out design and operational proposals for ensuring the needs of those with mobility or sensory impairments are appropriately considered and addressed. The strategy shall be implemented in accordance with the approved details and completed before the relevant part of the phase is occupied/brought into use.
20. Prior to commencement of development (excluding demolition) within Phase A, a public art plan shall be submitted to and approved in writing by the local planning authority. Thereafter full details of the proposed public art shall be submitted to the Local Planning Authority and approved in writing prior to first occupation of the development and the public art shall be installed/erected within 3 years of the development being first brought into use.
21. Prior to implementation of development within the public highway within Phase A, a scheme which details the following off-site highway works required to accommodate the development, together with a programme for completion of the works shall be submitted to and approved in writing by the local planning authority. The off-site highway works shall be implemented in accordance with the approved details before the development is occupied/brought into use.
  - (i) new street lighting and drainage associated with the development
  - (ii) traffic calming measures with associated signage
  - (iii) parking bays



- (iv) public realm works
- (v) all highway surfaces associated with the development (including details of dropped kerbs and tactile paving)

22. All footways within Phase A, contiguous with the site, shall be reinstated, including the reinstatement of all redundant vehicle access points. The works shall be implemented to the Council's adoption standards, before the development is first occupied/brought into use.

23. Prior to commencement of development within Phase A (with the exception of demolition), full details of the proposed tenure of the residential properties will be submitted to the Local Planning Authority for approval. Such details shall be in accordance with the following mix:

- Affordable Rent 57% (+/- 10%)
- Affordable Home Ownership 23% (+/-10%)
- Open Market Sale 20% (+/-10%)

The development shall be carried out in accordance with the agreed tenure schedule.

### **Phase B**

24. The development hereby permitted shall be commenced before the expiration of 3 years from the date of this permission or 2 years from the date of approval of the last of the reserved matters, whichever is the later.

25. Details of the reserved matters set out below shall be submitted to the local planning authority for approval within 3 years from the date of this permission:-

- (i) scale
- (ii) means of access
- (iii) external appearance
- (iv) landscaping
- (v) layout

Approval of all reserved matters shall be obtained from the local planning authority in writing prior to commencement of development.

26. Prior to commencement of development (including demolition) within Phase B, a full phasing plan shall be submitted to, and approved in writing by the local planning authority. The phasing plan shall include a timescale for the implementation of each part of development within Phase B. The development shall be implemented in accordance with the approved phasing plan.

27. Demolition works shall not commence within Phase B before planning permission has been granted for all reserved matters in connection with Phase B.

28. Prior to commencement of demolition within Phase B full details of a demolition management plan and an interim landscaping plan for each plot or phase of the demolition/development shall be submitted to and approved by the local planning authority, the approved demolition plan to be implemented as demolition progresses and the approved interim landscaping plan to be implemented within 6 months from completion of demolition. The details shall include:

- (a) demolition management plan shall include:
  - (i) details of method and phasing of demolition

- (ii) hours of working
- (iii) provision of wheel washing facilities
- (iv) dust suppression measures
- (v) vehicular routes in and around the site
- (vi) compound location
- (vii) parking of construction and other vehicles within the site of part thereof
- (viii) the sheeting over of open vehicles during transit of goods and materials
- (ix) site waste management plan
- (x) method for reclaiming and storing material to be re-used in development
- (xi) method statement for the protection of public sewers crossing the site both during and after demolition.

(b) interim landscape plan shall include:

- (i) details of boundary/security treatment
- (ii) details of after treatment of sites
- (iii) construction of gable ends to numbers 15 and 16 Madryn Street

29. Prior to commencement of development within Phase B, a surface water regulation scheme for the phase shall be submitted to and approved in writing by the local planning authority. The scheme shall include; Completed copy of the hydraulic calculations used to design the surface water drainage system. All relevant plans and details of the drainage design. A summary document to link the strategy used in the drainage design to the previously approved Flood Risk Assessment (to clarify run-off rates, storage volumes). The scheme shall be fully implemented and subsequently retained, in accordance with the timing/phasing arrangements embodied within the scheme.

30. Prior to commencement of development within Phase B a scheme for the management of overland flow from surcharging of the site's surface water drainage system has been submitted to and approved in writing by the local planning authority. The scheme shall include, details of the proposed ground levels, proposed building finished floor levels and means of safe access during extreme flood conditions.  
The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme.

31. Prior to commencement of development (excluding demolition) within Phase B, a detailed construction method statement shall be submitted to and approved in writing by the local planning authority. The statement shall include:

- (i) commencement and completion dates
- (ii) hours of operation for construction work
- (iii) measures to control noise and dust
- (iv) details of site compounds, storage of plant and materials
- (v) temporary highway works or closures
- (vi) access for construction traffic
- (vii) parking of vehicles of site operatives and visitors
- (viii) wheel washing facilities
- (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works.

The scheme shall be implemented in accordance with the approved statement before the development is occupied/brought into use.

32. Prior to commencement of any development (excluding demolition) within Phase B, details of the following shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is occupied/brought into use:
- (i) location, design, height, orientation and luminance of any external lighting
  - (ii) location, design and orientation of CCTV systems
  - (iii) all new external windows and doors to be installed as part of the development
33. Prior to commencement of development (excluding demolition) within Phase B, a scheme for integrating bird boxes within the scheme, for those species that nest around buildings, shall be submitted to and approved in writing by the local planning authority, and shall be implemented before each phase of the development to which it relates is occupied/brought into use.
34. Prior to commencement of development (excluding demolition) within Phase B existing and proposed site plans and cross sections showing land levels/building heights within Phase A and the surrounding land/buildings shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
35. Prior to commencement of development (excluding demolition) within Phase B, samples or specifications of all materials to be used in the external construction of this development shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is occupied/brought into use.
36. (i) The approved landscaping scheme within Phase B shall be completed either (a) not later than the first planting season following completion of the development or (b) during the appropriate planting season progressively as the development proceeds, in accordance with a programme to be agreed in writing with the local planning authority.
- (ii) Any trees or shrubs which die, become diseased, damaged or are removed within 3 years of planting shall be replaced with trees and shrubs of similar sizes and species or as may otherwise be agreed with the local planning authority in the first available planting season thereafter, all works to be carried out to BS 4428: 1989 "Code of Practice for General Landscape Operation".
37. Prior to commencement of development within Phase B (excluding demolition), a management plan for the continuous maintenance of public realm, hard and soft landscaping, in perpetuity for the lifetime of the development, shall be submitted to and approved in writing by the local planning authority, which shall include measures for the maintenance of all trees to be located within the application site and on adjacent streets; the management plan shall be implemented in full, at nil cost to the Council (unless or until the public realm is adopted by the Council), and shall include the following details:
- (i) locations of all new trees
  - (ii) size, species and methods of root containment of all new trees
  - (iii) tree pit specification including size, soil type, irrigation, aeration, method of staking/anchorage, surface treatment
  - (iv) 5 year post planting maintenance regime, and

(v) post adoption routine maintenance.

38. No part of the development (excluding demolition) within Phase B hereby permitted shall commence until;
- a) A contaminated land investigation and assessment methodology, including analysis suite and risk assessment methodologies has been completed and submitted to and approved by the local planning authority in writing, prior to any site investigations.
  - b) A site investigation and assessment has been carried out by competent persons to determine the status of contamination including chemical, radiochemical, flammable or toxic gas, asbestos, biological and physical hazards at the site and submitted to the local planning authority. The investigations and assessments shall identify the nature and extent of any contaminants present, whether or not they originate on the site, their potential for migration and risks associated with them.  
The assessment shall consider the potential risks to:
    - i. human health,
    - ii. controlled waters,
    - iii. property (existing or proposed) including buildings, pets, and service lines and pipes,
    - iv. adjoining land,
    - v. ecological systems, and
    - vi. Archaeological sites and ancient monuments.
  - c) A detailed remediation scheme (if required), has been submitted to and agreed in writing with the local planning authority. This scheme shall include an appraisal of remedial options (including any capping requirements), implementation timetable, works schedule, site management objectives, monitoring proposals and remediation validation methodology. The scheme once completed must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use.
39. After development commences and prior to occupation within Phase B;
- a) Following completion of the measures identified in the approved remediation scheme and prior to occupation of any part of the development, a verification report which shall confirm the adequacy of remediation must be prepared and submitted to and approved in writing by the local planning authority. If a phased approach to the development is being proposed, then a validation/completion report for an agreed number of plots within each of the proposed phases shall be submitted to the Local Planning Authority and approved in writing.
  - b) If any potentially contaminated (unusual/suspect) material or flammable/toxic gas not previously identified is discovered, this must be reported in writing to the local planning authority and a further assessment and a revised remediation scheme will be required by the local planning authority. If no contamination is found then this should be detailed in the remediation verification report.
40. Prior to commencement of development within Phase B (excluding demolition), a scheme for the disposal of foul and surface waters shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and completed before the development is occupied/brought into use.

41. Prior to commencement of any part of the development in Phase B (excluding demolition), an Access Strategy for Phase B shall be submitted to and approved in writing by the local planning authority. The Access Strategy shall set out design and operational proposals for ensuring the needs of those with mobility or sensory impairments are appropriately considered and addressed. The strategy shall be implemented in accordance with the approved details and completed before the relevant part of the phase is occupied/brought into use.
42. Prior to implementation of the public realm within Phase B, a sample area of public realm materials shall be assembled on site and approved in writing by the local planning authority. The scheme of public realm works shall be implemented in accordance with the approved details and completed before the development is occupied/brought into use.
43. All footways within Phase B, contiguous with the site, shall be reinstated, including the reinstatement of all redundant vehicle access points. The works shall be implemented to the Council's adoption standards, before the development is first occupied/brought into use.

### **Phase A and B**

44. Prior to the occupation of any part of the development, a Travel Plan shall be submitted to and approved in writing by the local planning authority. The plan shall be implemented within 6 months from the date of first occupation and reviewed at 2 yearly intervals between the local planning authority and the applicants.
45. Prior to commencement of any part of the development (including demolition) a Construction Environmental Management Plan (CEMP) to manage and mitigate the main environmental effects during the construction phases of the proposed development shall be submitted to and approved in writing by the local planning authority. The CEMP should address and propose measures to minimise the construction effects of the development and include water resources management, waste management proposals, ecological mitigation and pollution measures and will include the agreed method statements to mitigate or avoid adverse environmental impacts. The CEMP shall be implemented on commencement of development (including demolition) and accessible to site managers, all contractors and sub contractors working on site as a simple point of reference for site environmental management systems and procedures.
46. The development hereby approved shall be implemented in accordance with the Bat Mitigation Strategy as detailed in Appendix 1a, Chapter 7 of the Regulation 22 Environmental Statement Addendum.
47. Prior to commencement of any part of the development (including demolition), a survey for Japanese knotweed shall be undertaken and results, together with a scheme of mitigation measures if required, shall be submitted to and approved in writing by the local planning authority. Such survey to include the following:
- allocation plan showing where the knotweed is;
  - how it will be demarcated to prevent it being spread any further;
  - identify what methods of control will be used; and

- set out when annual monitoring reports will be submitted to the Council. Monitoring reports should describe the current status of knotweed at the site and provide full details of the treatment undertaken. Monitoring reports until no knotweed has been recorded at the site for 12 consecutive months. Any mitigation measures shall be implemented in accordance with the approved details including submission of a validation report confirming the remediation treatment carried out and that the site is free of Japanese Knotweed, before the development is occupied/brought into use.

- 48.No dwelling hereby approved shall be occupied until the access road and driveways serving that dwelling have been completed entirely in accordance with the approved plan.
- 49.Full details of the supervision of demolition work undertaken between 1 March and 31 August inclusive, to ensure any breeding birds within the existing buildings are removed prior to the demolition of the buildings, including a removal strategy for breeding birds, shall be submitted to the Local Planning Authority for approval prior to works commencing within the defined period. The work shall be carried out in accordance with the approved details.
- 50.The development shall only be carried out in accordance with the approved Flood Risk Assessment and mitigation measures (Ove Arup and Partners Ltd, Ref: REP.218779.001, October 2012).
- 51.The developer shall, until the completion of the development afford access at all reasonable times to any archaeologist nominated by the local planning authority and shall allow the observation of the excavations and the recording of items of interests and finds.

## **ANNEX B LIST OF APPEARANCES**

### FOR THE LOCAL PLANNING AUTHORITY:

Mr D Elvin QC	
Mr G Kean of Counsel	
They called	
Mr M Kitts	Assistant Director for Planning and Development Liverpool City Council
Ms C Baker	Head of Development Consulting Team DTZ for Liverpool City Council
Mr D Nesbitt	Director DTZ for Liverpool City Council
Ms S Campbell	Urban Design and Heritage for Liverpool City Council
Mr R Burns	Urban Design and Heritage Manager for Liverpool City Council
Mr M Eccles	Development Plans Manager for Liverpool City Council
Ms H Smith	Planning, policy and economics team, Ove Arup and Partners for Plus Dane Group
Ms L Davies	Programme and Partnership Director for Plus Dane Group

Mr J Keyte	Senior heritage Consultant Ove Arup and Partners for Plus Dane Group
Mr P Swift	Managing Director of Planit-IE Ltd for Plus Dane Group

FOR SAVE:

Mr J Potts of Counsel	
He called	
Mr A Forshaw	Planning and conservation practitioner for SAVE
Mr T Skempton	Architect, programme manager and urban designer for SAVE
Mr D Ireland	Director of Building and Social Housing Foundation for SAVE
Mr E Morton	The Morton Partnership Limited for SAVE
Mr G Carr	Lecturer in Architecture at Coleg Cambria for SAVE
Mr D Bedford	Author and 'The Beatles' tour guide for SAVE

INTERESTED PERSONS:

Mayor Anderson	Mayor of Liverpool
Councillor A O'Byrne	Assistant Mayor and Cabinet Member for housing
Ms M Huxham	Local resident
Ms I Milson	Local resident
Ms C O'Brien	Local resident
Mr R Kilgoriff	Local resident
Ms S Mountain	Local resident
Ms D Grant	Local resident
Ms D Dooley	Local resident
Ms P McInerney	Local resident
Ms M Maylam	Local resident
Dr O Sykes	Local resident
Ms K Wynne	Local resident
Mr C Fontaine	Local resident
Mr B McGarry	Local resident
Ms K Caldebank	Local resident
Ms N Jones	WSHG
Ms B Smith	WSHG
Mr J Hawthorn	WSHG
Ms N Edge	WSHG
Mr S Clark	WSHG
Mr C Jones	WSHG
Ms S Vickers	WSHG
Ms K Caldebank	for Ms P Sharma WSHG
Ms S Newton	WSHG
Ms G Jerome	WSHG

**ANNEX C – CORE DOCUMENTS**

Doc Ref	Title/Document	Dated submitted if after 20/5/2014	Electronic version received
<b>Section 1</b>	<b>Planning Application &amp; Related documents</b>		
CD1.1	<a href="#">Planning Application 13F/0443</a>		
CD1.2	<a href="#">Planning Statement (15 February 2013)</a>		
CD1.3	<a href="#">Updated Planning Statement (13 May 2013)</a>		
CD1.4	<a href="#">Design and Access Statement</a>		
	<b>Regulation 22 Request from LPA</b>		
CD1.5	<a href="#">Environmental Statement</a>		
CD1.5.1	<a href="#">Environmental Statement Appendices</a>		
CD1.5.2	<a href="#">Regulation 22 Update</a>		
CD1.6	<a href="#">Transport Assessment</a>		
CD1.6.1	<a href="#">Travel Plan</a>		
CD1.7	<a href="#">Utility Statement</a>		
CD1.8	<a href="#">Health Impact Assessment</a>		
CD1.9	<a href="#">Tree Survey</a>		
<b>CD1.10</b>	<b>Drawings</b>		
CD1.10.1	<a href="#">07-030-01 Site Location Plan</a>		
CD1.10.2	<a href="#">07-030-02 Site Plan as Existing</a>		
CD1.10.3	<a href="#">07-030-03 Proposed Overall Site Layout Rev A</a>		
CD1.10.4	<a href="#">07-030-04 Proposed Overall Demolition Layout Rev A</a>		
CD1.10.5	<a href="#">07-030-05 Proposed Site Layout Phase A Rev A</a>		
CD1.10.6	<a href="#">07-030-06 Massing &amp; Building Heights: Phase A Rev A</a>		
CD1.10.7	<a href="#">07-030-07 Key Site Dimensions: PHASE A Rev A</a>		
CD1.10.8	<a href="#">07-030-08 Finished Floor Levels: PHASE A Rev A</a>		
CD1.10.9	<a href="#">07-030-09 House types &amp; Tenure Mix: PHASE A Rev A</a>		
CD1.10.10	<a href="#">07-030-10 Proposed Roof Plan: PHASE A Rev A</a>		
CD1.10.11	<a href="#">07-030-11 Parking Strategy: PHASE A Rev A</a>		
CD1.10.12	<a href="#">07-030-12 Existing Overall Property Ownership Layout</a>		
CD1.10.13	<a href="#">07-030-21 Proposed Block Layout: Block P-A1 Rev A</a>		
CD1.10.14	<a href="#">07-030-22 Proposed Block Layout: Block P-A2 Rev A</a>		
CD1.10.15	<a href="#">07-030-23 Proposed Block Layout: Block P-A3 Rev A</a>		
CD1.10.16	<a href="#">07-030-24 Proposed Block Layout: Block P-A4 Rev A</a>		
CD1.10.17	<a href="#">07-030-25 Proposed Block Layout: Block P-A5 Rev A</a>		
CD1.10.18	<a href="#">07-030-26 Proposed Block Layout: Block P-A6 Rev A</a>		
CD1.10.19	<a href="#">07-030-31 Proposed Floor Plans: House Type A1 Rev A</a>		
CD1.10.20	<a href="#">07-030-32 Proposed Floor Plans: House Type A2</a>		
CD1.10.21	<a href="#">07-030-33 Proposed Floor Plans: House Type B1 Rev A</a>		
CD1.10.22	<a href="#">07-030-34 Proposed Floor Plans: House Type B2</a>		
CD1.10.23	<a href="#">07-030-35 Proposed Floor Plans: House Type C1</a>		
CD1.10.24	<a href="#">07-030-36 Proposed Floor Plans: House Type NB1</a>		
CD1.10.25	<a href="#">07-030-37 Existing Floor Plans: House Type R1</a>		
CD1.10.26	<a href="#">07-030-38 Proposed Floor Plans: House Type R1</a>		



Doc Ref	Title/Document	Dated submitted if after 20/5/2014	Electronic version received
CD1.10.27	<a href="#">07-030-39 Existing &amp; Proposed Floor Plans: House Type R2</a>		
CD1.10.28	<a href="#">07-030-40 Proposed Bat Zone: House Type NB1</a>		
CD1.10.29	<a href="#">07-030-41 Proposed Floor Plans: House Type D1</a>		
CD1.10.30	<a href="#">07-030-42 Proposed Floor Plans: House Type R5</a>		
CD1.10.31	<a href="#">07-030-51 Typical Elevations: House Type A1</a>		
CD1.10.32	<a href="#">07-030-52 Typical Elevations: House Type A2</a>		
CD1.10.33	<a href="#">07-030-53 Typical Elevations: House Type A2 (Variant)</a>		
CD1.10.34	<a href="#">07-030-54 Typical Elevations: House Type B1</a>		
CD1.10.35	<a href="#">07-030-55 Typical Elevations: House Type B2</a>		
CD1.10.36	<a href="#">07-030-56 Typical Elevations: House Type B2 Terrace</a>		
CD1.10.37	<a href="#">07-030-57 Typical Elevations: House Type C1</a>		
CD1.10.38	<a href="#">07-030-58 Typical Elevations: House Type NB1</a>		
CD1.10.39	<a href="#">07-030-59 House Type Elevational Variations</a>		
CD1.10.40	<a href="#">07-030-60 Existing &amp; Proposed Elevations: House Type R2</a>		
CD1.10.41	<a href="#">07-030-61 Street Elevations: Sheet 1Rev A</a>		
CD1.10.42	<a href="#">07-030-62 Street Elevations: Sheet 2</a>		
CD1.10.43	<a href="#">07-030-63 Street Elevations: Sheet 3</a>		
CD1.10.44	<a href="#">07-030-64 Street Elevations: Sheet 4Rev A</a>		
CD1.10.45	<a href="#">07-030-65 Street Elevations: Sheet 5Rev A</a>		
CD1.10.46	<a href="#">07-030-66 Street Elevations: Sheet 6</a>		
CD1.10.47	<a href="#">07-030-67 Street Elevations: Sheet 7Rev A</a>		
CD1.10.48	<a href="#">07-030-68 Typical Elevations: House Type D1</a>		
CD1.10.49	<a href="#">07-030-69 Typical Elevations: House Type R5</a>		
CD1.10.50	<a href="#">07-030-71 Site Section X-XRev A</a>		
CD1.10.51	<a href="#">07-030-90 Typical Boundary Treatments</a>		
CD1.10.52	<a href="#">1767-01 Ground Floor Plan: As Existing Nos.: 6 to 28</a>		
CD1.10.53	<a href="#">1767-02 First Floor Plan: As Existing Nos.: 6 to 28</a>		
CD1.10.54	<a href="#">1767-03 Second Floor Plan: As Existing Nos.: 6 to 28</a>		
CD1.10.55	<a href="#">1767-04 Typical Floor Plan: As Proposed (w Outrigger)</a>		
CD1.10.56	<a href="#">1767-05 Typical Floor Plan: As Proposed (w/o Outrigger)</a>		
CD1.10.57	<a href="#">1767-06 Floor Plans: As Existing Nos.: 38 to 42 &amp; 46</a>		
CD1.10.58	<a href="#">1738-02 Existing Ground Floor Plans (Odd Numbers)</a>		
CD1.10.59	<a href="#">1738-03 Existing First Floor Plans (Odd Numbers)</a>		
CD1.10.60	<a href="#">1738-04 Existing Ground Floor Plans (Even Numbers)</a>		
CD1.10.61	<a href="#">1738-05 Existing First Floor Plans (Even Numbers)</a>		
CD1.10.62	<a href="#">1738-06 Existing &amp; Proposed Floor Plans: 4 Madryn StRev A</a>		
CD1.10.63	<a href="#">1738-07 Existing &amp; Proposed Floor Plans: 7 Madryn St Rev A</a>		

Doc Ref	Title/Document	Dated submitted if after 20/5/2014	Electronic version received
CD1.10.64	<a href="#">1738-08 Existing &amp; Proposed Floor Plans: 14 Madryn St Rev A</a>		
CD1.10.65	<a href="#">12.510.101 Masterplan Rev D</a>		
CD1.10.66	<a href="#">12.510.102 Proposed Hard Materials Explanatory Sheet</a>		
CD1.10.67	<a href="#">12.510.103 General Arrangement (1 of 6) Rev B</a>		
CD1.10.68	<a href="#">12.510.104 General Arrangement (2 of 6) Rev B</a>		
CD1.10.69	<a href="#">12.510.105 General Arrangement (3 of 6) Rev B</a>		
CD1.10.70	<a href="#">12.510.106 General Arrangement (4 of 6) Rev B</a>		
CD1.10.71	<a href="#">12.510.107 General Arrangement (5 of 6) Rev B</a>		
CD1.10.72	<a href="#">12.510.108 General Arrangement (6 of 6) Rev B</a>		
CD1.10.73	<a href="#">12.510.109 Temporary Landscape Treatment for Phasing Rev A</a>		
CD1.10.74	<a href="#">12.510.110 Green Street Explanatory Sheet Rev B</a>		
CD1.10.75	<a href="#">12.510.111 Green Street - Central Square Rev A</a>		
CD1.10.76	<a href="#">12.510.112 Typical Homezone Layout Rev B</a>		
CD1.10.77	<a href="#">12.510.113 Typical Road Entrance Layout Rev B</a>		
CD1.10.78	<a href="#">12.510.114 Typical Property Layout - Boundaries + Edging</a>		
CD1.10.79	<a href="#">12.510.115 Salvaged Materials Drawing</a>		
CD1.10.80	<a href="#">12.510.121 Typical Cross Sections Rev B</a>		
CD1.10.81	<a href="#">12.510.130 Proposed Tree Works Plan Rev A</a>		
CD1.10.82	<a href="#">12.510.131 Proposed Tree Species Explanatory Sheet</a>		
CD1.10.83	<a href="#">12.510.132 Proposed Plant Species List</a>		
CD1.10.84	<a href="#">12.510.137 Planting Plan - Key Diagram + Schedule Rev B</a>		
CD1.10.85	<a href="#">12.510.138 Typical Planting bed</a>		
CD1.10.86	<a href="#">12.510.140 Tree Pit Details 01 - Trees in Soft Areas</a>		
CD1.10.87	<a href="#">12.510.141 Tree Pit Details 02 - Trees in Hard Areas Rev A</a>		
CD1.10.88	<a href="#">12.510.142 Typical Boundary detail - rear</a>		
	<b>Indicative Drawings</b>		
CD1.10.89	<a href="#">07-030-14 Indicative Site Layout: PHASE B</a>		
CD1.10.90	<a href="#">07-030-81 Scheme Visuals: Voelas Street</a>		
CD1.10.91	<a href="#">07-030-82 Scheme Visuals: Green Street</a>		
CD1.10.92	<a href="#">07-030-83 Scheme Visuals: Madryn Street Rev A</a>		
CD1.10.93	<a href="#">07-030-84 Scheme Visuals: Kelvin Grove Rev A</a>		
CD1.10.94	<a href="#">07-030-85 Aerial Views: Sheet 1</a>		
CD1.10.95	<a href="#">07-030-86 Aerial Views: Sheet 2 Rev A</a>		
CD1.11	Letters of Objection to the Planning Application (Hard copy only)		
CD1.12	<a href="#">Consultee Responses (including responses to Reg 22 request)</a>		
CD1.13.1	<a href="#">Report to Planning Committee (23 July 2013) and Resolution/Minutes</a>		
CD1.13.2	<a href="#">Report to Planning Committee (23 July 2013) and Resolution/Minutes</a>		

Doc Ref	Title/Document	Dated submitted if after 20/5/2014	Electronic version received
CD1.14	<a href="#">Regulation 22 Request</a>		
<b>Section 2</b>	<b>Community Engagement Documents</b>		
CD2.1	<a href="#">Welsh Streets Princes Park Statement of Community Involvement (October 2012)(?)</a>		
CD2.2	<a href="#">Minutes of the community meetings with Residents</a>		
<b>Section 3</b>	<b>Call-In direction</b>		
CD3.1	<a href="#">Letter under Article 25(1) of the Town and Country Planning (Development Management Procedure)(England) Order 2010 (23 July 2013)</a>		
CD3.2	<a href="#">Letter pursuant to Section 77 Town and Country Planning Act 1990 directing that the Secretary of State had called-in the planning application (24 September 2013)</a>		
<b>Section 4</b>	<b>Planning History</b>		
CD4.1	<a href="#">Prior Approval application (10PM/1551) 2 July 2010</a>		
CD4.2	<a href="#">Prior Approval application for demolition (11PM/0603) March 2011</a>		
CD4.3	<a href="#">Report to the Council's Planning Committee (11PM/0603) 19 April 2011</a>		
CD4.4	<a href="#">Secretary of States direction in respect of (11PM/0603) dated 17 June 2013</a>		
	<b>National Policy and Guidance</b>		
CD4.5	<a href="#">National Planning Policy Framework ( March 2012)</a>		
CD4.6	<a href="#">Planning Practice Guidance (March 2014)</a>		
CD4.7	<a href="#">PPS10: Planning for Sustainable Waste Management (March 2011)</a>		
CD4.8	<a href="#">National Audit Office Report for the Department for Communities and Local Government: Housing Market Renewal November 2007</a>		
CD4.9	<a href="#">House of Commons Committee of Public Accounts Report: Housing Market Renewal; Pathfinder 2008</a>		
<b>Section 5</b>	<b>Local Planning Policy</b>		
CD5.1	<a href="#">The Liverpool City Council Unitary Development Plan (saved polices) (November 2002)</a>		
CD5.2	<a href="#">Joint Waste Plan for Merseyside and Halton (2013)</a>		
CD5.3	<a href="#">Access for All (Supplementary Planning Document)</a>		
CD5.4	<a href="#">Ensuring a Choice of Travel (Supplementary Planning Document) (Dec 2008)</a>		
CD5.5	<a href="#">Liverpool City Council SPG Note 6 - Trees and Development</a>		
CD5.6	<a href="#">Liverpool City Council SPG Note 8 - Car &amp; Cycle Parking Standards</a>		
CD5.7	<a href="#">Liverpool City Council SPG Note 10 - New Residential Development</a>		
Doc Ref	Title/Document	Dated submitted	Electronic

		if after 20/5/2014	version received
CD5.8	<a href="#">The Liverpool City Council Core Strategy Submission Draft 2012</a>		
CD5.9	<a href="#">Liverpool SHLAA Site Schedules for Princes Park, Picton and Riverside</a>		
CD5.10	<a href="#">Liverpool City Council's Core Strategy Draft 2012 also includes the Sustainability Appraisal Non-Technical Summary</a>		
<b>Section 6</b>	<b>Guidance and other Documents</b>		
CD6.1	<a href="#">Liverpool City Council Strategic Housing Land Availability Assessment (April 2012)</a>		
CD6.2	<a href="#">Liverpool City Council Strategic Housing Marketing Assessment (May 2011)</a>		
CD6.3	<a href="#">Liverpool City Council Housing Strategy (2013-2016)</a>		
CD6.4	<a href="#">Liverpool City Council Empty Homes Strategy (2010-2013)</a>		
CD6.5	<a href="#">Liverpool City Region Strategic Local Investment Plan 2014-2017</a>		
CD6.6	<a href="#">Princes Park Neighbourhood Renewal Assessment (2005)</a>		
CD6.7	<a href="#">Princes Park Neighbourhood Renewal Assessment Review (2010)</a>		
CD6.8	<a href="#">Princes Park Neighbourhood Renewal Assessment Review (2013)</a>		
CD6.9	<a href="#">Audit Commission Housing Market Renewal – Housing, Programme review March 2011</a>		
CD6.10	<a href="#">By Design (DETR 2000) (cancelled by PPG)</a>		
CD6.11	<a href="#">Urban Design Compendium and Updates</a>		
CD6.12	<a href="#">Conservation Principles, Policies and Guidance (English Heritage 2008)</a>		
CD6.13	<a href="#">Manual for Streets (2007)</a>		
CD6.14	<a href="#">Design Manual for Roads and Bridges</a>		
CD6.15	<a href="#">English Heritage Guidance: "The Setting of Heritage Assets"(2011)</a>		
CD6.16	<a href="#">English Heritage Guidance: "Seeing the History in the View" (2011)</a>		
CD6.17	<a href="#">"Laying the Foundations-A Housing Strategy for England"(DCLG 2011)</a>		
CD6.18	<a href="#">Grant Schapps, Ministerial Statement on Housing Market Renewal (24 November 2011)</a>		
CD6.19	<a href="#">Mark Prisk, Ministerial Statement on Empty Homes (10 May 2013)</a>		
CD6.20	<a href="#">George Clark's Empty Homes Review -12 Recommendations</a>		
CD6.21	<a href="#">Mark Hines Architects, Reviving Britain's Terraces: Life After Pathfinder (July 2010)</a>		

Doc Ref	Title/Document	Dated submitted if after 20/5/2014	Electronic version received
CD6.22	<a href="#">Finlay Research, Housing Market Renewal: Critique commissioned by SAVE (April 2011)</a>		
CD6.23	<a href="#">House of Commons Briefing Paper Housing Market Renewal Pathfinders SN/SP/5953 (30 October 2013)</a>		
CD6.24	<a href="#">Feasibility Study from SAVE and Empty Homes (August 2012)</a>		
CD6.25	<a href="#">Alternative Proposals for the Welsh Streets : Constructive Thinking Architects (date)</a>		
CD6.26	<a href="#">Visual Survey of Madryn Street: Ed Morton (2012)</a>		
CD6.27	<a href="#">Condition Survey of 16 Houses on Madryn Street by Paul Sutton</a>		
CD6.28	<a href="#">Photographic record of properties in the Welsh Streets Area</a>		
CD6.29	<a href="#">Petitions</a>		
CD6.30	<a href="#">Pathfinder: SAVE Britain's Heritage report January 2006 SBH</a>		
CD6.31	<a href="#">Liverpool City Council New Heartlands Business Plan 2008 – 2011</a>		
CD6.32	<a href="#">Liverpool City Council Princes Park Conservation Area Appraisal Spring 2011</a>		
CD6.33	<a href="#">The Farrell Review 2014 Executive Summary SBH</a>		
CD6.34	<a href="#">Princes Park Ward Profile</a>		
CD6.35	<a href="#">AHP Architectural History Practice – Characterisation Assessment</a>		
CD6.36	<a href="#">Building for Life 12 (2012) Design Council CABE</a>		
CD6.37	<a href="#">Liverpool City Council pen Space Study</a>		
CD6.38	<a href="#">The Local Shop Report 2013</a>		
<b>Section 7</b>	<b>Compulsory Purchase Order</b>		
CD7.1	<a href="#">The Liverpool City Council (Welsh Streets Phases I &amp; II) Compulsory Purchase Order 2013</a>		
CD7.2	<a href="#">Order Map</a>		
CD7.3	<a href="#">Schedule of Interests attached to the Order</a>		
CD7.4	<a href="#">Statement of Reasons for making the Order on behalf of Liverpool City Council</a>		
CD7.5	<a href="#">Statement of Case on behalf of Liverpool City Council</a>		
CD7.6	<a href="#">Copy of Press/Site Notice</a>		
CD7.7	<a href="#">Copy of notice to interested parties</a>		

**ANNEX D – INQUIRY DOCUMENTS**

Doc Ref	Title	Dated submitted if after 20/5/2014
<b>Liverpool City Council (LCC)</b>		
<b>LCC1 – Mark Kitts - Housing policy and the need/justification for the CPO</b>		
LCC-1-A	<a href="#">Summary Proof of Evidence by Mark Kitts</a>	17/6/2014
LCC-1-B	<a href="#">Proof of Evidence by Mark Kitts</a>	
LCC-1-C	<a href="#">Appendices to the Proof of Evidence by Mark Kitts</a>	
LCC-1-D	<a href="#">Rebuttal Proof of Evidence by Mark Kitts</a>	6/6/2014
LCC-1-E	<a href="#">Appendices to the Rebuttal Proof of Evidence by Mark Kitts</a>	6/6/2014
<b>LCC2 – Caroline Baker - The NRA process and conclusions</b>		
LCC-2-A	<a href="#">Summary Proof of Evidence by Caroline Baker</a>	
LCC-2-B	<a href="#">Proof of Evidence by Caroline Baker</a>	
LCC-2-C	<a href="#">Rebuttal Proof of Evidence by Caroline Baker</a>	6/6/2014
<b>LCC3 – Derek Nesbitt - Viability review</b>		
LCC-3-A	<a href="#">Summary Proof of Evidence by Derek Nesbitt</a>	17/6/2014
LCC-3-B	<a href="#">Proof of Evidence by Derek Nesbitt</a>	
LCC-3-C	<a href="#">Appendices to the Proof of Evidence by Derek Nesbitt</a>	
LCC-3-D	<a href="#">Rebuttal Proof of Evidence by Derek Nesbitt</a>	6/6/2014
<b>LCC4 – Hugh Aitken - Building/property condition in the Welsh Streets</b>		
LCC-4-B	<a href="#">Proof of Evidence by Hugh Aitken</a>	
LCC-4-C	<a href="#">Appendices to the Proof of Evidence by Hugh Aitken</a>	
<b>LCC5 – Jason Goodwin - QS valuation considerations for refurbishment</b>		
LCC-5-A		
LCC-5-B	<a href="#">Proof of Evidence by Jason Goodwin</a>	
LCC-5-C	<a href="#">Appendices to the Proof of Evidence by Jason Goodwin</a>	
<b>LCC6 – Samantha Campbell - Planning evidence – consideration of the planning application</b>		
LCC-6-A	<a href="#">Summary Proof of Evidence by Samantha Campbell</a>	17/6/2014
LCC-6-B	<a href="#">Proof of Evidence by Samantha Campbell</a>	
LCC-6-C	<a href="#">Appendices to the Proof of Evidence by Samantha Campbell</a>	
<b>LCC7 – Rob Burns - Heritage and Urban Design</b>		
LCC-7-A	<a href="#">Summary Proof of Evidence by Rob Burns</a>	
LCC-7-B	<a href="#">Proof of Evidence by Rob Burns</a>	
LCC-7-C	<a href="#">Appendices to the Proof of Evidence by Rob Burns</a>	
LCC-7-D	<a href="#">Rebuttal Proof of Evidence by Rob Burns</a>	6/6/2014
<b>LCC8 – Mike Eccles - Planning Policy and housing land supply</b>		
LCC-8-A	<a href="#">Summary Proof of Evidence by Mike Eccles</a>	17/6/2014
LCC-8-B	<a href="#">Proof of Evidence by Mike Eccles</a>	
LCC-8-C	<a href="#">Appendices to the Proof of Evidence by Mike Eccles</a>	
<b>Plus Dane Group (LCC)</b>		
<b>LCC9 – Hannah Smith - PLANNING CHRONOLOGY AND POLICY (Planning and CPO)</b>		
LCC-9-A	<a href="#">Summary Proof of Evidence by Hannah Smith</a>	
LCC-9-B	<a href="#">Proof of Evidence by Hannah Smith</a>	
LCC-9-C	<a href="#">Appendices to the Proof of Evidence by Hannah Smith</a>	
<b>LCC10 – Louise Davies - Community Consultation, Deliverability and Viability (Planning and CPO)</b>		
LCC-10-A	<a href="#">Summary Proof of Evidence by Louise Davies</a>	
LCC-10-B	<a href="#">Proof of Evidence by Louise Davies</a>	
LCC-10-C	<a href="#">Appendices to the Proof of Evidence by Louise Davies</a>	
LCC-10-D	<a href="#">Rebuttal Proof of Evidence by Louise Davies</a>	6/6/2014
LCC-10-E	<a href="#">Appendices to the Rebuttal Proof of Evidence by Louise Davies</a>	6/6/2014
<b>LCC11 – Jim Keyte - Heritage (Planning predominantly)</b>		
LCC-11-A	<a href="#">Summary Proof of Evidence by Jim Keyte</a>	
LCC-11-B	<a href="#">Proof of Evidence by Jim Keyte</a>	

Doc Ref	Title	Dated submitted if after 20/5/2014
<b>LCC12 – Dawn Phythian – Ecology (Planning)</b>		
LCC-12-A	<a href="#">Summary Proof of Evidence by Dawn Phythian</a>	
LCC-12-B	<a href="#">Proof of Evidence by Dawn Phythian</a>	
LCC-12-C	<a href="#">Appendices to the Proof of Evidence by Dawn Phythian</a>	
<b>LCC13 – Pete Swift – Urban Design (Planning and CPO)</b>		
LCC-13-A	<a href="#">Summary Proof of Evidence by Pete Swift</a>	
LCC-13-B	<a href="#">Proof of Evidence by Pete Swift</a>	
LCC-13-C	<a href="#">Appendices to the Proof of Evidence by Pete Swift</a>	
LCC-13-D	<a href="#">Rebuttal Proof of Evidence by Pete Swift</a>	6/6/2014
<b>Liverpool City Council (LCC) INQUIRY DOCUMENTS (including PDG)</b>		
LCC-INQ-001	<a href="#">Opening Statement by LCC/PDG</a>	17/6/2014
LCC-INQ-001.1	<a href="#">Submissions of CPO Powers</a>	17/6/2014
LCC-INQ-002	<a href="#">Note of regarding Meeting of 25 April regarding Public Inquiry (dated 16 May 2014)</a>	17/6/2014
LCC-INQ-003	<a href="#">Property Pool Plus – Frequently asked questions</a>	17/6/2014
LCC-INQ-004	<a href="#">2011-15 AHP Funding by HCA Minimum Geography Area – as at the end of March 2014</a>	18/6/2014
LCC-INQ-005	<a href="#">Cambridge Study of bedroom tax Quantifying the extent of space shortages: English dwellings</a>	18/6/2014
LCC-INQ-006	<a href="#">Empty Homes Community Grants Programme Application Form</a>	18/6/2014
LCC-INQ-007	<a href="#">L8 Stock profile as of 2<sup>nd</sup> June 2014</a>	18/6/2014
LCC-INQ-008	<a href="#">Property Plus</a>	18/6/2014
LCC-INQ-009	<a href="#">SHMA Extracts with Notes (M Eccles)</a>	18/6/2014
LCC-INQ-010	<a href="#">Plan &amp; details of Tesco at Park Road.</a>	19/6/2014
LCC-INQ-011	<a href="#">PDG analysis: Phase 3</a>	19/6/2014
LCC-INQ-012	<a href="#">Press Release 18 June 2014 (SAVE)</a>	19/6/2014
LCC-INQ-013	<a href="#">Agreed Statement on Conditions &amp; Costings on 5 properties (dated 19 June)</a>	19/6/2014
LCC-INQ-014	<a href="#">Revised Appraisals following agreed statement on Conditions &amp; Costings Impact of Cost Assessment Appraisal</a>	24/6/2014
LCC-INQ-015	<a href="#">‘The Beatles’s Childhood Homes.</a>	24/6/2014
LCC-INQ-016	<a href="#">SAVE Welsh Street Press Releases</a>	24/6/2014
LCC-INQ-017	<a href="#">Photographs of Houses in L8</a>	24/6/2014
LCC-INQ-018	<a href="#">Decision and Extracts from CPO Report to the SOS for Communities &amp; Local Government – November 2006 – Picton, Andfield &amp; Edge Hill</a>	24/6/2014
LCC-INQ-019	<a href="#">Extracts from CPO Report to the SOS for Communities &amp; Local Government – November 2008 – Edge Lane West</a>	24/6/2014
LCC-INQ-020	<a href="#">English Heritage – Princes Park, Liverpool</a>	25/6/2014
LCC-INQ-021	<a href="#">Housing Mix by Local Authority for Northern Core Cities</a>	25/6/2014
LCC-INQ-022	<a href="#">Email exchange between National Trust &amp; Marcus Binney (April/May2014)</a>	25/6/2014
LCC-INQ-023	Appraisal and update on Costs	27/6/2014
LCC-INQ-024	Chimney Pot Park – Urban Splash	1/7/2014
LCC-INQ-025	Statement of compliance	25/6/2014
LCC-INQ-026	Closing submissions on behalf of LCC/PDG	2/7/2014
<b>Save Britain’s Heritage (SBH)</b>		
<b>Please note that the referencing on the SBH hard Documents is not consistent with the required referencing system – Please adjust your hard copies in line with this list.</b>		
Doc Ref	Title	Dated submitted if after 20/5/2014
<b>SBH1 – Alex Forshaw – Planning (Planning &amp; CPO)</b>		
SBH-1-A	<a href="#">Summary Proof of Evidence by Alex Forshaw</a>	
SBH-1-B	<a href="#">Proof of Evidence by Alex Forshaw</a>	
SBH-1-C	<a href="#">Appendices to the Proof of Evidence by Alex Forshaw</a>	

SBH-1-D	<a href="#">Rebuttal Proof of Evidence by Alex Forshaw</a>	6/6/2014
SBH-1-E	<a href="#">Appendices to the Rebuttal Proof of Evidence by Alex Forshaw</a>	6/6/2014
<b>SBH2 – Trevor Skempton – Design/Conservation/Sustainability/Communities (Planning &amp; CPO)</b>		
SBH-2-A	<a href="#">Summary Proof of Evidence by Trevor Skempton</a>	
SBH-2-B	<a href="#">Proof of Evidence by Trevor Skempton</a>	
SBH-2-C	<a href="#">Appendices to the Proof of Evidence by Trevor Skempton</a>	
<b>SBH3 – David Ireland – Empty Homes (Planning &amp; CPO)</b>		
SBH-3-A	<a href="#">Summary Proof of Evidence by David Ireland</a>	
SBH-3-B	<a href="#">Proof of Evidence by David Ireland</a>	
SBH-3-C	<a href="#">Appendices to the Proof of Evidence by David Ireland</a>	
<b>SBH4 – Ed Morton – Structural Condition (Planning &amp; CPO)</b>		
SBH-4-A	Summary not submitted	
SBH-4-B	<a href="#">Proof &amp; Appendices of Evidence by Ed Morton</a>	
SBH-4-C	<a href="#">Rebuttal Proof of Evidence by Ed Morton</a>	6/6/2014
SBH-4-D	<a href="#">Appendices to the Rebuttal Proof of Evidence by Ed Morton</a>	6/6/2014
<b>SBH5 – Gareth Carr - Architectural &amp; Social History (Planning &amp; CPO)</b>		
SBH-5-A	<a href="#">Summary Proof of Evidence by Gareth Carr</a>	
SBH-5-B	<a href="#">Proof of Evidence by Gareth Carr</a>	
SBH-5-C	<a href="#">Appendices to the Proof of Evidence by Gareth Carr</a>	
<b>SBH6 – David Bedford – Social &amp; Cultural History/Beatles (Planning &amp; CPO)</b>		
SBH-6-A	<a href="#">Summary Proof of Evidence by David Bedford</a>	
SBH-6-B	<a href="#">Proof of Evidence by David Bedford</a>	
SBH-6-C	<a href="#">Appendices to the Proof of Evidence by David Bedford</a>	
<b>SBH7 – Paul Sutton – Viability (Written Statement) (Planning &amp; CPO)</b>		
SBH-7-E	<a href="#">Written submission by Paul Sutton</a>	
SBH-7-F	<a href="#">Further Written submission by Paul Sutton</a>	6/6/2014
<b>Save Britain's Heritage (SBH) Inquiry Documents</b>		
SBH-INQ-001	<a href="#">Opening Statement by SBH</a>	17/6/2014
SBH-INQ-002	<a href="#">Simplified Appendix 2 to Proof of Alex Forshaw</a>	17/6/2014
SBH-INQ-003	<a href="#">Article regarding Removal of downpipes and lead flashings</a>	19/6/2014
SBH-INQ-004	<a href="#">Extract from 2011 Census Princes Park Ward</a>	24/6/2014
SBH-INQ-005	Not used	
SBH-INQ-006	<a href="#">Development option cost analysis</a>	25/6/2014
SBH-INQ-007	Declaration of the Princes Park Renewal Area	25/6/2014
SBH-INQ-008	Closings submissions on behalf of SBH	25/6/2014
<b>Other Proofs of Evidence - CPO</b>		
SAL-B	<a href="#">Proof of Evidence on behalf of Mr &amp; Mrs Saleh's</a>	
SAL-C	<a href="#">Withdrawal letter on behalf of Mr &amp; Mrs Saleh</a>	25/6/2014
PAL-B	<a href="#">Proof of Evidence on behalf of Mr Palmer</a>	
PAL-C	<a href="#">Withdrawal letter on behalf of Mr Palmer</a>	25/6/2014
IP-1	<b>Statements from the Interested Parties are in hard copy in the library</b>	1/7/2014
<b>Other Written Reps</b>		
WR-Jackson	<a href="#">Letter dated 21 May from Professor Jackson</a>	6/6/2014
WR-NT	<a href="#">Letter from National Trust dated 4/6/2014</a>	6/6/2014
WR-1	<b>All other written submission are in hard copy in the library</b>	1/7/2014
<b>Conditions</b>		
Cond-1	<a href="#">First draft of the conditions</a>	
Cond-2	<b>Final conditions</b>	1/7/2014





## Department for Communities and Local Government

### **RIGHT TO CHALLENGE THE DECISION IN THE HIGH COURT**

**These notes are provided for guidance only and apply only to challenges under the legislation specified. If you require further advice on making any High Court challenge, or making an application for Judicial review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000).**

The attached decision is final unless it is successfully challenged in the Courts. The Secretary of State cannot amend or interpret the decision. It may be redetermined by the Secretary of State only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

#### **SECTION 1: PLANNING APPEALS AND CALLED-IN PLANNING APPLICATIONS;**

The decision may be challenged by making an application to the High Court under Section 288 of the Town and Country Planning Act 1990 (the TCP Act).

#### **Challenges under Section 288 of the TCP Act**

Decisions on called-in applications under section 77 of the TCP Act (planning), appeals under section 78 (planning) may be challenged under this section. Any person aggrieved by the decision may question the validity of the decision on the grounds that it is not within the powers of the Act or that any of the relevant requirements have not been complied with in relation to the decision. An application under this section must be made within six weeks from the date of the decision.

#### **SECTION 2: AWARDS OF COSTS**

There is no statutory provision for challenging the decision on an application for an award of costs. The procedure is to make an application for Judicial Review.

#### **SECTION 3: INSPECTION OF DOCUMENTS**

Where an inquiry or hearing has been held any person who is entitled to be notified of the decision has a statutory right to view the documents, photographs and plans listed in the appendix to the report of the Inspector's report of the inquiry or hearing within 6 weeks of the date of the decision. If you are such a person and you wish to view the documents you should get in touch with the office at the address from which the decision was issued, as shown on the letterhead on the decision letter, quoting the reference number and stating the day and time you wish to visit. At least 3 days notice should be given, if possible.

If you require an alternative accessible version of this document (for instance in audio, Braille or large print) please contact our Customer Services Department:

Telephone: 0370 333 0607

Fax: 01793 414926

Textphone: 0800 015 0516

E-mail: [customers@HistoricEngland.org.uk](mailto:customers@HistoricEngland.org.uk)