

**Certificate issued to:-
Zerum Consult Limited
4 Jordan Street
Manchester
M15 4PY**

Application No: **16F/3078**
Date Issued: 29 November 2017

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT
PROCEDURE) ORDER 1995**

Location: **Land corner Bevington Bush, Gardners Row, Edgar Street, Liverpool, L3**

Proposal: **To erect three 9-19 storey apartment blocks containing 381 residential units with ground floor communal space, a commercial unit (Use Classes A1/A3/A4/D2), associated access, servicing, parking and landscaping.**

Applicant: **NR Scorpio LLP
c/o Niveda Group
Berkeley Square House
Berkeley Square
Mayfair
London
W1J 6BD**

Date Valid: **08/12/2016**

In pursuance of its powers under the above-mentioned legislation, the Local Planning Authority on **29 November 2017 GRANTED** planning permission for the above-mentioned development in accordance with your application, subject to the compliance with the conditions specified on the attached schedule, for the reasons stated.

(see attached)



Interim Head of Planning

SCHEDULE OF CONDITIONS AND REASONS

Condition No	Condition
1	<p>The development hereby permitted shall be commenced before the expiration of 3 years from the date of this permission.</p> <p>REASON: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.</p>
2	<p>Prior to development commencing on site a detailed construction management plan shall be submitted to and agreed in writing by the local planning authority. Such a plan, where appropriate, shall include:</p> <ul style="list-style-type: none"> (i) commencement and completion dates; (ii) hours of operation for construction work; (iii) scaffoldings and hoarding lines; (iv) measures to control noise and dust; (v) details of site compounds, including storage of plant and materials; (vi) temporary highway / utility works or closures; (vii) construction routes in and around the site and any measures for traffic management, which for the avoidance of doubt shall not adversely impact upon the operation of bus services on Scotland Road; (viii) parking of vehicles of site operatives and visitors; (ix) access for passing traffic and pedestrians; (x) any public realm works; (xi) wheel washing facilities; and (xii) scheme for managing and monitoring construction, demolition and excavation of waste, including an audit with the aim of preventing, reducing and recycling. <p>The Plan shall be implemented in the development hereby approved in full and include mechanisms for monitoring and review.</p> <p>REASON: It is in the interests of residential and environmental amenity, traffic management, highway safety, and in order to ensure that the development proceeds in a co-ordinated manner, in accordance with the NPPF and Policies GEN8, H3, T8, T9, EP11 & EP12 of the Liverpool UDP.</p>
3	<p>No part or phase of the development hereby permitted shall commence until;</p> <ul style="list-style-type: none"> a) An investigation and assessment methodology, including analysis suite and risk assessment methodologies and informed by the Clancy Consulting Phase 1 Geo-Environmental Desk Study - dated 27.10.15, has been completed and submitted to and approved by the LPA 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 LPA. The investigations and assessments shall be in accordance with current Government and Environment Agency recommendations and guidance and 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. <p>The assessment shall consider the potential risks to:</p>

	<p>i. human health, ii. controlled waters, iii. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, iv. adjoining land, v. ecological systems, and vi. Archaeological sites and ancient monuments.</p> <p>c) A detailed remediation scheme (if required), has been submitted to and agreed in writing with the LPA. This scheme shall include an appraisal of remedial options, 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.</p> <p>REASON: To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the NPPF and Policies GEN8 & EP2 of the Liverpool UDP.</p>
4	<p>After development commences and prior to occupation;</p> <p>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 LPA before this condition will be discharged.</p> <p>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 before the condition relating to the phase in question shall be discharged.</p> <p>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 LPA and a further assessment and a revised remediation scheme will be required by the LPA. If no contamination is found then this should be detailed in the remediation verification report.</p> <p>REASON: To ensure that risks from land contamination to future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with the NPPF and Policies GEN8, EP2 & EP12 of the Liverpool UDP.</p>
5	<p>Prior to any development commencing on site, a scheme for the disposal of foul and surface water from the development shall be submitted to and agreed in writing by the local planning authority; such an approved scheme shall be implemented in the development in full. For the avoidance of doubt, the site shall be drained on a separate system, combining on site just prior to connecting with public sewerage systems, with foul water draining to the public sewer and surface water draining in the most sustainable way and not onto the public highway. For the avoidance of doubt 30% betterment for the existing surface water run-off will be required in line with LCC surface water drainage requirements.</p>

	<p>REASON: To prevent flooding and pollution of the water environment by ensuring the satisfactory storage / disposal of foul and surface water, in accordance with the NPPF and Policies GEN8, EP11, EP12 & EP13 of the Liverpool UDP.</p>
6	<p>Prior to development commencing on site, a water network behaviour / demand modelling exercise shall be undertaken to determine a scheme for water supply infrastructure reinforcement to be implemented in the development, and be submitted for approval by the Local Planning Authority, in consultation with United Utilities; such an approved scheme to be implemented in the development in full prior to first occupation.</p> <p>REASON: To ensure the satisfactory supply of water to this development, in the interests of local amenity and public safety, and to prevent pollution of the water environment, in accordance with the NPPF and Policies GEN8, EP11, EP12 & EP13 of the Liverpool UDP.</p>
7	<p>Notwithstanding the submitted plans and drawings, approval of the following details shall be obtained from the local planning authority in writing, prior to development commencing on site; such approved details to be implemented in the development in full:</p> <p>(i) all means of enclosure, balustrades and handrails, including the enclosure of the northern building elevation with the adjacent substation on Bevington Bush, the enclosure of the car park access and egress points on Edgar Street/Gardner's Row, and the enclosure of the external courtyard access gate;</p> <p>(ii) plans, drawings and sections of all windows, doors, shopfronts and curtain wall glazing systems, drawn at a scale of 1:10, together with details of colour, finish and reveals;</p> <p>(iii) colour treatment of external surfaces, including brickwork, cladding and metalwork;</p> <p>(iv) siting and design of all external lighting systems, which for the avoidance of doubt shall not exceed 6 lux at any habitable room windows or cause unacceptable glare to passing motorists and not include non-standard lighting columns on highway land;</p> <p>(v) siting and design of any CCTV cameras, which for the avoidance of doubt shall be fixed and angled downwards away from nearby properties;</p> <p>(vi) details of roof treatment, including rainwater goods, roof vents, lift overruns, plant and crane equipment, extract flues and balustrades;</p> <p>(vii) plans and sections of all building entrances, drawn at a scale of 1:10, detailing handrails, colours and finish, automated door opening devices, security measures and glazing manifestations;</p>
8	<p>(viii) details of a scheme to allow for disabled access into the main entrance of Block B;</p> <p>(ix) siting and design of furniture / structures to be installed in areas of public realm and rooftop residential terraces, including seating, tables, pergolas and wind breaks;</p> <p>(x) siting and specification of any structures / equipment to be installed at the entrance to the basement and ground floor car park, including signage and any access control systems to be installed to the car park access lift;</p> <p>(xi) a package of obscure glazing treatment for windows in ground floor residential units and apartments facing the central courtyard and rooftop residential terraces, along with details of defensible landscaping outside of these windows;</p> <p>(xii) details of accessible WC/changing facilities to the communal residential areas, the residents' gym and the self-contained retail ground floor retail unit;</p> <p>(xiii) details of building canopies and other structures to mitigate adverse impacts of potential wind downdraft and</p> <p>(xiv) details of any external louvres/vents associated with the basement parking levels.</p>

	<p>REASON: These details are not included in the application and the Council wishes to ensure that they are satisfactory in the interests of visual, residential and environmental amenity, public safety and to ensure inclusive access, in accordance with the NPPF, Policies GEN8, HD18, HD19, HD20, HD28, H3, H5, S14, S16, T7, T8, T9, EP11 & SPG Note 9 of the Liverpool UDP and Design for Access for All - SPD.</p>
9	<p>Prior to development commencing on site, 1 metre x 1 metre sample panels of all facing, roofing and surfacing materials to be used in the external construction of development, shall be erected on site for the approval of the local planning authority; such approved samples to be implemented in the development hereby approved in full.</p> <p>REASON: These details are not included in the application and the Council wishes to ensure that they are satisfactory in the interests of visual amenity, in accordance with the NPPF and Policy HD18 of the Liverpool UDP.</p>
10	<p>Prior to commencement of development, 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 to the satisfaction of the local planning authority before the development is occupied/brought into use.</p> <p>REASON: To ensure a satisfactory external appearance in accordance with Policy HD18 of the Liverpool Unitary Development Plan.</p>
11	<p>Except for site clearance and remediation no development shall commence until a scheme for the design and construction of highway improvement works has been submitted to and approved in writing by the Council as Local Planning Authority. For avoidance of doubt, the works shall include:</p> <ul style="list-style-type: none"> (i) widening of the western footway of Scotland Road between the existing Toucan crossings at Wellington Street and Leeds Street to provide a shared cycleway/footway; (ii) vehicular access points to Gardners Row and Edgar Street; (iii) pedestrian access point to Scotland Road; (iv) pedestrian/cycle linkage between the site and Gardeners Row, Edgar Street, Scotland Road and Bevington Bush; (v) reconstruction/refurbishment of footways along the site frontage to Gardners Row, Edgar Street and Bevington Bush; (vi) dropped kerbs and tactile paving at the new vehicular access points and across the junctions of Edgar Street and Bevington Bush. <p>The approved schemes shall subsequently be implemented prior to first occupation of the development hereby approved.</p> <p>Reason: To ensure that the sufficient measures are taken such that the highway network can accommodate the development and that the traffic generated does not exacerbate unsatisfactory highway or transportation conditions.</p>
12	<p>Except for site clearance and remediation no development shall take place until a scheme to permanently close off the existing vehicular and/or pedestrian access on to Gardners Row, Edgar Street and Bevington Bush has been submitted to and approved in writing by the Council as Local Planning Authority. The approved scheme shall subsequently be implemented prior to first occupation of the development hereby approved.</p>

	Reason: To limit the number of access points to, and to maintain the proper construction of, the highway in the interests of road safety.
13	<p>Notwithstanding the details provided, precise details of the construction and finish of materials (including landscaping details) used within adopted highway shall be submitted to and approved in writing by the Council as Local Planning Authority prior to the commencement of any site works. The approved works shall subsequently be constructed to those agreed details.</p> <p>Reason: In order that the Council is satisfied that the highway works are carried out to the appropriate standard and to ensure that satisfactory access is provided before the development becomes operative.</p>
14	<p>Prior to occupation of the development hereby permitted the existing bus stop infrastructure on both sides of Scotland Road within 150m of the development site shall be upgraded in accordance with an agreed scheme to be submitted to, and approved in writing by, the Council as local planning authority.</p> <p>Reason: To establish measures to encourage more sustainable non-car modes of transport and ensure that the development is sustainable.</p>
15	<p>Prior to development commencing on site (including pre-construction delivery of equipment or materials, or the creation of site access), a tree survey shall be undertaken and submitted for approval by Local Planning Authority; clearly detailing which existing trees are to be removed and those which are earmarked for retention; such an approved survey to be implemented in the development and inform tree protection measures, as required by condition, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: It is in the interests of visual amenity, and public safety, in accordance with the NPPF and Policy HD22 of the Liverpool UDP.</p>
16	<p>Prior to commencement of works on site (including the pre-construction delivery of equipment or materials, or the creation of site access), a method statement, shall be submitted and approved in writing by the local planning authority, detailing the position and construction specification of the protective fencing (construction exclusion zone) around the retained trees and areas of future planting and soft landscaping on site. Such approved tree protection measures to be implemented in the development hereby approved in full and be maintained throughout construction, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: It is in the interests of visual amenity, and public safety, in accordance with the NPPF and Policy HD22 of the Liverpool UDP. and in accordance with the duty of the Council under Section 197 of the Town and Country Planning Act 1990, in respect of the planting and preservation of trees, in order to protect, on the basis of advice given in BS 5837 2012 "Trees in relation to design, demolition and construction" , the trunk and vulnerable surface root systems from damage, including breakage of limbs by vehicles and equipment, asphyxiation arising from soil compaction, chemical pollution, and the loss of foliage through the effects of heat.</p>
17	Prior to any above ground development commencing on site, a plan detailing the number, size, species, and location of trees and other soft landscaping to be planted in

	<p>the central courtyard, rooftop residential terraces and on surrounding highway land as public open space, along with the hard landscaping treatment of ground not built upon or planted, informed by the Landscape Report (P-IE) PL1488-ID-001-06 Revision 7, shall be submitted to and approved in writing by the local planning authority. For the avoidance of doubt, the plan must be to a recognised scale and the symbols used and plant schedule provided must comply with BS EN ISO 11091:1999 Construction Drawings Landscape drawing practice, and include two specific tree planting specifications; one for planting in soil/grass and another in hard surfaced areas. The latter will need to show Silva or Strata cells to provide structure to the footpath and the paving surface over the tree pit (or tree planting trench as is preferred) will need to incorporate Arborslot tree. All trees on LCC land shall be of 25-30cm / 30-35cm girth; a selection of which will need to be agreed by the local authority before planting, and the Quercus rober fastigiata koster and Mesta sequoias would be more appropriate species than Lirodendron, which is too brittle. Landscaping works to adopted highway land shall not include shrub or hedge planting, all surfacing materials and structures shall be of a standard Council specification and not preclude the future widening of the western side of Scotland Road (north-bound carriageway) as an additional access road to Kingsway tunnel.</p> <p>REASON: It is in the interests of visual and residential amenity, and public safety, in accordance with the NPPF, Policies HD18 & HD23 of the Liverpool UDP.</p>
18	<p>(i) The approved landscaping scheme 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.</p> <p>(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).</p> <p>REASON: It is in the interests of visual and residential amenity, and public safety, in accordance with the NPPF, Policies HD18 & HD23 of the Liverpool UDP, and the duty of the Council under Section 197 of the Town and Country Planning Act 1990 in respect of the planting and preservation of trees..</p>
19	<p>Prior to the first occupation of the development hereby approved, a strategy for the management and maintenance of the premises shall be submitted to and agreed in writing by the local planning authority; such a strategy to be implemented in the development hereby approved in full and coordinated by the on-site building management office, and be maintained thereafter as such for the lifetime of the development. For the avoidance of doubt, this shall:</p> <p>(i) make provision for controlled and secure access to the ground and basement car parks, the 4 no. residential building entrances, the external courtyard entrance and rooftop residential terraces and all associated communal access areas;</p> <p>(ii) provision for a landscape management plan to ensure the continued and ongoing health and survival of trees and soft landscaping within areas of public realm, rooftop residential terraces and the central courtyard; and</p> <p>(iii) the appointment of a designated coordinator who is responsible for the implementation, monitoring and ongoing review of the strategy for the life of the development, and a schedule for audit.</p>

	<p>REASON: To ensure that the development is operated and maintained in a manner which safeguards the amenity and security of future occupiers and users of this development, and in the interests of visual amenity and highway safety, in accordance with the NPPF and Policies HD18, HD20, HD23, H3,H5, T7, T8 & T9 of the Liverpool UDP.</p>
20	<p>The 381 no. residential apartments hereby approved shall not be brought into occupation until a package of acoustic insulation for all residential units, informed by the AEC Noise Assessment - dated (09.11.16), has been submitted and approved by the local planning authority (in consultation with the Council's Environmental Protection Unit), and implemented in the development in full. For the avoidance of doubt, sound mitigation shall take the form of a package of acoustic treatment to all habitable room windows, together with the provision of a scheme of acoustically-attenuated ventilation, which removes the need to open windows for ventilation purposes to ensure that the same performance criteria can be met.</p> <p>REASON: It is in the interests of the amenity of occupiers of the residential accommodation and so as not to unduly compromise the operations of local businesses, in accordance with the NPPF and Policies GEN8, E1, HD18, H3, H5, S14 & EP11 of the Liverpool UDP.</p>
21	<p>Prior to the development hereby approved being brought into use a fume extraction system shall be installed to any commercial hot food preparation areas in the ground floor self-contained commercial unit (Use Class A3), and be operating to the satisfaction of the local planning authority (in consultation with the Council's Environmental Health Service). For the avoidance of doubt, extract ducts shall be acoustically insulated and acoustically isolated from associated fans and the building structure, the discharge point should be at least 1 metre above roof eaves or in another such position so as to minimise the likelihood of nuisance to neighbouring premises, and any fume extraction system shall not be operated outside the hours of 07.00 to 0.00 (midnight) hours, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To avoid reduction in amenity or causing nuisance by noise and odour in accordance with the NPPF and Policies GEN8, HD18, H3, S14 & EP11 of the Liverpool UDP.</p>
22	<p>(i) Notwithstanding any details shown on the plans hereby approved, full details of waste storage facilities (residential and retail) to be provided at ground level within each block, identifying both general waste and recycling facilities shall be submitted for approval in writing by the local planning authority. Such details as approved to implemented in full, prior to the development hereby approved being brought into use.</p> <p>(ii) All waste materials generated by the uses hereby permitted, whether to be discarded as refuse or recycled, shall be stored within the approved refuse stores and only be taken on-street by the building management office, immediately prior to refuse collection.</p> <p>(iii) The times and frequency of deliveries and refuse collection from surrounding highways and loading bays shall be agreed with the local planning authority through the submission of a servicing management strategy. For the avoidance of doubt, servicing shall not be carried out between 0.00 (midnight) and 06.00 hours, and not during morning and evening traffic peaks.</p>

	<p>REASON: It is in the interests of visual, residential and environmental amenity, the operation of local businesses, to avoid traffic congestion and protect highway safety, in accordance with the NPPF, Policies E1, HD18, H3, H5, T7, T8, T9, S14, EP9 & EP11 of the Liverpool UDP and Ensuring a Choice of Travel - SPD.</p>
23	<p>The proposed new highway boundaries shall be marked out on site prior to commencement of construction of any part of the development fronting the highway.</p> <p>Reason: To prevent buildings/structures being erected within the highway</p>
24	<p>(i) The secure cycle parking facilities to be provided at ground floor level, and within the areas of public realm at the northern and southern ends of the development shall be implemented in full, prior to the development hereby approved being brought into use. For the avoidance of doubt, this shall comprise secure, covered cycle stands capable of accommodating a minimum of 190 no. cycles for residents and a minimum of 22 no. cycle spaces for visitors.</p> <p>(ii) The cycle parking facilities shall be subsequently maintained in an operational condition to the satisfaction of the local planning authority and be made available to occupiers and visitors of the premises at all times, and shall not be used for any other purpose without prior approval of the local planning authority.</p> <p>REASON: It is in the interests of reducing traffic congestion and pollution, and facilitating sustainable travel, in accordance with the NPPF, Policies GEN8 & T6 of the Liverpool UDP, Ensuring a Choice of Travel - SPD and Liverpool's Local Transport Plan.</p>
25	<p>Prior to the occupation of any dwelling, a Residential Travel Plan shall be submitted to and approved in writing by the Council as Local Planning Authority. The Plan shall include immediate, continuing and long-term measures to promote and encourage alternative modes of transport to the single-occupancy car. For the avoidance of doubt, the Travel Plan shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> a) Production and distribution of an information pack for residents detailing travel options and information for all modes of travel b) Information on existing transport policies, services and facilities, travel behaviour and attitudes c) Access for all modes of transport d) Resource allocation including Travel Plan Co-ordinator and budget e) A marketing and communications strategy f) Appropriate measures and actions to reduce car dependence and encourage sustainable travel specifically including the provision of a City Car Club space and membership of the Car Club Scheme and provision of a 12 space Citybike stand, 12 Citybikes and membership of the Citybike Scheme for 25% of the residents. g) An action plan including a timetable for implementation of each of each of the above h) Mechanisms for monitoring, reviewing and implementing the travel plan <p>The Approved Residential Travel Plan shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.</p> <p>An annual report shall be submitted to the council no later than 1 month following the</p>

	<p>anniversary of the first occupation of the development for a period of 5 years. The annual report shall include a review of the Residential Travel Plan measures, monitoring data and an updated action plan.</p> <p>Reason: To maximise opportunities for travel by modes of transport other than the private car, and to ensure that the development is sustainable.</p>
26	<p>Prior to the occupation of the development hereby approved, a scheme for the internal window display treatment of the ground floor retail shopfront shall be submitted to and agreed in writing by the local planning authority; such an approved scheme to be implemented in the development hereby approved in full. For the avoidance of doubt, all windows shall be kept free of advertisement vinyls and other forms of obscure treatment, and permanent shopfront treatments shall be installed prior to the first occupation of the wider development, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: The City Council wishes to maintain permanent active ground floor frontages from the outset of development in the interests of local character and amenity, and public safety, in accordance with the NPPF and Policies HD18 & HD20 of the Liverpool UDP.</p>
27	<p>The 381 no. residential units hereby approved shall be used exclusively as 106 no. studios, 136 no. one bedroom apartments and 139 no. two bedroom apartments (Use Class C3) under the Schedule to the Town and Country Planning (Use Classes) (Amendment) Order, 1987.</p> <p>REASON: The City Council wishes to have control over changes to other residential uses in order to protect the character and amenity of the locality, and avoid under competition for on-street car parking in the interests of highway safety, in accordance with the NPPF and Policies GEN8, E1, HD18, H3, H5, T7, T8, T9 & EP11 of the Liverpool UDP.</p>
28	<p>The self-contained ground floor retail unit hereby approved shall be used exclusively for A1 (Shops) and A3 (Restaurants & Cafes) use under the Schedule to the Town and Country Planning (Use Classes) (Amendment) Order 1987, and not for any other purpose without the prior written consent of the local planning authority, and not exceed a maximum floorspace of 150 m².</p> <p>REASON: The City Council wishes to have control over changes to other uses in order to protect local character and amenity, and retail vitality and viability, in accordance with the NPPF and Policies E1, HD18, H3, S12, S14 & EP11 of the Liverpool UDP.</p>
29	<p>Insofar as this permission relates to the self-contained ground floor retail unit (Use Classes A1 & A3) hereby approved, these premises shall not be open for business outside the hours of 07.00 and 0.00 (midnight), with all customers to have left the premises by 0.00 (midnight) hours and all windows and doors closed, other than the use of doors for access, by 23.00 hours, unless otherwise agreed in writing by the Local Planning Authority</p> <p>REASON: To ensure that residents of this development and nearby occupiers are not adversely affected, in accordance with the NPPF and Policies GEN8, E1, HD18, H3, S14 & EP11 of the Liverpool UDP.</p>
30	<p>Noise control measures must be employed within the development such that sound generated within any A1 or A3 area does not give rise to noise levels exceeding NR30 in nearby residential units (expressed in terms of the maximum sound pressure level in</p>

	<p>each octave band).</p> <p>REASON: To ensure that residents of this development and nearby occupiers are not adversely affected, in accordance with the NPPF and Policies GEN8, E1, HD18, H3, S14 & EP11 of the Liverpool UDP.</p>
31	<p>The rating level of the noise emitted from any plant shall not exceed existing background noise level. The noise level shall be determined at the nearest noise sensitive premises and the measurements and assessments shall be made according to BS4142:1997. 'Method for Rating Industrial Noise Affected Mixed Residential and Industrial Areas'.</p> <p>REASON: To ensure that residents of this development and nearby occupiers are not adversely affected, in accordance with the NPPF and Policies GEN8, E1, HD18, H3, S14 & EP11 of the Liverpool UDP.</p>
32	<p>In so far as this consent relates to any A3 use no bottles/crates shall be stored outside of the building and no sorting of bottles shall take place outside of the building at any time.</p> <p>REASON: To ensure that residents of this development and nearby occupiers are not adversely affected, in accordance with the NPPF and Policies GEN8, E1, HD18, H3, S14 & EP11 of the Liverpool UDP.</p>
33	<p>All loading, unloading and parking of vehicles in connection with the development hereby permitted shall take place within the space allocated for those purposes, as shown on the approved plans accompanying this application, and as required by condition, and be used exclusively to meet this requirement. For the avoidance of doubt, all new loading bays and a new 'City Car' parking space on surrounding highways shall be laid out in full, prior to first occupation of the development, and the 59 no. off-street ground and basement car parking spaces, shall be solely used by occupiers of this development, and not sold, leased or hired out to any third party.</p> <p>REASON: It is in the interests of highway safety, local character and amenity, to avoid congestion on adjoining streets and to avoid undermining the operation of local businesses and local amenity, in accordance with the NPPF, Policies GEN6, E1, HD18, H3, H5, S14, T7, T8, T9 & T14 of the Liverpool UDP, Ensuring a Choice of Travel - SPD, the Council's City Centre Parking Strategy and Charging Structure and the Council's Local Transport Plan.</p>
34	<p>No tree felling or vegetation management, ground clearance and/or building works shall take place during the period 1 March to 31 August inclusive, unless it is absolutely necessary to undertake works during this 'bird breeding' season and then a survey of buildings, trees and vegetation shall first be undertaken by an appropriately experienced ecologist to ensure no breeding birds are present, and if breeding birds are identified as being present it will be necessary to provide measures to ensure that they are appropriately protected during construction; details of which shall first be submitted for approval by the Local Planning Authority; and subsequently be implemented in the development in full.</p> <p>REASON: As built features or vegetation on site may provide nesting opportunities for protected breeding birds, and it is in the interests of protecting the ecological environment within the site during the implementation of the development and preserving its future biodiversity, in accordance with the NPPF and Policy GEN8.</p>
35	<p>The development shall not be occupied until the owners and occupiers of the site have</p>

	<p>appointed a Travel Plan Co-ordinator. The Travel Plan Co-ordinator shall be responsible for the implementation, delivery, monitoring and promotion of the Travel Plan, including the day-to-day management of the steps identified to secure the sustainable transport initiatives. The details (name, address, telephone number and email address) of the Travel Plan Co-ordinator shall be notified to the Council as Local Planning Authority upon appointment and immediately upon any change.</p> <p>Reason: To ensure that an approved Travel Plan is implemented, in order to establish sustainable, non-car modes of transport.</p>
36	<p>All doors and windows on elevations of the buildings adjacent to the existing highway shall be constructed and installed such that from the level of adjacent highway for a height of up to 2.4 metres they do not open over the highway and for a height of above 2.4 metres no part of an open door or window shall come within 0.5 metres of the carriageway. Any future replacement doors and windows shall also comply with this requirement.</p> <p>Reason: To protect pedestrians and other highway users</p>
37	<p>The development shall not be brought into use until the areas indicated on the submitted plans to be set aside for parking and servicing have been surfaced, drained and permanently marked out or demarcated in accordance with the details and specifications shown. The parking and servicing areas shall be retained as such thereafter.</p> <p>Reason: To ensure that adequate provision is made on the site for the traffic generated by the development, including allowance for safe circulation, manoeuvring, loading and unloading of vehicles as well as parking, and that hard-surfaced areas have a satisfactory appearance.</p>
38	<p>Notwithstanding the provisions of Schedule 2 of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order replacing or superseding that Order), no external structures shall be installed upon the roof area(s) of any building hereby permitted without the written agreement of the local planning authority.</p> <p>REASON: The City Council wishes to retain control over any addition of telecommunications equipment or roof top structures in the interests of protecting the integrity of the building design and general visual amenity and in accordance with Policy HD18 of the Liverpool Unitary Development Plan.</p>
39	<p>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:</p> <p>(i) Drawing Numbers LOCATION PLAN: P14-092-02-02-001B Existing Location Plan 1:1250 P14-092-02-02-002B Existing Location Plan 1:500 EXISTING SITE PLAN: 15B083/001 Topographical Survey of the Land PLANS:</p>

P14-092-02-02-003B Proposed Site Plan 1:500
P14-092-02-01-000F Proposed underground car park
P14-092-02-01-001Q Proposed Ground Floor Plan
P14-092-02-01-002J Proposed 1st Floor Plan
P14-092-02-01-003J Proposed 2nd Floor Plan
P14-092-02-01-004E Proposed 3rd Floor Plan
P14-092-02-01-005F Proposed 4th Floor Plan
P14-092-02-01-006F Proposed 5th Floor Plan
P14-092-02-01-007E Proposed 6th Floor Plan
P14-092-02-01-008A Proposed 7th Floor Plan
P14-092-02-01-009A Proposed 8th Floor Plan
P14-092-02-01-010B Proposed 9th Floor Plan
P14-092-02-01-011A Proposed 10th Floor Plan
P14-092-02-01-012A Proposed 11th Floor Plan
P14-092-02-01-013 Proposed 12th Floor Plan
P14-092-02-01-014 Proposed 13th Floor Plan
P14-092-02-01-015 Proposed 14th Floor Plan
P14-092-02-01-016 Proposed 15th Floor Plan
P14-092-02-01-018 Proposed 17th Floor Plan
P14-092-02-01-020 Proposed Roof Plan
P14-092-02-03-A-001E Proposed Ground Floor Plan - Building A
P14-092-02-03-A-002H Proposed 1st Floor Plan - Building A
P14-092-02-03-A-003B Proposed 2nd Floor Plan - Building A
P14-092-02-03-A-004C Proposed 3rd Floor Plan - Building A
P14-092-02-03-A-005 Proposed 4th Floor Plan - Building A
P14-092-02-03-A-006 Proposed 5th Floor Plan - Building A
P14-092-02-03-A-007 Proposed 6th Floor Plan - Building A
P14-092-02-03-A-008 Proposed 7th Floor Plan - Building A
P14-092-02-03-A-009 Proposed 8th Floor Plan - Building A
P14-092-02-03-B-001G Proposed Ground Floor Plan - Building B
P14-092-02-03-B-002G Proposed 1st Floor Plan - Building B
P14-092-02-03-B-003G Proposed 2nd Floor Plan- Building B
P14-092-02-03-B-004D Proposed 3rd Floor Plan - Building B
P14-092-02-03-B-005D Proposed 4th Floor Plan - Building B
P14-092-02-03-B-006C Proposed 5th Floor Plan - Building B
P14-092-02-03-B-007C Proposed 6th Floor Plan - Building B
P14-092-02-03-B-008 Proposed 7th Floor Plan - Building B
P14-092-02-03-B-009 Proposed 8th Floor Plan - Building B
P14-092-02-03-B-010 Proposed 9th Floor Plan - Building B
P14-092-02-03-B-011 Proposed 10th Floor Plan - Building B
P14-092-02-03-B-012 Proposed 11th Floor Plan - Building B
P14-092-02-03-B-013 Proposed 12th Floor Plan - Building B
P14-092-02-03-B-014 Proposed 13th Floor Plan - Building B
P14-092-02-03-B-015 Proposed 14th Floor Plan - Building B
P14-092-02-03-B-016 Proposed 15th Floor Plan - Building B
P14-092-02-03-B-017 Proposed 16th Floor Plan - Building B
P14-092-02-03-B-018 Proposed 17th Floor Plan - Building B
P14-092-02-03-B-019 Proposed 18th Floor Plan - Building B
P14-092-02-03-C-001I Proposed Ground Floor Plan - Building C
P14-092-02-03-C-002H Proposed 1st Floor Plan - Building C
P14-092-02-03-C-003G Proposed 2nd Floor Plan - Building C

	<p>P14-092-02-03-C-004E Proposed 3rd Floor Plan - Building C P14-092-02-03-C-005D Proposed 4th Floor Plan - Building C P14-092-02-03-C-006D Proposed 5th Floor Plan - Building C P14-092-02-03-C-007E Proposed 6th Floor Plan - Building C P14-092-02-03-C-008A Proposed 7th Floor Plan - Building C P14-092-02-03-C-009A Proposed 8th Floor Plan - Building C P14-092-02-03-C-010C Proposed 9th Floor Plan - Building C P14-092-02-03-C-011A Proposed 10th Floor Plan - Building C ELEVATIONS: P14-092-02-05-001F Elevation 01 P14-092-02-05-002E Elevation 02 P14-092-02-05-003D Elevation 03 P14-092-02-05-004D Elevation 04</p>
40	<p>P14-092-02-05-A-001B Elevation 01 - Block A P14-092-02-05-A-002B Elevation 02 - Block A P14-092-02-05-A-003B Elevation 03 - Block A P14-092-02-05-A-004B Elevation 04 - Block A P14-092-02-05-A-005B Elevation 05 - Block A P14-092-02-05-A-006 B Elevation 06 - Block A P14-092-02-05-B-001E Elevation 01 - Block B P14-092-02-05-B-002C Elevation 02 - Block B P14-092-02-05-B-003C Elevation 03 - Block B P14-092-02-05-B-004B Elevation 04 - Block B P14-092-02-05-C-001G Elevation 01 - Block C P14-092-02-05-C-002G Elevation 02 - Block C P14-092-02-05-C-003B Elevation 03 - Block C P14-092-02-05-C-004F Elevation 04 - Block C</p> <p>(ii) Supporting Documents: Design and Access Statement, Noise Impact Assessment, Clancy Phase 1 Geo-Environmental Desk Study, Aborigicultural Implications Assessment, DTPC Interim Travel Plan, DTPC Transport Statement, Zerum Supporting Planning Statement, Clancy Drainage Strategy, , Planit Intelligent Environments Design and Access Statement Rev 07.</p> <p>REASON: To ensure that the development is carried out in accordance with the approved plans and within the parameters of the grant of planning permission.</p>
41	<p>Notwithstanding any details required by condition 17, prior to commencement of development, a full phasing plan shall be submitted to, and approved in writing by the local planning authority. The phasing plan shall detail the extent of highways/landscaping works provided for. For the avoidance of doubt the highway works and landscaping scheme along Scotland Road shall be delivered as part of the first phase. The development shall be implemented in accordance with the approved phasing plan and shall only be varied with the prior written approval of the local planning authority.</p> <p>REASON: It is in the interests of the amenity of the surrounding occupiers and in accordance with Policy GEN8 of the Liverpool Unitary Development Plan.</p>

INFORMATIVES

Reasons for Approval - Positive Planning

The decision to grant permission and impose any conditions has been taken having regard to the relevant policies and proposals in the Liverpool Unitary Development Plan 2002. The Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with planning applications and has therefore implemented the requirement in NPPF Paragraph 187.

Liverpool expects strict compliance with all conditions attached to planning decisions. Conditions particularly pre-commencement conditions require submission to and approval in writing by local planning authority before any works start. Failure to discharge conditions before commencing development could result in the development being unlawful. Central Government regulations since April 2008 now mean that a fee is normally payable to formally discharge planning conditions.

The Environment Agency

The Environment Agency strongly recommends that chemical testing of soils for site investigation, verification of remediation and long-term site monitoring should be undertaken by laboratories with accreditation to the Environment Agency's Monitoring Certification Scheme (MCERTS) performance standard for soils. Liverpool City Council also recommend the adoption of these standards when the above mentioned activities are undertaken in accordance with planning requirements or as part of a voluntary remediation scheme. Further information on the standard is available on the Environment Agency's website at www.environment-agency.gov.uk/mcerts.

Liverpool City Council

Liverpool City Council guidance relating to the re-development of potentially-contaminated land is available at <http://www.liverpool.gov.uk/Business/Environmental-health/contaminated-land/>. This sets out general advice for Developers, the responsibilities of all involved parties, and detailed technical requirements for Environmental Consultants preparing information for regulatory submission. The Developer & Consultants' Guide, in particular, should be followed during the preparation and reporting of investigations so as to ensure of their adequacy, and allow swift, informed decisions to be made on the suitability of a proposed development and any remediation schemes put forward. We stress that failure of an appointed Environmental Consultant to submit adequate information is likely to result in requests for further information, may delay the commencement of a development, or prevent the discharge of associated Planning Conditions.

The permission hereby granted does not convey any rights or approval to build on, or develop, any land that is not fully owned or controlled by the applicant, including party boundaries. Applicants should satisfy themselves that the agreement of any adjoining land owners has been given prior to works commencing on site.

During the site works the contractor shall pay full regard to the best practicable means available in respect of the control of noise and dust from the site. In addition, no operations which are audible at the site boundary shall be carried out:

- (i) outside the hours of 0800 to 1800 weekdays
- (ii) outside the hours of 0800 to 1300 Saturdays, and
- (iii) at any time on Sundays or Bank Holidays.

The applicant is advised that any advertisement signage required in connection with the development may require the submission of separate applications for advertisement consent.

The applicant is advised that all necessary off-site highways works shall be carried out to adoption standards and constructed/overseen by Amey Ltd, at nil cost to the City Council, by means of a Section 278 Highways Agreement. For the avoidance of doubt, all highway materials removed shall be reclaimed by the City Council. In this respect, the applicant should contact the Council's Highways Management Section on telephone number: 0151 233 5241.

The applicant is advised that a Section 177 Highways Licence will be required for any parts of the building or structures that are situated on or overhang the public highway. For the avoidance of

doubt, overhanging building elements, and all windows and doors in the buildings, shall have a minimum footway clearance of 2.4 metres and a minimum footway clearance of 5.3 metres within 500 mm of the vehicular carriageway. In this respect, the applicant should contact the Council's Highways Management Section on telephone number: 0151 233 0326.

The applicant is advised that the temporary closing up of any highways will require a formal application to the City Council for an order to carry out works over the highway under The Planning or Highways Acts. In this respect the applicant should contact the Council's Private Streetworks Section on telephone number: 0151 233 0326.

The applicant is advised that a Section 115 Highways Licence will be required for any seating, tables or structures to be situated on the public highway. In this respect, the applicant should contact the Council's Highways Management Section on telephone number: 0151 233 0326.

The applicant is advised that Section 50 & 58 Highways Works Notices will be required, prior to any construction works commencing on highway land. In this respect, the applicant should contact the Council's Highways Management Section on telephone number: 0151 233 0326.

The applicant is advised that the proposed closure of sections of adopted highway at Edgar Street, Gardner's Row and Bevington Bush to enable the development hereby approved to be constructed, will first require the stopping-up and/or diversion of highways and require that Section 247 Highways Licence is obtained; and any such closures shall be fully funded by the developer at nil cost to the Council. For the avoidance of doubt, a Prohibition of Driving Order would not be appropriate for highway closures, whilst off-site highway works should not adversely impact upon the operation of the nearby Kingsway road tunnel, including not precluding the potential future widening of the western side of Scotland Road (north-bound carriageway) as an additional access road to the tunnel. In this respect, the applicant should contact the Council's Highways Management Section on telephone number: 0151 233 0326.

The applicant is advised that if any bats or other European protected species are found on site, then as a legal requirement, work must cease and advice be sought from a licensed specialist.

The development proposes the construction of new residential and commercial units, and Liverpool City Council is the street name and numbering authority responsible for allocating postal addresses to new properties. It is essential that full consultation is entered into with Liverpool City Council Streetworks Section to ensure that street naming and/or numbering is appropriately agreed within this development in accordance with LCC standards. In this respect, the applicant should contact the Council's Highways Management Section on telephone number: 0151 233 5241.

The applicant is advised that the challenge to comply with the requirements of the Disability Discrimination Act (DDA) 1995 (updated 2005) and the Equality Act 2010 remains the duty of the building occupier. The Acts oblige the service provider / operator of a building or place that is open for people to enter or use, to remove, alter or provide a reasonable means of avoiding physical barriers where it would be seen as a reasonable adjustment and where it is possible to do so.

The applicant is advised that United Utilities will require a separate metered water supply to each unit at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations 1999. Furthermore, the level of cover to the mains and sewers must not be compromised either during or after construction. In this respect the applicant is advised to contact United Utilities on telephone no. 01925 679 401.

The applicant is advised that Merseytravel has requested that the developer make appropriate arrangements for Merseytravel Merseylink Dial-a-Ride vehicles to gain close access to the development's entrances and exits. In this respect, the applicant is advised to contact Merseytravel on telephone no: 0151 330 1035.

The applicant is advised that Merseyside Fire & Rescue Service requires that the premises and access for fire appliances should comply with Approved Document B5 of the Building Regulations. Water supplies for fire fighting purposes should be risk assessed in accordance with recommended guidance and in liaison with United Utilities with suitable and sufficient fire hydrants and sprinkler systems supplied. The residential accommodation should have a water supply capable of

delivering a minimum of 20 to 35 litres per second through any single hydrant on the development. The commercial development should have a water supply capable of delivering a minimum of 20 to 75 litres per second to the development site. The car park shall have a water supply capable of delivering a minimum of 25 litres per second through any single hydrant on the development or within a vehicular distance of 90-metres from the complex.

NOTES FOR PLANNING DECISION NOTICES

OTHER CONSENTS

This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. In particular, if building alterations are involved these may also require consent under the Building Regulations and before commencing work this aspect should be discussed with Building Control (Email: building.control@liverpool.gov.uk Tel: 0151 233 4458/ 4467). Where a building regulations approval is obtained and this requires changes from your planning permission, revised drawings must be submitted to the Divisional Manager Planning.

COMPLIANCE WITH THE PERMISSION/CONSENT

It is important that this permission/consent is implemented strictly in accordance with the plans approved by the consent. Where a planning permission is granted subject to conditions it is important that these are fully complied with. Non-compliance with the conditions of the permission/consent may well result in a Breach of Condition Notice being served on you or any other appropriate enforcement action required to remedy the breach of planning control.

APPEALS TO THE PLANNING INSPECTORATE

If you are aggrieved by the decision of the city council as local planning authority then you can appeal to the Planning Inspectorate. *Please note, only the applicant possesses the right of appeal.*

If you want to appeal, then you must do so within **six months** of the date of issue of this notice.

The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online www.gov.uk/government/organisations/planning-inspectorate. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

If you do not have access to this service, forms can be obtained from Initial Appeals, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay Bristol, BS1 6PN. (Tel: 0303 444 5334 or e-mail: enquiries@pins.gsi.gov.uk). *You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require.*

PURCHASE NOTICES

If the local planning authority or the Office of the Deputy Prime Minister refuses to grant permission to develop land or grants it subject to conditions, the owner may claim in certain circumstances that the land has become incapable of development. In these circumstances, the owner may serve a Purchase Notice on the Council under Part VI of the Town and Country Planning Act 1990, requiring the Council to purchase the owners interest in the land.

COMPENSATION

In certain limited circumstances, a claim must be made against the local planning authority for compensation. The circumstances in which compensation is payable are set out in Parts VI and V of the Town and Country Planning Act 1990.

NEW RESIDENTIAL DEVELOPMENT

In order to ensure that minimum disruption occurs once a development is completed; developers are asked to contact all the public utilities to ensure that adequate services are provided at the outset. In particular developers are asked to contact the Cable TV provider

PUBLIC NOTICE – PARTY WALL ETC. ACT 1996

From the 1 July 1997 any person intending to carry out works affecting party walls or involving excavations for foundations adjacent to a party wall will be required to serve notice on all adjoining owners before work commences. You are advised to engage the services of a private surveyor to act on your behalf in any formal private procedures and agreements that you are now required, by The Party Wall etc. Act 1996, to enter into.
Failure to comply with the Act may result in civil action being taken against you.