

**Certificate issued to:-**  
**Devaplan Ltd**  
**Unit 223 Queens Dock Centre**  
**Norfolk Street**  
**Liverpool**  
**L1 0BG**

Application No: **16F/0235**  
Date Issued: 1 August 2017

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

Location: **Land at Norton Street/Islington, Liverpool, L3 8LR**

Proposal: **To erect two blocks of student accommodation in two blocks of 10 and 16 storeys, including erection of cycle and bin store (566 beds in total) with ground floor commercial units.**

Applicant: **Anwyl Construction Limited**  
**Mr Matthew Anwyl**  
**Anwyl House**  
**St Davids Park**  
**Ewloe**  
**Deeside**  
**Flintshire**  
**CH5 3DT**

Date Valid: **28/07/2016**

In pursuance of its powers under the above-mentioned legislation, the Local Planning Authority on **01 August 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>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  P15-073 02-02-102, 105  P15-073 03-03-101, 102, 110, 116, 117  P15-073 05-103, 104  P15-073 02-05-A-101, 102  P15-073 02-05-B-101, 102</p> <p>(ii) Supporting Documents  Design and Access Statement  Transport Statement and Draft Travel Plan  Student Management Plan  Geo Environmental Site Investigation Report</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>
3	<p>Prior to commencement of development, a detailed construction method statement shall be submitted to and approved in writing by the local planning authority. The statement shall include:</p> <p>(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.</p> <p>The scheme shall be implemented in accordance with the approved statement and completed to the satisfaction of the local planning authority before the development is occupied/brought into use.</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>

4	<p>No part or phase of the development hereby permitted shall commence until;</p> <p>a) An investigation and assessment methodology, including analysis suite and risk assessment methodologies has been approved by the LPA in writing, prior to any site investigations.</p> <p>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. The assessment shall consider the potential risks to:</p> <ul style="list-style-type: none"> <li>i. human health,</li> <li>ii. controlled waters,</li> <li>iii. property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,</li> <li>iv. adjoining land,</li> <li>v. ecological systems, and</li> <li>vi. Archaeological sites and ancient monuments.</li> </ul> <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, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and in accordance with Policy EP2 of the Liverpool UDP.</p>
5	<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 and in</p>

	accordance with Policy EP2 of the Liverpool UDP.
6	<p>Prior to their implementation, 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 and completed to the satisfaction of the local planning authority before the development is occupied/brought into use.</p> <p>(i) windows and external doors;  (ii) boundary treatment;  (iii) external lighting and CCTV equipment;  (iv) structures, including seating, within the courtyard area.</p> <p>REASON: These details are not included in the application and the Council wishes to ensure that they are satisfactory in accordance with Policy HD18 of the Liverpool Unitary Development Plan.</p>
7	<p>Prior to their implementation, 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: These details are not included in the application and the Council wishes to ensure that they are satisfactory in accordance with Policy HD18 of the Liverpool Unitary Development Plan.</p>
8	<p>Prior to their implementation, working drawings of all proposed cladding and roofing systems shall be submitted to and approved by the local planning authority. The scheme shall be implemented in accordance with the approved details and completed to the satisfaction of the local planning authority before the development is occupied/brought into use.</p> <p>REASON: To ensure the satisfactory preservation of the historic building in accordance with Policy HD4 of the Liverpool Unitary Development Plan.</p>
9	<p>Prior to their implementation, 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 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 and quality of environment in accordance with Policy HD18 of the Liverpool Unitary Development Plan.</p>
10	<p>Prior to their implementation, 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 which reflect the landscape an public realm proposals indicated in the Design and Access Statement and associated drawings shall be submitted to and approved in writing by the local planning authority. The details must be provided on plans drawn 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.</p> <p>REASON: These details have not been submitted with the application and the Council wishes to ensure they are satisfactory in the interests of visual amenity in accordance with Policy HD23 of the Liverpool Unitary Development Plan.</p>
11	i) The approved landscaping scheme shall be completed either

	<p>(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 amenity and in accordance with Policy HD23 of the Liverpool Unitary Development Plan.</p>
12	<p>Notwithstanding the provisions of the Town &amp; Country Planning (Use Classes Order 1987 (or any order revoking or re-enacting that Order with or without modification), the residential accommodation hereby approved shall be occupied solely by students in full time education and their families and by no other persons with out the prior written consent of the local planning authority.</p> <p>REASON: The accommodation has hereby been approved as accommodation dedicated for student occupation only. This is in accordance with policy H3 of the Liverpool Unitary Development Plan.</p>
13	<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>
14	<p>The rating level of the noise emitted from any plant shall not exceed the existing background noise level. The noise level shall be determined at the nearest noise sensitive premises. The measurements and assessments shall be made according to BS4142 1997. Method for Rating Industrial Noise Affecting Mixed Residential and Industrial Areas.</p> <p>REASON: To safeguard the amenity of adjacent occupiers in accordance with Policy EP11 of the Liverpool Unitary Development Plan.</p>
15	<p>The residential accommodation hereby approved shall be acoustically insulated in accordance with a scheme to be submitted to and approved in writing by the local planning authority (in consultation with the Council's Environmental Health Service), which shall be installed to their satisfaction prior to the first occupation of the student flats. For the avoidance of doubt, sound mitigation must take the form of a package of acoustic treatment to all habitable room windows in accordance with the specifications contained within the Noise Insulation Regulations 1975, or double glazing of an equivalent or better acoustic performance, together with the provision of a scheme of acoustically attenuated mechanical ventilation, to remove the need to open windows for rapid ventilation, which complies with the performance requirements of the Noise Insulation Regulations 1975.</p>

	<p>REASON: It is in the interests of the amenity of occupiers of the accommodation in accordance with policy EP11 of the Liverpool Unitary Development Plan.</p>
16	<p>Prior to its installation, full details of the purpose built structure for bin/waste storage indicated on drawing no. 02-03-101 shall be submitted to and approved in writing by the local planning authority. The approved scheme for bin/waste storage shall be implemented in accordance with the approved details and completed to the satisfaction of the local planning authority before the development is occupied/brought into use.</p> <p>All waste materials generated by the development, whether to be discarded as refuse or recycled, shall be stored within the approved purpose built structure and, for the avoidance of doubt, no waste material shall at any time be stored outside the designated facility and all waste material shall be kept within the curtilage of the premises until collected.</p> <p>REASON: To safeguard amenity and maintain the quality of the street environment in accordance with Policy EP9 of the Liverpool Unitary Development Plan.</p>
17	<p>Prior to the occupation of the development, all footways contiguous with the site shall be reinstated to the satisfaction of the City Council, including the reinstatement of any redundant vehicle access points. Such works shall be implemented to adoption standards, at nil cost to the City Council and shall include dropped kerbs and tactile/corduroy paving if required.</p> <p>REASON: In the interests of highway and pedestrian safety and in accordance with Policies GEN6 and T7 of the Liverpool Unitary Development Plan.</p>
18	<p>Within three months of the date of this permission 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"> <li>i. Creation of new access point to Fraser Street suitable to accommodate refuse vehicle access.</li> <li>ii. Closure of existing access points to Fraser Street and reinstatement as footway.</li> <li>iii. Resurfacing of footway of Fraser Street along the development site frontage to provide a continuous palette of material.</li> </ul> <p>The approved schemes shall subsequently be implemented prior to first occupation of the development hereby approved.</p> <p>REASON: In the interests of highway and pedestrian safety and in accordance with Policies GEN6 and T8 of the Liverpool Unitary Development Plan.</p>
19	<p>The development shall not be occupied until the surface water drainage of the site has been designed to prevent the discharge of water on to the public highway. The drainage design shall be submitted to and approved in writing by the Council as Local Planning Authority.</p> <p>Reason: To prevent unnecessary surface water from being deposited on to the highway thus causing a potential source of danger to other road users.</p>
20	<p>The turning facility shown on the approved plans shall be kept free of all obstructions and shall be available for use at all times.</p>

	<p>Reason: In the interests of road safety as vehicles reversing into the highway cause a hazard to other road users.</p>
21	<p>The development shall not be occupied until the owners and occupiers of the site have 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>
22	<p>Within 3 months of the development being brought into use, a 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"> <li>a) Production and distribution of an information pack for residents detailing travel options and information for all modes of travel</li> <li>b) Information on existing transport policies, services and facilities, travel behaviour and attitudes</li> <li>c) Access for all modes of transport</li> <li>d) Resource allocation including Travel Plan Co-ordinator and budget</li> <li>e) A marketing and communications strategy</li> <li>f) Appropriate measures and actions to reduce car dependence and encourage sustainable travel</li> <li>g) An action plan including a timetable for implementation of each of each of the above</li> <li>h) Mechanisms for monitoring, reviewing and implementing the travel plan</li> </ul> <p>The Approved 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 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>
23	<p>Prior to the commencement of the development, a management plan is required to be submitted to and approved in writing by the Council as Local Planning Authority which provides details of the proposed traffic management arrangements for the start/end of term times.</p>

	Reason: To ensure that adequate provision is made for the traffic generated by the development, including allowance for safe circulation, manoeuvring, loading and unloading of vehicles as well as parking.
24	<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>
25	<p>Prior to their implementation, details of (covered), secure cycle parking facilities incorporating the use of Sheffield stands (unless otherwise agreed) 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 to the satisfaction of the local planning authority before the development is occupied/brought into use.</p> <p>REASON: The City Council wishes to support cycling as a sustainable mode of transport in accordance with Policy T6 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 have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning applications and have implemented the requirement in NPPF para 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.

It is an offence to carry out any works within the public highway without permission of the Highway Authority. The grant of planning permission will require the applicant to enter into a S278 Agreement with the Council as Highway Authority. The applicant is advised to contact the Council's Highway Development Control Team on 0151 233 0325 to ascertain the details of such an agreement and the information to be provided. For the avoidance of doubt all works shall be carried out by Amey Ltd. at nil cost to the Council.

The grant of planning permission shall not be construed as authority to erect scaffolding, hoarding or any other device or apparatus for which a licence must be sought from the Highway Authority. Contact the Council's Highway Development Control Team on 0151 233 0326 for further details. It should be noted that there is a fee associated with this process.

A Licence under S177 of the Highways Act 1980 is required for any parts of the building or structures that are situated on or overhang the public highway. Contact the Council's Highway



Development Control Team on 0151 233 0326 for further details. It should be noted that there is a fee associated with this process.

Any landscaping within the site is to be positioned and maintained such that it does not encroach on or over the adjacent highway.

The development is located on a highway that is subject to controlled parking. The applicant should be aware that the grant of planning permission does not entitle any resident/occupier of the development to receive a parking permit. No such permits will be issued by the Council to the owners/occupiers/residents of this development.

## **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](mailto: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](http://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](mailto: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.