

Sequential Test for Main Town Centre Use

Harrison House, Maghull

On behalf of The Mikhail Hotel & Leisure Group

March 2021

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Client

The Mikhail Hotel & Leisure Group

Our reference

CLAM3002

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1. Introduction

- 1.1 This Sequential Test Report has been prepared by Turley, on behalf of The Mikhail Hotel & Leisure Group, to inform the proposed change of use of Harrison Home, Maghull ('the site') from a Residential Care Home (Use Class C2) to a bar and restaurant (Use Class E(b)) with hotel and visitor accommodation (Use Class C1).
- 1.2 Pre-application advice in relation to the proposed development has been received from Sefton Metropolitan Borough Council ('SMBC'), which requested the submission of a sequential test in respect of main town centre uses (LPA ref. DC/2020/00960). Further discussions with SMBC Planning Policy Officers, as well as SMBC's external consultant Nexus Planning, has informed the methodology presented in this report.

The Site

- 1.3 The site extends to 1.09 hectares (ha) and is located at the junction of Liverpool Road South and Sefton Lane. A site location plan is enclosed at **Appendix 1**.

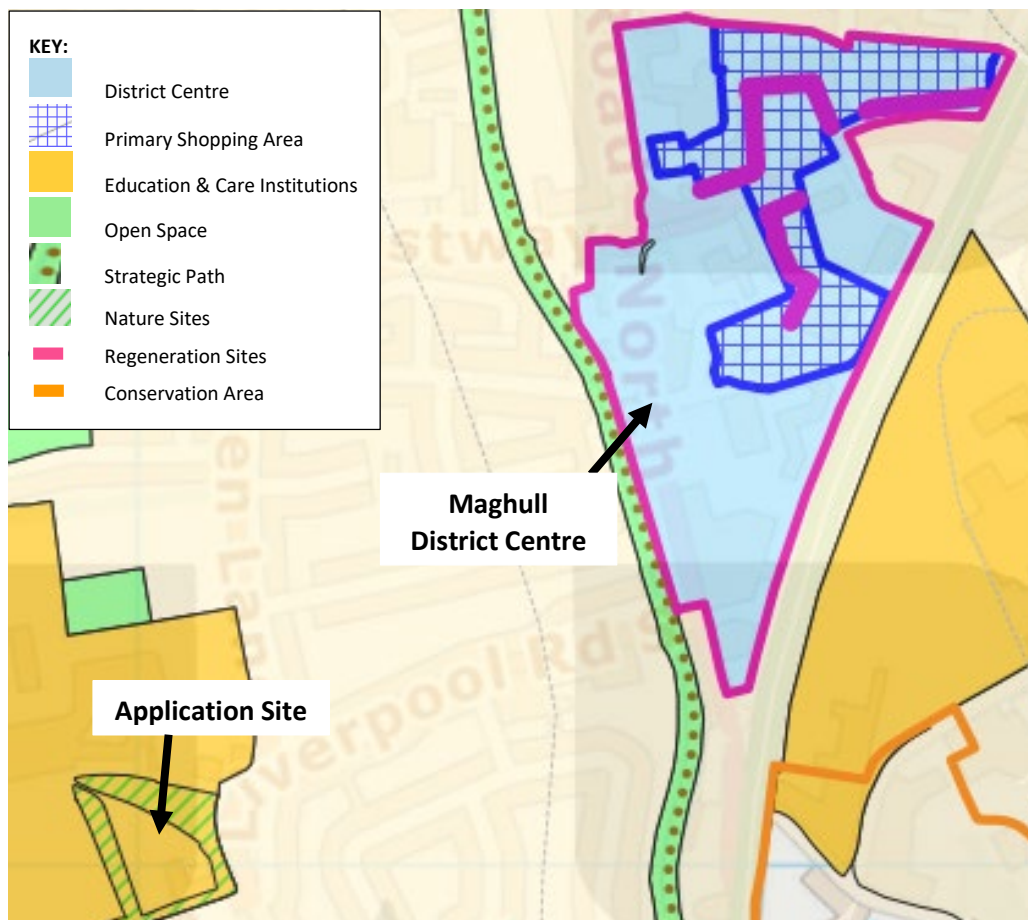
Figure 1.1: Site Location



- 1.4 The site lies c.450m to the west of the defined Maghull district centre, equating to approximately a seven minute walk, and is located within the urban area, as defined within the Sefton Local Plan (see **Figure 1.2** below).
- 1.5 Vehicular access to the district centre is achieved via Sefton Lane and Liverpool Road South travelling eastward.

- 1.6 The site appears to be well served by public transport, with bus stops located immediately adjacent to the southern boundary along Sefton Lane, providing regular services between Maghull district centre and Kirby.
- 1.7 Harrison Home is a Grade II Listed Building and is designated within the Sefton Local Plan ('SLP') as an Education and Care Institution. It has previously been operated as a care facility by Parkhaven Trust. Following the relocation of these services to new premises to the north of the site, Harrison Home is now vacant. The Mikhail Hotel & Leisure Group have recently purchased the site from Parkhaven for redevelopment.

Figure 1.2: Extract of Sefton Local Plan Policy Map



The Proposed Development

Redevelopment of Harrison House & Grounds

- 1.8 The Proposed Development comprises the change of use of Harrison Home to form a new food and beverage (F&B) led venue (Use Class E(b)), with hotel accommodation (Use Class C1) and additional facilities available for function hire to accommodate weddings and other such events. The proposal seeks to refurbish and repurpose the vacant premises following the closure of the former care facility at the site.
- 1.9 Harrison Home will be operated by The Mikhail Hotel & Leisure Group (MHLG), a major local investor in Merseyside who has an established relationship of working with Sefton

Borough Council to invest in local communities, support local charities and create high quality leisure venues to support the local economy.

- 1.10 The application site extends to 1.09ha. The development includes a total floor space of 1,473.5m², comprising a 381m² F&B venue, including restaurant (156m²) and bar/lounge (225m²) facilities, to also be used for function hire.
- 1.11 The proposal also includes the conversion of the first and second floors, to provide 1,280m² of hotel accommodation, comprising 16no. ensuite hotel bedrooms. The existing gatehouse will be converted to provide group booking accommodation for up to six persons (72m²) and the existing ancillary buildings will be refurbished to provide operational storage space (121.5m²).
- 1.12 The proposed layout provides 100 car parking spaces, of which 5% will be accessible, in accordance with local standards.
- 1.13 Furthermore, the site incorporates significant areas of external amenity space and landscaped grounds, which form an integral component of the future operational functionality of the venue, particularly in the context of large events such as weddings, whereby the outdoor setting is a key attraction for prospective guests. Similarly, the landscaped grounds will offer attractive setting for customers dining in the restaurant and bar areas, with views out from the building to the landscaped garden and outdoor amenity areas.
- 1.14 The proposed development represents a unique offering to Maghull, providing a high quality F&B venue and hotel, which is capable of hosting a range of special events. There are no venues of this type existing within the area and therefore the proposal will seek to enhance the local economy and stimulate investment.

Proposed Operating Model

- 1.15 MHLC anticipate that the majority of business revenue will be generated from the casual dining customers originating from Maghull and immediate surroundings. However, this will be supplemented by leisure and corporate hotel guests whom are attending an event at the venue, have travelled for business in Sefton, or are visiting the local area.
- 1.16 The core F&B element of the scheme (restaurant and bar) is proposed to operate seven days a week, whereas functions/events are anticipated to largely occur at weekends. There will be an option for those hiring the venue for functions to seek exclusivity of the hotel accommodation. However, MHLC anticipate that they will predominantly cater for both the function and general F&B trade simultaneously.
- 1.17 It is anticipated that the proportion of trade arising from the hiring of the venue for functions (including weddings and other large events) will be c.23-24% of the overall F&B trade. However, it is anticipated that there would be some lead in time as the venue becomes more established / well known (i.e. in recognition that some large events such as weddings may be booked c.2 years in advance), such that it is estimated to increase over a 3 year period. It is expected that Harrison House will cater for a larger number of events due to the appeal and setting of the grounds.

2. Planning Policy Context

National Planning Policy Framework

- 2.1 The National Planning Policy Framework (February 2019) ('the Framework'), emphasises the Government's commitment to securing economic growth and building a strong, responsive and competitive economy.
- 2.2 The proposed development is defined as a Main Town Centre use within Appendix 2 of the Framework, which includes food & beverage and hotel uses. Paragraphs 86 and 87 provide the principal national policy test relating to the sequential approach to Main Town Centre development, as follows.
- 2.3 Paragraph 86 of the Framework states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in accordance with an up-to-date plan.
- 2.4 Furthermore, Paragraph 86 also states that:
- "Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered."*
- 2.5 Paragraph 87 then identifies that:
- "When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored."*
- 2.6 The Framework defines 'edge of centre' as *"a location within 300 metres of a town centre boundary"* and confirms that *"in determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances"*. 'Out of centre' locations are defined as those which are *"not in or on the edge of a centre but not necessarily outside the urban area"*.
- 2.7 Paragraph 90 indicates that, where an application fails to satisfy the sequential test it should be refused.

National Planning Practice Guidance

- 2.8 Additional guidance on the application of the sequential approach is provided by the Town Centres and Retail Planning Practice Guidance¹ ('the PPG').
- 2.9 Paragraph 011 of the PPG provides a 'checklist' for the application of the sequential test in decision taking. It indicates the following considerations:

¹ <https://www.gov.uk/guidance/ensuring-the-vitality-of-town-centres>

- *“With due regard to the requirement to demonstrate flexibility, has the suitability of more central sites to accommodate the proposal been considered? Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre. Any associated reasoning should be set out clearly.*
- *Is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal.*
- *If there are no suitable sequentially preferable locations, the sequential test is passed.”*

2.10 Paragraph 012 of the PPG confirms that the *“use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification will need to be provided where this is the case, and land ownership does not provide such a justification”*.

Adopted Development Plan

2.11 Section 38(6) of the Town and Country Planning Act requires that applications should be determined in accordance with the up-to-date adopted development plan, unless material considerations indicate otherwise.

2.12 In this context, planning policy of relevance to the determination of this planning application is contained within the Local Plan for Sefton (SLP) (adopted 2017).

2.13 SLP Policy ED2 sets out a hierarchy for development (whereby Maghull is defined as a district centre) and provides a sequential test that indicates that:

“Proposals for all retail, leisure and other town centre uses will be subject to a sequential approach to development. This will require applications for town centre uses to be located firstly in:

- (a) Primary Shopping Areas (retail uses only), then*
- (b) Town, district and local centres (in accordance with the hierarchy in part 1), then*
- (c) Edge of centre locations, and*
- (d) Only if suitable sites are not available should out of centre sites be considered.”*

2.14 The proposed development does not include retail uses. Therefore, when assessing sequential sites, SLP Policy ED2 advises that if it can be demonstrated that there are no sequentially preferable sites within the designated town, district or local centre boundary, then edge of centre locations should be considered next. Only after this search sequence has been satisfied should out of centre sites be considered. This approach is consistent with Paragraph 86 of the Framework.

- 2.15 Furthermore, SLP Policy ED2 confirms that *“when considering new proposals in out of centre locations, preference will be given to accessible sites that are well connected to a defined centre”*. This aligns with Paragraph 87 of the Framework. Therefore, sites which are well connected to a defined centre are considered to be preferential to sites which have limited connectivity.

Conclusion on Planning Policy

- 2.16 In this instance the application site is located c.450m from Maghull district centre (the closest defined centre) and must be classified as an ‘out-of-centre’ development opportunity in town centre policy terms. It is therefore necessary to assess ‘in’ and ‘edge-of-centre’ alternatives, and the potential offered by well-connected out of centre sites as part of the national and local tests.

3. Sequential Test Methodology

- 3.1 This Section sets out the proposed methodology for undertaking the Sequential Test in accordance with the requirements set out in SLP Policy ED2, the Framework and PPG.
- 3.2 This has been agreed with Sefton Borough Council Local Plan Team and their appointed external advisor Nexus Planning.

Identification of Alternative Sites

Sources of Information

- 3.3 The identification of potential alternative sites within the area of search is proposed to be conducted as follows:
- Identify sites that have already been allocated for development within the adopted local plan and which could be suitable for the proposed development;
 - Identify sites which have been granted planning permission for a development that is the same or similar to the proposed development; and
 - Identify any potential ‘windfall sites’ that could be available for development.
- 3.4 In respect of ‘windfall sites’, mindful that Sequential Tests should be pragmatic and proportionate, it is not necessary to consider all vacant land within the area of search as a potential alternative site. Instead, it is proposed that it must be ‘known’ that such sites are available.
- 3.5 In accordance with national guidance and SLP Policy ED2, sites within the area of search to be appraised as part of the Sequential Test will therefore be identified with reference to:
- Sites allocated in the SLP Proposals Map;
 - Sites with extant planning permission for hotel use;
 - Sites presented in Sefton’s Brownfield Land Register 2019²;
 - Vacant sites presented in the Maghull Town Centre Health Check (September 2020)³; and
 - Other potential “windfall sites”, e.g. sites advertised for sale for development (including those listed via CoStar commercial database).
- 3.6 Pre-application engagement with Nexus in February 2021 confirmed that the above approach was considered appropriate.

² <https://www.sefton.gov.uk/planning-building-control/planning-policy-including-local-plan-and-neighbourhood-planning/brownfield-land-register-2019/>

³ https://www.sefton.gov.uk/media/1807/maghull-healthcheck_september-update.pdf

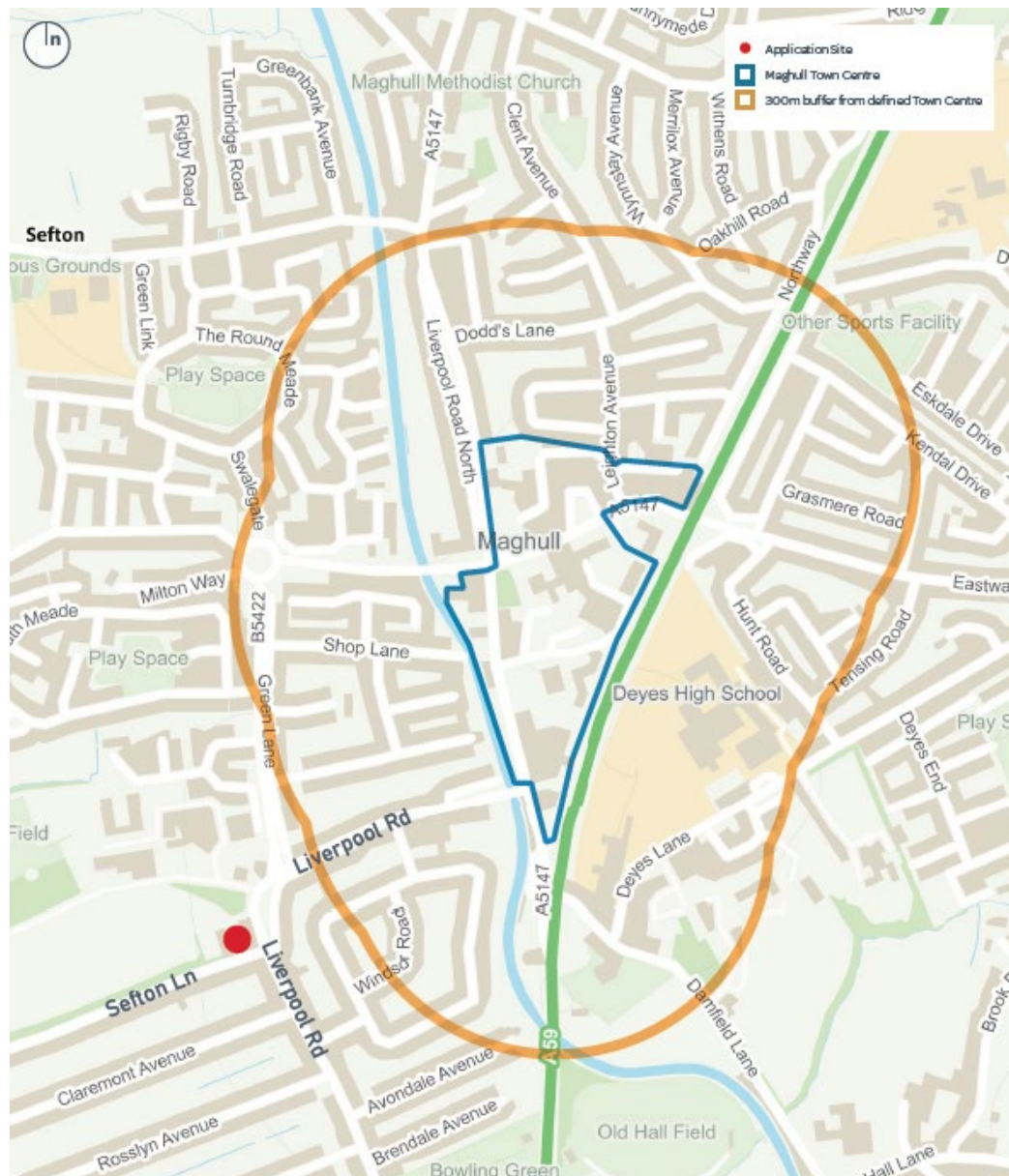
Search Sequence

3.7 SLP Policy ED2 (2) seeks to prioritise sequentially preferable sites for non-retail Main Town Centre uses as follows:

- Priority 1: Sites within the designated centre;
- Priority 2: Sites in edge of centre locations (i.e. within 300m of the designated centre);
- Priority 3: Out of centre sites which are well connected to the designated centre.

3.8 **Figure 3.1** identifies the location of the Application Site (Red Dot), Maghull town centre (Blue Line) and the extent of the edge of centre zone (Orange Line). The latter seeks to identify those sites which are located within 300m of the edge of Maghull town centre.

Figure 3.1: Area of Search



- 3.9 Sites identified as edge of centre locations (i.e. priority 2 sites) will only be considered as part of the Sequential Test after sites within the defined town centre boundary (i.e. priority 1 sites) are discounted. Out of centre sites which are well connected to the defined centre (i.e. priority 3 sites) will only be considered as part of the Sequential Test after edge of centre locations (i.e. priority 2 sites) have been discounted.
- 3.10 As set out above, the vehicular, pedestrian, cycle and public transport links between the site and Maghull town centre are considered to represent a high level of connectivity. As such, in accordance with SLP Policy ED2, other sites located outside of the edge of centre zone (i.e. priority 3) will have to demonstrate an advantage in respect of 'connectivity' in practice.

Scale and Form of Development and Centres Assessed

Scale and Form of Development

- 3.11 As can be seen from the Proposed Site Plan (drawing ref. 272-02 Rev B), enclosed at **Appendix 2**, the overall site area proposed is **1.09ha** and the scale and form of development that is proposed equates to **1,473.5m²** of total floorspace.
- 3.12 The proposed development comprises three distinct elements, including the F&B use (**381m²**), the hotel/accommodation use (**1,280m²**) and the external amenity space / landscaped grounds, which form an integral element of the market potential of the site. In addition, the scheme includes provision of a 100-space car park.
- 3.13 However, as set out in Section 2, the PPG confirms that it is not necessary to demonstrate that a town centre site can accommodate the scale and form of the development being proposed, but rather to consider what contribution more central sites are able to make individually to accommodate the proposal. As such, this sequential test has considered sites that are 25% smaller (**0.8ha**) than the application site. This is in acknowledgement of the fact that the external amenity space / landscaped ground is included within the application site's red line and, whilst this is considered a fundamental element of the marketability of the site for its proposed use, a scheme could theoretically be delivered without it, especially if it were to be located in a more built up context.

Area of Search

- 3.14 Sefton's defined centres are set out within SLP Policy ED2, whereby the application site is located c. 450m from the defined boundary of Maghull district centre.
- 3.15 The original pre-application response received from SMBC Local Plans Team confirmed that *"given the size and location of this proposal the sequential test should just include Maghull Town Centre and the Edge of the Town Centre, i.e. within 300m of Maghull Town Centre"* (LPA ref. DC/2020/00960).
- 3.16 This was also confirmed by SMBC's external advisers, Nexus Planning⁴:

"... it is accepted that the bar and restaurant elements are an integral part of the proposal and would likely draw substantial trade from the local area. As such, I am

⁴ Email correspondence received by Turley from Nexus Planning, 17/03/2021.

satisfied that Maghull district centre should be the focus of the sequential test, as any other centres further afield could not support a use meeting the same broad market”.

- 3.17 Nexus also confirmed⁵ that due to the location of the application site being c. 450m from the Maghull district centre boundary, there remains some possibility that an out of centre site located nearer to the defined centre could be better connected and therefore, other out of centre sites should not be entirely discarded. Albeit any sites in this category would have to offer an advantage in respect of ‘connectivity’ in practice.
- 3.18 Therefore, it is appropriate to assess whether there are any sequentially preferable alternative sites in Maghull district centre or within locations on the edge of this centre, as shown at **Appendix 3**.

Summary

- 3.19 In summary, a logical area of search for sequentially preferable sites should encompass ‘in’ and ‘edge-of-centre’ opportunities within and immediately surrounding Maghull district centre. Within the defined area of search, candidate sites must be a minimum of 0.8ha in size and able to accommodate an F&B venue with associated hotel accommodation.
- 3.20 A site will be considered sequentially preferable where it is ‘suitable’ and ‘available’ which necessarily includes consideration of deliverability, including development viability.
- 3.21 Notwithstanding these stated parameters, it is also necessary for applicants and Local Planning Authorities to demonstrate ‘**flexibility**’ in their approach, in line with Paragraph 87 of the Framework. Accordingly, this policy requirement and relevant legal / appeal precedents are examined in detail in the following section.

The Requirement to Demonstrate Flexibility

Case law

- 3.22 The application of the sequential test has been considered in a number of key cases, including Supreme and High Court Judgments and planning decisions made by the Secretary of State. It is a longstanding principle that disaggregation of a development into its component parts is not a requirement of the sequential test. The sequential approach applies to the totality of the Main Town Centre Uses proposed within the development (with appropriate allowance for flexibility) and not to individual components on a singular basis.
- 3.23 The *Tesco v Dundee* case⁶ in the Supreme Court clarified that the sequential test should be applied in a real world context (the world in which developers wish to operate) and not “*some artificial world in which they have no interest in doing so*”. The Judgment confirmed that ‘suitable’ in the context of the sequential test means suitable for the development proposed by the applicant, subject to the qualification that flexibility and realism must be shown.

⁵ Email correspondence received by Turley from SMBC Planning Policy Team, 19/02/2021.

⁶ *Tesco Stores Ltd v Dundee City Council* [2012] UKSC 13

- 3.24 This interpretation has been reaffirmed in a decision by the Secretary of State relating to *The Mall, Cribbs Causeway*⁷. In consideration of the sequential approach, the Inspector agreed that disaggregation is not embodied within the Framework policy tests or PPG, as confirmed by the Court of Appeal in the *Warners Retail* case⁸.
- 3.25 The Secretary of State reached a similar conclusion in his decisions on *Rushden Lakes*⁹, *Scotch Corner*¹⁰ and *Honiton Road*¹¹. As a general principle, the Inspector for the *Cribbs Causeway* application noted that an approach that involved disaggregation did not seem to fit well with either the *Warners Retail* or *Aldergate Properties*¹² Judgments. The Inspector concluded that to divide up the town centre uses proposed in the application would change the broad nature of the development. This conclusion was supported by the Secretary of State.

Application of the Sequential Test

- 3.26 In respect to the application of the sequential test, the interpretation of current case law confirms the following:
- ‘Suitable’ and ‘available’ generally mean suitable and available for the broad type of development which is proposed in the application by approximate size, type and range of goods. The Framework clarifies the definition of ‘availability’ to mean sites which are expected to become available within a ‘reasonable period’.
 - ‘Flexibility’ has been a central issue in many cases, in particular the extent to which applicants can be reasonably expected to modify or amend proposals when assessing alternative, sequentially preferable sites.
 - Disaggregation of a development into its component parts is not a requirement of the sequential test. The sequential approach applies to the totality of the main town centre uses proposed within the development (with appropriate allowance for flexibility) and not to individual components of a scheme. This is material in this case.
 - The owner or developer of a scheme is not material; the scheme can be marketed to occupiers irrespective of ownership or control.
- 3.27 Drawing on the above, the outputs of the assessment will explore whether there are any suitable or available sites within the area of search which are capable of accommodating the main town centre uses proposed within the application, having regard to their scale, type of operation and purpose.

⁷ Called-in decision: *The Mall, Cribbs Causeway* (ref: 3170627 - 1 October 2018)

⁸ *Warners Retail (Moreton) Ltd v Cotswold District Council* [2014] EWHC 2504 (Admin) and [2016] EWCA Civ 606

⁹ Called-in decision: *Rushden Lakes Retail Park* (ref: 2190175 – 11 June 2014)

¹⁰ Called-in decision: *Land west of the A618 Barracks Bank, Scotch Corner, North Yorkshire* (ref: 3132873 & 3143678 – 1 December 2016)

¹¹ Called-in decision: *Land north of Honiton Road and west of Fitzroy Road, Exeter* (ref: 3005333 – 30 June 2016)

¹² *Aldergate Properties Ltd v Mansfield District Council* [2016] EWHC 1670 (Admin)

4. Sequential Site Assessment

- 4.1 Having established the area of search and the scale and form of development to be tested (0.8ha), this analysis now turns to consider any potential alternative sites which are potentially 'suitable' and 'available', mindful of the site specific considerations outlined in the Section 3.

Vacant Units

- 4.2 The table below presents a review of vacant units within Maghull district centre, to establish their potential to accommodate the scale and form of development proposed. These units have been identified via CoStar commercial property database (March 2021); marketing particulars are enclosed at **Appendix 4**.

Site Address	Sequential Context	Size (m ²)	Assessment
Unit 1 & 1a, Central Square, Maghull, L31 OAE	In-Centre	119	Unit is too small to accommodate the scale and form of development proposed.
Unit 10 Central Square, Maghull, L31 OAE	In-Centre	666	Unit is too small to accommodate the scale and form of development proposed.
Unit 23 Central Square, Maghull, L31 OAE	In-Centre	270	Unit is too small to accommodate the scale and form of development proposed.
Unit 24 Central Square, Maghull, L31 OAE	In-Centre	73	Unit is too small to accommodate the scale and form of development proposed.
44-46 Westway, Maghull, L31 OAE	In-Centre	250.74	Unit is too small to accommodate the scale and form of development proposed.
Unit 13 Stafford Moreton Way, Maghull, L31 2PH	In-Centre	51.37	Unit is too small to accommodate the scale and form of development proposed.
41 Liverpool Road North, Maghull, L31 2HE	In-Centre	272.76	Unit is too small to accommodate the scale and form of development proposed. First floor (112m ²) currently under offer.
Unit 1A, 113 Northway, Maghull, L31, 2HA	In-Centre	429.29	Total site comprises 0.25ha, including 20-space car park. Unit is too small to accommodate the scale and form of development proposed.

- 4.3 The above table therefore confirms that there are **no** vacant units within Maghull currently being marketed which could accommodate an F&B venue and hotel of the scale and form proposed by the development. Existing units can therefore be dismissed as a sequential alternative.
- 4.4 We acknowledge paragraph 011 of the PPG and that it is not necessary to demonstrate an alternative site can / cannot accommodate precisely the scale and form of the development being proposed. However, as demonstrated within the above table, the size of these units are such that it would be unreasonable for the applicant to modify or amend their proposals to such a scale which would essentially render their proposal unviable (refer to paragraph 3.26 above). Therefore, in this case, these vacant units have been rightly discounted based on their scale and form.

Site Assessment

- 4.5 Following desk based assessment work and a review of the various sources of information listed in Section 3, the following four have been appraised within the area of search:
- Land at Liverpool Road North / Westway, Maghull
 - Central Square Public Car Park
 - Leighton Avenue Public Car Park
 - No. 1-11 Liverpool Road North
- 4.6 These sites are assessed in turn below.

Sites 1: Land at Liverpool Road North / Westway, Maghull

- 4.7 A review of the Co-Star commercial property database (March 2021) has identified that land at the corner of Liverpool Road North and Westway is currently being marketed for sale, extending to 0.27ha. The marketing particulars are enclosed at **Appendix 5**.
- 4.8 Site 1 is broadly rectangular in shape and is located adjacent to the Central Square shopping centre (**Figure 4.1**). The site is predominantly occupied by existing surface level car parking, which serves the district centre, with trees/landscaping along the western and southern boundaries. An existing residential property is located within the north-west corner of the site and is included within the marketed development site.

Figure 4.1: Land at Liverpool Road North



- 4.9 The site is 0.27ha in size. This is below the 0.8ha threshold established for this Sequential Test, such that the site is considered to be **too small**. Nevertheless, it is considered in more detail below given its location within the defined 'district centre boundary' of Maghull.
- 4.10 It is highly constrained by surrounding existing retail development, and would not provide the external amenity setting which comprises an integral element of the market potential of the proposal site, by virtue of its location in the urban centre.
- 4.11 The location of the site suggests it is considered appropriate for 'main town centre uses', subject to compliance being demonstrated with other relevant development management policies of the Local Plan. However, SLP Policy ED2 confirms that proposals for non-retail uses within the Primary Shopping Areas defined on the Policies Map which are compatible with a town centre location will only be permitted providing that the overall retail function of the centre would not be undermined; the use would make a positive contribution to the overall vitality and viability of the Centre; and it would not result in an unacceptable cluster on non-retail uses.
- 4.12 Having regard to SLP Policy ED2, any proposal which resulted in the loss of car parking, with no obvious prospect of replacement, would have an adverse impact on the vitality and viability of Mahull district centre and would likely be opposed by the Local Planning Authority. The redevelopment of this site would have significant adverse impact on Maghull's role and function if its core parking provision was lost. Given the physically constrained nature of the centre (with residential uses and highways infrastructure surrounding), there is no current prospect of the car park being replaced elsewhere.
- 4.13 Therefore, the site is regarded to be **unsuitable** for the proposed development by virtue of the significant impact its development would have upon car parking provision within the district centre.

Sites 2 and 3: Public Car Parks, Central Square, Westway, Maghull

- 4.14 In addition to the above, the Central Square shopping centre in Maghull is served by two further surface level car parks (**Figure 4.2**).

Figure 4.2: Central Square Car Parks



- 4.15 Site 2 is rectangular in shape and extends to 0.26ha. It is bounded by Westway to the south and the units of Central Square to the north, east and west. Site 3 (which is linear in form) is tightly defined by residential properties to the north and the commercial / retail units of Westway to the south. This site extends to 0.17ha.
- 4.16 These sites have been assessed for the purposes of a comprehensive assessment of land within Maghull district centre, however, they are in use and are therefore **not available**. With regards suitability, at 0.26ha and 0.17ha respectively, these sites are below the 0.8ha threshold established for this Sequential Test, such that they are considered to be **too small**. Nevertheless, they are considered in more detail below given their location within the defined 'district centre boundary' of Maghull.
- 4.17 They are highly constrained by surrounding existing development, and would not provide the external amenity setting which comprises an integral element of the market potential of the proposal site, by virtue of their location in the urban centre.
- 4.18 As set out above in regards to Site 1, the location of Sites 2 and 3 within the defined 'district centre boundary' suggests they would be considered appropriate for 'main town centre uses'; subject to compliance being demonstrated with other relevant development management policies of the Local Plan. However, these sites are also identified as falling within the Primary Shopping Area, and therefore any redevelopment would be required to demonstrate compliance with SLP Policy ED2, in regards to supporting the vitality and viability of Maghull district centre. The loss of the primary public car parking provision would have a significant adverse impact on Maghull's role and function as a district centre and therefore there are strong planning policy implications which would impede the redevelopment of these sites for a use similar to that proposed by this application.

- 4.19 Furthermore, given the physically constrained nature of Maghull district centre (with residential uses and highways infrastructure surrounding), there is limited prospect of the car park being replaced elsewhere. Therefore, the site is regarded to be **unsuitable** for the proposed development by virtue of the significant impact its development would have upon car parking provision within the district centre.

Site 4: 1-11 Liverpool Road North

- 4.20 A review of the Co-Star commercial property database (March 2021) has identified that No. 1-11 Liverpool Road North, L31 2HB, is currently available to purchase freehold.
- 4.21 The property is currently fully let, comprising 608m² of office and retail floorspace and extending to c.0.1ha – it is therefore below the 0.8ha threshold established for this Sequential Test, such that it is considered to be **too small**.
- 4.22 There are five ground floor retail units, including hair and beauty salons, takeaway and restaurant. The first floor has been occupied by Maghull Business Centre since 1991, offering fully serviced office accommodation. The site is currently fully occupied by retail and commercial tenants and the market particulars enclosed at **Appendix 6** promote it as an investment opportunity with high rent generation capacity.
- 4.23 The location of the site within the defined 'district centre boundary' of Maghull suggests it is considered appropriate for 'main town centre uses'; subject to compliance being demonstrated with other relevant development management policies of the Local Plan.

Figure 4.3: No. 1-11 Liverpool Road North



- 4.24 Notwithstanding that the site is available for purchase, it is considered to be **unsuitable** as it provides insufficient floor space to accommodate the proposed development. It is highly constrained by the existing road network and canal, and does not provide the external amenity setting which comprises an integral element of the market potential of the proposal site.
- 4.25 As set out above, the property is currently fully let by a number of long standing tenants. Whilst the property is available for purchase now, in the short term the re-development of the site is likely to be prohibited by these active tenancies. The site is therefore considered to be **unavailable** for the type of development proposed.

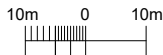
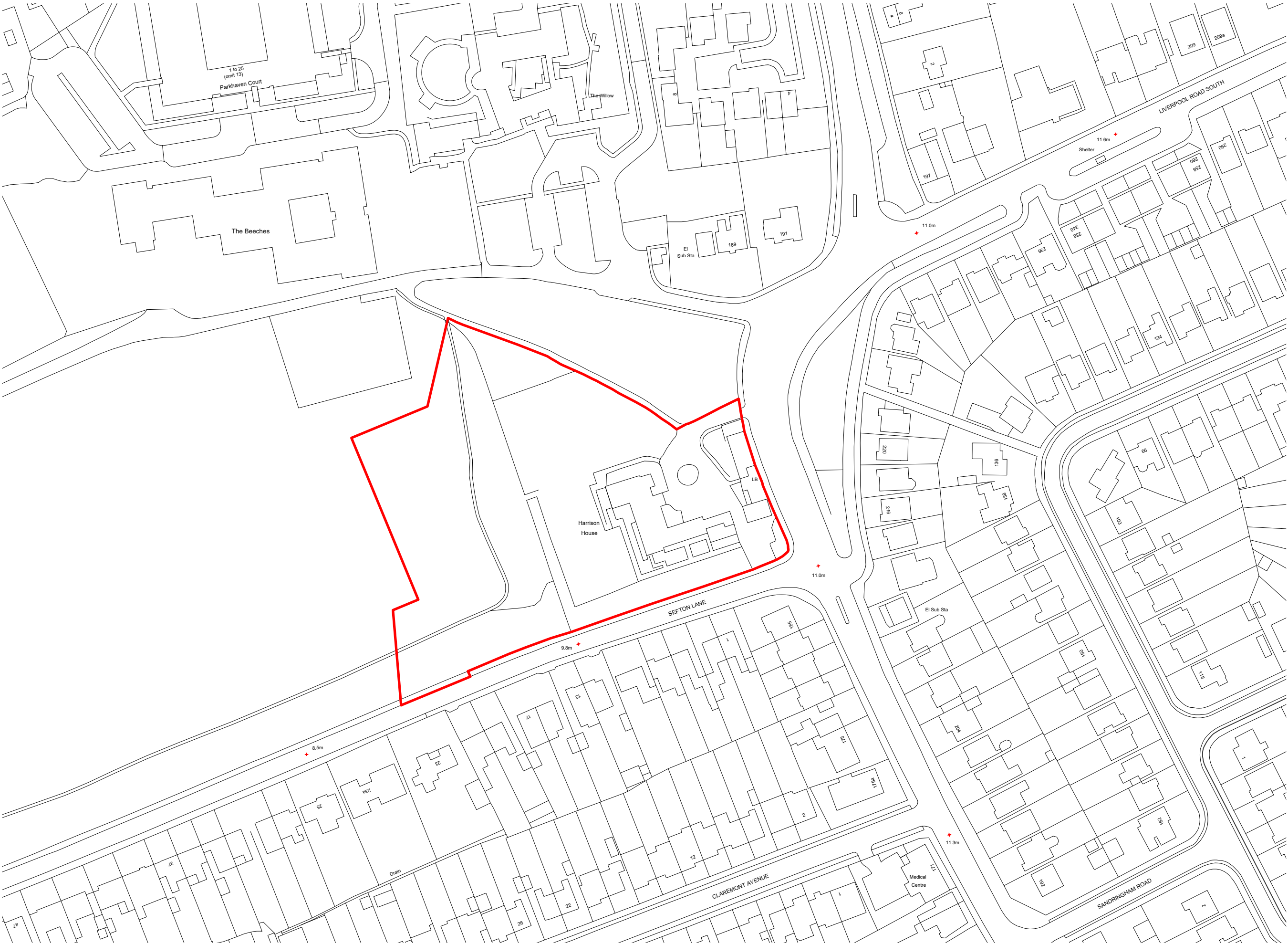
Summary

- 4.26 In line with the methodology established at Section 3 of this report, 12 sites have been identified – 8 vacant units and four ‘others’ - within the area of search. Mindful of the site specific criteria, all are considered unsuitable to accommodate the proposed development.
- 4.27 All of these sites are located within the district centre of Maghull, however, due to the physically constrained nature of the centre, available sites are significantly smaller than the threshold set within this assessment for sufficient site area to accommodate a proposal of the form and scale proposed. As such, a combination of reasons, including overall size, surroundings and current use and planning policy designation, none of the identified sites are considered suitable to accommodate the scale and form of development proposed.
- 4.28 Furthermore, due to their presence within the district centre and the built-up nature of this location, none of the identified sites are able to offer the same extent of external amenity space or landscaped grounds of a comparable level with the proposal site – a feature which underpins the market potential of the development and is integral to the operating model of the scheme.
- 4.29 A desk-based review of the information sources listed at Paragraph 3.5 has not identified any other sites outside of the defined district centre which are currently available for development. Therefore it is considered that the proposal site represents the most sequentially preferable location for a development of the type proposed.

5. Conclusion

- 5.1 The sequential assessment set out in this the report has demonstrated that there are no 'suitable' and 'available' sites within or on the edge of Maghull district centre (the search area) that could realistically accommodate the scale and form of development for which planning permission is sought, even demonstrating reasonable flexibility. Four individual sites have been assessed alongside eight vacant units.
- 5.2 This outcome is not particularly surprising given the physically constrained nature of Maghull district centre, which is tightly defined by dwellings and highways infrastructure. These factors severely limit the potential for the expansion of the district centre and mean that the reality is that new floorspace for main town centre uses can only be accommodated outside the centre boundary.
- 5.3 The proposed development represents a unique offering to Maghull, providing a high quality F&B venue and hotel, which is capable of hosting a range of special events. There are no venues of this type existing within the area and therefore the proposal will seek to enhance the local economy and stimulate investment. The landscaped grounds are an integral element of the marketability and functionality of the proposed development and cannot be replicated within a more densely developed urban location within the district centre.
- 5.4 Overall, for the reasons outlined in this report, it is considered that there are no more 'suitable' and 'available' more centrally located sites within the search area for the scale and form of development proposed. Compliance can therefore be demonstrated with the sequential test as set out in Paragraph 86 of the Framework and Policy ED2 of the Sefton Local Plan (April 2017) has been robustly met.

Appendix 1: Site Location Plan



LOCATION PLAN @ 1:1250



JOB TITLE:
Harrison Home,
Liverpool Road South,
Maghull,
L31 8BS

DWG TITLE:
Location Plan

DWG. NO.:
272-01

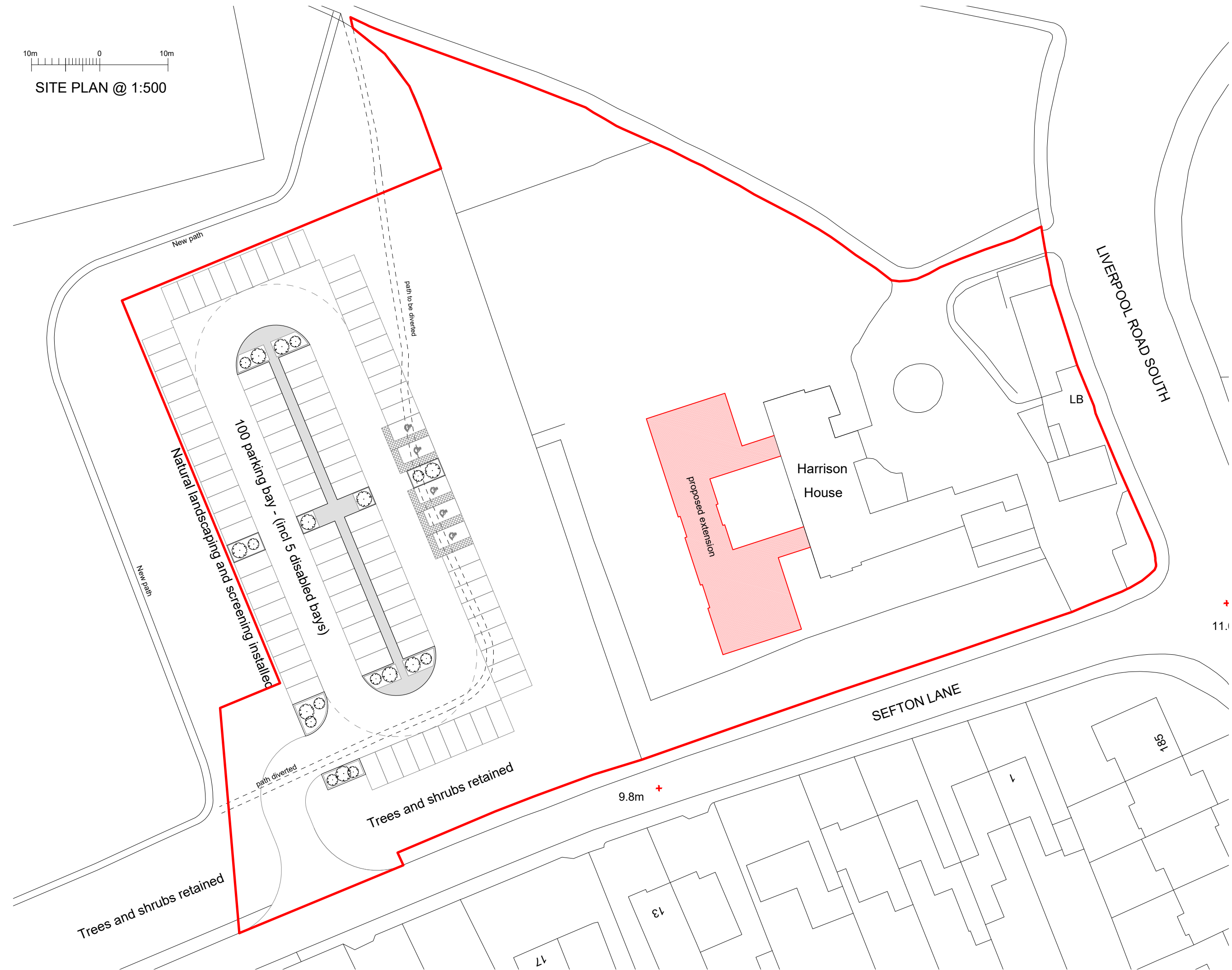
SCALE:
As shown @ A3
Do not scale from drawing

DATE:
17/04/2020

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Appendix 2: Proposed Site Plan

10m 0 10m
SITE PLAN @ 1:500



JOB TITLE:
Harrison Home,
Liverpool Road South,
Maghull,
L31 8BS

DWG TITLE:
Site Plan

DWG. NO.:
272-02
REV B

SCALE:
As shown @ A3
Do not scale from drawing

DATE:
04/12/2020

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Appendix 3: Area of Search