

# Agenda Item

<b>Ward:</b>	<b>Central</b>		
<b>Site:</b>	<b>St Johns Beacon and Central Library Houghton Street/William Brown Street and land between Liverpool L3 8EW</b>		
<b>Proposal:</b>	<b>To create a two zip line course running between St John's Beacon and the roof of Central Library; carry out associated external alterations to the second floor of St John's Beacon; installation of landing gantries and associated infrastructure; change of use of floor space on the second floor of St John's Beacon and part of the ground floor within Central Library to use in connection with the attraction.</b>		
<b>Applicant:</b>	<b>Zip World Ltd.</b>		
<b>Application No.:</b>	<b>20F/0023</b>	<b>Committee Date</b>	<b>30<sup>th</sup> June 2020</b>
<b>D.C. Team:</b>	<b>City Centre</b>		
<b>Recommendation:</b>	<b>Approve with Conditions</b>		
<b>Contact Officer:</b>	<b>Barbara Kirkbride</b>		

Any supporting or background documentation referenced within the Case Officer Report may be available for inspection at the City Council offices by prior appointment in accordance with the provisions of Section 100D of the Local Government Act 1972. Note that the right to inspect such materials is contingent on the provisions of both Schedule 12A Local Government Act 1972 (as amended) and the Data Protection Act 2018

## **Case Officer Report**

### **Site Description**

The application site includes floorspace on the second floor of St. John's Beacon, currently occupied by Radio City, and the roof and part of the ground floor of Central Library. The distance between the two is approximately 400m. The proposed zip wire would oversail St. John's Shopping Centre; Hood Street/Roe Street; St. George's Place; St. John's Lane and Gardens and William Brown Street.

Directly under the proposed line of the wire, there are a number of retail/food & drink and commercial units; the eastern edge of the Queen Square bus station; the north eastern corner of the Marriott Hotel and St. John's Gardens, including a number of memorials. Other buildings within close proximity include St. George's Hall; the Royal Court, Playhouse and Empire theatres; residential accommodation on Old Haymarket; hotels on Victoria Street and the World Museum and Walker Art Gallery.

## **Proposal**

The application proposes the installation of a two line zip wire from St. John's Beacon to the roof of Central Library. Riders would arrive at Central Library where they would be checked in, having either pre-booked or turned up on the day. A small room towards the rear of the ground floor of the library would be used to change into the required equipment, have briefings and store visitor belongings. Groups of up to twelve people would then be escorted by staff to St. John's Beacon via a designated route. Riders would be taken to the viewing platform on the 2<sup>nd</sup> floor where an area will be re-configured internally to provide staff and storage facilities. External alterations are proposed including the removal of two panes of glass to accommodate an enclosed launch area. Riders would then be clipped on and descend in a pairs down the zip wire, landing on the roof of Central Library. The application seeks permission for the attraction to operate between the hours of 9am and 8pm daily,

## **Relevant Site History**

### **This site**

None relevant

### **Elsewhere**

**15F/1218** Planning permission to temporary site zip wire attraction "Liverpool Wire" with launch and landing towers, ticket office and back of house, granted July 2015.

## **Scope of Consultations**

Consultations have taken place on the application, including a statutory newspaper advertisement, site notices posted along the route and 449 notification letters to neighbouring addresses.

## **External**

### **Neighbours**

38 responses have been received from residents, businesses and other interested parties within Liverpool and the wider area. They can be summarised as following:

29 object to the proposals (two of these support the principle of the use but consider it is not appropriate for this location). The main grounds of objection relate to:

1. The adverse impact on the WHS/conservation area/highly graded listed buildings
2. Particular concern is raised about the impact on St. John's Gardens which accommodate a number of memorials and should be retained as a tranquil space for contemplation.
3. Users will cause disturbance within Central Library which is currently a quiet place of learning and reading.

4. It would represent a distraction for vehicles, including buses using Roe Street
5. There would be noise impacts caused by users, possibly screaming as they travel over the route.
6. Safety concerns if anything fell from the wire over such a busy area.
7. It would represent the “disneyisation” of one of the City’s most cultural areas, making it appear tacky.

Comments have been received on behalf of the Marriott Hotel, located directly under part of the wire, raising concerns over possible adverse noise implications, and request that suitable conditions are imposed to ensure any noise generated should be below the existing ambient noise levels.

Two responses have been received raising concerns over the safety of the fixing attached to the Beacon and potential risks.

Five comments of support have been received from two residents, Downtown in Business and two tourism businesses in Chester who consider that the attraction will add to the visitor offer within the City and will benefit the local economy.

#### **Ward Councillors**

Councillors Nick Small and Maria Toolan object on the grounds that it will have a negative impact on the amenity of St. John’s Gardens, St. George’s Hall and other buildings within St. George’s Quarter.

#### **Merseyside Fire and Rescue Service**

Have no objections to the proposals but provide advice on access for fire appliances and provision of water supplies for fire fighting

#### **Merseytravel**

Do not formally object and advise that if the local highway authority deem the proposals to be safe then they will follow the direction of this assessment. They raise issues of potential risks which need addressing and, should permission be granted, the operators need to be liable for any incidents/accidents:

a) The possibility of objects, equipment, or infrastructure falling from the Zip line, or from passengers riding the line, on to bus passengers, property, staff or other persons, within or around Queen Square Bus Station or the St John’s Lane Bus Stop facilities and services.

b) The possibility of the Zip Line, or passenger movements on the Line, distracting drivers, passengers or pedestrians within or around Queen Square Bus Station, the St John’s Lane Bus Stop facilities and services, or drivers leaving or entering the Mersey Tunnels Queensway Tunnel, in a manner that could cause a road traffic collision between vehicles, or between vehicles and pedestrians.

They further suggest that, given the unique nature of the proposals, should permission be granted, it should be reviewed after it has been operating for 12 months.

#### **Network Rail**

No objection as it would not have any impact on their equipment or operations.

**Civil Aviation Authority**

No objection but request an information is imposed that if the height of any crane exceeds 10m then the applicant should contact Liverpool John Lennon Airport to see if any further assessment is required.

**Historic England**

Whilst the wires would be evident as part of this highly sensitive group and within the wider views, the fine nature of the wires means that the physical impact on the relationship between the buildings and St John's Gardens would be minimal and would not cause harm. There is concern, however, about the visual impact of the landing gantries in certain views of the library and associated group. They also raise concerns in respect of those aspects that make up the intangible characteristics which add to the overall significance of all the assets, including a greater sense of formality and peace. The repetitive noise and visual distraction of the zip wire would cause a disruption to this character and would cause harm which would be of a low level. The local authority must give this identified harm due weight in their consideration of the application.

**Police (Architectural Liaison)**

No comments received

**War Memorial's Trust**

Advise that the Trust's position is that the zip line path over St John's Gardens would be a negative contribution to the setting of the designated war memorials and memorial gardens, and that weight should be given to the preservation of the existing setting of the war memorials and their memorial garden setting. Harm would be caused visually and by virtue of the increased noise. The level of harm should be assessed by the Council and if necessary weighed against public benefits as per NPPF guidance.

**St. George Quarter CIC**

No comments received

**Liverpool BID**

No comments received

**Inter-departmental****Head of Highways and Transportation**

Requested additional details in respect of a safety audit and now satisfied that it would be acceptable in terms of highway and pedestrian safety.

**Environmental Health Manager**

Has no objection subject to the imposition of suitable conditions regarding noise control and an informative relating to hours of construction.

**Head of Library Services**

No comments received

**Streetscene Manager**

No comments received

## **Property and Asset Management**

No comments received

## **Intra-departmental**

### **Conservation**

There are conservation concerns over the proposal, as the works will fail to preserve the character and appearance of the William Brown Street conservation area. The proposal will also fail to preserve the setting of a number of the listed buildings; St Georges Hall (grade I), Museum & Library, Wellington Column, Walker Art Gallery, Picton Reading Room, Steble Fountain, Sessions House & College of Technology and Museum Extension (all grade II\*), Monument to the King's Liverpool Regiment, Gladstone Monument, Lester Monument, Balfour Monument, Rathbone Monument, Forwood Monument, Nugent Monument & retaining wall, gatepiers and terrace wall (all grade II) and will fail to conserve the Outstanding Universal Value (OUV) of the Liverpool Maritime Mercantile City World Heritage Site (WHS).

### **Planning Policy**

The National Planning Policy Framework (NPPF) confirms the status of the Development Plan (i.e. the Unitary Development Plan) as the starting point for decision making. Section 38(6) of the Planning and Compulsory Purchase Act 2004 also requires that "where in making any determination under the planning Acts, regard is to be had to the development plan, and the determination shall be made in accordance with the plan unless material considerations indicate otherwise." As such, both the NPPF and the emerging Local Plan are material considerations, but do not change the statutory status of the development plan.

### **Revised National Planning Policy Framework 2019 (NPPF)**

The Revised National Planning Policy Framework (2019) (NPPF) sets out a presumption in favour of sustainable development. Paragraph 7 of the Framework states that the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Paragraph 9 of the Framework states that plans and decisions need to take local circumstances into account, so that they reflect the character, needs and opportunities of each area.

The Framework re-iterates that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise

### **Unitary Development Plan (UDP)**

The following Saved UDP policies are relevant to the determination of this application and are considered to align with the principles, aims and objectives of the NPPF and are considered to carry significant weight.

GEN1          Economic Regeneration

GEN2	Open Environment
GEN3	Heritage and Design in the Built Environment
GEN9	Liverpool City Centre
E6	Mixed Use Areas and Sites for Various Types of Development
E8	Tourist Facilities and Facilities
E9	Leisure Development
HD5	Development Affecting the Setting of Listed Buildings
HD12	New Development Adjacent to Conservation Areas
HD18	General Design Requirements
HD19	Access for All
T6	Cycling
T7	Walking and Pedestrians
EP11	Pollution

### **Supplementary Planning Documents**

Liverpool Maritime Mercantile City World Heritage Site (2009)  
Design for Access for All (2010)

### **Liverpool Local Plan 2013 - 2033 (LLP)**

Liverpool Local Plan has been submitted to the Planning Inspectorate for examination. Planning Policy Guidance for Plan Making (updated 15 March 2019) advises:-

The National Planning Policy Framework sets out that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with policies in the [National Planning Policy Framework](#).

Given that there are outstanding general objections relating to the soundness and procedural aspects of the local plan, and that there are also specific objections to the policies listed below which are relevant to this application, then those policies are considered to have limited weight given the stage of preparation of the Local Plan.

GEN9	Liverpool City Centre
CC18	St. George's Quarter
EC3	Delivering Economic Growth
EC4	Culture, Tourism and Sport
EC6	Mixed use Area and Sites for Various Types of Development
UD4	Inclusive Design
HD1	Heritage Assets
HD2	Liverpool Maritime Mercantile City World Heritage Site

### **Issues**

1. Policy Background and Principle of Development
2. Design and Impact on Heritage Assets
3. Highway Safety
4. Residential Amenity
5. Other Issues

## 6. Summary

### Officer Assessment

#### 1. Policy Background and Principle of Development

- 1.1 The application proposes the provision of an adventure sports adventure within the heart of the city centre, comprising the installation of a two line zip wire from St. John's Beacon to the roof of Central Library, crossing over St. John's Shopping Centre; Hood Street/Roe Street; St. George's Place; St. John's Lane and Gardens and William Brown Street Riders will descend from the crow's nest of the Beacon and travel to the roof of Central Library.
- 1.2 The applicants are Zip World Ltd, an adventure tourism provider. They are based in North Wales and operate 13 adventures from three sites. They opened their first zip line adventure, Zip World Velocity, in 2013. Other attractions include subterranean trampolines, underground zip wires and rope bridges, an alpine coaster, adventure courses high up within the tree, swings, quarry karts and tandem drops. They advise that they have identified Liverpool as the preferred location for their first city attraction.
- 1.3 "Saved" Policy E8 'Tourist Attractions and Facilities' within the UDP states that the City Council will support the development of tourism in Liverpool by promoting and encouraging the development of new tourist attractions and accommodation. It further states that the City Council will seek to guide the development of visitor attractions to appropriate locations, especially within the City Centre, for example, the St George's/William Brown Street area. However, any environmental, traffic, or residential conflicts which may arise will need to be minimised if the developments are to be acceptable
- 1.4 Policy EC4, Culture, Tourism and Sport, within the Emerging Local Plan recognises the importance of tourism to the economy and seeks to support proposals that will reinforce and promote Liverpool's role as a centre for tourism, subject to them being of appropriate quality and not adversely impacting on residential amenity or the operation of existing businesses.
- 1.5 The proposed visitor attraction aims to build on the success that the applicant has achieved in North Wales, where it has brought significant benefits to the local economy. It will provide visitors, both residents and tourists, with a unique experience within the City and encourage additional visits to existing tourist and cultural premises, including St. John's Beacon and Central Library. As such, it is considered that the proposed use is appropriate and will complement existing leisure offers in the area, within a highly sustainable City Centre location, and would therefore accord with Saved Policy E8 of the UDP and Policy EC4 of the Emerging Local Plan, subject to the proposals according with other relevant plan policies.

## **2. Design and Impact on Heritage Assets**

- 2.1 The William Brown Street area is located within character area 5 of the Liverpool Maritime Mercantile City World Heritage Site (WHS). St Johns Beacon and the shopping centre are located within the buffer zone. The Grade II\* listed Central Library and part of the route lies within the William Brown Street Conservation Area which also includes St John's Gardens. The gardens, although not listed in their own right, are an important public green space at the centre of the conservation area, positively contributing to the character and appearance of the conservation area and the setting of the numerous listed buildings that are located within or around the gardens.
- 2.2 The most notable listed buildings within the area include St. George's Hall (grade I), Museum & Library, Wellington Column, Walker Art Gallery, Picton Reading Room, Steble Fountain, Sessions House & College of Technology and Museum Extension (all grade II\*), Monument to the King's Liverpool Regiment, Gladstone Monument, Lester Monument, Balfour Monument, Rathbone Monument, Forwood Monument, Nugent Monument & retaining wall, gate piers and terrace wall (all grade II).
- 2.3 The proposal involves external works to both St. John's Beacon and the Grade II\* listed Central Library. The attraction will utilise half of the second floor of St. John's Beacon which is currently un-occupied and will operate alongside the existing viewing platform. Two glass panes will be removed for the northern elevation at this level to accommodate an enclosed launch area. Given the location and limited nature of the works, there will be no discernible change to the appearance of the tower from street level.
- 2.4 Central Library re-opened in 2013 following extensive refurbishment and construction works. This included a new repository extension to the rear on Clayton Street adjacent to the former Churchill flyover. It is proposed to site the zip wire facilities predominately on the roof of the new element to ensure minimal impact on its relationship with the original listed library and also on William Brown Street. A new platform level will be erected on the roof with associated gantries together with the necessary landing space and external stairs for visitors. It is proposed that the majority of finishes will be galvanised steel which will quickly dull.
- 2.5 There are some conservation concerns over the physical structures proposed to be sited on the roof of the Central Library, as although the works cause no physical harm to historic fabric (as this element was built in 2012/13), the structures will be visible above the original 1860's façade in key views of the listed building from St John's Gardens. The utilitarian appearance of these structures and their positioning does not complement the architectural merits of the original façade from some viewpoints. The surviving façade of the Central Library is also a fundamental part of the wider street scene, as it forms part of the collection of listed buildings along the northern side of the street that collectively create a high quality townscape that forms a monument to the civic pride of Liverpool's Victorian benefactors.
- 2.6 From a conservation perspective, it is considered that the introduction of the associated structures to the roof would appear as an incongruous feature above the roofline of the existing buildings and have a negative impact upon this important

collection of listed buildings, having a harmful (less than substantial) impact upon the character and appearance of the William Brown Street conservation area. The applicants consider that the existing tree coverage within St Johns Gardens makes this acceptable, however, this is subject to seasonal tree coverage and where you view it from. They also make reference to other alterations to the roofscape of this group of buildings including the glazed extension to the roof of the library set to the front of the building and clearly visible from William Brown Street and St. John's Gardens.

- 2.7 In terms of the wires themselves, it is considered that, although they would be evident as part of the William Brown Street group of buildings and within wider views, the fine nature of them means that the physical impact on the relationship between the buildings and St. John's Gardens would be minimal and would not cause harm.
- 2.8 Concerns are further raised about the impact of the proposal on St. John's Gardens. Established in 1904, the gardens were designed to accommodate commemorative statues. It continues to operate as a tranquil space that provides escape from the surrounding urban environment. This important characteristic is reinforced by the decision to subsequently site a number of memorials (including war memorials) within the gardens and act as a space for reflection.
- 2.9 It is considered that the introduction of a thrill-seeking activity directly above St John's Gardens will undermine this peaceful character, as the potential noise and visual distraction generated by the users of the zip-line would conflict with the general character of the area, having a harmful (less than substantial) impact upon how the public experience St Johns Gardens, the conservation area, the setting of the numerous, many highly graded, listed buildings and the Outstanding Universal Value of the World Heritage Site.
- 2.10 The importance of the gardens is recognised by the applicant who have provided a St. John's Gardens Memorial Reflection note as part of the application, which identifies a number of days where it would not be appropriate for the attraction to open. This includes Remembrance Sunday, Armistice Day, the anniversary of Hillsborough and Christmas Day. The have further stated that they are keen to work alongside community groups to consider other events where a temporary closure may be appropriate on a case by case basis as well as supporting local groups and charities and fundraising initiatives where possible.
- 2.11 In addition, the applicants have advised that they are able to incorporate technical mechanisms that would allow the noise from the breaking system to be reduced. As part of their safety briefing, the operators will provide the context to St John's Gardens and respectfully request that riders are mindful of the Gardens and their use. Although riders will generally be louder when they start their descent from the high point of the attraction, the applicants advise that, if considered appropriate, riders will be required to wear a face buff to cover the lower part of their face to minimise noise.
- 2.12 Notwithstanding this, it is accepted that there will be some level of harm caused to the designated heritage assets in the area. It is considered, that in this instance, the

level of harm caused will be towards the lower end of the less than substantial harm spectrum. Where this is the case, paragraph 196 of the NPPF (2019) should be applied, which advises that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable uses.

- 2.13 The proposal will support the development of tourism in Liverpool, enhancing the current leisure offer, to the benefit of the local economy and visitor experience. Furthermore, it will assist in the Council's stated aims of guiding the development of visitor attractions to appropriate locations, especially within the City Centre, including the St George's/William Brown Street area, where it is hoped that it will generate extra visitors to the existing cultural attractions, such as the library, art gallery and St. George's Hall. It will also attract visitors to St. John's Beacon and bring existing underused space within the tower back into beneficial use. On this basis, it is considered that, on balance, the public benefits outweigh the less than substantial harm caused to the heritage assets and is therefore supported.

### **3. Highway Safety**

- 3.1 The site is located within the city centre close to facilities and amenities and within easy access of bus and rail services as well as the existing Citybike stations and taxi ranks. Visitor parking can also be accommodated within existing on-street pay & display or off-street car park facilities located close-by.
- 3.2 The application is supported with a transport statement which includes a safety audit of the surrounding highways and risk assessment centring on an area of influence around the zip line based on near viewports (or sight of the zip line) by vehicles travelling on the network. Initially, this 'area of influence' was considered too restrictive from a highway's perspective and as a result of the scoping process, it has been revised to cover a more substantive area. The risk assessment has been undertaken with reference to GG104 which is the standard used by Highways England when assessing risks on the strategic network, and is therefore considered appropriate.
- 3.3 The findings to the study are considered satisfactory and do not raise any traffic or transportation concerns. It is acknowledged that the sight of persons using the zip wire would present a distraction to motorists, however, the assertions within the report that such occurrences would not have a significant impact or result in a proliferation of traffic accidents is accepted by the Head of Highway's and Transportation.
- 3.4 The report identifies other highway distractions, such as digital adverts or low flying aeroplanes coming in to land over public highways, and notes that whilst these are perceived to be major driver distractions, they are not uncommon roadside features or occurrences and there is no evidence regarding an increase in accidents due to such. The ability of drivers to assimilate such visual information and acknowledgment of other roadside features, whilst maintaining the ability to drive and manoeuvre safely, is therefore accepted, and the sight of a person travelling on the zip line is not considered to be such a distraction which would result in drivers losing control of their vehicles.

- 3.5 Within the report there are proposed routes for customers to transfer between Central Library and St Johns Beacon, one of which is for disabled customers of the zip-line. The original route included a flight of stairs leading down from St Johns Gardens onto St Johns Lane, an alternative accessible route without stairs has therefore been requested, to be agreed by Highways.
- 3.6 It is also noted that the proposed walking routes are considered a fair distance to walk for families with small children or for persons with limited mobility. The Head of Highways and Transportation has advised that no motorised vehicle use, such as electric buggy/golf carts, may be used to provide connections between the two sites without seeking the prior agreement of the Council.
- 3.7 With regards to maintenance of the equipment and supporting structures, a schedule has been provided within the submitted documents. Additional information was requested with regards to the potential for ice or snow to form and build up on the cables when little used which could potentially fall and cause injury to passing pedestrians. The information appears acceptable and the risk of ice build-up on the cables causing a hazard has been sufficiently addressed.
- 3.8 Merseytravel advise that they will be led by the local highway authority in terms of the assessment as to whether the proposals would be safe for the public highway. They have, however, raised issues of potential risks which need addressing should permission be granted. They consider that the operators need to be liable for any incidents/accidents, including any objects, equipment, or infrastructure, falling from the structure or riders on to anybody within or around Queen Square Bus Station or the St John's Lane bus stop facilities and services and also any movement generated by the attraction distracting drivers, passengers, pedestrians in the same area or drivers leaving or entering the Mersey Tunnels Queensway Tunnel, in a manner that could cause a road traffic collision between vehicles, or between vehicles and pedestrians. In response, the applicants consider that any potential impact has been fully considered and accepted by the Head of Highways and Transportation and no further assessment or action is required.
- 3.9 They further suggest, given the unique nature of the proposal, that a review be undertaken after the ride has been operational for twelve months. Given the investment involved in any such proposals, it is not considered necessary or appropriate to impose an initial temporary one year permission.
- 3.10 On this basis, the Head of Highways and Transportation is satisfied that there are no particular issues of concern arising from the proposals, as regards impact upon the existing highway network from the operation of its use and that the proposed access arrangements will adequately protect highway and pedestrian safety.

#### **4. Impact on Residential Amenity**

- 4.1 The nearest residential apartments are located on Old Haymarket to the east, some 160m from the zip wire. A resident has expressed concern that the noise generated by the attraction, particularly at weekends and in the evening, would be detrimental to residential amenity (it is proposed to operate from 9am to 8pm daily). The

Marriott Hotel lies directly adjacent to the wire with a small portion of the building within the proposed line. They hotel operators have sought assurances that any noise generated should be below the current ambient noise level and that this should be controlled by condition.

- 4.2 The application was supported by a Noise Impact Assessment. The report concludes that the operation of the proposed zip wire will not have any significant adverse noise impact on any nearby noise-sensitive premises. In respect of the nearest residential properties on Old Haymarket, they are separated from the wire by a number of buildings, including food & drink, casino and hotel uses on Victoria Street and within the Queen Square development. In addition, the area is heavily trafficked by both by buses and private vehicles. It is considered that some degree of noise and disturbance should be expected within such city centre locations. Indeed, there is already a level of late night activity generated by a number of leisure uses which operate beyond the proposed 8pm closing time of the ride. It is not, therefore, considered that the cumulative impact of the use will introduce noise/disturbance levels beyond that which would normally be acceptable in this city centre location.
- 4.3 In relation to the Marriott Hotel, the nearest noise sensitive location, the submitted noise assessment confirms that the predicted noise outside the hotel, directly adjacent to the wire, is only marginally above the measured LA90 background noise and is below the existing LAeq noise levels. The Environmental Health Manager has considered the assessment and accepts its conclusions. In addition, the applicants have agreed to a suitably worded condition to ensure that the mechanical noise levels produced by the wire are controlled so that they do not exceed 65 dB LAeq (1 hour) outside the Marriott Hotel.
- 4.4 On this basis, it is considered that the impacts of the proposal would not unreasonably harm existing levels of amenity, given its location and subject to conditions to limit hours of operation (to between 9am and 8pm) and to control the mechanical noise from the equipment.

## **5. Other Issues**

### **5.1 Safety**

A number of people are concerned that the ride may be dangerous should items fall from the structure or from the riders. As part of the application, the applicants submitted a safety assessment. In terms of the ride itself, further information has been requested to demonstrate that it would not cause damage to people or property due to falling items. With respect to users of the attraction, they will be required to adhere to the strict policies imposed by the operators which will include no items being carried, including bags, money, phones, cameras, shoes that may potentially fall off, necklaces etc.

All visitors will be required to attend a safety briefing before riding. As part of this, checks for these items will be carried out by staff, including the use of a wand scanner. Free lockers will be provided to store personal belongings. The applicants advise that this procedure is already in place in their existing attractions and, in the six years they have been operating, there have been no instances of an object on

someone. Should permission be granted, the attraction will be required to operate in accordance with the approved policies at all times.

## 5.2 **Inclusive Access**

The attraction has been designed to be accessible to those with impaired mobility. Both St. John's Beacon and Central Library have level access into the buildings and lift access to the proposed facilities. Existing and new accessible WC and changing facilities will be available to the riders and staff at both venues. An accessible platform lift to access the library terrace from the landing platform is also to be installed. In addition, the applicant has also confirmed that staff will be available at all times to offer any assistance required.

## 5.3 **Structural Issues**

Concerns have been raised by employees working within St. John's Beacon about the safety of the structure should a zip wire be permanently attached to the building, given that the tower already moves in high winds.

Following these comments, the applicants have provided further details from their civil engineer consultants. They advise that there are no significant proposals to alter the structural form or building envelope of St. John's Beacon. Therefore, a change in loading on the tower is not anticipated and therefore little/no impact on movement of the tower is anticipated. With regards to the addition of zip wires to the face of the tower, the implications of loading have been assessed, using both the worst case wind load on tower and the wind load up to operational wind speed of zip wires and zip wire loads in operation.

With regards to movement in the current condition, early stage conservative assessments indicate the tower to move in the region of approximately 1.25m at the top under worst case wind loading. The additional load due to zip wires in a storm condition would be expected to cause an additional circa 180mm of movement at the top of the tower. At the point of application of load, i.e. within the crow's nest where riders descend from, this would equate to an additional circa 150mm of movement which represents a minor potential increase in movement.

## 6. **Summary**

6.1 It is considered therefore that the proposed use is suitable for this location: it will provide visitors, both residents and tourists, with a unique experience within a highly sustainable location, complementing and enhancing the City's existing tourism offer and encouraging additional visits to the City.

6.2 It is accepted that the proposed development will result in some harm to designated heritage assets. As this is considered to be less than substantial, however, the harm has been weighed against the public benefits of the proposal. In this instance, it is considered that the proposed development will bring significant benefits to the local economy and will encourage additional visits to existing tourist and cultural premises, including Central Library and the William Brown Street area and will cause no significant harm to nearby heritage assets or other adjoining buildings.

6.3 Furthermore, the imposition of appropriate mitigation measures, including to the mechanisms to the wires and appropriate operational procedures, will help safeguard existing local amenity. It is considered that the proposal will not result in any adverse highway issues or represent a danger to any road users.

**Recommendation**

Accordingly for the reasons set out above, the Head of Planning recommends that planning permission be granted, subject to the stated conditions.

**Conditions**

1	<p>The development hereby permitted shall begin before the expiration of 3 years from the date of this permission.</p> <p>REASON: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby approved shall be carried out in accordance with the following drawings and documents:</p> <p>(i) Drawing Numbers 100, 101, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008 2000, 2201, 2002, 2003, 2004, 2005, 2006 3000, 3001, 3002, 3003</p> <p>(ii) Supporting Documents Design and Access Statement Townscape &amp; Visual Impact Assessment Heritage Impact Assessment Noise Assessment Transport Statement (with Road Safety Assessment) Risk Management Document Economic Impact Assessment St John's Gardens Memorial Reflection Note, as revised 19 June 2020 Liverpool Zip Customer Journey Zip Wire Safety Measures</p> <p>REASON: For the avoidance of doubt.</p>
3	<p>(No works shall take place on the site at all until a method statement comprehensively detailing the phasing and logistics of demolition/construction has been submitted to and approved in writing by the Council as Local Planning Authority.</p> <p>The method statement shall include, but not be limited to:</p> <ol style="list-style-type: none"> <li>1. Construction traffic routes, including provision for access to the site</li> <li>2. Entrance/exit from the site for visitors/contractors/deliveries</li> <li>3. Location of directional signage within the site</li> <li>4. Siting of temporary containers</li> </ol>

	<p>5. Parking for contractors, site operatives and visitors  6. Identification of working space and extent of areas to be temporarily enclosed and secured during each phase of demolition/construction  7. Temporary roads/areas of hard standing  8. Schedule for large vehicles delivering/exporting materials to and from site  9. Storage of materials and large/heavy vehicles/machinery on site  10. Measures to control noise and dust  11. Details of street sweeping/street cleansing/wheelwash facilities  12. Details for the recycling/disposing of waste resulting from demolition and construction works  13. Hours of working  14. Phasing of works including start/finish dates</p> <p>Reason: To ensure that adequate on-site provision is made for construction traffic, including allowance for the safe circulation, manoeuvring, loading and unloading of vehicles, as well as parking, and to reduce impact on residential amenity and the general amenity of surrounding occupiers.</p>
4	<p>(a) Details of the following external works shall be submitted to and approved in writing by the local planning authority before they are implemented:</p> <p>(i) External Lighting  (ii) Platform, platform lift and means of enclosure to Central Library roof.</p> <p>(b) The development shall be carried out in accordance with the approved details 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.</p>
5	<p>Any waste generated to be discarded as refuse or recycled shall be kept within the curtilage of the premises and shall only be placed outside the premises on the appropriate refuse collection day.</p> <p>REASON: To safeguard amenity and maintain the quality of the street environment</p>
6	<p>(a) Prior to their implementation and use on site, 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.</p> <p>(b) The scheme shall be completed using the approved materials before the development is occupied/brought into use.</p> <p>REASON: To ensure a satisfactory external appearance.</p>
7	<p>The attraction shall not be open to customers outside the hours of 0900 and 2000 daily and not at all on Armistice Day, Remembrance Sunday, 15 April (Hillsborough Memorial Day) or Christmas Day,</p> <p>REASON: To ensure that nearby occupiers are not adversely affected by the</p>

	development and in the interests of local amenity.
8	<p>Prior to the first opening of the zip wire for business and use by the public, the designated walking route between Central Library and St Johns Beacon must be submitted for approval by the LPA. This route must be accessible in accordance with the principles set out in the Council's access policy and Supplementary Planning Document Access for All.</p> <p>No motorised vehicles are permitted to be operated by the business on the agreed (or otherwise) transfer route between the Library and St Johns Beacon unless prior approved in writing by the LPA.</p> <p>Reason: In the interest of highway safety, and protection of public amenity spaces.</p>
9	<p>The mechanical noise level produced by the operation of the zip wires shall not exceed 65 dB LAeq(1 hour) outside the Marriott Hotel.</p> <p>REASON: To safeguard residential amenity.</p>
10	<p>In the event that the development hereby permitted ceases to be used for a continuous period of nine months or longer, all structures and zip wire course elements shall be removed within a period of a further six months in accordance with details to be submitted and agreed in writing by the local planning authority and, for the avoidance of doubt, this shall include all measures to make good any damage caused to the fabric of the buildings.</p> <p>Reason: In the interests of visual amenity.</p>
11	<p>(a) Notwithstanding any indicative details shown on the approved drawings, prior to their implementation and use on site, working drawings of all fixings attached to the roof of Central Library shall be submitted to and approved by the local planning authority:</p> <p>(b) The scheme shall be implemented in accordance with the approved details before the development is occupied or brought into use.</p> <p>REASON: The Council wishes to ensure that the works are satisfactory to protect the significance of the heritage asset.</p>
12	<p>Prior to the use hereby permitted commencing, a Management Strategy Plan shall be submitted and approved in writing by the local planning authority. The attraction shall operate at all times in accordance with the approved Plan.</p> <p>Reason: it is in the interests of ensuring the development functions in conformity with an agreed management thereby safeguarding public amenity.</p>
13	<p>Prior to the use hereby permitted commencing, an Access Strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall include an Access Appraisal Report, setting out design and operational proposals for ensuring the needs of those with mobility or sensory impairments are appropriately considered and addressed. The Access Appraisal Report should</p>

	<p>cover details of the layouts, including approaches, internal and external circulation spaces, furniture, materials, entrances, toilet accommodation including changing places, lighting, signage and other design factors affecting building and/or services accessibility for all users. The Access Strategy 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 development is accessible to all potential visitors and employees in accordance with Policies T7 and HD19 of the Liverpool Unitary Development Plan.</p>
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### Informatives

1.	<p>The decision to grant permission and impose any conditions has been taken having regard to relevant policies and proposals in the Development Plan. The local planning authority has worked proactively with the applicant to seek solutions to any problems arising during the course of the application and by granting planning permission for sustainable development has implemented the requirements of the NPPF.</p>
2.	<p>A Licence under S178 of the Highways Act 1980 is required for any overhead beam, rail, pipe, cable, wire or other similar apparatus installed over, along or across 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.</p>
3.	<p>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:</p> <ul style="list-style-type: none"> <li>(i) outside the hours of 0800 to 1800 weekdays</li> <li>(ii) outside the hours of 0800 to 1300 Saturdays, and</li> <li>(iii) at any time on Sundays or Bank Holidays.</li> </ul>
4.	<p>The contractor/developer should consult Liverpool John Lennon Airport for permission to work if any crane or lifting equipment is to be used and its height exceeds 10 meters or that of the surrounding structures or trees. If deemed necessary due to the size of the crane an Instrument Flight Procedures (IFP) assessment will be carried out. Any costs incurred in carrying out this assessment will be met by the developer.</p>