



Department for Culture Media & Sport

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31 January, 2014

Dear Kishore

LIVERPOOL MARITIME MERCANTILE CITY (C1150)

In accordance with Decision 37 COM 7A.35 of the 37th session of the World Heritage Committee, I am submitting the state of conservation report for Liverpool Maritime Mercantile City. I have used the format stipulated as far as is possible.

1 Response from the State Party to the World Heritage Committee's Decision 37 COM 7A.35

The World Heritage Committee,

1. Having examined Document WHC-13/37.COM/7A,
2. Recalling Decision **36 COM 7B.93**, adopted at its 36th session (Saint-Petersburg, 2012),
3. Also recalling the results of the joint World Heritage Centre/ICOMOS reactive monitoring mission of November 2011,
4. Notes the information provided by the State Party that the Secretary of State for Communities and Local Government decided not to call in the Liverpool Waters development for consideration at the national level, and that the Liverpool City Council had granted consent to the application submitted by the developer;
5. Reiterates its serious concern at the potential threat of the proposed Liverpool Waters development on the Outstanding Universal Value of the property, and also notes that the implementation of the development, as currently planned, would irreversibly damage the attributes and conditions of integrity that warranted inscription, and could lead to the potential deletion of the property from the World Heritage List;

Part of the Liverpool Waters site lies in the World Heritage site, the remainder in the buffer zone. There has been a need for many years to find an appropriate form of sustainable development for



the 60 hectares of the derelict central docks involved in the Liverpool Waters scheme which is, at the same time, commercially viable. In common with some other large urban regeneration sites, there are tensions between securing much-needed beneficial development whilst ensuring that the historic environment will be protected and conserved.

As you will recall, the Liverpool Waters proposals are in outline form only at this stage and the planning approval is for a scheme to be built over a 30 year time scale in a series of phases. The permission is subject to a number of legal obligations and some 77 planning conditions. Together, these require, amongst other things, detailed master plans for each phase of the development prior to submitting any detailed proposals, protection and conservation of each and every heritage asset that falls within the development site, and a considerable amount of additional information in relation to any specific development proposals (including details of the layout, scale, appearance, access and landscaping). The Council's further approval of all these details is required before each part of the development can proceed.

Some elements of the proposals to which the World Heritage Committee objected are not likely to happen for many years so that the danger to which the Committee referred therefore remains a potential one which may not materialise. As yet, no detailed proposals have been made for implementation of any part of the outline planning consent and the controls on the permission outlined above have the potential to address other concerns expressed by the Committee. We shall continue to advise the World Heritage Centre on progress as detailed proposals are formulated for approval by the City Council.

6. Therefore, strongly urges the State Party to reconsider the proposed development to ensure the continued coherence of the architectural and town-planning attributes, and the continued safeguarding of the Outstanding Universal Value of the property including the conditions of authenticity and integrity;

It is not possible in practice to reconsider the overall parameters of the scheme which has been granted outline planning permission. As noted above, the permission is subject to legal obligations and planning conditions that control all detailed aspects of the development alongside the protection and management of all heritage assets that fall within the development site. This provides the opportunity for both the Council and English Heritage to ensure sound conservation management and to seek modifications to the design in the context of, among other things, identifying, protecting, conserving and presenting the Outstanding Universal Value of the World Heritage Site. In the latter regard, design and conservation review bodies are being set up under the terms of the planning permission. Representation from English Heritage has been invited on these bodies and it will continue to work with the developer, Peel Holdings, and the City of Liverpool to promote development that sustains that Outstanding Universal Value.

7. Further notes that the State Party has not yet developed a proposal for the Desired state of conservation for the removal of the property from the List of World Heritage in Danger and a set of corrective measures and requests the State Party to pursue its consultations with the World Heritage Centre and Advisory Bodies to elaborate a Desired state of conservation for the removal of the property from the List of World Heritage in Danger along with a set of corrective measures, and a time frame for their implementation;

The World Heritage Centre and ICOMOS proposed a Desired State of Conservation (DSOC) to the state party on 29th April 2013 as an initial first draft. At the side meeting during the World Heritage Committee between the state party, the World Heritage Centre and the Advisory Bodies, it was agreed that English Heritage would discuss the draft with Liverpool City Council, Peel Holdings and the Chair of the Liverpool World Heritage Site Steering Group since it is essential to

achieve agreement from the key stakeholders on what can be achieved. Discussions are continuing between these bodies on an appropriate DSOC. We hope to send you a further draft shortly, reflecting those discussions.

8. Decides to retain Liverpool – Maritime Mercantile City (United Kingdom of Great Britain and Northern Ireland) on the World Heritage List in Danger;

9. Also requests the State Party to submit to the World Heritage Centre, by 1 February 2014, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 38th session in 2014.

2. Other current conservation issues identified by the State Party

We have reported previously on a number of significant achievements protecting, conserving and presenting the Outstanding Universal Value of the World Heritage Site including dealing with buildings at risk in the World Heritage property. These demonstrate the effectiveness of the City Council and English Heritage in finding appropriate uses for disused buildings which are attributes of the Outstanding Universal Value of the World Heritage property.

The ongoing restoration and adaptive re-use of the North Warehouse at Stanley Dock is progressing well. The historic fabric of the building has been repaired and the internal conversion to a hotel will be complete for late Spring/ early Summer 2014. Consent has also been granted for the conversion of the adjoining 1950s rum warehouse into a conference and exhibition centre. This scheme is already progressing well on site and will be complete for Summer 2014 to greatly enhance the critical mass of activity at Stanley Dock. This should be the first phase of removing the whole Stanley Dock complex from the Heritage at Risk Register and ensuring the future of a major attribute of the World Heritage property.

We reported in our letter of 27th March 2013 that a scheme had been agreed to bring the Royal Insurance Building on Dale Street/North John Street back into use after many years when it has been vacant and at risk. The early 20th century Royal Insurance Building is one of the most impressive landmarks in what was the commercial core of the WHS. The conversion to a high quality hotel, supported by public and private investment, including funding from both the City Council and English Heritage, is progressing on site and repairs to the roof and external fabric are on schedule to be completed in early 2014. Once complete the scheme will allow the building to be removed from the Heritage At Risk register. The new hotel should open in autumn 2014.

Consent has now been granted for a scheme to convert Albion House, the former White Star Shipping Co office (listed at Grade II* and designed by Norman Shaw) into a hotel after many years of vacancy, and work is now in progress. The scheme has been designed to restore the impressive first class passenger lounge, one of the few internal features not to be destroyed by WWII bombing. Following pre-application discussions on the repair and the re-use of derelict shops on Dale Street, constructed in 1819 and one of the remaining fragments of C19th development within the Victorian and Edwardian townscape of the commercial core, a formal planning application has been submitted for the restoration, repair and re-use of the buildings with commercial office space on the ground floor and residential use on the upper floors..

The multi million pound restoration of the Library in William Brown Street has now been completed and the Library re-opened. This is one of the outstanding 19th century civic buildings in the cultural quarter of the WHS of Liverpool and its restoration is a significant contribution to the overall conservation of the World Heritage property and allows greater public understanding of it.

English Heritage has been reviewing the level of statutory protection of significant buildings in Liverpool and the significance of India Buildings has been recognised by upgrading its listing to II*.

The City Council is continuing with initiatives mentioned in previous correspondence. The first consultation on the Local Plan has begun and this will be progressed once comments are received. The new Local Plan should provide a strengthened framework for the protection and sustainable use of the World Heritage property. The Heritage Investment Framework is being updated so that the City's heritage priorities are recognized in funding bids and work programmes. Alongside this, the projects in the City Centre Strategic Regeneration Framework have been prioritized. Work will concentrate initially on the areas within the World Heritage property, including St George's plateau and the Strand.

Finally, the Mayor has commissioned a task force, led by David Fleming, Director of National Museums, Liverpool, and including representation from English Heritage and the Heritage Lottery Fund, to prepare a report for him on the state and potential of the City's cultural heritage, including the World Heritage property, both in its own right and as a contributor to social cohesion and economic growth. That report has now been submitted to the Mayor for his consideration, and is another example of the priority being put on Liverpool's cultural heritage by the City Council. It is hoped that the Mayor may commission an integrated cultural heritage strategy within which the value and potential of the World Heritage property will be recognized.

Alongside these initiatives, the World Heritage Site Steering Group has been working with the City Council on the revision of the Management Plan and also a restructuring of the Group itself to strengthen community and private sector involvement. It is also hoped to create a wider Forum to increase involvement with the World Heritage property. The Steering Group and the City Council also hosted a high level seminar last summer which was aimed principally at businesses and decision takers in order to increase awareness and involvement with the World Heritage property. This seminar was opened by the Mayor and was chaired by Sir Neil Cossons, formerly Chair of English Heritage and Director of the Science Museum.

3 In conformity with paragraph 172 of the Operational Guidelines, please describe any potential major restorations, alterations and/or new construction(s) within the protected area (core zone and buffer zone and/or corridors) that might be envisaged.

The City Council have granted consent for a scheme to replace 86-90 Duke Street in the Ropewalks area of the World Heritage property. The existing buildings are a mix of eighteenth and nineteenth century residential, storage and industrial buildings. They all lie within the Duke Street Conservation Area. English Heritage recognized that a contextual redevelopment of this site was necessary but were concerned about the extent of demolition and the way in which the

new development would impose a new building form which would dominate the area and fail to respect the historic layering of the site. Following a request from English Heritage, the developer did produce a heritage impact assessment based on the ICOMOS guidance. This assessment recognized that the development would cause harm to the Outstanding Universal Value of the World Heritage property. English Heritage's advice to the City Council was that, while the harm to the character and appearance of the Conservation Area was substantial, the level of harm would be minimal in respect of the OUV of the World Heritage Site as a whole. They recommended that consent should be refused.

Beyond the southern boundary of the World Heritage property, but in its buffer zone, an application has been submitted for a new Exhibition Centre, just south of the Arena which was built some years ago, together with an adjoining hotel. Liverpool City Council and English Heritage have negotiated a reduction in height for the hotel which will ensure that there is no adverse impact on the Outstanding Universal Value of the World Heritage property. In addition, archaeological works will be undertaken in advance of construction to ensure that piling for the Exhibition Centre will minimise damage to in-situ archaeological remains, and that a programme of archaeological recording will be undertaken.

You may wish to note that the Chair of the Liverpool World Heritage Site Steering Group, the City Council, and Peel Holdings, responsible for the Liverpool Waters scheme, have seen and commented on two drafts of this letter. All parties have reiterated their commitment to supporting the World Heritage property and maintaining its status.

The United Kingdom government remains fully committed to the principles of the World Heritage Convention and will ensure that it continues to do its utmost to meet its obligations under the Convention



Leila Al-Kazwini
Head of World Heritage

Cc HE Matthew Sudders, UK Permanent Delegate to UNESCO
UK National Commission for UNESCO
English Heritage



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7 Place de Fontenoy
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15 April 2014

Dear Kishore

LIVERPOOL MARITIME MERCANTILE CITY (1150) DESIRED STATE OF CONSERVATION

In our State of Conservation report for Liverpool Maritime Mercantile City, sent to you on 31st January, we noted that discussions on the draft Desired State of Conservation (DSOC) were still ongoing between English Heritage, our principal advisors on the historic environment, Liverpool City Council, Peel Holdings, and the Chair of the Liverpool World Heritage Site Steering Group.

We promised to send you a further draft of the DSOC once those discussions were complete. I enclose that further draft, which has been agreed by the key stakeholders, for your consideration and comment.

As was noted in our State of Conservation report, it is not possible in practice in the English planning system to cancel a planning permission once it is granted. The DSOC therefore focuses on arrangements and controls within the terms of the existing permission, on the wider issue of ensuring that future planning policies for Liverpool as a whole maintain protection of the Outstanding Universal Value of the World Heritage property, and on promoting the World Heritage Site.

The text has been agreed by the four key stakeholders as a basis for future action. Once agreed by the World Heritage Committee, it will be an important focus when handling the detailed applications for successive phases of Liverpool Waters, for the drafting of the relevant parts of the new Liverpool Local Plan and for promoting the WHS to developers, visitors and residents. As regards Liverpool Waters, detailed proposals for future developments within the parameters of the Outline Planning Permission have still to be developed. As each detailed neighbourhood masterplan comes forward, we will forward it to you.



Finally, at our meeting with your colleagues and the Advisory Bodies during the 37th session of the World Heritage Committee, it was suggested that a seminar between ICOMOS International, the Centre and the key stakeholders in Liverpool could be a useful next step. The UK Government would certainly welcome this and if the Centre and ICOMOS wish to follow this up, we will explore with you possible practical arrangements for such an event. Should you have any queries or comments at this stage, do please contact me.

A handwritten signature in black ink, consisting of several loops and a long, sweeping underline that extends to the right.

Leila Al-Kazwini
Head of World Heritage

cc HE Matthew Sudders, UK Permanent Delegate to UNESCO
UK National Commission for UNESCO
English Heritage

Desired State of Conservation for the removal of the property from the List of World Heritage in Danger and a set of corrective measures.

1. Adopts the Desired state of conservation for the removal of the property from the List of World Heritage in Danger, as follows:

General

- a) In the context of the review of the local statutory development plan being undertaken in accordance with the UK law and the government's National Planning Policy Framework (NPPF), a new adopted Local Plan maintaining *inter alia* the protection of the Outstanding Universal Value of the World Heritage property;
- b) Regular future review of the Local Plan in accordance with the English planning system to ensure *inter alia* that the protection of the Outstanding Universal Value of the World Heritage property is maintained.
- c) Raised awareness of developers, building professionals and wider public about the World Heritage property, its Outstanding Universal Value and conservation and management requirements under the World Heritage Convention.

Liverpool Waters

- d) Within the context of the existing outline planning permission for Liverpool Waters (which sets the maximum parameters for the development and which, prior to development, requires the production of detailed master plans for each phase and satisfactory discharge of numerous conditions on the permission) agreement by Liverpool City Council, after necessary consultations, of the detailed master plans for each neighbourhood, such plans to be prepared and submitted by the developer in relation to each of the five neighbourhoods in the development.
2. Also adopts the following corrective measures and timeframe for their implementation in order to maintain conditions of integrity and authenticity of the property and meet the Desired state of conservation:

General

- a) Drafting of and seeking agreement on the Local Plan by the end of 2016, according to the processes set out in UK primary planning legislation, and

national and statutory local guidance, and subjected to full consultation and Inquiry.

- b) Depending on the outcome of the Local Plan process, if necessary, drafting and seeking agreement of an updated World Heritage Site Supplementary Planning Document by 2017.
- c) Implementation of awareness raising endeavours, aimed at developers, building professionals and the wider public, on the agreed Outstanding Universal Value of the property and the conservation and management requirements under the World Heritage Convention.
- d) Production of a guidance document directed towards developers on the characteristics, cultural heritage and intangible heritage values of the property and the city of Liverpool to explain the Outstanding Universal Value of the World Heritage property. Whilst this is not a statutory planning document, it is intended to inform the design and delivery of future development proposals.
- e) Promotional activities, interpretation and guidance for residents and visitors of the Liverpool World Heritage site to increase awareness of its significance with progress to be reported and communicated annually.

Liverpool Waters

- f) Having regard to, *inter alia*, protecting, enhancing and presenting to the public the Outstanding Universal Value of the World Heritage Site, preparation and submission by the developers for agreement by the local planning authority, following consultation, of detailed neighbourhood masterplans and, thereafter, “reserved matters details” relating to layout, scale, appearance, access and landscaping for all parts of the proposed development and the other detailed particulars as required by the conditions of the outline planning permission.
3. Notes the description of the planning system in England and its application to Liverpool Waters as set out in the Annex to this decision

ANNEX

UK Planning Policy - Arrangements and Control

Based on UK law and a national planning policy framework, the UK planning system involves the preparation of development plans that contain the policies governing development and act as the basis for controlling development proposals.

This process provides for the plans to be prepared and published by the Local Planning Authorities (LPA) (in this case Liverpool City Council). The plans are then commented on by interested parties and, alongside the evidence base for those plans, is then tested by an Independent Inspector (using the inquisitorial approach) at an Examination in Public. There are various stages in this plan making process but once the process has been finalised the Council then formally adopts those plans and any future planning application seeking planning permission for development in the area has to comply with those adopted plans – unless material planning considerations indicate otherwise.

The Local Planning Authority must continually review the Local Plan and produce an annual monitoring report that measures the effectiveness of the policies. Local Plans can be refined taking account of local, political, historical, social and economic changes). Liverpool City Council commenced the statutory process of producing the Local Plan in December 2013.

As part of this process the Council is obliged to consider the WHS designation including the physical characteristics of the maritime heritage of Liverpool as well as the evolution of the economic social and political subsets that led to the existing townscape. This necessarily includes continued support of the matters referred to in the agreed Statement of Outstanding Universal Value.

The Liverpool Waters Outline Planning Permission – Controls

Some 42% of the 60 hectare Liverpool Waters Site is within the WHS, the remainder in the Buffer Zone. The Liverpool Waters site comprises about 22% of the Liverpool WHS. (The remaining 78% of the WHS comprises developed areas, mainly within the city centre, in 5 areas, each of distinct and different character).

The Liverpool Waters planning permission is defined and carefully controlled on the basis of 77 conditions attached to the planning permission and a legal agreement containing further planning obligations. The overall effect of these is that, before each part of the development can take place, Liverpool City Council's further approval is required of detailed master plans for each neighbourhood, detailed conservation arrangements and details of layout, scale, appearance, access and landscaping in relation to each building. Other conditions control all detailed aspects of the development.

With regard to World Heritage issues, each heritage asset within the 60 hectare site is to be conserved and protected and the permission includes extensive arrangements to present the Outstanding Universal Value of the WHS to the public.

The Outline Planning Permission is thus an outline framework for attracting investment in the regeneration and conservation of the Liverpool Waters Site. That framework is defined by 9 "principal application documents" including:

- i) Statement of Key Development Principles – defining land uses and the scale of development whilst also explaining the elements of the planning application;
- ii) Conservation Management Plan for the Protection, Conservation and Preservation of

Heritage Assets – a detailed framework for responsible management of each of the 60+ heritage assets within the Liverpool Waters site;

iii) Parameter Plan Report (Incorporating Parameter Plans) – detailing a series of measurable factors that together define the development and set the conditions of its operation. For example, one parameter plan sets the maximum building heights throughout the site. There is no guarantee or obligation that the LW Site will be built out to those maximum parameters and, in practice, many developments governed by parameter plans are built out below maximum parameters in an Outline Planning Permission.

iv) Design & Access Statement – explains and justifies the design and access principles of the development (a framework for the more detailed design development required for each part of the development).

28 March 2014