

**PLANNING COMMITTEE**

**MEETING HELD AT THE TOWN HALL, BOOTLE  
ON 6 FEBRUARY 2019**

PRESENT: Councillor Veidman (in the Chair)  
Councillor Michael O'Brien (Vice-Chair)

Councillors Ashton, Blackburne, Dutton, John Kelly,  
McCann, Brenda O'Brien, Roscoe, Spencer,  
Thomas, Lynne Thompson, Tweed, Brough and  
Gannon

ALSO PRESENT: Councillor Marshall

**93. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Jones and O'Hanlon.

**94. DECLARATIONS OF INTEREST**

No declarations of any disclosable pecuniary interests or personal interests were received.

**95. MINUTES OF THE MEETING HELD ON 16 JANUARY 2019**

RESOLVED:

That the Minutes of the meeting held on 16 January 2019 be confirmed as a correct record.

**96. DC/2018/00801 - 41 TO 43 KING STREET, SOUTHPORT**

The Committee considered the report of the Chief Planning Officer regarding an application for a proposed change of use of 41 to 43 King Street from a guesthouse to a 10-bedroom house in Multiple Occupation (Sui Generis), including the erection of a dormer to the front elevation. This was a resubmission of DC/2018/00231 which had been withdrawn on 26 April 2018.

The Committee report had originally recommended that the application be approved with conditions. However, since the Committee report had been published, it was alleged – as detailed in Late Representations, that number 37 King Street was a licensed House in Multiple Occupancy (HMO), whilst number 39 which was adjacent to the application site, was in use as a single-family dwelling, which would bring it into conflict with the Flats and Houses in Multiple Occupation Supplementary Planning

Document (SPD) adopted in June 2018 on the basis that number 39 King Street would be sandwiched between two HMO's. As the actual use of number 37 King Street could not be confirmed in time, it was necessary to further check the actual use of this property in order to accurately assess compliance with the SPD.

RESOLVED:

That consideration of this application be deferred to enable an assessment of the planning merits of the proposal against the SPD to be carried out in order to determine what the likely harm would be.

**97. DC/2018/01767 - MARSHSIDE RSPB NATURE RESERVE,  
MARINE DRIVE, SOUTHPORT**

The Committee considered the report of the Chief Planning Officer which recommended that the above application, seeking consent for a new perimeter ditch, extensions to two existing pools and infilling of small areas of water and their replacement with equal sized areas of water in improved strategic locations; and the creation of a low berm at the base of the outer embankments along two of the three sides of the marsh to Crossens Marsh within the RSPB nature reserve, be granted subject to the conditions and for the reasons stated or referred to in the report.

Prior to consideration of the application, the Committee received a petition from Mr P. Chorlton on behalf of objectors against the proposed development and a response from the applicant, Mr. A. Baker, RSPB.

RESOLVED:

That the recommendation be approved and the application be granted subject to conditions and for the reasons stated or referred to within the report.

**98. DC/2018/02220 - THE BLUNDELLSANDS CLASSIC, 19  
BLUNDELLSANDS ROAD WEST, BLUNDELLSANDS**

The Committee considered the report of the Chief Planning Officer which recommended that the above application for the replacement of existing white painted softwood timber windows and doors with new UPVC windows and doors, be refused for the reasons stated or referred to in the report

Prior to consideration of the application, the Committee received a petition from Mr R. Gee, on behalf of petitioners in support of the application.

Councillor Marshall, as Ward Councillor, also spoke in support of the application.

RESOLVED:

That the recommendation be refused for the reason stated in the report.

**99. DC/2018/01439 - 84 COLLEGE ROAD, CROSBY**

The Committee considered the report of the Chief Planning Officer which recommended that the application for the Variation of conditions 3 and 4 pursuant to planning permission S/2004/0096 (approved 30 March 2004), to allow the premises to operate as a restaurant and open between 09.00 and 18.00 Monday to Wednesday and 09.00 to 22.00 Thursday to Sunday, be granted subject to the conditions and for the reasons stated or referred to in the report and in Late Representations.

Prior to consideration of the application, the Committee received a petition from Mr J. Parry, on behalf of objectors against the proposed development and a joint response from the agent, Mr W Wadkin and the applicant, Mr S. Rice.

RESOLVED:

That the recommendation be refused for reasons of adverse impact on residential amenity by virtue of late night noise and disturbance, and therefore conflicts with Policies ED2 (8c), HC3 (2a) and EQ10 (1a) of the Local Plan.

**100. DC/2018/02114 - THE MARINE TRAVEL ARENA, ROSSETT PARK, COLLEGE ROAD, CROSBY**

The Committee considered the report of the Chief Planning Officer which recommended that the above application for the erection of a single storey building within the car park to be used as a table tennis centre (Use Class D2), be approved subject to the conditions and for the reasons stated or referred to in the report.

RESOLVED:

That the recommendation be approved and the application be granted subject to the conditions and for the reasons stated or referred to in the report.

**101. DC/2018/01681 - LAND WEST OF DAMFIELD LANE, MAGHULL**

The Committee considered the Report of the Chief Planning Officer on the above application for the erection of 14 detached dwellinghouses, access road and associated landscaping, a pond feature and nature trail, which had been considered at Planning Committee on 16 January 2019 (Minute No. 91). The application had been refused on the grounds that the site was designated as White Land in the Sefton Local Plan and was not

allocated for housing development; and the proposed development conflicted with the Maghull Neighbourhood Plan.

The Chief Planning Officer presented the report and indicated that the applicant had lodged an appeal with the Planning Inspectorate against 'non- determination' and that this had taken the decision out of the hands of the Local Planning Authority and therefore, the Planning Committee could not now determine the application.

Referring to the Town and Country Planning (Department Management Procedure) (England) Order 2015, the Chief Planning Officer stated that the reasons for refusal failed to meet the critical tests of the Order in that they did not give sufficient clarity as to why the application was unacceptable in planning terms, as they did not specify how the development conflicted with the policies of the Sefton Local Plan and Maghull Neighbourhood Plan, nor identify the relevant policies in these documents.

It was therefore important that the Planning Committee set out clearly the details of the policies in both Plans which it considered supported what would have been the decision to refuse planning permission to enable the Local Planning Authority to be in the strongest position to defend the appeal.

**RESOLVED:**

That application no. DC/2018/01681 relating to Land West of Damfield Lane, should be refused for the following reasons:

- 1) The site lies within the Damfield Lane Conservation Area which is characterised by its openness and rural character, including boundary walls and tree groupings. The overall form of the development, the removal of a number of established trees and the partial removal of a stone wall would harm the character and appearance of the Conservation Area. The development would also obscure views of St Andrews Church, a designated heritage asset.

Overall, the proposal would fail to respond positively to the character, local distinctiveness and form of its surroundings. The proposal therefore conflicts with Local Plan policies SD2 part (i), policy EQ2 part 1(a) and (c), 3(a), policy EQ9 part 7(a), policy NH12 part 1(d), Maghull Neighbourhood Plan policy MAG 4 and paragraph 127 of the National Planning Policy Framework.

- 2) The application site has no designation within the Sefton Local Plan and due to the policy conflicts outlined above, the proposal also conflicts with Local Plan policy HC3 which only permits residential development outside of the Primarily Residential Area when consistent with other policies in the Plan.

**102. VISITING PANEL SCHEDULE**

The Committee considered the report of the Chief Planning Officer which advised that the undermentioned sites had been inspected by the Visiting Panel on Monday 4 February 2019.

| Application No. | Site  |
|-----------------|---|
| DC/2018/01439   | 84 College Road, Crosby. L23 0RP  |
| DC/2018/02114   | The Marine Travel Arena, Rossett Park, College Road, Crosby. L23 3AS.         |
| DC/2017/02220   | The Blundellsands Classic, 19 Blundellsands Road West, Blundellsands. L23 6BA |
| DC/2018/00801   | 41-43 King Street, Southport. PR8 1LG   |

### 103. PLANNING APPEALS REPORT

The Committee considered the report of the Chief Planning Officer on the progress of the appeals lodged with the Planning Inspectorate.

| Appellant       | Proposal/Breach of Planning Control  | Decision                                  |
|-----------------|--|---|
| Mr Phillips     | DC/2017/02361 – 51a Embassy Building, Piercefield Road, Formby. L37 7DG – appeal against the Council’s refusal to grant planning permission for the replacement of existing first floor windows, new high- level vent and redecoration of the existing façade. | Part-allowed /<br>Dismissed<br>08/01/2019 |
| Mr Carl Roberts | DC/2017/01892 – 36 Winstanley Road, Waterloo. L22 4QW – change of use of the existing attached garage to the side of the property, to a beauty salon.  | Dismissed<br>21/12/2018                   |
| Ms Karen Lee    | DC/2018/00198 – Site of Churchill House, Kings Park, Seaforth – Erection of 30 dwellings with associated parking and public open space   | Dismissed<br>21/12/2018                   |

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|                    |   |                         |
|--------------------|---|-------------------------|
| Mr David Tomlinson | DC/2018/01183 – 108<br>Churchgate, Southport PR9<br>7JE - Erection of a single storey extension to the rear of the dwellinghouse following demolition of existing single storey extension (retrospective application) | Dismissed<br>19/12/2018 |
|--------------------|---|-------------------------|