

Town Hall
Lord Street
Southport
PR8 1DA

Date:
Our Ref:
Your Ref:

Please contact: Ian Barton
Contact Number: 0151 934 2788
Fax No: 0151 934 2034

e-mail:
olaf.hansen@sefton.gov.uk or
ian.barton@sefton.gov.uk

Dear Councillor

PLANNING COMMITTEE - WEDNESDAY 9TH FEBRUARY, 2011 – 6.30 PM

I refer to the agenda for the above meeting and now enclose the following report which were unavailable when the agenda was printed.

Agenda No.	Item
9.	Late Representations

Yours sincerely,

M. CARNEY

Chief Executive

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PLANNING COMMITTEE : 9 FEBRUARY 2011

Late Representations/Information

Part 1

4.30 PM MEETING

AGENDA ITEM 4

Study to Review the Regional Spatial Strategy Housing Requirement Figure for Sefton – Headline Findings

In paragraph 2.3 the cross reference to paragraphs 1.2 and 1.3 should be to paragraphs 1.3 and 1.4.

In paragraph 5.3 the cross reference to paragraph 1.2 should be to paragraph 1.3.

6.30 PM MEETING

APPENDIX 4

PETITIONS

Item No 3A

S/2010/1645 : Shell Garage Liverpool Road, Formby

Comments from agent in respect of detailed objections from Formby Civic Society attached.

The applicant has confirmed they wish to reply to the petition and summary of their case is as follows:

- The applicant has addressed all the planning issues raised by officers.
- It will be a well designed and landscaped local facility replacing a long established garage.
- The Police agree that staying open at night is better and acknowledge the applicants experienced management arrangements as they operate similar sites.
- Amenity considerations have been incorporated in the layout and are covered by conditions.

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- The development will create local employment in a sustainable location and your officers accept the high cost of decontamination rules out housing.



Acoustic & Engineering Consultants Limited

Lockside 1 Stockport Road Marple Stockport Cheshire SK6 6BD
Telephone 0161 449 5900 Fax 0161 449 5901 www.aecitd.co.uk

Ref: P2272/L01/AGB

28 January 2010

To: Paul Blackmore

Of: PKB Consultancy

Paul

Formby Service Station – Comments on Petition Letter

Further to your recent email and our subsequent telephone discussion, I am responding to comments made by The Formby Civic Society as included in Dr. Des Brennan's letter to Sue Tyldesley, dated the 25 January 2011 and in the covering email from Dr Brennan dated 25 January.

As the Civic Society has only expressed concerns regarding the potential impact of noise levels generated during the night-time, the comments below relate to this period only.

The AEC report referenced in the comments below, is P2272/R2/AGB, dated 27 October 2010.

Comments on Letter

The second paragraph reads *'In our view, it is a regrettable omission that no noise level measurements made on the west side of the site, particularly as there would be no acoustic screening whatsoever on that side.'*

I understand the concerns of the Civic Society as the report does focus on the properties to the north and east of the site. This then gives the appearance that the houses to the west side of the site have been ignored during the assessment, however, this is not the case.

In relation to night-time noise level measurements, location D (identified on Figure 1 of the AEC report) was selected to represent the existing noise climate affecting properties to the east of the site on Liverpool Road. This position was selected as, obviously, AEC did not have access to the gardens of properties on Liverpool Road. Location D was approximately the same distance from the edge of Liverpool Road as the properties to the west of the site and is therefore representative in our opinion.

As I am sure you are aware the assessments included in the AEC report are made with reference to the 'worst-case' receiver. As such, the noise levels affecting the other properties close to the service station, which are not exclusively discussed in the report, would be no greater than that identified in the assessments, or probably lower.

In addition to the above, all night-time noise assessments are undertaken with reference to bedrooms and it is generally accepted that these are located on the first floor of houses, in which case no barrier attenuation has been allowed for in the assessment as demonstrated, for example, in Table 7 of the AEC report.

If required, an assessment can be provided to properties on Liverpool Road, however, as indicated above, the figures provided would not be any worse than those already indicated in the report for the reasons indicated above.

In relation to noisy patrons, it should be noted that the AEC assessment was based on patrons speaking at a level of 85dB_{Leq} at 1m (equivalent to 65dB_{Leq} at 20m). Given that normal conversation level is generally around 60-65dB_{Leq} at 1m and noise levels of around 75dB_{Leq} at 1m are generally accepted as representative of a male voice being projected as loud as possible



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Item 3B

S/2010/1677 : Land to rear 73-75 Kirklake Road, Formby.

Issues of Landscaping

Following on site discussions with the applicant and their agent, it is considered to resolve the landscaping issues through the imposition of conditions to allow the long term management of the grouping of sycamores at the boundary to the rear of the properties on Bushbys Park.

The proactive discussions have indicated that there may be the potential for selective thinning of the group of sycamores to the rear boundary over an extended period of time in order to safeguard the health and longevity of high quality specimens and to also allow new planting to become established. This approach would aid biodiversity and would protect neighbouring residential amenity by retaining the screening afforded by these trees until proposed planting becomes established.

Notwithstanding the landscape details provided in connection with other matters on drawings 907-002A and 907-010, it is therefore considered reasonable to ensure control with regards to landscaping by the addition of the following conditions to the proposed conditions already presented to members:

Condition

Before the development is commenced, a landscaping scheme covering the land subject of this application shall be submitted to and approved in writing by the Local Planning Authority, including

- i) existing and proposed levels or contours;
- ii) proposed and existing services above and below ground;
- iii) details of boundary treatments and hard surfaces;
- iv) the location, size and species of all trees to be planted;
- v) the location, size, species and density of all shrub and ground cover planting;
- vi) a schedule of implementation.

Reason

In the interests of visual amenity and to comply with policy DQ3 of the Sefton Unitary Development Plan.

Condition

- a) The hard and soft landscaping scheme hereby approved shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing with the Local Planning Authority.

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b) Any trees or plants that within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective shall be replaced with others of a species, size and number as originally approved in the first available planting season unless the Local Planning Authority gives its written consent to any variation.

Reason

In the interests of visual amenity and to comply with policy DQ3 of the Sefton Unitary Development Plan.

Petition in Support

A petition in support of the proposal with 31 (thirty one) signatories has been submitted by Mr Gary Marland and endorsed by Councillor Doran.

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Planning & Economic Regeneration Director
Development Control, Planning and Economic Regeneration Dept.,
Magdalen House,
30 Trinity Road,
Bootle
L20 3NJ.
04/02/2011

Dear Sir,

Land to rear of 73 and 75 Kirklake Road, Formby

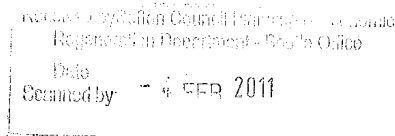
We, the undersigned, wish to place on record our approval to the Application S/2010/1677 for the erection of 2X2 storey detached houses.

Please find enclosed the list of petitioners supporting the planning applications.

This petition has been endorsed by Cllr. Alf Doran Bsc (hons). (Harington Ward, Formby.)

yours truly,

Mr. Gary Marland



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Petition to approve the planning application No. S/2010/1677 for two houses to rear of Nos. 73 and 75 Kirklake Road.

	Name (please print)	Address	Signature
1.	P. XINNEGAN	27 HALL ROAD L23 8TT	
2.	S. XINNEGAN	27 HALL ROAD L23 8TT	
3.	G MARLONS	7 SQUIRREL GREEN L37 1N	
4.	N. MARLONO	7 Squirrel Green, Formby, L37 1N2	
5.	CAROL WHITESIDE	43 Freshfield Rd Formby L37 3HL	
6.	CAROL WHITESIDE	43 Freshfield Rd Formby L37 3HL	
7.	CAROL WHITESIDE	43 Freshfield Rd Formby L37 3HL	
8.	Charlotte Newell	2 Freshfield Rd L37 3SB	
9.	Ced Newell	2 Freshfield Rd L37 3SB	
10.	KAREN WILLIAMSON	FIGREEN LIONS HALL L37 2G	
11.	WILLIAM WILLIAMS	16A BARFIELD AVE	
12.	Shelagh Williams	16A Barfield Ave.	
13.	Fran Williams	16A Barfield Ave	
14.	Margaret Yeats	16A Barfield	
15.	LYNDA YEATS	23 ASHCROFT	
16.	DENNIS CARTON	75 KIRKLAKE RD	
17.	PATRICIA CARTON	75 KIRKLAKE RD	
18.	ALAN LIVERMORE	73 KIRKLAKE RD	
19.	PETER WHITESIDE	16 ELSON RD. FORMBY	
20.	NICOLA WHITESIDE	16 ELSON RD. FORMBY	
21.	ANGELA WHITESIDE	126 PARK RD L37 6ER	
22.	KENNETH WHITESIDE	126 PARK RD L37 6ER	
23.	ANGELA KEARNEY	63 ALT ROAD L37 6DB	
24.	CHRIS KEARNEY	63 ALT ROAD L37 6DB	
25.	KATH KEARNEY	28 DITCHFIELD L37 4EQ	
26.	PETE WOOD	7 SEAFIELD L37 6EL	
27.	PAUL WOOD	11 LICKS GREEN L37 6PP	
28.	JEFF SUDJIN	12 TRAP HILL FORMBY	
29.	PAUL JONES	9 CAMBRIDGE L37 2EQ	
30.	SUE JONES	9 CAMBRIDGE L37 2EQ	
31.	Mark Williams	16A Barfield Formby	

PAUL XINNEGAN

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Item 3C

S/2010/1692 : Chapelhouse 603-607 Liverpool Road, Ainsdale

1. Add Condition:

The new showroom building hereby approved shall be used for a car sales showroom and service reception only and for no other purpose including the repair or servicing of vehicles.

Reason:

In the interests of residential amenity and to comply with policy H10 of Sefton's adopted UDP.

2. **List of approved plans:**

05; 06; 07B; 08E; 11; 12; 13; 14; 333.01B

3. **Petition of 29 signatures received** – endorsed by Councillor Brenda Porter (attached). Main objections:

- a) negative impact on residential amenity regarding the character and appearance of the surrounding area;
- b) Additional cars and transporter vehicles will cause further problems for local neighbours and will have a significant impact on the safety of members of the public.

4. Representation from 597 Liverpool Road raising further objections, attached.

5. **Comments from the Highways Department**

Although the proposed layout represents a significant improvement in terms of access and circulation within the site, there is no realistic scope to cater for car transporters to access the site, load/unload vehicles, turn around and exit from the site in a forward gear.

As such the car transporters will need to park on Liverpool Road whilst vehicles are loaded/unloaded (as they do already). This application provides the opportunity for the Highway Authority to regulate and control this section of Liverpool Road by providing a dedicated loading bay for car transporters, and if necessary, further waiting restrictions on both sides of Liverpool Road to ensure free-flowing traffic conditions are maintained whilst the car transporters are parked within the loading bay.

An appropriate condition will be attached to any approval notice in order to secure this.



Ainsdale Conservative Association



Councillor Brenda Porter
27 Pershore Grove
Ainsdale
Southport
PR8 2SY
Tel: 01704 579747
Mobile: 07921168016
E:mail brenda.porter@talktalk.net

Town Hall
Lord Street
Southport PR8 1DA
Tel: 0151 934 2061

Sefton Planning Department.

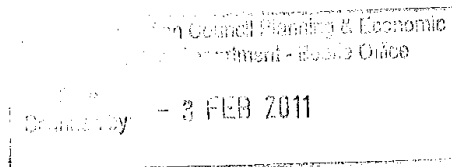
02/02/2011

I would like to submit the enclosed petition and support that the petitioners have the right to make representation.

Official representation will be from Paul Jones.

Yours sincerely

Cllr Brenda Porter



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PETITION

"We the undersigned wish to state our objection to the planning application S/2010/1692 submitted in respect of Chapel House (Southport) Ltd 603-609 Liverpool Road for the following reasons

1. We believe there will be a negative impact on the local residential amenity, regarding the character and appearance of the surrounding area
2. Additional cars and transporter deliveries will cause further problems for local neighbours and will have a significant impact on the safety of members of the public"

NAME	ADDRESS	SIGNATURE
MRS K. BOWEN	621 LIVERPOOL ROAD ANSDALE PRS ING	
MR T. F. MAGNAN	625 ^A Liverpool Rd,	
Mrs J. C. Stanley	" "	
MRS L. HAYES.	619 LIVERPOOL RD	
MR B. HAYES.	619 LIVERPOOL RD	
MRS. G. SUGDEN.	30 BAYTREE CROFT	
Mrs. J. OWENS.	21 Manning Rd.	
Mr. C. Hayes.	11 Chesterfield Rd	
Mr. N. REED	676 Liverpool Road	
J. Reed.	" "	
J.A. DORSON	684 Liverpool Rd	
H.M. Jenkinson	1 ELDON'S CROFT	
S.P. Jenkinson	1 ELDON'S CROFT	
J. Hodson	4 Eldons Croft	
(J.D.)	" " "	
M. SKINNER	35 Liverpool Drive	
R. KIRK	621 Liverpool Road	

PETITION

"We the undersigned wish to state our objection to the planning application S/2010/1692 submitted in respect of Chapel House (Southport) Ltd 603-609 Liverpool Road for the following reasons

1. We believe there will be a negative impact on the local residential amenity, regarding the character and appearance of the surrounding area
2. Additional cars and transporter deliveries will cause further problems for local neighbours and will have a significant impact on the safety of members of the public"

NAME	ADDRESS	SIGNATURE
MR A. GODDARD	625 LIVERPOOL ROAD AINSDALE PR8 3NG	
MRS L. GODDARD	625 LIVERPOOL ROAD AINSDALE PR8 3NG	
C.F. HOPKINS	633, LIVERPOOL RD. AINSDALE PR8 3NG	
M FAHY	74 SAND BROOK RD	
G.S. HOLDEN	70. SANDBROOK RD	
M. HOLDEN	70. SANDBROOK ^R	
A. CHRISTOW	50 SANDBROOK	
G. LAVIN	18 UNIT ROAD	
A. LAVIN	18 UNIT RD	
D. NEAVEL	12 UNIT RD	
P. McKeown	639 L. pool Rd	
B. McKeown	639 L. pool Rd	
	Southport Council Planning & Economic Regeneration Department - Boudle Office	
	Date Submitted by - 3 FEB 2011	

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AF

Di Fanning

From: David Castell [David@skylinepsl.com]
Sent: 06 February 2011 19:16
To: Planning Department
Subject: S/2010/1692 - Chapel House, Liverpool Road, Ainsdale

From:

David Castell
597 Liverpool Road, Ainsdale, PR8 3NG
Tel: 01704 570092 Mob: 07795 485591

Thank you for your letter dated 1st February 2011 concerning the above and advising of your recommendation for approval. Our concerns and issues are as follows:

We would like a methodology and plan put in place and approved by planning and highways to formally control how they propose to manage deliveries, customers and car parking whilst their proposed development works are being undertaken. Without such a plan being in place and fully adhered to then we would foresee utter mayhem in the local vicinity of the works, with those local residents such as ourselves being most affected!

We would like to see a plan as to how they propose to ensure their customers utilise their proposed improved facilities rather than just continuing to use the public footway in front of their premises as car parking as they do at the moment

We would like to see an end to their use of the public footway for parking their display / liveried cars, which we believe constitutes street trading

We would like to see an end to their use of the public footway for used car valuations, which we again believe constitutes street trading

We believe bollards should be erected to the public footway immediately in front of their premises to prevent them using the same for customer car parking, valuations and display vehicles

We don't believe parking for deliveries and vehicle transport lorries should be allowed on the main Liverpool Road, and that their development proposals should include sufficient allowance for draw off for the same as their increased site area (once they have demolished the neighbouring residential property) will have more than sufficient capacity to accommodate such a facility

At this point we would draw your attention to Chapel House once again erecting Citroen Car Sales Flags without consent. We can provide you with a photograph taken this afternoon if required. You will recall you have previously written to Chapel House regarding such breach for Planning Advertisement Consent

We trust you will consider our comments particularly as we live right next door to Chapel House.

Regards

David Castell

1

Item 3D

S/2010/1726 : 4A Liverpool Road, Birkdale

1. Letters of objection received from Apartment 2; 5; 9; 22; 23; 27; 29; 33; 38; 39; 41; 43; 45; 49 Homechase House, Chase Close; 2; 3 Welbeck Terrace; Flat 2, 8 Liverpool Road; 1; 16 Weldale; 63 Dunbar Road raising the following concerns:
 - Noise nuisance and invasion of privacy under Human Rights Act 1998, Article 8. Part 11 Article 1 states people are entitled to the protection of their property and the peaceful enjoyment of possessions.
 - Retirement properties on opposite side of railway and will have detrimental impact on residents in terms of noise with no buffer to provide protection as there is from the railway.
 - Noise already intolerable from other drinking establishments.
 - Users of the terrace will be able to look into their properties.
 - Will devalue properties.
 - Conservation Area and bar already has a smoking canopy at the front, why does it need another one.
 - Increase in customer numbers will worsen situation.
 - It is not acceptable that a new facility can be built without wheelchair access.
 - Late night noise not acceptable in an area where young children and elderly people live.
 - Parking levels in the village are already dangerous.
 - Recent study – newspaper article from The Daily Telegraph enclosed stating the link between noise and the impact it can have on people aged 60-65+, increased risk of stroke for every 10 decibel increase in noise from road traffic. Noise in general must have similar impacts.

2. Letter received from Birkdale Civic Society stating that the premises is within the Birkdale Conservation Area and request that the Council ensure that the conditions of use conform to the criteria. There is some concern from nearby residents on the noise and inconvenience levels of proposed use of the first floor, particularly in the summer months.

The application has been assessed in terms of impact on residential amenity and the Conservation Area and the issues raised above are referred to in detail within the Committee Report.

3. Comments of main objector to be raised at Planning Committee:
 - Officers report does not conclude that the proposal complies with policy EP6.
The report states that the Council's Environmental and Technical Services Department is satisfied that the proposed barrier and sound lobby to the bar will sufficiently minimise noise impact on residential amenity. Noise breakout from the bar area inside the

Agenda Item 9

building will be limited and given that no amplified music is played externally on the terrace, this is considered on balance to be appropriate. As a result of this it is possible to conclude that the proposal complies with Policy EP6.

- Additional noise report referred to in the DAS but not available when requested.

*This report referred to was required as part of the original consent for the change of use but has never been submitted to date. **It does not form part of this current application, for which a noise impact assessment has been submitted, and the current application for a terrace is assessed on its merits.** However, issues of noise breakout from the existing building and its use as a bar can be dealt with under the conditions of the original consent for the change of use as an Enforcement matter if required.*

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We the undersigned, object to the planning application S/2010/1726 for an external roof terrace to 4a Liverpool Road (Birkers bar)

Name	Address	Signed	Date
K. C. Lawrence	4 WELBECK TERRACE		20.1.11
Rhonda Lawrence	4a Welbeck Terrace		20-01-11
KAREN MCMURDO	22 WELBECK ROAD		20.1.2011.
Alastair McMurdo	22 Welbeck Road		20/1/11
S. Moriarty	20 WELBECK RD		20/1/11
M. Mary	20 WELBECK RD		20/1/11
LUCY FLETCHER	7 Welbeck Terrace		20/1/11
ED FLETCHER	7 Welbeck Terrace		20/1/11
GEO WRIGHT	2 WELBECK TERRACE		20/1/11
Jo Wright	2 Welbeck Terrace		20-1-11
AMANDA TAYLOR	1 WELBECK TERRACE		20th Jan '11
Howard Taylor	1 Welbeck Terrace		20/01/11
John Duffy	1 Welbeck Terrace		20/1/11
V. Rizzuto	2 Welbeck Road		21/1/11
F. Rizzuto	2 Welbeck Road		21/1/11
E. Webster	5 Welbeck Terrace		21/1/11
N Baldwin	8a Heyland Road		21/1/11
H. Fleggett	6, Welbeck Terrace		21/1/11

Agenda Item 9

We the undersigned, object to the planning application S/2010/1726 for an external roof terrace to 4a Liverpool Road (Birkers bar)

Name	Address	Signed	Date
JOHN JONES	FLAT 37 HOMECHASE HOUSE		24.1.11
MARIE EDITH JONES	FLAT 37 HOMECHASE HOUSE BIRKDALE CHASE CLOSE SOUTH		24.1.11
MARY WILDMAN	WARDENS FLAT HOMECHASE HOUSE CHASE CLOSE BIRKDALE		24.1.11
HARRY WILDMAN	WARDENS FLAT HOMECHASE HOUSE CHASE CLOSE BIRKDALE PR8 2DG		24.1.11
BERYL McDONALD	39 HOMECHASE HOUSE CHASE CLOSE, BIRKDALE PR8 2DG		24.1.11
J. McDONALD	19 HOMECHASE HOUSE PR8 2DG		24.1.11
P McDONALD	39 HOMECHASE HOUSE CHASE CLOSE PR8 2DG		24.1.11
L. WRIGHT	26 HOMECHASE HOUSE CHASE CLOSE PR8 2DG		24.1.11
L. WRIGHT	51 HOMECHASE HOUSE PR8 2DG		24.1.11
B. HOSKER	FLAT 43 PR8 2DG.		24.1.11
M. WILLIAMS	FLAT 23 HOMECHASE HOUSE PR8 2DG		24.1.11
F. J. WILLIAMS	FLAT 23 HOMECHASE HOUSE PR8 2DG		24.1.11
J CLARKE	APT 1 HOMECHASE HOUSE BIRKDALE PR8 2DG		24.1.11
A-M. UENWORTH	45 HOMECHASE HOUSE, BIRKDALE, PR8 2DG		24.1.11
MRS C POLLARD	APT 38 HOMECHASE HOUSE PR8 2DG		24.1.11
MR JB PARKER	APT 40 HOMECHASE HOUSE PR8 2DG		24.1.11
MR D O'BRIEN	APT 33 HOMECHASE HOUSE CHASE CLOSE PR8 2DG		24.1.11
Mrs M. W. A. BOOK	17 Birkdale BIRKDALE PR8 2DG		24.1.11

APPENDIX 4

APPROVALS

Item 4A

S/2010/1503 : Maghull Central Square, Maghull

Landscaping/Section 106 provisions

The landscaping has been further amended following concern over choice of species and ability to implement; 137 trees are now to be planted on site, meaning there is an on site deficit. The total tree requirement is 50 short of what is required; therefore a DQ3 sum of £23,020 is required in accordance with that policy.

The Greenspace requirement remains as per the previous report. The applicant has requested a phasing plan for payment which may be covered within the specific detail of the Section 106 Agreement.

Phasing/Management

The applicant has submitted a detailed phasing plan in draft form for development which is attached. This is considered to assist in understanding of progress on site in the event of permission being granted. It is not considered necessary to condition this document.

Tactile Paving

Amended plans show tactile paving around the car park edge to resolve concerns of the Access Forum.

Conditions added as follows:

M6 – Piling

a) A maximum of two deliveries to the service yard in its entirety shall be made between the hours of 0600-0700. Detailed specifications of the vehicle or vehicles making said deliveries shall be submitted to and approved in writing by the Local Planning Authority prior to the use of the unit to which the servicing relates.

b) All deliveries shall accord to the submitted specifications.

Reason: In the interests of residential amenity and to comply with policy EP6 in the Sefton Unitary Development Plan.

a) Prior to the commencement of development a Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

Agenda Item 9

b) The provisions of the Construction Traffic Management Plan approved under (a) above shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

Condition 13 amended as follows:

13. No deliveries (other than those referred to expressly by condition (xx) above) shall be taken at or despatched from the reconstructed service access outside the hours of 0700-2300 unless otherwise agreed in writing by the Local Planning Authority.

CONSTRUCTION MANAGEMENT PLAN [DRAFT]

Maghull Central Square Reconfiguration Works

Works Programme [DRAFT – ‘best case scenario’]

Vacant Possession of Units 7 to 15 and the relocation of tenants to suitable units is crucial in ensuring the main construction works to the retail units can commence. Below is a brief outline programme based on the vacant possession of these units by June 2012 (which might not be achievable).

Works to Staff Car Park / Service Yard / Main Car Park

Start on site envisaged August 2011 (best case scenario).

Groundworks and formation of staff car park and rear service yard (rear of Tower Ave) will be undertaken firstly to provide a suitable lay down area for the groundworker to complete works, as well as providing better access and egress around the rear of the units. It is estimated the works will be completed in 4-6 weeks.

Groundworks and reconfiguration of main car park. Careful thought will need to be given to phasing the reconfiguration in a way whereby the car park (in part) can be used at all times. Main objective is to keep the car park utilised – as far as reasonably possible – throughout throughout the process.

Any works which require the car park to be closed will be completed either in the early evening or on Sundays.

It is estimated these works will be completed in 4 weeks. These works can only commence once stopping up notices (Section 247 or 116) have been agreed and signed off.

Public realm / new paved areas – these works will be ongoing on a piecemeal basis in sections around the Square. This is to ensure that the shopfronts are not blocked for long periods and, more importantly, areas can be designated to protect public health and safety.

Works to the front of the proposed new shop units will be completed to the current canopy line. The remainder will be completed as part of the main works package.

It is anticipated that, if the planning permission is granted and all Highways permissions approved for stopping up in good time, that the external works package should be completed by the end of 2011.

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Demolition and Main Construction Works

If vacant possession of all the required units is completed by July 2012, then the main contractor will be able to take possession of the site immediately. Once site set up is completed it is envisaged that the soft strip out of vacant units will commence August 2012.

It is currently envisaged that the works will be undertaken in two phases to ensure continuation of trade for tenants who will remain in the new scheme. For example, existing units 7 to 10, once tenant relocated, could be demolished and new units built while units 11 to 15 continued to trade. Once completed the units that remain in the scheme can be relocated to the new units leaving empty units to be demolished and redeveloped. The phasing of the works will be developed with the tenants over the coming months. Once these details are agreed the full phasing programme will be issued to the Local Authority.

The main works including the demolition are estimated to take 12 months to complete.

Hours of operation are anticipated to be 7.30am to 5.00pm Monday to Friday, and as prescribed by the LPA during weekends and Bank Holidays as preferred by local authority.

Noise Suppression

Contractors will be expected and encouraged to attempt to minimise noisy works at all times. They will use silencing equipment wherever available and keep panels closed on all generators and compressors.

Dust Suppression

Throughout the works, attention will be made to the quantity of dust being generated. If the level of dust is deemed to be a potential nuisance it will be managed using water spraying dust suppression techniques.

Wheel Wash

As and when required, to prevent the roadway and surrounding area becoming soiled, all vehicle wheels will be washed down. The route to and from site will be agreed prior to commencement.

No temporary highway works are currently envisaged. Should they be needed, we will liaise direct with Highways Officers.

The main works site will be enclosed by fully boarded painted hoarding. Any proposed artwork will be submitted separately.

All works will be undertaken by a competent contractor and Health and Safety will be of paramount importance both on site and to the public.

We will encourage the main contractor, with our management team to liaise with the existing tenants regularly to inform them if there are likely to be any disruptions, which should be kept to a minimum with careful planning.

CONTRACTORS' COMPOUNDS (PRELIMINARY CONSIDERATION)

Site compound (External Works)

A small site compound will be required for a short time as the external works package is completed. The site facilities will consist of a small single storey cabin and toilet / portaloo, located in the existing parking spaces to the rear of 46 Westway.

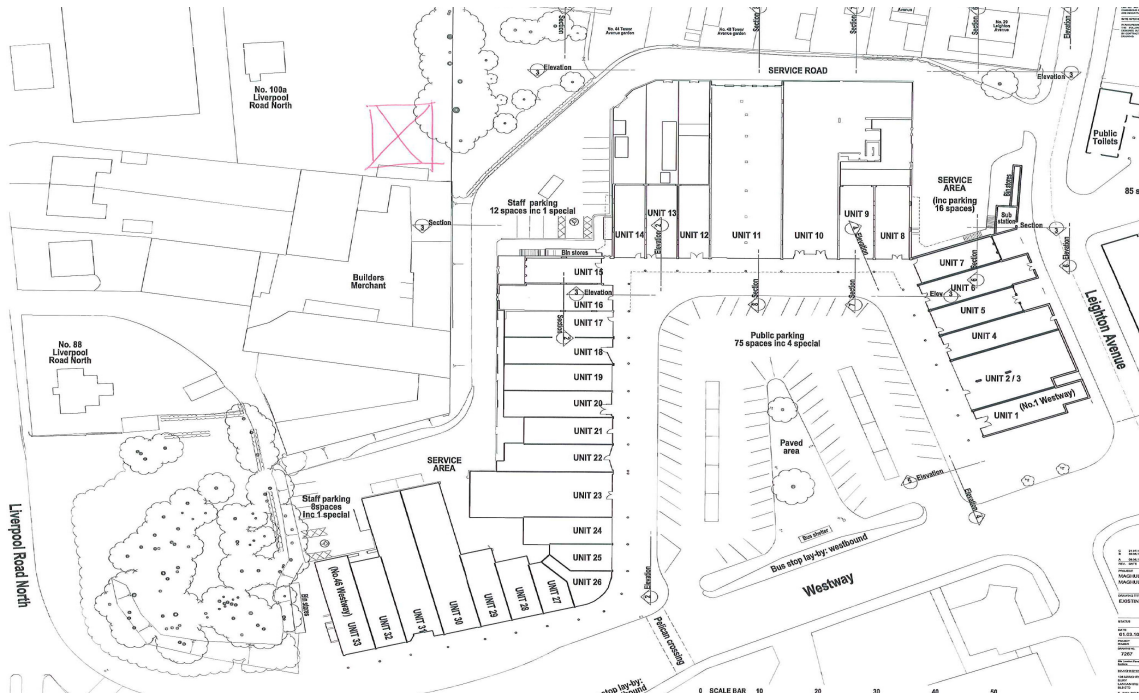
Site Compound (Main Works)

It is proposed that we liaise with the adjacent land owner of 100a Liverpool Rd North, with a view to renting an area of land for the duration of the contract. The plan extract below indicates – crudely drawn in red – a likely location for this compound.

This would be the ideal solution for a main contractor and for ongoing servicing of the retail units and staff parking. Should the compound area not be available for short term rent from the adjacent land owner, we will need to establish a site compound plan with the successful main contractor utilising our existing land ownership.

Deliveries will be programmed and the contractor will manage the traffic in the service yard during deliveries to ensure safety.

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Item 4B

S/2010/1605 : Former LA Fitness, Fairway, Southport

1. Add Condition

The premises shall not be open for business outside the hours of 0800 and 2200

Reason

In the interests of residential amenity and to comply with Policy H10 in the Sefton Unitary Development Plan

2. Comments Received from the Highways Department:

There are no objections in principle on the grounds of highway safety to the construction of a church hall, including café area, crèche, landscaping and parking.

The existing vehicular and pedestrian access arrangements to the site are to remain unaltered, with the proposed pedestrian access via a new decked area adjacent to the Marine Lake being appropriate.

Considering the proposed mix use of the site and its location in relation to the local community, the proposed car and cycle parking provision and layout is acceptable.

As a result there are no objections to this application on the grounds of highway safety, subject to the following conditions and informative being attached to any approval notice.

H-6 - Vehicle parking and manoeuvring

H-7 - Cycle parking

I-1 - Addresses

Item 4C

S/2010/1617 - Land to the side 101 Marshside Road, Southport

Comments Received from the Highways Department:

A plan is attached showing the extent of the land which will be dedicated as highway. The works will involve the construction of a new pedestrian footway across the frontage of the site together with the widening of the carriageway

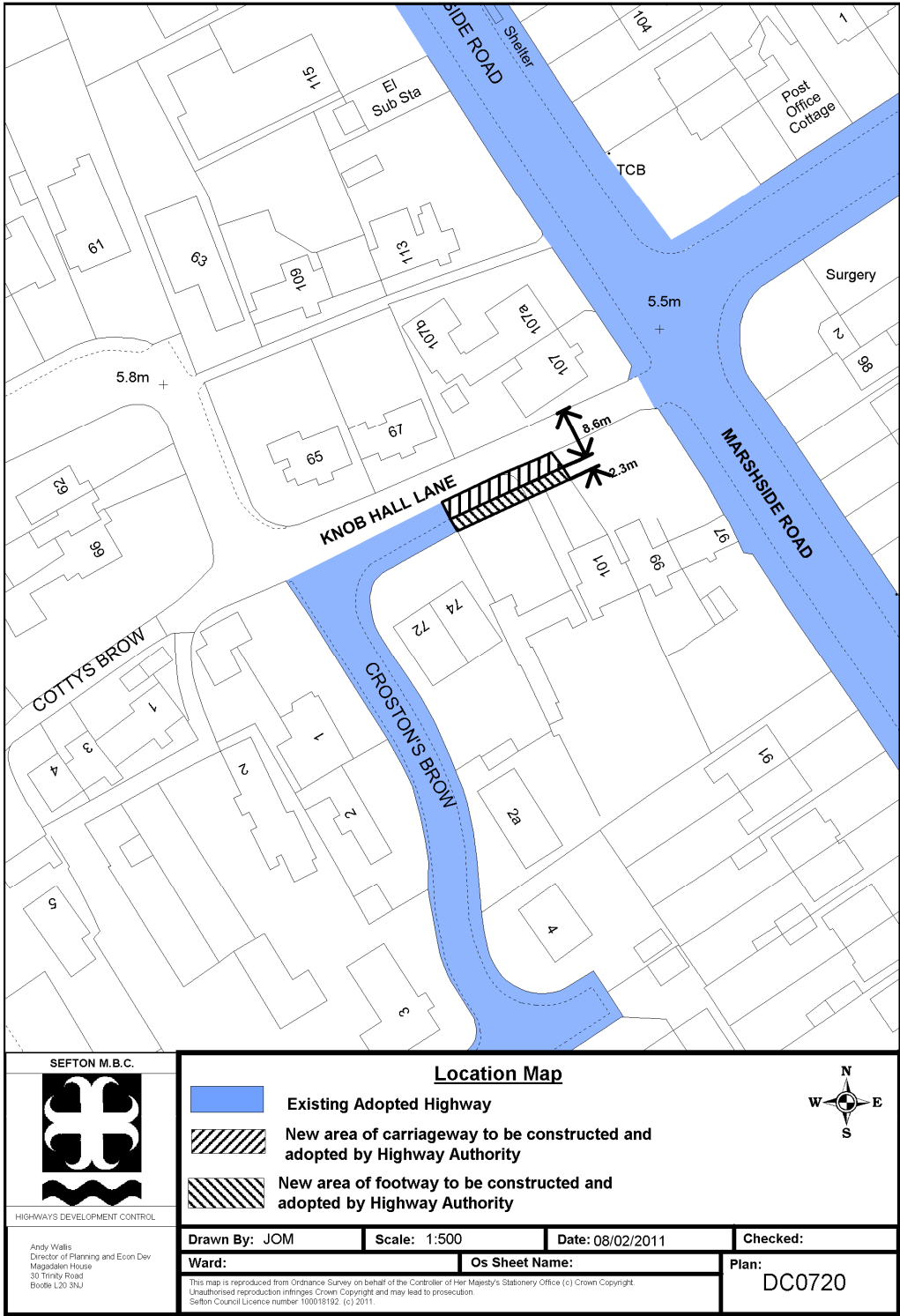
Agenda Item 9

to approximately 8.6m, which gives scope for a footway of at least 2.0m in width, to be provided on the opposite side of the road in the future.

The following condition should be attached to any approval notice to secure this:-

a) Unless otherwise approved in writing by the Local Planning Authority, the development shall not be commenced until a detailed scheme of highway improvement works for the provision of new areas of footway and carriageway on Knob Hall Lane together with a programme for the completion of the works has been submitted to and approved in writing by the Local Planning Authority.

b) No part of the development shall be brought into use until the required highway improvement works have been constructed in accordance with the details approved under (a) above.



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Item 4E

S/2010/1673 : Mortons Dairy Kenyons Lane, Lydiate

Further comments have been received through the local MP from the occupier of 170 Liverpool Road raising further objections on the grounds of the Enforcement Notice already confirmed on the site, the loss of agricultural land and the activities of the applicant in dumping material on adjoining land.

He also has made the following comment “The influx of vehicles has already commenced with a collection of milk floats, (both operational & redundant) being relocated to the northern boundary, and vehicles of various descriptions, (including a number of non-Mortons) have started to arrive. All designed to demonstrate saturation parking and the need for the illegal car-park/hardstanding to support the operational requirements of the dairy.”

Directors Comments

- The relationship to enforcement history is outlined in the report
- The agricultural land is of a site and disposition and has access through Morton’s Dairy site which together make agricultural activity very difficult. This site has not been used for agriculture for a very long time.
- The issue of material being deposited on adjoining land is historical and is not a planning matter.
- The bringing of vehicles onto the site is for members to judge from the site visit.

Item 4G

S/2010/1742 : 340 Moorhey Road, Maghull

A letter of objection from Maghull Town Council is attached.

PJF.



**MAGHULL
TOWN
COUNCIL**

Maghull Town Hall

Hall Lane, Maghull,
Merseyside L31 7BB

Telephone: 0151 526 3705

Facsimile: 0151 520 0253

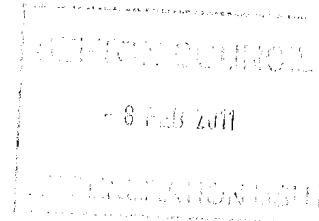
E-mail: info@maghull-tc.gov.uk

Web Site: maghull-tc.gov.uk

MB/PMA

3rd February 2011

Mr. A. Wallis
Planning & Economic Regeneration Department
Sefton Council
Magdalen House
30 Trinity Road
Bootle
MERSEYSIDE L20 3NJ



Dear Mr. Wallis,

Re : Planning Application S/2010/1742 – 340 Moorhey Road, Maghull – change of use from Retail (A1) to Hot Food Takeaway (A5) including the erection of an extraction flue to the rear of the premises.

I would advise you that the above Planning Application was considered by elected Members of Maghull Town Council at its meeting, which was held on 26th January 2011. Members felt it appropriate to **recommend refusal** on the following grounds :-

- Increased litter and parking problems
- Anti Social behaviour
- Proposed premises are close to elderly residential homes
- Lack of external storage facilities
- Excessive noise from the external extraction fan/flue
- The road at the rear of the shops is very narrow and the external extraction fan/flue could further restrict access

I would be grateful if you could ensure Maghull Town Council's concerns are taken into consideration during the decision process in respect of the application.

Yours sincerely,

Moira Blair
Interim Town Clerk

ME



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Item 4H

S/2010/1748 : Westwood House, Moss Side, Formby

14 Smithy Close have commented on the amended plan referred to in the report as follows:

“Thank you for your email regarding the plans for the development of the site on Westwood House, We still feel after considering the proposed changes that there will still be considerable difference in the light to my mothers property there for devaluing her property and an eye sore putting off any potential buyers in the future. Although one side of the house has been altered to let in some light the majority will still invade any light that could come into the property. A large bungalow would have less impact on light, privacy and on my mothers property.”

The Director notes the comments but considers the amendments made are acceptable and that planning permission should be granted for the reasons given in the main report.

Item 4 I

S/2010/1768 : 24 Selworthy Road, Birkdale

Add Plan Nos 008 and 103.

Letter (attached) from solicitor on behalf of occupiers of No 45 Lancaster Road regarding objections to amended plans.

- the Council consider that, in relation to Policy CS3, the proposal does not cause significant harm to amenity or to the character or appearance of the surrounding area and therefore complies with Policy CS3.
- in addition that the proposal is minor to the existing dwellinghouse and therefore complies with Policy MD1/SPG House Extensions.

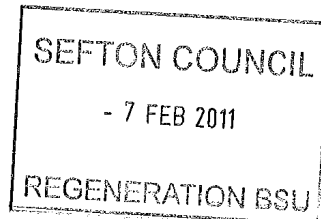
HILL DICKINSON

Director of Planning and Economic Regeneration
Sefton MBC
Magdalene House
30 Trinity Road
Bootle
Merseyside
L20 3NJ

Your Ref: S/2010/1768
Our Ref: JWH.LMB.1122208.1
Date: 4 February 2011

Direct Line: +44 (0)151 600 8808
john.holmes@hilldickinson.com

Please ask for John Holmes



Dear Sir,

Re: **The Town and Country Planning Act 1990**
Application by Mr & Mrs Daghish
Proposed erection of a first floor extension to the side incorporating a roof terrace at first floor level together with a single storey extension to the rear of the dwellinghouse

I refer to the above Application and my letter to you of 25th January 2011 (attached). I have now had the opportunity of considering your Report to the Councils Planning Committee which is due to sit on Wednesday, 9th February and have discussed the same with my client.

Whilst the setback of the development by 5.5 metres (presumably to accommodate possible structural issues with the existing retaining wall) is welcomed the Application (and your Report) continues to fail to address a number of points raised in my clients objections which are still very much pertinent to the Application's consideration and also your decision as to whether or not approval should be given.

1. **Policy CS3**

Policy CS3 advises that:-

"the following general principles will be applied in the consideration of all development proposals

(b) Development would not be permitted if it would:

(ii) cause significant harm to amenity or to the character or appearance of the surrounding area".

The Report singularly fails to consider the impact of the proposed development on the character and appearance of the area. Whilst the report comments that the development is some 35 metres from the road and that there will be no significant impact, with respect the wrong test has been applied. The impact under Policy CS3 is not the impact taken

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from a public viewpoint but the general impact on the character and appearance of the surrounding area. Similarly the Reports conclusion that there would be no adverse impact on neighbouring residential amenity is also the wrong test.

The test required is that of "significant harm to amenity or to the character or appearance of the surrounding area". The size scale and massing of the proposed development is still such that it singularly fails this test in terms of harm to both residential amenity and also harm to the character and appearance of the surrounding area.

2. Policy MD1

The report fails to consider the relevant criterion within Policy MD1 namely:-

"Proposals for house extensions will only be permitted where all of the following criteria are met:

(a) they are of a size, scale and mass that is minor in relation to the existing dwelling (my emphasis added)"

The extension on any reading of the plans cannot be considered minor in relation to the existing dwelling. The size of the building plot referred to within the Report is put simply irrelevant and again the Council has failed to apply the correct test when considering the Application.


3. Design

Despite the amendment the proposed development is still overbearing in terms of massing and scale and no visual assessment has been carried out to consider the proposed impact on either the residential properties adjacent to the development site or to the character and appearance of the area as a whole.

Given the mass and scale the design should not be accepted either under the Council's own Design Supplementary Planning Guidance document or under National Planning Policy Statement 1 (paragraph 34) in that the quality of the area is not enhanced.

I should be obliged if this letter could be placed before Members when they consider the application at their meeting on 9th February and indeed would welcome your response as to the questions of test that you have considered within the Report.

Yours sincerely,



John Holmes
Hill Dickinson LLP