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**Governance and Civic
Services**

Corporate Commissioning Department
Town Hall
Lord Street
Southport
PR8 1DA

Dear Councillor

PLANNING COMMITTEE - WEDNESDAY 8 FEBRUARY, 2012

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

Agenda No.	Item
12.	Late Representations (Pages 3 - 36)

Yours faithfully,

Olaf Hansen
Committee Administrator

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Planning Committee: 8 FEBRUARY 2012

Late Representations/Information

APPENDIX 4

Item No 4A

S/2011/1348 : Site of Parkside Century Social Club 495 Hawthorne Road, Bootle

Applicant's form for speaking at Planning Committee is attached

- (a) A revised landscaping scheme has been submitted for the perimeter of the site. This shows that 1.5m high laurel plants will be provided in front of the set back sections of acoustic fence. Laurel is an evergreen plant which will provide screening all year round. The evergreen planting is considered important as part of the scheme as this is a prominent corner site allocated for residential development as part of the Housing Market Renewal Initiative. It is considered that the proposed landscaping will help to soften the impact of the proposed acoustic fence.
- (b) Add drawing no. 1220/P/005A to list of drawing numbers
- (c) The applicant's agent has provided the following information in respect of their operational needs:

"In order for the vehicles to continue to serve the surrounding areas there is no option but to have the new site fully operational by the 1st week in July 2012 as this is when Arriva North West will cease to operate out of the Liverline site.

The following is an indicative programme.

Planning permission granted 8th feb.

Completion of detailed design - 3 weeks

Out to tender 1st week in March - 4 weeks

Tender return and analysis 2nd week in April

Contractor appointment, lead in time and start on site 1st week in May.

This only leaves 8 weeks on site which is very tight bearing in mind we are working predominantly below ground and there are cellars in the old building that need addressing.

Coming out of the Liverline site and the aforementioned programme dictates that it is imperative that the application does not miss another meeting and goes to committee tomorrow."

- (d) add condition L5 landscaping scheme before L-4

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- (e) change L-4 to read a) The approved hard and soft landscaping scheme shall be carried out.....
- (f) The following information has been provided by Highways Development Control:

“In relation to the planning application S/2011/1348, namely, the site of the former Parkside Social Club, 495 Hawthorne Road, Bootle, an issue with regards to the accident statistics has been raised as a matter of concern. Indeed, this has been considered as part of the assessment of this application.

Essentially, there have been a total of 15 recorded injury accidents along the route and 8 occurred at the junction of Linacre Lane. This junction was modified in September 2011 and was widened and the signals now have pedestrian facilities. As a consequence, it is considered that the accident rate at this junction will undoubtedly reduce in future years. For information, of the 8 accidents at the junction, 6 resulted in slight injury and 2 resulted in serious injury.

At the junction of Marsh Lane between Hawthorne Road and Canal Bridge during the same period (31/7/2008 to 30/7/2011) there has been 1 recorded injury accident (Slight Injury). Masking or parked vehicles were not causation in this accident.

I can confirm that none of the accidents stated above have been within close proximity to the application site or as a result of the existing Bus Depot access arrangements and as stated earlier, the junction of Linacre Lane and Hawthorne Road has recently been widened and now encompasses pedestrian facilities.

In conclusion, the application does propose to reintroduce the use of the existing vehicular access into the site. However, taking into account that this proposed application actually reduces the number of vehicular trips entering the highway network and causing congestion due to existing servicing arrangements. In terms of highway safety, this proposal is deemed to be an improvement to the current arrangement. There are therefore no concerns regarding the proximity of the access to the junction and as confirmed by the Transport Manager, almost all buses will have exited the depot by approximately 6:30 am, thus having virtually no effect on the AM peak hour.

The applicant has also confirmed that they intend to manage the depot in a fashion/manner whereby the majority of buses which are required to turn right towards the junction of Hawthorne Road / Linacre Lane will leave via the existing main vehicular access, which is located further from the junction.

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Please add the following conditions:-

“No part of the development shall be brought into use until the existing vehicular access to development has been re-opened and re-constructed. These works shall be in accordance with details, which have been approved in writing by the Local Planning Authority.”

“No part of the development shall be brought into use until visibility splays of 2.0 metres x 2.0 metres measured down each side of the access and the back edge of the footway have been provided clear of obstruction to visibility at or above a height of 0.9 metres above the footway level of Hawthorne Road at the re-opened access to the proposed development site. Once created, these visibility splays shall be maintained clear of any obstruction and retained for their intended purpose at all times.”

Sefton Council

Speaking at Planning Committee

You have confirmed that you wish to address the Planning Committee. In order to make as much information as possible available to the Committee members before the meeting, would you please complete this form and return it to the Planning Department at the address below.

Site Address: SITE OF PARKSIDE SOCIAL CLUB,
495 HAWTHORNE ROAD, BOOTLE

Application Number: 5/2011/1348.

Your Name: PETER SASS.

Summary of Main Issues of Case

Please outline the main points you wish to draw to the attention of the Committee:

REASON BEHIND THE APPLICATION
EXISTING BUSINESS AND EMPLOYMENT.

Additional Supporting Information

Please attach any supporting information eg photographs. This will be circulated to members of the Planning Committee prior to the meeting. Please note that this will be reproduced in an A4 black and white format.

New information should not be circulated on the night as there will not have been sufficient time for Councillors to consider it.

Please return this form by 10am on the Monday (Tuesday if the Monday happens to be a Bank Holiday) prior to the Committee meeting to:

Sue Tyldesley
Planning Department
Magdalene House
30 Trinity Road
Bootle
L20 3NJ
Fax: 0151-934-3587
E-mail: planning@sefton.gov.uk

Item No 4B

S/2011/1511: 88 Waddicar Lane, Melling

- Email received 2 February 2012 withdrawing the submitted by Mr Gerry Lee is attached
- Amendment to report :

Comments from Built Environment Director with reference to the use of commercial gas appliances should read: The use of commercial gas appliances will require **85%** replacement air **not 95%** as stated on report

- Emails received 6th and 7th February 2012 from agent commenting they understand the proposal may impact on the existing parking bays at the front for customers of adjacent chemist and GP clinic and amending the proposed opening hours to 17.00 – 22.30 6 days a week. Also stating the shop would provide home delivery services in order to reduce the number of cars visiting the shop and creating 3 to 4 part time jobs

The Head of Planning Services does not consider these amendments are sufficient to reduce the detrimental impact on the amenity of nearby residential properties this proposal would create

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From: mellingparish@aol.co.uk [mailto:mellingparish@aol.co.uk]
Sent: 02 February 2012 15:49
To: Joy Forshaw
Subject: PETITION Re: Change of Use at 88 Waddicar Lane

Dear Ms Forshaw,

I have been asked by Gerry Lee, Chair to Melling Parish Council to request that the petition which he submitted on behalf of local residents in respect of the change of use from a Tanning Salon to a Hot Food Take away be withdrawn.

Mr Lee has been unable to access his emails so I trust this email is adequate to the purpose.

Regards,

John McLaren
Clerk to Melling Parish Council

Item No 4C

S/2011/1368 : Land east of Damfield Lane, Maghull

- 1 Additional information received from the developer and the council's officer response following discussions with the council's drainage team are attached.
- 2 Additional objections restating previous concerns have been received from 118 Damfield Lane, 98 Northway, 1 The Meadows on the following grounds
 - scale of development and design not related to character of the area
 - flooding concerns
 - traffic
- 3 A request has been received from the petitioner for the application to be deferred to allow more time for them to compile a response on this complex application.
- 4 Amend recommendation to include in the S106 agreement
 - Restriction on age of residents to over 55s
5. Delete condition 18 (repeats 16)
6. Drawing Numbers

UUA2006-02i; 1801.01 Rev E; 1801.02Rev B 1801.03 Rev B;
4769 A(9)005and 006A
4769-L (0) 001K, 002C, 003B, 004C, 005D,008B, 009A, 010B,
011B,012B,
051D, 052B, 053A, 054A,
105B, 110E, 111H, 112F, 113J, 114F, 115C, 125, 126,
410H,411F, 412C, 420A, 421B,422A, 423A, 424A, 425A,.
430A,431A,432A,433A,434A,435A,436A,
437A,

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A066111/A4/APF

2nd February 2012

Mrs S. Tyldesley
Sefton MBC
Magdalen House
30 Trinity Road
Bootle
Merseyside
L20 3NJ

Dear Mrs Tyldesley

Damfield Lane, Maghull Planning Application (S/2011/1368)
Flood Risk and Surface Water Consultation Response

With regard to the Damfield Lane application S/2011/1368, we have been provided with consultation comments from Capita Symonds as land drainage agents for Sefton MBC. These comments relate to flood and surface water issues in the vicinity of the application site and are detailed in Sam Dimba's email dated 25th January 2012.

WYG Engineering Ltd undertook the Flood Risk Assessment (FRA) which included assessment of the existing hydrological conditions, development impact, management regime for surface water runoff, compliance with planning policy statement PPS25 and EA standing advice. Capita Symonds have undertaken the Drainage Strategy (ref:SS018065 Sept 2011) which incorporates the outline drainage parameters established within the FRA into a site wide strategy for the treatment and management of surface water flows and discharges.

We would therefore offer the following responses to the specific flood risk and drainage comments contained within Sam Dimba's email of 25th January 2012. For clarity the original comments are in bold italics and responses immediately follow:

1- Sefton's Surface Water Management Plan (SWMP) identifies the site to fall within one of the 22 Critical Drainage Areas- areas of significant flood risk in the Borough.

This is a factual statement which is referenced within the Flood Risk Assessment (FRA) section 3.30 submitted as part of the application.

2- The SWMP identifies the pathway of Whinney Brook as forming a clear Local Flood Risk Zone that extends from the headwaters of the catchment down to where it meets Dovers Brook.

This is a factual statement which is referenced within the Flood Risk Assessment (FRA) section 1.8 and 3.33 submitted as part of the application.

3- South of Chapel House up to Whinney Brook, the Environment Agency's Flood Maps for Areas Susceptible to Ground Water Flooding show the site to lie in areas with more than 75% likelihood of flooding from ground water.

This is a factual statement which is referenced within the Flood Risk Assessment (FRA) section 3.14, 3.15, 3.16 and 3.19 submitted as part of the application.

4- North and North East of Chapel House, the Environment Agency's Flood Maps for Areas Susceptible to Ground Water Flooding show the site to lie in areas with less than 25% likelihood of flooding from ground water.

This is a factual statement which is referenced within the Flood Risk Assessment (FRA) section 3.14, 3.15, 3.16 and 3.19 submitted as part of the application.

...2/

5- On Section 3.31 of the FRA, I would add that the 1994 Canal breach in Maghull occurred when the culvert carrying Maghull Brook collapsed under the canal. This resulted in significant inundation of properties in Maghull with the affected area extending from Southport Road South, Green Bank Avenue up to Bells Lane in Lydiate. It is not clear whether the brook then contributed to this flooding or whether the inundation was due entirely due to the water within the canal.

As part of the FRA both Sefton MBC and Environment Agency were consulted with specific reference to the 1994 Canal Breach. Further details of causes of this breach were not available from either authority as referenced in section 3.12 and 3.31 of the FRA submitted as part of the application.

6- The areas of much concern for local flooding immediate to the site are:

Where Whinney Brook crosses Damfield Lane, there have been two major incidents of flooding reported in 2011 alone due to blockages and incapacity of the culverts carrying the brook under the road.

The location of this flooding event is to the southern most point of the site in an area defined as flood zone 3 (EA Mapping FRA Appendix D). All construction work associated with the development is located to the northern part of the site within flood zone 1 which is classified as low risk (PPS25 Table D.1). The detailed FRA that has been undertaken, included a review of the proposed building locations, local topography and modelled flood study data (Maghull SFRM Study 2010) for the nearby watercourse. This concluded that the proposed accommodation and associated floor levels within the site layout plan are to be located entirely within flood zone 1, above the 1 in 1000 year flood levels.

As referenced in section 1.13 of the FRA utilising 'ICP SUDS Flood Studies Method', the mean annual flood flow for the catchment (Q_{bar}) has been estimated as 25l/s with the 100 year flood flow estimate (Q_{100}) an estimated 52l/s. The EA has confirmed through the planning consultation process their requirement for the whole site to be limited to a run-off rate of 2 l/s/ha (equivalent to a maximum permissible discharge of 8.68l/s). This is a substantial reduction in existing site discharge conditions even when allowing for existing overland flows to Whinney Brook to be maintained.

As referenced in section 1.17.2 of the FRA, PPS25 Table B.2 requires that the surface water runoff from all events up to the 1 in 100 year plus climate change (20% in this case) storm be retained on site and attenuated at the same discharge rates. An additional storage volume will be provided to comply with this and will be achieved by incorporating designing for exceedance as referenced in CIRJA report C635. The 20% allowance for climate change referenced within the FRA caters for a development design life up to the year 2085 which equates to 73 years from 2012. Additional design for exceedance for 30% climate change i.e. 2085 to 2115 will also be considered as part of the detailed design assessment which is likely to be accommodated within the SUDs provision with nominal material impact.

We are therefore confident that the FRA has outlined a strategy, in conjunction with the Drainage Strategy which will not in fact worsen any of the flooding problems in the areas referred to but improve the situation owing to the use of appropriate SUDS techniques, which includes 'grey water' harvesting, implementation of a controlled management regime for the surface water runoff for the identified rainfall events and a substantial reduction in the proposed discharge rate compared to the existing situation.

We understand that Whinney Brook is the responsibility of the EA and to date maintenance has been limited. This may have been the reason for the flooding of Damfield Lane in the past where the culverted section is located. Therefore going forward, it would be our clients intention as part of the wider strategy for the upkeep of the site, costs of which are met by the development and not LA, to offer full and free access to Whinney Brook for maintenance by the EA leading up to the culvert and to undertake an element of the normal maintenance by clearing surface debris, excessive vegetation and other deleterious matter as part of the management and upkeep of the wider site. It is in our clients interest to do this so as to minimise any potential risk of flooding as a result of blockage or flow restriction in this area.

With reference to the proposal to install a grate (trash screen), if one is not already present, we would agree to the provision and installation of one subject to relevant approvals, agreement of any third party and the ability to install with free and unhindered access compliant with an approved and standard EA headwall detail (typically mild steel construction). That said, we stand by the fact that any proposal to increase in size the culvert could in fact be detrimental as the culvert currently acts as a throttle (Natural Flow Limiting Device), by increasing the capacity

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..3/

at this location it would allow additional pass forward flows under Damfield Lane potentially increasing the flooding risk further downstream.

Section of Hall Lane between Northway (A59) and the Leeds and Liverpool Canal, it frequently floods in this location affecting the highway and properties following heavy rainfall.

Having reviewed these comments, we are under the impression that there has in the past been issues with flooding which has affected houses where Whinney Brook starts to run parallel to Hall Lane in the vicinity of Alscot Close and not the full length of Hall Lane as could be mistaken from the description above. This is further enforced by referencing the relevant EA Flood Maps. It should be made clear that this problem, like that of the flooding where the culvert goes under Damfield Lane is likely to improve as a result of the development which substantially reduces the surface water discharge, implementation of SUDS drainage systems and the overall management strategy. However, we do not wish to be seen to simply ignore this issue which has been raised by the local residents and would therefore be willing to continue dialogue and assist the EA, with their ongoing responsibilities to maintain the Brook and culvert, by providing regular maintenance inspections and formal reporting. Obviously, and as stated above, we are willing to undertake minor works as part of our maintenance of our site to remove debris/silt/vegetation and objects blocking the flow of the brook, at no cost. We are confident that our reporting proposal and permanent local presence on site, will greatly assist the EA and help identify any potential issues that may contribute towards flooding, before they become a major event and afford the EA time to proactively take action.

The junction of Damfield Lane and the A59, the junction frequently floods in heavy rainfall.

We understand that this issue does not require any further consideration.

7- The developer has to clearly indicate how he will address the issues in 6 above and the general flooding concerns of residents.

The points raised under 6 address these concerns and outline a way forward in resolving potential flood risk issues.

8- I note Section 4.18 of FRA that, suitability and detailed design and specification of infiltration techniques (SUDS) will be subject to further detailed assessment including intrusive investigations and permeability testing. Notwithstanding the provisions of the Environmental Permitting (England and Wales) Regulations 2010 (Regulation 38(1)), the Council encourages the use of SUDS where the opportunity arises.

SUDS drainage techniques are to be implemented on this scheme as referenced in FRA section 1.11. The overall drainage strategy will incorporate a 'grey water' harvesting, controlled gravity collection networks with discharge and treatment to attenuation and infiltration facilities prior to ultimate discharge under controlled and managed conditions to Whinney Brook at the approved discharge rate of 2 l/s/ha (8.68l/s total) which is substantially less than the existing site discharge flow of 25l/s even when allowing for the existing overland flows to Whinney Brook to be maintained.

9- The developer has to indicate and substantiate why Sustainable Drainage Systems have not been utilised where only traditional drainage systems are proposed.

SUDS drainage techniques are to be implemented on this scheme as referenced in FRA section 1.11 point 8 above and the Drainage Strategy SS018065 (Sept 2011).

10- At the detailed design stage, the developer will have to submit calculations and details that show and support that:

There is no flooding on any part of the site for a 1 in 30 year rainfall event.

The design of the system and the attenuation provision will contain all flooding up to the 1 in 30 year event either below ground or within the provided swales and infiltration ponds as referred in FRA section 1.15 and the Drainage Strategy SS018065 (Sept 2011).

The proposal does not cause flooding to buildings, infrastructure (e.g. pumping stations) or neighbouring sites during a 1 in 100 year event.

...A/

The 1 in 100 year event will be assessed within the design, flow paths through the development will be analysed and the contouring of the site set to prevent flooding to the buildings as referred in FRA section 1.16 and the Drainage Strategy SS018065 (Sept 2011).

Climate change is considered i.e. 1 in 100 year event plus 30%

This will be incorporated within the design review for the 1 in 100 year event. Typically we would also input the outfall as surcharged for the 1 in 30 and 1 in 100 year events to simulate the likely downstream condition of a sewer or Brook. As referred in point 6 above exceedance flows for 30% climate change will be assessed.

Show how flows that result from rainfall exceeding the above specifications are managed including any flood conveyance routes that minimise the risks to people and property both on and off the site.

This again reinforces the point that the current piped regime for carrying Whinney Brook below Damfield Lane should remain, as discussed above. Any water exceeding the design of the surface water carrier system will through a series of defined flow paths will be conveyed to Whinney Brook. The limitation on flow currently provided by the culverted section prevents these additional overland flows being carried downstream and affecting properties off the development site.

We trust the above suitably addresses the flood and drainage issues raised in terms of the application information and outlines our client's strategy for the treatment, management and control of surface water discharges for the development in compliance with planning policy statement PPS25 and EA standing advice. Additionally it demonstrates our clients willingness to contribute and provide ongoing management to alleviate potential flood risk issues in conjunction with Sefton MBC and EA for the benefit of the community and wider environs.

If you require any further information or clarification do not hesitate to contact this office.

Yours faithfully

Tony Fox
Associate Director
For and on behalf of **WYG**

Cc Priory Asset Management LLP
WYG Planning
Capita Structures Ltd

CAPITA SYMONDS

Memorandum	
03 February 2012	
To	Sue Tyldesley –Planning Development Control Manager, Magdalen House, Bootle, L20 3NJ
Your Ref:	S/2011/1368
CC	
Contact:	Sam Dimba: tel:0151 5246529:e-mail: sam.dimba@capita.co.uk
Subject	Damfield Lane, Maghull Planning Application-Flood Risk and Surface Water Consultation

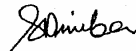
Sue

I have received the detailed response from Bethany Brown with regards to my specific flood risk and drainage concerns raised in my e-mail of 25th January. The response has clarified and addressed the main issues of concern.

Based on the clarification received with regard to flood risk and drainage, I do not now see any major reason to refuse planning permission in principle.

I would, however, add that because of the status of Whinny Brook as a Main River and, in order to formulate and implement the two requirements in item 6 of my e-mail, the developer is advised to liaise with the Environment Agency in relation to consents, design details for any trash screens, access requirements, the inspection and maintenance standards and reporting arrangements. (For further clarification, there is currently no trash screen at this location and there is no requirement to increase the size of the culvert unless required by the Environment Agency).

The developer will at a later stage have to provide details of the drainage layout and sections, indicating the type of SUDS, volumes of attenuation required and any calculations and/or simulation results in support of the proposals.



Sam Dimba
Capita Symonds-Drainage Services

working in partnership with



Registered office: 71 Victoria Street, Westminster, London SW1H 0XA. Registered in England No. 2018542.
Part of Capita plc. www.capita.co.uk



Sefton Council

Speaking at Planning Committee

You have confirmed that you wish to address the Planning Committee. In order to make as much information as possible available to the Committee members before the meeting, would you please complete this form and return it to the Planning Department at the address below.

Site Address: Land to the east of Danheld Lane, Maghull

Application Number: S/2011/1347 and S/2011/1368

Your Name: Keith Nutter - WYG Planning and Design

Summary of Main Issues of Case

Please outline the main points you wish to draw to the attention of the Committee:

- * Applicant information
- ⊕ The need for specialist accommodation to meet the needs of the Borough's older people
- ⊕ Key scheme benefits
- ⊕ That the development is acceptable in all other respects

Additional Supporting Information

Please attach any supporting information eg photographs. This will be circulated to members of the Planning Committee prior to the meeting. Please note that this will be reproduced in an A4 black and white format.

exceptional in planning terms.

New information should not be circulated on the night as there will not have been sufficient time for Councillors to consider it.

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Sue Tyldesley
Planning Department
Magdalene House
30 Trinity Road
Bootle
L20 3NJ
Fax: 0151-934-3587
E-mail: planning.department@sefton.gov.uk

If you have any queries regarding this form or the Committee procedures, please contact the Committee Clerk, Olaf Hansen, on 0151 934 2067.

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Dear Councillors

Re: Planning Application ref. S/2011/1368 & S/2011/1347 – Land to the East of Damfield Lane

On behalf of Priory Asset Management LLP ("PAM"), this summary document has been produced to outline some of the salient points which support the development of the new Extra Care, Respite/ Dementia and Independent living facility which has been proposed under the above planning application. We recognise that the proposed development was going to court an element of expression from the region, but those points have focused the design further, both prior and during the planning phase, which we believe has enhanced the final application as you see it before you today.

It is widely recognised that the country is going through a dramatic demographic change with an increase in people aged over 65, growing from its present level of 10 million to 16.7 million by 2035. Align this with a shortage of suitable homes for this age bracket and the problem is compounded further. The problem is unlikely to improve as many developers are gripped by the present economic downturn and austerity measures being forced on them. More locally within your region, the statistics are even more worrying:-

- The Borough contains a significantly higher proportion of older people
- 44% of the total Borough-wide population is over 45 years old at the time of 2001 census¹
- Sefton has a higher proportion of people aged over 85 years than any other metropolitan authority
- There is expected to be a dramatic increase in population within Sefton over the next 15 years, particularly in the over 85 years plus age group which is expected to increase by 69.2%
- Worryingly in the short term, the number of people aged within the 45-59 and 60-74 age groups is expected to grow by 9% and 7% respectively

From the outset, it has been the intention of PAM to offer the maximum amount of affordable housing allocation as part of the development, which in this instance is 30%. This meets the borough's own target and as a standalone development will provide 8.6% of the affordable housing requirements laid down by Sefton's target for 2013.

The ability to deliver the proposed development and the resulting benefits, which include helping to address the housing shortage, is based on a strict financial model which requires a certain size of development to make it feasible. However, whilst this has raised some concerns, it should be noted that a significant part of the site is **not** going to be built on. This equates to over 65% which will be enhanced significantly and will provide a sustainable wildlife corridor together with landscaped areas that will be opened up to allow formal public access to the site for the first time, all of which will be maintained by the development and at no cost to the local authority. As part of the consultation period, size was aired as a concern and changes made to reflect this. Whilst being conscious of size and massing, the PAM team has listened and designed the layout of the development sympathetically, to ensure that it is not overbearing to its neighbouring properties and that the largest building on the site does not exceed the height of the two properties to the east and west of the site, namely Chilton Court and Chapel House respectively.

Throughout the design phase, it has been paramount to PAM to only work with leading consultants. The principal reason for this has been to ensure that where a potential problem has been identified, the goal must be an improvement on the present situation. One such issue identified and also highlighted as a concern by local residents was that of flooding and drainage issues. From the outset, White Young Green and Capita Symonds were aware of the potential constraints and set in place a strategy within the Flood Risk Assessment to design a system that would improve flooding problems in the area owing to the use of SUDS (Sustainable

Urban Drainage Systems), implementation of a controlled management regime for surface water run-off and the potential to achieve a substantial reduction in the proposed discharge rate when compared with the existing situation. This has been accepted by the EA (Environment Agency) and the Council's own land drainage consultants. Furthermore, PAM has committed to further dialogue offering assistance and works to the EA to assist them with the obligations to avert any future flood risk.

During a period of economic stagnation, PAM is excited at the opportunity to present a catalyst to the local economy, not only during construction but also as a long term employer. As a direct result of the development, the principal contractor will be targeted to employ 10% of the workforce from the Sefton Borough, 55% from Merseyside and one apprentice will be employed and trained for every £3 million of contract value. It is also recognised that for every £1 invested in construction, it generates £2.84 in economic activityⁱⁱ. Upon completion, the development will employ approximately 97 individuals, both directly and in associated service industries. A dialogue has already been initiated with Sefton@Work to ensure a strategy, upon planning approval, will be implemented to secure local employment at the development.

In summary, whilst there has been an element of restrictions presented, both physical and personal, PAM believe that they have listened to and addressed these points which has been recognised by Sefton's Planning Officers by giving a recommendation to grant planning approval, subject to a number of considerations, all of which we are happy to comply with. By means of a synopsis of the benefits, a concise list is documented below:-

- The supply of bespoke accommodation to appropriately meet the needs of the Borough's older residents
- A significant contribution to the Borough's identified housing requirements and kick-starting the release of existing housing stock into the marketplace
- Reducing pressure on the Council to release Green Belt land for future residential development
- Introduction of flood mitigation measures to improve the present situation
- A greatly enhanced green space made available to the public for the first time with an enhanced sustainable wildlife corridor
- A significant inward investment into the local economy resulting in numerous employment opportunities and long term economic stability
- Physical and financial contributions via the Section 106 agreement including contributions to the Damfield Lane traffic calming scheme, the supply of affordable housing and the supply of public green space, maintained at the developments cost

The proposed development represents a unique opportunity to deliver high quality bespoke accommodation to appropriately meet the needs of the Borough's older residents. This, together with the wider scheme benefits has been recognised by your officers and is reflected in the recommendation. We therefore urge that the planning committee recognises that the proposal before you today genuinely represents an exception development in planning terms and, thus, that it accepts the officers' recommendation.

Yours faithfully

Priory Asset Management LLP

ⁱAs noted in Sefton's Older People's Housing Strategy, Sefton Council 2005
ⁱⁱ"Get Britain Building" - 2011

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APPENDIX 5

Item No 5A

S/2011/1419 : Land adjacent to 2 Moorhey Road, Maghull

Letter and photographs received from applicant's agent regarding access to the watercourse are attached.

G A R Y

MORRIS

48 Queens Drive West Derby Liverpool L13 OAH

Architectural and Interior Design Commercial Artist

48 QUEENS DRIVE, WEST DERBY, LIVERPOOL L13 OAH
Tel: 0151 222 9008 Mob: 07786 362 196

Access to Watercourse Statement

**FOR PROPOSED NEW DWELLING AT
LAND ADJACENT TO 2 MOORHEY ROAD, MAGHULL**

British waterways are objecting to the proposal due to the fact, they say, that in the event of flooding, or required remedial works to the banks, they would not have sufficient access.

British Waterways do not have, nor ever had the right of access over the land adjacent to 2 Moorhey Road. Furthermore there is no act, statutory or otherwise, that gives British Waterways the right to of access over land that does not belong to them, other than the Statutory 8 meters required clear space from a watercourse to any building.

My clients are perfectly willing to adhere to this and provide the 8 meters of space at the rear of the proposed dwelling, as is required by law. What they are not required to do by law is provide access from the highway at Moorhey Road, across their land to the water course.

I have provided photographic evidence to prove that access from Moorhey Road would be totally useless. Access to the water course is far easier from the opposite bank. Heavy plant can access the land via the pedestrian crossing and onto the bank, which is open and unrestricted by housing or buildings.

There is no river bank to the rear of Moorhey Road, as the land falls directly into the river.

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This photograph shows the opposite bank where unrestricted access is available. The rear fencing of the houses on Moorhey Road can clearly be seen as can the slope of the river bank falling into river below. Any number of site huts, and machines could be sited here with access to the complete length of the river.



This photograph shows the clear boundary of the land adjacent to 2 Moorhey Road. As visible there is no river bank at all making any available access from that side useless. It should also be noted that heavy plant would not be able to turn on this site as there is an electrical sub station with

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These photographs show how easy access from Northway would be. The top photograph shows the opening onto the open land. The heaviest of plant would be able to access the river and it's banks from there with minimal traffic disturbance.



How would it be possible for heavy plant to operate from this side of the bank?

British Waterways claims to access are spurious and false under law. If their claim to access were true, then no dwelling, building or structure could or would have ever been built adjacent to a water course.

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Item No 5B

S/2011/1433 : Oil Salvage Limited Lyster Road, Bootle

- (a) The following information has been provided by the Head of Environment in response to concerns regarding existing pollution problems in the vicinity of the application site:

“The Pollution Control Team of the Built Environment Department received a number of complaints in spring / summer 2011 from Local residents in the Bootle area regarding a gas type odour. There are a number of industrial processes in the area that could give rise to odours of this nature including the Oil Salvage site. Investigations were undertaken in conjunction with the Environment Agency which involved inspections to a number of industrial processes (including Oil salvage) and surveillance around the area. The source of the odour could not be fully identified however following Environment Agency and Local Authority officers visiting and undertaking these inspections the odour complaints stopped and no odour was found during further odour surveillance visits.

The oil salvage site operates under an Environmental Permit which is issued by the Environment Agency and controls how the site operates environmentally. This proposal will require a variation to this permit to take account of the changes included in this application.

The proposal does not seek to change or extend the oil refining operation which is the process that has potential to release odour emissions.”

Item No 5C

S/2011/1553 : Land to the Rear 70 - 74 Lilac Avenue, Ainsdale

A petition of objection has been received of 41 signatures, endorsed by Councillor Terry Jones raising the following concerns:

- It will create parking issues that could potentially be a health and safety issue within the area
- Challenge that as advised by One Vision the local community has been adequately consulted on this issue.
- It will take away the privacy currently enjoyed by surrounding properties relevant to the site.
- It will remove the opportunity of renting a garage which in some cases they have had for 30-40 years.

PETITION

We the undersigned wish to oppose Planning Application ~~8/2011/1553~~ for the following reasons:

Received by Senior Councillor
PLANNING & LOCAL GOVERNMENT REGISTRATION
02 FEB 2012

1. It will create parking issues that could potentially be a health and safety issue within the area.
2. We challenge that as advised by One Vision the local community has been adequately consulted on this issue.
3. It will take away the privacy currently enjoyed by surrounding properties relevant to the site.
4. It will remove the opportunity of renting a garage which in some cases they have had for 30-40 years

44

NAME	ADDRESS	SIGNATURE
SILVIA DUNN	61 CHERRY RD	
Craig Dunn	61 Cherry road	
FRANK DUNN	61 CHERRY RD	
Frank Dunn	61 Cherry road	
BARBARA COULTER	53 CHERRY RD.	
JOHN COULTER	✓	
DAVID ASPINALL	55 CHERRY Rd	
Patricia ASPINALL	55 CHERRY Rd	
D Neill	43 CHERRY	
Melanie Morrison	41 Cherry Rd	
MATTHEW BOOTH	37 cherry Rd	
C. KINNISH	31 cherry Rd.	
JESMITH	67, cherry Rd	
GEO COCHRANE	67. CHERRY RD	
K Aughton	65 CHERRY ROAD	

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Item No 5D

S/2011/1557 : Land to rear 52-56 Lilac Avenue, Ainsdale

Summary of comments from Building Control:

1. **Access and facilities for fire service** – Approved Document B states that there should be vehicle access for a pump appliance to within 45m of all points within the dwellinghouses. The vehicle access route to the site should be at least 3.7m wide between kerbs and should not exceed 20m in length without having a suitable turning circle or other point at which vehicles can turn. The route should also be able to carry at least 12.5 tonnes. If this is not the case, a variation of the provisions would have to be considered by Building Control in relation to the access and facilities for the Fire Service, and consultation with the Fire Authority has alleviated some of these issues on past projects; particularly in relation to the length of the access route. I cannot confirm at this time that this would be case regarding this particular application, but past experience would indicate that the Fire Service would not raise an objection.
2. **Solid Waste Storage** – No apparent issues.
3. **M: Access to and use of buildings** – Level or ramped access would be required to the main entrance door to each dwelling.

In addition to the above, I would suggest that these buildings may need to be on piled foundations due to the nature of the ground in that area. I would have no reason to believe that this land could not be developed due to the ground conditions but a designed (piled) foundation will almost certainly be required.

A petition of objection has been received of 69 signatures endorsed by Councillor Brenda Porter raising the following concerns:

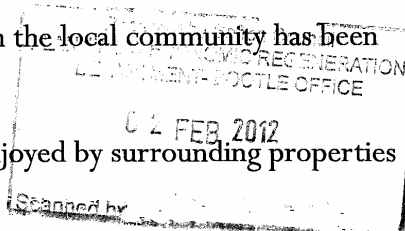
- Create parking issues that could potentially be health and safety issues within the area.
- Challenge that as advised by One Vision the local community has been adequately consulted on this issue.
- It will take away the privacy currently enjoyed by surrounding properties relevant to the site.
- It will remove the opportunity of renting a garage which in some cases they have had for 30-40 years.

Amended site plan attached.

PETITION

We the undersigned wish to oppose Planning Application S/2011/1557 for the following reasons:

1. It will create parking issues that could potentially be a health and safety issue within the area.
2. We challenge that as advised by One Vision the local community has been adequately consulted on this issue.
3. It will take away the privacy currently enjoyed by surrounding properties relevant to the site.
4. It will remove the opportunity of renting a garage which in some cases they have had for 30-40 years



69.

NAME	ADDRESS	SIGNATURE
Patrick Johnson	14 Lilac avenue	
Matt Johnson	14 lilac avenue	
JOHN TATE	29 Lilac Ave	
JOHN TATE	29 Lilac Ave	
R Jones	33 Lilac Ave	
H Prescott	35 Lilac Ave	
Bob Yates	44 Lilac Ave	
LINDA RAY	43	
J. T. GORHAM	47 Lilac Ave	
C. Merone	49 lilac Ave	
C Smith	51 lilac Ave	
DAVE TORRANCE	53 LILAC AVE	
Cemma Torrance	53 Lilac Ave	
Catherine	59 Lilac Ave	
S. Jones	55 Lilac Ave	

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Item No 5E

S/2011/1558 : Land adjacent 10 Heather Close, Ainsdale

Summary of comments of Building Control

1. B5: Access and facilities for the fire service – No apparent issues
2. H6: Solid waste storage – No apparent issues
3. M: Access to and use of buildings – Level or ramped access would be required to the main entrance door to the each dwelling. In addition to the above, I would suggest that these buildings may need to be on piled foundations due to the nature of the ground in that area. I would have no reason to believe that this land could not be developed due to the ground conditions but a designed (piled) foundation will almost certainly be required.

Amended plans received - showing lower ridge height and gables pulled away from boundary to ensure no overhang into neighbouring property. Amended plan numbers SK/H/105A and SK/H/102A.

Item No 5G

S/2011/1521: Garden to rear 54 Elson Road, Formby

A further representation has been received from Number 15 Jubilee Road, critiquing the report presented to Planning Committee. While the continued concerns of the neighbouring property are noted, they do not raise any issues that have not previously been addressed. Two photographs have been submitted to show vehicles on the Jubilee Road highway. It is assumed that this is intended to highlight traffic issues arising from the adjacent primary school and Range High School, but no explanation has been given. This representation and photographs are enclosed.

The applicant has submitted further information regarding the arrangement of the boundary to the front of the property. It is proposed to have a boundary wall to a similar height to that at Numbers 13 & 15 Jubilee Road and would not exceed 1 (one) metre in height. To allow the Authority to retain control to this aspect it is reasonable to attach a condition to approval to require full details of the boundary treatment to be submitted to and approved by the Authority prior to the occupation of the property. The applicant has also made mention of matters governed by the Party Wall Act in relation to the demolition of the existing garage. While this is not a matter for the Council this brief statement shows consideration for the neighbouring dwelling at Number 15 Jubilee Road.

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54 Elson Road: Agenda Item 5g Southport Town Hall, February 8th

Notes by Peter & Elizabeth Stoney, 15, Jubilee Road

Weaknesses in the Approval Recommendation

- **The Right To Light**

p. 123, paragraph 3 asserts that the proposed dwelling "would not cause significant detrimental harm with regards to the overshadowing of these two ground floor windows" (referring to a main living room), whereas paragraph 4 states: "However, in order to lessen any potential for harm, the application was requested to amend the proposal to provide a reduction in eaves and ridge height". This is confusing. How likely is it that the potential harm will be significantly detrimental? The issue of light needs verification by a professional second opinion because there is not only a problem with defining the subjective description "significant detrimental harm" - harm to general well-being and mental health perhaps - but also importantly with quantifying the extent to which any existing overshadowing ("it is evident that a degree of overshadowing occurs in any event.....") is magnified. *Furthermore, verification is needed of the mitigating effects of the amended reduction in ridge and eaves height of the proposed dwelling - how many feet/inches is the reduction? By how much will overshadowing be reduced by these amendments? Whatever the actual height reduction is, there will certainly be loss of light in its amount and intensity as well as in its duration in respect of the two ground floor windows of a main living room.*

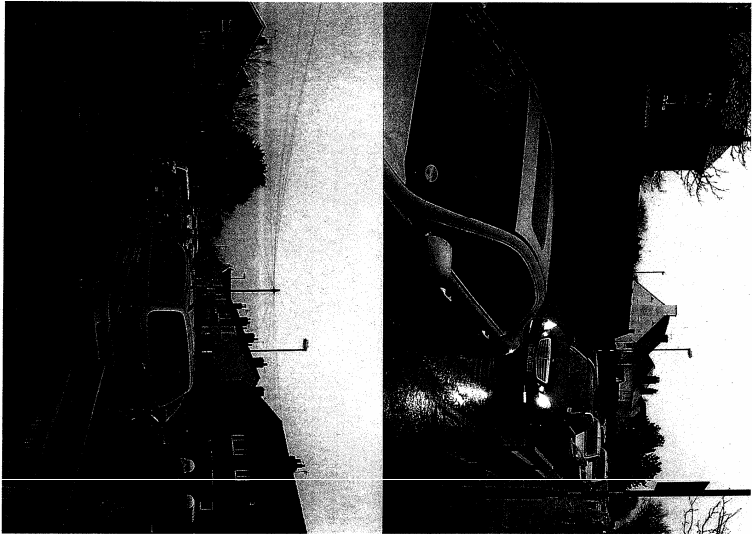
- **Overlooking**

p.123, paragraph 5 states "the proposal will cause no greater significant harm than is already present"; given that the proposed dwelling has four first floor rear windows, which roughly doubles the number of overlooking windows from existing neighbouring properties, this statement lacks credibility.

- **P. 124, Number 54 Elson Road**

- (i) Paragraph 1 states: "By virtue of the separation of the plot, this outlook will be reduced to no more than 5 metres. This would ordinarily be an unacceptable situation if it was forced upon a third party, but given that this is the applicant's property, and that any future occupant would be fully aware of the situation, then on balance this is an acceptable situation". *This statement is cockeyed. The subjective bias towards the applicant is evident; why should future occupiers be disregarded in respect of this feature? Shouldn't we be having regard to future generations of occupiers? What is sauce for the goose should be sauce for the gander. Also, what does "on balance" mean in this context?*
- (ii) P. 124's penultimate paragraph again uses an undefined "on balance" description to justify the attached garage being less than one metre from the boundary to Number 54 Elson Road, whereas "the separation of the main dwelling from the side boundary to Number 15 (the agenda's text incorrectly states Number 13) is to be one metre and this complies with SPG etc....". There appears here again to be a bias in favour of the applicant.

- *The p.127 diagrams have not been updated with amendments to the proposed dwelling (ridge height or to 15 J's front door facing the side elevation etc.)*



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PLANNING APPLICATION NUMBER S/2011/1521

With reference to the front boundary treatment of the proposed new dwelling I propose to remove the existing 3.0 metre high wall fronting the boundary and replace this with a low 1.0 metre high brick wall, which mirrors the front boundary treatments to the existing properties in Jubilee Road. (See attached plan)

With reference to the rear boundary between the proposed dwelling and number 15 Jubilee Road, the existing garage would be demolished and I propose to retain a similar height brick wall on this boundary in line with the existing. This would be achieved by either retaining the existing wall / rear wall to the garage, if found to be in good serviceable condition, or replacing this with a new wall construction similar to existing as appropriate.

APPLICATION NUMBER
S/2011/1521



FRONT ELEVATION SHOWING PROPOSED BOUNDARY TREATMENT

SCALE 1:100

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Item No 5i

S/2011/1476: Southport Snooker Club 31-33 Princes Street, Southport

Following discussions between the applicant and the Highway Authority regarding this site, comments have been received to state that:

“There are no objections to the principle of erecting 10 self-contained apartments after the demolition of the existing snooker club as there are no highway safety implications.

Three off-street parking spaces individually accessed off Princes Street are proposed, which is an acceptable level of car parking provision, given the highly accessible location of this development site.

Ordinarily, cycle parking is required for new flats; however, the applicant has stated that “there would be no demand for bicycle usage as the development is for wheelchair bound tenants with physical disabilities”. As such, it is acceptable not to provide cycle parking facilities as part of this development.

In order to accommodate the proposed development a minor scheme of off-site highway works will be required. The works will involve closing off of the existing redundant accesses and the complete reconstruction of the footway across the entire site frontage along Princes Street, incorporating the provision of a new footway crossing to serve the three car parking spaces.

The following conditions and informatives should be added to any approval notice:-

H-1 - Remove existing vehicular/pedestrian access

H-2 - New vehicular/pedestrian access

H-5 - Off-site Highway Improvements

- Closing off of the existing redundant accesses and the complete reconstruction of the footway across the entire site frontage along Princes Street, incorporating the provision of a new footway crossing to serve the three car parking spaces.

H-6 - Vehicle parking and manoeuvring

H-10 - Mud on carriageway

H-11 - Construction Management Plan

I-1 - Addresses

I-2 - Highways

The applicant is advised that residents of the development would not be entitled to parking permits to enable them to park in the Pay & Display bays during the daytime.”

The conditions and informatives have been added to the recommendation for approval.

A letter of objection has been received by the recent purchasers of Number 18 Talbot Street. The comments from this neighbouring property broadly follow those received from Numbers 10, 12 & 14 Talbot Street with regards to the scale of the building, its arrangement and the design of the rear elevation in addition to matters relating to overshadowing and overlooking. Given that Number 18 does not share a common boundary with the application site, and that no new issues have been raised it is considered that the points of objection have already been addressed.

Item No 5J

S/2011/1479: 141 - 143 Shakespeare Street, Southport

In order to comply with the requirements of the Council's Environment Service a flue is to be installed to the building to serve the paint spraying booth, with a height no less than 3 metres above the ridgeline of the tallest building within 15 metres.

The agent for the application has submitted a further drawing showing the position and scale of the flue to the roof, which is acceptable and fully demonstrates to all parties the full extent of this proposal.

This aspect of the proposal required the altering of the description and the re-notification of neighbouring and other interested properties.

As such, the recommendation to members must be changed. It is therefore requested that members granted delegated approval following the expiry of the neighbour notification date on 24th February 2012.

In addition to the above, following comments made by members on site visit as to the potential harm arising from operational activity taking place outside of the building a condition has been attached restricting works to the buildings and for no commercial activities to the hardstanding to the front. Furthermore, so as to limit the potential harm that may arise through the outbreak of noise from the operational activities within the buildings a condition has been added to require a scheme of noise mitigation to be submitted to and approved by the authority.

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AGENDA ITEM 8

Liverpool Waters Planning Application – Neighbouring Authority Consultation

Comments were received from the Environmental Protection Director to the above application as follows:

There is a concern that this development will affect residents in Sefton. The Traffic Assessment indicates substantial increases on arterial routes within Sefton. Several of these routes have both Air Quality Management Areas and European Noise Directive (END) Noise Action Plan Priority Locations.

In view of this development consideration should also be given to the effect of current planning permissions and the port development on the road infrastructure and the affect on air quality and noise impact within Sefton.

Therefore Noise Impact and Air Quality Assessments to review traffic movement (Traffic generation and distribution) together with the impact on the environment within Sefton should be undertaken which should consider the matters raised above.

In light of the above it is proposed that the response to Liverpool City Council will include a request that the full planning applications should include Noise Impact, Transport Assessments (Transport Statements where deemed appropriate) and Air Quality Assessments, including how the proposals will affect Sefton. It is also important that we have sight of any planning conditions drafted to ensure that any adverse impact from increased traffic from the scheme can be adequately controlled and mitigated. Indeed, it is likely that such conditions will need to be time related or aligned to the proposed phasing of development as it is approved, to ensure that any such development has no material and/or detrimental impacts upon the existing highway network and that of ensuring highway safety.