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Date: 29 June, 2021  
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Dear Councillor

## **PLANNING COMMITTEE - WEDNESDAY 30TH JUNE, 2021**

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

<b>Agenda No.</b>	<b>Item</b>
7	<b>Late Representations</b> (Pages 3 - 6) Late representations on applications being reported to Committee

Yours faithfully,

Democratic Services

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### Late Representations/Information

#### Appendix 4

##### Item 4A

###### DC/2020/02580: Site of 17 Brook Road, Maghull

The Environment Agency has commented on the application raising no objection.

Further neighbour comments have been received reiterating concerns relating to the size of development and impacts on neighbours. An objection has also been received suggesting that the existing fence separating number 15 Brook Road is not on the boundary which was previously marked out by hedgerow. The applicant has confirmed that the fencing shown on the Landscape and Site Plans is new fencing proposed to the site boundary.

Planning Services has received an amended Site Plan (Revision 008) which shows an increased number of electrical vehicle charging points which is supported, alongside a repositioned bin store which would be sited to the rear wall of the building away from habitable room windows of both neighbours and future occupiers. It is proposed to update the list of approved plans under condition 2 to reflect this.

#### Appendix 5

##### Item 5A

###### DC/2020/01853: Former Z Block Sites Buckley Hill Lane Sefton L30 0AD

###### *a) Consultation Comments on Latest Scheme:*

- (i) Environmental Health Manager (Noise)  
No objections subject to conditions
- (ii) Environmental Health Manager (Contaminated Land)  
No objection subject to conditions
- (iii) Tree Officer  
Previous comments remain unchanged

###### *b) Changes to Conditions*

- (i) Following advice from consultees, conditions 4 (Construction Traffic Management Plan), 5 (Construction Environmental Management Plan) and 7 (Drainage Scheme) can all be re-worded and changed from 'Before the Development is Commenced' conditions to 'During Building Works' conditions.

*The new condition numbers and wording is as follows:*

- 7. The approved Construction Traffic Management Plan (Vectos June 2021) shall be adhered to in full throughout the construction period.

Reason: To ensure the safety of highway users during both the demolition and construction phase of the development.

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8. The approved Construction and Environmental Management Plan (Wardell Armstrong March 2021 Report No.007 version 2) shall be adhered to in full throughout the construction period.

Reason: To safeguard the living conditions of neighbouring/adjacent occupiers and land users, to protect the ecological interest of the area and to minimise waste during both the demolition and construction phase of the development.

9. The development hereby permitted by this planning permission, including all components of the sustainable drainage system, shall be carried out in accordance with the submitted Flood Risk Assessment and Drainage Strategy, the Drainage Strategy Plan Drawing BH-MG-ZZ-XX-DR-C-0201 Revision P2 and the SuDS Pro-forma by Marston & Grundy, all dated 6th May 2021. For the avoidance of doubt, surface water must drain at the restricted rate of 6.9 l/s when draining to the existing surface water sewer on Northern Perimeter Rd and 2.0 l/s to the combined sewer on Great Hey .

The approved scheme shall be fully constructed prior to occupation in accordance with the approved details, phasing and timetable embodied within the approved Sustainable Drainage Strategy, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To ensure satisfactory drainage of the site.

(ii) Based on the above changes, condition 6 (Piling) becomes condition 4; condition 8 (archaeology) becomes condition 5; and condition 9 (remediation) becomes condition 6.

(iii) The following documents should be added to condition 2 'Approved Plans':

Construction Traffic Management Plan (Vectos May 2021)

Construction and Environmental Management Plan (Wardell Armstrong March 2021 Report No.007 version 2)

Flood Risk Assessment and Drainage Strategy, the Drainage Strategy Plan Drawing BH-MG-ZZ-XX-DR-C-0201 Revision P2 and the SuDS Pro-forma by Marston & Grundy, all dated 6th May 2021

(iv) Re-word condition 21 to account for the updated Noise Assessment Report, as follows:

The acoustic glazing and ventilation units must meet as a minimum the performance standard shown in Appendix E: Glazing and Ventilation Sound Reduction Performance Data and the locations identified in section 6.3 and Drawing Nos. GM11200-007, 008 and 009 of Wardell Armstrong (May 2021) Noise Assessment Report. Job Number: GM11200. Report Number: 003. Version: V3.1 Status: Final.

The approved glazing and ventilation units must be installed before the dwellings become occupied and retained thereafter.

Reason: To safeguard the living conditions of occupiers of the site.

c) Amend informative 6 to read:

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until condition 6 above has been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing, until condition 17 has been complied with in relation to that contamination.

## Item 5B

### DC/2017/01528: Land Bounded By School Lane To The North, A Railway Line To The West And Whinny Brook To The South, Maghull

The agent acting for the landowners on the application site for DC/2017/01528 (the 'north site') has pointed out the following errors within the report:

(i) On page 53 under the 'Introduction' heading, <sup>Page 4</sup> where the report states "one of the landowners has passed

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away", it would be more accurate to say "one of the Consortium members has passed away". The Consortium refers to the East Maghull Consortium which is the applicant for this 'north site'.

(ii) The proposed variation to the Section 106 legal agreement, stated on pages 54 and 56 of the agenda, implies that Countryside and Persimmon (the developers for the 'south site') would be signatories to the Section 106 agreement for the 'north site'. This is not the case although Countryside and Persimmon will be granted a licence by the landowners to carry out works on the north side of Whinny Brook.

(iii) In response to the above, the proposed variation to the Section 106 agreement can be worded to reflect the comments in point (ii). The report recommends the clause is 'substantially in the following form' which would allow for minor changes such as that referred to.

## Item 5C

### DC/2020/02009: The Laburnum 92 Litherland Road, Bootle

Clarification has been provided by Environmental Health that acoustic glazing was requested in order to protect against existing commercial uses within the former tannery complex to the rear. This can be secured by condition and ensure that existing windows are maintained at ground level in the interest of conservation: -

Prior to occupation of development a scheme of acoustic glazing to all external windows which provides protection against external noise sources must be submitted to and approved in writing by the Local Planning Authority. Ground floor front and side windows must be retained in accordance with condition 3 with secondary glazing installed internally. The approved scheme(s) shall be installed prior to occupation and be maintained thereafter.

Reason: In order to protect the living conditions of future occupiers from noise associated with adjacent commercial uses.

## Item 5D

### DC/2021/00807: Marine Football Club College Road, Crosby

Objections received from 6 addresses on Rossett Road raising concerns over ball impact noise, appearance of fence, lack of consultation, loss of view and maintenance. Objections received from 2 addresses on Jubilee Road on the grounds of noise disturbance stating acoustic fence should be to all boundaries. Concerns reiterated in relation to hours of use, light disturbance and loss of property value. An objection has been received from a neighbouring address which refers to an individual with a rare medical condition where sleep is extremely important.

In response the Noise Assessment has clarified that additional acoustic screening to other boundaries is not necessary. Regarding the need for sleep, which may also apply to shift workers for example, the 3G pitch would operate no earlier or later than the existing grass pitch is capable of being utilised. Concerns have been raised over the breadth of the assessment and it not covering crowd noise for example. Such sources would largely be confined to professional/ league matches as opposed to community uses.

The fence would be of timber construction, the final design and appearance (e.g. paint scheme) can be secured by condition. Regarding loss of view onto the pitch this is not a material consideration and the Committee Report concludes that there would not be a significant loss of outlook. Issues relating to maintenance and boundaries are a civil matter.

Concerns relating to highway impacts, parking and light disturbance are addressed within the Committee Report. Loss of property value is not a material planning consideration. Regarding a lack of consultation, there is no statutory requirement for the applicant to do so. The Council has re-notified based on receipt of amended plans for an adequate period given the nature of the amendment which sees a fence added behind existing boundary treatment to a modest height.

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Item 5E

## DC/2021/00042 : 82 Freshfield Road, Formby

It is acknowledged that the front elevation of the storage building to be constructed to the rear garden has not been submitted with the application, albeit the drawings do show part of the front elevation along with the side elevations. For the avoidance of doubt and to ensure control over the development, it is proposed to add a condition requiring full details be submitted prior to its commencement.

*Prior to the commencement of the rear storage building as illustrated on drawing no P\_02B, full details of the proposed storage building (including full elevations and materials) to be constructed to the rear garden area shall be submitted to and approved by the Local Planning Authority. The building shall be constructed in accordance with the approved details.*

*Reason: To protect the living conditions of neighbouring properties*