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Date: 23 July 2024
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Dear Councillor

PLANNING COMMITTEE - WEDNESDAY 24TH JULY, 2024

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

Agenda No.	Item	
8	Late Reps	(Pages 3 - 10)
	Report of the Chief Planning Officer	

Yours faithfully,

A handwritten signature in black ink, appearing to be "Ian Barton".

Democratic Services

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Planning Committee: 24th July 2024

Late Representations/Information

Appendix 4 – Petitioned Items

Item 4A: DC/2024/00479 - 31 Clovelly Drive Birkdale PR8 3AJ

Update to officer report.

The following section is inserted into the officer report following the principle of development section:

Retail, leisure and other town centres uses.

Short term holiday lets such as this, provide self-contained accommodation used by visitors to the area. Whilst they are not hotels, they are a form of tourism development and can be considered as a town centre use.

To protect the vitality and viability of Sefton's centres Policy ED2 (Retail, Leisure and other Town Centre Uses) of the local plan sets a sequential approach to the location of such development. Firstly, directing it to town and district centres, secondly to the edge of centre locations, and lastly out of centre sites if suitable sites are not available. The explanation for the policy advises that a proportionate approach should be taken.

In this case the applicant has explained that the holiday let provides a different offer to accommodation found in the town centre. It's a quieter location away from the busy nighttime activities, it also provides for people visiting relatives in the area, and the golf course. Having regard to this, and the holiday lets modest scale, the development does not cause any significant harm to the vitality and viability of the town and district centres.

Petitioner

The petitioner has provided the following late representation:

After giving the matter some consideration, I have decided to make a late representation as follows Ref DC/2024/00479. Obviously, we are disappointed that planning has been approved but we accepted from the outset this was the likely outcome.

It has however ensured that the applicants have had to regularise their position in regard to planning and building regulations.

We will be pleased if the recommendations of the Chief Planning Officer Mr McKenzie are approved as this will provide some accountability regarding length of stays and together with the register containing names, addresses, arrival and departure dates of all residents

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should prevent a situation similar to last year when a family with two children stayed over 3 months.

Despite the application being for 'short term holiday let accommodation (retrospective)' it is concerning that as of today's date their web site is still offering stays of over 28 days.

We understand the complexity of planning issues and appreciate the time given to this matter.

Applicant

Below is a summary of the applicant's late representation:

The garage conversion was initially to provide an overspill of ground floor accommodation for elderly relatives to stay. They later established that there is a demand for such accommodation in the area for older visitors that require somewhere safe and peaceful whilst visiting family.

The holiday let provides a comfortable and safe place for friends and relatives to stay, who have often complained about the anti-social behaviour and noise from bars and clubs that often spill out into the wee hours in Southport town centre. Several guests have been visiting elderly relatives in local care homes and other guests have been playing in local golf tournaments or attending events such as the flower and air shows etc.

The holiday let has been in operation since May 23 and as reiterated by Sefton, and there has not been any noise complaints.

Airbnb website is a safe platform for hosts and allows you to establish rules and regulations around visiting guests and also has a strict identification policy and strong recommendations from other hosts. It also stipulates how many guests you can accommodate prior to booking and there are clear house rules. They do not allow pets to prevent any noise, such as barking.

They have gained super host status on the Airbnb website from all the positive reviews.

Only small number of objections have been received from close neighbours, and they have concerns in relation to how they have been treated by neighbours.

The officer report concludes it does not significantly affect living conditions of neighbours, and parking is acceptable.

There are other holiday lets locally, and a website dedicated to short term property rentals for the Golf Open. This doesn't seem to be a problem for the residents, and visitors and tourism also brings benefits to the area.

Further objections

One local resident has reiterated their concerns in relation to the occupiers of the application site parking on the road. Parking has been addressed in the officer report.

Cllr Brodie Browne

Has asked if a condition could be added specifying that the property must not be advertised as a "Party House" in any way.

In response to this request, given the small scale of the holiday let and that it is intended to accommodate 2 people, such a condition is unnecessary, and potentially unenforceable from a planning perspective. Should there be any complaints in relation to noise this could be dealt with under separate nuisance legislation.

Appendix 5 – Approvals

Item 5A : DC/2024/00421 - 5 School Road, Hightown

Letter of objection received from Hightown Parish Council. Comments below:

We are writing to object to the above planning application on the following grounds:

1. The proposed design including new shop front is not in keeping with the existing property and will not merge aesthetically into our beautiful village.
2. The proposed extension works anticipate loss of privacy and daylight to rear and side properties.
3. The proposed building of a large brick storeroom to the rear end of the garden will be unsightly for the other residents looking onto this and spoil the residential look of the surrounding gardens backed onto this property.
4. There is also a security risk relating to the high volume of stock to be kept in this unoccupied storeroom.
5. Hours of opening and selling alcohol until 11.00pm will generate foot fall and have potential for late night noise and disturbance at unsociable hours to surrounding neighbours.
6. With the proposal of this store and the imminent opening of the new coffee shop Hightown will have 6 businesses all around the village green, with no parking facilities. Parking is already a major issue with cars mounting pavements, cars parking on yellow lines and the lack of visibility leaving the oneway system on School Road. The residents on School Road have problems parking at the front of their own homes due to the amount of people leaving cars parked up sometimes for the day while they journey on the trains, which then as an impact on parking at the front of the shops. There is not the required infrastructure to cope with more vehicles and large vehicles with stock deliveries.

In addition, a petition (not endorsed) has been received outside of the statutory notification period which includes over 300 signatures raising the following concerns:

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- 1) The proposed design including new shop front is not in keeping with existing property and will not merge aesthetically into our beautiful village
- 2) The proposed extension works anticipate loss of privacy and daylight to rear and side properties.
- 3) The proposed building of a large brick storeroom to the rear end of the garden will be unsightly for the other residents looking onto this and spoil the residential look of the surrounding gardens backed on to this property.
- 4) There is also a security risk relating to the high volume of stock to be kept in this unoccupied store room.
- 5) Hours of opening and selling of alcohol until 11pm will generate footfall and have potential for late night noise and disturbance at unsociable hours to surrounding neighbours
- 6) With the proposal of this store and the imminent opening of the new coffee shop, Hightown will have six businesses all around the village green with no parking facilities. Parking is already a major issue with cars mounting pavements, cars parking on yellow lines and the lack of visibility leaving the one way system on School Road. The residents on School Road have problems parking at the front of their own homes due to the amount of people leaving cars parked up sometimes for the day while they journey on the trains, which then has an impact on parking at the front of the shops. There is not the required infrastructure to cope with more vehicles and large vehicles with stock deliveries.

In response to the above such matters have been addressed in the case officer report.

Item 5B: DC/2023/00065 - Land north of Poverty Lane, Maghull

- a) Change recommendation to 'Approve with Conditions'. It is now proposed that the highways improvements can be secured by condition (see point g) below)
- b) Representation received from the Peak & Northern Footpaths Society raising concern that the new road which crosses Maghull Footpath 11 will dissect this public right of way and be a hazard to footpath users.

In response to this comment, the point at which the new road crosses Maghull Footpath 11 is on the adjacent development site north of Whinny Brook

- c) Maghull Town Council has submitted a further representation setting out the following points:
 - The revised phasing plan does not provide a congruent housing area as a section of phase 2 is disconnected from the other houses
 - Concerned that the applicant won't complete the spine road on the application site
 - Condition 2 is important to secure a spine road through the allocated site and to provide a bus route
 - Applicant's highways evidence confirms that the A59/Hall Lane junction is deficient
 - Should permission be granted, suggest a condition that the distributor road through the application site is completed before occupation of the 251st dwelling
- d) A petition has been submitted against the proposal. It is signed by over 100 residents of Poverty Lane and the surrounding area and endorsed by Councillor Parker. The main points are:
 - Proposal conflicts with the Secretary of State's decision for no more than 250 dwellings to be occupied before completion of the distributor road connecting Poverty Lane and School Lane
 - Concerned about the 50m ransom strip
 - No guarantee that the distributor road or ransom strip will be completed
 - Poverty Lane residents have already endured months of disruption
- e) Add condition 3:

3) No more than 350 dwellings shall be occupied until the entire distributor road within the application site, as shown on drawing SK438-CPP-01 rev C (or a subsequently approved version thereof), is constructed and available for use by the public.
- f) Amend condition 5 (extra words in *italics*) to:

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5) The remediation strategy approved under application DC/2021/00869 shall be carried out in accordance with the approved timetable of works. Following completion of the remedial works, other than where the remediation works involve the provision of a ground cover system only, a verification report that demonstrates compliance with the agreed remediation objectives and criteria shall be submitted to the local planning authority. None of the dwellings *associated with a particular phase* (other than those on areas of the site where the remediation works involve the provision of a ground cover system only) shall be occupied prior to the approval of the verification report *for that phase* by the local planning authority.

g) Amend condition 7 (new words in italics) to:

7) *No more than 300 dwellings* shall be occupied until a detailed scheme of highway works, together with a programme for their completion, has been submitted to and approved in writing by the local planning authority. The scheme shall include:

- i) The enhancement of the Maghull No 13 Footpath to a shared cycleway/footway with lighting.
- ii) The construction of a three-arm roundabout junction on Poverty Lane.
- iii) The construction of a priority junction to from a secondary access on Poverty Lane.
- iv) Traffic calming measures on Poverty Lane in the vicinity of Summerhill Primary School.
- v) The construction of a continuous pedestrian footway along the north-eastern side of Poverty Lane across the frontage of the site.
- vi) The relocation of two existing bus stops on Poverty Lane.
- vii) The introduction of a pedestrian crossing on Poverty Lane in the form of a set of dropped kerbs and tactile paving in the vicinity of the secondary access.
- viii) The widening to 2m of a section of existing footway on the south side of Poverty Lane east of the railway bridge.
- ix) The introduction of a Toucan crossing on Poverty Lane outside Summerhill Primary School.
- x) The relocation of two street lighting columns on the approach to the railway bridge to ensure that the footway on the southern side of Poverty Lane is well lit.
- xi) Amendments to the A59/Hall Lane signal controlled junction to provide increased capacity for right turning movements from the A59 in a northwards direction.
- xii) Introduction of measures to enable the Hall Lane canal bridge to be one way for vehicular traffic.
- xiii) Introduction of the required measures including signage and lineage to support an amended traffic regulation order to extend the 30mph zone on Poverty Lane to the southeast of the roundabout junction with the distributor road.
- xiv) *Improvements to the A59/Hall Lane junction.*

The highway works shall be constructed in accordance with the approved scheme and programme.

h) Amend condition 8 (new words in italics) to:

8) *No more than 300 dwellings shall be occupied until at least three bat boxes* (2f Schwegler or equivalent) plus one winter box (Schwegler 1FS or equivalent) shall be installed on retained and undisturbed trees *or the new buildings to be erected on site.*

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The boxes shall be installed at least 3m from the ground, facing north, south-east and south-west respectively and retained thereafter.

i) Delete condition 17 as development for the full planning permission has commenced.

j) Amend condition 18 (new words in italics) to read:

18) The development shall be built out in accordance the *approved* phasing details *shown on drawing no. SK438-CPP-01 rev C.*

k) Amend condition 48 (new words in italics) to:

48) Application for the approval of the details of the appearance, scale, means of access, landscaping and layout (herein called 'the reserved matters') in respect of the older persons housing scheme shall be made to the Local Planning Authority before *22 February 2024.*

l) Replace Drawing No. 2016.006.027 Indicative Phasing Plan with Drawing No. SK438-CPP-01 rev C Composite Phasing Plan in the Schedule 2 list of plans.

m) Re-number conditions 3 to 16 inclusive (they become 4 to 17 inclusive) to account for new condition 3 and deleted condition 17

Item 5C: DC/2023/02111 - Land To The North East Of Poverty Lane North West Of Harrier Close Poverty Lane, Maghull

Condition 2

The tracking vehicle to be an approved plan in condition 2 should be Drawing No. 22-2426-(02)201 P02 (not revision reference P01 as currently stated).

Condition 4

In condition 4 the Construction Traffic Management Plan is referenced as a CEMP and would need to be altered to state CTMP.

Additional Condition

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An additional condition has been requested by the Environmental Health Manager to control odour and smoke.

Prior to first occupation of the Care Home a written scheme of odour and smoke control for any kitchen extraction system installed on site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be installed before the extraction system is brought in to use and be retained thereafter.

Reason: To safeguard the living conditions of neighbouring/adjacent occupiers and land users.

Informative:

The selection and performance requirements for kitchen extraction control measures (odour etc.) must be fully justified and supported by an appropriate risk assessment.

Item 5D: DC/2024/00306 - Former Gasworks Site

Following the publication of the agenda and the committee report the applicant has sought clarification on the details of the objection by the Highways Manager.

The Highways Manager has raised concerns about how the abnormal load which is required at the beginning and end of the works for a total of 12 movements- would access the site without damaging the pavement and underground services.

The applicant has provided further information as set out in the committee report in paragraphs 2.7 to 2.12. The Highway Manager accepts that the outstanding issue of the abnormal loads would be addressed through the Highway process.