

PLANNING COMMITTEE

**MEETING HELD AT BOOTLE TOWN HALL
ON 26 JULY 2023**

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

Councillors Desmond, Dodd, Hansen, John Kelly,
Sonya Kelly, McGinnity, Richards, Riley, Roche,
Spencer, Lynne Thompson, Tweed and Spring

ALSO PRESENT: Councillors Atkinson and Murphy

104. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Waterfield.

105. DECLARATIONS OF INTEREST

In accordance with Paragraph 9 of the Council's Code of Conduct, the following declarations of personal interest were made and the Members concerned remained in the room during the consideration of the item and voted thereon:

Member	Minute No.	Nature of Interest
All Members of the Committee	Minute No. 110 DC/2023/00548 - Porters Fuchsias, Moss Side, Formby	Members wished to place on record that they had received numerous representations both for and against the proposal prior to the meeting, but this had not caused them to pre-determine the application and a decision would be made based on the evidence provided at the meeting.

106. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the Minutes of the meeting held on 28 June 2023 be confirmed as a correct record.

107. DC/2023/00540 - 201A ALTWAY, AINTREE

The Committee considered the report of the Chief Planning Officer recommending that the above application for the change of use of ground floor from retail (E) to a bar/café with the provision of outdoor seating (Sui Generis) be granted subject to the conditions and for the reasons stated or referred to in the report.

Councillor Atkinson, as Ward Councillor, made representations on behalf of objectors against the proposed development and a response was received from the applicant.

Members discussed the application in detail and were concerned about noise from customers consuming drinks and spilling out onto the pavement around the premises, especially in warm weather, and considered that it would be difficult to prevent or control this.

RESOLVED:

That the recommendation be not approved and the application be refused on the grounds of the unacceptable impact on the living conditions of the neighbouring properties through general noise and disturbance which was contrary to Policies HC3, EQ2 and EQ10 of the Sefton Local Plan.

108. DC/2023/00952 - STREETWORKS AT GORSEY LANE, LIVERPOOL

The Committee considered the report of the Chief Planning Officer recommending that the above application for Installation of a 20m high mast supporting 6 antennas, 2 no. 0.3m dishes and ancillary equipment, 2 equipment cabinets and development ancillary thereto be granted subject to the conditions and for the reasons stated or referred to in the report.

A previous application reference no. DC/2020/00477 had been granted on 11 May 2020 and the applicant had begun to implement the associated extant scheme with the installation of a cabinet but this was later removed. An amendment to condition 3 was consequently set out in late representations to cover this particular set of circumstances and a further minor amendment was circulated at the meeting.

RESOLVED:

That the recommendation be approved and the application be granted subject to the conditions and for the reasons stated or referred to in the report and in Late Representations and in the addendum to Late Representations and subject to condition 3 being amended to read:

“The mast and associated equipment for which prior approval was granted on 11 May 2020 under reference no. DC/2020/00477 shall not be erected / installed”.

109. DC/2022/01702 – SUMMERHILL PRIMARY SCHOOL POVERTY LANE, MAGHULL

The Committee considered the report of the Chief Planning Officer recommending that the above application for the erection of a two-storey extension classroom block, extending of existing hall to new kitchen area and raising of hall roof; erection of single storey extension to form office with linking corridor extension, new playground area, expansion of car parking area, and installation of low level and perimeter fencing to match be granted subject to the conditions and for the reasons stated or referred to in the report.

Arising from the discussion, concern was expressed that the increase in pupil numbers and continued use of the pedestrian access to Summerhill Primary School would have a detrimental impact upon the living conditions of the residents of Grange Park. Members did not accept that any of the approaches outlined in the report to manage the noise and disturbance would be effective in addressing their concerns.

RESOLVED:

That the recommendation be not approved and the application be refused for the reason that the proposal would result in increased noise and disturbance created by the comings and goings along Grange Park and would be contrary to Policy EQ2 2. c. of the Sefton Local Plan.

110. DC/2023/00548 - PORTERS FUCHSIAS MOSS SIDE, FORMBY

The Committee considered the report of the Chief Planning Officer recommending that the above application for the demolition of all existing structures and erection of a Use Class E food store with new vehicular access from/egress to Formby Bypass (A565), new internal vehicular access road, car parking, servicing area, public realm, and hard and soft landscaping be refused for the reasons stated or referred to in the report.

RESOLVED:

That the recommendation be approved and the application be refused for the following reasons

- (1) The proposal would be inappropriate development in the Green Belt, by virtue of the harmful impact it would have on openness and conflict with the purposes of including land within the Green Belt, due to the scale and mass of the proposed building, construction of the access and car parking and the associated activities of the proposed use. This harm would not be clearly outweighed by the other considerations, consequently very special circumstances do not exist to justify the proposal. The development is contrary to Policy MN7 of the Sefton Local Plan and the National Planning Policy Framework.

- (2) Insufficient information has been provided to demonstrate that the proposed development would not have a severe impact on the highway network, not have an unacceptable impact on highway safety, or that it meets the minimum requirements for accessibility. The development is contrary to Policy EQ3 of the Sefton Local Plan, Policies GA2 and GA3 of the Neighbourhood Plan, the National Planning Policy Framework, and inconsistent with the Sustainable Travel and Development Supplementary Planning Document.

Members requested that it be recorded that the above decision was unanimous.

111. PLANNING APPEALS REPORT

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

Appellant	Proposal/Breach of Planning Control	Decision
Mr. D. Sixsmith	DC/2021/02292 (APP/M4320/D/22/3308137) - 9 Birch Green, Formby, Liverpool L37 1NG - appeal against refusal by the Council to grant Planning Permission for the erection of a first-floor extension over the existing garage to the side of the dwellinghouse.	Allowed 23.06.23
Mr. P. Tierney	DC/2022/00099 (APP/M4320/W/22/3305017) - 1A Devonshire Road, Brighton Le Sands, L22 2AJ - appeal against refusal by the Council to grant Planning Permission for the change of use from office (B1) to dwelling (C3). (Alternative to DC/2021/01669).	Dismissed 20.06.23
Mr. J. Lawson	DC/2021/01831 (APP/M4320/W/22/3311668) - 6A - 6B The Cloisters, Halsall Lane, Formby L37 3PX - appeal against refusal by the Council to grant Planning Permission for the change of use of the existing first-floor commercial space from a gym (E) to 8 self-contained flats (C3) including external alterations.	Dismissed 16.06.23

RESOLVED:

That the report be noted.

112. VISITING PANEL SCHEDULE

The Committee considered the report of the Chief Planning Officer which advised that the undermentioned sites had been inspected by the Visiting Panel on 24 July 2023.

Application No.	Site
DC/2023/00952	Streetworks At Gorsey Lane, Liverpool
DC/2023/00548	Porters Fuchsias Moss Side, Formby
DC/2022/01702	Summerhill Primary School Poverty Lane, Maghull
DC/2023/00540	201A Altway, Aintree

RESOLVED:

That the report on the sites inspected by the Visiting Panel be noted.