

**PLANNING COMMITTEE**

**MEETING HELD AT THE TOWN HALL, SOUTHPORT  
ON 13 JANUARY 2010**

PRESENT: Councillor Moncur (in the Chair)  
Councillor Veidman (Vice-Chair)

Councillors Barber, Byrne, M Fearn, Glover,  
Preston, Roberts, Storey, Sumner, Tweed, Hands  
and Gibson

**129. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Colbert, Connell, Gustafson, Kerrigan, Mahon and Webster.

**130. DECLARATIONS OF INTEREST**

The following declarations of interest were received:-

Member	Item	Interest	Action
Councillor Moncur	Joint Waste Development Plan – Consultation on Preferred Options	Prejudicial – lives very close to one of the suggested sites	Left the room and took no part in the consideration of the item and did not vote thereon
Councillor Sumner	Joint Waste Development Plan – Consultation on Preferred Options	Prejudicial – has raised a petition against the suggested the Crowland Street, Southport site	Left the room and took no part in the consideration of the item and did not vote thereon

**131. MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the Minutes of the meeting held on 16 December 2009 be confirmed as a correct record,

**132. APPLICATION NO.S/2009/0930 - 59 CAMBRIDGE ROAD, SOUTHPORT**

The Committee considered the report of the Planning and Economic Regeneration Director recommending that the above application for an Outline Application, with all matters reserved for the change of use from school to nursing home (Class C2) including the erection of a four storey extension to the rear and layout of car parking spaces to the front, be approved subject to the conditions and reasons stated or referred to in the report and Late Representations.

Prior to the consideration of the application, the Committee received a petition from Mr.Worden on behalf of the objectors against the proposed development and a response from the applicant's agent, Mr.Cunningham.

RESOLVED: That the recommendation be approved and the application be granted subject to:-

- (1) the conditions referred to in the report and Late Representations; and
- (2) the imposition of an additional condition stating that 'frosted glass being used for windows on the side elevation of the property' to safeguard the amenities of occupiers of adjoining properties and to comply with policies CS3 and DQ1 of the Sefton Unitary Development Plan.

**133. APPLICATION NO.S/2009/1074 - LAND ADJACENT 21 CROWN CLOSE, FORMBY**

The Committee considered the report of the Planning and Economic Regeneration Director recommending that the above application for the erection of a pair of semi detached dormer bungalows, be approved subject to the conditions and reasons stated or referred to in the report and Late Representations.

RESOLVED:

That the recommendation be approved and the application be granted subject to the conditions referred to in the report and Late Representations.

**134. APPLICATION NO.S/2009/1112 - NETHERTON MOSS PRIMARY SCHOOL, SWIFTS LANE, NETHERTON**

The Committee considered the report of the Planning and Economic Regeneration Director recommending that the above application for the erection of a 2 metre high fencing to the perimeter of the school site, be

approved subject to the conditions and reasons stated or referred to in the report and Late Representations.

Prior to the consideration of the application, the Committee received a petition from Mr.Guinan on behalf of the objectors against the proposed development and a response from the applicant, Mrs.C.Dalziel.

Following Mr.Guinan's presentation the Committee sought clarification from Officers with regard the Planning Department's discussions with the applicants. Mrs.S.Tyldesley, Development Control Team Leader, confirmed that it was common practice for applicants to consult with the Planning Department prior to submitting an application, and its subsequent consideration at Committee. However, such consultation was without prejudice and was no indication as to the future decision of the Committee; and under no circumstances would Officers suggest or encourage an applicant to buy materials prior to the granting of planning permission. Any such purchase would be entirely at the applicant's own risk and could in no way influence the decision of the Committee.

RESOLVED:

That the recommendation be approved and the application be granted subject to the conditions referred to in the report and Late Representations.

### **135. APPLICATIONS FOR PLANNING PERMISSION - APPROVALS**

RESOLVED:

That the following applications be approved, subject to:-

- (1) the conditions (if any) and for the reasons stated or referred to in the Planning and Economic Regeneration Director's report and/or Late Representations 1 and 2; and
- (2) the applicants entering into any legal agreements indicated in the report or Late Representations:

Application No.	Site
S/2009/0990	Mews Cottage 38 Lancaster Road, Birkdale, Southport
S/2009/1001	Cambridge Hall, Atkinson Library and Art Gallery and Bank Buildings, Lord Street, Southport
S/2009/1030	Land Adjoining 12 Banks Road, Southport
S/2009/1064	221-223 Knowsley Road, Bootle

**136. APPLICATION NO.S/2009/1002 - CAMBRIDGE HALL,  
ATKINSON LIBRARY AND ART GALLERY AND BANK  
BUILDINGS LORD STREET, SOUTHPORT**

The Committee considered the report of the Planning and Economic Regeneration Director recommending that the above application for Listed Building Consent for the erection of a three storey extension to the elevation facing Cambridge Arcade, erection of a glazed atrium linking the Art Gallery to Cambridge Hall, construction of a second floor foyer on the existing roof, installation of glazing to form an enclosed entrance foyer, erection of a goods lift at the rear facing Sharrock Street, erection of new plant at roof level and internal and external alterations and refurbishment be granted subject to the conditions and for the reasons stated or referred to in the report.

RESOLVED: That

- (1) the application be referred to Government Office North West with a recommendation for approval; and
- (2) the decision to grant Listed Building Consent be delegated to Officers subject to Government Office North West's response to Resolution (1).

**137. APPLICATION NO.S/2009/1019 - ST JOHN AND ST JAMES  
CHURCH 50A MONFA ROAD, BOOTLE**

The Planning and Economic Regeneration Director advised the Committee that an application had been made to English Heritage for the church to be listed and therefore recommended that the above application be deferred for consideration at a future Committee, pending the receipt of information from English Heritage.

RESOLVED:

That consideration of the application be deferred.

**138. APPLICATION NO.S/2009/1011 FORMER DAIRY, 5 MARSH  
BROWS, FORMBY**

The Committee considered the report of the Planning and Economic Regeneration Director recommending that the above application for planning permission for the erection of a four storey block of 12 apartments and associated car parking and amenity space following demolition of existing buildings be approved subject to the conditions and reasons stated or referred to in the report.

Late Representations 2 explained that further information referred to in the main report in respect of tree surveys and bat/barn owl information would

not arrive in time for the Committee, and similarly, insufficient time was available prior to Planning Committee to enable their appraisal. It was considered likely that these documents would clarify that there were no adverse impacts in respect of either tree cover or habitat and that development could proceed in line with established policies.

RESOLVED:

That the Committee agree the principle of approving the development but that decision to grant approval be delegated to the Planning and Economic Regeneration Director subject to:

- (1) there being no adverse findings contained within either tree surveys and bat/barn owl report; and
- (2) there being no material changes to the scheme required as a result of any recommendations.

**139. APPLICATION NO.S/2009/1113-PARK HAVEN TRUST  
LIVERPOOL ROAD SOUTH, MAGHULL**

The Committee considered the report of the Planning and Economic Regeneration Director recommending that the above application for the removal of Condition 1 pursuant to planning permission S/2007/0464 approved 09/07/2007 to allow the surgery to remain on the site permanently be approved subject to the conditions and reasons stated or referred to in the report and Late Representations.

RESOLVED:

That the Committee agree the principle of approving the development but that decision to grant approval be delegated to the Planning and Economic Regeneration Director subject to a S106 agreement for a financial contribution towards provision of a pedestrian crossing at the junction of Liverpool Road South and Sefton Lane.

**140. APPLICATION NO.S/2009/1136 - 21 VICTORIA ROAD, FORMBY**

The Committee considered the report of the Planning and Economic Regeneration Director recommending that the above application for the variation of condition 11 on planning approval N/2006/0598 to allow an alternative to the approved vehicular splay, be granted subject to the reasons stated or referred to within the report.

Councillor Cuthbertson, as Ward Councillor, made representations opposing the application.

RESOLVED:

That consideration of this item be deferred to allow Members to undertake a site visit and witness the operation of the buzzer.

**141. APPLICATION NO.S/2009/0828 - 48 STEPHENSON WAY, FORMBY**

Further to Minute No.121 of the meeting held on 16 December 2009, the Committee considered Late Representations 2 that contained the conditions of the above application for a change of use to a canine hydrotherapy centre to include a dog grooming salon.

RESOLVED:

That the application be granted subject to the conditions set out in Late Representations 2.

**142. JOINT WASTE DEVELOPMENT PLAN - CONSULTATION ON PREFERRED OPTIONS**

The Chair, Councillor Moncur, declared a prejudicial interest in respect of this report, he vacated the Chair and left the room for the duration of consideration of this item. Councillor Veidman, the Vice-Chair, took the Chair for consideration of this item.

The Committee considered the report of the Planning and Economic Regeneration Director that outlined the progress regarding the preparation of the joint Merseyside Waste Development Plan Document (DPD) and the reasons why it was necessary to seek approval and endorsement of the Preferred Options Report.

Attached as an annexe to the report was a copy of the Joint Merseyside Waste Development Plan Document Preferred Options Report.

RESOLVED:

That consideration of this item be deferred.

Councillor Veidman vacated the Chair and the Chair was re-taken by Councillor Moncur

**143. ARTICLE 4(2) DIRECTION FOR MOOR PARK CONSERVATION AREA**

The Committee considered the report of the Planning and Economic Regeneration Director that sought agreement to make an Article 4(2) Direction within Moor Park Conservation Area so that planning permission

would be required for a greater range of alterations to properties, helping to ensure that the character of the Conservation Area was maintained.

RESOLVED:

That Cabinet be recommended to make an Article 4(2) Direction within Moor Park Conservation Area.

**144. URGENT WORKS NOTICES - 40 LANCASTER ROAD, BIRKDALE AND THE INTERNATIONAL HOTEL, CROSBY ROAD SOUTH, SEAFORTH**

The Committee considered the report of the Planning and Economic Regeneration Director that sought authorisation for the Planning and Economic Regeneration Director to serve Urgent Works Notices on 40 Lancaster Road, Birkdale and the International Hotel, Crosby Road South, Seaforth.

RESOLVED:

That the Planning and Economic Regeneration Director be authorised to:-

- (1) Serve an Urgent Works Notice in respect of 40 Lancaster Road, Birkdale and to serve an Urgent Works Notice in respect of the International Hotel, Crosby Road South, Seaforth to secure the buildings from further decline; and
- (2) carry out the works in default if the respective owners do not comply with the Urgent Works Notices.

**145. TREE PRESERVATION ORDER - 2A WESTCLIFFE ROAD, SOUTHPORT**

The Committee considered the report of the Planning and Economic Regeneration Director that sought approval to revoke a Tree Preservation Order at 2a Westcliffe Road, Southport.

RESOLVED:

That the Legal Director be authorised to make a formal order revoking the Sefton (2a Westcliffe Road, Southport) Tree Preservation Order 1985, (a "revocation order"), under Section 333 (7) of the Town and Country Planning Act 1990 and pursuant to the Town and Country Planning (Trees) Regulations 1999.

**146. WORKS IN DEFAULT WITHIN QUEENS ROAD/BEDFORD ROAD HMRI AREA - 1-3 BEDFORD ROAD, BOOTLE**

The Committee considered the report the Planning and Economic Regeneration Director that sought authority to carry out works in default in respect of non compliance with a notice under the terms of Section 215 of the Town and Country Planning Act 1990 to the following properties within the Queens Road/Bedford Road HMRI area: 1-3 Bedford Road, Bootle.

RESOLVED:

That the Planning and Economic Regeneration Director be authorised to execute the works required by the Section 215 notices in respect of the property at 1-3 Bedford Road, Bootle, pursuant to Section 219 of the Town and Country Planning Act 1990, subject to the necessary funding being provided by Housing Market Renewal Initiative Funding.

**147. WORKS IN DEFAULT AT 15 CHETWOOD AVENUE, CROSBY**

The Committee considered the report the Planning and Economic Regeneration Director that sought authority to carry out works in default in respect of non compliance with a notice under the terms of Section 215 of the Town and Country Planning Act 1990 to the following property – 15 Chetwood Avenue, Crosby.

RESOLVED:

That the Planning and Economic Regeneration Director be authorised to execute the works required by the Section 215 notice in respect of the property at 15 Chetwood Avenue, Crosby, pursuant to Section 219 of the Town and Country Planning Act 1990, subject to the necessary funding being provided by the Housing Capital Programme – Empty Homes budget.

**148. TOWN AND COUNTRY PLANNING ACT 1990 - APPEALS**

The Committee considered the report of the Planning and Economic Regeneration Director on the results of the undermentioned appeal and progress on appeals lodged with the Planning Inspectorate.

Appellant	Proposal/Breach of Planning Control	Decision
Mr.M.Ellis	Land to the rear of 8-10 Cable Street, Formby - appeal against condition 9 on planning permission N/2007/1131 which states that 'The french doors to the first floor rear elevation of plots 26 and 27 must be enclosed by a balustrade, balconette or by a	Allowed 15/12/09



Juliet balcony and maintained as such thereafter'.

RESOLVED:

That the report on the results of appeals and progress on appeals lodged with the Planning Inspectorate be noted.

**149. PETER COWLEY AND SUE TYLDESLEY**

The Committee commented on the Council's involvement with Morton's Diary, Lydiate. The Committee acknowledged the hard work of Peter Cowley, Principal Solicitor, Legal and Democratic Services Department and Sue Tyldesley, Planning and Economic Regeneration Department.

RESOLVED:

That Peter Cowley, Principal Solicitor, Legal and Democratic Services Department and Sue Tyldesley, Planning and Economic Regeneration Department be thanked for their hard work under challenging circumstances.