

PLANNING COMMITTEE

**MEETING HELD AT THE TOWN HALL, BOOTLE
ON 10 FEBRUARY 2010**

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

Councillors Barber, Byrne, Colbert, Connell,
M Fearn, Glover, Gustafson, Mahon, Roberts,
Storey, Sumner and Tweed

ALSO PRESENT: Councillors Friel, Kerrigan, Maher and Weavers

150. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Preston and Shaw.

151. DECLARATIONS OF INTEREST

The following declarations of interest were received:-

Member / Officer	Item	Interest	Action
Councillor Gustafson	Alexandra Branch Dock, 1 Regent Road, Bootle	Prejudicial – has publicly supported a petition against the proposed development	Stayed in the room and took part in the consideration of the item then left the room and did not vote thereon
Councillor Roberts	Land Adjacent to Hall Road BR Station, Hall Road East, Crosby	Prejudicial – is a member of Merseytravel's Executive Board	Left the room and took no part in the consideration of the item and did not vote thereon
Councillor Sumner	Land Adjacent to Hall Road BR Station, Hall Road East, Crosby	Prejudicial – is a member of Merseytravel's Executive Board	Left the room and took no part in the consideration of the item and did not vote thereon
Mr.D.Poley	86-88 Lord Street, Southport	Prejudicial – Knows the applicant well	Left the room and took no part in the consideration of the item

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Mr.A.Wallis	Land adjacent to the Croft, 8 Thirlmere Road, Hightown	Prejudicial – Knows the applicant well	Stayed in the room but took no part in the consideration of the item
Councillor Barber	Laurel Cottage, Broad Lane, Thornton	Prejudicial – has had detailed discussions with a local resident regarding the property and application	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 Crowland Street, Southport site	Left the room and took no part in the consideration of the item and did not vote thereon
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

152. MINUTES OF THE MEETING HELD ON 13 JANUARY, 2010

RESOLVED:

That the Minutes of the meeting held on 13 January 2010 be confirmed as a correct record.

153. APPLICATION NO.S/2009/1133 - LAND ADJACENT TO THE CROFT, 8 THIRLMERE ROAD, HIGHTOWN

The Planning and Economic Regeneration Director explained that copies of a petition to address the Committee submitted by objectors to the application had been misplaced. Consequently, Officers were unaware of the request to address the Committee and likewise objectors were unaware that the application would be considered at this meeting of the Committee.

RESOLVED:

That consideration of the application be deferred to provide objectors and the applicant time to prepare their presentation and exercise their right to address the Committee.

**154. APPLICATION NO.S/2009/0640 - ALEXANDRA BRANCH DOCK,
1 REGENT ROAD, BOOTLE**

The Committee considered the report of the Planning and Economic Regeneration Director recommending that the above application for the development of an electricity generation facility on part of the existing metals recycling facility, comprising the erection of steel clad main processing building, turbine and boiler building, un-processed materials storage building, conveyer belt system, associated plant and machinery and perimeter fencing be approved, subject to the conditions and reasons stated or referred to in the report.

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

RESOLVED:

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

**155. APPLICATION NO.S/2009/1167 - BOWLING GREEN TO THE
REAR AND 1A VIRGINIA STREET, SOUTHPORT**

The Committee considered the report of the Planning and Economic Regeneration Director recommending that the above application for the layout of a road involving the erection of 5 pairs of semi-detached two storey dwellinghouses and one detached bungalow (11 in total) with associated car parking and landscaping after demolition of existing premises and outbuildings at 1A Virginia Street be approved subject to the conditions and reasons stated or referred to in the report.

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

RESOLVED:

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

**156. APPLICATION NO.S/2010/0041 - LAND ADJACENT TO HALL
ROAD, BR STATION HALL ROAD EAST, CROSBY**

The Committee considered the report of the Planning and Economic Regeneration Director recommending that the above application for the layout of a Park & Ride facility, including bus transport facilities and altered

site entrance be approved, subject to the conditions and reasons stated or referred to in the report and Late Representations.

Prior to consideration of the application, the Committee received a petition from Mr.Hill on behalf of objectors against the proposed development.

RESOLVED:

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

157. 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/2009/0873	Various Properties on Keble Road, Hertford Road, Exeter Road, Queens Road, Kings Road, College View, Marble Close and Balliol Road, Bootle
S/2009/0929	86-88 Lord Street, Southport
S/2009/1019	St John and St James Church, 50a Monfa Road, Bootle
S/2009/1082	Rear of 45-51 High Park Road, Southport
S/2009/1083	Land at 131 Southport Road, Lydiate
S/2009/1103	Hawthorne Tannery Hawthorne Road, Bootle
S/2009/1125	Maggies Public House, Bridle Road, Netherton
S/2009/1145	61-71 Shakespeare Street, Southport
S/2009/1194	Netherton Activity Centre, Glovers Lane, Netherton
S/2009/1205	Laurel Cottage, Broad Lane, Thornton

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

The Planning and Economic Regeneration Director informed the Committee that this application had been withdrawn by the applicant.

159. APPLICATIONS TO BE INSPECTED BY THE VISITING PANEL ON 8 FEBRUARY, 2010

The Committee considered the report of the Planning and Economic Regeneration Director which advised that the undermentioned sites had been inspected by the Visiting Panel on 8 February, 2010.

Application No.	Site
S/2010/0041	Land Adjacent to Hall Road, BR Station Hall Road East, Crosby
S/2009/1205	Laurel Cottage, Broad Lane, Thornton
S/2009/1058	Broad Farm, Broad Lane, Thornton
S/2009/1133	The Croft, 8 Thirlmere Road, Hightown
S/2009/1200	Former Power House, Hoggs Hill Lane, Formby
S/2009/1136	21 Victoria Road, Formby
S/2009/1167	Bowling Green to the Rear and 1A Virginia Street, Southport

RESOLVED:

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

160. 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 on the preparation of the joint Merseyside Waste Development Plan Document (DPD) and seeking approval and endorsement of the Preferred Options Report, which would include consultation on specific sites that had the potential to accommodate the additional waste management facilities that would be required in the future.

The report was submitted in accordance with a decision of City Region Cabinet that all the authorities participating in the preparation of the joint plan should receive a common report to explain and recommend approval of the Preferred Options Report.

Councillor Maher, as Ward Councillor, spoke in support of the removal of Site F1029: Site off Grange Road, Dunnings Bridge Road, Bootle: Proposed District Site Allocation.

RESOLVED: That the Cabinet be recommended to approve:-

- (1) That the Waste DPD Preferred Options Report be noted;
- (2) That the commencement of a six-week long public consultation process on the Waste DPD Preferred Options Report during 2010 be agreed;
- (3) At this stage Sefton MBC invite the Planning Inspectorate to advise the Council on the soundness of the Waste DPD Preferred Options Report;
- (4) That Site F1029: Site off Grange Road, Dunnings Bridge Road, Bootle: Proposed District Site Allocation be removed from the Waste DPD Preferred Options Report; and
- (5) That a further report on the outcomes of the Preferred Options consultation be submitted to this Committee in due course.

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

161. WIRRAL WATERS: CREATION OF A NEW CITY NEIGHBOURHOOD AT EAST FLOAT, BIRKENHEAD - PLANNING APPLICATION - NEIGHBOURING AUTHORITY CONSULTATION

The Committee considered the report of the Planning and Economic Regeneration Director that advised of a recent consultation by Wirral Metropolitan Borough Council on an outline planning application for 'the creation of a new city neighbourhood' at East Float, Birkenhead and to sought the retrospective endorsement of officer comments submitted by the extended 4 February consultation deadline.

RESOLVED: That

- (1) the Wirral Waters: Creation of a New City Neighbourhood at East Float, Birkenhead Planning Application – Neighbouring Authority Consultation report be noted; and
- (2) the Officer comments, submitted to Wirral Metropolitan Borough Council by the 4 February deadline, be endorsed.

162. IMPROVING THE USE AND DISCHARGE OF PLANNING CONDITIONS

The Committee considered the report of the Planning and Economic Regeneration Director that advised of the content of the Department for

Communities and Local Government consultation paper on Improving the Use and Discharge of Planning Conditions.

RESOLVED: That

- (1) the Improving the use and Discharge of Planning Conditions report be noted; and
- (2) the Planning and Economic Regeneration Director's responses to the Department for Communities and Local Government consultation paper, as detailed within the report, be endorsed.

163. DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT - IMPLEMENTATION PLAN FOR THE FUTURE OF BUILDING CONTROL

The Committee considered the report of the Planning and Economic Regeneration Director that advised of the Government proposals to modernise the building control system with the aim of addressing the perceived weaknesses in the current system, improving compliance with the Building Regulations and further reducing the burdens associated with the system.

RESOLVED: That

- (1) the Department for Communities and Local Government - Implementation Plan for the Future of Building Control report be noted; and
- (2) the Planning and Economic Regeneration Director be requested to present an update report for consideration by this Committee when further advice is received in respect of the Implementation Plan and in particular the proposed revisions to the Inspection and Charging Regimes.

164. DCLG CONSULTATION ON PERMITTED DEVELOPMENT RIGHTS FOR SMALL SCALE RENEWABLE AND LOW CARBON ENERGY TECHNOLOGIES, AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

The Committee considered the report of the Planning and Economic Regeneration Director that advised of the content of the Department for Communities and Local Government consultation paper on Permitted Development Rights for Small Scale Renewable and Low Carbon Energy Technologies, and Electric Vehicle Charging Infrastructure.

RESOLVED: That

- (1) the Department for Communities and Local Government consultation on the Permitted Development Rights for Small Scale Renewable and Low Carbon Energy Technologies, and Electric Vehicle Charging Infrastructure report be noted; and
- (2) the Planning and Economic Regeneration Director's responses to the Department for Communities and Local Government consultation paper, as detailed within the report, be endorsed.

165. JOINT EMPLOYMENT LAND AND PREMISES STUDY 2008 - FINAL REPORT

The Committee considered the report of the Planning and Economic Regeneration Director that reported the key findings of the Joint Employment Land and Premises Study, which was one of a number of key evidence gathering studies that were being undertaken to inform the Core Strategy process and to guide advice and decisions on individual employment proposals and planning applications.

RESOLVED: That

- (1) the key findings of the Joint Employment Land and Premises Study for Sefton be noted; and
- (2) the key findings of the study to inform the emerging Core Strategy process and advice and decisions in relation to individual proposals and planning applications, be endorsed.

166. NORTH WEST REGIONAL STRATEGY 2010: DRAFT PART 1 CONSULTATION

The Committee considered the report of the Planning and Economic Regeneration Director that informed of the consultation on the Draft Part 1 of the forthcoming Northwest Regional Strategy and sought delegated authority from the Cabinet for the Planning and Economic Regeneration Director to provide partial comments on behalf of Sefton and to contribute towards a joint Liverpool City Region response.

RESOLVED: That

- (1) the key elements of the North West Regional Strategy 2010: Draft Part 1 Consultation and agree the suggested (partial) consultation response set out in the report be noted; and
- (2) the Planning and Economic Regeneration Director be authorised to send the above, and any necessary further consultation comments,

to the DCLG as part of the Council's formal response to this consultation exercise.

167. MERSEY FOREST AGREEMENT AND PARTNER CONTRIBUTIONS

The Committee considered the report of the Planning and Economic Regeneration Director that sought approval for the renewal of the Mersey Forest Agreement with Cheshire West and Chester Council (2010/11 to 2014/15), which would include a commitment to continue partner contributions over the next five years. The report also requested delegated authority for the Legal Director and Planning and Economic Regeneration Director to agree minor changes to the agreement if required. The report provided an update on the work of the Mersey Forest team who continue to demonstrate best value for the Council.

RESOLVED: That

- (1) the draft Mersey Forest Agreement with Cheshire West and Chester Council 2010/2011 to 2014/2015 be approved;
- (2) a fixed contribution of £18,609 per annum for the next five years be approved;
- (3) the Legal Director and Planning and Economic Regeneration Director be authorised to agree any minor amendments to the draft Agreement, and subject thereto, to enter into the Agreement; and
- (4) the report and the continuing best value of the Mersey Forest team be noted.

168. PLANNING AND ECONOMIC REGENERATION DEPARTMENT - PERFORMANCE REPORT: APRIL - SEPTEMBER 2009

The Committee considered the six-monthly report of the Planning and Economic Regeneration Director on the progress towards the Planning Department meeting its Service and Corporate Plan objectives and targets for the period to September 2009.

RESOLVED:

That the Planning and Economic Regeneration Department – Performance Report April to September 2009 be noted.

169. PROPOSED INCREASE IN FEES AND CHARGES

The Committee considered the report of the Planning and Economic Regeneration Director that sought approval to increase fees and charges levied within the Planning Portfolio.

RESOLVED: That

- (1) the content of the Proposed Increase in Fees and Charges report be noted; and
- (2) the Cabinet be recommended to approve the proposed increases in fees and charges for 2010/11, and the revised financial contributions to be set out in Supplementary Planning Guidance.

170. PLANNING ENFORCEMENT UPDATE

The Committee considered the report of the Planning and Economic Regeneration Director that informed of the Planning Enforcement workload for the October to December 2009 quarter. The report also provided an update on the progress of cases where formal action had been taken/authorised. The report went on to review the work of the Enforcement Team during the year 2009.

Attached as an annexe to the report was a list of Outstanding Enforcement Cases be noted.

RESOLVED:

That the report and attached annexe of Outstanding Enforcement Cases be noted.

171. REGULATORY SERVICE DEVELOPMENT

The Committee considered the report of the Planning and Economic Regeneration Director that provided an update on the Regulatory Services development in 2009 and agreed the priorities for the coming year.

RESOLVED:

That the Regulatory Service Development report and the attached schedules be noted and the priorities for 2010, as detailed within the report, be agreed.

172. DEVELOPMENT CONTROL PERFORMANCE

The Committee considered the report of the Planning and Economic Regeneration Director that advised the Planning Department's performance in dealing with planning applications, appeals, and related matters for the fourth quarter of 2009.

RESOLVED:

That the Development Control Performance report be noted.

173. REVENUE AND CAPITAL EXPENDITURE MONITORING TO 31ST DECEMBER 2009

The Committee considered the report of the Planning and Economic Regeneration Director that provided the forecast position, based on information as at the 31 December 2009, in relation to the Portfolio's 2009/10 Revenue Budget.

RESOLVED: That

- (1) the progress on the Planning Portfolio's revenue budgets that are subject to risk-based monitoring be noted; and
- (2) the provisional Local Authority Business Growth Initiative Grant allocation of £207,000 be noted.

174. 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 appeals and progress on appeals lodged with the Planning Inspectorate.

Appellant	Proposal/Breach of Planning Control	Decision
Mr.R.O'Grady	Unit 1, Sefton Lane Industrial Estate Sefton Lane, Maghull - S/2009/0609 - appeal against refusal of the Council to grant Advertisement Consent for the display of 1 no. non-illuminated free standing poster sign adjacent to the grass verge fronting Sefton Lane	Allowed 14/01/10
Mr.N.Harrison	Morton's Dairy, Kenyons Lane, Lydiate – S/2009/0215 – 2106013 appeal against an Enforcement Notice the effect of which would be to stop using the land for dairy purposes – namely the parking and manoeuvring of	Dismissed 11/01/10

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vehicles, storage of plant equipment, storage of out of service milk floats and storage of other dairy related items and the removal of all plant, equipment, milk floats and all dairy related items.

Mr.N.Harrison	Morton's Dairy, Kenyons Lane, Lydiate – S/2009/0215 - 2106091 appeal against an Enforcement Notice the effect of which would remove the hardstanding and take all resultant materials from the land to an authorised place of disposal; alleviate compaction of the underlying soil or subsoil as a result of the removal of the hardstanding by ripping soil to optimise surface water drainage; restoration of the land to its former condition and its former levels by filling excavation with soil. Finish levels shall exceed the adjoining undisturbed soil by a minimum 300mm to allow 20-25% differential settlement.	Dismissed 11/01/10
Mr.N.Harrison	Morton's Dairy, Kenyons Lane, Lydiate – S/2009/0215 - 2104157 appeal against refusal of the Council to grant an application for a Lawful Development Certificate for use of the land in connection with a dairy business involving the parking and manoeuvring of cars and commercial vehicles, storage of plant and equipment, storage of out of service milk floats and storage of other dairy related items	Partially allowed 11/01/10
Mr.A.Payne	20 York Close, Formby - S/2009/0533 - appeal against refusal of the Council to grant planning permission for the erection of a first floor extension to the front / side of the dwellinghouse (Resubmission of N/2008/0616, refused 23/09/08)	Dismissed 18/01/10

RESOLVED:

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