

PLANNING COMMITTEE

**MEETING HELD AT THE TOWN HALL, BOOTLE
ON 18 AUGUST 2010**

PRESENT: Councillor Tweed (in the Chair)
Councillor Mahon (Vice-Chair)

Councillors Byrne, L. Cluskey, Dodd, Dorgan,
Griffiths, Gustafson, Hands, Hough, Kelly, Pearson,
Preston and Sumner.

Also Present Councillors Barber, McGinnity, Parry and Porter

45. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cuthbertson and Doran.

46. COUNCILLOR GLOVER

The Chair referred to the absence of Councillor Glover due to ill health.

RESOLVED:

That the best wishes of the Committee be extended to Councillor Glover for a speedy recovery.

47. DECLARATIONS OF INTEREST

The following declarations of interests were received:

| Member | Item | Interest | Action |
|--------------------|--|--|--|
| Councillor Preston | Application No. S/2010/1043 Ingleside, 9 Sandy Lane, Hightown | Prejudicial – Applicant is a Member of the Liberal Democrats | Left the room, took no part in the discussion and did not vote thereon |
| Councillor Sumner | Application No. S/2010/1043 Ingleside, 9 Sandy Lane, Hightown | Prejudicial – Applicant is a Member of the Liberal Democrats | Left the room, took no part in the discussion and did not vote thereon |
| Councillor Hough | Application No. S/2010/1043 Ingleside, 9 Sandy | Prejudicial – Applicant is a Member of the | Left the room, took no part in the discussion |

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|----------------------|--|--|--|
| | Lane, Hightown | Liberal Democrats | and did not vote thereon |
| Councillor Hands | Application No. S/2010/1043 Ingleside, 9 Sandy Lane, Hightown | Prejudicial – Applicant is a Member of the Liberal Democrats | Left the room, took no part in the discussion and did not vote thereon |
| Councillor Dodd | Application No. S/2010/1043 Ingleside, 9 Sandy Lane, Hightown | Prejudicial – Applicant is a Member of the Liberal Democrats | Left the room, took no part in the discussion and did not vote thereon |
| Councillor Byrne | Application No. S/2010/1043 Ingleside, 9 Sandy Lane, Hightown | Prejudicial – Applicant is a Member of the Liberal Democrats | Left the room, took no part in the discussion and did not vote thereon |
| Councillor Preston | Application No. S/2010/0671 99 Marshside Road, Southport | Prejudicial – Knows the applicant | Left the room, took no part in the discussion and did not vote thereon |
| Councillor Byrne | Application No. S/2010/0862 – Bartlett House, Parkhaven Trust, Liverpool Road, South, Maghull | Prejudicial – Has previously expressed a view on the application | Left the room, took no part in the discussion and did not vote thereon |
| Councillor Griffiths | Application No. S/2010/Sainsbury's, 1-3 Liverpool Road, Crosby | Personal – Is a Member of Merseytravel Passenger Transport Authority | Stayed in the room, took part in the discussion and voted thereon |

48. MINUTES OF THE MEETING HELD ON 21 JULY 2010

RESOLVED:

That the Minutes of the meeting held on 21 July 2010 be confirmed as a correct record.

**49. APPLICATION NO. S/2010/0350 - SAINSBURY'S, 1-3
LIVERPOOL ROAD, CROSBY**

The Committee considered the report of the Planning and Economic Development Director recommending that the above application for;

(1) Redevelopment of land within Crosby district centre comprising the demolition of buildings and erection of retail food store with undercroft parking (Use Class A1) and:

(2) Full planning permission for erection of 7 small retail units comprising shops (A1); and/or financial and professional services (A2); and/or restaurants and cafes (A3); and/or drinking establishments (A4); and/or takeaway (A5)

(3) Full planning permission for erection of community use building comprising financial and professional services (A2); and/or business (B1); and/or community uses (D1) with parking to rear.

(4) Full planning permission for change of use and alteration of existing foodstore to shops (A1); and/or financial and professional services (A2); and/or restaurants and cafes (A3) and/or drinking establishments (A4); and/or takeaway (A5).

(5) Full planning permission for construction of multi-storey car park to Islington with bus interchange facility and decked car park over existing Allengate car park.

(6) Full planning permission for new and altered vehicular and pedestrian accesses, including the re-routing of Moor Lane, landscaping of centre, construction of infrastructure and associated facilities together with associated temporary works and structures and associated utilities/services required by the development.

be approved subject to the completion of a Section 106 Agreement detailing provisions for trees , greenspace, public art, highway works and town centre security provision and for the reasons stated in the report and Late Representations.

Prior to consideration of the application, the Chair indicated that two petitions from Ms. Smith and Ms. Aughton had been received after the deadline date and asked all Members of the Committee if they agreed to the two representations being heard.

RESOLVED:

The Committee agreed for the two late representations to be heard.

the Committee then received the following petitions;

1. Ms. Claire Holland (Objecting)

2. Ms. Catherine Caddick (Supporting)
3. Mr. Jamie Scott (Objecting)
4. Ms. Jacqueline Aughton (Objecting)
5. Ms. Janet Smith (Objecting)
6. Mr.S. Pitchard (Objecting)

Councillor Papworth, as Ward Councillor, made representations against the proposed development.

A response to all of the petitions of objection was given to the Committee on behalf of the applicant by their agents Mr May and Mr Hargreaves.

RESOLVED:

That the application be deferred for one cycle;

- (1) to allow interested parties to further consider all information received within submitted reports, Late Representations, petitions and responses;
- (2) to enable Officers to engage in further talks with the applicant on the aesthetics of the proposed development;
- (3) to enable Officers to engage in further talks with the applicant on safety and highways issues , with particular reference to accessibility to the store for those with mobility difficulties;
- (4) to allow the applicant to reflect on the views expressed by A BetterCrosby.

50. APPLICATION NO. S/2010/0801 - 61-63 ALBERT ROAD, SOUTHPORT

The Committee considered the report of the Planning and Economic Development Director recommending that the above application for the erection of a four and a half storey apartment blocks containing 14 dwellings after demolition of the existing detached properties be approved for the reasons stated or referred to in the report and Late Representations.

The Planning and Economic Development Director indicated that due to the change to the Condition 15 detailed within Late Representations 1, both petitions against the application had been withdrawn.

RESOLVED: That

Subject to the submission and receipt of an acceptable bat and squirrel survey information, the application 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 1 and subject to the applicant entering into a S106 Agreement as stated in Late Representations 1.

51. APPLICATION NO. S/2010/0907 - PLOT 3, LAND TO REAR OF OAK HEY, LAMBSHEAR LANE, LYDIATE

The Committee considered the report of the Planning and Economic Development Director recommending that the above application for the erection of one detached dormer bungalow together with a detached double garage to the side/rear and access road onto Liverpool Road, Lydiate be approved for the reasons stated or referred to in the report and Late Representations.

Prior to consideration of the application, the Committee received a petition from Mrs.A. Clarke on behalf of the objectors to the application.

Ms.S.Tyldsley indicated that an amended plan and now been received and requested that the application be deferred to allow further consultation.

RESOLVED:

That the recommendation be not agreed and the application be refused as the proposed dwelling by reason of its height, design and siting would have an overbearing impact on adjoining dwellings and their associated garden areas and does not respond positively to the character of its surroundings. The proposal is therefore contrary to UDP policies DQ1 and CS3.

52. APPLICATION NO. S/2010/0908 - PLOT 2, LAND TO REAR OF OAK HEY, LAMBSHEAR LANE, LYDIATE

The Committee considered the report of the Planning and Economic Development Director recommending that the above application for the erection of one detached dormer bungalow together with a detached double garage to the side/rear and access road onto Liverpool Road, Lydiate be approved for the reasons stated or referred to in the report.

Prior to consideration of the application, the Committee received a petition from Mrs.A. Clarke on behalf of the objectors to the application.

RESOLVED:

That the recommendation be not agreed and the application be refused as the proposed dwelling by reason of its height, design and siting would have an overbearing impact on adjoining dwellings and their associated garden areas and does not respond positively to the character of its surroundings. The proposal is therefore contrary to UDP policies DQ1 and CS3.

53. APPLICATION NO. S/2010/0707 - 72 SONNING AVENUE, LITHERLAND

The Committee considered the report of the Planning and Economic Development Director recommending that the above application for the change of use from retail (A1) to restaurants and cafes (A3) be approved subject to the conditions and reasons stated or referred to in the report and Late Representations.

RESOLVED:

That application be approved subject to the amendment of Condition (2) for the premises to close at 17:00 and not 18:00 as stated within the report.

54. 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 Development Director's report and/or Late Representations 1; and
- (2) the applicants entering into any legal agreements indicated in the report or Late Representations:

| Application No. | Site |
|-----------------|---|
| S/2010/0862 | Bartlett House, Parkhaven Trust, Liverpool Road, South, Maghull |
| S/2010/1043 | Ingleside, 9 Sandy Lane, Hightown |

55. APPLICATION NO. S/2010/0671 - 99 MARSHSIDE ROAD, SOUTHPORT

The Committee considered the report of the Planning and Economic Development Director recommending that the above application for the part retention of a brick perimeter wall with ten wooden infill panels and insertion of two open steel railing panels to the junction of Marshside Road and Knob Hall Lane be refused for the reasons stated within the report.

RESOLVED:

That the recommendation be not agreed and the application be approved as the proposed retention of a brick perimeter wall with ten wooden infill panels and insertion of two open steel railing panels would be in keeping with the fences in the surrounding area.

56. APPLICATIONS FOR PLANNING PERMISSION - REFUSALS

The Committee considered the report of the Planning and Economic Development Director recommending that the following applications be refused for the reasons stated or referred to in the report.

| Application No. | Site |
|-----------------|-----------------------------|
| S/2010/0920 | 15 Galloway Road, Waterloo |
| S/2010/0921 | 63 Handfield Road, Waterloo |
| S/2010/0922 | 15 Galloway Road, Waterloo |
| S/2010/0923 | 63 Handfield Road, Waterloo |
| S/2010/0918 | 55-57 Merton Road, Bootle |

RESOLVED:

That the Planning and Economic Development Director be given delegated authority to refuse the above applications for the reasons stated or referred to in the report.

**57. APPLICATIONS TO BE INSPECTED BY THE VISITING PANEL
16 AUGUST 2010**

The Committee considered the report of the Planning and Economic Development Director which advised that the undermentioned sites had been inspected by the Visiting Panel on 16 August, 2010.

| Application No. | Site |
|-----------------------|--|
| S/2010/0907 & 0908 | Plot 3 & Plot 2 Land to rear of Oak Hey, Lamshear Lane, Lydiate |
| S/2010/0853 | Maryland, 5-7 School Lane, Formby |
| S/2010/0801 | 61-63 Albert Road, Southport |
| S/2010/0671 | 99 Marshside Road, Southport |
| S/2010/0707 | 72 Sonning Avenue, Litherland |

RESOLVED:

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

58. TOWN AND COUNTRY PLANNING ACT - APPEALS

The Committee considered the report of the Planning and Economic Development Director on the result of the undermentioned appeals and progress on appeals lodged with the Planning Inspectorate.

| Appellant | Proposal/Breach of Planning Control | Decision |
|------------------|---|-----------------------|
| Mr & Mrs Staines | 18 York Close, Birkdale S/2009/0804 – appeal against a refusal of the Council to grant approval for a Tree Preservation Order Consent to fell one oak tree at the front of the dwellinghouse. | Dismissed 21/07/10 |
| Anil Mittal | 34 Roe Lane, Southport - S/2010/0223 - 2129251 - appeal against a refusal of the Council to grant planning permission for the retrospective application for the erection of a boundary fence to a maximum height of 2.08m | Dismissed 20/07/10 |
| Mr. Leamey | 40 Matlock Road, Birkdale – S/2010/0374 – 2129982 – appeal against decision to grant permission for the erection of a first floor extension at the rear of the dwellinghouse | Dismissed 10/06/10 |

RESOLVED:

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

59. INFORMED ASSESSMENT OF THE ECONOMIC VIABILITY OF AFFORDABLE HOUSING IN SEFTON

The Committee considered a joint report of the Planning and Economic Development Director and Neighbourhoods and Investment Programmes Director updating on the comments received during consultation on the draft Informed Assessment of the Economic Viability of Affordable Housing; and seeking approval for the final Informed Assessment of the Economic Viability of Affordable Housing as part of the evidence base for the Local Development Framework, taking into account consultation comments.

RESOLVED: That

- (1) the comments received during the consultation process into the draft study and the responses to the comments be noted; and
- (2) the Cabinet be recommended to approve the Final Informed Assessment of the Economic Viability of Affordable Housing to inform the emerging Core Strategy for Sefton.

60. THE BUILDING (LOCAL AUTHORITY LAND CHARGES) REGULATIONS 2010

The Committee considered the report of the Planning and Economic Development Director advising of the enactment of the Building (Local Authority Charges) Regulations 2010, the need for the Council to make a new Scheme of Building Regulation Charges and seeking approval to introduce such a scheme from 1 October 2010.

RESOLVED: That

- (1) the proposed Scheme of Charges under the new 2010 Building Regulations for operation from 1 October 2010 be noted; and
- (2) Cabinet be requested to approve the new Scheme of Charges from 1 October 2010.

61. REVENUE EXPENDITURE AND PERFORMANCE - 2009/10 PORTFOLIO FINAL ACCOUNTS

The Committee considered the joint report of the Finance and Information Services Director and the Planning and Economic Development Director which identified the final 2009/10 revenue outturn position for the Planning portfolio.

The report identified that the final outturn position for the portfolio, when compared to the revised budget, indicated a net overspend of £0.092m and set out the comments of the Planning and Economic Regeneration Director thereon.

The report concluded by requesting the Committee to give consideration to the submission of comments on the outturn to the Overview and Scrutiny Committee (Regeneration and Environmental Services).

RESOLVED: That

- (1) the revenue outturn position for the Planning portfolio for 2009/10 be noted;
- (2) the Portfolio's actual performance indicators and data for 2009/10 be noted; and

- (3) staff be thanked for maintaining performance targets in difficult circumstances.

62. PHIL HARDWICKE

The Chair referred to Mr Phil Hardwicke, Team Leader, Development Control, forthcoming retirement from the Council. Phil was the Team Leader in Southport from June 2000 having previously been Head of Development Control at Wirral and West Lancs. For the last year he had been the departments lead officer on the Building School for the Future project, Pontins, Thornton-Switch Island road and other projects.

Phil is an outstanding Development Control Officer, his knowledge and professionalism have been a great asset to the department, particularly so in managing the Planning Department's detached office in Southport and providing a focus there for Members and members of the public.

Phil has made a major contribution in bringing forward development into Southport e.g. the Vincent Hotel, Scarisbrick Avenue, the Leaf site and many more ensuring the department achieved excellent performance in dealing with applications and appeals.

RESOLVED:

That the thanks and appreciation of the Planning Committee be extended to Phil Hardwicke for the work he had undertaken for the Council and Borough of Sefton and best wishes be extended to him for future success in the coming years.