



MEETING: PLANNING COMMITTEE

DATE: 29 June 2011

TIME: 6.30 pm

VENUE: Town Hall, Southport

**Member**

Councillor  
Cllr Paul Tweed (Chair)  
Cllr John Kelly (Vice-Chair)  
Cllr Marion Atkinson  
Cllr Mrs Pat Ball  
Cllr Linda Cluskey  
Cllr John Dodd  
Cllr Sean Dorgan  
Cllr Mrs Maureen Fearn J.P.  
(Spokesperson)  
Cllr Barry Griffiths (Spokesperson)  
Cllr Ms Carol Gustafson O.B.E.  
Cllr James Mahon  
Cllr Haydn Preece  
Cllr Diane Roberts  
Cllr David Sumner  
Cllr Andrew Tonkiss

**Substitute**

Councillor  
Cllr Owen Brady  
Cllr Robert Brennan  
Cllr Catie Page  
Cllr Gillian Catherine Cuthbertson  
Cllr Ms Doreen Kerrigan  
Cllr Anthony Hill  
Cllr Denise Dutton  
Cllr Lord Ronnie Fearn of  
Southport, O.B.E.  
Cllr Terry Jones  
Cllr Miss Veronica Webster  
Cllr Gordon Friel  
Cllr Richard Hands  
Cllr Kevin Cluskey  
Cllr Geoff Howe  
Cllr John Gibson

COMMITTEE OFFICER: Olaf Hansen Committee Clerk  
Telephone: 0151 934 2067 / 2788  
Fax: 0151 934 2034  
E-mail: olaf.hansen@sefton.gov.uk or  
ian.barton@sefton.gov.uk

**If you have any special needs that may require arrangements to facilitate your attendance at this meeting, please contact the Committee Officer named above, who will endeavour to assist.**

# AGENDA

**1. Apologies for Absence**

**2. Declarations of Interest**

Members and Officers are requested to give notice of any personal or prejudicial interest and the nature of that interest, relating to any item on the agenda in accordance with the relevant Code of Conduct.

**3. Minutes of the meeting held on 8 June 2011** (Pages 5 - 12)

**4. Petitioned Applications**

Reports of the Head of Planning Services

**A** Application No.S/2011/0503 - T & D Metal Fabrications, 69 Ormskirk Road, Aintree (Pages 13 - 20)

**B** Application No.S/2011/0685 - Site for Mast Adjoining Bankfield Nurseries, 99 Bankfield Lane, Southport (Pages 21 - 28)

**5. Applications for Planning Permission - Approvals**

Reports of the Head of Planning Services

**A** Application No.S/2011/0605 - Mount Hotel, 40 Galsworthy Avenue, Bootle (Pages 29 - 36)

**B** Application No.S/2011/0636 - Units 6-10, Sherwood House, 54-58 Station Road, Ainsdale (Pages 37 - 48)

**C** Application No.S/2011/0687 - 81 Church Road, Formby (Pages 49 - 56)

**D** Application No. S/2011/501 - 48 Alexandra Road, Southport (Pages 57 - 66)

**E** Application No.S/2011/0708 - Land Adjacent to 34 Queens Road, Crosby (Pages 67 - 76)

**F** Application No.S/2011/0652 - 12 Shaws Road, Birkdale (Pages 77 - 86)

**G** Application No.S/2011/0242 - Hightown Dune Restoration Project between Crosby Marine Lake and Blundellsands Sailing Club, Thornbeck Avenue, Hightown (Pages 87 - 106)

**6. Communities and Local Government Consultation - Planning for Travellers** (Pages 107 - 118)

Report of the Head of Planning Services

**7. Housing and Economic Development Evidence Base Overview Study - Key Findings for Sefton** (Pages 119 - 126)

Joint Report of the Director of Built Environment and the Head of Planning Services

- 8. Planning Procedures** (Pages 127 - 136)  
Report of the Head of Planning Services
- 9. Consultation on Core Strategy for Sefton - Update** (Pages 137 - 140)  
Report of the Head of Planning Services
- 10. Town and Country Planning Act 1990 - Appeals** (Pages 141 - 144)  
Report of the Head of Planning Services

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**THIS SET OF MINUTES IS NOT SUBJECT TO "CALL-IN"**

## **PLANNING COMMITTEE**

### **MEETING HELD AT THE TOWN HALL, BOOTLE ON 8 JUNE 2011**

**PRESENT:** Councillor Tweed (in the Chair)

Councillors Atkinson, Ball, L. Cluskey, Dodd,  
Dorgan, M. Fearn, Griffiths, Gustafson, Kelly,  
Mahon, Preece, Roberts, Sumner and Gibson

**Also Present** Councillors Jones, Parry and Porter.

#### **1. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor A. Tonkiss.

#### **2. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:**

That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favours exclusion of the information from the press and public.

#### **3. APPLICATION NO. S/2011/0488 - SITE FOR MAST - AINSDALE SPORTS CLUB, 772A LIVERPOOL ROAD, AINSDALE**

The Committee considered information received regarding the above application and took advice from the Director of Planning services and Director of Legal Services regarding the application, and the possibility of deferring consideration to the next meeting of the Committee.

**RESOLVED:**

That application No. S/2011/0488 - Site for Mast - Ainsdale Sports Club, 772a Liverpool Road, Ainsdale be considered at this meeting.

# Agenda Item 3

PLANNING COMMITTEE - WEDNESDAY 8TH JUNE, 2011

## 4. DECLARATIONS OF INTEREST

The following declarations of interest were received:

Member	Item	Interest	Action
Councillor H. Preece	Application No. S/2011/0488	Personal and prejudicial – member of Ainsdale SC	Left the room, took no part in the discussion and did not vote thereon.
Councillor H. Preece	Application No. S/2011/0485	Personal and prejudicial – member of Ainsdale SC	Left the room, took no part in the discussion and did not vote thereon.
Councillor H. Preece	Application No. S/2011/0298	Personal and Prejudicial – has discussed the application with the petitioners and expressed his views thereon.	Left the room, took no part in the discussion and did not vote thereon.
Councillor Mahon	Application No. S/2011/0488	Prejudicial	Left the room, took no part in the discussion and did not vote thereon.
Councillor Gibson	Application No. S/2011/0250	Prejudicial	Left the room, took no part in the discussion and did not vote thereon.
Councillor Gibson	Application No. S/2011/0377	Prejudicial	Left the room, took no part in the discussion and did not vote thereon.
Councillor Dorgan	Application No. S/2011/0469	Prejudicial – Knows the applicant	Left the room, took no part in the discussion and did not vote thereon.

**5. MINUTES OF THE MEETING HELD ON 4 MAY 2011**

RESOLVED:

That the Minutes of the meeting held on 4 May 2011 be confirmed as a correct record.

**6. APPLICATION NO. S/2011/0488 - SITE FOR MAST - AINSDALE SPORTS CLUB, 772A LIVERPOOL ROAD, AINSDALE**

The Committee considered the report of the Head of Planning Services that recommended the above application for Prior Notification Procedure for the erection of a 12.5 metre high telecommunications mast and ancillary equipment be granted subject to the conditions and for the reasons stated or referred to in the report.

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

Councillor Jones, as Ward Councillor, made representations on behalf of objectors against the proposed development.

RESOLVED:

That the recommendation be not agreed and the application be refused for the following reasons: When assessed against the Unitary Development Plan and having regard to all other material considerations, the proposed mast, by virtue of its scale and siting would have an unacceptable impact on the outlook of nearby residential properties. The scheme is therefore contrary to UDP Policy MD8 and advice contained in PPG8.

**7. APPLICATION NO. S/2011/0485 - 5-A-SIDE PITCHES, AINSDALE SPORTS CLUB, 772A LIVERPOOL ROAD, AINSDALE**

The Committee considered the report of the Head of Planning Services recommending that the above application for the layout of four synthetic 5-a-side football pitches, replacing the existing tennis courts, the erection of 11 floodlighting columns and 5 metres high perimeter fencing, be refused for the reasons stated or referred to in the report.

Councillor Porter, as Ward Councillor, made representations on behalf of objectors against the proposed development.

# Agenda Item 3

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RESOLVED:

That the recommendation be agreed and the application be refused for the following reasons:-

- (1) The proposed layout of four synthetic 5-a-side football pitches, erection of 11 floodlighting columns and perimeter fencing 5 metres high would result in an intensification of use that would be to the detriment of neighbouring residential amenity and when combined with the requested operational hours of 09:00 to 22:00 seven days a week would be unneighbourly and would not comply with Unitary Development Plan policies CS3, DQ1, EP6 and EP7.
- (2) The size and siting of the 11 floodlighting columns would cause significant detrimental harm to the residential amenity of neighbouring properties through light spillage. The floodlights therefore fail to comply with Unitary Development Plan policies CS3, DQ1 and EP7 and are therefore unacceptable.

## **8. APPLICATION NO. S/2011/0469 - 29 ELTON AVENUE, CROSBY**

The Committee considered the report of the Planning and Economic Regeneration Director recommending that the above application to site a detached dormer bungalow in the rear garden of 29 Elton Avenue, Crosby, be granted subject to the conditions and for the reasons stated or referred to in the report.

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

RESOLVED:

That the recommendation be agreed and the application be granted subject to the conditions and for the reasons stated or referred to in the report.

## **9. APPLICATION NO.S/2011/0144 - BOOTLE CRICKET CLUB, WADHAM ROAD, BOOTLE**

Further to Minute No. 204 the Committee considered the report of the Head of Planning Services that recommended the above application for the erection of a single storey extension to the existing club house, extension to the car park and erection of retractable netting 5 metres high to two sides of the boundary field be granted subject to the conditions and for the reasons stated or referred to in the report.

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



RESOLVED:

That the recommendation be agreed and the application be granted subject to the conditions and for the reasons stated or referred to in the report.

**10. APPLICATION NO. S/2011/0298 - ST THOMAS MORE CENTRE, LIVERPOOL ROAD, BIRKDALE**

The Committee considered the report of the Head of Planning Services recommending that the above application for the construction of 96 two and three storey residential dwellings, including layout of open space, landscaping and other associated works after demolition of the existing buildings, be granted subject to the conditions and for the reasons stated or referred to in the report.

Councillor Porter, as Ward Councillor, made representations on behalf of objectors against the proposed development.

RESOLVED:

That the Head of Planning Services be given delegated authority to grant the application subject to the conditions and for the reasons stated or referred to in the report and subject to the agreement of an additional condition with the Chair and the two party spokespersons, requiring the provision of a traffic light controlled junction at the entrance of the site from Liverpool Road.

**11. APPLICATIONS FOR PLANNING PERMISSION - APPROVALS**

RESOLVED:

- (1) That the following applications be approved, subject to:-
  - (i) 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; and
  - (ii) the applicants entering into any legal agreements indicated in the report or Late Representations:

Application No.	Site
S/2011/0275	4 Wicks Lane, Formby
S/2011/0250	Former Pumping Station, Formby By-Pass, Formby
S/2011/0377	William Rainford, Leckwith Road, Netherton
S/2011/0144	Bootle Cricket Club, Wadham Road, Bootle
S/2011/0410 & 0411	Offices Rear of 160-162 Lord Street, Southport and Residential Development

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S/2011/0298 St Thomas More Centre, Liverpool Road, Birkdale

- (2) In respect of Application No. S/2011/0335, 1 Well Lane, Bootle, the application be granted subject to the conditions and for the reasons stated or referred to in the report and subject to a condition regarding the boundary wall requiring the wall to be 2m high.
- (3) In respect of Application No. S/2011/0343, 89 Altcar Road, Formby the application be granted subject to the conditions and for the reasons stated or referred to in the report and subject to the additional conditions reported at the Committee following receipt of the bat survey report.

## 12. APPLICATIONS TO BE INSPECTED BY THE VISITING PANEL - 6 JUNE 2011

The Committee considered the report of the Head of Planning Services which advised that the undermentioned sites had been inspected by the Visiting Panel on 6 June 2011.

Application No.	Site
S/2011/0144	Bootle Cricket Club, Wadham Road, Bootle
S/2011/0335	1 Well Lane, Bootle
S/2011/0469	29 Elton Avenue, Crosby
S/2011/0343	89 Altcar Road, Formby
S/2011/0485 & S/2011/0488	Ainsdale Sports Club, Liverpool Road, Ainsdale

RESOLVED:

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

## 13. TOWN AND COUNTRY PLANNING ACT 1990 - APPEALS

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

Appellant	Proposal/Breach of Planning Control	Decision
Greene King Brewing and Retailing.	S/2010/0937 Blue Anchor Inn, 32 School Lane, Aintree, appeal against a refusal to grant planning permission for new 75mm steel powder coated roller shutters to ground floor windows	Dismissed

Mr D. Crooks      S/2010/1775      Dismissed

15A Padstow Close, Southport appeal against a refusal to grant planning permission for a new privacy screen adjoining existing boundary wall.

J.D.      S/2010/1169      Withdrawn  
Wetherspoon

Plc

47-53 South Road, Waterloo appeal against a refusal to grant planning permission for sub-division to create a smaller retail unit within the remaining area to be changed into a Class A4 use to form a public house (including serving meals).

RESOLVED:

That the report be noted.

**14. LYDIATE FOOTPATH NO.18 - ORDER TO DIVERT THE PUBLIC FOOTPATH FOR THE PURPOSES OF ACCOMMODATING DEVELOPMENT**

The Committee considered the report of the Strategic Director – Place dealing with an application for the proposed diversion of the Public Footpath known as Lydiate No. 18 and seeking authorisation to make a Combined Public Path Order to divert the Footpath and to alter the Definitive Map and Statement of Public Rights of Way accordingly.

RESOLVED: That

- (1) The Head of Corporate Legal Services be authorised to make the first part of a Combined Order, for the diversion of the Public Footpath known as Lydiate 18, pursuant to Section 257 of the Planning Act 1990 part of a Combined Order for, as shown on drawing number DC0471; and
- (2) If the proposed Order is unopposed then the Legal Services Director be authorised to confirm it as such.

**15. CONSULTATION RESPONSE**

The Committee considered the report of the Head of Planning Services setting out a proposed response on the recent Government consultation on the proposed relaxation of planning rules for change of use from commercial to residential.

# Agenda Item 3

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RESOLVED:

That proposed response be approved to be forwarded to the Department for Communities and Local Government.

## **16. STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2010 - UPDATE**

The Committee considered the report of the Head of Planning Services setting out the key findings of the Strategic Housing Land Availability Assessment Study 2010 Update, 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 housing proposals and planning applications.

RESOLVED:

That the findings of the Strategic Housing Land Availability Assessment Study 2010 update be noted.

# Agenda Item 4a

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**Report to:** [Planning Committee](#)      **Date of Meeting:** [29 June 2011](#)

**Subject:**      [S/2011/0503](#)  
[T & D Metal Fabrications, 69 Ormskirk Road, Aintree](#)

**Proposal:**      [Advertisement consent for the display of a non-illuminated fascia and direction sign on the front elevation and a non-illuminated fascia sign on the side elevation and a free-standing non-illuminated sign post on the front forecourt](#)

**Applicant:**      [Mr Andrew Lee](#)

**Report of:**      [Head of Planning Service](#)      **Wards Affected:**      [\(Molyneux Ward\)](#)

**Is this a Key Decision?**      [No](#)      **Is it included in the Forward Plan?**      [No](#)

**Exempt/Confidential**      [No](#)

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## Summary

This is an application for advertisement consent and relates to 4 non-illuminated signs on the Thomas & Dolan building in Ormskirk Road. The issues are visual amenity and highway safety.

## Recommendation(s)

Part Refusal & Part Grant

## Reasons for the Recommendation:

Signs a, c and d are considered acceptable in terms of their impact on visual amenity and highway safety.

## Implementation Date for the Decision

Immediately following the Committee/Council/Working Group meeting

**Contact Officer:**      [Mrs S Tyldesley](#)      Telephone 0151 934 **3569**

**Case Officer:**      [Mrs D Humphreys](#) Telephone 0151 934 **3565**  
**(Tue, Thu & Fri)**

**Email:**      [planning.department@sefton.gov.uk](mailto:planning.department@sefton.gov.uk)

## Background Papers:

# Agenda Item 4a

The following papers are available for inspection by contacting the above officer(s).

History and Policy referred to in the report

S/2011/0503

## The Site

The site comprises the 'Thomas and Dolan' building situated on the west side of Ormskirk Road within a commercial area.

## Proposal

Advertisement consent for the display of a non-illuminated fascia and direction sign on the front elevation and a non-illuminated fascia sign on the side elevation and a free-standing non-illuminated sign post on the front forecourt.

These are referred to as follows:

- Sign a - Non-illuminated fascia sign on side elevation
- Sign b - Non-illuminated fascia sign on front elevation
- Sign c - Free standing non-illuminated sign post on front forecourt
- Sign d - Non-illuminated direction sign on front elevation

## History

### Adjacent building (Omega Plastics)

S/2011/0348 - Retention of 3 non-illuminated fascia signs to the front of the premises - Part grant/part refuse 11/05/11

S/2011/0347 - Retrospective change of use from General Industrial (B2) to Storage and Distribution (B8) with Retail (A1) - Approved 11/05/11

S/2011/0346 - Retrospective application for the installation of cladding to the front of the premises - Refused 11/05/11

S/2011/0218 - Retention of storage container in the car park at the front of the premises - Refused 08/04/11

## Consultations

*Highways DC* – no objections

## Neighbour Representations

Last date for replies: 12/05/11

A petition to speak at Planning Committee has been submitted by the applicant in support of his application. This is signed by 39 Sefton residents and is endorsed by Councillor Dutton.

# Agenda Item 4a

## Policy

The application site is situated in an area allocated as a Mixed Use Area on the Council's Adopted Unitary Development Plan.

EDT16 Mixed Use Areas  
MD7 Advertisements

## Comments

The main issues to consider are those of visual amenity and highway safety.

### Visual Amenity

The proposal involves 4 non-illuminated signs. Three of these are considered to be appropriate in terms of scale and siting and impact in the street scene. These are the free standing post sign to be displayed on an existing board (sign c), the company name board sign above the entrance on the side elevation of the building (sign a), and the direction sign on the front elevation of the building (sign d).

However, the main fascia sign proposed on the front elevation of the building (sign b) is considered to form an obtrusive and dominant feature in the street scene. This is due to its prominent siting, its size and the sign's failure to respect the architectural features of this attractive building by extending across the vertical brick piers either side of the building's main entrance.

The applicant has been asked to reduce the width of this sign so that it sits within the area above the roller shutter doors and does not extend over the brick piers. However, he has declined to do this and has advised that he considers that the sign proposed is necessary to ensure the survival of his business and refers to other large signs on commercial properties in the vicinity of the site. It should be noted that the business already has a further higher level sign on this front elevation which is well designed and respects the design of the building. That existing sign is perhaps more prominent than the one currently being considered. There are no proposals to remove that sign so the business will continue to benefit from that higher level sign.

Whilst it is acknowledged that this is a commercial area containing a variety of signs, each application has to be considered on its merits and it is considered important for any signs on this building to respect the scale, proportions and architectural features of the building, as advised in UDP Policy MD7. Two of the signs on the adjacent Omega Plastics building have recently been refused because they do not comply with this policy and enforcement action will be progressed on these.

### Highway Safety

Highways Development Control raise no objections to the signs on highway safety grounds.



## Grant

Sign a – non-illuminated fascia sign on side elevation

Sign c – freestanding non-illuminated sign post on front forecourt

Sign d – non-illuminated direction sign post on front forecourt

## Conditions

1. Advert Time Limit

## Reasons

1. RT-9

## Refusal

Sign b – non-illuminated fascia sign on front elevation

## Reason

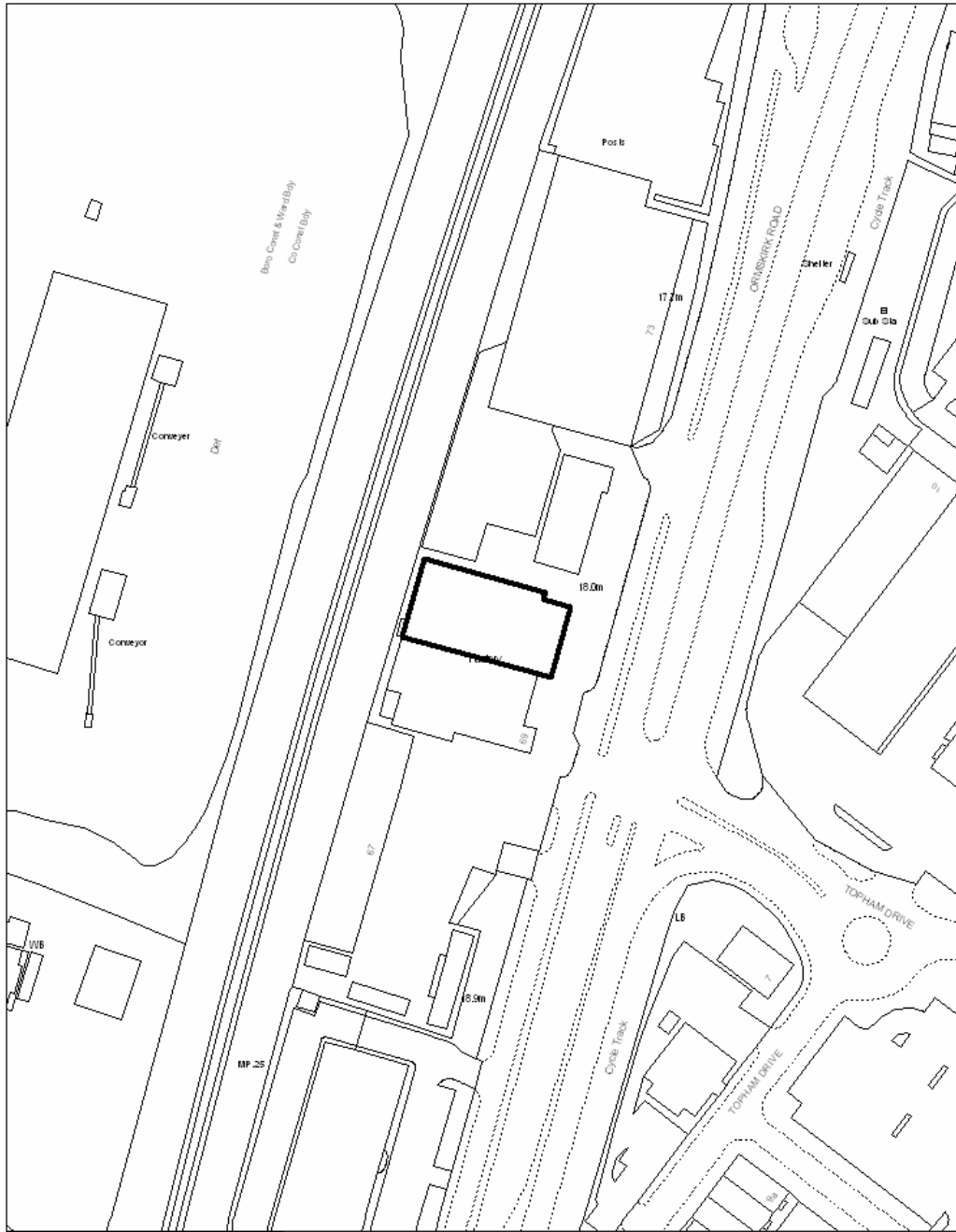
The proposed fascia sign would form an obtrusive and dominant feature in the street scene by failing to respect the scale, proportions and architectural features of the building and the proposed fascia sign is therefore contrary to Sefton UDP Policy MD7.

## Drawing Numbers

Location plan, Main Drawing

# Agenda Item 4a

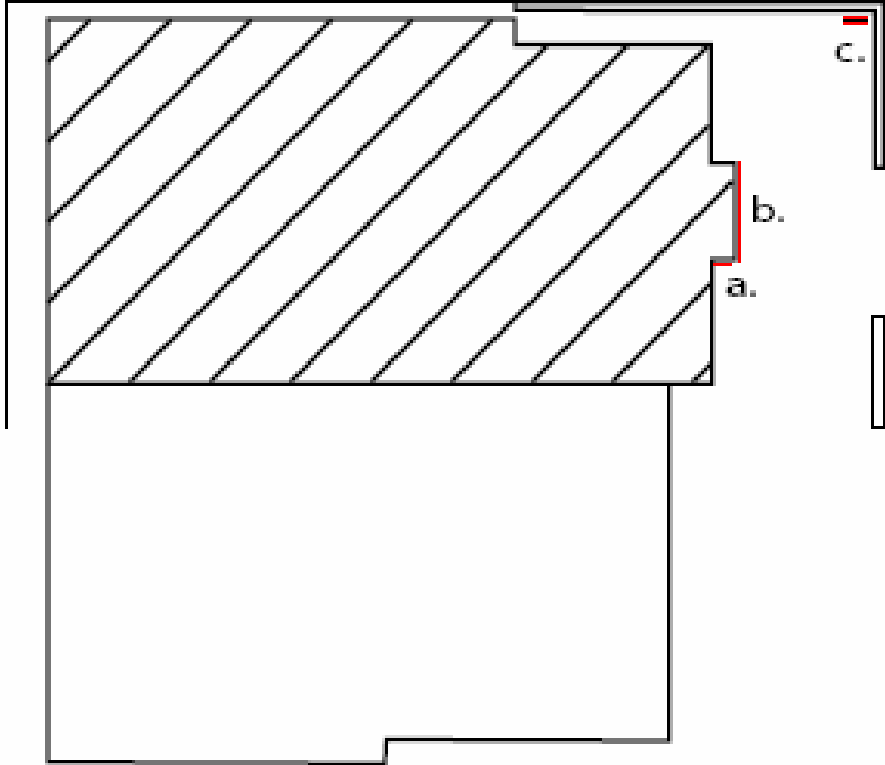
## Existing Site Plan



<b>Sefton Council</b> Department of the <b>Built Environment</b> Jane Gowing Head of Planning Services	S/2011/0503 T & D Metal Fabrications, 69 Ormskirk Road Aintree L9 5AE OSGR: 336806, 398652		Sheets: 11/20	Area: 779 sqm	Standard Site Plan Scale: 1:2250 Date: 16/6/2011 Drawn By: BEERT on	
	© Crown copyright and database rights 2011 Ordnance Survey 100018192 Created by Sefton Council Planning Services using MapInfo Professional			Ward(s): Adolphmeux Postcode Sector(s): L9 5 Polling District(s): CS Parish(es): Aintree Village Co		

Proposed Site Plan

Site Plan



# Agenda Item 4a

## Petition

We the undersigned, support the application of T&D Metal Fabrications Limited to erect company signs at 69 Ormskirk Road, Aintree, Merseyside L9 5AX. We support the application in the Official Reception & Circulation regarding size and position of signs, as submitted for planning permission to Sefton Council, Bootle Office

Name	Address
U. Moore	30 Fairlie Crescent, Bootle, Liverpool L20 6EN
Brian Daley	9 ORCHARD HAY, BOOTLE; LIVERPOOL L20 6DU
I. METCALF	43A Litherland Park, L21 9HR
J Atkinson	3 Ridgewood Way Liverpool
J Roberts	34 FAIRLIE CRESCENT, LIVERPOOL L20
L Jones	58 OAKHILL drive, Lydiate L31
R Thomas	10 PIRRIE ROAD, Aintree L9
C. BROADHURST	4 LONG AVE, AINTREE L9
J. Fitzpatrick	82 Buckingham Rd. Maghull. L31.
P. WILSON	32 GREENSIDE AVE, AINTREE L10 8JF.
M. Melia	13 Harris Drive, Bootle Liverpool.
T. Moore	30 Fairlie Crescent Bootle, Liverpool
P. Daley	15 Rose Ave Bootle, Liverpool
P. Burgess	5 Margaret Ave Bootle Liverpool
R Daley	43A Litherland Park, Liverpool
G Atkinson	3 Ridgewood Way, Liverpool
S. FARRELL	103 RIMROSE VALLEY RD. CROSBY L23
A. Jackson (granda)	105 AINTREE AINTREE, LIVERPOOL, L10 3ST
L Galbraith	1 Iris Park Walk Melling Liverpool L31 1FB
S Kennedy	31 Berkeley Dr, Seaforth, Liverpool L2

This Petition is sponsored by Mr. J. Dalton, 7.6.11.

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**Report to:** [Planning Committee](#)      **Date of Meeting:** [29 June 2011](#)

**Subject:**      [S/2011/0685](#)  
[Site for mast adjoining Bankfield Nurseries 99 Bankfield Lane, Southport](#)

**Proposal:**      [Prior Notification Procedure for the erection of a 15 metre high dual user telecommunications mast and associated ground based equipment cabinets](#)

**Applicant:**      [Vodafone Limited](#)      **Agent:** [Westwood Planning Solutions Limited](#)

**Report of:**      [Head of Planning Service](#)      **Wards Affected:** [\(Meols Ward\)](#)

**Is this a Key Decision?**      [No](#)      **Is it included in the Forward Plan?**      [No](#)

**Exempt/Confidential**      [No](#)

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## Summary

The proposal seeks to erect a 15 metre high monopole dual-user telecommunications mast, and associated ground based equipment, to a location to the north east corner of Bankfield Nurseries.

The key issues to consider are the impact on the visual amenity of the area and the amenity of residential properties, particularly those within The Mallards.

## Recommendation(s)

Approval

### Reasons for the Recommendation:

The proposal will not have a detrimental impact on the visual amenity of the area. The applicant has demonstrated compliance with guidelines in respect of health and the siting and design of the proposed equipment is considered to be acceptable. When assessed against the Development Plan and all other material considerations, particularly policies CS3, DQ1, EDT1, EDT7, MD8 and PPG 8 'Telecommunications' the proposal is acceptable.

### Implementation Date for the Decision

Immediately following the Committee meeting

**Contact Officer:**      **Mrs S Tyldesley**      Telephone 0151 934 **3569**

**Case Officer:**      **Neil Mackie**      Telephone 0151 934 **3606**

**Email:**      [planning.department@sefton.gov.uk](mailto:planning.department@sefton.gov.uk)

# Agenda Item 4b

## **Background Papers:**

The following papers are available for inspection by contacting the above officer(s).

History and Policy referred to in the report

## The Site

A location to the northeast corner of Bankfield Lane Nurseries, lying adjacent to the elevation Bankfield Lane highway, positioned over 100 metres from the rear boundaries of residential properties to Merlewood Avenue, and 30 metres to the front boundaries to the nearest properties to The Mallards to the east.

## Proposal

Prior Notification Procedure for the erection of a 15 metre high dual user telecommunications mast and associated ground based equipment cabinets

## History

None of relevance.

## Consultations

*Highways DC* – No objections to the proposal as there are no highway safety implications.

*Environment Head of Service* – No objection to the proposal.

## Neighbour Representations

Last date for replies: 17th June 2011.

Representations received: An e-mail from Councillor Ashton, Meols Ward Councillor, requesting that the application be determined by Planning Committee.

A letter from Number 28 The Mallards plus a petition with 48 signatories (though submitted as 48 letters of objection) object to the proposal.

The points of objection relate to the visual intrusion of the mast, an over intensification of masts within the area plus the impact of the proposal on juveniles. There are also concerns expressed as to the health impacts of the mast.

## Policy

The application site is situated in an area allocated as a Strategic Employment Location on the Council's Adopted Unitary Development Plan.

CS3	Development Principles
DQ1	Design
EDT1	Strategic Employment Locations
EDT7	Improvement of Industrial Areas
MD8	Telecommunications Development

# Agenda Item 4b

## Comments

The main issue to be considered is the impact of the installation having regard to its siting, design and external appearance.

As part of the proposal, the applicant has submitted a certificate to certify that emission will not exceed recommended levels (ICNIRP). Therefore the application cannot be refused consent on the grounds of the perceived risk of the proposal to health.

Whilst the fears of health effects may be a material consideration, given Government advice on the consideration of health implications of masts, it is not considered that the health concerns raised are sufficient to outweigh Government advice and the balance of evidence available at present.

In considering the impact of the mast I am mindful of the advice within PPG8 whereby emphasis is given on telecommunication development minimising environmental intrusion and identifying or facilitating mast sharing, and the requirements of Unitary Development Plan MD8.

As shown on submitted drawing 300A, the site for the mast is 5 metres lower than that of the raised Bankfield Lane carriageway, and there is a significant level of screening provided by mature trees planted to the boundary of the Nursery site and the road. By virtue of its siting, the existing mature tree planting and the physical border of the raised carriageway, views of the mast will be limited from public vantage points and from neighbouring residential properties. Such limited views will therefore not cause harm to the outlook from residential properties to The Marlands and therefore residential amenity will not be harmed.

When viewed from the south and north approaches along Bankfield Lane/Rufford Road the mast, where visible, will be read against existing street furniture, particularly street lighting columns, as well as neighbouring residential buildings. It will therefore not be a dominant or overbearing structure to the detriment of the character of the area.

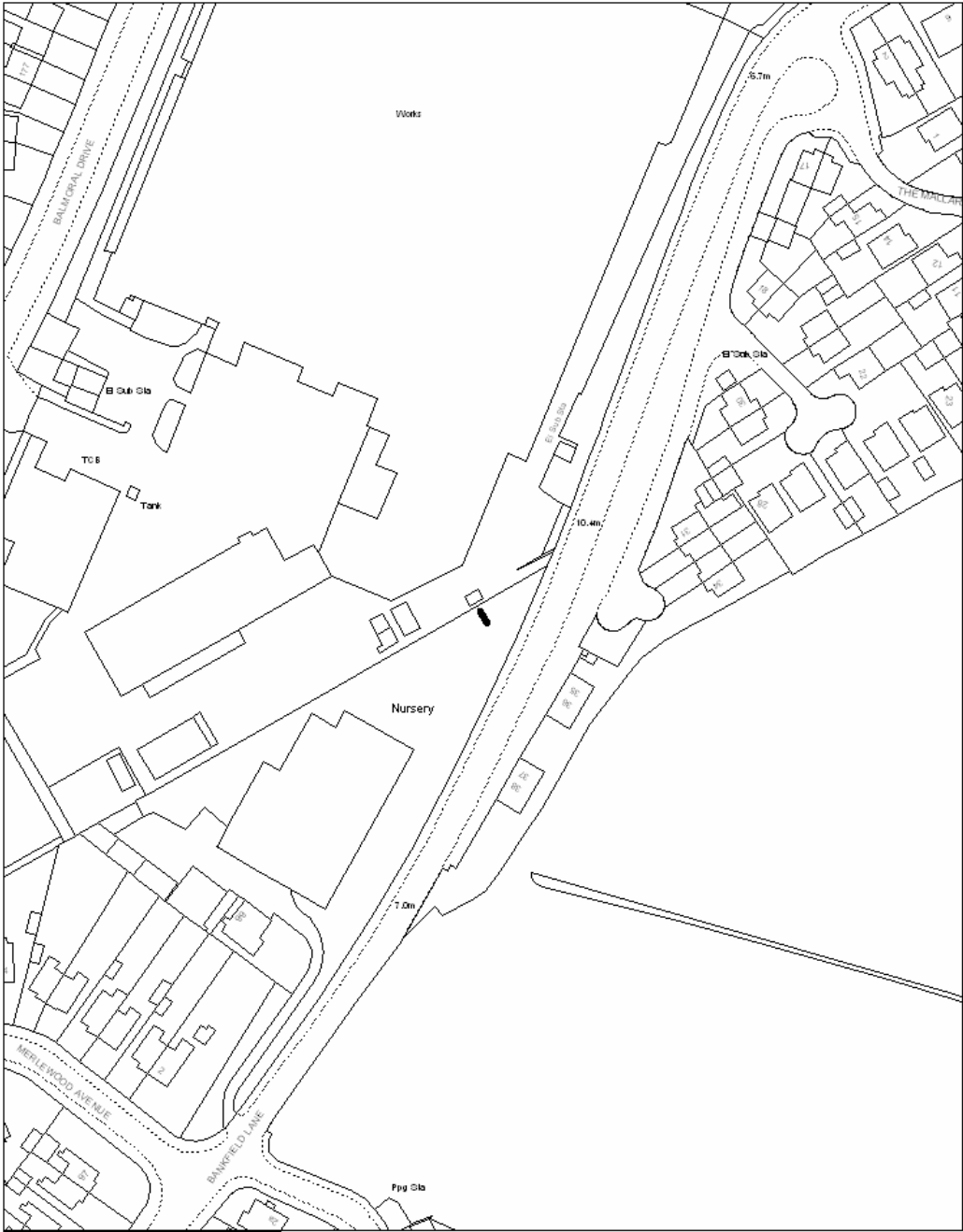
For the reasons set out above it is therefore recommended that as the proposal will not cause harm to residential amenity or be detrimental to the character of the area that prior approval be granted as the proposal complies with policy.

## Drawing Numbers

100A, 200A, 300A, 400A



## Existing Site Plan



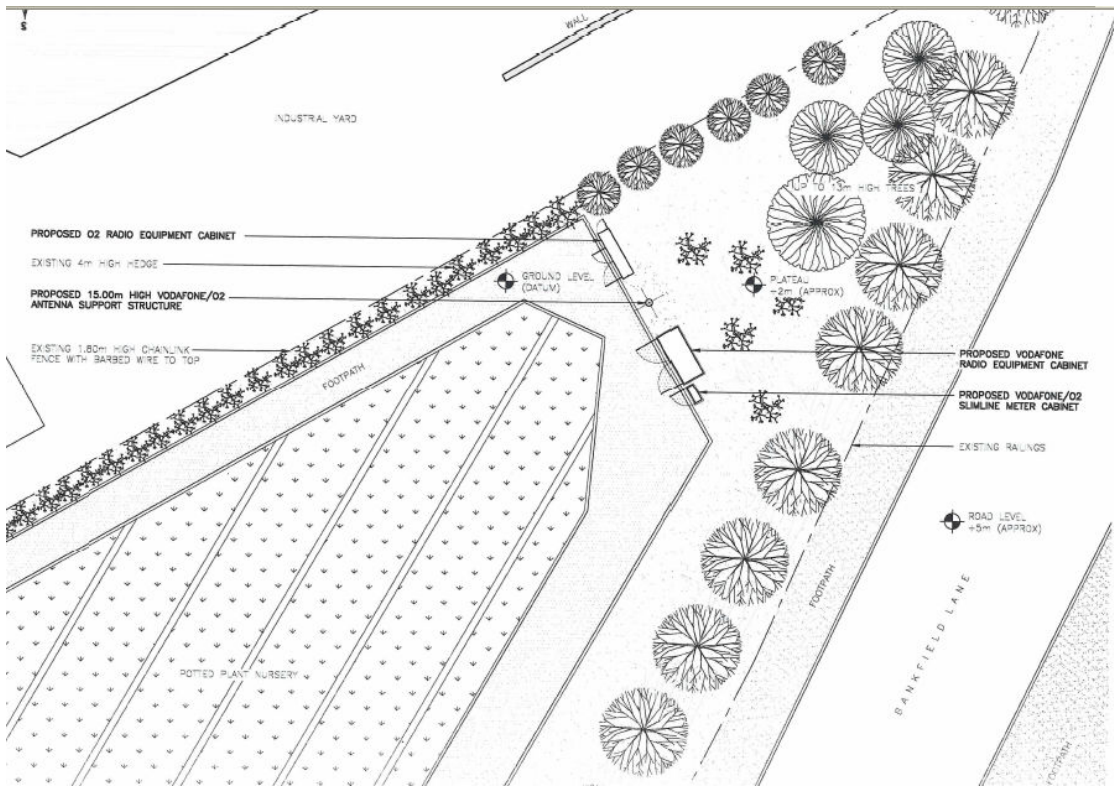
<p><b>Sefton Council</b>          Department of the  <b>Built Environment</b>          Jane Gowing          Head of Planning Services</p>	S/2011/0685 Site for mast adjoining Bankfield Nurseries 99 Bankfield Lane Southport PR9 7NT OSGR: 337170, 419269		<b>Standard Site Plan</b> Scale: 1:2250 Date: 16/6/2011 Drawn By: BEERTON	
	Sheets: 5338	Area: 3 sqm	Ward(s): Meols Postcode Sector(s): PR9 8 Polling District(s): Y5 Parish(es): None Found	

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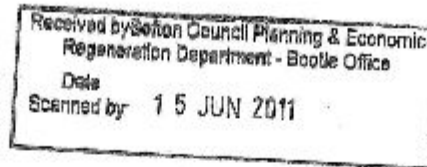
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# Agenda Item 4b

## Proposed Site Plan



Objections Committee  
34 The Mallards  
Crossens  
Southport  
PR9 8RJ  
13th June 2011  
Tel. 07914 360 456



Sefton Council  
Planning Services  
Magdalen House  
30 Trinity Road  
Boode  
L20 3NJ

Your Ref: S/2011/0685

Dear Neil Mackie,

I am writing to object to the application made for the site for the mast adjoining Bankfield Nurseries, 99 Bankfield Lane, Southport.

The reasons for my objections are as follows:

- The mast will be an eyesore in the site currently planned and will have a devastating impact on the currently aesthetically pleasing environment. It will be considered environmentally damaging and a form of visual pollution.
- There are currently four masts within approximately 800 meters of the site planned. Therefore, I believe that further consideration should be given to mast sharing prior to a further mast being considered. Four masts in such a small area is already a large number compared with the number of residents.
- The nearest resident to the mast will be approximately twenty metres, which is wholly unacceptable. Although I am aware that there is no hard evidence with regards to the dangers of these type of masts, I believe that it would be inconsiderate and possibly dangerous, should any evidence come to light. It is advisable that these masts should not be erected within one hundred meters as a safe working practice.
- There is a large juvenile community within much less than one hundred meters of the proposed site. Within approximately four hundred meters there is a Scout Hut and sports ground.
- There are wildlife considerations in this case as the proposed site lies directly on a route from the Marshside reserve and Martin Mere, not to mention all other aspects of wildlife that will both be directly and indirectly affected.
- Some residents are on holiday at the present time and so therefore 17<sup>th</sup> June is far too short a deadline for such an important decision to be made on this matter. They need to be given time so they can be informed about the mast and make their opinions known.

I am well aware of Sefton's upstanding reputation with regards to considering the environment and anticipate the case for and against the proposal very carefully.

I would appreciate your consideration in this matter and invite any feedback with regards to this letter.

Signature

Name

Mr S. P. BAUER

Address

34 THE MALLARDS

CROSSENS

PR9 8RJ

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**Report to:** [Planning Committee](#)                      **Date of Meeting:** [29 June 2011](#)

**Subject:**        [S/2011/0605](#)  
[Mount Hotel 40 Galsworthy Avenue, Bootle](#)

**Proposal:**      [Erection of 10 two storey dwellings in two terraced blocks with accommodation in the roofspace after demolition of the existing Public House](#)

**Applicant:**     [Mr Ian Nixon](#) **Agent:** [Trigens LDS Ltd](#)

**Report of:**      [Head of Planning Service](#)                      **Wards Affected:** [\(Litherland Ward\)](#)

**Is this a Key Decision?** [No](#)                                      **Is it included in the Forward Plan?** [No](#)

**Exempt/Confidential**    [No](#)

---

## **Recommendation(s)**

Approval

## **Reasons for the Recommendation:**

The proposal will assist considerably in securing much needed housing within an urban area, reducing reliance on sites outside of main settlements, by introducing a form of development which responds positively to the character and appearance of the surroundings. It would bring forward a clear and well considered housing layout and afford a scheme which preserves the amenity of existing nearby residents and an acceptable standard of accommodation for prospective occupiers. The scheme will offer further open space and tree provisions by way of commuted sum.

Having regard to the above, the policies of the Sefton UDP and all other material planning considerations, the granting of planning permission is therefore justified.

## **Implementation Date for the Decision**

Immediately following the Committee/Council/Working Group meeting

**Contact Officer:**                      **Mrs S Tyldesley**      Telephone 0151 934 **3569**

**Case Officer:**                              **Steve Faulkner**      Telephone 0151 934 **3081**

**Email:**    [planning.department@sefton.gov.uk](mailto:planning.department@sefton.gov.uk)

# Agenda Item 5a

## **Background Papers:**

The following papers are available for inspection by contacting the above officer(s).

History and Policy referred to in the report

S/2011/0605

## The Site

Former Public House fronting Captain's Green, Galsworthy Avenue. Three storey flat blocks sit directly either side and a dormant railway line runs to the rear of the site.

## Proposal

Erection of 10 two storey dwellings in two terraced blocks with accommodation in the roofspace after demolition of the existing Public House.

## History

None.

## Consultations

*Highways Development Control* – no objections subject to conditions and the provisions of a 'Stopping Up' Order.

*Head of Service (Environment)* – no objections subject to piling condition; informative confirms no need for ground gas investigation.

*MEAS* – no objections, survey works acceptable, but have noted loss of slates to main roof. Conditions suggested for SuDS (sustainable drainage) and bat bricks/roof tiles to be incorporated into the development.

*Police ALO* – no objections but observations relating to gating of dwellings and design to Secure By Design specification.

*Environment Agency* – no objections.

*United Utilities* – no objections.

## Neighbour Representations

Last date for replies: 7 June 2011

1 representation from 17 Starling Way relating to the stripping of the roof of the existing building and concerns over wildlife habitat.

## Policy

The application site is situated in an area allocated as Primarily Residential on the Council's Adopted Unitary Development Plan.

AD2	Ensuring Choice of Travel
CS1	Development and Regeneration
CS2	Restraint on development and protection of environmental assets
CS3	Development Principles
DQ1	Design

# Agenda Item 5a

DQ3	Trees and Development
DQ4	Public Greenspace and Development
EP3	Development of Contaminated Land
EP6	Noise and Vibration
H12	Residential Density
H3	Housing Land Supply
H8	Redevelopment within the Pathfinder Area

## Comments

The proposal seeks the construction of 10 no. residential dwellings following the demolition of the former Mount Public House, which is now derelict and boarded up. Two separate terraced blocks would each contain 5 dwellings.

There is no objection in principle to the development of the land for new housing. The proposal will assist considerably in securing much needed housing within an urban area, helping to reduce reliance on sites outside of the main settlements.

The buildings will be constructed from brick, with rendered panels and slate roofing. This will be consistent with the prevailing character of the area. Roof accommodation is provided through dormers and on the central two dwellings, the bay is built up into the roof level.

There is around a 1 metre levels difference from south to north but the development has excellent regard to the three storey flats either side, with the dormers adding visible scale and responding positively to the character of neighbouring buildings and the overall surrounds in general.

The dwellings do not project beyond the rear of the flats mentioned above first floor level and there is no unacceptable overshadowing or overlooking of neighbouring dwellings. The rear garden areas do not all meet the minimum 70 square metre requirement but are rectangular useable spaces and more than sufficient for the needs of occupiers. Any shortfall is offset by the presence of Captain's Green opposite.

All dwellings have one off street parking space, and there is low level landscaping proposed to open frontages to improve visual aspect and the footpath will be lowered and continued in an alignment with that in front of the flat blocks.

The applicant has provided no specific details of on site tree planting but the opportunities appear minimal. Under Policy DQ3, if no trees are planted, a commuted sum total of £14,445 would be required, and a DQ4 contribution of £18,150 for 10 dwellings. This gives rise to a total of £32,595 which would be reviewed in the event that a landscaping scheme is provided. Any such scheme and implications for this figure will be reported by late representation.

A further condition is required to ensure the provision of bat and bird bricks and roosting opportunity.



## Conditions

1. T-1 Full Planning Permission Time Limit
2. S-106 Standard S106
3. M-2 Materials (sample)
4. Landscaping (scheme)
5. H-5 Off-site Highway Improvements
6. Sustainable drainage
7. M-3 Obscure Glazing
8. M-6 Piling
9. L-4 Landscape Implementation
10. H-1 Remove existing vehicular/pedestrian access
11. H-2 New vehicular/pedestrian access
12. H-6 Vehicle parking and manoeuvring
13. a) The development shall incorporate a minimum of two bat bricks and two bat tiles, the details of which shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development.  
b) The materials approved by (a) shall be incorporated into the development prior to first occupation of any dwelling and thereafter retained.
14. X1 Compliance

## Reasons

1. RT-1
2. RS-106
3. RM-2
5. RH-5
6. RE-2
7. RM-3
8. RM-6
9. RL-4
10. RH-1
11. RH-2
12. RH-6
13. RNC-3
14. RX1

## Notes

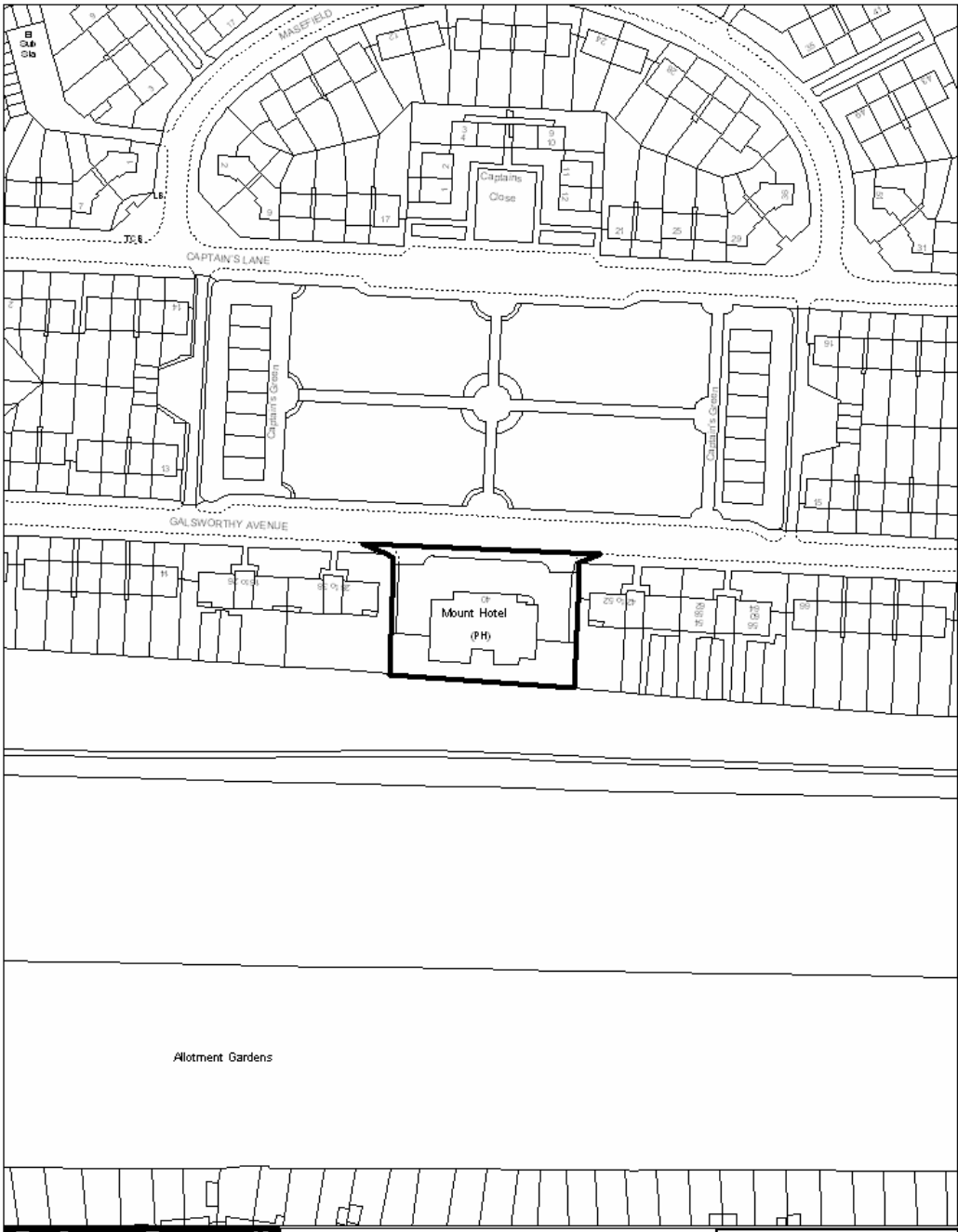
1. The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Highways Development Control Team on Tel: 0151 934 4175 to apply for a new street name/property number.
2. The applicant is advised that all works to the adopted highway must be carried out by a Council approved contractor at the applicant's expense. Please contact the Highways Section on 0151 934 4175 or [development.control@technical.sefton.gov.uk](mailto:development.control@technical.sefton.gov.uk) for further information.
3. The applicant is advised of the requirement for a "stopping up order" to Galsworthy Avenue which forms part of the public highway. For further information please contact the Highways Development Control team on 0151 934 4175.

# Agenda Item 5a

4. The applicant's attention is drawn to the advice contained in PPS23 on 'Guiding Principles for Land Contamination'.
5. The applicant is advised that a separate metered supply to all dwellings shall be required at the applicant's expense and to contact United Utilities on 0845 746 220 regarding connection to water mains and public sewers.

## **Drawing Numbers**

Existing Site Plan



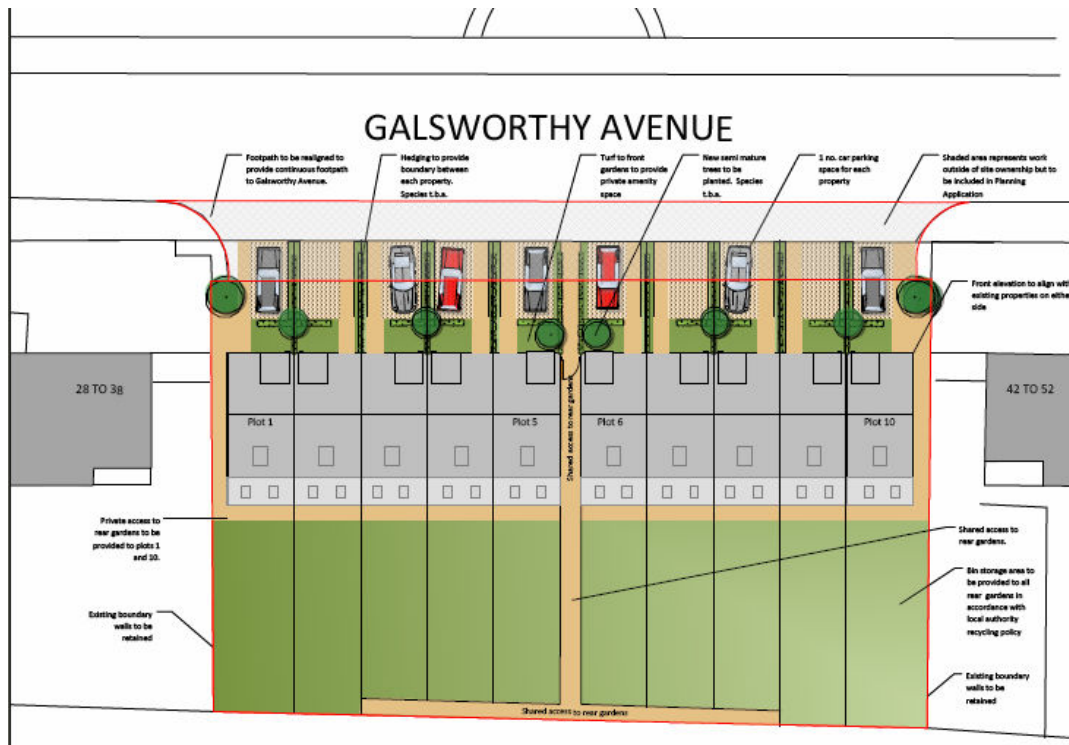
<b>Sefton Council</b> Department of the <b>Built Environment</b> Jane Gowing Head of Planning Services	S/2011/0605 Mount Hotel 40 Galsworthy Avenue Bootle	<b>Standard Site Plan</b> Scale: 1:1250 Date: 16/6/2011 Drawn By: EBERT on
	OSGR: 334050, 307480    Sheets: 900    Area: 1597 sqm	Ward(s): Litherland Postcode Sector(s): L30 9 Polling District(s): G6 Parish(es): None Found

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# Agenda Item 5a

## Proposed Site Plan



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**Report to:** Planning Committee                      **Date of Meeting:** 29 June 2011

**Subject:**        **S/2011/0636**  
Units 6-10 Sherwood House 54-58 Station Road, Ainsdale

**Proposal:** Alterations to Units 6-10 Sherwood House (to form a single retail unit) comprising - the installation of a new shopfront with ATM, air-conditioning and chiller units plus a 2.4 metre high fence to the rear and external works

**Applicant:** Mr Keith Knight                      **Agent:** GL Hearn

**Report of:** Head of Planning Service                      **Wards Affected:** (Ainsdale Ward)

**Is this a Key Decision?** No                      **Is it included in the Forward Plan?** No

**Exempt/Confidential**                      No

---

## Recommendation(s)

Approval

## Reasons for the Recommendation:

The proposed external alterations to the unit are acceptable in visual terms and the potential for harm to amenity resulting from the use is fully capable of being controlled by appropriate planning conditions. The use of the building for retail purposes is acceptable in principle.

The scheme complies with the aims and objectives of the Sefton UDP and in the absence of all other overriding material planning considerations, the granting of planning permission is therefore justified.

## Implementation Date for the Decision

Immediately following the Committee/Council/Working Group meeting

**Contact Officer:**                      **Mrs S Tyldesley**     Telephone 0151 934 **3569**

**Case Officer:**                      **Steve Faulkner**     Telephone 0151 934 **3081**

**Email:**                      [planning.department@sefton.gov.uk](mailto:planning.department@sefton.gov.uk)

# Agenda Item 5b

## **Background Papers:**

The following papers are available for inspection by contacting the above officer(s).

History and Policy referred to in the report

## The Site

Three storey building on north side of Station Road, with parking to the front, retail units at ground floor level and residential units on the two floors above. The building reads as a construction from the early 1970s.

## Proposal

Alterations to Units 6-10 Sherwood House (to form a single retail unit) comprising - the installation of a new shopfront with ATM, air-conditioning and chiller units plus a 2.4 metre high fence to the rear and external works

## History

Numerous applications in 70s and 80s relating to advertisements and other minor works, but some of particular relevance as follows. The most recent application was as follows:

S/1031 – Installation of new shop front (Units 1-4) – approved 4 September 1974.

N/1987/1007 – New shop front (Units 9-10) – approved 3 March 1988.

N/2006/0607 – Retention of roller shutters to the front entrance of the premises (1-4 Sherwood House) – approved 15 August 2006.

## Consultations

*Highways Development Control* – There are no objections to the proposed alterations to units 6-10 Sherwood House.

Given the consolidation into a single retail unit, the implications for vehicular and pedestrian access, servicing and car and cycle parking have been considered in detail.

Vehicular access is generally acceptable, although the provision of improved traffic signs and carriageway markings would reinforce the existing IN and OUT arrangement off Liverpool Road and minimise any potential for vehicle/vehicle conflict.

Pedestrian access between the footway on the north side of Liverpool Road and the entrance to the consolidated retail unit is less than satisfactory. There are no flush kerbs and tactile paving at points where the pedestrian route would cross the internal access road, the flagged footway areas adjoining the site boundaries are in a very poor state and there are items of street furniture that block the routes for pedestrians.

The servicing arrangements for a unit of this size (typically convenience food retail) would be significantly different to those that one could expect for five much smaller units. Given the significant changes in the way in which this larger single retail unit is likely to be serviced, a Traffic and Delivery Management Plan will be required. This will detail the hours during which deliveries will take place and the frequency of deliveries, the size and type of vehicles used for servicing the premises, the routing and tracking of said vehicles, and the identification, management and control of the servicing areas. In addition, some controls to prevent obstructive parking taking place within the service area to the rear

# Agenda Item 5b

(and sides) of Sherwood House should be introduced. A condition will be required to secure this.

Parking for approximately 20 cars (including 2 spaces which are accessible for disabled persons) is available to the front of Sherwood House and this is considered to be adequate, especially as any stay is limited to a maximum of one hour. In addition, some on street parking is generally available on Liverpool Road with any stay limited to a maximum of two hours.

There are a few 'Sheffield' cycle stands in the vicinity of Sherwood House which would be appropriate for use by customers of the retail units on the ground floor of the building; however, there is no specific provision for staff of the consolidated retail unit. Cycle parking for staff should be in an enclosed lockable shed and for a unit of this size should be designed to accommodate a minimum of two bikes. A condition will be required to secure this.

In order to ensure that the site is accessible by a range of sustainable travel modes, a modest package of highway improvements will be required. This will consist of some improvements to two existing bus stops, the improvement of some areas of footway and the provision of flush kerbs and tactile paving at key locations.

*Head of Services (Environment)* – concern relating to noise impact of proposal on above and nearby dwellings, no details of proposed opening/delivery times. Information has been provided on external plant and equipment for chiller, freezer and an air conditioning condenser.

*Police Architectural Liaison Officer* – No objection subject to sharing of guidance of ATMs and security measures with the applicant. Proposal would bring no greater opportunity for crime and anti-social behaviour than may occur at other nearby retail premises.

## Neighbour Representations

Last date for replies: 16 June 2011.

110 adjoining residents were notified of the proposals. A total of 46 representations have been received (6 containing no full postal address).

37 objecting

Ainsdale Civic Society, 11 Broadway Close, 59 Burnley Road, 1 Chesterfield Close, 7, 47 Easedale Close, 3, 8, 15, 23 Fairfield Close, 26 Gleneagles Drive, 26 Grafton Drive, 30 Halbury Road, 21, 27 Hatfield Road, 151 Kenilworth Road, 12 Keswick Close, 24, 57 Leamington Road, 20 Limont Close, 580, 703, 64 Liverpool Road, 6 Oakwood Avenue, 10a Osborne Road, 70 Pinfold Lane, 3, 23, 50 Station Road, 1, 6, 11 Sherwood House Station Road, 21 Shirdley Crescent, 5 Stourton Road, 15 Trevor Drive, 18 Unit Road, 16 Upton Avenue, 22 Windermere Crescent.

1 raising no objection but comment  
22 Grafton Drive

2 in support



1 Leamington Road, 4 Mossgiel Avenue

Issues of objection and/or concern raised:

- Increased noise and traffic from deliveries and general shopping activity,
- Disturbance to flats above from retail and plant and equipment,
- Need for clarification of intended opening hours,
- Noise from nearby ATMs,
- Potential for traffic calming measures,
- Need for pedestrian crossing as part of proposals,
- Request for security lighting to the rear,
- Need for improved accessibility on site frontage,
- We would like to renew our lease on the existing premises,
- Loss of small businesses,
- Loss of employment,
- Potential for anti-social behaviour to rear of flats,
- Threat to balance of retail environment,
- Damage to character of village,
- No need for any further supermarkets,
- Query over discrepancy relating to condenser unit.

The comment in support of the proposal points to the presence of some existing vacant premises, the running down of the centre over the last 35 years, and a lack of complaint over problems relating to deliveries from a former supermarket on Station Road which is now closed.

## Policy

The application site is situated in an area allocated as Ainsdale Local Centre on the Council's Adopted Unitary Development Plan.

AD2	Ensuring Choice of Travel
CS3	Development Principles
DQ1	Design
EP6	Noise and Vibration
MD5	Commercial Frontages and Security Shutters

## Comments

The application seeks a range of alterations to form a single retail unit, with external works to the rear elevation including new plant and equipment enclosed by timber fencing. A new ATM cash dispenser is also proposed. The existing main parade is set back from the top two floors behind an arched walkway.

The physical works to the building are in their own right acceptable. As may be noted from the planning history, there are precedents for accepting the consolidation of the ground floor through the provision of new shop fronts.

The proposed shop front affords a door of width affording access to people of all abilities and will be flush. Internal roller shutters are proposed. The colouring would be a 'dusty

# Agenda Item 5b

grey' powder coated finish. It would be of a standard generally in keeping with the remainder of the parade and generally as expected of a modern retail frontage.

Though the end user is not identified by the applicant, the use of two frosted pieces of glass, reference to a 'back of house' area, and internal works to create a single unit, imply a layout attractive to a convenience retail operator. No controls can be exercised over the internal works and there are no specific planning grounds to object to the external works.

The application has drawn a large number of representations, as commented above. In particular, concern has been expressed over the loss of small retail units in the village. However, I am unable to prevent this using existing planning legislation or policy. This is a business decision.

The applicants have confirmed ownership of the building, and issues of morality and the content of tenancy agreements are also not matters for planning consideration. This must be judged as a proposal to facilitate an enlarged retail unit in a local centre and cannot be legitimately refused on the loss of smaller units – something accepted previously by the Council in this very parade. The need for retail and relationship to nearby competitors cannot be questioned under PPS4 as it is within a local centre location.

It must also be emphasised that units 9 and 10 are currently vacant and would be afforded the chance to be brought back into beneficial use in a manner entirely compliant with retail policy.

This said, whilst there is no material change of use to the ground floor of the building, there is a very different retail character, best exhibited by the fact that there would be four separate shop fronts consolidated into one, and the application is accompanied by an internal layout plan confirming a single retail unit.

It is therefore clear that this change in character brings a new chapter in the site's planning history, and in effect, a new planning unit. This presents the opportunity for planning conditions to be added as appropriate to mitigate any potential harm arising from the proposal as presented.

Looking at case law and Inspector's decisions, it is clear that previous use of the building for retail purposes should not be relied on to avoid planning conditions being added in the event that there is a clear change in the character of intended operations.

A series of clarifications have been sought from the applicant relating primarily to confirmation of opening hours and the relationship of ceilings to upper floor units. They express the comment that *"it is not uncommon for retail units to open between the hours of 6am – midnight or even 24 hours a day, to provide a service for customers who are unable to shop within daytime business hours"*.

Whilst I agree with this as a general observation, I must balance that against the right of residents to expect to enjoy some degree of peace and quiet at later times.

The applicant has also referenced later opening of other units, and the specific absence of planning controls, but I find the prospect of the existing smaller units opening for 24 hours a very unlikely 'fall back' position. The applicant has quoted opening hours

# Agenda Item 5b

extending to 10pm elsewhere including a restaurant (with no residential above) and an off licence, and also reference to a public house open until 11pm.

These examples do not suggest the local centre offers a late night economy and introduction of a larger retail store open until midnight would unquestionably have some impact.

It is therefore right and proper for the relationship of the proposals to nearby residential development to be considered. Though Station Road is a local centre for the purpose of planning policy, it maintains a healthy, comfortable balance at present between residential and commercial activity which must be seen to continue.

The planning conditions therefore recommend the opening of the unit between the hours of 0800-2200, with no servicing of the unit taking place to the front or rear outside the hours of 0700-2100. These conditions are considered reasonable to reflect the balance described above.

I consider a 0600 opening as reference by the applicant very likely to give rise to demand for servicing of the unit at even earlier hours, at a time when most residents can reasonably expect peaceful sleep, and late night closing and activities associated with those leaving the premises will result in an unreasonable impact.

Additionally, a full noise assessment covering the impact of uses on the residents above the premises, and the effect on them resulting from noise from external chiller units, refrigeration measures, and bleeping checkouts, would be required. In particular, the removal of internal walls will as pointed out by the Head of Service (Environment) alter the acoustic characteristics of the ground floor considerably. A scheme for the provision of refuse storage is also required.

It is also considered given the necessary to remove permitted development rights for the provision of outdoor trolley storage in view of the potential for their rattling, and a condition is attached accordingly.

I consider restriction of the ATM operation inappropriate given the frustration likely to occur when a possible user finds it inoperative. There are other similar machines nearby, for example, at the junction with Liverpool Road, at the Post Office at no. 74, and the bank on the opposite side of the level crossing.

Accepting that the ATM would be under a covered walkway, there is no evidence to suggest that these are a magnet for anti-social activity and no evidence of reported incidents in association with those existing. These are accepted and common features of local centres and should not give rise to objection.

Comment has been made to minimal gap of 100mm between an external condenser and the fence enclosure, however, the upward orientation of the external fans affords the 1 metre clearance required on three sides for it to work properly with no need for the fencing to be extended outwards.

Concern over parking and highway safety is picked up and the level of parking available is considered acceptable. The applicant will be required to provide a scheme of accessibility improvements for the frontage car park and in this sense, the the comments

# Agenda Item 5b

made by a number of objectors in respect of the need for improved accessibility on the site frontage are fully agreed.

The overall package of conditions is regarded as proportionate to the potential end use and sufficient to overcome the potential objections that might otherwise lead to a refusal.

## Conditions

1. T-1 Full Planning Permission Time Limit
2. M-2 Materials (sample)
3. H-5 Off-site Highway Improvements
4. H-6 Vehicle parking and manoeuvring
5. H-7 Cycle parking
6. The development shall not be commenced until a Traffic and Delivery Management Plan has been submitted to and approved in writing by the Local Planning Authority. The provisions of the Traffic and Delivery Management Plan shall be implemented and strictly adhered to and shall not be varied other than through agreement with the Local Planning Authority.
7. B-2 Opening hours
8. B-3 Delivery hours
9. P-4 Soundproofing residents above
10. N5 Noise - chillers and extraction
11. R-2 PD removal trolley store
12. X1 Compliance

## Reasons

1. RT-1
2. RM-2
3. RH-5
4. RH-6
5. RH-7
6. RH-2
7. RB-2
8. RB-3
9. RP-4
10. RN4
11. RR-2
12. RX1

## Notes

1. The applicant is advised that all works to the adopted highway must be carried out by a Council approved contractor at the applicant's expense. Please contact the Highways Section on 0151 934 4175 or [development.control@technical.sefton.gov.uk](mailto:development.control@technical.sefton.gov.uk) for further information.
2. The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Highways Development Control Team on Tel: 0151 934 4175 to apply for a new street name/property number.

# Agenda Item 5b


Drawing Numbers

Location plan, P103-B, P202, P203B, plant and equipment schedule.

# Agenda Item 5b

## Existing Site Plan

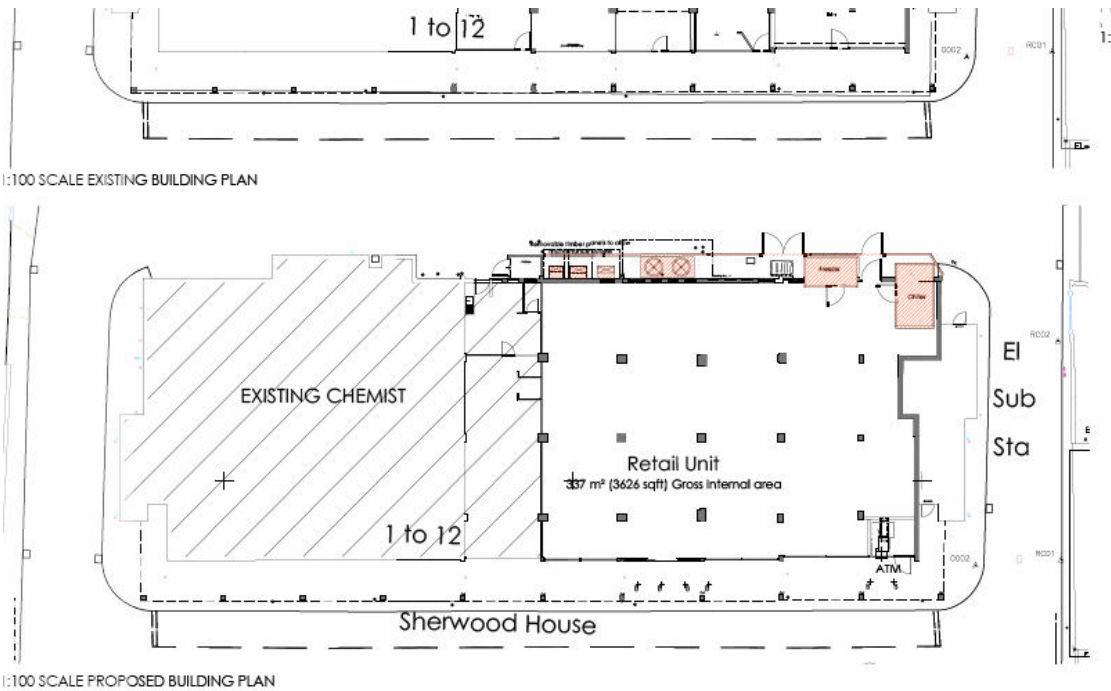


<b>Sefton Council</b>  <b>Department of the Built Environment</b> Jane Gowing Head of Planning Services	S/2011/0636 Units 6-10 Sherwood House 54-58 Station Road Ainsdale PR8 3HW OSGR: 331409, 412269		<b>Standard Site Plan</b> Scale: 1:1250 Date: 16/6/2011 Drawn By: BERRTON	
	Sheet(s): 3876	Area: 460 sqm	Ward(s): Ainsdale Postcode Sector(s): PR8 3 Poling District(s): R2 Parish(es): None Found	

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Proposed Site Plan



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**Report to:** [Planning Committee](#)                      **Date of Meeting:** [29 June 2011](#)

**Subject:**     **[S/2011/0687](#)**  
                  [81 Church Road, Formby](#)

**Proposal:**   [Erection of a two storey block of eight self-contained flats](#)

**Applicant:** [Mr J. S. Clayton](#)     **Agent:** [Mr M Rostron](#)

**Report of:**   Head of Planning Service                      **Wards Affected:** [\(Harington Ward\)](#)

**Is this a Key Decision?** [No](#)                                      **Is it included in the Forward Plan?** [No](#)

**Exempt/Confidential**    [No](#)

---

## **Recommendation(s)**

Approval

## **Reasons for the Recommendation:**

The proposal will assist considerably in securing much needed housing within an urban area, reducing reliance on sites outside of main settlements, by introducing a form of development which responds positively to the character and appearance of the surroundings. It would bring forward a clear and well considered scheme which preserves the amenity of existing nearby residents and a good standard of accommodation for prospective occupiers. The scheme will offer further open space provisions by way of commuted sum.

Having regard to the above, the policies of the Sefton UDP and all other material planning considerations, the granting of planning permission is therefore justified.

## **Implementation Date for the Decision**

Immediately following the Committee/Council/Working Group meeting

**Contact Officer:**                      **Mrs S Tyldesley**     Telephone 0151 934 **3569**

**Case Officer:**                         **Steve Faulkner**     Telephone 0151 934 **3081**

**Email:**                                    [planning.department@sefton.gov.uk](mailto:planning.department@sefton.gov.uk)

# Agenda Item 5c

## **Background Papers:**

The following papers are available for inspection by contacting the above officer(s).

History and Policy referred to in the report

## The Site

Cleared site on corner of Alderson Crescent/Church Road. In residential setting comprising mix of two storey built form, but with four bungalows to Alderson Crescent frontage. The former building was in use at one point as a residential care home.

## Proposal

Erection of a two storey block of eight self-contained flats

## History

N/1990/0134 – erection of garage and games room at the side of the dwellinghouse after demolition of the existing garage – approved 22 March 1990.

## Consultations

Highways Development Control – no objection in principle subject to conditions.

Head of Service (Environment) – no objection subject to piling conditions.

## Neighbour Representations

Last date for replies: 24 June 2011.

Letter from Formby Civic Society. No objection in principle but consider parking layout brings congestion at front of the building, limited garden space for occupiers, lack of detail on refuse storage and external weatherproof storage should be provided for bicycles.

81 Alderson Crescent comments on concern relating to matters of piling and concern over construction technique.

## Policy

The application site is situated in an area allocated as Primarily Residential Area on the Council's Adopted Unitary Development Plan.

AD2	Ensuring Choice of Travel
CS3	Development Principles
DQ1	Design
DQ3	Trees and Development
DQ4	Public Greenspace and Development
EP6	Noise and Vibration

## Comments

The proposal seeks the construction of 8 no. flats in an established residential setting. The principle is acceptable.

# Agenda Item 5c

The scheme would have a double front to both Alderson Crescent and Church Road with imaginative, attractive ground floor bay features and a full response to the corner. It is of a height exceeding that of the bungalow at no. 83 Alderson Crescent, but lower than what was previously present on the site in terms of its eaves height and maximum ridge. It would also be lower than 83 Church Road adjacent (a children's nursery). A mix of traditional brick and tile materials would be used.

The building does not extend rearwards beyond the back elevations of either adjoining neighbour and present an excellent, well considered response to the corner. There are no amenity issues and obscure glazing conditions are added to prevent overlooking from non-habitable side windows and the glazed rear staircase facing west towards Alderson Crescent.

The comments of Formby Civic Society are noted. However, parking should be seen as an acceptable feature of the street scene, and will not occupy a huge proportion of the frontage. The applicant is retaining existing frontage trees and supplementing these with additional planting besides. A wall and railings is proposed to the front at a height of 1.2 metres, to replace the existing 2 metre high breezeblock wall.

The mix of prevailing boundary treatments to the rear boundaries is such that a condition is added to ensure clarity.

24 trees are provided on site and this is compliant with Policy DQ3. Most of these are on the site frontage itself.

The scheme will require a greenspace contribution by commuted sum of £14,520 at 2011/12 rates to comply with Policy DQ4. A condition is added.

The amenity space for residents is considered acceptable in view of the need for the street scene to be established and to avoid the building being pushed further forward. Similarly, upper floor residents will benefit from private balconies and I am of the view that the shape and layout of the space is fair and reasonable for purpose and the combination of new boundary treatment and good frontage landscaping affords the frontage space a relative degree of privacy.

The proposal will bring much needed housing for the area, of an excellent standard and layout, and with all dwellings being two bedrooms, offers a degree of further choice in an area mostly dominated by conventional single family dwellings.

A condition is attached requiring bicycle storage and the bin storage will be positioned discretely within the landscaping arrangement to the front. Requirement for detail on piled foundations (if necessary) is also conditioned.

## Reasoned Justification

The proposal will assist considerably in securing much needed housing within an urban area, reducing reliance on sites outside of main settlements, by introducing a form of development which responds positively to the character and appearance of the surroundings. It would bring forward a clear and well considered scheme which preserves the amenity of existing nearby residents and a good standard of accommodation for prospective occupiers. The scheme will offer further open space provisions by way of commuted sum.

Having regard to the above, the policies of the Sefton UDP and all other material planning considerations, the granting of planning permission is therefore justified.

## Conditions

1. T-1 Full Planning Permission Time Limit
2. S-106 Standard S106
3. M-2 Materials (sample)
4. M-3 Obscure Glazing
5. M-4 Window Details
6. M-6 Piling
7. a) Details of all boundary wall treatments to the rear of the flats hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.  
b) All boundary walling shall be constructed in accordance with the approved details prior to first occupation.
8. L-1 Protection of trees
9. L-4 Landscape Implementation
10. H-1 Remove existing vehicular/pedestrian access
11. H-2 New vehicular/pedestrian access
12. H-5 Off-site Highway Improvements
13. H-6 Vehicle parking and manoeuvring
14. H-7 Cycle parking
15. X1 Compliance

## Reasons

1. RT-1
2. RS-106
3. RM-2
4. RM-3
5. RM-4
6. RM-6
7. RM-3
8. RL-1
9. RL-4
10. RH-1
11. RH-2
12. RH-5
13. RH-6

# Agenda Item 5c

- 14. RH-7
- 15. RX1

## Notes

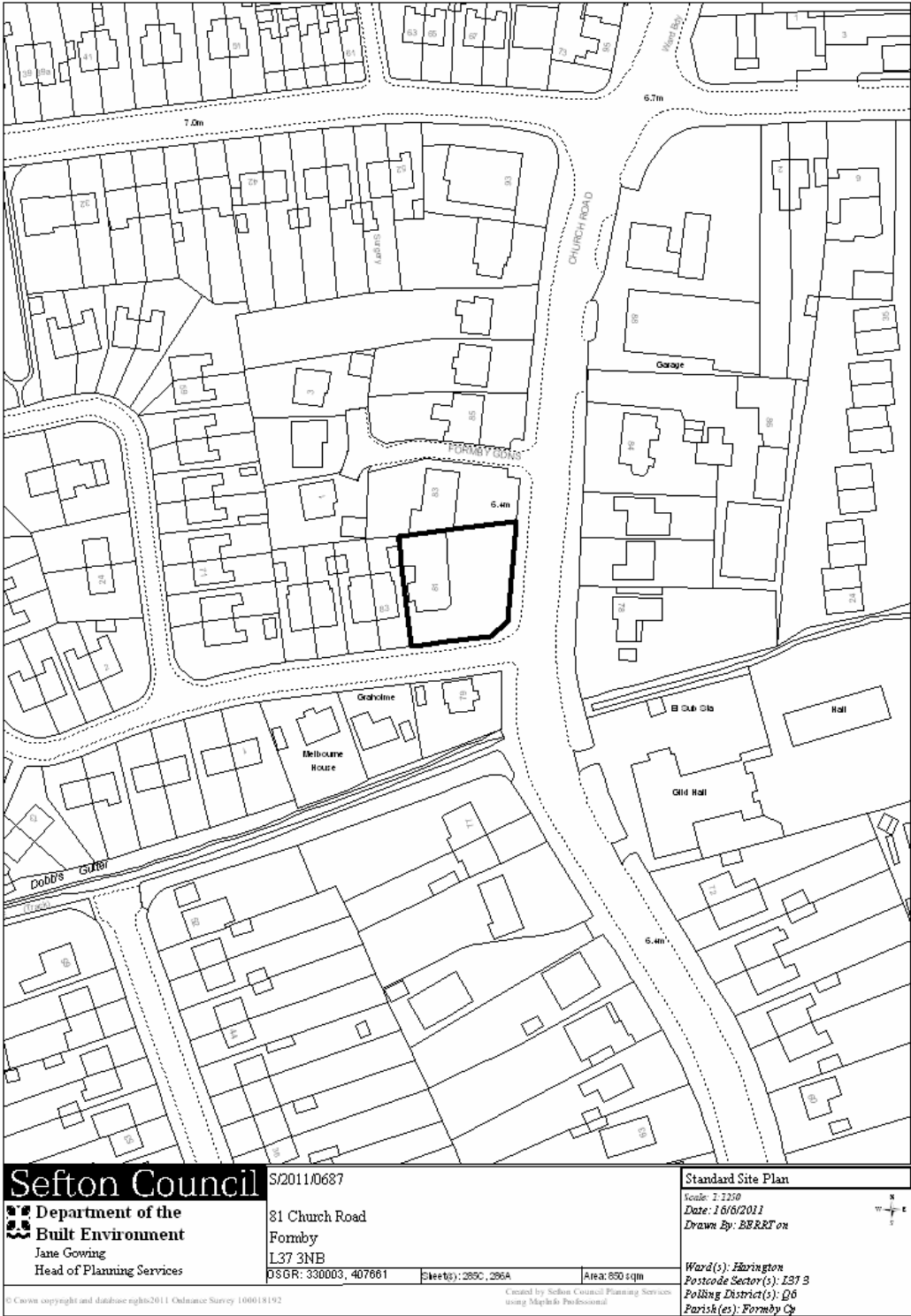
1. The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Highways Development Control Team on Tel: 0151 934 4175 to apply for a new street name/property number.

The applicant is advised that all works to the adopted highway must be carried out by a Council approved contractor at the applicant's expense. Please contact the Highways Section on 0151 934 4175 or [development.control@technical.sefton.gov.uk](mailto:development.control@technical.sefton.gov.uk) for further information.

## Drawing Numbers

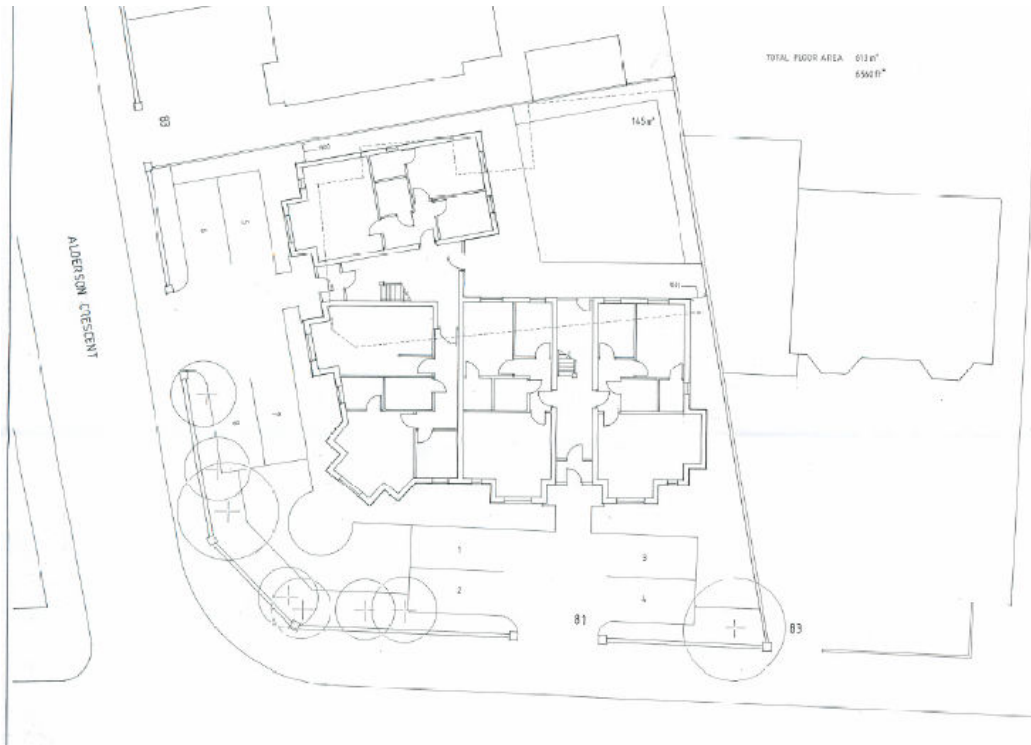
11.5.1, 2, 3, 4, 5, 6, 7, 8 (received 6 June 2011), 1107-L10-01A.

## Existing Site Plan



# Agenda Item 5c

## Proposed Site Plan





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**Report to:** [Planning Committee](#)      **Date of Meeting:** [29 June 2011](#)

**Subject:**      [S/2011/0501](#)  
[48 Alexandra Road, Southport](#)

**Proposal:**      [Erection of a single storey supported living suite for 3 persons and staff sleep-over accommodation](#)

**Applicant:** [Mr Charles Eggleston](#)      **Agent:** [Jackson Design Associates](#)

**Report of:**      [Head of Planning Service](#)      **Wards Affected:** [\(Cambridge Ward\)](#)

**Is this a Key Decision?** [No](#)      **Is it included in the Forward Plan?** [No](#)

**Exempt/Confidential**      [No](#)

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## Summary

This application is for 3 supported living units in the rear garden of 48 Alexandra Road which is in use as a care home. The main issues concern the impact on residential amenity for nearby residents, for occupants of the care home and future residents in the new building. The impact of the proposal on the character of the area, design and impact on trees are also considered to conclude that this proposal is acceptable and overcomes the concerns that led to refusal of a larger development on the site earlier this year.

## Recommendation(s)

Approval

## Reasons for the Recommendation:

The proposal is of an appropriate scale and design to the site and surroundings and will not have a significant detrimental impact on residential amenity for neighbours or existing residents of 48 Alexandra Road. The proposal complies with Sefton's adopted UDP policies CS3, H10, DQ1 and DQ3.

## Implementation Date for the Decision

Immediately following the Committee/Council/Working Group meeting

**Contact Officer:**      **Mrs S Tyldesley**      Telephone 0151 934 **3569**

**Case Officer:**      **Andrea Fortune**      Telephone 0151 934 **2208 (Tues- Fri)**

**Email:**      [planning.department@sefton.gov.uk](mailto:planning.department@sefton.gov.uk)

# Agenda Item 5d

## **Background Papers:**

The following papers are available for inspection by contacting the above officer(s).

History and Policy referred to in the report

S/2011/0501

## The Site

The site comprises a detached Victorian villa situated on the south side of Alexandra Road, currently used as a residential care home. There are modern flat developments to either side of the application site with garage courts to the rear of the plots.

## Proposal

Erection of a single storey supported living suite for 3 persons and staff sleep-over accommodation.

## History

S/08338 Change of use to guest house and hotel. Granted 02/05/1978.

S/24775 Change of use to nursing home. Granted 04/09/1985.

94/0437/N Change of use from nursing home to residential care home for people with learning difficulties. Granted 28/09/1994.

S/2009/1181 Erection of single storey supported living suite for 4 persons and staff sleep-over accommodation. Refused 28/01/2011.

## Consultations

*Environmental and Technical Services* – No objection subject to piling condition.

*Highways Development Control* – There are no objections to the proposal as there are no highway safety implications.

## Neighbour Representations

Last date for replies: 13 May 2011

Received: Letters of objection received from Flat 4, 50 Alexandra Road raising the following concerns:

- Anti-social behaviour already experienced from this site and will worsen if consent granted. Noise and disturbance, damage to fencing, little peace and quiet in adjacent gardens.
- Back land developments and infill rear garden spaces will have significant detrimental effects on amenities of local residents and set a precedent for further back land schemes which would be detrimental to the character of the area.
- Accessibility for emergency vehicles
- Insufficient parking already, more residents and staff would mean need for more spaces.
- States that DAS is incorrect as it suggests that in a neighbour consultation exercise the scheme was well-received by local residents.

Letter from property at rear (32 Hawkshead Street) stating no objection providing a high fence or extended wall is built to prevent overlooking into his garden. Wall is in poor

# Agenda Item 5d

state of repair and needs renovation – concerned may fall down during construction works.

## Policy

The application site is situated in an area allocated as Primarily Residential on the Council's Adopted Unitary Development Plan.

AD2	Ensuring Choice of Travel
CS3	Development Principles
DQ1	Design
DQ3	Trees and Development
H10	Development in Primarily Residential Areas
SPG	New Housing Development

## Comments

Main issues – impact of the development on residential amenity and character of the area.

The proposal is seeking consent for the erection of a single storey annex building in the rear garden of the existing building. The existing home can accommodate up to 10 residents and has care workers resident on site. This proposal is for 3 self-contained living suites with staff accommodation as an annex to the existing care home. The suites will provide accommodation / support packages offering residents the opportunity to live independently within a supporting community, creating a 'step down' opportunity giving tenants the experience of living independently with a view to them moving on to their own supported living accommodation elsewhere. This approach allows for this transition to occur more successfully. The proposal is specifically designed for adults with learning difficulties and will operate ancillary to the existing care home, providing an additional stage in the transition from fully supported accommodation.

This site has been the subject of a previous scheme for 4 self-contained care suites in the rear garden area (S/2009/1181). The application was refused on the basis of having a detrimental impact on residential amenity for both existing and proposed residents and adjacent neighbours by reason of siting and arrangement of the proposed suites; and that the form of development was alien to the character of the area and which would not offer any flexibility for future use.

This proposal is for a reduced scheme, with only 3 care suites proposed and a significantly different layout and design of the building in order to avoid concerns raised with the previous scheme.

The applicant was asked why the additional accommodation could not be provided as an extension to the existing building rather than a separate building. The applicant's agent has confirmed that an extension was initially considered but concerns were raised that it could lead to a loss of privacy or create an overbearing situation to adjoining properties. The separate building also allows the existing amenity space at the site to be protected. Furthermore, there is benefit in the supported living accommodation being separate as it assists residents in feeling physically separate and therefore more independent from the fully supported units within the main building.

## **Residential Amenity**

Policies CS3, DQ1 and H10 require proposals for development to ensure they do not have a significant detrimental impact on residential amenity in terms of overlooking, overshadowing and a poor outlook.

The layout of the building is a T-shape with all main living areas / kitchenettes and bedrooms having a reasonable outlook onto the communal garden / patio areas. The only room with a limited outlook is the 'staff sleepover' bedroom which looks onto the 2m high boundary wall at a 1m distance. However, as this room is for staff to sleep over between 10pm and 6am the level of outlook for this room is acceptable. The accommodation will provide a reasonable quality of accommodation and is appropriate in terms of amenity for proposed occupants.

The proposal will reduce the level of existing amenity space serving the care home but by less than the previous scheme which has been reduced in scale by almost 40 sq m in order to address this issue. The existing care home will retain an area of usable private amenity space to the rear of the building which residents can utilise of approximately 176 sq m which meets the 15 sq m per resident recommended by Supplementary Planning Guidance New Housing Development.

The proposed building is a sufficient distance from ground floor windows to maintain a reasonable outlook for existing residents. The proposed care suite annex building will have additional patio and garden areas for use by residents and the overall level of amenity space for the site is considered acceptable. The issue of character of the area is dealt with below.

In terms of the impact on existing neighbours, 3 additional residents and the associated sleep over staff cover is not considered to be a significant addition to the operation of the premises in terms of noise and disturbance. The care suites are small one bedroom units and whilst the building is sited at the rear of the plot within the existing garden area, both plots either side of the site are modern flat developments with large garage courts to the rear. The areas immediately adjacent to the care suite building in adjacent plots are therefore not usable amenity space and as such the proposal cannot be considered to have a significant detrimental effect on amenity in this respect. Furthermore, there is no vehicular access to the proposed annex building and so the scheme will not generate any additional traffic to the rear of the building.

On the basis that this proposal represents a much reduced scheme to the earlier refused proposal for this site and has a different layout and design, the application is considered to comply with policy in terms of impact on residential amenity.

Concerns were raised in terms of potential access for emergency vehicles (especially fire appliances) given the position of the building at the rear of the site. The agent has confirmed that there are a number of options available to solve this problem including extended hose facilities, specific fire risk assessments, position of a hydrant local to the new building or the installation of a sprinkler system. It is undecided at this stage which option the applicant will choose but they have confirmed that there is no intention to use neighbour's driveways to access the rear building in an emergency.

## **Design and character of the area**

It is accepted that backland residential development is not a characteristic of Alexandra Road or Hawkshead Street. However, there are garage courts serving the existing flats

# Agenda Item 5d

either side of the site which are situated to the rear of the plots, in the same position as the building proposed here. The hardsurfacing of the rear sections of plots in this area is commonplace and is therefore a basis for allowing a small scale building in the rear of the existing plot. In terms of objections received relating to setting a precedent for future backland developments elsewhere close to the site, each proposal would be considered on its individual merits, specific to that site and its surroundings, and as such this proposal alone cannot be considered as setting a precedent for future development.

The proposed building is single storey and has a 2.7m eaves height and maximum ridge height of 4.3 metres. The design is simple using traditional facing and roofing materials, with windows of appropriate scale and proportion to the building. The roof of the building is hipped away from the surrounding three boundaries which help to reduce the impact to neighbours in terms of the building's bulk and visual prominence. The rear elevation of the proposed building is very close to the rear boundary of the site, but given the significant level of tree planting and substantial length of the rear garden of 32 Hawkshead Street, this is considered to be acceptable and will not cause harm to visual or residential amenity. The rear boundary wall is of poor quality and as such a new boundary treatment can be required by condition. The limited scale of this proposal is appropriate for this site and will make a positive contribution to its surroundings in accordance with policy DQ1.

## **Trees**

Policy DQ3 requires the planting of 1 new tree on the site per 50 sq m of new floorspace. In this case, the proposed building of 168 sq m requires 3 new trees to be planted on the site. The amended site plan shows three new trees to be planted and the proposal therefore complies with policy DQ3.

In terms of existing trees at the site, there are a number of significant trees outside the boundary in neighbouring properties. These trees are mature and offer a significant degree of screening and help to give the area its character. The proposal will not require the removal of any of these existing trees and will help to screen the building from surrounding properties.

## **Conclusion**

The proposed scheme is smaller than that previously refused and given the proximity and position of adjacent garage courts serving the flats at 46 and 50 Alexandra Road, is considered appropriate in this backland position. The proposal will offer a valuable facility giving residents the opportunity to live with significant independence whilst also maintaining immediate support on site. The scheme offers a reasonable standard of accommodation for residents and reasonable levels of amenity space are provided for existing and proposed residents. The building is of an appropriate scale and proportion to the site, has a simple design, and is a sufficient distance from the existing building to maintain reasonable outlook and levels of amenity for existing occupants, compliant with policies H10 and DQ1. The appropriate level of tree planting is proposed in accordance with policy DQ3 and the application is therefore recommended for approval.

## **Conditions**

1. T-1 Full Planning Permission Time Limit
2. M-2 Materials (sample)
3. M8 Boundary Treatment

# Agenda Item 5d

4. L-4 Landscape Implementation
5. The annex building hereby approved shall only be occupied in association with or for purposes ancillary to the residential care home use of the existing property at 48 Alexandra Road and shall not be occupied, sold off or let separately as an independent unit of accommodation.
6. The annex building hereby approved shall be occupied by no more than 3 residents at any one time.
7. X1 Compliance
8. L-2 Method Statement

## Reasons

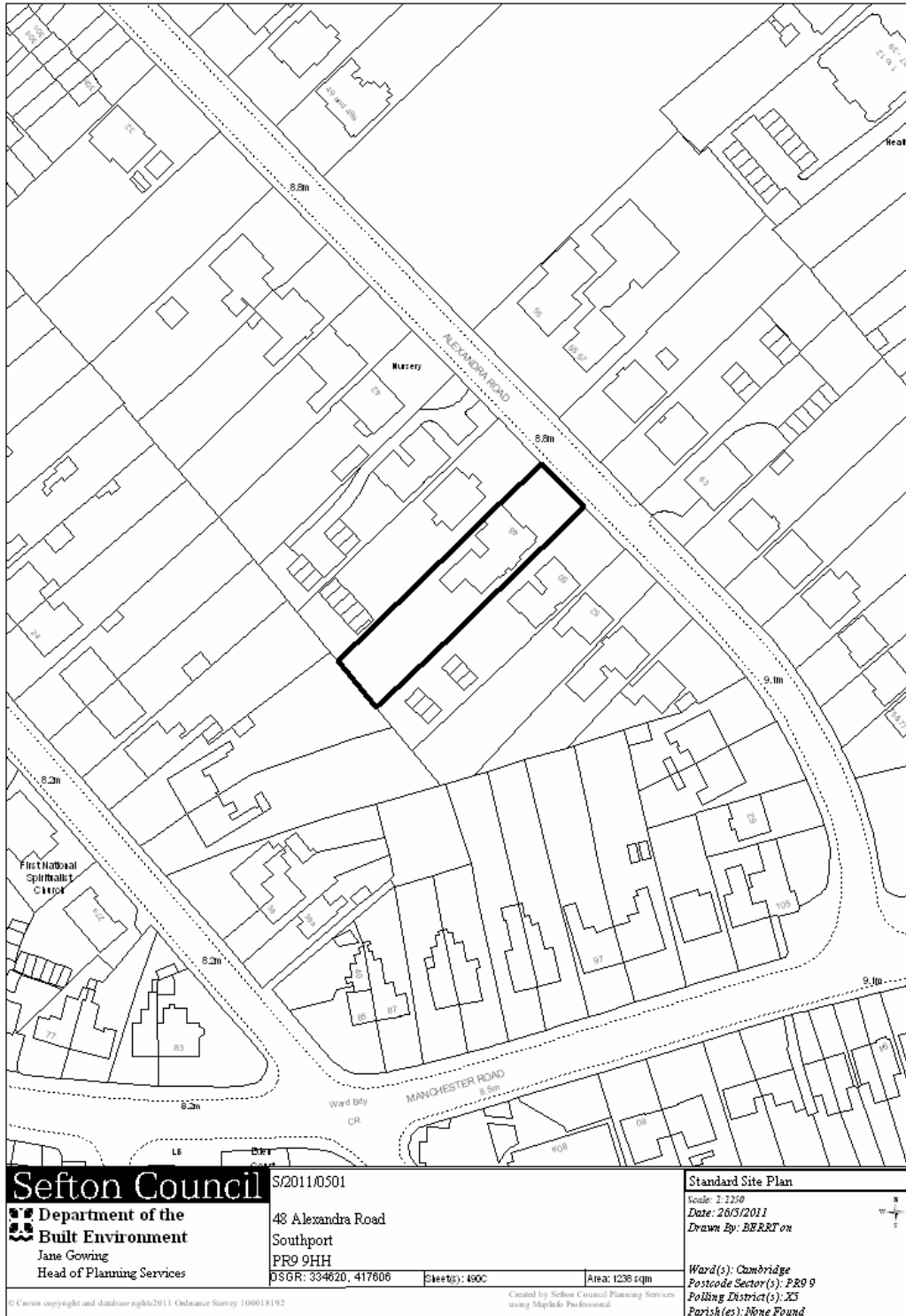
1. RT-1
2. RM-2
3. RM8
4. RL-4
5. To prevent an over-intensive use of the site to prevent harm to the amenities of adjoining residents and to comply with policies CS3 and DQ1 in the Sefton Unitary Development Plan.
6. To prevent an over-intensive use of the site, to prevent harm to the amenities of adjoining residents and to comply with policies CS3 and DQ1 in the Sefton Unitary Development Plan.
7. RX1
8. RL-2

## Drawing Numbers

Location plan, 09/1743/200, 201A, 202, 203

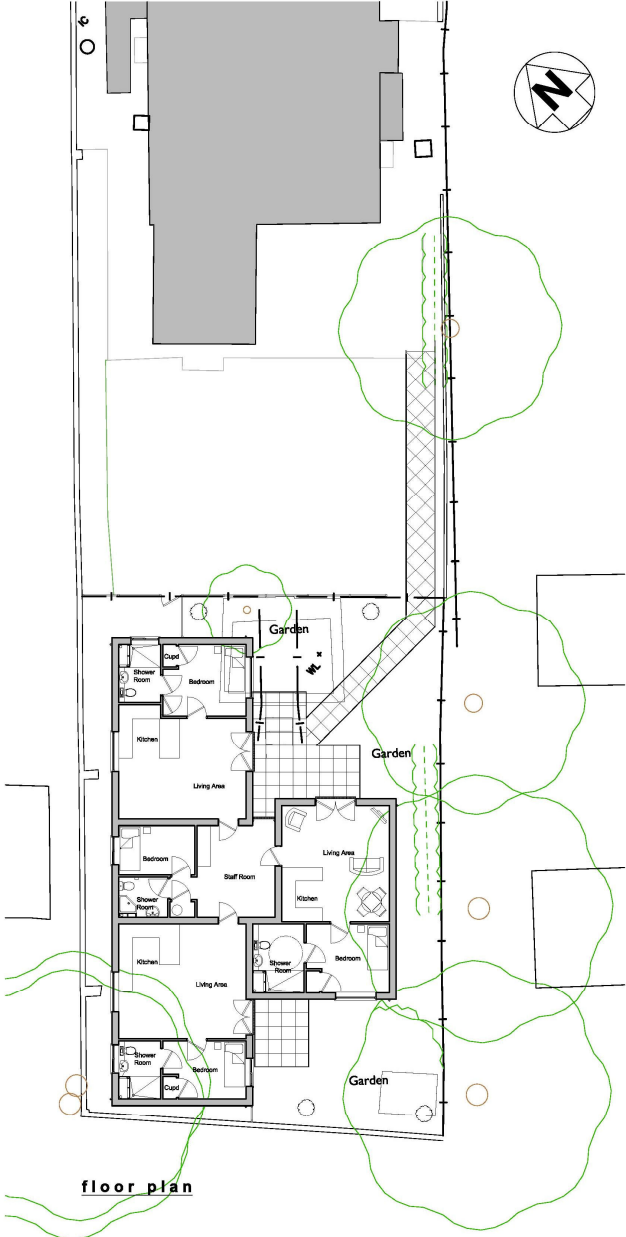
# Agenda Item 5d

## Existing site plan

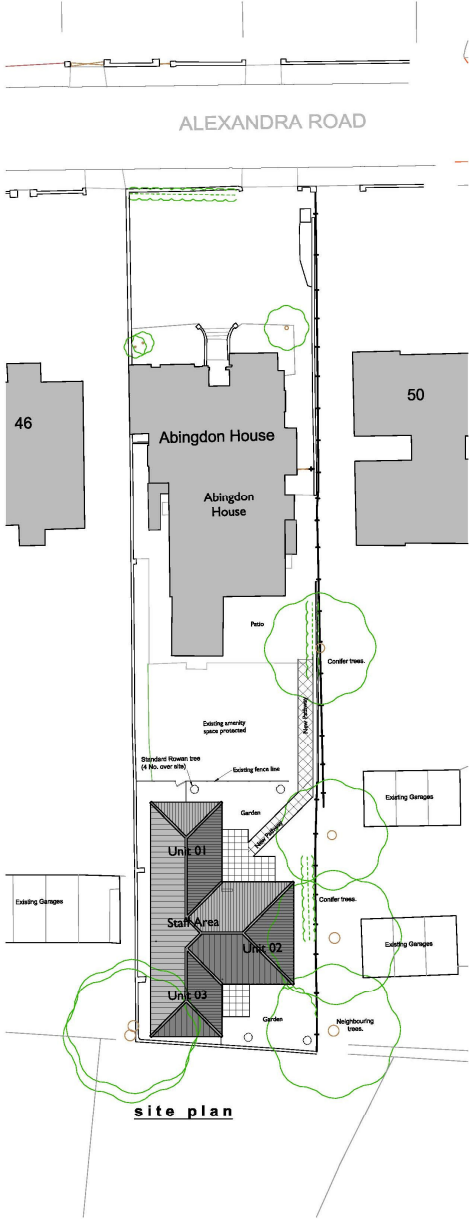




Proposed site plan



floor plan



site plan

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**Report to:** [Planning Committee](#)                      **Date of Meeting:** [29 June 2011](#)

**Subject:**     **S/2011/0708**  
[Land adjacent to 34 Queens Road, Crosby](#)

**Proposal:**    [Erection of one pair of two storey semi-detached dwellinghouses with dormers in the roof space fronting onto Queens Road](#)

**Applicant:**    [Pro Buy Ltd](#) **Agent:** [Keltec Consultancy Ltd](#)

**Report of:**    Head of Planning Service                      **Wards Affected:** [\(Victoria Ward\)](#)

**Is this a Key Decision?** [No](#)                                      **Is it included in the Forward Plan?** [No](#)

**Exempt/Confidential**    [No](#)

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## Summary

The site comprises the side garden of 34 Queens Road Crosby. The proposal is for the erection of one pair of semi detached dwellings with front dormers. Two off street parking spaces are proposed.

The issues to consider are the principle of development, impact on street scene and character of the area, compliance with policy, effect on residential amenity and highway implications.

## Recommendation(s)

Approval

## Reasons for the Recommendation:

The principle of residential development is acceptable in this location. The proposal will not have a significant detrimental impact on the street scene or character of the area. Conditions are imposed to protect residential amenity. Landscape measures will improve visual amenity. The proposal addresses UDP policy requirements

## Implementation Date for the Decision

Immediately following the Committee/Council/Working Group meeting

**Contact Officer:**                      **Mrs S Tyldesley**     Telephone 0151 934 **3569**

**Case Officer:**                         **Mrs C Fass**     Telephone 0151 934 **3566 (Mon & Thurs)**

**Email:**                                     [planning.department@sefton.gov.uk](mailto:planning.department@sefton.gov.uk)

# Agenda Item 5e

## **Background Papers:**

The following papers are available for inspection by contacting the above officer(s).

History and Policy referred to in the report

## The Site

The site comprises a garden plot of approximately 26m x 14m at the side of 34 Queens Road, Crosby.

The majority of the garden is overgrown grassland with some beds of shrubs and flowers.

There is a 3.5m tarmac driveway running the length of the garden alongside the house and a small greenhouse at the far end of the garden.

The curtilage of the garden is bounded by a privet hedge at the front, a Leylandii hedge to the rear with a wooden slatted fence between nos 34 and 36.

## Proposal

The scheme proposes the erection of one pair of two storey semi-detached dwellinghouses with dormers in the roof space fronting onto Queens Road.

Two off street parking spaces are proposed at the front of the dwellings.

## History

No previous history.

## Consultations

*Highways Development Control* - There are no objections to this application subject to conditions and informatives being attached to any approval.

## Neighbour Representations

Last date for replies: 22/06/2011

Objections received from 21, 25, 48, Queens Road re; parking problems, limited parking, increased traffic, the site has been left in an insecure and dangerous condition, unethical conduct of applicant/builder

## Policy

The application site is situated in an area allocated as primarily residential on the Council's Adopted Unitary Development Plan.

AD2 Ensuring Choice of Travel  
CS3 Development Principles  
DQ1 Design  
DQ3 Trees and Development

# Agenda Item 5e

H10 Development in Primarily Residential Areas  
SPG New Residential Development

## Comments

The main issues to consider concern the principle of development, impact on the street scene and character of the area, impact on residential amenity and compliance with the above policy with regards to amenity space, trees and highway implications.

The principle of residential development on this site is acceptable on the basis that the site lies within a primarily residential area and there is a need for more housing.

The site is within a residential area with a mixed style of residential properties. The proposed dwellings have been designed to respect the scale of the existing street scene adjacent to the site. The external elevations of the dwellings have been designed to reflect key features of the opposite and adjacent houses ie head and sill details, contrasting timber windows and roof dormers following similar profiles.

The proposed dwellings would be sited approximately 1.4m from the side boundary with adjacent dwellings. There are no main windows on the side elevations of existing dwellings or on the proposed dwellings.

In terms of residential amenity, the layout is acceptable. The dwellings are set forward of nos. 36/38 and set back from nos. 32/34 which is consistent with the existing staggered building line. Interface distances, whilst below the recommended distance of 21m is the same as the existing pattern of development.

The residential development SPG advises that garden sizes should be 70m<sup>2</sup> for each dwelling. The proposal provides approximately 54m<sup>2</sup> which falls short. However given there are similar garden sizes adjacent, it is considered this shortfall is acceptable.

Existing trees and landscaping have been assessed by Arboricultural Consultants who have produced a Walkover Survey report submitted with the application. Their findings conclude that the proposal will result in the loss of 4 trees. The removal of the semi mature Leyland Cypress tree will have little impact on local wildlife and will not negatively impact visual amenity. The other 3 trees are of little value to either wildlife or visual amenity and the removal of these trees is of little ecological concern. One tree has the potential to be used by breeding birds although at the time of survey none were present. None of the trees on site have suitable gaps with the potential for use by roosting bats and no further protected species surveys are thought necessary.

Policy DQ3 requires the provision of 3 new trees to be planted for each residential dwelling and 2 new trees to be planted for each existing tree not to be retained. A total of 14 trees are therefore required. The proposed layout allows for the planting of 8 new replacement trees and seeks to retain as much of the existing hedgerows as possible. In addition, it is proposed to plant 6 additional trees. The required number of trees cannot be provided within the development site and therefore off site planting is required. This can be secured through a 106 agreement.

The scheme provides one off street car parking to the front of each property which is considered adequate. Objections have been received on the grounds of lack of parking and increased traffic. However the Highways Development Control team raises no objections to the proposal subject to conditions.

With regard to objections regarding insecure and dangerous site conditions, there was no evidence of this at the time of site visits. Objections with regard to applicant/builders conduct is not a planning matter.

## Conditions

1. T-1 Full Planning Permission Time Limit
2. X1 Compliance
3. Before any construction commences:-
  - a) Samples of the facing and roofing materials to be used in the external construction of this development shall be submitted to and approved in writing by the Local Planning Authority.
  - b) The materials approved under (a) above shall then be used in the construction of the development.
4. The rear velux window(s) shall not be glazed otherwise than with obscured glass and top hung and thereafter be permanently retained as such.
5. Prior to the commencement of the development:-
  - a) Full details of windows including cross sections showing a reveal shall be submitted to and agreed in writing by the Local Planning Authority.
  - b) The windows and doors shall be installed in accordance with the plans approved under (a) above.
6. Before the development is commenced, a landscaping scheme covering the land subject of this application shall be submitted to and approved in writing by the Local Planning Authority, including
  1. existing and proposed levels or contours;
  2. details of boundary treatments and hard surfaces;
  3. the location, size and species of all trees to be planted;
  4. the location, size, species and density of all shrub and ground cover planting.
7. L-4 Landscape Implementation
8. L-5 Landscape Management Plan
9. H-2 New vehicular/pedestrian access
10. R-2 PD removal garages/ extensions/outbuildings
11. R-3 PD removal windows
12. The development permitted by this planning permission shall not be started by the undertaking of a material operation as defined in Section 56(4) (a-e) of the Town and Country Planning Act 1990 until a Planning Obligation under Section 106 of the Town and Country Planning Act 1990 has been made and lodged with the Local Planning Authority and the Local Planning Authority has given its approval in writing. The planning obligation will provide that a commuted sum payment as required by Policy DQ3: Trees and Development of the Sefton Unitary Development Plan will be paid to the Local Planning Authority for amenity purposes.

# Agenda Item 5e

## Reasons

1. RT-1
2. RX1
3. RM-2
4. RM-3
5. RM-4
7. RL-4
8. RL-5
9. RH-2
10. RR-2
11. RR-3
12. To ensure that the development provides appropriate tree planting / public greenspace and complies with Policies DQ3 of the Sefton Unitary Development Plan.

## Notes

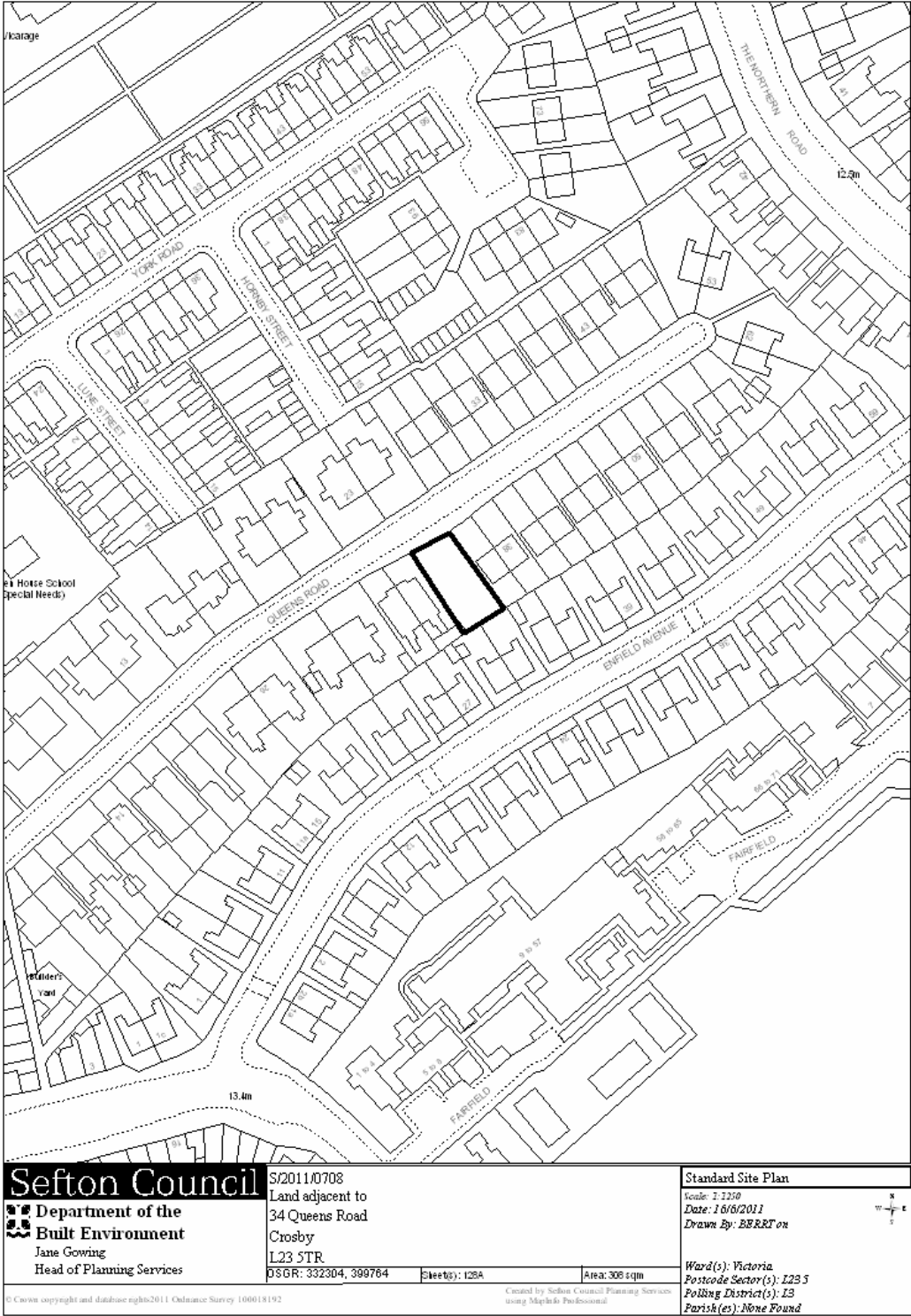
1. The applicant is advised that all works to the adopted highway must be carried out by a Council approved contractor at the applicant's expense. Please contact the Highways Section on 0151 934 4175 or [development.control@technical.sefton.gov.uk](mailto:development.control@technical.sefton.gov.uk) for further information.
2. The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Highways Development Control Team on Tel: 0151 934 4175 to apply for a new street name/property number.

## Drawing Numbers

001, 003, 005



## Existing site plan



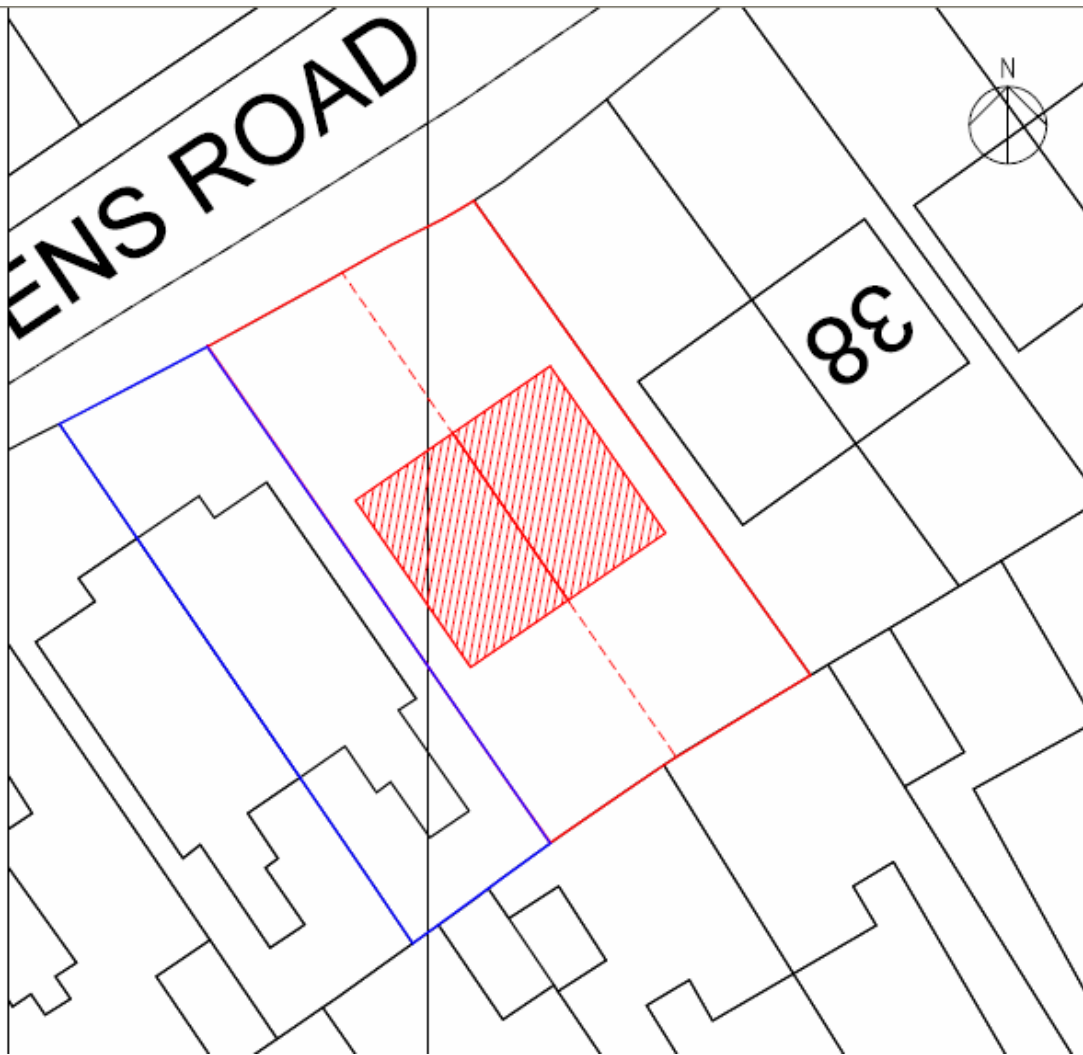
<b>Sefton Council</b> Department of the <b>Built Environment</b> Jane Gowing Head of Planning Services	S/2011/0708 Land adjacent to 34 Queens Road Crosby L23 5TR OSGR: 332304, 399764	Standard Site Plan Scale: 1:2250 Date: 16/6/2011 Drawn By: BERRON	Ward(s): Victoria Postcode Sector(s): L23 5 Polling District(s): L3 Parish(es): None Found
	Sheets: 128A	Area: 308 sqm	

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# Agenda Item 5e

## Proposed Site Plan



# Agenda Item 5e



INDICATIVE STREET SCENE ELEVATION 1 : 100

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rev	date	amendment	rev. by:
34 Queens Road, Crosby, Liverpool, L29 5TR			06.14
INDICATIVE STREET SCENE		rev. by: @S.C.	date: 04/02/11
<b>KELTEC CONSULTANCY LTD</b> 110 QUEEN STREET, LIVERPOOL L1 8JW MOBILE: 07960 842 988 MAIL: @PERS@KELTEC.V@KELTECCONSULTANCY.COM			

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# Agenda Item 5f

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**Report to:** [Planning Committee](#)      **Date of Meeting:** [29 June 2011](#)

**Subject:**      [S/2011/0652](#)  
                    [12 Shaws Road, Birkdale](#)

**Proposal:**      [Outline Planning Permission with all matters reserved for the erection of a pair of semi-detached properties on land to the rear of 10 & 12 Shaws Road](#)

**Applicant:** [Mrs Audrey Maria Gerrard](#)      **Agent:** [Mrs Audrey Maria Gerrard](#)

**Report of:**      [Head of Planning Service](#)      **Wards Affected:** [\(Birkdale Ward\)](#)

**Is this a Key Decision?** [No](#)      **Is it included in the Forward Plan?** [No](#)

**Exempt/Confidential**      [No](#)

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## Summary

The application is seeking outline consent for the erection of a pair of semi-detached dwellings.

The main issue for consideration is the principle of development in this area, impact on character and form of the area and impact on residential amenity.

## Recommendation(s)

Approval

## Reasons for the Recommendation:

The proposal is an appropriate form of development in principle in the residential location. The outline application has demonstrated that two dwellings can be achieved on the site without significant harm to residential amenity, subject to details submitted at reserved matters stage. The proposal complies with Sefton's adopted UDP policies CS3 and H10.

## Implementation Date for the Decision

Immediately following the Committee/Council/Working Group meeting

**Contact Officer:**      **Mrs S Tyldesley**      Telephone 0151 934 **3569**

**Case Officer:**      **Andrea Fortune**      Telephone 0151 934 **2208 (Tues- Fri)**

**Email:**      [planning.department@sefton.gov.uk](mailto:planning.department@sefton.gov.uk)

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## **Background Papers:**

The following papers are available for inspection by contacting the above officer(s).

History and Policy referred to in the report

S/2011/0652

## The Site

The site is in a backland location at the rear of 10-12 Shaws Road, Birkdale. The site is accessed via a driveway at the side of no. 12 and is currently unoccupied and overgrown garden area for no. 12 Shaws Road. The site is bound by residential gardens to the north and west, workshops / builders yard to the east and Our Lady of Lourdes Primary School to the south.

## Proposal

Outline Planning Permission with all matters reserved for the erection of a pair of semi-detached properties on land to the rear of 10 & 12 Shaws Road.

## History

### 10 Shaws Road:

N/2005/0260 Erection of part single, part two storey and dormer extension to the rear after demolition of existing rear extension. Granted 28/04/2005.

### 12 Shaws Road:

None

## Consultations

*Assistant Director (Transport and Spatial Planning)* – There are no objections in principle to this application as there are no highway safety implications. Whilst there is an existing footway crossing which provides access to off-street parking for 12 Shaws Road, it is unlikely that it will be suitable for use in connection with the two proposed dwellings. The vehicular access serving the two proposed dwellings will need to be 4.1m wide and as such the footway crossing will need to be altered to correspond with this. In addition, a further, separate footway crossing may be required for 12 Shaws Road.

*Head of Service – Environment* – No objection in principle to the proposal subject to piling condition and contaminated land conditions.

*United Utilities* – No objection subject to meeting requirements in terms of surface water discharge no going into foul / combined sewer in accordance with PPS25.

## Neighbour Representations

Last date for replies: 16<sup>th</sup> June 2011

Letters of objection received from 4; 7; 8; 9; 10 and 11 Shaws Road; raising concerns relating to:

- Shaws Road already narrow and will add to existing congestion, traffic and parking problems and be a danger to children.
- Will affect outlook and privacy of no. 10 Shaws Road
- Contrary to garden grabbing policy introduced by Government
- Loss of trees and habitats for birds, bats and red squirrels
- Is 'urban vandalism' of gardens.

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- Understood that the land would be sold to the occupants of no. 10 as garden when the property was purchased.
- Fails to respect character and form of surrounding area so fails policy H10
- Access road next to gardens can cause unacceptable disturbance.
- Could end up with a mini estate at the back of other houses which would totally change the character of the area for the worse.

## Policy

The application site is situated in an area allocated as Primarily Residential on the Council's Adopted Unitary Development Plan.

AD2	Ensuring Choice of Travel
CS3	Development Principles
DQ3	Trees and Development
H10	Development in Primarily Residential Areas
EP3	Development of Contaminated Land
SPG	New Housing Development

## Comments

This application is seeking outline consent with all matters reserved for the erection of a pair of semi-detached dwellings on land to the rear of 10-12 Shaws Road, Birkdale. As all matters are reserved, the main issue for consideration is therefore whether the principle of two dwellings is acceptable on this site. Notwithstanding the fact that all matters are reserved, an indicative proposed site plan has been submitted which shows the potential access and siting of the dwellings. This is helpful in determining whether the site can accommodate a pair of semi-detached dwellings and will therefore be referred to.

### Principle

The site lies within a primarily residential area and the principle of residential development is therefore acceptable subject to other policy/site constraints. Furthermore there is an identified housing need in Southport. In terms of the form and character of the area, the surroundings are mixed in terms of plot size and uses. There is a primary school to the rear and builder's yard / workshops to the east which is at the rear of 14 and 16 Shaws Road. Nos. 6, 8 and 12 Shaws Road have very long and narrow rear gardens whilst 2 and 4 have very short rear gardens having had dwellings built behind them. There is therefore evidence that the character and form of the area is mixed and there is some backland uses nearby.

### Residential Amenity

Residential amenity is assessed both in terms of that of the existing neighbours of the site and also that of prospective occupants of the proposed dwelling. SPG New Housing Development recommends that new dwellings have a minimum private amenity space of 70 sq m and this proposal includes a garden area in excess of this. Each habitable room should also have a reasonable outlook. This cannot be assessed at outline stage as the position of windows is not shown, although the indicated position of the dwelling suggests that this recommendation can be achieved.



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The proposed dwellings will be centrally positioned on the site and accessed via a driveway at the side of no. 12 Shaws Road. According to the indicative site plan recommended minimum interface distances set out in Supplementary Planning Guidance 'New Housing Development' are met in terms of window – window distances (21 metres required, 27.5 metres shown) and window – neighbouring gardens (10.5 metres required, 15 metres shown).

In terms of the access to the site at the side of no. 12, this is 5 metres in width and SPG requires a minimum of 4.1metres.

The site is currently overgrown garden area for no. 12 Shaws Road and runs across the rear of both nos. 10 and 12. The rear boundary wall for no. 10 Shaws Road is approximately 900mm high and as a result the site is very clearly visible from their rear garden. Given the overgrown and unused nature of the site, it gives the impression for residents that it is undeveloped and almost part of their garden in some respects. There are a number of trees on the site and as part of a full application, a tree survey would be required to be submitted to determine which trees if any should be retained.

Objections have been received relating to potential impact on residential amenity. Due to the overgrown and undeveloped nature of the existing site, neighbours consider that its development would cause significant overlooking and a loss of privacy. Clearly, to have two dwellings at the rear of properties which currently enjoy a fairly open aspect will feel very different in character. Furthermore, the site has a number of trees which give the impression of a less residential location than traditional residential streets where dwellings often back onto each other. Whilst the concerns relating to this are understood, on the basis that the proposal exceeds the minimum requirements set out in SPG, it is considered that the application complies with policy H10 as the proposal cannot be considered to have a significant detrimental impact on residential amenity.

The proposal meets the Council's guidance in terms of new housing development and the indicative site plan demonstrates that a pair of semi-detached dwellings can be achieved on the site. Conditions will be used to ensure that windows are positioned to ensure they meet the minimum interface distances and also to restrict the maximum ridge height of the dwellings to ensure that it does not exceed the height of the frontage properties at 10/12 Shaws Road.

## **Trees**

Policy DQ3 requires the provision of 3 new trees to be planted on the site per new dwelling created. A condition will be used to require the provision of a detailed landscape plan at the time of submitting a reserved matters application which will need to demonstrate the proposed planting of 3 new trees in order to comply with policy DQ3.

Concerns have been raised by neighbours regarding the loss of trees on site and potential impacts to habitats. A condition will be used to require the provision of a detailed tree survey at the time of submitting a reserved matters application which will indicate which trees will be lost / retained and will allow for this issue to be assessed in full.

## **Conclusion**

The principle of a pair of semi-detached dwellings being erected on this site is acceptable given it is within a residential area. The access proposed is acceptable for

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this level of development and details to be submitted at reserved matters stage will be determined by conditions and will include levels, window positions in relation to surrounding dwellings, position of buildings, tree survey, landscape details and boundary treatments.

On this basis, the principle of development is considered acceptable, the proposal presents no significant harm to residential amenity, complies with policy and is therefore recommended for approval.

## Conditions

1. T-2 Outline planning permission (Time Limit)
2. D1 Details
3. D7 Submission of Ground and Slab Levels
4. M-6 Piling
5. Con-1 Site Characterisation
6. Con- 2 Submission of Remediation Strategy
7. Con-3 Implementation of Approved Remediation Strategy
8. Con-4 Verification Report
9. Con-5 Reporting of Unexpected Contamination
10. H-1 Remove existing vehicular/pedestrian access
11. H-2 New vehicular/pedestrian access
12. H-6 Vehicle parking and manoeuvring
13. The maximum height of any part of the proposed dwellings hereby approved shall not exceed the maximum ridge height of the existing frontage dwellings at 10 and 12 Shaws Road.
14. The details submitted as reserved matters shall include a full tree survey of the site and shall include proposals for replacement of any trees removed on a 2:1 basis.
15. The position of windows in the dwellings hereby approved shall meet the minimum interface distances and recommendations set out in Supplementary Planning Guidance Note New Housing Development.
16. The dwellings hereby approved shall be a minimum distance of 12 metres from the existing rear boundary with 10 and 12 Shaws Road.
17. X1 Compliance

## Reasons

1. RT-2
2. RD1
3. RD7
4. RM-6
5. RCON-1
6. RCON-2
7. RCON-3
8. RCON-4
9. RCON-5
10. RH-1
11. RH-2
12. RH-6
13. In order to protect residential amenity of surrounding properties and to comply with policy H10.

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14. In the interests of amenity and to comply with Sefton's UDP policy DQ3.
15. In order to protect residential amenity of surrounding properties and to comply with Sefton's UDP policy H10.
16. In order to protect residential amenity of surrounding properties and to comply with Sefton's UDP policy H10.
17. RX1

## Notes

1. The applicant is advised that all works to the adopted highway must be carried out by a Council approved contractor at the applicant's expense. Please contact the Highways Section on 0151 934 4175 or [development.control@technical.sefton.gov.uk](mailto:development.control@technical.sefton.gov.uk) for further information.
2. The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Highways Development Control Team on Tel: 0151 934 4175 to apply for a new street name/property number.
3. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 5-9 above have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing, until condition 5 has been complied with in relation to that contamination. Contaminated land planning conditions must be implemented and completed in the order shown on the decision notice above.

## Drawing Numbers

Location plan, 16405-001, 002

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## Existing Site Plan



<b>Sefton Council</b> Department of the Built Environment Jane Gowing Head of Planning Services		S/2011/0652 12 Shaws Road Birkdale PR8 4LP OSGR: 333178, 414344		<b>Standard Site Plan</b> Scale: 1:2250 Date: 16/6/2011 Drawn By: BERRTON	
© Crown copyright and database rights 2011. Ordnance Survey 100018192		Sheet(s): 4296		Area: 731 sqm	
		Created by Sefton Council Planning Services using MapInfo Professional		Ward(s): Birkdale Postcode Sector(s): PR8 4 Polling District(s): S4 Parish(es): None Found	

Proposed Site Plan



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**Report to:** Planning Committee                      **Date of Meeting:** 29 June 2011

**Subject:**        **S/2011/0242**  
Hightown Dune Restoration Project  
between Crosby Marine Lake and Blundellsands Sailing Club Thornbeck  
Avenue, Hightown

**Proposal:**    Hightown Dune Restoration Project comprising:

1. The reduction in height and extent of mobile sand dunes at Crosby through the removal of up to 30,000 cubic metres of sand.
2. The transport of the removed sand along a temporary haulage route to Hightown.
3. The placement of transported sand to reinforce the existing sand dunes at Hightown to their 1979 seaward extent.
4. The removal of the existing hard defence at Blundellsands Sailing Club and its replacement with a new revetment structure.
5. The placing of a rock armour groyne to the North of the Hightown frontage.

**Applicant:**    Mr Graham Lymbery

**Agent:**        MEAS

**Report of:**    Head of Planning Service

**Wards Affected:** (Church Ward)

**Is this a Key Decision?**    No

**Is it included in the Forward Plan?**    No

**Exempt/Confidential**

No

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## **Recommendation(s)**

Delegate to Head of Planning Services to approve subject to confirmation of the view of Natural England as explained in the report.

## **Reasons for the Recommendation:**

As the fundamental aim of the project is to improve coastal defence and overcome dune erosion in Hightown the proposal is acceptable. The Environmental Impact Assessment examines in detail the environmental impact that the proposal will have on the ecology of the site area and it is believed that there will be no long term significant effect therefore the proposal complies with policies CP1, 2 and 3, NC1, 2 and 3, G7, G1 to G5, GBC2, CS2 and 3 of the adopted UDP

## **Implementation Date for the Decision**

Immediately following the Committee/Council/Working Group meeting

**Contact Officer:**                      **Mrs S Tyldesley**    Telephone 0151 934 3569  
**Case Officer:**                        **Mandy Biagetti**    Telephone 0151 934 4313

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**Email:** [planning.department@sefton.gov.uk](mailto:planning.department@sefton.gov.uk)

**Background Papers:**

The following papers are available for inspection by contacting the above officer(s).

History and Policy referred to in the report



## The Site

The proposal covers approximately 13 hectares along the coast between Crosby and Hightown. This area has significant nature conservation value and is important for tourism and recreation.

The area also hosts rare and protected species, habitats and historic features, most notably the 'preserved forest' and the remains of Fort Crosby.

The site is relatively open with few buildings and very little housing in close proximity to the working areas. However, important infrastructure is located nearby the working areas, including drainage pumping stations, roads, footpaths, coastguard station and railway line.

## Proposal

Hightown Dune Restoration Project comprising:

1. The reduction in height and extent of mobile sand dunes at Crosby through the removal of up to 30,000 cubic metres of sand.
2. The transport of the removed sand along a temporary haulage route to Hightown.
3. The placement of transported sand to reinforce the existing sand dunes at Hightown to their 1979 seaward extent.
4. The removal of the existing hard defence at Blundellsands Sailing Club and its replacement with a new revetment structure.
5. The placing of a rock armour groyne to the North of the Hightown frontage.

## History

S/2010/0744 Siting of permanent lifeguard cabin in the car park on Crosby Promenade.  
Approved 05/08/2010

S/2010/0247 Remodelling and extending of the existing practice area. Including new putting/practice green and re-profiling. Refused 10/05/2010

S/2008/0415 Re-location of 3 no. statues and installation of 13 no. safety markers.  
Approved 11/07/2008

S/2007/0799 Retention of re-shaped sand dunes in the South West corner of practice grounds. Approved 17/10/2007

S/2007/0031 Permanent retention of Antony Gormleys 'Another Place' art installation.  
Approved 08/03/2007

S/2006/0441 Erection of screening building within a re-profiled sand dune. Approved 24/08/2006

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S/2005/0164 Installation of 'Another Place' by Antony Gormley comprising 100 cast iron statues. Approved 20/05/2005

S/2000/0773 Demolition of the existing swimming pool and toilet block and erection of a new leisure centre. Approved 18/01/2001.

## Consultations

*Highways Department Control* - Main issue is the conflict between the general public using the area for extraction and transportation of the sand and as such a robust traffic management system would be required. There are no objections to the proposal and there are no highway safety implications subject to a condition requiring a construction management plan is attached and a suitable scheme agreed.

*Head of Service (Environment)* - A number of standard conditions required, including Construction Environmental Management Plan.

A fully revised phase 1 study will not be required. However, we advise that

- an updated walkover survey should be undertaken.
- scale site plan showing the sampling locations should be provided.
- Radiological Protection Supervisor should be on site.
- Submission of a site investigation report.
- We advise that clear scale site plans showing the proposed sampling locations will need to be submitted to confirm that they are not within areas of Japanese Knotweed or other ecological constraints.

### *Merseyside Environmental Advisory Service*

Number of areas where clarification is required to enable the Council to form a view on the environmental impacts and benefits of the proposals. These areas include: definition of the project; policy appraisal; impact identification and quantification singularly, together with cumulative and in-combination impacts.

MEAS advise that the applicant submits and Addendum to the ES containing the necessary additional information required. It is likely that the conclusions of the Environmental Statement would be acceptable in terms of overall impacts. It is also highly likely that the Council will be in a position to adopt the HRA Screening Report and meet its responsibilities under the Habitat Regulations.

### *FURTHER COMMENTS ON THE ADDENDUM RECONSULTED 1<sup>ST</sup> JUNE 2011*

The issues which need to be taken into account and included in the committee report are; The three test assessment for European protected species as required under the Habitats Regulations 2010 and Policy Analysis.

The tree tests are:

**Test 1: Regulation 53(2)(e):** "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"

The Hightown Dunes Restoration Scheme has two objectives 1) to protect Hightown from flood risk and 2) to restore dune habitat and bring it into conservation management. The proposal demonstrates the need and importance of reducing flood risk to the residents of Hightown.

This test has been satisfied.

**Test 2: Regulation 53(9)(a):** “that there is no satisfactory alternative”

The proposed scheme can only undertaken at Hightown; alternative ways of delivering the level of flood protection and habitat management were explored through the higher level Crosby to Formby Point Coastal Defence Strategy. The current proposals have been widely consulted on over a period of time. As a result of those consultations, revisions were made to protect sand lizard habitat, provide additional habitats for sand lizard and natterjack toad and deliver improved management.

This test has been satisfied.

**Test 3: Regulation 53(9)(b):** “that the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range”

The proposals include provision for protection of sand lizards, natterjack toads and their habitats; the work is taking place at a suitable time of year when the animals are active; suitably experienced and licensed personnel have undertaken additional survey and review of the proposals to ensure that impacts to both species are avoided and identified suitable locations for beneficial habitat management to secure the range of the species at Hightown. These elements are included within a suite of mitigation measures that are to be secured by planning condition.

This test has been satisfied.

Natural England’s view is expected imminently and the Council’s assessment can then be completed. Planning permission may be granted even with a negative three test assessment, providing that test 3 has been satisfied.

*Environment Agency -*

No objection in principle but following comments made;

Contaminated Land

A site investigation will be required by condition to assess the presence of tin slag and advise on necessary precautions for site workers. A specialist contractor with experience of contaminated land assessments and radiological surveying should be used. The haul route lies on a secondary aquifer and testing will be required to determine the risk to this water body.

Planning Conditions recommended and necessary permits advised.

*Natural England* – Key areas of consideration:

a) Conservation of Habitats and Species Regulations 2010 (Habitats Regulations)

Details regulation 61 requirements of the above regulations to make appropriate assessment of the implications for the site in view of its conservation objectives. Further information is required to fully consider the regulation 61 which the applicant is compiling for submission.

b) Wildlife and Countryside Act 1981, as amended

Site is partly within the SSSI, response of NE under Article 10 of the TCP and section 28 Wildlife and Countryside Act 1981. Further information is required by NE relocation of

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sand lizards and technical changes to the language in the report. NE are satisfied that the proposal does not have any significant impacts upon any other protected area of interest.

c) Removal of sand from dunes at Crosby

Suggested scrapping and replacement of plant material on bare dunes after project completion.

d) Protected species

Sand lizards and natterjack toads are present in this project area. The presence of such species is a material planning consideration by virtue of Circular 06/2005 which accompanies PPS9 Biodiversity and Geological Conservation. Advice regarding appropriate licences applicants requires also provided.

e) Landscape

Awaiting final comments on addendum to Environmental Statement and revised Habitat Regulations Screening Report. Verbal reports from NE indicate that there are no fundamental issues with either the statement of report and the necessary protection and mitigation can be achieved through condition.

*Maritime and Coastguard Agency* - The EIA does not appear to consider or describe adequately the sediment budget or sediment transport processes with regard to potential effects on maintenance dredging in the Crosby Channel, or navigation of the River Alt. If work has been done on this topic, analysis must be presented and considered as part of the EIA. Furthermore, formal notice and application for consent from the Acting Conservator of the River Mersey in accordance with 1842 Act for Better Preserving the Navigation of the River Mersey is required.

*Lancashire Wildlife Trust* - The Wildlife Trust acknowledges the requirement for the coastal defence works at Hightown and does not object to these proposals. However, concerns regarding content of the Environmental Statement not been sufficient to mitigate or compensate all adverse impacts. Although the rear dunes have no statutory designation, they support internationally important mobile dune habitat. Concerns that the Environmental Statement dismissed the option of using the sand from the frontal dunes too lightly. Concerns that lowering the rear dunes will exacerbate the issue of their function as a sand trap. Listed suggested mitigation factors regarding Crosby frontal dunes, rear dunes, Hightown haul route, Shingle and Sand Lizards.

## Neighbour Representations

Last date for replies: 30 March 2011-05-24

Responses from:

13 North Dunes, Hightown

16 Bankside, Hightown

6 Adelaide Terrace, Waterloo

42 Endsleigh Road, Brighton-le-Sands

34 Endsleigh Road, Brighton-le-Sands

14 Endsleigh Road, Brighton-le-Sands

12 Beach Lawn, Waterloo

14 Adelaide Terrace, Waterloo

23 Burbo Mansions, Burbo Bank Road South, Blundellsands

Lease and asset holder of the Crosby Leisure Centre

11 Station Road, Hesketh Bank

- Welcome proposals as plans go a long way to meeting concerns of residents
- Concern that proposal will deprive this area (Waterloo) of defences against the sea
- Happy to see the sand dunes outside Endsleigh Road reduced by at least half
- Where is the 'mobile' sand? Is it seaside or park side of the sea wall. Wind blown sand was mounded during the construction of underground sewage plant and during 2006/07 blew and covered Endsleigh Road and then further sand had to be imported from Preston to cover the underground sewage plant.
- Why is contaminated sand ok for High Town but not for Waterloo (re.the coverage of sewage site)
- The area of sand parallel with Endsleigh Road is the worst area of sand blow and should be the first to be removed.
- The view of the dunes shown along the coast does not reflect the true situation.
- Only matter of time before gardens in Endsleigh Road are overwhelmed by the dunes
- Taking the sand from the dunes closest to Endsleigh Road first would leave rest of the sand 0.5m higher and reduce carbon consumption
- The dunes (Waterloo) protect the parkland and lower vulnerable houses from flooding.
- Reduction in dunes may increase flooding, coastal erosion, have an impact on stability and drainage of the land, integrity and condition of local buildings.
- Very supportive of project but request that the Council consider the removal of the Dune adjacent to Crosby Leisure Centre to help enhance the area and reduce the volume of windblown sand to the Centre and residents. It would be useful if clean up of the area to mitigate the effect of windblown sand. The use of maram grass in the areas where sand is removed seems a sound strategy. Could the Council consider longer term windblown sand strategy.
- If Hightown's and Crosby's coastal and dune issues are not resolved through this application how will Sefton be able to fund further improvements in the future?
- Have Councillors created this problem by giving planning so close to high tide line. Could the outfall pipes be part of the problem by creating eddy currents by creating, uplifting, whirlpooling and moving sand. Could Mersey tidal energy project effect this area?
- Questions about detail and cost.

## Policy

PPS23 – Planning and Pollution Control

The application site is situated in an area allocated as on the Council's Adopted Unitary Development Plan.

CPZ1 , 2 ,3	Coastal Planning Zone
CPZ4	Coastal Park
NC1	Site of Local Biological or Geological Interest and Local Nature
NC2	Protection of Species
NC3	Habitat Protection, creation and management
G7	Strategic Path
G1 – G5	Urban Greenspace
GBC2	Green Belt

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CS2            Restraint on Development and Protection of Environmental Assets  
CS3            Development Principles

## Comments

This proposal incorporates both improvement to sea defences in Hightown and management of the dunes in Crosby.

The project involves the movement of 30,000 cubic metres of sand from the dunes in Crosby and transporting the sand along a temporary haul route across the beach and along the coastal path to Hightown to restore dune habitat and bring it into conservation management. The dune reinstatement will involve placing sand against the existing seaward dune face. This will move the dune toe seaward to the approximate location it occupied 30 years ago.

The application also proposes the construction of a revetment sea wall in Hightown. This is at the front of the Blundellsands Sailing Club and will replace the current sea defence. The sloping revetment will be 115m long and 4.2 m from toe to crest. The crest will then be topped with a trief kerb, rising to 7.2 metres high. The new construction will not encroach on the foreshore beyond the line of the existing defence and will not replace the full length of the existing defence to the South. The area where the existing wall has been removed and not reconstructed will be removed and overlain by the dune replenishment.

The key issues in this case concern

1. The impact of the proposals on nature conservation interests in the context of the many nature conservation designations in the area
2. The impact of proposals on the coastal planning zone in terms of the need for the development to protect from coastal erosion and the impact of the proposals on the character and visual amenity of the area. Also consideration of other relevant UDP planning policies.
3. Impact on residential amenity
4. Traffic and access
5. Other planning considerations including greenspace and Green Belt

The application is accompanied by detailed survey information and other reports. An Environmental Impact Assessment (EIA) has been submitted and an Appropriate Assessment under the Habitats Regulations (HRA) has been undertaken. The EIA and HRA legislation enables multiple environmental factors to be considered in a comprehensive way supporting the determination of the planning application.

### **1. Nature Conservation Issues**

Habitats Regulations

The Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations) require local authorities, including local planning authorities, to have regard to the

requirements of the Habitats Directive in exercising any of their functions. Local authorities are identified as Competent authorities under the Habitats Regulations.

There are special provisions for local planning authorities set out in Part 6 of the Habitats Regulations. In this case, Regulations 61, 62, 65 and 68 apply. The effect of these regulations is to ensure that any grant of planning permission would not result in adverse effects on the integrity of the European sites. The first stage is to screen the Scheme for “likely significant effects”. If there are “likely significant effects” then the next stage is to undertake an “appropriate assessment”. If there are no “likely significant effects” then the local planning authority may proceed to determine the application.

The applicant has submitted an updated Habitats Regulations Assessment Screening Report, on which Natural England and MEAS have been consulted. The updated report takes into account earlier consultation comments and the scheme has been revised to avoid likely significant effects on the European sites.

The three test assessment for European protected species has been considered by both MEAS and Natural England. The three tests are set out in Regulation 53 and consider,

- 1) preserving public health or safety with regards to overriding public interest of a social or economic nature. This proposal demonstrates the need and importance of reducing flood risk to the residents of Hightown. This test is considered to be satisfied by MEAS
- 2) that this is no satisfactory alternative. The proposed scheme can only be undertaken at Hightown. The current proposals for delivery have been widely consulted on and revisions have been made to protect habitats. This test is considered to be satisfied by MEAS.
- 3) the action will not be detrimental to the maintenance of the population of the species. The proposal includes provision of protection for sand lizards, natterjack toads and their habitats. This test is considered to be satisfied by MEAS.

### *Designations and UDP Policies*

The site is subject to a number of designations as listed below;

- Special protection area
- Special area of conservation
- Ramsar site
- Site of special scientific interest
- National nature reserve
- Local nature reserve
- Local wildlife site
- Coastal Park and planning zone

### Protected Species

- Sand Lizard
- Natterjack Toad

Chapter five of the Environmental Statement as part of the EIA has regard to the impact on the species and designated areas above. The chapter contains information drawn from a detailed desk study and a habitat survey undertaken in 2009.

The adopted UDP has three key nature conservation policies, NC1, Site Protection, NC2, Protection of Species and NC3 Habitat Protection.

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The various species and designations will be affected differently by the planned activities, ranging from sand sourcing to the construction of the revetment. The ecological impacts associated with the scheme can be divided into those which are temporary and associated with the scheme's implementation, and those which are longer term and associated with the development itself.

## *Temporary Effects*

The temporary effects of the scheme are those associated with the presence and operation of machinery and vehicles, together with the establishment of site compounds and temporary haulage route. This includes the disturbance of wildlife and habitats, particularly at Crosby where sand will be taken from dune habitats. Precautionary surveys will be undertaken before work commences and working methods adapted. This will be a part of the construction environmental management plan which is required by condition

Along the temporary haulage route, effects are from the movement of vehicles and the physical footprint of the route itself. The non-technical summary in the environmental statement states that the haulage route has been carefully planned to avoid sensitive ecological features.

At Hightown, because operations take place along the shoreline, some disturbance to overwintering birds is likely, particularly as the works are scheduled to take place at a time when the migratory bird populations will be present for the Winter. The environmental statement states that efforts will be made to conduct the work in a sensitive way. This will be managed through the construction environmental management plan, required by condition. The site will also be reinstated so there should not be any ongoing effects. The disturbance of over-wintering birds has been a matter of careful consideration by Natural England. Natural England has verbally advised that the proposed revision in the addendum and revised Habitats Regulations Screening Report ensures that although the birds will be disturbed the proposal will have no likely significant effect. Although Natural England have not formally issued their response to the addendum and revised H.R screening report officers are assured by the verbal response from NE that they do not foresee any fundamental objection.

## *The Long Term Effects*

The longer term effects will occur at Crosby from the reduced dune profiles and a more mosaic patchwork of dune and grassland. This change is one of character, but, in terms of the value, these different habitat types are recognised as being equivalent.

The longer term effects at Hightown are largely positive, as additional dune habitat will be created and the scheme as a whole will prevent further degradation. The restored dunes will be protected initially through a biodegradable mesh cover which will remain in place whilst planting takes place.

The ecological issues associated with the scheme are complex and varied and are set out in detail in the Environmental Statement and addendum which concludes that the proposed scheme will result in very minor changes to the distribution and extent of the designated habitats. It states that these changes are not considered significant. MEAS have identified that the further information provided in the addendum to the EIA has satisfied the three test assessment required by Regulation 53 set out in the Habitats Regulations. MEAS have also confirmed that the submitted Habitats Regulations



Assessment Screening Report, with additional information is of sufficient content for the Council to adopt it as the Competent Authority's Screening Report. Furthermore, MEAS have concluded that no "appropriate assessment" is required to be made under Regulations 61 and 62 of the Conservation (Natural Habitats & c.) Regulations 2010 as amended before the Council decides to give any permission for this project.

## Relevant Planning Policies

The scheme meets the requirements of policy NC1 for International and National designated sites for the reasons set out in the Habitats Regulations Assessment Screening Report. The locally designated sites the range of impacts have been kept to a minimum through careful design and planned implementation. The proposed mitigation and compensation elements will be secured through planning conditions.

Policy NC2 is concerned with the protection of species, which includes European and UK protected species, and Species of Principal Importance under the Natural Environment and Rural Communities Act 2006. A three-test assessment for European protected species has been prepared. The Environmental Statement and Additional Information report considered all protected species and impacts for each has been sufficiently assessed. There are adverse impacts to some protected species and in line with policy NC2, a range of mitigation and compensatory measures have been put forward. These will be secured through planning conditions.

Policy NC3 is concerned with habitat protection, creation and management, which includes UK Biodiversity Action Plan priority habitats and Habitats of Principal Importance under the Natural Environment and Rural Communities Act 2006. The Environmental Statement and Additional Information report considered all habitats and the impacts on each has been sufficiently assessed. A range of mitigation and compensatory measures have been put forward. These will be secured by planning condition.

## **2. Impact on the coastal planning zone and other relevant UDP Policies**

The project falls within the coastal planning zone. Therefore it is subject to consideration of policies CPZ1, 2 and 3 of the adopted UDP. The policies are supportive of development which improves coastal defence and addresses coastal erosion. As the fundamental aim of the project is to improve coastal defence and overcome dune erosion in Hightown the proposal is acceptable. The Environmental Impact Assessment examines in detail the environmental impact that the proposal will have on the ecology of the site area and it is believed that there will be no long term significant effect therefore the proposal complies with policies CP1, 2 and 3 of the UDP.

CS2            Restraint on Development and Protection of Environmental Assets  
CS3            Development Principles

Policies CS2 and CS3 discuss the general principles of development. Policy CS2 emphasises resistance against development which would damage the Green Belt, coastal ecology, natural sea defence, site and species of nature conservation and urban greenspace. All features present within the proposed site. Policy CS3 focus' on issues such as adverse impact on character, amenity and flooding issues. These are issues the proposal raises, some residents have objected that the alteration to the Dunes in Crosby will affect the views and character of the area and increase the risk of flooding in Crosby.

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The consultees are satisfied with the Habitats Regulations Screening Report and the Environmental Statement with addendum it is considered that the ecological issues raised by policy CS2 have been satisfied. Regarding the change of character, the environmental statement sets out that the sand removed from the dune structure in Crosby to support reconstruction in Hightown has the added benefit of halting encroachment of the dunes in Crosby, a particular concern of the residents in Endsleigh Road. The increase in the flood risk of the alteration of the dune structure is regarded as negligible. Therefore it is considered that the proposal is compliant with policy CS3.

## Other Relevant UDP Policies

### G7 Strategic Path

The Crosby to Crossens coastal path runs through the site and the planned temporary haul route is close to this path. The UDP policy states that development that would make it difficult to establish or retain a strategic path would not be permitted. The proposed temporary haul route is not a short period of time and should not render the coastal path unusable. As the proposal has no significant effect on the coastal path in the long term the proposal complies with policy G7.

### G1 – G5 Urban Greenspace

The objectives of these policies are to protect and improve urban greenspaces within the urban area and to enhance the opportunities for countryside recreation in Sefton. As the proposal is temporary and will not create any permanent change to the urban greenspace it is compliant with UDP policies G1, G2, G3, G4 and G5.

### GBC2 Green Belt

As the proposal is temporary in nature it doesn't have any adverse impact on the openness of the greenbelt and therefore the proposal complies with policy GBC2.

## **3. Residential amenity**

The residents of Hightown are supportive of the proposal. The residents of Waterloo have varied comments in relation to the scheme. The greatest area of concern appears to be from the residents in Endsleigh Road who feel most at risk from encroachment of the dunes. These residents have expressed concern that the plan which shows the areas of extraction identifies areas 4 and 5 as a reserve area of sand. It is not expected by the applicant that this sand will be required to be used in Hightown. The applicant has indicated that it would be their intention to redistribute the sand in the reserve area 4 and 5 across the areas 1, 2, 3, 7, 8 and 9. This should meet some of the concerns of the residents. Unfortunately the future management of the dunes and windblown sand in this area are not a material consideration for the determination of this application. However a condition is attached to require details of the reinstatement of the dunes in the Crosby area and details of how the removed and stored dune vegetation will be reintroduced. This vegetation should help overcome the issues of blown sand and help secure the newly created dune profile.

## **4. Highways, access and Safety of Public**

### *Safety of public with regard to traffic movement along the haul route*

The public consultation and highways development control have raised issues relating to the management and safe movement of traffic along the haul route, especially at the point where the haul route crosses foot and cycle paths such as the sustrans regional

cycle network and the Sefton coastal footpath. A robust traffic management system will be required to manage potential conflict between haulage vehicles and pedestrians/cyclists. A condition will be attached to require a construction traffic management plan which will set out how the potential conflict will be managed and will require approval before development can commence.

## **5. Other Issues**

### *Issues of Contamination*

The consultee responses from the Environment Agency and Technical Services have requested a number of conditions which have been attached. The conditions require further investigation and survey work to be carried out, submitted to and approved in writing by the Local Planning Authority before development can commence. The type of further information required includes intrusive investigations at the Crosby sand area to check for a range of contaminants. A non-intrusive radiological survey will be required along the planned haul route and the area of revetment construction works at Hightown. Any areas recording elevated radiological levels should be targeted for further investigation. There is also a requirement for a radiological protection supervisor to be mobilised for all intrusive works in the Hightown area.

### *Intended restoration of the site*

There are a variety of areas which will require restoration once the project is completed.:

- Sites of compounds
- Ramps for temporary haulage
- Any rutting on the beach from the haulage vehicles
- Removal of any surfacing in connection with the haulage route
- Top layer dune replacement in Crosby to the areas of dune where sand is removed and/or re-distributed

The various types of restoration will be required, managed and completed through condition. The construction environmental management plan will shape most of the required restoration. For example, requiring details of the detail and materials of the temporary ramp, the expected duration of its existence and a requirement to remove the ramp after the use of the temporary haulage route has ceased.

### **Non-material Planning Considerations**

A number of residents have raised the issue of how is the project being funded. This is not a material planning consideration but for further information the project is being funded by funding already secured from a Section 106 agreement.

### **Conclusion**

The proposal aims to provide improved sea defence for Hightown and restore the dune habitat. Extensive consideration has been given to the short and long term implications of the scheme for the protected habitats and species. Careful consideration has also been given to the safety of the public during the works and future environment and management of the Dunes in Crosby after the sand has been removed.

At the time of writing the report Natural England have not formally issued their response as consultee on the addendum to the Environmental Statement. Neither have they issued their view of the revised Habitats Regulations Screening Report. However,

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Natural England have given verbal assurance that they do not feel there are any fundamental issues to prevent the development providing necessary conditions are in place to ensure effective protection and mitigation. Members are being recommended to delegate the decision to officers. This is to enable the receipt of Natural England's formal view of the addendum and Habitats Regulation Screening report and to combine their recommendations into the relevant conditions. A delegation to officers would enable the application to be approved in order to meet the August commencement of works schedule which Natural England and MEAS have recommended. If the application is delayed until the 27 July 2011 planning committee project commencement will have to be delayed until August 2012.

## Conditions

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. a) Prior to the commencement of development a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan should address the following;
  - i) A scaled plan to show the proposed location and direction of any artificial lighting to be used to illuminate the development site. The plan should include details of the specifications of the lighting. Any lighting should not be used outside the hours of 19:00 to 07:00 Monday to Friday and not at all on Saturday and Sunday.
  - ii) Mitigation plan with regards to dealing with spillages or minor pollution incidents.
  - iii) Details regarding the appointment of Radiological Protection Supervisor.
  - iv) Details of how temporary compounds, construction areas and haul route will be fenced.
  - v) Details of an assessment and investigation methodology of the site.
  - vi) Clear site plans showing sample locations to review presence of Japanese Knotweed.
  - vii) A strategy setting out the protective measures at the seaward extent of the revetment working area.
  - viii) A methodology for removal and storage of existing vegetation.
  - ix) A scaled plan showing the location of the temporary haulage route. Details of how this route will be marked out and showing the buffer zone to prevent disturbance to birds.
  - x) Details of how the convoy will operate.
  - xi) A scaled plan showing location of bunded area to be used for storage of fuels and potentially hazardous liquids.
  - xii) a strategy for the removal of potentially contaminated run-off and/or materials to licensed waste facility.
  - xiii) Location of temporary sand bunds
  - xiv) A strategy for monitoring breeding birds
  - xv) A strategy to prevent air borne pollutants and the source of water for damping down
- b) The provisions of the Construction Environmental Management Plan approved under (a) above shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.
3. a) Prior to the commencement of development a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The plan should include the following;

i) The most recent survey of the habitat of protected species, including plants which will dictate where the haulage route will be pegged out. This should include the timing and creation of slack habitats and receptor sites and a clear avoidance of the rare hybrid willow *Salix x doniana* at SD29727 02567.

ii) A scaled plan showing any areas where geotextile or any other similar temporary surfacing is proposed and a strategy for their construction, removal and reinstatement. This should include a strategy to deal with the rutting of the surface of the sand and/or grassed areas where the vehicles have operated.

iii) A strategy to deal with broken down vehicles on the haulage route or compound areas.

iv) A scaled plan showing the detail of the temporary gradient slipways from Crosby beach onto the coastal path and a strategy for their construction, removal and reinstatement.

v) A strategy of publicising the presence of the temporary haulage route for the public and a strategy for marking out the route in order to prevent the conflict of the general public and the haulage vehicles.

vi) The CTMP should demonstrate how it will avoid the south facing slopes of the dune.

b) The provisions of the Construction Traffic Management Plan approved under (a) above shall be implemented in full during the period of construction and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

4. Prior to the completion of the development the following statements and/or surveys should be submitted to and approved in writing by the Local Planning Authority. The statements required are:

i) A reptile method statement. This should include a reptile survey, planned mitigation measures and specific consideration of the sand lizard. It should also include the location of habitat management works for enhancement of the habitat.

ii) An amphibian method statement which should include amphibian survey and mitigation, including natterjack scrapes. It should also include the location of habitat management works for the enhancement of the habitat.

iii) A rare plant survey and mitigation statement. This should include the identification of receptor sites and a 5 year cycle of monitoring for the following species; Isle of Man cabbage, Vernal Mining Bee and Rare Willows.

5. An investigation and risk assessment, in addition to any assessment provided with the planning application (such as Chapter 6, Environmental Statement, Merseyside Environmental Advisory Service, February 2011) must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme and scope of works are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,

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- ecological systems,
- archeological sites and ancient monuments;
- detailed assessment of the risk to all receptors that may be affected, including those off-site.

(iii) an appraisal of remedial options, and proposal of the most appropriate remediation strategy for the site.

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

6. A detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historic environment, must be prepared, and is subject to the approval in writing of the Local Planning Authority. The strategy must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works, site management procedures and roles and responsibilities. The strategy must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 after remediation.
7. The approved remediation strategy must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation works.
8. Following completion of the remedial works identified in the approved remediation strategy, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority, prior to commencement of use of the development.
9. In the event that previously unidentified contamination is found at any time when carrying out the approved development immediate contact must be made with the Local Planning Authority and works must cease in that area. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (condition 5), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of (condition 6), which is subject to the approval in writing of the Local Planning Authority. Following completion of the remedial works identified in the approved remediation strategy a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with (condition 8) above.
10. Within six weeks of the date of approval a strategy detailing the reinstatement of the following areas should be submitted to and approved in writing by the Local Planning Authority. The strategy should include the following;
  - i) Restoration and management plan for the areas of dune from where sand has been removed from the Crosby dune system. This should include proposed finished dune profiles and a methodology for overlaying the removed and stored dune vegetation on the re-profiled dune area.
  - ii) A reinstatement scaled plan for the haulage route and compound areas to restore the land to its previous topographical appearance. This should include a scaled plan demonstrating the original topographical appearance.
  - iii) The plan should also include an agreement to monitor the site for a 5 year period.
  - iv) a separate restoration and management plan for Hightown Dunes. This should include details of management and monitoring of the Hightown Dunes and Meadows site, sand lizards population and location and natterjack toads population

and locations.

10.b) The provisions of both the Crosby and Hightown restoration and management plan approved under (a) above shall be implemented in full and shall not be varied unless otherwise agreed in writing with the Local Planning Authority.

11. No vehicles shall travel along or cross the Sustrans Regional Cycle Route.

## REASONS

1. To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.
2. In the interests of protecting the areas of special nature conservation designation and the protected species identified as been present in the area. And to protect the amenity of nearby residents and to comply with policy NC1, NC2 and NC3 in the Sefton Unitary Development Plan.
3. In the interests of highway safety and to accord with policies CS3, NC1, NC2 , NC3 and AD2 in the Sefton Unitary Development Plan.
4. To protect the species and habitats identified in the Environmental Statement and to comply with policies NC1, NC2 and NC3 in the Sefton Unitary Development Plan.
5. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EP3 of the Sefton Unitary Development Plan.
6. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EP3 of the Sefton Unitary Development Plan.
7. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EP3 of the Sefton Unitary Development Plan.
8. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EP3 of the Sefton Unitary Development Plan.
9. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EP3 of the Sefton Unitary Development Plan.
10. To ensure the dune system in Crosby and Hightown is adequately reinstated and managed.
11. To protect the integrity of the cycle route and the safety of the users of the route.

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## Notes

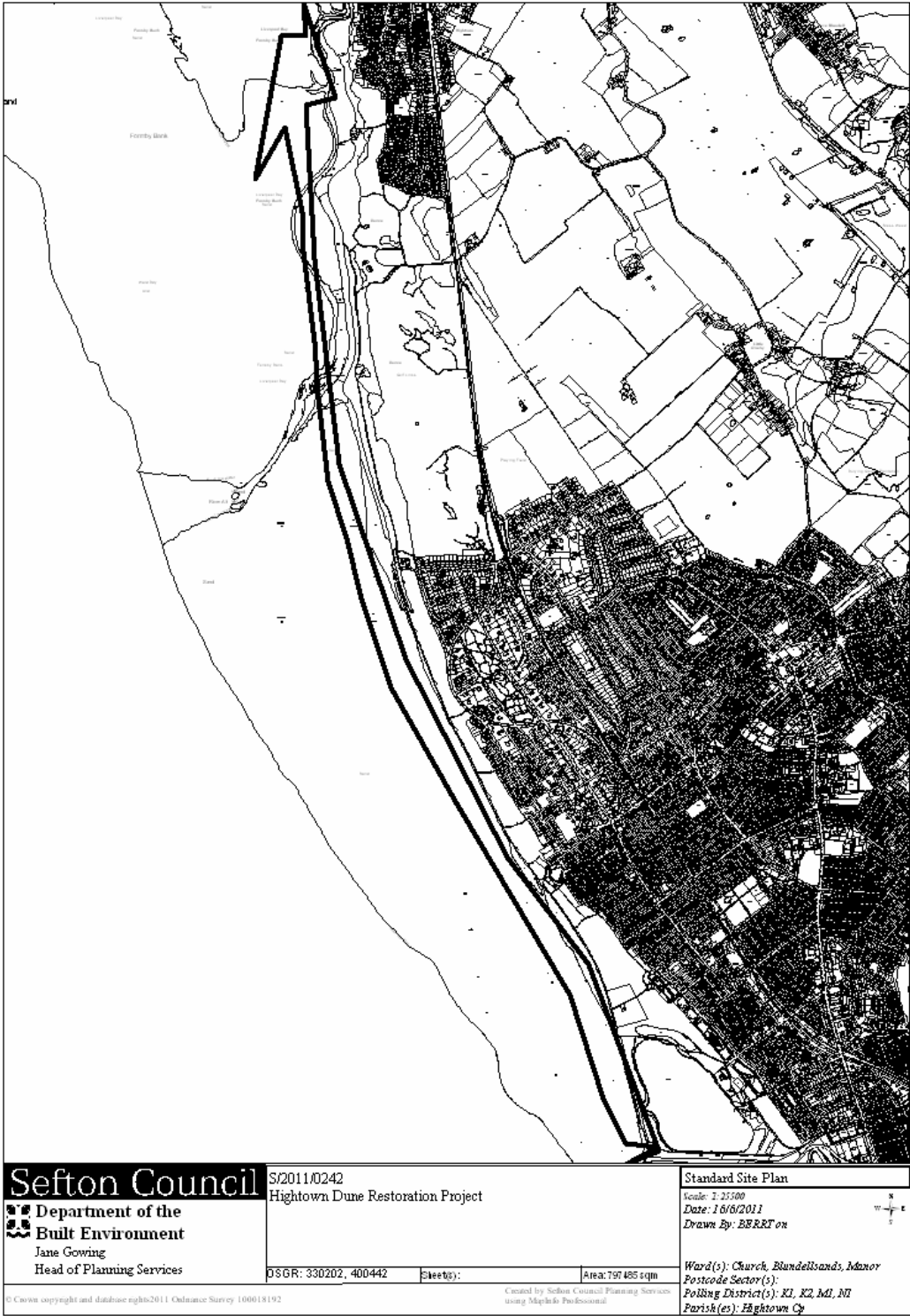
1. This development requires a Site Waste Management Plan under the Site Waste Management Plan Regulations 2008, advice on the requirements of the SWMP can be sought from the Principal Officer, Merseyside Environmental Advisory Service, Merton House, Stanley Road, Bootle, L20 3NJ.
2. Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 5 to 10 above have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing, until condition Con-5 has been complied with in relation to that contamination. Contaminated land planning conditions must be implemented and completed in the order shown on the decision notice above.
3. If it is proposed to re-use material, we advise that the work should be undertaken with reference to the CL:AIRE publication 'The Definition of Waste: Development Industry Code of Practice'.

## Drawing Numbers

To be confirmed after final response submitted by Natural England

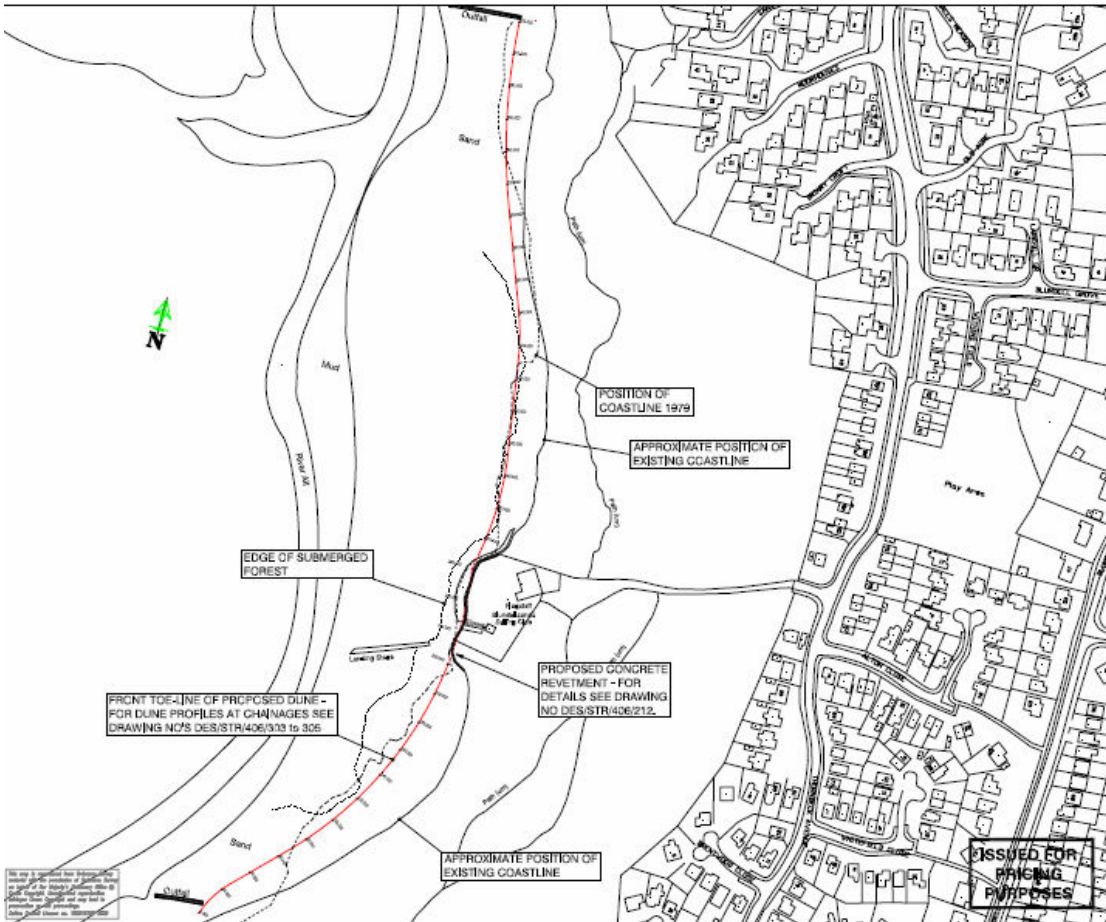


Existing site plan



# Agenda Item 5g

## Proposed Site Plan



# Agenda Item 6

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**Report to:** Planning Committee                      **Date of Meeting:** 29<sup>th</sup> June, 2011

**Subject:** Communities + Local Government consultation  
- Planning for travellers

**Report of:** Head of Planning Services                      **Wards Affected:** All

**Is this a Key Decision?** No                      **Is it included in the Forward Plan?** No

**Exempt/Confidential**                      No

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## **Purpose/Summary**

To seek Members' views on the Government's consultation paper on "Planning for Travellers".

## **Recommendation(s)**

That Members endorse the responses to the consultation paper set out in sections 4 and 5 of this report and that these comments be sent to the CLG as Sefton's response to the consultation.

## **How does the decision contribute to the Council's Corporate Objectives?**

	<b><u>Corporate Objective</u></b>	<b><u>Positive Impact</u></b>	<b><u>Neutral Impact</u></b>	<b><u>Negative Impact</u></b>
1	Creating a Learning Community		√	
2	Jobs and Prosperity		√	
3	Environmental Sustainability	√		
4	Health and Well-Being	√		
5	Children and Young People	√		
6	Creating Safe Communities		√	
7	Creating Inclusive Communities	√		
8	Improving the Quality of Council Services and Strengthening Local Democracy		√	

## **Reasons for the Recommendation:**

In order that Sefton Council's views can be submitted to the CLG within the consultation period.

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## What will it cost and how will it be financed?

### (A) Revenue Costs

N/A

### (B) Capital Costs

N/A

## Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Legal</b>	N/A
<b>Human Resources</b>	N/A
<b>Equality</b>	
1. No Equality Implication	<input type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input checked="" type="checkbox"/>

## Impact on Service Delivery:

We are required to make adequate provision for gypsies and travellers within our Local Development Framework (LDF) i.e. the Core Strategy and other Development Plan Documents that we produce. This will enable us to determine planning applications for further traveller sites in a consistent and equitable manner, as required by the consultation document.

## What consultations have taken place on the proposals and when?

The Head of Corporate Finance & ICT and the Head of Corporate Legal have been consulted and has no comments on this report (**FD817/2011** and **LD 181/11**).

The Housing Strategy Manager, Investment Programmes and Infrastructure Division, Built Environment Directorate has also commented on the draft report and his comments incorporated.

## Are there any other options available for consideration?

No – this is the Council's response to the consultation document published by the CLG.

## Implementation Date for the Decision

Immediately following the Committee meeting.

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**Contact Officer: Ingrid Berry**  
**Tel: (0151) 934 3556**  
**Email: [Ingrid.berry@sefton.gov.uk](mailto:Ingrid.berry@sefton.gov.uk)**

## **Background Papers:**

The following papers are available for inspection by contacting the above officer or can be viewed at

<http://www.communities.gov.uk/publications/planningandbuilding/travellersitesconsultation>

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## **1. Introduction/Background**

- 1.1 The Government has made a series of announcements about its intentions to radically alter the planning system. As part of this review, it has published a consultation paper on 'planning for travellers'. This is intended to provide a better deal for both travellers and settled communities. Changes are needed due to the proposed abolition of the Regional Strategy which currently sets out how many pitches we need to provide in Sefton (a 'top down central target'), rather than one that is set locally. The Government also feels that it is easier for travellers to gain planning permission, particularly on Green Belt land, than other groups of people and wants this anomaly to be addressed.
- 1.2 The Government is keen that everyone should be treated equally and even-handedly. Planning for travellers should therefore be more closely aligned with policies for other forms of housing. This will also provide greater environmental protection. It also takes account of proposals in the Localism Bill to decentralise the planning system and make it fair.
- 1.3 When approved, the new single Planning Policy Statement for traveller sites will replace the existing circulars relating to gypsy and traveller caravan sites, and travelling showpeople, and be incorporated into the proposed National Planning Policy Framework.

## **2. The current national and regional policy for gypsies and travellers**

- 2.1 Circular 01/2006 provides the current national planning policy guidance on planning for gypsy and traveller sites. It contains a definition of 'gypsies and travellers' based on lifestyle, not ethnicity, as most gypsies and travellers live in 'bricks and mortar' housing, not caravans. The 2010 bi-annual national caravan count showed that there were 18,146 caravans in England, of which about 80% were on authorised sites (sites with planning permission). The number of caravans on unauthorised sites has risen from 728 to 2,395 in 10 years from January 2000 to January 2010. In part this is due to a lack of suitable sites.
- 2.2 Currently the Regional Strategy sets out a target for the number of permanent and transit pitches required in each local authority's area. The Regional Strategy for the North West of England said we need to 15 more permanent pitches in Sefton from 2007 – 2015, plus another 15 pitches during the rest of the period that will be covered by our Core Strategy (which covers the period to 2028). We also need to provide 5 transit pitches. This requirement is based on the findings of the Merseyside Gypsy and Traveller Accommodation Needs Assessment, which was completed in 2008.

## **3. Existing provision in Sefton**

- 3.1 There is one permanent travellers site at Broad Lane, Formby which has 16 pitches. Most people live on this site on a permanent basis. There are no transit pitches in Sefton.

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3.2 Most gypsies and travellers live on permanent sites, but there is also a need for transit sites, for people who are passing through the area on their way to somewhere else. During the past year there have been unauthorised encampments in Sefton at Crosby marina (up to 18 caravans), the Esplanade Southport (up to 8 caravans), Fylde Road Southport (up to 11 caravans), Bootle (1 or 2 vans) and Copy Lane Netherton (5 vans).

3.3 There are no travelling showpeople based in Sefton, although there are some based in West Lancashire.

## **4. The new proposals**

4.1 The Government is proposing the New Homes Bonus which means the local authority will get 6 years of matched Council Tax funding with an extra supplement for affordable homes if these are on sites owned or managed by a local authority or a registered partner. It will therefore be aligned with other housing provision. Additional grant funding (£60m nationally) is also allocated for providing traveller sites, and will be administered by the HCA. This would need to be bid for, but in order to be able to bid we would need a site and costed proposal.

4.2 The Government also plans to toughen up and align action taken against unauthorised sites with other housing policy, by limiting the opportunities for retrospective planning permission. Where an unauthorised development has taken place, travellers will only be allowed a retrospective planning application or an enforcement appeal, but not both.

4.3 The Government is proposing to simplify the whole of the planning system and reducing the amount of guidance. A proposed draft National Planning Policy Framework has been published (but not yet consulted on) which amalgamates all the current national planning policy guidance contained in PPS's and circulars. This is currently 55 pages long, but the final version will have only 8 pages. Their intention is that the policy for travellers will be incorporated into this. However, the government state that they think it is important to change the policy for travellers in advance of the rest of the new Framework. This will be easier for councils and developers to use effectively.

4.4 The new policy aims to have a light-touch policy that puts provision into the hands of elected Councils by:

- Enabling local authorities to make their own assessment of need;
- Facilitating planning authorities in planning for sites over a reasonable timescale;
- Protecting the Green Belt from development; and
- Reducing tensions between settled and traveller communities.

## **The consultation questions and the Head of Planning Services' comments**

4.5 The government has invited comments from all members of the public, but particularly welcomes responses from:

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- Travellers;
- Community representatives ( included settled communities); and
- Local planning authorities.

4.6 A planning officer has met with the Broad Lane community, and this report includes their views. Formby Parish Council have been informed of the consultation ( as the Broad Lane site is in their parish), and the Area Committee were informed of the consultation and the need for additional provision in their area as part of the presentation on the Core Strategy options (on 16<sup>th</sup> June).

4.7 Consultation responses need be submitted to the CLG by 6<sup>th</sup> July 2011.

4.8 The consultation paper contains 13 key questions on the proposals, together with further questions on their impact on settled and traveller communities and the predicted costs to Councils and other monetary costs/ benefits. It also contains a draft policy which should be used for determining all planning applications for traveller sites.

4.9 As well as any comments that may be submitted by Sefton Council, a joint response from the Merseyside local authorities is also being prepared. Many of the comments in this report replicate those contained in the wider Merseyside response.

**Q1. Do you agree that the current definitions of ‘gypsies and travellers’ and ‘travelling showpeople’ should be retained in the new policy?**

4.10 Current Government policy for gypsies and travellers contain a definition of ‘gypsy and traveller’ based on lifestyle and land use considerations, whatever their ethnicity or cultural tradition. It includes people who have ceased to travel temporarily or permanently because of educational or health needs or old age. There is a separate definition of travelling showpeople or circus people. The consultation paper does not propose that this should be changed.

4.11 This definition is similar but not identical to that used when assessing the need for traveller accommodation, which is defined in the Housing Act. The ‘housing’ definition includes people with a cultural tradition of nomadism or of living in a caravan and people of a nomadic way of life, but also includes travelling showpeople. The consultation paper says that the planning definition is relevant to the application of planning polices and determining planning applications, whereas the housing definition is more pragmatic and broader and should be used to understand possible future accommodation needs. This is potentially confusing. There seems to be no reason why this can’t be defined in a uniform way for both purposes.

**Q2: Do you support the proposal to remove the specific reference to Gypsy and Traveller Accommodation Needs Assessments (GTANA) in the new policy and instead refer to a “robust evidence base”?**



- 4.12 Whilst there are flaws with the GTANA, whatever replaces it needs to be standardised so that assessments for neighbouring areas can be easily compared, and can be independently updated as needed, and if not carried out on a sub-regional basis. This will ensure that the evidence is robust when examined by an independent Inspector as part of any Examination in Public into a relevant Core Strategy or other Development Plan Document (DPD).
- 4.13 Any study would also need to follow Gypsy and Traveller movements over a considerable period; it needs to be more than a snapshot in time in order to pick up travellers in transit, and how they move around the Merseyside area. In Sefton, many of the transit travellers in Sefton have been on sites in St Helens and West Lancashire at various times, but we also get some Irish travellers passing through our area with no local connections.
- 4.14 It would not be appropriate for traveller requirements to be assessed as part of the SHMA, for a variety of reasons including sample size and they don't use estate agents to find sites. As the paper concedes, many people living in 'bricks and mortar' housing may not wish to admit their ethnic origin, if they are randomly selected for assessment.

**Q3: Do you think that local planning authorities should plan for “local need in the context of historical demand”?**

- 4.15 No, as this doesn't share the burden across the sub-region. Authorities such as Knowsley who don't have any traveller sites would not be required to provide any permanent sites under this methodology.
- 4.16 Furthermore, the GTANA said that there was a need for transit pitches to be provided in the Merseyside area, and the partial review of the Regional Strategy proposed that 5 transit pitches in each of Sefton, Knowsley, Liverpool and the Wirral. As we don't have any, under the new proposals we wouldn't be required to provide any. But we do get transit travellers – there have been travellers in Bootle, Southport and at Crosby marina this year.

**Q4: Do you agree that where need has been identified LPAs should set targets for the provision of sites in their local planning policies?**

- 4.17 Whilst a housing target should be set based on the robust evidence so that it can be monitored, the requirement should not be contained in a DPD, such as the Core Strategy. This is because any 'need' would need to be reviewed and updated regularly in the same way that the general and affordable housing need is reviewed. But having a target in a DPD is not likely to secure the provision of any more traveller sites, either permanent or transit sites.

**Q5: Do you agree with the proposal to require local planning authorities to plan for a five-year supply of traveller pitches / plots?**

- 4.18 No. The provision of traveller sites is not like other housing. Sites are mainly provided by the local authority. They would be provided at a suitable scale so as

# Agenda Item 6

to be economically viable to provide and warden. Very few private sites are provided. Once any significant provision that largely meets the identified need has been provided, the evidence base would need to be updated to say what the outstanding need is. It would not be economically viable to do this on an annual basis.

**Q6: Do you agree that the proposed wording of Policy E (in the draft policy) should be included to ensure consistency with Planning Policy Guidance 2: Green Belts?**

- 4.19 We have no objection in principle to the policy wording being consistent with other forms of housing. But the guidance needs to recognise that it may not be possible to identify sites in the urban area, so development in the Green Belt may be inevitable as the only solution to meeting this need.
- 4.20 The proposal to inset sites into the Green Belt may not be practicable, and the Green Belt guidance contained in PPG2 would also need to be amended as currently only refers to villages being capable of being inset into the Green Belt. It should also be noted that inset villages are not mentioned in the Planning Advisory Group's draft National Planning Policy Framework, so it is not clear if this concept will still exist when the new national policy framework is produced.

**Q7: Do you agree with the general principle of aligning planning policy on traveller sites more closely with that on other forms of housing?**

- 4.21 Whilst the same principles should apply, the different needs and character of traveller development needs to be recognised, including the way sites are provided.
- 4.22 **Q8. Do you agree with the new emphasis on local planning authorities consulting with settled communities as well as traveller communities when formulating their plans and determining individual planning applications to help improve relations between the communities?**

- 4.23 This happens anyway, so there is no need for any change.

**Q9. Do you agree with the proposal in the transitional arrangements policy (paragraph 26 in the draft policy) for local planning authorities to "consider favourably" planning applications for the grant of temporary permission if they cannot demonstrate an up-to-date five-year supply of deliverable traveller sites, to ensure consistency with Planning Policy Statement 3: *Housing*?**

- 4.24 We have already expressed our concerns about how feasible it is to have a 5 year supply in response to Question 5 above.
- 4.25 The suggested approach is inconsistent with other housing, and it is both inappropriate and may be impractical to grant a temporary consent for these uses.

- 4.26 Firstly, we would appear to be debarred from approving or refusing permanent sites in suitable locations. The impact of a temporary site compared to a permanent site would be virtually identical. If we are only able to grant temporary consents, then we would not be able to require the same level of screening or other requirements to limit the impact of a development. If a site was considered to be unsuitable permanently for a traveller site, for example, because it is in an area at high risk of flooding, or with an inadequate access, the travellers would be expected to live their temporarily until a more suitable site could be identified.
- 4.27 Secondly, the residents would be condemned to live in poorer housing conditions, possibly without service provision (water, electricity etc), and in poor and cramped conditions as it would not be possible to provide the utility buildings (traveller “sheds”) which normally contain a kitchen, washroom and lounge area. This is something the Gypsy Council has included in its response to the consultation.
- 4.28 Finally, as will be explained in response to Question 10, it will take a lot longer than 6 months to identify suitable alternate and available sites, especially if the provision has to be included as part of the Local Development Framework (LDF) in a DPD.

**Q10. Under the transitional arrangements, do you think that six months is the right time local planning authorities should be given to put in place their five-year land supply before the consequences of not having done so come into force?**

- 4.29 This is not practicable. It would take a minimum of 18 months to prepare an up-to-date assessment and consult on this, and for the requirements to be adopted as part of a DPD.

**Q11. Do you have any other comments on the transitional arrangements?**

- 4.30 The proposals are not practicable. This will lead to planning by appeal.

**Q12. Are there any other ways in which the policy can be made clearer, shorter or more accessible?**

- 4.31 Yes – the consultation document and draft policy is far too long and technical. It is not geared for consultation with the most directly affected groups – travellers.

4.32

**Q13. Do you think that the proposals in this draft statement will have a differential impact, either positive or negative, on people because of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation? If so, how in your view should we respond? We are particularly interested in any impacts on (Romany) Gypsies and (Irish) Travellers and welcome the views of organisations and individuals with specific relevant expertise. (A draft Equalities Impact Assessment can be found at Annex C.)**

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4.33 The above response sets out how the proposals will impact on the travelling community.

## 5. The draft policies

5.1 The 'light touch' approach proposes policies covering 8 policies, most which have several sub-policies and further criteria within them. The policy areas are:

- A Using evidence to plan positively and manage development;
- B Planning for traveller sites;
- C Sites in rural areas and the countryside;
- D Rural exception sites;
- E Travellers sites in the Green Belt;
- F Mixed use traveller sites;
- G Major development projects; and
- H Determining planning applications for traveller sites.

5.2 There is a demonstrable lack of what needs to be in the policy, and many of the policies contradict each other. They would also mean that no further travellers sites could be provided in Sefton, as there is a lack of any suitable sites in the urban area. It is a belt and braces approach to cover every aspect of a travellers life.

5.3 The two parts of Policy A set out how we should assemble our evidence base by consulting with travellers and the settled community, and that we should monitor how we determine applications for traveller sites compared to other types of residential development. The GTANA was prepared as a result of consultation with the traveller community, and we have already consulted the Broad Lane travellers and the Formby community about the need for further pitches as part of our consultation on the Core Strategy. It is not policy in the sense that it would help us to determine planning applications.

5.4 Although we don't have many applications for traveller sites, this can be monitored in our Annual Monitoring Report.

5.5 Policy B contains 4 elements: firstly set pitch targets to address the need for permanent and transit sites in the light of historical demand; and secondly, to set out policies in the Development Plan. These should show how we will:

- (a) ensure the continuous supply of sites to deliver the target;
- (b) + (c) identify a 5 year supply of sites excluding sites with planning permission unless they are deliverable;
- (d) allow provision for travellers who cannot move their own accommodation onto a site;
- (e) consider the preparation of joint Development Plans to address cross-boundary issues which will provide more flexibility in providing sites, particularly if a local authority has special or strict planning constraints across its area ('special and strict' are not defined);

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- (f) ensure that the size of the site is proportionate to the size of any settlement where the site will be located; and
- (g) protect local amenity and the environment.

- 5.6 The third element requires us to guide land supply to areas where there is an identified need. The 4<sup>th</sup> requires sites to be sustainable economically, socially and environmentally. Policies should therefore:
- (a) promote peaceful and integrated co-existence between the site and the local community;
  - (b) promote easier access to health facilities;
  - (c) ensure children can attend school;
  - (d) provides a settled base that reduces the need for long-distance travelling and possible environmental damage caused by unauthorised encampments;
  - (e) does not locate sites in areas at high risk of flooding given the particular vulnerability of caravans; and
  - (f) reflects the extent to which some travellers live and work from the same location, thereby omitting many travel to work journeys.
- 5.7 Policies C, D + E all deal with sites in rural areas, the countryside and the Green Belt. Again, the policy requires us to ensure that the size of any site is proportionate to its surroundings. We are also required to consider if there is a need for 'rural exception' affordable housing to meet local traveller needs, which should be provided in perpetuity.
- 5.8 Policy E deals with proposals in the Green Belt. It confirms that traveller sites are inappropriate development in the Green Belt. However, it indicates that we may wish to make an exceptional limited alteration to the Green Belt boundary to meet a specific identified need through the plan-making process. If land is removed from the Green Belt in this way (the consultation suggests that sites could be inset into the Green Belt), it should only be specifically allocated for this purpose.
- 5.9 Policy F states that we should approve sites where travellers live and work, having regard to the safety and amenity of the residents. If this is not practicable, then we should consider locating sites for each purpose in close proximity to each other. This is particularly relevant to travelling showpeople. But we should not allow mixed use sites on 'rural exception' sites if we decide to identify any.
- 5.10 Policy G requires us to work with the traveller community and planning applicants to relocate any traveller community if they are affected by any major development project. This is not likely to affect Sefton.
- 5.11 Policy H sets out 6 development management policies. These set out how we should determine applications, including the identified need for any traveller sites, and whether we have a five-year supply of deliverable sites It does not matter whether the applicant has local connections or not.

## 6. Financial implications

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- 6.1 The consultation paper considers that there will be a national saving of £0.1m by having more streamlined and easier to use guidance. The Government acknowledges that there may be more unauthorised sites in the short term and a short-term reduction in authorised sites (presumably as a result of not being able to grant planning permission for a site until we have up-to-date evidence and a 5 year target / supply of sites).
- 6.2 The consultation paper ignores the cost of providing the new and regularly updated evidence needed to ensure that local authorities have a 5 year supply of traveller sites, so that they can approve planning applications.

## **7. Conclusion**

- 7.1 It is not considered that the proposals will result in any more authorised traveller sites being delivered, even though this is the intention of the consultation paper. Indeed, the proposed changes will make it more difficult to approve planning applications in a highly constrained area such as Sefton where new provision will inevitably have to be located within the Green Belt due to a lack of suitable sites in our urban areas.

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**Report to:** PLANNING                      **Date of Meeting:** 29 JUNE 2011

**Subject:** HOUSING AND ECONOMIC DEVELOPMENT EVIDENCE BASE  
OVERVIEW STUDY – KEY FINDINGS FOR SEFTON

**Report of:** Jane Gowing, Head of Planning Services  
Alan Lunt, Director of Built Environment

**Wards Affected:** All

**Is this a Key Decision?** No                      **Is it included in the Forward Plan?**

**Exempt/Confidential**                                      No

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**Purpose/Summary**

To report on the key findings for Sefton of the Housing and Economic Development Evidence Base Overview Study, in order that this document can inform the evidence base for the Local Development Framework and specifically the ongoing Options Consultation Stage of the emerging Core Strategy.

**Recommendation**

That:

- (I) Planning Committee notes the key findings of the study to review the Housing and Economic Development Evidence Base Overview Study as it affects Sefton

**How does the decision contribute to the Council’s Corporate Objectives?**

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		√	
2	Jobs and Prosperity		√	
3	Environmental Sustainability		√	
4	Health and Well-Being		√	
5	Children and Young People		√	
6	Creating Safe Communities		√	
7	Creating Inclusive Communities		√	
8	Improving the Quality of Council Services and Strengthening Local Democracy		√	

**Reasons for the Recommendation:**

To comply with national planning guidance (specifically Planning Policy Statement 3: Housing and Planning Policy Statement 4: Planning for Sustainable Economic Growth) on the need to provide a robust evidence base for Sefton’s housing and employment policies in the Local Development Framework

# Agenda Item 7

## What will it cost and how will it be financed?

### (A) Revenue Costs

N/a

### (B) Capital Costs

N/a

There are no additional cost implications of this study as the costs have been paid.

## Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Legal</b> N/a
<b>Human Resources</b> N/a
<b>Equality</b> 1. No Equality Implication <input checked="" type="checkbox"/>
2. Equality Implications identified and mitigated <input type="checkbox"/>
3. Equality Implication identified and risk remains <input type="checkbox"/>

## Impact on Service Delivery:

## What consultations have taken place on the proposals and when?

The Head of Corporate Finance (FD815) has been consulted and any comments have been incorporated into the report.

Head of Corporate Legal Services (LD179) have been consulted and any comments have been incorporated into the report.

## Are there any other options available for consideration?

No. This is an essential sub-regional study which provides a broad housing and employment evidence context for our emerging Core Strategy.



## **Implementation Date for the Decision**

Following the Meeting

### **Contact Officer: Alan Young**

Tel: 0151 934 3551

Email: [alan.young@sefton.gov.uk](mailto:alan.young@sefton.gov.uk)

## **Background Papers:**

There are no background papers available for inspection. The study report is referred to in paragraph 1.2 below and can be downloaded as required.

# Agenda Item 7

## Housing and Economic Development Evidence Base Overview Study – Key Findings for Sefton

### 1 Background

- 1.1 The Housing and Economic Development Evidence Base Overview Study 2011 (hereafter referred to by the shortened title of the 'Overview Study') was commissioned by Sefton on behalf of partner authorities Halton, Knowsley Liverpool, Sefton, St Helens, West Lancashire, Wirral and Cheshire West and Chester i.e. 'the core area' and 4NW. It also embraced for completeness, a wider study area to include the Central Lancashire authorities of Preston, Ribble and Chorley, Wigan and Warrington, although these authorities were not partner authorities.
- 1.2 The key findings of this study is set out in full study report which is currently available to view on the Council website at:
- [www.sefton.gov.uk/planningstudies](http://www.sefton.gov.uk/planningstudies)
- 1.3 This report, in essence, concentrates on the key planning implications for Sefton (there are detailed findings for all core area study partners but it is not appropriate to describe them in this report) and only looks at neighbouring authorities findings insofar as they impinge directly or indirectly on Sefton.
- 1.4 GVA Grimley were appointed to undertake this sub-regional Overview Study after a formal tender and rigorous selection process which led to them being appointed in May 2010. The total out-turn cost of the study was £55,500 which was funded by the following, based on 'up-front' commitments:

4NW	– £25,000
Halton	– £5,000
Knowsley	– £5,000
Liverpool	– £5,000
Sefton	– £5,000
ST. Helens	– £5,000
West Lancs	– £5,000
Wirral	– £5,000
Cheshire West and Chester	– £2,500
<b>Total</b>	<b>– £62,500</b>

- 1.5 There will therefore be a modest refund to each of the contributing local authorities on a pro rata basis.

## 2 Key Overview Study Requirements or 'Tasks'

- 2.1 In order to inform the tender process a tender brief was agreed between nine study partners. The study brief set out four key tasks that were required to be addressed in relation to both housing and employment provision in the respective local authority areas as part of the study, namely:

**Task 1** - briefly appraise each local authority's key housing and employment evidence, to assemble a composite picture across the city region.

**Task 2** - review existing supply and assess the extent to which it can meet needs/demands in the same local authority area, having regard to the Regional Spatial Strategy (RSS) requirements, and whether there is within each district either an excess or shortage of supply (quantitative and/or qualitative) in relation to need/demand. The appointed consultants were to use their best professional judgement, and other published data/evidence, to estimate each authority's land requirements for the period after that set out in RSS.

**Task 3** - in the event that there are any unmet needs/demands existing in any local authority area after undertaking Task 2 above, the consultants were to evaluate whether there is any notional excess supply in one or more neighbouring local authorities which could realistically meet any or all of those needs. Any conclusions at this stage were to be based on evidence that clear cross boundary links, especially in market terms, between the authorities exist, or could potentially exist.

**Task 4** - in the event that an unmet need/demand remains in any local authority area after undertaking the above, the consultants were to recommend what further action is necessary to address it.

- 2.2 The final study report has been prepared in this context, recognising that whilst the RSS requirements for both housing and employment are likely to be abolished once the localism Bill is enacted later this year, they currently remain the primary benchmark to assess the balance between housing /employment needs and supply.

## 3 Key Findings of the Overview Study for Sefton

- 3.1 It is important to note that GVA Grimley was required to use existing housing and employment studies evidence. Although they did assess and review all of this evidence they did not undertake any original research, primarily because of the cost implications but also because they did not wish to duplicate recent studies.
- 3.2 The key findings of the Overview Study for Sefton in respect of each of the tasks for both housing and employment may be summarised as below.

# Agenda Item 7

## (i) Housing

- 3.3 Taking the core study area of Greater Merseyside, West Lancashire and Cheshire West and Chester the study has found that, as a whole, the supply and demand for housing across the study area is relatively balanced over the period to 2031 on the basis of a number of assumptions, including delivery of Liverpool and Wirral Waters as assumed. However, the analysis has also found that there are shortfalls in supply in individual local authority areas. The study has specifically looked at the housing targets set through RSS (which are still current but will shortly be abolished) in reaching this conclusion. Furthermore, whilst there are limitations in using the alternative DCLG household projections (see para. 3.4 below), when used the position does not change fundamentally in most local authorities.
- 3.4 Specifically, at the individual local authority level, Sefton, Knowsley, West Lancashire and St Helens, are all identified as facing a position of potential undersupply of housing land both when set against the current RRS housing requirements and against the recent DCLG household projections. (Although noting that the latter provides only a tentative basis for assessing future housing needs since it does not take account of policy aspirations, future Government policy changes or most importantly, and this is firmly emphasised by DCLG, any backlog of unmet housing need.) Arising from this, it follows that the identified potential shortages in housing supply in these authorities firmly suggests that none of the authorities are likely to be able to meet the needs of neighbouring districts.
- 3.5 Liverpool, Wirral and Halton record a position of adequate housing capacity when set against RSS and DCLG household growth projections, with Wirral demonstrating an excess supply over the long term. Notwithstanding this and looking at the way the sub-regional housing market operates and could operate in the future, the study (at para. 1.15) finds that:
- 'If the RSS housing requirements are rolled forward to 2031, the evidence suggests that the scale of undersupply in Sefton, Knowsley, West Lancashire and St Helens will only to a limited extent be able to be met by housing capacity in Liverpool or Wirral, despite a potential capacity of additional supply being identified.'*
- 3.6 In short, the analysis has shown how the study area operates in functional terms with households moving predominantly within authorities and only to a much lesser extent between them. There is, however, some potential to achieve a limited redistribution of demand in the future but this would require significant changes to household behaviour in order for parts of the core area to accommodate some of the demand pressures arising elsewhere in the core area. This conclusion is, in part, informed by the nature of and locational preferences in the demand for those seeking housing in those authorities with a potential shortfall in supply and by the mismatch between the large supply of development sites for flats/apartments in Liverpool (over 64% of total supply) and in Wirral (71% of total

supply). In addition, it is acknowledged that unmet affordable housing needs, which should be met locally, cannot easily be met in neighbouring local authority areas.

- 3.7 Given the above, the study found at para. 1.20 that where demand cannot be redistributed:

*'...further supply will need to be identified to meet own unmet needs in Sefton, St Helens, Knowsley and West Lancashire beyond 2020 through appropriate planning policies. A ten year "cushion" appears to exist from the evidence base collected for each local authority area with only Sefton and West Lancashire potentially having a small undersupply over this period.'*

## **(ii) Employment**

- 3.8 Importantly the study acknowledges that the ability of a local authority to deliver adequate levels of economic development is dependent on the presence of a sufficient and appropriate supply of employment land. Looking at the availability of employment land across the core area, anticipated future prospects for discrete employment sectors (i.e. B1-light industry, B2- general industry and - B8 storage and distribution) and best professional judgement, the study suggests a long term employment undersupply across the core area to 2031 is likely to arise, although the supply is sufficient in the short-term to meet employment demand.

- 3.9 The study identified the need for additional employment land supply in the longer term across a number of authority areas if aspirations for remodelling /regeneration of existing employment sites are not realised. In particular, and subject to the above, the study nevertheless concluded that, on the basis of functional economic areas as they operate across the core area, there is sufficient supply in the short term to accommodate growth across the core area, but with potential supply shortfalls in Halton, Knowsley, West Lancashire and Cheshire West and Cheshire in the medium /long term. As far as Sefton is concerned, it concludes at para.5.123, bullet 3 that:

*' the potential need to identify additional land supply in the longer term across a greater number of authorities if aspirations of remodelling /regeneration are not realised relating specifically to West Lancashire, Knowsley, Halton and Sefton although to a lesser extent....'*

- 3.10 In broad terms the study concludes that providing Sefton retains its committed employment supply and recycles/remodels employment opportunities, there is an approximate employment supply/demand balance to 2026 with a potential undersupply over the period 2026 to 2031, *'although this is noted to be relatively marginal compared to other areas at just 18 hectares'*. The above noted it acknowledges elsewhere in the study that the findings of the separate Sefton Employment Land and Premises Study indicated that there is a need for Sefton to identify a successor site for Southport Business Park in or around Southport the early 2020s.

# Agenda Item 7

## 4. Comments of the Head of Planning Services and Director of Built Environment

- 4.1 This is a very important sub-regional study that assumes even greater importance with the impending abolition of RSS. In this regard, it reviews existing evidence in relation to housing and employment land supply and needs/demands, looking forward in stages to 2031. With respect to housing needs it benchmarks or tests its assessment by applying the current RSS housing figures and the DCLG household growth figures. It makes no comment on (although it notes) the separate findings of the NLP housing requirement work recently completed for Sefton, largely because *'there was insufficient representation of this work across the study area to draw conclusions'*. However, it does importantly note that *'Going forward future monitoring of the research included within this study will need to take account of these locally generated housing requirements'*.
- 4.2 As far as Sefton is concerned the study provides broad support for the findings of other evidence gathered in relation to housing and employment (i.e. the Strategic Housing Land Availability Assessment, Strategic Housing Market Assessment and update and Employment Land and Premises Study) and confirms much of what we already knew about housing land supply and needs, the largely self-contained nature of Sefton's housing market, the inability of Sefton to meet its expected longer housing needs from within the urban area when measured against RSS and DCLG housing requirements. Similarly, it also acknowledges the very limited ability of Liverpool, and then only under very restrictive circumstances, to meet a small proportion of our unmet housing needs. Further, the study confirms that not only Sefton but also Knowsley, St Helens and West Lancashire face similar housing supply problems looking forward to 2031.
- 4.3 With regard to employment land supply and needs, the study confirms that Sefton, providing it retains its key employment sites and recycles and remodels others (which is absolutely critical), has an adequate employment supply to 2026, (save for the position acknowledged in Southport in the early 2020s) and a modest shortfall of 18 hectares in the period 2026 to 2031.
- 4.4 To conclude, the publication of the Overview Study is timely and provides a robust sub-regional housing and employment context (looking forward to 2026 and 2031) to our emerging Core Strategy. Nothing in the study report contradicts or undermines other evidence that we have gathered and are currently relying on to inform this process. In fact, in many respects it provides firm and independent support for the findings of other evidence that we have assembled.

## Recommendation

### That:

- (i) Planning Committee notes the key findings of the study to review the Housing and Economic Development Evidence Base Overview Study as it affects Sefton

# Agenda Item 8

Report to: Planning Committee      Date of Meeting: 29 June 2011  
Subject: Planning procedures  
Report of: Head of Planning Services      Wards Affected: All  
Is this a Key Decision? No      Is it included in the Forward Plan? No  
Exempt/Confidential      No

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## Purpose/Summary

1. To review present procedures with respect to planning applications and recommend changes to improve the service to members of the public.
2. to report on consultation responses for pre-application charging and confirm the introduction of charges for pre-application advice subject to Cabinet ratification

## Recommendation(s)

That Members approve the proposals and recommendations in the report.

That the report be referred to Cabinet for ratification of pre-application charging

How does the decision contribute to the Council's Corporate Objectives?

	Corporate Objective	Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community		✓	
2	Jobs and Prosperity	✓		
3	Environmental Sustainability	✓		
4	Health and Well-Being		✓	
5	Children and Young People		✓	
6	Creating Safe Communities		✓	
7	Creating Inclusive Communities		✓	
8	Improving the Quality of Council Services and Strengthening Local Democracy	✓		

# Agenda Item 8

Reasons for the Recommendation:

To improve customer service

What will it cost and how will it be financed?

(A) Revenue Costs -income from pre-application charging

(B) Capital Costs none

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal - none at this stage		
Human Resources – none		
Equality		
1.	No Equality Implication	<input checked="" type="checkbox"/>
2.	Equality Implications identified and mitigated	<input type="checkbox"/>
3.	Equality Implication identified and risk remains	<input type="checkbox"/>

Impact on Service Delivery: Improvement

What consultations have taken place on the proposals and when?  
Consultation on introduction of fees. Responses included in report.

Are there any other options available for consideration? Included in report

Contact Officer: Sue Tyldesley Telephone: 0151 934 3569

Background Papers:

The following papers are available for inspection by contacting the above officer(s).

Report to Planning committee 09/03/2011 on introduction of pre-application charging



## **Background**

From time to time it is important to look at the way in which planning applications, particularly those that are considered by Planning Committee are considered and to seek to identify where improvements can be made to the present system to improve the quality of service offered to the public.

This report looks at the different stages in the process to bring together a comprehensive report. Once agreed by Planning Committee this information will be put on the Council's website to try to make the various parts of the system clearer for members of the public.

## **Pre-application discussions**

### *Issues*

These are a really important part of the planning process and seek to add value to proposals; they flag up the need for relevant information and reports; highlight potential issues and try to find solutions to them. They should be seen as a positive and helpful part of the process. A more formal Development Team approach to pre applications has been recently introduced by officers to ensure consideration of major proposals at an early stage by relevant council officers including planning, highways and environmental health considerations. Taken together this approach amounts to a significant improvement of our pre-application service which is for the benefit of the customer as well as trying to secure the best solutions on the ground.

However, in order to provide this service we feel the need to introduce charging for pre application advice. In response to our consultation on charging only 13 responses have been received (see attached appendix).

Overall these responses are few in number and do not oppose charging in principle but seek to clarify where charges will be levied and seek to ensure that the service given is a good one.

There may also be cases when there would be an advantage in making Members aware of pre-application discussions on some major proposals. In these circumstances – and subject to approval of the party spokespersons - officers will arrange for the developer to present pre application details to members in a structured setting. This would need to be managed such that members are able to understand proposals but are not expected to give feedback to the developers. Officers will ensure that this process is properly organised and minuted for members so that probity processes are followed.

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## ***Recommendation***

1. That charging for pre application advice be introduced in accordance with the attached schedule (Appendix 2) subject to ratification by Cabinet, from 1 August 2011.
2. that on occasion, and in agreement with Party Spokesperson, there may be opportunities for applicants to make a presentation to Members on specific significant applications at pre-application stage. This will be for information and questions only and will be properly minuted. These presentations would precede the Visiting Panel meeting.

## **Decision making**

The vast majority (94% of applications) were dealt with under delegated powers last year. The system works well and increases the speed of decision for most applications. There are no proposals for making significant changes here but there are a number of minor updates which are needed to reflect changes in the planning system. These are set out below.

- 1 there are a few places in the scheme where the wording is not clear and could be read in different ways. A minor adjustment to wording would assist and add clarity.
- 2 there are new procedures and types of application (particularly those dealt with by the IPC and their associated paperwork – the Statement Of Community Consultation (SOCC) not covered by the existing scheme .

## ***Recommendation***

That a report outlining these changes and a general update to the scheme of delegation be prepared for the next Committee.

## **Petitions process**

This is set out in the constitution and refers to all committees. The present system would see to work well but there have been some concerns about certain aspects as below.

## ***Recommendations***

1. A simple FAQ document will be prepared to set out petitioning procedures and explaining how to follow the progress of planning applications on the web. The earlier a petition is submitted the better.

2. Late information is to be discouraged as it is difficult for councillors to fully assimilate a lot of detail at the last minute. One paper, deadline 12 noon on day before committee will be prepared and anything received after that will now be summarised verbally to committee.
3. **Speaking at committee**  
There have been occasions when a petitioner chooses not to speak but the ward councillor speaks instead and there is then no right of response by the applicant. This seems contrary to natural justice and has been subject of complaints. A change to this process is recommended that where an item has been petitioned (and only then) and the applicant has come ready to speak then if anyone speaks (petitioner or ward councillor) there should be a right of reply.

## **Visiting panel**

All sites are visited by Case Officers before any recommendations are made on applications. However, there are some sites where the full impact of a proposal can only be fully appreciated by a site visit and the organised visiting panel would appear to be appreciated by Members.

At present the Visiting Panel meets every other month which can result in a long delay if an application is deferred when there is no visit next month

## ***Recommendations***

1. that a Visiting Panel takes place every month on the Monday before every Planning Committee (Tuesday if Bank holiday) starting in July 2011 for a half day. This will start at 9.30am from Bootle or Southport depending on the location of visits. A vehicle with suitable disabled access will be provided. It is hoped that Members will inform officers (via Party Spokespersons) in good time if there are specific sites they wish to visit.

## **Decisions**

The officer report on every application will give a considered and justified recommendation. There are, quite rightly, some occasions where Members place a different balance of weight on planning considerations and wish to make a decision contrary to recommendation. This presents a difficulty as officers have prepared the case to the best of their ability and have not been able to consider the different balance of weight considered appropriate by Members.

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## *Recommendation*

Officers may find it very difficult to interpret Members' views into well considered reasons on the spot. Moreover if the new recommendation is for approval there will need to be conditions drafted. Conditions and reasons for refusal form part of the legal decision notice and need to be carefully drafted in order to comply with various legislation and guidance. In order to streamline the system and avoid unnecessary delays it is suggested that where these reasons cannot be clearly made on the night of committee then committee should make the decision but delegate the details of the wording/recommendation to officers in consultation with the 3 party spokespersons.

## **Appeals**

Where an appeal is lodged against a decision which was contrary to officer recommendation and is to be heard at an Inquiry or hearing, the Councillor who moved the recommendation would normally be expected to give evidence. Failing that a Member from the same party who was present at the Meeting should substitute. Officers will provide support in compiling the evidence and supporting the Member on the day.

## **Member Training**

Starting in July 2011 it is proposed that there will be a training session for Councillors on the Planning Committee day at 4.45-5.45pm. Officers will prepare the training programme to cover topical and relevant planning matters. Members are requested to advise officers of any particular requests for training so that these can be considered and planned into the programme. Some early suggestions are; overview of the planning process and understanding material considerations; localism and neighbourhood plans; Community Infrastructure Levy and S106 changes.

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## APPENDIX : SUMMARY OF CONSULTATION RESPONSES

Respondent	Comments	Our response
National Trust	<p>Query timescale for contact to be made and suggest this should be 14 days</p> <p>Request that registered charities should not be charged for pre-application advice(they are to be exempt from CIL)</p>	<p>Scheme clarified and reduced time included.</p> <p>It is important for the scheme to be simple. Pre-application fees should be payable where a fee is required for the eventual application.</p>
Natural England	Does not fall within the scope of proposals which NE would normally comment on	
The Council for British Archaeology	<p>Charging for householders or small businesses would be an unfair burden.</p> <p>Would not support charging for Listed Buildings and developments within Conservation</p>	<p>There are no pre-application fees proposed for householders, trees or Listed building proposals.</p> <p>Developments in Conservation areas will be charged for as they can involve a lot of officer time and effort and development will normally result in increased value to the site.</p>
United Utilities	Welcome pre-application advice at a very early stage. Work by statutory undertakers should be exception to charging	Whilst there is work involved in response to Statutory Undertakers/consultees, they also provide consultation response to other schemes and this balances out
Merseytravel	Since Merseytravel provide consultation advice on applications free of charge, no charge should be levied for Merseytravel's own pre-applications.	
HSE	HSE provides tentative pre-application advice using PADHI+but does not have the resources to provide more detailed pre-application advice. HSE is considering charging for consultation advice	Consultations with HSE are unusual and would not be part of the pre-application response except in terms of need for specialist input.

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<p>Police Architectural Liaison Officer</p>	<p>Support the value of and charging for pre-application advice; would encourage inclusion of designing out crime in validation checklist for pre-applications Ask that crime reduction advice be included in pre-application responses.</p>	<p>Reference to crime reduction will be included in checklist The views of the Police Architectural Liaison Officer will be included in the development team response where appropriate.</p>
<p>Ron Baker</p>	<p>Suggests double charge for retrospective applications; penalty charge for failing to comply with conditions.</p>	<p>These comments can't be addressed through pre-application charging but will be taken into account in the local setting of application fees.</p>
<p>Joe Barnes</p>	<p>Supports the principle of charging but should not be applied to householders or for advice on works to trees.</p>	<p>There will be no charge for householders except where a specific request is made to meet on site. There will be no charge fro pre-application discussions where there is no charge for the application , including trees.</p>
<p>Steve Chapman</p>	<p>There should be a consistency throughout Merseyside,indeed nationally and standard form of application, checklist and charging.</p> <p>Pre-application should be deducted from the planning application fee in due course.</p>	<p>A charging regime across Merseyside would be helpful and was discussed.However other boroughs have now decided not to go down this route –some because of lack of staff resources.</p> <p>The possibility that future application fees should be discounted is not possible at present but will be considered when application fees are set locally.</p>
<p>Andrew Irving</p>	<p>Generally supports principle. Suggests that application fee should be discounted by the cost of , or at least a sizeable proportion of , the pre-application fee</p>	<p>As above</p>

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<p>RAL</p>	<p>Welcome measures to improve the quality of pre-application response and provide more constructive ways forward than received in the past. Will accept fees if result in a more positive and proactive response to development.</p> <p>Specific comments</p> <ul style="list-style-type: none"> <li>- checklist too prescriptive-would prefer more generic requirement</li> <li>- needs to be consideration of the big picture and not just detail</li> <li>- response time of 10days should be an absolute maximum</li> <li>- doesn't understand why valuation work should be discouraged</li> <li>- charging regime not fully clear; concern that payment up front is an issue when private sector tends to invoice afterwards; don't like hourly rates as they reward inefficiency.</li> <li>- major concern about overturns at Committee which render pre-application work and negotiations useless</li> </ul>	<p>Checklist will be amended to be more flexible</p> <p>Agree</p> <p>This depends on how much work is involved and the pressure of statutory work. 10 days is considered to be a very tight timescale for response</p> <p>Such work is not discouraged. However it can result in a lot of abortive work for planning officers It is routine to pay for valuation advice and planning should be part of that..</p> <p>Some further clarification introduced. Payment up front is usual for planning application fees. Longer pre-applications , on hourly rates will be invoiced; hourly rates are hard to avoid as it is not clear how long something will take. The number of hours will be clearly explained in terms of what has been done.</p> <p>A democratic process can't avoid this entirely. There are proposals elsewhere on the agenda to include Members in significant pre-application discussions</p>
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# Agenda Item 8

## PRE-APPLICATION ADVICE

### PROPOSED FEE SCHEDULE

	<b>FEE</b>
Site history requests	£30 per hour or part thereof
Householders	No fee
<b>Minor development</b> Less than 3 dwellings <ul style="list-style-type: none"> <li>• All non-residential schemes with a floorspace less than 500 sq m or sites less than 0.5 ha</li> <li>• Adverts</li> <li>• Change of use of building(s) with a floorspace less than 500 sq m or sites less than 0.5 ha</li> <li>• Single wind turbines/telecoms mast under 17m high</li> </ul>	£50 if meeting requested £100 to cover one unaccompanied site visit and one letter or £150 if meeting requested; Hourly rate thereafter
<b>Intermediate development</b> 3 to 25 dwellings <ul style="list-style-type: none"> <li>• All non-residential schemes with a floorspace between 500 sq m and 2,000 sq m or on sites between 0.5 ha and 2 ha</li> <li>• Change of use of building(s) with a floorspace between 500 sq m and 2,000 sq m or sites between 0.5 ha and 2 ha</li> </ul>	£200 to cover one site visit and one letter or £250 if meeting requested; Hourly rate thereafter
<b>Significant development</b> 26 or more dwellings <ul style="list-style-type: none"> <li>• All non-residential schemes with a floorspace over 2,000 sq m or on sites over 2 ha</li> <li>• Change of use of building(s) with a floorspace over 2,000 sq m or sites over 2 ha</li> <li>• Any scheme requiring an Environmental Impact Assessment</li> </ul>	£750 to cover up to one site visit and two meetings; Hourly rate thereafter

No charge will be made for pre-applications which relate to applications for which there is no fee payable (eg trees, listed buildings)



# Agenda Item 9

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**Report to:** Planning Committee

**Date of Meeting:** 29 June 2011

**Subject:** Consultation on Core Strategy for Sefton - update

**Report of:** Jane Gowing, Head of Planning Services

**Wards Affected:** All

**Is this a Key Decision?** No

**Is it included in the Forward Plan?** No

**Exempt/Confidential** No

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## **Purpose/Summary**

To update members on consultation taking place on the proposed Options, a key stage in developing the Core Strategy for Sefton

## **Recommendation**

That members note changes to the approach to the consultation on the proposed Options for the Core Strategy.

## **How does the decision contribute to the Council's Corporate Objectives?**

	<b><u>Corporate Objective</u></b>	<b><u>Positive Impact</u></b>	<b><u>Neutral Impact</u></b>	<b><u>Negative Impact</u></b>
1	Creating a Learning Community	√		
2	Jobs and Prosperity		√	
3	Environmental Sustainability		√	
4	Health and Well-Being		√	
5	Children and Young People		√	
6	Creating Safe Communities		√	
7	Creating Inclusive Communities		√	
8	Improving the Quality of Council Services and Strengthening Local Democracy	√		

# Agenda Item 9

## Reasons for the Recommendation:

To inform Members of changes to our approach to consultation.

## What will it cost and how will it be financed?

### (A) Revenue Costs

Costs already incurred and contained within agreed departmental budget.

### (B) Capital Costs

None

## Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Legal</b>	No specific implications
<b>Human Resources</b>	No specific implications
<b>Equality</b>	
1. No Equality Implication	<input type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input checked="" type="checkbox"/>

## Impact on Service Delivery:

Improved service as more people aware of consultation

## What consultations have taken place on the proposals and when?

Not applicable

## Are there any other options available for consideration?

Not applicable

**Implementation Date for the Decision**

Not applicable

**Contact Officer: Steve Matthews****Tel: 0151 934 3559****Email: [steve.matthews@sefton.gov.uk](mailto:steve.matthews@sefton.gov.uk)****Background Papers:**

There are no background papers available for inspection.

# Agenda Item 9

## 1. Background

- 1.1 Members are aware that consultation has now started on the Options stage of the Core Strategy for Sefton, and is due to run until 12<sup>th</sup> August. Drop-in events have already been held in a number of communities and presentations to Area Committees and various interest groups are taking place.
- 1.2 The consultation has been advertised through adverts and article in the local papers which are part of the Trinity group (Southport Visitor, Formby Times, Maghull & Aintree Star, Crosby Herald and Bootle Times). These papers have also run their own stories about the proposed Options to give further coverage. Posters have been distributed in many public buildings including Council buildings, one stop shops, libraries, leisure centres, schools and youth centres. All of the information is also available on the Council's web site.
- 1.3 There has been some criticism that the consultation was not broad enough. Whilst this is not widespread criticism officers had to consider how to respond to these comments. In particular, at one of our early drop-in events, in Melling, local residents said that not many people were aware of the drop-in event being held in their area. This led to a wider concern that people who lived near Green Belt and greenspace sites, which were identified in the Options Paper as having potential for development, might not be aware of these proposals.

## 2. Action taken

- 2.1 As soon as these concerns became known, all residents and premises within 50 metres of a Green Belt site, and properties fronting onto greenspace sites, were directly notified by letter of what was being proposed with details of local drop-in events which they could attend to find out more.
- 2.2 Posters were re-designed to be more eye-catching and were distributed more widely including to local shops and Post Offices, rail stations, community notice boards and church halls.
- 2.3 Residents in Melling who live close to affected sites were also given details of nearby drop-ins which they could attend, including at Aintree and Maghull.
- 2.4 The further steps we are taking seem be working. The feedback we are receiving suggests that most people who have a direct interest in the proposals of the draft greenspace and Green Belt studies are aware of opportunities to visit the exhibition and to talk to members of the Core Strategy team. Furthermore we are also receiving positive feedback about the consultation events themselves with residents advising that the information provided is well presented and clear.

## 3. Remainder of consultation period

- 3.1 There will be further drop-ins and presentations, including to Area Committees, schools, business groups, and other forums. There will also be a briefing session for all Members on Monday 11<sup>th</sup> July (Bootle Town Hall, 6-8pm) to discuss issues arising from the consultation.

# Agenda Item 10

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**Report to:** Planning Committee      **Date of Meeting:** 29th June 2011

**Subject:** TOWN AND COUNTRY PLANNING ACT 1990 APPEALS

**Report of:** Jane Gowing  
(Head of Planning Services)      **Wards Affected:** All

**Is this a Key Decision?** No      **Is it included in the Forward Plan?**  
No

**Exempt/Confidential** No

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## Purpose/Summary

To advise Members of the current situation with regard to appeals. Attached is a list of new appeals, enforcement appeals, developments on existing appeals and copies of appeal decisions received from the Planning Inspectorate.

## Recommendation(s)

That the contents of this report be noted for information since the appeal decisions contained herein are material to the planning process and should be taken into account in future, relevant decisions.

## How does the decision contribute to the Council's Corporate Objectives?

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Jobs and Prosperity		✓	
3	Environmental Sustainability		✓	
4	Health and Well-Being		✓	
5	Children and Young People		✓	
6	Creating Safe Communities		✓	
7	Creating Inclusive Communities		✓	
8	Improving the Quality of Council Services and Strengthening Local Democracy		✓	

# Agenda Item 10

## Reasons for the Recommendation:

### What will it cost and how will it be financed?

(A) Revenue Costs – N/A

(B) Capital Costs – N/A

## Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Legal</b>		
<b>Human Resources</b>		
<b>Equality</b>		
1.	No Equality Implication	<input checked="" type="checkbox"/>
2.	Equality Implications identified and mitigated	<input type="checkbox"/>
3.	Equality Implication identified and risk remains	<input type="checkbox"/>

## Impact on Service Delivery:

None.

## What consultations have taken place on the proposals and when?

None.

## Are there any other options available for consideration?

No.

## Implementation Date for the Decision

N/A

**Contact Officer:** Neil Fleming  
**Tel:** (0151) 934 2211  
**Email:** [monitoring@sefton.gov.uk](mailto:monitoring@sefton.gov.uk)

## Background Papers:

Background documents can be viewed for each application at [www.sefton.gov.uk/planapps](http://www.sefton.gov.uk/planapps).

# Agenda Item 10

## Appeals Received and Decisions Made

From 26 May 2011 to 15 June 2011

### New Enforcement Appeals

**22 Gloucester Road, Birkdale**  
2152352 - CLB/ENFO407  
Fences/Walls/Outbuildings etc.

**Appeal Type:** Written  
**Lodged Date:** 01/06/2011  
**Decision:** PENDING  
**Decision Date:** 01/06/2011