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MEETING: PLANNING COMMITTEE

DATE: 24th August 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: Ruth Appleby Committee Clerk
Telephone: 0151 934 2181
Fax: 0151 934 2034
E-mail: ruth.appleby@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.

A G E N D A

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 27 July, 2011 (Pages 5 - 12)

4. Petitioned Application

Prior to consideration of the following reports, petitions will be presented in accordance with Rule 27 of the Council and Committee Procedure Rules.

A Application No.S/2011/0865 - 24 Argyle Road, Southport (Pages 13 - 20)
Report of the Head of Planning Services

5. Applications for Planning Permission - Approvals

A Application No.S/2011/0639 - Land adjacent to 5 Ridge Close, Southport (Pages 21 - 28)

B Application No.S/2011/0747 - St Frideswyde C of E Church, Water Street, Thornton (Pages 29 - 40)

C Application No.S/2011/0798 - Car Wash Adjacent to 1 Brenka Avenue, Aintree (Pages 41 - 52)

D Application No.S/2011/0810 - 28 Timms Lane, Formby (Pages 53 - 62)

E Application No.S/2011/0846 - Land Adjacent to 3 Village Way, Hightown (Pages 63 - 72)

6. Planning Enforcement Update (Pages 73 - 94)

Report of the Head of Planning Services

7. Knowsley Core Strategy Preferred Options Consultation (Pages 95 - 102)

Report of the Head of Planning Services

8. Draft Mersey Ports Master Plan (Pages 103 - 110)

Report of the Director of Built Environment

9. Joint Merseyside and Halton Waste Development Plan Document: Council Approval of Publication Waste DPD (Pages 111 - 122)

Report of the Director of Built Environment

- 10. Applications to be Inspected by the Visiting Panel - 22 August, 2011** (Pages 123 - 124)
Report of the Head of Planning Services
- 11. Town and Country Planning Act 1990 - Appeals** (Pages 125 - 132)
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 27 JULY 2011**

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

Councillors Atkinson, Ball, L. Cluskey, Dodd,
Dorgan, M. Fearn, Griffiths, Gustafson, Roberts,
Sumner, Tonkiss, Friel and Hands

Also Present Councillors Cuthbertson, Doran and Gibson

31. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mahon and Preece.

32. COUNCILLOR J. MAHON

The Committee was informed that Councillor Mahon was not present at the meeting due to a family bereavement.

RESOLVED: That the condolences and best wishes of the committee be conveyed to Councillor Mahon on his sad loss.

33. DECLARATIONS OF INTEREST

The following declarations of interest were received:

Member	Item	Interest	Action
Councillor Griffiths	Application No. S/2011/0645	Personal – Knows the applicant	Left the room, took no part in the discussion and did not vote thereon
Councillor Hands	Application No.S/2011/0652	Prejudicial	Spoke on the application as Ward Councillor then left the room, took no part in the discussion and did not vote thereon

Agenda Item 3

PLANNING COMMITTEE - WEDNESDAY 27TH JULY, 2011

Councillor Hands	Application No.S/2011/0677	Personal – Knows the applicant	Left the room, took no part in the discussion and did not vote thereon
Councillor Dodd	Application No. S/2011/0677	Personal – Knows the applicant	Left the room, took no part in the discussion and did not vote thereon
Councillor Mrs M. Fearn	Application No. S/2011/0677	Personal – Knows the applicant	Left the room, took no part in the discussion and did not vote thereon
Councillor D. Sumner	Application No. S/2011/0677	Personal – Knows the applicant	Left the room, took no part in the discussion and did not vote thereon
Councillor Tonkiss	Application No. S/2011/0677	Personal – Knows the applicant	Left the room, took no part in the discussion and did not vote thereon
Councillor Friel	Application No.S/2011/0717	Prejudicial – has previously discussed the application with residents and expressed views on the application	Spoke on the application as Ward Councillor then left the room and took no further part in the discussion and did not vote thereon

34. MINUTES OF THE MEETING HELD ON 29 JUNE 2011

RESOLVED:

That the Minutes of the meeting held on 29 June 2011 be confirmed as a correct record.

35. APPLICATION NO. S/2011/0555 - SANDY LANE PLAYING FIELDS, HIGHTOWN

The Committee considered the report of the Head of Planning Services recommending that the above application for the variation of condition number one on planning application S/2009/0236 to extend the time condition 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 Councillor Gibson on behalf of objectors against the proposed development and a response by the applicant's agent, Mr. Phillips.

RESOLVED:

That the recommendation be approved and the application be granted subject to the conditions and for the reasons stated or referred to in the report and in Late Representations and subject to condition No.1 T-6 Temporary Building (time limit) being amended so that the approval is for two years duration.

36. APPLICATION NO S/2011/0645 - 16 ROSEMARY LANE, FORMBY

The Committee considered the report of the Head of Planning Services recommending that the above application for the erection of a single storey extension to the rear of the dwellinghouse be refused for the reasons stated or referred to in the report.

Prior to consideration of the application, the Committee received a petition from Mr. Gerrard in support of the proposed development.

RESOLVED:

That the recommendation be approved and the application be refused for the reasons stated or referred to in the report.

37. APPLICATION NO. S/2011/0695 - 23 BIRKEY LANE, FORMBY

The Committee considered the report of the Head of Planning Services recommending that the above application for the conversion of the existing two storey side extension to create one new dwelling including the construction of a dormer to the rear of the property 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. Walsh on behalf of objectors against the proposed development and a response by the applicant's agent, Mr. Cunningham.

Agenda Item 3

PLANNING COMMITTEE - WEDNESDAY 27TH JULY, 2011

RESOLVED:

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

38. APPLICATION NO. S/2011/0717 - 87 MARSH LANE, BOOTLE

The Committee considered the report of the Head of Planning Services recommending that the above application for the change of use from Retail (A1) to Hot Food Takeaway (A5) including the erection of an extraction flue to the rear be refused for the reasons stated or referred to in the report.

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

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

RESOLVED:

That the recommendation be approved and the application be refused for the reasons stated or referred to in the report.

39. APPLICATION NO. S/2011/0746 - MARYLAND NURSING HOME, 5-7 SCHOOL LANE, FORMBY

The Committee considered the report of the Head of Planning Services recommending that the above application for the erection of a part single part two storey extension to the rear of the care home. (Alternative to S/2010/0853 refused 20/09/2010) 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. Laing on behalf of objectors against the proposed development and a response by the applicant's agent, Mr. Bacon.

RESOLVED:

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

40. APPLICATION NO. S/2011/0639 - LAND ADJ 5 RIDGE CLOSE, CROSSENS

The Committee considered the report of the Head of Planning Services recommending that the above application for the erection of a detached two storey dwelling adjacent to 5 Ridge Close (re-submission of

S/2011/0308 withdrawn 3 March 2011) 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. Astartijian on behalf of objectors against the proposed development.

In his presentation Mr Astartijian referred to a discrepancy in dimensions between the original and late plans submitted by the applicant which could not be resolved at the meeting. Members discussed this and suggested that consideration of the item be deferred in order to clarify the actual dimensions of the proposed dwelling.

RESOLVED:

That this item be deferred to the next meeting of this Committee to enable the Head of Planning Services to clarify the dimensions of the proposed development with the applicant.

41. APPLICATION NO. S/2011/0859 - PAVEMENT, MARSH BROWS, FORMBY

The Committee considered the report of the Head of Planning Services recommending that the above Prior Notification Procedure application for the erection of a replacement 15 metre high telecommunications mast and associated ground based equipment cabinet (alternative to S/2008/0703 refused 15 Oct 2008 allowed on appeal 27 May 2009) 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. Eden on behalf of objectors against the proposed development.

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

RESOLVED:

That this item be deferred to the next meeting of this Committee to enable the Head of Planning Services to investigate the provision of the third equipment Cabinet currently on site at this location and to discuss possible alternative sites with the applicant.

42. APPLICATION NO. S/2011/0652 - 12 SHAWS ROAD, BIRKDALE

The Committee considered the report of the Head of Planning Services recommending that the above application for 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 be granted subject to the conditions and for the reasons stated or referred to in the report.

Agenda Item 3

PLANNING COMMITTEE - WEDNESDAY 27TH JULY, 2011

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

RESOLVED:

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

43. APPLICATIONS FOR PLANNING PERMISSION - APPROVALS

RESOLVED:

That the following applications be approved, subject to:-

- (i) the conditions (if any) and for the reasons stated or referred to in the Head of Planning Services' 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/2011/0668	89 Freshfield Road, Formby
S/2011/0677	66 Liverpool Road, Birkdale
S/2011/0728	Land rear 28-32 Part Street, Southport
S/2011/0838	Bates Farm & Dairy, Stamford Road, Birkdale

44. APPLICATIONS TO BE INSPECTED BY THE VISITING PANEL - 25 JULY 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 25 July 2011.

Application No.	Site
S/2011/0639	Land adj 5 Ridge Close, Crossens
S/2011/0652	12 Shaws Road, Birkdale
S/2011/0695	23 Birkey Lane, Formby
S/2011/0746	Maryland Nursing Home, 5-7 School Lane, Formby
S/2011/0645	16 Rosemary Lane, Formby
S/2011/0555	Playing field, Sandy Lane, Hightown

45. TOWN AND COUNTRY PLANNING ACT - 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
Mr. C. Hilton	S/2011/0089 – Land at No. 1 Village Row, Ainsdale - appeal against a refusal to grant consent to fell 3 sycamores protected by a Tree Preservation Order	Dismissed (Trees T3 and T4) and Allowed (Tree T2)

RESOLVED:

That the report be noted.

46. WORKS IN DEFAULT WITHIN LINACRE ONE HMRI AREA

The Committee considered the report of the Head of Planning Services seeking authority to carry out works in default in respect of non compliance with a notice under the terms of Section 215 of the Town and Country Planning Act 1990 to the property 113 Knowsley Road, Bootle. The funding for the works had been set aside and was available from Neighbourhood Initiative Funding.

Members made reference to the absence of any communication from the Treasury Solicitor regarding this issue and requested that this be further pursued.

RESOLVED: That

- (1) the Head of Planning Services be authorised to execute the works required by the Section 215 notices in respect of the property at 113 Knowsley Road, Bootle, pursuant to Section 219 of the Town and Country Planning Act 1990, the funding for which has been set aside by Neighbourhood Initiative Funding.
- (2) the Head of Planning Services be requested to investigate possible actions in respect of the lack of response from the Treasury Solicitor.

Agenda Item 3

PLANNING COMMITTEE - WEDNESDAY 27TH JULY, 2011

47. INFRASTRUCTURE PLANNING COMMISSION: STATEMENT OF COMMUNITY CONSULTATION AND PLANNING PERFORMANCE AGREEMENT

The Committee considered the report of the Head of Planning Services dealing with procedures for consultation by a developer for a major planning application which fell within the remit of the Infrastructure Planning Commission. The report also informed members about the procedures and principles of entering into Planning Performance Agreements.

RESOLVED: That

- (1) the report be noted;
- (2) the Head of Planning Services be given delegated authority to finalise the content of the Statement of Community Consultation;
- (3) the principle of using planning performance agreements be approved; and
- (4) the Head of Planning Services be given delegated authority to negotiate a planning performance agreement for the biomass power generator facility at Alexandra Dock Branch No.3, Port of Liverpool.
- (5) the Head of Planning services be requested to investigate the possibility of a visit being arranged to enable this Committee to view a similar biomass power generator facility to the one proposed to be developed at Alexandra Dock Branch No.3, Port of Liverpool.

48. WIRRAL WATERS: OUTLINE PLANNING APPLICATION FOR THE CONSTRUCTION OF AN INTERNATIONAL TRADE CENTRE AND RELATED DEVELOPMENT AT WEST FLOAT, BIRKENHEAD - NEIGHBOURING AUTHORITY CONSULTATION

Further to Minute No. 161 of 10 February 2010 the Committee considered the report of the Head of Planning Services advising Members of a recent neighbouring authority consultation by Wirral Metropolitan Borough Council on an outline planning application for the construction of an International Trade Centre and related development at West Float, Birkenhead.

RESOLVED: That

- (1) the report be noted; and
- (2) the officer comments set out at paragraphs 2.3 and 2.4 of the report be approved and submitted to Wirral Metropolitan Borough Council.

Agenda Item 4a

Report to: [Planning Committee](#) **Date of Meeting:** [24 August 2011](#)

Subject: [S/2011/0865](#)
 [24 Argyle Road, Southport](#)

Proposal: [Change of use from C3 use to mixed use C3/C1 as a part dwellinghouse and part Bed and Breakfast](#)

Applicant: [Mrs J Edwards](#) **Agent:** [Architectural Design & Management](#)

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](#)

Summary

The proposal seeks to change the use of Number 24 Argyle Road from a C3 Dwellinghouse to mixed use C1 Bed & Breakfast/C3 Dwellinghouse.

The issues to consider are the impact on the Hesketh Road Conservation Area and the impact on neighbouring residential amenity.

Recommendation(s)

Approval

Reasons for the Recommendation:

When assessed against the Unitary Development Plan and all other material considerations, particularly policies AD2, CS3, DQ1, H10 and HC1, 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

Background Papers:

The following papers are available for inspection by contacting the above officer(s).
History and Policy referred to in the report

Agenda Item 4a

S/2011/0865

The Site

A detached dwellinghouse in a corner plot to Argyle Road and Hesketh Road, lying within the Hesketh Road Conservation Area.

Proposal

Change of use from C3 use to mixed use C3/C1 as a part dwellinghouse and part Bed and Breakfast

History

None.

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: 12th August 2011 (expiration of press notice).

Representations received: 14 letters of objection from Numbers 9, 14, 20, 30, 31, 32, 33, 34, 38 & 41 Hesketh Road and Numbers 20, 23, 25 & 27 Argyle Road. Points of objection relate to the intrusion of a commercial use within a residential area, the need for such a use, detrimental harm to highway safety through increased trips generated by the proposal, impact on residential amenity of neighbouring properties and the detrimental impact on the character of the Conservation Area.

A petition of 42 signatories and endorsed by ward Councillor McGuire has been received objecting to the proposal on the grounds of its negative impact on the Conservation Area plus non-material considerations relating to existing C1 operations in the vicinity.

The merits of the proposal will be considered below, but the need for such a use is not a material consideration.

Policy

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

AD2	Ensuring Choice of Travel
CS3	Development Principles
DQ1	Design
H10	Development in Primarily Residential Areas
HC1	Development in Conservation Areas

Comments

As the proposal site lies within the Hesketh Road Conservation Area – though at the boundary of this Conservation Area - and within a Primarily Residential Area then the key considerations in determining the change of use will be the impact of the proposal on the character of the Conservation Area and the impact of the proposal on residential amenity and the prevailing character of the area.

The sole external alteration being sought is the layout of four designated car parking spaces to the front of the property, behind the existing front boundary treatment of an existing well designed brick wall with hedgerow and mature trees behind. The boundary treatment affords a high degree of privacy to the front of the property and as such, would screen the parking layout to a high degree. The applicant stated within their submitted application form that no hedges or trees would be affected by the proposal, and this has been reiterated in a letter received 9th August 2011.

In terms of the impact on the Conservation Area, there is some concern as to the extent of the hard standing at the front of the property.

However, there are numerous properties lying within the Hesketh Road Conservation Area have areas of hardstanding to the front of the dwellings to provide for vehicle parking and it is therefore not out of character for such an area to be provided.

In order to address these areas of concern the Council has requested a full landscaping plan from the applicant to show a strengthening of the boundary treatment plus a reduction in the amount of hardstanding to the Argyle Road elevation. This will be reported in Late Representations.

Representations to this application have commented upon the potential disturbance and intrusion of privacy by the use but as there are no additional windows proposed to the property, and the leisure facilities are mentioned then it is considered that at full occupancy, the comings and goings from the property would remain consistent with that expected of a property of its size, while the disturbance generated by the property would not be out of keeping with its previous use solely as a dwellinghouse.

As such, the proposal would not therefore cause significant detrimental harm to neighbouring properties, particularly Number 22 Argyle Road and Number 33 Hesketh Road, and is therefore acceptable in this regard.

As is evident from there being no objections from the Council's Highways Engineers, the proposal will not cause harm to highway safety through vehicles entering or leaving the site.

In conclusion, the proposal meets planning policy and it is therefore recommended that the application be granted consent with conditions.

Agenda Item 4a

Conditions

1. T-1 Full Planning Permission Time Limit
2. X1 Compliance

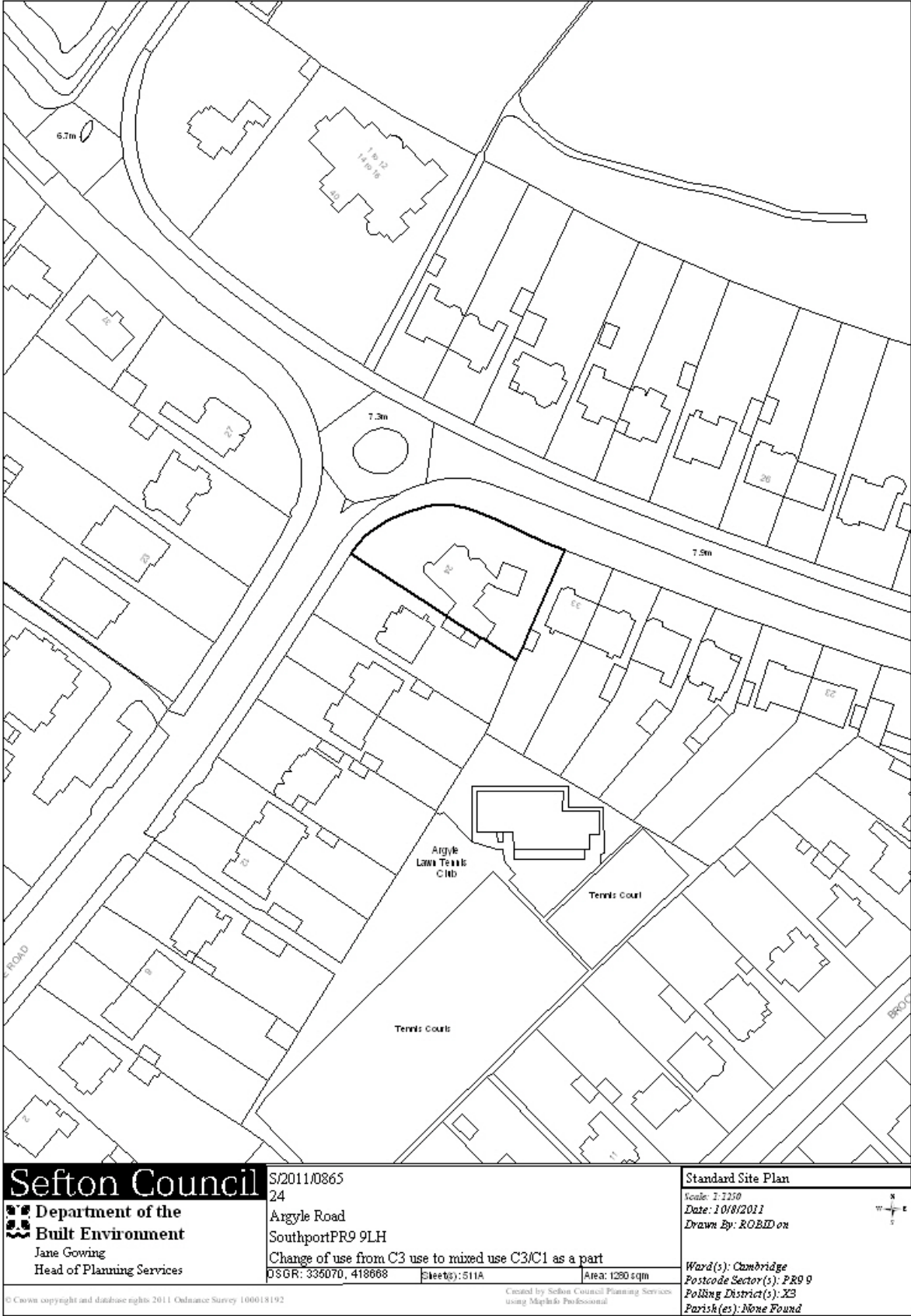
Reasons


1. RT-1
2. RX1

Drawing Numbers

01, 02, 03, 04 Elevations, 04 Location Plan.

Existing site plan



Sefton Council  Department of the Built Environment Jane Gowing Head of Planning Services	S/2011/0865 24 Argyle Road Southport PR9 9LH Change of use from C3 use to mixed use C3/C1 as a part		Standard Site Plan Scale: 1:2250 Date: 10/8/2011 Drawn By: ROBD on
	OSGR: 336070, 418668	Sheets: 511A	Area: 1280 sqm

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Agenda Item 4a

Proposed site plan


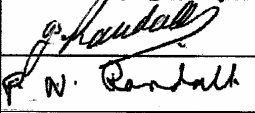
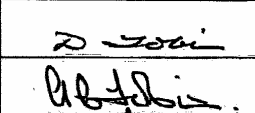
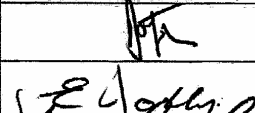
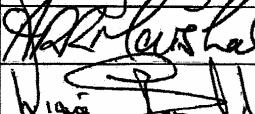





led by Sefton Council Planning & Economic
 regeneration Department Bootle Office
 Scanned by - 2 AUG 2011

Objection to Change to the Mixed Use of a Residential Property Ref: S/2011/0865

Almost without exception, the Sefton residents, who have signed this petition, live within the Hesketh Road Conservation Area. They are opposed to the planned change of use of 24 Argyle Road, Southport, Hesketh Road, situated within this Conservation Area.

We believe that this development will have an unacceptable impact on the amenity, integrity and character of a tightly defined conservation area. We believe that the privacy of neighbours living in properties adjacent to this proposed development will be compromised. We have concerns also that this proposal puts in jeopardy those established small hotels and guest houses within the vicinity of the conservation area and which are struggling to remain viable economically.

Name	Address	Signature
Mr David Brown	31 Hesketh Road	
Mr George Randell	33 Hesketh Road	
Mrs Pamela Randell	33 Hesketh Road	P. N. Randell
Mr David Tobin	30 Hesketh Road	
Mrs Ann Tobin	30 Hesketh Road	
Dr Ian Jolly	32 Hesketh Road	
Mrs Elaine Jolly	32 Hesketh Road	
Mr Andrew Marshall	34 Hesketh Road	
Mrs Diana Marshall	34 Hesketh Road	

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Report to: [Planning Committee](#) **Date of Meeting:** [24 August 2011](#)

Subject: [S/2011/0639](#)
[Land adjacent to 5 Ridge Close, Southport](#)

Proposal: [erection of a detached two storey dwelling adjacent to 5 Ridge Close \(re-submission of S/2011/0308 withdrawn 3 March 2011\)](#)

Applicant: [Mr Stephen Rothwell](#) **Agent:** [Mr Stephen Rothwell](#)

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](#)

Summary

This application is seeking consent for the erection of a two storey dwellinghouse on land adjacent 5 Ridge Close.

The main issues for consideration are the principle of development, design and impact on the street scene, impact on residential amenity and compliance with policy on tree provision.

Recommendation(s)

Approval

Reasons for the Recommendation:

The proposal is acceptable in this primarily residential area. The design accords with policy DQ1 and satisfies the requirements for residential amenity and design. The proposal therefore complies with policies H10 and CS3.

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**

Email: 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/2011/0639

Deferred Item

This item was deferred at the last meeting for clarification of the width of the rear eastern boundary of the site. The case officer visited the site to measure the boundary and it is confirmed that it is 8m wide. The agent has withdrawn the plan annotating the boundary as 7.2 metres wide.

The Site

The site is an infill plot on the eastern side of Ridge Close and to the rear of 169 Rufford Road, Crossens. Part of the site comprises garden area to 169 Rufford Road and a small section fronting Ridge Close does not form part of the residential curtilage of 169, nor any of the properties surrounding it, but has, it is understood, been maintained by neighbours in recent years.

Proposal

Erection of a detached two storey dwelling adjacent to 5 Ridge Close (re-submission of S/2011/0308 withdrawn 3 March 2011)

History

- | | |
|--------|--|
| 22758 | Erection of one detached 2 storey dwellinghouse. Refused 14/11/84 |
| 91/827 | Outline application for 1 detached 2 storey dwellinghouse. Withdrawn 12/05/92. |

Consultations

Head of Service – Environment – No objection in principle subject to piling condition.

Assistant Director (Transport and Spatial Planning) – No objections subject to condition relating to new access and informatives.

Neighbour Representations

Last date for replies: 16 June 2011

Received: Letters of objection received from 3, 5, 7, 17, 23, 25 Ridge Close raising the following concerns:

- Loss of privacy and light in adjacent gardens.
- May cause structural damage to neighbours garage.
- Inadequate services (sewers / drains etc) cannot cope with more dwellings, already an additional one approved which is currently under construction. Original plans for Ridge Close were for 13 houses, not 14 as existing and 15 as proposed.
- Strip of land fronting Ridge Close does not belong to 169, owner unknown.
- Plan shows the plot of 169 extending through to Ridge Close but this is not the case due to strip on land unclaimed at front.
- Parking is already a problem in this cul-de-sac, more dwellings will make it much

Agenda Item 5a

- worse and cause further disruption.
- Will reduce area for on-street parking if this area of frontage is taken up by a dwelling.
- Question 15 on the application form states there are no trees on the site which is not correct.
- Advertisement placed in local paper regarding land ownership was not seen by anyone given its size and position in the newspaper.
- Dwelling is far too big for the size of plot, too close to adjacent dwellings and out of character with existing houses.
- Plans do not appear accurate.

1 letters stating no objection received from 169 Rufford Road.

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 – principle of development in residential area, design and impact on the street scene and character of the area, impact on residential amenity, compliance with tree planting policy.

Principle

The site lies within a primarily residential area where residential development is appropriate in principle subject to other policy and site constraints.

The scheme has been amended to reduce the size of the dwelling following concerns of potential impact on neighbours. The two storey rear outrigger has been reduced to single storey only, which reduces its bulk and the length of the side elevation facing no. 5 at first floor level.

Design and impact on the street scene and character of the area

Policy DQ1 requires new development to make a positive contribution to its surroundings through the quality of their design in terms of scale, massing, form, style, detailing and use of materials.

The dwelling is of an appropriate scale and massing to the street scene of Ridge Close. The street is a cul-de-sac of two storey dwellings, some of which are detached and some are semi-detached. This proposal seeks consent for the erection of a two storey detached dwelling with a maximum ridge height of 8.6 metres, which is equal to that of adjacent dwellings as demonstrated on the street scene elevation submitted. The form of development is acceptable in this location as the site is an infill plot in-between two

existing dwellings. There is a large gap between numbers 5 and 7 and there are no other gaps of this nature elsewhere within the Close in between dwellings. As such the gap is not a particular characteristic of the area that should be retained or protected.

The design of the dwelling is simple with a projecting two storey bay, constructed of traditional materials and has a hipped roof. The dwelling is appropriate in this location and acceptable in terms of scale, design and the character and form of the surrounding area. The proposal therefore complies with policy DQ1.

Residential Amenity

The dwelling will be sited in between two existing dwellings at 5 and 7 Ridge Close. The scheme has been amended to remove the first floor to the two storey rear outrigger originally proposed which was considered to have a detrimental impact on no. 5. The reduced scheme has three bedrooms now instead of four and is now more appropriate for a site of this size and as a result of being reduced in size will not significantly overshadow no.5.

The siting of the dwelling meets the minimum interface distances to surrounding dwellings and their gardens as set out in SPG New Housing Development. The size of the dwelling is large in relation to the plot but on the basis that a rear garden size of 80 sq m is provided which is in excess of the minimum 70 sq m required, the size is considered acceptable. No side windows to habitable rooms are proposed and so no overlooking issues are raised by the proposal.

In terms of impact on no. 7 the proposed dwelling is set further forward of the front elevation of no. 7 by 3.2 metres. However, this is not considered to cause significant harm to their outlook or amenity on the basis that there is a row of large conifers along the boundary between the dwellings which already obscures the view from no. 7. The side of number 7 has a number of windows which are obscurely glazed and as such the dwelling will not directly affect the outlook from any habitable room windows. The dwellings will be 2.8 metres away from the side elevation of no. 7 which is considered sufficient spacing between dwellings in this locality.

Objections raised relating to services and utilities are not a material planning consideration and an application cannot be refused on this basis alone.

Objections have been submitted relating to parking and congestion which neighbours fear will worsen if this application is granted consent. The proposal provides 1 parking space which meets the Council's standards for parking provision on new dwellings and Highways have stated that there are no highway safety implications as a result of the application.

Trees

Policy DQ3 requires the provision of 3 new trees to be planted on the site for each new dwelling, and 2 trees to be planted for every tree removed as part of the proposal. In this case 3 new trees are required to be planted and these are shown on the amended site plan submitted. Furthermore four conifer trees are being removed, requiring eight new trees to be planted on site giving a total of 9 trees required to be planted. An amended site plan showing existing and proposed tree planting is awaited. Provided this plan is received and acceptable, the proposal complies with policy DQ3 in respect of tree planting.

Agenda Item 5a

Conclusion

The proposal is acceptable in this primarily residential area and complies with policy H10. The issues of design, residential amenity and impact on existing dwellings have been considered in accordance with the New Housing SPG and policies CS3 and DQ1. The proposal is considered acceptable. A revised landscaping scheme has been submitted which satisfies the requirement for replacement and required tree planting within the proposed garden areas. On balance the proposal is acceptable and is recommended for approval with appropriate conditions removing permitted development rights for further extensions and alterations.

Conditions & Reasons

1. T-1 Full Planning Permission Time Limit
2. Before the development is commenced, details of the facing/windows/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.
3. M-6 Piling
4. H-2 New vehicular/pedestrian access
5. R-2 PD removal garages/ extensions/outbuildings
6. R-3 PD removal windows
7. Prior to the commencement of the development:
 - a) Full details of proposed boundary treatment for the front, rear and side boundaries of the development site shall be submitted to and approved in writing by the Local Planning Authority.
 - b) The boundary treatment shall be implemented in accordance with the approved scheme and retained thereafter.
8. L-5 Landscape Management Plan
9. L-4 Landscape Implementation

Reasons

1. RT-1
2. RM1
3. RM-6
4. RH-2
5. RR-2
6. RR-3
7. In the interests of visual amenity and to accord with policies CS3 and DQ1 of the Sefton Unitary Development Plan.
8. RL-5
9. RL-4

Drawing Numbers

A1 plan and proposed landscape plan received 12/07/2011

Existing site plan



Sefton Council

Department of the
Built Environment
 Jane Gowing
 Head of Planning Services

S/2011/0639
 Land adjacent to
 5 Ridge Close
 Southport
 PR9 8JU

OSGR: 337386, 420009

Sheets: 5/36

Area: 238 sqm

Standard Site Plan

Scale: 1:1250
 Date: 12/1/2011
 Drawn By: EBERT on



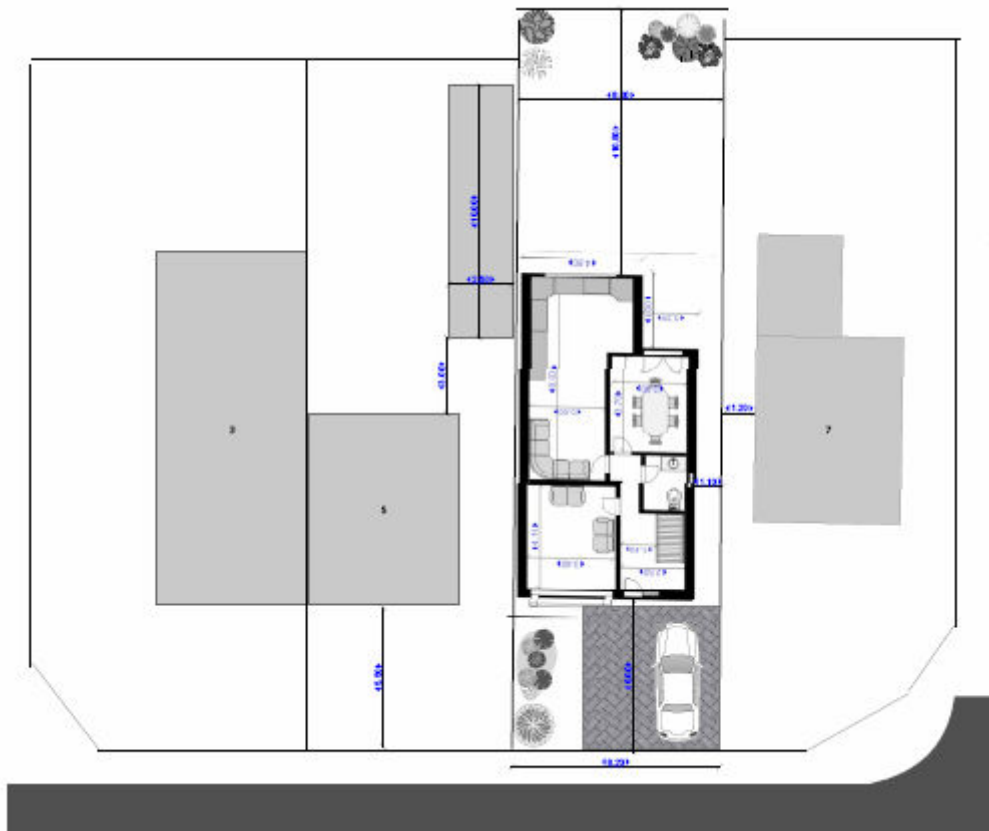
Ward(s): Meols
 Postcode Sector(s): PR9 8
 Poling District(s): Y2
 Parish(es): None Found

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Created by Sefton Council Planning Services using MapInfo Professional

Agenda Item 5a

Proposed site plan



Report to: [Planning Committee](#) **Date of Meeting:** [24 August 2011](#)

Subject: [S/2011/0747](#)
[St Frideswyde C of E Church, Water Street, Thornton](#)

Proposal: [Erection of 13 two storey dwellings, detached garages, access, parking and amenity space after demolition of the existing church and church hall](#)

Applicant: [Elan Real Estate Limited & Church Wardens St Frideswyde's Church](#)
Agent: [Elan Real Estate Limited & Church Wardens of St Frideswyde's](#)

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

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

Exempt/Confidential [No](#)

Summary

This is a full application for the erection of 13 houses on the site of St Frideswyde Church and church hall in Thornton. The main issues to consider include the principle of the development as well as issues of visual impact, residential amenity and highway safety.

Recommendation(s)

Approval

Reasons for the Recommendation:

The proposal is acceptable in principle and in terms of its visual impact and its effects on residential amenity, ecology, landscaping 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

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

The site is L-shaped and comprises St Frideswyde Church and church hall with access from Water Street.

The site is surrounded by residential property including the vicarage on the corner of Lydiate Lane which is to remain. The Nag's Head public house lies on the opposite side of Lydiate Lane.

Proposal

Erection of 13 two storey dwellings, detached garages, access, parking and amenity space after demolition of the existing church and church hall.

History

None.

Consultations

United Utilities – no objections

Police ALO – generally satisfied with the proposal and the size of development would be ideally suited to being built to Secured by Design standards; plot 12 does not benefit from surveillance opportunities.

Built Environment Director – no objection in principle subject to standard conditions and informatives M-6, Con-1 to Con-5 and I-15.

Environment Agency – no objection in principle provided contaminated land conditions are imposed.

MEAS – advise that EIA screening is not required for the proposed demolition; Phase 1 habitat survey and bat survey are acceptable; informative for bats required; landscaping conditions required to include landscape management plan, planting schedule and species list; conditions required to secure at least 2 bat bricks/boxes into the scheme and at least one nest box per building; flood risk assessment not required; proposal incorporates a sustainable drainage system in accordance with Policy DQ5 and a drainage strategy can be secured by condition; standard contaminated land conditions required; Site Waste Management Plan required (through separate legislation); development should promote sustainable waste management; condition required to secure level 3 of the code for Sustainable Homes as proposed.

Highways DC – no objections in principle; three of the houses will have direct frontage onto Water Street, but only one will have direct vehicular access. A new access road off Water Street is proposed and will provide access to 10 houses, plus the off-street parking for two of the dwellings which front onto Water Street. It will be necessary to introduce one or two traffic calming features on the proposed access road which will enable the making of a 20mph zone Traffic Regulation Order (TRO). Appropriate traffic signs and carriageway markings will need to be introduced at the junction of the site

Agenda Item 5b

access with Water Street. Sefton Council, as the Highway Authority, will consider the access road for adoption.

The layout of the new access road where it meets Water Street affords adequate visibility to the left for drivers leaving the site. Visibility to the right would also be acceptable if alterations to the layout and geometry of the junction of Lydiate Lane/Water Street were carried out. At present, due to over generous radii and wide expanse of carriageway areas, vehicle speeds can be higher than expected. These alterations would have the effect of reducing the speed at which drivers travelling in a northbound direction along Lydiate Lane could reasonably make the left turn into Water Street, in turn reducing the visibility standards that apply.

Each of the 13 houses will have a garage space plus at least one parking space on a driveway, which is an acceptable level of car parking provision.

In order to accommodate the layout being proposed a scheme of off-site highway works will be required. The works will involve closing off of the existing redundant accesses and the reinstatement/reconstruction of the footway across the entire site frontage along Water Street, together with the provision of a new footway crossing and the formation of a junction with the new access road. As well as the alterations to the layout and geometry of the junction of Lydiate Lane/Water Street some minor improvements for pedestrians will be required in the form of a new pedestrian refuge on Water Street together with flush kerbs and tactile paving either side of the junctions of Water Street/site access road, Lydiate Lane/Water Street and Green Lane/Hartdale Road). In addition, the existing bus stop will need to be relocated and upgraded to current standards in order to make it accessible to all.

Standard conditions and informatives H-1, H-2, H-5, H-6, H-10, H11 & I-1 required as well as a condition for the TRO (see above) and informative regarding agreements under S38 & S278 of the Highways Act 1980.

Neighbour Representations

Last date for replies: 30/6/11 (neighbours)
 14/7/11 (site notice)
 14/7/11 (press notice)

Letters of objection received from 1 and 19A Water Street. Grounds of objection include:

- Heavy traffic / hazardous access / increase in traffic.
- Site opposite public house which has a large busy car park used late at night.
- Bus routes use Water Street with a bus stop outside the site.
- Noise and disruption during construction.
- Possible decrease in property value.
- Noise and disruption from potential tenants.
- Reduction in pedestrian safety.
- Risk of increased crime, anti-social behaviour and personal safety.
- Privacy issues.
- Increased pollution and waste.
- Risk of development not in keeping with area.
- Risk of asbestos release into surrounding area.

- Possible disruption to nesting birds.

Policy

The application site is situated in an area allocated as Residential 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
EP3	Development of Contaminated Land
H10	Development in Primarily Residential Areas
NC2	Protection of Species
NC3	Habitat Protection, Creation and Management

Comments

The main issues to consider include the principle of the development, its visual impact and effects on residential amenity and highway safety, site planning considerations as well as landscaping, greenspace and ecological issues.

Principle

There are no objections to the demolition of the existing church and church hall neither of which are listed or situated within a Conservation Area.

The site lies within a residential area as defined in the adopted Sefton UDP therefore the principle of residential development is acceptable as set out in Policy H10.

The development of 13 houses does not require an affordable housing element as it is below the threshold of 15 dwellings.

Visual Impact

Three of the proposed houses front onto Water Street at the entrance into the site with the remaining ten dwellings arranged around a single access road which extends into the site. These ten dwellings all back onto back gardens of existing properties. All of the proposed dwellings are four bed detached although a mixture of six different house types are proposed.

It is considered that the proposed development relates well to the surrounding area in terms of visual impact.

Residential Amenity

The layout of the proposed dwellings has been amended since the initial submission in order to provide adequate interface distances in line with the advice given in the Council's SPG on New Housing Development. 1.8m high close boarded fences are

Agenda Item 5b

proposed along the rear boundaries of the site. It is not considered that adjoining residents will suffer any significant loss of residential amenity either from overlooking or overshadowing as a result of the development.

Highway Safety

Highways Development Control raise no objections to the proposal on highway safety grounds. This is subject to various conditions including the implementation of a scheme of off-site highway works to include the relocation and upgrade of the existing bus stop on Water Street and the alteration of the layout and geometry of the Lydiate lane / Water Street junction in order to reduce the speed of traffic entering Water Street from Lydiate Lane.

Site Planning

Minor amendments have been made to the scheme to ensure a satisfactory relationship between individual properties as well as adequate outdoor garden space and parking provision.

Landscaping

The proposal includes the retention of the existing hedge fronting Lydiate Lane and this should be secured by condition as it is an important feature in the street scene.

UDP Policy DQ3 requires the provision of 3 new trees per dwelling as well as 2 trees to replace each tree lost as a result of the development. In this case, 6 new trees will be required to replace the 3 to be removed plus 39 trees for the 13 new houses, making a total of 45 new trees. The applicant has advised that the 45 trees will all be accommodated on the site and this can be secured by condition.

Greenspace

UDP Policy DQ4 requires a commuted sum payment towards the enhancement of public greenspace in the vicinity of the site. At current prices, this would be 13 x £1,815.00 making a total commuted sum payment of £23,595.00.

Ecology

MEAS have advised that the submitted habitat and bat surveys are acceptable and have recommended conditions to secure the provision of bat and bird nesting boxes within the scheme.

Other Issues

Local residents have raised concerns about security issues although the police ALO is generally satisfied with the scheme. The house on Plot 12 does have main windows overlooking 3 of its 4 elevations providing better surveillance of the plot.

Concerns have also been expressed about a possible reduction in property values and about noise and disturbance from future residents and from construction works. These are not planning considerations which can affect the decision made on the application.

Agenda Item 5b

The applicant has advised that the development will be built to Code for Sustainable Homes level 3 and this can be secured by condition.

Conditions

1. T-1 Full Planning Permission Time Limit
2. X1 Compliance
3. M-2 Materials (sample)
4. M-6 Piling
5. Landscaping (scheme)
6. L-4 Landscape Implementation
7. L-5 Landscape Management Plan
8. NC-3 Biodiversity enhancement
9. H-1 Remove existing vehicular/pedestrian access
10. H-2 New vehicular/pedestrian access
11. H-5 Off-site Highway Improvements
12. H-6 Vehicle parking and manoeuvring
13. H-10 Mud on carriageway
14. H-11 Construction Management Plan
15. Unless otherwise agreed in writing, no part of the development shall be occupied until a Traffic Regulation Order (TRO) for a 20 mph zone on the new access road has been implemented in full.
16. a) Unless otherwise agreed in writing, no development shall take place until a detailed scheme of street lighting to comply with the requirements of BS5489 on the new access road within the development site, has been submitted to and approved in writing by the Local Planning Authority.
b) The scheme approved under a) above shall be implemented in full prior to the development being brought into use.
17. R-2 PD removal garages/ extensions/outbuildings
18. Con-1 Site Characterisation
19. Con- 2 Submission of Remediation Strategy
20. Con-3 Implementation of Approved Remediation Strategy
21. Con-4 Verification Report
22. Con-5 Reporting of Unexpected Contamination
23. E-2 Sealed surface car parking
24. The proposed dwellings shall meet at least level 3 of the Code for Sustainable Homes.
25. S106 Agreement
26. M-8 Employment Charter

Reasons

1. RT-1
2. RX1
3. RM-2
4. RM-6
5. RL-3
6. RL-4
7. RL-5
8. RNC-3
9. RH-1

Agenda Item 5b

10. RH-2
11. RH-5
12. RH-6
13. RH-10
14. RH-11
15. RH-1
16. RH-1
17. RR-2
18. RCON-1
19. RCON-2
20. RCON-3
21. RCON-4
22. RCON-5
23. RE-2
24. In the interests of sustainability and to comply with Sefton UDP Policy DQ1.
25. R106
26. RM-8

Notes

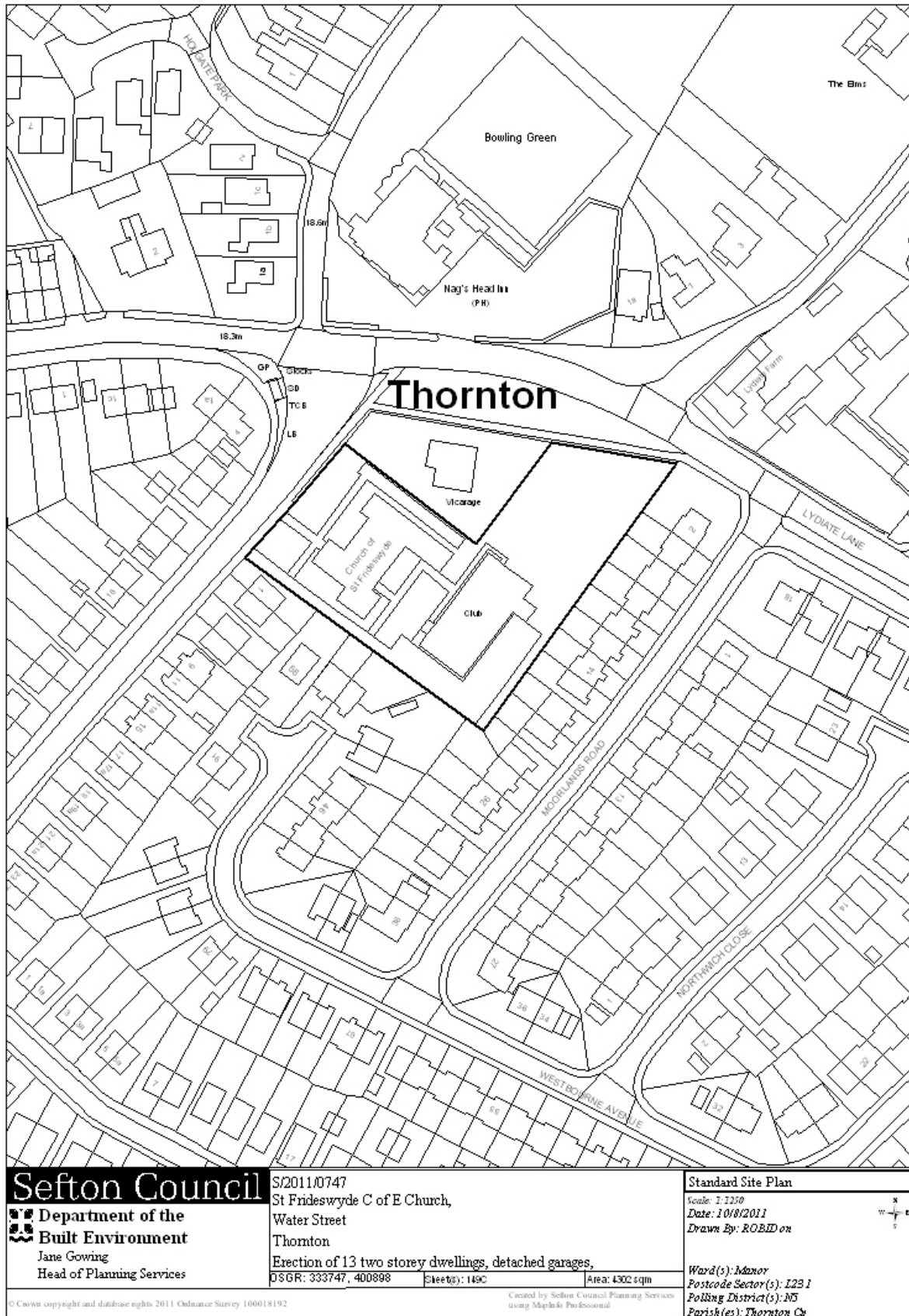
1. The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Highways Development Control Team on Tel: 0151 934 4175 to apply for a new street name/property number.
2. The developer is advised that agreements under Section 38 and Section 278 of the highways Act 1980 will be required to secure the implementation of the off-site highway improvements and to contact the Highways Development Control Team on 0151 934 4175 in this regard.
3. Bats may be present in your building. Bats are protected species. If you discover bats you must cease work immediately, contact Batline on 01704 385735 for advice.
4. 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 18 to 22 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 22 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.
5. 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 Policy Officer, Merseyside Environmental Advisory Service, Merton House Stanley Road Bootle L20 3DL. Tel 0151 934 4958.
6. For advice with regard to Local Labour Agreements (condition M8) please contact Karen Towle, Employer Liaison Officer, Sefton@work, 268-288 Stanley Road, Bootle, L20 3ER. Tel 0151 934 2621.

Drawing Numbers

LL-LP-001A, LL-PL-001B, LL-P/GAR-01A, F-P/BRAM-01B, BRN-01A, BELV-01C, SOU-01B, BUN-01A, OAK-1A & 2A

Agenda Item 5b

Existing site plan



Proposed site plan



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Report to: [Planning Committee](#) **Date of Meeting:** [24 August 2011](#)

Subject: [S/2011/0798](#)
[Car Wash Adjacent to 1 Brenka Avenue, Aintree](#)

Proposal: [Erection of two single storey commercial units including car parking and landscaping after demolition of the existing car wash facility](#)

Applicant: [Redsun Developments](#) **Agent:** [Redsun Developments](#)

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](#)

Summary

The report recommends approval for the erection of a new commercial building for servicing and a tile storage/trade warehouse following the demolition of the existing car wash facility.

Recommendation(s)

Approval

Reasons for the Recommendation:

The scheme will deliver increased employment opportunity whilst securing the removal of a use with limited employment opportunities, also bringing benefits to visual amenity and the amenity of nearby residents. The proposals are consistent with the aims and objectives of the Sefton UDP and, in the absence of 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

Background Papers:

Agenda Item 5c

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 discontinued car wash and queuing area fronting Ormskirk Road. An elevated railway viaduct runs to the northern site boundary (the railway has been dismantled) and the embankment is heavily landscaped.

The current access is shared by 8 residential dwellings to the east of the site on Brenka Avenue. Around half the site adjacent to no. 1 is grassed over.

The site is surrounded by the Racecourse Retail Park to the north of the viaduct and a fitness club/hot food takeaway to the south on the opposite side of Brenka Avenue.

Proposal

Erection of two single storey commercial units including car parking and landscaping after demolition of the existing car wash facility

History

The history relates to planning applications for the site since the discontinued car wash opened.

S/2001/0067 – Erection of a two-bay jet wash installation – withdrawn 8 August 2001.

S/2000/0097 – Erection of a 4 bay car wash centre on the existing site – refused 29 June 2000.

S/1991/0540 – Erection of a new building to provide a 40 place day nursery with residential accommodation above – refused 15 August 1991.

S/1988/0584 – Four internally illuminated fascia signs, one internally illuminated directional arrow sign and two internally illuminated combined goal post/arrow signs – approved 7 September 1988.

S/1988/0283 – Erection of a car wash centre together with the provision of associated vacuum bays – approved 6 July 1988.

Consultations

Highways Development Control - Although Brenka Avenue is an unadopted road, pedestrian access along Brenka Avenue is very poor in that there is a substandard footway for the first 20m only, after that pedestrians must walk in the carriageway.

In order to ensure safe and adequate pedestrian (and vehicular) access into the development site and for the residents of the six houses at the end of Brenka Avenue it will be necessary to construct a 2.0m wide pedestrian footway on the north side of Brenka Avenue directly adjacent to the southern boundary of the development site, together with a nominal section of carriageway, adjacent to the footway.

Agenda Item 5c

In addition, in order to improve access for pedestrians it will be necessary to reconstruct the footway/grassed verge at the redundant footway crossing adjacent to the site and the redundant footway crossing within the extent of the nearby bus stop lay-by on the east side of Ormskirk Road. The provision of flush kerbs and tactile paving across Brenka Avenue and the adjacent service access to the racecourse together with some general improvements to the footway between the site and the bus stop on the east side will also be required as well as flush kerbs and tactile paving across the new access where it joins Brenka Avenue.

In order to clearly indicate the priorities at the junction of Ormskirk Road/Brenka Avenue new 'Give Way' carriageway markings will be required along with edge of carriageway markings at the service access to the racecourse and at the gap in the central reservation.

Pedestrian access to the two commercial units has not been adequately catered for. There is no direct, safe and convenient route between the footway and the main entrances of the building. The drawing will need to be amended to incorporate clearly defined, safe and direct pedestrian routes, and may involve the slight reconfiguration of the car parking layout to accommodate this.

The layout and the level of car parking being proposed is acceptable, however, no cycle parking has been shown on the drawings. In accordance with the Supplementary Planning Document 'Ensuring Choice of Travel' at least two secure cycle parking spaces (ideally in an enclosed, lockable shed) for use by staff must be provided. It may also be appropriate to provide a cycle stand outside each unit (ideally a 'Sheffield' stand) for use by visitors.

Built Environment Director – No objection in principle, however, conditions required relating to piling, plant and equipment details, contaminated land and a close boarded fence of minimum density of 10kg/m³ is required to the boundary of the development with 1 Brenka Avenue.

Neighbour Representations

Last date for replies: 15 July 2011

Objections from 2, 3 and 5 Brenka Avenue.

- Access and egress for residents will prove more difficult due to extra traffic impacting on a narrow road,
- Increased deliveries will result in inconvenience,
- Would prefer entrance/exit to Ormskirk Road,
- Residential dwellings being hemmed in by commercial buildings,
- Problems with former car wash building and associated traffic,
- Drainage issues,
- Individuals discarding litter.

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
DQ5	Sustainable Drainage Systems
EDT18	Retention of Local Employment Opportunities
EDT8	Business and Industrial Development Outside Primarily Industrial Areas
EP2	Pollution
EP3	Development of Contaminated Land
EP6	Noise and Vibration
H10	Development in Primarily Residential Areas

Comments

The proposal seeks to remove the existing discontinued car wash and replace with a new building housing two commercial units.

Design and layout

The building is L-shaped with a newly constructed forecourt for the parking and turning of 24 vehicles. The unit nearest Ormskirk Road would be used for vehicle servicing/MOT, the unit furthest away would be used as a ceramic tiles/distribution warehouse.

The building has an overall floorspace of 790 square metres and is of a monopitch construction with the height varying between 6 and 7 metres.

The buildings are of modern design comprising aluminium panels and cladding. These materials are consistent with the prevailing pattern of development in the surrounding area. The door and frame colourings will be finalised prior to the meeting and the use of brickwork for the lower metre of the building has been agreed to reflect the character of other surrounding buildings. Amended plans will be provided detailing this in full.

Subject to these amendments the scheme is compliant with Policy DQ1 of the Sefton UDP.

Neighbour Amenity

In terms of activity associated with the use, the servicing use is likely to prove less neighbourly than the distribution warehouse. Therefore, the former of these uses is positioned nearest to Ormskirk Road and any noise will be heard against the backdrop of this busy route.

Car parking is contained from residential development by the presence of the buildings themselves and a condition is attached requiring an acoustic fence running the entire length of the side boundary with no. 1 Brenka Avenue.

Agenda Item 5c

The building would be in the order of 10 metres from the side elevation of no. 1 Brenka Avenue and is over 5 metres from the side boundary to no. 1 at a point level with the rear elevation of that dwelling. Given the monopitch roof described earlier drops to 6 metres at that point, it is not considered that the built form in itself will cause unreasonable harm to that dwelling. The landscaping plan affords tree planting in the grass verge between the building and the site boundary and it is considered that the overall view and amenity levels for no. 1 will be improved as a result.

Reference is made to the issues associated with the former use of the car wash. There must be considerable sympathy for residents who have been previously accused of queue jumping to get to their own dwellings. However, it is considered this development will not give rise to a similar character of traffic on site, as vehicles will be parking on the site rather than driving through in a pre-determined arrangement.

The plans provide clear opportunity for visitors to the site to park as opposed to queuing and instances of residents being forced to wait on Brenka Avenue should no longer result. It is considered this will present an improvement for those residents.

I consider a planning condition is required to ensure security fencing is provided to either end of the building to reduce potential for crime and anti-social activity to the rear of the building adjacent to nearby residential dwellings.

It is considered that the scheme complies in these respects with UDP Policies EDT8, DQ1, EP6 and H10.

Highway Safety

Access to the proposal would be derived via the existing arrangement off Ormskirk Road. It is considered that the introduction of a new access as suggested would be harmful to highway safety. There would be no right turn facility for the access and there would be a considerable likelihood of vehicles approaching the next turn along and performing an illegal U-turn.

The improvements to the existing access as required by planning condition, which include improved pedestrian facilities for users of Ormskirk Road, are regarded as acceptable and will provide significant benefit. The applicant has undertaken a number of amendments to the drawing that address the concerns of the Highways Development Control team.

The present access arrangements have for an extended period served the established car wash use known to have a continual turnover of visitors on a short-stay/drive through basis.

Comments have been made in objection regarding the alternative option of a new vehicular access directly off Ormskirk Road. This is unacceptable as it would prevent vehicles travelling northbound along Ormskirk Road from making a right turn into the site or indeed a right turn out of the site.

This is likely to result in significant u-turn manoeuvres being performed at the next available gap in the central reservation. This is significantly less safe than performing a right turn into or out of Brenka Avenue. In addition, it would result in an unnecessary extension to journeys.

The scheme brings highway safety improvements and accessibility benefits and therefore complies with UDP Policies DQ1 and AD2.

Landscaping

The proposal requires the planting of 24 trees, on the basis of each new parking space being provided. These are all accommodated on site; however, an amended plan has been requested to deliver some smaller trees to be planted on the Ormskirk Road elevation of the site, to assist in softening the impact of parked vehicles.

The scheme complies with UDP Policy DQ3.

Other Matters

Existing drainage issues are not a matter for the application. However, in line with UDP Policy DQ5, a condition is attached requiring a Sustainable Drainage System in order to contribute towards a reduction of surface water run off.

The site may be subject to contamination from previous uses and the full range of conditions is attached to deal with this issue, therefore ensuring the scheme is compliant with UDP Policy EP3.

In order to allay concerns regarding retail sales from Unit 2, a specific condition is attached restricting the extent of sales to tiles, tile products and floor coverings. This preventing any possibility of the site being used for open retail purposes and compliant with UDP Policy R9.

Conditions

1. T-1 Full Planning Permission Time Limit
2. X1 Compliance
3. M-2 Materials (sample)
4. L-1 Protection of trees
5. H-5 Off-site Highway Improvements
6. H-10 Mud on carriageway
7. H-11 Construction Management Plan
8. P-5 Plant and machinery
9. a) A scheme of security fencing and/or gating preventing direct public access to the rear of the building shall be submitted to and approved in writing by the Local Planning Authority.

b) The agreed fencing shall be installed prior to the development first being brought into use and retained thereafter.
10. Con-1 Site Characterisation
11. Con- 2 Submission of Remediation Strategy
12. Con-3 Implementation of Approved Remediation Strategy
13. Con-4 Verification Report
14. Con-5 Reporting of Unexpected Contamination
15. M-6 Piling

Agenda Item 5c

16. a) Prior to the development being brought into use, a 2 metre acoustic close boarded wooden fence with a specific surface density of not less than 10kg/m³ shall be erected to run the length of the boundary with 1 Brenka Avenue. The fence shall be maintained thereafter.
b) The fence shall be dark stained within one month of its erection.
17. H-1 Remove existing vehicular/pedestrian access
18. H-2 New vehicular/pedestrian access
19. H-6 Vehicle parking and manoeuvring
20. H-7 Cycle parking
21. H-12 Servicing Areas
22. L-4 Landscape Implementation
23. B-7 No outside storage/sales
24. Unit 2 as shown on the approved plans shall only be used for the storage, distribution and sale of tile, tile products and floor coverings to the trade and general public or for B8 uses of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, and for no other purposes.
25. No car repairs or servicing works shall take place outside the building hereby permitted at any time.

Reasons

1. RT-1
2. RX1
3. RM-2
4. RL-1
5. RH-5
6. RH-10
7. RH-11
8. RP-5
9. RM-3
10. RCON-1
11. RCON-2
12. RCON-3
13. RCON-4
14. RCON-5
15. RM-6
16. RB-4
17. RH-1
18. RH-2
19. RH-6
20. RH-7
21. RH-1
22. RL-4
23. RB-7
24. To safeguard the vitality and viability of existing retail centres and to comply with Sefton UDP Policy R9.
25. RB-4

Notes

1. 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 (Con-1 to Con-5) 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.
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. 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 for further information.

Drawing Numbers

3.000, 3.001 Rev A, 3.002, 3.003, 3.004, 3.005,

Agenda Item 5c

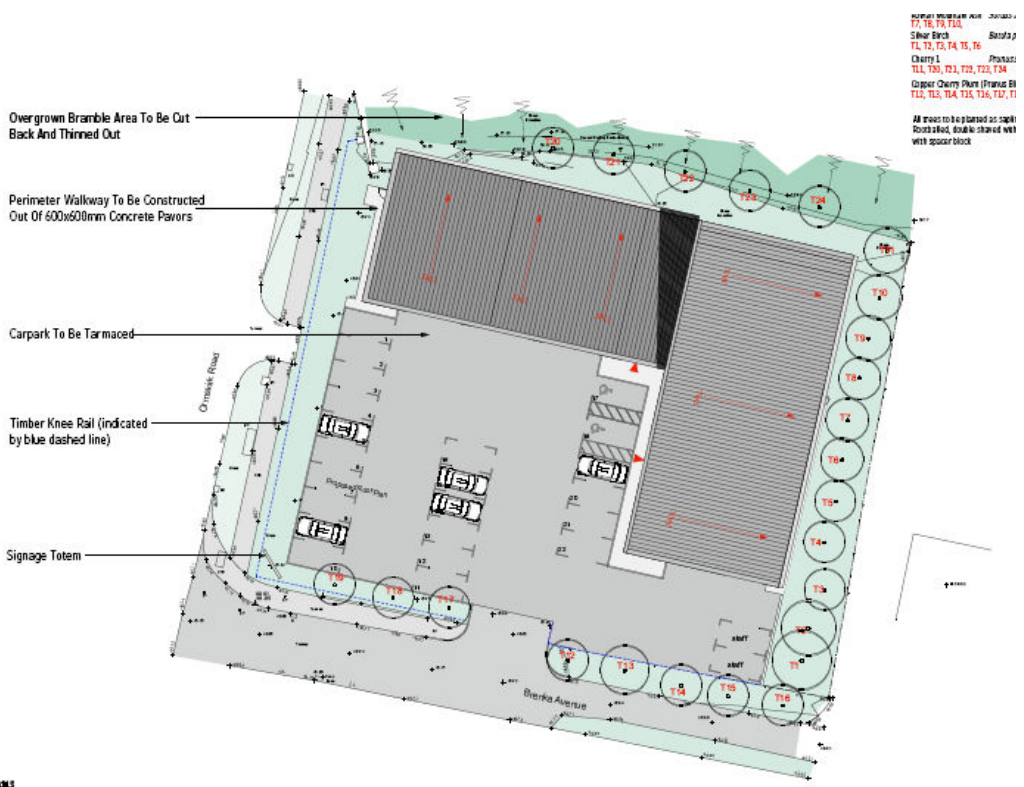
Existing site plan



Sefton Council Department of the Built Environment Jane Gowing Head of Planning Services	S/2011/0798 Car Wash Adjacent to 1 Brenka Avenue Aintree		Standard Site Plan Scale: 1:2250 Date: 11/02/2011 Drawn By: ROBD/on	
	Erection of two single storey commercial units includin		Ward(s): <i>Molyneux</i> Postcode Sector(s): <i>L9 5</i> Polling District(s): <i>C5</i> Parish(es): <i>Aintree Village Cp</i>	
OSGR: 336801, 398246		Sheets: 1/120	Area: 2525 sqm <small>Created by Sefton Council Planning Services using MapInfo Professional</small>	

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Proposed site plan



TYPICAL SURFACE DETAILS

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Report to: [Planning Committee](#) **Date of Meeting:** [24 August 2011](#)

Subject: [S/2011/0810](#)
 [28 Timms Lane, Formby](#)

Proposal: [Erection of a detached two storey dwellinghouse after demolition of the existing bungalow](#)

Applicant: [Freshfield Design Limited](#) **Agent:** [Rod Ainsworth Architect](#)

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](#)

Summary

The application is seeking consent for the erection of a two storey dwelling house after demolition of the existing bungalow.

The main issues for consideration are the principle of development, impact on residential amenity, design and impact on the street scene.

Recommendation(s)

Approval

Reasons for the Recommendation:

The proposed replacement dwelling is appropriate in style, height, scale and massing to the street scene of York Road and makes a positive contribution to the character of the surrounding area. The dwelling will not result in a significant loss of residential amenity of neighbouring properties by virtue of overlooking or overshadowing and complies with the Council'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

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/2011/0810

The Site

The site is situated on the southern side of Timms Lane, Formby and currently comprises a detached bungalow. To the west is a two storey dwelling at no. 26 and a bungalow lies to the north at no. 30.

Timms Lane has a varied street scene and character with a mix of detached bungalows, two storey dwellings and dormer bungalows in fairly spacious plots. A number of plots have already been redeveloped, and consent exists for no. 34 to be demolished and a two storey dwelling erected in its place. No. 32 is a vacant plot following demolition of the existing dwelling and has consent for the erection of 2 storey dwelling.

Proposal

Erection of a detached two storey dwellinghouse after demolition of the existing bungalow.

History

None

Consultations

Highways Development Control – There are no objections to the proposal in principle as there are no highway safety implications. However, the location of the proposed vehicular access as shown on the

Built Environment Director – Environment – No objection in principle to this proposal subject to the standard piling condition being attached.

Neighbour Representations

Last date for replies: 19th July 2011

Received: Letters of objection received from 26 Timms Lane and a neighbour opposite (no address given) raising the following concerns:

- Front balcony proposed will overlook neighbours opposite and affect their privacy.
- Proposed dwelling is much larger than the existing and will significantly reduce the side spacing between the dwellings, causing overshadowing and loss of outlook, be dominant and overbearing.
- Disproportionate to the size of plot.
- A dwelling of this scale could be detrimental to the appearance of the road.
- Does not respect general building lines to the front with the projecting element and 'stick out'.
- Side window to study is clear glazed and people would be able to look up into bedroom windows of adjacent property.

Letter of objection from the Formby Civic Society raising concerns over:

- Balcony to the front of the dwelling which diminishes the overall appearance of the front elevation and is inappropriate in the street scene.

Agenda Item 5d

- Strongly opposed to the new brick boundary wall to the front – although no details of it have been submitted. High brick boundary walls result in a depressing and alienating ambience to a neighbourhood and prevent passers by a view of the front grounds and elevations of properties.
- Refer to appeal decision at 5 Argarmeols Road, Formby.
- Request that gates and infill panels be wrought iron to allow visibility into the site.

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
EP6	Noise and Vibration
SPG	New Housing Development

Comments

The main issues for consideration in the assessment of this application are the principle of development, impact on residential amenity and design and impact on the street scene.

Principle

The site lies within a Primarily Residential Area where the principle of replacement dwellings is acceptable subject to other policy constraints. A number of other properties along Timms Lane, including bungalows, have been demolished and replaced with two storey dwellings, or have obtained consent to do so but have not been implemented to date. The principle of the proposal is therefore acceptable.

Residential amenity

Residential amenity is assessed in terms of the level of amenity provided by the new dwelling for potential occupants and also the impact of the proposed dwelling on the residential amenity of existing residents.

The proposed two storey dwelling will be closer to the dwellings on each side of the plot as the footprint of the dwelling is greater than that of the existing bungalow. Concerns were raised by the neighbour at no. 26 in terms of this distance and potential impact on their amenity. However, amendments have now been made to the scheme which have resulted in the dwelling having an improved relationship to neighbouring dwellings than the original submission which the neighbours commented upon. In particular the space to the side boundary of the dwelling with no. 26 has been increased to 3 metres which although is still 2.6 metres closer than the existing bungalow is considered a sufficient distance to minimise any significant harm to amenity. Side windows on the side of no. 26 are secondary windows to main habitable rooms with the main outlook for these rooms being to the front and rear elevations. The direct impact on amenity in terms of effect on outlook is therefore limited.

The dwelling will be clearly visible from the garden of no.26 but is considered a sufficient distance away to retain reasonable levels of amenity for occupants.

In terms of the impact on no. 30 adjacent, the proposed dwelling will be 2.6 metres closer than the existing bungalow, although a detached garage is present on the boundary. Whilst the dwelling will be closer, the amended design of the dwelling is such that the eaves height is lower to this side and the potential impact on no. 30 is reduced compared to a full two storey height dwelling at this close proximity. The proposed dwelling will be 1.5 metres away from the boundary with no. 30 and this, in conjunction with the reduced eaves height to this side, is considered sufficient to prevent significant impact to residential amenity. No objections were raised by no. 30.

Side windows proposed in the new dwelling are all obscure at first floor level and do not serve habitable rooms. At ground floor a study is proposed with a clear glazed window to the western side. Given that there is a minimum of 2m high hedging to the boundary at this point, at a distance of 3 metres to the boundary, no overlooking issues are raised by this window.

The proposed dwelling projects 5 metres beyond the rear of adjacent dwellings which would normally be of concern. In this case, the existing bungalow projects to slightly beyond this point, albeit single storey and further away from the boundary. Having considered this issue carefully, the proposed projection to the rear is on balance considered to be acceptable given that the dwelling will be set well in from the side boundaries and is unlikely to cause significant harm to residential amenity given the orientation of the plots. It is, however, considered prudent to remove permitted development rights to prevent the dwelling being extended to the rear potentially by a further 4 metres without planning consent. This is a reasonable solution to this issue in this case.

Design and visual impact on the street scene

Policy DQ1 requires new development to make a positive contribution to its surroundings through the quality of their design in terms of scale, form, massing, style, detailing and use of materials.

Timms Lane is of mixed character with a variety of style and sizes of dwellings present. There is no prevailing architectural style and recent redevelopments of plots have resulted in a number of new dwellings being erected.

This proposal is for a two storey dwelling to replace an existing bungalow. No. 26 to the west is a two storey dwelling and no. 30 to the east is a true bungalow. In order to take account of the varying size of dwelling either side of this site, the proposed dwelling has been amended to improve the visual relationship between existing and proposed dwellings when viewed within the street scene. The eaves height to the eastern side of the dwelling has been lowered to 1.9 metres and is now almost single storey in height at this point. The adjacent bungalow has an eaves height of 1.7metres. This prevents the existing bungalow at no. 30 being visually dwarfed by the proposed dwelling and results in a positive relationship between existing and proposed. The western side of the dwelling is full two storey in height and the eaves height matches that of no. 26 adjacent which is also two storey. The overall ridge height respects the highest point of the roof of no. 26 and is therefore appropriate.

Agenda Item 5d

The front elevation has a gable feature, strong central vertical glazed section and bay window. The dwelling will be constructed using a mix of materials including render and brick with artstone detailing and traditional tiled roof.

As there is no prevailing style of dwelling in Timms Lane the proposal is considered appropriate in terms of scale, massing and overall design. The revised design is not replicated within Timms Lane and will therefore add to the existing variety of dwelling characteristic of this street scene. The dwelling will make a positive contribution to its surroundings and is in accordance with policy DQ1.

The front boundary treatment proposed is stated as being a brick wall although details and elevations are awaited from the agent and will be added as late representations.

Trees and Development

Policy DQ3 requires the provision of 3 new trees to be planted on site per new dwelling created. The site plan shows the position of three trees proposed to be planted and the application complies with policy DQ3 in this respect.

Conclusion

The principle of a replacement dwelling in this location is acceptable. The amended design of the dwelling is considered more appropriate in this location which is in between a two storey dwelling and a bungalow and addresses the street scene well. The dwelling has sufficient spacing either side to protect residential amenity of neighbours to a sufficient degree and no overlooking, overshadowing or outlook issues arise that would cause significant detrimental harm to residential amenity. The proposal therefore complies with policies H10, DQ1, DQ3 and CS3 and is recommended for approval.

Reasoned Justification

The proposed replacement dwelling is appropriate in style, height, scale and massing to the street scene of York Road and makes a positive contribution to the character of the surrounding area. The dwelling will not result in a significant loss of residential amenity of neighbouring properties by virtue of overlooking or overshadowing and complies with the Council's adopted UDP policies CS3, H10, DQ1 and DQ3.

Conditions

1. T-1 Full Planning Permission Time Limit
2. M-2 Materials (sample)
3. M-6 Piling
4. L11 Trees - maintenance
5. H-1 Remove existing vehicular/pedestrian access
6. H-2 New vehicular/pedestrian access
7. H-6 Vehicle parking and manoeuvring
8. R-3 PD removal windows
9. R-2 PD removal garages/ extensions/outbuildings
10. X1 Compliance

Reasons

1. RT-1
2. RM-2
3. RM-6
4. RL1
5. RH-1
6. RH-2
7. RH-6
8. RR-3
9. RR-2
10. RX1

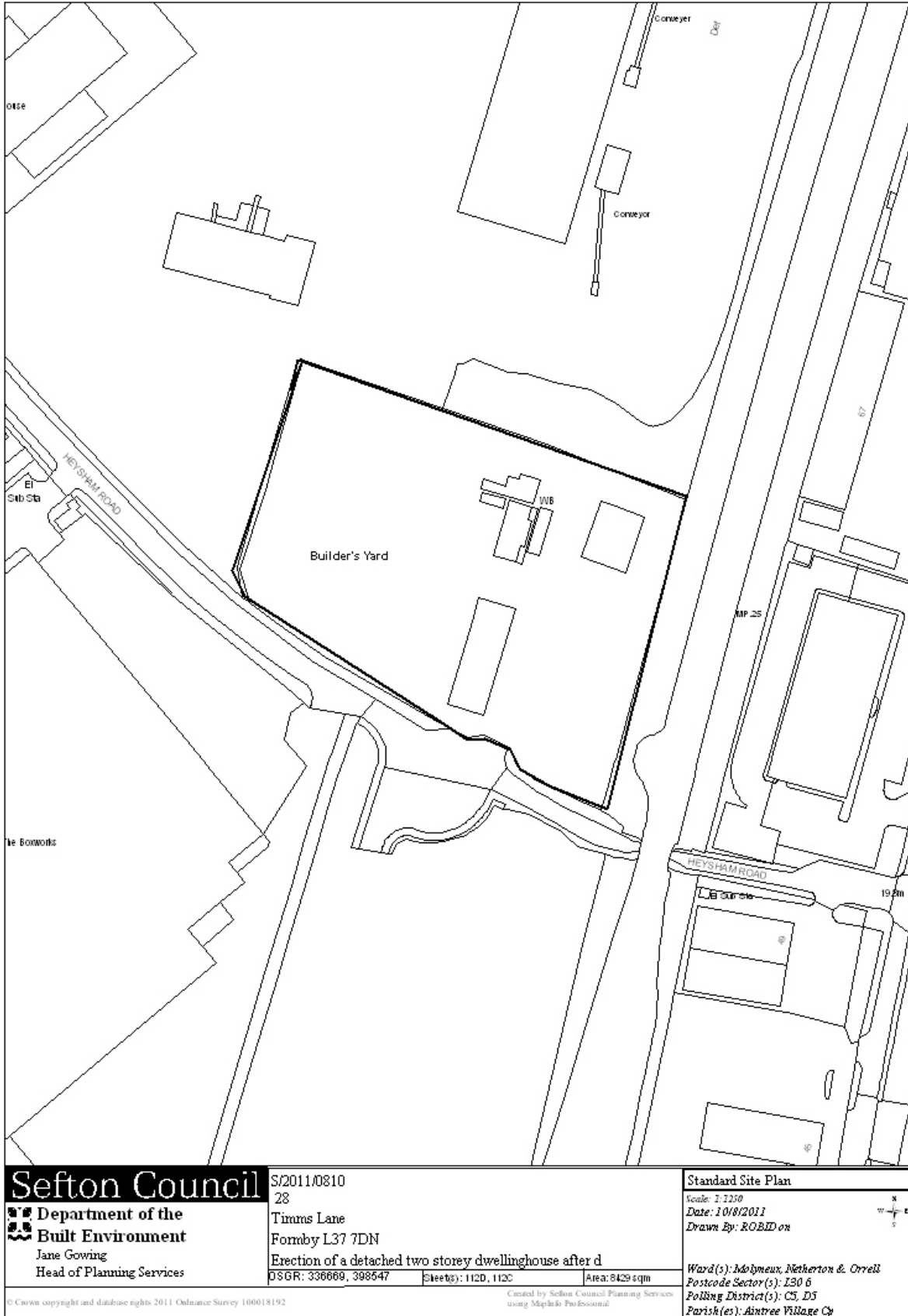
Notes


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. There are significant bands of peat deposits in Sefton and this development is in an area where these deposits may be substantial. Peat produces naturally occurring methane and carbon dioxide and if sufficient amounts of these gases are allowed to collect under or within a newly erected or extended building, there is a potential risk to the development and occupants.
3. 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 for further information.

Drawing Numbers

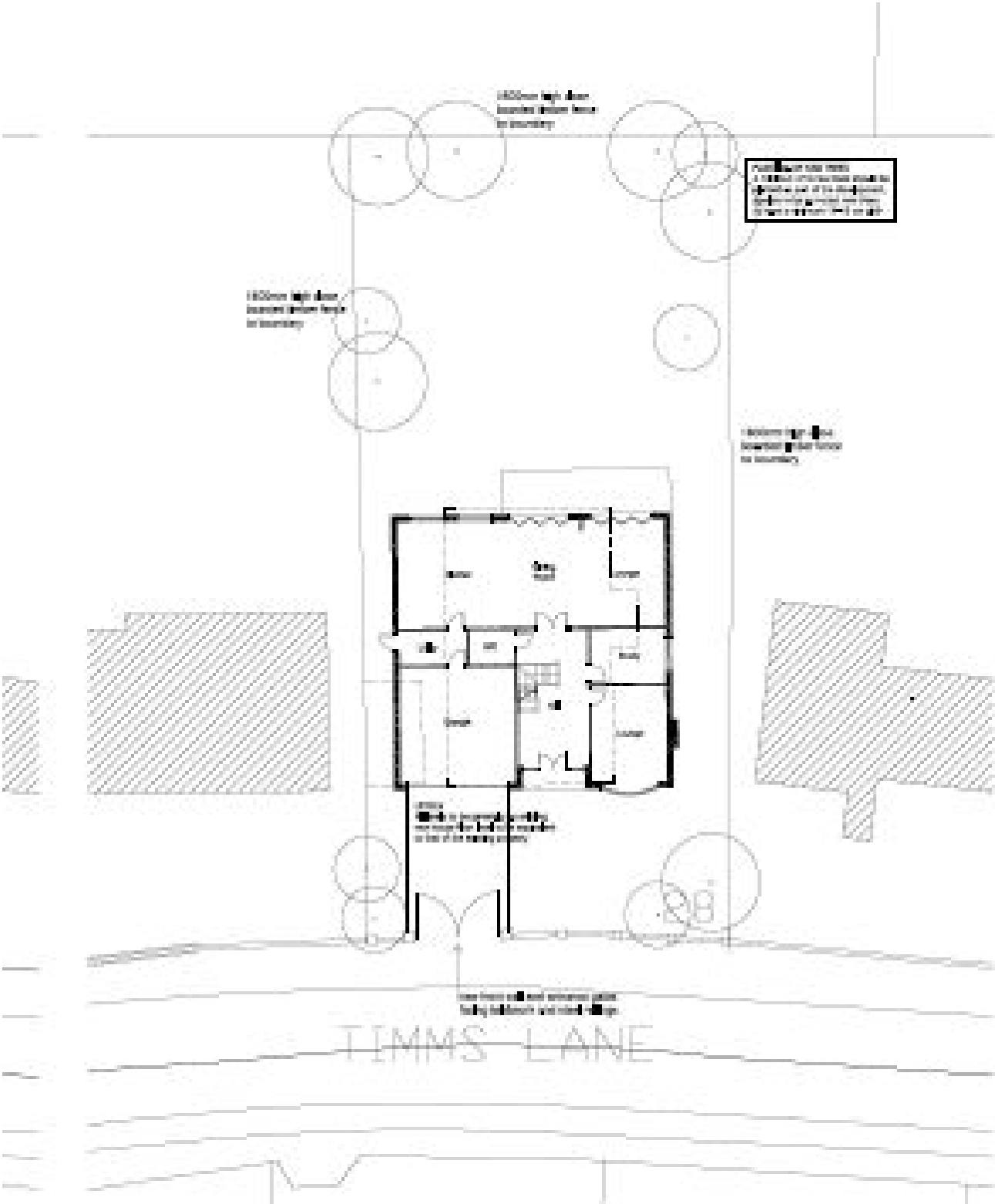
Agenda Item 5d

Existing site plan



Sefton Council  Department of the Built Environment Jane Gowing Head of Planning Services	S/2011/0810 28 Timms Lane Formby L37 7DN Erection of a detached two storey dwellinghouse after d	Standard Site Plan Scale: 1:2250 Date: 10/8/2011 Drawn By: ROBD/on
	OSGR: 336669, 398547 Sheets: 112D, 112C Area: 8429 sqm	Created by Sefton Council Planning Services using MapInfo Professional

Proposed site plan



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Agenda Item 5e

Report to: [Planning Committee](#) **Date of Meeting:** [24 August 2011](#)

Subject: [S/2011/0846](#)
[Land Adjacent to 3 Village Way, Hightown](#)

Proposal: [Erection of a two storey detached dwelling on land adjacent to 3 Village Way](#)

Applicant: [Ms G Fry](#) **Agent:** [martin fletcher architects](#)

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

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

Exempt/Confidential [No](#)

Summary

The proposal is for the erection of a 2 storey detached dwelling on land adjacent to 3 Village Way Hightown. The issues to consider are the principle of development, impact on street scene and character of the area, impact on residential amenity and compliance with policy guidelines.

Recommendation(s)

Approval

Reasons for the Recommendation:

The proposal has been assessed against the Councils adopted policies and supplementary guidance. There will not be a significant detrimental impact on the visual amenity of the street scene or character of the area or on the amenity of neighbouring properties and 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: **Mrs C Fass** Telephone 0151 934 **3566 (Mon & Thurs)**

Email: 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 consists of approximately 0.06ha of vacant land previously used as an additional garden to the neighbouring property no 4 Cottage located on School Road, Hightown.

The site fronts on to Village Way at an elevated level and is bounded to the east, west and north by residential properties.

Proposal

The proposal is for the erection of a two storey detached dwelling on land adjacent to 3 Village Way.

2 off street parking spaces are to be provided at the front of the proposed dwelling.

History

No previous history

Consultations

Highways - No objections to the proposal in principle as there are no highway safety implications.

The existing vehicular access and footway crossing will need to be widened to accommodate access to the two side by side car parking spaces.
Conditions and Informatives should be added to any approval notice.

Environment - No objection in principle to this proposal subject to conditions and informatives.

United Utilities - No objections to the proposal provided meeting the following conditions; This site must be drained on a separate system with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway / watercourse / surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate by United Utilities.

The applicant must discuss full details of the site drainage proposals.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe work must comply with current water supply (water fittings) regulations

Merseyside Environmental Advisory Service - The site is approximately 270 metres from a European site (Sefton Coast, designated as a SAC and a SSSI).

The site is also approximately 330 metres from another European site (Ribble and Alt Estuaries, designated as a Ramsar and an SPA).

I have considered the potential pathways which may affect these sites, and in my opinion, an HRA Screening will not be required in this instance.

Agenda Item 5e

Bats -The existing trees on site may provide potential habitat for bats. A daytime inspection to assess the potential for bats to use the site is required. This will be required prior to determination. If the daytime inspection finds a likelihood of greater than low probability then a further nocturnal/emergence survey will be required.

Breeding Birds -Vegetation on site could provide habitat for breeding birds. To protect breeding birds, the following should be attached to any grant of planning permission as a condition - no tree felling/scrub clearance/hedgerow removal/vegetation management/ground clearance/building works should take place during the period 1 March to 31 August inclusive to protect breeding birds.

Landscaping - The application site is within the Sefton Coast Red squirrel Buffer Zone. I advise that any landscaping / replacement planting should be with small seed bearing species which encourage red squirrels and discourage grey squirrels, in accordance with policies NC2 and NC3. A detailed landscape management plan should be submitted, together with a plant species list.

Biodiversity gains: Bats and Birds-In order to maximise the contribution of the proposed development to biodiversity and sustainability, bat bricks/boxes should be incorporated into the new building. I recommend 1 bat brick/box should be incorporated into the scheme.

Bird nesting boxes, should also be incorporated into the design of the scheme. I recommend 1 nest box should be provided.

Waste - The applicant should be advised to estimate the construction cost of the development (ie. Excluding land purchase costs) and that a Site Waste Management Plan (SWMP) will be required if this figure exceeds £300,000.

Neighbour Representations

Last date for replies: 22/7/2011

Objections received from 1, 2 3, 4 The Cottages, School Road, 15, Rathbone Road, 17 Thornbeck Avenue, 125 Blundell Road, 1, 3, 14, Village Way re; overlooking and invasion of privacy due to different ground levels, on top of a sub-station and should be inspected on safety and legal grounds, an inspection for bats and great crested newts should be required, loss of light, proposed dwelling is too high, a bungalow would be more appropriate, out of place with surroundings, foundations could cause movement of sand hill and effect foundations of cottages, security risk, light pollution, noise pollution, not in keeping with the area, increased traffic, parking issues, construction traffic, plans do not provide full details of proposed foundations, drainage issues, pressure on domestic services and water pressure, concern over the movement of sandhill.

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
EP2	Pollution
EP6	Noise and Vibration
H10	Development in Primarily Residential Areas
NC2	Protection of Species

NC3 Habitat Protection, Creation and Management
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 SPG New Housing Development.

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 consists of approximately 0.06ha of vacant land on a part sloping elevated plot. The site was previously used as additional garden for no. 4 Cottages located on School Road, a property which bounds the site to the east. The site fronts on to Village Way and is bounded to the sides and rear by existing dwellings. The immediate area is characterised by existing detached and semi-detached dwellings of various sizes and styles in moderate sized plots.

The proposal is for a single detached dwelling comparable in size with the immediate neighbouring dwellings. The plot size is comparable with no. 3 Village Way. The dwelling is positioned within the site to meet the established building line of 3, Village Way and no. 4, Cottage on School Road.

The dwelling has been designed to consider surrounding properties, with particular consideration to the scale, height and mass. Amendments have been secured to reduce the scale of the proposal and its impact on neighbouring properties and the street scene. The low roof pitch has also been designed to ensure that the property fits in well between neighbouring properties providing a graduation of heights and does not have a negative impact on the street scene. It is considered the amendments address some of the issues raised by residents.

Other issues raised by residents such as ground conditions, drainage, protection of wildlife, parking, can be secured by conditions.

The proposed dwelling has attributes similar to some of the varied properties in the area and will compliment the existing context of the site and neighbouring properties. It is proposed to use traditional materials such as brick and tile in order to harmonise with existing properties. Samples can be secured by condition.

The proposal meets the recommended interface distances of the SPG on New Residential Development and addresses issues of overlooking /loss of amenity. The only first floor windows on the side elevations of the proposed dwelling serve bathrooms and will be obscurely glazed.

The proposed rear garden area is much more generous than the SPG requirement of 70m² and compares favourably with surrounding gardens.

York-stone paving shall be laid around the dwelling and forming a pathway between the front door and the stair access to the street level. The pathway shall be bound by a 750mm high retaining wall.

Agenda Item 5e

Two off street parking spaces are to be provided in the area located to the front of the dwelling. The car parking area is to be a concrete hard standing with a 1200mm Yorkstone pathway to the side leading to the stair access. Traffic Services raise no objections to the proposal in principle as there are no highway safety implications. Minor alterations are required to the pedestrian footway which can be secured by condition.

The existing mature trees to the rear, hedge to the east, and the extensive area of dense bushes and shrubs to the west are to be retained and the remainder of the plot will be laid to grass. Policy DQ3 requires 3 new trees to be planted for each new home created. It is possible to provide these within the site. This can be secured by condition. The existing trees on site may provide potential habitat for bats and to enhance biodiversity on the site, a bat box will be required by condition.

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 first floor window(s) in the side elevations (east and west) shall not be glazed otherwise than with obscured glass and top hung and thereafter be permanently retained as such.
5. M-6 Piling
6. L-3 No felling
7. Landscaping (scheme)
8. L-4 Landscape Implementation
9. L-5 Landscape Management Plan
10. NC-4 Protection of breeding birds
11.
 - a) Before development is commenced, a scheme for the enhancement of biodiversity within the development site, (bat bricks/boxes) including a timescale for its implementation shall be submitted to and approved in writing by the Local Planning Authority.
 - b) This scheme shall then be implemented in accordance with the details approved under (a) above.
12. H-2 New vehicular/pedestrian access
13. H-6 Vehicle parking and manoeuvring
14. R-2 PD removal garages/ extensions/outbuildings
15. R-3 PD removal windows
16. Con-1 Site Characterisation
17. Con- 2 Submission of Remediation Strategy
18. Con-3 Implementation of Approved Remediation Strategy
19. Con-4 Verification Report
20. Con-5 Reporting of Unexpected Contamination

Reasons

1. RT-1
2. RX1
3. RM-2
4. RM-3
5. RM-6
6. RL-3
7. In the interests of visual amenity and to comply with Sefton UDP Policy DQ3 of the Sefton Unitary Development Plan
8. RL-4
9. RL-5
10. RNC-2
11. RNC-4
12. RH-2
13. RH-6
14. RR-2
15. RR-3
16. RCON-1
17. RCON-2
18. RCON-3
19. RCON-4
20. RCON-5

Notes

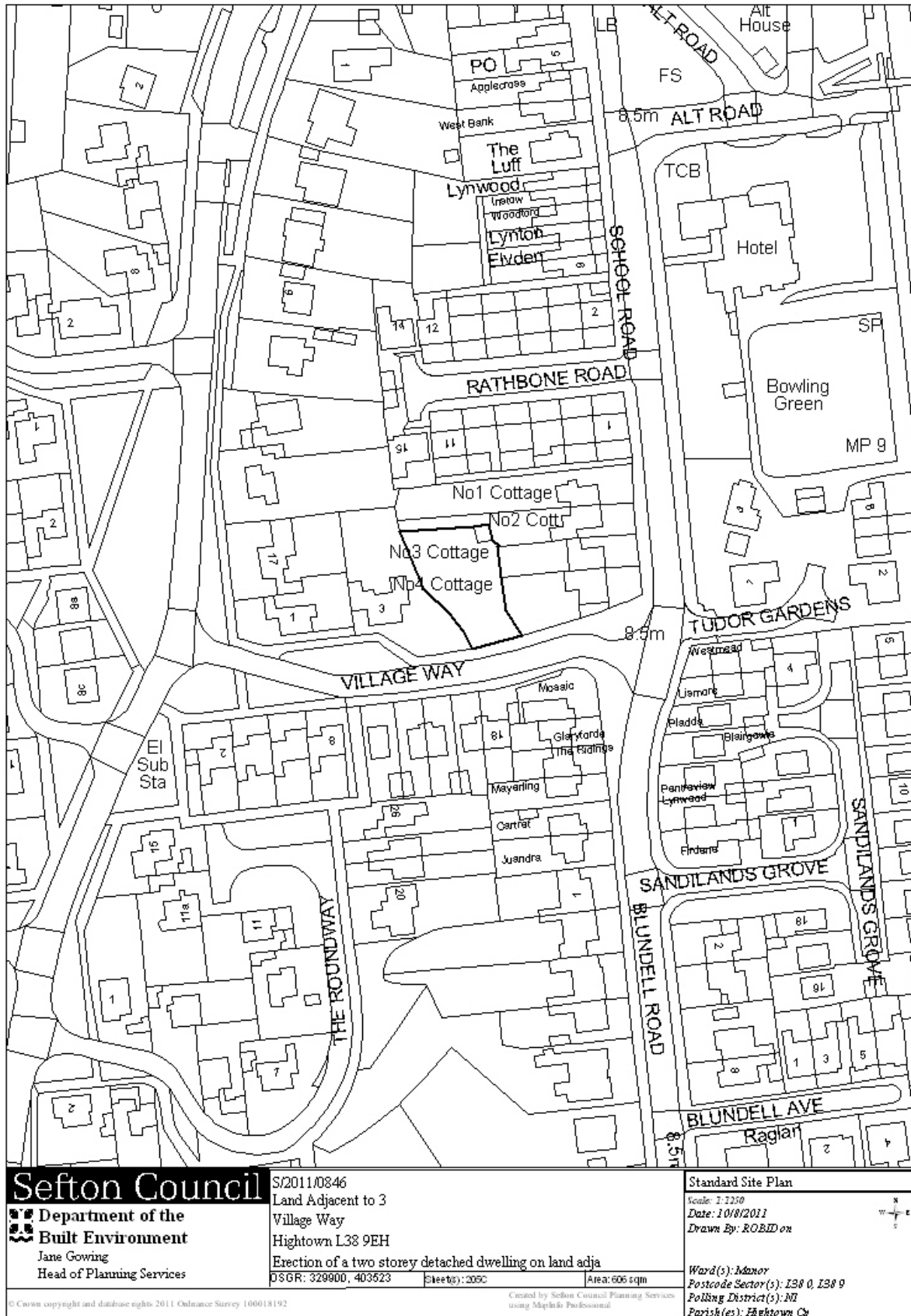
1. The applicant is advised that the proposal will require the formal allocation of addresses. Contact the Highways Development Control Team on Tel: 0151 934 4175 to apply for a new street name/property number.
2. The applicant is advised that all works to the adopted highway must be carried out by a Council approved contractor at the applicant's expense. Please contact the Highways Section on 0151 934 4175 or development.control@technical.sefton.gov.uk for further information.
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 15-20 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 20 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

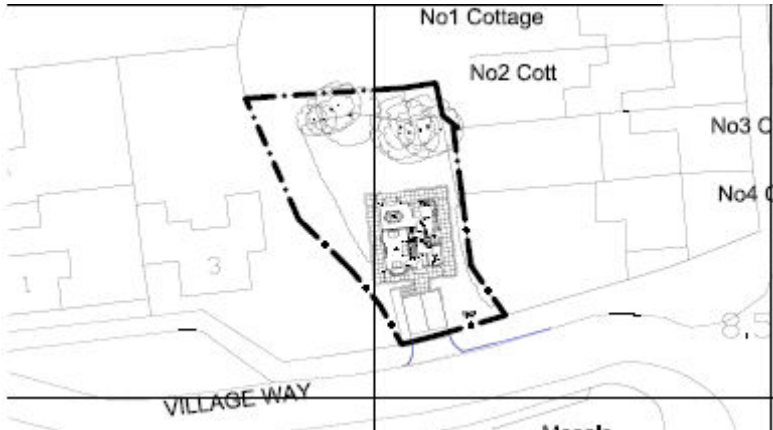
492 (location plan)
492.01, 02, 03, 04, 06

Agenda Item 5e

Existing site plan



Proposed site plan



Proposed Street Scene



proposed street scene elevation

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Agenda Item 6

Report to: **Planning Committee**

Date of Meeting: **28 August 2011**

Subject: **Planning Enforcement Update**

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

Purpose/Summary: To inform Planning Committee of the enforcement workload for the April to June 2011 (second) quarter and to give an update on the progress of cases where formal action has been taken/authorised.

Recommendation(s) That the Committee:

- (i) Note the volume of enforcement activity and progress set out in attached schedules.**
- (ii) Note the areas of outstanding work set out in paragraphs 1-5 and the action being taken.**

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 6

Reasons for the Recommendation:

What will it cost and how will it be financed?

(A) Revenue Costs

(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 – Any enforcement activity would need to be carried out in accordance with the powers contained in the Town and Country Planning Act and associated legislation, ensure that relevant Human Rights are taken into account and complies with local enforcement protocols.
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Human Resources – none

Equality

1. No Equality Implication	<input checked="" type="checkbox"/>
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2. Equality Implications identified and mitigated	<input type="checkbox"/>
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3. Equality Implication identified and risk remains	<input type="checkbox"/>
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Impact on Service Delivery:

What consultations have taken place on the proposals and when?

The Head of Corporate Finance (**FD192**) and Head of Corporate Legal Services (**LD272/11**) have been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

Contact Officer:

Peter Evans

Telephone: **0151 934 3570**

Background Papers:

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

Agenda Item 6

PLANNING ENFORCEMENT UPDATE April – June 2011

1. Introduction

The following tables show the workload of the planning enforcement staff for the second quarter of 2011 (1 April to 30 June 2011), and a brief overview/summary of statistics/ and work undertaken.

2. Number of new cases

204

	April – June	Jan - Mar	Total
Total	204	202	406

Year on year comparison

	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000
Total	406	378	432	357	377	439	418	407	511	460	423	472

Notices served

	April-June	Jan-Mar	Total
Enforcement	5	5	10
Stop	0	0	0
Breach of Condition	0	3	3
Section 215	2	3	5
PCN	8	6	14
Section 330	2	3	5
Anti-social High Hedges	0	0	0
Discontinuance (adverts)	0	0	0

Retrospective applications & fees generated

	April-June		Jan-Mar		Total	
	<i>Apps</i>	<i>Fees</i>	<i>Apps</i>	<i>Fees</i>	<i>Apps</i>	<i>Fees</i>
Total	38	£7,030	30	£6,500	68	£13,530

Number of ongoing investigations/cases including condition monitoring.

Total 247

Number of cases/complaints resolved

Agenda Item 6

	April-June	Jan-March	Total.
Total	154	174	428

Number of general written enquiries

	April-June	Jan-March	Total.
Total	32	17	49

Discharge of Conditions

	April – June	Jan – March	Total
Applications received	37	37	74
Decisions Made	40	38	78

Applications Pending – 18.

Fees generated for discharge of conditions applications.

	April – June	Jan – March	Total
TOTAL	£2,560	£3,095	£5,655

Year on Year Comparison

	2011	2010
Applications Received	74	90
Decisions made	78	89
Fees generated	£5,655	£6,970
Applications pending	18	35

High hedges

Formal complaints (enforcement notice)	0
Information packs sent out	24
Complaints (Initial Assessments)	0

1. The varied service the enforcement team offers continues to achieve a high level of success. The number of complaints received between January and June (first & second quarters) shows an increase compared to last year. The size and complexity of cases constantly varies and this is reflected in the time it can take to negotiate, and in the majority of cases positively resolve the planning related issues without requirement for formal action.

Agenda Item 6

2. The enforcement team embraces the principles of development management. It remains the priority and purpose to resolve any breach of planning control without recourse to formal action. The small number of enforcement notices so far served highlights and emphasises officer's ability and commitment to achieve this.
3. The enforcement officers are committed to adapting to necessary change caused by legislative amendment. The service has not diminished despite officers taking on a more varied role. This includes retrospective planning applications being processed, variation of condition and non-material amendment applications along with discharge of condition applications.
4. Members should note that despite increasing permitted development rights this has not reduced the team's ability to often resolve disputes with the successful submission of a (retrospective) planning application and this is reflected in a significant number of retrospective applications being submitted.
5. The Head of Planning Services is extremely pleased with progress on enforcement work and recommends committee notes the contents of this report.

Agenda Item 6

Outstanding Enforcement Cases - By Area Committee

Crosby

Ward: *Blundellsands*

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
7 Blundellsands Road East, Crosby	Del	25/05/2011	Yes	Pending	

Enforcement notice - req - Remove timber fencing from boundary wall & remove 4 x bick pillars or reduce height of 4 x brick pillars to a maximum height of 900mm.
Retrospective planning application refused 18/03/2011 Ref: S/2011/0189.
Awaiting outcome of appeal.

Outstanding Enforcement Cases - By Area Committee

Crosby

Ward: Church

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
8 Geves Gardens, Waterloo	Del	25/05/2011	Yes	Pending	

Enforcement Notice - req - remove outbuilding from front of dwelling house.
 Retrospective application refused 2 March 2011 Ref: S/2011/0028.
 Awaiting outcome of appeal,

15 Galloway Road, Waterloo	Del	17/03/2010	Yes	Pending	
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Enforcement Notice - req - cease using 3 rooms as s/c flats, remove elfin units and locks on doors.
 Public Hearing 4 November 2010 cancelled, new date of 25 & 26 Jan 2011 also now adjourned due to judicial review by Milton Keynes Council.
 Awaiting date for new Public Hearing.

63 Handfield Road, Waterloo	Del	17/03/2010	Yes	Pending	
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Enforcement Notice - req - Cease using premises as s/c flats & remove all elfin units & locks on doors,& cease using as HMO.
 Public Hearing 4 November 2010 cancelled, new date of 25 & 26 Jan 2011 also now adjourned due to judicial review by Milton Keynes Council.
 Awaiting date for new Public Hearing.

Outstanding Enforcement Cases - By Area Committee

Crosby

Ward: Manor

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
The White House, Ince Lane, Thornton	Del	08/10/2010	Yes	Dismissed	

Listed Building Enforcement Notice - req - remove front boundary railings & gates.
New planning application submitted for amended boundary treatment.
Situation being monitored.

The Windmill, Moor Lane, Crosby	del	27/02/2008	No		30/10/2009
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Listed Building Enforcement Notice - req - remove all ground floor windows, porch rear extension & wrap around extension, reinstate all openings on ground floor to their original state.
Remove all upvc windows & replace with timber windows.,
Listed Building consent approved to remove render,
Further application submitted, invalid currently under negotiation and moving forward.
On going negotiations with Conservation Team,
Situation being monitored.

Outstanding Enforcement Cases - By Area Committee

Formby

Ward: *Harington*

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
3 Woodlands Close, Formby	Del	07/01/2010	No		18/05/2011
Anti-Social Behaviour Act 2003 - Section 69 - High Hedges - req - Reduce by 2 stages the height of hedging on boundary over a period of 15 months relating to 3 properties. Situation being monitored.					

81 Church Road, Formby	Del	20/05/2011	N/A		20/07/2011
Section 215 Notice - req - remove from land all timber, roofing slates, tyres, stone, furniture & household items, rubble, concrete, bricks, soil, plastic, general rubbish & waste materials & leave the land in a clean & tidy condition. Land cleared 215 Notice complied with. No further action.					

Outstanding Enforcement Cases - By Area Committee

Formby

Ward: *Ravenmeols*

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
Formby Football Club, Altcar Road, Formby	Del	11/02/2010	No		11/04/2010

Enforcement Notice - req - Remove the ball retention netting & supporting poles as marked on attached plan.
 Appeal received but withdrawn 22 April 2010.
 Partly removed, planning application anticipated for remainder.
 No progress.

Formby Football Club, Altcar Road, Formby	Del	11/02/2010	No	11/04/2010
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Enforcement Notice - req - Cease using the land for siting of portacabins marked as S1 & S2 on plan B and remove portacabins from land.
 Appeal received but withdrawn on 22 April 2010.
 Occupiers have addressed a limited number of breaches while there are discussions concerning possible alterations.

Formby Football Club, Altcar Road, Formby	Del	11/02/2010	No	11/04/2010
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Enforcement notice - req - Cease the use of land for siting of portacabin marked S5 on plan & remove portacabin.
 Appeal received but withdrawn on 22 April 2010.

Formby Football Club, Altcar Road, Formby	Del		11/02/2010	No	11/04/2010
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Enforcement notice - req - cease using the land for siting of portacabin as marked S15 on attached plan & remove portacabin.
 Appeal received but withdrawn on 22 April 2010.

Outstanding Enforcement Cases - By Area Committee

Linacre & Derby

Ward: *Derby*

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
4 Langdale Street, Bootle	Del	02/11/2010	Yes	Dismissed	02/03/2012

Enforcement notice - req - remove/break up concrete base, demolish or reduce to 1 metre in height perimeter block walls.
 Appeal dismissed, enforcement notice upheld but compliance period is extended to 12 months.
 Situation being monitored.

273 Hawthorne Road, Bootle	Del	05/01/2011	Yes	Pending	
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Enforcement Notice - req - remove white upvc shop front & reinstate shop front in timber to match existing (conservation area), awaiting appeal decision.

Outstanding Enforcement Cases - By Area Committee

Linacre & Derby

Ward: *Linacre*

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
55-57 Merton Road, Bootle	Del	17/03/2010	Yes	Pending	

Enforcement notice - req - cease using the premises as s/c flats, remove all elfi units & locks on doors & cease using as a HMO.
Public Hearing 4 November 2010 cancelled, new date of 25 & 26 Jan 2011 also now adjourned due to judicial review by Milton Keynes Council.
Awaiting date for new Public Hearing.

113 Knowsley Road, Bootle	Del	27/06/2011	N/A		23/08/2011
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Section 215 Notice - Untidy land/Building in Disrepair - Carry out remedial works to secure vacant property.
Works in de-fault to be carried out funded by Stepclever.

Outstanding Enforcement Cases - By Area Committee

Sefton East

Ward: Park

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
The Chestnuts, Lunt Road, Sefton	Del	30/04/2010	N/A		30/04/2012

Breach of Condition Notice - req - carry out the development in accordance with approved plans attached to planning approval Ref: S/2000/0264. situation being monitored.

The Chestnuts, Lunt Road, Sefton	Del	30/04/2010	No	04/06/2012
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Listed Building Enforcement Notice req -demolish 4no. Curved splayed brick boundary walls, brick pillars, remove wrought iron gates & reinstate stone plinth .- compliance period date 4 Aug 2010 ,
 Revised scheme submitted as an application for approval of details reserved by condition of S/2000/0264.
 Also remove UPVC windows & rainwater goods.

Listed Building consent now granted for alternative design front boundary wall & gates.
 Compliance period to comply with enf. notice now comes into effect - 1 April 2011.
 Notice not complied with, prosecution proceedings to be instigated.

Outstanding Enforcement Cases - By Area Committee

Sefton East

Ward: Sudell

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
5 Old Forge Row, Maghull	del	11/03/2011	N/A	Pending	11/05/2011

Breach of condition notice - req - carry out the cdevelopment in accordance with approved plans, specifically install the 'juliet' balcony to first floor rear elevation & cease using flat roof of single storey projection as a balcony or outdoor sitting area.
No action is to be taken pending appeal decision on enforcement notice requiring removal of handrail.

5 Old Forge Row, Maghull	del	11/03/2011	Yes	Pending
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Enforcement Notice - req - remove handrail & balustrade from flat roof of single storey projection conservatory at rear of dwelling house and all resultant materials.
Awaiting appeal decision.

Outstanding Enforcement Cases - By Area Committee

Southport

Ward: *Birkdale*

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
266A Liverpool Road, Southport	Del	24/03/2011	No		28/05/2011
Enforcement Notice - req - remove metal storage container from land Container removed - Enf. Notice comply with. No further action.					

36 Crescent Road, Southport	Del	18/08/2010	Yes	Dismissed	18/02/2011
Enforcement Notice - req - remove brick pillars & wall or reduce to a height of 1 metre to front boundary of property. Appeal dismissed, new compliance date of 18/2/11. new planning app submitted & approved Ref: 2011/0203. New planning permission to be implemented or enforcement notice to be complied with. Works ongoing to comply to implement a new planning approval. Situation being monitored.					

161 Liverpool Road, Southport	Del	18/01/2011	N/A		18/06/2011
Breach of Condition Notice - req - Implement the proposed access in accordance with approved plans attached to pp Ref: N/2002/1051. All properties now sold to new owner. major renovations works being undertaken to all properties in accordance with PP.					

Outstanding Enforcement Cases - By Area Committee

Southport

Ward: Cambridge

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
32 Alexandra Road, Southport	Del	11/06/2010	No		28/09/2010

Section 215 Notice - Untidy Land/Building in Disrepair - req - Carry out remedial works to property including board over/secure & paint windows, replace/paint barge & fascia boards, remove waste materials.

Notice not complied with, refer to Legal for prosecution proceedings to commence.

Building now demolished.

Prosecution proceedings adjourned till 11 August 2011.

garage no. 2 to rear of 46 Alexandra Road, Southport	Del	24/01/2011	No		28/05/2011
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Enforcement Notice - req - cease using garage no. 1 for commercial storage purposes.

Enforcement Notice complied with.

No further action.

Outstanding Enforcement Cases - By Area Committee

Southport

Ward: *Dukes*

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
2A Lord Street West, Southport	Del	19/01/2009	No		23/10/2010

Listed Building enforcement Notice - req - remove all upvc windows & doors and replace with timber windows & doors in accordance with approved plans N/2006/0610 & N/2008/0611.

Further application submitted and approved.

Enf. notice reissued with compliance extended to December 2010

part complied with.

Situation being monitored,

Extended compliance period agreed.

The Windmill Public House, 12& 14 Seabank Road, Southport	Del	01/07/2010	No		28/08/2010
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Enforcement Notice - req - cease using structure as a smoking shelter, remove polycarbonate sheets & supports, remove close boarded fence or reduce to 1 metre in height.

Planning application submitted to retain structure remains invalid.

Notice not complied with.

Now referred to legal to commence prosecution proceedings.

22 Gloucester Road, Birkdale	Del	01/04/2011	Yes	Pending	06/07/2011
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Enforcement Notice - req - remove front boundary wall, pillar, gate piers & gates & reinstate the stone gate piers or reduce height of boundary wall, pillar, gate piers & gates to a height not to exceed 1 metre from ground level.

Outstanding Enforcement Cases - By Area Committee

Southport

Ward: *Kew*

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
162 Hampton Road, Southport	Del	12/01/2011	N/A		12/06/2011

Section 215 Notice -Untidy land/buildings in disrepair - req carry out remedial works to the property including painting and remove scaffolding.
Compliance period extended to August.

126 Linaker Street, Southport	Del	09/05/2011			11/07/2011
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Enforcement Notice - req - remove fence panels, posts & gates or remove fence panels & posts & reduce height of the gate to a height not in excess of 1 metre.

Outstanding Enforcement Cases - By Area Committee

Southport

Ward: *Meols*

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
17 The Causeway, Southport	Del	18/01/2011	N/A		18/06/2011

Section 215 Notice - Untidy Land/Buildings in Disrepair req - scaffolding, and waste materials and leave the land in a clean & tidy condition.
 215 Notice complied with.
 No further action.

Outstanding Enforcement Cases - By Area Committee

Southport

Ward: *Norwood*

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
140A Norwood Road, Southport	Del	18/10/2010	Yes	Dismissed	31/01/2011

Enforcement Notice - req - remove the additional security fencing (razor wire) from existing boundary walls & fences.

Appeal dismissed, .

All works complete enforcement notice complied with.

No further action

Outstanding Enforcement Cases - By Area Committee

St Oswald, Netherton & Orrell

Ward: *Netherton & Orrell*

Site of Unauthorised Development	Date Action Authorised	Date of Notice	Appeal Lodged	Decision	Date for Compliance
Bestway Ltd - Heysham Road, Netherton	Del	19/05/2011	Yes	Pending	

Enforcement Notice - req - remove sprinkler tank & pump housing unit from front of premises, retrospective planning application refused 16/12/2010 Ref: S/2010/1442.
 Awaiting outcome of appeal against pp refusal & enf. Notice.

Agenda Item 7

Report to: Planning Committee

Date of Meeting: 24th August 2011

Subject: Knowsley Core Strategy Preferred Options Consultation

Report of: Alan Young

Wards Affected: All

Is this a Key Decision? No

Is it included in the Forward Plan? No

Exempt/Confidential

No

Purpose/Summary

To inform Members of the Knowsley MBC Core Strategy 'Preferred Options' consultation, which closes on 5th September 2011.

Recommendation(s)

That Members note the key points of the Knowsley Core Strategy Preferred Options consultation.

That Members endorse Sefton Council's draft response to the consultation.

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		X	
2	Jobs and Prosperity		X	
3	Environmental Sustainability		X	
4	Health and Well-Being		X	
5	Children and Young People		X	
6	Creating Safe Communities		X	
7	Creating Inclusive Communities		X	
8	Improving the Quality of Council Services and Strengthening Local Democracy		X	

Agenda Item 7

Reasons for the Recommendation:

For Sefton to acknowledge and respond to Knowsley's Core Strategy Preferred Options Consultation

What will it cost and how will it be financed?

No cost implications

Implications:

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

Legal		
Human Resources		
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:

None

What consultations have taken place on the proposals and when?

The Head of Corporate Finance & ICT has no comments on this report because the issues raised have no financial implications for the Council (FD950). The Head of Corporate Legal Services (LD 266/11) have also been consulted and their comments incorporated into the report.

Are there any other options available for consideration?

No

Agenda Item 7

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet/Cabinet Member Meeting

Contact Officer: Tom Hatfield
Tel: (0151) 934 3555
Email: tom.hatfield@sefton.gov.uk

Background Papers:

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

Knowsley Core Strategy Preferred Options Report June 2011

Agenda Item 7

1. Introduction / Background

- 1.1 Knowsley Council are currently consulting on 'Preferred Options' for its Core Strategy. This report provides a summary of the key points, and outlines Sefton's draft consultation response for Member endorsement.
- 1.2 Knowsley are slightly ahead of Sefton in producing its Core Strategy. Sefton are currently consulting on Core Strategy 'Options' and will progress to a 'Preferred Options' consultation some time next year.
- 1.3 Many of the planning issues faced by Knowsley are not dissimilar to those in Sefton. Knowsley has experienced a historically declining population, undergone major regeneration initiatives, and is facing a potential shortfall of 'brownfield' development land in the medium term. However, Knowsley is very different to Sefton in a number of important respects, and the approach taken there would not necessarily be appropriate for Sefton.
- 1.4 Many of the studies that have informed Knowsley's Core Strategy have been carried out to a common methodology with studies carried out in Sefton. The following planning studies have been either jointly produced by Sefton and Knowsley or carried out to a broadly common methodology:
 - Green Belt Study (common methodology)
 - Joint Employment Land & Premises Study (jointly commissioned)
 - Strategic Housing Land Availability Assessment (common methodology)
 - Strategic Flood Risk Assessment (jointly commissioned)
 - Merseyside Housing and Economic Development Evidence Base Overview Study (jointly commissioned alongside the other Merseyside authorities)
- 1.5 As a neighbouring authority Sefton are a statutory consultee to Knowsley's Core Strategy. Our response will be taken into account in preparing a revised Core Strategy for publication / submission to the Planning Inspectorate.

2. Summary of key Issues

- 2.1 This section of the report provide a summary of the key topics that are covered in the Core Strategy Preferred Options Report, including:
 - Approach to land for housing
 - Approach to land for economic development
 - Approach to land in Green Belt
 - Proposals for Kirkby Town Centre

- Development sites adjacent to Sefton

Approach to land for housing

- 2.2 Knowsley's annual housing target is currently set by the Regional Spatial Strategy (RSS) for the North West. The RSS targets Knowsley to deliver an average of 450 homes per annum (Sefton's target is 500 per annum). Whilst the Coalition Government has stated its intention to revoke the RSS through the Localism Bill, Knowsley are proposing to retain the housing target of 450 homes per annum as part of its Core Strategy. Retention of this target is justified against recent evidence in a 'Housing Technical Paper' which they have published alongside the main consultation documents. Importantly, this amount of housing could not all be accommodated within the existing urban area of Knowsley.
- 2.3 A key part of Knowsley's approach is to continue the regeneration of deprived areas, including Tower Hill (Kirkby), North Huyton. This will involve demolition and re-build schemes similar to those that have taken place in Bootle in recent years.
- 2.4 'Population retention' and meeting development needs in the Borough are key issues that are identified. Additionally, the need to meet affordable housing and specialist housing needs are also emphasised.

Approach to land for economic development

- 2.5 Knowsley have identified a need for 216.5 ha of land for 'employment' uses (offices, industry, etc). This is based on the findings of the Joint Employment Land & Premises Study, which was jointly commissioned with Sefton, Halton, and West Lancashire Councils. Importantly, this level of development would involve the identification of development sites in the Green Belt.

Approach to Green Belt

- 2.6 The amount of housing and economic development proposed in Knowsley's Core Strategy Preferred Options would require a significant amount of land being taken out of Green Belt. In addition to land required to meet housing and business needs, Knowsley have also identified further 'safeguarded' Green Belt land that could come forward for development in the longer term (beyond 2027). This is justified on the basis that it would make the Green Belt boundary more durable in the long-term, and allow for flexibility if certain sites could not be delivered.
- 2.7 The impact of Knowsley's proposals on Green Belt is summarised in the table below:

Agenda Item 7

	Amount of Green Belt land required to 2027	Additional land identified in Green Belt	Total Green Belt land identified for development
Land for homes	2,884 homes	2,996 homes	5,880 homes
Land for economic devt.	65 hectares	94 hectares	159 hectares

Proposals for Kirkby Town Centre

- 2.8 Members may recall that Sefton objected to a planning application in 2008 that would have significantly enlarged Kirkby Town centre, linked to the relocation of Everton Football Club to Kirkby. At the time, this proposal was resisted because of concerns about significant detrimental impacts on Bootle Town Centre (we had no objection to the stadium). The application was subsequently refused planning permission by the Secretary of State following a major called in public enquiry.
- 2.9 The Knowsley Preferred Options Report identifies Kirkby Town Centre as a 'Principle Regeneration Area'. It envisages the expansion of the town centre including the provision of a new superstore. These proposals however would be significantly smaller than those proposed in 2008. Importantly, they would not have a significantly detrimental impact on Bootle Town centre at this scale.

Development sites adjacent to Sefton

- 2.10 One of the Green Belt sites proposed for development is located next to the Sefton boundary. This is the former golf driving range off Bank Lane, Kirkby, which is earmarked for 190 homes. Whilst the site is located directly adjacent to Molyneux ward, its development would have only a very limited impact upon residents or traffic in Sefton. A plan of this site can be viewed at Appendix 1.

3. Sefton's Response to the Consultation

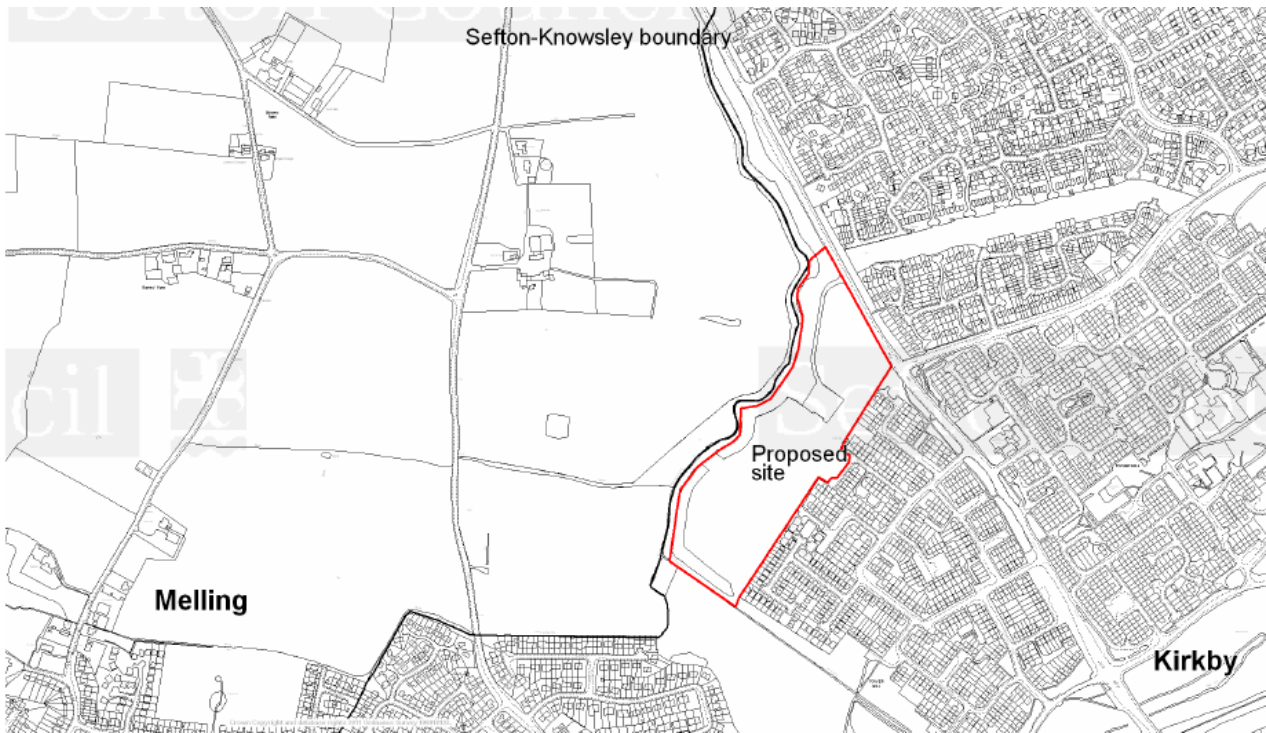
- 3.1 Sefton is a very different Borough from Knowsley, and the approach adopted in Knowsley is therefore not necessarily appropriate for Sefton. Knowsley is one of the most deprived Boroughs in the country, and the aspirations for growth and development set out in the Core Strategy can be seen in this context.
- 3.2 None of the proposed development sites in Knowsley would be likely to have a major detrimental impact on residents or businesses in Sefton. The proposed expansion of Kirkby Town Centre is much more modest than the development proposals that were rejected at a Public Enquiry in 2008, and would not have a major detrimental impact on Bootle Town Centre. Similarly, the proposed housing development site at Bank Lane, Kirkby, would have only a very limited impact on Sefton residents.
- 3.3 In summary, it is suggested that Sefton therefore endorses the Core Strategy Preferred Options as being the right approach for Knowsley. It is based on sound

Agenda Item 7

planning principles and will help to deliver the aspirations of the Borough over the next 15 – 20 years.

Agenda Item 7

Appendix 1 – Former golf driving range off Bank Lane



Agenda Item 8

Report to: Cabinet Member - Regeneration & Housing
Cabinet Member - Transportation and Street Scene
Cabinet Member - Environment
Planning Committee

Dates of Meetings: 28th July 2011; 5th August; 10th August; 24th August 2011

Subject: Draft Mersey Ports Master Plan

Report of: Director of Built Environment

Wards Affected: Linacre, Derby , Church; Ford, Litherland, St Oswald,
Netherton & Orrell

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

Exempt/Confidential: No

Purpose/Summary

To inform Members of the proposals contained in the draft Port Master Plan and to agree the basis of a response to Peel Ports.

Recommendations

1. That Cabinet Members note the content of the draft Master Plan report, and recommend to Planning Committee that the report provides the basis of the Council's response to Peel Ports
2. That Planning Committee agree that the report forms the basis of a response to Peel Ports on the draft Master Plan

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 8

Reasons for the Recommendation: To inform Members of the draft Mersey Ports Master Plan (consultation draft) and to help co-ordinate a Council response to the Plan.

What will it cost and how will it be financed?

There are no financial implications as a result of this report.

Implications:

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

Legal None	
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:

Not applicable.

What consultations have taken place on the proposals and when?

The Head of Corporate Finance & ICT (FD879) has been consulted and has no comments on this report because the contents of the report have no financial implications for the Council.

Head of Corporate Legal Services (LD 236/11) has been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

Not applicable

Implementation Date for the Decision

After the report is considered by Planning Committee.

Contact Officer: Steve Matthews

Tel: 0151 934 3559

Email: steve.matthews@sefton.gov.uk

Background Paper:

Draft Mersey Ports Master Plan: A 20 year Strategy for Growth. Consultation Draft.

1.0 Introduction

- 1.1 The draft Mersey Ports Master Plan is undergoing a 13 week period of consultation which will finish on 5th September 2011. There have been local exhibitions at Crosby Civic Hall and Bootle Town Hall.
- 1.2 The draft Master Plan sets out a 20 year strategy for growth for the Port of Liverpool and the Manchester Ship Canal, together known as Mersey Ports. The fact that these assets are now under the single ownership of Peel Ports (since 2005) offers new opportunities to exploit the links between them. In particular they offer the economic advantages of a hinterland with a population second only to that of London and a significant industrial base of 120,000 manufacturing and commercial enterprises within 50 miles, again second only to the London area.
- 1.3 The economic benefits of ports are acknowledged to be of national, regional and sub-regional importance. In particular, the development of the 'SuperPort' is recognised to be one of four major themes for the regeneration of the Liverpool City Region. This refers not only to the direct employment and economic benefits of the port but also to related aspects such as the carbon economy, including off-shore wind, biomass energy, and tidal power.
- 1.4 The timing of this consultation ties in well with the consultation on the Options stage for the Core Strategy for Sefton. Some of the issues raised by the draft Master Plan will be able to be incorporated in later stages of the Core Strategy, reflecting both implications for the use of land, the application of appropriate environmental controls, and making sure that local communities stand to benefit from the proposals.
- 1.5 The Strategic Regeneration Framework for North Liverpool/ South Sefton also provides a means of ensuring that any growth of the Port will be able to assist in the regeneration of local areas which suffer major deprivation.

2.0 Proposals

- 2.1 The proposals in the strategy are based on forecasts of the growth in various traffics handled at the various Ports. Growth is particularly anticipated in the 'lo-lo' (containers that are lifted on and off ships) and 'ro-ro' (trailers that are driven on and off vessels) sectors, the opportunities associated with handling biomass, palm oil and other dry bulks, steel and metals, forest products, and trade cars.
- 2.2 The proposed growth will have an impact on physical infrastructure, and the need for further land. This is not only for activities directly related to the Port, but also complementary activities such as energy, waste, the off-shore wind sector and processing.
- 2.3 The specific proposals which affect Sefton include:

Agenda Item 8

- ◇ the planned Seaforth River Terminal, a deepwater container port expansion planned for 2014. This will allow large shipping (known as 'post-Panamax vessels') to access the Port of Liverpool, which currently are not able to get through the lock system. The Seaforth River Terminal has been granted consent under the Harbour Revision Order in 2007 (L1 on the attached plan).
- ◇ the proposed use of the Seaforth Nature Reserve for port-related purposes – a working group including Natural England, the Environment Agency and the Lancashire Wildlife Trust is considering whether the nature conservation interest of this site can be adequately replaced by providing compensatory habitat elsewhere (L2 on the attached plan).
- ◇ creation of the Liverpool Intermodal Freeport Terminal (Phase 2) between Regent Road and Derby Road; this would provide about 370,000 sq ft of warehousing, and has been granted planning permission, but various conditions need to be discharged (L4 on the attached plan).
- ◇ Regent Road / Derby Road corridor – possible acquisition of further land – about 50% is in the ownership of the Port at the moment (L5 on the attached plan).
- ◇ Erection of a biomass power plant at the Hornby / Langton Docks (L3 on the attached plan).
- ◇ Re-use of area at Canada Dock used as overflow steel storage area for open storage or warehousing (permitted development).

3.0 Response to the draft Master Plan

- 3.1 The Council has a number of different roles in relation to the growth strategy which is described in the Master Plan. The Council has clear regulatory responsibilities in relation to planning, transport and the environment. However, it is important to balance this with an acknowledgement of the regeneration potential of the Port.
- 3.2 The Port of Liverpool is of clear strategic importance to the North West and to the City Region. The growth of the Port can make a major contribution to the economic success of a wide area, not only through the activities carried on within the Port itself, but the supporting maritime economy. This has the potential to provide real benefits for the local economy through the creation of new employment and supporting local business.
- 3.3 In overall terms, there is the opportunity to secure improved economic well-being and environmental quality through major investment in the outcomes which will benefit everyone: a successful and prosperous port, clean and safe surface transport, and revived communities in the port hinterland.
- 3.4 This can be achieved by forming a strategic partnership between the Council and Peel (and probably national agencies like HCA or Highways

Agenda Item 8

Authority) to prepare the area for investment and to manage the delivery of a strategic plan and investment programme (preferably under the umbrella of the Strategic Regeneration Framework)

3.5 The components of the strategic plan are likely to include:

- a long-term viable solution to port access, in line with the recommendations of the Port Access Study
- unlocking key port-related development sites along the Dunnings Bridge Road corridor
- completing housing market renewal in Seaforth
- redevelopment/refurbishment of Seaforth district centre
- potential for associated strategic investment in energy generation & distribution (CHP etc)
- a local benefits agreement with Peel and its contractors so that construction and end-use jobs and associated training opportunities are captured and directed to workless people and places in the locality; and local suppliers are given every support to access supply chain opportunities from the investment and development programme
- a mitigation agreement so that Peel contributes to the measures needed to contain and make acceptable the increased use of an already highly developed corridor, while a long-term solution is being prepared
- an agreement to certain minimum standards for the quality of any new development

3.6 The Regional Growth Fund 2 bid for river dredging and a river berth at Seaforth provide the immediate stimulus to forming a strategic investment partnership.

3.7 In the medium/long term it will be important to bring forward innovative and imaginative new forms of financing large scale infrastructure and development. These might include retained business rates, levying supplementary business rates, tax increment financing, local asset backed vehicles, and new energy investment tools such as feed-in tariff, renewable heat incentive, green deal, Esco.

3.8 This partnership can both build and channel popular support for a "new Seaforth", and will represent the larger vision against which progress on specific projects like port access is measured.

Agenda Item 8

4.0 Ensuring that environmental implications are adequately addressed

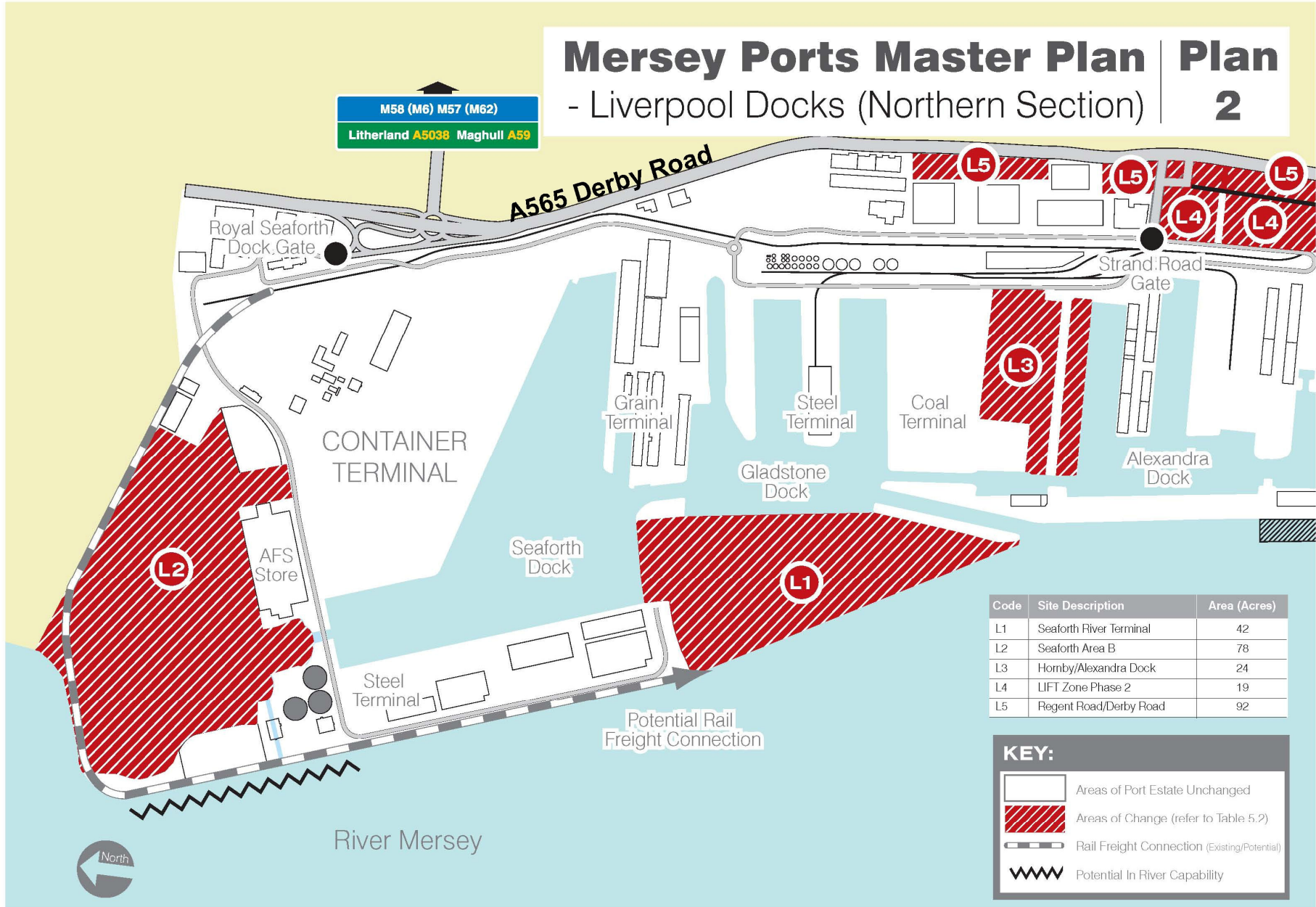
- 4.1 It will be important to agree with Peel Ports a proactive approach to reduce the environmental impact (noise, dust, air quality etc) of the current port operations and to minimise the potential effect of future development and expansion of the Port and the transport infrastructure.
- 4.2 All major stakeholders should be involved in the assessment process to ensure all the current and future issues are adequately addressed.
- 4.3 Air quality on the A5036 corridor, and to a lesser extent Millers Bridge and Balliol Road, is not currently complying with statutory health based standards and the proposals of the Port Master Plan could lead to a worsening of this situation and make it more difficult for the Council to comply with its statutory duty, unless agreed action is taken to mitigate the likely effects.
- 4.4 There is scope to implement an emissions reduction strategy that will offset the increased emissions by verifiable reductions from operations in the North Docks or by sponsoring projects along the corridors (mainly A5036, but also Millers Bridge/ Balliol Road)
- 4.5 In the longer term it will be important to secure a commitment to actions / support for projects that will bring about health improvements in the communities surrounding the A5036 and Millers Bridge/ Balliol Road corridors.
- 4.6 The Council could also seek to work with Peel Ports to manage the relocation of industry / activities within the dock estate to minimise impacts on the local community by applying design standards or, for example, using the 'emissions envelope' approach.

5.0 Summary

- 5.1 The challenge presented by the proposals contained in the draft Master Plan is to ensure that the undoubted economic benefits which would be realised by the growth in the Mersey Ports, can be matched by appropriate environmental controls and direct investment in local areas in order to achieve major regeneration.

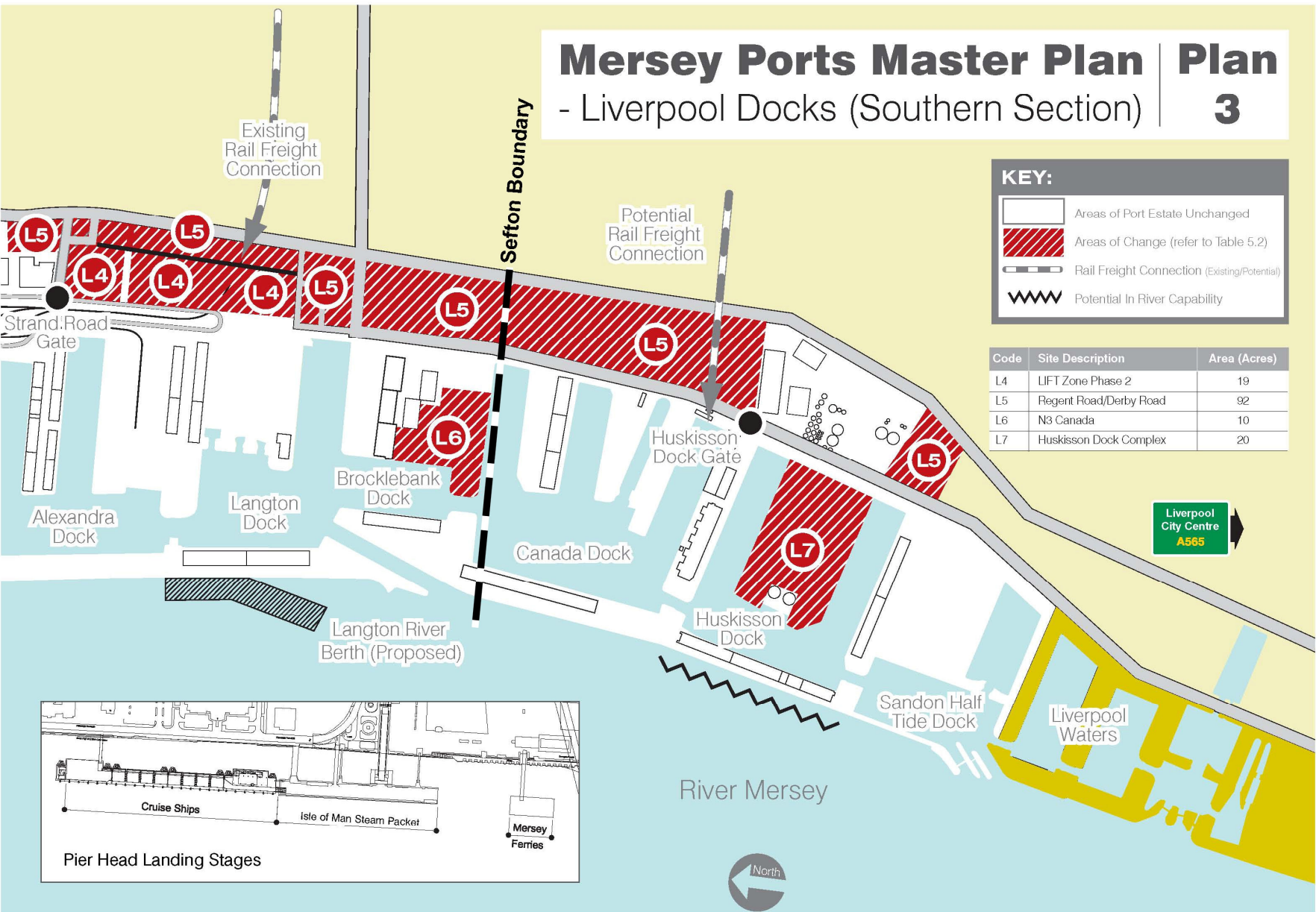
Mersey Ports Master Plan | Plan 2

- Liverpool Docks (Northern Section)



Mersey Ports Master Plan | Plan 3

- Liverpool Docks (Southern Section)



Agenda Item 9

Report to: Planning Committee Cabinet Overview & Scrutiny (Regeneration and Environmental Services) Council	Date of Meeting: 24 August 2011 15 September 2011 20 September 2011 27 October 2011
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Subject: Joint Merseyside and Halton Waste Development Plan Document: Council Approval of Publication Waste DPD

Report of: Director Built Environment **Wards Affected:** Linacre, Derby, Netherton and Orrell, Norwood directly
All indirectly

Is this a Key Decision? Yes **Is it included in the Forward Plan?**
Yes

Exempt/Confidential No

Purpose/Summary

- (i) For Members to note the results of public consultation on the Merseyside and Halton Joint Waste Development Plan Document Preferred Options 2 (New Sites Consultation) Report which was undertaken between May and June 2011.
- (ii) To seek District approval of the Publication Waste Development Plan Document and a final 6-week consultation at the end of 2011.
- (iii) To also seek approval to move to Submission Stage early in 2012.
- (iv) To set out the final steps to adopt the Waste DPD.

Recommendation(s)

Recommendation 1 – To note the results of consultation on the Waste Development Plan Document Preferred Options 2 (New Sites Consultation) Report.

Recommendation 2 - To approve the Publication Document for the final six-week public consultation commencing late in 2011 followed by Submission to the Secretary of State.

Recommendation 3 To delegate District officers within the Waste DPD Steering Group to make the necessary typographical changes to the Publication Document prior to submission of the Waste DPD and for any more substantial changes to be reported to Members through the appropriate scheme of delegation prior to Submission.

Recommendation 4 – To approve the spatial distribution of one sub-regional site per district.

Agenda Item 9

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 authorise publication of the Waste DPD for a six week consultation and submission of the Waste DPD to the Secretary of State.

What will it cost and how will it be financed?

(A) Revenue Costs

Budgetary provision for completion of the Waste DPD has been identified from within the Planning Service budgets during 2011/12 and 2012/13 to cover the following cost elements:

- Examination in Public (£25,000)
- Implementation and Monitoring of the Plan – (£3,500 per annum from April 2013)

(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	
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:
None

What consultations have taken place on the proposals and when?

The Head of Corporate Finance (FD905) and Head of Corporate Legal Services (LD 265/11) have been consulted and any comments have been incorporated into the report.

Are there any other options available for consideration?

No. As a Waste Planning Authority Sefton has a statutory duty to produce a Waste DPD.

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Council

Contact Officer: Steve Matthews
Tel: 0151 934 3559
Email: steve.matthews@sefton.gov.uk

Background Papers:

There are no background papers available for inspection.

Agenda Item 9

1. Introduction/Background

- 1.1 Government planning policy, the National Waste Strategy and Regional Spatial Strategy all require Development Plan Documents to address sustainable waste management. Through Planning Policy Statement 10 (Planning for Sustainable Waste Management) the Merseyside Districts are required to put in place a planning framework that identifies the locations for new waste management infrastructure to meet the identified needs of that Council or a group of Councils.
- 1.2 In 2005, Leaders agreed that the waste planning matters for the sub-region would most effectively be addressed through formal collaboration in preparing a Joint Waste Development Plan Document (Waste DPD). Consequently, the six Merseyside Authorities of Halton, Knowsley, Liverpool, Sefton, St. Helens and Wirral have entered into a joint arrangement to prepare the Waste DPD. It is the sub-region's first joint statutory land use plan and will guide future development of waste management and treatment facilities across Merseyside and Halton.
- 1.3 The Waste DPD is primarily focused on (i) providing new capacity and new sites for waste management uses and (ii) delivering a robust policy framework to control waste development.
- 1.4 The scope of the Waste DPD is to deal with all controlled waste including commercial and industrial, hazardous, construction, demolition, excavation and municipal waste. Waste management requirements include reception, recycling, treatment and transfer activity all designed to minimise amount of the waste requiring final disposal. This amounts to between approximately 4.5 million tonnes of material each year. Of that approximately 800,000 tonnes arises from local authority collected waste. The recycling, treatment and disposal of local authority collected waste is the responsibility of the Merseyside Waste Disposal Authority and Halton Council.
- 1.5 The Waste DPD aims to deliver significant improvements in waste management across the sub-region whilst also diverting waste from landfill. Specifically, the Waste DPD will provide Districts with a high degree of control through its land allocations and policies to direct the waste sector to the most appropriate locations primarily on allocated sites. It therefore will provide industry with much greater certainty to bring forward proposals that are more likely to be acceptable to the Districts.
- 1.6 The Publication Document is the final consultative stage in Plan preparation and follows completion of the Preferred Options 2 consultation.

2. Preferred Options 2 (New Sites Consultation)

- 2.1 A 6-week Preferred Options 2 consultation was completed on 20th June 2011. The scope of the consultation was limited to only four new sites proposed to be allocated for waste management uses. Large sub-regional sites were consulted upon in Halton, Liverpool and St. Helens and a smaller local site in Sefton. All sites consulted upon were identified as replacement sites to ones that had previously been deleted as a consequence of public consultation at the previous Preferred Options stage or subsequent Member decisions.
- 2.2 A total of 2930 consultation responses were received as well as 1 petition with 4259 signatures. The responses received across the sub-region are summarised below. A more detailed analysis, including originating postcodes etc is available in the Results of Consultation Report (see Appendix One)

Agenda Item 9

District Site	Support Strongly	Support	Oppose	Oppose Strongly
Atlantic Park, Bootle, Sefton	76	62	13	37
Widnes Waterfront, Halton	130	52	12	38
Sandwash Close, Rainford, St. Helens	5	7	26	2604
Garston, Liverpool	78	71	9	42

- 2.3 No significant issues arose from the proposed allocations in Halton, Liverpool and Sefton. Consultation responses were received from waste operators and landowners including two statements expressing specific concerns as to the soundness of the Plan. The grounds provided for challenging the soundness of the Plan are not considered to be strong.
- 2.4 A very considerable degree of local community and business opposition was experienced for the replacement sub-regional site in St. Helens with an estimated 2573 consultation responses from the immediate locality, with 2569 (99%) being opposed or strongly opposed to the proposed allocation. The Waste DPD team, along with colleagues from St. Helens, have analysed and considered all the responses received. As part of this process and to demonstrate a continuing high degree of transparency, all reasonable planning matters and consultee concerns have been thoroughly re-examined.
- 2.5 No significant planning, procedural or deliverability issues have come to light as a consequence of this re-assessment, nor as a result of the consultation responses received which make this sub-regional site unacceptable or require that a new site be selected. Consequently there is no technical case to remove this proposed sub-regional allocation.
- 2.6 The results of consultation report which will be found at <http://merseysideeas-consult.limehouse.co.uk>.
- 2.7 All four new sites which were the subject of Preferred Options 2 consultation will therefore be included within the Publication Waste DPD alongside those moving forward from Preferred Options 1. This gives a total of 6 sub-regional sites (1 per District, >4.5 hectares in area) and 13 local sites proposed as allocations (see table 2 in section 4.2 of this report) for built facilities (see Recommendation 1).

3. Publication and Submission of the Waste DPD

- 3.1 The Publication Stage of the Waste DPD is the final 6-week consultation stage whereby the consultees can submit comments. Comments can only be submitted on the basis of “soundness matters” and can relate to technical content or procedural matters (i.e. the process by which the Waste DPD has been prepared).

Copies of the Publication version of the Waste DPD are available to download at <http://merseysideeas-consult.limehouse.co.uk> or please contact 0151 934 3558 for a paper copy. Copies will also be made available at each committee meeting.

Agenda Item 9

- 3.2 At Publication Stage the 6 Districts are required to formally approve the Waste DPD as a Council document and part of their Local Development Framework. The proposed timetable for the 6-week Publication consultation starts at the beginning of November. All consultation processes are carried out in accordance with each Council's Statement of Community Involvement.
- 3.3 A report is due to be taken to Liverpool City Regional Chief Executives and Cabinet during the approvals process as this is a joint undertaking.
- 3.4 Submission of the Waste DPD to the Secretary of State follows shortly after the consultation has closed on the Publication document once the representations received have been considered and collated. At this stage the Waste DPD team and Districts are able to set out how it intends to respond to any soundness issues raised. Upon Submission to the Secretary of State, the formal examination of the Waste DPD starts with the appointment of an independent Planning Inspector. This is not a consultative process but one of rigorous examination of any soundness matters raised at Publication stage or that the Planning Inspector chooses.
- 3.5 Members should note that given timescale pressures it is normal at this stage to seek Full Council approval of Submission in tandem with Publication (see Recommendation 2). Delegated authority is also sought for officers from the Waste DPD Steering Group to make typographical changes and, for more substantial changes to be addressed through the appropriate scheme of delegation for each District (see Recommendation 3).

4. Contents of the Publication Waste DPD

- 4.1 Members are reminded that the content and issues to be addressed within the Waste DPD are governed by the requirements of national planning policy and waste strategy, particularly Planning Policy Statements 10 and 12. The Waste DPD is also supported by a large evidence base of technical assessments and reports ranging from Equality Impact Assessments to Sustainability Appraisals. Appendix 3 provides a list of the technical appendices that are publicly available within the web site (<http://merseysideeas-consult.limehouse.co.uk>) as downloadable resources. Alternatively paper copies can be made available for inspection.
- 4.2 The Waste DPD lists all relevant existing operational licensed waste management and disposal facilities within Merseyside and Halton. The Waste DPD site allocations proposed in Table 3 are additional to these existing sites.
- 4.3 The Vision and Strategic Objectives of the Waste DPD were established at the Spatial Strategy and Sites and Preferred Options 1 consultation stages. These are being taken forward virtually unaltered and are set out in Section 3.2 of the Publication Document.
- 4.4 Chapter 2 summarises the evidence base whereby current and projected waste management capacity needs are identified over a 15 year period to 2027 taking into account changes in waste arisings, progress with new waste infrastructure and the effects of policy and legislative change. The Waste DPD then forecasts what waste management capacity and sites are needed to divert, minimise, recycle, treat, reprocess and finally dispose of the waste arisings on Merseyside and Halton.
- 4.5 Government policy and independent planning advice make it clear that it is necessary for the Waste DPD to have sufficient flexibility to take account of changes in waste management needs and also is able to accommodate some loss of allocated sites to other uses during the Plan period. The level of need and how it is expressed in proposed allocations has already been agreed by Members at Preferred Options stage. The proposed allocations set out in Table 2 are the minimum level of allocations necessary to

meet identified needs and policy requirements.

- 4.6 Both the Vision and Strategic Objectives strive for Merseyside and Halton to become self-sufficient in waste management over the plan period.

Site Allocations

- 4.7 Chapter 4 sets out the approach to site prioritisation and identifies the site allocations. Identification of sites for waste management use is an essential and challenging part of the Waste DPD. Therefore, a policy (WM1) has specifically been inserted to ensure that the waste management industry is directed towards site allocations and sets out a series of rigorous tests that need to be met by potential developers. The policies relating specifically to sites are shown in Table 1.

Table 1: Site-related Policies in the Waste DPD

Policy Number	Purpose & content
WM1	Guide to Site Prioritisation – primarily guides developers to allocated sites before considering other areas of search or unallocated sites.
WM2	Sub-regional Site Allocations – identifies the sub-regional site allocations.
WM3	District Site Allocations – identifies the district site allocations
WM4	Allocations for Inert Landfill – identifies the inert landfill allocations
WM5	Areas of Search for Small-scale Waste Management Operations and Re-processing Sites – identifies favoured areas of search for other small-scale waste management operations.
WM6	Additional HWRC Requirements – defines criteria for identifying further HWRC facilities within the City of Liverpool.

- 4.8 The site allocations included within the Waste DPD Publication document are set out in table 2. All of the sites have already been formally approved by Members at Preferred Options stages and subject to at least one public consultation process. All site allocations are supported by a technical assessment.

- 4.9 A good spatial spread of sites has been achieved such that there is one sub-regional site per district, with a variable number of smaller district-level sites per District. This pattern of site distribution has evolved over the course of several public consultations and cycles of Council approvals. Members are asked to formally endorse the approach of one sub-regional site per District at Publication stage (see Recommendation 4 and site listings in Table 2).

- 4.10 All sites identified are either vacant land suitable for new facilities or have the potential for significant modernisation and/or intensification of use to meet identified waste management need. All sites included as allocations have the support of the landowner / operator.

Table 2: Site Allocations in the Waste DPD

District	Site Reference & Name	Site Area (ha)
Halton	H1 Widnes Waterfront Sub-regional Allocation	7.8
	H2 Eco-cycle, 3 Johnsons Lane, Widnes	2.0
	H3, Runcorn WWTW	1.2
Knowsley	K1 Butler's Farm, Knowsley Industrial Park Sub-regional Allocation	8.0

Agenda Item 9

District	Site Reference & Name	Site Area (ha)
	K2 Image Business Park, Acornfield Road, Knowsley Industrial Park	2.8
	K3 Brickfields, Ellis Ashton Street, Huyton Business Park	2.3
	K4 Former Pilkington Glass Works, Ellis Ashton Street, Huyton Business Park	1.3
	K5 Cronton Claypit	22.3
Liverpool	L1 Land off Stalbridge Road, Garston Sub-regional Allocation	5.4
	L2 Site off Regent Road/ Bankfield Street	1.4
	L3 Waste treatment plant, Lower Bank View	0.7
Sefton	F1 Alexandra Dock, metal recycling site Sub-regional Allocation	9.8
	F2 55 Crowland Street, Southport	3.6
	F3 Site North of Farriers Way, Atlantic Business Park	1.7
	F4 1-2 Acorn way, Bootle	0.6
St Helens	S1 Land SW of Sandwash Close, Rainford Industrial Estate Sub-regional Allocation	6.1
	S2 Land North of TAC, Abbotsfield Industrial Estate	1.3
	S3 Bold Heath Quarry	40.3
Wirral	W1 Car Parking/ Storage Area, former Shipyard, Campbeltown Road Sub-regional Allocation	5.9
	W2 Bidston MRF/ HWRC, Wallasey Bridge Road	3.7
	W3 Former goods yard, adjacent to Bidston MRF/ HWRC, Wallasey Bridge Road	2.8

- 4.11 A site profile including a map and the information shown in Table 2 is included in the Publication Document and is supported by technical assessments as part of the evidence base. These assessments include amongst other matters sustainability and effects on European nature conservation designations.
- 4.12 In relation to the site at 55 Crowland Street, Southport, the site profile clarifies that any increased capacity of waste management use, over and above that already granted consent, should be assessed carefully by Sefton Council's Highways Department, in relation to the potential implications on the local road network. Any highways assessment would in particular need to address the Butts Lane/Norwood Road junction; congestion on the local road network particularly Norwood Road; rat-running of HGVs along residential roads; and on-street parking in Crowland Street. A Transport Statement may be required.
- 4.13 In all cases a full planning application will be required which will set out details such as type of use, site access and operational hours. A planning application for a waste use on any site identified above will be subject to a further local public consultation and any decision as to suitability or otherwise will be determined by Sefton's Planning Committee.

Landfill

- 4.14 The opportunity for final disposal of non-inert waste to landfill within Merseyside and Halton is extremely limited due to land use constraints alongside geological and hydrogeological limitations. Detailed technical assessment has concluded that there are no opportunities within Merseyside and Halton for non-inert landfill disposal, and therefore there are no allocations for this purpose. Over time as behaviour changes in terms of the quantities and types of waste produced and as new treatment facilities become operational the reliance

that Merseyside and Halton have on exporting non-inert waste to landfill will decrease. The Waste DPD therefore will be based on a continuing but decreasing export of non-inert landfill to existing operational sites outside of the area throughout the Plan period.

- 4.15 Merseyside and Halton do however have the potential to provide final disposal sites for inert waste. Two sites, both of which are existing active minerals operations are proposed as inert landfill allocations to meet the continuing, but decreasing, quantities of inert waste at Cronton Clay Pit (K5) and Bold Heath Quarry (S3). As fiscal and waste diversion pressures continue to impact on this waste stream, it is expected that relatively modest quantities of inert waste will be deposited at these sites over time, as most inert waste can be recycled and reprocessed into new recycled products and raw materials.

Policies

- 4.16 Chapter 5 sets out the policy framework intended to provide industry with a high degree of certainty and some flexibility in coming forward with proposals for new waste management infrastructure. The policies also set the bar high in terms of the very tight control that the Local Authorities will exercise over waste management activities and these policies strongly direct the waste management industry towards allocated sites. Table 3 summarises the key Waste DPD policies.

Table 3: Development Management Policies in the Waste DPD

Policy & Page number	Purpose and content
WM7	Protection of Existing Waste Management Capacity – to ensure that the existing essential waste management capacity is maintained to serve the needs of Merseyside and Halton.
WM8	Waste Prevention and Resource Management – to promote the prevention of waste and make efficient use of waste for all developments.
WM9	Design and Layout for New Development – for all new non-waste developments to enable the easy and efficient storage and collection of waste.
WM10	Design and Operation of New Waste Management Development – to ensure high quality design and operation of new waste management facilities to minimise impact of local communities.
WM11	Sustainable Waste Transport – to minimise and mitigate the impacts of waste transport on local communities.
WM12	Criteria for Waste Management Development – sets out the criteria against which all waste management proposals will be assessed.
WM13	Waste Management Applications on Unallocated Sites – sets out the criteria that must be addressed for sites brought forward on unallocated sites.
WM14	Energy from Waste – states that no large EfW facilities are needed but makes provision for small-scale EfW that serves an identified local need for energy or heat.
WM15	Landfill on Unallocated Sites - sets out the criteria that must be addressed for landfill proposals brought forward on unallocated sites.
WM16	Restoration and Aftercare of Landfill sites –sets out the information requirements for planning restoration and aftercare of landfill sites.

- 4.17 The Waste DPD policies are designed to work with and not duplicate the District specific policies in their Core Strategy and other Development Plan Documents.

Agenda Item 9

Implementation and Monitoring

- 4.18 The Waste DPD is required by planning policy (PPS12) to include an implementation plan and monitoring arrangements and these are set out in Chapter 6 of the Publication document. Responsibility for implementation principally lies with the Local Planning Authority with support from Merseyside EAS, Waste Collection Authorities, MWDA, landowners and the waste industry.

5. Next Steps

Examination in Public:

- 5.1 The Public Examination is a formal part of the plan making process, and starts upon Submission of the Waste DPD to the Secretary of State. A Planning Inspector is appointed by the Planning Inspectorate and the Waste DPD team will need to provide a secretariat for the Examination Hearing process including resources, a Programme Officer and a venue for the Inspector and their team and the formal hearing.
- 5.2 On the basis of the current work programme, the Examination Hearing is planned for May 2012. We expect to receive the Inspectors' Report 13 weeks after the completion of the Examination.

Adoption:

- 5.3 The Waste DPD will need to be formally adopted, like all other statutory planning documents, by each of the Merseyside Districts as part of the adopted statutory development plan. Adoption is likely to take place in November 2012.

6. Financial Implications

- 6.1 The Head of Corporate Finance and ICT comments that the financial implications of this report on the Council are that the final costs for the preparation of the Waste DPD have already been agreed with the Districts and appropriate budgetary provision have been made including the Examination In Public (see above). Currently no additional preparation costs are anticipated.

Appendices

Appendix 1 : Results of Consultation Report for Preferred Options 2 (New Sites Consultation) – Not attached. Available to download at <http://merseysideeas-consult.limehouse.co.uk> or please contact 0151 934 3558 for a paper copy. Copies will also be made available at each committee meeting.

Appendix 2 : Waste DPD Draft Publication Document which is also available electronically as a PDF document – Not attached. Available to download at <http://merseysideeas-consult.limehouse.co.uk> or please contact 0151 934 3558 for a paper copy. Copies will also be made available at each committee meeting.

Appendix 3 : List of Supporting Materials for the Waste DPD Publication Document

Document Filename	Description
Agricultural Waste Survey findings.pdf	Agricultural Waste Survey
All Sites Scored.xls	Built Facilities sites long list prepared for Spatial Strategy & Sites report
All sites to be assessed for Landfill.xls	Landfill sites : short list
Broad Site Search Final Report.pdf	Broad Site Search Report : Initial Site Search study 2005
Built Facilities Site Search Methodology Preferred Options.pdf	Built facilities site search methodology report (Preferred Options Stage)
Built Facilities Site Search Methodology Preferred Options 2.pdf	Built facilities site search methodology report (Preferred Options 2 Stage)
ClimateChangeImpactsModelling.pdf	Study into Greenhouse Gas Emissions by waste facilities
Equality Impact Assessment.pdf	Equality Impact Assessment - Preferred Options report
European Sites With Border final May2010.pdf	Map of European sites designated under Habitats Regulations
Health effects of waste management.pdf	Health Impacts Assessment of waste facilities
List of Supporting Document.pdf	This listing
Merseyside Radioactive Waste Arisings.pdf	Radioactive Waste Survey for Merseyside
MerseysideWasteAA final 30Apr2010.pdf	Habitat Regulations Assessment Report
Needs Assessment and Planning Implications.pdf	Needs Assessment and Planning Implications : Main Report
North West ComInD Survey Final Report.pdf	NW Regional Survey of Commercial & Industrial Wastes 2006/7
North West ConDemEx Survey Final Report.pdf	NW Regional Survey of Construction & Demolition wastes 2006/7
NW Regional Broad Locations Report Nov 08.pdf	NW Region Broad Locations Report : 2008
SA Environmental Statement Consultation Draft.pdf	Sustainability Appraisal for Preferred Options- Report
SA Environmental Statement NTS Consultation Draft.pdf	Sustainability Appraisal for Preferred Options - Non-Technical Summary
SA Scoping Report pre- PO revision July 2009. pdf	Sustainability Appraisal Scoping Report (07/09 update)
SFRA Merseyside Waste DPD. pdf	Strategic Flood Risk Assessment for Merseyside Waste DPD
Site Profiles Appendix.pdf	Detailed Site Profiles - Appendix to Publication Document
St Helens sub-regional sites assessment.pdf	Additional Assessments carried out on St Helens sub-regional sites
Survey for Landfill in Merseyside and Halton Report. Pdf	Landfill site search methodology report
Waste DPD Issues and Options Report.pdf	Waste DPD Issues and Options Report
Waste DPD Publication Document.pdf	Waste DPD Publication Document
WasteDPD Preferred Options Report.pdf	Preferred Options Report
WasteDPD Preferred Options 2 Report.pdf	Preferred Options 2 Report : New Sites Consultation
WasteDPD_ Spatial_ Strategy_ and_ Sites_ Report. Pdf	Spatial Strategy & Sites Report

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**PLANNING COMMITTEE
VISITING PANEL SCHEDULE**

Monday, 22 August 2011

Start: 9.30 am SOUTHPORT TOWN HALL

Item	Time	Application Site	Ward
1.	09.45	S/2011/0865 24 Argyle Road, Southport	Cambridge
2.	10.25	S/2011/0810 28 Timms Lane, Formby	Harington
3.	10.55	S/2011/0846 Land adj 3 Village Way Hightown	Manor

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Report to: Planning Committee **Date of Meeting:** 24th August 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

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 11

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:

Legal		
Human Resources		
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:

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

Background Papers:

Background documents can be viewed for each application at www.sefton.gov.uk/planapps.

Agenda Item 11 Appeals Received and Decisions Made

From 15 July 2011 to 11 August 2011

Planning Appeal Decisions

139 Eastbank Street, Southport

S/2010/1586 - 2147825

Retention of a non-illuminated box sign at first floor level fronting onto the Bridge Street elevation

Appeal Type: Written
Lodged Date: 03/03/2011
Decision: Dismissed
Decision Date: 20/07/2011

Pavement opposite Bethel Baptist Church Southport Road, Bootle

S/2010/1212 - APP/M4320/A11/2151060/NWF

Prior Notification Procedure for the erection of a replacement telecoms mast (maximum height 12.5 metres) and associated streetworks cabinet

Appeal Type: Written
Lodged Date: 26/04/2011
Decision: WITHDRAWN
Decision Date: 19/07/2011

New Planning Appeals

1 Cobden Road, Southport

S/2011/0526 - 2156706

Erection of a first floor extension to the rear/side of the dwellinghouse

Appeal Type: Written
Lodged Date: 20/07/2011
Decision: PENDING
Decision Date: 20/07/2011

8 Geves Gardens, Waterloo

S/2011/0028 - APP/M4320/A/11/2155815

Retrospective application for the erection of a detached outbuilding to the front / side of the dwellinghouse

Appeal Type: Written
Lodged Date: 18/07/2011
Decision: PENDING
Decision Date: 18/07/2011

10 Hester Close, Hightown

S/2011/0390 - 2156729

Erection of a part single, part two storey extension to the rear; installation of a pitched roof over existing bay at the front and an extension to the porch at the side of the dwellinghouse (Alternative to S/2011/0121 refused 23/03/2011)

Appeal Type: Written
Lodged Date: 22/07/2011
Decision: PENDING
Decision Date: 22/07/2011

Site for Mast Fleetwood Hesketh Social Club Fylde Road, Southport

S/2011/0362 - 2156968

Prior Notification Procedure for the erection of a 12.5 metre high telecommunications mast and associated ancillary equipment

Appeal Type: Written
Lodged Date: 26/07/2011
Decision: PENDING
Decision Date: 26/07/2011

15 Ryeground Lane, Formby

S/2011/0640 - 2158040

Erection of a part single part two storey extension to the side / rear together with a porch to the front of the dwellinghouse (Alternative to S/2011/0318, approved 04/05/2011)

Appeal Type: Written
Lodged Date: 08/08/2011
Decision: PENDING
Decision Date: 08/08/2011

New Enforcement Appeals

7 Blundellsands Road East, Crosby

2155751 - CLB/ENF0412

Fences/Walls/Outbuildings etc.

Appeal Type: Written
Lodged Date: 08/08/2011
Decision: PENDING
Decision Date: 08/08/2011

2 Clovelly Drive, Birkdale

APP/M4320/C/11/2154626 - CLB/ENFO408

Domestic - fences/sheds/extensions etc

Appeal Type: Written
Lodged Date: 27/07/2011
Decision: PENDING
Decision Date: 27/07/2011



3/16 Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Direct Line: 0117 372 8693
Customer Services: 0117 372 6372
Fax No: 0117 372 6241
e-mail: teamP1@pins.gsi.gov.uk

Ms Collette Robertson
Sefton Metropolitan Borough
Council
Planning Appeals Officer
Magdalen House
30 Trinity Road
Bootle
Liverpool
L20 3NJ

Your Ref: S/2010/1212
Our Ref: APP/M4320/A/11/2151060/NWF
Date: 18 July 2011

Dear Ms Robertson

**Town and Country Planning Act 1990
Appeal by Vodafone Limited
Site at Land At, Southport Road, Bootle, L20 9NS**

I am writing to tell you that the appeal, reference number APP/M4320/A/11/2151060 has been withdrawn and the file is closed.

The arrangements have been cancelled.

Yours sincerely

Nadia Hussain

208B



Appeal Decision

Site visit made on 19 July 2011

by Nigel Harrison BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 July 2011

Appeal Ref: APP/M4320/H/11/2147825

139 Eastbank Street, Southport, Merseyside, PR8 1DQ

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr John Parker Nealis (Quick Loans Ltd T/A Automoney) against the decision of Sefton Metropolitan Borough Council.
 - The application Ref: S/2010/1586 dated 1 October 2010 was refused by notice dated 14 January 2011.
 - The advertisement proposed is "retention of a non-illuminated box sign at first floor level fronting onto the Bridge Street elevation".
-

Decision

1. The appeal is dismissed.

Main Issue

2. I consider the one main issue in this case is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

3. The sign, which was in place at the date of my site visit, is displayed at first floor level on the side elevation of the appeal premises facing Bridge Street. It is non-illuminated, has an aluminium frame and perspex face. The site is within a mixed commercial and residential area within the town centre.
4. The Council has referred to Policy MD7 of the Sefton Unitary Development Plan, and I have taken this into account as a material consideration. It requires advertisements not to be obtrusive or dominant, not to create clutter on the building, and to respect the building's scale and proportions. However, powers under the Regulations to control advertisements require decisions to be made only in the interests of amenity, and where applicable, public safety. Therefore, the Council's policies alone cannot be decisive.
5. By reason of its size, elevated position on the building, and strident colour scheme, I consider the sign appears unacceptably obtrusive and dominant in the general street scene. It also has a bulky appearance which fails to respect the building's proportions and scale. The projection of about 170mm from the face of the building further emphasises its prominence. Taken together with the extensive existing signage on the premises, I agree with the Council that it adds to the visual clutter of advertising material, and the cumulative effect is harmful to visual amenity.

6. I also consider the sign creates a significant visual intrusion in the direct outlook from flats and dwellings in Bridge Street opposite the appeal premises, and this adds to my concerns.
7. The appellant says the sign replaced a similar one in the same position displayed by a previous occupier of the building. However I have no other information relating to details of this or how long it was in place. In any event, Planning Policy Guidance 19: *Outdoor Advertisement Control* (PG19) says the decision maker is not bound to follow previous decisions where advertisements are considered harmful, or where additional signs would harm the area.
8. I conclude that the display of the appeal sign is unacceptably intrusive in this location, is detrimental to the general interests of amenity, and harms the character and appearance of the area. I find it would conflict with the relevant advice in PPG19, Circular 03/2007, and the aims of UDP Policy MD7.
9. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Nigel Harrison

INSPECTOR