

PLANNING COMMITTEE

**MEETING HELD AT THE TOWN HALL, BOOTLE
ON 9 FEBRUARY 2011**

PRESENT: Councillor Tweed (in the Chair)

Councillors Byrne, L. Cluskey, Cuthbertson, Dodd,
Dorgan, Griffiths, Hands, Hough, Ibbs, Kelly, Mahon
and Preston

Also Present Councillors Parry and Porter.

147. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gustafson and Sumner and Councillors Rimmer and Webster (substitute Members)

148. DECLARATIONS OF INTEREST

The following declarations of interests were received:

Member	Item	Interest	Action
Councillor Cuthbertson	Application No. S/2010/1677 – 73-75 Kirklake Road, Formby	Personal – knows the petitioners.	Left the room, took no part in the discussion and did not vote thereon, but spoke against the application as Ward Councillor.
Councillor Ibbs	Application No. S/2010/1677 – 73-75 Kirklake Road, Formby	Personal – knows the petitioners	Remained in the room, took part in the discussion and the voting thereon.

149. APPLICATION NO. S/2010/1645 - SHELL GARAGE, LIVERPOOL ROAD, FORMBY

The Committee considered the report of the Planning and Economic Development Director recommending that the above application for the construction of a new petrol filling station including: the erection of a convenience store, forecourt canopy, individual jet wash bays, parking and landscaping be approved for the reasons stated or referred to in the report.

Prior to consideration of the application, the Committee received a petition from Ms. D. Jones on behalf of objectors to the application and a response from Mr. Croston on behalf of the applicant.

RESOLVED:

That the recommendation be approved and the application be granted for the reasons stated within the report.

150. APPLICATION NO.S/2010/1677 - 73-75 KIRKLAKE ROAD, FORMBY

The Committee considered the report of the Planning and Economic Development Director recommending that the above application for the erection of 2 detached two storey dwellings to the rear of 73 & 75 Kirklake Road with new access onto Kirklake Road be approved for the reasons stated or referred to in the report.

Prior to consideration of the application, the Committee received a petition from Mr. Dickerson on behalf of the applicant.

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

RESOLVED:

That the recommendation be approved and the application be granted for the reasons stated within the report and subject to the conditions referred to in the report and the additional condition and reason set out in Late representations.

151. APPLICATION NO. S/2010/1692 - CHAPEL HOUSE, 603-607 LIVERPOOL ROAD, AINSDALE

The Committee considered the report of the Planning and Economic Development Director recommending that the above application for the demolition of existing car showroom, vehicle workshops and residential dwelling and erection of replacement building providing showroom, service reception and ancillary office uses, together with improved external vehicle display and car parking provision be approved for the reasons stated or referred to in the report.

Prior to consideration of the application, the Committee received a petition from Mr. Hayes on behalf of objectors to the application and a response from Mr. Walton on behalf of the applicant.

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

RESOLVED: That

- (1) the application be deferred;
- (2) Planning and Economic Development Director be requested to discuss with the applicant arrangements to enable vehicle deliveries to be carried out within the curtilage of the site; and
- (3) the application be further considered at the next meeting of the Committee.

152. APPLICATION NO S/2010/1726 - 4A LIVERPOOL ROAD, BIRKDALE

The Committee considered the report of the Planning and Economic Development Director recommending that the above application for the construction of an external terrace with screening at the first floor level to the rear of the premises. (Alternative to S/2010/0864 withdrawn 29/07/2010) be approved for the reasons stated or referred to in the report.

Prior to consideration of the application, the Committee received a petition from Mr. Wright on behalf of objectors to the application and a response from Mr. Adams on behalf of the applicant.

RESOLVED:

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

153. APPLICATIONS FOR PLANNING PERMISSION - APPROVALS

RESOLVED: That

- (1) the following applications be approved, subject to:-
 - (a) the conditions (if any) and for the reasons stated or referred to in the Planning and Economic Development Director's report and/or Late Representations; and
 - (b) the applicants entering into any legal agreements indicated in the report or Late Representations:

Application No.	Site
S/2010/1503	Maghull Central Square, Maghull
S/2010/1605	Former LA Fitness, Fairway, Southport
S/2010/1617	Land at 101 Marshside Road, Southport

S/2010/1669	Land opp Millfield, Powderworks Lane, Melling
S/2010/1673	Mortons Dairy, Kenyons Lane, Lydiate
S/2010/1737	Land rear 43-51 High Park Road, Southport
S/2010/1742	340 Moorhey Road, Maghull
S/2010/1748	Westwood House, Moss Side, Formby
S/2010/1768	24 Selworthy Road, Birkdale

154. APPLICATIONS TO BE INSPECTED BY THE VISITING PANEL - 7 FEBRUARY 2011

The Committee considered the report of the Planning and Economic Development Director which advised that the undermentioned sites had been inspected by the Visiting Panel on 7 February, 2011.

Application No	Site
S/2010/1645	Shell Garage. Liverpool Road, Formby
S/2010/1677	73-75 Kirklake Road, Formby
S/2010/1692	Chapel House, 603-605 Liverpool Road, Ainsdale
S/2010/1768	24 Selworthy Road, Birkdale
S/2010/1726	4a Liverpool Road, Birkdale
S/2010/1605	Former LA Fitness, Fairway, Southport
S/2010/1617	101 Marshside Road, Southport
S/2010/1673	Mortons Dairy, Kenyons Lane, Lydiate

RESOLVED:

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

155. TOWN AND COUNTRY PLANNING ACT - APPEALS

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

Appellant	Proposal/Breach of Planning Control	Decision
Mr. and Mrs. Diamond	9 Ormonde Drive, Maghull - S/2010/0774 – 2137720 - appeal against a refusal of the Council to grant retrospective planning permission for the erection of a single storey extension and garage to the side, a conservatory and a dormer extension to the rear of the dwellinghouse including extending the ridge line and raising the height of the gable wall (alternative to S/2004/0223 approved 13/04/2004)	Allowed 25/01/11

PLANNING COMMITTEE- WEDNESDAY 9TH FEBRUARY, 2011

Mr. J. Brookes	155 Hart Street, Southport - S/2010/1231 - APP/M4320/D/10/2140819 - appeal against a refusal of the Council to grant planning permission for the erection of a two storey extension to the rear of the dwellinghouse	Allowed 17/01/11
Mr. I. Mutch	13 Prestwick Drive, Crosby - S/2010/0985 - APP/M4320/D/10/2141339 - appeal against a refusal of the Council to grant planning permission for alterations to the roof from a hip to a gable together with the installation of 3 no dormer windows to the front and 3 no to the rear together with a extension to the side / front of the existing garage and a pitched roof over the existing flat roof (Resubmission of S/2010/0542, Withdrawn 19/05/2010)	Allowed 17/01/11
Mr. T. Foster	5 Carr Road, Bootle - S/2010/1031 - 2138600 - appeal against a refusal of the Council to grant planning permission for the erection of a first floor extension to the side of the dwellinghouse (re-submission of S/2010/0642 withdrawn 16/06/2010)	Dismissed 17/01/11
Mr. and Mrs. Cunningham	36 Crescent Road, Birkdale - APP/M4320/C/10/2134808 - CLB/ENF0386 - appeal against an enforcement notice issued by the Council in respect of Domestic - extensions/conservatories/dormers etc	Upheld 21/01/11
Mr. and Mrs. Diamond	9 Ormonde Drive, Maghull - APP/M4320/C/10/2137727 - CLB/ENF0389 - appeal against an enforcement notice issued by the Council for Breach of conditions	Quashed 12/01/11
Mr. S. Pearson	8 Mount House Road, Formby - APP/M4320/C/10/2137002 - appeal against an enforcement notice issued by the Council in respect of Fences/Walls/Outbuildings etc.	Upheld 12/01/11

RESOLVED:

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

156. PROPOSED INCREASE IN FEES AND CHARGES

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

RESOLVED: That

- (1) the content of the Proposed Increase in Fees and Charges report be noted;
- (2) the Cabinet be recommended to approve the proposed increases in fees and charges for 2010/11, and the revised financial contributions to be set out in Supplementary Planning Guidance; and
- (3) the Cabinet be recommended to give delegated authority this Committee to approve the implementation of the proposed scale of planning and other application fees as soon as it becomes available and to ratify the fees, together with any proposed subsequent amendments, before its mandatory implementation in October 2011.

157. REGULATORY SERVICE DEVELOPMENT

The Committee considered the report of the Planning and Economic Regeneration Director which gave an update on Regulatory Services development in 2010 requested Members to agree the priorities for the coming year.

RESOLVED:

That the report be noted and the priorities for 2011, as detailed within the report, be agreed.

158. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Act. The Public Interest Test has been applied and favours exclusion of the information from the press and public.

159. JUDICIAL REVIEW PROCEEDINGS - 8 SANDRINGHAM ROAD, SOUTHPORT

The Chair agreed to consider this item as a matter of urgency as it involved an important issue which needed to be resolved prior to the next meeting of this Committee.

Further to Minute No. 139 of 12 January 2010, the Head of Legal Services and Planning and Economic Regeneration Director gave an update on the Judicial Review proceedings in relation to 8 Sandringham Road, Southport. Members were informed of the outcome of the hearing in the High Court on 3 February 2011, when the original planning permission was quashed. The Judge had reserved the issue as to costs and the views of the Committee were sought on the issue of costs.

RESOLVED:

That the Head of Legal Services and Planning and Economic Regeneration Director be authorised to seek to negotiate a settlement of the claimant's costs.