

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

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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.

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.

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.

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.