

Committee: **PLANNING**

Date of Meeting: **13 January 2009**

Title of Report: **S/2009/1136**
21 Victoria Road, Formby
(Harington Ward)

Proposal: Variation of condition 11 on planning approval N/2006/0598 to allow an alternative to the approved vehicular splay

Applicant: Xstreme Developments

Executive Summary

This application seeks to vary a condition of a planning permission to provide a different approach to creating a safe access. The only issues raised relate to highway safety.

Recommendation(s) Approval

Justification

The proposed variation of condition substitutes a different way of providing safety at the access which is considered acceptable in highway safety terms.

Conditions

1. T1 Time Limit - 3 years
2. M3 Materials (sample)
3. M4 Pile
4. The bathroom and kitchen window(s) to apartments 6 & 8, the south east facing kitchen windows to apartments 4 & 7, and the en-suite bathroom windows to apartment 5 shall be fitted with obscure glazing of fixed or top hung specification and maintained as such thereafter.
5. M8 Boundary Treatment
6. L2 Landscaping (no felling)
7. L3 Protection of Trees
8. L5 Landscaping (scheme)
9. L8 Landscape Implementation

10. H1 Car Park (building development)
11. The mirrors located on the brick piers to each side of the 'exit' shall together with the gate opening alarm buzzer be permanently retained and maintained in the event of any damage or defect.
12. H5 Bikes
13. X1 Compliance

Reasons

1. RT1
2. RM1
3. RM4
4. In the interests of privacy of the neighbouring property and to comply with Sefton UDP Policies MD1.
5. In the interests of privacy and visual amenity and to comply with Sefton UDP Policy MD1.
6. RL1
7. RL1
8. In the interests of visual amenity and conservation and to comply with Sefton UDP Policy DQ3.
9. In the interests of visual amenity and conservation and to comply with Sefton UDP Policy DQ3.
10. RH1
11. RH3
12. RH2
13. RX1

Notes

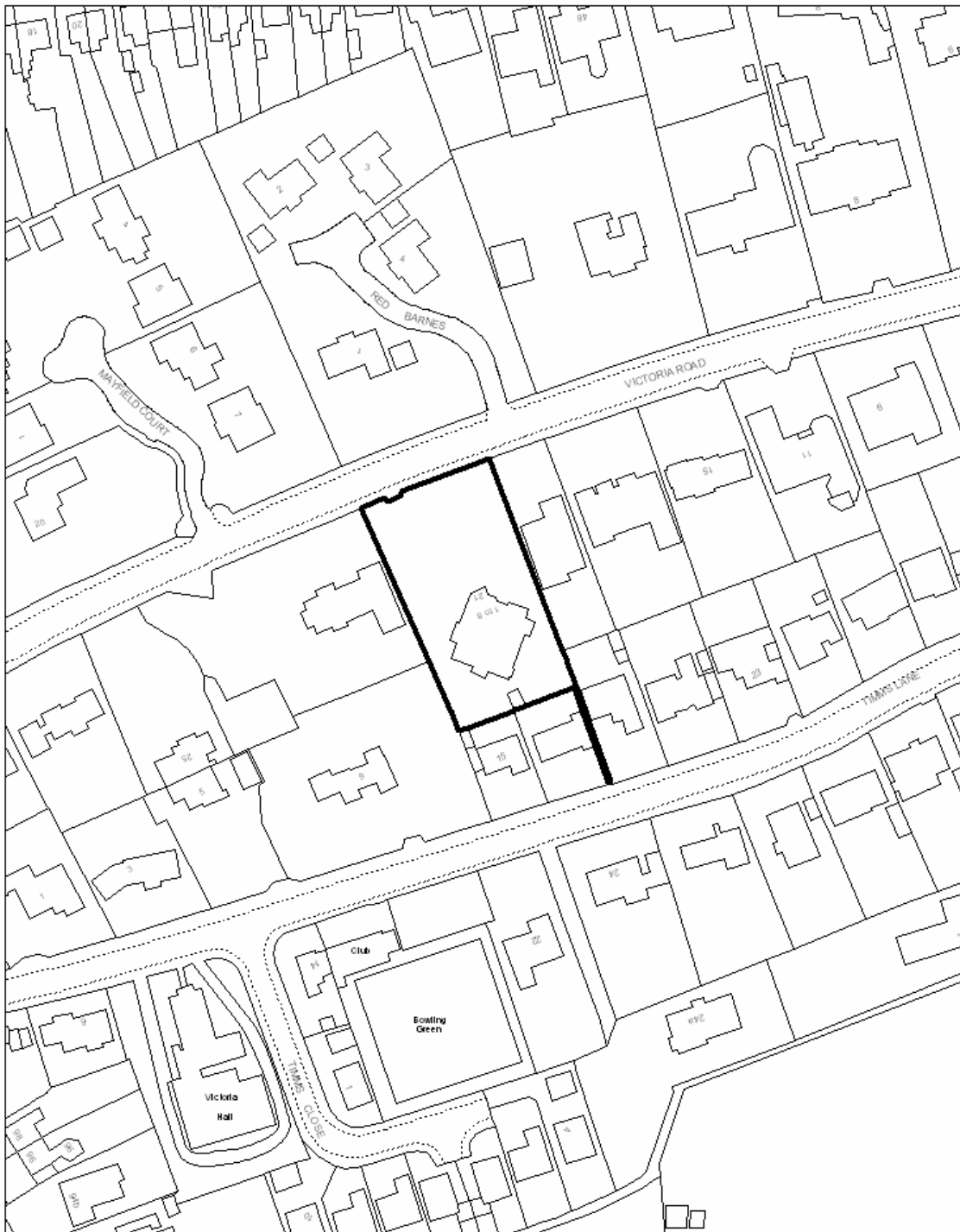
Drawing Numbers

Financial Implications

CAPITAL EXPENDITURE	2006/ 2007 £	2007/ 2008 £	2008/ 2009 £	2009/ 2010 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
REVENUE IMPLICATIONS				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

List of Background Papers relied upon in the preparation of this report

History referred to
Policy referred to



Sefton Council S/2009/1136 Planning & Economic Regeneration Department Andy Wallis - Director <small>Planning & Economic Regeneration is part of the Regeneration & Environmental Services Directorate</small>		21 Victoria Road Formby L37 7AQ OSGR: 329608, 408373 Sheet(s): 305D Area: 2053 sqm		Standard Site Plan Scale: 1:1250 Date: 30/12/2009 Drawn By: EBERT on	
<small>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Sefton Council Licence No. 1000181921</small>		<small>Created by Sefton Council Planning & Economic Regeneration Department using MapInfo</small>		Ward(s): Harrington Postcode Sector(s): L37 7 Polling District(s): Q1 Parish(es): Formby Cp	

This application has been called in by Councillor Eric Storey

The Site

The site is a large plot on the south side of Victoria Road, comprising a number of mature protected trees on the frontage which preclude views of the building. The wider area is characterised by a mix of large buildings in large plots, but no particular established pattern of development is prevalent. The building has an offset front elevation and is positioned unusually close to the rear of the site with the rear gardens of Timms Lane in relatively close proximity. Work has commenced on the existing planning permission.

Proposal

Variation of condition 11 on planning approval N/2006/0598 to allow an alternative to the approved vehicular splay

History

N/2006/598 Erection of three storey extensions to the side and rear to form 8 self-contained flats after demolition of existing outbuildings and part of main building.-approved 10/08/2006

N/2005/0353 - Erection of a three storey glazed lift shaft to the front, erection of a three storey extension to the side and rear to form 8 self-contained flats after demolition of existing outbuildings and part of main building – approved 2 June 2005.

N/2004/1353 – Erection of a three storey glazed lift shaft to the front, erection of a three storey extension to the side and rear to form 9 self-contained flats after demolition of existing outbuildings and part of main building – withdrawn 17 February 2005.

Consultations

Highways Development Control -The boundary wall and electric gates have been constructed and are approximately 2 metres high with no visibility splay to the entrance or the exit. The applicant had previously agreed to puncture two holes into the boundary wall and gates to provide some transparency for the pedestrian. However when the gate is in the open position the transparency will not be achieved due to the gates being solid wood in nature.

The client has since requested and constructed two new features to assist the visibility of motorists and pedestrians. The first is a low sounding and flashing buzzer adjacent to the electric gate, which operates whilst the gate is opening or closing and two mounted mirrors which maintain the visibility for pedestrians along the length of the 'exit'. The mirrors also allow motorists to view pedestrians from a greater distance along Victoria Road.

There are no objections to this application on the grounds of highway safety as the measures implemented on site as an alternative to a visibility splay at the vehicular access designated the site exit, provide adequate visibility of pedestrians walking along the footway warning for motorists leaving the development.

As a result the variation to condition 11 on planning approval N/2006/0598 is acceptable, subject to the following condition:-

"There are no objections to the application, subject to the mirrors located on the brick piers to each side of the 'exit' shall together with the gate opening alarm buzzer be permanently retained and maintained in the event of any damage or defect.'

Neighbour Representations

Last date for replies: 5/01/10

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
DQ1	DESIGN
DQ3	TREES AND DEVELOPMENT
MD1	HOUSE EXTENSIONS
XSPG12	HOUSE EXTENSIONS

Comments

The proposal raises issues highway safety. All other issues are as dealt with in planning application N/2006/0598 and the development has been carried out and several conditions already discharged.

This application seeks a different arrangement for providing visibility at the entrance than was originally agreed. The proposals have been discussed in some detail with highways Development control who are fully satisfied with the new arrangement.

The proposed variation of condition is therefore considered acceptable subject to a revised condition as recommended by Highways Development Control.

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