

REPORT TO: CABINET MEMBER – TECHNICAL SERVICES

DATE: 10 FEBUARY 2010

SUBJECT: REFUSAL OF PLANNING APPLICATION – S/2009/1080
CONSTRUCTION OF A VEHICULAR ACCESS TO A
CLASSIFIED ROAD – 52 CHURCH ROAD, SEAFORTH

**WARDS
AFFECTED:** LINACRE

REPORT OF: ALAN MOORE - STRATEGIC DIRECTOR OF
REGENERATION & DEPUTY CHEIF EXECUTIVE

**CONTACT
OFFICER:** PETER OVINGTON 0151-934-4593

**EXEMPT/
CONFIDENTIAL:** NO

PURPOSE/SUMMARY:

Planning Application S/2009/1080 has been received for the construction of a vehicular access to a classified road. This report considers the highway implications of the application

REASON WHY DECISION REQUIRED:

The Council's Constitution only authorises the Technical Services Director to issue "Notices of Direction to Refuse" in respect of the Town and Country Planning General Development Order, Article 12, where highway grounds are not the sole reason for planning refusal. In this case, the Planning and Economic Regeneration Director has no planning reason to refuse the application. The Assistant Technical Services Director has concerns over the application and Members are therefore, requested to consider the highway issues involved.

RECOMMENDATION(S):

It is recommended that the Planning Committee be requested to refuse Planning Application S/2009/1080 on the grounds that the development would lead to conditions detrimental to highway safety.

KEY DECISION: NO

FORWARD PLAN: Not appropriate

IMPLEMENTATION DATE: Monday 1 March 2010

ALTERNATIVE OPTIONS:

There are none available

IMPLICATIONS:**Budget/Policy Framework:****Financial:** NONE

<u>CAPITAL EXPENDITURE</u>	2009 2010 £	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
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?				

Legal:**Risk Assessment:****Asset Management:****CONSULTATION UNDERTAKEN/VIEWS**

CORPORATE OBJECTIVE MONITORING:

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

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Planning Application S/2009/1080

1.0 INTRODUCTION

- 1.1 The Council's Constitution only authorises the Technical Services Director to issue "Notices of Direction to Refuse" in respect of the Town and Country Planning General Development Order, Article 12, where highway grounds are not the sole reason for planning refusal. In this case, the Planning and Economic Regeneration Director has no planning reason to refuse the application. The Technical Services Director has concerns over the application and Members are therefore, requested to consider the highway issues involved.

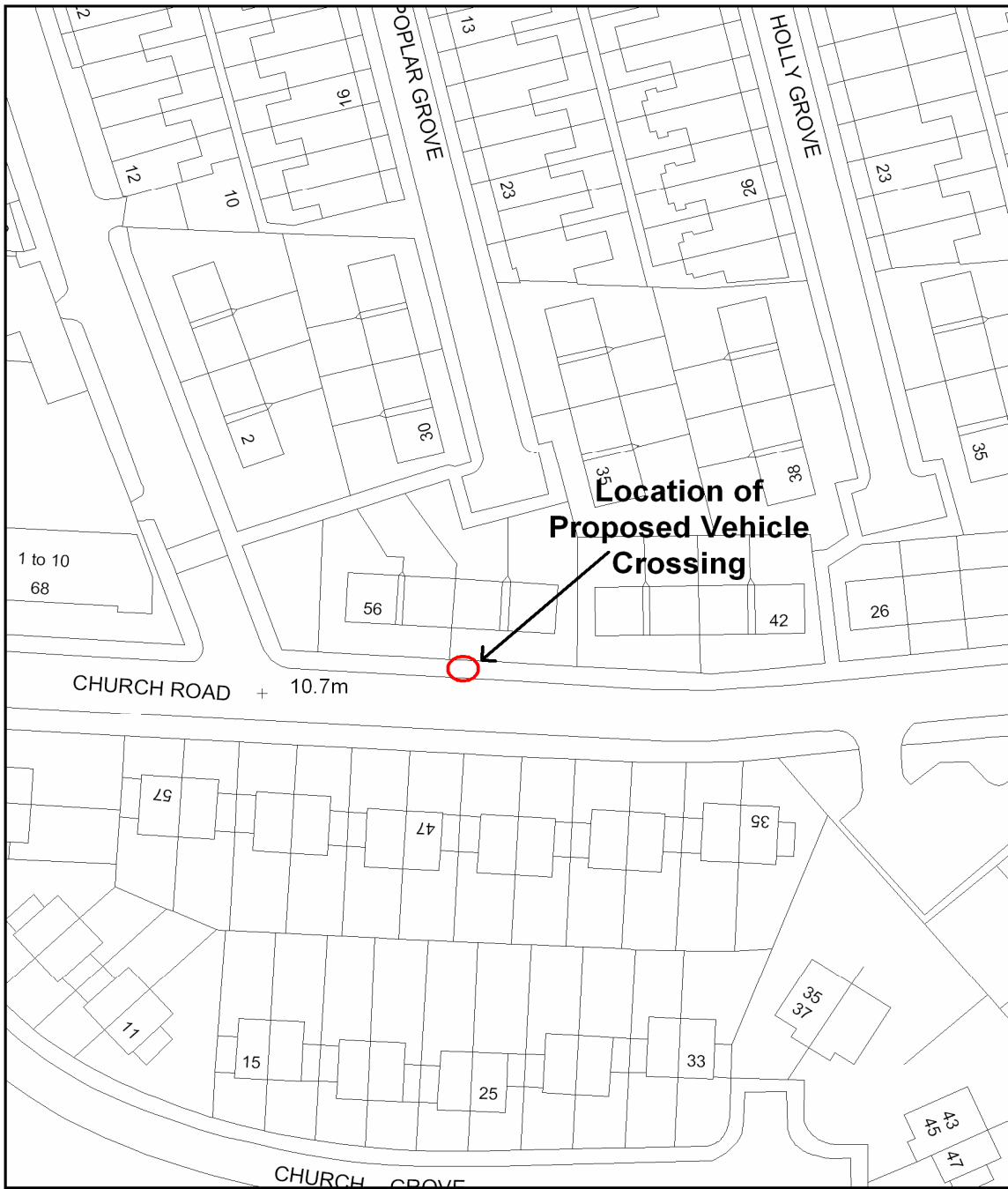
2.0 PROPOSALS

- 2.1 Planning Application S/2009/1080 has been received for the construction of a vehicular access to a classified road, 52 Church Road, Seaforth.
- 2.2 The location of the site is situated on a classified residential street, which provides a link between Seaforth Road and a number of other residential streets such as Rossini Street, Rawson Road and Clarendon Road. There are also a number of Traffic Regulation Orders (TRO's) situated along Church Road resulting in a prohibition of driving on to Balfe Street, Caradoc Road and Crosby Road South.
- 2.3 There is insufficient space to park a car at 90° to the road on the front of the property, as there is only 4.5m between the front of the building and the back edge of the footway. This is unacceptable as the vehicle would overhang onto the highway and would create an unnecessary obstacle to pedestrians, especially those who are partially sighted.

3.0 RECOMMENDATION

- 3.1 In view of the above, it is recommended that the Planning Committee be requested to refuse Planning Application S/2009/1080 on the grounds that the development would lead to conditions that are detrimental to highway safety.

Andy Wallis
Planning & Economic Regeneration Director



 <p>SEFTON M.B.C.</p>	Location plan			
	<p>Planning Application S/2009/1080 52 Church Road, Seaforth</p>			
<p>HIGHWAYS DEVELOPMENT CONTROL Andy Wallis Director of Planning & Economic Regeneration Magdalen House 30 Trinity Road Bootle, L20 3NU</p>	Drawn By: MH	Scale: NTS	Date: 21/01/10	Checked: PO
	Ward: Linacre	OS: SJ3296NE		Plan:
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