

PLANNING COMMITTEE

Meeting: Tuesday, 10th August, 2021
at 2.30 pm. (Banqueting Hall)

Present: Councillors M. A. Thomson (Chair), C. Thomson (Vice-Chair), Assouad, D. Edwards, Gawne, Hall, Husband, Mooney, Nott, Seward, Tyson and Zaccarini.

Officers Present: Charles Wilton (Principal Planning Officer), Maureen Smith (Principal Planning Officer) and Paula Westwood (Democratic Services Officer - Member Support).

29 Apologies for Absence/Attendance of Substitute Members

An apology for absence had been submitted from Councillor McEwan and Councillor Seward had attended as a substitute.

30 Declarations of Interest

Councillor Gawne declared an interest in any matter relating to Cumbria County Council as he was a Member of that Council.

Councillor Hall declared an interest in Planning Application No. 2021/0343 – 256 Abbey Road, Barrow-in-Furness (Minute No. 35) as he was a member of Furness Rugby Club who had been consulted on the application. He advised that he would stay in the meeting but refrain from voting on the application.

31 Minutes

The Minutes of the meeting held on 13th July, 2021 were taken as read and confirmed.

32 Public Participation

Mr Teasdale (Objector) addressed the Committee in relation to the Planning Application for 256 Abbey Road, Barrow-in-Furness (Minute No. 35 refers).

Ms Winlow, Ms Colver and Mr Dixon (Objectors) addressed the Committee in relation to the Planning Application for the Proposed Housing Development at Long Lane/Newton Road, Dalton-in-Furness (Minute No. 40 refers).

No deputations or petitions had been received in respect of the meeting.

33 Delegated Decisions

The Director of People and Place submitted for information details of planning applications in this report which he had determined under delegated authority (Minute No. 254, Planning Committee, 3rd September, 2002, confirmed by Council 24th September, 2002). The decisions are reported for your information. The plans recommended for approval under the Town and Country Planning Acts will be subject to the standard conditions referred to in Minute No. 208 (April 1971) of the Plans Sub-Committee, Barrow-in-Furness, County Borough Council, in addition to any conditions indicated hereunder. Applications with a (P) beside the applicant's name denotes those applications that were reported to the Planning Panel.

RESOLVED:- (i) To note the decisions made under the Town and Country Planning Act 1990 (as amended) as follows:-

- 2021/0081** Minor Material Amendment following the grant of planning permission 2015/0179 (Extension to Devonshire Dock Hall, to comprise two new buildings, link corridor, new gate house, security gate, alterations to site access, cycle shelters, security fencing and associated hard landscaping, infrastructure and related works) to increase the height of D59 by 1.97m and D58 by 3.43m and increase the height of link building by 0.8m, extend the ground floor of the link building to accommodate LV switchroom, staircase for fire escape and bin enclosure, construct side extension to D58 and extension to entrance lobby to D59, associated minor alterations to external appearance including vents, grills and fenestration and installation of transformer compound to NW at Devonshire Dock Hall, North Road, Barrow-in-Furness.
- 2021/0463** Provision of a 2 No. 10ft storage containers to the existing service yard of the site to house materials and equipment to support the local telecoms infrastructure at British Telecommunications, Bouthwood Road, Barrow-in-Furness.
- 2021/0459** Part conversion of a garage to store/utility and WC, raising of garage roof by 310mm and provision of external side entrance to serve utility at 27 Ashdown Road, Barrow-in-Furness.
- 2021/0515** Removal of existing conservatory and construction of single storey pitched roof extension for use as sunroom and shower room at 137 Worcester Street, Barrow-in-Furness.
- 2021/0314** Construction of a wraparound extension for use as a ground floor kitchen diner/utility room and shower room with a slate mono pitched roof to the rear. Two storey side element for use as car port and first floor bedroom with a slate double pitched roof. Existing drive to be widened at 7 Apple Tree Drive, Barrow-in-Furness.
- 2021/0348** Raising of roof height and chimney by 600mm to facilitate loft conversion at 4 Rosse Field, Barrow-in-Furness.
- 2021/0386** First floor side extension, garage conversion and two storey rear extension forming extended kitchen, utility, study and additional bedroom with en-suite, including creating additional parking space (resubmission of 2020/0825 in a revised form) at 15 Laurel Drive, Barrow-in-Furness.
- 2021/0501** Erection of a ground floor rear extension forming a sun room and side ground floor extension forming an extended kitchen, shower room with WC and store room including internal alterations at 27 Norland Avenue, Barrow-in-Furness.
- 2021/0502** Excavation of land at basement level and installation of a 1.1 metre high metal railing to the front of the property at 9 Hartington Street, Barrow-in-Furness.

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- 2021/0537** Application for a non-material amendment following grant of planning permission B18/2020/0777 (Demolition of Health Centre/Ambulance Station and provision of temporary 70 space car park (24 Hrs) in preparation for site re development) to alter retaining wall from brick (as approved) to pre-cast concrete panels at Atkinson Health Centre, Market Street, Barrow-in-Furness.
- 2021/0406** Construction of a single storey side/rear extension forming sitting room, store and ground floor shower room (resubmission of B21/2020/0711 in a revised form) at 48 Lord Street, Dalton-in-Furness.
- 2021/0383** Application For Variation of Condition No. 6 of Planning Permission 6/94/0132 (Erection of A1 retail unit on land at Chatsworth Park) to allow up to 10% of the gross internal floor area (47 sqm) of Unit B to be used for the sale of comparison goods at Former Topps Tiles premises, Walney Road, Barrow-in-Furness.
- 2021/0435** Application for 6.0 metre wide crushed aggregate hard standing around existing container to existing agricultural building to gate access from Newton Road at Paddock View, Woodbine Lane, Newton-in-Furness.
- 2021/0443** Application for approval of details reserved by Condition No. 4 (Validation to Plots 13 to 21 INC (excluding plot 17 approved under B28/2021/0043) of planning permission 2017/0743 (Application for a Minor Material Amendment following the grant of planning permission 2013/0138 to reduce the width of the site, reduce number of houses from 41 to 37, change house types on plots 13-22 inc and 27-37 inc, minor re-positioning of plots and boundaries and minor alterations to road and parking layout) at Former Lonsdale Hospital, School Street, Barrow-in-Furness.
- 2021/0448** Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) for a rear extension forming living area at 45 Saves Lane, Ireleth, Askam-in-Furness.
- 2021/0413** Demolish existing side garage. Construction of a 2 storey side extension with ground floor kitchen/dining area with 2 bedrooms to first floor. Front bedrooms modified to form 1 bedroom at 21 Keppleway Drive, Barrow-in-Furness.
- 2021/0495** Single storey rear and side extension forming extended kitchen and dining area, study and utility, including clear roof canopy in garden at 11 St. Bees Drive, Barrow-in-Furness.
- 2021/0341** Amended Description: Construction of rear two storey extension and associated internal layout alterations forming open-plan living/kitchen/diner and WC to ground floor with enlarged bedrooms and new bathroom to first floor; provision of new highway access with off-street parking for 3 No. vehicles at 4 Verdun Avenue, Barrow-in-Furness.

- 2021/0342** Application for approval of details reserved by condition No. 4 (drainage details) for planning permission B09/2021/0124 (Minor Material Amendment in relation to Condition No. 2 (Approved plans) to include change in the piling strategy for the DDQ Extension of planning application B09/2016/0666 (Erection of an extension to Devonshire Dock Quay, Nuclear Berthing Support facility, Control of Works office, Electrical Substation, fencing, hard landscaping and associated site infrastructure and related works at BAE Systems, Bridge Road, Barrow-in-Furness.
- 2021/0431** Single storey rear and side extension to include living, kitchen, WC and utility extension at 18 Myrtle Terrace, Dalton-in-Furness.
- 2021/0442** Proposed detached rear garage at 21 Natal Road, Barrow-in-Furness.
- 2021/0382** Erection of detached outbuilding to rear of property at 1 Lesh Lane, Barrow-in-Furness.
- 2021/0485** Demolition of existing conservatory and construction of new single storey rear extension at 37 West Avenue, Barrow-in-Furness.
- 2021/0486** Erection of single storey detached garden room (resubmission of B21/2021/0199) at 10 Buttermere Crescent, Barrow-in-Furness.
- 2021/0526** Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) for a shed in rear garden at 4 Clovelly Terrace, Barrow-in-Furness.

The following application had been disposed:-

- 2018/0025** Single detached dwelling (outline with all matters reserved on land between 5 and 7 Pryors Walk, Ireleth, Askam-in-Furness.

(ii) To note the decisions made under the Building Act 1984/The Building Regulations 2010 as submitted by the Principal Building Control Surveyor.

Town and Country Planning Acts

The Development Services Manager (Planning and Enforcement) reported on the following planning applications:-

34 79A Market Street, Dalton-in-Furness

From Mr I. Brocklebank in respect of the demolition of existing retail property located within a conservation area and hard standings, erection of a terrace of 4 dwellings with garages and landscaping. Change of use of the site from retail to residential at 79A Market Street, Dalton-in-Furness as shown on planning application number 2020/0803.

Consideration of this application had been deferred at the meeting on 13th July (Minute No. 26 refers) to allow the Committee to undertake a site visit to view the parking situation.

Representations received and the results of consultations were reported.

The Committee had undertaken a site visit prior to the meeting.

It was moved by Councillor Tyson and seconded by Councillor Husband, and

RESOLVED:- It was agreed to support the proposed scheme in principle, but that the decision to grant conditional planning permission be delegated to the Planning and Enforcement Manager pending resolution of further detailing (windows, doors, elevational treatment, roof – eaves/ridge/gable treatment) and materials but that conditions be based on the following be imposed:-

Draft Conditions List

1. Standard Duration Limit
2. The development hereby permitted shall be carried out in all respects in accordance with the application dated 29th September 2020 as amended by the hereby approved plans and documents defined by this permission as listed below:

Existing Site Plan ref 56-01

Proposed Site Block Plan and Front Elevation ref 5556-02

Proposed Ground Floor Plan and Elevation ref 556-03

Proposed First Floor Plan and Rear Elevation ref 556-04

Proposed Second Floor Plan and Elevation ref 556-05

Proposed Garage Plan and Elevations ref 556-06

Flood risk assessment and proposed drainage strategy ref CN 20079 version V4

Reason

To ensure the development is only carried out as approved

3. This consent for demolition shall not be implemented until a contract for the carrying out of the works for redevelopment of the site as approved by this permission has been completed, and a copy submitted to, and agreed by, the Planning Authority.

Reason

In order to ensure that the character and appearance of the Conservation Area is preserved or enhanced, and to minimise any adverse impact upon adjacent heritage assets the Planning Authority consider that the timeframe between demolition and building works commencing should be minimised.

4. Prior to the carrying out of any demolition work the existing buildings affected by the proposed development shall be recorded in accordance with a Level 2 Survey as described by Historic England's document Understanding Historic Buildings A Guide to Good Recording Practice, 2016. Within 2 months of the commencement of construction works a digital copy of the resultant Level 2 Survey report shall be furnished to the Local Planning Authority.

Reason

To ensure that a permanent record is made of the buildings of historical interest to their demolition as part of the proposed development.

5. Prior to the carrying out of any demolition work the existing buildings shall be assessed for the presence of protected species and a report of the survey findings and any mitigation considered necessary shall have been submitted to and approved in writing by the Local Planning Authority. The demolition shall only proceed in accordance with any approved scheme of mitigation.

Reason

To ensure any protected species is not harmed as a result of demolition and to accord with Local Plan policy N3

6. Prior to the commencement of development a written scheme of archaeological investigation must be submitted by the applicant and approved by the Local Planning Authority. Once approved, the scheme shall be implemented in full with an archaeological watching brief being undertaken by a qualified archaeologist. Within two months of the completion of the development, a digital copy of the archaeological report shall be furnished to the Local Planning Authority.

Reason

To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the investigation and recording of such remains. The condition has to be pre commencement as development has the potential to destroy any archaeology which may be present.

7. Prior to the commencement of any above ground works, a landscape scheme for the site, showing the trees, shrubs and hedgerows, including verges and other open spaces, together with details of any phasing of such a scheme must be submitted to and approved in writing by the Planning Authority. The scheme shall be submitted on a plan not greater than 1:500 in scale and shall contain details of numbers, locations and species of plants to be used. All planting and subsequent maintenance shall be to current British Standards.

Reason

Landscaping can have a significant effect on how a development responds to its local environment and to ensure the development achieves a high standard of design appropriate to the Conservation Area. To accord with Local Plan policy HE4.

8. Prior to the commencement of any above ground works details of the boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority. The development shall then only proceed in accordance with the approved details.

Reason

Boundary treatments can have a significant effect on how a development responds to its local environment and to ensure the development achieves a high standard of design appropriate to the Conservation Area. To accord with Local Plan policies DS5 and HE4.

9. Prior to the commencement of any above ground works a scheme to achieve a net gain in bio diversity shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then proceed in accordance with the approved scheme

Reason

To ensure the development delivers a net gain in bio diversity and to accord with Local Plan policy DS2.

10. Details/samples to be used in the construction of the external surfaces of the houses and garages hereby approved shall have been submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved details

Reason

Materials can have a significant effect on how a development responds to its local environment and to ensure the development achieves a high standard of design appropriate to the Conservation Area. To accord with Local Plan policies DS5 and HE4.

11. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:
 - (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
 - (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
 - (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution and to accord with Local Plan policy C3a.

12. Foul and surface water shall be drained on separate systems with foul connected to the main sewer.

Reason

To secure proper drainage and to manage the risk of flooding and pollution.

13. No development shall take place until a **Preliminary Investigation** (desk study, site reconnaissance and preliminary risk assessment), to investigate and assess the risk of potential contamination, is submitted to and approved in writing by the Local Planning Authority. This investigation must be undertaken by a suitably qualified contaminated land practitioner, in accordance with established procedures (BS10175 (2011+A2:2017) Code of Practice for the Investigation of Potentially Contaminated Sites and Model Procedures for the Management of Land Contamination (CLR11)).

Reason

To ensure that risks from land contamination to the future users of the land, and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Local Plan Policy C4.

14. If the Preliminary Investigation identifies potential unacceptable risks, a **Field Investigation and Risk Assessment**, conducted in accordance with established procedures (BS10175 (2011+A2:2017) Code of Practice for the Investigation of Potentially Contaminated Sites and Model Procedures for the Management of Land Contamination (CLR11)), shall be undertaken to determine the presence and degree of contamination and must be undertaken by a suitably qualified contaminated land practitioner. The results of the Field Investigation and Risk Assessment shall be submitted to and approved by the Local Planning Authority before any development begins.

Reason

To ensure that risks from land contamination to the future users of the land, and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Local Plan Policy C4.

15. Where contamination is found which poses unacceptable risks, no development shall take place until a detailed **Remediation Scheme** has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken, proposed remediation objectives, remediation criteria and a verification plan. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use.

Reason

To ensure that risks from land contamination to the future users of the land, and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Local Plan Policy C4.

16. The approved Remediation Scheme shall be implemented and a **Verification Report** submitted to and approved in writing by the Local Planning Authority, prior to occupation of the development.

Reason

To ensure that risks from land contamination to the future users of the land, and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Local Plan Policy C4.

17. In the event that contamination is found at any time when carrying out the approved development, that was not previously identified, it must be reported immediately to the Local Planning Authority. Development on the part of the site affected must be halted and Field Investigations shall be carried out. Where required by the Local Planning Authority, remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These shall be implemented prior to occupation of the development.

Reason

To ensure that risks from land contamination to the future users of the land, and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Local Plan Policy C4.

18. No soil material is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development. A suitable methodology for testing this material should be submitted to and approved by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out as per the agreed methodology with verification of its completion submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that only suitable material is imported onto site.

19. Prior to the commencement of any development a Construction Method Statement shall have been submitted to, and approved in writing by the Planning Authority. The Statement shall cover all phases of the development and take account of all contractors or subcontractors. The development shall only proceed in accordance with the agreed Statement.

The Statement shall include:

- Details of phasing of the construction work including a programme of work for the demolition and construction phase;
- Procedures to monitor and mitigate noise and vibration from the construction and demolition and to monitor any properties at risk of damage from vibration, as well as taking into account noise from plant, machinery, vehicles and deliveries, with reference to BS 5228 - Code of Practice for Noise and Vibration control on Construction and Open Sites. All measurements should make reference to BS 7445 - Description and Measurement of Environmental Noise;
- Hours of working and deliveries;
- Mitigation measures to reduce adverse impacts on residential properties from construction compounds including visual impact, noise, dust and light pollution;
- Mitigation measures to control the emissions of dust and dirt during construction and demolition;
- Written procedure for dealing with complaints regarding the construction or demolition; A site log book to record details and action taken in response to exceptional noisy incidents or dust causing episodes. It should also be used to record the results of routine site inspections;
- Details of lighting to be used on site;
- Mitigation measures, where appropriate, to ensure that no harm is caused to protected species during construction;
- The provision of facilities for the cleaning of vehicle tyres where haul routes meet the public highway to avoid deposition of mud/debris on the public highway and the generation of dust.
- Retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
- Cleaning of site entrances and the adjacent public highway;
- Details of proposed wheel washing facilities;
- The sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- Construction vehicle routing;
- The management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian)
- Surface water management details during the construction phase
- Specific measures to manage and limit the impact on the school, including working hours, any special measures to accommodate pedestrians
- [Note: deliveries and movement of equipment on the road network surrounding the site must not take place during school muster times in the interests of road safety.

Reason

In the interests of public safety and minimising the impact upon local environmental amenities and safety of the locality.

20. Details of the measures to be taken to prevent surface water discharging onto the highway from individual house drives and parking spaces shall have been submitted and approved in writing by the Local Planning Authority for approval prior to the commencement of development. The scheme shall proceed in accordance with the approved scheme and shall be permanently retained thereafter.

Reason

To minimise dangers to highway users from potential flooding and to give effect to the requirements of the County Council as Highway and Lead Local Flood Authority.

21. All vehicle parking spaces, garages and the accesses thereto must be reserved for the parking of private motor vehicles and no permanent development, whether permitted by the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modifications) or not, shall be carried out on that area of land in such position as to preclude vehicular access to any part of the development hereby permitted.

Reason

To ensure that proper access and parking provision is made and retained for the use associated with the development hereby permitted.

22. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modifications) or not, including any provision within Article 3 or Schedule 2, Part Class A of that Order no windows shall be formed in the side elevations of the terrace of houses hereby approved with the exception of windows at ground floor level

Reason

In order to ensure an acceptable standard of amenity for future occupiers and to accord with Local Plan policy H7.

35 256 Abbey Road, Barrow-in-Furness

From Mr Johnson in respect of the erection of a three-bedroom detached bungalow and detached shed to the rear of 256 Abbey Road, Barrow with vehicular access from Abbey Road at 256 Abbey Road, Barrow-in-Furness as shown on planning application number 2021/0343.

Representations received and the results of consultations were reported.

The Committee had undertaken a site visit prior to the meeting.

Mr Teasdale (Objector) addressed the Committee.

It was moved by Councillor Husband and seconded by Councillor Nott, and

RESOLVED:- It was agreed that planning permission be granted subject to the Standard Duration Limit and the following conditions:-

Compliance with Approved Plans

2. The development hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 02/06/2021 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

20336 PL_01 REV. A
20336 PL_02 REV. A
20336 PL_03 REV. F
20336 PL_03.1 REV. A
20336 PL_04
20336 PL_05 REV. A
20336 PL_06 REV. A
20336 PL_07 REV. B
20336 PL_08 REV. A
20336 PL_09
20336 PL_10
Drainage Strategy dated 20.7.21
Application Form dated 7.4.21

Reason

To ensure that the development is carried out only as indicated on the drawings approved by the Planning Authority.

3. Unless the Planning Authority gives prior written agreement that it is impractical to do so, all drainage must be on the separate system with all foul drainage connected to the foul sewers and only uncontaminated surface water connected to the surface water system.

Reason

In order to ensure that the site is adequately drained and in order to control the potential for pollution of the water environment.

Pre-commencement Conditions

4. No construction works shall take place until samples of the materials to be in the construction of the external surfaces of the bungalow hereby permitted have been submitted to and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained unless the Planning Authority gives prior written consent to any variation.

Reason

To ensure a satisfactory appearance to the development, and to minimise its impact upon the surrounding area.

5. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for all of the following:
 - i. the parking of vehicles of site operatives and visitors,
 - ii. loading and unloading of plant and materials,
 - iii. storage of plant and materials used in constructing the development,
 - iv. wheel washing facilities where vehicles will enter the site,
 - v. measures to control the emission of dust and dirt during construction,
 - vi. a scheme for recycling/disposing of waste resulting from demolition and from construction works.

Reason

In the interests of minimising the impact upon local environmental activity.

Before Occupation

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following beneficial occupation of any part of the development, or in accordance with the phasing of the scheme as agreed in writing with the Planning Authority. Any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced by the landowner in the next planting season with others of a similar size and species, unless the Planning Authority gives prior written consent to any variation.

Reason

In the interests of the visual amenities of the area.

7. Prior to the beneficial occupation of the development the openings on the northern elevation of the approved bungalow facing Croslands Park must be permanently fitted with manufacturers obscure glazing of an obscurity rating of no less than level 4 from the Pilkington glass range (or an equivalent range and rating subject to prior agreement with the Planning Authority) and thereafter retained unless the Planning Authority gives prior written consent to any variation.

Reason

In order to protect the residential amenities of neighbouring properties from overlooking or perceived overlooking.

8. Prior to the beneficial occupation of the approved dwelling, the boundary wall between the dwelling and properties on Croslands Park shall have been increased in height in accordance with the approved plans detailed in condition 2 above and thereafter be permanently retained.

Reason

In order to reduce any impact on privacy or perceived impact on privacy between neighbouring properties.

9. Prior to the beneficial occupation of the approved development, the drainage shall be completed and thereafter permanently maintained and managed as detailed in the Drainage Strategy dated 20th July 2021. Any variation must be agreed in writing with the Planning Authority.

Reason

In order to ensure that the site is adequately drained and in order to control the potential for pollution of the water environment.

Operational Conditions

10. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or of any Order revoking and re-enacting that Order with or without modifications) nothing in Article 3 or Schedule 2 to that Order, shall operate so as to permit within the area subject of this permission any development referred to in Part 1, Classes A, B, C and E of that 2015 Order (or of any Order revoking and re-enacting that Order with or without modifications, and no such development shall be carried out at any time within that area without the prior express grant of permission by the Planning Authority.

Reason

In order to safeguard the amenities of the area by enabling the Planning Authority to consider whether planning permission should be granted for future proposals having regard to the particular layout and design of the development.

36 Advertising Hoarding, Abbey Road/Hibbert Road, Barrow-in-Furness

From Wildstone Group Limited C/O Gary Morris – Alder King Planning Consultancy in respect of advertisement consent to display 1 No. replacement 48-sheet digital poster board on the Advertising Hoarding at Abbey Road/Hibbert Road, Barrow-in-Furness as shown on planning application number 2021/0384

Representations received and the results of consultations were reported.

It was moved by Councillor Husband and seconded by Councillor Nott, and

RESOLVED:- It was unanimously agreed that advertisement consent be granted subject to the following conditions:-

Compliance with Approved Plans

1. The development hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 23.4.21 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

12833/PA/01, 02, 03, 04, 05

Reason

To ensure that the development is carried out only as indicated on the drawings approved by the Planning Authority.

During Building Works

1. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason

Required to be imposed pursuant to Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

Operational Conditions

2. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason

Required to be imposed pursuant to Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

3. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason

Required to be imposed pursuant to Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

4. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason

Required to be imposed pursuant to Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

5. No advertisement shall be sited or displayed so as to; (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason

Required to be imposed pursuant to Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

6. The display shall be limited to 200cd/m² between sunset and sunrise (on a full white display) and shall adjust according to ambient brightness. At no time shall the luminance level of the sign exceed the thresholds within the Institute of Lighting Professionals (ILP) guidance document PLG05 - The Brightness of Illuminated Advertisements 2015 (or any subsequent amendment/ replacement to this guidance).

Reason

In the interests of visual amenity and in order to minimise the potential for highway user and pedestrian distractions.

7. The advertisements, images or messages displayed on the digital panel shall not change more than once every 10 seconds.

Reason

In the interests of visual amenity and in order to minimise the potential for highway user and pedestrian distractions.

8. The sign hereby approved will be turned off between the hours of midnight and 5am.

Reason

To ensure there is no perceived impact on amenity from the proposal.

9. The digital panel hereby granted consent shall not display any moving images, animation, flashing, scrolling or video and no visual effects including fading, swiping or animation shall accompany the transition between any successive advertisements, images or messages.

Reason

In the interests of visual amenity and in order to minimise the potential for driver and pedestrian distractions

37 Park Road, 28-34 and 36-46, Barrow-in-Furness

From Bryan Walker, Barrow Borough Council in respect of the erection of a front porch to entrances, comprising grp flat roof and timber screen at 28-34 and 36-46 Park Road, Barrow-in-Furness as shown on planning application number 2021/0509

The results of consultations were reported.

It was moved by Councillor Husband and seconded by Councillor Hall, and

RESOLVED:- It was unanimously agreed that planning permission be granted subject to the Standard Duration and the following conditions:-

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

Compliance with Approved Plans

2. The development shall be carried out and completed in all respects in accordance with the application dated 09/06/21 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent.

601-01 rev A, 602-02 rev A.

Reason

To ensure that the development is carried out only as indicated on the drawings approved by the Planning Authority.

38 Charnley's Home and Garden, Ulverston Road, Dalton-in-Furness

From Marc Charnley, Charnley's Home and Garden in respect of an application for a Minor Material Amendment to reduce the size of the car park from 109 to 102 spaces - original planning permission ref 2018/0364: Retrospective permission for a two storey building (660 sqm) located on the west side of the garden centre for the sale and storage of garden related products; various structures totalling 882 sqm providing sales floorspace and ancillary areas; change of use of part of the Garden centre to non-food retail, and the extension and amendment to the car park layout at Charnley's Home and Garden, Ulverston Road, Dalton-in-Furness as shown on planning application number 2021/0174

The results of consultations were reported.

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The Committee had raised concerns that this application was retrospective in nature and which was not the first such application at this site. Committee expressed serious concerns and it had been requested and agreed that the Chair should send a letter to the applicant explaining the importance of requesting planning permission in advance of commencing works.

It was moved by Councillor Husband and seconded by Councillor Nott, and

RESOLVED:- It was It was agreed that,

- a) Upon satisfactory completion of the required modification to the existing S106 Obligation to allow the alteration to the reserved car parking area and associated documentation then,
- b) Planning permission be granted subject to the following conditions:-

Compliance with Approved Plans

1. The development shall be carried out and completed in all respects in accordance with the application dated 22/02/21 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

As approved under refs: 2018/0364, 2019/0770

Proposed Ground Floor Layout (Drawing no: 16020/03.01)
Proposed First Floor Layout (Drawing no: 16020/03/02)
Proposed Front & Side Elevations (Drawing no: 16020/04.01, Revision E)
Proposed Rear & Side Elevations (Drawing no: 16020/04.02, Revision E)
Existing Drainage Layout (Drawing no: 17053_SCH01_03, Revision A)
Deliveries Management Plan October 2019
Delivery of Large Vehicles Risk Assessment Form
Boundary Treatments/Landscaping - 21/11/2019
Proposed Planting Scheme
Proposed Planting Description
Materials Schedule

And the following amended plans:

1042/P/00 OS Location Plan
1042/P/01 Existing Site Layout
1042/P/02 Rev A Proposed Site Layout
1042/P/03 Rev A Proposed Layout
1042/P/04 Rev A Existing and Proposed Elevations

Reason

To ensure that the development is carried out only as indicated on the drawings approved by the Planning Authority.

2. The external elevational surface materials hereby approved must be retained unless the Planning Authority gives prior written consent to any variation.

Reason

To ensure a satisfactory appearance to the development, and to minimise its impact upon the surrounding area.

3. The additional car parking area to the east, boundary treatments, landscaping and surfacing, shall be completed in accordance with the hereby approved details and thereafter be permanently retained unless the Planning Authority gives prior written consent to any variation.

Reason

In the interests of the character and appearance of the area by ensuring that the site is adequately screened.

4. Within 3 months of the date of approval, all car parking areas must be completed, including surface drainage, the provision of 'Loading Only' markings, and spaces clearly marked out in accordance with the parking layout plan submitted as part of the application, and thereafter permanently retained unless the Planning Authority gives prior consent for any variation.

Reason

To ensure that proper access and parking provision is made and retained for the use associated with the development hereby permitted.

Operational Conditions

5. The hereby approved Deliveries Management Plan specified in the approved schedule of plans & documents shall be implemented for the operational life of the premises unless the Planning Authority gives prior express consent for any variation.

Reason

To reduce potential vehicle conflict and improve customer and staff safety on the public highway and within the car park.

6. The provision of 102 car parking spaces (as set out on Drawing No. 1042/P/02 Proposed Site Layout) shall be retained and be available at all times and shall not be removed or altered without the prior consent of the Local Planning Authority.

Reason

In the interest of pedestrian and highway safety.

7. Notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any legislation re-enacting or revoking that legislation with or without modification), there shall be no subdivision of the unit or any additional internal floorspace created (including any insertion of mezzanine floors) not covered by this permission without the prior express consent of the Planning Authority.

Reason

In order to safeguard the vitality and viability of Dalton and Barrow Town Centres.

8. A maximum of up to 995 square metres of GIA floorspace may be used for the retailing of the following goods:
 - a. Furniture and soft furnishings,
 - b. Kitchen units and accessories
 - c. China, glass and cookware
 - d. Giftware and crafts
 - e. Cards and stationery.

Reason

A general retail outlet in this location would not normally be permitted, as it would be potentially detrimental to the viability of established shopping centres.

9. Upon the annual anniversary of the planning decision date, a report reviewing the effectiveness of the Travel Plan (including any necessary amendments or measures) shall be prepared by the occupier and submitted to the Local Planning Authority for approval. This report shall be prepared on an annual basis to reflect the travel planning position for each year of trading.

Reason

In order to aid the delivery of sustainable transport objectives and support Local Transport Plan policies WS3 and LD4.

39 3 Central Drive, Barrow-in-Furness

From Mr Sanderson in respect of an application for the demolition of existing rear conservatory, new rear single storey flat roofed extension for use as a kitchen/diner, extension to existing bathroom and lobby for access to below ground floor basement for use as a gymnasium, bedroom, study with rear stair access to rear garden at 3 Central Drive, Barrow-in-Furness as shown on planning application number 2021/0385.

Representations received and the results of consultations were reported.

It was moved by Councillor Husband and seconded by Councillor Nott, and

RESOLVED:- It was agreed that planning permission be granted subject to the following conditions:-

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

Compliance with Approved Plans

2. The development hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 27/05/2021 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

- MEJ/2021/567/002 A
- MEJ/2021/567/004
- MEJ/2021/567/005
- MEJ/2021/567/006
- MEJ/2021/567/007
- MEJ/2021/567/008

Reason

To ensure that the development is carried out only as indicated on the drawings approved by the Planning Authority.

3. All materials to be used in the approved scheme shall be as stated on the application form and approved drawings and shall not be varied without prior permission sought.

Reason

To ensure a satisfactory appearance to the development, and to minimise its impact upon the surrounding area.

Pre-commencement Conditions

4. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Planning Authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for all of the following:

- i. the parking of vehicles of site operatives and visitors;
- ii. details of measures to inform and update St Mary's Church Parochial Church Council throughout the construction period;
- iii. loading and unloading of plant and materials;
- iv. storage of plant and materials used in constructing the development;
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- vi. wheel washing facilities where vehicles will enter the site;
- vii. measures to control the emission of dust and dirt during construction; and

- viii. a scheme for recycling/disposing of waste resulting from demolition and from construction works.

Reason

In the interests of minimising the impact upon local environmental amenity.

5. No development shall be commenced subject of this permission until details have been submitted and approved to ensure the continued integrity of retaining wall forming the western side shared boundary between the application site and the church grounds belonging to St Marys Church, adjacent, during excavation and construction of the proposed works.

Reason

In order to ensure the continued integrity of the retaining wall and to prevent excavations causing disturbance to church grounds during construction.

Before Occupation

6. The hedgerows lost during construction in the back garden along the eastern side, shared boundary with No. 1 Central Drive shall be replaced prior to occupation, the details of which shall be submitted to and approved by the Planning Authority.

Reason

In the interest of replacing lost biodiversity.

40 Long Lane/Newton Road, Dalton-in-Furness - Proposed Housing Development

From Mulberry Homes Ltd in respect of an application for the erection of 28 detached dwellings of a mix of single storey, two storey, two and a half storey, 4 flats, including new site entrance and associated works (32 dwellings in total) at the proposed housing development at Long Lane/Newton Road, Dalton-in-Furness as shown on planning application number 2021/0071.

Representations received and the results of consultations were reported.

Ms Winlow, Ms Colver and Mr Dixon (Objectors) addressed the Committee.

It was moved by Councillor Husband and seconded by Councillor Hall, and

RESOLVED:- It was unanimously agreed planning permission be refused for the following reasons:-

1. The development does not deliver the high quality required by the Local Plan and by contemporary national guidance, including the NPPF, and fails to demonstrate a clear process that analyses and responds to the characteristics of the site and its context within Dalton, a town which has its own local vernacular. It does not exhibit design quality or adopt design cues and materials appropriate to the area. The result is a scheme which reflects the

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- absence of a design strategy resulting in a scheme lacking cohesion, comprising a collection of standard house types. The application does not demonstrate a clear process that analyses and responds to the characteristics of the site and its context. Approval of the proposal would conflict with Local Plan policies DS2, DS5, HC5 and H7.
2. The proposed green infrastructure does not achieve the design quality required by the Local Plan. The proposed green space to Long Lane does not provide a focal setting for the development but appears as a narrow, residual areas which would not deliver a sense of spaciousness or reduce the visual impact of the development. The Green Corridor (buffer) to the west is poorly related to the rest of the development and the development is poorly related to the Green Wedge. The footpath connection or (local) green route to Newton Road does not exhibit the landscaped setting required. While benefiting from a mature hedge it is either enclosed by development or is poorly related to a private shared drive. Approval of the proposal would conflict with Local Plan policies DS2, DS5, GI1, GI2, GI3 GI4, and GI5.
 3. The drainage design while relying on ground infiltration (the highest in the sequence) has not had regard to the full range of SUDs options relying on an engineered solution (storage crates) to provide attenuation for householder surface water. The scheme lacks a holistic approach to the delivery of SUDs, green infrastructure and bio diversity enhancement. Approval of the proposal would be contrary to Local Plan policies C3a, DS5, and GI1.
 4. The scheme while demonstrating a net gain in bio diversity relies on patches of soft landscaping and off site planting to achieve this. However some sections of proposed hedgerow are short, lacking in connectivity, and located close to dwellings such that their delivery and long term retention is doubtful. The scheme adopts a retro fit approach relying on planting whereas a holistic approach re SUDs, green infrastructure and bio diversity net gain is required. The proposal fails to deliver high quality design required by policy. Approval would be contrary to Local Plan policy C3a, DS5, GI1, N3 and the Council's 'Bio Diversity and Development SPD'.
 5. There is no clear evidence to suggest which of the properties are the Affordable units or whether they meet the requirements of a registered provider. It is therefore unclear whether the development will comply with Local Plan policy H14 which requires a minimum of 10% to meet the definition of affordable homes to meet established local needs.
 6. While a development which delivers predominantly larger house types is not necessarily considered to be contrary to Local Plan policy H11, the scheme is considered overly reliant on 4 and 5 bedroomed properties and fails to demonstrate how the proposed selection of dwellings meets local housing need as required by policy H11.

The meeting closed at 3.45 pm.