

PLANNING COMMITTEE

Meeting: Tuesday, 15th March, 2022
at 2.30 pm. (Banqueting Hall)

Present: Councillors M. A. Thomson (Chair), C. Thomson (Vice-Chair), Assouad, D. Edwards, Gawne, Hall, McEwan and Seward.

Officers Present: Maureen Smith (Principal Planning Officer) and Paula Westwood (Scrutiny and Democratic Services Team Leader).

107 Apologies for Absence/Attendance of Substitute Members

Apologies for absence had been submitted from Councillors Husband, Mooney, Nott, Tyson and Zaccarini.

Councillor Seward had attended as a substitute for Councillor Husband for this meeting only.

Councillors Husband, Mooney and Tyson had approved absences in accordance with Minute No. 68 of the Council meeting held on 25th January, 2022.

108 Declarations of Interest

Councillors Gawne and McEwan declared an interest in any matter relating to Cumbria County Council as they were Members of that Council.

109 Minutes

The Minutes of the meeting held on 15th February, 2022 were taken as read and confirmed.

110 Public Participation

RESOLVED:- To note that no questions, representations, deputations or petitions had been received in respect of the meeting.

111 Delegated Decisions

The Director of People and Place had submitted for information details of planning applications in this report which he had determined under delegated authority (Minute No. 107, Executive Committee, 7th February, 2018, confirmed by Council 1st March, 2018 (Minute No. 63). 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:-

- 2021/0836** Application for tree works: works to trees subject to Tree Preservation Order 1994 No. 8:
- Cherry (1) – crown raise to 5.2 metres;
Cherry (2) – remove tree due to signs of decline and significant dead branches – will not be replaced in this area due to significant shading;
Cherry (3) – crown raise to 2 metres;
Cherry (4) – crown raise to 2 metres
- at West Avenue, Barrow-in-Furness.
- 2021/0992** Erection of a two storey side extension forming ground floor garage, utility with a first floor bedroom and bathroom over and erection of a rear ground floor garden room extension at 9 Pryors Walk, Ireleth, Askam-in-Furness.
- 2022/0015** Replacement shop front at 83 Market Street, Dalton-in-Furness.
- 2022/0042** Application for a non-material amendment following grant of planning permission 2019/0879 (Rear extension, dormer extension and internal reconfiguration) to allow 1 x additional window at the top of the stairs in the dormer. Window amendment to the first floor bathroom window at 26 Marsh Street, Askam-in-Furness.
- 2022/0055** Application for variation of Condition No. 6 (provision of footway pre-occupation) of planning permission 2019/0576 (Residential Development of 29 dwellings) to allow occupation of phase 1 prior to provision of footway link at Housing Development Site, Lots Road, Askam-in-Furness.
- 2022/0088** Application for works to trees subject of Tree Preservation Order 1973 No. 3:
- T2 Sycamore – full removal due to decay at first major union on trunk;
T3 Sycamore – full removal due to serious cavity and decay at fist union on trunk. Day 5 notice
- at Spring Grove, Barrow-in-Furness.
- 2021/0943** Application for works to trees subject of Tree Preservation Order 1977 No. 3 – T014, T015, T016 (Sycamore), T018 (Ash) – to crown raise to 5 metres by removing the lower crown branches and to fell tree T017 (Sycamore) as numbered on plan at Crofters, Holbeck Park Avenue, Barrow-in-Furness.
- 2021/0965** Application for works to trees subject to Tree Preservation Order 1972 No. 2:
- T1 Elder – fell;
T2 Elder – fell;
T3 Sycamore – crown lift to give 5.2m clearance;
T4 Ash – fell;
T5 Elm – fell;

T6 Sycamore – crown lift to give 5.2m clearance;
T7 Lime – crown lift to give 5.2m clearance; and
G1 Sycamore, Elm and Ivy on wall top – cut back overhanging
vegetation

at Vicarage Mount, Barrow-in-Furness.

- 2022/0003** Application for a non-material amendment following grant of planning permission 2021/0648 – Erection of 23 dwellings and recreation of new access (resubmission of 2020/0003 in a revised form) to allow to utilise loft spaces in plots 24, 25 and 26 to form 3rd bedroom at Housing Development Site on Land at Lots Road, Askam-in-Furness.
- 2022/0009** Front extension to comprise of entrance porch and related bathroom. Relocation of entrance to driveway. Shower room on first floor at 5 Margate Street, Barrow-in-Furness.
- 2021/0948** Demolition of a porch and a garage. Erection of a new porch and a two storey side extension forming an open plan kitchen – dining area on the ground floor and a bedroom on the first floor including internal and external alterations at 9B Market Street, Dalton-in-Furness.
- 2021/0879** Demolition of existing side garage; construction of new two storey side extension creating utility/store and wc to ground floor with relocated bedroom and extended bathroom to first floor; associated internal layout alterations; construction of new patio/steps to rear and additional off road parking to the front (Re-submission of 2021/0290) at 54 Mulberry Way, Barrow-in-Furness.
- 2021/0972** Conversion of garage to habitable accommodation, demolition of existing rear conservatory and construction of a rear/side roofed kitchen extension with a lantern feature at 112 Hawcoat Lane, Barrow-in-Furness.
- 2021/0979** Listed Building Consent to replace 3 windows at the rear of the property from soft wood and in a state of disrepair to be replaced with hard wood Accoya and will mirror the current design at 2 Market Street, Dalton-in-Furness.
- 2021/0912** Construction of rear single storey flat roof extension crating open-plan kitchen diner and Juliet balcony to first floor rear bedroom at 11 Cloisters Avenue, Barrow-in-Furness.
- 2021/0869** Demolition of outhouses and replacement with rear/side sun room extension including levelling of concrete flag patio area and new steps to lower garden at 49 Stackwood Avenue, Barrow-in-Furness.
- 2021/1008** Demolish existing rear single storey outhouse. New single storey flat roofed rear extension for use as a kitchen and wc. at 72 Ainslie Street, Barrow-in-Furness.

- 2021/1009** Advertisement consent to display a non-illuminated freestanding painted sign at Community Growing Project, Plot 11, Mill Lane, Barrow-in-Furness.
- 2021/1012** Notice under Section 211 of Act (works to trees within a Conservation Area) Leyland Cypress: fell (T1 on plan) at 19 Promenade, Barrow-in-Furness.
- 2022/0087** Application for a non-material amendment following grant of planning permission 2020/0297 (Installation of an external swimming pool air handling unit) to alter the position of the air handling unit by moving 12m towards the end of the Leisure Centre building and to install input/output ducting to the rear of the building for purposes of air heating and dehumidification at Dalton Leisure Centre, Chapel Street, Dalton-in-Furness.
- 2021/0994** Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) for the conversion of existing outbuildings into a dwelling in accordance with planning permission reference 2008/0851 and dated 13/08/2008 at 5A Church Street, Dalton-in-Furness.
- 2021/0731** Listed Building Consent to install external power supply cable to elevations as part of the under grounding of supply currently provided overhead via timber poles at Moss Side Cottage, Moss Side Farm, Page Bank Lane, Barrow-in-Furness.

The following applications had been disposed:-

- 2015/0270** Application Installation of an extraction flue out of the rear of the building (Retrospective) at 2-4 Station Road, Dalton-in-Furness.
- 2016/0753** Application for approval of details reserved by Condition No. 8 (drainage) of permission 2014/0452 (Development of four new dwellings and new shed with associated roads, parking and landscaping) on land at Lord Street, Askam-in-Furness.
- 2019/0338** Proposed portacabin for use as a kite surfing teaching classroom and store at Earnse Bay Car Park, West Shore Road, Barrow-in-Furness.
- 2020/0194** Listed Building Consent to replace front door and casing with Accoya Wood front door at 30 The Green, Lindal-in-Furness.
- 2021/0292** Double storey side extension to provide ground floor store and kitchen with first floor bedroom en-suite (revised application to that approved under ref. 2018/0658) at 14 Chester Street, Barrow-in-Furness.

Prior Approval was not required for the following application:-

- 2021/0052** Application to determine if prior approval is required for the proposed demolition of building at 56 Portland Walk, Barrow-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 Head of Development Management reported on the following planning application:-

112 47 Crellin Street, Barrow-in-Furness

From Mr Munur Kaya in respect of the change of use from retail (Class E) to hot food takeaway (Sui Generis) and installation of extraction fan and ducting system on rear elevation and associated external alterations (part ducting to rear of 49 Crellin Street) at 47 Crellin Street, Barrow-in-Furness as shown on plan number 2021/0942.

Representations received and the results of consultation were reported.

The Principal Planning Officer had suggested an additional condition whereby the sound proofing was to be carried out in its entirety before the property was brought into use.

It was moved by Councillor McEwan and seconded by Councillor Assouad, 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 25/02/2022 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

FDS0478 No.1 rev.C

FDS0478 No 2 rev.F

FDS0478 No.3 rev.E

FDS0478 No.4 rev.B

Fercell Duct Systems Ducts, Pressed Bends, Segment Bends, Jet caps - galvanised

Fercell Fan Systems Duct Silencers

Application Form dated 12.11.21

Reason

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

Operational Conditions

3. Noise from the development must not exceed Noise Rating Curve NR 30 in daytime hours (0700 - 2300) and NR 25 in night time hours (2300 - 0700) in any noise sensitive property.

Reason

In order to protect the residential amenities of the area.

4. Noise from the development, including noise from the extraction equipment required in the above condition, must not cause the existing background noise level (measured as the LA90 (10 minutes) to be exceeded at any neighbouring noise sensitive locations. Any tonal noise produced by the development would result in a 5dB addition to the particular noise level (Definition in: Appendix E "Noise Procedure Specification, Publication 140", The Engineering Equipment and Materials User Association). [Note: the noise is measured 3.5m from any reflective surface, other than the ground, at a height of between 1.2 and 1.5m.]

Reason

In order to protect the residential amenities of the area.

5. Emissions from any proposed or future cooking processes must be extracted through a properly designed and constructed exhaust ventilation system, adequately filtered and discharged at sufficient height and velocity to prevent cooking odours being observed at any neighbouring properties. The exhaust gas flow must not be restricted by any plate, cowl or similar structure at the outlet which might affect dispersion. The system must thereafter be retained as approved unless the Planning Authority gives prior written approval to any variations and operated and maintained in accordance with the manufacturer's instructions.

Reason

In the interests of the amenities of the surrounding area, including occupants of neighbouring properties, by minimising the potential for the discharging of cooking odours.

6. The refuse bins for the use hereby approved shall be stored within the rear of the premises as shown on plan: FDS0478 No. 2 Rev. F.

Reason

In order to protect the residential amenities of the area.

7. The use hereby permitted shall not operate between the hours of Midnight and 0600 the following day.

Reason

In order to protect the residential amenities of the area.

Operational Conditions

8. The internal sound proofing shown on the approved plans in Condition 2 above shall be installed in its entirety prior to the commencement of use of the take away hereby approved.

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Reason

In order to minimise noise and disturbance to any upstairs occupants of the property from the take away use below.

The meeting closed at 2.37 pm.