

PLANNING COMMITTEE

Meeting: Tuesday, 13th September, 2022
at 2.30 pm. (Drawing Room)

Present: Councillors C. Thomson (Vice-Chair), Husband, McEwan and Nott.

Officers Present: Jason Hipkiss (Head of Development Management), Charles Wilton (Principal Planning Officer), Maureen Smith (Principal Planning Officer), Paula Westwood (Scrutiny and Democratic Services Team Leader) and Sandra Kemsley (Democratic Services Officer).

44 Minute's Silence

The Vice-Chairman requested Members to stand and observe a minute's silence to reflect on the passing of Her Majesty, The Queen Elizabeth II on 8th September, 2022.

45 Apologies for Absence

Apologies for absence had been submitted from Councillors M. A. Thomson (Chairman), Assouad, D. Edwards, H. Edwards, Gawne, Hall, Mooney and Tyson.

Councillors D. Edwards, H. Edwards and Gawne had requested the reason for their non-attendance to be recorded as a matter of respect for the passing of Her Majesty, The Queen Elizabeth II.

46 Declarations of Interest

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

47 Minutes

The Minutes of the meeting held on 9th August, 2022 were taken as read and confirmed.

48 Public Participation

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

49 Appeal Decision - Green Area

The Head of Development Management reported that Outline Planning permission had been refused for a pair of semi-detached dwellings on open land adjacent to a farmyard, outside of the settlement of Dalton. The refusal had been based on the lack of justification to site dwellings in the open countryside and the landscape impact that would cause.

The location had been considered by Officers to be beyond the settlement edge in an area of open, agricultural character where a residential development would appear isolated from the town of Dalton and appear at odds with the rural character.

The position had been successfully defended at appeal back in 2006, when an additional dwelling had been proposed by the short row of three existing cottages. It had been considered then, that the terrace of cottages was already isolated and further development would only consolidate such isolation.

The appeal had been upheld by the Planning Inspector on the basis that the proposed site was not functionally or visually disconnected from Dalton and did not result in harm to the existing landscape character.

RESOLVED:- To note the report.

50 Delegated Decisions

The Director of People and Place submitted for information details of planning applications in this report which had been 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:-

- 2022/0303** Siting of a two storey Portakabin building for a temporary period of 5 years at the BAE site in Barrow-in-Furness (retrospective) at BAE Systems, Bridge Road, Barrow-in-Furness.
- 2022/0036** Application for Technical Details Consent for the erection of a farm workers dwelling and means of access following the grant of permission in principle for a farm workers dwelling under application PIP/2021/0368 at Parkhouse Farm, Parkhouse Road Barrow-in-Furness.
- 2022/0434** Two storey side extension and single storey rear extension forming extended kitchen and dining area, utility room, store and additional bedroom at first floor level with dressing room and en-suite at 20 Chestnut Walk, Barrow-in-Furness.
- 2022/0384** Application to fell 9 x Ash and 1 x Goat Willow subject of Tree Preservation Order 1984 No. 7 at 1 The Plantation, Pit Lane, Lindal-in-Furness.
- 2022/0523** Proposed change of use from former Barrow Labour Party Office to a 7 bedroom House in Multiple Occupation at 22 Hartington Street, Barrow-in-Furness.
- 2022/0451** Single storey side living room extension – resubmission of 2022/0269 in a revised form at 44 Abbotsmead Approach, Barrow-in-Furness.

- 2022/0529** Application for approval of annual bird monitoring reports (2018-2021) as required by Condition No. 6 of planning permission 2019/0251 (Construction of temporary Heliport) at Sandscale Park Helipad, Sandscale Park, Barrow-in-Furness.
- 2022/0530** Change of use to incorporate retail shop (Class E) into existing dwelling (C3) at 7 Cambridge Street, Barrow-in-Furness.
- 2022/0479** Sub-division of main house (cuckoos nest) to form a 1 bedroom separate living accommodation at ground floor level, retaining existing kitchen and bathroom. Proposed side/rear extension at ground floor level forming new separate living room and kitchen with loft conversion at first floor level forming 2 bedrooms including a bathroom at Cuckoos Nest, Saves Lane, Ireleth, Askam-in-Furness.
- 2022/0480** Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) – Single storey rear extension and partial garage conversion forming extended kitchen and dining room and utility at 22 Meadow Chase Crescent, Barrow-in-Furness.
- 2022/0500** Listed Building Consent to re-roof with reclaimed Burlington slate to front roof elevation and Brazilian slate to rear roof elevation at 2-3 Church Street, Dalton-in-Furness.
- 2022/0501** Single storey rear extension forming extended kitchen and dining room at 22 Roanhead Lane, Barrow-in-Furness.
- 2022/0348** Application for a Minor Material Amendment under Section 73 to vary condition No.1 (compliance with approved plans) of planning permission B18/2017/0429, to change house types on plots 7, 8 and 9 from house type 3th02b to House Type A and plots 10, 11 and 12 from house type 3tb02b to house type B and plots 13, 14, and 15 from house type 3th01c to house type A at Development Site at Ironworks Road, Barrow-in-Furness.
- 2022/0483** The Town and Country Planning (Environmental Impact Assessment) Regulations, 2017, Request for Scoping Opinion pursuant to Regulation 6 in relation to South Walney Landfill Site – Erosion Control Design and Build at South Walney Landfill Site, Mawflat Lane, Barrow-in-Furness.
- 2022/0560** Application for a non-material amendment following grant of planning permission 2021/0430 (Construction of a detached 1.5 Storey dwelling with detached garage and associated landscaping) to amend drainage design as discharged under ref B28/2021/0981 (Condition No.6) at Armadale, Ireleth Road, Ireleth, Askam-in-Furness.
- 2022/0472** Proposed conversion of existing garage into living room, passageway from front porch to rear kitchen, and construction of new attached side garage to east facing elevation at 49 Meadowlands Avenue, Barrow-in-Furness.

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- 2022/0473** Single storey rear kitchen extension with first floor front bedroom extension above existing ground floor porch at 28 Strathmore Avenue Barrow-in-Furness.
- 2022/0507** Single storey rear dining room extension to replace existing. New structure has a flat roof with parapet wall and glass roof lantern at 4 St Lukes Avenue Barrow-in-Furness.
- 2022/0521** Change of use/conversion of face treatment centre (Class E.e) to a dwelling (at Class C3), including associated external alterations 124 Cavendish Street, Barrow-in-Furness.
- 2022/0559** Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) Removal of the existing 'sunroom' glass roof and replacement with a pitched solid roof containing roof windows at 44 Helmsley Drive Barrow-in-Furness.
- 2022/0454** Application for works to trees subject of Tree Preservation Order 1980 No. 1 to crown thin 3 x Sycamore trees by 10% at 40 Myrtle Terrace Dalton-in-Furness.
- 2022/0455** Application for works to trees subject of Tree Preservation Order 1980 No. 1 to fell 1 x Holly tree and replant with 1 replacement at 40 Myrtle Terrace Dalton-in-Furness.
- 2022/0456** Application for works to trees subject of Tree Preservation Order 1980 No. 1 to remove lower limb of Austrian Pine Tree at 40 Myrtle Terrace Dalton-in-Furness.
- 2022/0465** Enlargement of existing rear extension structure comprising of dining area and a utility room with WC at 10 Priors Path Barrow-in-Furness.
- 2022/0505** Rear ground floor extension forming an extended kitchen at 11 Tudor Square, Dalton-in-Furness.
- 2022/0506** Extension of the existing calibration laboratory building via the installation of three modular cabins, fencing, gates and associated works at Building B05 Calibration Laboratory, Buccleuch Dock Road, Barrow-in-Furness
- 2022/0528** The Town and Country Planning (Environmental Impact Assessment) Regulations, 2017, Request for Scoping Opinion for residential-led mixed-use development at Salthouse Mills, Industrial Estate Salthouse Mills, Barrow-in-Furness.
- 2022/0520** Change of use and conversion of hairdressing salon (Sui Generis) to a habitable dwelling (C3) and associated external alterations at 203 Rawlinson Street, Barrow-in-Furness.
- 2022/0551** Removal of existing single storey flat roof and the construction of a two storey front and rear extension, including new render system to front elevation with internal and external alterations to an existing dwelling at 5 Stone Dyke, Leece Lane, Barrow-in-Furness.

- 2022/0439** Demolition of existing single storey side garage and kitchen; construction of two storey front/side extension creating porch, shower room and kitchen to ground floor with extended bedroom and additional bedroom to first floor; construction of rear single storey dining room extension at 35 Amphitrite Street Barrow-in-Furness.
- 2022/0517** Erection of a single storey pitched roof rear extension and second floor flat roof rear extension at 13 Anchor Road, Barrow-in-Furness.
- 2022/0515** Application for variation of condition B21/2021/0787 (Single Storey rear, 2 storey side, porch and dormer roof extensions) to change the facing material of the single storey rear extension from render & brickwork to natural stone facing to match the new approved front porch at Corandirk, Saves Lane, Ireleth Askam-in-Furness.

The following applications had been disposed:-

- 2013/0379** Installation of 2 no. micro scale wind turbines (14.97m to hub, 5.6m diameter blades) to provide renewable energy for use at the site on Land at Holmes Green Farm Broughton Road, Dalton-in-Furness.
- 2013/0401** Installation of 1 no. micro scale wind turbine (14.97m to hub, 5.6m diameter blades) to provide renewable energy for use on site at High Haume Farm Broughton Road Dalton-in-Furness.
- 2021/0316** Two storey dwelling (2 bedroomed) on Land between 41-45 Lord Street, Dalton-in-Furness.

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

Town and Country Planning Acts

The Head of Development Management reported on the following planning applications:-

51 Ship Inn, Piel Island, Barrow-in-Furness

From Beverley Coverdale (Barrow Borough Council) in respect of the demolition of existing ancillary W/C & shower facilities and building containing 2no. bothies. Replace with new W/C & shower facilities and 2no. attached bothies including additional landscaping works, new external paths, new timber canopy and solar voltaic panels at Ship Inn, Piel Island, Barrow-in-Furness as shown on planning application number 2022/0586.

The results of consultations were reported.

Extra Information had been received covering the ecological assessment and construction management in relation to pollution control. Plans had also been received in relation to bat and bird boxes and swallow nesting sites.

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

RESOLVED:- It was unanimously agreed that planning permission be granted subject to the Standard Duration Limit 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 in all respects in accordance with the application dated as valid on 3.8.2022 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

Application form dated 2.8.22

Existing and proposed site plan Ref 22.123.202 Rev P2

Proposed Sections Ref 22.123.501 Rev P4

Proposed Elevations (1 of 2) Ref 22.123.403 Rev P4

Proposed Elevations (2 of 2) 22.123.404 Rev P4

Proposed Floor Plans 22.123.301 Rev P5

Proposed Block Plan 22.123.204 Rev P4

Design and Access Statement

Energy Statement

Construction Method Statement Ref DW-21-106-101 Rev D

Flood Risk Assessment August 2022 by JBA Construction

Materials Study

Preliminary Ecological Appraisal by Flight Ecology August 2022, Ref J460-D01- Rev 01

Bat and Bird box mitigation plan J460-DW02-Rev 01

Swallow mitigation plan (Option A only) Ref J460 DW01

Reason

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

3. The development shall be carried out in accordance with the recommendations set out in Section 5 and Appendix 1, Mitigation Design of the Preliminary Ecological Appraisal (Flight Ecology August 2022 Ref J460-D01) Rev 01 and the Flood Risk Assessment recommended flood resilience measures (FRA August 2022, JBA Consulting).

Reason

In the interests of minimising the ecological impact and securing biodiversity net gains and to mitigate any effects from flood risk.

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4. Prior to the commencement of use of the development hereby approved the bat and bird boxes shown on the bat and bird box mitigation plan Ref J460-DW02-Rev 01 and the swallow nesting facilities shown on the swallow mitigation plan Ref J460 DW01 (Option A only) shall be installed in full and retained on site in perpetuity.

Reason

In the interests of biodiversity net gain.

52 Ship Inn, Piel Island, Barrow-in-Furness

From Beverley Coverdale (Barrow Borough Council) in respect of Listed Building Consent to demolish 1no. attached building containing 2no. bothies. Replace with new attached building comprising W/C & shower facilities and 2no. bothies including additional landscaping works, new external paths, new timber canopy and solar voltaic panels at Ship Inn, Piel Island, Barrow-in-Furness as shown on planning application number 2022/0587.

The results of consultations were reported.

Extra Information had been received covering the ecological assessment and construction management in relation to pollution control. Plans had also been received in relation to bat and bird boxes and swallow nesting sites.

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

RESOLVED:- It was unanimously agreed that Listed Building Consent be approved subject to the Standard Duration Limit 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 18 of the Planning (Listed Buildings and Conservation Area) 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 in all respects in accordance with the application dated as valid on 3.8.2022 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

Application form dated 2.8.22
Proposed Sections Ref 22.123.501 Rev P4
Proposed Elevations (1 of 2) Ref 22.123.403 Rev P4
Proposed Elevations (2 of 2)Ref 22.123.404 Rev P4
Proposed Floor Plans Ref 22.123.301 Rev P5
Proposed Block Plan Ref 22.123.204 Rev P4
Existing and proposed site plan Ref 22.123.202 Rev P2
Design and Access Statement
Materials Study

Reason

In the interests of the appearance of the development and character and appearance of heritage assets.

53 BAE Systems, Bridge Road, Barrow-in-Furness

From Mr R. Hagan in respect of the erection of a steam generation facility (SGF), the installation of a new retaining wall with fence, a nitrogen compound and associated works at BAE Systems, Bridge Road, Barrow-in-Furness as shown on planning application number 2022/0295.

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:

- (A) Members support the principle of the scheme, and
- (B) Subject to outstanding issues around noise and vibration being resolved to the satisfaction of Officers, and no insurmountable objections being received from Natural England, that the Head of Development Management be given delegated authority to grant Planning Permission and agree the wording of the conditions, the topics of which are likely to include:-
 - 1. Standard duration limit;
 - 2. Schedule of approved plans and documents;
 - 3. Construction traffic and construction management plan;
 - 4. Noise mitigation measures;
 - 5. Condition re hydraulic breaker;
 - 6. Piling methodology to be agreed;
 - 7. Drainage;
 - 8. External lighting;
 - 9. Landscaping if appropriate;
 - 10. Materials; and
 - 11. UXO survey and banksman.

54 123 Cavendish Street, Barrow-in-Furness

From Mr M. Shi in respect of a single storey rear kitchen extension including raising the flat roof at the rear by 300mm. Replacement shop front, internal alterations and replacement extraction equipment to rear at 123 Cavendish Street, Barrow-in-Furness as shown on planning application number 2022/0441.

Representations received and the results of consultations were reported.

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

RESOLVED:- It was unanimously agreed that, subject to details of an acceptable revised shop front being received, then the Head of Development Management be given delegated authority to grant Planning Permission, 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 6/6/22 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

Application Form

21135-PL-01, 05, 06 rev. E, 07 rev. E, 08 rev. D, 09 rev. E, 10 rev. A (as revised)

Kitchen Extract Flow Rate Calculator

CP03 C Series Attenuator

Merlin CT1250 - Ventilation Interlock System

Details to support commercial ventilation

DNSB sway brace

ND - Double Deflection Neoprene Mounts

AW 500E4 sileo Axial fan

MUB/T 062 630D4

RAW 500/560 Roof Cowl c/w BG

High Velocity Jet Cowl (HNU)

Reason

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

Before Occupation

3. Prior to the beneficial occupation of the site, the plasterboard as detailed on plans 21135-PL-06 REV.E and 07 REV. E shall be installed and thereafter permanently retained.

Reason

In order to protect the residential amenities of the adjacent properties.

Operational Conditions

4. All future emissions vented to the 'external environment' from cooking processes must be extracted through a properly designed and constructed exhaust ventilation system, adequately filtered and discharged vertically at sufficient height, at least 1 metre above eaves level, or incorporating adequate odour mitigation measures in the ventilation extract design to prevent cooking odours being observed at any neighbouring properties. Any exhaust gas flow must not be restricted by any plate etc. at the outlet which might affect dispersion. The proposed system must be adequately maintained as such in perpetuity.

Reason

In order to protect the residential amenities of the area.

5. 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.

55 Land rear of 55 Duddon Road, Askam-in-Furnes (Plot 1)

From Mr R. Wilkinson in respect of the Construction of 1.5 storey 4 bedroom detached dwelling; alterations/improvements to existing highway access to 55 Duddon Road to provide access to new dwelling; demolition of existing garage to 55 Duddon Road and construction of replacement garage in revised location (Amended layout) on Land to the rear of 55 Duddon Road, Askam-in-Furness (Plot 1) as shown on planning application number 2021/0932.

Consideration of this application had been deferred at the last meeting to allow the Committee to undertake a site visit prior to making a decision.

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 McEwan and seconded by Councillor Husband, and

RESOLVED:- It was unanimously 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 shall be carried out and completed in all respects in accordance with the application dated 05/07/22 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

1079/P1/01 rev F

1079/P1/02 (dated 05/07/22)

Envirotech Amended Biodiversity Net Gain (Rev A) ref:7573 v2

M&P Gadsden Drainage Strategy ref: CN 221275 v1

Reason

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

Pre-commencement Conditions

3. 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. It is required pre-commencement to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Policy C4 of the Barrow Borough Local Plan 2016-2031.

4. 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. It is required pre-commencement to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Policy C4 of the Barrow Borough Local Plan 2016-2031.

5. 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. It is required pre-commencement to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Policy C4 of the Barrow Borough Local Plan 2016-2031.

6. 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. the proposed construction vehicle and delivery routing plans, v. wheel washing facilities where vehicles will enter/exit the site, vi. measures to control the emission of dust and dirt during construction.

Reason

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

During Building Works

7. Prior to installation the location, type and situation of any screen walls or fences shall be submitted to and approved in writing by the Planning Authority. Before the development hereby approved (or each identifiable phase) is completed, such screen walls or fences shall be erected and thereafter retained unless the Planning Authority gives prior written consent to any variation.

Reason

In the interests of the visual amenities of the area and in order to ensure provision is made for through migration of the site by wildlife.

8. 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 the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and 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 in accordance with Local Plan Policy C4 of the Barrow Borough Local Plan 2016-2031.

9. The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in accordance with the details and attenuation system specified in M&P Gadsden Drainage Strategy ref: CN 221275 v1.

Reason

To ensure the site is drained by the most sustainable method in accordance with the principles of the NPPF and Local Plan Policy C3a.

Before Occupation

10. Prior to the beneficial occupation of any part of the development, a landscape scheme for the site, showing the trees, shrubs and hedgerows, including verges and other open spaces, together with details of a timetable for implementation, (including any phasing of such a scheme) must be submitted to and approved in writing by the Planning Authority. The scheme shall be designed to provide the biodiversity net gains in the Envirotech report submitted with this application, 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. The scheme shall be implemented in accordance with the approved details, and all planting and subsequent maintenance shall be to current British Standards.

Reason

In the interests of the visual amenities of the area.

11. 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.

12. The two replacement parking spaces to the front of No.55 Duddon Road must be constructed from bound material and brought into use prior to the beneficial occupation of the either the dwelling hereby approved (Plot

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1) or the dwelling approved under ref: 2021/0933 (Plot 2), and thereafter be permanently retained for parking.

Reason

In order to ensure sufficient off-road parking is provided to off-set the loss of the driveway to be used for the site access.

13. The access drive serving both Plot 1 and Plot 2 shall be surfaced in bound materials and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.

Reason

In the interests of highway safety.

14. Any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority. The development must be carried out in accordance with the approved details prior to the beneficial occupation of either dwelling making use of the altered access, and shall thereafter not be raised to a height exceeding 1.05m.

Reason

In the interests of highway safety.

15. 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 in accordance with Local Plan Policy C4 of the Barrow Borough Local Plan 2016-2031.

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

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controlled waters, property and ecological systems in accordance with Local Plan Policy C4 of the Barrow Borough Local Plan 2016-2031.

17. Details of no fewer than 1 bird and 1 bat nesting/roosting boxes (external or incorporated into brickwork), including the exact location, specification and design, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied unless the boxes have been installed. The nesting boxes shall be installed strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason

In the interests of nature conservation by safeguarding and enhancing the wildlife interests of the site.

Operational Conditions

18. The hereby approved garages, parking spaces and accesses thereto within the defined application site 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 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.

56 Land rear of 55 Duddon Road, Askam-in-Furness (Plot 2)

From Mr and Mrs Norman in respect of the construction of 1.5 storey 4 bedroom detached dwelling (Amended Layout) on Land to the rear of 55 Duddon Road, Askam-in-Furness as shown on planning application number 2021/0933.

Consideration of this application had been deferred at the last meeting to allow the Committee to undertake a site visit prior to making a decision.

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 McEwan and seconded by Councillor Husband, and

RESOLVED:- It was unanimously 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 shall be carried out and completed in all respects in accordance with the application dated 05/07/22 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

1079/P1/01 rev F

1079/P1/02 (dated 05/07/22)

Envirotech Amended Biodiversity Net Gain (Rev A) ref:7573 v2

M&P Gadsden Drainage Strategy ref: CN 221275 v1

Reason

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

Pre-commencement Conditions

3. 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. It is required pre-commencement to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Policy C4 of the Barrow Borough Local Plan 2016-2031.

4. 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. It is required pre-commencement to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Policy C4 of the Barrow Borough Local Plan 2016-2031.

5. 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. It is required pre-commencement to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Local Plan Policy C4 of the Barrow Borough Local Plan 2016-2031.

6. 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. the proposed construction vehicle and delivery routing plans, v. wheel washing facilities where vehicles will enter/exit the site, vi. measures to control the emission of dust and dirt during construction.

Reason

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

During Building Works

7. Prior to installation the location, type and situation of any screen walls or fences shall be submitted to and approved in writing by the Planning Authority. Before the development hereby approved (or each identifiable phase) is completed, such screen walls or fences shall be erected and thereafter retained unless the Planning Authority gives prior written consent to any variation.

Reason

In the interests of the visual amenities of the area and in order to ensure provision is made for through migration of the site by wildlife.

8. 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 the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and 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 in accordance with Local Plan Policy C4 of the Barrow Borough Local Plan 2016-2031.

9. The site should be drained on a separate system with foul water draining to the public sewer and surface water draining in accordance with the details and attenuation system specified in M&P Gadsden Drainage Strategy ref: CN 221275 v1.

Reason

To ensure the site is drained by the most sustainable method in accordance with the principles of the NPPF and Local Plan Policy C3a.

Before Occupation

10. Prior to the beneficial occupation of any part of the development, a landscape scheme for the site, showing the trees, shrubs and hedgerows, including verges and other open spaces, together with details of a timetable for implementation, (including any phasing of such a scheme) must be submitted to and approved in writing by the Planning Authority. The scheme shall be designed to provide the biodiversity net gains in the Envirotech report submitted with this application, 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. The scheme shall be implemented in accordance with the approved details, and all planting and subsequent maintenance shall be to current British Standards.

Reason

In the interests of the visual amenities of the area.

11. 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.

12. The two replacement parking spaces to the front of No. 55 Duddon Road must be constructed from bound material and brought into use prior to the beneficial occupation of either the dwelling hereby approved (Plot 2) or the dwelling approved under ref: 2021/0933 (Plot 1), and thereafter be permanently retained for parking.

Reason

In order to ensure sufficient off-road parking is provided to off-set the loss of the driveway to be used for the site access.

13. The access drive serving both Plot 1 and Plot 2 shall be surfaced in bound materials and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.

Reason

In the interests of highway safety.

14. Any existing highway fence/wall boundary shall be reduced to a height not exceeding 1.05m above the carriageway level of the adjacent highway in accordance with details submitted to the Local Planning Authority. The development must be carried out in accordance with the approved details prior to the beneficial occupation of either dwelling making use of the altered access, and shall thereafter not be raised to a height exceeding 1.05m.

Reason

In the interests of highway safety.

15. 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

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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 in accordance with Local Plan Policy C4 of the Barrow Borough Local Plan 2016-2031.

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 in accordance with Local Plan Policy C4 of the Barrow Borough Local Plan 2016-2031.

17. Details of no fewer than 1 bird and 1 bat nesting/roosting boxes (external or incorporated into brickwork), including the exact location, specification and design, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied unless the boxes have been installed. The nesting boxes shall be installed strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason

In the interests of nature conservation by safeguarding and enhancing the wildlife interests of the site.

Operational Conditions

18. The hereby approved garages, parking spaces and accesses thereto within the defined application site 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 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.

19. The guest accommodation in the upper floor of the detached garage outbuilding shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling hereby approved.

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Reason

Planning permission is granted for ancillary purposes only to meet the applicant's needs, and not as a separate dwelling or planning unit.

The meeting closed at 2.54 pm.