

PLANNING COMMITTEE

Meeting: Tuesday, 4th October, 2022
at 2.30 pm. (Drawing Room)

Present: Councillors M. A. Thomson (Chair), Thomson (Vice-Chair), Assouad, D. Edwards, H. Edwards, Gawne, Hall, Husband, McEwan, Nott and Tyson.

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).

57 Declarations of Interest

Councillors Assouad, Gawne, Hall and McEwan declared an interest in Planning Application No. 2022/0616 – 152-156 Dalton Road, Barrow-in-Furness, as they were members of Licensing Committee and would need to determine the gambling licence.

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

Councillor M. A. Thomson declared an interest in Planning Application No. 2022/0263 – University of Cumbria Barrow Campus – Land adjacent to BAE Systems SASK, Buccleuch Dock Road, Barrow-in-Furness, as she was Vice Chair of the Brilliant Barrow Board. She left the meeting during consideration of the item.

58 Minutes

The Minutes of the meeting held on 13th September, 2022 were taken as read and confirmed.

59 Public Participation

Mr Lee Otter (Applicant) had attended the meeting and addressed the Committee in relation to the application for change of use from Use Class E (Commercial, Business and Services) to Sui Generis (Betting Office) with associated external alterations to shopfront and installation of 2 satellite dishes to side gable at 152-156 Dalton Road, Barrow-in-Furness. (Minute No. 62 refers).

Kayleigh Dixon (Agent) had attended the meeting and addressed the Committee in relation to the application for the construction of a new University of Cumbria Barrow Campus, creation of a new car park and external landscaping works on land adjacent to the BAE Systems SASK - Academy of Skills and Knowledge, Buccleuch Dock Road, Barrow-in-Furness. (Minute No. 67 refers).

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

60 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

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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:-

- 2022/0578** Removal of existing side conservatory and replacement with side extension to provide 2 extended bedrooms. Part garage conversion and introduction of roof lantern at 3 Cherry Tree Way, Barrow-in-Furness.
- 2022/0558** Ground floor alterations and conversion of first floor loft room into bedroom and living area with front pitch roof dormer windows. Proposed French doors and window combination to west facing elevation at 3 Hornedale Avenue, Barrow-in-Furness.
- 2022/0596** Application to determine if prior approval is required for the proposed demolition of building at Auto Image, Cavendish Dock Road, Barrow-in-Furness.
- 2022/0597** Application to determine if prior approval is required for the proposed demolition of building Horrocks and Cross, Salthouse Road, Barrow-in-Furness.
- 2022/0605** Application to determine if prior approval is required for the proposed demolition of building at 2nd Time Around, The Strand, Barrow-in-Furness.
- 2022/0561** Double storey side extension to provide ground floor study/utility room/wc with first floor bedroom and bathroom, and single storey rear extension to provide living area/kitchen at 35 Flass Lane, Barrow-in-Furness.

The following application had been partially approved:-

- 2022/0589** Application for approval of details reserved by condition for part discharge of condition No. 17 (Construction Management Method Statement for phase 1) of planning permission B31/2022/0449 (Application for a non-material amendment to application B07/2014/0360 to vary the wording of conditions 6, 7, 11, 13, 14 and 17) at Proposed housing development, Wilkie Road, Barrow-in-Furness.

The following application had been refused:-

- 2022/0563** Application under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) under Schedule 2, Part 3, Class Q to determine if prior approval is required for a proposed change of use of agricultural building to dwellinghouse (Use Class C3), and for building operations reasonably necessary for the conversion of a barn to a 2 bedroom dwelling at Barn, Stank Lane, Stank.

(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:-

61 Barrow Island Rugby Club, Ostley Bank, Barrow-in-Furness

From Barrow Island Rugby League Club in respect of the extension to existing gym at sports club at Barrow Island Rugby Club, Ostley Bank, Barrow-in-Furness as shown on planning application number 2022/0603.

The results of consultations were reported.

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 and completed in all respects in accordance with the application dated as valid on 12.08.2022 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

Approved plans:

Site and Location Plan DRG REF BIRLC/3

Proposed Elevations DRG REF BIRLC/2

Reason

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

3. The materials to be used in construction of the external surfaces, including walls, roofs, doors, and windows of the extensions hereby permitted must be in accordance with the details stated within the planning application dated the 12.08.2022

Reason

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

62 152-156 Dalton Road, Barrow-in-Furness

From Agent, Boyle Sports UK Ltd in respect of the change of use from Use Class E (Commercial, Business and Services) to Sui Generis (Betting Office) with associated external alterations including new rear doorway, alterations to shopfront and installation of 2 satellite dishes to side gable at 152-156 Dalton Road, Barrow-in-Furness as shown on planning application number 2022/0616.

Representations received and the results of consultations were reported.

Extra information had been circulated prior to the meeting.

Mr Lee Otter (Applicant) had attended the meeting and addressed the Committee.

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

RESOLVED:- It was agreed that planning permission 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 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and 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 as valid on 18.08.2022 and the hereby approved documents defined by this permission as listed below, except where varied by a conditions attached to this permission:

Approved Plans:

Site Location Plan DRG No. DAL/BAR/10

Site Plan DRG No. DAL/BAR/11

Proposed Shop Front Alterations Plan DRG No. DAL/BAR/08

Satellite Dish Plan DRG No. DAL/BAR/09

Proposed Ground Floor Plan DRG No. DAL/BAR/06

Planning Statement Dated August 2022 Received with the application 18.08.2022

Reason

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

63 13 Harrel Lane, Barrow-in-Furness

From Mrs J. McLaughlin in respect of the erection of a rear ground floor extension forming extended kitchen at 13 Harrel Lane, Barrow-in-Furness as shown on planning application number 2022/0595.

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

RESOLVED:- It was unanimously agreed that planning permission 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 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and 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 as valid on 11.08.2022 and the hereby approved documents defined by this permission as listed below, except where varied by a conditions attached to this permission:

Approved Plans:

Site Location Plan Received on the 11.08.2022

Site Layout Plan Received on the 11.08.2022

Section Plan DRG No. KCM/005

Proposed Elevations DRG No. KCM/004

Proposed Plan Dimensions DRG No. KCM/0002

Proposed Floor Plan DRG No. KCM/009

Reason

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

3. The materials to be used in the construction of the external surfaces, including walls, roofs, doors, and windows of the extensions hereby permitted shall be of the same type, colour, and texture as those used in the existing building.

Reason

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

64 9 Risedale Road, Barrow-in-Furness

From Mr S. Sefil in respect of an application for variation of Condition No. 7 of planning permission B20/2021/0523; (Change of use from sandwich shop/takeaway (Class E) to hot food takeaway (sui-generis) with installation of extraction flu to rear elevation) to extend operational hours to 23:00 hours at 9 Risedale Road, Barrow-in-Furness as shown on plan number 2022/0533.

Representations received and the results of consultations were reported.

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

RESOLVED:- It was agreed that planning permission 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 14/6/22 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

Application Form dated 11.6.21

Extraction Equipment and Maintenance Schedule dated 10.6.21

6N02250/00

MEJ/2021/615/004 issue 3

MEJ/2021/615/005 issue 2

MEJ/2021/615/006 issue 3

MEJ/2021/615/007 NTS

Reason

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

Before Occupation

2. Prior to the beneficial use of any part of the development, the ceiling/floor between the ground and first floor must be acoustically insulated and thereafter permanently retained as detailed on plan MEJ/2021/615/004 issue 3.

Reason

To protect the residential amenities of the occupiers of the first floor flat.

3. Prior to the beneficial use of any part of the development, the wall treatment panel between the site and 7 Risedale Road must be installed and thereafter permanently retained as detailed on plan MEJ/2021/615/007 NTS.

Reason

In order to protect the residential amenities to the occupiers of 7 Risedale Road.

Operational Conditions

4. The use hereby permitted shall not operate between the hours of 2300 and 0700 the following day.

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. Noise from the development, including noise from the extraction equipment required by any other condition attached to this consent, must not exceed Noise Rating Curve NR30 during daytime hours (07.00 - 23.00) and NR25 during night time hours (23.00 - 07.00) in any adjacent noise sensitive property.

Reason

In order to minimise the potential for noise pollution.

65 197 Rawlinson Street, Barrow-in-Furness

From Mr M. Kowalski in respect of the change of use from office (class E) to hot food takeaway (Sui Generis) including installation of extraction equipment to the rear elevation at 197 Rawlinson Street, Barrow-in-Furness as shown on planning application 2022/0416.

Representations received and the results of consultations were reported.

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

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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 shall be carried out and completed in all respects in accordance with the application dated 01/07/22 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

Application Form dated 23.5.22 #197/001
Design, Access and Waste Management Statement #197/003
#197/005, 006
Revolution SLC Motor - Product Overview
Circular Straight Silencer
Supporting email dated 9.9.22

Reason

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

Before Occupation

3. 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 system must be fully installed and operational prior the beneficial use hereby approved and adequately maintained thereafter as such in perpetuity.

Reason

In order to protect the residential amenities of the area.

4. 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.

5. The use hereby permitted shall not operate between the hours of 2300 and 0600 the following day.

Reason

In order to protect the residential amenities of the area.

6. The refuse bins for the use hereby approved shall be store within the rear curtilage of the premises.

Reason

In order to protect the residential amenities of the area.

66 Valley View, Mount Pleasant, Skelgate, Dalton-in-Furness

From Mrs Barber-Bolam c/o Agent in respect of the Retrospective change of use from hotel restaurant known as Valley View (formerly Clarence House) to one 9-bedroom holiday accommodation (sui generis) at Valley View Dalton, Mount Pleasant, Skelgate, Dalton-in-Furness as shown on plan number 2022/0519.

Representations received and the results of consultations were reported.

Extra information had been circulated prior to the meeting.

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

RESOLVED:- It was agreed that 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 06/07/22 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

Drawing ref: Valley A, Valley B, Valley C, Valley D.
Management plan document entitled 'Welcome to Valley View House', received on 14/09/22.

Reason

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

Operational Conditions

2. The development must operate in accordance with the measures outlined in the hereby approved management plan document entitled 'Welcome to Valley View House', received on 14/09/22, with specific regard to the measures detailed to minimise privacy loss, noise nuisance and ensure adequate waste disposal.

Reason

In order to ensure the satisfactory operation of the accommodation and to minimise disturbance to and loss of surrounding neighbours residential amenities.

COUNCILLOR C. THOMSON (VICE CHAIR) IN THE CHAIR FOR THIS ITEM ONLY

67 University of Cumbria Barrow Campus - Land adjacent to BAE Systems SASK, Buccleuch Dock Road, Barrow-in-Furness

From Mrs K. Dixon, DPP Planning (Agent) in respect of Full planning application for the construction of a new University of Cumbria Barrow Campus, creation of a new car park and external landscaping works on land adjacent to the BAE Systems SASK - Academy of Skills and Knowledge, Buccleuch Dock Road, Barrow-in-Furness as shown on planning application number 2022/0263.

The results of consultations were reported.

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

Kayleigh Dixon (Agent) had attended the meeting and addressed the Committee.

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

RESOLVED:- It was unanimously agreed to support the principle of the scheme subject to the satisfactory resolution of issues around drainage, car parking and accessibility for pedestrians and cyclists, but giving delegated authority to the Head of Development Management to determine the application including formulating any planning conditions and legal agreements as may be required. Should these issues not be suitably resolved then the application be reported back to Members with a further update.

Recommended condition topic headings

1. Standard duration limit
2. Schedule of approved plans and documents
3. CMP
4. CTMP
5. Landscape and management
6. Boundary treatment
7. Drainage (UU/LLFA)
8. New footway and cycle lane provision
9. External lighting
10. Cycle storage facilities design details
11. Final green travel plan
12. EVCP provision
13. Energy statement
14. Contamination/UXO (Env health conditions)
15. No nesting sites for gulls on roof
16. Servicing statement
17. Works in accordance with FRA (EA)
18. CEMP (Natural England) and HRA mitigation measures
19. Piling
20. Car parking and cycling strategy and management plan
21. 30 year management plan re BNG
22. Air quality mitigation measures
23. Entrance gate weight limit
24. On site re-cycling facilities
25. Materials

Informative-Emergency Planning and Fire Safety

68 Withdrawn Application

The following application had been withdrawn:-

2022/0567 - New dwelling with retention of the existing two-sided wall structure at Marsh Grange Barn, Dunnerholme, Askam-in-Furness.

The meeting closed at 3.22 pm.