

PLANNING COMMITTEE

Meeting: Tuesday 25th October, 2022
at 2.30 pm. (Drawing Room)

PRESENT:- Councillors C. Thomson (Vice-Chairman), Assouad, D. Edwards, H. Edwards, Hall, Husband, McEwan, Mooney and Nott.

Officers Present:- Jason Hipkiss (Head of Development Management), Maureen Smith (Principal Planning Officer), Sandra Kemsley (Democratic Services Officer), Katie Pepper (Democratic and Electoral Services Officer) and Debbie Storr (Head of Legal and Governance & Monitoring Officer) (Minute Nos. 80 - 82 only).

69 – Apologies for Absence

Apologies for absence had been received from Councillors Gawne, M. A Thomson and Tyson.

70 – Admission of the Public and Press

It was moved by Councillor McEwan and seconded by Councillor Husband that the reports dealing with enforcement action would be dealt with following the exclusion of the press and the public.

71 – Declarations of Interest

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

72 – Minutes

The Minutes of the meeting held on 4th October, 2022 were taken as read and confirmed.

73 – Public Participation

Kerry Kolbe, Signal Film and Media attended the meeting and addressed the Committee in relation to the application for 102 and 104 Abbey Road, Barrow-in-Furness (Minute Nos. 76 and 77 refers).

Phil Rhodes (Agent) attended the meeting and addressed the Committee in relation to the application for Birchwood, Stank Lane, Stank (Minute No. 78 refers)

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

Town and Country Planning Acts

74 – 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:-

- 2022/0606** Demolition of existing attached side garage (retrospective); construction of new 1.5 storey side extension creating snug to ground floor and home office mezzanine to first floor; construction of first floor front extension in place of existing balcony to create enlarged bedroom at 4 Red Ley Lane Barrow-in-Furness.
- 2022/0617** Application for advertisement consent to display 2 no. internally illuminated fascia signs and 1 no internally illuminated hanging sign (Illumination will not exceed 250 c/dm²) at 152-156 Dalton Road Barrow-in-Furness.
- 2022/0618** Proposed PVC covered steel framed storage building at BAE Systems, Bridge Road, Barrow-in-Furness.
- 2022/0619** Solar panel installation to south elevation of existing warehouse roof at Former McBride Ltd, Park Road, Barrow-in-Furness.
- 2022/0602** Single storey rear extension to form kitchen and dining area. Existing accommodation reconfigured to create utility and open plan living room at 11 Skelwith Drive Barrow-in-Furness.
- 2022/0591** Proposed demolition of existing sun room and construction of replacement single storey extension at Shangri La North Scale Barrow-in-Furness.
- 2022/0598** Single storey extension to comprise kitchen, utility room and shower room at Minikin Hall Farm Longlands Dalton-in-Furness.
- 2022/0588** Application for approval of details reserved by Condition No. 4 (Site Investigation), Condition No. 5 (Remediation Method Statement) and Part Discharge of Condition No.7 (Methodology for Testing Imported Soils) of planning permission B13/2021/0548 (Erection of a detached two storey dwelling with a detached garage) on land at Stafford Street Askam-in-Furness.
- 2022/0536** Increase the height of protective netting by 2 metres to achieve a height of 5.67 metres adjacent to 8 Monks Cross Avenue at Barrow Cricket Club Abbey Road Barrow-in-Furness.

- 2022/0600** Proposed first floor, side extension (15.5m²) over existing garage, to create an en-suite to an existing bedroom and the provision of an additional bedroom at 2 Rusland Drive Dalton-in-Furness.
- 2022/0608** Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) for a the removal of existing conservatory and erection of a single storey rear extension forming sitting/dining area at 12 Avocet Crescent Askam-in-Furness.
- 2022/0648** Application for a non-material amendment following grant of planning permission B21/2021/0189 (Alterations and single storey side extension) to allow a flat roof in lieu of a pitched roof at 19 Hawkshead Gardens Barrow-in-Furness.

Prior Approval was not required for the following application:-

- 2022/0230** Application to determine if prior approval is required for a proposed change of use from Commercial (Use Class E) to mixed use including up to two flats (Use Class C3) - Convert the upper floors to create 2 x 1 bedroom apartments. The first floor apartment is 56 square metres and the second floor apartment is 59 square metres at 231 Dalton Road, Barrow-in-Furness.

The following applications had communications sent:-

- 2022/0261** The Town and Country Planning (Environmental Impact Assessment) Regulations, 2017, Request for Screening Opinion pursuant to Regulation 6 in respect of a full planning application for the partial demolition of the existing BAE building and sprinkler house and the construction of a new University of Cumbria Barrow Campus (amended description) on land adjacent to the BAE Systems SASK - Academy of Skills and Knowledge, Buccleuch Dock Road, Barrow-in-Furness.
- 2022/0657** Environmental Impact Assessment (EIA) screening opinion in accordance with Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for a new outdoor activity and educational centre and associated parkland, community space and access/parking at Sports Ground Cows Tarn Lane Barrow-in-Furness.

The following application had been partially approved:-

- 2022/0622** Application for approval of details reserved by condition no.3 (Phase 1 desk study), condition no.4 (ground investigation) and condition no.5 (ground investigation) for planning permission B13/2022/0350 - Redevelopment of stables as new dwelling at Fairfield Newton Cross Road Newton-in-Furness.

The following application had been disposed:-

2022/0764 Application for approval of details for reserved by condition no. 9 (provision of right turn lane on Abbey Road) of planning permission 2018/0087 (Erection of 10 dwellings and associated site works) at Rock Lea Abbey Road Barrow-in-Furness.

The following application had been refused:-

2022/0200 Two storey side extension and single storey front and rear extension, forming additional bedroom, playroom, wc, utility, store and extended kitchen/dining area at 25 Seatoller Place, Barrow-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:-

75 – Ship Inn, Piel Island, Barrow-in-Furness

From Beverley Coverdale, Barrow Borough Council in respect of the installation of 30 no. ground mounted solar panels and associated works at Ship Inn, Piel Island, Barrow-in-Furness as shown on planning application number 2022/0703.

Extra Information had been circulated prior to the meeting including an amended plan which had been received in relation to the proposed fencing position and an amended Condition 2.

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

RESOLVED:- It was unanimously agreed that subject to no material objections being received during the unexpired consultation period that would warrant re-consideration of the application, that Planning Permission be delegated to the Development Services Manager to issue once the representation period expires 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 6.10.2022 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

Application form dated 27.9.22
Support stand data sheet CS+
Solar panel data sheet
Proposed block plan Ref 22.123.204 P3
Existing and proposed site plan Ref 22.123.302 P1
Location Plan Ref 22.123.201 P2

Reason

To ensure that the development is carried out only as indicated on the drawings approved by the Planning Authority in the interests of visual amenity and the setting of heritage assets.

3. All planting comprised in the approved details of landscaping hereby approved shall be carried out in the first planting and seeding seasons following commencement of use of the solar panels, or in accordance with the phasing of the scheme as agreed in writing with the Planning Authority. Any 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 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 and to assist in providing a screen in the interests of security of the solar panels and the setting of the heritage asset.

Operational Conditions

4. Within 3 months of no longer being operational or required for the intended purpose the solar panels and all associated equipment shall be removed from the site and the area of land returned to its previous green field appearance.

Reason

In order to ensure any equipment that becomes redundant in the future is removed from the site in a timely manner in the interests of the visual amenity of the area and the setting of heritage assets.

76 – 102 and 104 Abbey Road, Barrow-in-Furness

From Ms K. Kolbe, Signal Film and Media in respect of Planning Consent for the external alterations to front elevation including replacement of timber stall risers to central bay to full height glazing and integrated automated sliding door, alterations to swing door and existing signage; alterations to rear elevation including addition of new windows and alterations to existing ventilation grilles and double door on rear elevation and provision of solar panels to roof terrace (amended description) at 102 and 104 Abbey Road, Barrow-in-Furness as shown on planning application number 2022/0609.

Ms K. Kolbe, Signal Film and Media attended the meeting and addressed the Committee.

Extra Information had been circulated prior to the meeting. Outstanding information had been received and conditions had been attached.

It was moved by Councillor McEwan and seconded by Councillor Hall, 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 and Compulsory Purchase Act 2004.

2. The development shall be carried out and completed in all respects in accordance with the application dated as valid on 18.8.22 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

Design and Access Statement including heritage statement V4

Application form dated 18.8.22

External front elevation (existing/proposed) and proposed section Drg 21129 09 Rev C

Proposed floor plans (first, second and third) Drg 21129 08 Rev B

Proposed floor plans (basement and ground floor) Drg 21129 07 Rev E

Additional info re: approach to works Ref 21129 V1 17.10.22

Reason

To ensure that the development shall be carried out in an orderly and satisfactory manner in the interests of the character and appearance of the area.

77 – 102 and 104 Abbey Road, Barrow-in-Furness

From Ms K. Kolbe, Signal Film and Media in respect of Listed Building Consent for external alterations to front and rear facade and internal alterations to listed building, comprising:- replacement of timber stall risers to central bay of front elevation and replacing with full height glazing and integrated automated sliding door as well as alterations to swing doors and existing signage; addition of new windows and alterations to existing ventilation grilles and double door on rear elevation; internally formation of new opening between 102 and 104 Abbey Road with glazed door and overpanel; alterations to internal layout by provision of partitions; relocation of WCs including removal of existing partitions; addition of new partitions to improve acoustic isolation of front ground floor office space; addition of new partitions and doors to basement to form lobby and recording studio; formation of new opening between 102 and 104 basement; repair of staircase at front of 102 Abbey Road basement space ; blocking up of existing opening; removal of redundant oil tanks and associated walls; repair of basement staircase; installation of new floor finish to all stairs; underdrawing of plasterboard to soffit, formation of kitchenette and sanitary facilities within attic; works to second floor roof terrace for installation of solar panels and relocation of condenser unit from basement (amended description) at 102 and 104 Abbey Road, Barrow-in-Furness as shown on planning application number 2022/0610.

The results of consultations were reported.

Ms K. Kolbe, Signal Film and Media attended the meeting and addressed the Committee.

Extra Information had been circulated prior to the meeting. A statement of need and outstanding information had been received and conditions had been attached.

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

RESOLVED:- It was unanimously agreed that Listed Building Consent be approved 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out and completed in all respects in accordance with the application dated as valid on 18.8.22 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

Design and Access Statement including heritage statement V4
Application form dated 18.8.22
External front elevation (existing/proposed) and proposed section Drg
21129 09 Rev C
Proposed floor plans (first, second and third) Drg 21129 08 Rev B
Proposed floor plans (basement and ground floor) Drg 21129 07 Rev E
Additional info re: approach to works Ref 21129 V1 17.10.22

Reason

To ensure that the development is carried out only as indicated on the drawings approved by the Planning Authority in the interests of the character and appearance of the listed building.

3. No soil vent pipes shall be added to the external walls of the building without the prior written consent of the Planning Authority.

Reason

In order to safeguard the special architectural or historic interest of the building,

78 – Birchwood, Stank Lane, Stank

From Ben Rhodes in respect of Outline planning permission for a single storey dormer bungalow with appearance and landscaping reserved for subsequent approval (resubmission of 2022/0072) at Birchwood, Stank Lane, Stank as shown on planning application number 2022/0641.

The results of consultations were reported.

Mr P. Rhodes (Agent) attended the meeting and addressed the Committee.

It was moved by Councillor H. Edwards and seconded by Councillor McEwan, and

RESOLVED:- It was unanimously agreed that the application be deferred to the next meeting to enable a site visit to take place.

79 – Planning Performance

The Director of People and Place had submitted a report explaining how the Development Management Section had functioned over the previous accounting period (October 2021 - September 2022). Performance had been mixed but this had been skewed by the Pandemic. The full performance report had been appended to the report.

In the previous accounting period (October 2019 - September 2021), the Council had failed to meet the 70% target for 'Others', the actual figure being 65.2%. Consequently, the Council had received notification from Government for clarification why that had happened and how the Council would address the issue going forward. Whilst there had been a number of competing pressures upon the Section, the principal reason had related to the impact of the Covid Pandemic which had resulted in reduced Officer time being spent on applications, and the exposure of shortcomings in the Delegation Agreement. Through engagement with the Planning Advisory Service (PAS) to audit the Council's procedures, and with staff working to identify potential time savings, an improvement plan had been introduced resulting in a significant speeding up of decisions on 'Other' applications to 75.8% for September 2022.

Improvement measures implemented so far included:-

- Revision of the Delegation Agreement so that in the absence of the Head, the two Principal Planning Officers had the authority to determine minor applications;
- Changes to working practices by ensuring that support staff dealt with simple public enquiries thus reducing the Case Officer interruptions;
- Simplifying delegated reports on the very basic applications where a challenge was unlikely, thus freeing up Officer time for more complex proposals;
- Technical support had been sought for back-office system, as system failure would bring added pressures to the service

Ongoing improvement measures included:-

- Service restructure to introduce a graduate Development Management Officer to reduce Officer workload and help to raise determination levels;
- Clean sweep of outstanding minor applications to identify stalled submissions that would be safely disposed of.

As noted, there had been a steady climb in performance since the introduction of the above measures, which were being constantly monitored for effectiveness. The challenge would be to maintain the improvement, against a background of preparation for Local Government Reorganisation, high workloads, appeals and enforcement action, rapid legislative changes, and the preparation of s106 and PPA documents.

Validation remained a challenge, however, the Council had an up to date local list but unfortunately some applicants, including established Agents, had failed to engage with the list; resulting in applications taking longer to validate. It had been noted that the council continued to promote the list through the website and the pre-application service, as well as offering help to those engaging with the system for the first time, but the onus was on the professional Agents to deliver higher standards of application submissions.

Appeals was an area where the Council appeared to be particularly strong; being well below the trigger thresholds in terms of defending decisions, which indicated that Officers and Members were working together to deliver a high-quality service.

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

RESOLVED:- To note the report.

Local Government Act 1972 - Excluded Items

It was moved by Councillor McEwan and seconded by Councillor Husband that the meeting moved into Part Two, and

RESOLVED:- That under Section 100A(4) of the Local Government Act 1972 the public and press be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 7 (Minute Nos. 80 - 82) of Part One of Schedule 12A of the said Act.

80 – House of Lords Update

The Director of People and Place had submitted a report providing an update on enforcement action in respect of the House of Lords building on Abbey Road, Barrow-in-Furness.

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

RESOLVED:- To note the report.

81 – Leece Lane Enforcement Update

The Director of People and Place had submitted a report providing an update on enforcement action in respect of a development site on Leece Lane, Barrow-in-Furness.

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

RESOLVED:- To note the report.

82 – The Cry, 26-32 Cornwallis Street, Barrow-in-Furness

The Director of People and Place had submitted a report providing an update on enforcement action in respect of The Cry, 26-32 Cornwallis Street, Barrow-in-Furness.

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

RESOLVED:- To note the report.

The meeting closed at 3.20 pm.