

PLANNING COMMITTEE

Meeting: Tuesday 15th November, 2022
at 2.30 pm. (Drawing Room)

PRESENT:- Councillors C. Thomson (Vice-Chair), Assouad, D. Edwards, Gawne, Husband, McEwan, Nott and Tyson.

Officers Present:- Maureen Smith (Principal Planning Officer), Jennifer Dickinson (Planning Officer), Paula Westwood (Scrutiny and Democratic Services Team Leader) and Sandra Kemsley (Democratic Services Officer).

83 – Apologies for Absence

Apologies for absence had been received from Councillors M. A. Thomson (Chair), H. Edwards, Hall, and Mooney.

84 – 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.

85 – Minutes

The Minutes of the meeting held on 25th October, 2022 were taken as read and confirmed.

86 – Public Participation

Mr Ben Rhodes (Applicant) attended the meeting and addressed the Committee in relation to the application for Birchwood, Stank Lane, Stank (Minute No. 91 refers).

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

Town and Country Planning Acts

87 – 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:-

- 2022/0524** Front and rear single story ground floor extensions forming all weather play areas at Linmoor, Ireleth Brow, Ireleth, Askam-in-Furness.
- 2022/0751** Application for approval of details reserved by Condition No. 3 (landscaping scheme and schedule details) of planning permission B09/2022/0084 (Change of use to Class B8 and installation of short sections of 3m high security fencing) at BAE (Former Robert McBride Ltd building), West Side Park Road, Barrow-in-Furness.
- 2022/0649** Side extension to create porch entrance and garden room with WC facility at 17 Green Lane, Barrow-in-Furness.
- 2022/0630** Single storey rear extension to an existing dwelling with internal and external alterations (to form a sun room) at 14 Hawkshead Gardens, Barrow-in-Furness.
- 2022/0707** Approval of details re reserved by Condition No. 6 (Provision of a footway along New Road) for planning permission B07/2019/0576 (Residential Development of 29 dwellings, comprising mix of 3 and 4 bedroom dwellings (Bungalow and 2 storey) with associated roadways, parking and amenity space) at Housing Development Site (south) Lots Road Askam-in-Furness.
- 2022/0701** Application for works to trees subject of Tree Preservation Order 1986 No.2 A1 Hilltop, Devonshire Rd (T1 Sycamore) to reduce by 1 metre to allow vehicles to pass without damaging it at 6 Woodland Park, Barrow-in-Furness.
- 2022/0624** Conversion of 3 storey building from two flats to 3 flats and completion of part built two storey extension with elevational changes at 89 Duke Street, Askam-in-Furness.
- 2022/0680** Application for works to trees T1 - Ash tree - Fell - due to Ash die back and T2 - Cherry - Pollard - to form new crown (tree is very one sided) subject of Tree Preservation Order 1997 No. 2 at 9 High Bank, Dalton-in-Furness.
- 2022/0650** Conversion of existing garage to a bedroom, utility room converted to a bathroom and erection of a block built side garage with an attached block built sun room in rear garden at Kyma Cumbria View Barrow-in-Furness.
- 2022/0639** Two storey rear extension forming extended bedroom and wardrobe to first floor and extended kitchen / dining room, utility and bathroom to ground floor, including new porch to front at 14 Stackwood Avenue, Barrow-in-Furness.

The following application had communications sent:-

- 2022/0761** Five day notice to fell Sycamore Tree subject of a Tree Preservation Order 2008 No. 1 at 17 Kestrel Drive, Dalton-in-Furness.

The following application had been refused:-

2022/0534 Application for removal of Copper Beech tree numbered T2 on plan subject of Tree Preservation Order 1994 No. 7 at 286A Abbey Road, 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:-

88 – Cornmill Crossing, Barrow-in-Furness

From Mr Robert Copeland of Thomas Armstrong in respect of the creation of a 697 space private car park, provision of new security fencing measuring maximum of 3m in height (including replacement of 20m of walling with fencing) new vehicular access/egress, pedestrian access gates, pedestrian access, cycle shelter, hard and soft landscaping and security lighting with associated works (resubmission of B12/2015/0050 & B12/2016/0084) at Cornmill Crossing, Barrow-in-Furness as shown on planning application number 2022/0581.

The results of consultations were reported.

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

RESOLVED:- It was unanimously agreed that the application be delegated to the Head of Development Management to determine once all outstanding issues have been resolved.

89 – Ramsden Hall, Abbey Road, Barrow-in-Furness

From Mrs Christine Mackinley of Citizens Advice Bureau in respect of Listed Building Consent for the replacement of 9 clerestory windows with hardwood DG units, the replacement of 9 ground floor windows with hardwood DG units to match existing and the replacement of 1st floor arched window above front entrance with hardwood alternative, replacement of leadwork to 2 flat roofs with terne coated steel and reinstatement of railings along car park boundary at Ramsden Hall Abbey Road, Barrow-in-Furness as shown on planning application number 2022/0601.

Representations received and the results of consultations were reported.

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

RESOLVED:- It was unanimously agreed that Listed Building Consent 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 18 of the Planning (Listed Buildings and Conservation Areas) 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 validated 07/09/2022 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

Ramsden Hall – Heritage Statement Rev F
Proposed Replacement Window Details 135/P/203
Proposed Replacement Window Details 135/P/202
Proposed Railing Detail 135/P/106
Proposed Railings 135/P/105
Proposed Floor Plans 135/P/201
Existing Repair Elevations 135/P/104 (sheet 2)
Existing Repair Elevations 135/P/103/ Rev A (sheet 1)
Existing Location and Block Plan 135/P/100 Rev A
Existing Elevations 135/P/102
Design and Access Statement

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 and the setting of the Conservation Area and other adjacent listed buildings.

90 – Land adjacent to 45 Lord Street, Dalton-in-Furness

From B. Grayless in respect of a two storey (2 bedroomed) dwelling on land adjacent to 45 Lord Street, Dalton-in-Furness as shown on planning application number 2022/0637.

Representations received and 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 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.

Compliance with Approved Plans

2. The development shall be carried out and completed in in all respects in accordance with the application dated 21/09/22 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

MVC563-01 Rev H
MVC563-02 Rev A

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, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for all of the following:
 - i. the parking of vehicles of site operatives,
 - ii. timings for deliveries and arrangement for loading and unloading of plant and materials,
 - iii. storage of plant and materials used in constructing the development,
 - iv. measures to minimise the emission of dust, dirt and noise during construction work.

Reason

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

Before Occupation

4. No part of the development hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Planning Authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system and the results of the assessment provided to the Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation; and
 - iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason

In order to ensure that the site is adequately drained in accordance with the sustainable principles found in the NPPF.

5. 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.

6. The bird boxes shown on the rear elevation of the proposed dwelling must be installed prior to the beneficial occupation of the dwelling.

Reason

In the ecological interests of the site and to ensure a biodiversity net gain results.

Operational Conditions

7. There shall be no vehicular access to or egress from the site, whether permitted by the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modifications) or not, unless previously approved by the Planning Authority.

Reason

To ensure that, in the interests of the safety of highway users and pedestrians, only a suitable standard of access for the development is provided.

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

Reason

In order to safeguard the amenities of the area by enabling the Planning Authority to consider whether planning permission should be granted for an enlarged dwelling or a vehicular access, having regard to the particular layout and design of the development.

91 – 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.

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.

The results of consultations were reported.

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

Extra information had been circulated prior to the meeting.

RESOLVED:- It was agreed that Outline Planning Permission be refused for the following reasons:-

1. Approval of the development would conflict with Local Plan policy H5 which only permits new housing outside the settlements of Barrow, Dalton and the villages listed under policy H4 where there is a proven essential need for a rural worker. No such evidence has been submitted. The proposal is therefore contrary to Local Plan Policy H5 and paragraph 80 of the National Planning Policy Framework.
2. Approval of the development would conflict with Local Plan policy H7 which, amongst other matters, requires housing to be located within or adjoining the built-up areas of Barrow or Dalton or within a development cordon identified in policy H4 in order to direct development to sustainable locations. Approval would also conflict with the NPPF aims of supporting sustainable development as set out in Paragraphs 7,8,10 and 11 of the Framework.
3. The development would harm the open character of the application site and would not therefore contribute to the enhancement of the character and appearance of the local landscape contrary to Local Plan policy DS2. Approval of the proposal would make it difficult to resist similar development resulting in further harm to local character.
4. Based upon concerns raised by the Highway Authority, the proposed development is considered to have an unacceptable impact on highway safety due to the proposed shared access with the adjacent agricultural building. This is contrary to paragraph 111 of the National Planning Policy Framework.

The meeting closed at 3.02 pm.