

PLANNING COMMITTEE

Meeting: Tuesday 14th June, 2022
at 2.30 pm. (Drawing Room)

PRESENT:- Councillors C. Thomson (Vice-Chairman), Assouad, D. Edwards, H. Edwards, Gawne (Minute Nos. 12-15, 17-19 and 21-27), Hall, Husband, McEwan, Seward and Tyson.

Officers Present:- Charles Wilton (Principal Planning Officer), Maureen Smith (Principal Planning Officer), Sandra Kemsley (Democratic Services Officer), Katie Pepper (Democratic and Electoral Services Officer) and Debbie Storr (Monitoring Officer) (Part Minute No. 21 only).

12 – Apologies for Absence/Attendance of Substitute Members

Apologies for absence had been submitted from Councillors Mooney, Nott and M A. Thomson.

Councillor Seward had attended as a substitute for Councillor Nott.

13 – 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.

Councillor C. Thomson declared an interest in Planning Application No. 2022/0179 – Opera Bingo as he was a member. He left the meeting during consideration of the item.

14 – Minutes

The Minutes of the meeting held on 24th May, 2022 were taken as read and confirmed.

15 – Public Participation

Dr Wiejak, John Long and Alan Cleasby (Objectors) attended the meeting and addressed the Committee in relation to the Planning Application for Land at Rampside, Barrow-in-Furness (Minute No. 22 refers). A petition has been received with 176 signatories objecting to the application.

Ms Daryl Davidson, Graves (Cumberland) Ltd (Applicant) had attended the meeting and addressed the Committee in relation to the Planning Application for Opera Bingo, 3 Holker Street, Barrow-in-Furness (Minute No. 18 refers).

Mr R. Pointing (Objector) and Mr D. Laing (Applicant) had attended the meeting and addressed the Committee in relation to the Planning Application for Furness Abbey, Approach, Barrow-in-Furness (Deferred Item) (Minute No. 21 refers).

No deputations had been received in respect of the meeting.

16 – Affordable Housing and Developer Contributions SPD

The Head of Regeneration and Planning Policy reported that the purpose of the report was to note the preparation of the Affordable Housing and Developer Contributions Supplementary Planning Document (SPD) for Barrow and provide feedback prior to adoption. The SPD sets out the Council's proposed approach to the delivery of affordable housing and to seeking financial contributions from developers for infrastructure and services. The document has been prepared under the Town and Country Planning (Local Planning) (England) Regulations 2012.

The report had been considered by the Overview and Scrutiny Committee and would be submitted to the Executive Committee on 22nd June, 2022 followed by Full Council for adoption.

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

RESOLVED:- It was unanimously agreed:-

1. To note the content of the Affordable Housing and Developer Contributions SPD and the consultation which had been undertaken and provide any feedback on the document; and
2. That the SPD be submitted to Executive Committee followed by Full Council for adoption.

Town and Country Planning Acts

17 – 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:-

2022/0245 First floor bedroom and en-suite extension above ground floor garage/utility room at 22 Caspian Road, Askam-in-Furness.

2022/0308 Notice of intention to carry out works to trees within Conservation Area – Silver Birth (1) – crown raise to provide 3 metre clearance to Car Park at The Nan Tait Centre, Abbey Road, Barrow-in-Furness.

- 2022/0239** Erection of portal frame building to provide under cover storage for silage at Stank Farm, Stank Lane, Stank.
- 2022/0241** First floor balcony at 11A French Street, Barrow-in-Furness.
- 2022/0242** Proposed rear kitchen extension (Resubmission of 2021/0169) at 16 Melampus Street, Barrow-in-Furness.
- 2022/0247** Rear single storey flat roofed extension with two roof lanterns for use as kitchen/diner/sun room at 8 Sandalwood Close, Barrow-in-Furness.
- 2022/0396** Application for approval of details reserved by Condition No. 4 (Landscaping Scheme) of planning permission 2021/0997 (Demolition of existing dormer bungalow and construction of a three bed roomed house) at The Cedars, Abbey Road, 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:-

(COUNCILLOR HUSBAND IN THE CHAIR –
FOR THE FOLLOWING APPLICATION ONLY)

18 – Opera Bingo, 3 Holker Street, Barrow-in-Furness

From Ms Daryl Davidson, Graves (Cumberland) Ltd in respect of the erection of a flat roofed rear extension to accommodate proposed function room to serve existing bingo hall at Opera Bingo, 3 Holker Street, Barrow-in-Furness as shown on planning application number 2022/0179.

Representations received and the results of consultations were reported.

Ms Davidson attended the meeting and addressed the Committee.

The Principal Planning Officer informed Members that as part of the original report (Condition 4) a landscaping scheme had been required to be submitted. The plans had now been updated and a revised condition had been included in the Extra Information Booklet circulated prior to the meeting.

It was moved by Councillor McEwan and seconded by Councillor Seward, 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 hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 8.3.22 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

22-101-DWG005 REV.C

22-101-DWG003 REV.C

22-101-DWG006 REV.B

22-101-DWG004 REV.C

Bat Scoping Survey dated 13.5.22

Design and Access Statement dated 2.3.22

Application Form dated 7.3.22

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 and door of the extension 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

Before Occupation

4. All planting comprised in the approved details of landscaping shall be carried out in the first planting 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 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.

19 – Proposed Housing Site, Duke Street, Askam-in-Furness

From Mr D. Cross in respect of the proposed development of vacant land (Land Allocations Ref. REC02 Duke Street, Askam) comprising 3 bedroom market housing – up to 8 units (Outline with all matters reserved) at Proposed Housing Site, Duke Street, Askam-in-Furness as shown on planning application number 2021/0646.

Representations received and the results of consultations were reported.

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

A further objection from a local resident received on 13th June had been circulated at the meeting.

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

RESOLVED:- It was agreed that

(A) Subject to the completion of a 106 Obligation to sure the following:

To make a financial contribution towards a cycle-way improvement scheme (Askam to Thwaite Flat/Dalton) route No.11 as found within the Barrow Transport Improvement Study, a scheme to move the 30mph speed limit and introduce traffic calming (signs and road markings), then;

(B) Outline planning permission be granted subject to the following conditions:-

1. No development shall take place until full details of the access, appearance, landscaping, layout and scale of the development (referred to herein as Reserved Matters) have been submitted to and approved by the Planning Authority and the development shall conform to such approved details.

Reason

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2. Application for Reserved Matters must be made not later than the expiration of three years beginning with this permission and the development must be begun not later than whichever is the later of the following dates:

- a) The expiration of three years from the date of this permission
- b) The expiration of two years from the final approval of the Reserved Matters or in the case of approval on different dates, the final approval of the last such Matter to be approved.

Reason

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

3. The Reserved Matters of access, appearance, landscaping, layout and scale shall generally accord with the parameters as shown within the Indicative Site Layout (Ref: 6281/01/Rev A).

Reason

For the avoidance of doubt and to ensure the development is carried out as approved.

Highway Conditions

4. The development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes or other plants shall be planted or be permitted to grow within the visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety.

5. No dwelling shall be occupied (unless in accordance with a scheme of phasing previously submitted to and approved in writing by the Planning Authority) until the estate road, including footways, if provided, has been constructed in all respects to base course level, and street lighting has been provided and brought into full operational use in accordance with details approved under condition no 6 below, including any scheme of phasing.

Reason

To ensure a suitable level of access provision to the development and to accord with saved policy E2 of the Local Plan Review 1996 to 2006.

6. The carriageway, footways and footpaths (if provided) shall be designed, constructed, drained and lit to an adoptable standard and in this respect further details, including a full specification, setting out plan, lighting details, longitudinal and cross sections, and details of phasing shall have been submitted to and approved in writing by the Planning Authority prior to the laying out of the approved estate roads. The development shall then proceed in accordance with the approved details.

Reason

To provide a safe environment for pedestrians and other users and to ensure an adequate standard of highway construction. To accord with Local Plan policies DS2, DS5 and H7.

7. Prior to the occupation of the 5th dwelling a programme for the completion of the estate road including footways if provided shall have been submitted to and approved in writing by the Planning Authority and the estate roads shall then be completed in accordance with the approved programme and the details approved under Condition 7 above. If the estate road is not adopted as a public highway, then full details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall, in addition to the aforementioned programme, be submitted to and approved by the Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details.

Reason

To ensure that a suitable standard of provision for pedestrians and vehicles is delivered and to accord with saved policy E2 of the Local Plan Review 1996 to 2006.

8. Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Planning Authority. This shall include details of:
 - details of proposed footway crossings;
 - retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
 - cleaning of site entrances and the adjacent public highway;
 - details of proposed wheel washing facilities;

- the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
- construction vehicle routing;
- the management of junctions to and crossings of the public highway and other public rights of way/footway;
- Details of any proposed temporary access points (vehicular / pedestrian)
- Details of measures to avoid surface water running off the construction site onto the highway.

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

Drainage conditions

9. Prior to the commencement of any development, a surface water sustainable drainage scheme, based on sustainable drainage principles and the hierarchy of drainage options in the National Planning Practice Guidance and Local Plan policy C3a with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards including details of water quality controls, maximum flow rates, attenuation and details of the flood water retention area. The drainage scheme shall be completed in accordance with the approved details prior to the beneficial use of the development hereby approved and the approved drainage scheme shall thereafter be retained at all times.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To accord with Local Plan policy C3a.

10. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and agreed in writing with the planning authority. The sustainable drainage management and maintenance plan shall include as a minimum:
 1. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a management company; and

2. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system including the flood water retention area to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved drainage management and maintenance plan for the lifetime of the development.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development, to secure compliance with the consultation responses of United Utilities

11. Foul drainage shall be provided by means of a connection to either a public foul or combined sewer in accordance with details which must have been submitted to and approved in writing by the planning authority prior to the commencement of development. No dwelling shall be occupied until it has been connected to the sewer in accordance with the approved details

Reason

To ensure that there is an acceptable means of sewage disposal.

Ground Investigation conditions

12. The Preliminary Investigation has identified a potential unacceptable risk, 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 Land Contamination Risk Management (LCRM)), 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 give effect to the recommendations within the Phase I (preliminary) ground investigations report.

13. 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 any harm posed by contamination is mitigated.

14. 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 any harm posed by contamination is mitigated.

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 measures are in place to address any unexpected contamination.

16. 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 no contamination is accidentally brought onto the site via imported material.

Landscaping/bio diversity conditions

17. The application for reserved matters shall include a Landscape Scheme and Landscape and Habitat Management Plan for the site, including the long term design objectives, management responsibilities and maintenance schedules for not less than 5 years following implementation, shall be submitted to and approved in writing by the Local Planning Authority and the design, management objectives and maintenance of the landscaped areas shall thereafter be in accordance with the approved Landscape and Habitat Management Plan. The plan shall show the trees, shrubs and hedgerows, and planting to the flood water retention area, together with details of a timetable for implementation, (including any phasing of such a scheme) and it must be submitted to and approved in writing by the Planning Authority. The scheme shall be 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 and retained. The scheme shall also include street trees as required by Paragraph 131 of the NPPF. The scheme shall be implemented in accordance with the approved details, and all planting and subsequent maintenance shall be to current British Standards. The Landscape Scheme and Landscape and Habitat Management Plan shall take account of the recommendations of the Bio Diversity Net Gain report [Envirotech 17/12/2021].

Reason

In the interests of the visual amenities of the area and to ensure that landscaping and bio-diversity net gain are co-ordinated. To accord with Local Plan policies DS2, DS5, DS6, N3 and the Bio diversity and Development SPD.

18. The application for reserved matters shall include measures to provide biodiversity net gain and shall take account of the recommendations of the Bio Diversity Net Gain report [Envirotech 17/12/2021] including a scheme of phasing. The development shall only proceed in accordance with the approved details including the approved phasing scheme.

Reason

To demonstrate that a net gain in bio diversity will be delivered

19. All planting, seeding or turfing comprised in the approved matters of landscaping shall be carried out in the first planting and seeding seasons following 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, hedgerows 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 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 accord with Local Plan policies DS2, DS5, DS6.

Construction phase conditions

20. Prior to the commencement of development a Construction Management Method Statement shall have been submitted to and approved in writing with the planning authority. The method statement shall cover all phases of the development and take account of all contractors or sub-contractors and will be expected to include:
- Details of phasing of the construction work including a programme of work for the demolition and construction phase;
 - Procedures to monitor and mitigate noise and vibration from the construction and demolition and to monitor any properties at risk of damage from vibration, as well as taking into account noise from plant, machinery, vehicles and deliveries, with reference to BS 5228
 - Code of practice for noise and vibration control on construction and open sites. All measurements should make reference to BS 7445
 - Description and measurement of environmental noise;
 - Hours of working and deliveries;
 - Mitigation measures to reduce adverse impacts on residential properties from construction compounds including visual impact, noise, dust and light pollution;
 - Mitigation measures to control the emissions of dust and dirt during construction and demolition;
 - A written procedure for dealing with complaints regarding the construction or demolition;
 - A site log book to record details and action taken in response to exceptional noisy incidents or dust-causing episodes. It should also be used to record the results of routine site inspections;
 - Details of lighting to be used on site;
 - Mitigation measures to ensure that no harm is caused to protected species during construction;
 - The provision of facilities for the cleaning of vehicle tyres where haul routes meet the public highway to avoid deposition of mud/debris on the public highway and the generation of dust.

Reason

To protect the residential amenities of the area from noise, dust etc.

21. No development shall be commenced until a scheme for the protection of trees located within the Garden of Remembrance adjacent to the site's southern boundary has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall define and protect a root protection area in accordance with BS 5837(2021).

No excavation, site works, trenches or channels to be cut or laid or soil waste or other materials deposited shall be carried out within the root protection area. The approved scheme of protection measures shall be implemented in its entirety before any development is carried out, including any site clearance work, and thereafter retained during building operations until the completion of the development or in accordance with a scheme to be agreed in writing.

Reason

To ensure that important trees are not harmed during the construction phase.

Restrictions on permitted development

22. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended)(or any Order revoking and re-enacting that Order with or without modifications) or not, including any provision in Article 3 or Schedule 2, Part 2 Class B of that Order no vehicular access(s) shall be formed onto Duke Street other than a single access to serve the development as a whole.

Reason

A proliferation of individual house accesses would be detrimental to the safety of pedestrians and users of the adjacent highways contrary to Local Plan policies DS2, DS5 and H7.

23. All vehicle parking spaces and the accesses thereto 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 any part of 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.

24. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modifications) or not, including any provision in Article 3 or Schedule 2, Part 1 or Part 2 no excavations or hardstandings including the erection of any wall or fences shall be carried out/constructed within 4m of the

metal railings which define the northern boundary of the Garden of Remembrance.

Reason

To avoid harm to the trees situated within the Garden of Remembrance/To protect the setting of the Garden of Remembrance.

Network Rail conditions

25. There shall be no development within 10m of the application site boundary with the railway unless a method statement and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance approved method statement and risk assessment.

Reason

To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway.

26. There shall be no scaffolding works within 10m of the railway boundary unless details have been submitted to and approved in writing by the Local Planning Authority and the scaffolding works are carried out in accordance with those details

Reason

In the interests of protecting the railway and its boundary from over-sailing scaffolding

27. Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out within 15m of the railway boundary shall have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance approved details

Reason

To protect the adjacent railway and its boundary.

28. Details of appropriate vehicle safety protection measures for the railway shall be submitted to and approved in writing with the Local Planning Authority. The approved safety protection measures shall be put in place prior to the occupation of any dwelling and shall be permanently retained.

Reason

To prevent the design and layout of the road and parking spaces from impacting the adjacent operational railway with accidental vehicle incursion.

20 – New Inn, Biggar Village, Barrow-in-Furness

From Mr and Mrs Fox in respect of Listed Building Consent for alterations associated with extending habitable accommodation into the adjacent barn currently used for domestic storage/garaging and including external alterations to the front and rear elevations with rearrangement of internal room layouts. Changes to window and external door locations and removal of modern dormers with addition of rooflights at New Inn, Biggar Village, Barrow-in-Furness as shown on planning application number 2022/0152.

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 Listed Building Consent 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 & 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 30/03/2022 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

620-01, 620-02, 620-03.

Reason

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

During Building Works

3. The doors, door frames, window frames and any other external joinery shall be of timber and given a painted finish of a type and colour to be agreed in writing with the planning authority prior to installation.

Reason

To ensure a finish appropriate to the building and location is achieved.

4. All window and door frames shall be set into the reveals by 200mm measured from the external face of the walls.

Reason

Setting the glazing back into the reveals creates shadow lines and minimises reflections and impact.

5. The roof lights shall be of the conservation type, coloured dark grey, and inserted flush with the roof covering.

Reason

To achieve an architecturally appropriate detail.

6. Any infilling of redundant openings or rebuilding of the walls and roof where necessary must be carried out with materials 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

21 – Furness Abbey, Abbey Approach, Barrow-in-Furness

From Mr D. Laing, HM Lord Lieutenant of Northants in respect of the installation of a statue in memory of Sir John Laing at Furness Abbey, Abbey Approach, Barrow-in-Furness as shown on planning application number 2022/0291.

Consideration of this application had been deferred at the last meeting to allow the Committee to undertake a site visit regarding the suitability of the statue within the context of the site.

Representations received and the results of consultations were reported.

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

The Principal Planning Officer advised the Committee that additional comments had been received from the Agent in support of the application and an additional representation objecting to the application; details of which had been included in the Extra Information Booklet circulated prior to the meeting

Mr R. Pointing (Objector) and Mr D. Laing (Applicant) attended the meeting and addressed the Committee.

It was moved by Councillor Tyson and seconded by Councillor Hall to approve the application. A vote was taken and it was thereupon declared lost.

It was further moved by Councillor Husband and seconded by Councillor McEwan, and after seeking clarification on the Council's Constitution from the Monitoring Officer; it was agreed that the application should be deferred to the next meeting since the Committee were minded to refuse the application.

RESOLVED:- It was agreed that consideration of the application be deferred to the next meeting since the Committee had been minded to refuse the planning permission for the following reasons:-

- i. Contrary to Planning Policy DS2 criteria (g);
- ii. Contrary to Planning Policy DS5; and
- iii. An alternative site had not been considered that would be less harmful such as the Amphitheatre or Abbotswood.

22 – Land at Rampside, Barrow-in-Furness

From Mr A. Davies in respect of the Change of Use of Paddock to a glamping facility and the siting of 6 shepherd hut style glamping units with associated decking areas and provision of vehicular access track on Land at Rampside, Barrow-in-Furness as shown on planning application number 2022/0040.

Representations received and the results of consultations were reported.

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

Dr Wiejak, John Long and Alan Cleasby (Objectors) attended the meeting and addressed the Committee on behalf of the other residents who were at the meeting.

The Principal Planning Officer informed Members that a petition had been received with 176 signatories objecting to the application which had been included in the Extra Information Booklet circulated 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 refused for the following reasons:-

1. The proposal, by virtue of the design, siting, number of units and the location neighbouring the coastal edge, combined with the potential for noise and disturbance, would have a negative impact upon residential and visual amenity in the area and the landscape of this sensitive coastal environment. In the opinion of the Local Planning Authority, the level of harm resulting could not be adequately mitigated by design amendments or planning condition.
2. By virtue of reason 1 above, the proposals would conflict with the aims of the NPPF in terms of sustainable development, in particular paragraphs 8 and 174 which seek to safeguard the natural environment and Policies C2, DS1, DS2, DS5, EC8, EC9, GI4, N1 and I4 of the adopted Barrow Borough Local Plan 2016-2031. These policies, inter alia, seek to protect the open character of the undeveloped coast, enhance the quality of life for residents, ensure the environmental effects of noise, smell, dust and light are within acceptable levels, safeguard the amenity of residents, safeguard landscape and environmental assets, respect the distinctive character of the local landscape, safeguarding green spaces, protect and enhancing landscape character and encourage sustainable travel rather than reliance on private cars.
3. The proposal would have a negative impact on the setting of adjacent heritage assets, including a Grade I listed building known as Rampside Hall, without justification in the public interest. This would conflict with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Planning Authority to have special regard to the desirability of preserving the building or its setting, paragraphs 199, 200 and 202 of the NPPF in relation to harm to heritage assets and their setting and Policies DS2, DS5 and HE3 of the Barrow Borough Local Plan 2016-2031 which seek to safeguard the setting of heritage assets.
4. The site is adjacent to the Morecambe Bay Special Area of Conservation (SAC), Ramsar, and SSSI, and the Morecambe Bay and Duddon Estuary Special Protection Area (SPA) and a Habitats Regulations Assessment (HRA) is required. A shadow HRA has not been submitted and there is insufficient information for the Local Planning Authority to assess potential impacts on these sites, particularly increased recreational disturbance to SPA and Ramsar bird species including impacts of noise and light disturbance overnight. Insufficient information has been submitted with the application to enable a Habitats Regulation Assessment to be undertaken.

The meeting closed at 4.00 pm.