

## **PLANNING COMMITTEE**

Meeting: Tuesday 12th July, 2022  
at 2.30 pm. (Drawing Room)

PRESENT:- Councillors M. A. Thomson (Chair), C. Thomson (Vice-Chairman), Assouad, D. Edwards, Gawne, Husband, McEwan, McLeavy, Mooney and Nott.

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

### **23 – Apologies for Absence/Attendance of Substitute Members**

Apologies for absence had been submitted from Councillors H. Edwards, Hall and Tyson.

Councillor McLeavy had attended as a substitute for Councillor H. Edwards.

### **24 – 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.

### **25 – Minutes**

The Minutes of the meeting held on 14th June, 2022 were taken as read and confirmed.

### **26 – Public Participation**

Mr P. Littlewood (Objector) and Mr B. Hatton (Agent) had attended the meeting and addressed the Committee in relation to the application for works to trees subject of Tree Preservation Order at Abbey House Hotel, Abbey Road, Barrow-in-Furness (Minute No. 32 refers).

No deputations had been received in respect of the meeting.

### **Town and Country Planning Acts**

### **27 – 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:-

- 2022/0302** Single storey side extension to form a single garage, adjacent to existing 3 bedroom semi-detached residential dwelling at 1 Juniper Close, Dalton-in-Furness.
- 2022/0226** Double store side extension forming dining room, utility room, wc and store room at ground floor level, bedroom 4 with en-suite and Juliet balcony at first floor and rear ground floor extension forming a sunroom at 46 Andreas Avenue, Barrow-in-Furness.
- 2022/0292** Rear single storey extension forming sunroom utility, wc and internal alterations (replacing existing conservatory). Resubmission of 2021/0362 in a revised form with sun room roof changed from hip to gable at 94 Holbeck Park Avenue, Barrow-in-Furness.
- 2022/0312** Application for removal of Condition No. 9 (provision of right turn lane on Abbey Road) of planning permission 2018/0087 (Application for a minor material amendment following grant of planning permission 2016/0789 - Erection of 10 dwellings and associated site works) Substitution of house type on Plot 4 from 'NEW' to an 'M3'; Substitution of house type on Plot 5 from 'HAR' to an 'M3' and Substitution of house type on Plot 10 from 'OU' to an 'EAT') at Rock Lea Close, Barrow-in-Furness.
- 2022/0288** Single storey rear extension forming play room and wc, together with external garden store at 19 Lindal Close, Dalton-in-Furness.
- 2022/0370** Replacement of three windows in the south east elevation with aluminium louvres at Telephone Exchange, Grove Street, Dalton-in-Furness.
- 2022/0326** Rear ground floor extension forming living area and kitchen with first floor extension forming extended third bedroom at 8 Snaefell View, Barrow-in-Furness.
- 2022/0353** Two storey side extension forming additional bedroom with en-suite and wardrobe to first floor and new kitchen/dining room to ground floor and utility and ground floor wc at 11 Lichfield Close, Barrow-in-Furness.
- 2022/0459** Application for approval of details reserved by Condition No. 7 (works within 10m of railway boundary) for planning permission 2018/0375 (Outline application n for the erection of 35 dwellings and associated car parking, landscaping and highways infrastructure) on Land at London Road, Lindal-in-Furness.

**2022/0327** Application for a Minor Material Amendment following the grant of planning permission 2020/0275 (Demolition of existing dwelling and erection of a replacement dwelling) to include the relocation/re-sizing/omission/addition of external door, window and roof light openings; internal layout alterations and the addition of an external chimney at Saw ill Cottage, Pennington Lane, Lindal-in-Furness.

The following applications had been refused:-

**2022/0304** Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) for a single storey rear extension at 22 Roanhead Lane, Barrow-in-Furness.

**2022/0329** Application for a non-material amendment following grant of planning permission 2018/0087 (minor material amendment to planning permission 2016/0789 – erection of 10 dwellings) to replace the approved estate road with a shared surface road with footway retained adjacent to Abbey Road at Rock Lea Close, 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:-

#### **28 – Model Passenger Railway, Barrow Public Park, Abbey Road, Barrow-in-Furness**

From Mr D. Fuller, Furness Model Railway Club in respect of the erection of an extension to the existing workshop for use as meeting room/storage and placement of 6 solar panels on the roof to supplement the generator at Model Passenger Railway, Barrow Public Park, Abbey Road, Barrow-in-Furness as shown on planning application number 2022/0287.

The results of consultations were reported.

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

**RESOLVED:-** It was unanimously agreed that planning permission be granted subject to the Standard Duration Limit and the following condition:-

2. The development hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 20.4.22 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:  
Location Plan - Scale 1:1250

Site Plan - Scale 1:500  
120w Solar Panel- High Efficient Monocrystalline  
Drawing: Proposed Extension to the Park Railway Workshop  
Statement of Significance

Reason

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

**29 – 77-79 Duke Street, Barrow-in-Furness**

From Mr R. Wood, Barrow Borough Council in respect of Listed Building Consent to reinstate traditional shop front elements, wholesale redecoration of the shop front, new Accoya timber doors with glazing panels to match existing doors and profiles, new Accoya timber window frames and mullions to reinstate traditional moulding and details and Victorian style awnings and external pendant lighting as shown on planning application number 2022/0305.

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

RESOLVED:- It was unanimously agreed that Listed Building Consent be approved subject to the Standard Duration Limit and the following conditions:-

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason

Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) 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 29.4.22 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 14.4.22  
Design and Access Statement, March 2022  
Proposed details drawing 9236-BA-XX-XX-DR-A-(06) 001  
Proposed colour scheme drawings  
Proposed south west elevations drawing 9236-BA-XX-XX-DR-A-(05)  
003-Rev A  
Proposed north east elevations drawing 9236-BA-XX-XX-DR-A-(05)  
001 Rev A  
Proposed ground floor plan drawing 9236-BA-XX-GF-DR-A-(04) 001  
Rev A

Reason

In the interests of the special architectural appearance of the listed building.

***Pre-commencement Conditions***

3. Prior to the installation on site details and samples as required of the proposed porch floor tiles, glazed tiles for the stall-risers and finished external timber paint colour shall be submitted to and be agreed in writing by the Local Planning Authority. The development shall proceed in strict accordance with the approved details.

Reason

In the interests of the appearance of the development and the character of the listed building.

***During Building Works***

4. The replacement shopfront hereby approved shall be constructed in timber throughout and shall thereafter be so maintained. The timber pilasters, consoles and door panels shall be constructed using recessed panelling with bolection mouldings or raised and fielded panels. Planted on or nailed on mouldings are not acceptable.

Reason

In order to ensure that a high quality replacement shopfront is provided in the interests of the character and appearance of the listed building and conservation area and the setting of the adjacent heritage assets.

**30 – 77-79 Duke Street, Barrow-in-Furness**

From Mr R. Wood, Barrow Borough Council in respect of the reinstatement of traditional shop front at 77-79 Duke Street, Barrow-in-Furness as shown on planning application number 2022/0271.

It was moved by Councillor McEwan and seconded by Councillor Husband, 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 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 29.4.22 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 14.4.22

Design and Access Statement, March 2022

Proposed details drawing 9236-BA-XX-XX-DR-A-(06) 001

Proposed colour scheme drawings

Proposed south west elevations drawing 9236-BA-XX-XX-DR-A-(05) 003-Rev A

Proposed north east elevations drawing 9236-BA-XX-XX-DR-A-(05) 001 Rev A

Proposed ground floor plan drawing 9236-BA-XX-GF-DR-A-)04) 001 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 Demolition and Construction Method Statement has been submitted to, and approved in writing by, the Planning Authority. The approved Statement shall be adhered to throughout the demolition and construction periods. The Statement shall provide for all of the following: (i) the parking of vehicles of site operatives and visitors, (ii) loading and unloading of plant and materials, (iii) storage of plant and materials to be used in the change of use and construction works, (iv) measures to control the emission of dust and dirt during construction, (v) a scheme for recycling/disposing of waste resulting from demolition and from construction works.

#### Reason

In the interests of minimising the impact upon nearby residents and local environmental amenity given the tight-knit form of development on the adjacent terraced streets.

### ***During Building Works***

4. The replacement shopfront hereby approved shall be constructed in timber throughout and shall thereafter be so maintained. The timber pilasters, consoles and door panels shall be constructed using recessed panelling with bolection mouldings or raised and fielded panels. Planted on or nailed on mouldings are not acceptable.

### Reason

In order to ensure that a high-quality replacement shopfront is provided in the interests of the character and appearance of the listed building and conservation area and the setting of the adjacent heritage assets.

### **31 – 179 Abbey Road, Barrow-in-Furness**

From Mr Sadarangani, Slaygold Property Ltd in respect of the proposal for the conversion of the private residential property and guest bedrooms into a single House of Multiple Occupation (HMO) with single Sui Generis use class. The HMO is intended for a maximum of 13 persons (amended description) at 179 Abbey Road, Barrow-in-Furness as shown on planning application number 2022/0290.

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 Standard Duration Limit and the following conditions:-

#### ***Compliance with Approved Plans***

2. The development hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 12.04.2022 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

Application form dated 4.4.22  
Design and Access Statement - REV B  
Data Sheet Acousticlip Direct to Wall system  
Acousticlip Direct to Wall Brochure  
Proposed Basement Floor PR.06 Rev.B 24.6.22  
Proposed Ground Floor PR.03 Rev.C 24.6.22  
Proposed First Floor PR.04 Rev.B 24.6.22  
Proposed Second Floor PR.05 Rev.B 24.6.22  
Location Plan and Block Plan PR.01 Rev.B

### Reason

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

#### ***Before Occupation***

3. Prior to the beneficial occupation of the development the soundproofing shown on the approved plans detailed in condition 2 above shall be installed and thereafter permanently retained.

### Reason

In order to protect the amenities of the occupiers of the attached properties.

### **32 – Abbey House Hotel, Abbey Road, Barrow-in-Furness**

From Mr B. Conroy in respect of an application for works to trees subject of Tree Preservation Order 2013 No. 1 including the felling of up to 42 trees as per Schedule (Amended description) at Abbey House Hotel, Abbey Road, Barrow-in-Furness as shown on planning application number 2022/0289.

Representations received were reported. An additional representation objecting to the application had been included in the Extra Information Booklet circulated prior to the meeting

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

The Principal Planning Officer suggested an extra condition be added requiring the applicant to give notice before commencing works on the trees.

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

RESOLVED:- It was agreed that a split decision be issued with part of the proposed tree works being approved and part being refused, as follows:-

### **Approved Works**

The approved works are defined as stated and subject to the following conditions:-

1. This consent is valid for a period of two years which expires on (date two years from date of issue of decision notice), after which no work authorised by this consent shall be carried out unless a further application for the same work has been submitted to and approved in writing by the Planning Authority.

### Reason

Required to be imposed by the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

### ***Compliance with Approved Plans***

2. The development hereby permitted is limited to:

Works detailed on the Tree Survey from BHA Trees Ltd dated 1st and 2nd February 2022 to the trees identified as:

G1, 23, G48, G73, 76, G94, W2, 101, 103, G127, G129, G131, 138, G146, 150, G155, 165, G168, 170, 173, 180, 188, 192, G193 within



that document, and Works detailed on the Tree Survey from BHA Trees Ltd dated 1st and 2nd February with responses to J Dickinson email dated 17.6.22 to the trees identified as:

G31 relating to the felling of 2 sycamore

Reason

Based upon advice from its consultant in order to ensure that the development is carried out only as indicated on the drawings approved by the Planning Authority.

3. The work shall be carried out in accordance with BS 3998:2010 Tree work recommendations.

Reason

To ensure the work is carried out to an acceptable and recognised standard.

4. Following the felling operations, plant 35 x replacement trees as close to possible to the trees they replace during the first planting season. Plant a species mix of Birch, Sweet Chestnut, Alder and Hornbeam, of size 6-8cm girth - 'Light Standard'. Any variation to this must be agreed in writing with the Local Planning Authority. Any trees which within a period of five years from the completion of the works 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

To ensure sufficient standard of replacement species are provided.

5. The works for which consent have been granted may only be carried out once.

Reason

Required to be imposed by the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

6. Prior to the felling of any of the trees hereby approved, the Planning Authority shall be notified in writing at least 7 days before any work commences.

Reason

In order to ensure effective monitoring of the proposed works.

## **Refused Works**

The proposed works detailed on the Tree Survey from BHA Trees Ltd dated 1st and 2nd February 2022 to the trees identified as:

139, 159, 160, 161, 162 are Refused for the following reason:

The proposed works, for which in the opinion of the Planning Authority's consultant insufficient justification has been given, will have a detrimental impact upon the sylvan appearance and visual amenity of the area including the setting of the Abbey House Hotel and the Furness Abbey Conservation Area. They would arise due to the loss of trees which form part of the landscaped setting of the listed building and which contribute to the character and appearance of the area more generally.

### **33 – 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 since the Committee were minded to refuse the application.

Representations received and the results of consultations were reported.

Additional representations supporting the application had been included in the Extra Information Booklets circulated prior to the meeting

It was moved by Councillor M. A. Thomson and seconded by Councillor Husband, and

RESOLVED:- It was agreed that planning permission be refused for the following reasons:-

1. The proposal would conflict with Policy DS2 of the Barrow Borough Local Plan 2016-2031, Sustainable Development Criteria, and in particular criteria (g) which requires proposals to contribute to the enhancement of the character, appearance and historic interest of related landscapes, settlements, street scenes, buildings, open spaces, trees and other environmental assets.
2. The proposal would conflict with Policy DS5 of the Barrow Borough Local Plan 2016-2031 Design, which requires planning applications to demonstrate a clear process that analyses and responds to the characteristics of the site and its context. In relation to this Policy, the proposal would not serve to conserve and enhance the historic environment, including heritage assets and their setting and the provision of this piece of public art does not contribute to any design objectives for the site or area.

The meeting closed at 3.08 pm.