

BOROUGH OF BARROW-IN-FURNESS

PLANNING COMMITTEE

Meeting, 3rd December, 2013
at 2.30 p.m. (Drawing Room)

A G E N D A

Site Visits

2013/0680 – The George Hotel, Central Drive, Barrow-in-Furness
2013/0450 – Land at Church Farm, The Green, Lindal-in-Furness

Depart Town Hall Courtyard at **12.30 p.m.**

PART ONE

1. To note any items which the Chairman considers to be of an urgent nature.
2. To receive notice from Members who may wish to move any delegated matter non-delegated and which will be decided by a majority of Members present and voting at the meeting.
3. Admission of Public and Press

To consider whether the public and press should be excluded from the meeting during consideration of any of the items on the agenda.

4. Declarations of Interest

To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda.

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Members may however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests.

5. Apologies for Absence/Attendance of Substitute Members.

6. To confirm the Minutes of the meeting held on 5th November, 2013 (copy attached) (Pages 1-10).
7. Delegated Approvals – For Information (booklet attached).

FOR DECISION

- (D) 8. Planning Applications Book 1 (booklet attached).
- (D) 9. Planning Applications Book 2 (booklet attached).
- (D) 10. Deferred Planning Applications (booklet attached).

**NOTE (D) – Delegated
(R) – For Referral to Council**

Membership of Committee

Councillors

M. A. Thomson (Chairman)
C. Thomson (Vice-Chairman)
Derbyshire
Husband
Johnston
R. McClure
Murphy
Murray
Preston
Thurlow
Williams
Wilson

For queries regarding this agenda, please contact:

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Published: 25th November, 2013

PLANNING COMMITTEE

Meeting: Tuesday 5th November, 2013
at 2.30 p.m. (Drawing Room)

PRESENT:- Councillors M. A. Thomson (Chairman), C. Thomson (Vice-Chairman), Husband, Johnston, Murray, Sweeney, Thurlow and Williams.

278 – Apologies for Absence/Attendance of Substitute Members

Apologies for absence were received from Councillors Derbyshire, Murphy, Preston and Wilson.

Councillor Sweeney had replaced Councillor Preston for this meeting only.

279 – Minutes

The Minutes of the meeting held on 8th October, 2013 were taken as read and confirmed.

Town and Country Planning Acts

The Assistant Director of Regeneration and Built Environment submitted for information details of planning applications in this report which he had 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) besides 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:-

- 280 2013/0595** Excavation of existing area to the front of the house and the formation of a series of ramps from pavement level to finished floor level and the front entrance door at 6 Vulcan Road Barrow-in-Furness.
- 281 2013/0486** Temporary siting of living quarters, consisting of sleeping cabins, office space, classrooms, catering cabins and associated support services, to house the crew during the refurbishment and upgrade of three corvettes at Woodbridge Haven Cavendish Dock Road Barrow-in-Furness.
- 282 2013/0641** Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) for a rear ground floor kitchen and

lounge extension at Greenacres Urswick Road Dalton-in-Furness.

- 283 2013/0634** Single storey side extension forming conservatory, bathroom and family room at 17 Green Lane Dalton-in-Furness.
- 284 2013/0516** Change of use of the first and second floors to residential forming 5 no. 1 bedroom flats at 67 Market Street Dalton-in-Furness.
- 285 2013/0511** Application for discharge of Condition(s) No. 4 (Road Adoption Scheme), No. 6 (Landscaping) and No. 8 (laying of power cables) following grant of planning permission 2013/0175 – Erection of three detached bedroomed bungalows on land at Crompton Drive Dalton-in-Furness.
- 286 2013/0589** Rear ground floor kitchen and shower room with a first floor bedroom over west side of the property away from adjoining neighbours at 18 Coronation Drive Dalton-in-Furness.
- 287 2013/0403** Prior Notification of works to trees within a Conservation Area, comprising of gentle crown lift and reduction of overhanging limbs to 1 Sycamore Tree at 5A Church Street Dalton-in-Furness.
- 288 2013/0573** Change of use from a shop to an office (A2) at 72 Market Street Dalton-in-Furness.
- 289 2013/0517** Listed Building Consent for internal reconfiguration of the first and second floors to provide 5 no. 1 bedroom residential flats at 67 Market Street Dalton-in-Furness.
- 290 2013/0536** Ground floor rear extension, forming kitchen, family room and internal alterations (resubmission of 2013/0359) at 44 Skelwith Drive Barrow-in-Furness.
- 291 2013/0600** Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) for a single storey rear extension at 20 Windermere Avenue Barrow-in-Furness.
- 292 2013/0590** Demolition of existing bungalow and construction of a replacement dwelling (resubmission of 2013/0341 in a revised format) at 3 Dane Ghyll Barrow-in-Furness.
- 293 2013/0577** Wrap around single storey extension at 13 Hawkshead Gardens Barrow-in-Furness.
- 294 2013/0457** New entrance and porch to the front elevation at 66 Whinlatter Drive Barrow-in-Furness.

- 295 2013/0610** Rear kitchen extension, including two first floor bedrooms and dormer windows at the front and rear plus internal alterations at 23 Greystoke Gardens Barrow-in-Furness.
- 296 2013/0535** Change of use to allow the continuation of operations as a taxi office after expiration of original application at 6 Dalkeith Street Barrow-in-Furness.
- 297 2013/0575** Two storey side extension forming bike store with bedroom over at 10 Litchmead Grove Barrow-in-Furness.
- 298 2013/0622** Ground floor front lounge extension at 9 Shelley Drive Barrow-in-Furness.
- 299 2013/0618** Application to fell 3 trees comprising 1 x sycamore, 1 x horse chestnut, 1 x rowan, subject of Tree Preservation Order 1972 No. 11 on land at Our Lady's Chetwynde School Rating Lane Barrow-in-Furness.
- 300 2013/0599** Application for approval of details reserved by Condition No. 5 (Soil Analysis Report) of planning permission 2012/0769 – Demolition of public house and erection of 15 houses including access road at Former Friars Hotel Friars Lane Barrow-in-Furness.
- 301 2013/0579** Application for a Non Material Amendment following grant of planning permission 2012/0664 to allow the kitchen roof to extend over the front door to form a canopy at 8 Sheeplands Grove Barrow-in-Furness.
- 302 2013/0014** Prior Notification (Larger Homes Extension) for a rear ground floor conservatory (Length from rear wall of the original house 5.13 metres, height to the eaves 2.6 metres and height to highest point of the extension 3.0 metres) at 21 Whitebeam Gardens Barrow-in-Furness.
- 303 2013/0333** Erection of 21 houses and 6 bungalows (in a revised form to that approved under planning permission 2004/1136) at Phase 3 Holbeck Park Avenue Holbeck Park Avenue/Leece Land Barrow-in-Furness.
- 304 2013/0647** Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) for a rear ground floor sun lounge extension at 4A Rampside Barrow-in-Furness.
- 305 2013/0478** Application for approval reserved by Condition to discharge Conditions No. 13 (Contamination Assessment) and No. 14 (Remedial Scheme/Verification Report) of Planning Permission 2012/0163 – Conversion of barn into dwelling at Barn Conversion Stank Lane Stank.

- 306 2013/0631** Application for a Non Material Amendment following a grant of planning permission 2009/1151 (Demolition of east wing and erection of a two storey extension) to allow change of window colour to white grained and use of reclaimed Burlington Slate to rear elevation at Home Farm North Scale Barrow-in-Furness.
- 307 2013/0548** Application for a Lawful Development Certificate for a Proposed Use or Development (CLOPUD) for a rear ground floor Sun Lounge at 25 Headland Rise Barrow-in-Furness.
- 308 2013/0624** Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) for a rear ground floor extension and internal alterations at 28 Anzac Avenue Barrow-in-Furness.

The following County Matters was considered:-

- 309 2013/9001** Retrospective Planning Application to reconstruct existing farm access track and deposition of recycled inert waste to embankments and landfill (County Matter) on Land North of Sowerby Lodge Farm Bank Lane Barrow-in-Furness.

The following applications were refused:-

- 310 2013/0594** Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) to use the building as a Timber Merchants and Kitchen Showroom at Furness Print Centre Phoenix Road Barrow-in-Furness.
- 311 2013/0346** Application for a Certificate of Lawfulness or Existing Use or Development (CLOEUD) use for the sale of hot and cold food for consumption off the premises at 15 Amphitrite Street Barrow-in-Furness.

(ii) To note the decisions made under the Building Act 1984/The Building Regulations 2010 as submitted by the Principal Building Control Surveyor.

Town and Country Planning Acts

The Assistant Director of Regeneration and Built Environment reported on the following planning applications:-

312 – Land to the West of Holker Close, Rusland Drive, Dalton-in-Furness

From Moorsolve Self-Administered Pension Fund in respect of a residential development comprising of three bungalows with crib wall to rear on land to the west of Holker Close, Rusland Drive, Dalton-in-Furness as shown on plan number 2013/0203.

Representations received and the results of consultations were reported.

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

An objector attended the meeting and made representations to the Committee.

The applicant attended the meeting and whilst making no presentation, answered questions from Members of the Committee.

It was moved by Councillor Murray and seconded by Councillor Thurlow that consideration of the application be deferred to allow further information to be obtained in respect of the proposed crib wall to the rear of the development.

It was further moved by Councillor Sweeney and seconded by Councillor M. A. Thomson that consideration of the application be deferred to allow an Engineer's report to be obtained in respect of the proposed crib wall to the rear of the development and which would be subject to consultation with Network Rail

A vote was taken on the motion, the results being 7 for and 1 abstention and it was,

RESOLVED:- That consideration of the application be deferred to allow for an Engineer's report to be obtained in respect of the proposed crib wall to the rear of the development and which would be subject to consultation with Network Rail.

213 – 21 Croslands Park, Barrow-in-Furness

From Mr K. Craig in respect of an application for works to trees subject to a Tree Preservation Order (TPO) 1986 No. 3 to reduce canopy spread from 10m to 8m of beech tree at 21 Croslands Park, Barrow-in-Furness as shown on plan number 2013/0554.

Representations received were reported.

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

RESOLVED:- It was unanimously agreed that consent be granted subject to the following conditions:-

1. This consent is valid for a period of 2 years only after which no work authorised by this consent shall be carried out unless a further application for the work has been submitted to and approved in writing by the Local Planning Authority.

Reason

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

2. This consent shall be implemented only once.

Reason

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

214 – Land at Station Approach, Dalton-in-Furness

From Mr M. Mackenzie in respect of an application for Outline Planning Permission with all matters reserved to construct a single storey bungalow with integral garage and stable block on land at Station Approach, Dalton-in-Furness as shown on plan number 2013/0550.

Representations received and the results of consultations were reported.

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

RESOLVED:- It was unanimously agreed that Outline Planning Permission be granted subject to the Standard Outline Conditions and the following:-

3. The development hereby approved is defined by the application dated 9.8.2013 and the site location plan reference FDS 0129 No. 1 Rev. A.

Reason

To retain the development within the form approved.

4. Prior to the beneficial occupation of the dwelling hereby approved, the full length of the existing access road within the applicant's ownership, as defined by the site edged blue on the location plan accompanying application B13/2013/0103, shall be completed and constructed to a standard suitable for adoption.

Reason

To ensure an adequate standard of access is provided to serve the development and to ensure consistency with the decision reached on application ref B13/2013/0103.

5. Prior to the commencement of any development details of the additional length of access drive required to serve the development hereby approved shall have been submitted to and approved in writing by the planning authority. Such details shall comprise details of construction and drainage. The access drive shall then be completed in accordance with the approved details prior to any beneficial occupation of the development hereby approved.

Reason

The existing rough track is not considered an acceptable standard of access to serve new residential development.

6. Prior to the commencement of any development details of a trespass proof fence to the railway boundary for the full length of the application site edged red and the access track as far as the junction with the metalled portion of road outside 6 Station Approach, must have been submitted to and approved in writing by the planning authority. The fence shall then be erected in accordance with the approved details prior to the any beneficial occupation of the development hereby approved.

Reason

Network Rail have advised that the existing fence is not to an acceptable standard such that a new fence is required to protect the operational railway from unauthorised access which may result in safety and performance issues on the railway.

7. Details of measures needed to prevent vehicles accessing the steep slope on the north side of the access track and the east side of the application site must have been submitted to and approved in writing by the planning authority. The measures must then be completed in accordance with the approved details prior to any beneficial use of the development.

Reason

In the interests of public safety.

8. The application for reserved matters shall include measures to ensure adequate noise and vibration insulation are incorporated into the final design of the bungalow. The development shall then be carried out in accordance with the approved details.

Reason

To minimise any potential noise or disturbance for future occupants from use of the adjacent railway line.

9. The garage and access thereto must be reserved for the parking of private motor vehicles and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) Order, 1995 (as amended) (or any Order amending, revoking and re-enacting that Order with or without modifications) or not, shall be carried out on that area of land or in such position as to preclude vehicular access to the development hereby permitted.

Reason

To ensure that proper access and parking provision is made and retained for use associated with the development hereby permitted.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008 (or any Order amending, revoking or re-enacting that Order with or without modifications) no dormer extensions or extensions to the front elevation of the approved bungalow shall be carried out without the prior written express approval of the Planning Authority.

Reason

In order to protect the residential amenities of neighbouring properties from overlooking or perceived overlooking.

11. No development shall take place until a Preliminary Investigation (desk study, site reconnaissance and preliminary risk assessment), to investigate and assess the risk of potential contamination, is submitted to and approved in writing by the Local Planning Authority. This investigation must be undertaken by a suitably qualified contaminated land practitioner, in accordance with established procedures (BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and Model Procedures for the Management of Land Contamination (CLR11)).

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy D56 of the former Local Plan Review 1996-2006.

12. If the Preliminary Investigation identifies potential unacceptable risks, a Field Investigation and Risk Assessment, conducted in accordance with established procedures (BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and Model Procedures for the Management of Land Contamination (CLR11)), 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 ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy D56 of the former Local Plan Review 1996-2006.

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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy D56 of the former Local Plan Review 1996-2006.

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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy D56 of the former Local Plan Review 1996-2006.

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 that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy D56 of the former Local Plan Review 1996-2006.

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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy D56 of the former Local Plan Review 1996-2006.

215 – Withdrawn Applications

The following applications had been withdrawn:-

2013/0669 – Rear and side extension at 37 Barnes Avenue, Dalton-in-Furness. This item had been withdrawn from the Agenda by Officers to enable further discussions.

2013/0582 – First floor bedroom with en-suite over an existing garage at 17 Infield Gardens, Barrow-in-Furness.

The meeting closed at 3.35 p.m.