

# **BOROUGH OF BARROW-IN-FURNESS**

## **PLANNING COMMITTEE**

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

### **A G E N D A**

#### Site Visit

2012/0184 - Land adj. to Crooklands Gardens, Ulverston Road, Dalton  
2013/0303 - 18 Stoneham Close, Barrow

Depart Town Hall Court Yard at **12.45 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.

7. To confirm the Minutes of the meeting held on 6th August, 2013 (copy attached) (Pages 1-11).

8. Delegated Approvals – For Information (booklet attached).

**FOR DECISION**

- (D) 9. Planning Applications (booklet and appendix colour supplement 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:**

Keely Fisher  
Democratic Services Officer  
Tel: 01229 876313  
Email: [ksfisher@barrowbc.gov.uk](mailto:ksfisher@barrowbc.gov.uk)

Published: 23rd August, 2013

## **PLANNING COMMITTEE**

Meeting: Tuesday 6th August, 2013  
at 2.30 p.m. (Drawing Room)

PRESENT:- Councillors M. A. Thomson (Chairman), C. Thomson (Vice-Chairman), Derbyshire (Minute No. 141, 142 - 158, 160 - 163), Husband, Johnston, R. McClure, Murphy, Pidduck, Preston and Thurlow.

### **138 – Declarations of Interest**

Councillor McClure declared a disclosable pecuniary interest in Planning Application No. 2013/0349 – Glen Garth, Abbey Road, Barrow-in-Furness (Minute No. 162) as his home was in close proximity of the application. He left the meeting during consideration of the item.

Councillor Pidduck informed the Committee that he was Chairman of the Executive Committee when decisions regarding Planning Application 2013/0281 – Barrow Borough Cemetery, Devonshire Road, Barrow-in-Furness had been made.

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

Apologies for absence were received from Councillors Wilson and Williams.

Councillor Pidduck had attended as a substitute for Councillor Wilson for this meeting only.

### **140 – Minutes**

The Minutes of the meeting held on 9th July, 2013 were agreed as a correct record.

### **141 – Legislative Changes**

The Planning Manager reported that there had recently been changes in legislation aimed at reducing the amount of information that the Authority had to provide as part of the decision making process.

Earlier this year the government had carried out a consultation exercise “Streamlining the planning application process”, the response to which had led to several legislative changes within the Development Management Procedure Order (DMPO).

Since 2003 local planning authorities had been required to provide a summary of reasons for approval (and a summary of relevant policies and proposals) on written decision notices when granting planning permission. There had been mounting pressure on central government that this was both burdensome and unnecessary because it duplicated material documented elsewhere.

The relevant officer reports (either for delegated decisions or for decisions to be taken by committee) typically provide far more detail on the logic and reasoning behind a particular decision than a decision notice. In order to understand the full

rationale for the decision the officer report would need to be obtained. The requirement to provide this summary therefore adds little to the transparency or the quality of the decision-taking process, but it does add to the burdens on local planning authorities.

Since the requirement was introduced, ease of access to planning information had grown. Officer reports for both minor and major applications were now generally available online. In addition, the minutes and decisions of Planning Committee meetings were also published electronically. Furthermore, familiarity with the rights granted under the Freedom of Information Act 2000 had increased. As a result of these advances, there was now a greater level of transparency in the decision taking process.

By removing the current provisions in the DMPO, the Order seeks to reduce the regulatory burden and offer time-saving benefits to local authorities, without reducing the transparency or accountability of the decision-making process. Consequently future application reports and decision notices would no longer include reasons for granting consent. The requirement to give reasons for the imposition of a condition still remains however.

RESOLVED:- That the report be noted and that all Members be invited to attend a briefing on the new legislation.

### **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:-

- 142 2013/0262** Internal alterations to incorporate part of no. 2 Station Approach within no. 1 Station Approach and the extension of no. 2 into an attached outbuilding including formation of dormer windows to front elevation at 1-2 Station House Station Approach Dalton-in-Furness.
- 143 2013/0322** Conversion of existing garage to form a three bedroom dwelling at 11 Tudor Square Dalton-in-Furness.
- 144 2013/0411** Listed Building Consent to convert two dwelling houses into one dwelling house by positioning an internal door between the two

properties to allow access at 2A and 2 Market Street Dalton-in-Furness.

- 145 2013/0222** Development of a level Junior Football Pitch at Holker Old Boys Club Rakesmoor Lane Barrow-in-Furness.
- 146 2013/0383** First floor master bedroom and en-suite over existing kitchen at 25 Yealand Drive Barrow-in-Furness.
- 146 2013/0395** Advertisement Consent to display 1 No. internally illuminated static wall mounted 'logo' sign to front elevation and 3 No. internally illuminated canopy mounted logo signs to the totem signpost, Hollywood Park at Apollo Cinemas Hollywood Park Hindpool Road Barrow-in-Furness.
- 147 2013/0414** The addition of roller shutters to exterior of the building at The Co-operative Food Holyoake Avenue Barrow-in-Furness.
- 148 2013/0248** Non-material amendment following planning permission 2012/0362 (residential development) to allow change of adopted highway surface from pavements to macadam at Vickerstown School Latona Street Barrow-in-Furness.
- 149 2013/0153** Application for approval of details reserved by conditions 5 (drainage), 6 (materials) and 12 (drive construction/drainage) of planning permission 2012/0362 (residential development) at Vickerstown School Latona Street Barrow-in-Furness.
- 150 2013/0382** Two storey side extension forming garage/bike store and kitchen on ground floor with master bedroom/en-suite over at 82 Ocean Road Barrow-in-Furness.
- 151 2013/0217** Construct a dormer roof extension to form a bedroom with en-suite bathroom at 22 Castle View Barrow-in-Furness.
- 152 2013/0360** Remove existing conservatory and kitchen extension and replace with a kitchen and sun lounge extension at 12 Bermuda Crescent Barrow-in-Furness.

The following application was refused:-

- 153 2013/0347** Erection of a rear kitchen extension and detached shed at 60 Prince Street Dalton-in-Furness.

The following County Matters were considered:-

- 154 2013/9008** Proposed demolition of modern additions, retention of original building and works of making good including erection of new wall to northern elevation, and associated works, and temporary

change of use (3 years) to provide public car parking (County Matter) at Alfred Barrow School Duke Street Barrow-in-Furness.

- 155 2013/9007** Listed Building Consent for demolition of modern extensions and making good of elevations, erection of additional wall to secure northern elevation, removal of plaster to expose original brickwork and associated (County Matter) at Alfred Barrow School Duke Street Barrow-in-Furness.
- 156 2013/9005** Listed Building Consent for repairs to traditional timber windows, replacement of rotten timber windows and door and inner glazing applied to windows (County Matter) at Ashburner House Dowdales School Nelson Street Dalton-in-Furness.
- 157 2013/9006** Modifications to the operating equipment for the lifting arms of the bridge including new hydraulic motors and back-up generator. Provision of new welfare facility within the existing bridge structure (County Matter) at Jubilee Bridge Barrow-in-Furness.

The following application was withdrawn:-

- 158 2013/0359** Ground floor side extension, forming en-suite bedroom and kitchen/dining room with internal alterations at 44 Skelwith Drive 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:-

#### **159 – Land at Sinkfall Farm, Rakesmoor Lane, Barrow-in-Furness**

From Mr B. Armistead in respect of the installation of 1 No. 80kW wind turbine measuring 25.8m to hub height and 34.8m to blade tip and including creation of new access track at land at Sinkfall Farm, Rakesmoor Lane, Barrow-in-Furness as shown on plan number 2013/0135.

Representations received and the results of consultations were reported.

The applicant and objectors attended the meeting and made representations to the Committee.

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

2. The development shall be carried out in accordance with the application dated 13/02/2013 and the accompanying plans ref M.20055, site location plans scale 1:10,000 and 1: 2500.

Reason

To retain the development within the form applied for.

3. This consent is for a period not exceeding 20 years from the date that the development is first connected to electricity grid. The dates of (a) first connection to the grid and (b) of the full operation of the turbine shall be notified in writing to the Planning Authority within 28 days of each of these 2 events occurring.

Reason

In recognition of the expected operational life of the development.

4. No later than 4 months from the date that the planning permission hereby granted expires, the turbine shall have been decommissioned and all related above ground structures shall be removed from the site. Twelve months before the decommissioning commences a scheme for the restoration of the site shall be submitted to the Planning Authority for written approval. The scheme shall make provision for the removal of the wind turbine and any associated ancillary equipment and foundations to a depth of at least 1m below ground. All decommissioning and restoration works shall be carried out in accordance with the approved scheme.

Reason

In order to ensure the satisfactory restoration of the site and its immediate surrounding area.

5. All cabling associated with the development shall be permanently placed underground, unless prior written approval has been granted by the Planning Authority.

Reason

In order to minimise the visual impact of the proposal and thus ensure compliance with the Development Plan.

6. At any noise sensitive location, noise from the wind turbine(s) shall not exceed the daytime noise level of 35dB LA90, 10 Minutes at wind speeds up to 10m/s at 10m reference height. Between the hours of 11:00pm and 7:00am noise from the wind turbines shall not exceed 43dB LA90, 10 Minutes at all operating wind speeds. Assessment of Noise from the wind turbines shall be carried out in accordance with the

ETSU-R-97 Guidance - The Assessment and Rating of Noise from Wind Farms [Note: the noise is measured 3.5m from any reflective surface, other than the ground, at a height of between 1.2 and 1.5m.]

Reason

In order to minimise the potential for noise nuisance and thus ensure compliance with Saved policy D47 of the Development Plan.

7. At the request of the Planning Authority following the receipt of a complaint the wind turbine operator shall, at its expense, employ a consultant approved by the local planning authority, to assess whether noise emissions at the complainant's dwelling are compliant with Condition 6.

Reason

In order to minimise the potential for noise nuisance and thus ensure compliance with Saved policy D47 of the Development Plan.

8. Within 21 days of a written notification by the Local Planning Authority that a complaint has been made to it about noise emissions from the wind turbines at any dwelling lawfully existing or with planning permission at the date of this permission and that the Local Planning Authority considers that Excess Amplitude Modulation (EAM) as defined in Guidance Note 5 is present in said noise emissions and a reason for the complaint, the wind farm operator shall appoint an independent consultant. The consultant shall implement the procedures outlined in Guidance Note 5.

Reason

In order to minimise the potential for noise nuisance and thus ensure compliance with Saved policy D47 of the Development Plan.

9. If EAM is determined and notified to the wind farm operator by the Local Planning Authority to be present following the receipt by it of the opinion provided for in step (d) of Guidance Note 5 the wind farm operator shall within 21 days of said notification submit a scheme, for the written approval of the Local Planning Authority, providing for the investigation and control of EAM. The Scheme shall be implemented as approved.

Reason

In order to minimise the potential for noise nuisance and thus ensure compliance with Saved policy D47 of the Development Plan.



## Guidance Note 5

Excess Amplitude Modulation ("EAM") is the modulation of aerodynamic noise produced at the frequency at which a blade passes a fixed point and occurring in ways not anticipated by "The Assessment and Rating of Noise from Wind Farms" (ETSU-R-97 at page 12).

The investigation of the complaint shall be undertaken as set out in the steps below:

(a) A written noise log shall be requested to be kept by the complainant indicating those times at which EAM is deemed by them to be unreasonably intrusive. The noise log shall be maintained until a period of not less than 5 separate such occurrences of EAM have been recorded. Separate occurrences recorded in any one 24 hour period shall be counted as a single incidence. The noise log shall also set out the location(s) (internal or external to the property) where the EAM most affects the complainant(s).

If the complainant refuses to keep a written noise log then (unless the Local Planning Authority takes such action itself) no further action shall be required of the wind farm operator under conditions 8 and 9.

(b) Once the requirements of step (a) have been fulfilled and this has been notified by the Local Planning Authority to the wind farm operator the consultant shall, within 7 working days, provide the complainant(s) with a switchable audio recording system. The audio recording system shall comprise a measurement system of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1 quality, or the equivalent UK adopted standard in force at the time of the measurements, with the audio recording facility having a minimum 16 bit resolution and 44kHz sample rate recording audio files in uncompressed format. The complainant shall initiate recordings of not less than 3 separate incidences of EAM. Such recordings shall be undertaken at the worst affected location(s) identified by the complainant in the noise log. Separate occurrences recorded in any one 24 hour period shall be counted as a single incidence.

(c) If:

i) the noise log provided for under step (a) fails to identify 5 occurrences of EAM; or ii) the equipment provided under step (b) fails to record 3 occurrences of EAM within a single and contiguous period of 3 months within a total period of 6 months commencing with the date such equipment is provided; then the existence of EAM as a material contributor to the noise complaint shall be excluded and no further action is necessary.

(d) If:

i) The noise log provided for under step (a) identifies at least 5 occurrences of EAM; and

ii) the equipment provided under step (b) records at least 3 such occurrences of EAM in the period defined in step c(ii); then the consultant shall give his written opinion to the Local Planning Authority as to whether or not the existence of EAM is a material contributor to the noise complaint.

(e) When providing his written opinion under step (c) or (d) the consultant shall also provide electronic copies of all recordings made and data obtained using the switchable recording device”.

10. Construction access to the development shall be from Rakesmoor Lane only.

Reason

In the interests of highway safety.

11. Prior to the commencement of development further details of the proposed access to Rakesmoor Lane and the access track shall have been submitted to and approved in writing by the planning authority. These details shall include all measures to mitigate the visual impact of the access track. The development shall then proceed in accordance with the agreed details.

Reason

In order to ensure the visual impact of the track is mitigated and to ensure that it does not result in adverse impact to the adjacent hedge.

**160 – Land at Hayeswater Drive, Dalton-in-Furness**

From Mackenzie Developments in respect of outline planning permission with all matters reserved, for the development of six, 3 bedroom semi-detached dwellings and one, 4 bedroom detached dwelling at land at Hayeswater Drive, Dalton-in-Furness as shown on plan number 2013/0390.

Representations received and the results of consultations were reported.

A representative for the objectors attended the meeting and made representations to the Committee.

RESOLVED:- It was agreed unanimously that outline planning permission with all matters reserved be granted subject to the standard conditions and the conditions set out below:-

1. Before the commencement of any development details of highways including longitudinal and cross sections and the specification for street lighting infrastructure, shall be submitted to and approved in writing by the Planning Authority.

### Reason

In the interests of the residential amenities of neighbouring properties and proper site planning.

2. Before the first beneficial occupation of the site the carriageway, footways and footpaths of Hayeswater Drive shall be fully designed, constructed, drained and lit to a standard suitable for adoption, to the written satisfaction of the Highway Authority.

### Reason

In order to ensure a minimum standard of highway construction, and in the interests of highway safety.

3. In the event that contamination that was not previously identified is found at any time during development works, it must be reported immediately to the Planning Authority. Works on the part of the site affected must be halted and suitable Field Investigations shall be carried out. Where required by the Planning Authority, appropriate remediation and verification schemes shall be submitted to and approved in writing by the Planning Authority. These shall be implemented prior to occupation of the development in accordance with the agreed details.

### Reason

To protect the environment and the health of the public from potential hazards that may arise as a direct result of the redevelopment of the land.

4. 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 shall be submitted to and approved in writing by the Planning Authority before any soil is imported onto site. The methodology shall 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 Planning Authority.

### Reason

To protect the environment and the health of the public from potential hazards that may arise as a direct result of the redevelopment of the land.

5. No construction traffic, except that directly involved directly in the completion of adoptable highway works to Hayeswater Drive for highway authority purposes shall transit over Hayeswater Drive or Devoke Water Gardens. Specifically construction traffic shall only use the existing service entrance to the adjacent building supplies yard to the north except where agreed beforehand with the Planning Authority.

Reason

In the interests of protecting the residential amenities of the neighbouring properties.

6. Before any construction commences on site a Construction Management Method Statement (CMMS) shall be submitted to and approved in writing by the Planning Authority. The CMSS shall include details of the following:

- (a) phasing of all construction works on site including a programme for the demolition of the southern site boundary wall;
- (b) A Traffic management Plan including all traffic associated with the development;
- (c) 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 BS5228 – Code of Practice for Noise and Vibration Control on Construction and Open Sites.. All measurements shall make reference to BS 7445 – Description and Measurement of Environmental Noise;
- (d) Hours of working and times of deliveries;
- (e) Mitigation measures to reduce adverse impacts on residential properties from construction compounds and demolition including visual impact, noise, dust and light pollution;
- (f) A written procedure for dealing with complaints regarding the construction or demolition; A site log book to record details and action to be taken in response to exceptional noisy incidents or dust-causing episodes. It should also be used to record the results of routine site inspections;
- (g) Details of construction site lighting equipment and its management;
- (h) Mitigation measures to ensure that no harm is caused to protected species during demolition or construction;
- (i) The provision of facilities for the cleaning of vehicle tyres where haul routes meet the public highway to avoid the deposition of mud/debris on the public highway and the generation of dust.

Reason

In the interests of protecting the residential amenities of neighbouring properties and proper site management.

7. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface water has been submitted to and approved in writing by the Planning Authority. Unless otherwise agreed in writing all surface water must drain separate from foul and no surface water will be permitted to discharge directly or indirectly into the existing foul or combined sewerage system. Any surface water draining to the public surface water sewer must be restricted to a maximum pass forward flow equivalent to greenfield run-off rates or 5 litres per second whichever is the greater. This development shall be completed, maintained and managed in accordance with the approved details.

Reason

To ensure a sustainable form of development, to prevent an undue increase in surface water run-off and to reduce the risk of flooding.

**161 – Corridor of land commencing at Mean Low Water on the Western Shore of Walney Island, West of South End, eastwards across Walney Island to Snab Point, crossing Piel Channel, onto the mainland South of Westfield Point and North West of Rampside and a site bounded to the West by the coast, to the North by South Gas Terminal and West of Rampside Road (A5807), Barrow-in-Furness**

From Gateway Storage Company in respect of a) Planning Permission to replace an extant planning permission 2010/0434 to extend the time limit for implementation of planning consent 6/2007/1520; Development of an energy infrastructure project comprising 2 no. gas pipelines (to transport natural gas), methanol pipeline, control cables, high voltage underground cable, 33kV underground cable, a gas compression station (GCS), landscaping, access roads, ancillary development and temporary construction facilities (part of a larger project to store natural gas in man-made caverns in the salt strata under the eastern Irish Sea) and b) Appropriate Assessment under the Habitat Regulations (Article 61) at corridor of land commencing at Mean Low Water on the Western Shore of Walney Island, West of South End, eastwards across Walney Island to Snab Point, crossing Piel Channel, onto the mainland South of Westfield Point and North West of Rampside and a site bounded to the West by the coast, to the North by South Gas Terminal and West of Rampside Road (A5807), Barrow-in-Furness as shown on plan number 2012/0812.

Representations received and the results of consultations were reported.

RESOLVED:- It was agreed unanimously that:-

- a) That relation to Article 61 of the Conservation of Habitats and Species Regulations 2010 that an Appropriate Assessment be issued to the effect that the development alone or in combination with others will not have adversely affect the integrity of the European Marine Site. That in reaching the decision the Authority have had regard to the original ES, the original Habitats Assessment report, the supplements submitted with the renewal application, and the advice of Natural England dated 18/01/2013; and

b) That planning permission be granted subject to the following conditions:-

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

Reason

Required to be imposed pursuant to Section 91 of the Town & Country Planning Act 1990, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2. The development shall be carried out and completed in all respects in accordance with the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order, 2008 (or any Order revoking or re-enacting that Order with or without modification), there shall be no variation without the prior written consent of the Planning Authority. The documents to which this consent refers are as follows:

The application form,

The Design & Access Statement,

The Environmental Statement Rev 01 (inc. supplementary information, appendices and amendments)

Technical Report NSOX0501/1 by Bureau Veritas

Transport Assessment ref C36743 by MVA consultancy

ADMS Report Rev 01 by RBA consultancy

Archaeological Assessment by NAA

Terrestrial Ecological Impact Assessment- Final Report

Marine Licence: Supporting Environmental Data

Intertidal Survey Report, AMEC October 2012

AGDS & Drop Down Survey Field Report, AMEC October 2012

Drawings ref LDWD122/2835/1, LDWD122/2834/1, 2284-070-000-LAD-011 Rev P3 Sheets 001-004 inc. 2284-020-SCM-010 Rev P2, 2284-020-000-SCM-011 Rev P3, 2284-020-000-SCM-012 Rev P3,

RSK/M/P41148/03/D01 Rev 01,

Reason

To enable the Planning Authority to exercise sufficient control over the development in the interests of meeting policy objectives and for the avoidance of doubt.

3. No site clearance shall take place including the felling of any trees until details of a contract to proceed with the whole project has been submitted to and approved in writing by the Planning Authority.

Reason

The development involves the removal of a significant part of a mixed plantation woodland and dense scrub described at Target Note 2 of the

Terrestrial Ecological Impact Assessment- Final Report. This loss is outweighed by the energy benefit of the development if carried out in its entirety.

4. Unless the Planning Authority gives prior written agreement to any variation, the development hereby permitted shall not be commenced until there has been submitted to, and approved in writing by the Planning Authority, full details of the following:
  - a) internal roads, loading and unloading areas;
  - b) boundaries of the contractors working area(s) and vehicle car parks;
  - c) the layout, design, external appearance and dimensions of all buildings, structures and boundary treatments;
  - d) the location and proposed heights of topsoil and subsoil storage arising from all onshore construction works;
  - e) facilities required for the storage of construction materials;
  - f) details of all artificial lighting, including the direction and luminance;
  - g) a plan to show the area to be defined as operational land.

The above requirements shall apply equally to those temporary measures required during the construction phase, and to all those buildings, items of plant and machinery, boundary treatments, and other structures necessary for the permanent development of the scheme hereby permitted, and the development shall thereafter be carried out in accordance with the approved details.

#### Reason

In order to ensure that the development shall be carried out in an orderly and satisfactory manner and to reduce its footprint on the environment.

5. Work practices for the construction phase of the pipeline and cable installation and the construction of the gas compression station shall be carried out in strict accordance with the Construction Environmental Management Plan proposed in the Environmental Statement accompanying the application, except where varied by the conditions attached to the consent, unless the Planning Authority gives prior written consent to any variation.

#### Reason

In order to minimise any potential adverse impact upon the environmental interests of the area.

7. No development shall commence until details of mitigation including further surveys if considered necessary, method statements, watching briefs, post construction restoration of habitats, monitoring including

post construction monitoring for protected species and their habitats including all water bodies identified as being present in the Terrestrial Ecological Impact assessment- Final Reports have been submitted to and approved in writing with the local planning authority. The approved details shall then be implemented in accordance with the agreed time scales.

Reason

So as to safeguard protected species and to comply with saved policy D12 of the Local Plan Review 1996-2006.

7. No development shall commence until the mitigation measures identified in the Environmental Statement as updated by the Gateway Gas Storage Project - Marine Licence: Supporting Environmental Data Nov 2012 Rev 01 regarding impacts on the European Marine Site have been submitted to and approved in writing by the local planning authority and where relevant shall be based on the 'Method Statements in Principle' contained within the Supporting Environmental Data and which shall include further survey work and post construction monitoring.

Reason

To ensure there would be no adverse effects on the integrity of the European Marine Site.

8. No development approved by this consent shall be commenced until a Traffic Management Plan as indicated within Section 6 of the Environmental Statement (Vol.1) has been submitted to, and approved in writing by, the Planning Authority. The subsequently approved measures shall be completed in accordance with the approved details before any part of the development is commenced, or in accordance with a scheme of phasing subject to prior written agreement with the Planning Authority.

Reason

In order to minimise the environmental impacts of traffic associated with the development, and in the interests of highway safety.

9. No development shall take place until details of the proposed measures for the protection and reinstatement of any public right of way affected by any works forming part of this consent have been submitted to, and approved in writing by, the Planning Authority.

Reason

In the interests of pedestrian safety, and in order to ensure the protection of the local footway network.



10. Before the development hereby permitted commences, a scheme shall be submitted to and approved in writing by the planning authority, which specifies the provisions to be made for the controlling of noise emanating from the site during the operation of the facility and any associated infrastructure. The scheme should include a programme for commissioning tests and periodic environmental noise monitoring and where appropriate noise modelling to demonstrate the free field rating level of 30 dB( A).

Reason

In order to minimise the potential for noise pollution, thereby conforming to Saved Barrow Local Plan policy D58.

11. Before the development hereby permitted is commenced, a scheme shall be submitted to and approved in writing by the planning authority making provision for a Construction Method Statement to control any adverse impact of the construction stage of the development upon the amenity of the public and nearby occupiers. The Construction Method Statement shall include details of:
  - a) All proposed dust management controls, and;
  - b) All proposed measures for minimising the impact of noise and vibration arising from construction activities;

The development shall thereafter be carried out in accordance with the approved scheme and statement, unless the planning authority gives prior written agreement to any variation.

Reason

In the interests of the amenities of the occupants of neighbouring properties and users of adjacent land.

12. In addition to the measures agreed by virtue of conditions 8 and 10, during the construction phase the following restrictions shall apply;

Piling operations shall only take place between 8:00am- 6:00pm Monday to Friday and not at all on Saturday, Sunday, or Bank Holidays, and any other noisy construction works shall only take place during the hours of 7:00am- 7:00pm Monday to Friday, and 8:00am- 1:00pm on Saturday. There shall be no noisy activities on Sunday or Bank Holidays.

'Noisy Construction' is defined as audible or perceived at any noise sensitive dwelling.

Reason

In order to minimise the potential for noise pollution, thereby conforming to Saved Barrow Local Plan policy D58.

13. Between the hours of 07.00 and 22.00, every day, the background (L90) level shall not exceed 37 dB(A) at any point one metre from the facade of any occupied building except in the event of infrequent operations when the L90 shall not exceed 42 dB(A), and between the hours of 22.00 and 07.00, every day, the background (L90) level shall not exceed 37 dB(A) at any point one metre from the facade of any occupied building. These noise levels shall be reduced by 5 dB (A) when the noise is impulsive or where pure tones predominate. In cases of emergency or foreseen circumstances such as plant failure, these noise levels may be exceeded, provided that all reasonably practical measures are taken to reduce the noise to the specified levels within the shortest practical time.

Reason

In order to minimise the potential for noise pollution, thereby conforming to Saved Barrow Local Plan policy D58.

14. Between the hours of 07.00 and 22.00, every day, the background (L90) level shall not exceed 37 dB(A) at any point one metre from the facade of any occupied building except in the event of infrequent operations when the L90 shall not exceed 42 dB (A), and between the hours of 22.00 and 07.00, every day, the background (L90) level shall not exceed 37 dB(A) at any point one metre from the facade of any occupied building.

These noise levels shall be reduced by 5 dB (A) when the noise is impulsive or where pure tones predominate. In cases of emergency or foreseen circumstances such a plant failure, these noise levels may be exceeded, provided that all reasonably practical measures are taken to reduce the noise to the specified levels within the shortest practical time.

Reason

In order to minimise the potential for noise pollution, thereby conforming to Saved Barrow Local Plan policy D58.

14. Prior to the commencement of any development, a landscape scheme for the site, showing the trees, shrubs and hedgerows, including verges and other open spaces, together with details of any phasing of such a scheme 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. All planting and subsequent maintenance shall be to current British Standards. The approved scheme must subsequently be implemented by the end of the first planting season following the substantial completion of the development or by such a programme as may be agreed in writing. Any trees or shrubs removed, dying being severely damaged or becoming seriously diseased within

five years of planting shall be replaced by the landowner with trees or shrubs of a similar size and species to those originally required to be planted.

Reason

In the interests of the visual amenities of the area.

15. 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 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.

16. No development shall commence within the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

This written scheme will include the following components:

The recording of existing upstanding medieval agricultural remains and field boundaries affected by the proposed development;

An archaeological watching brief to be undertaken during the course of the ground works of the proposed pipeline;

An archaeological evaluation in the site of the proposed gas compression station and, where appropriate, an archaeological recording programme the scope of which will be dependent upon the results of the evaluation;

Where appropriate, a programme of post-excavation analysis, the preparation of a site archive for deposition at a suitable store, and publication of the results in a suitable journal.

Reason

To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the examination and recording of such remains.

17. No development shall take place within the area of Piel Channel or the adjacent tidal flats as bounded by the High Water Mark, until the developer has submitted to the Planning Authority a written Method

Statement, incorporating proposed timescales (which shall also meet the requirements of condition 18 attached to this consent) and any appropriate illustrative material, for all those works necessary for the preparation, construction, mitigation and subsequent maintenance of the proposed pipelines and cables. The Statement shall include proposals for the submission of hydrographic surveys at the following times: prior to works commencing, upon the completion of the pipe and cable laying works, and six months following the completion of those works. The works shall be carried out in accordance with the agreed details unless the Authority gives prior written consent to any variation.

Reason

In order to ensure the safety and free flow of maritime traffic within Piel Channel.

18. The top of the uppermost buried pipe is to be buried, between the toe lines of the navigation channel, at a depth of not less than 12.8 metres below OD Newlyn or 2 metres below the deepest current scour depth, whichever is the greater, and shall not rise from the extremities of the channel toe line at a slope greater than the channel side slope design of 1:8.

Reason

In order to ensure the safety and free flow of all maritime traffic through the Channel.

19. Any onshore works (defined as being located above the Mean High Water Mark) associated with the installation of pipes and/or cables across Walney Island, including site preparation, excavation, construction, remediation, and reinstatement, shall only take place during the months of July to September inclusive, and at no other time unless the Planning Authority gives prior written consent for any variation.

Reason

In the interests of protecting the recognised ornithological interests of the area from undue disturbance.

20. Any offshore works associated with the installation of the pipes and cables across Piel Channel and the adjoining salt marsh and mud flat, defined as the area below the High Water Mark, including site preparation, excavation, construction, and remediation shall only take place during the months of April to September inclusive and at no other time unless the Planning Authority gives prior written consent to any variation.

### Reason

To protect the wildlife species which are recognised as important nature interest features of Morecambe Bay SPA, SAC and Ramsar Site, and South Walney and Piel Channel Flats SSSI.

21. Following commission of the gas compression station, there shall be no subsequent external storage of refuse or other waste materials, except within purpose built containers and no external storage of any other materials except within appropriately screened areas, details of which shall be subject to prior written agreement with the Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

### Reason

In the interests of the visual amenities of the area due to the proximity of the gas compression station to public footpaths.

22. Upon the cessation of the gas compression facility operation, the site operator shall submit to the Planning Authority for written agreement, a detailed decommissioning scheme which shall make provision for the removal of all plant and machinery, appropriate remediation of any contamination, the restoration and landscaping of the site, and a programme of phasing for all measures proposed. The subsequently approved scheme shall be fully implemented in accordance with the agreed details.

### Reason

To ensure a satisfactory standard of restoration and aftercare of the site, and in order to protect the visual amenities of the area.

23. Any facilities for the storage of fuels, oil or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there are multiple tankages, the compound should be at least equivalent to 110% of the capacity of the largest tank, or 25% of the total combined capacity of the interconnected tanks, whichever is the greatest. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason

In order to minimise the potential for discharge of contaminated drainage or accidental spillages to underground strata or surface waters.

24. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Planning Authority detailing how this unsuspected contamination shall be dealt with.

Reason

To prevent pollution of the water environment.

25. Any external lighting shall at all times be directed and shielded so as to minimise light spillage outside of the application site.

Reason

To minimise light pollution in accordance with Saved policy D63 of the Barrow Local Plan Review 1996-2006, and in order to protect the visual amenities of the area.

26. If surface water drainage from any external parking, storage, and loading/unloading areas is to be drained into Walney Channel, it shall be passed through an appropriate interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason

In order to ensure that the site is adequately drained, and in order to control the potential for pollution of the water environment.

27. Prior to the commencement of any development details of measures to necessary to ensure the development does not impact adversely on the security of the South Morecambe Terminal (SMT) including its motion detection system shall have been submitted to the and approved in writing by the local planning authority. The development shall then be implemented in accordance with the approved details.

Reason

To protect the integrity of the SMT.

28. Prior to the laying of the 33kV underground cable further information on the likely heat generation from the cable and its effects on tree roots

together with any mitigation if found necessary shall have been submitted to and approved in writing by the local planning authority.

Reason

To ensure the effects of heat generation on tree roots are properly taken into account.

That in reaching the decision the Council has first taken the environmental information into account.

**162 – Glen Garth, Abbey Road, Barrow-in-Furness**

From Mr J. Preshur, Northern Healthcare Ltd in respect of the change of use from a guest house (C1) to a residential institution (C2) to form supported living accommodation for people with long-term mental health needs at Glen Garth, Abbey Road, Barrow-in-Furness as shown on plan number 2013/0349.

Representations received and the results of consultations were reported.

Representatives of the applicant and objectors attended the meeting and made representations to the Committee.

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

2. The application shall be carried out in accordance with the application dated 13/05/2013 and the accompanying plans ref 3081:02, 03, 04A, 05A, 06A, 07A, 08A, 09.

Reason

To retain the development to within the form approved.

3. Staff change overs shall not take place between 22.00 and 07 00 hours the following day.

Reason

To avoid potential disturbance to neighbours at otherwise quiet times.

4. The existing windows shall be retained unless replaced in accordance with details which have first been agreed in writing with the planning authority.

Reason

While unlisted the building is of some architectural interest and the original windows add to that interest.

5. The existing car park and access shall be retained.

Reason

To ensure adequate car parking is retained to serve the development.

**163 – Barrow Borough Cemetery, Devonshire Road, Barrow-in-Furness**

From Barrow Borough Council in respect of Town and Country Planning General Regulations 1992 (Regulation 3) application for engineering works to alter levels, construct new access paths and install drainage including creation of a swale to facilitate additional burial plots at Barrow Borough Cemetery, Devonshire Road, Barrow-in-Furness as shown on plan number 2013/0281.

Representations received and the results of consultations were reported.

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

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

2. The development shall be carried out and completed in all respects in accordance with the hereby approved plans and documents, including any requirements contained within, defined by this permission as listed below, except where varied by conditions attached to this consent. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), there shall be no variation without the prior approval of the Planning Authority. The documents to which this consent refers are as follows:
  - Flood Risk Appraisal (M&P Gadsden ref CN13025)
  - Preliminary Risk Assessment report (Thomas Consulting ref P4561)
  - Drawing numbers: 13025/01, 13025/02, 13025/03E, 13025/04.1E, 13025/04.2A, 13025/04.2B, 13025/05E, 13025/06C, 13025/07.1E, 13025/07.2A, 13025/07.2B, 13025/08, 13025/09.1, 13025/09.2, 13025/10A, 13025/11, 13025/12.

Reason

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

**164 – 66 Whinlatter Drive, Barrow-in-Furness**

From Mr B. James in respect of prior approval (Larger Homes Extensions) for a rear conservatory (length from rear wall of the original house is 5m, height to the eaves is 2.4m and height to the highest point of the extension is 3.4m) at 66 Whinlatter Drive, Barrow-in-Furness as shown on plan number 2013/0002.



Representations received were reported.

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

The Planning Authority considers that, on the basis of the submitted information including comment from the adjoining neighbour, the proposed extension would have a significantly adverse impact upon the residential amenities of the adjoining property, by reason of its size and proximity resulting in an unacceptable loss of sunlight to its rear bedroom window.

The meeting closed at 3.55 p.m.