

BOROUGH OF BARROW-IN-FURNESS

PLANNING COMMITTEE

Meeting, Tuesday 5th January, 2016
at 2.30 p.m. (Drawing Room)

A G E N D A

Site Visits

2015/0561 – Land at John Street, Askam-in-Furness
2015/0110 – Duchy Court, Barrow-in-Furness

Depart Town Hall Courtyard at **1.00 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 1st December, 2015 (copies attached).

7. Delegated Approvals – For Information (Booklet attached).

FOR DECISION

- (D) 8. Planning Applications (Booklet(s)).
- (D) 9. 116 Lesh Lane, Barrow in Furness.

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

Membership of Committee

Councillors

M. A. Thomson (Chair)
C. Thomson (Vice-Chair)
Bleasdale
Derbyshire
Gawne
Husband
Johnston
McEwan
McLeavy
Murphy
Murray
Thurlow

For queries regarding this agenda, please contact:

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Published: 18th December, 2015

PLANNING COMMITTEE

Meeting: Tuesday 1st December, 2015
at 2.30 p.m. (Drawing Room)

PRESENT:- Councillors M. A. Thomson (Chair), C. Thomson (Vice-Chair), Bleasdale, Derbyshire, Gawne, Husband, McEwan, McLeavy, Murray, Seward, Sweeney and Thurlow.

Officers Present:- Jason Hipkiss (Development Services Manager), Charles Wilton (Principal Planning Officer) and Sharron Rushton (Democratic Services Officer).

278 – Declarations of Interest

Councillor Gawne declared an other registrable interest in Planning Application Nos. 2015/0679 and 2015/0680 – Victoria Park Hotel, Victoria Road, Barrow-in-Furness (Minute No. 310 and 311) as the applicant was known to him. He left the meeting during consideration of the item.

Councillor Husband declared a disclosable pecuniary interest in Planning Application No. 2015/0653 – Lindal Business Park (Land south of), London Road, Lindal-in-Furness (Minute No. 313) as her son was an employee of Wax Lyrical. She left the meeting during consideration of the item.

Councillor McEwan declared an other registrable interest in Planning Application 2015/0602 – South Lakes Safari Zoo, Broughton Road, Dalton-in-Furness (Minute No. 314) as he was a Member of Cumbria County Council.

Councillor M. A. Thomson declared a disclosable pecuniary interest in Planning Application No. 2015/0702 – 113 Balmoral Drive, Barrow-in-Furness (Minute No. 312) as the applicant was her brother. She left the meeting during consideration of the item.

Councillor Thurlow declared an other interest in Planning Application No. 2015/0602 – South Lakes Safari Zoo, Broughton Road, Dalton-in-Furness (Minute No. 314) as she was working with the residents within the vicinity of South Lakes Safari Zoo. She left the meeting during consideration of the item.

279 – Apologies for Absence/Attendance of Substitute Members

Apologies for absence were received from Councillors Johnston and Murphy.

Councillors Sweeney and Seward had replaced Councillors Johnston and Murphy respectively for this meeting only.

280 – Minutes

The Minutes of the meeting held on 3rd November, 2015 were taken as read and confirmed, subject to the following: it be noted that Councillor Bleasdale did not

declare a personal interest in Planning No. 2015/0050 – Proposed Car Park, Cornmill Crossing, Barrow-in-Furness (Minute No. 275).

281 – Appeal: New dwelling on land at Pit Lane, Application Ref. 2015/0033

The Development Services Manager reported that the Planning Inspectorate had issued its decision on 13th November, 2015 to dismiss the appeal relating to Application No. 2015/0033 for a single dwelling on a site within the Lindal Conservation Area, but outside of the development cordon as defined by saved policy B13.

The Case Inspector concluded that the pressure to prune and potentially remove trees from the site arising from the construction of the dwelling, would lead to an erosion of the countryside and be contrary to several saved policies.

RESOLVED:- That the information be noted.

281 – Unauthorised Works to Listed Buildings consisting of the Installation of upvc Windows into the Front Elevation of Nos. 22, 20, 6 and 8 School Street, Barrow-in-Furness

The Development Services Manager submitted a report informing Members of the installation of unauthorised windows located at ground floor level in the front elevations of Nos. 22, 20, 6 and 8 School Street, Barrow-in-Furness.

The Committee were requested to authorise any legal action necessary to secure the removal of upvc windows located at ground floor level in the front elevations of Nos. 22, 20, 6 and 8 School Street, Barrow-in-Furness and the reinstatement of timber windows in a design to be agreed in writing with Officers.

RESOLVED:- That legal action be commenced against Nos. 22, 20, 6 and 8 School Street. There were no time limits for issuing Listed Building Enforcement Notices.

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) 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:-

- 282 2015/0610** Internal re-modelling of existing changing block and a new extension to accommodate community rooms. Associated external works including improvement of the car park and placing of excavated material on site at Cavendish Park, Island Road, Barrow-in-Furness.
- 283 2015/0416** Variation of Condition Nos. 2 and 4 of planning permission 2014/0235 (two storey office accommodation with associated car parking, landscaping and lighting) to allow revised access and parking arrangements at Waterside House (land rear of) Bridge Road, Barrow-in-Furness.
- 284 2015/0607** Erection of four domestic garages for personal use on land formerly used for garages at Street Record, Salthouse Road, Barrow-in-Furness.
- 285 2015/0028** Prior Approval (Larger Homes Extension) for a rear ground floor family room extension (Length from rear wall of the original house 3.15 metres, height to the eaves 2.45 metres and height to highest point of the extension 2.50 metres) at 94 Sutherland Street, Barrow-in-Furness.
- 286 2015/0601** Conversion of single dwelling house into 4 one bedroom apartments at 100 Greengate Street, Barrow-in-Furness.
- 287 2015/0487** Application for approval of details reserved by conditions No. 5, No. 6, No. 7, No. 8, No. 9, No. 11, No. 12, No. 14, No. 15, No. 17, No. 18, No. 20, No. 21, No. 22, No. 23, No. 27, No. 28, No. 32 of planning permission 2011/0662 (Installation of five 2.3 Mw wind turbines incorporating removal of five existing turbines on Harlock Hill site together with on-site access tracks and associated infrastructure works and carriageway widening works to A590 (T), Marton Road, and Horrace Road junctions) at Standish Cote, Mean Moor and Harlock Hill, Marton, nr Ulverston.
- 288 2015/0640** Application for a Non Material Amendment following the grant of planning permission 2008/0586 (Erection of a two storey side extension forming ground floor dining room with bedroom/bathroom over and erection of a rear conservatory) to change front ground floor front doors to a window and rear ground floor rear doors to a single window and door at 19 Buttermere Drive, Dalton-in-Furness.
- 289 2015/0576** Creation of a second storey extension to create a master bedroom with en-suite at Broad View, Long Lane, Dalton-in-Furness.
- 290 2015/0713** Notice of intention (Section 211) to fell an Ash tree and Pine tree at 6 Skelgate, Dalton-in-Furness.

- 291 2015/0677** Proposed rear ground floor kitchen extension – resubmission of 2014/0806 at 44 Undergreens Road, Barrow-in-Furness.
- 292 2015/0574** Replace existing timber fence with new block wall to match existing at KFC, Hollywood Park, Hindpool Road, Barrow-in-Furness.
- 293 2015/0603** Change of use from industrial unit to gymnastics training and studio/gym classes (Class D2) at 5 James Free Court, James Freel Close, Barrow-in-Furness.
- 294 2015/0578** Notification for prior approval for a proposed change of use of a building from a hairdressers (A1) to a single dwelling house at 197 Rawlinson Street, Barrow-in-Furness.
- 295 2015/0628** Proposed rear/side two storey extension and single storey extension at 15 Longlands Avenue, Barrow-in-Furness.
- 296 2015/0668** Proposed first floor extension creating walk in wardrobe at 11 Kirkstall Close, Barrow-in-Furness.
- 297 2015/0657** Proposed internal alterations and a rear ground floor kitchen/wc extension at 22 Leeds Avenue, Barrow-in-Furness.
- 298 2015/0551** Front porch at 18 Bank Lane, Barrow-in-Furness
- 299 2015/0664** Ground floor side extension to provide kitchen, utility room and wet room at 10 Lichfield Close, Barrow-in-Furness.
- 300 2015/0655** Proposed rear ground floor kitchen/bathroom extension at 120 Westmorland Street, Barrow-in-Furness.
- 301 2015/0675** Change of use from D1 (training/meeting room) to A2 (offices) with associated meeting and training room at 76 Warwick Street, Barrow-in-Furness.
- 302 2015/0584** Application for approval of details reserved by Condition No. 6 of planning permission B06/2014/0565 (Port Meridian) for proposed works for the construction of the AGI access road and junction with Rampside Road, including works to improve sight lines and repositioning of highway signage at corridor of land from Mean Low Water West of Walney, eastwards across Walney to Snab Point crossing Piel Channel with land fall south of Westfield Point, and land immediately east of South Morecambe Terminal, Rampside Road, Barrow-in-Furness.
- 303 2015/0594** Application for approval of details as reserved by Condition No. 3 of planning permission 2015/0419 at 26 and 28 Rosewood Grove, Barrow-in-Furness.

- 304 2015/0577** Application for prior notification for a covered yard area at New Close Farm, Stank Lane, Stank.
- 305 2015/0644** Erection of a house with an enlarged conservatory (revised design to that approved under ref. 2013/0333).
- 306 2015/0027** Prior Approval (Larger Homes Extension) for a rear ground floor family room extension. (Length from rear wall of the original house 3.3 metres, height to the eaves 2 metres and height to highest point of the extension 3.3 metres) at 9 Kempas Avenue, Barrow-in-Furness.
- 307 2015/0483** Proposed side and part rear two storey extension forming a store, kitchen/utility extension on ground floor with two bedrooms over at 11 Orontes Avenue, Barrow-in-Furness.

The following application was refused:-

- 308 2015/0629** Application for a Certificate of Lawfulness for a proposed use or development (CLOPUD) for a proposed side porch at 20 Cloisters Avenue, Barrow-in-Furness.

The following application was withdrawn:-

- 309 2015/0541** Change of use from brownfield (ex industrial land) to residential garden to be incorporated within the curtilage of Cardross and including 2M high wooden fencing on 3 sides of the land at Cardross, Harris Street, Askam-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:-

310 – Victoria Park Hotel, Victoria Road, Barrow-in-Furness

From Mr M. Mulgrew in respect of the conversion of hotel into 18 self contained flats and the erection of a terrace of five houses within car park accessed from existing access onto Oxford Street at Victoria Park Hotel, Victoria Road, Barrow-in-Furness as shown on plan number 2015/0679.

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.

RESOLVED:- 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 drawings shown as; 409/01,02,03,04,05,06,07,08,09,10,11,12,13,14,15,16,17 and 18 and revised Heritage Statement and Impact Assessment received on 6.10.2015 and defined by this permission, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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.

Reason

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), other than those expressly authorised by this permission, no enlargement of any dwelling, nor the erection of any garage, shed or other outbuilding shall be carried out within the curtilage of any dwelling the subject of this permission, no windows, dormer windows, fences, gates or walls shall be erected within the curtilage of any dwelling house and no buildings, structures or means of enclosure shall be erected on the site which is the subject of this consent, without the prior grant of planning permission by the Planning Authority.

Reason

In order to ensure that the Planning Authority can assess the implications of any alterations and additions upon the character of the heritage assets, and upon local residential amenities.

4. No part of the development shall be beneficially occupied until cycle parking facilities have been provided in accordance with detailed drawings to be submitted to and approved in writing by the Planning Authority, such drawings to show the position, design, materials and finishes thereof. The scheme shall be implemented in accordance with the approved details and thereafter retained unless the Planning Authority gives prior written consent for any variation.

Reason

To ensure the promotion of sustainable means of transport in keeping with national guidance and local development plan policies.

5. No development shall take place until samples of the materials to be used in the construction of the external surfaces, including doors and windows, of the dwellings hereby permitted have been submitted to and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained unless the Planning Authority gives prior written consent to any variation.

Reason

To ensure a satisfactory appearance to the development, and to minimise its impact upon the surrounding area, including the setting of heritage assets.

6. Foul and surface water shall be drained on separate systems.

Reason

To secure proper drainage and to manage the risk of flooding and pollution.

7. Prior to the commencement of any construction work, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public sewer must be restricted to 5l/s for any storm events.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.

8. 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 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.

9. 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 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.

10. 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 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.

11. 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 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.

12. 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 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.

13. 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 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.

14. No development shall take place until details of all screen and boundary walls, fences and any other means of enclosure for the dwellings and screens for the bin storage facilities have been submitted to and approved in writing by the Planning Authority. The development shall thereafter only be carried out in accordance with the approved details and the new dwellings hereby approved shall not be occupied until the details have been fully implemented.

Reason

To ensure that the details and appearance of the development are acceptable to the Planning Authority and do not conflict with the setting of the listed building.

15. Prior to the beneficial occupation of any part of the development, the parking spaces must be provided and marked out in accordance with the parking layout plan submitted as part of the application, and thereafter

permanently retained unless the Planning Authority gives prior consent for any variation.

Reason

In order to provide a suitable level of parking associated with the development

16. Any external lighting within the car park shall be agreed in writing by the Planning Authority prior to implementation on site and shall at all times be directed and shielded so as to minimise light spillage outside of the application site, and shall not shine directly onto any adjacent highways.

Reason

To minimise light pollution in accordance with policy D63 of the Barrow Local Plan Review 1996-2006, and in the interests of highway safety.

17. The bin storage facilities referred to in the approved plans in condition 2 above shall be fully installed and provided with a screened enclosure to the occupation of any of the dwellings/flats.; the details of such facilities must be submitted to and approved in writing by the Planning Authority prior to the commencement of the development, and thereafter permanently maintained to the satisfaction of the Authority.

Reason

In order to ensure that adequate refuse facilities are provided in the interests of the residential amenity of the area.

18. Prior to the beneficial occupation of any part of the 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 initial beneficial occupation 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 visual amenities of the area.

19. No development shall start until a Method of Construction Statement, to include details of:
 - (a) parking for vehicles of site personnel, operatives and visitors
 - (b) loading and unloading of plant and materials
 - (c) storage of plant and materials
 - (d) programme of works (including measures for traffic management) shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

20. Prior to commencement of any works on site a scheme detailing the method and phasing of demolition works shall be submitted to, and approved in writing by, the Local Planning Authority. Such details to include:-
 - (i) Means of enclosure of the site and measures to minimise the disturbance to neighbouring properties;
 - (ii) Access location for contractor's vehicles; and
 - (iii) Facilities for the recycling of materials on site and location of plant and spoil.

Reason

To safeguard the amenity of adjoining residential properties and to ensure that the limited works of demolition take place without detriment to adjacent historic fabric.

311 – Victoria Park Hotel, Victoria Road, Barrow-in-Furness

From Mr M. Mulgrew in respect of Listed Building Consent for conversion of hotel into 18 residential units at Victoria Park Hotel, Victoria Road, Barrow-in-Furness as shown on plan number 2015/0680.

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.

RESOLVED:- That Listed Building Consent be granted subject to the following conditions:-

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

Reason

Required to be imposed pursuant to Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out and completed in all respects in accordance with the hereby approved plans and drawings shown as 409/01,02,03,04,05,06,07,08,09,10,11,12,13,14,15,16 and Revised Heritage statement and Impact Assessment received on 6.10.2015 and defined by this permission, and notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015 (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.

Reason

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

3. Prior to the carrying out of any construction or alteration works the existing building affected by the proposed development shall be recorded in accordance with a Level 2 Survey as described by English Heritage's document Understanding Historic Buildings: A Guide to Good Recording Practice, 2006. Within 2 months of the commencement of construction works 3 copies of the resultant Level 2 Survey report shall be furnished to the Planning Authority.

Reason

To ensure that a permanent record is made of the building of architectural and historic interest prior to its alteration as part of the proposed development

4. All rooflights shall be of the conservation style fitted flush to the plane of the roof using non-reflective glass and thereafter so maintained.

Reason

In the interests of the appearance of the development and the character of the heritage asset.

5. No floodlighting or other form of external lighting shall be installed on the building unless it is in accordance with details that have previously been submitted to and approved in writing by the Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting, which is so installed, shall not thereafter be altered, other than for routine maintenance which does not change its details, without the prior consent in writing of the Planning Authority.

Reason

To minimise light pollution in accordance with policy D63 of the Barrow Local Plan Review 1996-2006, and in order to protect the architectural heritage of the listed building.

6. The materials to be used for the external surfaces, including walls, roofs, doors and windows shall be of the same colour, type and texture as those used in the existing building, unless the Planning Authority otherwise first agrees in writing.

Reason

To ensure a satisfactory appearance to the development.

7. All new or altered external surfaces shall be finished or made good to match those of the existing building.

Reason

To protect the character of the listed building.

8. All new joinery for windows and doors shall match exactly the materials, dimensions / profile / style / moulding / details of the existing original work. In particular, the new upper floor windows in the rear elevation shall be vertical sash windows designed to exactly match those in the adjacent area of walling.

Reason

To ensure that the proposed works can be effected without detriment to the special architectural and historic interest of the listed building.

9. All replacement rainwater goods on any roadside elevation shall be of cast iron.

Reason

In the interests of the appearance of the development and the character of the heritage asset.

10. Prior to commencing any works of demolition hereby approved a Method Statement and schedule for the demolition shall be submitted to and approved in writing by the Planning Authority. The works to the listed building shall be completed in accordance with the agreed Method Statement and schedule.

Reason

To ensure that the works are carried out only in a way that preserves the historic interest of the building.

312 – 113 Balmoral Drive, Barrow-in-Furness

From Mr P. Garratt in respect of a proposed two storey side extension forming garage/kitchen extension on ground floor with bedroom/en-suite and walk in wardrobe on first floor at 113 Balmoral Drive, Barrow-in-Furness as shown on plan number 2015/0702.

RESOLVED:- 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 drawings shown as WAW 1908 A – 8A and defined by this permission, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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.

Reason

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

3. The materials to be used in the construction of the external surfaces, including walls, roofs, doors, and windows, of the extension hereby permitted shall be of the same type, colour, and texture as those used in the existing building.

Reason

To ensure a satisfactory appearance to the development and to minimise its impact upon the surrounding area.

313 – Lindal Business Park (Land South of), London Road, Lindal-in-Furness

From Chandlers Country Properties Ltd in respect of the installation of a 250kW ground mounted solar PV array at Lindal Business Park (Land south of), London Road, Lindal-in-Furness as shown on plan number 2015/0653.

Representations received and the results of consultations were reported.

RESOLVED:- 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 documents, plans and drawings shown as listed below and defined by this permission, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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.

Application form dated 4th September 2015
Drawing Nos. 1022281-15-1b, 2b and 03.

Reason

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

3. Prior to the commencement of development a construction method statement shall have been submitted to and approved in writing by the local planning authority.

The construction method statement shall include:

- a) The intended programme of construction work throughout the construction period;
- b) The provision of facilities for contractor parking;
- c) Arrangements for deliveries associated with all construction work;
- d) Means of access to and egress from the site for plant, machinery and vehicles;
- e) The proposed methods of construction;
- f) Protection of pedestrian routes while development is taking place;
- g) The proposed sizes and locations of temporary site buildings, compounds, and storage areas for construction materials, plant and components of the approved development;
- h) Controls over dust, noise and vibration during the construction period;
- i) Arrangements for storage, collection and disposal of rubbish from the development arising from construction of the development;

Development shall take place only in accordance with the approved construction method statement.

Reason

To ensure that the development is carried out with due regard to amenity, safety and bio diversity.

4. The solar farm operator shall serve notice of the event in writing to the local planning authority within seven days of the day on which the solar farm is first connected to the distribution grid or other consumer of electricity.

Reason

To establish the timeline for decommissioning.

5. This permission expires 30 years from the day on which the solar farm is first connected to the distribution grid or other consumer of electricity. At the end of that period the approved scheme of decommission removal and restoration shall be implemented as approved.

Reason

In recognition of the stated operational life of the installation and the intrinsic character and beauty of the countryside setting of the development.

6. At such time as the solar farm, having been connected to the distribution grid, has not produced electricity to the distribution grid during a continuous six-month period, the approved scheme of decommission removal and restoration shall be implemented as approved.

Reason

To avoid the unnecessary retention of the development.

7. The field boundary hedgerows shall be retained in perpetuity.

Reason

In order to protect the visual amenities of the area.

8. No walls or fencing of any kind shall be erected at or around the indicated site of solar panels without first having been submitted to and approved in writing by the local planning authority. The development shall then proceed in accordance with the approved details.

Reason

In order to minimise the visual impact of the development by ensuring suitable fencing, if proposed, is erected.

9. At no time shall any external lighting be installed or operated on the site except in accordance with details which have first been submitted to and approved in writing by the local planning authority.

Reason

In order to avoid unnecessary light pollution in an otherwise unlit area.

10. No form of audible alarm shall be installed on the site.

Reason

In order to control noise pollution in an area of low back ground noise.

314 – South Lakes Safari Zoo, Broughton Road, Dalton-in-Furness

314 – South Lakes Safari Zoo, Broughton Road, Dalton-in-Furness

From Ms K. Brewer, South Lakes Safari Zoo Ltd in respect of part approval of details reserved by Condition No. 2 (Marshalling Plan) and Condition No. 4 (Screen Fencing) for planning permission 2014/0123 (Minor amendment to allow revised car park access and associated changes to car park layout plan) at South Lakes Safari Zoo, Broughton Road, Dalton-in-Furness as shown on plan number 2015/0602.

Representations received and the results of consultations were reported.

Two objectors attended the meeting and made representations to the Committee.

RESOLVED:-

1. That a decision to discharge Condition No. 2 be deferred as Members felt that the Marshalling Plan in its current format was inadequate due to a lack of clarity on staff training, and the need for further information on the use of permanent rather than temporary signage through the lanes and for visitors exiting the Broughton Road car park; and
2. That Condition No. 4 be discharged.

315 – 8 School Street, Barrow-in-Furness

From Ms A. Jones in respect of Listed Building Consent for demolition of an attached outbuilding (retrospective), the erection of a ground floor rear extension, and replacement of sliding sash windows to front elevation (ground floor) with upvc casement windows (retrospective) at 8 School Street, Barrow-in-Furness as shown on plan number 2015/0474.

The results of consultations were reported.

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

1. The application involves the loss of a window of evidential, historic and aesthetic value and as such this would be contrary to the provisions of the NPPF, in particular paragraphs 56 and 126-136. The proposal would also conflict with the requirements of Sections 16, 66 and 72 of the Act which require that in making decisions special regard is paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The proposal would also conflict with Policies D15, D18 and D21 of the Barrow Borough Local Plan Review.
2. Clear and convincing evidence, as required by paragraph 132 of the NPPF, has not been submitted to justify the proposals in terms of public benefit or in terms of normally accepted conservation ethics and principles. In this regard the proposal would also conflict with the guidance set out in the Historic England document: Traditional Windows, Their Care, Repair and Upgrading (April 2015).
3. The proposal would involve the introduction of an alien form of material into this property, detrimental to the character and appearance of the St Georges Conservation Area and the setting of the Grade 2 listed building resulting in significant harm. This arises from the use of inappropriate window design and detailing and the loss of historic fabric. Approval would also introduce a dangerous precedent for the loss of traditional features elsewhere within the conservation area.

316 – Withdrawn Application

The following application had been withdrawn:-

2015/0569 – Outline planning permission for a pair of two bedroom bungalows with rear access to the application site (all matters reserved) at Gillycombe, Newton Road, Dalton-in-Furness.

The meeting closed at 3.50 p.m.

PLANNING COMMITTEE	(D) Agenda Item 9
Date of Meeting: 5th January, 2016	
Reporting Officer: Development Services Manager (Planning)	
Title: 116 Lesh Lane, Barrow in Furness	
Summary and Conclusions:	
A planning application has recently been refused under delegated powers for the above site. This is due to the chiller units on site not complying with an existing condition relating to noise. Further action will be required to ensure that the units are maintained within permitted noise levels.	
Summary of Recommendations:	
That it is agreed for further legal action to be taken on this matter should voluntary action by the shop operator not resolve the issues. To resolve the matter it would require them to re-submit a planning application for chiller units of a suitable specification.	

Report

A retrospective planning application has been received relating to the above site (2015/0620) for the installation of two chiller units.

Complaints had been received by the Environmental Health department relating to this matter and a notice was served relating to noise nuisance. Then a planning application was submitted. Since this time a cover has been fitted to surround the chiller units on site. This was detailed in the documents received with the planning application and further noise monitoring has taken place. The conclusion of the further monitoring was that the noise levels were still above those permitted in the original permission relating to the change of use to a hot food takeaway (reference 2010/0765).

We have written to the applicant requesting further details of acoustic mitigation measures but they have not been forthcoming. The Council therefore had no alternative but to refuse the planning application on the grounds that the original permission is not currently being complied with.

Under the Enforcement Policy it is necessary for this committee to agree to any necessary enforcement action which relates to matters higher than level 4. This matter could be considered to be a level 1 which is the highest category.

Recommendation

I recommend that, should voluntary action not secure the removal of the chiller units or a planning application be received for suitably designed units within 1 calendar month of this Committee then Officers be authorised to take all necessary legal action to ensure removal of the chiller units.

Background Papers

Nil.

