

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

## **PLANNING COMMITTEE**

Special Meeting, Tuesday 21st February, 2017  
at 2.30 p.m. (Drawing Room)

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

#### **Site Visits**

2017/0023 - St. Georges House, Salthouse Road, Barrow-in-Furness  
2016/0772 - 20-24 Cavendish Street, 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.

#### **FOR DECISION**

- (D) 6. Planning Applications (Booklet(s) attached).

- (D) 7. Deferred Booklet (attached).
- (D) 8. Appeals against non-determination, Oak Lea Farm.

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

INVITATIONS TO SPEAK TO THE COMMITTEE (2.30 p.m.)

2016/0772 - 20-24 Cavendish Street, Barrow-in-Furness

**Membership of Committee**

**Councillors**

M. A. Thomson (Chairman)  
C. Thomson (Vice-Chairman)  
Blezard  
Gawne  
Husband  
McEwan  
McLeavy  
Murphy  
Murray  
Seward  
Thurlow

**For queries regarding this agenda, please contact:**

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<b>PLANNING COMMITTEE</b>	<b>Part One (D) Agenda Item 8</b>
<b>Date of Meeting: 21st February, 2017</b>	
<b>Reporting Officer: Assistant Director - Regeneration and Built Environment</b>	
<p><b>Title: Appeals against non-determination, Oak Lea Farm</b></p> <p><b>Summary and Conclusions:</b></p> <p>The application fails national guidance that seeks to ensure that buildings within the countryside are appropriate for the landholdings which they are intended to serve. Had a recommendation/determination been made on the application as submitted, it would have been for refusal, based upon the findings of a special Chartered Surveyor confirming that the building is oversized for the claimed landholding.</p> <p><b>Recommendations:</b></p> <p>That Members support the stance that the application would have been refused, and agree to Officers preparing a statement of case to be submitted to the Planning Inspectorate to defend the appeal against non determination.</p>	

### **Report**

A planning application was submitted in August 2016 for a '*General purpose agricultural building - to replace current livestock accommodation and feed store which will be demolished.*' The applicant did not employ an agent hence the application was missing various pieces of information.

Further information was sought from the applicant as the size of the indicated land holding was found to insufficient for the intended size of building, when assessed against national guidelines. This was provided, but only in stages, and not in a form required to satisfy the initial concerns. Of particular concern was the lack of firm evidence that the applicant controlled the amount of land that he claimed he did. The application deadline was extended until 11th November to allow full consideration of the new information and work towards a solution if possible.

Further information was provided by the applicant on the day of the extended application deadline relating to additional land at his disposal; again it did not demonstrate any firm tenancy agreement. Additional confirmation of tenure was sought from the applicant again on 24th November. No response was received, though notification of the appeal against non-determination was received later that day.

Prior to submitting a statement of case to the Planning Inspectorate the Authority commissioned an appraisal of the proposal by a Chartered Surveyor to help inform if the initial concern was justified. The assessment concluded that the proposed building is oversized in terms of the proposed floor area when assessed against the claimed size of the landholding. This report will form part of a full statement of case to be submitted to the Planning Inspectorate outlining why the proposal should not be supported.

#### Background Papers

'Report on a Proposed General Purpose Agricultural Building - Oak Lea Farm, Oak Lea Road, Barrow In Furness.' A Jackson.