

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

## **PLANNING COMMITTEE**

Meeting, Tuesday 25th April, 2017  
at 2.30 p.m. (Drawing Room)

### **Site Visits**

2017/0136 - 101 Black Butts Lane, Barrow-in-Furness

Depart Town Hall Courtyard at **1.00 p.m.**

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

### **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 4th April, 2017 (copy attached).

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

**FOR DECISION**

- (D) 8. Planning Applications (booklet(s) attached).

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

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

**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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## PLANNING COMMITTEE

Meeting: Tuesday 4th April, 2017  
at 2.30 p.m. (Drawing Room)

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

Officers Present:- Jason Hipkiss (Planning Manager), Sharron Rushton (Democratic Services Officer) and Katie Pepper (Democratic and Electoral Services Apprentice).

### **482 – The Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 and Access to Information (Variation) Order 2006 – Urgent Item**

RESOLVED:- That by reason of the special circumstances outlined below the Chairman is of the opinion that the following item of business not specified on the agenda should be considered at the meeting as a matter of urgency in accordance with Section 100(B)(4)(b) of the Local Government Act 1972.

<u>Item</u>	<u>Reason</u>
House of Lords, Abbey Road, Barrow-in-Furness (Minute No. 486)	The matter was considered urgent due to the threat of demolition of the House of Lords without the Authority having yet received expert advice from Heritage England as to the structural integrity of the building.

### **483 – The Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985 and Access to Information (Variation) Order 2006**

Discussion arising hereon it was

RESOLVED:- That under Section 100A(4) of the Local Government Act 1972 the public and press be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 7 (Minute No. 486) of Part One of Schedule 12A of the said Act.

### **484 – Declarations of Interest**

Councillor McLeavy declared a disclosable pecuniary interest in Planning Application No. 2016/0707 – BAE Systems, Devonshire Dock Complex, Jute Road, Barrow-in-Furness (Minute No. 487 ) as he was an employee of BAE Systems. He left the meeting during consideration of this item.

Councillors Blezard, Gawne, Husband, McEwan, Murphy, Murray, Seward, C. Thomson, M. A. Thomson and Thurlow declared an other registrable interest in Planning Application Nos. 2017/0093 – 10 New Leys, Barrow-in-Furness (Minute No.

489) and 2017/0003 – 39 Thornton Park, Dalton-in-Furness (Minute No. 490) as the applicant was known to them.

#### **485 – Minutes**

The Minutes of the meeting held on 7th March, 2017 were taken as read and confirmed.

#### **486 – House of Lords, Abbey Road, Barrow-in-Furness**

The Planning Manager reported that following the fire at the House of Lords, Abbey Road, Barrow-in-Furness the main issue remained the structural integrity of the building and whether its condition warranted urgent demolition for health and safety reasons. The Authority was waiting for a report from Historic England following their recent site visit, in order to agree a way forward.

**Councillor M. A. Thomson requested the meeting be adjourned to provide Members with an opportunity to read a submission which had been tabled by Officers.**

After consideration it was agreed for the meeting to be adjourned.

The meeting adjourned at 2.46 p.m.

The meeting was reconvened at 2.51 p.m.

**RESOLVED:-** That the Assistant Director (Regeneration and the Built Environment) be authorised to take whatever legal action was deemed necessary, including an Injunction under Section 44(a) of the 1990 Act, to prevent unauthorised demolition works to the House of Lords building, Abbey Road, Barrow-in-Furness.

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

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

#### **487 – BAE Systems, Devonshire Dock Complex, Jute Road, Barrow-in-Furness**

From Mr Steve Robson, BAE Systems Submarines in respect of the erection of a new facility for the maintenance of ship lift transfer cars and a new Devonshire Dock Complex (DDC) storage building at BAE Systems, Devonshire Dock Complex, Jute Road, Barrow-in-Furness as shown on plan number 2016/0707.

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 hereby permitted shall be carried out in all respects in accordance with the application dated 21st September 2016 and the

hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent;

Location Plan 8726 LO1

Existing Site Plan 8726 PO1

Proposed Site Plan 8726 PO2

DDC Store GA Plan 8726 PO4

Proposed Pump House Plans & Elevations 8726 PO5

Proposed Ship lift Elevations 8726 PO6

Proposed DDC Store Elevations 1 of 2

Proposed DDC Store Elevations 2 of 2

Proposed Visualisations 8726 PO9

Proposed Drainage Strategy 8726 PO10

Contractors Access & Compound Plan 8726 PO11

Draft Ground Investigation Report SEP Ltd

Phase 1 Desktop Study Report SEP Ltd

Ground Investigation Location Plan 2115/67/SK-BH

Ecological Appraisal September 2016 Bowland Ecology BOW17\_733

FRA & Surface Water Drainage R/04366/F001

Noise Planning Report Hydrock E14441-ACO –ND-20160916 PO1

Simple Air Quality Assessment Hydrock E14441-AQ-8K-20160916 PO1

WFD Assessment Hydrock Ref R/04366/F002

### Reason

In order to link the permission to the submitted application and as recommended by the DCLG document 'Greater Flexibility for Planning Permissions'.

3. A Preliminary Investigation has identified potentially unacceptable risks, therefore 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 Planning Authority before any development begins.

### Reason

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

4. No development shall commence until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for all of the following: • storage of plant and materials used in constructing the development, • the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate, • wheel washing facilities where vehicles will enter the site, • measures to control the emission of dust and dirt during construction, • a scheme for recycling/disposing of waste resulting from demolition and from construction works.

Reason

In the interests of minimising the impact of the development upon the local environmental amenity.

5. No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to, and approved in writing by, the Planning Authority. The approved CTMP shall be adhered to throughout the construction period. The CTMP must provide details of; (a) The proposed vehicle routing plans; (b) The proposed scheduling and timing of vehicle movements; (c) The details of the handling facilities for deliveries, including a parking management plan for heavy goods vehicles and construction workers' vehicles; (d) The swept path analysis of the proposed vehicle routes; (e) The scope of survey to be carried out to record the condition of the public highway, including proposed highway inspection regimes, and the proposed highway maintenance scheme to remediate damage to the highway (if any) that may be caused by construction vehicles; (f) The details of any traffic management that is proposed; (g) The details of the hours of working/ deliveries.

Reason

In the interests of ensuring highway safety and efficiency, in order to ensure adequate off street parking for contractors vehicles, and in order to ensure that the highway network has sufficient capacity to safely accommodate the increased levels of construction traffic associated with the overall Successor Programme development.

6. 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 Planning Authority. The scheme must include an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken, proposed remediation objectives, remediation criteria and a verification plan. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use.

### Reason

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

7. The approved Remediation Scheme shall be implemented and a Verification Report submitted to and approved in writing by the Planning Authority, prior to occupation of the development.

### Reason

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

8. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approved details.

### Reason

The site adjacent to the dock has the potential to cause or exacerbate deterioration of water quality from the deep fill underlying the site. The draft ground investigation identifies foundation options from a geotechnical perspective rather than from a risk assessment to water. The desk study also recognises the need for investigation works to establish the characteristics of the made ground in terms of its chemical composition. This has not been provided.

9. Unless the Planning Authority gives prior written agreement that it is impractical to do so, all drainage must be on the separate system with all foul drainage connected to the foul sewers and only uncontaminated surface water connected to the surface water system. A finalised Surface Water Drainage Strategy should be submitted to and agreed in writing by the Planning Authority prior to the commencement of any drainage works on site.

### Reason

In order to ensure that the site is adequately drained, in order to control the potential for pollution of the water environment, and in order to prevent flooding by ensuring the satisfactory storage/disposal of surface water from the site.

10. During the construction phase the following restrictions shall apply; Any piling operations shall only take place between 8:00am - 6:00pm Monday to Friday and on Saturday 8:00am-4:00pm, and not at all on Sunday, or Bank Holidays, and any other noisy construction works shall only take place during the hours of 7:00am - 6:00pm Monday to Friday, and 7:00am - 4:00pm 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 and thereby conforming to Saved Barrow Local Plan Policy D58.

11. Piling or any other foundation designs using penetrative methods shall only be permitted for those parts of the site where, it has been demonstrated to the satisfaction of the Planning Authority, that there is no resultant unacceptable risk to groundwater and mitigation measures to prevent contaminant migration & pollution of groundwater are acceptable.

### Reason

In order to protect controlled waters and in order to comply with the National Planning Policy Framework.

12. 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 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 Planning Authority.

### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to



workers, neighbours and other offsite receptors in accordance with Saved policy D56 of the Local Plan Review 1996-2006.

13. Any facilities for the storage of fuels, lubricants or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, or in purpose built self bunding tanks, 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 the interests of environmental protection by minimising the potential discharge of contaminated drainage, or accidental spillages, to underground strata or to surface waters.

14. Noise from the 'operational phase' of the development must not cause the existing 'baseline' background noise levels (measured as the LA90 (15 minutes) to be exceeded at any Noise Sensitive Receptor location.

Reason

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

**488 – Sherborne Avenue, Barrow-in-Furness**

From Mulberry Homes Ltd in respect of the erection of detached and semi-detached housing, formation of garages, access road and associated site works (Outline with access, layout and landscaping not reserved for subsequent approval) at Sherborne Avenue, Barrow-in-Furness as shown on plan number 2016/0903.

Representations received and the results of consultations were reported.

RESOLVED:-

- (A) That outline planning permission (access, layout and landscaping not reserved) be granted for the development subject of application 2016/0903 on completion of a 106 obligation to restate the terms of the 106 dated 11/12/2015 including arrangements for maintenance of SUDs features and with the commuted sum updated to take account of inflation as defined within the 106 and subject to the following conditions:

(1) and (2) Standard Outline and Duration limits [Reserved matters limited to appearance and scale)

3. The development shall only be carried out in accordance with the application dated 7/12/2016 and the hereby approved plans reference:
  - Site location plan
  - Site layout plan (overall arrangement) ref FL/N/PH3/100 Rev Y(1)
  - Site layout plan (Stage 3) ref FL/N/PH/352 Rev D
  - Proposed Highway Lighting ref SLDS1218-V1 Rev B
  - Out Door Lighting Report dated 25/08/2015, Lighting Reality Ltd
  - Road layout (sheet 1 of 2) ref 15074/01.1 Rev C,
  - Road layout (sheet 2 of 2) ref 15074/01.2,
  - Proposed Carriageway Levels (Sheet 1 of 2) ref 16301/02.1
  - Proposed Carriageway Levels (Sheet 2 of 2) ref 16301/02.2
  - Section A-A & B-B ref 16301/02.3
  - Carriageway Longitudinal sections ref 16301/03
  - Typical [Road] Construction Details (Sheet 1 of 2) ref 16301/04.1
  - Typical [Road] Construction Details (Sheet 2 of 2) ref 16301/04.2
  - Surface Water drainage Strategy ref CN15074 Version B [M&P Gadsden, 7/12/2016]
  - Proposed Surface Water and Foul Drainage Layout ref 15074/06.1
  - Surface Water Longitudinal Sections (South) 16301/07.1
  - Adoption Plan (Sheet 1 of 2) ref 16301/05.1
  - Adoption Plan (Sheet 2 of 2) ref 16301/05.2
  - Foul Drainage Longitudinal Sections ref 16301/08
  - Surface Water Manhole Details (Sheet 1 of 6) ref 16301/09.1
  - Surface Water Manhole Details (Sheet 2 of 6) ref 16301/09.2
  - Surface Water Manhole Details (Sheet 3 of 6) ref 16301/09.3
  - Surface Water Manhole Details (Sheet 4 of 6) ref 16301/09.4
  - Surface Water Manhole Details (Sheet 5 of 6) ref 16301/09.5
  - Surface Water Manhole Details (Sheet 6 of 6) ref 16301/09.6
  - Foul drainage Manhole Details Sheet 1 of 4) ref 16301/10.1
  - Foul drainage Manhole Details Sheet 2 of 4) ref 16301/10.2
  - Foul drainage Manhole Details Sheet 3 of 4) ref 16301/10.3
  - Foul drainage Manhole Details Sheet 4 of 4) ref 16301/10.4
  - Attenuation Pond North Plan View ref 16301/14.1
  - Attenuation Pond North Sections ref 16301/14.2
  - Headwall and Weir Details (Sheet 1 of 2) 16301/15.1
  - Headwall, weir and Berm Details (Sheet 2 of 2) 16301/15.2
  - Typical post and signage details 16301/15.3
  - Crash Barrier Details ref 16301/17
  - Crash Barrier Details ref 15074/17Rev C
  - Planning PHSE 15074/18
  - Typical garage and Driveway drainage layout ref 16301/16.1
  - Typical garage and Driveway drainage Details ref 16301/16.2
  - [Fence detail to railway boundary] EXEMPA profiled panel system colour green RAL 6005

### Reason

To ensure the development only proceeds as approved.

4. The approved Remediation Strategy Ref No.BEK15070-2 Rev B, bEK Enviro, July 2016) and the 'Addendum Ground Gas and Controlled Water Risk Assessment, prepared by bEk Enviro (Report No. BEK/15070/150819-rnh[Rev2], dated 19th August 2015) shall be fully implemented, and, prior to the occupation of any dwelling a programme for the issue of a Verification Reports to verify implementation shall be have submitted to and approved in writing by the Local Planning Authority, and thereafter the verification reports shall be issued in accordance with the agreed programme.

### Reason

To give effect to the recommendations of the above referred to reports in the interests of human health and the environment.

5. 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.

6. 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.

7. 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 and including a landscape management plan for all areas other than privately owned residential curtilages, covering management responsibilities and maintenance schedules for a minimum period of 5 years, 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 be implemented and maintained in accordance with the agreed details.

### Reason

In the interests of the visual amenities of the area and to ensure a management plan is put in place. The matter needs to be addressed pre commencement as landscaping is critical to the developments integration with its surroundings and needs to be allowed for in terms of how the scheme proceeds.

8. Prior to the commencement of any development a habitat creation/enhancement and management plan and programme has been submitted to and approved in writing by the planning authority. The approved habitat creation/enhancement and management plan shall be implemented in full accordance with the approved programme.

### Reason

To accord with the NPPF paragraph 109 which requires net gains in bio diversity where possible. The matter needs to be addressed pre commencement as the habitat creation will influence how the development proceeds.

9. Surface water drainage shall be carried out in accordance with the following details and in accordance with a scheme of phasing which must have been submitted to and approved in writing prior to the beneficial occupation of any of the hereby approved dwellings; details:

Surface Water drainage Strategy ref CN15074 Version B  
[M&P Gadsden, 7/12/2016]

Typical [Road] Construction Details (Sheet 1 of 2) ref 16301/04.1

Typical [Road] Construction Details (Sheet 2 of 2) ref 16301/04.2

Proposed Surface Water and Foul Drainage Layout ref 15074/06.1

Surface Water Longitudinal Sections (South) 16301/07.1  
Adoption Plan (Sheet 1 of 2) ref 16301/05.1  
Adoption Plan (Sheet 2 of 2) ref 16301/05.2  
Foul Drainage Longitudinal Sections ref 16301/08  
Surface Water Manhole Details (Sheet 1 of 6) ref 16301/09.1  
Surface Water Manhole Details (Sheet 2 of 6) ref 16301/09.2  
Surface Water Manhole Details (Sheet 3 of 6) ref 16301/09.3  
Surface Water Manhole Details (Sheet 4 of 6) ref 16301/09.4  
Surface Water Manhole Details (Sheet 5 of 6) ref 16301/09.5  
Surface Water Manhole Details (Sheet 6 of 6) ref 16301/09.6  
Attenuation Pond South Plan View ref 16301/13.1  
Attenuation Pond South Sections ref 16301/13.2  
Headwall and Weir Details (Sheet 1 of 2) 16301/15.1  
Headwall, weir and Berm Details (Sheet 2 of 2) 16301/15.2  
Typical garage and Driveway drainage layout ref 16301/16.1  
Typical garage and Driveway drainage Details ref 16301/16.2

#### Reason

To give effect to the submitted surface water drainage strategy and associated detailed design

10. The surface water drainage system including SUDs features shall be retained and maintained for the life of the development in accordance with the Surface Water Drainage Strategy ref CN15074 Version B [M&P Gadsden, 7/12/2016] and including the attached appendices.

#### Reason

To ensure that long term maintenance arrangements are in place for the surface water drainage including all sustainable drainage system features.

11. The health and safety assessment incorporated within the Surface Water Drainage Strategy ref CN15074 Version B [M&P Gadsden, 7/12/2016] including the attached appendices shall be implemented including the installation of the warning/notification signs in accordance with the submitted details titled 'Typical post and signage details' ref 16301/15.3

#### Reason

In the interests of public safety

12. Water within Mill Beck shall be monitored until such time as all below ground works including any piling/excavations for foundations, services, and drainage including the settlement ponds have been completed and which shall be carried out in accordance with a programme of monitoring, and which shall include reporting and proposals for mitigation if required, in accordance with Addendum Ground Gas and

Controlled Water Risk Assessment, prepared by bEk Enviro (Report No. BEK/15070/150819-rnh[Rev2], dated 19th August 2015)

Reason

In order to protect the water environment.

13. The dwellings shall be constructed in such a way that they address the low to intermediate gas regime identified in respect of which details of the measures as prescribed in BRE Report 414 (Johnson, 2001) shall have been submitted to and approved in writing with the planning authority.

Reason

To give effect to the recommendations contained within the Addendum Ground Gas & Controlled Waters Risk Assessment (bEk Enviro 19/08/15) in the interests of safety.

14. The installation of the gas mitigation shall be independently validated with the validation documentation submitted to the local planning authority prior to the occupation of the respective dwelling.

Reason

To ensure that gas mitigation is installed to an acceptable standard.

15. The development shall only proceed in accordance with the submitted Foundation Risk Assessment Report, Ground Solve Ltd, Ref No. 1857, September 2016 including identified mitigation measures.

Reason

To give effect to the above referred to report which seeks to avoid the creation of pathways between contaminated made ground and the aquifer having regard to the recommendations of the 'Addendum Ground Gas & Controlled Waters Risk Assessment' (bEk Enviro, 19/08/15) and the publication 'Piling into Contaminated Sites' (Environment Agency 2002).

16. The development shall only proceed in accordance with the submitted Construction Management Method Statement, Mulberry Homed Ltd, January 2016.

Reason

To give effect to the Construction Management Method Statement in order to ensure any potential adverse impacts on amenity are appropriately mitigated.

17. Prior to the commencement of any development details of the finished floor levels for the dwellings hereby approved shall have been submitted to and approved in writing by the planning authority . The development shall only proceed in accordance with the approved details.

Reason

To ensure the development is visually well mannered in relation to its surroundings.

18. The site's boundary with the operational railway shall be secured in accordance with 'Fence detail to railway boundary] EXEMPA profiled panel system colour green RAL 6005' where shown in drawing numbers; Section A-A & B-B ref 16301/02.3, Site layout ref FL/N/PH3/100 Rev Y(1), Road layout(sheet 1 of 2) ref 15074/01.1 Rev C, and Road layout(sheet 2 of 2) ref 15074/01.2, in accordance with a scheme of phasing and method statement which must have been submitted to and approved in writing with the planning authority prior to the beneficial occupation of any of the hereby approved dwellings.

Reason

To protect the adjacent railway from unauthorised access as advised by Network Rail.

19. The crash barrier shall be installed in accordance with Crash Barrier Details ref 15074/17 Rev C and in accordance with a scheme of phasing and method statement which must have first been submitted to and approved in writing with the planning authority prior to the beneficial occupation of any of the hereby approved dwellings.

Reason

To protect the operational railway as advised by Network Rail.

20. The residential travel plan which forms part of the TRAFFIC IMPACT ASSESSMENT / TRANSPORT ASSESSMENT (SUPPLEMENTARY REPORT) dated 15/12/2014 by VTC (Highway & Transportation Consultancy) shall be implemented in accordance with a scheme which must have been submitted to and approved in writing by the Planning Authority.

Reason

To secure the implementation of the agreed travel plan and a timescale for its implementation.

21. No dwellings shall be occupied (unless in accordance with a scheme of phasing submitted to and approved in writing by the Local Planning Authority) until the estate road including footways has been constructed in all respects to base core level, and street lighting has been provided

and brought into full operational use in accordance with details approved.

Reason

To ensure a suitable level of access provision to the development.

22. Prior to the occupation of the 10th dwelling a programme for the completion of the estate road including footways where shown shall have been submitted to and approved in writing by the planning authority and the estate roads shall then be completed in accordance with the approved programme and the details.

Reason

To ensure a suitable standard of provision for pedestrians and vehicles associated with the development; and

- (B) That the Planning Manager be granted delegated authority to adjust any of the above conditions to take account of the submission of additional information or subsequent discussions before the 106 is concluded.

**489 – 10 New Leys, Barrow-in-Furness**

From Mr Colin Garnett, Barrow Borough Council in respect of disabled adaptation to provide new bedroom and wet room at ground floor level at 10 New Leys, Barrow-in-Furness as shown on plan number 2017/0093.

The application was reported to Members as the application relates to a Council owned property. No representations had been received but 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 hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 02/02/2017 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:  
DAL2016/4-E002, DAL2016/4-A106, DAL2016/4-E001, DAL2016/4-A102, DAL2016/4-A103, DAL2016/4-A107, DAL2016/4-A104, DAL2016/4-A105.

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, 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.

#### **490 – 39 Thornton Park, Dalton-in-Furness**

From Mr Colin Garnett, Barrow Borough Council in respect of a single storey side and rear extension to property to provide disabled access, wet room and ground floor bedroom at 39 Thornton Park, Dalton-in-Furness as shown on plan number 2017/0003.

The application was reported to Members as the application relates to a Council owned property. No representations had been received but 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 hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 13/01/2017 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

DAL2016/4-A101, DAL2016/4-A102 Rev A, DAL2016/4-A103 Rev A, DAL2016/4-A104, DAL2016/4-A105 Rev B, DAL2016/4-A106 Rev B.

### 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, 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.

#### **491 – Withdrawn Application**

The following application had been withdrawn:-

2017/0082 – Siting of replacement timber clad chalet with car port, compositing wc, stone track and car parking at Dalton Road, Askam-in-Furness.

The meeting closed at 2.58 p.m.

