

BOROUGH OF BARROW-IN-FURNESS

PLANNING COMMITTEE

Meeting, Tuesday 13th June, 2017
at 2.30 p.m. (Drawing Room)

Site Visits

2017/0147 – South Lakes Safari Zoo, Melton Terrace, Barrow-in-Furness

Depart Town Hall Courtyard at **1.15 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 23rd May, 2017 (copy attached).
7. Delegated Approvals – For Information (Booklet attached).

FOR DECISION

- (D) 8. Planning Applications (booklet(s) attached).
- (D) 9. Deferred Booklet (attached).
- (D) 10. Appointments on Outside Bodies, Panels, Working Groups etc.

**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
Derbyshire
Gawne
Husband
McEwan
McLeavy
Murphy
Murray
Seward
Thurlow

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Published: 5th June, 2017

PLANNING COMMITTEE

Meeting: Tuesday 23rd May, 2017
at 2.30 p.m. (Drawing Room)

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

Officers Present:- Charles Wilton (Principal Planning Officer), Sharron Rushton (Democratic Services Officer) and Democratic and Electoral Services Apprentice.

1 – Minutes Silence

The Chair requested Members to stand and observe a one minutes silence as a mark of respect for those that lost their lives in the terrorist attack in Manchester earlier this week.

2 – The Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 and Access to Information (Variation) Order 2006 – Urgent Items

RESOLVED:- That by reason of the special circumstances outlined below the Chairman is of the opinion that the following items 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>
Application to fell T3 (horse chestnut) and T4 (yew) subject of Tree Preservation Order 1998 No. 4 at 2 Abbey Way, Barrow-in-Furness (Minute No. 7)	The applicant had stated their intention to serve a 5 day fell notice on the Council claiming that the horse chestnut was dangerous and the yew tree was in poor condition.
Poor condition of roof structure at former Dixons Bakery Michaelson Road, Barrow-in-Furness (Minute No. 6)	The matter was considered urgent due to the need to obtain Secretary of State authorisation to serve an Urgent Repairs Notice.

3 – Declarations of Interest

Councillor Thurlow declared a disclosable pecuniary interest in Planning Application No. 2017/0062 – 2 Abbey Way, Barrow-in-Furness (Minute No. 7) as the applicant was a close associate. She left the meeting during consideration of this item.

4 – Apologies for Absence/Attendance of Substitute Members

An apology for absence was received from Councillor McLeavy.

Councillor R. McClure had substituted for Councillor McLeavy for this meeting only.

5 – Minutes

The Minutes of the meeting held on 25th April, 2017 were taken as read and confirmed.

6 – Dixon’s Bakery, Michaelson Road, Barrow-in-Furness

The Assistant Director (Regeneration and Built Environment) reported that following a complaint from a member of the public, the Borough Council Building Control Manager had sought to engage with the property owner seeking voluntary action to repair a section of the decorative stone pediment at the front of the building. So far this had failed and the second alternative would be to serve a Dangerous Structures Notice under the Building Act. The Building Control Manager had delegated powers to do this. This legislation could be complied with by simply removing the dangerous section. However, guidance in the Building Act recommended that Authorities look at other legislation before taking such action, including considering alternative legislation, where the property was either listed or within a Conservation Area.

In this instance, the stone pediment was an important architectural feature on the building which was located in a prominent location within Barrow Island Conservation Area. An alternative would be to serve an Urgent Repairs Notice under Section 76 of the Planning (Listed Buildings & Conservation Areas) Act 1990, “the Act”. This would be aimed at securing a localised repair of the pediment area rather than a full refurbishment of the building.

The building was not listed hence the procedure was for the Authority to approach the Secretary of State to authorise service. There was a minimum 7 day notice to enable the owner to carry out the works as scheduled after which the Authority could carry out the work and reclaim the costs from the owner.

RESOLVED:- That should voluntary action to repair the building not be forthcoming in a suitable timescale, then Members agreed to authorise the service of an Urgent Repairs Notice under Section 76 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

7 – 2 Abbey Way, Barrow-in-Furness

The Principal Planning Officer reported on an application to fell two trees subject of a Tree Preservation Order. The applicant(s) had stated their intention to serve a 5 day fell notice on the Council claiming that the horse chestnut was dangerous and the yew tree was in poor condition. The Council had commissioned specialist reports to advise on the merits of the application. In relation to the horse chestnut, the report detailed the various defects with the tree which were likely to have arisen through root damage during the building of the estate. The report concluded that the tree’s stability was compromised to the extent it could blow over. In relation to the yew tree, the report advised that the tree had suffered trauma, probably when the site was developed, and was in poor condition. Based on its poor appearance and limited life the report advised it was better replaced.

RESOLVED:- That the consent to fell both the horse chestnut tree and the yew tree was agreed on condition that both trees were replaced.

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:-

- | | | |
|-----------|------------------|---|
| 8 | 2017/0042 | Removal of existing garage and replacement with larger garage (Amended plans dated 21.03.17) at 11 Beckermat Gardens, Barrow-in-Furness. |
| 9 | 2017/0112 | Ground floor rear and side extension at 12 Yarlside Road, Barrow-in-Furness. |
| 10 | 2017/0051 | Side extension forming ground floor sun room at 7 Barnfield Lane, Barrow-in-Furness. |
| 11 | 2017/0106 | Demolish front porch and build a larger porch incorporating larger window and tie to main roof (amended side elevation plan received 30.03.17) at 5 Newton Road, Newton-in-Furness. |
| 12 | 2016/0914 | Variation of Condition 5 of planning permission 2003/0593 to allow conversion of existing garage into a bedroom at 17 Dowie Close, Barrow-in-Furness. |
| 13 | 2017/0098 | Double and single storey rear extension to provide ground floor living/dining room and first floor bedroom and bathroom at 1 Piel View Grove, Barrow-in-Furness. |
| 14 | 2017/0095 | Single storey side elevation garage with rear elevation kitchen extension and new replacement pitched roof dormer at 75 Croslands Park, Barrow-in-Furness. |
| 15 | 2017/0167 | Erection of a detached garage at The Old Chapel, Tarn Flatt, Marton. |
| 16 | 2017/0116 | Loft conversion to provide two bedrooms, one with en-suite at 79 Dalton Lane, Barrow-in-Furness. |

- 17** **2017/0146** Single storey extension at 47 Dundee Street, Barrow-in-Furness.
- 18** **2017/0138** Storm porch at 1 Roa Island, Barrow-in-Furness.
- 19** **2017/0151** Change hip roof to a gable roof forming: Front dormer conversion forming bedroom en-suite to 2nd floor side/front sunroom extension at 4 Myrtle Grove, Dalton-in-Furness.
- 20** **2017/0152** Detached garage to rear of property at 14 Market Street, Dalton-in-Furness.
- 21** **2017/0130** Rear and side extensions forming bedroom 3 and dining room with extending bedroom 2 and bathroom with internal alterations at 51 Leece Lane, Barrow-in-Furness.
- 22** **2017/0107** Details of Condition No. 3 (Roller Shutter Design) for Planning Application 2016/0612 External changes including installation of new shop front and auto door, installation of roof edge protection and weather louvres at The Co-operative Food, Roose Road, Barrow-in-Furness.
- 23** **2017/0064** Install commercial extraction system to rear elevation at Conservative Association, Abbey Road, Barrow-in-Furness.
- 24** **2017/0075** Change of use from a nursery to a residential dwelling including side extension to create extended bedroom at St Anthony's Church, Crossley Street, Askam-in-Furness.
- 25** **2017/0142** Application for an approval of details as reserved by Condition No. 13 (foul drainage) and No. 20 (piling environmental risk assessment) of permission 2016/0904 (Material Amendment following grant of planning permission 2016/0372 which permitted the erection of a building containing grid connected electricity storage facility at Former Roosecote Power Station, Rampside Road, Barrow-in-Furness.
- 26** **2017/0117** Change of use of part ground floor from a former wine bar (A4) to an office (B1) at Former chambers Wine Bar, 98-100 Duke Street, Barrow-in-Furness.
- 27** **2017/0084** Change of use from shop (A1) to an after school educational study centre, Kumon Maths and English (D1) at 3 Lakes Parade, Ennerdale Drive, Barrow-in-Furness.
- 28** **2017/0126** Consent to display a non-illuminated threshold sign at National Trust, Hawthwaite Lane, Barrow-in-Furness.

- 29 2016/0922** Change of use from public house with 15 letting rooms into a house of multiple occupation with 19 letting rooms at 82-84 Church Street, Barrow-in-Furness.
- 30 2017/0072** Listed Building Consent for installation new concealed commercial extraction system at Conservative Association, Abbey Road, Barrow-in-Furness.
- 31 2017/0207** Application for approval of details reserved by Condition No.14 (boundary treatment) and No.17 (public art provision) of planning permission B12/2015/0840 Demolition of extensions to former school with retention of listed building. Construction of new 2 storey extension with rooftop plantroom linked at bottom floor levels. Existing Building refurbished and with new extension to provide new primary care centre at Former Alfred Barrow School, Duke Street, Barrow-in-Furness.
- 32 2017/0210** Application for approval of details reserved by Condition No. 5 (verification scheme) for permission 2016/0897 (Application for removal of condition no. 3 of planning permission 2012/0377 (Application for a new planning permission to replace an extant planning permission 2008/0957 - Erection of 57 residential properties (31 houses and 26 flats – Resubmission of 2008/0222) at Former Strand Engineering, Ironworks Road, Barrow-in-Furness.

The following application was a County Matter:-

- 33 2017/9002** Creation of a 130 metre length access road (County Matter) at Greenscoe Quarry, Askam Road, Dalton-in-Furness.

The following application was refused:-

- 34 2017/0103** Erection of a two storey rear extension forming ground floor extended kitchen with bedroom over at 19 Union Street, Dalton-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:-

35 – Washington Hotel, Roose Road, Barrow-in-Furness

From Mr A. Cooke, Blake Henderson in respect of the conversion of a former public house (Class A4) to a house in multiple occupation with 22 units (Sui Generis) and

10 self contained apartments (C3) with the formation of a car park at Washington Hotel, Roose Road, Barrow-in-Furness as shown on plan number 2017/0029.

Representations received and the results of consultations were reported.

The applicant 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:-

Compliance with Approved Plans

1. The development shall be carried out and completed in all respects in accordance with the application dated 22.12.16 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent; 09102/BR/ 004 D, 005 D, 006 C, 010 B & 'Proposed Site Plan dated 22/12/16.'

Reason

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

Pre-commencement Conditions

2. Notwithstanding the plans hereby approved, no development shall be commenced until details of the proposed Sustainable Drainage System including the permeable surfaced car park have been submitted to and approved in writing by the Planning Authority. The details should include an assessment of the ground conditions including any percolation tests with the findings submitted. If the ground conditions are impracticable for infiltration only then shall connection to the combined sewer be considered as a point of discharge.

Reason

In order to ensure that the site is adequately drained in the absence of a dedicated surface water sewer and in accordance with the sustainability aims of the NPPF.

During Building Works

3. Prior to commencement of the access a 2 metre X 2 metres pedestrian visibility sight splay as measured from the highway boundary (or footway), shall be provided on both sides of the vehicular access. There shall be no obstruction above a height of 600m as measured from the finished surface of the access within the area of the visibility sight splays thereafter.

Reason

To provide adequate inter-visibility between the pedestrians and users of the access and the existing public highway safety and convenience of users of the highway and of the access.

4. The whole of the access area bounded by the carriageway edge, entrance gates and the splays shall be constructed and drained to the specification of the Local Planning Authority in consultation with the Highway Authority.

Reason

In the interests of highway safety.

5. The access drive shall be surfaced in bituminous or cement bound materials, or otherwise bound and shall be constructed and completed before the development is brought into use. This surfacing shall extend for a distance of at least 5 metres inside the site, as measured from the carriageway edge of the adjacent highway.

Reason

In the interests of highway safety.

6. The development shall be carried out in strict accordance with the document entitled 'The Town Planning Experts: Flood Risk Assessment/Flood Risk Warning and Evacuation Plan, The Former Washington Hotel, Roose Road Barrow-in-Furness' dated 17th March 2017. The specified resilience/mitigation measures detailed within must be incorporated within the development.

Reason

In order to ensure that the development complies with current policy and guidance on flood risk as found in the NPPF and NPPG.

Before Occupation

7. Before the development is occupied the existing access to the highway (which is not marked on the accompanying plan but which is located between the entrance to the courtyard and the pedestrian entrance on Cambridge Street) shall be permanently closed and the highway crossing and boundary shall be reinstated in accordance with details which have been submitted to and approved by the Local Planning Authority.

Reason

To minimise highway danger and for the avoidance of doubt.

36 – Walney Conti, Promenade, Barrow-in-Furness

From Mr Christos Alexandrou in respect of the change of use to incorporate land within church grounds into the curtilage of the Walney Conti hot food takeaway with the creation of rear storage area for refrigerators (amended description) at Walney Conti, Promenade, Barrow-in-Furness as shown on plan number 2017/0037.

Representations received and the results of consultations were reported.

RESOLVED:- That planning permission be granted subject to the Standard Duration Limit and the following condition:-

Compliance with Approved Plans

1. The development shall be carried out and completed in all respects in accordance with the application form as amended, dated 16/01/17 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent; MEJ/2016/191 002, 003, 004 Issue 2, 005 Issue 2, 006 Issue 2.

Reason

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

37 – Fishers Yard, Church Street, Barrow-in-Furness

From Mr A Gliga in respect of the change of use from car sales to a steam car wash at Fishers Yard, Church Street, Barrow-in-Furness as shown on plan number 2017/0053.

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:-

Compliance with Approved Plans

2. The development hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 3rd February 2017 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent: Location Plan, site plan, additional information 31.1.17, surface water drainage 19.2.17

Reason

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

Operational Conditions

3. The use hereby approved shall cease to operate from 1800 hours and not re-open until 0800 hours the following day (Monday to Saturday) and Sunday operating hours will be restricted to between 1000 hours and 1600 hours.

Reason

To protect the residential amenities of the area.

38 – Hayeswater Drive, Cemetery Hill, Dalton-in-Furness

From MT Wood and Sons Ltd in respect of a residential development of 13 dwellings at Hayeswater Drive, Cemetery Hill, Dalton-in-Furness as shown on plan number 2016/0126.

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:-

Compliance with Approved Plans

2. The development shall be carried out in accordance with the application dated 27th January 2016 as amended (reduced to 13 dwellings) and the hereby approved plans;
Site layout Plan Ref 3296-P102 Rev E
Plans and Elevations P103A, 104A, 105A, 106A
Proposed Road layout Ref 16165/01.1E
Proposed Road levels 01.2B
Carriageway Longitudinal Section 01.3A
Construction details 1 of 2 04.1C
Construction details 2 of 2 04.2
Road Improvements 01.5B
Drainage Layout 02.1D
Percolation Test Locations 02.3A
Highway Soakaway Detail 02.4D
Exceedance Route 02.5B
Surface Water Drainage Strategy Rev C dated 27/04/2017
Except where amended by any of the conditions below:

Conditions recommended by Environmental Health re: ground investigations

3. The Preliminary Investigation has identified 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.

4. 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.
5. 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.
6. 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.
7. 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.
8. The Construction Management Method Statement covering all phases of the development and taking account of all contractors or sub-contractors shall have been submitted and approved by the Planning Authority, prior to the commencement of the development. The Method Statements will be expected to include the following:
 - Details of phasing of the construction work including a programme of work for the demolition and construction phase;

- A Traffic Management Plan to include all traffic associated with the development, including site and staff traffic;
- 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 BS 5228 - Code of practice for noise and vibration control on construction and open sites. All measurements should make reference to BS 7445 - Description and measurement of environmental noise;

Hours of working and deliveries;

- Mitigation measures to reduce adverse impacts on residential properties from construction compounds including visual impact, noise, dust and light pollution;
- Mitigation measures to control the emissions of dust and dirt during construction and demolition;

A written procedure for dealing with complaints regarding the construction or demolition; A site log book to record details and action taken in response to exceptional noisy incidents or dust-causing episodes. It should also be used to record the results of routine site inspections;

- Details of lighting to be used on site;
- Mitigation measures to ensure that no harm is caused to protected species during construction;
- The provision of facilities for the cleaning of vehicle tyres where haul routes meet the public highway to avoid deposition of mud/debris on the public highway and the generation of dust.

Highway conditions

9. No dwellings shall be occupied (unless in accordance with a scheme of phasing previously submitted to and approved in writing by the Planning Authority) until the estate road, including footways, has been constructed in all respects to base course level, and street lighting has been provided and brought into full operational use in accordance with details approved under condition 10 below, including any scheme of phasing.

Reason

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

10. The carriageway, footways and footpaths shall be designed, constructed, drained and lit to an adoptable standard including the widening of the existing section of Hayeswater Drive where shown and in respect of all these matters further details, including a full specification, setting out plan, lighting details, longitudinal and cross

sections, and details of phasing shall have been submitted to and approved in writing by the Planning Authority prior to the layout out of the approved estate roads. The development shall then proceed in accordance with the approved details.

Reason

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

11. Prior to the occupation of the 8th dwelling a programme for the completion of the estate roads including footways and the widening of the existing of Hayeswater Drive where shown on the Site layout Plan ref 3296-P102E 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 approved under condition 6 above.

Reason

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

Tree protection/landscaping condition

13. Prior to the commencement of any development, the following measures must be met to safeguard the trees that are present on site including those subject to Tree Preservation Order 2016 No. 2; a) Fencing in accordance with the scheme submitted to and approved by the Planning Authority must be erected around each tree or group of trees to define the Root Protection Area. This fencing must be as specified by the Arboriculturalist's Report dated 14/04/2016 which accompanied the application and at a radius from the trunk of each tree as defined by BS5837:2012. b) No excavations, site works, trenches, channels, pipes, services, temporary buildings used in connection with the development or areas for the deposit of soil or waste or for storage of construction materials, equipment or fuel shall be sited within the root protection area of any tree.

Reason

In order to ensure that damage does not occur to the trees during building or engineering operations.

14. Prior to the completion of the external envelope of any dwelling a landscape scheme for the site, showing the trees, shrubs and hedgerows, including verges and other open spaces, together with details of a timetable for implementation, (including 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. The scheme shall be implemented in accordance with the approved details, and all planting and subsequent maintenance shall be to current British Standards.

Conditions recommended by the Lead local Flood Authority

15. Prior to the completion of the external envelope of any dwelling details of measures to address the exceedance route as shown on 'Exceedance Route ref 16165/02.5B' in the direction of Olive Close as commented in the response of the LLFA dated 12/05/2017, including a programme for delivery, shall have been submitted to and approved in writing by the Planning Authority and the measures shall then be carried out in accordance with the approved details and programme.

Reason

To address any risk of flood in excess of a 1 in 100 year storm event

16. Foul and surface water drainage shall be provided in accordance with approved Surface Water Drainage Strategy CN 16165Rev C dated 27/04/2017, Drainage layout 16165/02.1D and Highway Soakaway Detail 16165/02.5B in accordance with a scheme of phasing which must have first been submitted to and approved in writing with the Planning Authority.

Reason

To ensure that the approved drainage is provided at the appropriate time.

Footway link condition

17. A footpath link shall be provided in between the approved estate road and Hollygate Road as shown on 'Site Layout Plan ref 3296-P102E' and in accordance with further details of surfacing, lighting, levels, fencing, drainage and a programme for its delivery and which shall have been submitted to and approved in writing by the planning authority prior to the occupation of the 8th dwelling and including for this purpose any dwelling on plots 11 and 12.

Reason

To accord with saved policy E17 which seeks to ensure where feasible that development schemes contribute to an improvement in conditions for pedestrians and policy DS2 of emerging plan.

39 – Linmoor, Ireleth Brow, Ireleth, Askam-in-Furness

From D. A. Lindow and Son in respect of an application for the retention of a detached bungalow without complying with Condition 2 of planning permission 1991/0893 (occupancy limitation on approved agricultural workers dwelling) (accompany unilateral obligation seeks to impose occupancy limitation on adjacent dwelling) at Linmoor, Ireleth Brow, Ireleth, Askam-in-Furness as shown on plan number 2017/0143.

Representations received and the results of consultations were reported.

RESOLVED:- That on completion of an obligation/undertaking under Section 106 of the Act to secure the imposition of an agricultural workers occupancy limitation on 'Far Old Park' to the satisfaction of the Planning Manager that planning permission be granted in accordance with the application dated 16/02/2017.

40 – Car Park, The Strand, Barrow-in-Furness

From Miss Gemma Lang, Parking Eye Ltd in respect of the retention of automatic number plate recognition cameras to monitor the access and egress of vehicles to provide a car parking management system at Car Park, The Strand, Barrow-in-Furness as shown on plan number 2017/0149.

Representations received and the results of consultations were reported.

RESOLVED:- That retrospective planning permission be granted subject to the Standard Duration Limit and the following conditions:-

Compliance with Approved Plans

1. The development shall be carried out and completed in all respects in accordance with the application dated 27.02.2017 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent: C-0000-003 Rev A & 004, Rev A S-0000-001-Rev A c-18209-002-Rev A.

Reason

To ensure that the development is carried out only as indicated on the drawings approved by the Planning Authority in the interests of the appearance of the development and the visual amenity of the area.

Operational Conditions

2. Within 56 days of the equipment no longer providing a service, the equipment and all ancillary fittings and fixtures including any separate structures, shall be removed from the site and the land reinstated to its previous state.

Reason

In the interests of the visual amenity of the area.

41 – 5 Torver Row, Dalton Fields Lane, Dalton-in-Furness

From Mrs Paula Madigan in respect of a single storey rear extension forming bedroom and en-suite at 5 Torver Row, Dalton Fields Lane, Dalton-in-Furness as shown on plan number 2017/0173.

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:-

Compliance with Approved Plans

2. The development hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 7th March 2017 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent: 1-PM-8 to 9-PM-8 inclusive.

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.

Before Occupation

4. Prior to its beneficial occupation the external walls of the extension shall be completed and finished as shown on the plans attached to this consent, unless the Planning Authority agrees to any variation.

Reason

In order to protect the visual amenities of the area.

42 – 289 Rawlinson Street, Barrow-in-Furness

From Mr Haydar Orman in respect of the change of use from dwelling house (C3) to sandwich bar (A1) at 289 Rawlinson Street, Barrow-in-Furness as shown on plan number 2017/0174.

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:-

Compliance with Approved Plans

2. The development hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 7th March 2017 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent: 1-HO-5 to 5-HO-5 inclusive.

Reason

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

Operational Conditions

3. The use hereby approved shall cease to operate from 2200 hours and not re-open until 0630 hours the following day.

Reason

To protect the residential amenities of the area from noise and disturbance at night-time and in the early morning.

43 – Proposed House Adjacent to Yarlside Stores, Yarlside Road, Barrow-in-Furness

From Mr Jamie Kemp in respect of the erection of a two bedroom detached house with forecourt parking at proposed house adjacent to Yarlside Stores, Yarlside Road, Barrow-in-Furness as shown on plan number 2017/0195.

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:-

Compliance with Approved Plans

1. The development shall be carried out and completed in all respects in accordance with the application dated 13.03.17 and the hereby

approved documents defined by this permission as listed below, except where varied by conditions attached to this consent; 6169/01, 6169/02, 6169/03, 6169/04.

Reason

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

Pre-commencement Conditions

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems. It is required as a pre-commencement condition 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.

3. If the Preliminary Investigation identifies potential unacceptable risks, a Field Investigation and Risk Assessment, conducted in accordance with established procedures (BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and Model Procedures for the Management of Land Contamination (CLR11)), shall be undertaken to determine the presence and degree of contamination and must be undertaken by a suitably qualified contaminated land practitioner. The results of the Field Investigation and Risk Assessment shall be submitted to and approved by the Local Planning Authority before any development begins.

Reason

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

4. Where contamination is found which poses unacceptable risks, no development shall take place until a detailed Remediation Scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must include an appraisal of remedial options and proposal of the preferred option(s), all works to be undertaken, proposed remediation objectives, remediation criteria and a verification plan. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use.

Reason

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

During Building Works

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 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.

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 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.

Before Occupation

7. The development shall not be brought into use until visibility splays providing clear visibility of 2 metres x 33 metres measured down the centre of the access road and the nearside channel line of the major road have been provided at the junction of the access road with the County Highways. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) relating to permitted development, no structure, vehicle or object of any kind shall be erected, parked or placed and no trees, bushes, or other plants shall be planted or be permitted to grow within the identified visibility splays.

Reason

To ensure that in the interests of the safety of highway users a suitable standard of access for the development exists at all times and in order to minimise potential hazards 8. The access drive shall be surfaced in permeable bound materials and shall be constructed and completed before the development is occupied/ brought into use.

Reason

In the interests of highway safety

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

Reason

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

Operational Conditions

10. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modifications) and with the exception of those hereby approved, no opening of any kind shall be made in the north or south facing side elevations of the permitted dwelling without the prior express consent of the Planning Authority.

Reason

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

11. The parking spaces and access thereto must be reserved for the parking of private motor vehicles and no permanent development, whether permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modifications) or not, shall be carried out on that area of land in such position as to preclude vehicular access to the development hereby permitted.

Reason

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

44 – Isle of Walney Community Growing Space, Mill Lane, Barrow-in-Furness

From Miss H. Brackston, Art Gene in respect of the siting of a storage container on a field used as a community growing space at Isle of Walney Community Growing Space, Mill Lane, Barrow-in-Furness as shown on plan number 2017/0196.

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:-

Compliance with Approved Plans

1. The development shall be carried out and completed in all respects in accordance with the application dated 20.3.2017 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:
drawing no. 02 (site plan and details)

Reason

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

Pre-commencement Conditions

No conditions of this type

During Building Works

No conditions of this type

Before Occupation

No conditions of this type

Operational Conditions

2. Within 6 weeks of the cessation of the current use, or such other time as may be agreed by the Local Planning Authority, the shipping container shall be removed from the site and the area of land on which it is sited returned to its prior state.

Reason

In the interests of the character and appearance of the area and the open countryside setting and to avoid the adverse impact that could arise if an abandoned container is left on the site long-term and allowed to deteriorate.

45 – Ship Street, Barrow-in-Furness

From Mr C. Jones, Barrow Borough Council in respect of a Non Material Amendment following grant of planning permission B29/2014/0429 (Refurbishment of the public realm including hard and soft landscaping, public art, new street furniture, and traffic management measures) to allow a change of red asphalt to black asphalt to connecting footpaths on all sides of flats and through the park and surrounding highways at Ship Street, Barrow-in-Furness as shown on plan number 2017/0229.

Representations received and the results of consultations were reported.

RESOLVED:- That the non material amendment be agreed:-

Schedule of approved plans

605-L-102 Revision P1
605-L-200 Revision P1
605-L-201 Revision P1
605-L-202 Revision P1

46 – 37 Glenridding Drive, Barrow-in-Furness

From Mr H. Smith in respect of the proposed front and rear dormers forming first floor bedrooms (Front dormer design amended 14.2.17) at 37 Glenridding Drive, Barrow-in-Furness as shown on plan number 2017/0055.

Consideration of this item had been deferred at the meeting on 25th April, 2017 to enable a site visit to be undertaken.

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 23/01/2017 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:
WAW 1776 3A, 4A, 5A, 5AA, 6A, 7A, 8B, 9A, 10A, 11A, 12A

Reason

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

3. The front and side elevations of dormers hereby approved shall be clad in a vertically hung in roof tiles of a colour and texture to match the existing roof covering of the property, prior written details and a sample of which shall be submitted to and approved in writing by the Planning Authority. The subsequently approved treatment shall thereafter be permanently maintained unless the Planning Authority gives prior written consent to any variation.

Reason

In the interests of visual amenity, it is important that the dormer appears as an integral part of the roof.

4. The roof of the front dormers hereby approved shall be covered in matching materials to the host property.

Reason

In the interests of visual amenity, it is important that the dormer appears as an integral part of the roof.

5. Prior to the beneficial occupation of the development the upper floor side landing window must be permanently fitted with a non-opening window that is obscurely glazed with an obscurity rating of no less than level 4 from the Pilkington glass range (or an equivalent range and rating subject to prior agreement with the Planning Authority) and

thereafter permanently retained unless the Planning Authority gives prior written consent to any variation.

Reason

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

47 – South Lakes Safari Zoo Ltd, Melton Terrace, Lindal-in-Furness

The Chair advised the Committee that this application had been deferred until the next meeting.

48 – 17 Kestrel Drive, Dalton-in-Furness

From Mr John Duffy in respect of an application for works to four trees subject to Tree Preservation Order 2008 No. 1 including crown raising, thinning and reduction works at 17 Kestrel Drive, Dalton-in-Furness as shown on plan number 2017/0200.

Representation received and the results of consultations were reported.

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

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

1. The trees contribute significantly to the public amenities of the area given their attractive form and size. Their value has been recognised in appeal decisions particularly appeal ref APP/TPO/W0910/1837 dated October 2011. The proposed general reduction work to T1, T2 and T3 will remove foliage bearing twigs which once removed to the proposed extent will result in some of the sap wood that supplied them becoming physiologically dysfunctional leading to the risk of decay. It is generally accepted that removing life foliage bearing twigs is not beneficial to trees though it may be justified in certain circumstances. No such justification has been supplied.
2. With regards to T1 oak, the justification to remove over hanging branches from neighbouring property and to allow more light has not been proven. The over hanging branches do not appear to raise any issues and the tree is not considered to affect natural lighting to any significant extent:
3. Re: T2 & T3 sycamore, the justification is to balance the tree, prevent growing towards applicant and neighbours property and to allow more light. The trees have asymmetric crowns due to growing close to each other. No evidence has been submitted to justify why this natural growth raises any particular issues. The trees are not considered to affect natural lighting and the works would not appear to alter light levels given their remaining height and proximity.

4. T4 Sycamore; the justification is to allow access for vehicles to the side of the property and to prevent the branches growing towards the garage and guttering. The proposed works are considered excessive for this purpose which could be achieved by removing the lowest branch and shortening the adjacent branch.

49 – Withdrawn Application

The following application had been withdrawn:-

2017/0048 – Application for works to tree subject of Tree Preservation Order 1995 No. 3 to fell Copper Beach Tree numbered T2 on plan at Bankfield Hall, Tippins Lane, Ireleth, Askam-in-Furness

The meeting closed at 3.50 p.m.

Part One

PLANNING COMMITTEE	(D) Agenda Item 10
Date of Meeting: 13th June, 2017	
Reporting Officer: Executive Director	
Title: Appointments on Outside Bodies, Panels, Working Groups etc.	
Summary and Conclusions:	
The Council on 16th May, 2017 gave delegated authority to Committees to make appointments to Outside Bodies, Forums, Panels, Working Groups etc. in accordance with the number and allocation of seats to political groups agreed at the Meeting. In the case of the Planning Committee this involves appointments to the Planning Panel.	
Recommendation:	
To nominate and agree the appointments to the Planning Panel.	

Report

At the Annual Council Meeting on 16th May, 2017 the allocation of seats in respect of Forums, Panels, Working Groups etc. was agreed.

Members are requested to appoint Members to the Planning Panel in accordance with the notional seat allocations for 2017/18 which have been agreed as follows:-

Five Seats (4 Labour: 1 Conservative)

Note:- Membership for 2016/2017 was the Chairman (Councillor M. A. Thomson), Vice-Chairman (Councillor C. Thomson) and Councillors Husband, Murray and McLeavy.

Background Papers

Nil