

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

## **PLANNING COMMITTEE**

Meeting, Tuesday 16th January, 2018  
at 2.30 p.m. (Drawing Room)

### **Site Visits**

2017/0647 - United Reformed Church, Market Street, Dalton-in-Furness  
2017/0108 - Land at Flass Lane, 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 5th December and the special meeting held on 19th December, 2017 (copies attached).

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

**FOR DECISION**

- (D)** 8. Planning Applications (booklets 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  
Derbyshire  
Gawne  
Husband  
McEwan  
McLeavy  
Murphy  
Murray  
Seward  
Thurlow

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

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Published:- 8th January, 2018

## **PLANNING COMMITTEE**

Meeting: Tuesday 5th December, 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, (Minute Nos. 262-264, 266-287, 289 and 294-296 only) Seward and Thurlow.

**Officers Present:-** Charles Wilton (Principal Planning Officer), Gordon Robson (Planning Enforcement Officer), Paula Westwood (Democratic Services Officer - Member Support) and Katie Pepper (Democratic and Electoral Services Apprentice).

### **262 – Declarations of Interest**

Councillor Blezard declared an interest in Planning Application Nos. 2017/0242 and 2017/0238 – both in relation 104 Abbey Road, Barrow-in-Furness (Minute Nos. 294 and 295) as he had met with the applicant about an issue.

Councillor Gawne declared an interest in any matter relating to Cumbria County Council as he was a Member of that Council.

Councillor Husband declared an interest in Planning Application No. 2017/0619 – 44 Stainton Drive, Barrow-in-Furness (Minute No. 287) as the applicant was known to her.

Councillor McEwan declared an interest in any matter relating to Cumbria County Council as he was a Member of that Council. He also declared an interest in Planning Application No. 2017/0416 – Land at A595, Dalton Road, Askam-in-Furness (Minute No. 296) as an objector was known to him.

Councillor C. Thomson declared an interest in Planning Application No. 2017/0416 – Land at A595, Dalton Road, Askam-in-Furness (Minute No. 296) as an objector was a family member.

### **263 – Minutes**

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

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

An apology for absence was received from Councillor Derbyshire.

### **265 – Enforcement Activity 2017**

The Assistant Director - Regeneration and Built Environment submitted a report regarding Enforcement Activity for 2017. The Planning Enforcement Officer had attended the meeting to present the report to Members. He advised that despite ongoing limited resources, the Authority had managed to maintain an enforcement presence across the Borough. Where appropriate, in addition to developing cross

department working practices, relationships had been built with other external agencies in order to resolve several issues without resorting to formal action in many cases which had enabled a high level of budgetary control across the year.

He advised that some outstanding matters from previous years remained from previous years when the Authority's Enforcement capability had been very limited. However, following his appointment to the post in November 2016, a capacity of 22.5 hours or three days a week had been achieved. The Authority had 72 reports which had been recorded and enquiries had commenced.

A high priority report CMP/2017/0069 alleged the unauthorised cutting of a horse chestnut tree subject to a TPO on Walney. The ensuing investigation gathered evidence in the form of photographs and written statements. The alleged offender had been interviewed under caution within criminal procedures. On conclusion of the case it was identified that the tree was diseased and its viability was in question. The offender had agreed to be formally cautioned for the offence. He had also agreed to plant a replacement tree in a prominent position to enhance the street scene. The original informants had been satisfied with the action taken and the community had been made aware of the Council's robust position in dealing with breaches of TPOs.

CMP/2017/0027 related to a similar high priority report of unauthorised works to a Listed Building on Barrow Island. The Planning Enforcement Officer attended immediately, and meetings had been held with the Senior Management Team of the Contractor concerned. Assurances had been achieved and mechanisms had been created to improve dialogue with the Authority. Works continued to be monitored carefully and at this stage no further action was required. Reassurance had been provided to the informant and the Community as a whole.

Over the last year 13 dwellings had been the subject of concern regarding overgrown gardens and being of a generally poor appearance. Robust early intervention and negotiation had resulted in sustainable resolutions in the majority of cases. A proportionate, considered and measured approach had mitigated the need to issue Section 215 notices in these cases, with voluntary action being undertaken by the owners.

A historical case had finally been resolved this year in Ormsgill. Works on a property had been carried out in default by the Authority which amounted to over £10,000. A Land Charge had been registered on the property. Wherever possible the Enforcement Officer had worked with owners to limit the cost to the public purse. By way of example after many years of neglect a house in Dalton had £7000 spent on improvements by the owners following a campaign of negotiation and encouragement.

Ten interventions had resulted in a retrospective planning application being submitted. A number of reports had been investigated which had been borne out of poor relations between neighbours. Frequently it had turned out that works had been within permitted development. Where considered necessary and appropriate, outside agencies had also been involved. The Enforcement Officer had adopted conciliatory strategies to defuse conflict. Sometimes these types of reports could be time consuming and challenging but positive outcomes justified the hours spent.

A recurring theme across the entire Borough was the subject of 'on and off street parking' and disputes associated with it. A pragmatic view was required in such cases which were often the result of neighbour disagreements or highway legislation rather than breaches of planning.

The Authority had identified and been made aware of a number of commercial buildings which may be categorised as ruinous or dilapidated. These included those of listed status and buildings within Conservation Areas. The Planning Enforcement Officer now sits with other Officers to carry out joint working on that issue which served to improve efficiency and cost effectiveness across the organisation.

The use of influencing, persuasion and negotiation to achieve compliance had meant that the costs associated with legal work had been minimal. Thus far there had not been a need to outsource any significant legal work which had not only saved money but also reduced the time taken to secure a solution.

In a similar vein, greater use of the legislation under the Anti-social behaviour Act was being explored to aid timelier and more effective outcomes. The use of Community Protection Notices (CPN) and Warning Notices would be considered as part of the toolkit.

Progress had been made in Askam and Ireleth on a number of levels. A range of enforcement activity had improved public perception of our willingness to tackle breaches and regulation. Dalton continued to present some challenges as development along Ulverston Road, including Crooklands, continued. Particular concerns remained that the road speed limits needed to take account of the change in character of the location. The Enforcement Officer, at the request of Planning Officers, had lobbied a number of Stakeholders, principally the Highway Authority, to review the suitability of reducing the speed limit from Melton Brow.

The local economic landscape remained very challenging and within the existing resource there was no scope to carry out any significant level of proactive activity such as checking compliance with planning conditions unless prompted by an enquiry. The reactive capability was at an acceptable level but the need for prioritisation was ever present. There had been times when conflicting demands had to be balanced.

Further investment in the service would allow for greater effectiveness across the service and options were currently being explored. He advised the Committee that he was satisfied that customer satisfaction was generally good but there was no room for complacency. In addition to the recorded cases, a large number of low level enquiries from the Public, Members and Planning Officers had been dealt with over the year and letters of appreciation had been received for the duties undertaken.

He agreed to provide the Committee with bi-annual updates on enforcement activity.

**RESOLVED:-** To note the report.

## 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:-

- |            |                  |   |
|------------|------------------|---|
| <b>266</b> | <b>2017/0529</b> | Erection of a rear kitchen extension (1500mm longer than previous approval under ref. 2016/0625) at 44 Derbyshire Road, Barrow-in-Furness.  |
| <b>267</b> | <b>2017/0442</b> | Outdoor BMX/Style/Pump track made out of dirt/soil, corners likely to be tarmac to protect from weather and heavy use, plus associated infrastructure including erection of a secure 2.4 metre high fence, external lighting and customer parking at Urban Extreme, James Freel Close, Barrow-in-Furness. |
| <b>268</b> | <b>2017/0501</b> | Front duo pitch dormer at 9 Thurlow Way, Barrow-in-Furness.   |
| <b>269</b> | <b>2017/0542</b> | Proposed Carbon Filters Kiosk with localised re-profiling forming part of a wider scheme of improvements at the site at Poaka Beck Water Treatment Works, Moor Road, Marton LA12 0NW.   |
| <b>270</b> | <b>2017/0621</b> | Demolition of existing conservatory. Extension and glazed canopy to rear of property. Alterations to garage roof at 9 Priors Path, Barrow-in-Furness.   |
| <b>271</b> | <b>2017/0583</b> | Side extension to provide enlarged bedroom at 6 Glenridding Drive, Barrow-in-Furness.   |
| <b>272</b> | <b>2017/0570</b> | Rear second floor dormer extension to provide bedroom with en-suite and 3 no. roof windows to front elevation at 7 Bideford Gardens, Barrow-in-Furness.   |
| <b>273</b> | <b>2017/0594</b> | Addition of bay window onto front of property at 159 Holbeck Park, Barrow-in-Furness.   |
| <b>274</b> | <b>2017/0557</b> | Application for a non-material amendment following grant of planning permission 2017/0218 (First floor side extension forming bedroom 5 with en-suite, first floor side extension forming bedroom 4, rear ground floor extension forming  |

sunroom, ground floor utility room and wc and extended slate porch canopy (amended description) to include an additional window in the ground floor side lounge elevation (amended description) at 37 Ashdown Road, Barrow-in-Furness.

- 275 2017/0585** Single storey storage outbuilding with mono-pitch roof, solar panels and natural slate finish at 101 Black Butts Lane, Barrow-in-Furness.
- 276 2017/0596** Alterations and extension of dwelling to provide single storey rear extension as dining room and side extension to enlarge utility room. Conversion of part loft to provide bedroom and bathroom accommodation. Proposals include addition of rooflights at 51 Dane Avenue, Barrow-in-Furness.
- 277 2017/0471** Single rear storey extension forming a bathroom at 6 Hogue Street, Barrow-in-Furness.
- 278 2017/0593** Listed Building Consent for stripping off existing roof covering slates and re-slating with like for like second hand Burlington slates. Removal, refurbishment/report of existing cast iron gutterings and refixing same at 96 Market Street, Dalton-in-Furness.
- 279 2017/0572** Loft conversion and rear dormer extension at 17 Lakeland Avenue, Barrow-in-Furness.
- 280 2017/0600** Extensions to Building B30, refurbishment of the building including re-cladding, new and replacement windows and doors, two ventilation cowls and associated external and other works at Building B30 BAE Systems, Buccleuch Dock Road, Barrow-in-Furness.
- 281 2017/0645** Listed Building Consent for erection of a single storey accessible wet room extension to rear of property at 8 Ulverston Road, Dalton-in-Furness.
- 282 2017/0624** Rear ground floor extension forming extended dining room and internal alterations at 27 Wheatclose Road, Barrow-in-Furness.
- 283 2017/0644** Rear/side ground floor extension (addition to existing extension) forming extended kitchen at 13 Carisbrooke Crescent, Barrow-in-Furness.
- 284 2017/0612** Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) to remove existing garage, and rebuild with cavity walls and new foundations. The rebuild will be at a reduced height, same width but extended forward (still set back from the front of house by 500mm) as in accordance with the attached plans at 27 Yealand Drive, Barrow-in-Furness.

Approval was not required for the following application:-

**285 2017/0681** Application for prior notification of proposed demolition. Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 at BAE Systems Buildings C04, C05 and C06 Michaelson Road, Barrow-in-Furness.

The following application was a County Matter:-

**286 2017/9999** Remediation of three plots of derelict land comprising altering ground conditions to provide development platforms. Works include erection of fencing, new and enhanced habitat areas and reinstatement of foul and surface water sewers. The development platforms will form part of the larger Barrow Waterfront development (County Matter) – Conditions 13 at Street Record, Dova Way, Barrow-in-Furness.

(ii) To note the decisions made under the Building Act 1984/The Building Regulations 2010 as submitted by the Principal Building Control Surveyor.

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

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

#### **287 – 44 Stainton Drive, Dalton-in-Furness**

From Mr J. Hunter in respect of the demolition of rear garage and creation of a new two storey side pitched roof extension at 44 Stainton Drive, Dalton-in-Furness as shown on plan number 2017/0619.

Representations received and the results of consultations were reported.

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

RESOLVED:- It was unanimously agreed 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 03.10.17 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

MEJ/2017/0296/003, 004, 005 (issue 2), 006, 007, 008 (issue 2), 009

#### 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 extensions 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.

**288 – Dale Terrace, Dalton-in-Furness**

From Mr D. Rigg in respect of the construction of new vehicular access bridge over the river Yarl with no proposed change of use of land at Dale Terrace, Dalton-in-Furness as shown on plan number 2017/0202.

Representations received and the results of consultations were reported.

RESOLVED:- It was unanimously agreed 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 03.4.17 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

Drawing no. 1-DR-2 (proposed sections A-A)

Drawing no. 2-DR-2 (proposed bridge plan and proposed bridge elevations B-B)

Proposed site plan (levels to Ordnance Datum)

Amended Flood Risk Assessment by M & P Gadsden (Reference CH 17128 Rev A; dated 30 August 2017)

South Lakes Ecology 'Extended Phase One Habitat Survey' dated 6th November 2017 - Report 1117/1

Reason

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

**During Building Works and Operational Condition**

3. Both during and following the construction of this development the recommendations shown on page 12 of the Extended Phase 1 Habitat Survey Report under section 5.2 should be adhered to.

### Reason

To ensure no adverse impacts on the biodiversity and ecosystems of the area both during construction and following the works.

### **289 – 1-5 Lawson Street, Barrow-in-Furness**

From Mr A. Cooke in respect of the conversion and extension of existing offices to 18 self contained, one bedroom flats at 1-5 Lawson Street, Barrow-in-Furness as shown on plan number 2017/0578.

The results of consultations were reported.

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

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

### **Compliance with Approved Plans**

2. The development shall only be carried out in accordance with the planning application dated 23/10/2017 as amended and the hereby approved plans reference LSC/PA/01A, 02, 04, 05, 6A, 07, 08, 9B, 10A, and 11.

### Reason

To ensure the development is only carried out as approved.

### **During Building Works**

3. Prior to the stripping off of the existing slate roofs with the exception of rear extensions the details of the replacement roofing material shall have been submitted to and approved in writing by the Planning Authority and the development shall then only proceed in accordance with the approved details.

### Reason

The roof covering is an important detail in terms of the building's contribution to the Conservation Area but is in a deteriorated condition and is proposed to be removed. It necessary to ensure that its contribution is not eroded that details of the replacement roofing material are agreed thereby according with saved policy D15 and the statutory duty to preserve or enhance conservation areas.

4. The existing sliding sash windows to Lawson street and Wesley Street elevations shall be retained in accordance with a scheme of repair and renovation which shall have been submitted to and approved in writing by the Planning Authority prior to the removal of any window incorporated into either of those two elevations and the approved

details of repair shall have been completed prior to the occupation of any part of the development hereby approved.

Reason

The sliding sash windows which, for the most part, appear to be part of the building's original fabric are an important detail in terms of the building's contribution to the Conservation Area representing the appropriate architectural and historic detail. It is necessary to ensure their retention where practical to ensure that the building's contribution to the conservation area is not eroded thereby according with saved policy D15 and the statutory duty to preserve or enhance conservation areas.

5. Prior to the erection of the rear extension, details of the external materials used in its construction including the proposed windows shall have been submitted to and approved in writing by the Planning Authority and the development shall be erected in accordance with the approved details.

Reason

To ensure the development respects its setting including the Conservation Area and thereby accord with saved policies D15 and D21.

6. The bin store shall be provided prior to the occupation of any part of the development in the location shown on drawing number LSC117 PA 09B and in accordance with further details of elevations and materials to be submitted to and approved in writing by the planning authority.

Reason

To ensure an important facility is provided and in accordance with details which accord with saved policies D15 and D21.

7. Prior to the installation of the front entrance door to Lawson Street including the glazed frame, details of the door and frame including design, materials and finish shall have been submitted to and approved in writing by the Planning Authority and the development shall only proceed in accordance with the approved details.

Reason

The front entrance door and frame is an important detail in the building's appearance which requires sensitive detailing so as to ensure that the duty to preserve or enhance the Conservation Area is met and that the development accords with saved policies D15 and D21.

8. Prior to the removal of any ground floor casement windows details of the replacement sliding sash windows including the sections of the upper mid and bottom rails of the sashes, of cills glazing bars and box sections including a comparison with the original first floor windows and including details of glazing, puttying/timber beading finish shall have been submitted to and approved in writing by the Planning Authority. The new windows shall only be installed in accordance with the approved detail.

Reason

It is necessary to achieve a near a match as possible with the original sash window to avoid inconsistent detailing and harm to the Conservation Area contrary to saved policy D15 and the statutory duty.

9. The roof lights shall be of the conservation type installed flush with the roof covering and in respect of which details of frame materials and finish shall have been submitted to and approved in writing by the Planning Authority.

Reason

To ensure that the duty to preserve and enhance the Conservation Area is met and to accord with saved policy D15.

10. The development shall be drained on the separate system of drainage with foul connected to the foul sewer and only surface water connected to the surface water sewer.

Reason

To ensure that the development adopts a sustainable approach to drainage.

**290 – 8 Lamb Croft, Barrow-in-Furness**

From Mr K. Griffin in respect of a double storey rear extension to provide ground floor utility room and first floor bedroom at 8 Lamb Croft, Barrow-in-Furness as shown on plan number 2017/0601.

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

Representations received and the results of consultations were reported.

RESOLVED:- It was unanimously agreed 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 25.9.17 and the

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

8LC/1, 2, 3, 4, 5

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 extensions hereby permitted shall be of the same type, colour, and texture as those used in the original property.

Reason

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

**Pre-commencement Conditions**

4. No development shall take place until a sample of the material to be used in the construction of the external surfaces of the roof hereby permitted have been submitted to and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained unless the Planning Authority gives prior written consent to any variation.

Reason

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

**Operational Conditions**

5. 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) no opening of any kind shall be made in the southern elevation (facing 6 Lamb Croft) and eastern elevation (facing 81 Stackwood Avenue) of the permitted extension without the prior written consent of the Planning Authority.

Reason

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

## **291 – Harbour Hotel, The Strand, Barrow-in-Furness**

From Mr W. B. Oxley in respect of the erection of a 2 storey detached building comprising 8 self-contained studio rooms ancillary to The Harbour Hotel, The Strand, Barrow-in-Furness as shown on 2017/0414.

The results of consultations were reported.

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

### **Compliance with Approved Plans**

1. The development hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 8.8.2017 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent: Proposed site plan-Drawing 17013\_PL01/03 Rev B-amended plan received on 21.11.2017; Proposed front and rear elevations-Drawing 17013\_PL01/06 Rev B-amended plan received on 21.11.2017; Proposed side elevations-Drawing 17013\_PL01/07 Rev B-amended plan received on 21.11.2017; Proposed section A-A-Drawing 17013\_PL01/08 Rev A-amended plan received on 25.10.2017; Proposed ground and first floor plans-Drawing 17013\_PL01/05 Rev B-amended plan received on 21.11.2017; Letter from agent in response to consultee comments including parking survey and retaining wall specification Ref CN/17013/PL01 received on 25.10.2017.

#### Reason

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

### **Pre-commencement**

2. No works of construction shall be commenced until a detailed specification of the proposed windows, including sample frames, if required, have been submitted to and approved in writing by the Planning Authority. The development shall be carried out using the approved specification and retained thereafter.

#### Reason

In the interests of the appearance of the development in this sensitive historic area adjacent to a Grade II listed building and a conservation area.

3. Prior to the commencement of any construction works a landscape scheme for the site based on the planting details set out in plans 17013-PL01/03 Rev B & 17013-PL01/06 Rev B received on 21.11.17, 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. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following beneficial use of any part of the development, or in accordance with the phasing of the scheme as agreed in writing with the Planning Authority. Any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced by the landowner in the next planting season with others of a similar size and species, unless the Planning Authority gives prior written consent to any variation.

#### Reason

In the interests of the visual amenities of the area and the setting of the listed building and conservation area and in accordance with paragraph 137 of the NPPF which requires that local authorities look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance.

4. No works of construction shall take place until a Construction Management Method Statement 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:
  - i. the parking of vehicles of site operatives and visitors,
  - ii. loading and unloading of plant and materials,
  - iii. storage of plant and materials used in constructing the development,
  - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
  - v. wheel washing facilities where vehicles will enter the site,
  - vi. measures to control the emission of dust and dirt during construction,
  - vii. a scheme for recycling/disposing of waste resulting from demolition and from construction works.

#### Reason

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

5. No works of construction shall commence until full details of existing and proposed ground levels (referenced as Ordinance Datum) within the site and on land and buildings adjoining the site by means of spot heights and cross-sections and proposed siting and finished floor levels

of the new building, have been submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved level details.

#### Reason

For the avoidance of doubt and to ensure satisfactory floor levels in relation to neighbouring land and the adjacent listed building.

6. Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the public surface water sewer, the pass forward flow rate to the public surface water sewer must be restricted to 6.5 l/s for any storm event.

#### Reason

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

7. 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, 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. 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.

9. 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.

10. The approved Remediation Scheme shall be implemented and a Verification Report submitted to and approved in writing by the Local Planning Authority, prior to beneficial use 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.

## **During Building Works**

11. 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.

12. Prior to the commencement of works of construction a sample panel of the approved render shall be constructed on site and approved. The development shall continue on the basis of the approved sample and there shall be no variations without the consent of the Planning Authority.

### Reason

In the interests of the appearance of the development in this sensitive historic area adjacent to a Grade II listed building and a conservation area.

13. The roof shall be constructed of natural slate laid in diminishing courses with traditional eaves and guttering.

### Reason

In the interests of the appearance of the development in this sensitive historic area adjacent to a Grade II listed building and a conservation area.

## **Operational Conditions**

14. The building hereby approved shall be used as ancillary hotel accommodation for the Harbour Hotel and shall not be used as independent self-contained residential accommodation.

### Reason

In order that the Planning Authority can assess the implications of permanent residential accommodation on this site.

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

Reason

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

16. All down pipes and gutters shall be in cast aluminium fixed by traditional methods.

Reason

In the interests of the appearance of the development in this sensitive historic area adjacent to a Grade II listed building and a conservation area.

**Before Occupation**

17. On site facilities, in the form of a screened enclosure, for the storage of recycling receptacles and a wheeled refuse storage bin of suitable capacities to serve the development must be provided before the beneficial use of the premises begins; the details of such facilities must be submitted to and approved in writing by the Planning Authority prior to the commencement of the development, and thereafter permanently maintained to the satisfaction of the Authority.

Reason

In the interests of environmental amenity by ensuring a suitable provision of refuse storage on the site.

**292 – 29 Station Road, Dalton-in-Furness**

From Mr and Mrs Knott in respect of new external finish of lime render with a cream lime-wash finish, reduction in door glazing and demolition of front boundary wall and replacement with 600mm high limestone wall with railings above (amended description) at 29 Station Road, Dalton-in-Furness as shown on plan number 2017/0485.

The results of consultations were reported.

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

**Compliance with Approved Plans**

1. The development hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 1.8.2017 and the

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

- Amended front elevation drawing reference MEJ/2017/279/003 Issue 3 received on 29.09.2017; and
- Amended Method Statement Issue 2 received 26.10.2017.

#### 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 character and appearance of the Dalton Conservation Area and the setting of the adjacent listed buildings.

#### **Pre-commencement Conditions**

2. Prior to the erection on site, details of the design of the proposed railings to the front boundary wall shall be submitted to and be agreed in writing by the Planning Authority. The proposals shall proceed on this basis unless otherwise agreed in writing by the Planning Authority.

#### Reason

In the interests of the character and appearance of the Dalton Conservation Area and the setting of the adjacent listed buildings.

#### **During Building Works**

3. The front facade treatment hereby permitted shall be completed in full in accordance with the approved plans referred to above within 6 months of the date of this condition.

#### Reason

The historic former shopfront has been removed without consent, this condition is required to ensure that the situation is remedied within a reasonable timescale in the interests of the character and appearance of the conservation area and the setting of the adjacent listed buildings and to minimise weather related degradation of the building.

#### **293 – Land at John Street, Askam-in-Furness**

From Mrs D. Lloyd in respect of an application for removal or variation of a condition following grant of planning permission 2015/0561 (Erection of a dormer bungalow) to allow discharge of the surface water to the combined public sewer located adjacent to the site on Land at John Street, Askam-in-Furness as shown on plan number 2017/0598.

Representations received and the results of consultations were reported.

RESOLVED:- It was unanimously agreed that consent be granted to vary condition 4 to allow discharge of the surface water to the combined sewer in accordance with the following submitted information:

- Planning Statement prepared by Neil Price Limited; and
- Amended Drainage Plan reference P102 Revision A.

### **294 – 104 Abbey Road, Barrow-in-Furness**

From Miss L. Slater in respect of consent to display advertisements for 2 No. non illuminated fascia signs to front elevation, 4 galvanised steel collars to each pilaster, 1 non illuminated hanging sign and 1 light mesh fabric banner (amended description) at 104 Abbey Road, Barrow-in-Furness as shown on plan number 2017/0242.

The results of consultations were reported.

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

RESOLVED:- It was unanimously agreed that a Split Decision be issued on the following basis:-

#### **Provision of replacement fascia signs (signs B and C)**

Permission be refused for the following reason:

1. The proposed signs by virtue of their design, position, method of fixing and obscuring of the historic fascia signage would have a detrimental impact on amenity, the character and appearance of the conservation area and the setting of a number of heritage assets. As a result this element of the proposals would conflict with the aims of Policy D41 of the Saved Barrow in Furness Local Plan Review 1996-2006 which states, inter alia, that applications for consent to display adverts which obscure or disrupt important architectural features of a building, whether the building is listed or not, will not be permitted. Furthermore this element of the proposal would conflict with the aims of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that special attention is paid to the desirability of preserving or enhancing the character and appearance of that area and Section 66 of the same Act which requires that local authorities shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings.

#### **Provision of 4 galvanised steel collars to each pilaster, 1 non illuminated hanging sign and 1 light mesh fabric banner (signs E, F and G)**

Permission be granted subject to the following conditions:-

1. The development hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 03/07/2017 and the

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

- Revised drawing, 'A' circular sign omitted, 'E' hanging sign moved East received 21/11/17; and
- Photo-montage of proposed fabric banner.

Reason

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

2. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason

Required to be imposed pursuant to Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

3. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason

Required to be imposed pursuant to Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason

Required to be imposed pursuant to Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason

Required to be imposed pursuant to Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

6. No advertisement shall be sited or displayed so as to; (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason

Required to be imposed pursuant to Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007.

**295 – 104 Abbey Road, Barrow-in-Furness**

From Miss L. Slater in respect of Listed Building Consent to display advertisements for 2 No. non illuminated fascia signs to front elevation, 4 galvanised steel collars to each pilaster, 1 non illuminated hanging sign and 1 light mesh fabric banner to front elevation (amended description) at 104 Abbey Road, Barrow-in-Furness as shown on plan number 2017/0238.

The results of consultations were reported.

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

RESOLVED:- It was unanimously agreed that a split decision be issued on the following basis:-

Listed Building Consent be refused for the provision of replacement fascia signage (signs B and C) for the following reasons:

1. The proposed signs by virtue of their design, position, method of fixing and obscuring of the historic fascia signage would have a detrimental impact on the significance of the listed building and the setting of adjacent listed buildings. As a result this element of the proposals would conflict with the aims of Policy D18 of the Saved Barrow in Furness Local Plan Review 1996-2006 which states that alterations or additions to listed buildings will not be permitted if they adversely affect their character and setting or their architectural or historic features.
2. This element of the proposal would conflict with the aims of Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that the Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
3. The proposal would conflict with Sections 132, 134 and 137 of the NPPF since clear and convincing justification has not been provided to

demonstrate public benefits and the proposal does not serve to enhance or better reveal significance or preserve those elements of the setting that make a positive contribution.

Listed Building Consent be granted for the provision of 4 galvanised steel collars to each pilaster, 1 non illuminated hanging sign and 1 light mesh fabric banner (signs E, F and G) subject to the Standard Duration Limit and the following conditions:

1. The signage hereby permitted shall be carried out in all respects in accordance with the application dated as valid on 03/07/2017 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:
  - Revised drawing, 'A' circular sign omitted, 'E' hanging sign moved East received 21/11/17; and
  - Photo-montage of proposed fabric banner.

#### Reason

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

### **296 – Land at A595, Dalton Road, Askam-in-Furness**

From Lake District Farms Ltd in respect of Outline planning permission with some matters reserved for the construction of Meat Processing Plant with associated car parking and landscaping on Land at A595, Dalton Road, Askam-in-Furness as shown plan number 2017/0416.

Representations received and the results of consultations were reported.

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

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

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

1. The proposal would occupy an isolated position in the undeveloped open countryside remote from settlements and unrelated to any existing development. It would appear both prominent and congruous resulting in significant harm to the character and appearance of the countryside contrary to saved policies A6, A11, D1, D3, D21 and G13.
2. The proposal would result in the introduction of a noise generating use into a field where there is no development and in proximity to dwellings with the potential to result in undue harm to amenities contrary to saved policies A6, D58 and G13 and the advice of the Council's Environmental Health Officer.

3. The proposal, given its characteristics and lack of a suitable odour assessment, has the potential to harm amenity through the generation of odours contrary to saved policy A6 and the advice of the Council's Environmental Health Officer.
4. The County Council as Lead Local Flood Authority state that Environment Agency flood mapping shows extensive surface water flooding effecting approximately one quarter of the application site with the stream shown to burst its banks. In these circumstances and with no Flood Risk Assessment or surface water drainage strategy in place, any development is likely to be vulnerable to flood and exacerbate the risk elsewhere.

### **297 – 66 Duke Street, Barrow-in-Furness**

From Mrs J. Mellen in respect of replacement of existing windows, two at first floor level and two at second floor, front elevations from wood to grey upvc at 66 Duke Street, Barrow-in-Furness as shown on plan number 2017/0579.

Representations received and the results of consultations were reported.

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

1. The proposed windows, by virtue of their design, detailing and materials would introduce an incongruous element into the upper floors of this historic building and result in the loss of timber sliding sash windows of architectural, evidential and aesthetic significance. As a result the proposal would be contrary to the provisions of Saved Barrow Borough Local Plan Policy D15, Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in relation to development affecting the setting of listed buildings and within conservation areas and the aims of the NPPF in relation to development affecting heritage assets, specifically paragraphs 17,131,132,134,135 and 137.
2. The loss of the existing windows would be contrary to the advice in Historic England guidance Traditional Windows: their care, repair and upgrading which recognises that traditional windows and their glazing make an important contribution to the significance of historic areas and surviving historic fenestration is an irreplaceable resource which should be conserved and repaired whenever possible. The Planning Authority are concerned that to approve the application would set a precedent for similar development affecting heritage assets elsewhere in the Borough and thus undermining established policy.

The meeting closed at 3.25 p.m.

## **PLANNING COMMITTEE**

Special Meeting: Tuesday 19th December, 2017  
at 2.30 p.m. (Drawing Room)

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

Officers Present:- Charles Wilton (Principal Planning Officer), Paula Westwood (Democratic Services Officer - Member Support) and Sandra Kemsley (Democratic Services Officer).

### **298 – Declarations of Interest**

Councillor Gawne declared an interest in Planning Application No. 2017/0168 – Bevan House, Stackwood Avenue, Barrow-in-Furness (Minute No. 300) as he was a Member of Cumbria County Council's Highways Local Committee.

Councillors Hamilton and McEwan declared an interest in Planning Application No. 2017/9010 – Site of Former Handmark Engineering, Cavendish Dock Road, Barrow-in-Furness (Minute No. 303) as they were Members of the Cumbria County Council's Development and Regeneration Committee.

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

An apology for absence was received from Councillor Husband. Councillor Hamilton had attended as a substitute for Councillor Husband for this meeting only.

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

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

#### **300 – Bevan House, Stackwood Avenue, Barrow-in-Furness**

From Mr A. Wilcock, Mullberry Homes Ltd in respect of the demolition of existing care home and the erection of 18 dwellings including parking spaces and associated site works (amended description) at Bevan House, Stackwood Avenue, Barrow-in-Furness as shown on plan number 2017/0168.

Representations received and the results of consultations were reported.

RESOLVED:- It was unanimously agreed 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 and completed in all respects in accordance with the application dated 6th March 2017 and the hereby approved documents defined by this permission as listed below, except

where varied by conditions attached to this consent; Site Layout BH/200 Rev H House Type KK3S Dwg 1 Rev AAC Surface Water Drainage Strategy CN17216 Drawings 17216-01.1, 17216-01.2,17216-01.3,17216-01.4,17216-01.5.1,17216-01.5.2,17216-01.5.3 Response to CCC Highways MG1/740 Bin Store Details BH/50 Retaining Wall BH/60 Preliminary Risk Assessment BEK-17281-1 Proposed Cross Sections BH/160

### Reason

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

### **Pre-commencement Conditions**

3. The Preliminary Investigation has identified potential unacceptable risks, hence the buildings on site shall be subject to an asbestos survey, and any asbestos removed by a specialist contractor prior to any demolition being carried out. Following demolition and site clearance 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. Development shall not be begun until a Construction Traffic Management Plan has been submitted to and approved in writing by the Planning Authority. The CTMP shall include details of:
  - the construction of the site access and the creation, positioning and maintenance of associated visibility splays;
  - access gates will be hung to open away from the public highway no less than 10m from the carriageway edge and shall incorporate appropriate visibility displays;
  - proposed accommodation works and where necessary a program for their subsequent removal and the reinstatement of street furniture and verges, where required, along the route;

- pre-construction road condition established by a detailed survey for accommodation works within the highways boundary conducted with a Highway Authority representative; with all post repairs carried out to the satisfaction of the Local Highway Authority at the applicants expense;
  - details of proposed crossings of the highway verge;
  - retained areas for vehicle parking, maneuvering, loading and unloading for their specific purpose during the development;
  - cleaning of site entrances and the adjacent public highway;
  - the sheeting of all HGVs taking spoil to/from the site to prevent spillage or deposit of any materials on the highway;
  - construction vehicle routing;
  - the management of junctions to and crossings of the public highway and other public rights of way/footway;
  - the scheduling and timing of movements, details of escorts for abnormal loads, temporary warning signs and banksman/escort details.
- Development shall be carried out in accordance with the approved Construction Traffic Management Plan.

#### Reason

In the interests of minimising the impact upon local environmental and residential amenities due to the location of the site adjacent to dwellings.

#### **During Building Works**

5. Excluding the demolition phase, the works necessary for the construction of foundations and those works associated with highways, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings, the parking spaces, and the accesses thereto hereby permitted by this consent, have been submitted to and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained unless the Planning Authority gives prior written consent to any variation.

#### Reason

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

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.

7. 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 Planning Authority. Development on the part of the site affected must be halted and Field Investigations shall be carried out. Where required by the Planning Authority, remediation and verification schemes shall be submitted to and approved in writing by the Planning Authority. These shall be implemented prior to occupation of the development.

#### 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**

8. Prior to the beneficial occupation of any part of the development, a landscape scheme for the site, showing the trees, shrubs and hedgerows, including verges and other open spaces, together with details of 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 incorporate a mixed native species species hedgerow along the full length of the east boundary with the field and a privet (*linguistrum vulgare*) hedge along the southern boundary to St Marys Road. 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.

#### Reason

In the interests of the visual amenities of the area.

## **Operational Conditions**

9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following beneficial occupation of any part of the development, or in accordance with the phasing of the scheme as agreed in writing with the Planning Authority. Any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced by the landowner in the next planting season with others of a similar size and species, unless the Planning Authority gives prior written consent to any variation.

### Reason

In the interests of the visual amenities of the area.

## **301 – 18 Litchmead Grove, Barrow-in-Furness**

From Mrs R. Lever in respect of a ground floor rear and side extension to provide kitchen, living area and utility room. (Note: Loft conversion considered permitted development being less than 50 cubic metres in volume 46.44 Cubic Metres) at 18 Litchmead Grove, Barrow-in-Furness as shown on plan number 2017/0733.

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

Representations 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 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 8th November 2017 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent: 18LG/1, 2, 3, 4, 5, 6.

### 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 extensions 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.

**Operational Conditions**

4. 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) no opening of any kind shall be made in the side elevations of the permitted extension without the prior written consent of the Planning Authority.

Reason

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

**302 – 30 Carlton Avenue, Barrow-in-Furness**

From Mr N. Murray in respect of a loft conversion to form en-suite bedroom and rear dormer at 30 Carlton Avenue, Barrow-in-Furness as shown on plan number 2017/0700.

Representations received and the results of consultations were reported.

RESOLVED:- It was unanimously agreed 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 27th October 2017 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent: 30CA/1, 30CA/2, 30CA/3, 30CA/4, 30CA/5.

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 extensions 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.

### **Pre-commencement Conditions**

4. The front and side elevations of the dormer shall be clad in a vertically hung roof tiles of a colour and texture to match the existing roof covering of the property and 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.

### **303 – Site of Former Handmark Engineering, Cavendish Dock Road, Barrow-in-Furness**

From Mr N. Price in respect of change of use from vacant industrial land (B2) to use for the storage and distribution of minerals (Sui Generis) (County Matter) on site of Former Handmark Engineering, Cavendish Dock Road, Barrow-in-Furness as shown on plan number 2017/9010.

The results of consultations were reported.

RESOLVED:- It was unanimously agreed that Cumbria County Council be informed that this Authority raised no objection to the development subject to conditions/legal agreements to take account of the following issues:-

1. That the consent is made temporary due to future conflicts, on grounds of amenity and traffic, between the indicated project and the redevelopment of the land to the north as Marina Village for residential use.
2. The provision of a Contingency Plan for days when rail transport is not available.
3. The provision of mitigation measures to control the impacts of dust, noise, artificial light, fluid spillages and vibration.
4. The impact of HGVs upon the wider road network capacity taking into account committed development in the Borough.
5. A restriction on delivery times from Roosecote Quarry due to the haul route passing through residential areas.

### **304 – 155 Dalton Lane, Barrow-in-Furness**

From Mr and Mrs Fox in respect of the construction of a two storey rear extension to provide an annexed dwelling unit to the ground floor. Proposed additional two

bedrooms and en-suites at first floor level and rear balcony. Proposed pitched roof dormer to the western elevation and flat roof dormer to the east elevation. New vehicular parking/turning area to the front at 155 Dalton Lane, Barrow-in-Furness as shown on plan number 2017/0555.

Representations received and the results of consultations were reported.

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

An objector attended the meeting and made representations to the Committee.

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

The proposed dormer to the west elevation and balcony to the north elevation would face towards the rear elevations of neighbouring property at a distance of 15m. This would be likely to lead to an unacceptable degree of overlooking, particularly as limited weight can be attached to the retention of the boundary conifer hedge. Approval of the proposal would be contrary to Saved policy B15 in the current Development Plan.

The meeting closed at 2.50 p.m.