

BOROUGH OF BARROW-IN-FURNESS

PLANNING COMMITTEE

Meeting: Tuesday, 12th July, 2022
at 2.30 pm (Drawing Room)

Site Visits

2022/0289 - Abbey House Hotel, Abbey Road, Barrow-in-Furness

Depart Town Hall Courtyard at 1.15 pm.

A G E N D A

PART ONE

1. Apologies for Absence/Attendance of Substitute Members.

2. Urgent Items

To deal with any items which the Chair considers to be of an urgent nature.

3. Delegations

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.

4. 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.

5. 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.

6. Minutes 5 - 22

To confirm the Minutes of the meeting held on 14th June, 2022.

7. Public Participation

Any member of the public who wishes to ask a question, make representations or present a deputation or petition at this meeting should apply to do so by no later than 12 noon, three working days before the date of the Planning Committee meeting. Information on how to make the application can be obtained by viewing the Council's website www.barrowbc.gov.uk or by contacting the Planning Business Support Team at consultplanning@barrowbc.gov.uk or by telephone on 01229 876405.

(1) Planning Applications – for which requests to speak have been made; and

(2) Agenda Items – for which requests to speak have been made.

8. Delegated Approvals - For Information (Booklet attached) 23 - 40

To note the delegated approvals.

FOR DECISION

- (D) 9. Planning Applications (Booklet(s) attached). 41 - 118

To determine the following planning applications:-

Model Passenger, Railway Barrow Park - Erection of an extension to the existing workshop for use as meeting room /storage and placement of 6 solar panels on the roof to supplement the generator.

77-79 Duke Street, Barrow - Listed Building Consent to reinstate traditional shop front elements, wholesale redecoration of the shop front, new Accoya timber doors with glazing panels to match existing doors and profiles, new Accoya timber window frames and mullions to reinstate traditional moulding and details and Victorian style awnings and external pendant lighting.

77-79 Duke Street, Barrow - Reinstatement of traditional shop front.

Abbey House Hotel, Abbey Road, Barrow - Application for works to trees subject of Tree Preservation Order 2013 No.1 including the felling of up to 42 trees as per Schedule (Amended description).

179 Abbey Road, Barrow - The proposal is for the conversion of the private residential property and guest bedrooms into a single House of Multiple Occupation (HMO) with single Sui Generis use class. The HMO is intended for a maximum of 13 persons (amended description).

(D) 10. Deferred Application (Booklet Attached)

119 - 126

To determine the following planning application which had been deferred from the meetings on 24th May and 14th June, 2022:-

Furness Abbey, Abbey Approach, Barrow-in-Furness - Installation of a statue in memory of Sir John Laing.

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

INVITATIONS TO SPEAK TO THE COMMITTEE (2.30 pm.)

Membership of Committee

Councillors M. A. Thomson (Chair)
C. Thomson (Vice-Chair)
Assouad
D. Edwards
H. Edwards
Gawne
Hall
Husband
McEwan
Mooney
Nott
Tyson

For queries regarding this agenda, please contact:

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Published: Monday, 4 July 2022

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PLANNING COMMITTEE

Meeting: Tuesday 14th June, 2022
at 2.30 pm. (Drawing Room)

PRESENT:- Councillors C. Thomson (Vice-Chairman), Assouad, D. Edwards, H. Edwards, Gawne (Minute Nos. 12-15, 17-19 and 21-27), Hall, Husband, McEwan, Seward and Tyson.

Officers Present:- Charles Wilton (Principal Planning Officer), Maureen Smith (Principal Planning Officer), Sandra Kemsley (Democratic Services Officer), Katie Pepper (Democratic and Electoral Services Officer) and Debbie Storr (Monitoring Officer) (Part Minute No. 21 only).

12 – Apologies for Absence/Attendance of Substitute Members

Apologies for absence had been submitted from Councillors Mooney, Nott and M A. Thomson.

Councillor Seward had attended as a substitute for Councillor Nott.

13 – Declarations of Interest

Councillors Gawne and McEwan declared an interest in any matter relating to Cumbria County Council as they were Members of that Council.

Councillor C. Thomson declared an interest in Planning Application No. 2022/0179 – Opera Bingo as he was a member. He left the meeting during consideration of the item.

14 – Minutes

The Minutes of the meeting held on 24th May, 2022 were taken as read and confirmed.

15 – Public Participation

Dr Wiejak, John Long and Alan Cleasby (Objectors) attended the meeting and addressed the Committee in relation to the Planning Application for Land at Rampside, Barrow-in-Furness (Minute No. 22 refers). A petition has been received with 176 signatories objecting to the application.

Ms Daryl Davidson, Graves (Cumberland) Ltd (Applicant) had attended the meeting and addressed the Committee in relation to the Planning Application for Opera Bingo, 3 Holker Street, Barrow-in-Furness (Minute No. 18 refers).

Mr R. Pointing (Objector) and Mr D. Laing (Applicant) had attended the meeting and addressed the Committee in relation to the Planning Application for Furness Abbey, Approach, Barrow-in-Furness (Deferred Item) (Minute No. 21 refers).

No deputations had been received in respect of the meeting.

16 – Affordable Housing and Developer Contributions SPD

The Head of Regeneration and Planning Policy reported that the purpose of the report was to note the preparation of the Affordable Housing and Developer Contributions Supplementary Planning Document (SPD) for Barrow and provide feedback prior to adoption. The SPD sets out the Council's proposed approach to the delivery of affordable housing and to seeking financial contributions from developers for infrastructure and services. The document has been prepared under the Town and Country Planning (Local Planning) (England) Regulations 2012.

The report had been considered by the Overview and Scrutiny Committee and would be submitted to the Executive Committee on 22nd June, 2022 followed by Full Council for adoption.

It was moved by Councillor McEwan and seconded by Councillor Husband, and

RESOLVED:- It was unanimously agreed:-

1. To note the content of the Affordable Housing and Developer Contributions SPD and the consultation which had been undertaken and provide any feedback on the document; and
2. That the SPD be submitted to Executive Committee followed by Full Council for adoption.

Town and Country Planning Acts

17 – Delegated Decisions

The Director of People and Place submitted for information details of planning applications in this report which had been 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:-

2022/0245 First floor bedroom and en-suite extension above ground floor garage/utility room at 22 Caspian Road, Askam-in-Furness.

2022/0308 Notice of intention to carry out works to trees within Conservation Area – Silver Birth (1) – crown raise to provide 3 metre clearance to Car Park at The Nan Tait Centre, Abbey Road, Barrow-in-Furness.

- 2022/0239** Erection of portal frame building to provide under cover storage for silage at Stank Farm, Stank Lane, Stank.
- 2022/0241** First floor balcony at 11A French Street, Barrow-in-Furness.
- 2022/0242** Proposed rear kitchen extension (Resubmission of 2021/0169) at 16 Melampus Street, Barrow-in-Furness.
- 2022/0247** Rear single storey flat roofed extension with two roof lanterns for use as kitchen/diner/sun room at 8 Sandalwood Close, Barrow-in-Furness.
- 2022/0396** Application for approval of details reserved by Condition No. 4 (Landscaping Scheme) of planning permission 2021/0997 (Demolition of existing dormer bungalow and construction of a three bed roomed house) at The Cedars, Abbey Road, Dalton-in-Furness.

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

Town and Country Planning Acts

The Head of Development Management reported on the following planning applications:-

(COUNCILLOR HUSBAND IN THE CHAIR –
FOR THE FOLLOWING APPLICATION ONLY)

18 – Opera Bingo, 3 Holker Street, Barrow-in-Furness

From Ms Daryl Davidson, Graves (Cumberland) Ltd in respect of the erection of a flat roofed rear extension to accommodate proposed function room to serve existing bingo hall at Opera Bingo, 3 Holker Street, Barrow-in-Furness as shown on planning application number 2022/0179.

Representations received and the results of consultations were reported.

Ms Davidson attended the meeting and addressed the Committee.

The Principal Planning Officer informed Members that as part of the original report (Condition 4) a landscaping scheme had been required to be submitted. The plans had now been updated and a revised condition had been included in the Extra Information Booklet circulated prior to the meeting.

It was moved by Councillor McEwan and seconded by Councillor Seward, and

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

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

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

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

22-101-DWG005 REV.C

22-101-DWG003 REV.C

22-101-DWG006 REV.B

22-101-DWG004 REV.C

Bat Scoping Survey dated 13.5.22

Design and Access Statement dated 2.3.22

Application Form dated 7.3.22

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 and door 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. All planting comprised in the approved details of landscaping shall be carried out in the first planting 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 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.

19 – Proposed Housing Site, Duke Street, Askam-in-Furness

From Mr D. Cross in respect of the proposed development of vacant land (Land Allocations Ref. REC02 Duke Street, Askam) comprising 3 bedroom market housing – up to 8 units (Outline with all matters reserved) at Proposed Housing Site, Duke Street, Askam-in-Furness as shown on planning application number 2021/0646.

Representations received and the results of consultations were reported.

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

A further objection from a local resident received on 13th June had been circulated at the meeting.

It was moved by Councillor McEwan and seconded by Councillor Husband, and

RESOLVED:- It was agreed that

(A) Subject to the completion of a 106 Obligation to sure the following:

To make a financial contribution towards a cycle-way improvement scheme (Askam to Thwaite Flat/Dalton) route No.11 as found within the Barrow Transport Improvement Study, a scheme to move the 30mph speed limit and introduce traffic calming (signs and road markings), then;

(B) Outline planning permission be granted subject to the following conditions:-

1. No development shall take place until full details of the access, appearance, landscaping, layout and scale of the development (referred to herein as Reserved Matters) have been submitted to and approved by the Planning Authority and the development shall conform to such approved details.

Reason

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2. Application for Reserved Matters must be made not later than the expiration of three years beginning with this permission and the development must be begun not later than whichever is the later of the following dates:

- a) The expiration of three years from the date of this permission
- b) The expiration of two years from the final approval of the Reserved Matters or in the case of approval on different dates, the final approval of the last such Matter to be approved.

Reason

Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

3. The Reserved Matters of access, appearance, landscaping, layout and scale shall generally accord with the parameters as shown within the Indicative Site Layout (Ref: 6281/01/Rev A).

Reason

For the avoidance of doubt and to ensure the development is carried out as approved.

Highway Conditions

4. The development shall not commence until visibility splays providing clear visibility of 60 metres measured 2.4 metres down the centre of the access road and the nearside channel line of the carriageway edge have been provided at the junction of the access road with the county highway. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) 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 visibility splay which obstruct the visibility splays. The visibility splays shall be constructed before general development of the site commences so that construction traffic is safeguarded.

Reason

In the interests of highway safety.

5. No dwelling 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, if provided, 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 no 6 below, including any scheme of phasing.

Reason

To ensure a suitable level of access provision to the development and to accord with saved policy E2 of the Local Plan Review 1996 to 2006.

6. The carriageway, footways and footpaths (if provided) shall be designed, constructed, drained and lit to an adoptable standard and in this respect 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 laying out of the approved estate roads. The development shall then proceed in accordance with the approved details.

Reason

To provide a safe environment for pedestrians and other users and to ensure an adequate standard of highway construction. To accord with Local Plan policies DS2, DS5 and H7.

7. Prior to the occupation of the 5th dwelling a programme for the completion of the estate road including footways if provided 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 7 above. If the estate road is not adopted as a public highway, then full details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall, in addition to the aforementioned programme, be submitted to and approved by the Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details.

Reason

To ensure that a suitable standard of provision for pedestrians and vehicles is delivered and to accord with saved policy E2 of the Local Plan Review 1996 to 2006.

8. Development shall not commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Planning Authority. This shall include details of:
 - details of proposed footway crossings;
 - retained areas for vehicle parking, manoeuvring, loading and unloading for their specific purpose during the development;
 - cleaning of site entrances and the adjacent public highway;
 - details of proposed wheel washing facilities;

- 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;
- Details of any proposed temporary access points (vehicular / pedestrian)
- Details of measures to avoid surface water running off the construction site onto the highway.

Reason

To ensure the undertaking of the development does not adversely impact upon the fabric or operation of the local highway network and in the interests of highway and pedestrian safety.

Drainage conditions

9. Prior to the commencement of any development, a surface water sustainable drainage scheme, based on sustainable drainage principles and the hierarchy of drainage options in the National Planning Practice Guidance and Local Plan policy C3a 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 including details of water quality controls, maximum flow rates, attenuation and details of the flood water retention area. The drainage scheme shall be completed in accordance with the approved details prior to the beneficial use of the development hereby approved and the approved drainage scheme shall thereafter be retained at all times.

Reason

To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. To accord with Local Plan policy C3a.

10. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to and agreed in writing with the planning authority. The sustainable drainage management and maintenance plan shall include as a minimum:
 1. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a management company; and

2. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system including the flood water retention area to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved drainage management and maintenance plan for the lifetime of the development.

Reason

To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development, to secure compliance with the consultation responses of United Utilities

11. Foul drainage shall be provided by means of a connection to either a public foul or combined sewer in accordance with details which must have been submitted to and approved in writing by the planning authority prior to the commencement of development. No dwelling shall be occupied until it has been connected to the sewer in accordance with the approved details

Reason

To ensure that there is an acceptable means of sewage disposal.

Ground Investigation conditions

12. The Preliminary Investigation has identified a potential unacceptable risk, a Field Investigation and Risk Assessment, conducted in accordance with established procedures (BS10175 (2011+A2:2017) Code of Practice for the Investigation of Potentially Contaminated Sites and Land Contamination Risk Management (LCRM)), 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 give effect to the recommendations within the Phase I (preliminary) ground investigations report.

13. 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 any harm posed by contamination is mitigated.

14. 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 any harm posed by contamination is mitigated.

15. 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 measures are in place to address any unexpected contamination.

16. No soil material is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development. A suitable methodology for testing this material should be submitted to and approved by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out as per the agreed methodology with verification of its completion submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that no contamination is accidentally brought onto the site via imported material.

Landscaping/bio diversity conditions

17. The application for reserved matters shall include a Landscape Scheme and Landscape and Habitat Management Plan for the site, including the long term design objectives, management responsibilities and maintenance schedules for not less than 5 years following implementation, shall be submitted to and approved in writing by the Local Planning Authority and the design, management objectives and maintenance of the landscaped areas shall thereafter be in accordance with the approved Landscape and Habitat Management Plan. The plan shall show the trees, shrubs and hedgerows, and planting to the flood water retention area, together with details of a timetable for implementation, (including any phasing of such a scheme) and it 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 and retained. The scheme shall also include street trees as required by Paragraph 131 of the NPPF. The scheme shall be implemented in accordance with the approved details, and all planting and subsequent maintenance shall be to current British Standards. The Landscape Scheme and Landscape and Habitat Management Plan shall take account of the recommendations of the Bio Diversity Net Gain report [Envirotech 17/12/2021].

Reason

In the interests of the visual amenities of the area and to ensure that landscaping and bio-diversity net gain are co-ordinated. To accord with Local Plan policies DS2, DS5, DS6, N3 and the Bio diversity and Development SPD.

18. The application for reserved matters shall include measures to provide biodiversity net gain and shall take account of the recommendations of the Bio Diversity Net Gain report [Envirotech 17/12/2021] including a scheme of phasing. The development shall only proceed in accordance with the approved details including the approved phasing scheme.

Reason

To demonstrate that a net gain in bio diversity will be delivered

19. All planting, seeding or turfing comprised in the approved matters of landscaping shall be carried out in the first planting and seeding seasons following 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, hedgerows 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 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 to accord with Local Plan policies DS2, DS5, DS6.

Construction phase conditions

20. Prior to the commencement of development a Construction Management Method Statement shall have been submitted to and approved in writing with the planning authority. The method statement shall cover all phases of the development and take account of all contractors or sub-contractors and will be expected to include:
- Details of phasing of the construction work including a programme of work for the demolition and construction phase;
 - 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.

Reason

To protect the residential amenities of the area from noise, dust etc.

21. No development shall be commenced until a scheme for the protection of trees located within the Garden of Remembrance adjacent to the site's southern boundary has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall define and protect a root protection area in accordance with BS 5837(2021).

No excavation, site works, trenches or channels to be cut or laid or soil waste or other materials deposited shall be carried out within the root protection area. The approved scheme of protection measures shall be implemented in its entirety before any development is carried out, including any site clearance work, and thereafter retained during building operations until the completion of the development or in accordance with a scheme to be agreed in writing.

Reason

To ensure that important trees are not harmed during the construction phase.

Restrictions on permitted development

22. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended)(or any Order revoking and re-enacting that Order with or without modifications) or not, including any provision in Article 3 or Schedule 2, Part 2 Class B of that Order no vehicular access(s) shall be formed onto Duke Street other than a single access to serve the development as a whole.

Reason

A proliferation of individual house accesses would be detrimental to the safety of pedestrians and users of the adjacent highways contrary to Local Plan policies DS2, DS5 and H7.

23. All vehicle parking spaces and the accesses thereto must be reserved for the parking of private motor vehicles and no permanent development, whether permitted by the Town & Country Planning (General Permitted Development) (England) Order 2015(as amended) (or any Order revoking or 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 any part of 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.

24. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modifications) or not, including any provision in Article 3 or Schedule 2, Part 1 or Part 2 no excavations or hardstandings including the erection of any wall or fences shall be carried out/constructed within 4m of the

metal railings which define the northern boundary of the Garden of Remembrance.

Reason

To avoid harm to the trees situated within the Garden of Remembrance/To protect the setting of the Garden of Remembrance.

Network Rail conditions

25. There shall be no development within 10m of the application site boundary with the railway unless a method statement and risk assessment has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance approved method statement and risk assessment.

Reason

To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway.

26. There shall be no scaffolding works within 10m of the railway boundary unless details have been submitted to and approved in writing by the Local Planning Authority and the scaffolding works are carried out in accordance with those details

Reason

In the interests of protecting the railway and its boundary from over-sailing scaffolding

27. Prior to the commencement of the development full details of ground levels, earthworks and excavations to be carried out within 15m of the railway boundary shall have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in strict accordance approved details

Reason

To protect the adjacent railway and its boundary.

28. Details of appropriate vehicle safety protection measures for the railway shall be submitted to and approved in writing with the Local Planning Authority. The approved safety protection measures shall be put in place prior to the occupation of any dwelling and shall be permanently retained.

Reason

To prevent the design and layout of the road and parking spaces from impacting the adjacent operational railway with accidental vehicle incursion.

20 – New Inn, Biggar Village, Barrow-in-Furness

From Mr and Mrs Fox in respect of Listed Building Consent for alterations associated with extending habitable accommodation into the adjacent barn currently used for domestic storage/garaging and including external alterations to the front and rear elevations with rearrangement of internal room layouts. Changes to window and external door locations and removal of modern dormers with addition of rooflights at New Inn, Biggar Village, Barrow-in-Furness as shown on planning application number 2022/0152.

Representations received and the results of consultations were reported.

It was moved by Councillor Husband and seconded by Councillor McEwan, and

RESOLVED:- It was unanimously agreed that Listed Building Consent be granted subject to the following conditions:-

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

Reason

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

Compliance with Approved Plans

2. The development shall be carried out and completed in all respects in accordance with the application dated 30/03/2022 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

620-01, 620-02, 620-03.

Reason

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

During Building Works

3. The doors, door frames, window frames and any other external joinery shall be of timber and given a painted finish of a type and colour to be agreed in writing with the planning authority prior to installation.

Reason

To ensure a finish appropriate to the building and location is achieved.

4. All window and door frames shall be set into the reveals by 200mm measured from the external face of the walls.

Reason

Setting the glazing back into the reveals creates shadow lines and minimises reflections and impact.

5. The roof lights shall be of the conservation type, coloured dark grey, and inserted flush with the roof covering.

Reason

To achieve an architecturally appropriate detail.

6. Any infilling of redundant openings or rebuilding of the walls and roof where necessary must be carried out with materials 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

21 – Furness Abbey, Abbey Approach, Barrow-in-Furness

From Mr D. Laing, HM Lord Lieutenant of Northants in respect of the installation of a statue in memory of Sir John Laing at Furness Abbey, Abbey Approach, Barrow-in-Furness as shown on planning application number 2022/0291.

Consideration of this application had been deferred at the last meeting to allow the Committee to undertake a site visit regarding the suitability of the statue within the context of the site.

Representations received and the results of consultations were reported.

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

The Principal Planning Officer advised the Committee that additional comments had been received from the Agent in support of the application and an additional representation objecting to the application; details of which had been included in the Extra Information Booklet circulated prior to the meeting

Mr R. Pointing (Objector) and Mr D. Laing (Applicant) attended the meeting and addressed the Committee.

It was moved by Councillor Tyson and seconded by Councillor Hall to approve the application. A vote was taken and it was thereupon declared lost.

It was further moved by Councillor Husband and seconded by Councillor McEwan, and after seeking clarification on the Council's Constitution from the Monitoring Officer; it was agreed that the application should be deferred to the next meeting since the Committee were minded to refuse the application.

RESOLVED:- It was agreed that consideration of the application be deferred to the next meeting since the Committee had been minded to refuse the planning permission for the following reasons:-

- i. Contrary to Planning Policy DS2 criteria (g);
- ii. Contrary to Planning Policy DS5; and
- iii. An alternative site had not been considered that would be less harmful such as the Amphitheatre or Abbotswood.

22 – Land at Rampside, Barrow-in-Furness

From Mr A. Davies in respect of the Change of Use of Paddock to a glamping facility and the siting of 6 shepherd hut style glamping units with associated decking areas and provision of vehicular access track on Land at Rampside, Barrow-in-Furness as shown on planning application number 2022/0040.

Representations received and the results of consultations were reported.

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

Dr Wiejak, John Long and Alan Cleasby (Objectors) attended the meeting and addressed the Committee on behalf of the other residents who were at the meeting.

The Principal Planning Officer informed Members that a petition had been received with 176 signatories objecting to the application which had been included in the Extra Information Booklet circulated prior to the meeting.

It was moved by Councillor McEwan and seconded by Councillor Husband, and

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

1. The proposal, by virtue of the design, siting, number of units and the location neighbouring the coastal edge, combined with the potential for noise and disturbance, would have a negative impact upon residential and visual amenity in the area and the landscape of this sensitive coastal environment. In the opinion of the Local Planning Authority, the level of harm resulting could not be adequately mitigated by design amendments or planning condition.
2. By virtue of reason 1 above, the proposals would conflict with the aims of the NPPF in terms of sustainable development, in particular paragraphs 8 and 174 which seek to safeguard the natural environment and Policies C2, DS1, DS2, DS5, EC8, EC9, GI4, N1 and I4 of the adopted Barrow Borough Local Plan 2016-2031. These policies, inter alia, seek to protect the open character of the undeveloped coast, enhance the quality of life for residents, ensure the environmental effects of noise, smell, dust and light are within acceptable levels, safeguard the amenity of residents, safeguard landscape and environmental assets, respect the distinctive character of the local landscape, safeguarding green spaces, protect and enhancing landscape character and encourage sustainable travel rather than reliance on private cars.
3. The proposal would have a negative impact on the setting of adjacent heritage assets, including a Grade I listed building known as Rampside Hall, without justification in the public interest. This would conflict with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the Planning Authority to have special regard to the desirability of preserving the building or its setting, paragraphs 199, 200 and 202 of the NPPF in relation to harm to heritage assets and their setting and Policies DS2, DS5 and HE3 of the Barrow Borough Local Plan 2016-2031 which seek to safeguard the setting of heritage assets.
4. The site is adjacent to the Morecambe Bay Special Area of Conservation (SAC), Ramsar, and SSSI, and the Morecambe Bay and Duddon Estuary Special Protection Area (SPA) and a Habitats Regulations Assessment (HRA) is required. A shadow HRA has not been submitted and there is insufficient information for the Local Planning Authority to assess potential impacts on these sites, particularly increased recreational disturbance to SPA and Ramsar bird species including impacts of noise and light disturbance overnight. Insufficient information has been submitted with the application to enable a Habitats Regulation Assessment to be undertaken.

The meeting closed at 4.00 pm.

PLANNING COMMITTEE

12/07/2022

Delegated Decisions made between

01/06/2022

and

28/06/2022

For Information

Ladies and Gentlemen,

Town & Country Planning Act 1990 (as amended)
 Planning (Listed buildings and Conservation Areas) Act 1990 (as amended)
 Town & Country Planning (Development Management Procedure) (England) Order
 2015 (as amended)
 Town and County Planning (Control of Advertisements) (England) Regulations 2007.

The Planning applications in this report have been determined by the Head of
 Development Management under delegated authority (Minute No. 107, Executive
 Committee, 7 February 2018, confirmed by Council 1st March 2018 (Minute No. 63).
 The decisions are reported for your information.

Director of People and Place

Working together to support sustainable development within the Borough of Barrow-in-Furness



DELEGATED DECISIONS

<p>Reference: B21/2022/0251</p> <p>Decision: APPCOND</p> <p>Decision Date: 10/06/2022</p>	<p>Location: 60 Black Butts Lane Barrow-in-Furness Cumbria LA14 3JZ</p> <p>Proposal: Single storey rear and side extension forming extended kitchen and dining room, with new utility and wc.</p>	<p>Ward: Walney South Ward</p> <p>Parish: N/A</p> <p>Case Officer: Adrian Adams</p>
<p>Reference: B21/2022/0223</p> <p>Decision: APPCOND</p> <p>Decision Date: 01/06/2022</p>	<p>Location: 24 Athens Drive, Barrow-in-Furness, Cumbria, LA13 9ND</p> <p>Proposal: Erection of a single storey rear kitchen/diner extension (to replace the existing conservatory). Extension of rear bedroom to allow conversion of part of that bedroom into a utility room.</p>	<p>Ward: Newbarns Ward</p> <p>Parish: N/A</p> <p>Case Officer: Jennifer Dickinson</p>
<p>Reference: B18/2022/0272</p> <p>Decision: APPCOND</p> <p>Decision Date: 22/06/2022</p>	<p>Location: 84 Duke Street, Barrow-in-Furness, Cumbria, LA14 1RD</p> <p>Proposal: Reinstatement of traditional style shop front with level access to shop, installation of 4 slimline glazed timber sliding sash windows to upper floors and replacement cast iron rainwater goods.</p>	<p>Ward: Hindpool Ward</p> <p>Parish: N/A</p> <p>Case Officer: Jennifer Dickinson</p>
<p>Reference: B21/2022/0270</p> <p>Decision: APPCOND</p> <p>Decision Date: 08/06/2022</p>	<p>Location: 5 Maryport Avenue Barrow-in-Furness Cumbria LA14 3LR</p> <p>Proposal: Ground floor extensions forming rear sun room and side store with internal modifications including w.c.</p>	<p>Ward: Walney North Ward</p> <p>Parish: N/A</p> <p>Case Officer: Adrian Adams</p>

DELEGATED DECISIONS

Working together to support sustainable development within the Borough of Barrow-in-Furness



<p>Reference: B21/2022/0302</p> <p>Decision: APPCOND</p> <p>Decision Date: 13/06/2022</p>	<p>Location: 1 Juniper Close Dalton-in-Furness Cumbria LA15 8TB</p> <p>Proposal: Single storey side extension to form single garage, adjacent to existing 3 bedroom semi detached residential dwelling.</p>	<p>Ward: Dalton South Ward</p> <p>Parish: Dalton Town with Newton Parish Council</p> <p>Case Officer: Adrian Adams</p>
<p>Reference: B26/2022/0304</p> <p>Decision: REFUSED</p> <p>Decision Date: 09/06/2022</p>	<p>Location: 22 Roanhead Lane Barrow-in-Furness Cumbria LA14 4HZ</p> <p>Proposal: Application for a Certificate of Lawfulness of Proposed Use or Development (CLOPUD) for a single storey rear extension.</p>	<p>Ward: Hawcoat Ward</p> <p>Parish: N/A</p> <p>Case Officer: Adrian Adams</p>
<p>Reference: B21/2022/0226</p> <p>Decision: APPCOND</p> <p>Decision Date: 16/06/2022</p>	<p>Location: 46 Andreas Avenue Barrow-in-Furness Cumbria LA14 3JN</p> <p>Proposal: Double storey side extension forming dining room, utility room, w.c. & store room at ground floor level, bedroom 4 with en-suite & Juliet balcony at first floor level and rear ground floor extension forming a sunroom.</p>	<p>Ward: Walney South Ward</p> <p>Parish: N/A</p> <p>Case Officer: Adrian Adams</p>
<p>Reference: B21/2022/0292</p> <p>Decision: APPCOND</p> <p>Decision Date: 06/06/2022</p>	<p>Location: 94 Holbeck Park Avenue, Barrow-in-Furness, Cumbria, LA13 0SB</p> <p>Proposal: Rear single storey extension forming sunroom, utility, W.C and internal alterations (replacing existing conservatory). Resubmission of B21/2021/0362 in a revised form with sun room roof changed from hip to gable.</p>	<p>Ward: Roosecote Ward</p> <p>Parish: N/A</p> <p>Case Officer: Adrian Adams</p>

DELEGATED DECISIONS

Working together to support sustainable development within the Borough of Barrow-in-Furness



<p>Reference: B18/2022/0312</p> <p>Decision: APPCOND</p> <p>Decision Date: 08/06/2022</p>	<p>Location: Rock Lea Close Barrow-in-Furness Cumbria LA13 9FA</p> <p>Proposal: Application for removal of condition no. 9 (provision of right turn lane on Abbey Road) of planning permission B07/2018/0087 (Application for a minor-material amendment following grant of planning permission BO7/2016/0789 (Erection of 10 dwellings and associated site works) Substitution of house type on plot 4 from 'NEW' to a 'M3', Substitution of house type on plot 5 from 'HAR' to a 'EAT', Substitution of house type on plot 8 from 'EE3S' to 'M3' and substitution of house type on plot 10 from 'OU' to a 'EAT')</p>	<p>Ward: Hawcoat Ward</p> <p>Parish: N/A</p> <p>Case Officer: Charles Wilton</p>
<p>Reference: B21/2022/0288</p> <p>Decision: APPCOND</p> <p>Decision Date: 06/06/2022</p>	<p>Location: 19 Lindal Close Dalton-in-Furness Cumbria LA15 8NL</p> <p>Proposal: Single storey rear extension forming play room and wc, together with external garden store</p>	<p>Ward: Dalton South Ward</p> <p>Parish: Dalton Town with Newton Parish Council</p> <p>Case Officer: Adrian Adams</p>
<p>Reference: B18/2022/0370</p> <p>Decision: APPCOND</p> <p>Decision Date: 23/06/2022</p>	<p>Location: Telephone Exchange Grove Street Dalton-in-Furness Cumbria LA15 8PW</p> <p>Proposal: Replacement of three windows in the south east elevation with aluminium louvres'</p>	<p>Ward: Dalton South Ward</p> <p>Parish: Dalton Town with Newton Parish Council</p> <p>Case Officer: Barry Jesson</p>
<p>Reference: B21/2022/0326</p> <p>Decision: APPCOND</p> <p>Decision Date: 20/06/2022</p>	<p>Location: 8 Snaefell View Barrow-in-Furness Cumbria LA14 3JX</p> <p>Proposal: Rear ground floor extension forming living area and kitchen with first floor extension forming extended 3rd bedroom.</p>	<p>Ward: Walney South Ward</p> <p>Parish: N/A</p> <p>Case Officer: Adrian Adams</p>

DELEGATED DECISIONS

Working together to support sustainable development within the Borough of Barrow-in-Furness



<p>Reference: B21/2022/0353</p> <p>Decision: APPCOND</p> <p>Decision Date: 14/06/2022</p>	<p>Location: 11 Lichfield Close Barrow-in-Furness Cumbria LA14 5LX</p> <p>Proposal: Two storey side extension forming additional bedroom with en-suite and wardrobe to first floor and new kitchen/dining room to ground floor and utility and ground floor wc.</p>	<p>Ward: Ormsgill Ward</p> <p>Parish: N/A</p> <p>Case Officer: Adrian Adams</p>
<p>Reference: B28/2022/0459</p> <p>Decision: APPROVED</p> <p>Decision Date: 24/06/2022</p>	<p>Location: Land at London Road Lindal-in-Furness Cumbria</p> <p>Proposal: Application for approval of details reserved by condition No. 7 (works within 10m of railway boundary) for planning permission B07/2018/0375 (Outline application for the erection of 35 dwellings and associated car parking, landscaping and highways infrastructure)</p>	<p>Ward: Dalton North Ward</p> <p>Parish: Lindal and Marton Parish Council</p> <p>Case Officer: Charles Wilton</p>
<p>Reference: B13/2022/0327</p> <p>Decision: APPCOND</p> <p>Decision Date: 24/06/2022</p>	<p>Location: Saw Mill Cottage Pennington Lane Lindal-in-Furness Cumbria LA12 0LA</p> <p>Proposal: Application for a Minor Material Amendment following the grant of planning permission B13/2020/0275 (Demolition of existing dwelling and erection of a replacement dwelling) to include the relocation/re-sizing/omission/addition of external door, window and roof light openings; internal layout alterations and the addition of an external chimney.</p>	<p>Ward: Dalton North Ward</p> <p>Parish: Lindal and Marton Parish Council</p> <p>Case Officer: Barry Jesson</p>
<p>Reference: B31/2022/0329</p> <p>Decision: REFUSED</p> <p>Decision Date: 08/06/2022</p>	<p>Location: Rock Lea Close Barrow-in-Furness Cumbria</p> <p>Proposal: Application for a non-material amendment following grant of planning permission 2018/0087 (minor-material amendment to planning permission B07/2016/0789 - erection of 10 dwellings) to replace the approved estate road with a shared surface road with footway retained adjacent to Abbey Road.</p>	<p>Ward: Hawcoat Ward</p> <p>Parish: N/A</p> <p>Case Officer: Barry Jesson</p>

DELEGATED DECISIONS

Working together to support sustainable development within the Borough of Barrow-in-Furness



<p>Reference Number: BV/2022/0518</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 24/06/2022</p>	<p>Location: 127 Steel Street Askam-in-Furness Cumbria LA16 7BS</p> <p>Proposal: Installation of lintels to 2 no doorways for widening for wheelchair access.</p>	<p>Ward: Dalton North Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 24/06/2022</p>
<p>Reference Number: FV/2022/0028</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 04/05/2022</p>	<p>Location: 7 Baldwin Street Barrow-in-Furness Cumbria LA14 4HP</p> <p>Proposal: Wrap around single storey extension.</p>	<p>Ward: Hawcoat Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 22/06/2022</p>
<p>Reference Number: FV/2022/0387</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 16/05/2022</p>	<p>Location: West Point House Solway Drive Barrow-in- Furness Cumbria LA14 3XN</p> <p>Proposal: Conversion of six existing bedrooms to twelve new ensembles serving the adjacent rooms and the conversion of an existing shower room to a new bedroom.</p>	<p>Ward: Walney North Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 22/06/2022</p>
<p>Reference Number: FV/2022/0001</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 16/05/2022</p>	<p>Location: 99 Balmoral Drive Barrow-in-Furness Cumbria LA13 0HY</p> <p>Proposal: Two storey side extension.</p>	<p>Ward: Roosecote Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 28/06/2022</p>

Working together to support sustainable development within the Borough of Barrow-in-Furness



<p>Reference Number: FV/2022/0428</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 30/05/2022</p>	<p>Location: 35 Norland Avenue Barrow-in-Furness Cumbria LA14 4ES</p> <p>Proposal: Single storey rear and side extensions, to provide living and dining area to the rear and utility room, wc and store to the side</p>	<p>Ward: Hawcoat Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 28/06/2022</p>
<p>Reference Number: BV/2022/0481</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 14/06/2022</p>	<p>Location: 8 St Bees Drive Barrow-in-Furness Cumbria LA14 4PS</p> <p>Proposal: Proposed loft conversion.</p>	<p>Ward: Hawcoat Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 14/06/2022</p>
<p>Reference Number: BV/2022/0484</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 14/06/2022</p>	<p>Location: 5 Montague Street Barrow-in-Furness Cumbria LA14 1SN</p> <p>Proposal: Formation of 2 additional bathrooms, removal of wall between the dining room and kitchen, removal of chimney stack externally and removal of chimney breasts from loft to ground floor.</p>	<p>Ward: Hindpool Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 15/06/2022</p>
<p>Reference Number: BV/2022/0032</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 15/06/2022</p>	<p>Location: 200 Abbey Road Barrow-in-Furness Cumbria LA14 5LD</p> <p>Proposal: Proposed craft room, garage, utility room and WC.</p>	<p>Ward: Parkside Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 14/06/2022</p>

<p>Reference Number: BV/2022/0488</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 14/06/2022</p>	<p>Location: 6 Yarl Meadow Barrow-in-Furness Cumbria LA13 9SJ</p> <p>Proposal: 23 metre square single storey rear extension.</p>	<p>Ward: Risedale Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 14/06/2022</p>
<p>Reference Number: BV/2022/0490</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 14/06/2022</p>	<p>Location: 91 Beach Street Askam-in-Furness Cumbria LA16 7BH</p> <p>Proposal: Internal alterations to form enlarged kitchen.</p>	<p>Ward: Dalton North Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 15/06/2022</p>
<p>Reference Number: BV/2022/0525</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 28/06/2022</p>	<p>Location: 14 Oak Head Road Barrow-in-Furness Cumbria LA14 3EZ</p> <p>Proposal: Single storey lean to extension</p>	<p>Ward: Walney South Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 28/06/2022</p>
<p>Reference Number: RA/2022/0315</p> <p>Application Type: Regularisation</p> <p>Received: 21/04/2022</p>	<p>Location: 32 Leicester Street Barrow-in-Furness Cumbria LA13 9QN</p> <p>Proposal: Replacement windows and door</p>	<p>Ward: Risedale Ward</p> <p>Decision: Regular</p> <p>Decision Date: 21/06/2022</p>

Building Control

Working together to support sustainable development within the Borough of Barrow-in-Furness



<p>Reference Number: FV/2022/0366</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 09/05/2022</p>	<p>Location: 10 Stoneham Close Barrow-in-Furness Cumbria LA13 0SX</p> <p>Proposal: Single storey front and rear extension and partial garage conversion.</p>	<p>Ward: Roosecote Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 20/06/2022</p>
<p>Reference Number: FV/2022/0171</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 09/05/2022</p>	<p>Location: 114 Glenridding Drive Barrow-in-Furness Cumbria LA14 4PA</p> <p>Proposal: Part Change of Use to Garage to provide Utility Room & Store</p>	<p>Ward: Hawcoat Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 13/06/2022</p>
<p>Reference Number: FV/2022/0153</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 12/05/2022</p>	<p>Location: 13 Highlands Avenue Barrow-in-Furness Cumbria LA13 0AU</p> <p>Proposal: Demolition of store and garage and construction of 2 storey rear extension with first floor bedroom & ground floor kitchen extension and rear single storey extension to form dining room.</p>	<p>Ward: Newbarns Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 22/06/2022</p>
<p>Reference Number: BV/2022/0469</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 09/06/2022</p>	<p>Location: 51 Argyle Street Barrow-in-Furness Cumbria LA14 2EL</p> <p>Proposal: Replacement of two windows, replacement of window with a door, and formation of a structural opening for a new internal door.</p>	<p>Ward: Central Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 09/06/2022</p>

Working together to support sustainable development within the Borough of Barrow-in-Furness



<p>Reference Number: BV/2022/0471</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 09/06/2022</p>	<p>Location: 10 Raleigh Street Barrow-in-Furness Cumbria LA14 5RH</p> <p>Proposal: Formation of 6 ensuite bathrooms and the removal of a chimney breast.</p>	<p>Ward: Hindpool Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 09/06/2022</p>
<p>Reference Number: BV/2022/0477</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 13/06/2022</p>	<p>Location: 50 Parklands Drive Askam-in-Furness Cumbria LA16 7JP</p> <p>Proposal: Demolition of existing rear kitchen along with the rear conservatory. Rear single storey pitched roof extension for use as kitchen/diner/bedroom/en-suite & utility room/WC</p>	<p>Ward: Dalton North Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 13/06/2022</p>
<p>Reference Number: BV/2022/0499</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 16/06/2022</p>	<p>Location: 114 Derby Street Barrow-in-Furness Cumbria LA13 9TG</p> <p>Proposal: Removal of wall between kitchen and dining room; brick up back door and install window; install patio doors to dining room.</p>	<p>Ward: Error could not find ward</p> <p>Decision: Accepted</p> <p>Decision Date: 16/06/2022</p>
<p>Reference Number: BV/2022/0508</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 21/06/2022</p>	<p>Location: 80 Smeaton Street Barrow-in-Furness Cumbria LA14 2EB</p> <p>Proposal: HMO Conversion</p>	<p>Ward: Central Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 21/06/2022</p>

<p>Reference Number: FV/2022/0333</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 26/04/2022</p>	<p>Location: United Reformed Church Market Street Dalton-in-Furness Cumbria LA15 8RQ</p> <p>Proposal: Internal Remodeling.</p>	<p>Ward: Dalton South Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 26/06/2022</p>
<p>Reference Number: BN/2022/0527</p> <p>Application Type: Building Notice Non Vatable</p> <p>Received: 28/06/2022</p>	<p>Location: 11 Duke Street Askam-in-Furness Cumbria LA16 7AA</p> <p>Proposal: To widen door opening in a single brick wall to 1m opening using a 1500x150x100mm concrete lintle with a minimum of 150mm seating. Wider door to be installed.</p>	<p>Ward: Dalton North Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 28/06/2022</p>
<p>Reference Number: FV/2022/0279</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 06/04/2022</p>	<p>Location: 9B Market Street Dalton-in-Furness Cumbria LA15 8AE</p> <p>Proposal: Two storey side extension including internal and external alterations</p>	<p>Ward: Dalton South Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 06/06/2022</p>
<p>Reference Number: FV/2022/0316</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 21/04/2022</p>	<p>Location: Cambridge Primary School Cambridge Street Barrow-in-Furness Cumbria LA13 9RP</p> <p>Proposal: Division of an old classroom into a withdrawal space/support room and a sensory room to be used by small groups (approx 6) and 16 in support room.</p>	<p>Ward: Risedale Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 10/06/2022</p>

<p>Reference Number: FV/2022/0330</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 26/04/2022</p>	<p>Location: Robert McBride Ltd West Side Park Road Barrow-in-Furness Cumbria LA14 4BN</p> <p>Proposal: Remodeling and upgrading works.</p>	<p>Ward: Ormsgill Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 23/06/2022</p>
<p>Reference Number: FV/2022/0335</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 26/04/2022</p>	<p>Location: 20 Highlands Grove Barrow-in-Furness Cumbria LA13 0AJ</p> <p>Proposal: Side two storey extension and rear first floor extension.</p>	<p>Ward: Newbarns Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 26/06/2022</p>
<p>Reference Number: FV/2022/0075</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 04/05/2022</p>	<p>Location: 52 Hawcoat Lane Barrow-in-Furness Cumbria LA14 4HF</p> <p>Proposal: Single storey side and rear extension.</p>	<p>Ward: Hawcoat Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 28/06/2022</p>
<p>Reference Number: FV/2022/0345/ MAST</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 28/04/2022</p>	<p>Location: Proposed Housing Development at Land Toid 1000000222631172 Dalton Lane Barrow-in- Furness Cumbria Phase 3</p> <p>Proposal: Erection of 19 new dwellings Phase 3.</p>	<p>Ward: Hawcoat Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 02/06/2022</p>

Working together to support sustainable development within the Borough of Barrow-in-Furness



<p>Reference Number: FV/2022/0356</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 04/05/2022</p>	<p>Location: Abbey Meadow Nursing Home Duchy Court Barrow-in-Furness Cumbria LA13 0BF</p> <p>Proposal: Construction of a single storey infill extension to the boiler room to create a store.</p>	<p>Ward: Newbarns Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 22/06/2022</p>
<p>Reference Number: FV/2022/0267</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 04/04/2022</p>	<p>Location: Corandirk Saves Lane Ireleth Askam-in-Furness Cumbria LA16 7DY</p> <p>Proposal: Porch, Single Storey Rear and Side Extensions with Loft Conversion & associated internal alterations</p>	<p>Ward: Dalton North Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 04/06/2022</p>
<p>Reference Number: BV/2022/0460</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 08/06/2022</p>	<p>Location: 50 Southport Drive Barrow-in-Furness Cumbria LA14 3LT</p> <p>Proposal: Knock through from kitchen into dining room with steels and fit replacement windows to whole house.</p>	<p>Ward: Walney North Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 08/06/2022</p>
<p>Reference Number: BV/2022/0464</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 08/06/2022</p>	<p>Location: 11 Tudor Square Dalton-in-Furness Cumbria LA15 8RJ</p> <p>Proposal: Kitchen extension.</p>	<p>Ward: Dalton South Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 08/06/2022</p>

Working together to support sustainable development within the Borough of Barrow-in-Furness



<p>Reference Number: BV/2022/0474</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 10/06/2022</p>	<p>Location: 6 Seathwaite Road Barrow-in-Furness Cumbria LA14 4LT</p> <p>Proposal: To convert the garage area into a habitable space and opening up the kitchen area.</p>	<p>Ward: Hawcoat Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 10/06/2022</p>
<p>Reference Number: FV/2022/0098</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 20/05/2022</p>	<p>Location: 43 Strathnaver Avenue Barrow-in-Furness Cumbria LA14 3DQ</p> <p>Proposal: Single storey rear extension and two storey side extension.</p>	<p>Ward: Walney South Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 24/06/2022</p>
<p>Reference Number: FV/2022/0351</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 03/05/2022</p>	<p>Location: 9 Pryors Walk Ireleth Askam-in-Furness Cumbria LA16 7JG</p> <p>Proposal: Conversion of garage to garden room and two storey extension.</p>	<p>Ward: Dalton North Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 22/06/2022</p>
<p>Reference Number: BV/2022/0486</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 14/06/2022</p>	<p>Location: 7 Laurel Drive Barrow-in-Furness Cumbria LA13 0RD</p> <p>Proposal: Reinstatement of 3rd bedroom from a previous 2nd bathroom conversion. Property to be reinstated as a 3 bedroom, 1 bathroom house upon completion of works.</p>	<p>Ward: Roosecote Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 14/06/2022</p>

<p>Reference Number: FV/2022/0391</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 16/05/2022</p>	<p>Location: 20 South Row Barrow-in-Furness Cumbria LA13 0HL</p> <p>Proposal: A lean to storage area on the side of the house. Removal of an internal wall between the kitchen and the dining room, and the addition of bi-folding doors and a roof lantern.</p>	<p>Ward: Roosecote Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 28/06/2022</p>
<p>Reference Number: BV/2022/0526</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 28/06/2022</p>	<p>Location: 17 Liddle Close Barrow-in-Furness Cumbria LA13 0SW</p> <p>Proposal: One new extra window added to the west facing ground floor exterior wall and a new window replacing the south facing first floor bedroom window.</p>	<p>Ward: Roosecote Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 28/06/2022</p>
<p>Reference Number: BV/2022/0516</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 23/06/2022</p>	<p>Location: 76 King Alfred Street Barrow-in-Furness Cumbria LA14 3BS</p> <p>Proposal: Removal of Chimney Breast in Kitchen & fitting of new RSJ.</p>	<p>Ward: Walney South Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 23/06/2022</p>
<p>Reference Number: BV/2022/0514</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 22/06/2022</p>	<p>Location: 19 Yealand Drive Barrow-in-Furness Cumbria LA14 4JX</p> <p>Proposal: Removal of wall between kitchen & dining room and fitting of 2 x RSJ's</p>	<p>Ward: Hawcoat Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 22/06/2022</p>

Working together to support sustainable development within the Borough of Barrow-in-Furness



<p>Reference Number: BV/2022/0444</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 06/06/2022</p>	<p>Location: 49 Harrogate Street Barrow-in-Furness Cumbria LA14 5NR</p> <p>Proposal: Rear single storey infill extension.</p>	<p>Ward: Ormsgill Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 06/06/2022</p>
<p>Reference Number: BV/2022/0453</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 07/06/2022</p>	<p>Location: 11 Marsh Street Barrow-in-Furness Cumbria LA14 2AE</p> <p>Proposal: Loft conversion.</p>	<p>Ward: Central Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 07/06/2022</p>
<p>Reference Number: FV/2022/0224</p> <p>Application Type: Full Plans Vatable</p> <p>Received: 24/05/2022</p>	<p>Location: 4 Shelley Drive Barrow-in-Furness Cumbria LA13 9UD</p> <p>Proposal: Front wrap around pitched roof extension for use as a W.C. Rear kitchen/Dining room extension</p>	<p>Ward: Newbarns Ward</p> <p>Decision: Appcond</p> <p>Decision Date: 28/06/2022</p>
<p>Reference Number: BV/2022/0492</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 14/06/2022</p>	<p>Location: 29 Frome Road Barrow-in-Furness Cumbria LA14 3UR</p> <p>Proposal: Replacement lightweight conservatory roof.</p>	<p>Ward: Walney North Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 14/06/2022</p>

<p>Reference Number: BV/2022/0493</p> <p>Application Type: Building Notice Vatable</p> <p>Received: 14/06/2022</p>	<p>Location: 50 Cowlarns Road Barrow-in-Furness Cumbria LA14 4HJ</p> <p>Proposal: Lightweight replacement conservatory roof.</p>	<p>Ward: Hawcoat Ward</p> <p>Decision: Accepted</p> <p>Decision Date: 14/06/2022</p>
<p>Reference Number: DS/2020/0015</p> <p>Application Type: Dangerous Structure</p> <p>Received: 22/06/2020</p>	<p>Location: 1 Burnaby Street Barrow-in-Furness Cumbria LA14 2QD</p> <p>Proposal: Dangerous yard wall - Via Street care</p>	<p>Ward: Barrow Island Ward</p> <p>Decision: Danger</p> <p>Decision Date: 28/06/2022</p>

Building Control

Working together to support sustainable development within the Borough of Barrow-in-Furness



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DEVELOPMENT SERVICES

PLANNING COMMITTEE

FOR DECISION

12th July 2022

Ladies and Gentlemen,

The applications within this report have been submitted for determination under the Town and Country Planning Acts and associated legislation.

All applications within this report are “Delegated” to this Committee but can be moved “Non-Delegated” by a Member of the Committee under the terms adopted for the Scheme of Delegation approved by Council, 16th May, 1994. Any such motion needs to be accepted by a majority of Members of the Committee present (Council, 8th August, 1995). All applications left as Delegated will be decided by the Committee and will not be subject to confirmation by Council.

The application plan numbers also refer to files for the purposes of background papers.

PUBLIC PARTICIPATION

Any member of the public who wishes to ask a question, make representations or present a deputation or petition at this meeting should apply to do so by no later than 12 noon, three working days before the date of the Planning Committee meeting. Information on how to make the application can be obtained by viewing the Council's website www.barrowbc.gov.uk or by contacting the Planning Business Support Team at consultplanning@barrowbc.gov.uk or by telephone on 01229 876405..

Jason Hipkiss

Head of Development Management

B18/2022/0287
Planning Committee
12th July 2022



Application Number : B18/2022/0287	Date Valid :20/04/2022
Address : Model Passenger Railway, Barrow Public Park, Abbey Road, Barrow-in-Furness, Cumbria	Case Officer : Jennifer Dickinson
Proposal : Erection of an extension to the existing workshop for use as meeting room /storage and placement of 6 solar panels on the roof to supplement the generator.	
Ward : Parkside Ward	Parish : N/A
Applicant : Mr D Fuller, Furness Model Railway Club	Agent
Statutory Date : 15/06/2022	Recommendation : Granted with conditions
Barrow Planning Hub	

Relevant Policies and Guidance

Full details of the policies listed below are included in the appendix

National Policies

1. National Planning Policy Framework 2021 - Paragraph 11
2. National Planning Policy Framework 2021 - Paragraph 130
3. National Planning Policy Framework 2021 - Paragraph 194
4. National Planning Policy Framework 2021 - Paragraph 195
5. National Planning Policy Framework 2021 - Paragraph 197
6. National Planning Policy Framework 2021 - Paragraph 199
7. National Planning Policy Framework 2021 - Paragraph 202

Local Plan Policies

1. Barrow Borough Local Plan 2016-2031 - Policy C5 - Promoting Renewable Energy
2. Barrow Borough Local Plan 2016-2031 - Policy DS1 - Council's commitment to sustainable development
3. Barrow Borough Local Plan 2016-2031 - Policy DS2 - Sustainable Development Criteria
4. Barrow Borough Local Plan 2016-2031 - Policy DS5 - Design
5. Barrow Borough Local Plan 2016-2031 - Policy HE1 - Heritage Assets and their setting
6. Barrow Borough Local Plan 2016-2031 - Policy HE2 - Information required for proposals involving historic assets

Summary of Main Issues

The Council is the land owner of this site hence as required in the Constitution it is being reported to this committee.

Non Material Considerations

Response to Publicity and Consultations

Neighbours Consulted

Street Name Park Drive
Properties Furness Academy,

Responses	Support	Object	Neutral
0	0	0	0

Site notice displayed on gate to Model Railway expiring on 20.5.22

Organisations Consulted

Consultee

Barrow Borough Council (Building Control)
 Barrow Borough Council (Estates)
 Barrow Borough Council - Head of Operational Services
 Joint Committee of the National Amenity Society

List of Organisation Responses

Barrow Borough Council (Building Control) 21/04/2022

Building regulation approval required for the proposa

United Utilities 16/05/2022

"United Utilities wish to make the following comments regarding the proposal detailed above.

DRAINAGE

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG) advise that surface water from new developments should be investigated and delivered in the following order of priority:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

We recommend the applicant considers their drainage plans in accordance with the drainage hierarchy outlined above.

Please note, United Utilities is not responsible for advising on rates of discharge to the local watercourse system. This is a matter for discussion with the Lead Local Flood Authority and / or the Environment Agency (if the watercourse is classified as main river).

In the event that the applicant, or any subsequent developer, approaches United Utilities regarding a connection for surface water to the public sewer, it is likely that we will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable. This will be managed through either our 'S106 Sewer Connections' or 'S104 Adoptions' processes.

If the applicant intends to offer wastewater assets forward for adoption by United Utilities, their proposed detailed design will be subject to a technical appraisal by our Developer Services team and must meet the requirements outlined in 'Sewers for Adoption and United Utilities' Asset Standards'. This is important as drainage design can be a key determining factor of site levels and layout.

The applicant should not presume that the principles outlined within a drainage strategy will meet the detailed requirements for a successful adoption application. We strongly recommend that no construction commences until the detailed drainage design, has been assessed and accepted in writing by United Utilities. Any works carried out prior to the technical assessment being approved is done entirely at the developers own risk and could be subject to change.

WATER AND WASTEWATER SERVICES

If the applicant intends to receive water and/or wastewater services from United Utilities, they should visit our website or contact the Developer Services team for advice. This includes seeking confirmation of the required metering arrangements for the proposed development. See 'Contacts' Section below.

If the proposed development site benefits from existing water and wastewater connections, the applicant should not assume that the arrangements will be suitable for the new proposal.

In some circumstances we may require a compulsory meter is fitted. For detailed guidance on whether the development will require a compulsory meter please visit <https://www.unitedutilities.com/my-account/your-bill/our-household-charges-20212022/> and go to section 7.7 for compulsory metering.

If reinforcement of the water network is required to meet potential demand, this could be a significant project and the design and construction period should be accounted for.

To avoid any unnecessary costs and delays being incurred by the applicant or any subsequent developer, we strongly recommend the applicant seeks advice regarding water and wastewater services, and metering arrangements, at the earliest opportunity. Please see 'Contacts' section below.

UNITED UTILITIES PROPERTY, ASSETS AND INFRASTRUCTURE

United Utilities will not allow building over or in close proximity to a water main. United Utilities may not allow building over or in close proximity to a public sewer.

Public sewers cross near the proposed extension. We require an access strip for maintenance or replacement. The minimum distances that might be acceptable to United Utilities are detailed within Part H of the Building Regulations however, we recommend the applicant determines the precise location, size, depth and condition of the pipeline as this is likely to influence the required stand-off distance from any structure.

It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development. Developer's should investigate the existence and the precise location of water and wastewater pipelines as soon as possible as this could significantly impact the preferred site layout and/or diversion of the asset(s) may be required. Where United Utilities' assets cross the proposed red line boundary, developers must contact our Developer Services team prior to commencing any works on site, including trial holes, groundworks or demolition.

Unless there is specific provision within the title of the property or an associated easement, any necessary disconnection or diversion of assets to accommodate development, will be at the applicant/developer's expense. In some circumstances, usually related to the size and nature of the assets impacted by proposals, developers may discover the cost of diversion is prohibitive in the context of their development scheme.

Where United Utilities' assets exist, the level of cover to United Utilities pipelines and apparatus must not be compromised either during or after construction and there should be no additional load bearing capacity on pipelines without prior agreement from United Utilities. This would include earth movement and the transport and position of construction equipment and vehicles.

Consideration should also be applied to United Utilities assets which may be located outside the applicant's red line boundary. Any construction activities in the vicinity of our assets must comply with our 'Standard Conditions for Works Adjacent to Pipelines' or national building standards.

The applicant or developer should contact our Developer Services team for advice if their proposal is in the vicinity of water or wastewater pipelines and apparatus. It is their responsibility to ensure that United Utilities' required access is provided within their layout and that our infrastructure is appropriately protected. The developer would be liable for the cost of any damage to United Utilities' assets resulting from their activity. See 'Contacts' section below.

CONTACTS

Website

For detailed guidance on water and wastewater services, including application forms and the opportunity to talk to the Developer Services team using the '**Live Chat**' function, please visit:

<http://www.unitedutilities.com/builders-developers.aspx>

Email

For advice on water and wastewater services or to discuss proposals near to pipelines, email the Developer Services team as follows:

Water mains and water supply, including metering -
DeveloperServicesWater@uuplc.co.uk

Public sewers and drainage - WastewaterDeveloperServices@uuplc.co.uk

Telephone - [0345 072 6067](tel:03450726067)

Property Searches (for asset maps):

A number of providers offer a paid for mapping service including United Utilities. For more information, or to purchase a sewer and water plan from United Utilities, please visit <https://www.unitedutilities.com/property-searches/>

Water and sewer records can be viewed for free at our Warrington Head Office by calling 0370751 0101. Appointments must be made in advance. Public sewer records can be viewed at local authority offices. Arrangements should be made directly with the local authority.

The position of the underground apparatus shown on asset maps is approximate only and is given in accordance with the best information currently available. United Utilities Water will not accept liability for any loss or damage caused by the actual position being different from those shown on the map.

We request that a copy of this letter is made available to the applicant.”

Officers Report

1. Site and Locality

1.1 The application site is a large area set to the eastern boundary of the park between the boating lake and Park Drive. It has been established as a model railway for many years and currently houses a signal box, outbuilding and railway track. The Park itself is Grade II listed. The area of this proposal lies just beyond the listed park boundary.

2. Proposal Details

2.1 Erection of an extension to the existing workshop for use as meeting room /storage and placement of 6 solar panels on the roof to supplement the generator.

2.2 The extension measures 5.5m x 4.5m and essentially doubles the length of the existing workshop. Materials are shown to be a pre-fabricated concrete building clad in shiplap painted in red and cream on 3 sides. The roof is insulated box profile with 6 solar panels attached to the extension.

3. Relevant History

3.1 B18/2009/0959 Barrow Public Park (Furness Model Railway Club) Abbey Road Barrow-in-Furness - Erection of workshop/storage building and extension to original track layout. Appcond 01-SEP-2009

4. Officer Assessment

4.1 The key considerations for this proposal are the impact on visual amenity and impact on the adjacent listed park.

4.2 The principle of the expansion of the model railway facilities in the park is to be welcomed and will secure the future of the use in the Park. The extension is to provide a meeting room for members and extra incidental storage for the running of the railway. The railway is run by volunteers and any money made from ticket sales is re-invested in the railway for the benefit of the public. It is a non-profit organisation.

Planning Policies

4.3 Both local and national planning policy places importance on good design and ensuring that developments function well and add to the overall quality of the area. Particular importance is placed on the consideration of the impact upon the setting of the adjacent Listed park.

Visual Impact

4.4 In the context of the large area within which the railway operates the proposed extension is modest in size. The revised materials proposed should ensure that the visual appearance of the building is improved whilst not appearing too dominant in the locality. The proposed colours match the existing signal box on site. The rear of the building is shown as dashed due to funding constraints. When considering the mature boundary planting, the rear of the building is not visible in wider views of the area, this is therefore considered acceptable. Consequently I am satisfied that the proposal accords with both local and national policy on design.

Heritage Impact

4.5 Submitted with the application is a Statement of Significance. This recognises the siting adjacent to the listed park and considers the impact from the proposal. The statement provides details of the Signal Box on site. The design dates back to the 1890's and is the Furness Railway signal box from Devonshire Bridge entrance to Devonshire Dock, and painted in Furness Railway colours. The design of the store extension incorporates the signal box colours and materials appearing as a an improvement to the current building on site and should enhance its setting.

4.6 Taking account of both local and national heritage policies, the applicant has considered in the design the significance of the heritage asset and designed the building accordingly to enhance the setting and tie in with the signal box design. The proposal should assist in ensuring the continuation of the railway in the park which is enjoyed by many visitors and therefore adds to the public benefit of the open public park. The impact on the heritage asset is considered to be neutral.

Representation

4.7 A representation has been received from United Utilities regarding the development which raises the matter of surface water drainage. The applicant has confirmed that drainage will be through ground infiltration and collection tanks for use with the steam engines, there will be no connection to the surface water drain. As the building is sited close to United Utilities assets the applicant has consulted with them direct and they have confirmed no objections to the scheme.

Solar Panels

4.8 A small area of solar panels is shown on the extension roof which is to be welcomed. The use of renewable energy is encouraged by the Council through other initiatives and policies, and this will provide a sustainable source of electricity for the building. This will complement the existing generator on site as it does not benefit from mains electricity.

5. Conclusions

4.9 The proposed development is modest in size and will improve the appearance of this area adjacent to the Listed Park. It accords with both local and national planning policy. It is to be welcomed and will enable the model railway to continue functioning as an added attraction for visitors to the park.

6. Recommendation

I recommend 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 20.4.22 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

Location Plan - Scale 1:1250

Site Plan - Scale 1:500

120w Solar Panel- High Efficient Monocrystalline

Drawing: Proposed Extension to the Park Railway Workshop

Statement of Significance

Reason

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

Informative






- Please note that any additional external alterations required under the Building Regulations may also require prior planning consent. Please speak to the Planning Officer before any such works are carried out.
 - This development may require approval under the Building Regulations. Please contact your Building Control department on 01229 876356 for further advice as to how to proceed.
 - Please be aware of the Safe Dig service from United Utilities by contacting United Utilities at; UUSafeDig@uuplc.co.uk
-

Description of map

2022/0287




KEY

- Existing Buildings 
- Proposed Workshop extension 
- Planting 
- Signals 
- Approximate line Of large sewer pipes 

PRODUCED FOR EXTERNAL COUNCIL BUSINESS USE

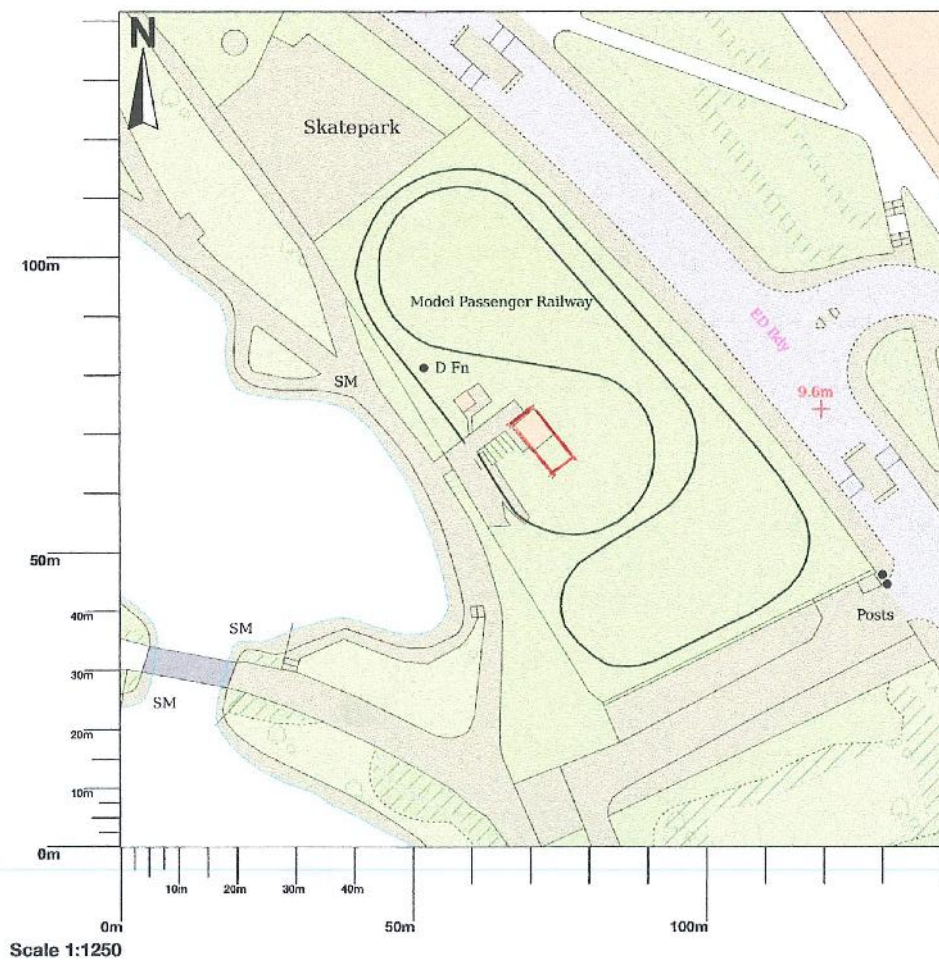
This copy has been produced specifically to enable the undertaking of statutory and regulatory requirements imposed on Barrow Borough Council. No further copies may be made. Copyright belongs to the following.(c) Crown Copyright and database right 2016. Ordnance Survey LA100016831

Scale 1:500.0
 Created 15.06.2017





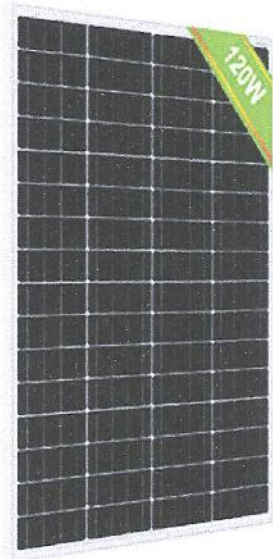

Barrow Park Railway Compound



Map area bounded by: 320726,469663 320868,469805. Produced on 24 March 2022 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2022. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: p2c/uk/773055/1045617

2022/0287

Solar Panels will cover an area of 4.2metres x 1metre approximately



120W Solar Panel-High Efficient Monocrystalline

Maximum Power: 120W

Open Circuit Voltage (Voc): 21.6V

Max Power Voltage (Vpm): 18V

Short Circuit Current (Isc): 7.72A

Working Current (Iop): 6.67A

Output Tolerance: $\pm 3\%$

Charge Voltage: 12V

Maximum System Voltage: 1000V DC

Temperature Range: -40°C to $+80^{\circ}\text{C}$ (-40°F to $+176^{\circ}\text{F}$)

J-Box IP Rating: IP65

Promise of Power: 90% within 10 years, 80% within 25 years

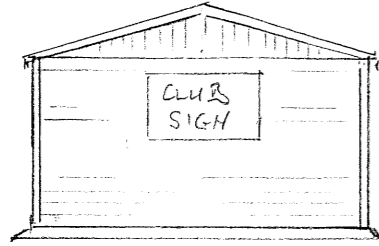
Compact Size: 37.2 x 26.9 x 1.4 inches (945 x 685 x 3,5 cm)

Panel Weight: 16.5lbs(7.5kg)

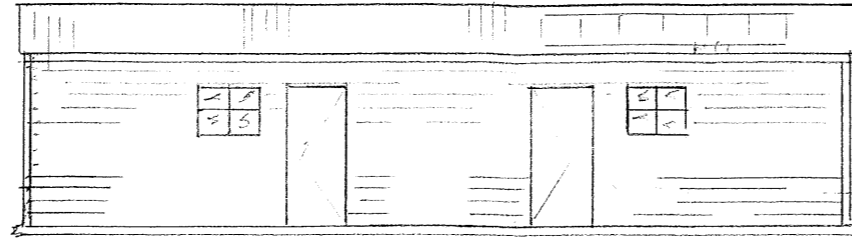
HEIGHT OF PANELS

2022/0287

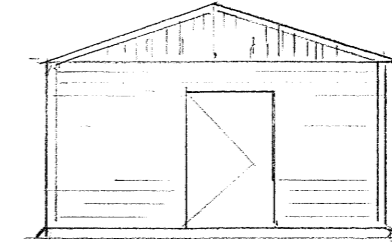
PROPOSED EXTENSION TO THE PARK RAILWAY WORKSHOP



Side elevation (facing carpark)



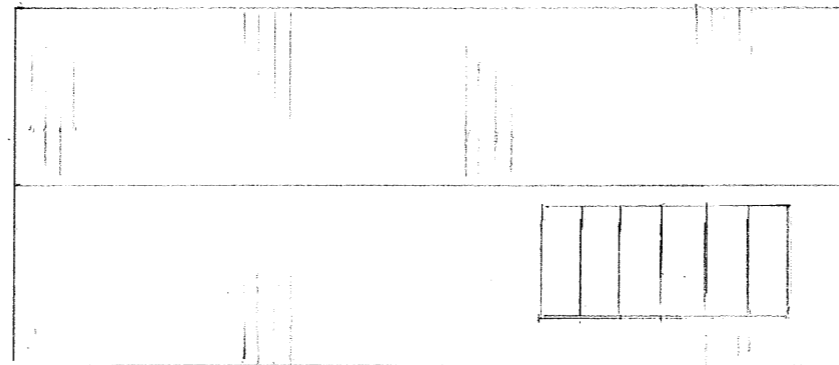
Front elevation (facing the lake)



Side Elevation (facing skatepark)

Construction

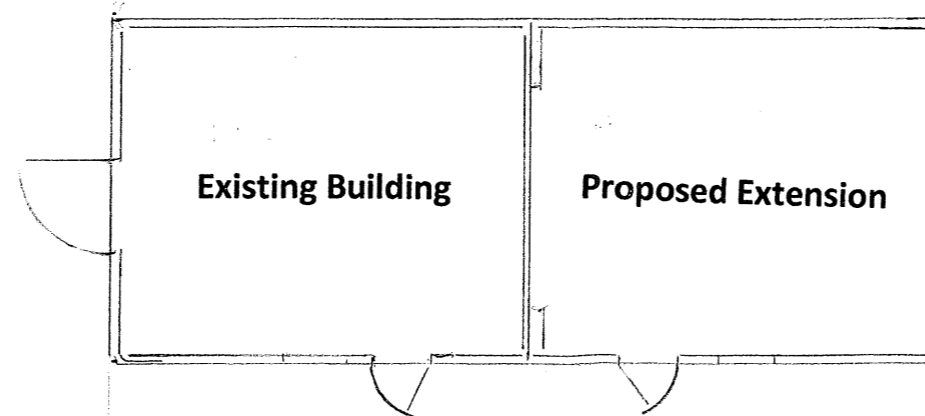
Prefabricated concrete building 5.5m x 4.5m
On a reinforced concrete base 150mm deep
Front and side elevations to be clad in shiplap
In keeping with the Signal Box and painted in
Red and cream as the Signal Box
Rear elevation to left as original pebble dash



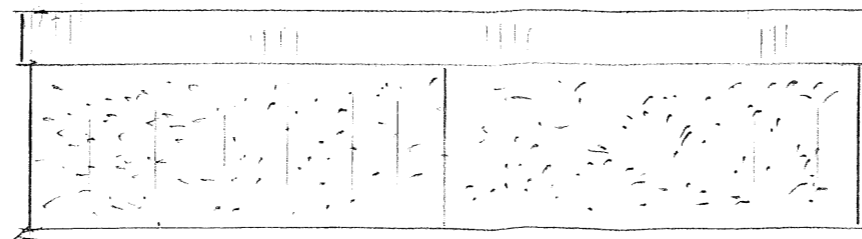
Roof

Roof

50mm insulated box profile
On steel trusses as original building
With 6 solar panels
for electricity supply to supplement
the existing generator



Plan view



Rear elevation

Scale 1 :100

Drawn [Redacted]

14-9-2021

B23/2022/0305
Planning Committee
12th July 2022



Application Number : B23/2022/0305	Date Valid :29/04/2022
Address : 77-79 Duke Street, Barrow-in-Furness, Cumbria, LA14 1RW	Case Officer : Maureen Smith
Proposal : Listed Building Consent to reinstate traditional shop front elements, wholesale redecoration of the shop front, new Accoya timber doors with glazing panels to match existing doors and profiles, new Accoya timber window frames and mullions to reinstate traditional moulding and details and Victorian style awnings and external pendant lighting.	
Ward : Central Ward	Parish : N/A
Applicant : Mr R Wood, Barrow Borough Council	Agent : Mr S Anderson, Buttress Architects
Statutory Date : 24/06/2022	Recommendation : Listed Building Consent be approved.
Barrow Planning Hub	

Relevant Policies and Guidance

Full details of the policies listed below are included in the appendix

Local Plan Policies

1. Barrow Borough Local Plan 2016-2031 - Policy HE1 - Heritage Assets and their setting
2. Barrow Borough Local Plan 2016-2031 - Policy HE3 - Listed Buildings
3. Barrow Borough Local Plan 2016-2031 - Policy HE4 - Conservation Areas

Summary of Main Issues

This application relates to a double fronted listed building within the conservation area and the key issue is the impact on heritage assets and their setting. As a Council owned property the application falls to be determined by the planning committee.

Non Material Considerations

Response to Publicity and Consultations

The application has been advertised by site and press notices.

Neighbours Consulted

Street Name	Properties
Clifford Street	3 St Vincent House, 4 St Vincent House, 2 St Vincent House, 1 St Vincent House,
Duke Street	81,
St Vincent Street	53, 54, 57,

Responses	Support	Object	Neutral
0	0	0	0

Organisations Consulted

Consultee

Barrow Borough Council (Building Control)
Joint Committee of the National Amenity Society

List of Organisation Responses

No organisation responses recorded

Officers Report

1. Site and Locality

1.1 77-79 Duke Street is a double-fronted end terrace property on the western side of Duke Street on the junction with Duke Street and St Vincent Street; it is currently used as a probation office. It is a three storey red brick building dating from around 1865. The property is Grade II listed and falls within the Central Barrow Conservation Area and the Heritage Action Zone (HAZ).

2. Proposal Details

2.1 Listed Building Consent to reinstate traditional shop front elements, wholesale redecoration of the shop front, new Accoya timber doors with glazing panels to match existing doors and profiles, new Accoya timber window frames and mullions to reinstate traditional moulding and details and Victorian style awnings and external pendant lighting.

2.2 The existing shop-fronts are not wholly original but retain some heritage features such as capital heads, proportionate window sizes and stall-risers, although the shop-front is in poor condition.

2.3 The application relates to the reinstatement of a traditional shop front funded through the Heritage Action Zone which aims to transform shop-fronts on Duke Street to ensure that they have a positive impact on the streetscape and inspire continued sensitive development in the area.

2.4 The proposal involves reinstating historic details to the shop-front, the installation of accoya timber doors, window frames and mullions and provision of Victorian style awning and external pendant lighting to match those shown in historic photographs. A dark olive green colour palette is proposed based on evidence from archive photographs.

2.5 A parallel application for planning permission has been submitted and is also before this committee.

3.Relevant History

3.1 45/1999/0687 77-79 Duke Street Barrow-in-Furness Cumbria LA14 1RW Creation of new shop front Appcond 22/11/1999

3.2 45/2004/0442 69- 75 Duke Street Barrow-in-Furness Cumbria LA14 1RP Replacement of windows and shop front Approved 07/06/2004

3.3 45/2006/1332 73-75 Duke Street Barrow-in-Furness Cumbria LA14 1RP Alterations to shop front and installation of air conditioning unit to the rear elevation. Appcond 13/12/2006

3.4 57/2007/0444 69, 71 & 75 Duke Street Barrow-in-Furness Cumbria LA14 1RP Installation of new shop fronts. Appcond 24/04/2007

3.5 66/1999/0688 77-79 Duke Street Barrow-in-Furness Cumbria LA14 1RW Change of use of retail shop (A1) to offices (A2) including creation of new shop front and alterations to rear elevation. Approved 26/11/1999

3.6 66/1999/0688 77-79 Duke Street Barrow-in-Furness Cumbria LA14 1RW Change of use of retail shop (A1) to offices (A2) including creation of new shop front and alterations to rear elevation. Approved 26/11/1999

3.7 86/1999/0692 77-79 Duke Street Barrow-in-Furness Cumbria LA14 1RW Listed Building Consent for creation of new shop front, alterations to rear elevation and internal alterations. Appcond 26/11/1999

3.8 86/1999/0692 77-79 Duke Street Barrow-in-Furness Cumbria LA14 1RW Listed Building Consent for creation of new shop front, alterations to rear elevation and internal alterations. Appcond 26/11/1999

3.9 86/2004/0490 77 - 79 Duke Street Barrow-in-Furness Cumbria LA14 1RW Listed Building Consent - Replacement sash windows to first & second floors and replacement shop front to 77 & 79 Duke Street Approved 07/06/2004

3.10 B18/2007/1109 77-79 Duke Street Barrow-in-Furness Cumbria LA14 1RW Change of use from retail to mixed retail (ground floor) and office (first and second floors) Elevational alterations to include demolition of rear outrigger to 77 Duke Street, create gated two bay parking area, repositioning and enlarging of windows a Appcond 28/11/2007

3.11 B18/2007/1109 77-79 Duke Street Barrow-in-Furness Cumbria LA14 1RW Change of use from retail to mixed retail (ground floor) and office (first and second floors) Elevational alterations to include demolition of rear outrigger to 77 Duke Street, create gated two bay parking area, repositioning and enlarging of windows a Appcond 28/11/2007

3.12 B20/2012/0378 77-79 Duke Street Barrow-in-Furness Cumbria Change of use of ground floor from retail (A1) to office (B1) use. Addition of security film to shop front windows. Installation of a/c unit fixed to yard elevation, installation of new timber sash window at ground floor level to rear elevation to mat Appcond 16-AUG-2012

3.13 B23/2012/0387 77-79 Duke Street Barrow-in-Furness Cumbria Listed Building Consent for addition of security film to ground floor shop front windows, Installation of air handling unit and formation of new window opening with timber sash window at ground floor level to rear elevation and removal of timber floo Appcond 17-AUG-2012

3.14 B24/2007/1110 77-79 Duke Street Barrow-in-Furness Cumbria LA14 1RW Listed Building Consent for the demolition of rear outrigger to 77 Duke Street to create gated two bay parking area, repositioning and enlarging of windows and rendering to part rear elevation, new pedestrian access to side elevation, new shop front to Appcond 17/12/2007

4.Officer Assessment

National Guidance

4.1 The NPPF seeks to encourage sustainable development and good design. Chapter 16 of the Framework covers conserving and enhancing the historic environment and gives advice in relation to assessing any harm to significance.

Relevant Local Plan Policies

4.2 Policies HE1 and 3 seek to safeguard heritage assets and their setting and Policy HE4 follows the requirements of the Act in ensuring development within conservation areas serves to preserve or enhance them.

Other relevant legislation

4.3 In addition to the planning framework which is primarily set out in the [Town and Country Planning Act 1990](#), the [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#) provides specific protection for buildings and areas of special architectural or historic interest. Any decisions where listed buildings and their settings and conservation areas are a factor must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (in particular sections 16, 66 and 72) as well as applying the relevant policies in the development plan and the National Planning Policy Framework.

Impact on heritage assets and their setting

4.4 The application has been submitted by a heritage specialist architectural practice as part of the HAZ scheme and careful consideration has been given to aesthetic, historic, architectural and evidential value. A heritage impact assessment has been submitted and the general ethos is repair of historic fabric with sensitive replacement using appropriate materials, design and detailing. Insensitive interventions, such as remnants of modern signage and cables will be removed and underlying historic materials made good.

4.5 The proposed investment in the listed building is welcomed and satisfies the requirements of the Act and national and Local Plan policy in relation to heritage assets and their setting. The works should improve the appearance of this listed building and also contribute positively to the setting of others and the conservation area as a whole.

4.6 The works are being supervised and grant funded through the HAZ scheme and the proposals are well designed and carefully thought through using archive research to justify interventions; they should enhance the street scene and act as an exemplar of good practice in shopfront design which hopefully others will follow.

5. Conclusions

5.1 The proposals are welcomed in upgrading the shop-front of a listed building on one of Barrow's prominent thoroughfares and they should result in a very attractive shop-front once completed. The grant funding through the HAZ scheme which can facilitate this work is welcomed. The proposals satisfy national and Local Plan requirements and the Act in relation to heritage assets and their setting and approval is recommended.

6. Recommendation

I recommend that Listed Building Consent be APPROVED subject to the Standard Duration Limit and the following conditions : -

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

Reason

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

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

Application form dated 14.4.22

Design and Access Statement, March 2022

Proposed details drawing 9236-BA-XX-XX-DR-A-(06) 001

Proposed colour scheme drawings

Proposed south west elevations drawing 9236-BA-XX-XX-DR-A-(05) 003-Rev A

Proposed north east elevations drawing 9236-BA-XX-XX-DR-A-(05) 001 Rev A

Proposed ground floor plan drawing 9236-BA-XX-GF-DR-A-(04) 001 Rev A

Reason

In the interests of the special architectural appearance of the listed building.

Pre-commencement Conditions

3. Prior to the installation on site details and samples as required of the proposed porch floor tiles, glazed tiles for the stall-risers and finished external timber paint colour shall be submitted to and be agreed in writing by the Local Planning Authority. The development shall proceed in strict accordance with the approved details.

Reason

In the interests of the appearance of the development and the character of the listed building.

During Building Works

4. The replacement shopfront hereby approved shall be constructed in timber throughout and shall thereafter be so maintained. The timber pilasters, consoles and door panels shall be constructed using recessed panelling with bolection mouldings or raised and fielded panels. Planted on or nailed on mouldings are not acceptable.

Reason

In order to ensure that a high quality replacement shopfront is provided in the interests of the character and appearance of the listed building and conservation area and the setting of the adjacent heritage assets.

Informative

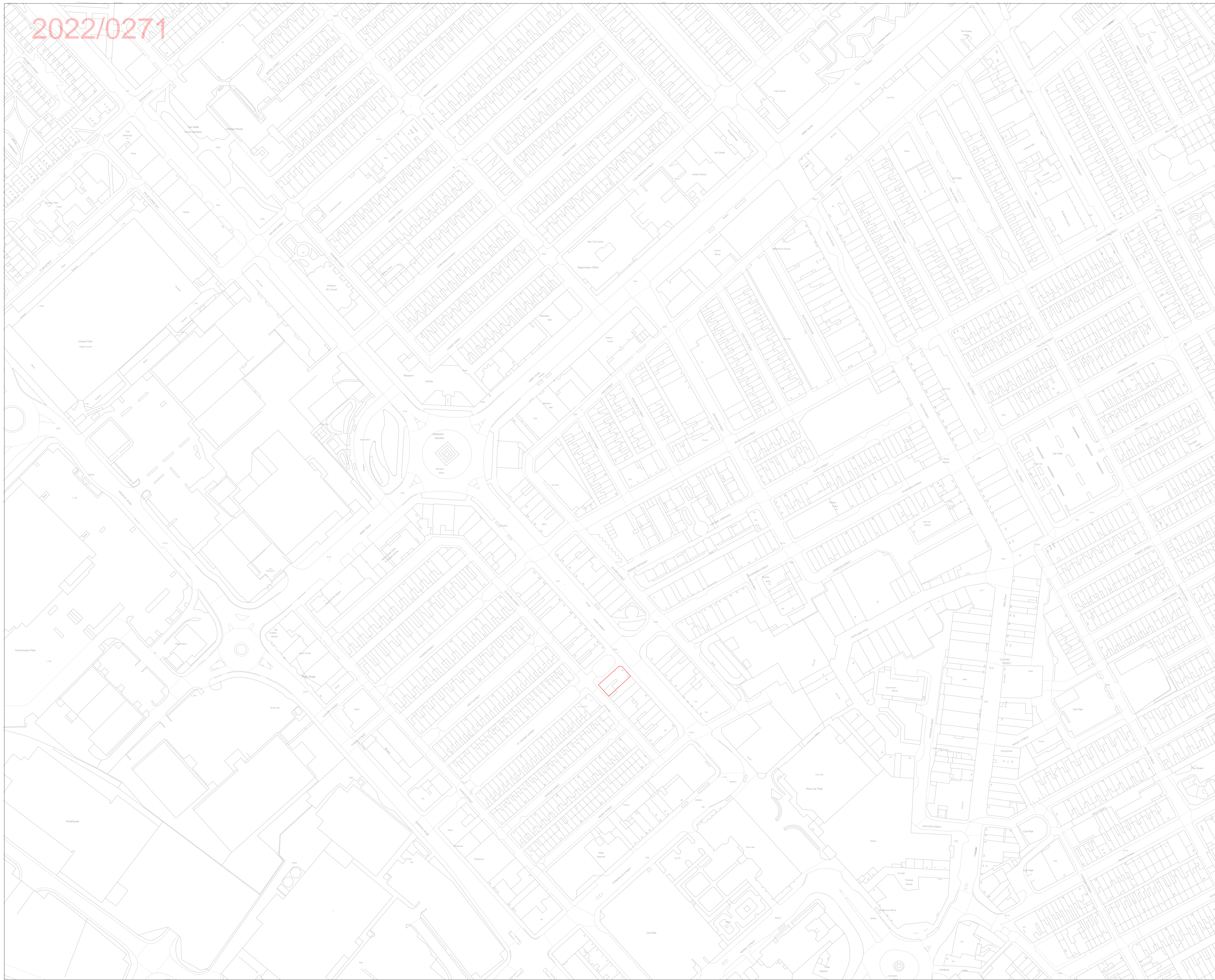
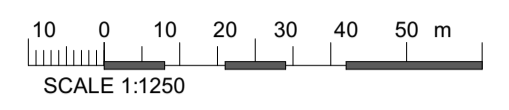
- Please note that any additional external alterations required under the Building Regulations may also require prior planning consent. Please speak to the Planning Officer before any such works are carried out
- This development may require approval under the Building Regulations. Please contact your Building Control department on 01229 876356 for further advice as to how to proceed.
- Please be aware of the Safe Dig service from United Utilities by contacting United Utilities at; UUSafeDig@uuplc.co.uk
- You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
 - a. any extra work which is necessary after further assessments of the building's condition;
 - b. stripping out or structural investigations; and
 - c. any work needed to meet the building regulations or other forms of statutory control.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent.

2022/0271

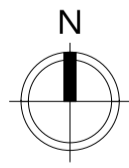


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Project Title Barrow-in-Furness HSHAZ Shopfronts
Client Barrow Borough Council
Location Barrow-in-Furness

Drawing ref 77-79 Duke Street Existing Location Plan

Date 28/04/2022 18:03:50 Scale 1 : 1250
Checker KC Orig Paper Size A1

Job No: 9236 Status Planning

Project: Origin: Zone: Level: Type: Disc: Number:

9236-BA-XX-LP-DR-A- (01) 005-

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Agenda Item 9

B18/2022/0271
Planning Committee
12th July 2022



Application Number: B18/2022/0271	Date Valid : 29/04/2022
Address: 77-79 Duke Street, Barrow-in-Furness, Cumbria, LA14 1RW	Case Officer: Maureen Smith
Proposal: Reinstatement of traditional shop front	
Ward: Central Ward	Parish: N/A
Applicant: Mr R Wood, Barrow Borough Council	Agent: Mr S Anderson, Buttress Architects
Statutory Date: 24/06/2022	Recommendation: Permission be Granted subject to conditions
Barrow Planning Hub	

Relevant Policies and Guidance

Full details of the policies listed below are included in the appendix Local Plan Policies

1. Barrow Borough Local Plan 2016-2031 - Policy DS1 - Council's commitment to sustainable development
2. Barrow Borough Local Plan 2016-2031 - Policy DS2 - Sustainable Development Criteria
3. Barrow Borough Local Plan 2016-2031 - Policy DS5 - Design
4. Barrow Borough Local Plan 2016-2031 - Policy HE1 - Heritage Assets and their setting
5. Barrow Borough Local Plan 2016-2031 - Policy HE3 - Listed Buildings
6. Barrow Borough Local Plan 2016-2031 - Policy HE4 - Conservation Areas

Summary of Main Issues

This application relates to a double fronted listed building within the conservation area and the key issue is the impact on heritage assets and their setting as well as design and visual amenity. As a Council owned property the application falls to be determined by the planning committee.

Non Material Considerations

N/A

Response to Publicity and Consultations

The application has been advertised by site and press notices.

Neighbours Consulted

Street Name Properties

Clifford Street 2 St Vincent House, 3 St Vincent House, 1 St Vincent House, 4 St Vincent House,
Duke Street 81,
St Vincent Street 53, 54, 57,

Responses	Support	Object	Neutral
0	0	0	0

Organisations Consulted

Consultee

Barrow Borough Council (Building Control)
Joint Committee of the National Amenity Society

List of Organisation Responses

05/05/2022

Barrow Borough Council (Building Control)

Building regulation approval required for the proposals.

Officers Report

1. Site and Locality

1.1 77-79 Duke Street is a double-fronted end terrace property on the western side of Duke Street on the junction with Duke Street and St Vincent Street; it is currently used as a probation office. It is a three-storey red brick building dating from around 1865. The property is Grade II listed and falls within the Central Barrow Conservation Area and the Heritage Action Zone (HAZ).

1.2 The existing shop fronts are not wholly original but retain some heritage features such as capital heads, proportionate window sizes and stall-risers, although the shop front is in poor condition.

2. Proposal Details

2.1 The application relates to the reinstatement of a traditional shop front funded through the Heritage Action Zone which aims to transform shop fronts on Duke Street to ensure that they have a positive impact on the streetscape and inspire continued sensitive development in the area.

2.2 The proposal involves reinstating historic details to the shop-front, the installation of accoya timber doors, window frames and mullions and provision of Victorian style awning and external pendant lighting to match those shown in historic photographs. A dark olive green colour palette is proposed based on evidence from archive photographs.

2.3 A parallel application for listed building consent has also been submitted and is on your agenda.

3. Relevant History

3.1 45/1999/0687 77-79 Duke Street Barrow-in-Furness Cumbria LA14 1RW Creation of new shop front Appcond 22/11/1999

3.2 45/2004/0442 69- 75 Duke Street Barrow-in-Furness Cumbria LA14 1RP Replacement of windows and shop front Approved 07/06/2004

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3.9 86/2004/0490 77 - 79 Duke Street Barrow-in-Furness Cumbria LA14 1RW Listed Building Consent - Replacement sash windows to first & second floors and replacement shop front to 77 & 79 Duke Street Approved 07/06/2004

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4. Officer Assessment

National Guidance

4.1 The NPPF seeks to encourage sustainable development and good design. Chapter 16 of the Framework covers conserving and enhancing the historic environment and gives advice in relation to assessing any harm to significance.

Relevant Local Plan Policies

4.2 Policies DS1 and 2 seek to encourage sustainable development and policy DS5 echoes the Framework in advocating good design. Policies HE1 and 3 seek to safeguard heritage assets and their setting and Policy HE4 follows the requirements of the Act in ensuring development within conservation areas serves to preserve or enhance them.

Other relevant legislation

4.3 In addition to the planning framework which is primarily set out in the [Town and Country Planning Act 1990](#), the [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#) provides specific protection for buildings and areas of special architectural or historic interest. Any decisions where listed buildings and their settings and conservation areas are a factor must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (in particular sections 16, 66 and 72) as well as applying the relevant policies in the development plan and the National Planning Policy Framework.

Impact upon Heritage assets and their setting

4.4 The application has been submitted by a heritage specialist architectural practice as part of the HAZ scheme and careful consideration has been given to aesthetic, historic, architectural and evidential value. The general ethos is for the repair of historic fabric with sensitive replacement using appropriate materials, design and detailing. Insensitive interventions, such as remnants of modern signage and cables will be removed and underlying historic materials made good.

4.5 The proposed investment in the listed building is welcomed and satisfies the requirements of the Act and national and Local Plan policy in relation to heritage assets and their setting. The works should improve the appearance of this listed building, and also contribute positively to the setting of others and the conservation area as a whole.

Design and Visual amenity

4.6 The proposals are well designed and carefully thought through using archive research to justify interventions; they should enhance the street scene and act as an exemplar of good practice in shop-front design which hopefully others will follow.

5. Conclusions

5.1 The proposals are welcomed in upgrading the shop-front of a listed building on one of Barrow's prominent thoroughfares. They should result in a very attractive shop-front once completed, and should the current tenant move out, will enhance the likelihood of the property being re-let. This helps to encourage footfall in the town centre and the grant funding through the HAZ scheme which can facilitate this work is welcomed. The proposals satisfy national and Local Plan requirements and the Act in relation to heritage assets and their setting and approval is recommended.

6. Recommendation

I recommend that Planning Permission be GRANTED subject to the Standard Duration Limit and the following conditions: -

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

Reason

Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

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

Application form dated 14.4.22

Design and Access Statement, March 2022

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Proposed colour scheme drawings

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Proposed north east elevations drawing 9236-BA-XX-XX-DR-A-(05) 001 Rev A

Proposed ground floor plan drawing 9236-BA-XX-GF-DR-A-(04) 001 Rev A

Reason

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

Pre-commencement Conditions

3. No development shall take place, including any works of demolition, until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the Planning Authority. The approved Statement shall be adhered to throughout the demolition and construction periods. 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 to be used in the change of use and construction works, iv. measures to control the emission of dust and dirt during construction, v. a scheme for recycling/disposing of waste resulting from demolition and from construction works.

Reason

In the interests of minimising the impact upon nearby residents and local environmental amenity given the tight-knit form of development on the adjacent terraced streets.

During Building Works

4. The replacement shopfront hereby approved shall be constructed in timber throughout and shall thereafter be so maintained. The timber pilasters, consoles and door panels shall be constructed using recessed panelling with bolection mouldings or raised and fielded panels. Planted on or nailed on mouldings are not acceptable.

Reason

In order to ensure that a high-quality replacement shopfront is provided in the interests of the character and appearance of the listed building and conservation area and the setting of the adjacent heritage assets.

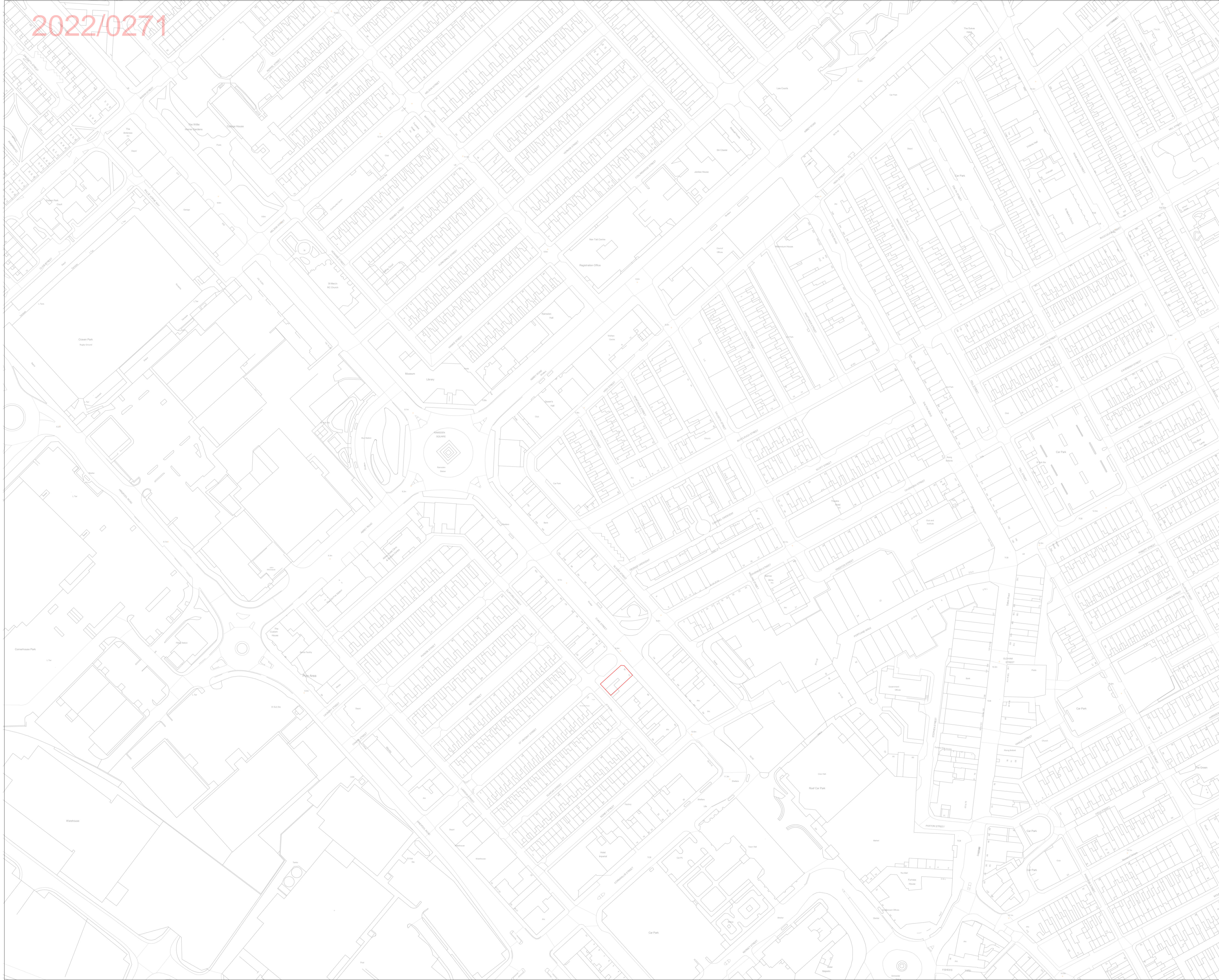
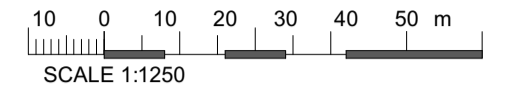
Informative

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- Please be aware of the Safe Dig service from United Utilities by contacting United Utilities at; UUSafeDig@uuplc.co.uk

2022/0271

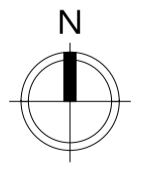


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Project Title Barrow-in-Furness HSHAZ Shopfronts
Client Barrow Borough Council
Location Barrow-in-Furness

Drawing ref 77-79 Duke Street Existing Location Plan

Date 28/04/2022 18:03:50 Scale 1 : 1250
Checker KC Orig Paper Size A1

Job No: 9236 Status Planning

Project: Origin: Zone: Level: Type: Disc: Number:

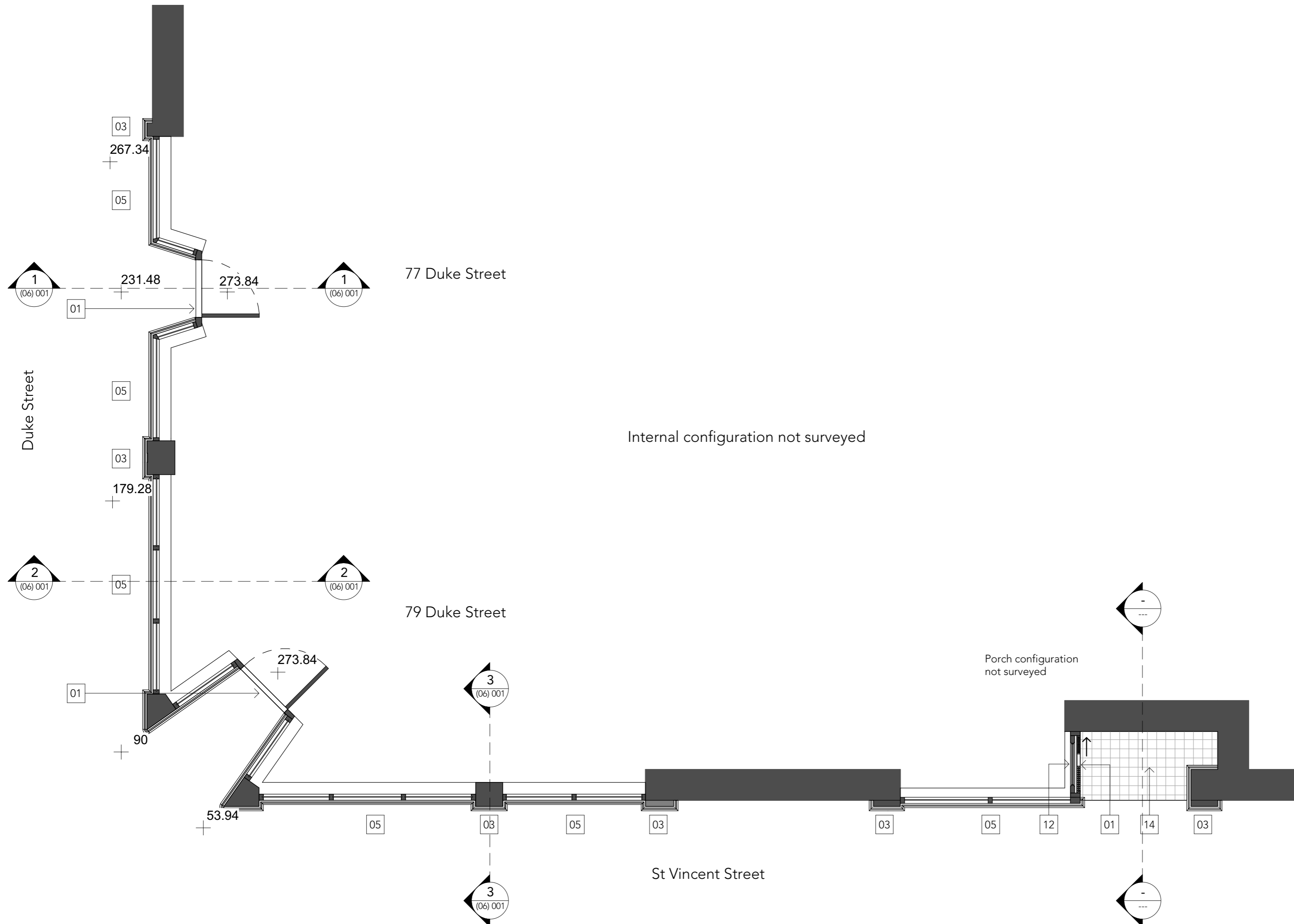
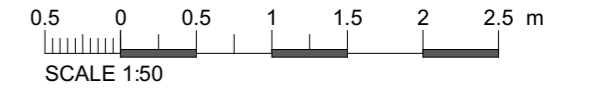
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Agenda Item 9

2022/0271



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Proposed Works

1. New Accoya timber paneled and glazed door, allow for all new ironmongery including lever handle, cylinder lock, mortise lock, hinges and escutcheon
2. New Accoya timber fanlight frame with 18mm slim histoglass double glazing. Allow for new glazing manifestation for property number
3. New Accoya timber paneled pilaster with new capital head detail
4. New code 6 lead capping and code 4 lead cover flashing
5. New Accoya timber window frames and mullions with 18mm slim Histoglass double glazing. Allowance made for 1.9m high opaque film with Victorian style etching for privacy.
6. New cast iron grills to replace existing
7. Full repair and redecoration of existing timber shopfront where existing elements are in good condition - painted finish in suitable colours and to manufacturer standards
8. New coloured glazed tiles / brick slips along stallriser
9. New external globe pendant light fitting to vestibule with new suspended lantern within porch
10. Allow for temporary removal of lightning cable during repair and redecoration works
11. New timber banding detail reinstated to existing fascia with handpainted signage in suitable heritage font style
12. New Victorian style wrought iron concertina security gates fitted over external face of new door
13. New Victorian style awning in timber housing with cast ironmongery - Victorian Awnings Co.
14. New porch floor finish in traditional Victorian mosaic tiles
15. New traditional outdoor pendant lights fitted to underside of fascia
16. Lightning protection to be reinstated upon completion of the works
17. Intercom to be removed and reinstated upon completion of works

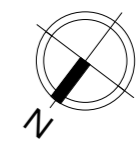
All new Accoya timber elements to be decorated according to Accoya and coating manufacturer guidelines.

A 220321 Planning Application
- 210222 -- Issued to client

Rev	Date	Intls	Details

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Project Title Barrow-in-Furness HSHAZ Shopfronts
Client Barrow Borough Council
Location Barrow-in-Furness

Drawing ref 77-79 Duke Street Proposed Ground Floor Plan

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Job No: 9236 **Status** Planning

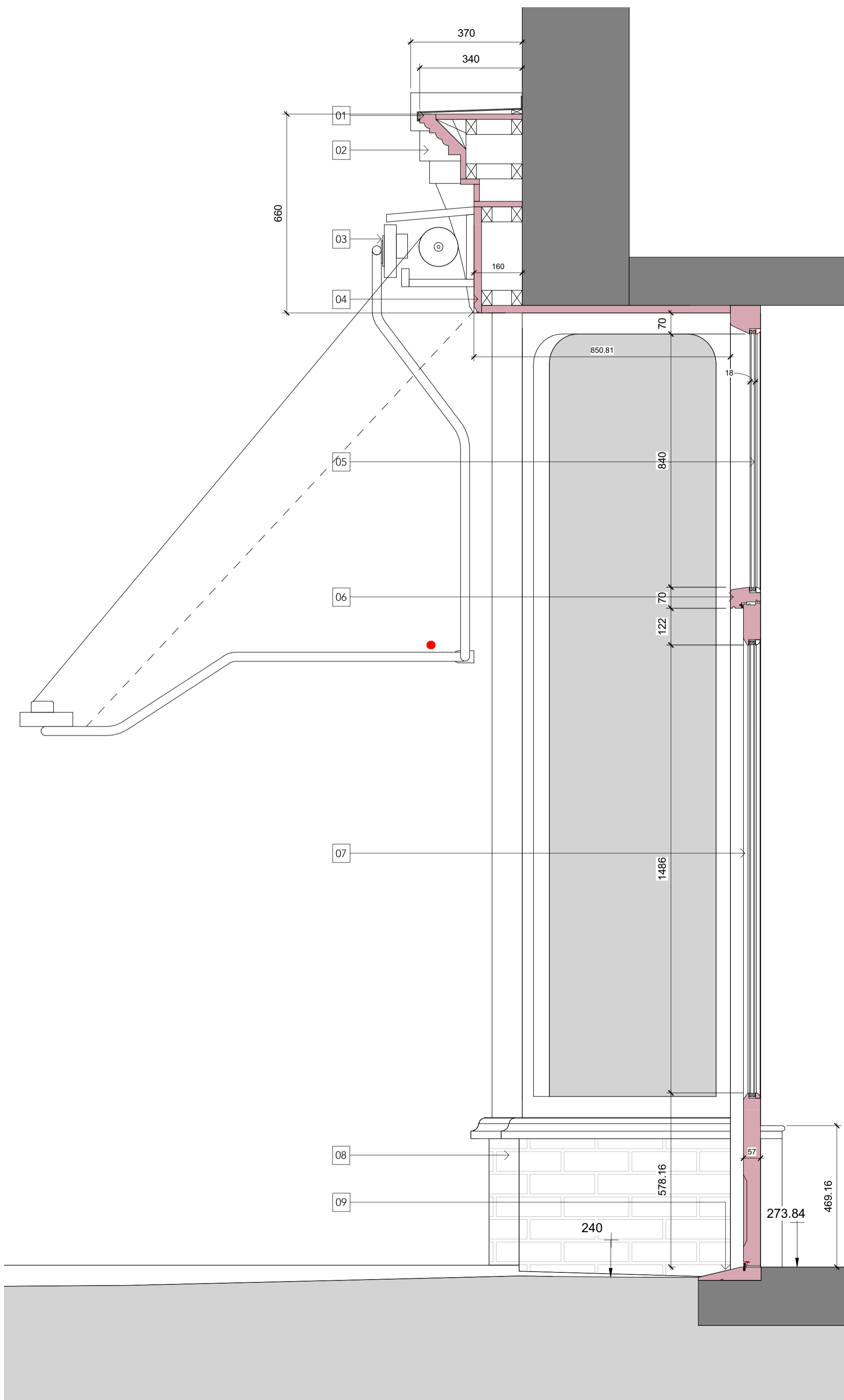
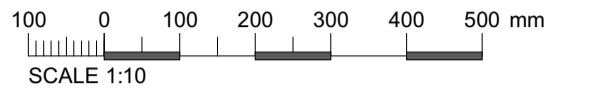
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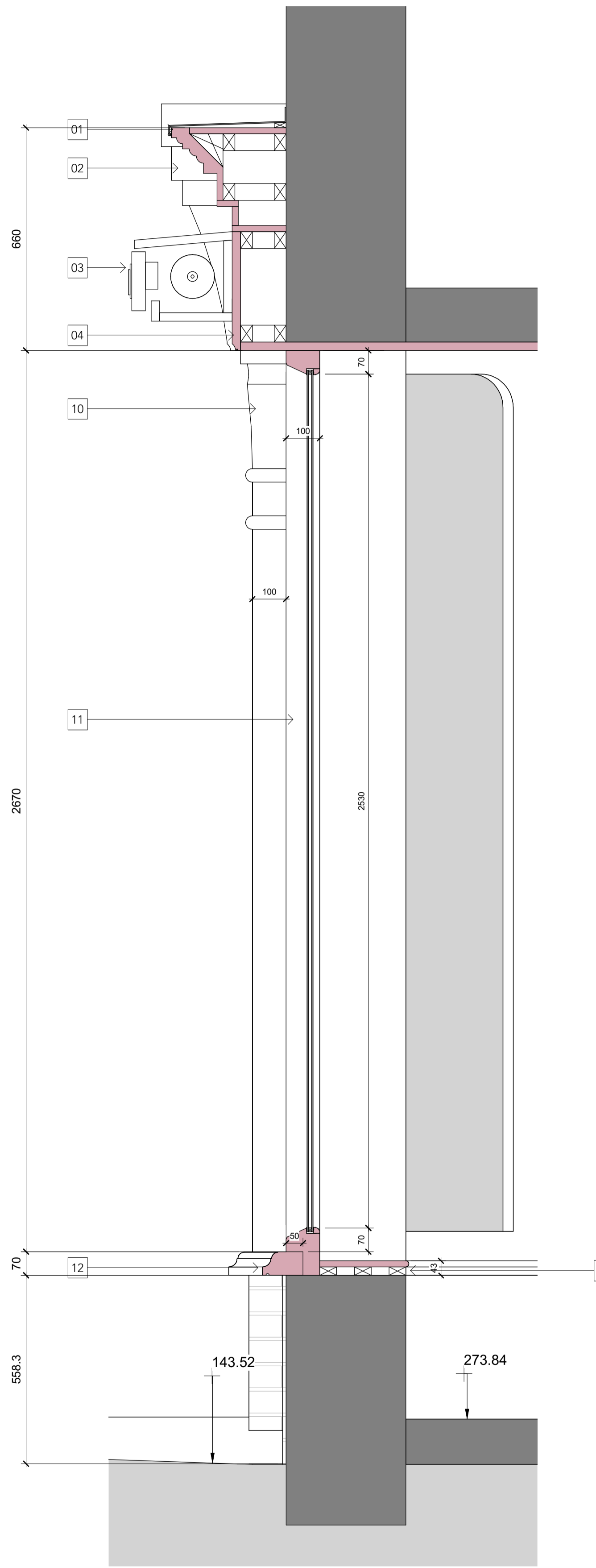
Proposed Ground Floor Plan

1 : 50

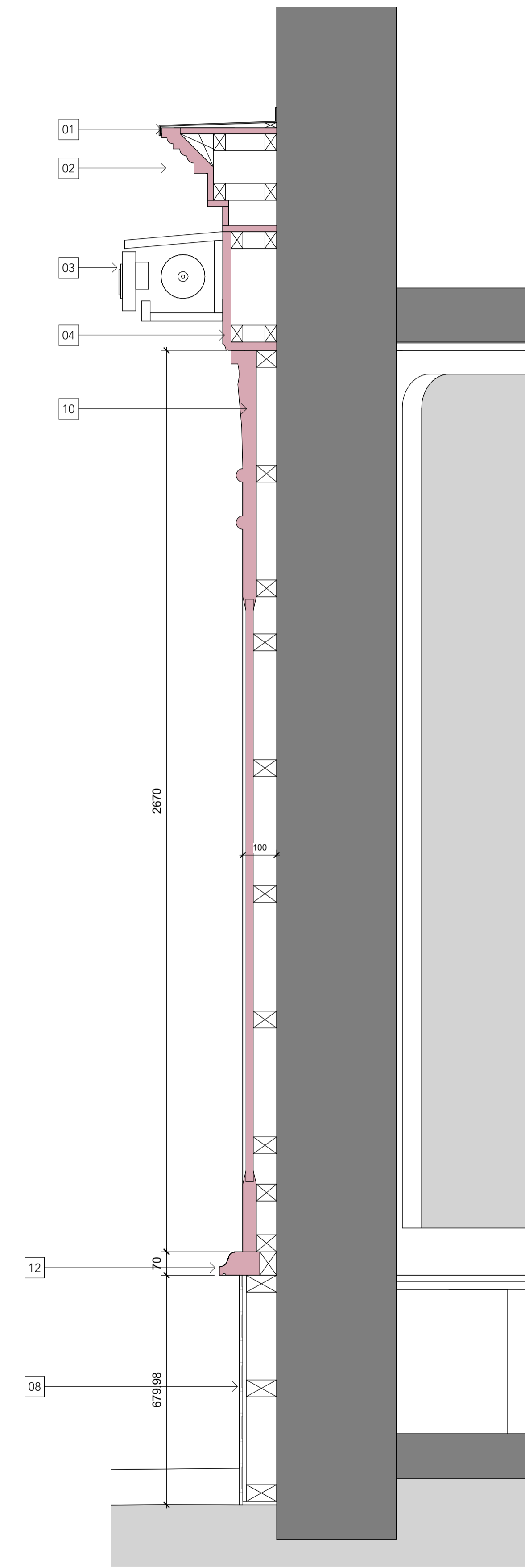
Agenda Item 9



Proposed Door Detail
1:10



Proposed Window Detail
1:10



Proposed Pilaster Detail
1:10

1. New code 6 lead capping and code 4 lead cover flashing. Lead flashing detail to cover the top of fascia and capital heads
2. Existing corbel to be made good and redecorated according to coating and material guidelines
3. New Victorian style awning New Accoya timber housing with cast ironmongery, Victorian Awnings Co.
4. paneled fascia board on new treated SW supporting frame. Allowance for hand painted signage.
5. New Victorian style awning in timber housing with cast ironmongery - product to be specified
6. New Accoya timber fanlight frame with slim-line double glazing
7. New Accoya timber paneled and glazed door, allow for all new ironmongery including lever handle, cylinder lock, mortise lock, hinges and escutcheon.
8. New coloured glazed tiles / brick slips to be fitted to stallriser. New stallriser to be fitted to new SW supporting frame
9. New chamfered door threshold, recessed into floor for level access
10. New Accoya panelled pilaster & capital on new treated SW supporting frame
11. New Accoya shopfront window frames to accommodate 18mm slim Histoglass double glazed units
12. New external Accoya window cill detail
13. New internal Accoya window cill

All new Accoya shopfront elements to be decorated to Accoya and coating manufacturer guidelines.

Rev Date Ints Details

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Project Title Barrow-in-Furness HSHAZ Shopfronts
Client Barrow Borough Council
Location Barrow-in-Furness

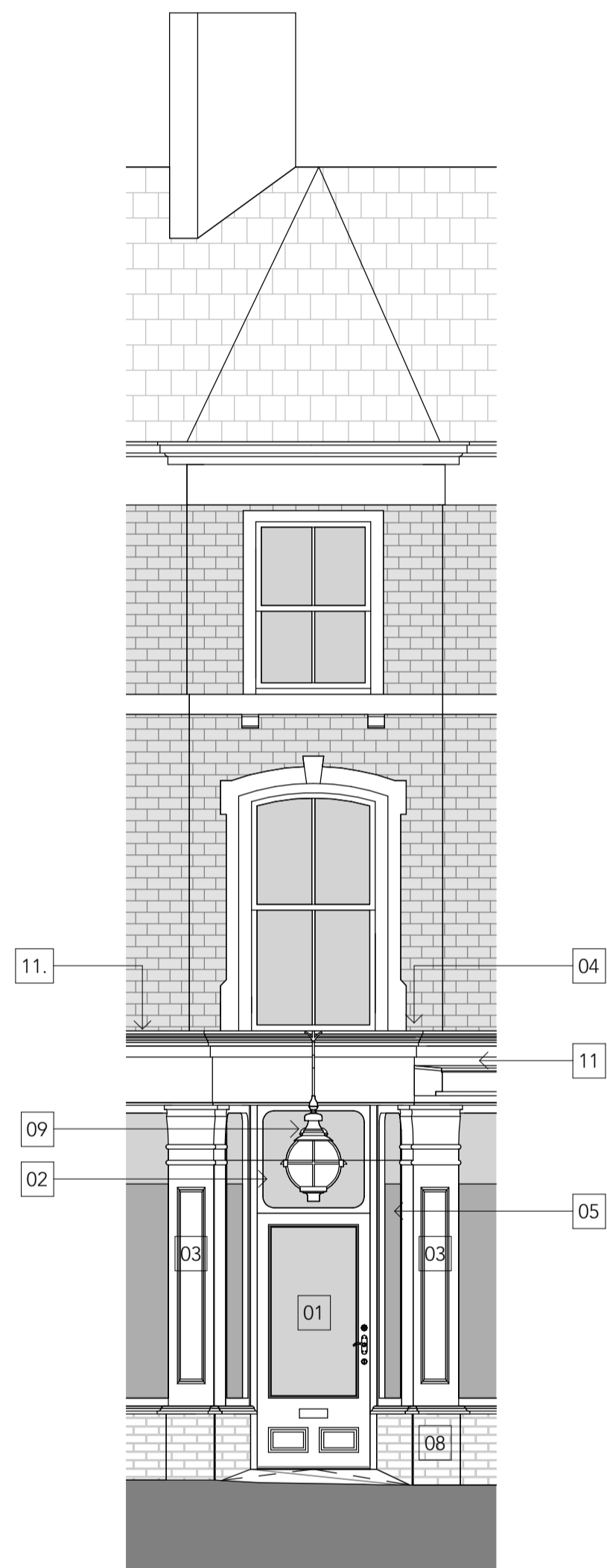
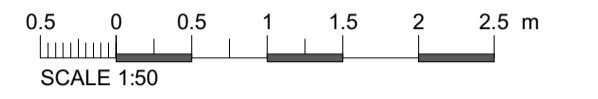
Drawing ref 77-79 Duke Street Proposed Details - Sheet 1

Date 25/03/2022 17:30:33 Scale 1:10
Checker KC Orig Paper Size A1

Job No: 9236 Status Planning

Project: Origin: Zone: Level: Type: Disc: Number: 74

9236-BA-XX-XX-DR-A- (06) 001-



Proposed South West Elevation A
1 : 50



Proposed South West Elevation B
1 : 50

Proposed Works

1. New Accoya timber paneled and glazed door, allow for all new ironmongery including lever handle, cylinder lock, mortise lock, hinges and escutcheon
2. New Accoya timber fanlight frame with 18mm slim histoglass double glazing. Allow for new glazing manifestation for property number
3. New Accoya timber paneled pilaster with new capital head detail
4. New code 6 lead capping and code 4 lead cover flashing
5. New Accoya timber window frames and mullions with 18mm slim Histoglass double glazing. Allowance made for 1.9m high opaque film with Victorian style etching for privacy.
6. New cast iron grills to replace existing
7. Full repair and redecoration of existing timber shopfront where existing elements are in good condition - painted finish in suitable colours and to manufacturer standards
8. New coloured glazed tiles / brick slips along stalliser
9. New external globe pendant light fitting to vestibule with new suspended lantern within porch
10. Allow for temporary removal of lightning cable during repair and redecoration works
11. New timber banding detail reinstated to existing fascia with handpainted signage in suitable heritage font style
12. New Victorian style wrought iron concertina security gates fitted over external face of new door
13. New Victorian style awning in timber housing with cast ironmongery - Victorian Awnings Co.
14. New porch floor finish in traditional Victorian mosaic tiles
15. New traditional outdoor pendant lights fitted to underside of fascia
16. Lightning protection to be reinstated upon completion of the works
17. Intercom to be removed and reinstated upon completion of works

All new Accoya timber elements to be decorated according to Accoya and coating manufacturer guidelines.

A	220321	Planning Application
-	210222	Issued to client

Rev	Date	Ints	Details
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Project Title	Barrow-in-Furness HSHAZ Shopfronts
Client	Barrow Borough Council
Location	Barrow-in-Furness

Drawing ref 77-79 Duke Street Proposed South West Elevations

Date	25/03/2022 17:30:38	Scale	As indicated
Checker	KC	Orig Paper Size	A1

Job No: 9236 **Status:** Planning

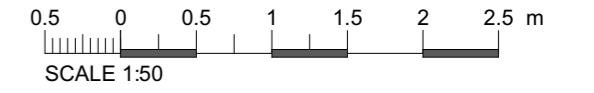
Project: Origin: Zone: Level: Type: Disc: Number: 72

9236-BA-XX-XX-DR-A- (05) 003- A

2022/0271



Note:
Do Not Scale from this drawing.
Dimensions are to be checked on site.
If in doubt please ask.



Proposed North East Elevation

1 : 50

Proposed Works

1. New Accoya timber paneled and glazed door, allow for all new ironmongery including lever handle, cylinder lock, mortise lock, hinges and escutcheon
2. New Accoya timber fanlight frame with 18mm slim histoglass double glazing. Allow for new glazing manifestation for property number
3. New Accoya timber paneled pilaster with new capital head detail
4. New code 6 lead capping and code 4 lead cover flashing
5. New Accoya timber window frames and mullions with 18mm slim Histoglass double glazing. Allowance made for 1.9m high opaque film with Victorian style etching for privacy.
6. New cast iron grills to replace existing
7. Full repair and redecoration of existing timber shopfront where existing elements are in good condition - painted finish in suitable colours and to manufacturer standards
8. New coloured glazed tiles / brick slips along stallriser
9. New external globe pendant light fitting to vestibule with new suspended lantern within porch
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14. New porch floor finish in traditional Victorian mosaic tiles
15. New traditional outdoor pendant lights fitted to underside of fascia
16. Lightning protection to be reinstated upon completion of the works
17. Intercom to be removed and reinstated upon completion of works

All new Accoya timber elements to be decorated according to Accoya and coating manufacturer guidelines.

A 220321 Planning Application
- 210222 -- Issued to client

Rev Date Intls Details

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Project Title Barrow-in-Furness HSHAZ Shopfronts
Client Barrow Borough Council
Location Barrow-in-Furness

Drawing ref 77-79 Duke Street Proposed North East Elevation

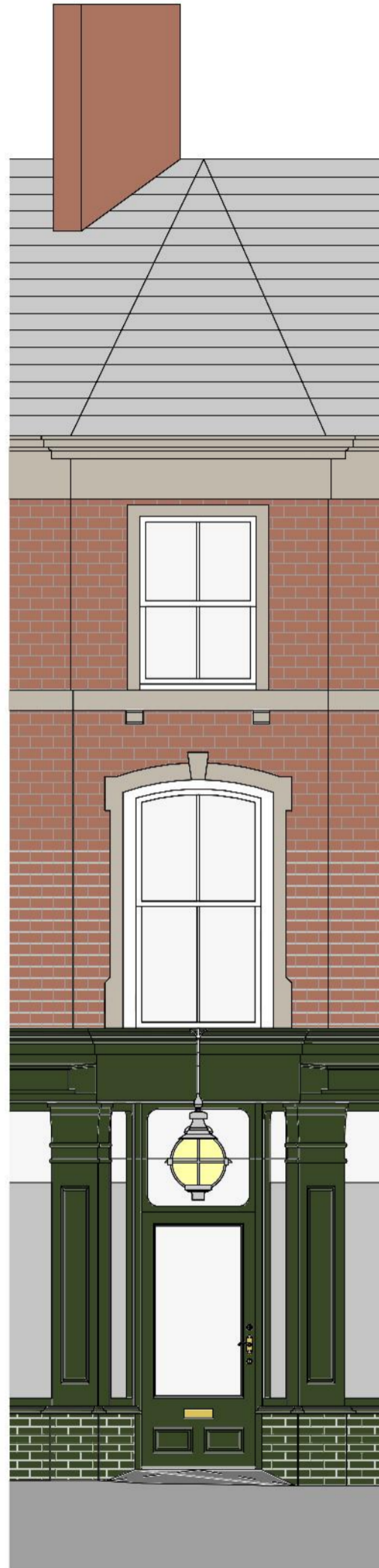
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Checker KC **Orig Paper Size** A2

Job No: 9236 **Status** Planning

Project: Origin: Zone: Level: Type: Disc: Number: 73

9236-BA-XX-XX-DR-A- (05) 001- A





9236 - 77-79 Duke Street Proposed South West Elevations - Clean GAs

B28/2022/0289
Planning Committee
12th July 2022



Application Number : B28/2022/0289	Date Valid :06/05/2022
Address : Abbey House Hotel Abbey Road Barrow-in-Furness Cumbria LA13 0PA	Case Officer : Jennifer Dickinson
Proposal : Application for works to trees subject of Tree Preservation Order 2013 No.1 including the felling of up to 42 trees as per Schedule (Amended description)	
Ward : Newbarns Ward	Parish : N/A
Applicant : Mr Brian Conroy	Agent : Mr B Hatton
Statutory Date : 01/07/2022	Recommendation : SPLIT DECISION
Barrow Planning Hub	

Relevant Policies and Guidance

National Guidance

How does the local planning authority consider an application?

If the authority did not visit the site before the application was made then an officer should do so at this stage.

The authority should assess whether or not the proposed work is [exempt](#) from the requirement to obtain its consent.

When considering an application the authority is advised to:

- assess the [amenity value](#) of the tree or woodland and the likely impact of the proposal on the amenity of the area;
- consider, in the light of this assessment, whether or not the proposal is justified, having regard to the reasons and additional information put forward in support of it;
- Authorities should bear in mind that they may be liable to pay [compensation](#) for loss or damage as a result of refusing consent or granting consent subject to conditions. However, if the authority believes that some loss or damage is foreseeable, it should not grant consent automatically. It should take this factor into account alongside other key considerations, such as the amenity value of the tree and the justification for the proposed works, before reaching its final decision.
- consider whether any [loss or damage](#) is likely to arise if consent is refused or granted subject to conditions;
- consider whether any requirements apply in regard to protected species;
- consider other material considerations, including development plan policies where relevant; and
- ensure that appropriate expertise informs its decision.

Summary of Main Issues

Several requests from Members have been received asking for this proposal to be reported to committee along with representations received. An arboricultural report has been commissioned from an independent arboricultural firm (Treescapes) to assess the proposal and make recommendations.

Response to Publicity and Consultations

Neighbours Consulted

Street Name	Properties
Abbey Approach Abbey Road	Abbey Manor, Oaklands, The Gate House, West Lodge,

Responses	Support	Object	Neutral
3	0	1	2

Site notice displayed expiring on 30.5.22

Summary of Responses:

- Concern raised about recent works to trees on site prior to submission of application
- Concern about impact on privacy from path installed on site some time ago
- Concern raised about any impact on privacy from proposed tree removals
- Query over application form stating that application site is not in a Conservation area
- No details provided of replacement trees
- Query over impact of Ivy on trees
- Has a protected species survey been undertaken?
- Concern over date of tree assessment not being the best time to identify impacts of Ash Dieback
- Concern over proposed wide scale felling of Ash trees and its potential impact on species

Organisations Consulted

Consultee

Barrow Borough Council (Building Control)

Officers Report

1. Site and Locality

1.1 The application relates to the trees situated within the grounds of Abbey House Hotel. The property is Grade II* Listed, located within the Furness Abbey Conservation Area, with many of the trees growing within the grounds covered by an Order.

2. Proposal Details

2.1 Application for works to trees subject of Tree Preservation Order 2013 No.1 including the felling of up to 42 trees as per Schedule (Amended description)

2.2 The proposed works subject of the application are detailed on the table below

2022/0289

Easting	Northing	Tree	Species	No Stems	Size	Age	Vigour	Condition	Comments	Recommendations	Priority	No Trees to fell
321596	472052	G1	Fraxinus excelsior (Ash), Acer pseudoplatanus (Sycamore)	Single	Medium	Mature	Low	Average	Mixed group.	Fell two marked Ash with Ash Dieback.	2	2
321548	471945	23	Tilia x europaea (Lime)	Single	Large	Mature	Normal	Good	Low branches over footpath. Ivy infested.	Sever ivy. Remove two lowest branches over footpath.	2	
321565	471936	27	Fraxinus excelsior (Ash)	Single	Large	Mature	Low	Poor	Ash Dieback	Reduce to 6m standing carcase	2	
321572	471923	G31	Acer pseudoplatanus (Sycamore)	Single	Medium	Mature	Normal	Average	Marked trees have stem cavities.	Consider removal or crown reducing by 25% to reduce risk of failure.	2	3
321586	471941	G48	Acer pseudoplatanus (Sycamore), Tilia x europaea (Lime)	Single	Large	Mature	Normal	Average	None	Fell marked Sycamore with stem decay	2	1
321604	472034	G73	9 x Pinus sylvestris (Scots Pine), 1 x Acer pseudoplatanus (Sycamore)	Single	Medium	Mature	Normal	Good	None	Fell marked poor quality Sycamore	2	1
321646	472027	76	Pinus sylvestris (Scots Pine)	Single	Medium	Mature	Normal	Poor	Stem fracture below main crown.	Fell	1	1
321639	471980	G94	8 x Pinus sylvestris (Scots Pine), 1 x Acer pseudoplatanus (Sycamore)	Single	Medium	Mature	Normal	Average	None	Fell marked Sycamore	2	1
321663	471980	W2	Pinus sylvestris (Scots Pine), Pinus nigra (Black Pine), Acer pseudoplatanus (Sycamore)	Single	Medium	Mature	Normal	Average	None	Fell marked Sycamore and three small dead Ash.	2	4
321678	471984	101	Pinus sylvestris (Scots Pine)	Single	Medium	Mature	Normal	Dangerous	Main stem broken and hung up.	Fell	1	1
321691	471985	103	Taxus baccata (Yew)	Triple	Medium	Mature	Normal	Average	None	Remove adjacent marked Ash.	2	1
321730	472038	W5	Fraxinus excelsior (Ash), Acer pseudoplatanus (Sycamore)	Single	Medium	Mature	Low	Poor	Squirrel damaged Sycamores. Ash with Ash Dieback.	Fell marked Ash.	2	1
321733	472046	126	Acer pseudoplatanus (Sycamore)	Single	Medium	Mature	Low	Dangerous	Basal decay/cavities/hollows. Within striking distance of footpath.	Fell	1	1
321732	472068	G127	2 x Acer pseudoplatanus (Sycamore)	Single	Medium	Mature	Low	Average	Squirrel damaged upper crowns.	Remove damaged branches. Crown reduce by 20-25%.	2	
321727	472089	G129	2 x Acer pseudoplatanus (Sycamore)	Multi	Medium	Young Mature	Low	Average	Squirrel damaged.	Fell or remove damaged branches.	2	2
321717	472060	G131	Chamaecyparis lawsoniana (Lawson Cypress), Acer pseudoplatanus (Sycamore)	Single	Medium	Mature	Normal	Average	Group of multi stem Sycamore on edge of lawn with squirrel damage.	Fell three marked Sycamore trees within group.	2	
321745	472121	138	Acer pseudoplatanus (Sycamore)	Multi	Medium	Mature	Normal	Average	Conflict with footpath	Fell or prune back from footpath.	2	

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Agenda Item 9

2022/0289

Easting	Northing	Tree	Species	No Stems	Size	Age	Vigour	Condition	Comments	Recommendations	Priority	No Trees to fell
321752	472121	139	2 x Fraxinus excelsior (Ash)	Single	Medium	Mature	Low	Poor	Ash Dieback	Fell	2	2
321719	472161	G146	2 x Fraxinus excelsior (Ash)	Single	Large	Mature	Low	Poor	Within striking distance of road.	Fell	2	2
321705	472165	150	Fraxinus excelsior (Ash)	Single	Large	Mature	Low	Average	Within striking distance of road, footpath & buildings.	Fell	2	1
321701	472051	G155	Betula youngii (Birch), Salix spp (Willow)	Single	Medium	Young Mature	Normal	Good	None	Remove marked Willow.	2	1
321760	471992	159	Fagus sylvatica (Beech)	Single	Medium	Mature	Normal	Average	Adjacent Ash, ownership unknown.	Fell adjacent Ash in 2022.	2	1
321762	471985	160	Fraxinus excelsior (Ash)	Single	Large	Mature	Low	Average	Ash Dieback	Reduce to standing carcass	2	
321764	471978	161	Fraxinus excelsior (Ash)	Single	Large	Mature	Low	Average	Ash Dieback	Reduce to standing carcass	2	
321761	471963	162	Fraxinus excelsior (Ash)	Single	Large	Mature	Low	Average	Ash Dieback	Reduce to standing carcass	2	
321756	471991	165	Fraxinus excelsior (Ash)	Single	Medium	Mature	Low	Poor	Ash Dieback	Fell	2	1
321738	472014	G168	2 x Acer pseudoplatanus (Sycamore)	Single	Medium	Mature	Normal	Average	Basal cavities/hollows/decay	Fell marked tree.	2	1
321724	471964	170	2 x Acer pseudoplatanus (Sycamore)	Multi	Medium	Young Mature	Low	Poor	Squirrel damage	Fell	2	2
321718	471928	173	Fraxinus excelsior (Ash)	Single	Small	Young	Low	Average	Ash Dieback	Fell	2	1
321725	471910	W6	Acer pseudoplatanus (Sycamore), Fraxinus excelsior (Ash), Fagus sylvatica (Beech), Ilex aquifolium (Holly), Abies spp (Fir)	Single	Medium	Mature	Normal	Average	Ivy infested	Fell two small marked Ash trees. Sever ivy on infested trees.	2	2
321649	471944	180	Pinus nigra var.maritima (Corsican Pine), Acer pseudoplatanus (Sycamore)	Single	Large	Mature	Low	Poor	Crown dieback. Major deadwood.	Remove deadwood over 50mm diameter. Fell one marked squirrel damaged Sycamore and one Ash.	2	2
321641	472097	188	Fraxinus excelsior (Ash)	Single	Medium	Young Mature	Low	Average	Ash Dieback	Fell	2	1
321655	472128	192	Abies grandis (Grand Fir), Fraxinus excelsior (Ash)	Single	Medium	Mature	Normal	Average	None	Fell marked Ash.	2	1
321672	472132	G193	Tilia x europaea (Lime), Taxus baccata (Yew), Abies spp (Fir), Fraxinus excelsior (Ash)	Multi	Medium	Mature	Normal	Average	None	Fell marked Ash.	2	1
												37

3. Relevant History

- 3.1 17/1999/0436 Abbey House Hotel Abbey Road Barrow-in-Furness -Extension to hotel to accommodate 30 bedrooms and conference facilities Appcond 22/09/1999
- 3.2 17/2000/0259 Abbey House Hotel Abbey Road Barrow-in-Furness - Amendment to Applications 99/0436 and 99/0437 for the following:- The loss of floorspace to the front of the extension, The omission of the quadrant sloped section from the front of the building, The omission of the bedroom balcony at second floor level Approved 06/11/2000
- 3.3 1985/0341 Abbey House Abbey Road Barrow-in-Furness - 2 storey extension to accommodate 50 bedrooms and additional facilities Appcond 25/09/1985
- 3.4 1985/0342 Abbey House Abbey Road Barrow-in-Furness - Conversion of old persons home to hotel Appcond 25/09/1985
- 3.5 1985/0343 Abbey House Abbey Road Barrow-in-Furness - Change of use from of old persons home to hotel Appcond 25/09/1985
- 3.6 1986/0217 Abbey House Abbey Road Barrow-in-Furness - Listed Building Consent for the installation of a reception desk barn screens door and ventilation equipment Appcond 15/08/1986
- 3.7 1986/0772 Abbey House, Abbey Road, Barrow-in-Furness - Enlargement of the main vehicular entrance Appcond 02/10/1986
- 3.8 1986/0867 Abbey House, Abbey Road, Barrow-in-Furness - Consent to display advertisements - Illuminated sign Appcond 13/11/1986
- 3.9 57/2002/0843 Abbey House Hotel Abbey Road Barrow-in-Furness Cumbria LA13 OPA Retention of lift shaft housing on roof of approved extension Approved 30/04/2003
- 3.10 57/2005/0336 Car park of Abbey House Hotel Abbey Road Barrow-in-Furness - Change of use to allow the parking of a mobile testing vehicle for computer based test (primarily health & safety, product knowledge, and employment issues). Vehicle to be stationed for up to 144 days per year. Consent sought for a period of 5 years Appcond 28/04/2005
- 3.11 86/1999/0437 Abbey House Hotel Abbey Road Barrow-in-Furness - Listed Building Consent for extension to hotel to accommodate 30 additional bedrooms and conference facilities Appcond 22/09/1999
- 3.12 B16/2018/0251 Abbey House Hotel, Abbey Road, Barrow-in-Furness, - Erection of single storey extensions to Cavendish Suite annexe, provision of detached wedding car garage and attached fence enclosure, extension to existing car park and provision of dedicated car parking area to serve Lodge and provision of 2 wedding marquees and associated landscaping and site works. APPCOND 06/11/2018

3.13 B22/2014/0109 Abbey House Hotel Abbey Road Barrow-in-Furness - Advertisement consent to display two double sided illuminated post signs flanking the entrance, one single sided (non illuminated) post signs north of the hotel close to Abbey Road and one non illuminated post sign to the rear of the grounds on Abbey Ap Appcond 25-MAR-2014

3.14 B23/2018/0250 Abbey House Hotel, Abbey Road, Barrow-in-Furness - Listed Building Consent for single storey extensions to Cavendish Suite annexe, provision of detached wedding car garage and attached fence enclosure, extension to existing car park and provision of dedicated car parking area to serve Lodge and provision of two wedding marquees. APPCOND 06/11/2018

3.15 B25/2013/0726 Abbey House Hotel Abbey Road Barrow-in-Furness - Notice of intention to carry out works to trees in a conservation area; felling/crown raising/crown reduction and pruning of various species including, Spruce, Yew, Beech, Lawson Cyprus, Hawthorn, Goat Willow, Alder, Apple, Sycamore and Ash. SPLIT 10/01/2014

3.16 B28/2013/0725 Abbey House Hotel Abbey Road Barrow-in-Furness - Felling of 9 Norway Spruce (Area 1), crown raising of 2 Beech (Group 2) and the felling of 6 Sycamore (Woodland 9) subject to Tree Preservation Order 1977 No. 1 DISPOSED 20/10/2014

3.17 B28/2014/0032 Abbey House Hotel Abbey Road Barrow-in-Furness - Application for works to 33 trees subject to Tree Preservation Order 2013 No1 of various species including yew, beech, ash, spruce and sycamore and involving the felling of 12 trees. Nature of operations forming the subject of the application Yews T SPLIT 14-AUG-2014

3.18 B28/2020/0087 Abbey House Hotel, Abbey Road, Barrow-in-Furness - Application for works to trees subject of Tree Preservation Order 2013 No. 1 Group 2 (T1 and T2 shown on the provided plan) to fell 2 spruce trees in poor condition. APPCOND 25/03/2020

3.19 B28/2021/0638 Abbey House Hotel, Abbey Road, Barrow-in-Furness - Application for approval of details reserved by Condition No.3 (tree protection fencing) of planning permission B16/2018/0251 (Erection of single storey extensions to Cavendish Suite annexe, provision of detached wedding car garage and attached fence enclosure, extension to existing car park and provision of dedicated car parking area to serve Lodge and provision of 2 wedding marquees and associated landscaping and site works) APPROVED 07/10/2021

4. Officer Assessment

4.1 The proposed works detailed in the schedule relate to a significant number of trees. As such, it was considered necessary for the Council to commission its own arboricultural advice to assess the proposed works and advise the Council. Treescapes Consultancy have considered the proposal and provided a report. As a result of the report, discussions have been undertaken with the agent and the scheme amended in part.

4.2 When considering applications for works to trees the national Planning Practice Guidance is relevant, which places importance on the impact on amenity of any proposed works. The Treescapes report concludes that the majority of the work on the schedule is clear and unambiguous. They have assessed the trees and conclude that most work can be carried out with a minimal impact to the amenity of the area and detriment to the TPO. They listed their exceptions to this and a revised schedule was provided by the agent. This removed 5 trees from the proposal.

4.3 The work that is **agreed to be necessary** by Treescapes is detailed as works specified as: G1, 23, G48, G73, 76, G94, W2, 101, 103, G127, G129, G131, 138, G146, 150, G155, 165, G168, 170, 173, 180, 188, 192, 193, G31. These relate to species including Ash, Lime, Sycamore, Scots Pine, Yew, Willow.

4.4 The works **removed from the proposal** relate to: G31, 27, W5, 126, W6. A total of 5 trees.

4.5 Concern still remains in relation to the works detailed as: 139, 159, 160, 161, 162. These trees are all Ash trees. 6 in total. 3 were proposed to be felled. The concern with these relates to the extent they are affected by Ash Dieback Disease. The Council's consultant did not feel there was sufficient evidence to confirm that they are so adversely affected by this disease that felling is justified. Information was provided by Treescapes which explains that these trees show moderate to normal health and currently appear to be tolerating Ash Dieback. This is backed by the Forestry Commission's guidance that Ash trees should not be felled on the basis that they might die from Ash Dieback Disease. The guidance provides an easy-to-interpret guidance for landowners and tree managers to determine when they should fell infected trees and it is Treescapes judgment that there is not currently sufficient evidence provided in the application.

Planning Policies

4.6 Both local and national planning policies place importance on conserving and enhancing biodiversity. In this instance, the felling of trees is considered acceptable in arboricultural terms, however, the replacement trees will need to be carefully considered. This is to ensure that there is a sufficient standard of planting, and a suitable species mix, to ensure the future of biodiversity provision and that they contribute sufficiently to the amenity of the conservation area and setting of the Listed building.

National Guidance

4.7 Planning policy guidance advises to consider whether any loss or damage is likely to arise if consent is refused or is granted subject to conditions. At this stage following the advice given it will be necessary to issue a split decision on this proposal and refuse consent for works to the 6 Ash trees for which there was not sufficient evidence to be clear that they are detrimentally affected by Ash Dieback.

4.8 It also requires us to consider whether any requirements apply in regard to protected species. This can be dealt with in terms of an informative on any decision. It is the responsibility under the Wildlife and Countryside Act for any person undertaking works to take account of the requirements of the Act.

4.9 The guidance makes clear that Authorities should bear in mind that they may be liable to pay compensation for loss or damage as a result of refusing consent or granting consent subject to conditions. However, if the authority believes that some loss or damage is foreseeable, it should not grant consent automatically. They should take this factor into account alongside other key considerations, such as the amenity value of the tree/trees and the justification for the proposed works, before reaching its final decision.

4.10 Taking account of the advice of the Council's arboricultural specialist and the time of the initial tree survey submitted was conducted, it is necessary to require further evidence to support the statement that Ash Dieback is significantly impacting the trees detailed as 139, 159, 160, 161 and 162. It is felt it would be reasonable to refuse this element of the proposal. The agent would then have the opportunity to re-apply in future with suitably robust evidence.

Legislation

4.11 There is a duty to pay special attention to the desirability to preserve or enhance the conservation area and the setting of the Listed building under sections 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990. The agent has concluded the impact from the proposal should have a minimal impact on the amenity of the area and the impact on the setting of both the Conservation Area and Listed building is considered to be neutral. The trees contribute to the setting of the Listed building and character and appearance of the Conservation Area. The unnecessary loss of trees which is not justified should, as a consequence, be resisted.

Representations

4.12 Within the representations, reference is made to recent works to trees on the application site which are not subject of this application. This matter is being dealt with separately from an enforcement perspective, as to whether the felled trees were subject to the Order or were exempt from consent.

4.13 A representation also made reference to impact on privacy from the removal of trees. This is a civil matter which would need to be resolved between the applicant and neighbour. Whilst trees do provide some privacy, there are other boundary treatments which can be erected without the need for express planning permission which may resolve this matter.

4.14 A representation was received querying the proposed need for works and date of assessment of the trees. These matters have been dealt with by the appointment of a Arboricultural consultant to consider the application and make recommendations in terms of the proposed works.

5. Conclusions

5.1 Following the commissioning of a report by Treescapes Consultancy and submission of revised information from the agent, it is proposed to issue a split decision on this application agreeing the proposed works, including felling of 35 trees, that Treescapes feel are acceptable and refusing the works to the 6 Ash trees. This should ensure that trees subject of the Order are not felled without sufficient justification.

6. Recommendation

6.1 I recommend that a **SPLIT DECISION** is issued with part of the proposed tree works being approved and part being refused.

Approved Works

I propose the approved works are defined as stated and subject to these conditions:

1. This consent is valid for a period of two years which expires on (date two years from date of issue of decision notice), after which no work authorised by this consent shall be carried out unless a further application for the same work has been submitted to and approved in writing by the Planning Authority.

Reason

Required to be imposed by the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Compliance with Approved Plans

2. The development hereby permitted is **limited** to:

Works detailed on the Tree Survey from BHA Trees Ltd dated 1st and 2nd February 2022 to the trees identified as:

G1, 23, G48, G73, 76, G94, W2, 101, 103, G127, G129, G131, 138, G146, 150, G155, 165, G168, 170, 173, 180, 188, 192, G193 within that document, and Works detailed on the Tree Survey from BHA Trees Ltd dated 1st and 2nd February with responses to J Dickinson email dated 17.6.22 to the trees identified as:

G31 relating to the felling of 2 sycamore

Reason

Based upon advice from its consultant in order to ensure that the development is carried out only as indicated on the drawings approved by the Planning Authority.

3. The work shall be carried out in accordance with BS 3998:2010 Tree work recommendations

Reason

To ensure the work is carried out to an acceptable and recognised standard

4. Following the felling operations, plant 35 x replacement trees as close to possible to the trees they replace during the first planting season. Plant a species mix of Birch, Sweet Chestnut, Alder and Hornbeam, of size 6-8cm girth - 'Light Standard'. Any variation to this must be agreed in writing with the Local Planning Authority. Any trees which within a period of five years from the completion of the works 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

To ensure sufficient standard of replacement species are provided.

5. The works for which consent have been granted may only be carried out once.

Reason

Required to be imposed by the Town and Country Planning (Tree Preservation)(England) Regulations 2012

Informative

Trees of this type can provide suitable habitat for protected species. The applicant and their contractor's attention is drawn to the requirements of the Wildlife and Countryside Act which makes it an offence to disturb any protected species or nesting bird.

Refused Works

The proposed works detailed on the Tree Survey from BHA Trees Ltd dated 1st and 2nd February 2022 to the trees identified as:
139, 159, 160, 161, 162 are **Refused** for the following reason:

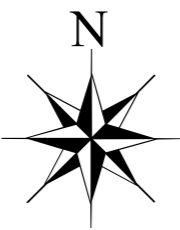
The proposed works, for which in the opinion of the Planning Authority's consultant insufficient justification has been given, will have a detrimental impact upon the sylvan appearance and visual amenity of the area including the setting of the Abbey House Hotel and the Furness Abbey Conservation Area. They would arise due to the loss of trees which form part of the landscaped setting of the listed building and which contribute to the character and appearance of the area more generally

BHA Trees Ltd

Hazel Lodge The Hill Millom
www.bhatrees.co.uk Email info@bhatrees.co.uk
Tel 01229777911

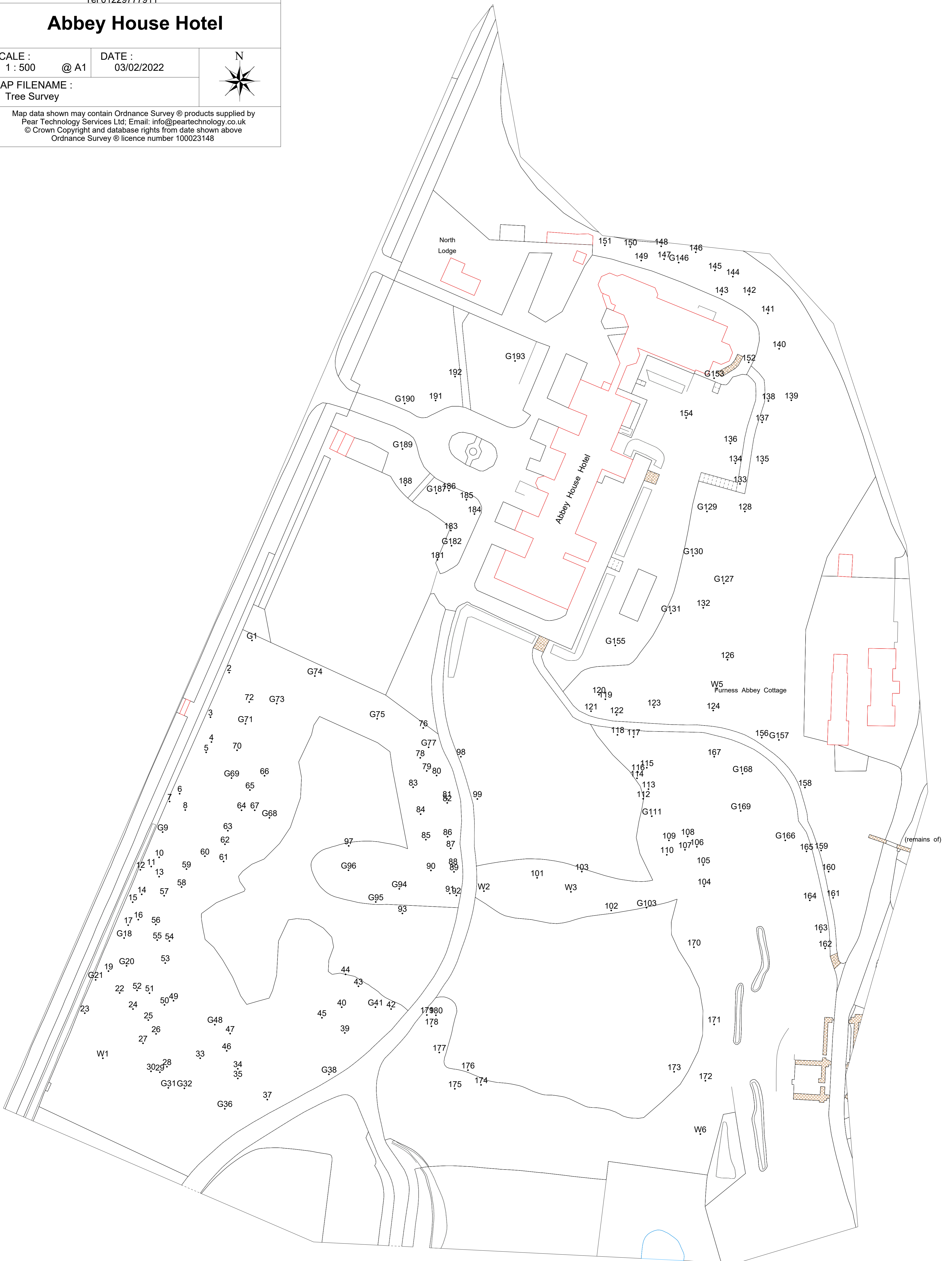
Abbey House Hotel

SCALE : 1 : 500 @ A1 DATE : 03/02/2022



MAP FILENAME : Tree Survey

Map data shown may contain Ordnance Survey © products supplied by
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Ordnance Survey © licence number 100023148



B20/2022/0290
Planning Committee
12th July 2022



Application Number : B20/2022/0290	Date Valid :12/04/2022
Address : 179 Abbey Road Barrow-in-Furness Cumbria LA14 5JP	Case Officer : Jennifer Dickinson
Proposal : The proposal is for the conversion of the private residential property and guest bedrooms into a single House of Multiple Occupation (HMO) with single Sui Generis use class. The HMO is intended for a maximum of 13 persons (amended description).	
Ward : Parkside Ward	Parish : N/A
Applicant : Mr Sadarangani Slaygold Property Ltd	Agent : Mr Leonard Hawkins
Statutory Date : 07/06/2022	Recommendation : Granted with conditions
Barrow Planning Hub	

Relevant Policies and Guidance

Full details of the policies listed below are included in the appendix

National Policies

1. National Planning Policy Framework 2021 - Paragraph NPPF 011
2. National Planning Policy Framework 2021 - Paragraph NPPF 055
3. National Planning Policy Framework 2021 - Paragraph NPPF 056
4. National Planning Policy Framework 2021 - Paragraph NPPF 111
5. National Planning Policy Framework 2021 - Paragraph NPPF 130

Local Plan Policies

1. Barrow Borough Local Plan 2016-2031 - Policy DS1 - Council's commitment to sustainable development
2. Barrow Borough Local Plan 2016-2031 - Policy DS2 - Sustainable Development Criteria
3. Barrow Borough Local Plan 2016-2031 - Policy DS5 - Design
4. Barrow Borough Local Plan 2016-2031 - Policy H26 - Large Houses in Multiple Occupation (HMOs) and the Subdivision of Dwellings
5. Barrow Borough Local Plan 2016-2031 - Policy H7 - Housing Development on Windfall Sites

Summary of Main Issues

The initial proposal was submitted for 22 occupants. This received adverse representations from both neighbours and consultees. The number has now been reduced to 13 occupants which seeks to address the concerns raised. The key consideration for this proposal is the material difference, in Planning terms, between the current use as a guest house and the proposed development.

Non Material Considerations

Competition

Response to Publicity and Consultations

Neighbours Consulted

Street Name	Properties
Abbey Road	179C, 181, 183,
Brighton Street	1, 2,
Warwick Street	76, 78, Trinity Church Centre,

Responses	Support	Object	Neutral
2	0	2	0

Site notice displayed expiring on 4.5.22

Summary of Responses

- Concern over the impact on amenity from parking of 22 residents
- Recent increase in antisocial behaviour in area - could be attributed to lack of community already
- Description of application is vague/misleading
- If HMO is allowed, unreasonable to assume it would not create a problem unless a proviso is applied that customers arrive by public transport. Do not object to HMO but parking problems it creates

Organisations Consulted

Consultee

Barrow Borough Council (Building Control)
 Barrow Borough Council (HMO) Jayne Parrington
 Barrow Borough Council (Planning Policy)
 Cumbria County Council (Emergency Planning)
 Cumbria County Council (Highways)
 United Utilities (Asset Protection)

List of Organisation Responses

21/04/2022

Barrow Borough Council (Building Control)

"Building regulation approval required for the proposals".

24/05/2022

Barrow Borough Council (HMO)

"I am replying to the above consultation and can confirm that the property does appear to require a Mandatory House in Multiple Occupation (HMO) Licence.

In regard to fire safety we request that the property conforms to LACoRS Fire Safety Guidance.

I would also like to note that Government guidelines state one kitchen should be shared with up to a maximum five people and the property does not appear to conform to these guidelines. The guidelines of one bathroom to be shared with a maximum of five people is complied with.

Also of concern is that there is adequate daylight in the basement bedsit.

Please note that before the property is granted a Mandatory HMO Licence there is a process which needs to be gone through.

Should you wish to discuss this matter further please do not hesitate to contact me."

23/06/2022

Barrow Borough Council (HMO)

"Jayne and I have discussed these plans as I have previously visited the property with Mike Furness. Some comments we have from an HMO licensing perspective:

- The ground floor kitchen isn't of sufficient physical size, design or layout for 10 people. Although HMOs operate shared facilities on a 5:1 ratio, and there are two sinks and two cookers in the ground floor kitchen, we think that due to the size and it's slightly odd shape, the maximum number of people who have use of this kitchen should be limited to 7 or 8. We have considered that the bedrooms do seem to have a form of brew station, i.e. a worktop area with sink, and with the addition of an oven and hob some could become self-contained units. However, with the current design the GF kitchen will still be used by occupiers of these rooms to cook a main meal. Therefore, the overall maximum number of people occupying the property should be reduced from 15, to 12 or 13.

- Reducing the number of occupiers using the GF kitchen could be achieved in several ways. Possible suggestions may include but not be limited to:
- Installation of ovens and hobs in some of the bigger rooms to make them self-contained (I don't know how this would affect your Planning requirements or Building Control);
- Reducing the number of occupiers in some of the rooms on the first floor, ground floor, and in the basement (BF1, GF2 & FF4) to 1 per room.
- The suggested fire detection system, Grade D1, Category LD2 is insufficient for a 4 storey HMO.
- LACORS Fire Safety – Housing recommends a Grade A, LD2 system, although reading the description and considering the age of the LACORS document, the description is recognised today more as a Grade A, LD1 system (a control panel with smoke and/or heat detectors in the kitchen, bedrooms, living rooms and on the escape route), and this is the type we would be asking for.

Any queries, let me know."

14/04/2022

Cumbria County Council (Emergency Planning)

"This application does not fall within the Detailed Emergency Planning Area of BAE Systems, the Public Information Zone of Spirit Energy or the Potential Inundation Area for Harlock and Poaka Beck Reservoirs, so this office has no comments to make on the application".

25/05/2022

Cumbria County Council (Highways & LLFA)

"As this falls under our Service Level Agreement (SLA) with your Council, this application does not need to be submitted to the Local Highway Authority or Lead Local Flood Authority; subject to the highway and drainage aspects of such applications being considered in accordance with the Agreement.

The highway and drainage implications of this application would therefore have to be decided by the Local Planning Authority.

Although, we do have concerns about the potential implications on the increased use of the parking in the area, with it not being in a Cumbria County Council permit zone. If you have a particular aspect of this application you wish us to consider, please feel free to contact me direct".

Officers Report

1. Site and Locality

1.1 The host property currently functions as a 12 bedroom guest house with owners accommodation. It is set over 4 floors including the basement with external amenity space. The current facilities provide 17 guest house bed spaces in addition to the guest house owners family accommodation. The owners accommodation plan submitted shows 4 bed spaces giving a current approximate occupancy level of 21 residents.

1.2 The site is positioned on one of the main routes into the town within approximately half a mile from the railway station and close to local bus links throughout the local area. The attached neighbouring property appears to be in residential use and there are two other properties adjacent to the site close to its curtilage. The first is an office/training building used currently by a local care provider which operates during standard office hours and the second is a self-contained residential property separate to the host property. The locality of the site is pre-dominantly residential with some other uses including a Church on the opposite corner of Brighton Street and Abbey Road and is generally characterised by rows of Victorian properties with limited off street parking.

2. Proposal Details

2.1 The proposal is for the conversion of the private residential property and guest bedrooms into a single House of Multiple Occupation (HMO) with single Sui Generis use class. The HMO is intended for a maximum of 13 persons (amended description).

2.2 This scheme is a revised scheme to the original submission with a reduction in occupants. The main access is provided to the property from the Abbey Road frontage and there is also a side door on Brighton Street. Access is also provided to the rear on Warwick Street for collection of waste. Bicycle storage outbuildings with electric charging points are provided alongside the property. There is external amenity space provided to the front and side of the property with established boundary treatments/planting in place.

2.3 Internally, at ground floor level, two bedrooms are proposed giving occupancy of 3 people along with a communal living room and kitchen areas. At basement level a single occupancy room is shown with replacement fully glazed door. At first floor level, 4 bedrooms are shown each single occupancy. This gives a total of 8 people over the basement, ground and first floor. At second floor level, an occupancy level of 5 people is shown. All bedrooms provide en-suite accommodation and range in size between 12.4m² and 32m².

3. Relevant History

3.1 1982/1070 179 Abbey Road, Barrow-in-Furness - Change of use from a dwelling house to a mixed use private dwelling and a residential hotel Appcond 01/03/1983

3.2 1986/0316 179 Abbey Road, Barrow-in-Furness - Formation of access to cellar
Appcond 19/06/1986

3.3 1990/0503 76 Warwick Street, Barrow-in-Furness - New entrance door and
window openings Appcond 05/07/1990

3.4 B18/2012/0022 179 Abbey Road Barrow-in-Furness - Erection of a rear ground
floor kitchen extension. Appcond 12-MAR-2012

3.5 B18/2015/0446 76 Warwick Street Barrow-in-Furness - Variation of condition no.4
of planning permission 1989/1018 to allow the premises to be used for the approved
use (D1 meeting and training rooms) by bodies other than the Red Cross Society
Appcond 01-SEP-2015

3.6 B20/2015/0675 76 Warwick Street Barrow-in-Furness - Change of use from D1
(training/meeting room) to A2 (offices) with associated meeting and training room.
Appcond 03-NOV-2015

3.7 B26/2011/0782 179 Abbey Road Barrow-in-Furness -Application for a Certificate
of Lawfulness of proposed use or development (CLOPUD) for a rear ground floor
kitchen extension. Refused 21-DEC-2011

4. Officer Assessment

4.1 The key consideration for this proposal is assessing the difference between the
current established use as a guesthouse with 21 occupants, and the proposed use.
Through discussion with the agent following the original submission and
consideration of representations received, revised plans have been received which
now show the reduction in proposed number of occupiers of the HMO to 13.

Principle of Development

4.2 The host property's current use has been operating for approximately 40 years
with planning permission originally granted in 1983 (1982/1070 refers). This
application seeks to alter the guest house use and provide a House in Multiple
Occupation for 13 residents. The impact of the change of use in terms of the
character of the property will be similar to the guest house. Given the amendments
submitted, reduction of the number of occupiers proposed and taking account of the
current occupancy levels, the principle of the development is considered to be
acceptable.

Planning Policy

4.3 Both local and national planning policy have a presumption in favour of
sustainable development and, in order to achieve sustainable development, state
that the Council will work pro-actively with applicants to find positive solutions that
allow suitable proposals for sustainable developments to be approved wherever
possible. Discussions with the agent have taken place following consultation
responses to the scheme in accordance with this approach which now results in the
reduced number of potential occupants.

4.4 National Planning Policy Framework paragraph 111 makes reference to impacts on highways and states:

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.5 Particularly relevant to this proposal is local plan policy H26 which specifically relates to HMOs. Taking each of the criteria in turn:

Proposals for the subdivision of dwellings and those which involve the creation of large houses in multiple occupation (over 6 occupiers) will be acceptable providing that:

a) Such proposals do not lead to the unacceptable loss of good quality family housing, taking into account housing needs identified in the current Strategic Housing Market Assessment;

4.6 This property is much larger than the identified housing needs and it is relevant to note that when researching the history of the site, before the permission was granted for the change of use to a Guest House, the property had not been sufficiently maintained and the Guest House use secured its future.

b) There will be no unacceptable impact on the residential amenity of neighbouring properties, especially with respect to privacy, noise and other disturbance;

4.7 The proposed change of use utilises the internal layout of the original property through the removal of existing partition walls. Privacy is protected by boundary treatments and upgrades to sound proofing are proposed to ensure that the potential intensification of use of the rooms which adjoin the attached neighbours should not have an adverse impact on noise to the neighbouring properties. Building Control have confirmed the submitted details are considered acceptable. The reduction in the number of occupiers of the property should also assist in this regard. There should therefore not be an unacceptable impact on neighbouring properties from the proposal.

c) The proposal would not adversely affect the character of the building or the surrounding area, for example through an unacceptable increase in on-street parking;

4.8 This is a concern raised in the representations received. National Planning Policy is clear on this matter and advises that applications can only be refused on highways grounds if the impact is considered to be severe. It is therefore relevant to compare the existing established use and the proposed use. Given that the number of residents of the property is reduced in comparison to the existing use, it is unlikely to be considered that the impact on parking from the proposal would represent an unacceptable increase in on street parking, that could be justified at appeal.

d) The proposed internal design ensures that units will have access to sufficient natural light, ventilation, privacy, outlook and indoor amenity space;

4.9 The internal layout has been a key consideration and basis for discussion with the applicant and agent. The proposed room sizes are considered acceptable and to have sufficient access to natural light, ventilation, privacy and outlook. However, there was some concern from the initial proposal in terms of indoor amenity space. Representations have been received from the Council's HMO Officer in terms of the acceptable number of occupants sharing a kitchen and updated plans now show an increased area of indoor amenity space and reduced number of occupants which addresses the concerns raised.

e) The proposal does not lead to inappropriate stacking of rooms;

4.10 The proposal does not lead to inappropriate stacking of rooms. There is an unusual relationship between part of the proposed kitchen area in such that the adjacent business use has a meeting room above. However, sound proofing is proposed in this area to minimise any potential impact. The adjacent business use has a condition in relation to operating hours which should also mitigate any potential impact.

f) Adequate suitably screened space is provided for the storage of refuse, recycling bins and cycles;

4.11 An internal refuse store is provided adjacent to the kitchen area and external secure bike sheds are provided and, at my request, these will include facilities for charging electric bikes.

g) Outdoor amenity space is provided where possible;

4.12 The site has a good sized garden area with mature boundary planting which provides a pleasant outdoor amenity space.

h) There is adequate access from the residential unit to both the front and rear of the building;

4.13 There are two main entrances to the property along with a rear door into Warwick Street which is considered acceptable.

i) The proposal would not lead to an over-concentration of similar uses resulting in the loss of social and community cohesion;

4.14 The locality is a mix of residential and community uses with some buildings in multi occupancy, as a result of their large size. This proposal should not lead to an over concentration of similar uses in the locality.

j) The site is within easy reach of public transport and community facilities.

4.15 The site is within a sustainable location in terms of access to public transport and there are a range of community facilities nearby.

Neighbour Representations

4.16 Two neighbour representations have been received following public consultation, raising concerns over the potential impact on amenity from the proposed 22 residents due to demand for on street parking. This number of residents has now been reduced. As explained earlier, national planning policy is clear on this matter and applications can only be refused where the impact on highway safety is proven to be considered severe. The host property potentially has an impact in the area currently and the impact is considered to be neutral compared to existing.

4.17 Reference is made to a recent rise in anti-social behaviour in the area. This application can only deal with material planning considerations, and this is a matter to be dealt with outside of the Planning system. Whilst the policy H26 makes reference to community cohesion, the property currently only has limited involvement with the community given the transient nature of the existing guest house use.

4.18 The description has been described as vague/misleading. Initially, the description read as:

The proposal is for the conversion of the private residential property and guest bedrooms into a single House of Multiple Occupation (HMO) with single Sui Generis use class. The HMO is intended for a maximum of 22 person, two per bedroom.

4.19 This clearly identifies the proposal. It has since been updated to reflect the changes to the scheme following discussions with the agent.

4.20 A representation had suggested that potentially a condition requiring the arrival of future occupiers only by public transport. Whilst this may be the case, it is not considered to be reasonable to attach such a condition and this would not meet the condition tests set out in National Planning Policy paragraph 56:

Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

4.21 Given that there is not a justification under paragraph 111 of the NPPF, it is not considered that it would be reasonable to impose such a condition.

Number of Occupants

4.22 Following the reduction in numbers of people occupying the property, it is not necessary to condition the number of occupiers as this is dealt with under the licensing regime. The role of planning is not to duplicate matters covered already under other legislation.

5. Conclusions

5.1 The Council has worked with the applicant and agent to resolve issues which have arisen during the consultation process and the revised scheme is considered to accord with both local and national planning policy. The impact on the locality of the site is considered to be neutral when compared to the established use.

6. Recommendation

I recommend 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 12.04.2022 and the hereby approved documents defined by this permission as listed below, except where varied by a condition attached to this consent:

Application form dated 4.4.22
 Design and Access Statement - REV B
 Data Sheet Acousticclip Direct to Wall system
 Acousticclip Direct to Wall Brochure
 Proposed Basement Floor PR.06 Rev.B 24.6.22
 Proposed Ground Floor PR.03 Rev.C 24.6.22
 Proposed First Floor PR.04 Rev.B 24.6.22
 Proposed Second Floor PR.05 Rev.B 24.6.22
 Location Plan and Block Plan PR.01 Rev.B

Reason

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

Before Occupation

3. Prior to the beneficial occupation of the development the soundproofing shown on the approved plans detailed in condition 2 above shall be installed and thereafter permanently retained.

Reason

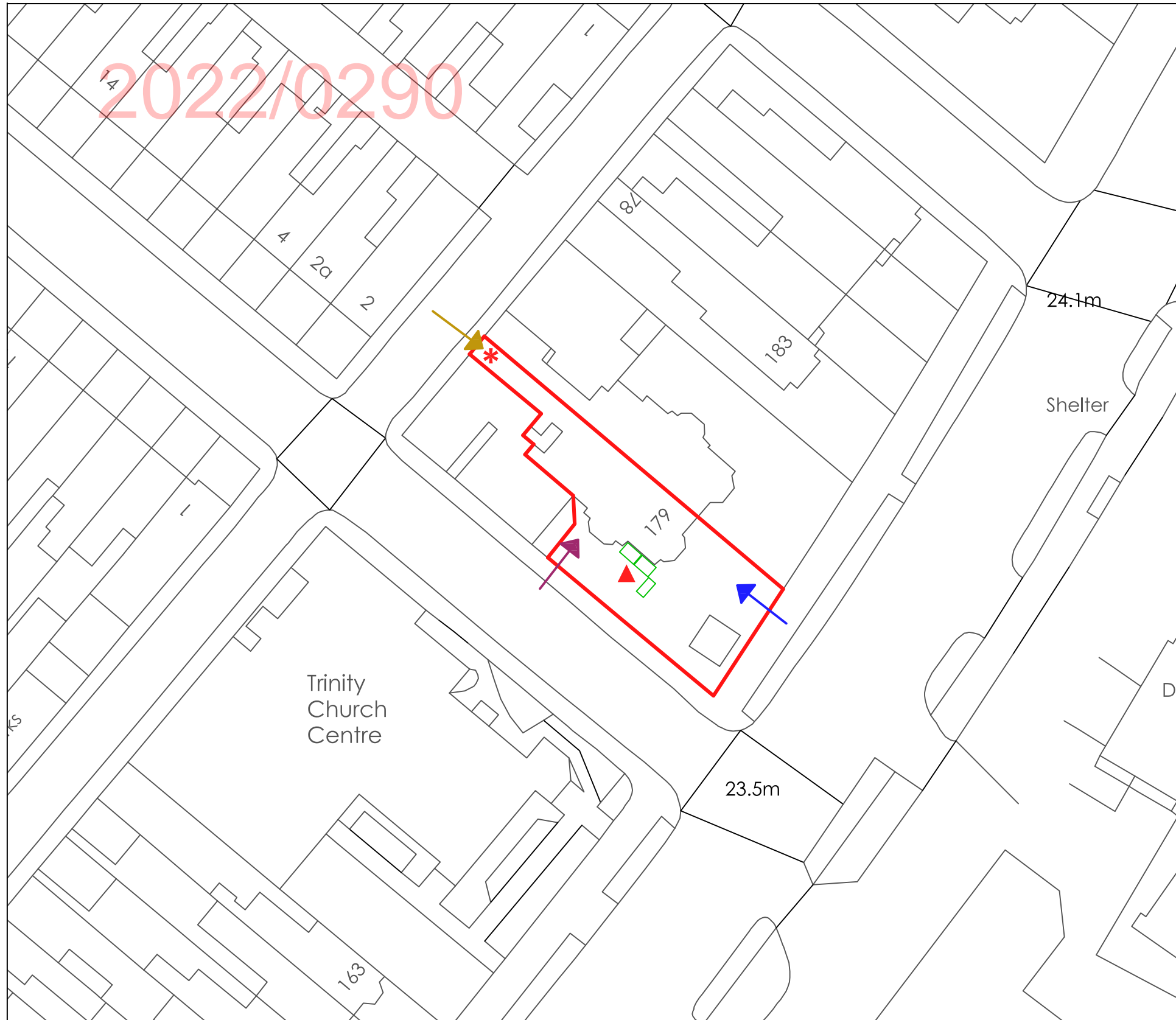
In order to protect the amenities of the occupiers of the attached properties.

Informative

- Please note that any additional external alterations required under the Building Regulations may also require prior planning consent. Please speak to the Planning Officer before any such works are carried out

- This development may require approval under the Building Regulations. Please contact your Building Control department on 01229 876356 for further advice as to how to proceed.

2022/0290



SITE LOCATION PLAN

Scale 1:1250 @ A3



- ▲ Bicycle Storage with charging points
- * Waste Storage inside utility room (no change proposed)

SITE BLOCK PLAN

Scale 1:500 @ A3



- GENERAL NOTES**
- All drawings remain the copyright of Leonard Hawkins and cannot be reproduced without approval.
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 - Documents/drawings transferred by electronic mail are not to be altered without the consent of Leonard Hawkins.
 - Dimensional/level accuracy only applies to the written notation.
 - The drawings/information issued by Leonard Hawkins are to be cross referenced where necessary with other relevant Consultants information.

REVISION: B - Relocation of bike store 15.06.22



- Land under same ownership
- ▲ Main Entrance (everybody)
- ▲ Secondary Entrance (exclusive)
- ▲ Service Entrance (everybody)

STATUS	PLANNING	CLIENT	SLAYGOLD PROPERTY LTD
PROJECT	179 Abbey Rd. Barrow-in-Furness LA14 5JP		
DWG TITLE	Proposed Location & Block Plan		

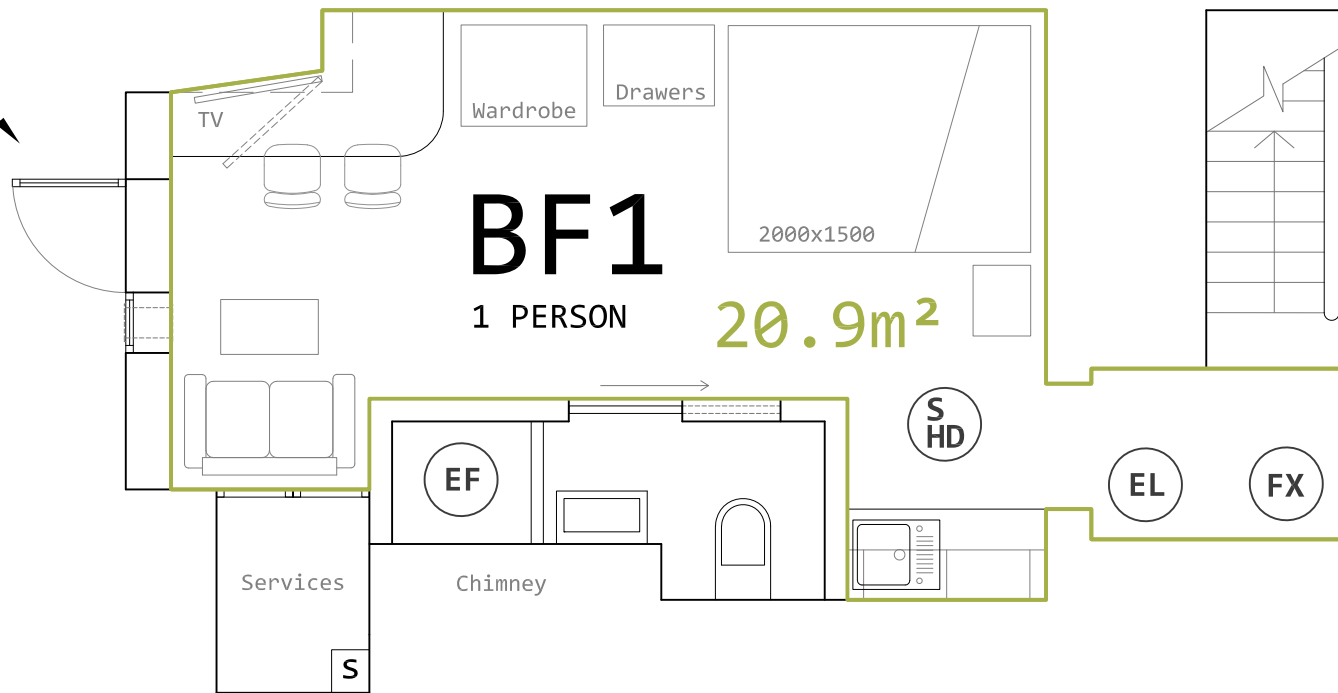
Leonard Hawkins Architecture			
254B	hawkins.leonard@gmail.com		
Dacre Park	M: +44 (0) 79 7659 4442		
London SE13 5DD	T: +44 (0) 20 8222 8232		
JOB NO	1560	DWG NO	PR.01
SCALE	1:500/1:1250	DR	LH
REVISION	B	CH	NA
DATE	03.22		

- FD - FD30 FIRE DOOR
- SGHD - SMOKE, GAS & HEAT DETECTOR ALARM
- SHD - SMOKE & HEAT DETECTOR ALARM
- EL - EMERGENCY LIGHTING
- FB - FIRE BLANKET
- EF - EXTRACTOR FAN
- FX - MULTI-PURPOSE FIRE EXTINGUISHER
- ALARM GRADE A LD1

3D Tour As Existing <https://my.matterport.com/show/?m=BMdU3bccozU>

2022/0290

New fully glazed entrance door for increased natural daylight



TOTAL PERSONS: 1/13
BASEMENT FLOOR PLAN AS PROPOSED
 Scale 1:50 @ A3



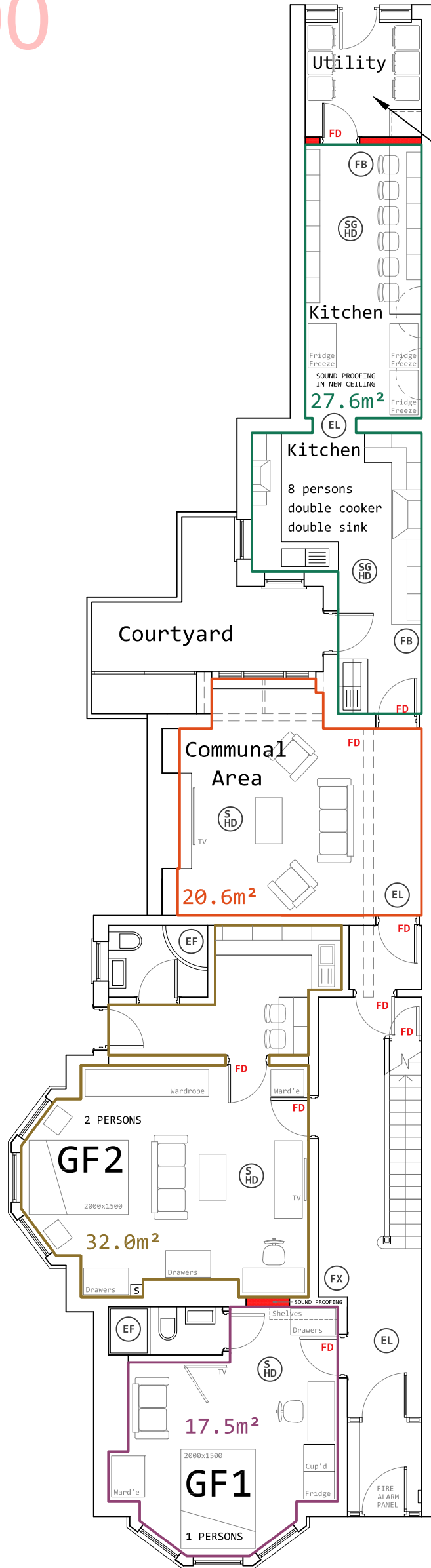
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	PROJECT	179 Abbey Rd. Barrow-in-Furness LA14 5JP		JOB NO	1560	DWG NO	PR.06	REVISION	B		
	DWG TITLE	Basement Plan As Proposed		SCALE	1:50	DR	LH	CH	NA	DATE	02.22
	REVISION: B-	Reduction in persons, alarm change									

NEW FIRE RESISTING WALLS AND PARTITIONS



- FD - FD30 FIRE DOOR
- SGHD - SMOKE, GAS & HEAT DETECTOR ALARM
- SHD - SMOKE & HEAT DETECTOR ALARM
- EL - EMERGENCY LIGHTING
- FB - FIRE BLANKET
- EF - EXTRACTOR FAN
- FX - MULTI-PURPOSE FIRE EXTINGUISHER
- ALARM GRADE A LD1

2022/0290



Utility Room

containing waste storage wheelie bins, no change proposed.

Collection from Warwick Street

Kitchen use **exclusive** to ground floor, first floor and basement residents

TOTAL PERSONS: 3/13

GROUND FLOOR PLAN AS PROPOSED

Scale 1:100 @ A3



3D Tour As Existing <https://my.matterport.com/show/?m=BMdU3bccozU>

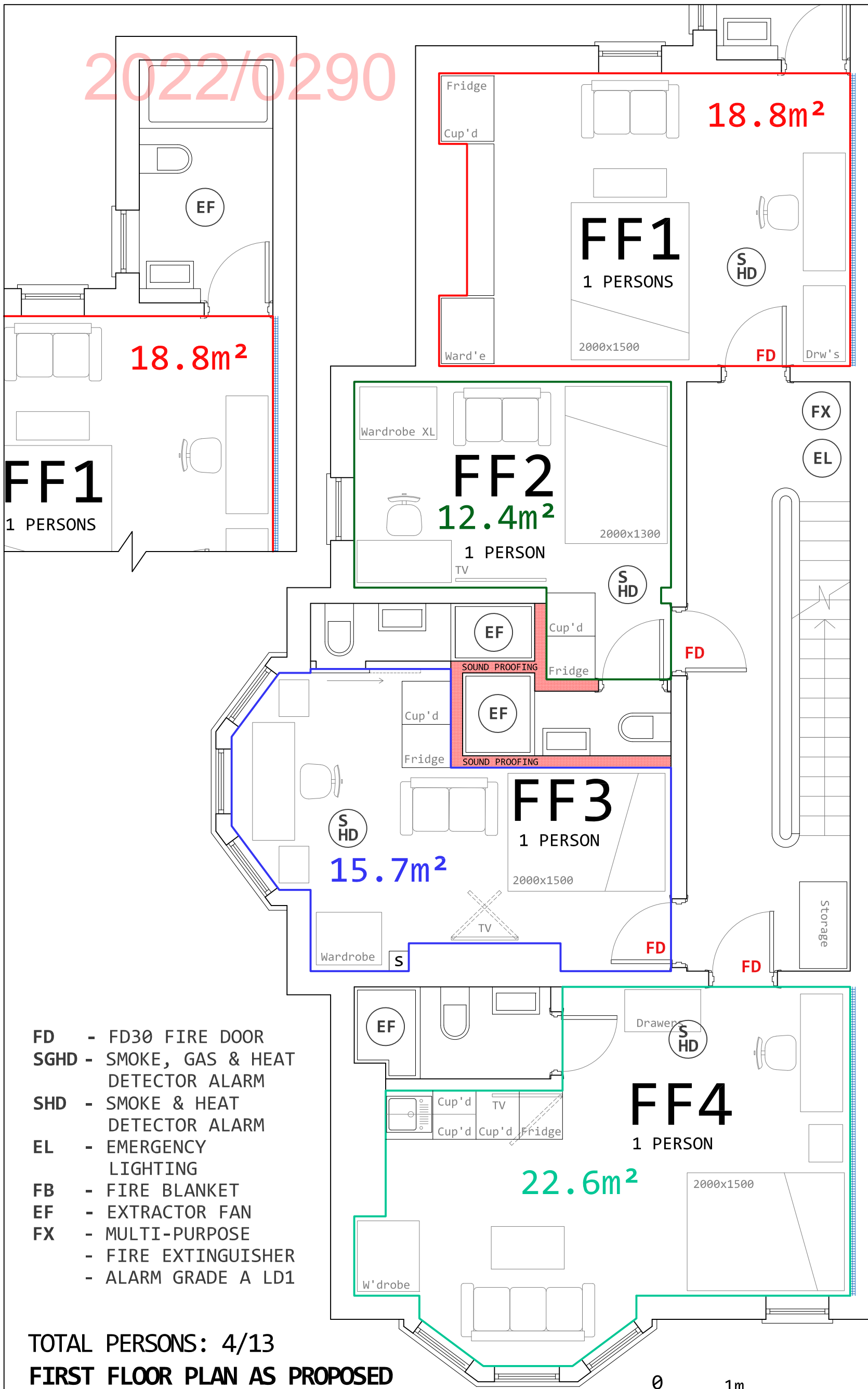
GENERAL NOTES 1. All drawings remain the copyright of Leonard Hawkins and cannot be reproduced without approval. 2. This drawing must not be scaled for construction purposes. 3. Documents/drawings transferred by electronic mail are not to be altered without the consent of Leonard Hawkins. 4. Dimensional/level accuracy only applies to the written notation. 5. The drawings/information issued by Leonard Hawkins are to be cross referenced where necessary with other relevant Consultants information. Alarm change + extra sound proofing REVISION:C - Reduction in persons 24.06.22	STATUS PLANNING	CLIENT SLAYGOLD PROPERTY LTD	Leonard Hawkins Architecture 254B hawkins.leonard@gmail.com Dacre Park M: +44 (0) 79 7659 4442 London SE13 5DD T: +44 (0) 20 8222 8232		
	PROJECT 179 Abbey Rd. Barrow-in-Furness LA14 5JP	JOB NO 1560 DWG NO PR.03 REVISION C SCALE 1:100 DR LH CH NA DATE 02.22			
	DWG TITLE Ground Floor Plan As Proposed				

Page 102
NEW FIRE RESISTING WALLS AND PARTITIONS



New sound proofing layer on the wall

3D Tour As Existing <https://my.matterport.com/show/?m=BmdU3bccozu>



New sound proofing layer on the wall

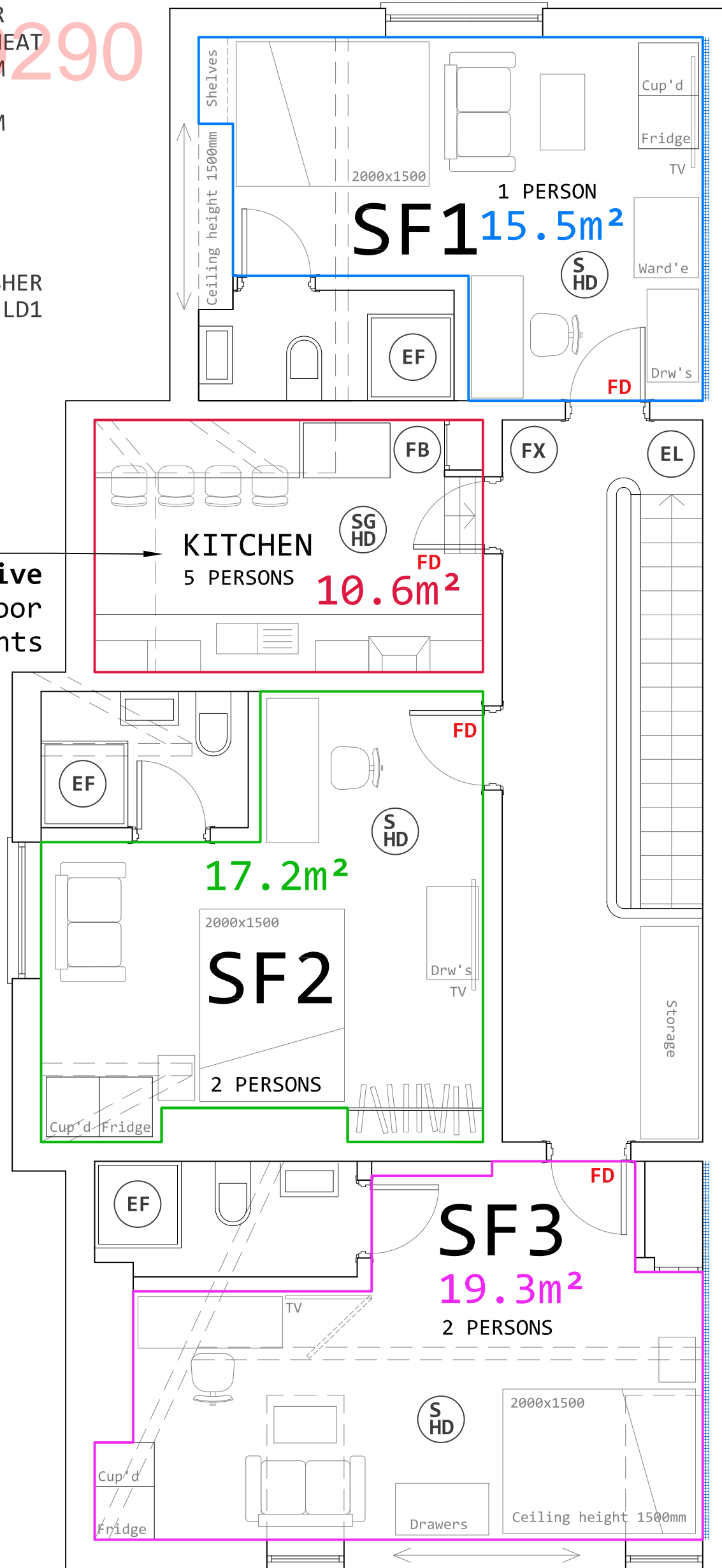
- FD - FD30 FIRE DOOR
- SGHD - SMOKE, GAS & HEAT DETECTOR ALARM
- S HD - SMOKE & HEAT DETECTOR ALARM
- EL - EMERGENCY LIGHTING
- FB - FIRE BLANKET
- EF - EXTRACTOR FAN
- FX - MULTI-PURPOSE FIRE EXTINGUISHER
- ALARM GRADE A LD1

TOTAL PERSONS: 4/13
FIRST FLOOR PLAN AS PROPOSED
 Scale 1:50 @ A3

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			SLAYGOLD PROPERTY LTD	254B	hawkins.leonard@gmail.com
		PROJECT	Barrow-in-Furness 179 Abbey Rd. LA14 5JP	Dacre Park	M: +44 (0) 79 7659 4442
		DWG TITLE	First Floor Plan As Proposed	London SE13 5DD	T: +44 (0) 20 8222 8232
			JOB NO	DWG NO	REVISION
			1560	PR.04	B
			SCALE	DR	CH
			1:50	LH	NA
				DATE	02.22

- FD - FD30 FIRE DOOR
- SGHD - SMOKE, GAS & HEAT DETECTOR ALARM
- SHD - SMOKE & HEAT DETECTOR ALARM
- EL - EMERGENCY LIGHTING
- FB - FIRE BLANKET
- EF - EXTRACTOR FAN
- FX - MULTI-PURPOSE FIRE EXTINGUISHER
- ALARM GRADE A LD1

2022/0290



Kitchen use **exclusive** to second floor residents

New sound proofing layer on the wall

New sound proofing layer on the wall

TOTAL PERSONS: 5/13

SECOND FLOOR PLAN AS PROPOSED

Scale 1:50 @ A3



3D Tour As Existing <https://my.matterport.com/show/?m=BMdU3bccozU>

<p>GENERAL NOTES</p> <p>1. All drawings remain the copyright of Leonard Hawkins and cannot be reproduced without approval.</p> <p>2. This drawing must not be scaled for construction purposes.</p> <p>3. Documents/drawings transferred by electronic mail are not to be altered without the consent of Leonard Hawkins.</p> <p>4. Dimensional/level accuracy only applies to the written notation.</p> <p>5. The drawings/information issued by Leonard Hawkins are to be cross referenced where necessary with other relevant Consultants information.</p> <p style="text-align: right;">Extra sound proofing</p> <p>REVISION: B - Alarm change ^ 24.06.22</p>	STATUS	PLANNING	CLIENT	Leonard Hawkins Architecture				
				SLAYGOLD PROPERTY LTD	254B	hawkins.leonard@gmail.com		
		PROJECT	179 Abbey Rd. Barrow-in-Furness LA14 5JP		Dacre Park	M: +44 (0) 79 7659 4442		
		DWG TITLE	Second Floor Plan As Proposed		London SE13 5DD	T: +44 (0) 20 8222 8232		
			JOB NO	1560	DWG NO	PR.05	REVISION	B
			SCALE	1:50	DR	LH	CH	NA
							DATE	02.22

Appendices of Policies

Note to Members

Below are the full wordings of the policies relevant to the applications found on the agenda today.

National Planning Policy Framework 2021

NPPF 011

Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

NPPF 055

Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

NPPF 056

Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision-making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

NPPF 111

Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

NPPF 130

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

NPPF 194

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

NPPF 195

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

NPPF 197

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

NPPF 199

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

NPPF 202

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Barrow Borough Local Plan 2016-2031

Policy C5 - Promoting Renewable Energy

New development must take into account the effects of climate change, promote the use of energy efficient methods and materials, and minimise its impact on the environment. Proposals will be encouraged to maximise the design of buildings, use of materials, their layout and orientation on site to be as energy efficient as possible.

All new developments will be encouraged to incorporate renewable energy production equipment, sources of renewable energy such as photovoltaics and the potential for renewable, low carbon or decentralised energy schemes appropriate to the scale and location of the development provided they accord with the requirements of Policy C6.

Policy DS1 - Council's commitment to sustainable development

When determining planning applications the Council will take a positive approach to ensure development is sustainable. The Council will work pro-actively with applicants to find positive solutions that allow suitable proposals for sustainable developments to be approved wherever possible.

The Council is committed to seeking to enhance the quality of life for residents by taking an integrated approach to protect, conserve and enhance the built, natural and historic environment whilst ensuring access to essential services and facilities and a wider choice of housing. This will enable the Local Plan's Vision and Objectives to be met and to secure development that simultaneously achieves economic, social and environmental gains for the Borough.

Planning applications that accord with the Development Plan will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise, taking into account whether:

- a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework (or any document which replaces it) taken as a whole; or
- b) Specific policies in the Framework (or any document which replaces it) indicate that development should be restricted.

Policy DS2 - Sustainable Development Criteria

In order to meet the objectives outlined in Policy DS1, subject to other Development Plan policies which may determine the suitability of particular sites, all proposals should meet all of the following criteria, where possible, taking into account the scale of development and magnitude of impact and any associated mitigation by:

- a) Ensuring that proposed development incorporates green infrastructure designed and integrated to enable accessibility by walking, cycling and public transport for main travel purposes, particularly from areas of employment and retail, leisure and education facilities;
- b) Ensuring development does not prejudice road safety or increase congestion at junctions that are identified by the Local Highway Authority as being over-capacity;
- c) Ensuring access to necessary services, facilities and infrastructure and ensuring that proposed development takes into account the capacity of existing or planned utilities infrastructure;
- d) Ensuring that the health, safety and environmental effects of noise, smell, dust, light, vibration, fumes or other forms of pollution or nuisance arising from the proposed development including from associated traffic are within acceptable levels;
- e) Respecting the residential amenity of existing and committed dwellings, particularly privacy, security and natural light;
- f) Protecting the health, safety or amenity of occupants or users of the proposed development;
- g) Contributing to the enhancement of the character, appearance and historic interest of related landscapes, settlements, street scenes, buildings, open spaces, trees and other environmental assets;
- h) Contributing to the enhancement of biodiversity and geodiversity;
- i) Ensuring that construction and demolition materials are re-used on the site if possible;
- j) Avoiding adverse impact on mineral extraction and agricultural production;
- k) Ensuring that proposals incorporate energy and water efficiency measures (in accordance with the relevant Building Regulations), the use of sustainable drainage

systems where appropriate and steers development away from areas of flood risk;

l) Ensuring that any proposed development conserves and enhances the historic environment including heritage assets and their settings; and

m) Development must comply with Policy DS3.

Where the applicant demonstrates that one or more of the criteria cannot be met, they must highlight how the development will contribute towards the achievement of the Local Plan objectives by alternative means.

Policy DS5 - Design

New development must be of a high quality design, which will support the creation of attractive, vibrant places. Designs will be specific to the site and planning applications must demonstrate a clear process that analyses and responds to the characteristics of the site and its context, including surrounding uses, taking into account the Council's Green Infrastructure Strategy. Proposals must demonstrate clearly how they:

a) Integrate with and where possible conserve and enhance the character of the adjoining natural environment, taking into account relevant Supplementary Planning Documents;

b) Conserve and enhance the historic environment, including heritage assets and their setting;

c) Make the most effective and efficient use of the site and any existing buildings upon it;

d) Create clearly distinguishable, well defined and designed public and private spaces that are attractive, accessible, coherent and safe and provide a stimulating environment;

e) Allow permeability and ease of movement within the site and with surrounding areas, placing the needs of pedestrians, cyclists and public transport above those of the motorist, depending on the nature and function of the uses proposed;

f) Create a place that is easy to find your way around with routes defined by a well-structured building layout;

g) Prioritise building and landscape form over parking and roads, so that vehicular requirements do not dominate the sites appearance and character;

- h) Exhibit design quality using design cues and materials appropriate to the area, locally sourced wherever possible;
- i) Respect the distinctive character of the local landscape, protecting and incorporating key environmental assets of the area, including topography, landmarks, views, trees, hedgerows, habitats and skylines. Where no discernible or positive character exists, creating a meaningful hierarchy of space that combines to create a sense of place;
- j) Create layouts that are inclusive and promote health, well-being, community cohesion and public safety;
- k) Incorporate public art where this is appropriate to the project and where it can contribute to design objectives;
- l) Ensure that development is both accessible and usable by different age groups and people with disabilities;
- m) Integrate Sustainable Drainage Systems of an appropriate form and scale;
- n) Mitigate against the impacts of climate change by the incorporation of energy and water efficiency measures (in accordance with the Building Regulations), the orientation of new buildings, and use of recyclable materials in construction; and
- o) Ensuring that new development avoids creating nesting sites for gulls e.g. through the provision of appropriate roof pitches.

Policy H26 - Large Houses in Multiple Occupation (HMOs) and the Subdivision of Dwellings

Proposals for the subdivision of dwellings and those which involve the creation of large houses in multiple occupation (over 6 occupiers) will be acceptable providing that:

- a) Such proposals do not lead to the unacceptable loss of good quality family housing, taking into account housing needs identified in the current Strategic Housing Market Assessment;
- b) There will be no unacceptable impact on the residential amenity of neighbouring properties, especially with respect to privacy, noise and other disturbance;

- c) The proposal would not adversely affect the character of the building or the surrounding area, for example through an unacceptable increase in on-street parking;
- d) The proposed internal design ensures that units will have access to sufficient natural light, ventilation, privacy, outlook and indoor amenity space;
- e) The proposal does not lead to inappropriate stacking of rooms;
- f) Adequate suitably screened space is provided for the storage of refuse, recycling bins and cycles;
- g) Outdoor amenity space is provided where possible;
- h) There is adequate access from the residential unit to both the front and rear of the building;
- i) The proposal would not lead to an over-concentration of similar uses resulting in the loss of social and community cohesion; and
- j) The site is within easy reach of public transport and community facilities.

The design principles set out in the Development Strategy chapter should be followed where appropriate.

Policy H7 - Housing Development on Windfall Sites

Applications for residential development will be permitted where they satisfy all of the following criteria:

- a) The site is located within or adjoining the built up areas of Barrow and Dalton or within a development cordon identified in Policy H4;
- b) Site planning, layout and servicing arrangements are developed comprehensively;
- c) Buildings are well designed in terms of siting, grouping, scale, orientation, detailing, external finishes, security and landscaping in response to the form, scale, character, environmental quality and appearance of the site and the surrounding area;
- d) An acceptable standard of amenity is created for future residents of the property in

terms of sunlighting, daylighting, privacy, outlook, noise and ventilation;

- e) The site is served by a satisfactory access that would not impact unduly on the highway network;
- f) The site has been designed to promote accessibility by walking, cycling and public transport, as opposed to the private car;
- g) The development is sustainable in its energy usage, environmental impact, drainage, waste management, transport implications and is not at risk of flooding;
- h) The capacity of the current and proposed infrastructure to serve the development is adequate taking into account committed and planned housing development;
- i) Where spare infrastructure capacity is not available, the site has the ability to provide for the infrastructure requirements it generates, subject to criterion f);
- j) Within rural settlements the applicant will be expected to demonstrate how the development will enhance or maintain the vitality of the rural community where the housing is proposed;
- k) Where the site is located on the edge of Barrow and Dalton, the applicant will be required to demonstrate how the development integrates within existing landscape features and is physically linked to the settlement and does not lead to an unacceptable intrusion into the open countryside or would result in the visual or physical coalescence of settlements;
- l) The proposal will not harm the historic environment, heritage assets or their setting;
- m) There would be no unacceptable effects on the amenities and living conditions of surrounding properties from overlooking, loss of light, the overbearing nature of the proposal or an unacceptable increase in on-street parking; and
- n) The development must comply with Policy N3 and the design principles set out in the Development Strategy chapter should be followed.

The site should make effective use of previously developed land where possible.

Policy HE1 - Heritage Assets and their setting

The Council will, through planning decisions and in fulfilling its wider functions, proactively manage and work with partners to protect and enhance the character, appearance, archaeological and historic value and significance of the Borough's designated and undesignated heritage assets and their setting.

Opportunities will also be pursued, to aid the promotion, understanding and interpretation of both heritage and cultural assets, as a means of maximising wider public benefits and in reinforcing Barrow's distinct identity.

Key elements which contribute to the Borough's identity, and which will therefore be a priority for safeguarding and enhancing into the future, include:

1. The Furness Abbey Scheduled Ancient Monument and its setting;
2. 14th Century castles such as Piel Castle and Dalton Castle and key religious sites and their setting;
3. Barrow Town Hall, Ramsden Square and Schneider Square and associated statues as well as the streets and spaces which interconnect and provide setting for these assets;
4. Wide, Victorian, tree-lined routes into and around Barrow such as Abbey Road and Hartington Street and the grid-iron pattern of areas of terraced housing in and around Barrow town centre;
5. Remnants of the Borough's industrial heritage including sandstone workshop buildings, the imposing former worker's tenement blocks on Barrow Island, the slag bank, former iron workings and neighbourhoods of older traditional housing.
6. Coastal features including Jubilee Bridge, Roa Island jetty, pill boxes, Walney and Rampside lighthouses and Cavendish Dock;
7. Barrow Park, including the cenotaph and bandstand;
8. Conservation areas and Listed Buildings across the Borough;
9. Key cultural assets encompassing parklands, woodland, landscapes, coastlines, museums, libraries, art galleries, public art, local food and drink and local customs and traditions.

As well as fulfilling its statutory obligations, the Council will:

- a) Seek to identify, protect and enhance local heritage assets;
- b) Promote heritage-led regeneration including in relation to development opportunities;
- c) Produce conservation area appraisals and management plans;
- d) Develop a positive strategy to safeguard the future of any heritage assets that are considered to be "at risk";
- e) Adopt a proactive approach to utilising development opportunities to increase the promotion and interpretation of the Borough's rich archaeological wealth; and
- f) Develop a positive heritage strategy across the Borough.

Policy HE2 - Information required for proposals involving historic assets

When determining proposals involving heritage assets, or involving sites where there are reasonable grounds for the potential of unknown assets of archaeological interest to be, the following information shall be submitted by the applicant as part of the application:

- a) An assessment of the asset's significance including any contribution made by its setting, and an assessment of the potential impact of the proposal on that significance, using appropriate expertise. The level of information required will be proportionate to the assets significance and to the scale of the impact of the proposal and may require, where necessary, a desk based assessment and a field evaluation prior to the determination of the proposal; and
- b) A full programme of work together with proposals to mitigate any adverse impact of the proposed development. Where appropriate, work will be implemented through measures secured by planning condition(s) or through a legal agreement.

The Council has prepared a Guidance Document setting out when a Statement of Significance is required to accompany heritage applications which contains advice on its format and content.

Policy HE3 - Listed Buildings

Proposals for works to listed buildings, including alterations, extensions or change of use and development affecting setting should not cause unacceptable harm to its significance, including those elements which contribute to their special architectural or historic interest, and setting. Opportunities to enhance and better reveal their significance will be supported.

Substantial harm to, or loss of, a Grade II listed building should be exceptional. Substantial harm to, or loss of, Grade I and II* listed buildings should be wholly exceptional.

Proposals which involve substantial harm to, or loss of, a listed building including to its setting, will be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial benefits that outweigh that harm or loss, or all of the following apply:

- a) The nature of the heritage asset prevents all reasonable uses of the site;
- b) That no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- c) That conservation through grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- d) The harm or loss is outweighed by the benefit of bringing the site back into use.

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighted against the public benefits of the proposal, including securing its optimum viable use.

Policy HE4 - Conservation Areas

Development within or affecting the setting of Conservation Areas will only be permitted where it preserves or enhances the character or appearance of the Area. Proposals for all new development, including alterations and extensions to buildings and their re-use, must be sensitive and appropriate to the character of the area. Any replacement feature should match the original where it makes a positive contribution to the Conservation Area and its setting.

Proposals must be supported by any relevant Conservation Area Appraisal or

Management Plan. In particular it should respect all of the following:

- a) The character of existing architecture and any historical associations by having due regard to positioning and grouping of buildings, form, scale, enclosure, detailing and use of traditional materials;
- b) Existing hard and soft landscape features including open space, trees, walls and surfacing;
- c) Traditional plot boundaries and frontage widths; and
- d) Significant views into or out of the Areas.

Proposals should also avoid the loss of public and private open space which makes a positive contribution to the character and appearance of the Conservation Area and its setting.

Through Conservation Area Appraisals the Council will identify any opportunities for new development to enhance or better reveal their significance.

PLANNING COMMITTEE**12th July 2022****INDEX**

Page No	Reference	Address	Proposal
2	2022/0287	Model Passenger Railway Barrow Park	Erection of an extension to the existing workshop for use as meeting room /storage and placement of 6 solar panels on the roof to supplement the generator.
14	2022/0305	77-79 Duke Street Barrow	Listed Building Consent to reinstate traditional shop front elements, wholesale redecoration of the shop front, new Accoya timber doors with glazing panels to match existing doors and profiles, new Accoya timber window frames and mullions to reinstate traditional moulding and details and Victorian style awnings and external pendant lighting.
22	2022/0271	77-79 Duke Street Barrow	Reinstatement of traditional shop front
36	2022/0289	Abbey House Hotel Abbey Road	Application for works to trees subject of Tree Preservation Order 2013 No.1 including the felling of up to 42 trees as per Schedule (Amended description)
48	2022/0290	179 Abbey Road Barrow	The proposal is for the conversion of the private residential property and guest bedrooms into a single House of Multiple Occupation (HMO) with single Sui Generis use class. The HMO is intended for a maximum of 13 persons (amended description).

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DEVELOPMENT MANAGEMENT

PLANNING COMMITTEE

12th July 2022

DEFERRED BOOK

PLANNING APPLICATION FOR DECISION

Deferred from meeting-14th June 2022

Ladies and Gentlemen,

The applications within this report have been submitted for determination under the Town and Country Planning Acts and associated legislation.

All applications in this report are “Delegated” to this Committee but can be moved “Non-Delegated” by a Member of the Committee under the terms adopted for the Scheme of Delegation approved by Council, 16th May, 1994. Any such motion needs to be accepted by a majority of Members of the Committee present (Council, 8th August, 1995). All applications left as Delegated will be decided by the Committee and will not be subject to confirmation by Council.

The application plan numbers also refer to files for the purposes of background papers.

Any member of the public who wishes to ask a question, make representations or present a deputation or petition at this meeting should apply to do so by no later than 12 noon, three working days before the date of the Planning Committee meeting. Information on how to make the application can be obtained by viewing the Council's website www.barrowbc.gov.uk or by contacting the Planning Business Support Team at consultplanning@barrowbc.gov.uk or by telephone on 01229 876405..

Jason Hipkiss

Head of Development Management

B18/2022/0291
Planning Committee
14/06/2022



Application Number : B18/2022/0291	Date Valid :12/04/2022
Address : Furness Abbey, Abbey Approach, Barrow-in-Furness, Cumbria, LA13 0PJ	Case Officer : Maureen Smith
Proposal : Installation of a statue in memory of Sir John Laing	
Ward : Newbarns Ward	Parish : N/A
Applicant : Mr David Laing, HM Lord-Lieutenant of Northants	Agent : Mr William Assheton, GSSArchitecture
Statutory Date : 07/06/2022	Recommendation : Planning Permission be GRANTED subject to conditions
Barrow Planning Hub	

Relevant Policies and Guidance

Full details of the policies listed below are included in the appendix

Local Plan Policies

1. Barrow Borough Local Plan 2016-2031 - Policy DS1 - Council's commitment to sustainable development
2. Barrow Borough Local Plan 2016-2031 - Policy DS2 - Sustainable Development Criteria
3. Barrow Borough Local Plan 2016-2031 - Policy DS5 - Design
4. Barrow Borough Local Plan 2016-2031 - Policy HE1 - Heritage Assets and their setting
5. Barrow Borough Local Plan 2016-2031 - Policy HE3 - Listed Buildings
6. Barrow Borough Local Plan 2016-2031 - Policy HE4 - Conservation Areas
7. Barrow Borough Local Plan 2016-2031 - Policy HE6 - Scheduled Ancient Monuments and Archaeological Assets

Summary of Main Issues

The application was deferred at the previous meeting as Members took a contrary view to the officer recommendation. This updated report assesses Members concerns against Plan policy and the potential to defend a refusal at Appeal. The merits of the case remain as per the original report.

Non Material Considerations

N/A

Response to Publicity and Consultations**Neighbours Consulted****Street Name**Abbey Approach
Holker**Properties**Abbey Manor, Abbey Vale,
Estates Office,

Responses	Support	Object	Neutral
3	0	2	1

Organisations Consulted**Consultee**

Barrow Borough Council (Building Control)
 Cumbria County Council (Archaeology)
 English Heritage
 Heritage Trust For The North West
 Historic Buildings & Places
 Historic England (North West)
 Joint Committee of the National Amenity Society

List of Organisation Responses

14/04/2022

Cumbria County Council (Archaeology)

"Thank you for consulting me on the above application.

Whilst the proposal is modest in its scope, it will impact upon the legally protected scheduled monument of Furness Abbey. The applicant will need to seek scheduled monument consent from Historic England for the statue. I therefore recommend that Historic England are consulted on the planning application and I defer to any forthcoming comments that they may make.

Please do not hesitate to contact me if you have any queries regarding the above."

13/04/2022

Historic England (North West)

"Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request"

Officers Report

1.Proposal Details

Installation of a statue in memory of Sir John Laing

2.Relevant History

No history revealed for this location

3.Officer Assessment

3.1 This report follows on from the previous reports which were tabled at the May and June planning committee. Following deferral in May, Members were able to visit the site prior to the June meeting and having considered representations, committee resolved that they were minded to refuse the application. In line with the Constitution, the application was deferred to this meeting to allow officers to consider the Members views and to offer further advice as to the merits of those concerns.

3.2 Members had suggested that the application be refused for the following reasons:

- (i) the proposal would conflict with Local Plan policy DS2 criteria (g);
- (ii) the proposal would be contrary to Local Plan Policy DS5;
- (iii) an alternative site had not been considered that would be less harmful (such as the Amphitheatre or Abbotswood).

4. Assessment

4.1 Policy DS2 covers sustainable development criteria and advises that where possible all proposals should meet all of a series of criteria (a-m), taking into account the scale of development and magnitude of impact and any associated mitigation. Criteria (g) relates to *"contributing to the enhancement of the character, appearance and historic interest of related landscaped, settlements, street scenes, buildings, open spaces, trees and other environmental assets"*. The policy continues *"where the applicant demonstrates that one or more of the criteria cannot be met, they must highlight how the development will contribute towards the achievement of the Local Plan objectives by alternative means."*

4.2 In this case the scale of the development is minor and the magnitude of impact was assessed by the case officer as negligible but potentially beneficial. The Policy acknowledges that there will be cases where not all criteria will be met and since public art is often a subjective area, conformity with criteria (g) in this case, has to be a matter of planning judgement. Members may be of the view that the proposal does not contribute to the enhancement of the character, appearance and wider historic interest of the related landscape or open space.

4.3 Policy DS5 seeks to encourage good design. It requires that *"new development must be of a high quality design, which will support the creation of attractive, vibrant places. Designs will be specific to the site and planning applications must demonstrate a clear process that analyses and responds to the characteristics of the site and its context"*. Relevant criteria relate to: *"(a) integrating with and where possible conserving and enhancing the character of the adjoining natural environment; (b) conserving and enhancing the historic environment, including heritage assets and their setting; (k) incorporating public art where it is appropriate to the project and where it can contribute to design objectives"*.

4.4 Again, the subjective nature of public art means that whether the proposal is of a high quality design and supports the creation of an attractive place, or not, is in the eye of the beholder to some extent. The chosen sculptor was Jim Butler (recently deceased) whose figurative works have included prominent national figures including Richard III, Lillie Langtry and the Queen Mother among other well known historical figures. This may give Members a degree of comfort as to the design quality, although it is not the role of the planning authority to act as an art critic but to confine itself to planning considerations. On this basis the objection received in relation to art quality cannot be given weight, and should not form the basis of any reason for refusal.

4.5 In terms of criteria (a), the proposal has been carefully sited within a landscaped backdrop such that it would be partially screened and as such it can be assessed as integrating within the landscape. The scale in a wider context is minimal and when considered locally it should provide a focal point of interest alongside the cafe and Abbey. Any landscape impact is considered minimal given the scale of the statue, and that it is within a heavily planted area, thus avoiding a more open position which may be considered to be more harmful. Members will need to be quite clear as to how they consider the proposal to be contrary to this criteria in order for a case to be built, especially in light of the relatively small scale of the proposal.

4.6 Criteria (b) covers conserving and enhancing the historic environment; again, this is a matter of planning judgement. The Courts have determined that "conserving" simply means not causing harm or having a neutral impact. It could be argued that the setting could be enhanced by the provision of public art which adds interest and enables the Abbey to be appreciated by more visitors. In this respect, the D&A Statement confirms the family's belief that the success of the Laing Group can be attributed to its founder and his inspirational moment at the Abbey. Such a link may seem tenuous in the wider historic context of the Abbey, but it does offer a positive human story, albeit a snapshot in the long history of the Abbey, that would be a talking point for visitors.

4.7 Alternatively, Members may be of the view that the sculpture has a negative impact on setting and does not conserve or enhance the historic environment. Criteria (k) encourages the provision of public art, although Members may be of the view that the Laing project does not contribute to any design objectives. Again, clarity from Members will be needed on this point, as any hint of subjectivity would not be considered favourably at an Appeal.

4.8 In relation to Members suggested reason (iii) above, this type of project does not require any sort of sequential test. Consequently it would be difficult for the Council to refuse the application on the basis that alternative sites have not been considered, since there is no policy requirement to assess other locations in this case. In addition, where consideration of alternative sites is required this generally means that they are readily available and meet the requirements of the applicant. The Planning Authority has no knowledge of whether other sites are readily available, and given the potential cost of commissioning bespoke public art there would need to be a degree of site security in this case. In addition, an alternative site may not meet the applicant's requirements in terms of their family connection with the Abbey site. Nonetheless, your officers have suggested that the applicant considers alternative sites to try and overcome the concerns of Members.

Other considerations

4.9 One issue is the consideration of precedent. Your officers have, over the years, tried to encourage the provision of public art in development schemes with some limited success and it may become harder to encourage this type of planning gain in the future. Several sculptures have been approved over the years, most recently at the end of the Bay Cycle Way at Sandy Gap on the boundary of Duddon Estuary RAMSAR, Morecambe Bay SAC and Duddon Estuary SSSI; College House (Willie Horne) which falls within the conservation area, Dalton Rd/Portland Walk, and on Cavendish St/Duke Street corner which falls within the conservation area.

5. Conclusions

On the basis of the above, your officers are of the view that a planning case for refusal on the basis of reasons (i) and (ii) above could be developed but would not be easy to defend at Appeal. A reason for refusal on the basis of reason (iii) would be very difficult to defend at appeal and is not recommended. Overall, the chances of appeal success are judged as low in this case and, should the Authority be proven to have acted unreasonably, there is potential for an award of costs against the Authority.

6. Recommendation;

A. My original recommendation that planning permission should be GRANTED subject to the stated conditions in the previous report, still stands.

However, should Members resolve that the application be REFUSED then;

B. That the following reasons for refusal be given on Members behalf:

1. The proposal would conflict with Policy DS2 of the Barrow Borough Local Plan 2016-2031, Sustainable Development Criteria, and in particular criteria (g) which requires proposals to contribute to the enhancement of the character, appearance and historic interest of related landscapes, settlements, street scenes, buildings, open spaces, trees and other environmental assets.

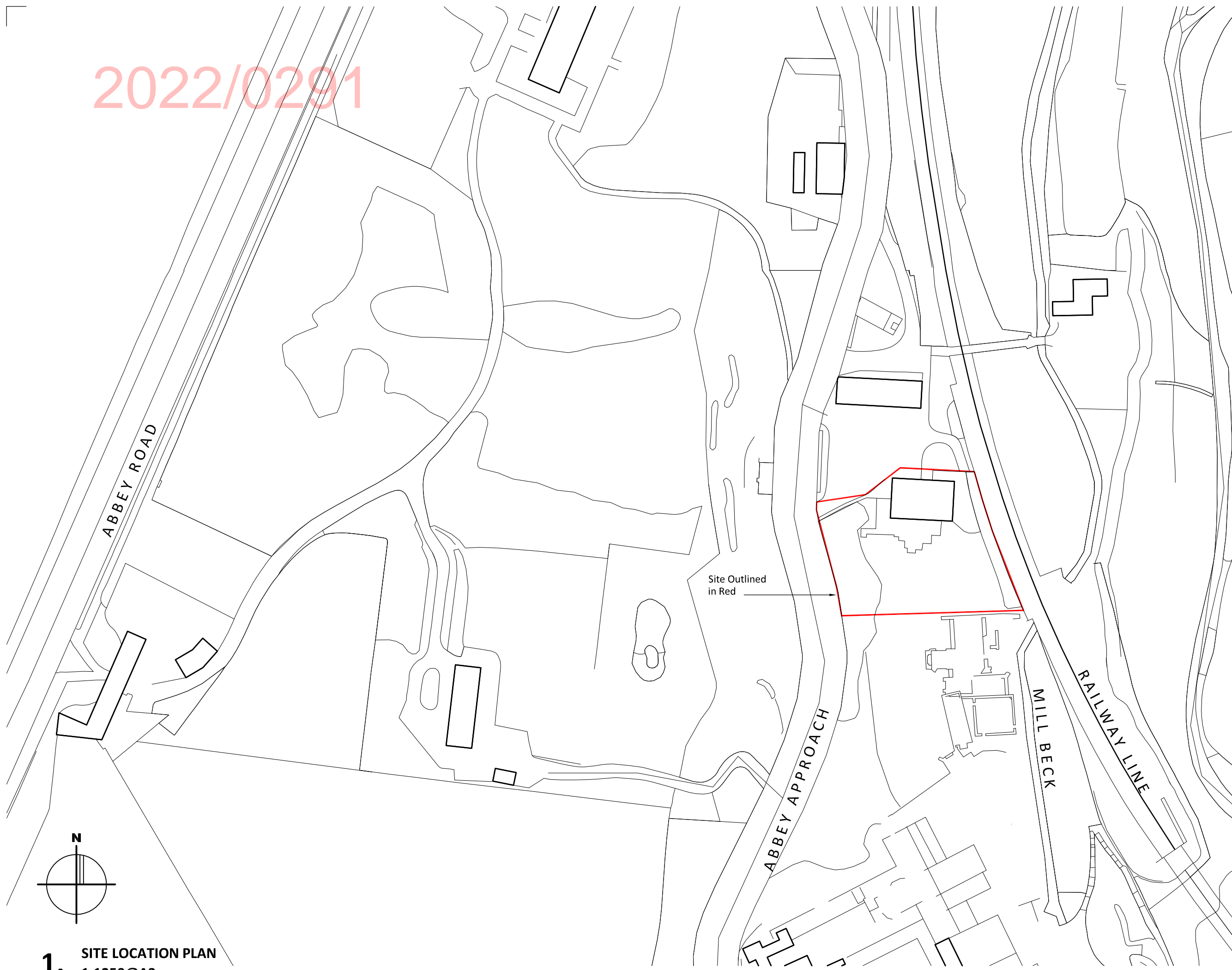
2. The proposal would conflict with Policy DS5 of the Barrow Borough Local Plan 2016-2031 Design, which requires planning applications to demonstrate a clear process that analyses and responds to the characteristics of the site and its context. In relation to this Policy, the proposal would not serve to conserve and enhance the historic environment, including heritage assets and their setting and the provision of this piece of public art does not contribute to any design objectives for the site or area.

2022/0291

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Site Outlined in Red

Rev. Date Drawn Checked Description

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PRELIMINARY ISSUE

Project Title:

Statue of Sir John Laing,
Furness Abbey

Client:

David Laing Foundation

Drawing Title:

Site Location Plan

File Number: L084A

Drawn By: JPW

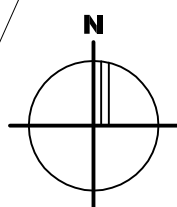
Checked By: JPW

Scale@A3: 1:1250

Date: 04/04/22

Dwg No: S01

Rev:



1. SITE LOCATION PLAN
1:1250@A3

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