



**To: Members of the Barrow in Furness Local Area Planning Committee**

# Agenda

Dear Member

## **BARROW IN FURNESS LOCAL AREA PLANNING COMMITTEE**

A meeting of the Barrow in Furness Local Area Planning Committee will be held as follows:

**Date:** Tuesday 12 March 2024  
**Time:** 10.00 am  
**Place:** Drawing Room, Barrow Town Hall

Linda Jones  
Chief Legal and Monitoring Officer  
Westmorland and Furness Council

Enquiries and requests for supporting papers to:  
Sandra Kemsley, Democratic Services Officer  
Direct Line:  
Email: [Sandra.Kemsley@westmorlandandfurness.gov.uk](mailto:Sandra.Kemsley@westmorlandandfurness.gov.uk)

## **MEMBERSHIP**

Cllr T Assouad  
Cllr F Cassidy  
Cllr D Edwards  
Cllr L Hall

Cllr A Husband (Chair)  
Cllr B McEwan (Vice-Chair)  
Cllr J Murphy  
Cllr D Taylor

## **ACCESS TO INFORMATION**

### Agenda and Reports

Copies of the agenda and Part I reports are available for members of the public to inspect prior to the meeting. Copies will also be available at the meeting.

The agenda and Part I reports are also available on the Westmorland and Furness website

<https://westmorlandandfurness.moderngov.co.uk/ieListMeetings.aspx?Committeed=775>

# AGENDA

## 1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

## 2. MEMBERSHIP

To receive details of any changes in membership.

## 3. DECLARATIONS OF INTEREST/DISPENSATIONS

To receive declarations of interest by Members of interests in respect of items on this Agenda, and to consider any dispensations.

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.

## 4. EXCLUSION OF PRESS AND PUBLIC

To consider whether the press and public should be excluded from the meeting during consideration of any item on the agenda.

## 5. MINUTES OF THE PREVIOUS MEETING

To receive the minutes of the previous meeting held on 13th February, 2024 (copy enclosed) (Pages 5 - 10)

## 6. PUBLIC PARTICIPATION

Any Member of the public who wishes to make representations relating to an item on the agenda for this meeting should apply to do so no later than 0:01am (one minute past midnight) three working days before the date of the meeting. Anyone wishing to make representations to this meeting should contact the officer named on the front of the agenda, providing a written summary of the issues they intend to raise

## 7. PLANNING APPLICATIONS

To determine the following planning applications:-

**Former Methodist Church and attached Sunday School, Wellington Street, Dalton-in-Furness** - Conversion of former Methodist Church into 4 no, two bedroom apartments and 1 no, one bedroom apartment; conversion of attached former Sunday School into 2 no, three bedroom terraced dwelling houses (2023/0256).

**1 Brighton Street, Barrow-in-Furness** - Change of use from residential dwelling (C3) to a 8 Person HMO (Sui Generis) and erection of dormer window to rear (2023/0739).

(Pages 11 - 66)

## 8. URGENT ITEMS

To consider any urgent items of business.

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## **WESTMORLAND AND FURNESS COUNCIL BARROW IN FURNESS LOCAL AREA PLANNING COMMITTEE**

Minutes of a Meeting of the **Barrow in Furness Local Area Planning Committee** held on Tuesday, 13 February 2024 at 10.00 am in the Drawing Room, Barrow Town Hall

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### **PRESENT:**

Cllr T Assouad  
Cllr F Cassidy  
Cllr D Edwards  
Cllr B McEwan (Vice-Chair)  
Cllr J Murphy

### **Officers in attendance:**

Jason Hipkiss (Development Services Manager), Maureen Smith (Principal Planning Officer) and Sandra Kemsley (Democratic Services Officer).

### **Also in attendance:**

Ian Blinkho (Locum Solicitor)

## **PART I ITEMS CONSIDERED IN THE PRESENCE OF THE PUBLIC AND PRESS**

### **69. APOLOGIES FOR ABSENCE**

Apologies for absence had been submitted from Councillor Husband (Chair) and Councillor D. Taylor.

### **70. MEMBERSHIP**

There were no changes in membership.

### **71. DECLARATIONS OF INTEREST/DISPENSATIONS**

There were no declarations of interest.

### **72. EXCLUSION OF PRESS AND PUBLIC**

RESOLVED:- That the press and public not be excluded during consideration of the items on the agenda.

### **73. MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 19th December, 2023 were agreed as a correct record.

### **74. PUBLIC PARTICIPATION**

Mr Rawdon Gascoigne, Emery Planning (Agent) attended the meeting and addressed the Committee.

### **75. PLANNING APPLICATION NO. B07/2023/0652 - LAND SOUTH OF LEECE LANE, BARROW-IN-FURNESS**

From Mulberry Homes Ltd in respect of the full application for residential development comprising 19 dwellings with landscaping biodiversity enhancements and associated works including access, car parking and SUDS (resubmission of B07/2022/0653) on land south of Leece Lane, Barrow-in-Furness as shown on planning application number 2023/0652.

Representations received and the results of consultations were reported.

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

Mr Rawdon Gascoigne (Agent) attended the meeting and addressed the Committee.

A letter from Emery Planning requesting that the application be deferred had been circulated to Members prior to the meeting.

Additional responses from the Local Highway Authority and Environment Agency had been included in the Extra Information Booklet 1.

A Revised Landscape Plan (Rev K) had been included in the Extra Information Booklet 2.

It was moved by Councillor Hall and seconded by Councillor Assouad, and

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

1. The development does not deliver the high quality design required by the Local Plan, National Design Guide and Code and by contemporary national guidance, including the NPPF, and fails to present a coherent and consistent project across the submitted plans and supporting documents, to demonstrate a clear process that analyses and responds to the characteristics of the site and its context adjacent to a green wedge and rural landscape. The application fails to demonstrate a clear process for considering the design-led sustainability of the scheme in respect of promoting the well-being and living conditions of its future occupants

throughout the life of the development. There is an absence of a cohesive design strategy to achieve the well-designed and beautiful place required by the Framework, rather it appears tightly packed and cramped, utilises standard dwelling types, with inadequate dysfunctional parking arrangements, a lack of identifiable public open space, including play space, and it would fail to compliment the adjacent Green Wedge. The result is a scheme which appears to be based on quantity rather than quality or good urban design principles, and lacking assimilation into the context of the area. In addition, the proposal fails to meet requirements in terms of energy efficiency and designing out crime. The layout, form and scale of buildings is not based on an understanding of the existing situation, including patterns of built form as well as the local vernacular and the development of the south side of Leece Lane and other precedents that contribute to local character, to inform the form, scale, appearance, details and materials of the new development. By virtue of these concerns, approval of the proposal would conflict with Local Plan policies DS2, DS5, DS6, C5, HC5, HC10, N1, H7 and H9 the aims of the National Design Guide and Code and the ethos of the NPPF in relation to design quality and achieving well designed and beautiful places.

2. The proposed car parking is insufficient to serve the development, poorly sited and unlikely to function well in practice and there is a lack of visitor parking. The National Design Guide (NDG) sets out that well-designed parking is attractive, well-landscaped and sensitively integrated into the built form so that it does not dominate the development or the street scene. The National Model Design Code identifies that the arrangements for parking can have a major impact on the quality of a place both visually and in terms of how it is used, particularly by pedestrians. The proposed parking does not meet the aims of these documents or advice set out within the Cumbria Design Guide and conflicts with the aims of Local Plan policy I6 and H24.
3. Notwithstanding the acceptance that the site is relatively remote and may be reliant on cars to some extent, insufficient provision has been made available for cycle parking and safe storage to encourage sustainable travel to and from the site. This would conflict with the aims of the NPPF around sustainable travel and policy I4 of the Local Plan.
4. The development does not demonstrate a net gain in biodiversity and it is unclear how this is to be addressed. As such approval would be contrary to Local Plan policy C3a, DS2, DS5, GI1, N3, N4, the Council's 'Biodiversity and Development SPD' and the aims of the NPPF in relation to Biodiversity.
5. The development does not include adequate surveys carried out at the correct time of year in relation to Protected Species and this would conflict with national guidance around protected species, policy N3 of the Local Plan and approval would mean that the Local Planning Authority is not meeting its statutory functions.

6. There is no evidence to show that the proposed affordable units meet the requirements of a registered provider, or the local need, and the affordable housing is not well integrated within the development in conflict with National Design Guide advice that affordable dwellings should be well-integrated and designed to the same high quality to create tenure neutral homes and spaces, where no tenure is disadvantaged. There is the potential for an adverse impact on the future occupiers and their level of amenity because of the poorly sited car parking and potential noise and disturbance, alongside a poor outlook for the future residents of Plots 8 and 9. It is therefore unclear whether the development will comply with Local Plan policy H14 and the Affordable Housing and Developer Contributions SPD.
7. The proposed green infrastructure does not achieve the design quality required by the Local Plan and Draft Green Infrastructure SPD. The limited green space to the entrance does not provide a focal setting for the development but appears as a narrow, residual area which would not deliver a sense of spaciousness or reduce the visual impact of the development and the proposal is poorly related to the Green Wedge. In addition no LAP or LEAP is shown in accordance with the Council's Affordable Housing and Development Contributions SPD, the Fields and Trust guidance and Policy HC10 of the Local Plan. Approval of the proposal would conflict with Local Plan policies DS2, DS5, GI1, GI2, GI3, GI5, GI6 and HC10.
8. The drainage design while relying on ground infiltration lacks a holistic approach to the delivery of SUDs, green infrastructure and biodiversity enhancement. The Environment Agency does not believe that the use of infiltration SuDS is appropriate in this location and has raised concerns that the previous landfill use of the site presents a risk of contamination to controlled waters that could be mobilised by surface water infiltration from the proposed SUDs. Controlled waters are particularly sensitive in this location because the development overlies a former landfill, located upon a secondary aquifer B and is near Mill Beck. As a result they believe that it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution. There is insufficient evidence from the ground investigation and risk assessment to approve any soakaway system. This risk of pollution has not been addressed within the applicant's submission and without further evidence approval of the proposal would be contrary to Local Plan policies C3a, DS5, and GI1.
9. Whilst a development which delivers predominantly larger house types is not necessarily considered to be contrary to Local Plan policy H11, the scheme is considered overly reliant on 4 and 5 bedroomed properties and fails to demonstrate how the proposed selection of dwellings meets local housing need as required by policy H11 or would be suitable in design terms for this particular site.



## **76. HOUSE IN MULTIPLE OCCUPATION (HMO) BRIEFING NOTE**

Following the request from Members at the meeting on 19th December, 2023 the report explained the background to applications for change of use to a House of Multiple Occupation (HMO) and the implications of appeal decisions.

RESOLVED:- To note the contents of the report.

## **77. APPEAL DECISION - CHAIRMAN'S WALK, BARROW-IN-FURNESS**

The report set out the appeal decision from the Planning Inspectorate for planning application 2023/0469 – Advertisement consent for the conversion of a poster display hoarding to digital on the advertising site to the south of Chairman's Walk, Barrow-in-Furness.

The appeal had been dismissed and the Council's reasons for refusal had been upheld.

RESOLVED:- To note the report.

## **78. URGENT ITEMS**

There were no urgent items for consideration on this occasion.

The meeting ended at 10.42 am.

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## **DEVELOPMENT MANAGEMENT**

### **PLANNING COMMITTEE**

#### **FOR DECISION**

**12<sup>th</sup> March 2024**

Ladies and Gentlemen,

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

*Jason Hipkiss*

**Head of Development Management (Barrow)**



<b>Application Number</b> : B13/2023/0256	<b>Date Valid</b> :05/06/2023
<b>Address</b> : Former Methodist Church and attached Sunday School, Wellington Street, Dalton-in-Furness, Cumbria, LA15 8AN	<b>Case Officer</b> : Maureen Smith
<b>Proposal</b> : Conversion of former Methodist Church into 4 no, two bedroom apartments and 1 no, one bedroom apartment; conversion of attached former Sunday School into 2 no, three bedroom terraced dwelling houses	
<b>Ward</b> : Dalton North Ward	<b>Parish</b> : Dalton Town with Newton Parish Council
<b>Applicant</b> : Lee Davies	<b>Agent</b> : Mr Ian Whalley, Lakeland Architectural
<b>Statutory Date</b> : 31/07/2023	<b>Recommendation</b> : <b>Permission be Granted with conditions</b>
<a href="#">Barrow Planning Hub</a>	

## 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 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 H7 - Housing Development on Windfall Sites
6. Barrow Borough Local Plan 2016-2031 - Policy I2 - Protecting Community Facilities
7. Barrow Borough Local Plan 2016-2031 - Policy HE1 – Heritage Assets and their setting

## **Summary of Main Issues**

The key issues relate to the principal of conversion, impact upon the non designated heritage assets, impact upon residential amenity, the quality of the proposed design and likely traffic impact.

## **Non Material Considerations**

### **Response to Publicity and Consultations**

The application has been advertised by site notice and immediate neighbours have been contacted by letter.

#### **Neighbours Consulted**

**Street Name**  
Wellington Street

**Properties**  
22,

<b>Responses</b>	<b>Support</b>	<b>Object</b>	<b>Neutral</b>
4	0	4	0

4 individual representations have been received raising all or some of the following concerns:

- The property should be kept as a church for the public
- parking will be an issue
- cars could park illegally causing a risk of accidents
- there could potentially be 7 more vehicles, or 14 if 2 car families
- nearby car parks at Nelson Street and Lime Street are already at capacity
- there will be increased congestion for school, health and leisure centre traffic

## **Organisations Consulted**

### **Consultee**

Barrow Borough Council (Building Control)  
Barrow Borough Council (Estates)  
Barrow Borough Council (Planning Policy)  
Barrow Borough Council (Public Protection Services)  
Cumbria County Council (Emergency Planning)  
Cumbria County Council (Highways)  
Cumbria Fire and Rescue - Planning Consultations (5 dwellings +)  
Dalton With Newton Town Council  
Environment Agency (Contamination, Flood and Pollution)  
Historic Environment Officer - Archaeology  
United Utilities (Planning Liaison)

### **List of Organisation Responses**

06/06/2023

#### **Building Control - 06/06/2023**

"Building regulation approval required for the proposals."

#### **Public Protection-29/2/23**

No concerns. The construction management plan is acceptable as well as its contents.

As an advisory, the skip located in the rear street will need to be permitted.

03/07/2023

#### **Cumbria Fire and Rescue - Planning Consultations (5 dwellings +)**

Comment re access for emergency vehicles.

17/07/2023

#### **Dalton With Newton Town Council - 13/07/2023**

Objected to this application as considered that the proposed development is unsuitable for the existing building and an over intensification of properties within the Town Centre. In addition, additional vehicles associated with the conversion into dwellings will exacerbate existing problems with parking which are likely to occur.

06/06/2023

**Emergency Planning - Joint Emergency Management and Resilience (JEMR) Team - 06/05/2023**

No objections to the proposed development but note that the proposed development is situated within the potential inundation area for Harlock and Poaka Beck Reservoirs. These Reservoirs falls under the Water Framework Directive and has a prepared off site emergency planning.

Advise the applicant to liaise with this office to allow for further discussion.

29/02/2024

**Emergency Planning - Joint Emergency Management and Resilience (JEMR) Team (in response to Environment Agency query)**

Confirm that they are unable to provide advice on evacuation plans, but would encourage the applicants to register with the EA flood warning systems and to receive Met Office weather warnings.

15/06/2023

**Environment Agency (Contamination, Flood and Pollution) - 14/07/2023 (original response)**

Objected to application in the absence of an acceptable flood risk assessment (FRA) and recommend that planning permission be refused. Advice given on content of FRA and how to overcome objection.

22/11/2023

**Environment Agency (Contamination, Flood and Pollution) - 22/11/2023. (further comments following submission of FRA)**

Objection removed and some informative comments given.

Now satisfied that most of the points raised in earlier letter have been satisfactorily addressed.

Note the limitations of the existing architectural constraints and that the principal means of flood resistance, which would usually be the raising of internal floor levels above the design flood level together with internal resilience measures, cannot be fully achieved in this instance. The safeguards to protect from fluvial flooding are therefore predicated on the incorporation of flood resilient building design and the proactive deployment of flood gates.

These measures are detailed in Section 5 - Summary on page 19 of the FRA and should be secured by implementation of the FRA as an approved document.

Note that apartments 2 and 3 do not have a first floor for safe refuge from a flood event. This means that they would have nowhere to move possessions to in the event of a flood.

Recommend consultation with emergency planners and the emergency services to confirm the adequacy of the evacuation proposals.

06/06/2023

**Estates Department - 06/06/2023**

No comments

27/06/2023

**Highways and Lead Local Flood Authority - 27/06/2023**

No objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

Advisory statement - lack of on-site parking and amenity impact on local residents  
The lack of off-street parking provided with the development will lead to additional demand for on-street parking in an area where there is existing pressure on spaces in the Residents Parking Zone.

Therefore, in accordance with current CCC policy, the occupiers of these flats/apartments/houses would not be entitled to residents parking permits for this area.

Advise parking regulations are constantly under review.

12/06/2023

**Historic Environment Officer - Archaeology - 12/06/2023 (original response)**

Advises that the former Wesleyan Methodist Chapel proposed for conversion dates to 1864 with an attached former school of 1868. Its design is Neo-Gothic with a rose window and a sandstone surround to the front door. In 1873, the chapel had seating for a congregation of 450. The chapel and school are considered to be of local architectural and historical interest and, although any sympathetic scheme that secures their long-term use is to be supported, it is inevitable that the proposed conversion will have an impact on their character and internal historic fabric.

Recommends that, in the event planning consent is granted, an archaeological building recording programme be undertaken in advance of conversion work. This recording should be in accordance with a Level 2 Survey as described by Historic England in *Understanding Historic Buildings A Guide to Good Recording Practice*, 2016 and secured by attaching a condition to any planning consent and I suggest the following form of words:

Prior to the carrying out of any construction work the existing buildings affected by the proposed development shall be recorded in accordance with a Level 2 survey as described by Historic England's document *Understanding Historic Buildings A Guide to Good Recording Practice*, 2016. Within 2 months of the commencement of



construction works a digital copy of the resultant level 2 survey report shall be furnished to the Local Planning Authority.

Reason: to ensure that a permanent record is made of the buildings of architectural and historical interest prior to their alterations as part of the proposed development.

20/10/2023

**Historic Environment Officer - Archaeology - 20/10/2023. (further comment following submission of building recording report)**

Confirms that the submitted building recording report provides a very good record of the buildings and that it fulfils the requirements of the condition previously recommended. No longer considers the condition previously recommended necessary.

**Officers Report**

**1.Site and Locality**

1.1 The application relates to a former Methodist church and attached Sunday School building which occupy an end terrace position on the junction of Wellington Street and Chapel Street. The Methodist Church was constructed in 1864 as a detached building. The Sunday School was then added in 1868 as an infill development between the Methodist Church and 22 Wellington Street. The properties are not listed or within the conservation area, however their age and evidential value can class them as non designated assets.

1.2 The Wellington Street building has been extensively modified internally subsequently and it is understood that the large balcony was taken out of use in the late 1970's, a false ceiling installed, and in 1997 the pews, screens and large pulpit were removed to form a more spacious multi-use building. Further work on the entrance area was undertaken some 5 years later to produce a coffee area and toilets. When the Methodist and URC congregations came together in Dalton, it was agreed that the cost of maintaining 2 ageing buildings would need to be addressed. Both the Methodist and URC premises were in need of refurbishment and it was decided to retain and refurbish the URC building in Market Street. In 2016 they became an ecumenical partnership with the United Reformed Church and the Wellington Street church was closed, with parishioners moving to the Market Street building.

1.3 The application site has no external curtilage and the area is predominantly residential in character made up of the grid-iron terraced streets which run northwards from Market Street. The buildings retain some attractive detailing, including dressed limestone and sandstone finishes, stained glass and tracery and arched window heads.

## **2.Proposal Details**

2.1 This application is for the conversion of the former Methodist Church into 4 no, two bedroom apartments and 1 no, one bedroom apartment together with the conversion of the attached former Sunday School into 2 no, three bedroom terraced dwelling houses.

2.2 The application site has an overall area of 437m<sup>2</sup>, with the internal ground floor area of the Methodist church measuring 226m<sup>2</sup> and the first floor 137m<sup>2</sup> and the Sunday school occupies an internal floor area of 152m<sup>2</sup> over a single storey. The Methodist church is to be converted into 4no. 2 bedroom apartments, each 78m<sup>2</sup> in internal floor area and 1 no 1 bedroom apartment measuring 64m<sup>2</sup> in internal floor area. The Sunday school is to be converted into 2 no 3 bedroom terraced dwellings, each 140m<sup>2</sup> internally. Given that the properties have no external curtilage, internal ventilated bin storage areas have been incorporated, together with internal cycle parking, including charging for electric bikes.

2.3 External alterations are minimal and involve replacement windows and the reinstatement of two former blocked up openings to the rear elevation.

### **Reason for reporting to committee**

2.4 The application is reported to committee due to an objection from Dalton Parish Council.

### **Other**

2.5 Delays have taken place with the application in seeking design and heritage improvements and an extension of time has been agreed.

## **3. Relevant History**

3.1 **No history revealed for this application**

## **4. Officer Assessment**

### **National Guidance**

4.1 The NPPF seeks to encourage sustainable development and requires development that is sustainable to be approved without delay. It also promotes good design with recent amendments giving more emphasis on the need for "beauty" or "beautiful places".

4.2 In terms of heritage, Paragraph 209 advises: "*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect*

*non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*

4.3 In terms of highway impact, Paragraph 115 advises: "*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.*"

### **Relevant Local Plan Policies**

4.4 Key relevant Local Plan policies are Policy H7: Housing Development and D5: Design.

### **Supplementary Planning Guidance**

4.5 The Cumbria Design Guide and National Design Guide are relevant material considerations.

### Principle of the Development

4.6 Policy H7 supports residential development within the built-up area of Dalton, so the application is acceptable in principle subject to conformity with other Local Plan policies. All of the criteria within Policy H7(Housing Development) should be met, including the relevant design, heritage and energy efficiency requirements. This is addressed further below with commentary in italics:

### **Policy H7 - Housing Development on Windfall Sites**

4.7 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;

*The site is within the built up area of Dalton.*

b) Site planning, layout and servicing arrangements are developed comprehensively;

*not relevant-relates to a conversion scheme*

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;

*not relevant-relates to a conversion scheme*

d) An acceptable standard of amenity is created for future residents of the property in terms of sunlighting, daylighting, privacy, outlook, noise and ventilation;

*Proposals comply*

e) The site is served by a satisfactory access that would not impact unduly on the highway network;

*not relevant-relates to a conversion scheme*

f) The site has been designed to promote accessibility by walking, cycling and public transport, as opposed to the private car;

*The site is in a sustainable location with good access to public transport and cycle parking facilities are included.*

g) The development is sustainable in its energy usage, environmental impact, drainage, waste management, transport implications and is not at risk of flooding;

*Energy efficiency measures are included and an FRA has been submitted.*

h) The capacity of the current and proposed infrastructure to serve the development is adequate taking into account committed and planned housing development;

*The proposal is a modest conversion to 7 dwellings and can be served by existing infrastructure.*

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);

*The proposal is a modest conversion to 7 dwellings and can be served by existing infrastructure.*

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;

*not relevant*

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;

*not relevant*

l) The proposal will not harm the historic environment, heritage assets or their setting;

*compliant*

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

*Addressed elsewhere in this report.*

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.

*The proposal relates to conversion of existing buildings.*

#### Existing Use and Fall-back position

4.8 Class F.1 covers learning and non-residential institutions and within this Class (f) includes use in connection with, public worship or religious instruction and so the Methodist Church and Sunday School would fall within this class. Permitted changes of use within Class F could include any use not including residential use:

(a) for the provision of education (which would include a school);

(b) for the display of works of art (otherwise than for sale or hire);

(c) as a museum;

(d) as a public library or public reading room;

(e) as a public hall or exhibition hall;

(g) as a law court.

4.9 All of these uses would generate vehicular traffic and on street parking in the form of visitors, staff, servicing and potentially deliveries. Cumulatively, they would all have greater parking generation than the proposed residential use and this would be the "fallback position".

#### Highways and Transport

4.10 The site relates to a former Methodist church and attached Sunday School. The church is understood from historic records to have been constructed with capacity for 450 people and the Sunday School would also have attracted a degree of footfall. It is understood that the Sunday School was used for the annual town flower and vegetable show and other community activities; again all of these would have had a

parking demand, exacerbated by the fact that the property has no off street car parking.

4.11 In addition, the nature of that previous use would have included weddings, funerals, christenings and gatherings to which a number of people would have been arriving at the same time in vehicles, whereas a residential use has much less car parking demand and follows a more sporadic pattern.

4.12 The authorised use as a church and Sunday school could re-commence tomorrow and the Planning Authority would have no control over the car parking generated. In addition, it is also worth noting that the Use Classes Order would allow the change of the properties to a range of uses as set out above without the need for planning permission; all of these uses would generate vehicular movements and additional pressures on on-street parking, including staff, deliveries etc.

4.13 Whilst there are a number of objections around car parking and traffic, including from the Parish Council, it is worth highlighting that in terms of the range of uses the properties could be used for residential use tends to be at the lower end of traffic generation particularly for the modest scale of development proposed.

4.14 The Highway Authority have raised no objection commenting that: "*it is considered that it will not have a material effect on existing highway conditions*" and the NPPF in Paragraph 111 advises that "*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*". Impact is not considered to be severe and given the context of the fall-back position and the authorised use, a reason for refusal on highway grounds is not judged to be sustainable. There is also the potential that a refusal of consent for residential use would only lead to an even more intensive use in the future which could generate more vehicles to the site, or potentially even a demolition and new build scheme (which would result in the loss of the historic buildings). Furthermore, doing nothing is not an option; some sort of use needs to be found before the site falls into dis-repair (such as the scenario at Combe House) and every use will have some sort of parking demand.

4.15 In addition, the agent has submitted a Transport Statement which confirms that the proposed layout includes space for internal cycle storage, including charging for electric bikes and that all occupiers will be equipped with a sustainable travel information pack which will include information on bus routes, the nearest train station etc.

#### Drainage and Flood Risk

4.16 The site falls within flood zone 3 and a Flood Risk Assessment has been submitted.

4.17 Poaka Beck is the closest watercourse to the site and poses the greatest risk of flooding with a risk of fluvial flooding. As a result, the FRA sets out a series of mitigation measures.

4.18 The Environment Agency note that since the proposals relate to a conversion scheme, any mitigation is designed with the limitations of the existing architectural constraints. As a result, the principal means of flood resistance, which would usually be the raising of internal floor levels above the design flood level together with internal resilience measures, cannot be fully achieved in this instance. The safeguards to protect from fluvial flooding are therefore predicated on the incorporation of flood resilient building design and the proactive deployment of flood gates.

4.19 These measures are detailed in Section 5 - Summary on page 19 of the FRA and can be secured by implementation of the FRA as an approved document and conditioned.

4.20 Whilst it is noted that apartments 2 and 3 do not have a first floor for safe refuge from a flood event, the occupants would be notified by flood warnings. Emergency Planning have been consulted on this aspect at the Environment Agency's request, and confirm that they are unable to provide advice on evacuation plans, but would encourage the applicants to register with the EA flood warning systems and to receive Met Office weather warnings. They have also commented on adjacent reservoirs and the standard informative is proposed.

4.21 The Lead Local Flood Authority (LLFA) have no objection commenting that the proposal will not increase the flood risk on the site or elsewhere and we are very much guided by them in this regard.

#### Impact on residential amenity

4.22 In terms of residential amenity, there are 2 aspects to consider: the likely level of amenity for the proposed occupants and that of any adjacent residents.

(i) The submitted plans show that a good standard of amenity should result for proposed residents and whilst there is no dedicated outdoor amenity space, this is typical of the tight-knit grain in the area and any potential residents would be aware of this. Amended plans have been submitted to show sound proofing between floors and enlarged rooflights for the first-floor rooms to the former Sunday School which are reliant on rooflights.

(ii) In terms of impact on adjacent residents, the proposals are potentially beneficial in terms of reduced comings and goings and potential noise and disturbance. Amended plans show additional sound proofing to the party wall between the conversion and the adjacent terraced property, No 22 Wellington Street.

4.23 In terms of impact on the adjacent residents, I have judged this to be modest. In general, existing openings are to be re-used and whilst the proposed conversion does not meet the normal 21m separation distance for new builds, the high

density of the area means that it cannot be achieved. Alongside this, overlooking or loss of privacy is unlikely to be made materially worse by the proposal.

4.24 Another source of possible noise and disturbance to neighbours could be during the construction phase. This is typically addressed through a Construction Management Plan condition, normally discharged once a contractor is appointed, to cover aspects such as working hours, parking of contractors, deliveries to the site etc. Helpfully, the applicant has submitted an Outline Construction Management Plan to show how these matters might be addressed giving details of working hours, dust and noise mitigation, parking for deliveries and the likely position of a skip.

#### Loss of community facility

4.25 Policy I2 relates to Protecting Community Facilities, advising that Community facilities that serve the requirements of local people and which are accessible by walking, cycling and public transport will be protected.

4.26 Community facilities which benefit the less mobile and which promote health and wellbeing will be given particular protection.

4.27 The policy advises that the loss of such facilities will only be permitted where:

- There will continue to be satisfactory provision of that type of facility elsewhere in the local area; or
- It has been demonstrated that there is a need to relocate the facility; or
- It has been demonstrated that there is no longer a need or demand for the facility in the local area; or
- It has been demonstrated that continued operation of the facility would not be viable and / or it has been demonstrated that funding is not available to keep the facility in operation; or
- The facility will be replaced with a use where the benefits clearly outweigh the loss of the facility.

4.28 In this case, however, the church is understood to have closed in 2016, when the decision was taken by the diocese to utilise the URC premises on Market Street, and it is considered that there is a satisfactory provision of this type of facility elsewhere within Dalton. The church and Sunday school have been vacant for a number of years and there appears to be no demand for this type of facility. A reason for refusal on the basis of Policy I2 could not be justified.



## Heritage impact

4.29 The properties are not listed and fall outside of the Dalton Conservation Area so are not designated heritage assets.

4.30 However, they would class as non-designated assets due to their age, architectural, aesthetic and evidential value. The NPPF requires that the effect of an application on the significance of non-designated heritage assets should be taken into account in determining the application; this sits alongside the Framework aims of sustaining and enhancing the significance of heritage assets, putting them to viable uses consistent with their conservation and the desirability of new development making a positive contribution to local character and distinctiveness.

4.31 Historic England Advice Note 7 notes that non designated heritage assets (NDHAs) can be identified in a number of ways, including during decision making on applications. Paragraph 203 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement is required having regard to the scale of any harm and the significance of the asset.

4.32 In terms of NDHAs, a Planning Authority (LPA) is only required to carry out a simple weighing exercise of those material matters. Any impact (which carries no statutory duty on behalf of the LPA) should be considered against the merits of the whole application including the new development (in this case the conversion to 7 residential units). It is for the LPA to apply what weight it considers appropriate to those material matters in its decision, as long as it is reasonable in doing so.

4.33 In this case, due to their evidential, architectural and social interest, it is considered that the church and Sunday School are of local interest and can class as non designated heritage assets. The buildings also meet some of the criteria for the Local Heritage List for Cumbria, including their asset type, as well as their authenticity and historic interest. As buildings whose value is limited to the immediate locality, however, within a national context they are considered to be of low significance.

4.34 The works will retain the buildings and there will be limited harm to the external fabric and the interior has already been eroded in significance somewhat by changes over the years. The agent has worked with us to develop proposals which minimise external alterations and are more sensitive to the historic character and whilst there will be change, bringing the buildings back into use helps to safeguard them for future generations. An historic building recording has already been completed at our request and this offers some mitigation for the limited harm.

4.35 Unlike with designated heritage assets, the LPA is only required to consider impact on non designated assets of local significance as part of a simple planning balance exercise. If a positive balance can be achieved, then the proposal will meet the objective of Chapter 16 of the NPPF and would be in accordance with Local Plan policy on heritage.

4.36 In the context of the historic environment the church and former Sunday school demonstrate a number of common architectural features such as their materials and construction techniques. They are both of modest scale presenting good examples of local vernacular architecture and the fact that they served the local community demonstrates their local communal value.

4.37 The proposals are welcomed in bringing the non designated assets back into use, revealing more information about their past through the building recording and minimising external interventions. The applicant has worked with us to achieve a sensitive series of interventions and the use of PVC has now been replaced with accoya wood for window frames and former blocked openings to the rear are re-instated with arched window heads. The principal stained glass window is retained, stonework and plaster work is to be repaired, plastic downpipes are to be replaced with cast iron, stonework is to be repaired and the slate roof insulated and repaired with matching slate and redundant signage removed so some aesthetic improvement should result.

4.38 The Building Recording report is very thorough and interesting reading and the Council's Historic Environment Officer is content that it provides a very good record of the buildings and fulfils the requirements of the condition previously recommended.

## Design

4.39 The National Design Guide, recent changes to the NPPF and our own design policies (in particular Policy DS5) seek to encourage good design and design has never been more in the spotlight for planning as it is now. As mentioned, the applicant has worked with us to secure design and heritage improvements and the submitted scheme should result in a good quality of design.

4.40 At our request, the existing arched openings and double width entrance door are now retained as these are important architectural features and our previous concerns about the proposed interventions to the former Sunday School fenestration being too domestic in appearance are now overcome. In addition, the need to upgrade the windows for thermal efficiency, has been addressed in a much more sympathetic way than using white PVC frames which would be completely alien to the building's character. The use of accoya is now proposed which would provide a much more environmentally friendly and durable solution as well as being sympathetic to the historic buildings. The detailing of the frames has also been given careful thought; at our suggestion using structural glazing bars, putty pointing and white spacers with slimline heritage double-glazing, with some modest alteration to the transom pattern to take account of new floors; the frames are also set back in the same deep reveal from the front face of the building. The retention of the feature

stained glass window is also welcomed as is the use of conservation rooflights and repairs to the stone tracery.

4.41 The retention of the wide front door to the former Sunday School would meet policy requirements in terms of accessibility and lifetime homes as well as from a design and heritage consideration.

4.42 Policy DS5 is the key here in setting out various design criteria, requiring new development to be of a high quality design including: (a) conserving and enhancing the historic environment; (h) exhibiting design quality in using materials appropriate to the area; (n) mitigating against the impacts of climate change.

4.43 The various criteria are addressed below with our assessment in italics:

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

*Not relevant*

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

*This is well considered in the amended plans and the proposals now seek to conserve and enhance the historic buildings.*

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

*The proposals seek to convert existing buildings.*

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

*not relevant*

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;

*The proposal relates to a modest conversions scheme rather than a new build. The needs of cyclists are addressed.*

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

*not relevant*

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

*not relevant*

h) Exhibit design quality using design cues and materials appropriate to the area, locally sourced wherever possible;

*A good standard of design should result.*

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;

*not relevant*

j) Create layouts that are inclusive and promote health, well-being, community cohesion and public safety;

*met*

k) Incorporate public art where this is appropriate to the project and where it can contribute to design objectives;

*not relevant*

l) Ensure that development is both accessible and usable by different age groups and people with disabilities;

*Considered under the Building Regs, although wide accesses are incorporated.*

m) Integrate Sustainable Drainage Systems of an appropriate form and scale;

*Mains drainage proposed.*

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

*Energy efficiency methods incorporated.*

o) Ensuring that new development avoids creating nesting sites for gulls e.g. through the provision of appropriate roof pitches.

*The proposal relates to a conversion of existing buildings. No evidence of nesting sites identified.*

## Ecology

4.44 A bat survey has been undertaken and notes that the buildings have low potential for use by bats and that no indications of use by bats were found; no further surveys were recommended. A mitigation strategy is outlined to ensure that the welfare of the local bat population is maintained during and following works and this can be addressed by condition.

## Energy Efficiency

4.45 Policy DS5, also referenced above, seeks energy and water efficiency and Policy C5 requires new development to promote the use of energy efficiency methods and materials; all new development is encouraged to incorporate renewable energy production equipment, such as photovoltaics. In this case a solar inset PV system is proposed, sensitively hidden within the inner M-shaped roof slope of the former Sunday school, so as well as providing energy efficiency it will be hidden from public view.

## Comment on representations received

4.46 A number of representations have been received in relation to parking issues on the street and this has also been raised by the Parish Council who also have concerns that the use is over-intensive. Whilst this is not surprising with this type of application, this is addressed in more detail above and it is important to remember that any fall-back position could see the site used for a variety of more traffic generating uses.

4.47 In terms of the Parish Council comment about the use being over-intensive, archive records referenced by the Historic Environment Officer and the archaeological consultant show the church as having capacity for 450 people. In addition, unlike an application for HMO-type accommodation which can often be numbers driven and focused on achieving the maximum number of small room sizes, the submitted application is not density driven and is relatively modest in scale.

## **5. Conclusions**

5.1 The proposal is acceptable and brings non-designated heritage assets of local interest back into use and this is welcomed as a way of securing their future. The amended plans show a sensitive approach to the conversion; whilst much is dependent on the skills of the developer a good quality development should result which will help to meet the Council's housing targets. Energy efficiency, bin and cycle storage measures are incorporated together with a host of repairs and

maintenance measures which should help bring the properties back to their former glory and indicative construction management measures are included.

5.2 Whilst local concerns have been raised around car parking, the authorised and other permitted uses are likely to have a greater impact than the current application. The Highway Authority, who the LPA is very much guided by on these matters, have raised no objection. It is therefore considered that a reason for refusal on these grounds could not therefore be substantiated or defended at appeal. The proposal is considered to be sustainable development which meets the requirements of national and local plan policy and approval is recommended with the conditions below.

## **6. Recommendation**

6.1 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 shall be carried out and completed in all respects in accordance with the application dated as valid on 5.6.23 and the hereby approved documents defined by this permission as listed below, except where varied by conditions attached to this consent:

Location plan and site plan Ref 1225/01

Proposed NW and SW elevations Drawing Ref 1225/12

Proposed SW elevation Drawing Ref 1225/13

Proposed NE elevation Drawing Ref 1225/14

Proposed sections Drawing Ref 1225/11

Proposed Roof plan Drawing Ref 1225/15

Proposed ground floor layout Drawing ref 1225/09

Proposed first floor layout Drawing ref 1225/10

Outline construction management plan Drawing ref 1225/17

Bat survey by Envirotech Ref 8633 Version 1 and the mitigation measures set out in Section 9.2

Transport Statement Ref 1225/TS and the proposed mitigation measures set out therein

Flood Risk Assessment Ref 2328/Rev PO2 and the proposed mitigation measures

set out in Section 4.3

Archaeological Building Recording by Greenlane Archaeology Dated October 2023

**Reason**

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

***During Building Works***

**3.** Any internal insulation to be installed shall ensure that the "breathability" of the external walls is retained and enabled to function without impediment.

**Reason**

In order to safeguard the historic buildings and to ensure that any insulation installed does not lead to future potential damage from damp, mould or decay due to a lack of "breathability".

***Before Occupation***

**4.** Prior to the beneficial occupation of any part of the development hereby approved, the solar PV system shown on the approved plan in condition 2 above (Ref 1225/15) shall be installed in full and made available for use and shall thereafter be maintained in accordance with manufacturer instructions and be available for use for the lifetime of the development.

**Reason**

In the interests of energy efficiency and to support the objectives of Barrow Borough Local Plan Policy C5

**5.** Prior to the beneficial occupation of any part of the development hereby approved, the cycle parking provision shown on the approved drawing in condition 2 above (Ref 1225/09) shall be installed in full and thereafter retained for the lifetime of the development.

**Reason**

In the interests of encouraging sustainable travel as advocated by the NPPF and Policy I4: Sustainable Travel Choices of the Barrow Borough Local Plan

**6.** Prior to the beneficial occupation of any part of the development hereby approved, the soundproofing as detailed on the approved plans in condition 2 above shall be installed and permanently retained. There shall be no variation to this without the prior written express consent of the Planning Authority.

**Reason**

In order to safeguard the amenity of future occupiers and adjacent residents.

### ***Operational Conditions***

7. The roof lights hereby permitted shall be conservation style flush fitting and shall thereafter be so maintained and shall not be glazed or re-glazed other than with non-reflective glass

#### **Reason**

In order to safeguard the special architectural and historic interest of the buildings.

8. The refuse bins for the approved development shall be stored within the designated areas of the properties as shown on the approved plan in condition 2 above (plan ref 1225/09) with all refuse and bins stored in no other location unless otherwise agreed in writing with the Planning Authority.

#### **Reason**

In order to protect the residential amenities of the area.

9. Other than the window alterations hereby approved in the approved plans in Condition 2 above, there shall be no future change of window frames to an alternative material, or removal of the stained glass feature gable windows to the north west and south east elevations without the prior express written consent of the Local Planning Authority.

#### **Reason**

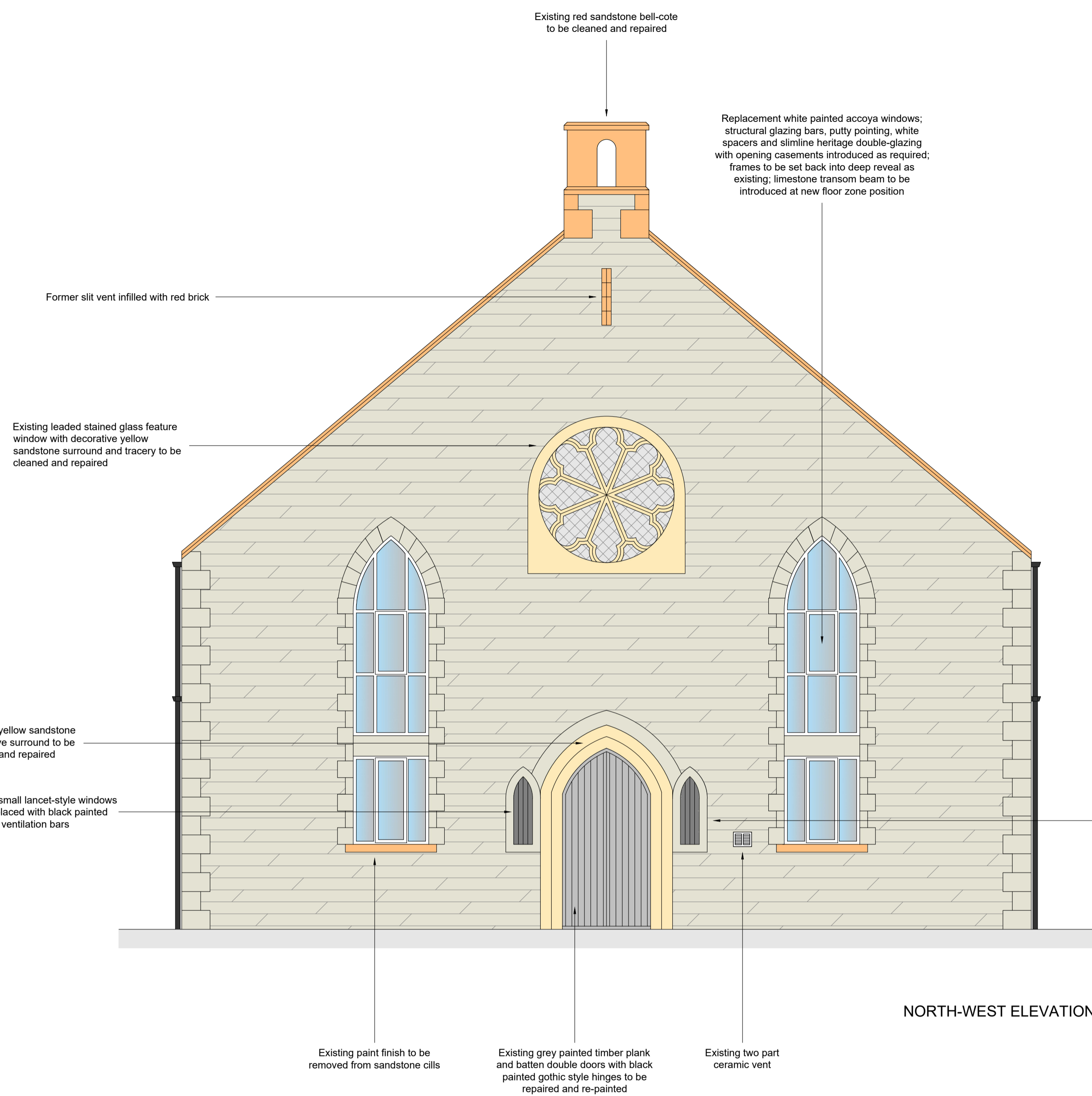
In order to safeguard the special architectural or historic interest of the buildings as non designated heritage assets and in the interests of good design and the visual amenity of the area.

### ***Informative***

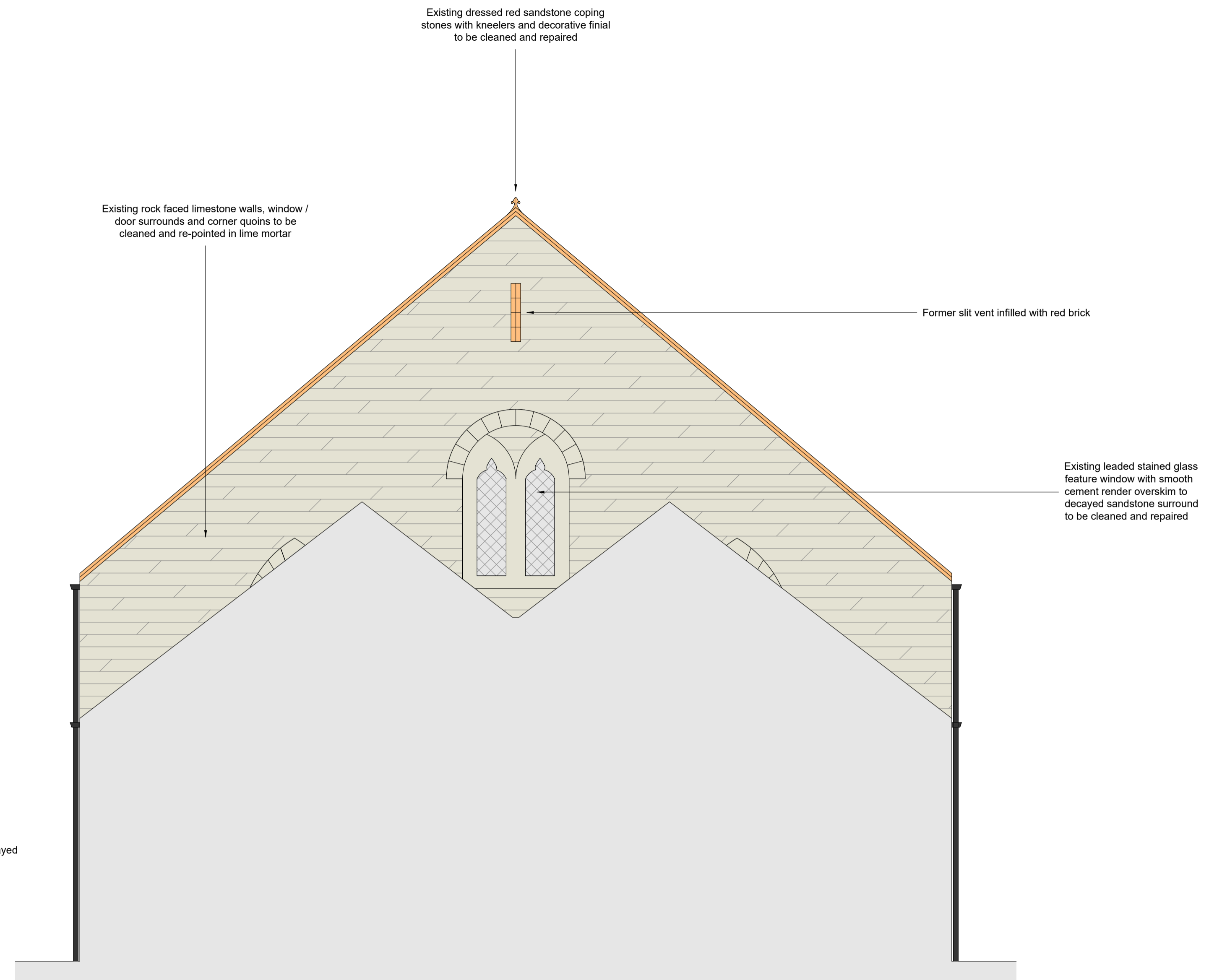
- Please note that any additional external alterations required under the Building Regulations may also require prior planning consent. Please speak to the Planning Officer before any such works are carried out
- This development may require approval under the Building Regulations. Please contact your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



- The proposed development is situated within the potential inundation area for Harlock and Poaka Beck Reservoirs. These Reservoirs fall under the Water Framework Directive and have a prepared off site emergency plan. The applicant is advised to liaise with the County Council Emergency Planning office to allow for further discussion of available information: Senior Emergency Planning Officer, Resilience Unit, Cumbria County Council, Cumbria Fire & Rescue HQ, Carleton Ave, Penrith , Cumbria , CA10 2FA
  - Due to the site being located within a Flood Zone, applicants and future residents are encouraged to register with the Environment Agency flood warning systems and to receive Met Office weather warnings.
-



NORTH-WEST ELEVATION



SOUTH-EAST ELEVATION

34

GENERAL NOTES	
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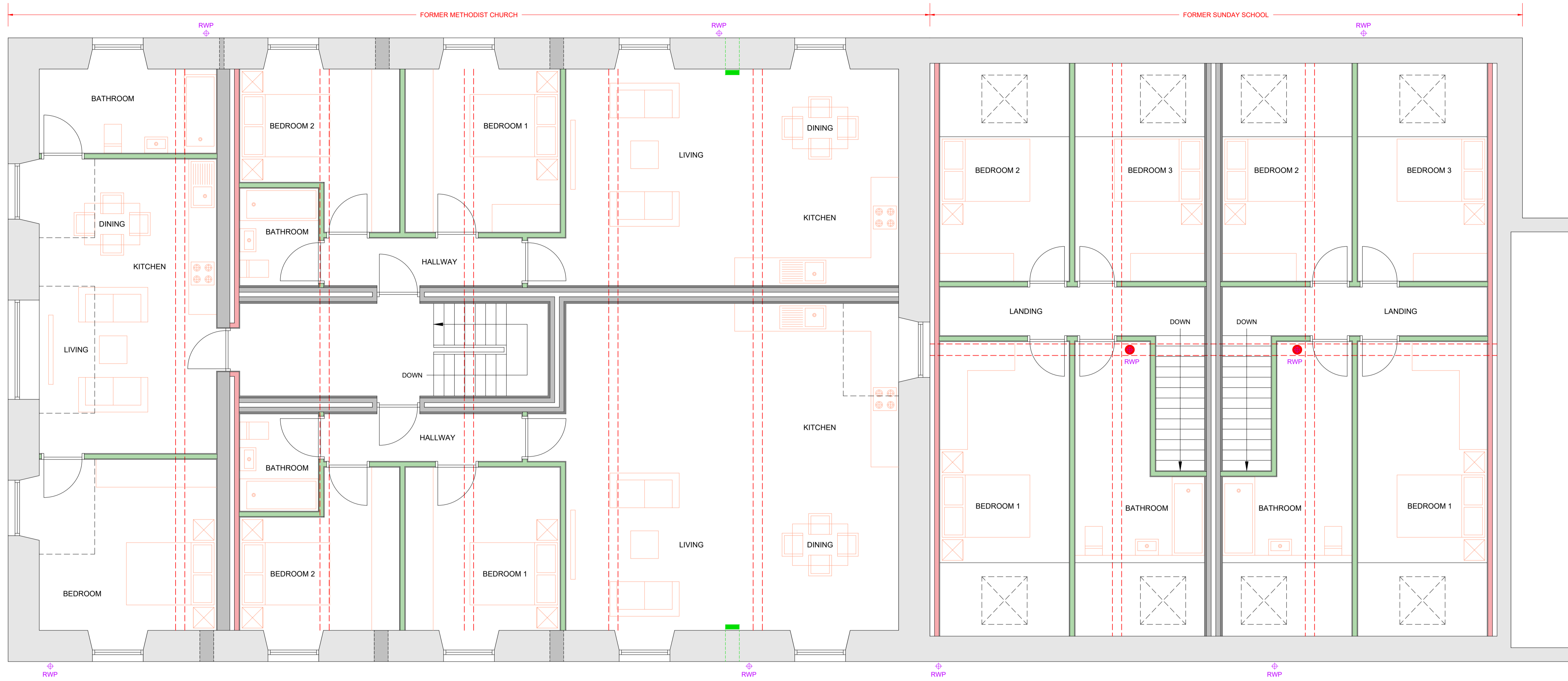


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**PROPOSED CONVERSION**

FORMER METHODIST CHURCH & SUNDAY SCHOOL  
WELLINGTON STREET  
DALTON-IN-FURNESS  
CUMBRIA LA15 8AN

PLANNING	DATE: 16-02-2024
PROPOSED NORTH WEST & SOUTH EAST ELEVATIONS	
DRAWING: 1225 / 12	REV: SCALE: 1:50 @ A1



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GENERAL NOTES	
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KEY	
	Existing timber beam / truss
	Existing thin sheet metal wall vent cover
	Existing wall vent
	New black painted cast iron downspout
	Existing memorial plaque (relocated)
	New boiler
	Type 1 acoustic wall treatment
	Type 2 acoustic wall treatment
	Timber stud partition
	New masonry wall / infill



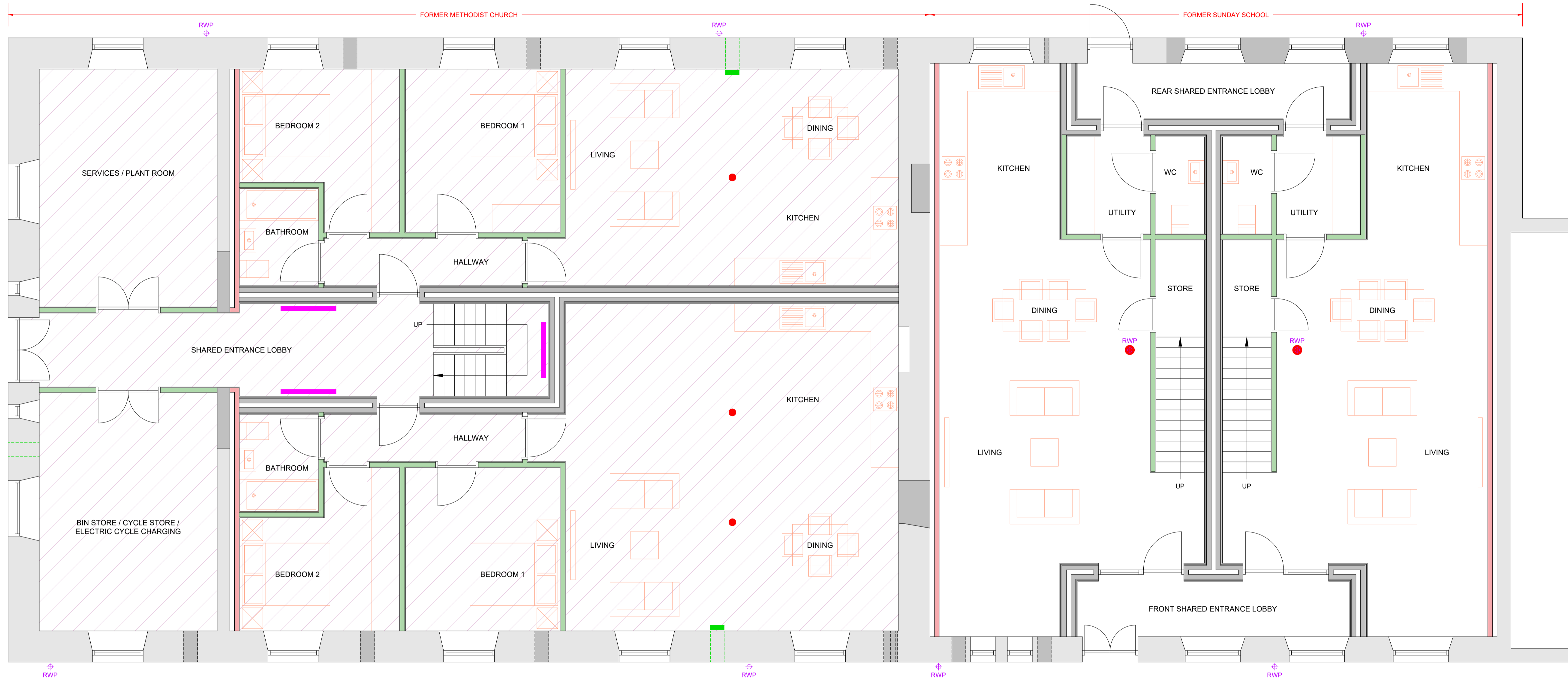
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**PROPOSED CONVERSION**

FORMER METHODIST CHURCH & SUNDAY SCHOOL  
WELLINGTON STREET  
DALTON-IN-FURNESS  
CUMBRIA LA15 8AN

PLANNING	DATE: 16-02-2024
PROPOSED FIRST FLOOR LAYOUT	
DRAWING: 1225 / 10	REV: SCALE: 1:50 @ A1





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GENERAL NOTES	
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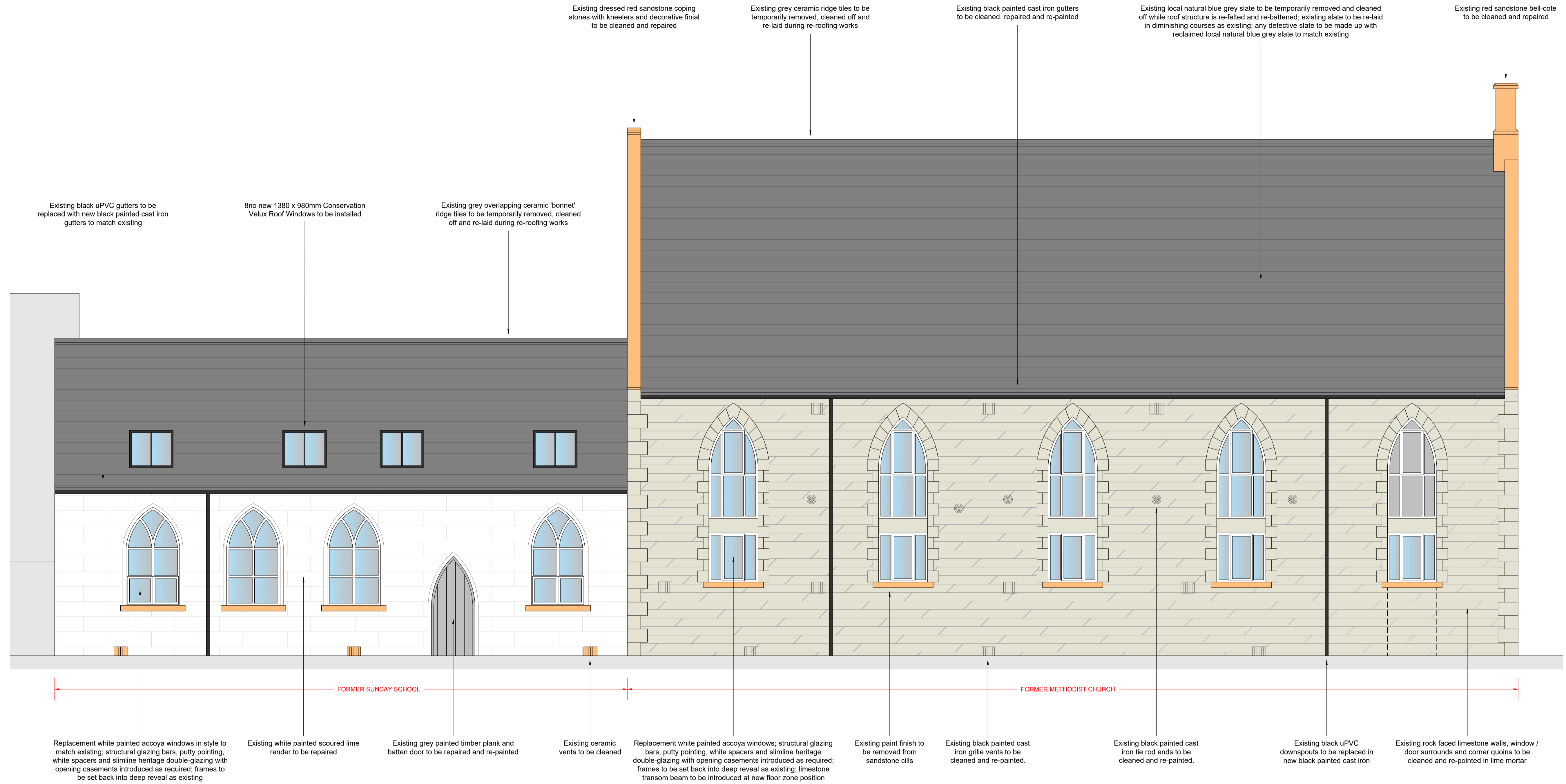
KEY	
<span style="color: red;">●</span>	Cast iron steel column (relocated)
<span style="color: green;">—</span>	Existing thin sheet metal wall vent cover
<span style="color: green;">- - -</span>	Existing wall vent
<span style="color: purple;">⊕</span>	New black painted cast iron downspout
<span style="color: magenta;">—</span>	Existing memorial plaque (relocated)
<span style="border: 1px solid blue; display: inline-block; width: 10px; height: 10px;"></span>	New boiler
<span style="background-color: #cccccc; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	Type 1 acoustic wall treatment
<span style="background-color: #cccccc; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	Type 2 acoustic wall treatment
<span style="background-color: #cccccc; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	Timber stud partition
<span style="background-color: #cccccc; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	New masonry wall / infill
<span style="background-color: #cccccc; border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	Type 1 acoustic floor treatment (above)



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**PROPOSED CONVERSION**  
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WELLINGTON STREET  
DALTON-IN-FURNESS  
CUMBRIA LA15 8AN

PLANNING	DATE: 16-02-2024
PROPOSED GROUND FLOOR LAYOUT	
DRAWING: 1225 / 09	REV: SCALE: 1:50 @ A1



GENERAL NOTES	
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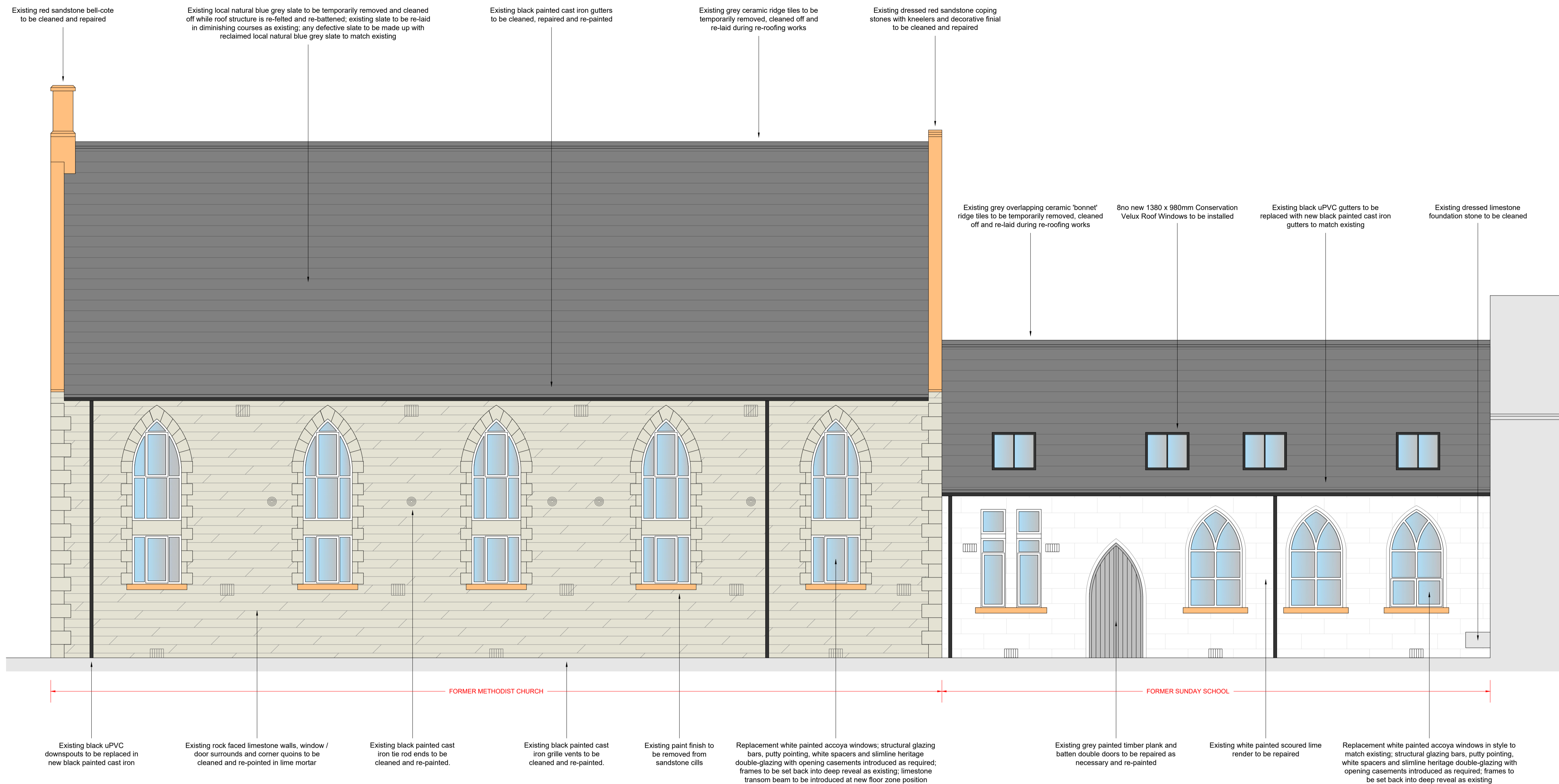


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PROPOSED CONVERSION

FORMER METHODIST CHURCH & SUNDAY SCHOOL  
WELLINGTON STREET  
DALTON-IN-FURNESS  
CUMBRIA LA15 8AN

<b>PLANNING</b>	DATE: 16-02-2024
PROPOSED NORTH EAST ELEVATION	
DRAWING: 1225 / 14	REV: SCALE: 1:50 @ A1



38

GENERAL NOTES	
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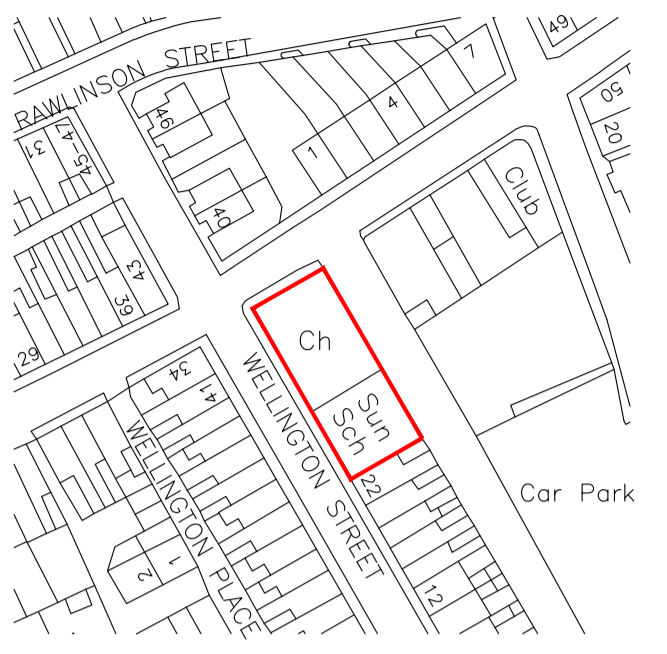
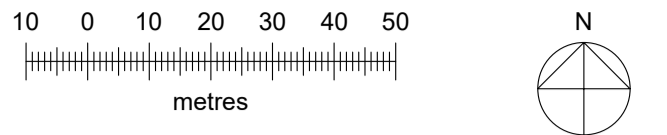


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PROPOSED CONVERSION  
 FORMER METHODIST CHURCH & SUNDAY SCHOOL  
 WELLINGTON STREET  
 DALTON-IN-FURNESS  
 CUMBRIA LA15 8AN

PLANNING	DATE: 16-02-2024
PROPOSED SOUTH WEST ELEVATION	
DRAWING: 1225 / 13	REV: SCALE: 1:50 @ A1



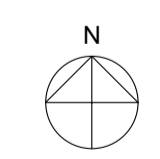


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LOCATION PLAN (SCALE 1:1250)



Communal secure shared access gates to Back Street consisting of fencing either side with central wide vehicular access gate and narrower personnel access gate within. Key access for Council and residents only.



SITE PLAN (SCALE 1:200)

**GENERAL NOTES**

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Comply with the Construction (Design and Management) Regulations 2015.

Liaise with the Building Control Department to ensure all work is inspected and approved prior to covering up.

Check all design details on site prior to the relevant work commencing with any errors or discrepancies reported immediately to the Designer. In the event that any errors or discrepancies are found, work should not continue until a solution has been found.

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**External Finishes**  
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**PROPOSED CONVERSION**  
 METHODIST CHURCH  
 WELLINGTON STREET  
 DALTON-IN-FURNESS  
 CUMBRIA LA15 8AN

PLANNING DATE: 16-02-2024

LOCATION PLAN AND SITE PLAN

DRAWING: 1225 / 01 REV: A SCALE: VARIES @ A1



<b>Application Number</b> : B20/2023/0739	<b>Date Valid</b> :22/11/2023
<b>Address</b> : 1 Brighton Street, Barrow-In-Furness, Cumbria, LA14 5HE	<b>Case Officer</b> : Jennifer Dickinson
<b>Proposal</b> : Change of use from residential dwelling (C3) to a 8 Person HMO (Sui Generis) and erection of dormer window to rear.	
<b>Ward</b> : Parkside Ward	<b>Parish</b> : Barrow Town Parish Council
<b>Applicant</b> : Mr Andrew Bartlett, Rivark Ltd	<b>Agent</b> : Mr A Lennard, Perfect Planning Architectural Services Ltd.
<b>Statutory Date</b> : 17/01/2024	<b>Recommendation</b> : <b>GRANTED WITH CONDITIONS</b>
<a href="#">Barrow Planning Hub</a>	

## **Relevant Policies and Guidance**

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

### **National Policies**

1. National Planning Policy Framework 2023 - Policy NPPF 011
2. National Planning Policy Framework 2023 - Policy NPPF 085
3. National Planning Policy Framework 2023 - Policy NPPF 115
4. National Planning Policy Framework 2023 - Policy NPPF 135

### **Saved Local Plan Policies**

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



6. Barrow Borough Local Plan 2016-2031 - Policy HC4 - Access to buildings and open spaces
7. Barrow Borough Local Plan 2016-2031 - Policy I6 - Parking

## **Summary of Main Issues**

The key consideration for this proposal is whether the development will accord with planning policy, including the impact upon residential amenity, both for existing adjacent residents and the proposed occupiers. Objections have been received from nearby residents, but this application has been called in for committee determination by a Councillor.

## **Non Material Considerations**

- The status of potential future occupiers
- Fire safety
- Effect on local house values
- Matters covered under other legislation, for example the standard of the HMO property management

## **Response to Publicity and Consultations**

### **Neighbours Consulted**

<b>Street Name</b>	<b>Properties</b>
Brighton Street	3,
Warwick Street	J Postlethwaite Limited,

<b>Responses</b>	<b>Support</b>	<b>Object</b>	<b>Neutral</b>
12	0	9	3

Site notice displayed expiring on 21.12.23

## **Summary of concerns raised in responses**

- Existing parking congestion in area due to lack of on-street capacity.
- Potential danger to pedestrians from additional parking requirements
- Potential increase in antisocial behaviour
- Potential cumulative impact from this development and potential future development of nearby former Church
- Impact on characteristic of neighbourhood which is currently known for family homes rather than high density rental accommodation
- Existing multiple HMOs in area
- Impact on house prices
- Internal plans represent significant over use of the available space
- Potential fire risks
- Impact on local foul drainage system

- Non-compliance with policy H26 (c) as represents over development
- Impact from increase in bins and recycling

## **Organisations Consulted**

### **Consultee**

Barrow Town Parish Council  
 Building Control  
 Cumbria Fire & Rescue Service  
 Emergency Planning - Joint Emergency Management and Resilience (JEMR) Team  
 HMO  
 Highways  
 Office for Nuclear Regulation (Nuclear)  
 Planning Policy  
 Public Protection Services

## **List of Organisation Responses**

12/12/2023

### **Cumbria Fire & Rescue Service - 11/12/2023.**

"From the plans submitted the developer must ensure that they comply with the requirements to allow emergency vehicles to access the buildings and provide water as per Approved Document B, Section 13, and section 14.13."

01/12/2023

### **Emergency Planning - Joint Emergency Management and Resilience (JEMR) Team - 01/12/2023**

"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."

21/12/2023

### **Highways - 21/12/2023.**

"Following consultation with highways colleagues, it is noted that the only proposed parking for this development is for 9 cycle spaces.

There are no parking restrictions in this area and should vehicle parking be part of the proposal, then this would cause a impact on existing parking in the area and the lack of off-street parking within this area too.

We would have no concerns if the cycle provision is used for parking, however if vehicles are to be used and there is no confirmation from the applicant regarding this, then we would recommend refusal.

Conclusion:

Inadequate information has been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of:

- a) off-street parking
- b) its effect on local traffic conditions and public safety

To support Local Transport Plan Policy: LD7, LD8"

23/01/2024

**Highways - 19/01/2024.**

"I've looked into the further submissions by the applicant and it is appreciated that they've made provision for 2 parking spaces on the frontage of the property. However, due to the area of the frontage, this may appear difficult to accommodate, so if the arrangement was to be 1 car on the frontage, that would be acceptable.

The location of the site to that of the nearby car parks located in the town and railway station is deemed acceptable and accessible, so the provision of use of these car parks would be welcomed.

Although we would have no objections to this arrangement, we would be mindful of the fact that the applicant is made aware of the parking situation by consulting with the applicants of the HMO who may be vehicle users."

29/11/2023

**Office for Nuclear Regulation (Nuclear) - 28/11/23.**

ONR has no comment on planning application reference: B20/2023/0739 as it does not meet ONR's consultation criteria:

**HMO Officer (WAF Barrow) - 20/02/2024.**

"These plans show the sizes of the bedrooms and living areas are satisfactory for the numbers of persons to be living in the property."

## **Officers Report**

### **1. Site and Locality**

1.1 The host property is a substantial end of terrace dwelling set to the south west of Brighton Street at the junction of Warwick Street. It is a two storey property with a basement level, rear garden amenity space, single storey rear extension, and off road parking to the front. It is set adjacent to a joinery workshop in Warwick Street and opposite the former Trinity Church. The site is set approximately 60m from the junction with Abbey Road, one of the main transport routes into town. The area is characterised largely by residential uses including a guest house at the junction with Abbey Road/Brighton Street, and a scattering of commercial uses.

### **2. Proposal Details**

2.1 Change of use from residential dwelling (C3) to a 8 Person HMO (Sui Generis) and erection of dormer window to rear.

2.2 The proposed property layout provides; on the ground floor 3 en- suite bedrooms and a kitchen/diner, on the first floor 3 en-suite bedrooms, and in the converted loft 2 en-suite bedrooms. Roof lights and two new second floor windows are proposed in both the front and rear gables serving the bedrooms in the loft. External amenity space is provided to the rear and off road parking for 1 vehicle to the front.

### **3. Relevant History**

3.1 No history revealed for this application

### **4. Officer Assessment**

#### Overview

4.1 The key consideration for this proposal is whether the development will accord with planning policy including impact on residential amenity, both for existing adjacent residents and the proposed occupiers. Objections have been received from nearby residents citing various reasons, some of which are not Material.

#### Principle of Development

4.2 The site is set within a high-density residential area consisting primarily of terraced properties within a grid-iron street pattern. In comparison to adjacent streets, Brighton Street consists of larger style terraced properties, in a mix of designs, some with 2 storey rear outriggers and all featuring forecourts and rear yards. There are a mix of commercial uses such as corner shops and a church with hall across the road from the site. The lawful use of the property is defined as

**C3 Dwellinghouses - *This class is formed of three part***

- *C3(a) covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child*
- *C3(b) covers up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems*
- *C3(c) allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger*

4.3 The principle of the proposed use within this residential area is considered acceptable.

#### Fall Back Position

4.4 Under the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) schedule 2, part 3, Class L , there is a Permitted change to a house in multiple occupation for up to 6 unrelated individuals which can take place without the control of the Local Authority.

4.5 It is the two additional occupiers of the property which triggers the need for planning permission. This is the starting point for the assessment of the impact from this proposal, in terms of identifying the acceptability of the change.

#### Relevant Policies and Guidance

4.6 Section 38(6) of the Planning and Compulsory Purchase Act 2004 also requires that “*where in making any determination under the planning Acts, regard is to be had to the development plan, and the determination shall be made in accordance with the plan unless material considerations indicate otherwise.*” The National Planning Policy Framework (NPPF) reaffirms the status of the Development Plan (currently legacy authority Barrow BC Local Plan) as the starting point for decision making.

4.7 In terms of National Planning Policy, paragraph 11 of the NPPF requires that development proposals that accord with an up-to-date development plan are approved without delay. When considering development plan policies, a key policy which relates to this type of proposed development is local plan policy H26 - Houses in multiple occupation. This sets criteria to assess applications against. Taking these in turn:

*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*

4.08 The applicant has advised the property has been listed for sale since 1st December 2022. He understands that there was only one interested party who offered on the property who was also an investor planning to convert it to a HMO, however due to the amount of work they could not get adequate funding. The property did not appear to interest families. Given that the property has been available for sale for over 12 months this is considered sufficient time to allow for a family to purchase it, should they wish.

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

4.09 This is a key consideration. Several objections have been received from neighbouring properties to the scheme. It is relevant to note that the property is an end of terrace unit rather than in a more central position.

### Privacy

4.10 There should be no impact on privacy to the neighbouring properties from the development. Any additional window openings created maintain existing privacy distances.

### Noise

4.11 Following the receipt of updated plans, these confirm that the wall between the attached neighbour and the site will be soundproofed to an acceptable level in line with requirements outlined by Building Regulations colleagues. This standard should be sufficient to ensure there is minimal impact from noise on the attached neighbour.

### Other disturbance

4.12 With regards to the potential for other disturbance, a supporting statement has been provided which explains the management plan for the premises. A local agent (JEM lettings) will manage the property. This explains that they ensure the right tenants go into the right houses and are efficient at getting issues resolved. They do weekly checks on the properties ensuring there are no issues in the properties and tenants are following rules and houses stay compliant (eg. fire alarm checks). They have a 24 hour emergency number for tenants as well as their general office hours that anyone can call them on. This should be sufficient to ensure there is minimal impact from the additional occupiers and, if any issues occur, are addressed efficiently.

4.13 There therefore should not be an unacceptable impact on residential amenity.

*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;*

4.14 The locality of the site is characterised largely by residential dwellings with a mix of additional uses including a church, guesthouse and local shops. This proposal is also a residential use within a residential property with modifications which could be carried out were it to remain a C3 dwelling. We do not know the level of car ownership future occupiers may have and this may fluctuate over time. If considering the worse case scenario, the key consideration here is whether the additional two people occupying the property compared to its lawful use could have an adverse impact on the character of the surrounding area. Brighton Street is characterised as a busy residential street given its proximity to Abbey Road which is a main route into town and is regularly used by vehicles and pedestrians to access nearby streets, shops and services. It is unlikely, given the nearby uses of the nearby Church and Guest House accommodation, that additional persons would have any perceivable adverse impact upon the character of the building or surrounding area, that could be quantified and subsequently justified as a reason for refusal.

4.15 The applicant has explained that the reason for selecting this site to develop is due to its close proximity to amenities and regular transport routes so they can be utilised by future occupiers to access nearby employers such as FGH or BAe.

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

4.16 During the processing of this application, following discussion with the applicant, revised plans have been received. Each unit will have access to an acceptable level of accommodation, each room has an en-suite, and the revised drawings show an improved internal shared amenity space consisting of a kitchen/diner. The HMO officer has also confirmed they are satisfied with the accommodation provided. This response related to an 8 bed 9 person HMO, although in its revised form this proposal is for 8 persons.

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

4.17 The proposal does not lead to this. Soundproofing is dealt with under the Building Regulations and is required between walls and floors within the property. This should ensure a sufficient standard of accommodation for future occupiers.

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

4.18 This is provided in the rear yard, with additional cycle racks shown in the basement.

*g) Outdoor amenity space is provided where possible;*

4.19 There is an outdoor amenity space to the rear of the house.

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

4.20 There is access from both the front and the rear.

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

4.21 When consulting our internal mapping system which shows licensed HMO properties (over 5 occupiers) there is not an over concentration of similar uses within the area. This has been tested at the recent Paradise Street appeal and dismissed by the Inspector.

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

4.22 The property is situated in a sustainable location for transport and community facilities.

### Parking

4.23 Local Plan policy I6 relates to parking. The Highway Authority have been consulted, and following submission of further information, raised no objection. There is not a residents parking scheme in place in the area. I have passed the residents concerns in the area to the relevant highways officer for further consideration.

4.24 Whilst this is the matter which has been raised as a concern by neighbouring properties, it is helpful to note the national planning policy framework paragraph 115 which is relevant to this. This states that 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. In this instance, as no objection from the Highway Authority has been received, it is not felt that the test of this paragraph is met to justify refusal on highways grounds. The context of the site is also a highly sustainable location close to transport links, including cycling and walking infrastructure.

### Design

4.25 Local plan policy DS5 places importance on good design. The erection of a dormer window to the rear, insertion of roof lights and creation of two new openings to serve these areas are considered acceptable and to accord with policy. The position of the dormer to the rear should have minimal visual impact on the street scene and will be viewed in the context of other rear dormer conversions within the locality. When considering the fall back position which is also relevant, were the property to remain a residential dwelling then these changes could be carried out without the need for express planning permission under permitted development.



## Renewable Energy

4.26 Local plan policy C5 encourages applicants to maximise the design of properties to include energy efficient methods and reduce its impact on the environment whilst encouraging the use of renewable energy on sites. In this instance, the property will be required to have increased thermal insulation which will improve the energy efficiency of the property under the Building Regulations. Taking this into account and the investment required to improve this aspect of the property, together with the modest scale of development, this is considered sufficient to meet the requirements of this condition.

## National Planning Policy

4.27 National planning policy requires that proposals which accord with policy are approved without delay. NPPF paragraph 135 requires that developments function well and add to the overall quality of the area. Criteria f) is particularly relevant to this proposal. It makes reference to developments creating 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 or resilience. The design of the proposal provides a property which provides an acceptable standard of amenity and promotes sustainable methods of travel. Overall, it should promote health and wellbeing through its design and facilities for active travel. It will be required to be properly managed to not undermine the quality of life for nearby residents. Should the proposal not be approved, then the risk of a vacant deteriorating property could to have a negative impact in the locality and attract anti-social behaviour. The proposal is therefore considered to accord with both local and national planning policy.

## Representations

4.28 Neighbours adjacent to the site have raised the following concerns:

### Parking/Congestion

4.29 This has been discussed earlier in the report. The potential parking requirements of an 8 person HMO are likely to be slightly more than that of a large family. However, given the sustainable location of the site in terms of transport links and the supporting information provided it is not reasonable to expect an increased level of parking to be provided from this scheme. One off road parking space is provided.

## Antisocial Behaviour

4.30 A concern over existing levels of anti-social behaviour within the vicinity of the site has been referred to in a representation at the currently vacant Trinity Church and potential for HMOs to increase the chance of anti social behaviour. Planning deals specifically with land use and cannot control property occupiers. Anti-social behaviour is dealt with under separate legislation and should instances occur, would be dealt with via that legislation.

4.31 There is no evidence to confirm that the site will be a source of anti-social behaviour in future. As the proposed HMO will need to be licensed this will require the site is properly managed. This should afford a greater level of control over the property than if it was converted to a lower number of occupiers which are not required to be licensed.

## Potential cumulative impact from this development and potential future development of nearby former Church

4.32 The Church currently appears to be vacant and it has a 'for sale' board displayed. There is no planning history or current application for a future development of the site. Each application should be dealt with on its merits and, given there is no information available, any concerns appear to be speculative at this current time.

## Impact on characteristic of neighbourhood which is currently known for family homes rather than high density rental accommodation

4.33 The property was advertised for over a year with no interest from a purchaser for a family home.

## Existing multiple HMOs in area

4.34 This has been addressed earlier in the report.

## Impact on house prices

4.35 This is not a material consideration for planning. Internal plans significant over use of the available space

4.36 During the processing of this application amended plans have been received which reduced the number of rooms within the property from 9 to 8 resulting in 1 less occupier than the original proposal. I am satisfied that the internal layout meets sufficient sizes to provide a suitable standard of accommodation and this view is shared by the HMO licensing officer.

#### Potential fire risks/Impact on property's foul drainage system

4.37 These matters are dealt with under other legislation including the Building Regulations and the Housing Act and will be considered during their application process.

#### Consider doesn't comply with policy H26 (c) as represents over development

4.38 This is discussed previously.

#### Impact from increase in bins and recycling

4.39 There is a clear area for bin storage within the property curtilage and this can be conditioned accordingly to ensure the bins are stored correctly.

#### Assessment

4.40 National planning policy seeks to balance the elements of economic, social and environmental considerations in order to provide sustainable development.

#### Economic Development

4.41 The site is set close to the town centre within a residential area. There is evidence of increasing economic development in the area which is improving a variety of properties, some of which have been vacant for quite some time and have been in a poor state of repair. From information provided along with other HMO applications, there is a clear need for this type of accommodation in the town. It is likely that, in future, applications for houses in multiple occupation will increase given the demand for accommodation for professional workers with the continued significant expansion of BAE systems along with the introduction of the University campus. The proximity to local employers from the site could also be a likely driver for this type of property conversion in the site locality. This is an important consideration in the planning balance which, as stated in the NPPF, seeks to balance economic, social and environmental aspects of developments to encourage sustainable development. The properties in the area are attracting inward investment from developers renovating properties.

#### Social considerations

4.42 This type of property introduces potential within the shared amenity space for occupants to socialise. Unfortunately, planning cannot guarantee good neighbours, but the applicant is keen to run a properly managed HMO with a letting agent assisting and providing a 24 hour contact for neighbours to express any concerns.

## Environmental

4.43 In terms of the application site, it has been for sale for some time and vacant/run down properties do not make a positive contribution to the residential environment. The property requires some renovation. Should this proposal not be approved then there is scope for the site to deteriorate further and have a negative impact on the local environment.

## Relevant recent appeal decisions

4.44 Relevant appeal decisions are a material consideration. Members attention is drawn to recent briefing note on HMOs and the approval on appeal of the proposal at 52 Paradise Street with similar issues that were assessed by the Inspector.

## **5. Conclusions**

5.1 The proposed development is considered to accord with both local and national plan policies, and it should therefore be approved as recommended. It will renovate a property and bring it back into beneficial use, but there is a risk that if the property is not developed it could have a potentially negative impact on the area. The proposal seeks permission to do this in the form of a licenced HMO and the development should provide a good standard of accommodation for the future occupiers.

5.2 The proposed use is a residential use in a residential area which adds to the housing mix and provides homes. The economic development benefits arising from this inward investment cannot be ignored and should be given weight in the planning balance. The residents have a concern over parking in the area which has been passed on to our colleagues in Parking Services. However, this matter is not considered severe enough to warrant refusal of the scheme when taking account of national planning policy and the comments from the Local Highway Authority.

5.3 Planning decisions are limited to land use and should be made in line with planning policy, taking all other material considerations into account. In this instance, the proposed residential use of the property in the form of this application is considered acceptable and to accord with local and national planning policy.

5.4 In assessing this application, I confirm that the Authority has exercised the following duties:

1. Under Section 149 of the Equality Act 2010 Local Planning Authorities must have due regard to the following when making decisions (i) eliminating discrimination, (ii) advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, and (iii) fostering good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are age (normally young or older people) disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

2. In determining applications, the Council must ensure that all parties get a fair hearing in compliance with the provisions of Article 6 under the European Convention on Human Rights, as now embodied in UK law in the Human Rights Act 1998.

## **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 19.2.23 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 19.2.23  
747-01 Rev. B Location and Block Plan  
747/05 Rev. D Planning Proposed Floor Plans and Elevations

### **Reason**

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

### ***Before Occupation***

3. The bin storage area, as shown on approved drawing 747-01, shall be implemented prior to any occupation of the building and thereafter permanently retained as such unless an alternative bin storage arrangement has been submitted to, and approved in writing by, the Planning Authority.

### **Reason**

In order to protect the residential amenities of the area.

### ***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](mailto:UUSafeDig@uuplc.co.uk)
-

2023/0739



Front Elevation

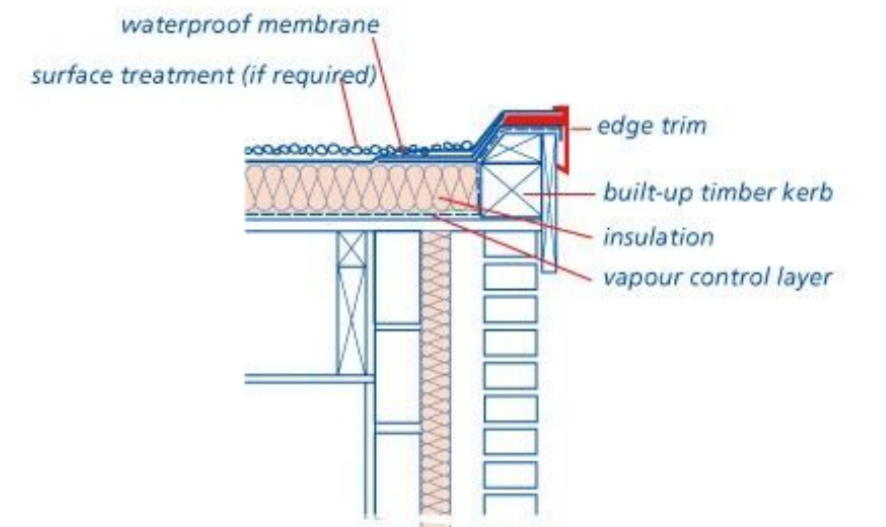


Side Elevation

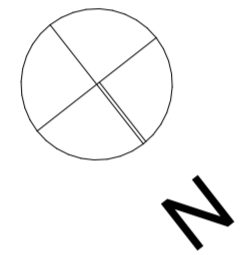


Rear Elevation

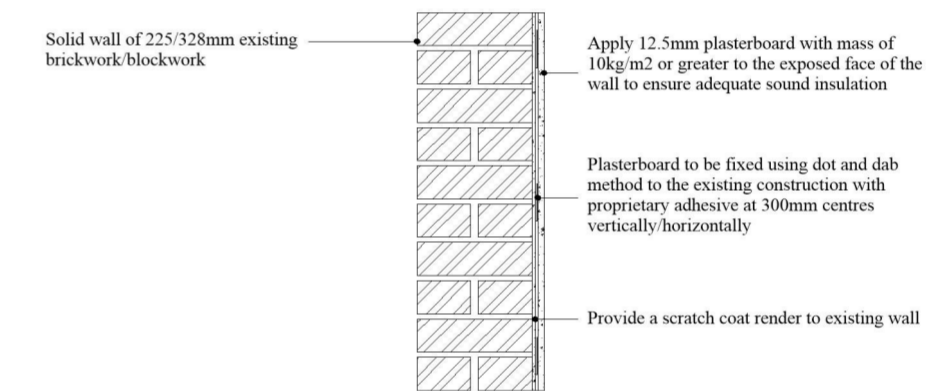
**Please Note:**  
 This drawing may be printed and scaled FOR PLANNING PURPOSES.  
 All dimensions to be CHECKED ON SITE and any DISCREPANCY reported to Perfect Planning.  
 The site boundary shown is the best assumed from available data and does NOT represent legal ownership.  
 All dimensions in mm unless otherwise stated.



Typical flat roof edge upstand detail A



**UPGRADING SOLID PARTY WALL**  
 Warm adjoining space



**UPGRADING SOLID PARTY WALL**  
 As detailed in Approved Document E Wall Type 1.1 The existing walls must be checked for stability and be free from defects as required by the Building Control Officer. Wall to be a minimum 215mm thick with a minimum block density of 1840kg/m<sup>3</sup>. Provide a scratch coat render to existing wall. Apply plasterboard with mass of 10kg/m<sup>2</sup> or greater, e.g. Gyproc Soundbloc, to the both wall faces to ensure adequate sound insulation in accordance with Approved Document E. Pre completion sound testing to be carried out by a suitably qualified person with appropriate third party accreditation (either UKAS accreditation or be a member of the Association of Noise Consultants Registration Scheme)

**Party Wall sound insulation upgrade**

- D - Layout/ planner amends
  - C - Building control amends
  - B - Layout/ planner amends.
  - A - A window has been added to the rear dormer extension on Loft Plan.
- Revisions.



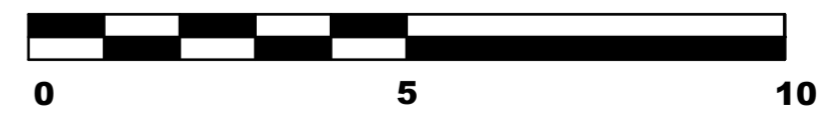
e: info@perfect-planning.co.uk  
 t: 01455 272943  
 t: +44 (0) 7904 224864  
 t: +44 (0) 7912 413144  
 w: www.perfect-planning.co.uk

Project:  
 1 Brighton Street  
 Barrow-in-Furness  
 LA14 5HE

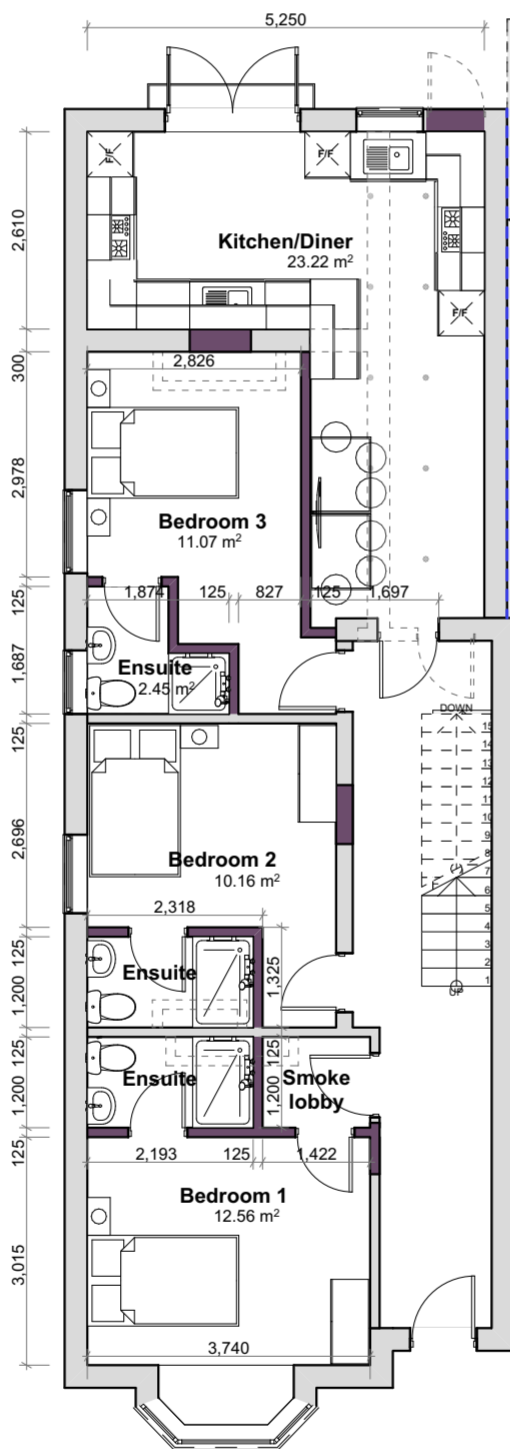
Client:  
 Andrew Bartlett  
 Drawing Title:  
**Proposed Floor Plans and Elevations Option 3**

Drawing by:  
 AL / IG / SK / WM / EB  
 Date:  
 19/02/2024  
 Drawing Number:  
 747/05

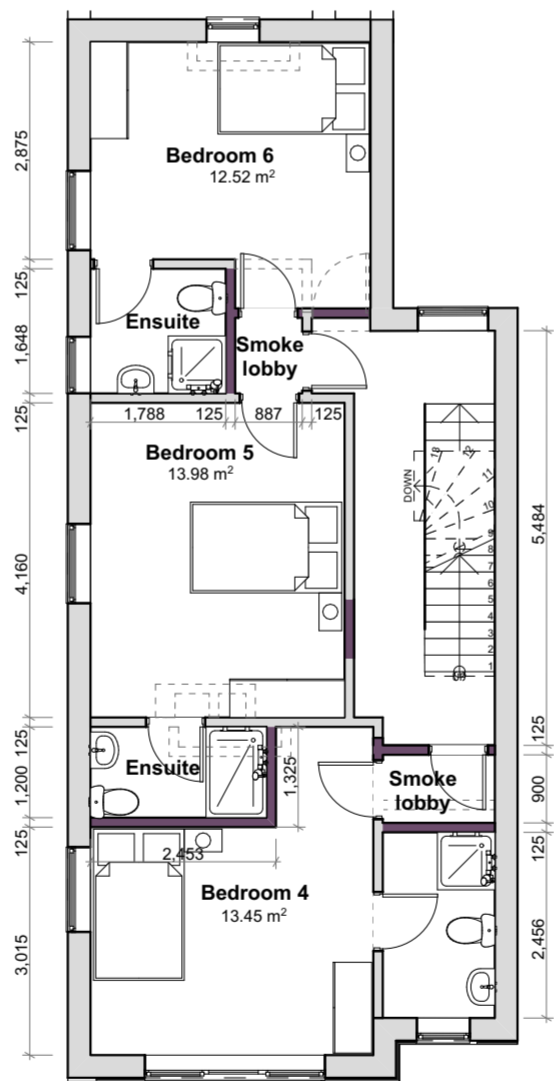
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 AL / IG  
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 Revision:  
 D



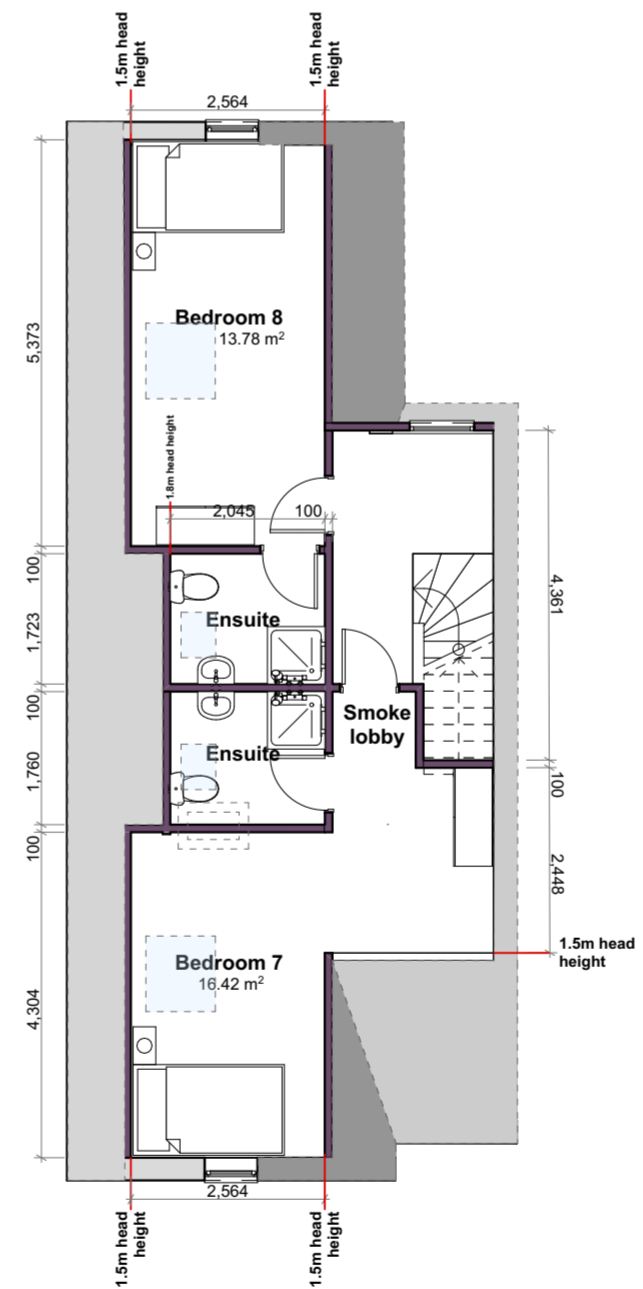
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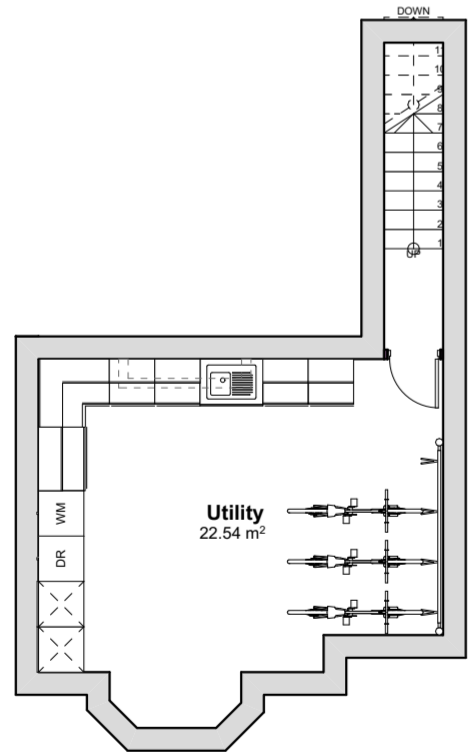
Ground Floor Plan



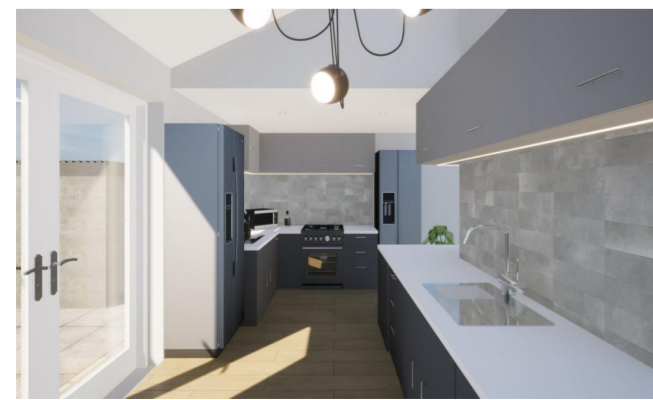
First Floor Plan



Loft Plan



Basement Plan



Indicative Kitchen Visuals (NTS)



2023/0739



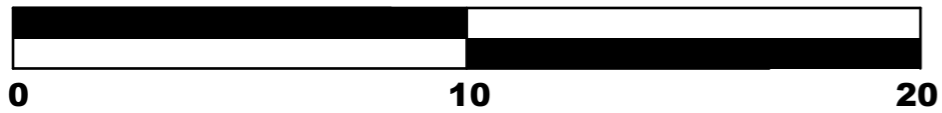
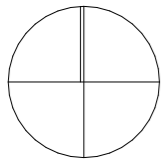
Ordnance Survey, (c) Crown Copyright 2023. All rights reserved. Licence number 100022432

Location Plan 1:1250@A3

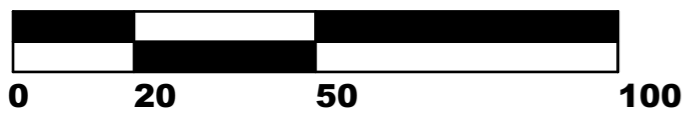


Block Plan 1:200@A2

N



Scale Bar 1:200



Scale Bar 1:1250

**Please Note:**

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*All dimensions to be CHECKED ON SITE and any DISCREPANCY reported to Perfect Planning.*

*The site boundary shown is the best assumed from available data and does NOT represent legal ownership.*

*All dimensions in mm unless otherwise stated.*

B - Cycle store added.  
A - An additional parking space has been added at the front of the property.  
Revisions.



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t: +44 (0) 7912 413144  
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**Project:**

1 Brighton Street  
Barrow-in-Furness  
LA14 5HE

**Client:**

Andrew Bartlett

Drawing Title:

**Location and Block Plan**

Drawing by:  
AL / IG /  
SK / (WJ) EB  
Date:  
15/01/2024

Checked by:  
AL / IG

Scale:  
As shown @A3

Drawing Number:  
747/01

Revision:  
B

56



# Appendices of Policies

## Note to Members

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

## NPPF policy Framework 2023

11. 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<sup>6</sup>, 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<sup>7</sup>; 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<sup>8</sup>, 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<sup>7</sup>; 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.

85. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation<sup>44</sup>, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

115. 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.

135. 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<sup>52</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

## **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.

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 I2 - Protecting Community Facilities**

Community facilities that serve the requirements of local people and which are accessible by walking, cycling and public transport will be protected. Community facilities which benefit the less mobile and which promote health and wellbeing will be given particular protection.

The loss of such facilities will only be permitted where:

.; There will continue to be satisfactory provision of that type of facility elsewhere in the local area; or

.; It has been demonstrated that there is a need to relocate the facility; or

.; It has been demonstrated that there is no longer a need or demand for the facility in the local area; or

.; It has been demonstrated that continued operation of the facility would not be viable and / or it has been demonstrated that funding is not available to keep the facility in operation; or

.; The facility will be replaced with a use where the benefits clearly outweigh the loss of the facility.

In rural areas, applications that involve the loss of local shops, post offices and public houses will be resisted unless the applicant can demonstrate that the business is no longer viable. The premises must have been advertised commercially at a reasonable price, for a minimum of 12 months, no reasonable offer must have been refused and the property must have been advertised on the open market for at least four times in the local media at roughly equal periods over the previous year.

### **Policy I6: Parking**

Proposals for new developments will be required to provide evidence to demonstrate that adequate parking provision has been provided in consultation with the Local Highways

Authority and in accordance with the parking standards in the Cumbria Development Design Guide or any update to it.

In areas suffering from significant on-street parking problems, greater provision will be sought where possible, or alternative arrangements will be required. When applying parking standards each site should be assessed on its own merits and, if a developer can demonstrate to the satisfaction of the authority that their proposed parking provision is sufficient, the Cumbria Development Design Guide can be relaxed in favour of the demonstrated proposal.

The design of on and off site parking provision will be safely accessible and appropriate to the streetscene and character of the local area. Consideration should be given to Policy C3a (Water Management) and Policy DS6 (Landscaping).

#### **Policy HC4: Access to Buildings and Open Spaces**

Development proposals should make provision for easy, safe and inclusive access to, into, within and out of buildings, spaces and facilities. The layout and design of developments should meet the requirements of accessibility and inclusion for all potential users regardless of disability, age or gender. At the design stage consideration should be given to the effects of the proposal on the character and appearance of heritage assets and their settings, where applicable.

The Council will have regard to the following criteria when assessing development proposals:

- a) The design of entrances and exits and ease of movement through and between buildings, street furniture, open spaces and pedestrian routes;
- b) The location of any development proposal in relation to its potential users;
- c) Accessibility to all transport modes, including walking and cycling, and provision of adequate parking with the appropriate number of parking bays designated for cycles and motor vehicles, including specified disabled bays; and
- d) Provision of on-site facilities such as public toilets and appropriate signage. Additionally, where there is a requirement to submit a Design and Access Statement as part of a planning application it should:
  - e) Demonstrate the approach to inclusive design; and

f) Acknowledge compliance with Part M of the Building Regulations (Access to and use of buildings) and refer to BS8300:2009 (British Standards - Design of buildings and



their approaches to meet the needs of disabled people – Code of practice) where appropriate.

#### 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.

**PLANNING COMMITTEE**  
**12<sup>th</sup> March 2024**

**INDEX**

Page No	Reference	Address	Proposal
2	B13/2023/0256	Former Methodist Church and attached Sunday School, Wellington Street, Dalton-in-Furness, Cumbria, LA15 8AN	Conversion of former Methodist Church into 4 no, two bedroom apartments and 1 no, one bedroom apartment; conversion of attached former Sunday School into 2 no, three bedroom terraced dwelling houses
30	B20/2023/0739	1 Brighton Street, Barrow-In-Furness, Cumbria, LA14 5HE	Change of use from residential dwelling (C3) to a 8 Person HMO (Sui Generis) and erection of dormer window to rear.