



DEVELOPMENT MANAGEMENT

PLANNING COMMITTEE

FOR DECISION

19th December 2023

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)



**B20/2023/0464
Planning Committee
19th December 2023**

Application Number : B20/2023/0464	Date Valid :26/07/2023
Address : 175-177 Dalton Road, Barrow-in-Furness, Cumbria, LA14 1PX	Case Officer : Jennifer Dickinson
Proposal : Proposed conversion of commercial premises (use class E(a)) to 12 no. bedroom HMO (Sui-Generis) at first and second floors and welfare facilities at ground floor. Raising the roof height to the rear of the property by 1 metre and remodel of large existing ground floor shop unit to two smaller shop units and associated external alterations (amended description).	
Ward : Hindpool Ward	Parish : Barrow Town Parish Council
Applicant : Prestige Properties NW SSAS, Joe Nuttall building services	Agent : Mr N Shepherd, Shepherd Architecture and Surveying
Statutory Date : 20/09/2023	Recommendation : GRANTED WITH CONDITIONS
Barrow Planning Hub	

Relevant Policies and Guidance

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

National Policies

1. National Planning Policy Framework 2023 - Para NPPF 011
2. National Planning Policy Framework 2023 - Para NPPF 130
3. National Planning Policy Framework 2023 - Para NPPF 203

Local Plan Policies

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

5. Barrow Borough Local Plan 2016-2031 - Policy R1 - The Vision for Barrow and Dalton Town Centres
6. Barrow Borough Local Plan 2016-2031 - Policy R17 - Conversion of upper floors to residential units within the town centre
7. Barrow Borough Local Plan 2016-2031 - Policy R2 - Barrow Town Centre
8. Barrow Borough Local Plan 2016-2031 - Policy R3 - Barrow's Primary Shopping Area

Summary of Main Issues

This application is being reported to committee due to a request by a Councillor. The key considerations for this proposal are the the impact of the conversion upon the available retail offer within the primary shopping area, external design and the amenity standards for future occupiers. Whilst the agent has provided amended drawings that show a more sympathetic design it is missing some architectural details and it is recommended that this be delegated to the Head of DM.

Non Material Considerations

None

Response to Publicity and Consultations

Neighbours Consulted

Street Name	Properties
Cavendish Street	80, 82,
Dalton Road	173,

Responses	Support	Object	Neutral
0	0	0	0

Site notice displayed expiring on 29.8.23

Reasons cited for Councillor call-in

- Number of existing HMOs in town centre wards
- Change of ground floor from prime retail use to residential
- Permanent loss of retail use in prime Dalton Road site as the Council is trying to regenerate
- Parking issues
- Public concerns
- Important that the principle should be determined by Councillors

Organisations Consulted

Consultee

BAE Systems - Emergency Planning Officer (Nuclear)
Barrow Town Parish Council
Building Control
Emergency Planning - Joint Emergency Management and Resilience (JEMR) Team
HMO officer
Highways
Office for Nuclear Regulation (Nuclear)
Public Protection Services
United Utilities (Planning Liaison)

List of Organisation Responses

27/07/2023

Building Control

“Building regulation approval required for the proposals.”

28/07/2023

Joint Emergency Management and Resilience (JEMR) Team - 28/07/2023

“Our response is the following:

The BAE site is covered by the provision of the Radiation (Emergency Preparedness and Public Information) 2019 Regulations. There are no objections to the proposed development based on the information provided but it should be noted that the proposed development is situated within the Detailed Emergency Planning Area of BAE. Westmorland and Furness Council, in liaison with the site operator and the Office for Nuclear Regulation, have certain special arrangements are made for residents/business premises in this area and particular attention is paid to ensuring that people are aware of the appropriate action to take in the event of an incident at the site.

Accordingly I would be grateful if you could, in the event of the application being approved, advise the applicant to liaise with this office to allow for further discussion.”

21/08/2023

Highways and Lead Local Flood Authority - 18/08/2023

"Westmorland & Furness Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm that we have 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."

08/08/2023

Public Protection Services Licensing

"This appears to be a 12 bed HMO which would require a Mandatory HMO Licence under Housing Act 2004.

The bedrooms all appear to be adequately sized and all have en-suite bathrooms. The large kitchen should be sufficient for the number of occupants with the addition of a brew station on each floor, although consideration to additional kitchen items might be considered. There should be a cupboard for each occupier as well as sufficient space in the fridge/freezer.

A fire risk assessment will be needed to ensure all fire risks are mitigated, especially in view to being located next to a commercial premises."

21/11/2023

Public Protection Services - 21/11/2023.

"I've looked at the report and the calculations are sound. The concern relates to night time economy noise and the impact on internal noises with the residents especially if a window is open. The mitigation for this is stated as closed acoustics venting etc.

I see no reason why the recommendations cannot be accepted and implemented. But I would request that confirmation of this is done upon completion"

Officers Report

1. Site and Locality

1.1 The host property is a corner property which historically was a shoe shop (latterly Stead and Simpson) and more recently a Red Cross charity shop. It is set over three floors and is in a prominent corner position within the Primary Shopping area on Dalton Road at the junction with Cavendish Street and has been vacant for a number of years. Due to the corner position, the rear of the site is bounded by two other properties and their rear projections. This affords the area some shelter from adjacent uses. Across the back street is the rear elevation of the Preston Street Club. The property has some historic value given that it dates back to the 1893 historic maps, and as it remains fairly original externally at first and second floor level, it is considered to be a non designated heritage asset.

1.2 The locality of the site has a mix of both day and night time uses and it is adjacent to an area with a night time economy operating until early in the morning.

2. Proposal Details

2.1 Proposed conversion of commercial premises (use class E(a)) to 12 no. bedroom HMO (Sui-Generis) at first and second floors and welfare facilities at ground floor. Raising the roof height to the rear of the property by 1 metre and remodel of large existing ground floor shop unit to two smaller shop units.

2.2 The proposal provides that the majority of the existing ground floor retail space will be subdivided to create two small shops with individual welfare facilities. One shop spans the Dalton Road elevation with the other facing into Cavendish Street. The remaining floor area would be converted into a communal kitchen/amenity space and bike storage for the HMO use are also provided on this level.

2.3 At first floor level, 6 en-suite bedrooms ranging in size from 13.8m² to 17m² and "brew station" are provided. Similarly, at second floor level a further 6 en-suite bedrooms and brew room are provided of the same size. Bin storage is provided to the rear yard.

2.4 Externally, to the front elevation facing onto Cavendish Street, one shopfront window is to be replaced with two smaller windows with matching in fill materials to provide the ground floor amenity space for the HMO. The remaining shop fronts are retained in their existing form. To the rear elevation, an extension is proposed at second floor level to provide additional internal height. This is proposed to extend up to the existing eaves height with a flat roof.

3. Relevant History

3.1 83/1997/0117 173 Dalton Road Barrow-in-Furness - Display of a projecting sign and external illumination of fascia sign by spot lights Appcond 19/02/1997

3.2 B13/2017/0100 173 Dalton Road Barrow-in-Furness - Conversion of first and second floors of existing retail premises to form 2 one bedroom flats Appcond 10/03/2017

3.3 B13/2017/0421 173 Dalton Road Barrow-in-Furness - Conversion of ground floor retail premises into one bedroom flat REFUSED 07/11/2017

3.4 B20/2007/1406 80 Cavendish Street Barrow-in-Furness - Change of use of opticians to tea room and bakery with takeaway facility (restrospective) Appcond 04/01/2008

3.5 B20/2009/1801 80 Cavendish Street Barrow-in-Furness - Change of use from tea room and bakery with take-away facility to private hire taxi office - Retrospective Refused 31-MAR-2010

3.6 B20/2018/0683 80 Cavendish Street Barrow-in-Furness - Change of use from Retail (Class A1) to an MP's office providing advice offices to the public (Class A2) APPCOND 30/11/2018

4. Officer Assessment

4.1 The key considerations with regards to this proposal are the impact upon the primary shopping area, the indicated design, and the potential amenity standards for future occupiers.

4.2 Existing use of site

4.3 The existing use of the site is Class E which permits the following:

- **E(a)** Display or retail sale of goods, other than hot food
- **E(b)** Sale of food and drink for consumption (mostly) on the premises
- **E(c)** Provision of:
 - **E(c)(i)** Financial services,
 - **E(c)(ii)** Professional services (other than health or medical services), or
 - **E(c)(iii)** Other appropriate services in a commercial, business or service locality
- **E(d)** Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)
- **E(e)** Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- **E(f)** Creche, day nursery or day centre (not including a residential use)
- **E(g)** Uses which can be carried out in a residential area without detriment to its amenity:
 - **E(g)(i)** Offices to carry out any operational or administrative functions,
 - **E(g)(ii)** Research and development of products or processes
 - **E(g)(iii)** Industrial processes

4.4 The proposed use would be a *sui generis* use given the proposed mix of retail and residential. The principle of retention of retail use at the ground floor level is accepted as this element falls within the current use.

4.5 Relevant Policies and Guidance

4.6 The National Planning Policy Framework (2023)(NPPF) under paragraph 11 outlines the presumption in favour of sustainable development, it states: "*For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay*".

4.7 Paragraph 12 goes on to state: "*The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making*".

4.8 Paragraph 130 states that planning decisions should ensure that developments create places that are safe, promote health and wellbeing, with a high standard of amenity

4.9 Paragraph 203 requires that the effect of an application on a non-designated heritage asset should be taken into account in determining the application.

4.10 Local Plan Policy

4.11 When referring to paragraph 12 of the NPPF, as mentioned above, the local plan is the starting point for decision making. The local plan policies listed are considered to align with the principles, aims and objectives of the NPPF.

4.12 Particularly relevant to this proposal are retail policies R1, R2 and R3, design policy DS5 and residential policies R17 and H26 which particularly relate to the HMO element of the proposal.

4.13 Retail Element

4.14 The existing retail space (indicated as 105m²) is to be re-configured into two smaller retail units from the existing larger unit. There is an area of 22.5m² which will be transferred to the HMO use. Taking account of policy R3 which specifically relates to the primary shopping area, it advises that this area is the focus for retail uses in Barrow. It sets criteria for proposals to be considered acceptable which include requiring the retention of an active frontage and that development compliments the retail function and character of the primary shopping area. It is considered that this development would meet the criteria.

4.15 In addition to this, the applicant has provided a supporting statement to accompany the application which outlines previous developments they have undertaken which have resulted in a smaller retail footprint. This details how the character of towns nationally is changing due to issues associated with internet competition and the demise of large national chains resulting in large vacant retail units on main streets, and in this respect Barrow is no different. This has created a commercial environment whereby smaller footprints seems to attract more independent businesses, and has been a successful approach elsewhere on Dalton Road. The proposal is welcomed in terms of seeking to retain an active retail frontage but of a footprint more likely to attract traders in the current commercial climate.

4.16 Design

4.17 The proposed development largely relates to internal changes to facilitate the change of use. However, during the processing of the application it has been identified that the site could be considered a non designated heritage asset due to its historic nature and following some research a historic photograph of the site has been located which shows its earlier appearance. We have worked with the agent to ensure the design takes into consideration the historic nature of the site and seeks to improve the current modern shop front arrangement. The submitted details seek to comply with local plan policy DS5 which places importance on good design and NPPF paragraph 203 which requires that the effect of an application on the significance of the non designated heritage asset is taken into account when determining the application. Some of the detailing has not yet been received and this element is reflected in the recommendation.

4.18 Proposed HMO

4.19 The Local Plan states in its vision for Barrow town centre that it will support a mix, variety and flexibility of uses. Policy R17 specifically refers to conversion of upper floors to residential units within the town centre. It supports the conversion of upper floor areas where it will bring back vacant properties into use subject to the conversion providing an acceptable level of accommodation for future occupiers. Policy R1 refers to the local plan vision for the town centre which requires that the town centre continues to provide a mix of uses. The introduction of housing in this location will add to the mix of uses in the town centre and create footfall into the primary shopping area.

4.20 Policy H26 sets criteria for consideration to ensure an acceptable standard of accommodation is provided, and no unacceptable impact on the residential amenity of neighbouring properties. In these respects the proposal does not lead to a loss of housing, and should not affect the character of the building or surrounding area. There are minimal external changes and the position within the town centre is such that there is already an established level of comings and goings.

4.21 Over concentration of similar uses in the area is also a consideration under this policy. In this instance, I have consulted the mapping system and there is only one such licensed use at the Crystal Palace serviced apartments on Dalkeith Street. A recent approval at 109 - 111 Cavendish Street is also a relevant extant permission (2023/0365) which was for conversion into a HMO.

4.22 Residential Amenity

4.23 The residential amenity of future occupiers is a key matter to consider. The layout of the HMO is set over three floors with a pedestrian entrance on Cavendish Street which will lead into a hall and bike storage area along with a multi use amenity area. The first and second floor are accessed via a staircase and each floor benefits from a separate kitchen area with 6 rooms. The internal design ensures that the individual units have access to sufficient natural light, privacy, outlook and indoor amenity space, and does not result in any inappropriate stacking of rooms. Whilst soundproofing within the building will be dealt with under the Building Regulations, details of soundproofing on the boundary with the adjacent properties has been provided. Colleagues in HMO licensing have been consulted and raised no objection, their suggested requirements in terms of cupboard/fridge/freezer space will be dealt with under their legislation. I am satisfied that this can be accommodated in the space provided.

4.24 Noise

4.25 The determination of this application has been delayed to allow for a noise assessment to be carried out. Whilst town centre residents should expect some degree of background noise, the assessment is necessary due to the potential impact of higher noise levels arising from the evening economy particularly the Preston Street club to the rear. An assessment has been carried out overnight at a weekend and during the day from the front and rear elevations of the property. The result of the assessment is that mitigation will be required in the form of soundproofed windows and trickle vents and this has been checked by colleagues in Public Protection. They are satisfied that the assessment is sufficient and covers the necessary criteria to protect future occupiers from excessive noise impacts. However, in order for the mitigation to be effective the windows will need to remain closed.

4.26 The agent has submitted a ventilation strategy which provides details to show that sufficient air circulation can be provided in the form of soundproofed trickle vents and silent extraction units to remove the need to open the windows. The source of noise is cited within the report to be largely from people walking along Dalton Road and Cavendish Street along with associated background noise. The option to open a window will still be available for occupiers at their discretion. However, this should not be necessary to provide a comfortable environment. This seems reasonable given the potential source of the noise.

4.27 When consulting the planning practice guidance (PPG) on this matter it advises consideration should be given to:

whether any adverse internal effects can be completely removed by closing windows and, in the case of new residential development, if the proposed mitigation relies on windows being kept closed most of the time (and the effect this may have on living conditions). In both cases a suitable alternative means of ventilation is likely to be necessary.

4.28 The level of detail of the ventilation provided is considered sufficient to meet the requirements of the guidance.

4.29 In terms of other criteria within the policy H26, there is sufficient space for storage of waste/recycling in the rear yard and this can be conditioned to be kept clear of obstructions. Whilst there is a small outdoor amenity space, the site is within the town centre and within walking distance of amenity spaces and community uses nearby.

4.30 In terms of transport, the site is set in a sustainable location for travel within the town centre with public car parks nearby should occupiers have access to a car. No objection has been received from the Highways section on this matter. This is in line with other town centre uses. Sufficient cycle storage is provided which is in line with the Local Cycling and Walking Infrastructure Plan. When considering the details above, it is considered that, subject suitable mitigation the proposed development will provide a sufficient level of amenity to the future occupiers in line with policy H26 and NPPF paragraph 130.

4.31 It is also relevant to consider NPPF paragraph 185 which states:

Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

4.32 Given the proposed mitigation, it is considered that there should not be any unreasonable restrictions placed on existing businesses. Within the noise report, the source of noise was identified as largely coming from passers-by in Dalton Road and Cavendish Street so it is unlikely that this should be an issue.

4.33 Material Consideration

4.34 A material consideration in this matter is the history of a similar application which was refused partly due to the potential impact from noise at 26-28 Portland Walk (2020/0822) and is currently subject to an enforcement appeal. It is similar in that, in order to mitigate the noise, the windows needed to be closed. However, the difference in this instance is that supporting information has been provided by the agent to show that a comfortable living environment can be provided without the need to maintain open windows. Whilst similar, these applications are not directly comparable given that the Portland Walk application related to self contained flats and there were also concerns over the layout. It is relevant to also note that each application is assessed on its own merits.

4.35 Councillor Call-in

4.36 The application is being report to you today as it was called-in. The concerns referred to are stated as:

- **Number of existing HMOs in Town Centre Wards**

4.37 As stated above, there is only one such licensed use nearby with one further recent permission. In terms of their relative locations and the mix of uses within the town centre I do not consider that this is an overconcentration that would lead to a conflict with the Local Plan. These developments have utilised vacant buildings that would otherwise potentially remain vacant for some time with a subsequent blight on the town centre (so called "broken window" syndrome) and are considered to be a sustainable re-use of vacant floorspace

- **Change of ground floor from prime retail use to residential**

4.38 A significant area (c.82.5m²) is retained for retail use on the ground floor either side of the corner of the building, with an area of 22.5m² of the Cavendish Street frontage converted to use within the HMO. This modest reduction will not adversely affect the overall retail offer in the town centre, where there are numerous empty premises of varying sizes available for occupation.

- **Permanent loss of retail use in prime Dalton Road site as the Council is trying to regenerate**

4.39 Taking account of the applicant's supporting statement (attached as appendices), the creation of two retail units in the town centre rather than one large vacant unit should attract a wider range of potential occupiers, including new start businesses. This is evidenced by the applicant's two previous properties at 82 and 243 Dalton Road.

- **Parking issues**

4.40 The area of the proposal is within the town centre close to two public car parks. The site is set within a sustainable location, and the Local Plan policy relaxes parking requirements as a result.

- **Public concerns**

4.41 As referenced in earlier committee reports relating to HMO uses, the market is driving the need for the diversification of the housing market in the area. These application types are providing accommodation which, according to occupancy levels in recently completed schemes, is needed. In this particular instance, the design of the layout provides an acceptable standard of amenity whilst bringing investment into the area and a large vacant town centre property back into use. The mix of retail and HMO use utilises the full property and should ensure the longevity of the site for the future. I draw your attention to the applicant's supporting statement which is reproduced in appendices this explains the background to this development and gives examples of other properties they have completed in the town centre.

- **Important that the principle should be determined by Councillors**

4.42 In accordance with the Delegation agreement, this report is submitted for your decision.

4.43 Wider Benefits

4.44 The proposed use brings back into use a disused building which has been vacant for some time and will renovate the site. It will provide 12 homes in a sustainable location close to nearby amenities and employers. The conversion of the property will provide employment during the conversion works, two retail premises and subsequent employment and also some employment from its ongoing management.

4.45 Appeal Decisions

4.46 In terms of the noise mitigation measures, a similar example to this application is covered in a national appeal reference APP/C3810/W/19/3230687. This related to ventilation being provided mechanically to mitigate noise impacts upon a development whilst still providing windows which can be opened. This allowed the occupiers flexibility to open windows or close them if needed to mitigate any noise impacts and this was found to be acceptable by the Inspector.

5. Conclusions

5.1 The proposed development will bring back into use a large vacant town centre property which is a non-designated heritage asset set within the primary shopping area. Retention of the retail element is to be welcomed, accords with policy, and should assist in providing modern accommodation of a more appropriate size to meet retail needs. The design of the proposal takes into account the historic nature of the site and seeks to replicate historic features. The introduction of a residential use at the upper floor levels will assist in increasing footfall to the town centre whilst providing a suitable standard of amenity for the future occupants. The development consequently accords with both local and national planning policies.

5.2 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 Members agree to GRANT Planning permission, subject to the suggested conditions, but pending the provision of further satisfactory architectural details for the front elevation, the final decision on which shall be delegated to the Head of Planning. Details of a satisfactory shopfront drawing(s) shall be attached to condition 2

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 26.7.23 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 26.7.23

Noise Assessment dated 12.10.23

Developers Statement

DRHMO/PA/001A, DRHMO/PA/002A, DRHMO/PA/003A, DRHMO/PA/004A,
DRHMO/PA/005A, DRHMO/PA/006A, DRHMO/PA/007A , DRHMO/PA/010B,
DRHMO/PA/011A, DRHMO/PA/012A

Location Plan

Reason

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

Pre-commencement Conditions

3. Prior to the commencement of the development hereby approved, details of the proposed noise mitigation measures shall be submitted to and approved by the Planning Authority. The approved scheme shall be fully implemented and thereafter permanently retained in accordance with the approved details and written verification that they have been so implemented shall be provided by a suitably qualified person prior to beneficial occupation of any part of the development.

Reason

In order to protect the residential amenities of the occupiers from potential excessive noise disturbance.

During Building Works

4. Prior to their installation on site, details of the finished external paint colours and sample of the proposed stone shall be submitted to and be agreed in writing by the Local Planning Authority. The development shall proceed in strict accordance with the approved details.

Reason

In order to protect the visual amenities of the area.

5. Shopfront design detailing

Before Occupation

6. The soundproofing as shown on hereby approved plans shall be installed prior to beneficial occupation of any part of the scheme and thereafter permanently retained unless the Planning Authority gives prior written consent to any variation.

Reason

In order to protect the residential amenities of the occupiers.

Operational Conditions

7. The area shown in the rear yard on the plan attached to this consent shall be permanently maintained clear of all obstructions, unless the Planning Authority gives prior written express consent for any variation.

Reason

To ensure that it is available at all times for the storage of refuse associated with the use of the building.

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
- Please be aware of the Safe Dig service from United Utilities by contacting United Utilities at; UUSafeDig@uuplc.co.uk
- 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.
- The refuse bins should be stored within the rear yard and only placed outside on bin collection days.
- The proposed development is situated within the Detailed Emergency Planning Area of the BAE site. Westmorland and Furness Council, in liaison with the site operator and the Office for Nuclear Regulation, have certain special arrangements for residents/business premises in this area and particular attention is paid to ensuring that people are aware of the appropriate action to take in the event of an incident at the site. The applicant is advised to liaise with the Joint Emergency Management and Resilience(JEMR)Team to allow for further discussion of available information: Senior Emergency Planning Officer, Joint Emergency Management and Resilience(JEMR)Team, Westmorland and Furness Council, Penrith Fire Station, Carleton Ave, Penrith , Cumbria , CA10 2FA

Location Plan

Site Address: Stead And Simpson, 175-177, Dalton Road, Barrow-in-furness, LA14 1PX

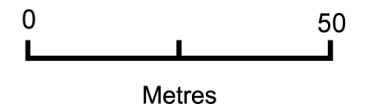
Date Produced: 26-Jul-2023

Scale: 1:1250 @A4

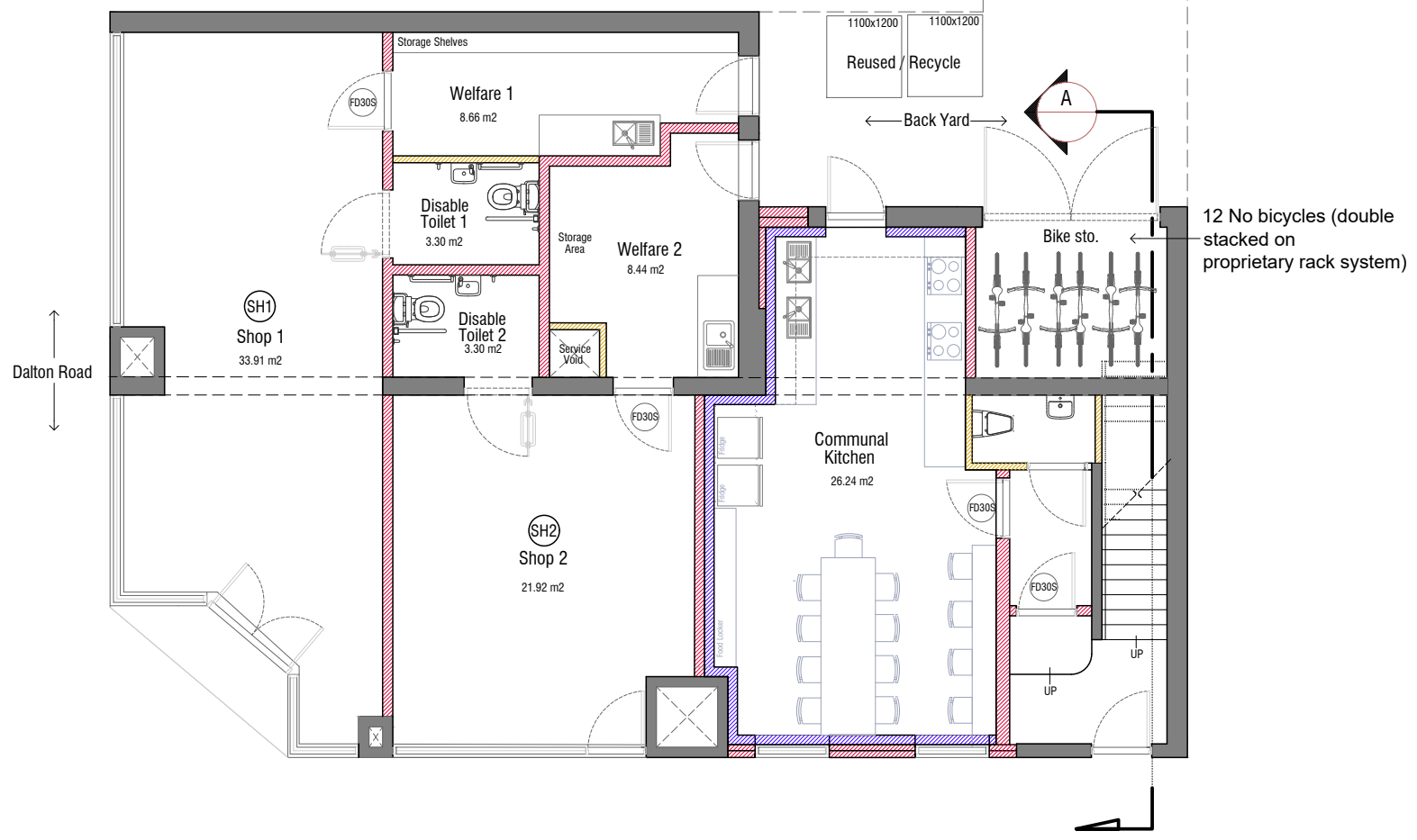
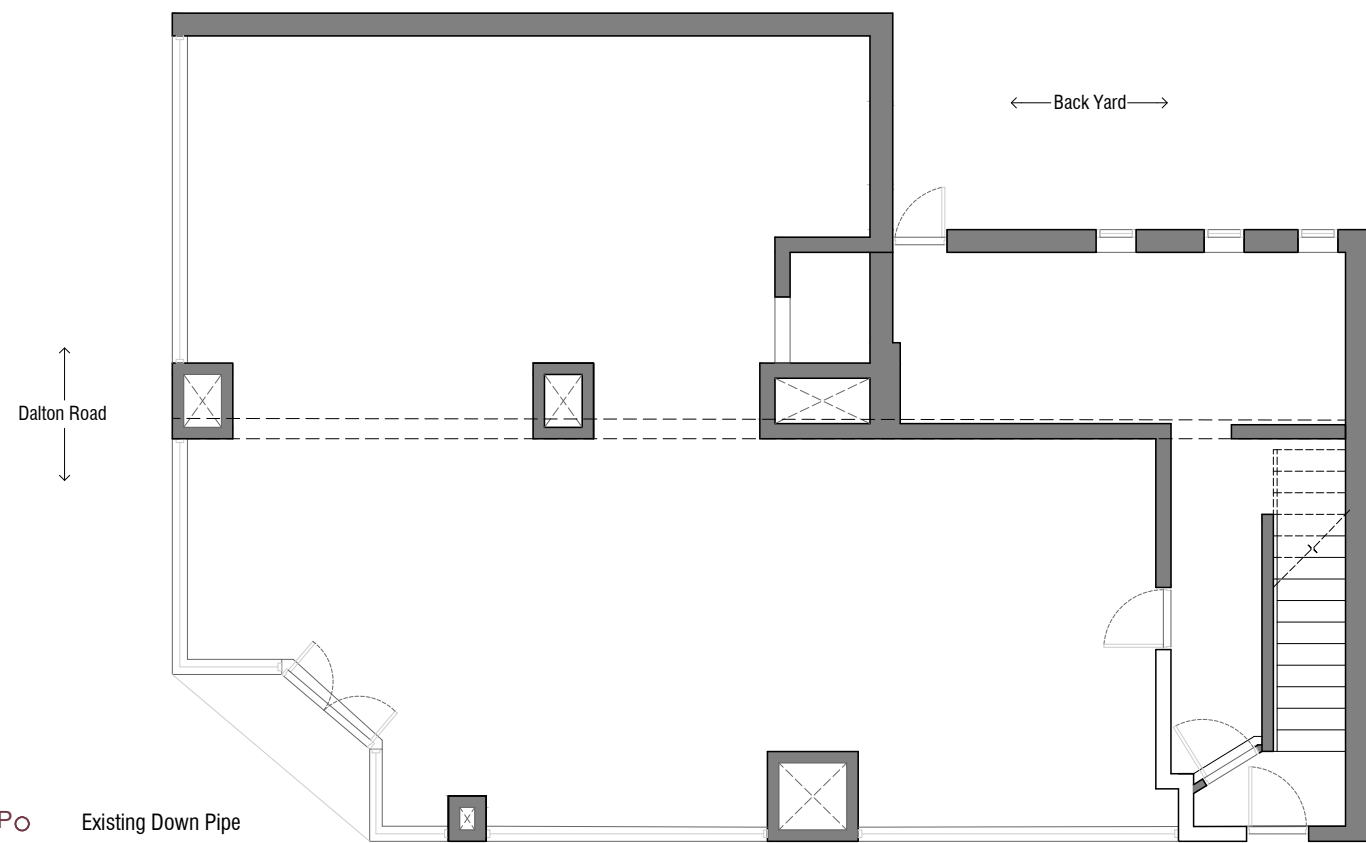
2023/0464



Planning Portal Reference: PP-12279702v2



2023/0464



DPo Existing Down Pipe

Typical Shower tray size 1000x800 mm

New windows opening

FD30s

H HMO unit /House in multiple occupation

SH Shop units

Wall thickness = 100 mm

Wall thickness = 150 mm

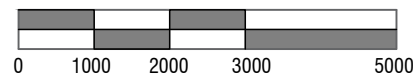
140mm thickness insulation to external and party walls for thermal upgrade

WALL CONSTRUCTION KEY

- EXISTING WALL
- DEMOLITION
- New External wall

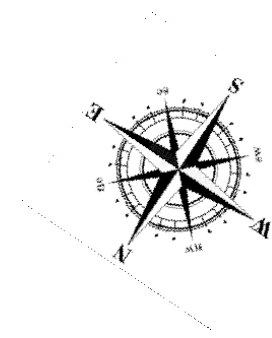
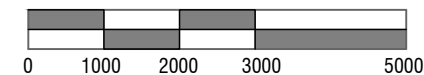
Existing Ground Floor

SCALE 1:100@A3



Proposed Ground Floor Plan

SCALE 1:100@A3



Commercial to Residential Conversion (HMO)

Dividing of Ground Floor Retail space

175-177 Dalton Road
LA14 1PX
Barrow In Furness

Revision Notes
N/A
increased bike store enclosure and altered/ new rear external doors

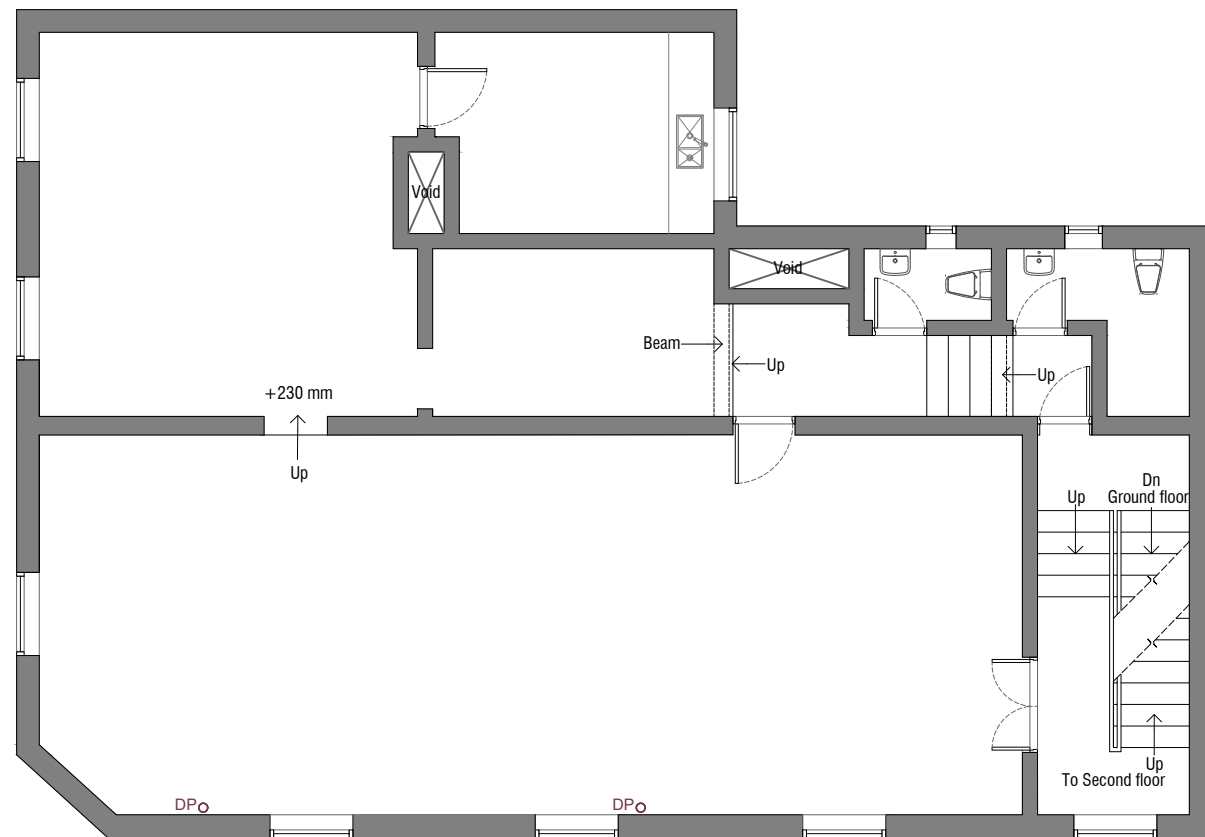
Existing Ground Floor Plan
Proposed Ground Floor Plan

Drawn - PW
Checked - NAS

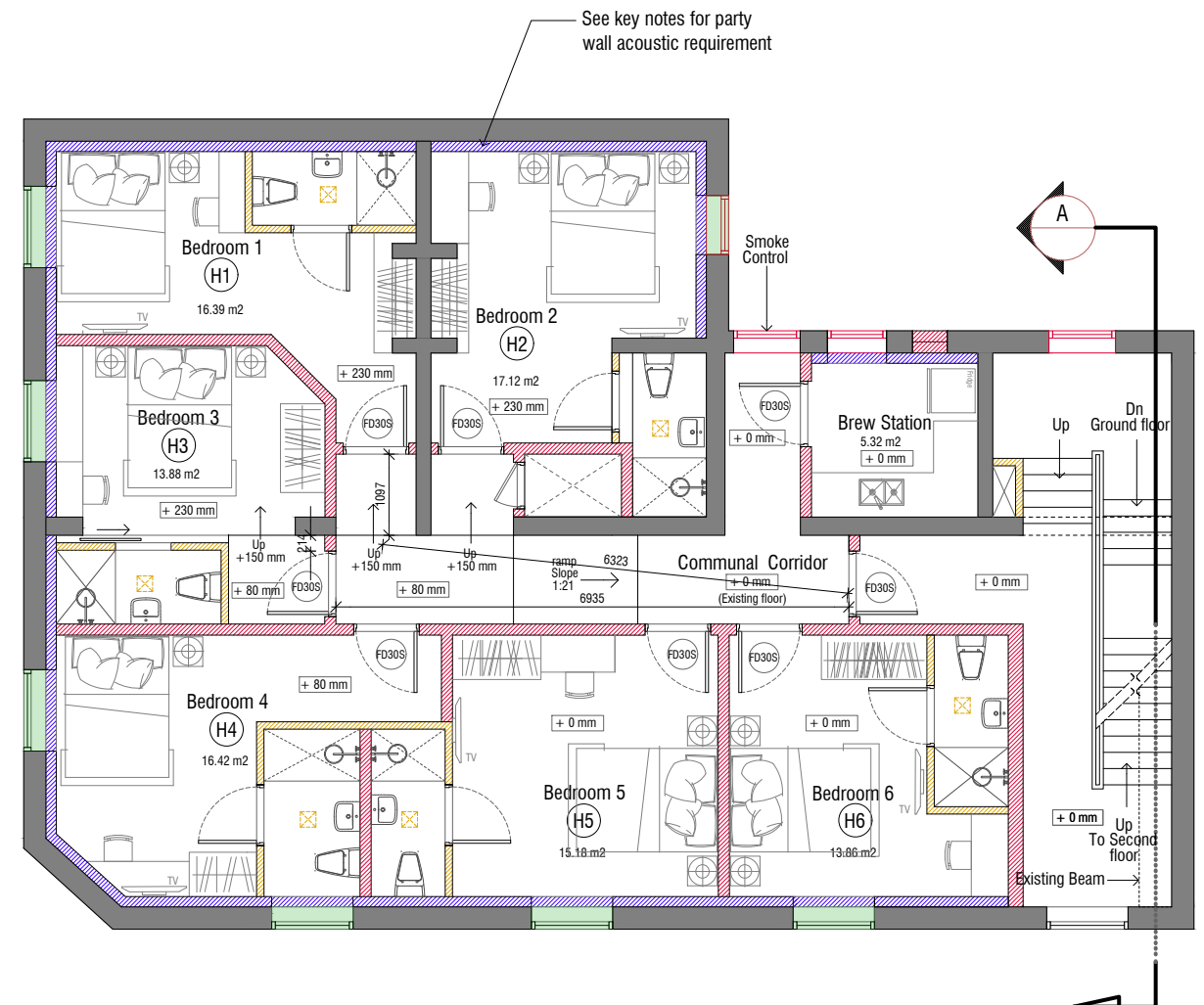
DRHMO PA 001A

Telephone: 01229 481184
Website: www.shepherdarchitectureandsurveying.co.uk

www.shepherd
architectureandsurveying.co.uk



Existing First Floor Plan
SCALE 1:100@A3



Proposed First Floor Plan
SCALE 1:100@A3

DPo Existing Down Pipe

Typical Shower tray size 1000x800 mm

New windows opening

FD30s

HMO unit /House in multiple occupation

Shop units

Non-acoustically separating internal wall

Acoustically separating internal wall

100 mm timber or metal stud independent of existing wall with Kooltherm K112 insulation between studs Kooltherm K118 37.5mm over stud where plaster removed from existing wall ensure all gaps and holes are filled

Party wall : use above system where party walls are one brick thick where half brick thick apply addition 15 mm thick sound board

Windows to be filled with acoustic trickle vents

Permanent running silent extract fan

WALL CONSTRUCTION KEY

- EXISTING WALL
- DEMOLITION
- New External wall

Commercial to Residential Conversion (HMO)
Dividing of Ground Floor Retail space

175-177 Dalton Road
LA14 1PX
Barrow In Furness

Revision Notes
N/A

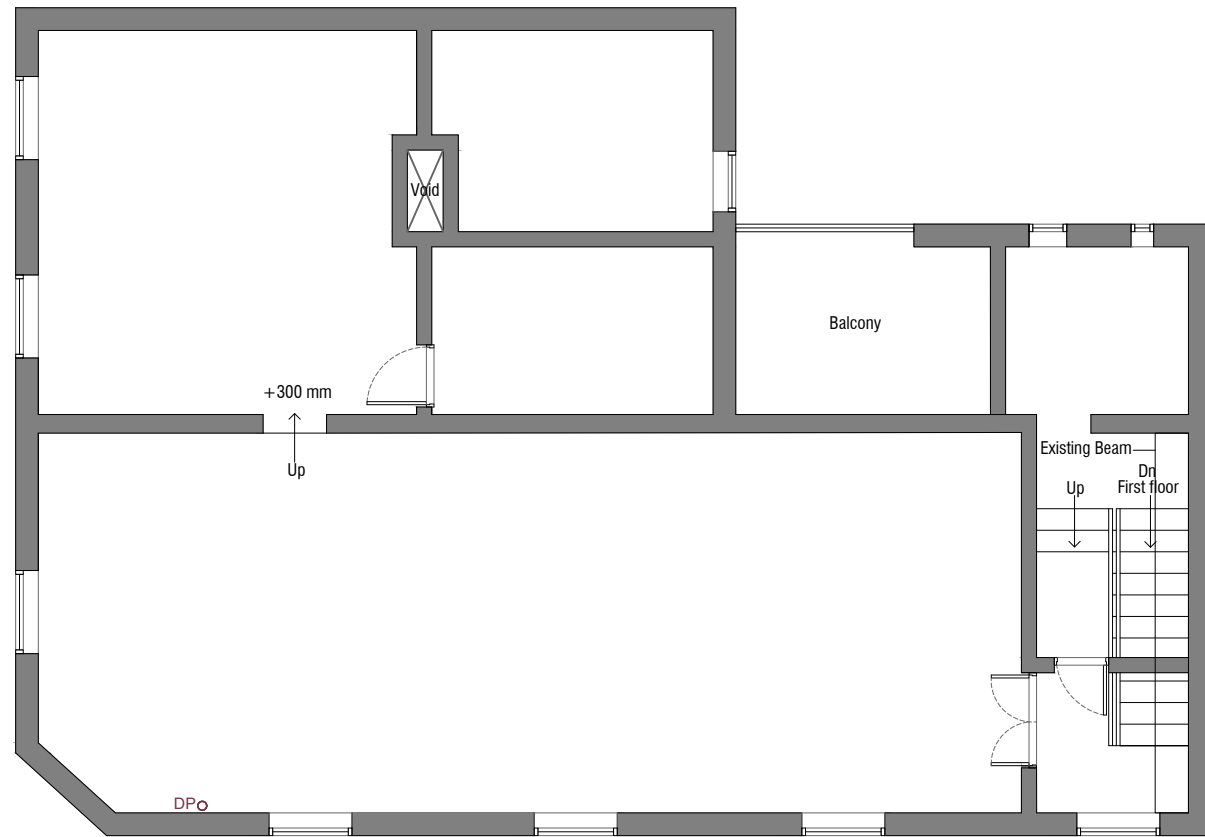
Existing and Proposed First floor Plan

Drawn - PW
Checked - NAS 01/12/2023

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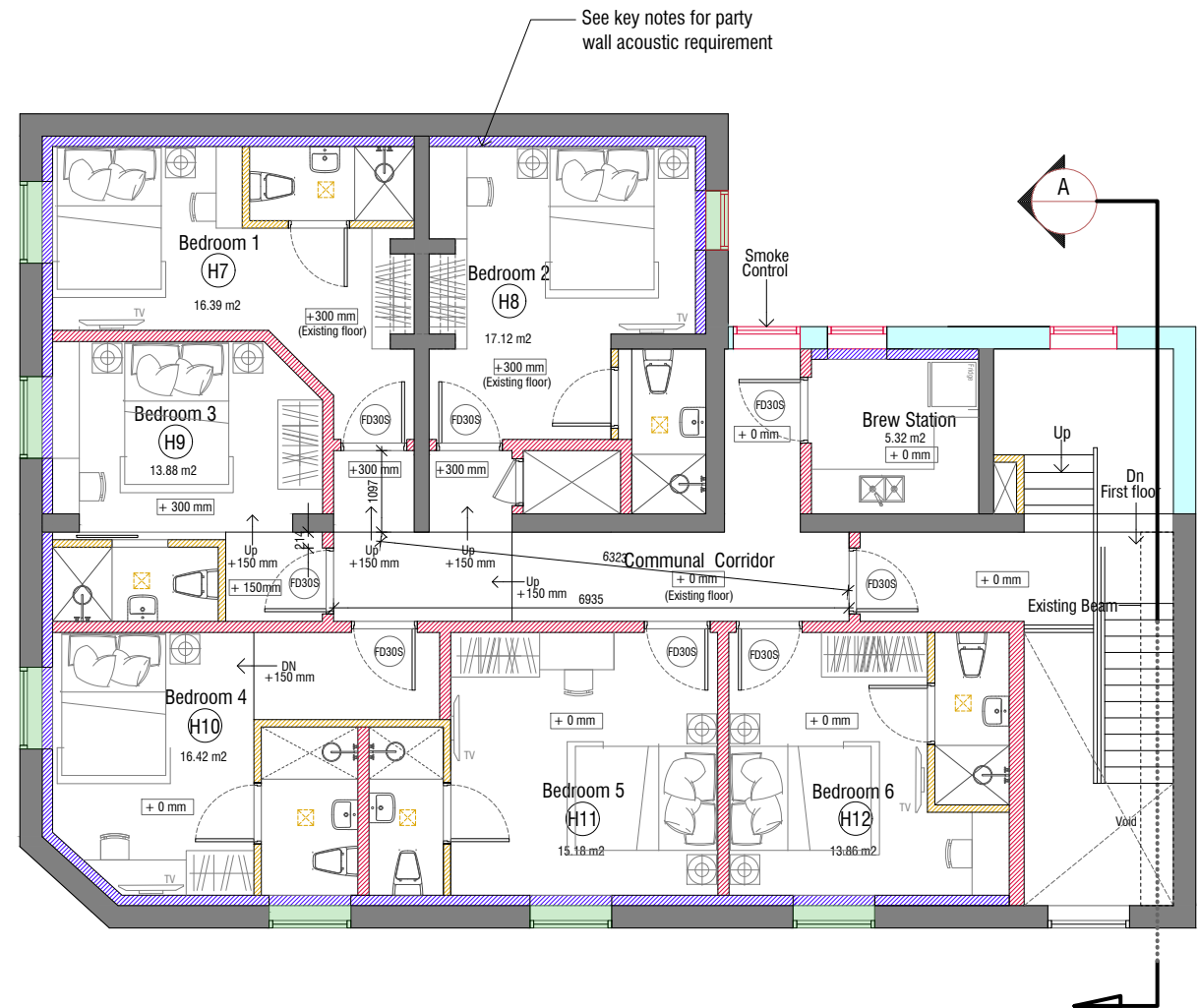
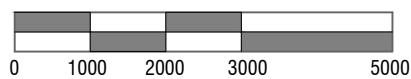
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DRHMO PA 002A



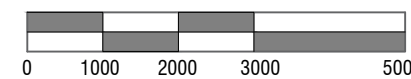
Existing Second Floor Plan

SCALE 1:100@A3



Proposed Second Floor Plan

SCALE 1:100@A3



DPo Existing Down Pipe

Typical Shower tray size 1000x800 mm

New windows opening

FD30S

HMO unit / House in multiple occupation

Shop units

Non-acoustically separating internal wall

Acoustically separating internal wall

100 mm timber or metal stud independent of existing wall with Kooltherm K112 insulation between studs Kooltherm K118 37.5mm over stud where plaster removed from existing wall ensure all gaps and holes are filled

Party wall : use above system where party walls are one brick thick where half brick thick apply addition 15 mm thick sound board

Windows to be filled with acoustic trickle vents

Permanent running silent extract fan

WALL CONSTRUCTION KEY

EXISTING WALL

DEMOLITION

New External wall

Commercial to Residential Conversion (HMO)

Dividing of Ground Floor Retail space

175-177 Dalton Road
LA14 1PX
Barrow In Furness

Revision Notes
N/A

Existing Second floor Plan
Proposed Second floor Plan

Drawn - PW
Checked - NAS 01/12/2023

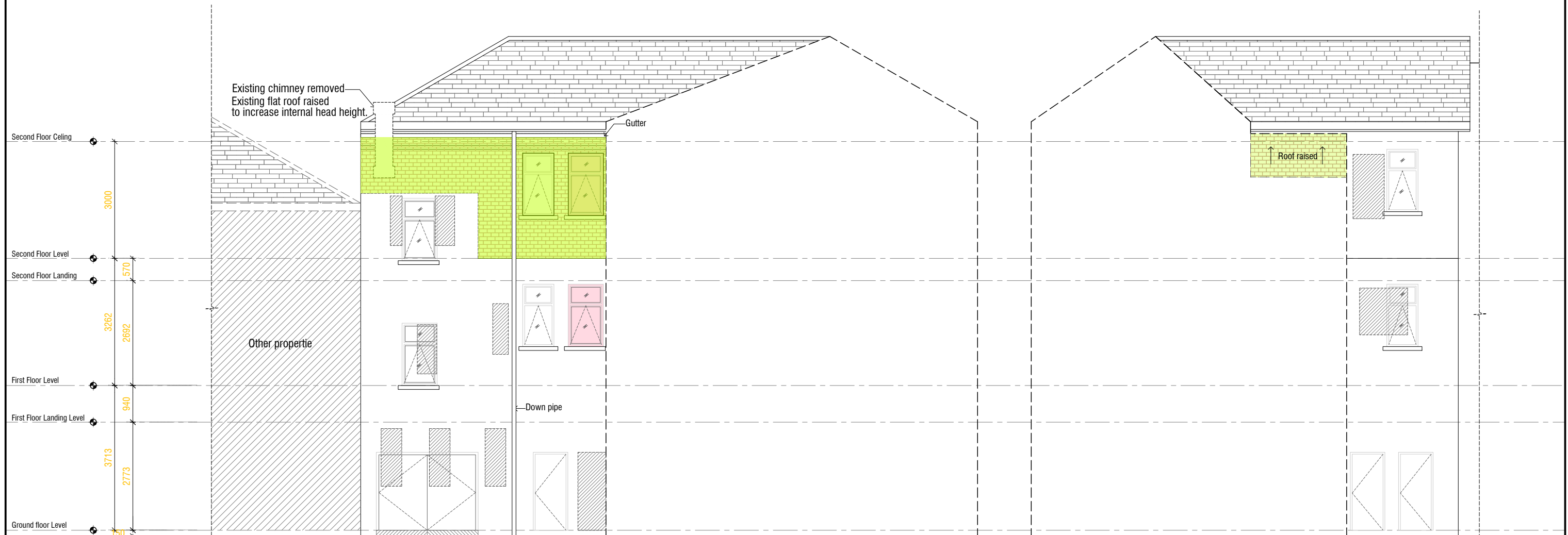
DRH/MQ PA 003A

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2023/0464



- Raised flat roof extension to increase internal head height
- Smoke vent automated windows (Obscured glazing)
- Existing Doors and windows openings

Proposed Material Schedule	
External wall	Render
Windows	PVCu
Window heads/cills	Reconstituted stone/Colour concrete
Doors	Timber/Composite security door
Rain water Goods	PVCu
Roof Covering	GRP flat roof/Mineral Felt

Proposed South Elevation
SCALE 1:100@A3

Proposed West Elevation
SCALE 1:100@A3

Commercial to Residential Conversion (HMO)
Dividing of Ground Floor Retail space

175-177 Dalton Road
LA14 1PX
Barrow In Furness

Revision Notes
N/A
new rear external doors

Proposed South Elevation
Proposed West Elevation

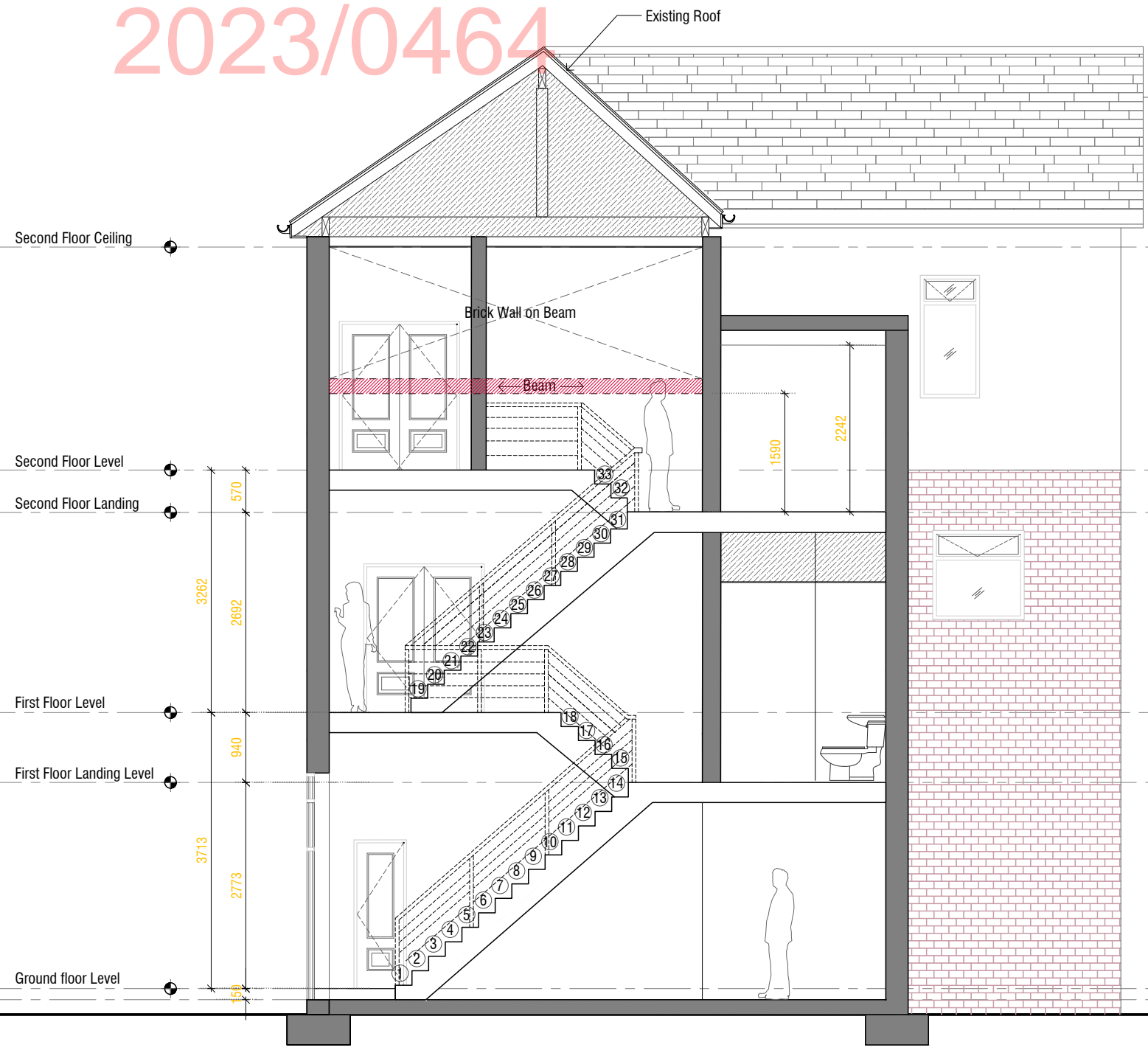
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DRHMO PA 011A

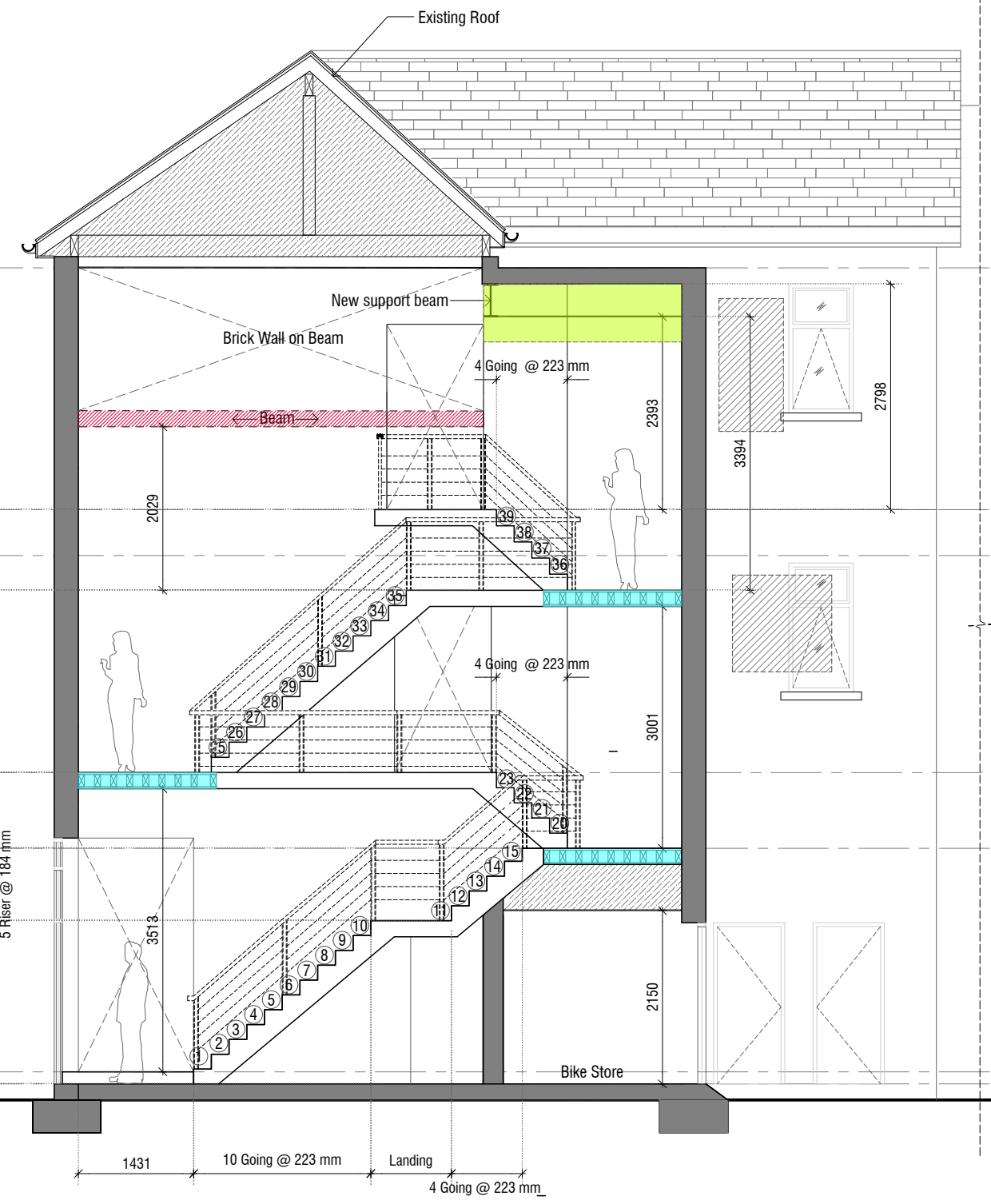
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2023/0464



Existing Section A-A
SCALE 1:75@A3



Proposed Section A-A
SCALE 1:75@A3

- Raised flat roof extension to increase internal head height
- Existing Doors and windows openings
- Joists span between wall without affecting head height

Commercial to Residential Conversion (HMO)
Dividing of Ground Floor Retail space

LA14 1PX
Barrow In Furness

Revision Notes
N/A
increased bike store enclosure and altered/ new rear external doors

Proposed Section A

Drawn - PW
Checked - NAS

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DRHMO PA 012A



Second Floor Ceiling
3000
Second Floor Level
Second Floor Landing
570
3262
2692
First Floor Level
940
First Floor Landing Level
3713
2773
Ground floor Level
150

Step reduce from 200 mm to 150 mm high

- HMO /House in multiple occupation
- Shop unit 1
- Shop unit 2

Proposed North Elevation
SCALE 1:100@A3

Proposed East Elevation
SCALE 1:100@A3

Proposed Material Schedule	
External wall	Painted render to match existing
Windows	PVCu/To match existing style
Window heads/cills	Reconstituted stone/Colour concrete
Doors	Timber/Composite security door
Rain water Goods	PVCu
Roof Covering	Existing slate mineral felt to flat roof

Commercial to Residential Conversion (HMO)
Dividing of Ground Floor Retail space

175-177 Dalton Road
LA14 1PX
Barrow In Furness

Revision Notes
N/A

Proposed North Elevation
Proposed East Elevation

Drawn - PW
Checked - NAS
01/12/2023

DRHMO PA 0108

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Appendices of Saved and Emerging Policies

Note to Members

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

National Planning Policy Framework 2023

NPPF 011

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

For plan-making this means that:

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

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

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

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

For decision-taking this means:

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

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

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

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

NPPF 130

Planning policies and decisions should ensure that developments:

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

NPPF 203

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.

Barrow Borough Local Plan 2016-2031

Policy DS1 - Council's commitment to sustainable development

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

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

to secure development that simultaneously achieves economic, social and environmental gains for the Borough.

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

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

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

Policy DS2 - Sustainable Development Criteria

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

- a) Ensuring that proposed development incorporates green infrastructure designed and integrated to enable accessibility by walking, cycling and public transport for main travel purposes, particularly from areas of employment and retail, leisure and education facilities;
- b) Ensuring development does not prejudice road safety or increase congestion at junctions that are identified by the Local Highway Authority as being over-capacity;
- c) Ensuring access to necessary services, facilities and infrastructure and ensuring that proposed development takes into account the capacity of existing or planned utilities infrastructure;
- d) Ensuring that the health, safety and environmental effects of noise, smell, dust, light, vibration, fumes or other forms of pollution or nuisance arising from the proposed development including from associated traffic are within acceptable levels;
- e) Respecting the residential amenity of existing and committed dwellings, particularly privacy, security and natural light;
- f) Protecting the health, safety or amenity of occupants or users of the proposed development;

g) Contributing to the enhancement of the character, appearance and historic interest of related landscapes, settlements, street scenes, buildings, open spaces, trees and other environmental assets;

h) Contributing to the enhancement of biodiversity and geodiversity;

i) Ensuring that construction and demolition materials are re-used on the site if possible;

j) Avoiding adverse impact on mineral extraction and agricultural production;

k) Ensuring that proposals incorporate energy and water efficiency measures (in accordance with the relevant Building Regulations), the use of sustainable drainage systems where appropriate and steers development away from areas of flood risk;

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

m) Development must comply with Policy DS3.

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

Policy DS5 - Design

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

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

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

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

- d) Create clearly distinguishable, well defined and designed public and private spaces that are attractive, accessible, coherent and safe and provide a stimulating environment;
- e) Allow permeability and ease of movement within the site and with surrounding areas, placing the needs of pedestrians, cyclists and public transport above those of the motorist, depending on the nature and function of the uses proposed;
- f) Create a place that is easy to find your way around with routes defined by a well-structured building layout;
- g) Prioritise building and landscape form over parking and roads, so that vehicular requirements do not dominate the sites appearance and character;
- h) Exhibit design quality using design cues and materials appropriate to the area, locally sourced wherever possible;
- i) Respect the distinctive character of the local landscape, protecting and incorporating key environmental assets of the area, including topography, landmarks, views, trees, hedgerows, habitats and skylines. Where no discernible or positive character exists, creating a meaningful hierarchy of space that combines to create a sense of place;
- j) Create layouts that are inclusive and promote health, well-being, community cohesion and public safety;
- k) Incorporate public art where this is appropriate to the project and where it can contribute to design objectives;
- l) Ensure that development is both accessible and usable by different age groups and people with disabilities;
- m) Integrate Sustainable Drainage Systems of an appropriate form and scale;
- n) Mitigate against the impacts of climate change by the incorporation of energy and water efficiency measures (in accordance with the Building Regulations), the orientation of new buildings, and use of recyclable materials in construction; and
- o) Ensuring that new development avoids creating nesting sites for gulls e.g. through the provision of appropriate roof pitches.

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

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

- a) Such proposals do not lead to the unacceptable loss of good quality family housing, taking into account housing needs identified in the current Strategic Housing Market Assessment;
- b) There will be no unacceptable impact on the residential amenity of neighbouring properties, especially with respect to privacy, noise and other disturbance;
- c) The proposal would not adversely affect the character of the building or the surrounding area, for example through an unacceptable increase in on-street parking;
- d) The proposed internal design ensures that units will have access to sufficient natural light, ventilation, privacy, outlook and indoor amenity space;
- e) The proposal does not lead to inappropriate stacking of rooms;
- f) Adequate suitably screened space is provided for the storage of refuse, recycling bins and cycles;
- g) Outdoor amenity space is provided where possible;
- h) There is adequate access from the residential unit to both the front and rear of the building;
- i) The proposal would not lead to an over-concentration of similar uses resulting in the loss of social and community cohesion; and
- j) The site is within easy reach of public transport and community facilities.

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

Policy R1 - The Vision for Barrow and Dalton Town Centres

Proposals for development or alterations within Barrow and Dalton town centres must support the Local Plan Vision for those areas.

Policy R17 - Conversion of upper floors to residential units within the town centre

The conversion of upper floors to residential use will be permitted where this will assist the regeneration of the area and will bring back vacant properties into use subject to the site being capable of providing an acceptable level of residential amenity and access for future occupiers. Any external alteration, such as the addition of front doors etc, must not harm the character and appearance of the town centre.

Developments that rely solely on access from a back street will not be permitted unless the scheme provides for suitable upgrading of the back street.

Policy R2 - Barrow Town Centre

For the purposes of interpreting the relevant policies in this chapter, Barrow's Town Centre is identified in Appendix I.

Policy R3 - Barrow's Primary Shopping Area

The Primary Shopping Area is the focus for retail uses in Barrow. It's boundaries are shown in Appendix I. Proposals for other main town centre uses (i.e. not A1) will be supported within the defined primary shopping area, provided that:

- a) The proposal complements the retail function and makes a positive contribution to the vitality, viability and diversity of the town centre, in terms of maintaining active continuous retail frontages, signage and hours of opening;
- b) The proposal would not give rise, either alone or cumulatively, to a detrimental effect on the character and amenity of the primary shopping area, or cause an unacceptable harm to the amenity of town centre residents; and
- c) The proposal will not have an unacceptable impact upon the local highway network and acceptable levels of parking are available nearby.