

07 July 2022

**To: The Chair and Members of the
Development Control and Regulation
Committee**

Agenda

DEVELOPMENT CONTROL AND REGULATION COMMITTEE

A meeting of the Development Control and Regulation Committee will be held as follows:

Date: Friday 15 July 2022
Time: 10.00 am
Place: Council Chamber - County Offices, Kendal, LA9 4RQ

Simon Higgins
Assistant Director – Customer and Community Services

Enquiries and requests for supporting papers to: Nicola Harrison
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This agenda is available on request in alternative formats

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MEMBERSHIP

Labour (6)

Mr A McGuckin (Vice-Chair)
Mr F Cassidy
Mr KR Hamilton
Mr W McEwan
Mr FI Morgan
Mr MH Worth

Conservative (8)

Mr RK Bingham
Mr A Bowness
Mrs HF Carrick
Mr D English
Mr AJ Markley
Mr J Mallinson
Mr CP Turner
Mr D Wilson
Mr GRPM Roberts

Liberal Democrat (3)

Mr GD Cook (Chair)
Mr N Cotton
Mr P McSweeney

Independent (1)

Mr R Betton

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 County Council's website – <http://councilportal.cumbria.gov.uk/ieListMeetings.aspx?CId=124&Year=0>

Background Papers

Requests for the background papers to the Part I reports, excluding those papers that contain exempt information, can be made to the Legal and Democratic Services Unit at the address overleaf between the hours of 9.00 am and 4.30 pm, Monday to Friday.

A G E N D A

PART 1: ITEMS LIKELY TO BE CONSIDERED IN THE PRESENCE OF THE PRESS AND PUBLIC

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2 CHANGES IN MEMBERSHIP

To note any changes in membership.

3 DISCLOSURES OF INTEREST

Members are invited to disclose any disclosable pecuniary interest they have in any item on the agenda which comprises

- 1 Details of any employment, office, trade, profession or vocation carried on for profit or gain.
- 2 Details of any payment or provision of any other financial benefit (other than from the authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. (This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 3 Details of any contract which is made between you (or a body in which you have a beneficial interest) and the authority
 - (a) Under which goods or services are to be provided or works are to be executed; and
 - (b) Which has not been fully discharged.
- 4 Details of any beneficial interest in land which is within the area of the authority.
- 5 Details of any licence (alone or jointly with others) to occupy land in the area of the authority for a month or longer.
- 6 Details of any tenancy where (to your knowledge)
 - (a) The landlord is the authority; and
 - (b) The tenant is a body in which you have a beneficial interest.

- 7 Details of any beneficial interest in securities of a body where
- (a) That body (to your knowledge) has a place of business or land in the area of the authority; and
 - (b) Either –
 - (i) The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - (ii) If that share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

In addition, you must also disclose other non-pecuniary interests set out in the Code of Conduct where these have not already been registered.

Note

A “disclosable pecuniary interest” is an interest of a councillor or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they are civil partners).

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

To confirm as a correct record the Minutes of a meeting held on 7 June 2022.
(Pages 9 - 18)

6 CA13/36 - APPLICATION TO CORRECT MISTAKEN REGISTRATION; CL155, LAND EITHER SIDE OF THE A591, SOUTH OF WATERHEAD

[Electoral Division: Lakes]

To consider a report from the Executive Director – Economy and Infrastructure

Under Regulation 25 the Applicant was given an opportunity to respond to representations. A copy of the Applicant’s response is enclosed as Appendix 4 to the report (please note that due to their size, the Land Registry titles listed as supporting item 4 in the Applicant’s reply have not been included. These do however encompass the whole of the Application Land split between various titles and can be provided on

request should they be required).

(Pages 19 - 92)

7 HIGHWAYS ACT 1980 SECTION 119 APPLICATION TO DIVERT PUBLIC FOOTPATH NO 253009 PARISH OF SILLOTH

[Electoral Division: Solway Coast]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 93 - 100)

8 HIGHWAYS ACT 1980 SECTION 25 UPGRADING OF SECTIONS OF PUBLIC FOOTPATH NO 536260 AND 536261 TO BRIDLEWAY IN THE PARISH OF KENDAL: DISTRICT OF SOUTH LAKELAND

[Electoral Division: Kendal Highgate]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 101 - 108)

9 HIGHWAYS ACT 1980 SECTION 119 APPLICATION TO DIVERT PUBLIC FOOTPATH NO 507010 PARISH OF BURTON IN KENDAL

[Electoral Division: Lower Kentdale]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 109 - 116)

10 APPLICATION REFERENCE NO. 1/21/9004. PROPOSAL: APPLICATION TO AMEND CONDITION 2 OF PLANNING PERMISSION 1/18/9006 AND TO APPROVE FURTHER DETAILS SUBSEQUENTLY SUBMITTED FOR THE CONSTRUCTION AND OPERATION OF A BUILDING FOR THE PROCESSING OF WASTE TO PRODUCE REFUSE DERIVED FUEL, AND PROCESSING OF CO-MINGLED RECYCLABLE MATERIAL, WHICH IT IS PROPOSED TO DETERMINE UNDER SECTION 73A OF THE TOWN AND COUNTRY PLANNING ACT 1990 FOR RETROSPECTIVE PERMISSION FOR THE CONSTRUCTION AND OPERATION OF A BUILDING FOR THE PROCESSING OF WASTE TO PRODUCE REFUSED DERIVED FUEL, AND THE PROCESSING OF CO-MINGLED RECYCLABLE MATERIAL. THIS IS FULLY EXPLAINED IN SECTION 2 OF THIS REPORT. LOCATION: HESPIN WOOD WASTE MANAGEMENT PARK, ROCKCLIFFE, CARLISLE, CA6 4BJ

[Electoral Division: Longtown]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 117 - 178)

11 APPLICATION REFERENCE NO. 1/22/9003. PROPOSAL: MODULAR BUILDING TO PROVIDE 2 TEMPORARY CLASSROOMS AND 16 ADDITIONAL CAR PARKING SPACES. LOCATION: JAMES RENNIE SCHOOL, CALIFORNIA ROAD, CARLISLE, CA3 0BX

[Electoral Division: Belah]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 179 - 188)

- 12 APPLICATION REFERENCE NO. 2/22/9001. PROPOSAL: SECTION 73 APPLICATION TO PLANNING PERMISSION 2/12/9013 FOR EXTRACTION OF SAND AND GRAVEL AND CONCRETE BATCHING PLANT TO VARY CONDITION 2 TO EXTEND TIME LIMIT FOR OPERATION TO ALLOW THE RESTORATION OF THE SITE FOR A FURTHER PERIOD OF FIVE YEARS. LOCATION: ALDOTH QUARRY, ALDOTH TO THE C2012, ALDOTH, SILLOTH, CA7 4NB

[Electoral Division: Solway Coast]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 189 - 206)

- 13 APPLICATION REFERENCE NO. 2/22/9002. PROPOSAL: SECTION 73 APPLICATION TO PLANNING PERMISSION 2/12/9015 FOR EXTRACTION OF SAND AND GRAVEL TO VARY CONDITION 2 TO EXTEND TIME LIMIT FOR USE FOR AGGREGATE PROCESSING AND THE RESTORATION OF THE SITE FOR A FURTHER PERIOD OF FIVE YEARS..LOCATION: DIXON HILL QUARRY, ALDOTH TO THE C2012, ALDOTH, SILLOTH, CA7 4NB

[Electoral Division: Solway Coast]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 207 - 224)

- 14 APPLICATION REFERENCE NO. 3/22/9001. PROPOSAL: ERECTION OF EMERGENCY STANDBY GENERATOR AND ASSOCIATED OIL TANK AND FENCING AND ANCILLARY LANDSCAPING. LOCATION: GRISEDALE CROFT RESIDENTIAL CARE HOME, CHURCH ROAD, ALSTON, CA9 3QS

[Electoral Division: Alston and East Fellside]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 225 - 238)

- 15 APPLICATION REFERENCE NO. 4/22/9001. PROPOSAL: DEMOLITION OF BUILDINGS. LOCATION: FORMER BRACKENTHWAITE ELDERLY PERSONS HOME, SENHOUSE STREET, WHITEHAVEN, CA28 7ES

[Electoral Division: Bransty]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 239 - 254)

- 16 APPLICATION REFERENCE NO. 5/22/9004. PROPOSAL: SECTION 73 FOR IMPROVEMENTS TO AGRICULTURAL LAND THROUGH IMPORTATION OF

INERT MATERIAL, TO VARY CONDITIONS 1, 2, 3, 4 AND 12 OF PLANNING PERMISSION 5/19/9005. LOCATION: LAND AT WINDER MOOR, WILLOW LANE, FLOOKBURGH, GRANGE-OVER-SANDS, LA11 7LU

[Electoral Division: Cartmel]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 255 - 272)

17 APPLICATIONS DETERMINED UNDER DELEGATED POWERS

[Electoral Divisions: Various]

To consider a report from the Executive Director – Economy and Infrastructure

To note that these are applications that have recently been determined by the Executive Director – Economy and Infrastructure in accordance with the schemes of delegation.
(Pages 273 - 274)

18 APPLICATIONS PROPOSED TO BE DETERMINED UNDER DELEGATED POWERS

[Electoral Divisions: Various]

To consider a report from the Executive Director – Economy and Infrastructure

To note that these applications that have been submitted to the County Council but are not ready/appropriate for presentation to the Committee of for determination under delegated powers and/or have been recently withdrawn or determined as invalid or not requiring planning permission etc.
(Pages 275 - 276)

19 FORWARD PLAN

[Electoral Divisions: Various]

To consider a report from the Executive Director – Economy and Infrastructure

To note the Committee's Forward Plan.
(Pages 277 - 280)

20 DATE AND TIME OF NEXT MEETING

The next meeting will be held on 1 September 2022 at 10.00am at County Offices, Kendal.