11 July 2017

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: Tuesday 18 July 2017
Time: 10.00 am
Place: Council Chamber - County Offices, Kendal, LA9 4RQ

Dawn Roberts
Corporate Director – Resources and Transformation

Enquiries and requests for supporting papers to: Nicola Harrison
Direct Line: 01228 226906
Email: nicola.harrison@cumbria.gov.uk

This agenda is available on request in alternative formats

Serving the People of Cumbria
MEMBERSHIP

Labour (6)
Mr F Cassidy
Mr KR Hamilton
Mr W McEwan
Mr A McGuckin (Vice-Chair)
Mr FI Morgan
Mr MH Worth

Conservative (8)
Mr LN Fisher
Mr RK Bingham
Mrs HF Carrick
Mr A Bowness
Mr J Bland
Mr D Whipp
Mr D Wilson
Mr R Worthington

Liberal Democrat (3)
Mr N Cotton
Mrs BC Gray
Mr GD Cook (Chair)

Independent (1)
Mr JS Holliday

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.
AGENDA

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 MEMBERSHIP

To note the membership of the Committee as follows:

Conservative (8) Labour (6)
Mr R Bingham Mr F Cassidy
Mrs H Carrick Mr K Hamilton
Mr L Fisher Mr W McEwan
Mr J Bland Mr A McGuckin (Vice Chair)
Mr A Bowness Mr F Morgan
Mr D Wilson Mr M Worth
Mr D Whipp
Mr R Worthington

Liberal Democrat (3)
Mr G Cook (Chair)
Mr N Cotton
Mrs B Gray

West Cumbria Independent Group (1)
Mr J Holliday

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 30 March 2017 (copy enclosed). (Pages 9 - 18)

6 CA10/25 - APPLICATION TO CORRECT UNIT VG2 OF THE REGISTER OF VILLAGE GREENS - NATLAND VILLAGE GREEN.

To consider a report from the Corporate Director – Economy and Highways (copy enclosed). (Pages 19 - 46)

7 CA10/26 - APPLICATION TO CORRECT UNIT VG104 OF THE REGISTER OF VILLAGE GREENS - SCHOOL GREEN, NETHERWASDALE.

To consider a report from the Corporate Director – Economy and Highways (copy enclosed) (Pages 47 - 74)

8 WILDLIFE & COUNTRYSIDE ACT 1981 – SECTION 53 APPLICATION TO ADD PUBLIC RIGHTS OF WAY AT SUNSTONES GARAGE IN THE PARISH OF BROUGHTON MOOR DISTRICT OF ALLERDALE (Pages 75 - 82)

9 REPORTS ON APPLICATIONS FOR PLANNING PERMISSION

[Electoral Divisions: Various]

These are applications which are determined by the County Council after taking into account the views of consultees and relevant representations. Applications in this category are prescribed by legislation. Private applications principally relate to minerals and waste management activities and associated development. County applications are developments which are to be carried out by the County Council itself or jointly with any other person.

To consider reports from the Corporate Director – Economy and Highways

a Application No: 1/16/9006. PROPOSAL: Periodic review of minerals permission. LOCATION: Solway Moss Peat Works, Mill Hill, Gretna, Dumfries & Galloway, DG16 5HU (Pages 83 - 102)

b Application No: 1/16/9009. PROPOSAL: Shared use Footway/Cycleway. LOCATION: Land adjacent to the South-west side of Kingmoor Road, Carlisle (Pages 103 - 126)

c Application No: 1/17/9001. PROPOSAL: Full planning application with accompanied updated topics of Environmental Statement submitted with 1/00/9005 to amend Condition No 1 to extend the life of the permission from 31 October 2020 to 31 October 2039; condition No 41 amend the approved plans to undertake the deposit of waste in different phases and to different pre-settlement contours from 44m AOD to 45m AOD. LOCATION: Hespin Wood Resource Park & Landfill Site, Todhills, Carlisle, CA6 4BJ. (Pages 127 - 146)

d Application No: 1/17/9006. PROPOSAL: Extension to existing materials recovery facility. LOCATION: Hespin Wood Resource Park & Landfill Site,
Application No: 1/17/9007. PROPOSAL: Demolition of the Lower Gaol Yard and Lonsdale buildings. LOCATION: Land to the rear of The Courts, Bush Brow, Carlisle, CA3 8NA (Pages 159 - 170)

Application No: 1/17/9008. PROPOSAL: Section 73 Variation of Conditions 1, 10 & 11 of planning permission reference 1/11/9001 Unit A Rockcliffe Estate, Kingmoor Park, Carlisle CA6 4RW. LOCATION: North West Recycling, Unit A, Rockcliffe Industrial Estate, Kingmoor Park, Carlisle, CA6 4RW (Pages 171 - 180)

Application No: 2/17/9005. PROPOSAL: Section 73 application to Planning Permission 2/14/9007 to extend the life of the permission until 31 May 2022. LOCATION: Snowhill Quarry No.1, Snowhill Farm, Caldbeck, Wigton, Cumbria, CA7 8HL (Pages 181 - 198)

Applications: Refs. 2/17/9006 & 2/17/9007. Ref.2/17/9006: Removal of Condition 1 of Planning Permission 2/12/9009 to allow permanent retention of the portacabin structure housing the pre-school, toddlers and holiday play facility. Ref.2/17/9007: Extension to, and recladding of, existing portacabin structure. Location: Bolton Low Houses Pre-school, Toddlers and Holiday Play Facility at Bolton Low Houses C of E Primary School, Bolton Low Houses, Wigton, CA7 8PA (Pages 199 - 214)

Application No: 4/17/9006. PROPOSAL: A single span footbridge to be installed over Pow Beck that will be 12 metres in length and 1.5 metres in width. Stone surface ramps to be built at each end to provide access. To include diversion of Public Footpath numbered 423012 onto the new footbridge and temporary construction compound to the car park. LOCATION: Land Beyond the End of Seamill Lane near St Bees, Seamill Lane, St Bees (Pages 215 - 222)

Application No: 5/16/9010. PROPOSAL: Section 73 Application to vary Conditions 1, 2 and 3 of Planning Permission 5/96/9005 for the purposes of extending the timescales to complete quarrying operations at Holme Park Quarry until 2043 and to vary the phasing and restoration schemes LOCATION: Holme Park Quarry, Burton-in-Kendal, Carnforth, Cumbria, LA6 1NZ (Pages 223 - 266)

Application No: 5/16/9011. PROPOSALS Section 73 Planning Application to vary Planning Condition No.2 of Planning Permission Reference No. 5/90/3339 dated 11th January 1991 for the purposes of aligning the permitted hours of operations at the Ready Mixed Concrete Plant with all other operations at Holme Park Quarry, Cumbria LOCATION: Holme Park Quarry, Burton-in-Kendal, Carnforth, Cumbria, LA6 1NZ (Pages 267 - 280)

Application No: 6/17/9005. Proposal: Remediation of three plots of derelict land comprising altering ground conditions to provide development platforms. Works include erection of fencing, new and enhanced habitat areas and reinstatement of foul and surface water sewers. The development platforms will form part of the larger Barrow Waterfront
10 SUBMISSIONS UNDER CONDITIONS

[Electoral Divisions: Various]

To consider a report from the Corporate Director – Economy and Highways (copy enclosed)

a Permission No: 4/16/9014. Proposal: Construction of new school buildings for St Benedicts and Mayfield schools with associated sports pitches/facilities, car parking, landscaping, new access onto Moresby Road and Red Lonning. Service access road onto U4008. Applicant: Cumbria County Council (Pages 301 - 306)

11 APPLICATIONS/CONSULTATIONS DETERMINED UNDER DELEGATED POWERS

[Electoral Divisions: Various]

To consider a report from the Corporate Director – Economy and Highways (copy enclosed)

To note that these are applications/consultations that have recently been determined by the Corporate Director – Economy and Highways (copy enclosed) in accordance with their schemes of delegation. (Pages 307 - 308)

12 APPLICATIONS/CONSULTATIONS PROPOSED TO BE DETERMINED UNDER DELEGATED POWERS

[Electoral Divisions: Various]

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.

To consider a report from the Corporate Director – Economy and Highways (copy enclosed) (Pages 309 - 310)

13 APPLICATIONS TO BE CONSIDERED AT FUTURE MEETINGS

[Electoral Divisions: Various]

To consider a report from the Corporate Director – Economy and Highways (copy enclosed)

To note the list of outstanding planning applications. (Pages 311 - 312)

14 PLANNING ENFORCEMENT RELATED MATTERS
[Electoral Divisions: Various]

To consider a report from the Corporate Director – Economy and Highways (copy enclosed) (Pages 313 - 314)

15 FUTURE MEETING DATES

The next meeting of the Committee will be held in The Council Chamber, County Offices, Kendal, starting at 10.00 am on 15 August 2017.