

5 August 2019

**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 13 August 2019
Time: 10.00 am
Place: Council Chamber - County Offices, Kendal, LA9 4RQ

Dawn Roberts
Executive Director – Corporate, Customer and Community Services

Enquiries and requests for supporting papers to: Nicola Harrison
Direct Line: 01228 226906
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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 LN Fisher
Mr AJ Markley
Mr D Wilson
Mr CP Turner

Liberal Democrat (3)

Mr GD Cook (Chair)
Mr N Cotton
Mrs BC Gray

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?CIId=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 1 July 2019
(Pages 7 - 16)

6 CA10/41 - APPLICATION TO CORRECT UNIT CL495 OF THE REGISTER OF COMMON LAND - KITCHIN'S GROUND, THE HILL, MILLOM.

To consider a report from the Acting Executive Director – Economy and Infrastructure
(Pages 17 - 38)

7 NL0057: - APPLICATION FOR REGISTRATION OF LAND AT CUMREW AS A NEW TOWN OR VILLAGE GREEN

To consider a report from the Acting Executive Director – Economy and Infrastructure
(Pages 39 - 84)

8 WILDLIFE AND COUNTRYSIDE ACT 1981 - SECTION 53 APPLICATION TO MODIFY A SECTION OF PUBLIC FOOTPATH NO 126016 PARISH OF NICHOLFOREST: DISTRICT OF CARLISLE

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

(Pages 85 - 94)

9 HIGHWAYS ACT 1980 SECTION 119 APPLICATION TO DIVERT PUBLIC FOOTPATH NO 126016 PARISH OF NICHOLFOREST: DISTRICT OF CARLISLE

To consider a report from the Acting Executive Director – Economy and Infrastructure
(Pages 95 - 102)

10 HIGHWAYS ACT 1980 SECTION 119A - APPLICATION TO DIVERT UNRECORDED PUBLIC FOOTPATH AT BAYLEY/BAILEY LANE GRANGE OVER SANDS: DISTRICT OF SOUTH LAKELAND

To consider a report from the Acting Executive Director – Economy and Infrastructure
(Pages 103 - 114)

11 1/19/9005 & 1/19/9006 SECTION 73 VARIATION OF CONDITION 4 PERMISSION REF 1/17/9018 & CONDITION 2 PERMISSION REF 1/17/9019 TO PERMANENTLY EXTEND THE HOURS OF OPERATION ON THE SITE (NOT INCLUDING OPERATING TIMES OF WASTE CARRYING VEHICLES). LOCATION: NORTH WEST RECYCLING LTD, UNIT A, UNIT B & SITE K, KINGMOOR PARK, ROCKCLIFFE ESTATE, ROCKCLIFFE, CARLISLE, CA6 4RW

To consider a report from the Acting Executive Director – Economy and Infrastructure
(Pages 115 - 128)

12 APPLICATION REFERENCE NO. 2/19/9005. PROPOSAL: CONSTRUCTION OF ONE FERRIC DOSING KIOSK AND ONE MOTOR CONTROL KIOSK - ONE TO REGULATE THE PH OF THE FINAL EFFLUENT AND ONE TO CONTROL THE DOSING REGIME. LOCATION: ASPATRIA WWTW, COMELY BANK, ASPATRIA, CUMBRIA, CA7 2BE

To consider a report from the Acting Executive Director – Economy and Infrastructure
(Pages 129 - 140)

13 APPLICATION REFERENCE NO. 5/19/9007. PROPOSAL: DEMOLITION OF GOOSEHOLME FOOTBRIDGE. LOCATION: GOOSEHOLME BRIDGE, NEW ROAD, KENDAL (LA9 4BA)

To consider a report from the Acting Executive Director – Economy and Infrastructure
(Pages 141 - 158)

14 APPLICATION REFERENCE NO. 5/19/9008. PROPOSAL: REPLACEMENT OF EXISTING FIBRE GLASS WAVE EFFECT ROOF WITH A SHALLOW PROFILED INSULATED PANEL ROOF WITH PROTRUDING ROOF LIGHTS AND INSTALLATION OF ROOF MOUNTED SOLAR PANELS (PHOTOVOLTAIC AND THERMAL). LOCATION: SANDGATE HYDROTHERAPY POOL, SANDYLANDS ROAD, KENDAL, LA9 6JG

To consider a report from the Acting Executive Director – Economy and Infrastructure
(Pages 159 - 166)

15 APPLICATIONS DETERMINED UNDER DELEGATED POWERS

[Electoral Divisions: Various]

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

To note that these are applications/consultations that have recently been determined by the Acting Executive Director – Economy and Infrastructure in accordance with the schemes of delegation. (Pages 167 - 168)

16 APPLICATIONS PROPOSED TO BE DETERMINED UNDER DELEGATED POWERS

[Electoral Divisions: Various]

To consider a report from the Acting 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 169 - 170)

17 FORWARD PLAN

To consider a report from the Acting Executive Director – Economy and Infrastructure
(Pages 171 - 172)

18 DATE AND TIME OF NEXT MEETING

The next meeting will be held on 18 September 2019 at 10.00am at County Offices, Kendal