

14 January 2020

**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: Wednesday 22 January 2020**  
**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 4 December 2019.  
**(Pages 7 - 14)**

#### **6 HIGHWAYS ACT 1980 SECTION 119 - APPLICATION TO DIVERT PUBLIC FOOTPATH NO 331015 PARISH OF HUNSONBY: DISTRICT OF EDEN**

*[Electoral Division: Alston and East Fellside]*

To consider a report from the Executive Director – Economy and Infrastructure  
**(Pages 15 - 22)**

#### **7 HIGHWAYS ACT 1980 PROPOSED CREATION OF FOOTPATH IN THE PARISH OF ALSTON MOOR**

*[Electoral Division: Alston and East Fellside]*

To consider a report from the Executive Director – Economy and Infrastructure **(Pages 23 - 28)**

#### **8 WILDLIFE & COUNTRYSIDE ACT 1981 - SECTION 53 APPLICATION TO ADD**

**A PUBLIC RIGHT OF WAY AT BRAMPTON IN THE PARISH OF LONG MARTON: DISTRICT OF EDEN**

***[Electoral Division: Appleby]***

To consider a report from the Executive Director – Economy and Infrastructure (Pages 29 - 40)

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

***[Electoral Division: Grange]***

To consider a report from the Executive Director – Economy and Infrastructure (Pages 41 - 48)

- 10 SAFETY AT SPORTS GROUNDS**

***[Electoral Division: Workington]***

To consider a report from the Executive Director – Economy and Infrastructure (Pages 49 - 52)

- 11 APPLICATION REFERENCE NOS. 5/19/9012, 5/19/9013 & 5/19/9014. PROPOSALS: TO REMOVE OPERATIONAL HOURS RESTRICTIONS ON THE SITE REF. 5/19/9012: SECTION 73 APPLICATION TO REMOVE CONDITIONS 9 AND 10 OF PLANNING PERMISSION REF. 5/16/9014 SO AS TO REMOVE RESTRICTIONS ON THE OPERATIONAL HOURS OF THE SITE (MAIN SITE) REF. 5/19/9013: SECTION 73 APPLICATION TO REMOVE CONDITIONS 2 AND 3 OF PLANNING PERMISSION REF. 5/16/9015 SO AS TO REMOVE RESTRICTIONS ON THE OPERATIONAL HOURS OF THE SITE ACCESS REF. 5/19/9013: SECTION 73 APPLICATION TO REMOVE CONDITIONS 4 AND 5 OF PLANNING PERMISSION REF. 5/16/9016 SO AS TO REMOVE RESTRICTIONS ON THE OPERATIONAL HOURS OF THE WASH PLANT. LOCATION: ROAN EDGE INERT LANDFILL, WASTE RECYCLING FACILITY AND QUARRY, NEW HUTTON, KILLINGTON, KENDAL, LA8 0AP**

***[Electoral Division: Upper Kent]***

To consider a report from the Executive Director – Economy and Infrastructure (Pages 53 - 78)

- 12 APPLICATION REFERENCE NO. 5/19/9017. PROPOSAL: SECTION 73 APPLICATION TO VARY CONDITION 1 OF PLANNING PERMISSION 5/18/9010 SO AS TO RETAIN A PORTACABIN UP TO 31 JANUARY 2021. LOCATION: ULVERSTON FIRE STATION, THE ELLERS, ULVERSTON, LA12 0AB**

***[Electoral Division: Ulverston East]***

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

**(Pages 79 - 84)**

### **13 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 that have recently been determined by the Acting Executive Director – Economy and Infrastructure in accordance with the schemes of delegation. (Pages 85 - 86)*

### **14 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 87 - 88)**

### **15 FORWARD PLAN**

***[Electoral Divisions: Various]***

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

*To note the Committee's Forward Plan. (Pages 89 - 90)*

### **16 DATE AND TIME OF NEXT MEETING**

The next meeting will be held on 4 March 2020 at 10.00am at County Offices, Kendal.