PRESENT:

Mr A Clark (Chairman)

Mr LN Fisher (Vice-Chair) Mr AJ Markley
Mr RK Bingham Mr W McEwan
Mrs HF Carrick Mr M Stephenson
Mr F Cassidy Mr E Wilson
Mr N Cotton Mr H Wormstrup
Mr D Fletcher Mr K Hitchen
Mrs BC Gray Mr A McGuckin
Mr KR Hamilton

Also in Attendance:-

David Hughes - Senior Monitoring and Enforcement Officer
Stuart Perigo - Interim Manager of Development Control and Countryside Management
Jayne Petersen - Senior Planning Officer
Rachel Brophy - Senior Planning Officer
Edward Page - Planning Officer
Andy Sims - PROW Mapping Officer

PART 1 – ITEMS CONSIDERED IN THE PRESENCE OF THE PUBLIC AND PRESS

245 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr F Morgan and Mr A Toole

246 CHANGES IN MEMBERSHIP

It was noted that Mrs Wharrier replaced Mr F Morgan as a member of the Committee for this meeting only.

247 DISCLOSURES OF INTEREST

There were no disclosures of interest made.
248 EXCLUSION OF PRESS AND PUBLIC

RESOLVED that the press and public be not excluded during consideration of any items of business.

249 MINUTES

The Senior Democratic Services Officer reported that further to the meeting of the Committee held on 5 October 2016, which considered Application No: 1/16/9005, (PROPOSAL: Erection of an energy from waste plant including reception and fuel processing hall, boiler house and air cooled condensing building and associated operations including 70 m high flue stack, 2 no silos for storage of fuel, 4 no silos for the storage of ash, car parking and new access roads, gatehouse, utilities building, weighbridge, and balancing pond. LOCATION: Kingmoor Park Industrial Estate, Land to North of Kings Drive, Carlisle, Cumbria, CA6 4SE), Mr Gareth Ellis had represented Mr David Morton and not Mr Thomas Stordy, as recorded in the Minutes.

RESOLVED that the minutes of the meeting held on 15 February 2017 be confirmed as a correct record and signed by the Chairman.

250 HIGHWAYS ACT 1980 SECTION 119 APPLICATION TO DIVERT PUBLIC FOOTPATH NO 572010 PARISH OF STAINTON DISTRICT OF SOUTH LAKELAND

A report from the Corporate Director – Economy and Highways was considered regarding a Highways Act 1980 Section 119 Application to divert Public Footpath no 572010 in the parish of Stainton, district of South Lakeland.

Mrs Gray, whose division in which the path was located, welcomed that the path would be brought into use.

RESOLVED that pursuant to the power set out at Part 2G paragraph 2.1 (g) (iii) of the Council’s Constitution, an order be made under Section 119 of the Highways Act 1980 to divert:

1 Those sections of public footpath no 572010 in the parish of Stainton as marked A-B and D-C to new sections shown A-E-F-G and D-I-H as shown on the plan at Appendix A and
2 That the Corporate Director - Resources and Transformation be authorised to take all necessary actions to confirm the order.

251 TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 257 - APPLICATION TO DIVERT PUBLIC FOOTPATH NOS 539057 & 539058 KIRKBY IRELETH, DISTRICT OF SOUTH LAKELAND

A report was considered from the Corporate Director – Economy and Highways regarding a Town and Country Planning Act 1990 – Section 257 – Application to
divert public footpath no’s 539057 and 539058 Kirkby Ireleth, district of South Lakeland.

Mr Fletcher whose division in which the footpaths were located stated that he had no objection to the footpath diversions.

Members were advised that the legal agreement providing for ecological mitigation had now been completed and the Decision Notice at Burlington Quarry had now been issued.

RESOLVED that Pursuant to the power set out at Part 2G paragraph 2.1 (g)(iii) of the Council’s Constitution, an order be made under Section 257 (1) of the Town and Country Planning Act 1990 to divert

1 Public footpath no 539057 as shown marked D-B to a new route D-A and
2 Public Footpath no 539058 as shown A-B-C to a new route shown A-E-C

on the plan at Appendix A of the report and that the Corporate Director Resources and Transformation be authorised to take all the necessary actions to confirm the order.

252 REPORTS ON APPLICATIONS FOR PLANNING PERMISSION

a Application No: 1/17/9003. PROPOSAL: Proposed New Build 60 no Bed Care Home with Associated Parking and Landscaping. LOCATION: Former Morton Park Primary School Site, Burnrigg, Carlisle CA2 6QH

Members considered a report from the Corporate Director Economy and Highways regarding Application No: 1/17/9003. PROPOSAL: Proposed New Build 60 no Bed Care Home with Associated Parking and Landscaping. LOCATION: Former Morton Park Primary School Site, Burnrigg, Carlisle CA2 6QH.

Mr McGuckin, whose division was adjacent to the division where the application was located supported the development and moved that planning permission be granted, which was seconded.

In the following debate, members commented on the requirement for separate water meters in the building, construction vehicles parking in the vicinity of the building and on the shape of the roof.

A number of members, in supporting the proposal, suggested the provision of solar panels on the new building, commenting on how they would improve the building’s efficiency and which should be the subject of a condition. The Interim Manager of Development Control and Countryside Management clarified that provision of solar panels would be the responsibility of the applicant, at a later stage in the development. He confirmed that there were no proposals for solar panels included
in the planning application before members, however it was members’ prerogative to impose a condition on the applicant to include a scheme to provide for green energy. He advised that specifying solar panels as the source of renewable energy may not be the most appropriate given the range of renewable energy options available, rather, a more general condition relating to green energy may be a better option if members considered it appropriate.

Mr Hamilton proposed an amendment that solar panels be installed on the building. This was not seconded. A number of members acknowledged that the proposed development would be built to high energy efficiency specifications and designed with energy efficiency in mind, which was confirmed by the Interim Manager of Development Control and Countryside Management.

Mr Markley then proposed an amendment that planning permission be granted with the applicant investigating and incorporating of a source of renewable energy into the building. This was not seconded. A number of members raised that the Local Plan would include green policies that the developer would need to take into consideration in the development.

Mr McGuckin, proposed an alteration to his own motion, that planning permission be granted with a letter forwarded to the Applicant encouraging the use of green energy sources in the development. This was agreed by affirmation of the Committee.

RESOLVED that planning permission be granted subject to the conditions set out in Appendix 1 of the report and a letter be forwarded to the Applicant encouraging the use of green energy in the development.

b Application No: 2/16/9011. PROPOSAL: Extension to works site, erection of plant, machinery and kiosk buildings and related ancillary development. LOCATION: Cockermouth Wastewater Treatment Works, Low Road (C2068), Cockermouth, Cumbria, CA13 0HH

A report was considered from the Corporate Director – Economy and Highways regarding Application No: 2/16/9011. PROPOSAL: Extension to works site, erection of plant, machinery and kiosk buildings and related ancillary development. LOCATION: Cockermouth Wastewater Treatment Works, Low Road (C2068), Cockermouth, Cumbria, CA13 0HH.

Mr Bingham commented on the archaeological merit of the site and proposed that an archaeological watching brief be added as a condition, however this was not seconded or supported by the Committee.

RESOLVED that:

a) The Assessment of Likely Significant Effect (ALSE) dated 2 February 2017 undertaken by the applicant, in their position as a competent authority for the purposes of the Conservation of Habitats and Species Regulations 2010, be adopted;
b) Planning Permission be Granted subject to the conditions set out in Appendix 1 of the report.

c) An order be made under the provisions of Section 257 of the Town and Country Planning Act 1990 (as amended by Section 12 of the Growth and Infrastructure Act 2013) to permanently divert a section of public footpath as set out in the report; and

d) The Corporate Director – Resources and Transformation take all necessary actions to confirm the order referred to in c).

c Application Nos: 2/17/9001 & 2/17/9002. PROPOSALS: Ref. 2/17/9001: Full Planning Permission for Demolition of the remaining unsafe elements of the bridge and construction of a new bridge, training walls and scour protection. Ref. 2/17/9002: Listed Building Consent for Demolition of the remaining unsafe elements of the bridge. LOCATION: Bell Bridge, Welton, Carlisle, CA5 7HA

A report was considered from the Corporate Director – Economy and Highways regarding Application No’s: 2/17/9001 & 2/17/9002. PROPOSALS: Ref. 2/17/9001: Full Planning Permission for Demolition of the remaining unsafe elements of the bridge and construction of a new bridge, training walls and scour protection. Ref. 2/17/9002: Listed Building Consent for Demolition of the remaining unsafe elements of the bridge. LOCATION: Bell Bridge, Welton, Carlisle, CA5 7HA.

Members’ attention was drawn to the update sheet which outlined further comments from Sebergham and Welton Parish Council to the proposal. Mr Markley welcomed that the bridge was being reinstated with Mr Bingham welcoming that materials were being reused.

RESOLVED that

a) The Assessment of Likely Significant Effect (ALSE) be adopted

b) Planning permission be granted subject to the conditions set out in Appendix 1 of the report, subject to amendments outlined in the update sheet to the Committee

c) Listed Building Consent be granted subject to the conditions set out in Appendix 2 of the report.

d Application No: 3/17/9003. Construction of a new staff car park (12 spaces), formation of 4 disabled parking bays and 2 visitor parking bays (on Church Road) and a drop off point at the front of the school, minor external alterations to add external doors in two locations, addition of a MUGA pitch with fencing and six flood lights to replace the existing all weather surface (available for community use). Addition of new adventure playground for the primary school pupils to replace the one at their existing site, creation of new footpath linking the front and rear of
A report was considered from the Corporate Director – Economy and Highways regarding Application No: 3/17/9003. Construction of a new staff car park (12 spaces), formation of 4 disabled parking bays and 2 visitor parking bays (on Church Road) and a drop off point at the front of the school, minor external alterations to add external doors in two locations, addition of a MUGA pitch with fencing and six flood lights to replace the existing all weather surface (available for community use). Addition of new adventure playground for the primary school pupils to replace the one at their existing site, creation of new footpath linking the front and rear of the school, new timber 900mm palin fence to enclosed play area and internal alterations to facilitate Alston Primary School and Barnados Unit moving into Samuel Kings School. LOCATION: Samuel King’s School, Church Road, Alston, Cumbria, CA9 3QU.

Members’ attention was drawn to the update sheet which outlined an amendment to condition 7 to restrict the hours of the games area and lighting. Clarity was provided by the Planning Officer on the number of parking spaces and a member familiar with the site commented that the number of parking spaces were acceptable and welcomed the proposal.

RESOLVED that planning permission be granted subject to the conditions set out in Appendix 1 of the report to include the amendment to Condition 7 as outlined in the Update Sheet.

Application No: 4/17/9001. PROPOSAL: Proposed new build 60 no. bed Care Home with associated car parking and landscaping. LOCATION: Former Sekers Factory Site, Cleator Moor Road, Whitehaven, Cumbria, CA28 8RZ

A report from the Corporate Director – Economy and Highways was considered regarding Application No: 4/17/9001. PROPOSAL: Proposed new build 60 no. bed Care Home with associated car parking and landscaping. LOCATION: Former Sekers Factory Site, Cleator Moor Road, Whitehaven, Cumbria, CA28 8RZ.

Mr Wormstrup, after congratulating officers on an excellent piece of work, moved that planning permission be granted, with it being seconded by Mr Fisher. Mrs Wharrier, in whose division the proposal was located, advised that along with local residents, she welcomed the proposal. Members requested that a condition be included that the applicant consider renewable energy in the development of the building.

RESOLVED that planning permission be granted subject to the conditions in Appendix 1 of the report and a letter be forwarded to the
Applicant encouraging the use of green energy in the development.

f Application No: 6/17/9004. PROPOSAL: Section 73 application to vary Condition 7 (Unexploded Ordnances) of Planning Permission 6/16/9002. LOCATION: "Marina Village Access", Land to the south of Salthouse Road, between Rawlinson Street and Ruskin Terrace, Barrow-in-Furness

A report was considered from the Corporate Director – Economy and Highways regarding Application No: 6/17/9004. PROPOSAL: Section 73 application to vary Condition 7 (Unexploded Ordnances) of Planning Permission 6/16/9002. LOCATION: "Marina Village Access", Land to the south of Salthouse Road, between Rawlinson Street and Ruskin Terrace, Barrow-in-Furness.

RESOLVED that planning permission be granted subject to the conditions set out in Appendix 1 of the report.

g Application No: 6/16/9008. PROPOSAL: Installation of Twin Flue and Support Mast for new Biomass Unit within existing building and installation of portable de-humidification skips LOCATION: Sinkfall Farm, Rakesmoor Lane, Barrow-in-Furness, LA14 4QE

A report was considered from the Corporate Director – Economy and Highways regarding Application No: 6/16/9008. PROPOSAL: Installation of Twin Flue and Support Mast for new Biomass Unit within existing building and installation of portable de-humidification skips LOCATION: Sinkfall Farm, Rakesmoor Lane, Barrow-in-Furness, LA14 4QE.

After a query regarding the robustness of the measures in place to monitor emissions from the flue, the Planning Officer stated that planning conditions were robust and there would be regular monitoring by the Borough Council via the Environmental Permit. Mr Markley supported the proposal and moved the recommendation which was seconded.

RESOLVED that planning permission be granted subject to the conditions set out in Appendix 1.

253 SUBMISSIONS UNDER CONDITIONS

a Permission No: 5/15/9007 Condition: 11 Location: Land to the South of the junction of Daltongate and A590, Ulverston

A report was considered from the Corporate Director Economy and Highways regarding Permission No: 5/15/9007 Condition: 11 Location: Land to the South of the junction of Daltongate and A590, Ulverston.

The Planning Officer responded to members’ questions regarding road configuration and traffic light provision.
RESOLVED that the details submitted under Condition 11 of planning permission 5/15/9007 be approved and that the pre-commencement element of this condition be discharged.

b Permission No: 6/16/9002. Conditions: 6, 8, 9 and 10. Development: Creation of new access road with associated landscaping (including fencing and walling) and enabling demolition of brick wall sections. Location: "Marina Village Access", Land to the south of Salthouse Road, between Rawlinson Street and Ruskin Terrace, Barrow-in-Furness

A report was considered from the Corporate Director – Economy and Highways regarding Permission No: 6/16/9002. Conditions: 6, 8, 9 and 10. Development: Creation of new access road with associated landscaping (including fencing and walling) and enabling demolition of brick wall sections. Location: "Marina Village Access", Land to the south of Salthouse Road, between Rawlinson Street and Ruskin Terrace, Barrow-in-Furness.

RESOLVED that the details submitted under conditions 6, 8, 9 and 10 of planning permission 6/16/9002 be approved and the pre-commencement element of these conditions be discharged.

254 APPLICATIONS/CONSULTATIONS DETERMINED UNDER DELEGATED POWERS

RESOLVED that the list of applications/consultations determined under delegated powers be noted.

255 APPLICATIONS/CONSULTATIONS PROPOSED TO BE DETERMINED UNDER DELEGATED POWERS

RESOLVED that the list of applications/consultations proposed to be determined under delegated powers be noted.

256 APPLICATIONS TO BE CONSIDERED AT FUTURE MEETINGS

RESOLVED that the list of applications to be considered at future meetings be noted.

257 PLANNING ENFORCEMENT RELATED MATTERS

a Reference No: 2/15/9008. Report Content: Report of outcome of Appeal against decision to refuse Certificate of Lawful Use or Development. The Close, Mealsgate

A report was considered from the Corporate Director Economy and Highways regarding Reference No:2/15/9008 on the outcome of an Appeal against decision to refuse Certificate of Lawful Use or Development. The Close, Mealsgate.
RESOLVED that the report be noted.


A report was considered from the Corporate Director – Economy and Highways regarding Reference No: EN16-6003, providing an update on a temporary Stop Notice served at the former PartyLite Factory, Sandscale Park, Barrow-in-Furness.

RESOLVED that the report be noted.

258 FUTURE MEETING DATES

As it was the last meeting of the Committee before the election on 4 May 2017, the Chairman thanked both the Committee and officers for their work.

The meeting ended at 11.45 am