

23 November 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: Thursday 1 December 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
Direct Line: 07825 832 545
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This agenda is available on request in alternative formats

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MEMBERSHIP

Labour (5)

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

Liberal Democrat (3)

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

Independent (2)

Mr R Betton
Mr A McGuckin

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 12 October 2022.
(Pages 7 - 18)

6 CA13/37 - APPLICATION TO CORRECT MISTAKEN REGISTRATION; CL87 ANGERTON MARSH

[Electoral Divisions: High Furness]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 19 - 154)

7 CA13/39 - APPLICATION TO CORRECT MISTAKEN REGISTRATION; CL456 COCKLEY MOSS AND CL457 CHAPEL MOSS

[Electoral Divisions: Aspatria]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 155 - 246)

8 HIGHWAYS ACT 1980 SECTION 119 PROPOSED DIVERSION OF PUBLIC FOOTPATH NO 415009 PARISH OF MILLOM

[Electoral Divisions: Millom]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 247 - 254)

9 WILDLIFE & COUNTRYSIDE ACT 1981 - SECTION 53 APPLICATION TO ADD A PUBLIC RIGHT OF WAY IN THE PARISH OF MILLOM: DISTRICT OF COPELAND

[Electoral Divisions: Millom]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 255 - 288)

10 APPLICATION REFERENCE NO. 1/21/9007. PROPOSAL: SECTION 73 APPLICATION TO VARY CONDITION 2 OF PLANNING PERMISSION REF. 1/20/9013 TO ALTER THE DESIGN AND LAYOUT OF THE APPROVED BUILDINGS (INCLUDING ADJUSTMENTS TO THE FOOTPRINT AND SITING OF THE PROPOSED EXTENSIONS AND AN INCREASE IN HEIGHT OF PART OF THE PROPOSED SOUTHERN EXTENSION ELEMENT). UNIT B, KINGMOOR PARK ROCKCLIFFE ESTATE, ROCKCLIFFE, CARLISLE, CA6 4RW.

[Electoral Divisions: Longtown]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 289 - 344)

11 APPLICATION REFERENCE NO. 5/22/9006. PROPOSAL: SECTION 73 APPLICATION TO VARY CONDITION 1 OF PLANNING PERMISSION 5/22/9004 TO EXTEND THE PERMITTED DURATION OF OPERATIONS. LOCATION: LAND AT WINDER MOOR, WILLOW LANE, FLOOKBURGH, GRANGE-OVER-SANDS, LA11 7LU

[Electoral Divisions: Cartmel]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 345 - 358)

12 APPLICATION REFERENCE NO. 5/22/9008. PROPOSAL: SECTION 73 APPLICATION TO VARY CONDITIONS 2 AND 3, AND REMOVE CONDITIONS 1, 4 AND 7, OF PLANNING PERMISSION REF. 5/19/9011 IN ORDER TO RETAIN THE EXISTING TEMPORARY FACILITY UNTIL 4 DECEMBER 2023. LOCATION: FIRE SERVICE EQUIPMENT STORAGE FACILITY (FORMER ARCHIVES STORE BUILDING SITE), BUSER WALK, KENDAL, LA9 4RQ

[Electoral Divisions: Kendal Strickland and Fell]

To consider a report from the Executive Director – Economy and Infrastructure
(Pages 359 - 370)

13 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 371 - 372)

14 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 373 - 374)

15 FORWARD PLAN

[Electoral Divisions: Various]

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

To note the Committee's Forward Plan.
(Pages 375 - 378)

16 DATE AND TIME OF NEXT MEETING

The next meeting will be held on 17 January 2023 at 10.00am at County Offices, Kendal.