

DEVELOPMENT CONTROL AND REGULATION COMMITTEE

Minutes of a Meeting of the Development Control and Regulation Committee held on Thursday, 1 December 2022 at 10.00 am at Council Chamber - County Offices, Kendal, LA9 4RQ

PRESENT:

Mr GD Cook (Chair)

Mr A McGuckin (Vice-Chair)	Mr P McSweeney
Mr RW Betton	Mr FI Morgan
Mr RK Bingham	Mr CP Turner
Mr N Cotton	Mr D Wilson
Mr D English	Mr D Gawne
Mr KR Hamilton	Mr GRPM Roberts
Mr W McEwan	

Also in Attendance:-

Mark Brennand	-	Lead Officer - Historic Environment and Commons
Richard Cryer	-	Lead Officer - Development Control
Paul Haggin	-	Manager Development Control and Sustainable Development
Louise Maving	-	Commons Officer
Edward Page	-	Planning Officer
Andy Sims	-	Countryside Access Officer
Jason Weatherill	-	Commons Officer
Ian Blinkho	-	EPW - Lead Lawyer

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

71 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr A Bowness, Mrs H Carrick, Mr F Cassidy, Mr J Mallinson, Mr T Markley and Mr M Worth.

72 CHANGES IN MEMBERSHIP

It was noted that Mr G Roberts had replaced Mrs H Carrick and Mr D Gawne had replaced Mr T Markley as members of the Committee for this meeting only.

73 DISCLOSURES OF INTEREST

There were no disclosures of interest made at the meeting.

74 EXCLUSION OF PRESS AND PUBLIC

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

75 MINUTES

Corrections:

Minute 65, Page 10, 3rd paragraph, change 29 September 2022 to 15 July 2022.

Minute 65, Page 11, 1st paragraph, second line. Change 'would' to 'could'.

Minute 65, Page 12, 3rd paragraph, replace paragraph with the following: 'It was noted that photographs of the meeting were being taken by one of the objectors during the meeting. The EPW – Lead Lawyer confirmed this was allowed and then clarified for members what decision they were determining at the meeting adding that it was not a retrospective planning application'.

RESOLVED that, subject to the corrections above, the minutes of the meeting held on 12 October 2022 be confirmed as a correct record.

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

A report was considered from the Executive Director – Economy and Infrastructure. The report advised that an application had been received to correct a mistaken registration in common land register unit number CL87 Angerton Marsh. Members were requested to make a decision as to whether the application should be granted and a correction be made to the Council's register of common land.

The Commons Officer made her presentation using plans and photographs.

A member asked who had been allotted the land in the first instance. It was confirmed by the Commons Officer that it hadn't been allotted to anyone and it wasn't covered by the Inclosure Act. Another Commons Officer explained how the land was originally waste land of the Manor but that it had been fenced off from the remainder of the common before provisional registration and was only used by the farm and tenants from that point onwards. The member talked about the historical use of land of this type, adding that the land was clearly enclosed.

The Chair highlighted that there had been a lot of officer research and that no one had challenged the findings.

Mr McGuckin proposed that the recommendation as set out in the report be agreed. This was seconded by Mr English.

The Chair moved to the vote which was cast as follows: 13 in favour of the motion, 1 against and 0 abstentions.

RESOLVED that, the Development Control and Regulation Committee accepts the Application and resolves to amend the common land register by deregistering part of common land register unit number CL87, on the grounds that the land in question, immediately before its provisional registration, was not land subject to rights of common, waste land of a manor, a town or village green or land of a description specified in Section 11 of the Inclosure Act 1845.

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

A report was considered from the Executive Director – Economy and Infrastructure. The report advised that an application had been received to correct the mistaken registration of common land register units CL456 and CL457. The purpose of the report was to request Members to make a decision as to whether the application should be granted, and a correction made to the Council’s register of common land.

The Commons Officer made his presentation using plans and photographs.

There were no member questions on this application.

Mr McGuckin moved that the recommendation as set out in the report be agreed. He commented on how these types of applications were determined by observing and researching people’s historic rights and praised the successes of the Commons process in keeping the register accurate. He explained that the argument against the application was a vague memory from the 1920’s of a village green, which in all circumstances would’ve been unlikely. He commended officers on their work.

Mr Bingham talked about Inclosure history in Cumbria and seconded the motion.

The Chair moved to the vote which was cast as follows: 14 in favour of the motion, 0 against and 0 abstentions.

RESOLVED that, the Committee accepts the application and resolves to amend the common land register by deregistering common land units CL456 and CL457, on the grounds that the land in question, immediately before its provisional registration, was not land subject to rights of common, waste land of a manor, a town or village green or land of a description specified in Section 11 of the Inclosure Act 1845.

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

A report was considered from the Executive Director – Economy and Infrastructure. The report advised that the County Council was proposing to divert sections of

public footpath no 415009 at Haverigg Pool in the parish of Millom.

The Countryside Access Officer made his presentation using plans and photographs.

A member who lived local to the site advised that the situation had been a bone of contention in the area for some time and wondered how the area had been developed due to the location of the Right of Way. He supported the diversion. He referred to a photograph and identified steps which were close to where a boat was moored, steps on the other side of the river and advised that there used to be stepping stones. He asked if this was a Right of Way. The Countryside Access Officer advised that currently it wasn't but an application could be made to make it so.

After giving his general support, a member queried why the County Council had to pay for the diversion when there were local landlords who could contribute. The Countryside Access Officer had queried this and explained the tragic history behind how it had come to the County Council's attention. It would incur little cost and officer time to make the diversion. There would be signage to encourage the public to use the new route and although the previous route would not be closed by the County Council, the Parish Council would be involved in how the current route could be closed.

The first member who spoke mentioned how the path was used by boat owners, explained the history behind the use of the footpath by local people and advised that the current path was used to avoid intruding on residents in nearby houses. The Countryside Access Officer explained the methods which would be used to encourage people to use the diverted sections of footpath.

A member asked who owned the land on the proposed route and why was the County Council paying for the diversions. The Chair advised on the landowner, that the diversions were identified to move the route away from residential properties and that property owners had not objected to the proposals.

The Countryside Access Officer talked to members about who owned the majority of land in the UK on which Public Rights of Way were located.

It was moved by Mr Wilson and seconded by Mr Turner that the recommendation as set out in the report be agreed.

The Chair moved to the vote which was cast as follows: 14 in favour of the motion, 0 against and 0 abstentions.

RESOLVED that, pursuant to the power set out at Part 2G paragraph 2.1(g) (iii) of the County Council's Constitution, an order be made under Section 119 of the Highways Act 1980 to divert sections of public footpath no 415009 from A-B to A-E-F-B and C-D to C-G as shown on the plan at Appendix A and if no objections are received, the order be confirmed. In the event objections are received and not withdrawn, the matter may be referred to the Secretary of State for consideration.

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

A report was considered from the Executive Director – Economy and Infrastructure. The report advised that an application had been received to add a section of public footpath at Haverigg Pool in the parish of Millom. The purpose of the report was to present Members with the evidence regarding the route, and for a decision to be made whether to proceed with the next stage of the process by making a legal order.

The Countryside Access Officer made his presentation using plans and photographs.

The Chair asked that if the application was rejected, the landowner be advised that clear notices should be displayed on the route. The Countryside Access Officer stated this would be the case. The EPW - Lead Lawyer confirmed that the landowner had supplied a barrister's opinion via his solicitor and it was the responsibility of the landowner's legal team to advise their client in connection with this matter.

The Local Member who had lived in the area for a long time thanked the Countryside Access Officer for his diligent work and commented on the poor signage that had been erected by the landowner. He stated that the footpath had been regularly used.

The Countryside Access Officer clarified that the claim was recommended for rejection as it fell short of the twenty years test.

A member asked if footpath 415009 linked to the holiday park. This was confirmed by the Countryside Access Officer who added that the restricted byway joined onto the network.

Another member asked about the previous claim to the Planning Inspectorate and whether the restricted byway had always been there. The Countryside Access Officer explained the previous claim to the Planning Inspectorate, the routes to members and what routes were added to the Definitive Map. He also explained what a restricted byway was. He reiterated that the evidence did not pass the twenty year statutory test.

The same member referred to the letter from Burnetts solicitors dated 19 April 2017 where it was stated that this was a last ditch attempt by residents to stop the development. The Countryside Access Officer advised that facts were used to arrive at a recommendation and that he could not give personal opinion on the background to the history between the applicant and residents.

It was confirmed that the applicant could request a review if the Committee agreed to reject the application and the decision could be overturned. The Countryside Access Officer talked about how he thought that this would not be the case from the

evidence he had seen. The EPW - Lead Lawyer stated that the pursuit of the objection at the Public Inquiry in 2011 indicated there had been no intention to dedicate the route at that time.

A member talked about the importance of the statutory test and a landowner's objection to a Right of Way. He referred to the decision of the Rights of Way inspector from the Planning Inspectorate and how there wasn't enough evidence in 2011. Sixteen people evidenced that they had used it for more than twenty years but the definitive objection was the 2011 Public Inquiry. He asked if that decision bound the Committee.

The Countryside Access Officer explained how the pursuit of the objection at Public Inquiry negated the evidence and the claim started again at 2011. He acknowledged that signs appeared to have been erected by the landowner's representative to attempt to negate a claim but he was of the opinion that they would carry little evidential weight as they were poorly located. A member highlighted that that the members' decision had to be based on evidence.

The EPW - Lead Lawyer highlighted that the Planning Inspector's decision was a red herring. He added that in 2011 there was a distinct lack of intent by the landowner to dedicate the route.

A member queried the timescales involved in the application. The EPW - Lead Lawyer confirmed that the pertinent date was the Public Inquiry in 2011 and a further nine years of evidence was required to fulfil the twenty years statutory test.

Mr Morgan moved the recommendation as set out in the report. This was seconded by Mr Hamilton.

The Chair moved to the vote which was cast as follows: 13 in favour of the motion, 0 against and 1 abstention (Mr Bingham requested a named abstention).

RESOLVED that, the application to add a public right of way at Haverigg Pool in the parish of Millom be rejected.

There was a 5 minute recess at 11.05am

80 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.

Mr Hamilton was not in the room for the whole of this item.

A report was considered from the Executive Director – Economy and Infrastructure.

The Planning Officer made his presentation using plans and photographs. He drew attention to the update sheet which had been circulated to members and published on the Council's website the day before the meeting. He highlighted that since the report was published the Applicant had reduced the footprint of the eastern part of the southern extension and consequently it was proposed to change condition 2 to reflect the updated plans. He also drew members' attention was the further representation from Rockcliffe Parish Council. The Planning Officer did not think that it had raised further substantial issues.

A member commented that Unit B was an eyesore. The Planning Officer and Chair stated that this was not part of the current planning application but the Applicant did acknowledge it was dilapidated.

Another member referred to the operating hours and queried if objections had been raised to the lateness of operation. The Planning Officer reported that the operating hours had been agreed since 2018. It was acknowledged there had been some complaints about noise but that these related principally to the operation of temporary generators and that the complaints had not been validated to date.

A member referred to the detailed objection from Rockcliffe Parish Council contained within the report and asked for confirmation that members were only deciding on the minor changes to footprint and height. This was confirmed by the Chair, Planning Officer and EPW Lead Lawyer.

A member was glad that his concerns about drainage had been addressed and talked about the modifications to the height of the southern extension.

The Manager Development Control and Sustainable Development read out the following three Public Participation statements:

Mr T Parrini

This application is for the recladding of Shed B on the Rockcliffe Waste Recycling Site and appears to allow for the storage of various waste materials prior to its reprocessing by various means such as the Pyrolysis Plants that are expected to be applied for at the Rockcliffe Site and at the Heathlands Site. This in addition to an incineration facility at Kingstown and Refuse Derived Fuel (RFD) facilities at Hespian Wood.

My major concern, in addition to the risk of environmental pollution that these various reprocessing facilities may cause, concerns the long-term impact of heavy goods vehicles throughout the area on what are ostensibly country roads in a rural area.

Whatever is loaded into B Shed on the Rockcliffe Site is in addition to the many loads of waste already being imported by Cumbria Waste Management and at some stage these materials have to be moved on by more vehicles. The 2 pyrolysis plants will need to import materials to maintain a 24/7 process and again the reprocessed

materials moved elsewhere. In addition, the RFD facility at Hespian Wood will require further vehicle manoeuvres to take the product elsewhere.

All this leads to the area north of the River Eden being labelled a dumping ground for the North West. From an environmental perspective, with 4 separate "burning" processes in such a small area, whichever way the wind blows, the local community is going to suffer some form of air pollution. There are various facilities for vulnerable people with special needs and care requirements in the area (Heathlands Centre, MENCAP, James Rennie School and a Chrysalis Day Care Centre) and if north Carlisle becomes the dumping and processing area for waste from not only Carlisle, then the future of these facilities will be in jeopardy.

Now that the bigger picture is emerging there is the feeling that the attitude of the Authority to ride roughshod over the local community and to develop facilities at Rockcliffe, Heathlands, Hespian Wood and Kingmoor in a piecemeal manner without full consultation with the local community, totally ignoring local concerns and objections.

SUMMARY

1. The location of 4 separate incineration processes north of Carlisle, with the inherent additional movement of vehicles and the potential atmospheric pollution should be subject to a public enquiry.
2. Clarification is needed as to whether all conflicts of interest by local councillor at Cumbria County Council or Carlisle City Council have been declared and made public as "nodding through" planning approvals at short notice appears to be the pattern in these matters.

Mrs S Tears

Yet again, another objection having to be made by the residents of Rockcliffe who I know are a long way away from where this decision is being made, and quite clearly the way you are granting approval in that area shows your contempt for fellow Cumbrians but please remember we, not you, are the ones putting up and enduring your decisions.

Our first concerns are the fire safety regulations.

There have already been 3 fires at the site the most recent one burned for a month exactly a year ago and still no repercussions or outcome and yet here you are glibly granting the mechanisms for a larger fire with no new fire procedures in place and we know what an unmitigated disaster the last fire was.

Our second concern is more traffic.

The roads are already at breaking point and adding extra is utter madness.

The third concern is pollution from dust, vermin and odour.

Every time they move the existing skips there are more rats, more dust and more stench. You don't have to live with that. We do.

I urge you to take off your push everything through at all costs hat because it makes you money and put your councillor hat on, you know, the one you wore when you first became a councillor and wanted to do what your constituents wanted not what you wanted.

Mr J Story

I am writing today to address my concerns and deep objection to the most recent increase and development of the North West recycling site. When the original proposal for the then waste knot development was proposed we received no notice on the subject, as the nearest residence to the site I thought it would be a priority especially when named as the nearest residence in the planning application. When I found out, it was too late to express our objection. The site was passed.

Later in that same year my family, community, home and business suffered the effects of a month long plastic fuelled fire at the North West recycling site. An estimated 450 tonnes of plastic burned the smoke from this was thick and noxious it also bellowed through asbestos structures potentially carrying asbestos particles along with the plastic ones in the smoke. My family home was victim to this smoke for one full day and worse one night, our two children aged one and three at the time went to bed in thick, hazy air which carried the stench of burning rubber in it, any parent that has to wonder about whether their child will asphyxiate in their own bed in their own home does not forget such a thing. They now use an asthma inhaler and are prone to coughs and wheezing. Both Rockcliffe and Blackford school has to close briefly as a precaution to this.

Not one year later and the business proposed to build bigger sheds to store more rubbish in. As a lifelong resident of the area I have seen two major fires at the Kingmoor park Rockcliffe site the other in the early to mid-2000's. In both cases fire fighters sited the location of the nearby water system as a constraint for fighting the blaze as any water or chemicals used to extinguish the flames would enter the water cause which serves the river Eden. The effects to the health of the people must be acknowledged. In my own experience the fumes could be recognised at both Rosehill and Gretna. Rockcliffe alone has an estimated population of 4,123 people, other than people's health there seems to have been no repercussions for the blaze. In further regard to the safety of the area the size and weight of the lorries is a major concern I regularly see two vehicles struggling to pass each other. In my lifetime I have seen lorries fall over the bank of the road(c1016) the last was a wood lorry in 2009. The roads are not suitable for the roads which at dark have neither lighting or markings.

The complaints of refuse spilling from these lorries is an issue at every Rockcliffe parish council meeting, shredded plastic is found in hedges, drives and my land from the site and heading past cargo. I have gathered plastic from my fields and on occasion had to remove it from the mouths of my stock. I cannot see everything my cattle ingest. The updated application also mentions medical waste, asbestos and food waste being processed.

Why is asbestos being sent here and not straight to disposal? Surely in the interest of every one, one journey with as little handling is best for every one? Also as noted we are 140 metres away from the site. The proposed 10 tonne of asbestos a day I find alarming to my families health, add to that the absence of any form of solid fence as currently all that exists is the original chain link fence which is patched in places with mesh tied with rope!

Vermin will thrive on food waste, only today we have noticed rats on the farm after rubble was being moved yesterday (28.11.22). Rats use all kinds of materials for nests. Medical bandages, dressings and disposable PPE would be a haven for these creatures and who knows what the history of these dressing were before ending up there? A pandemic was only last year! Also crows, pigeons and seagulls are all scavengers. In times of avian flu birds picking through refuse could be more susceptible. And also, where do these scavengers then go? The river Eden, an S.S.S.I is in close proximity. The scavenging birds intermingling with the geese, ducks and swans there could pose a risk to the spread of avian disease.

Again as earlier noted, plastic is continually blowing from the HGVs littering the roads and country side, the thought of hazardous asbestos, medical waste of food waste discharging from transport in a similar way is unacceptable, there is a national cycle network route and hope of a roadside footpath here.

The most recently altered diagrams added last week after the plans were submitted. Now show an open ended shed. After addressing the issues of vermin, odour, fugitive waste and noise an open-ended shed is now being considered a good idea? We have a registered complaint about noise earlier this year and an ongoing issue with the noise from the four noisy generators. These generators ran day and night at full revs at the Queen's Jubilee earlier this year disturbing the rest of all my family and even other residents in Cargo Hill. If either of our children woke through the night the generators were the first sound you could recognise and upon trying to return to sleep your thoughts would still be 'can I hear that noise still?' The lighting at the site is another issue I need to address spotlights glare into one of my child's bedroom the worst of which are three bright blue ones at the top of the shed nearest our home (photo attached). The increased height and size of the new design will make this issue even worse than it already is. The proposed removal of the trees in the area will further remove any cover offered to both noise and sound. If any appraisers would like to visit our home to verify this, they are welcome. I thank you for your time and ask please do not put the hopes of the future behind the profits of today.

Sincerely the Story family, Bankend Farm, Rockcliffe.

The Planning Officer was invited to comment on the statements.

He flagged that Mr Story's statement included a handful of false allegations and misleading points. He advised that no processing of medical, food or asbestos waste occurs on the site. Acknowledged asbestos material could be brought onto the site but only in a waste transfer capacity (i.e. for collection and bulking-up for onward movement). He advised that Unit B would not be open ended building and

that all waste would be contained within the building. He stated that the Waste Knott proposal did not involve Unit B.

A member referred to a recent fire at the premises and asked if a fire occurred again it would not take a month to get under control. The Planning Officer drew attention to the assessment of fire safety concerns in the report and highlighted the existing and proposed fire detection and prevention measures within Unit B.

After a member asked whether conditions were more robust since the last planning permission was granted, the Planning Officer talked about the Environmental Management scheme, powers of the Environment Agency, fire safety regulatory powers and mitigating measures to avoid a fire.

After being asked if he was confident that any breach of conditions would be addressed, the Planning Officer talked about the need for a multi regulatory approach to address the various concerns raised by representees in respect of the site. It was noted that the Environment Agency considered the applicant to currently be compliant with the requirements of the site's Environmental Permit. The Manager Development Control and Sustainable Development gave reassurance that officers worked with other organisations and services on breaches but in this case everything that could be done in planning terms had been done.

A member asked whether the increase in height would mean an increase in production and pollution. The Planning Officer explained about the environmental management controls in place for vermin and added that the change in height was to provide access to the upper tiers of the processing equipment and as such would not create additional capacity for the storage of waste.

Before moving that the recommendation as set out in the report, amended by the Update Sheet be agreed, Mr McGuckin expressed his respect for the objectors' concerns and highlighted that if members did not agree to the application then the original planning application would still go ahead. The motion was seconded by Mr Turner who concurred with Mr McGuckin's points.

A member supported the view that bigger machinery may be used due to the increased space and therefore more noise pollution may be emitted. He noted the HGV traffic movements and subsequent impact on the roads. He was concerned that residents said they had not been consulted. The Planning Officer talked about the findings of the 2017 noise assessment, the planning condition proposed to ensure that there was no unacceptable noise impact and reiterated the reasons for increased height. He added that the increase in height wouldn't affect the number of HGVs and that the Highways Authority had not objected. The publicity undertaken in respect of the application was explained and the reason for not issuing a neighbour notification to Bankend Farm was explained.

Mr Hamilton and Mr McEwan left the meeting during this item so did not take part in the vote.

The Chair moved to the vote which was cast as follows: 11 in favour of the motion, 1 Against (Mr Roberts) and 0 Abstentions. Mr Hamilton and Mr McEwan were not present at the vote as they had left the meeting.

RESOLVED that, Planning Permission be granted subject to the conditions set out in Appendix 1 to the report and as modified by the Update Sheet.

81 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

Mr McGuckin left the room before this item was considered.

A report was considered from the Executive Director – Economy and Infrastructure.

The Lead Officer - Development Control made his presentation using plans and photographs.

A member referred to local government reorganisation, asking if Westmorland and Furness Authority would deal with the planning permission in future for this application. The Lead Officer - Development Control confirmed that planning permission was attached to the land and Westmorland and Furness Authority would make a decision when planning permission came to an end.

Mr Cotton moved that the recommendation as set out in the report be agreed. This was seconded by Mr McSweeney.

The Chair moved to the vote which was cast as follows: 11 in favour of the motion, 0 against, 0 abstentions.

RESOLVED that, Planning Permission be granted subject to conditions as set out in Appendix 1 to the report

82 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

Mr McGuckin returned to the room.

A report was considered from the Executive Director – Economy and Infrastructure.

The Planning Officer made his presentation using plans and photographs to explain the application.

A member asked if varying the conditions by twelve months was long enough given the Cumbria Fire and Rescue Service was under review and whether it could be extended to two years.

The Planning Officer advised that the applicant considered one year to be sufficient.

Mr McSweeney moved that the recommendation as set out in the report be agreed. This was seconded by Mr Turner.

The Chair moved to the vote which was cast as follows: 12 Members in favour of the motion, 0 against, 0 abstentions.

RESOLVED that, Planning Permission be Granted subject to the conditions set out in Appendix 1 to the report

83 APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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

84 APPLICATIONS PROPOSED TO BE DETERMINED UNDER DELEGATED POWERS

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

85 FORWARD PLAN

The list of applications to be considered at future meetings was discussed.

The Manager Development Control and Sustainable Development advised that there would be a site visit to Esk Quarry on 10 January 2023 (1/22/9005). There was local interest on HGV movements and pollution.

Mr Cotton and Mr Bingham left the meeting.

It was noted that the Low Plains Planning Application had stalled due to issues relating to Environment Impact Assessment screening. There were major pipelines on site and consideration was being given to screening the application to include the impact of diverting or moving these pipelines.

More information was needed on the Energy Coast Planning Application before officers could make a recommendation.

An update was given on the West Cumbria Mining Planning Application which had been called in by the Government.

RESOLVED that,

- 1 The Forward Plan be noted.
- 2 A site visit be held to Esk Quarry (1/22/9005) 10 January 2023.

86 DATE AND TIME OF NEXT MEETING

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

87 UPDATE SHEET

The meeting ended at 12.35 pm