

20 February 2023

**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 28 February 2023
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: Jackie Currie
Direct Line: 07919 056193
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This agenda is available on request in alternative formats

Serving the People of Cumbria

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 17 January 2022 (copy enclosed)

(Pages 9 - 28)

6 HIGHWAYS ACT 1980 SECTION 119 APPLICATION TO DIVERT PUBLIC FOOTPATH NO 302151 AT HAGGS BANK PARISH OF ALSTON MOOR

[Electoral Divisions: Alston and East Fellside]

To consider a report from the Executive Director – Economy and Infrastructure (copy enclosed)

(Pages 29 - 36)

- 7 APPLICATION REFERENCE NO. 1/22/9005 - PROPOSED EXTENSION OF TIME OF THE EXTRACTION OF SAND AND GRAVEL UNTIL 31 DECEMBER 2032, SUBSEQUENT RESTORATION BY INFILLING AND ANCILLARY AGGREGATE RECYCLING AT FAUGH SAND PIT NO. 2 (ESK QUARRY), FAUGH, BRAMPTON**

[Electoral Divisions: Corby and Hayton]

To consider a report from the Executive Director – Economy & Infrastructure (copy enclosed)

(Pages 37 - 64)

- 8 APPLICATION REFERENCE NO.1/22/9006 - LATERAL EXTENSION TO THE EAST FOR THE QUARRYING OF SAND AND GRAVEL - LAND ADJACENT TO CARDEWMIRES QUARRY, CARDEWLEES, DALSTON, CA5 6LF**

[Electoral Divisions: Dalston and Burgh]

To consider a report from the Executive Director – Economy & Infrastructure (copy enclosed)

(Pages 65 - 100)

- 9 APPLICATION REFERENCE NO. 2/22/9008 - EXTENSION AND ALTERATION OF EXISTING SCHOOL TO FORM A SIXTH FORM CAMPUS FOR PUPILS FROM MAYFIELD SCHOOL, WHITEHAVEN INCLUDING NEW VEHICLE ACCESS AND EXTERNAL WORKS AT ST JOSEPH'S SCHOOL, MOUNTAIN VIEW, COCKERMOUTH, CUMBRIA, CA13 0DG**

[Electoral Divisions: Cockermouth North]

To consider a report from the Executive Director – Economy and Infrastructure (copy enclosed)

(Pages 101 - 114)

- 10 APPLICATION REFERENCE NO 2/23/9002 - ST JOSEPH'S SCHOOL, COCKERMOUTH**

[Electoral Divisions:]

To consider a report from the Executive Director – Economy and Infrastructure (copy enclosed)

(Pages 115 - 122)

11 APPLICATION REFERENCE NO. 4/22/9004 - CONSTRUCTION OF A MULTI-USE GAMES AREA (MUGA) AT BRANSTY PRIMARY SCHOOL, MONA ROAD, WHITEHAVEN, CA28 6EG

[Electoral Divisions: Bransty]

To consider a report from the Executive Director – Economy & Infrastructure (copy enclosed)

(Pages 123 - 134)

12 APPLICATION REFERENCE NO. 6/22/9003 - PLANNING PERMISSION FOR A 2 MEGA-WATT (MW) GROUND MOUNTED SOLAR ARRAY AND ASSOCIATED INFRASTRUCTURE ON LAND AT SANDSCALE, BARROW-IN-FURNESS, CUMBRIA, LA14 4QS

[Electoral Divisions: Dalton North]

To consider a report from the Executive Director – Economy & Infrastructure (copy enclosed)

(Pages 135 - 150)

13 APPLICATION REFERENCE NO. 6/22/9004 - PLANNING PERMISSION FOR A 2 MEGA WATT (MW) GROUND MOUNTED SOLAR ARRAY AND ASSOCIATED INFRASTRUCTURE ON LAND OFF DOVA WAY, BARROW ISLAND, BARROW-IN-FURNESS, CUMBRIA, LA14 2TZ

[Electoral Divisions: Old Barrow]

To consider a report from the Executive Director – Economy and Infrastructure (copy enclosed)

(Pages 151 - 170)

14 APPLICATIONS DETERMINED UNDER DELEGATED POWERS

[Electoral Divisions: Various]

To consider a report from the Executive Director – Economy and Infrastructure (copy enclosed)

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 171 - 172)

15 APPLICATIONS PROPOSED TO BE DETERMINED UNDER DELEGATED POWERS

[Electoral Divisions: Various]

To consider a report from the Executive Director – Economy and Infrastructure (copy enclosed)

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 173 - 174)

16 FORWARD PLAN

[Electoral Divisions: Various]

To consider a report from the Executive Director – Economy and Infrastructure (copy enclosed)

To note the Committee's Forward Plan.

(Pages 175 - 176)

17 DATE AND TIME OF NEXT MEETING

To receive confirmation as to whether the additional meeting currently scheduled for 20 March at 2.30pm at County Offices, Kendal will be required.