

DEVELOPMENT CONTROL AND REGULATION COMMITTEE

Minutes of a Meeting of the Development Control and Regulation Committee held on Friday, 15 July 2022 at Council Chamber - County Offices, Kendal, LA9 4RQ at 10.00 am

PRESENT:

Mr GD Cook (Chair)

Mr RW Betton	Mr AJ Markley
Mr RK Bingham	Mr W McEwan
Mrs HF Carrick	Mr P McSweeney
Mr F Cassidy	Mr FI Morgan
Mr N Cotton	Mr GRPM Roberts
Mr D English	Mr CP Turner
Mr KR Hamilton	Mr MH Worth
Mr J Mallinson	

Also in Attendance:-

Mr M Brennand	-	Lead Officer - Historic Environment and Commons
Mr R Cryer	-	Lead Officer - Development Control
Mr P Haggin	-	Manager Development Control and Sustainable Development
Mrs J Petersen	-	Planning Officer
Mr A Sims	-	Countryside Access Officer
Mr J Weatherill	-	Commons Officer
Mr I Blinkho	-	EPW - Lead Lawyer

Public Participation:

Councillor W Clark – Local Member for Agenda Item 20

Mr Mudge – For Agenda item 24

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

15 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr A Bowness, Mr A McGuckin and Mr D Wilson

16 CHANGES IN MEMBERSHIP

It was noted that Mr G Roberts had replaced Mr A Bowness as a member of the Committee for this meeting only.

17 DISCLOSURES OF INTEREST

Before Agenda item 6 was considered, Mr Turner declared that he had been involved in planning application discussions for development of the site at the LDNPA Planning Committee and had attended a site visit to the site, but the application before members today had not been part of the LDNPA application. He had commented and voted on the LDNPA application. Mr Turner advised that he had not predetermined Agenda item 10 but would abstain from voting.

Mr T Markley declared a non-pecuniary interest in Agenda Item 7, Highways Act 1980 Section 119 Application to Divert Public Footpath no 253009 Parish of Silloth as it had been raised at Silloth Town Council of which he was a member.

Before Agenda item 8 was considered, Mr Turner declared that he was a member of SUSTRANS and his son was a senior engineer working on the bridge's design system. However, he had not discussed the matter with his son.

Mr R Bingham declared a non-pecuniary interest in Agenda Item 9, Highways Act 1980, Section 119 Application to Divert Public Footpath No 507010, Parish of Burton in Kendal. He knew the applicant but not very well. He had not been lobbied on this matter.

Mr T Markley declared a non-pecuniary interest in Agenda Item 12, Application Reference No. 2/22/9001. Proposal: Section 73 Application to planning permission 2/12/9013 for extraction of sand and gravel and concrete batching plant to vary condition 2 to extend time limit for operation to allow the restoration of the site for a further period of five years. Location: Aldoth Quarry, Aldoth to the C2012, Aldoth, Silloth, CA7 4NB and Agenda item 13, Application Reference No. 2/22/9002. Proposal: Section 73 Application to planning permission 2/12/9015 for extraction of sand and gravel to vary condition 2 to extend time limit for use for aggregate processing and the restoration of the site for a further period of five years. Location: Dixon Hill Quarry, Aldoth to the C2012, Aldoth, Silloth, CA7 4NB as he knew the applicant.

Mr G Roberts declared a non-pecuniary interest in Agenda Item 15, Application Reference No. 4/22/9001. Proposal: Demolition of Buildings. Location: Former Brackenthwaite Elderly Persons Home, Senhouse Street, Whitehaven, CA28 7ES as he was a member of Whitehaven Town Council.

18 EXCLUSION OF PRESS AND PUBLIC

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

19 MINUTES

Corrections:

Page 9, Item 3, second line. Replace 981 with 1981.

Page 10, Item 3, second line. Replace 981 with 1981.

Page 12, Item 7, second line. Replace Environment with Infrastructure.

RESOLVED that, subject to the corrections above, the minutes of the meeting held on 7 June 2022 be confirmed as a correct record

**20 CA13/36 - APPLICATION TO CORRECT MISTAKEN REGISTRATION;
CL155, LAND EITHER SIDE OF THE A591, SOUTH OF WATERHEAD**

A report was considered from the Executive Director – Economy and Infrastructure regarding CA13/36 - Application to Correct Mistaken Registration; CL155, Land Either Side of the A591, South of Waterhead. The report advised that an application had been received from Windermere Aquatic Limited to correct a mistaken registration in common land register unit CL155, Land either side of the A591. Members were asked to make a decision as to whether the application should be granted and a correction made to the Council's register of common land.

Mr Turner disclosed that he had been involved in planning application discussions for development of the site at the LDNPA Planning Committee and had attended a site visit to the site, but this application had not been part of the LDNPA application. He had commented and voted on the LDNPA application. Mr Turner advised that he had not predetermined the decision in front of him but would abstain from voting.

The Commons Officer made their presentation using plans and photographs to explain the application. There were no member questions to the Commons Officer.

Councillor Will Clark had attended the meeting to make the following statement:

I am here as County Councillor for Ambleside and Grasmere, which includes the land under discussion. I am speaking in support of the report's recommendation.

The report to The Development and Control Committee today correctly recommends accepting the application in part and amending the register of common land by deregistering the section of common land lying to the west of the A591 on the grounds that the land, on the date of provisional registration and at all times since that date, has been covered by a building or has been within the curtilage of a building.

It follows that the recommendation is for the land lying to the east of the A591 to remain registered as common land. That said I trust this recommendation will ensure that the footway and right of way on the west of the A591 is maintained.

The report goes into great detail but in short the link between the pieces of land is tenuous at best. Having lived in this area all my life I remember the now derelict properties to the west of the site thriving and having an operational focus towards the lake rather than the eastern side of the A591.

The portion of land to the eastern side of the A591 should be treated as a separate entity as it is divided by the Lake District's main arterial road. It does not house any

buildings and by being separated by both footway and highway cannot be said to form part of the curtilage on the western portion.

I therefore trust that the eastern Portion of CL.155 is excluded from deregistration.

Thank you for allowing me to speak and I am happy to answer any questions.

There were no member questions to Councillor Clark.

It was moved by Mr Cotton that the recommendation as set out in the report be agreed. He understood the points made by the Local Member and appreciated the difficulties being encountered due to the current registration arrangements. The motion was seconded by Mr Morgan.

The Chair moved to the vote which was cast as follows: 15 members in favour of the motion, 0 against and 1 abstention. Mr Turner did not vote due to an earlier disclosure of interest.

RESOLVED that, the Committee accepts the application in part and amends the register of common land by deregistering the section of common land lying to the west of the A591, on the grounds that the land, on the date of provisional registration, and at all times since that date, has been covered by a building or has been within the curtilage of a building. It follows that the recommendation is for the land lying to the east of the A591 to remain registered as common land

21 HIGHWAYS ACT 1980 SECTION 119 APPLICATION TO DIVERT PUBLIC FOOTPATH NO 253009 PARISH OF SILLOTH

A report was considered from the Executive Director – Economy and Infrastructure regarding the Highways Act 1980, Section 119 Application to Divert Public Footpath No 253009 Parish of Silloth. The report advised that Cumbria County Council was proposing to divert sections of public footpath no 253009 at The Grune in the parish of Silloth. The purpose of the report was to ask members to reach a decision as to whether or not a diversion order should be made.

The Countryside Access Officer made their presentation using plans and photographs to explain the application. There were no member questions to the Countryside Access Officer.

Mr Turner welcomed that the landowner and public were happy with the application and no objections had been received. He moved that the recommendation, as set out in the report, be agreed.

The Local Member, Mr Markley seconded the motion, adding that he knew the area very well and reported on the extensive erosion of the area which would continue to happen without intervention. He welcomed the diversion, considering it an improvement to the current footpath.

The Chair moved to the vote which was cast as follows: 16 members 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 253009 in the parish of Silloth shown A-B to a new route E-F-G-H-I-B and C-D to a new route C-J-K-L-M-N-O-P-D 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 be referred to the Secretary of State for consideration.

22 HIGHWAYS ACT 1980 SECTION 25 UPGRADING OF SECTIONS OF PUBLIC FOOTPATH NO 536260 AND 536261 TO BRIDLEWAY IN THE PARISH OF KENDAL: DISTRICT OF SOUTH LAKELAND

A report was considered from the Executive Director – Economy and Infrastructure regarding the Highways Act 1980 Section 25 Upgrading of Sections of Public Footpath No 536260 and 536261 to Bridleway in the Parish of Kendal: District of South Lakeland. The report advised that a scheme had been developed with the approval of the affected landowner to build a single span fully accessible bridge across the River Kent, reconnecting Gooseholme and New Road Common.

The Countryside Access Officer made their presentation using plans and photographs to explain the application. It was reported that both Councillors Evans and Thornton, the Local Members, were in support of the application. The Local Member had been incorrectly recorded as Councillor Cook in the report. Mr Thornton's supporting statement was read out to the meeting.

Mr Turner declared that he was a member of Sustrans and his son was a senior engineer working on the bridge's design system. However, he had not discussed the matter with his son.

A member asked if ramp provision was the same on the east side as that on the west and queried if that was why the route didn't link to the north. The Countryside Access Officer explained the reasons for the new ramps.

After raising that the Countryside Access Officer had mentioned in his presentation that cyclists and pedestrians would not be kept separate, a member said he could not support a scheme where they shared the same path.

The Countryside Access Officer explained how the route would be shared but there would not be a physical barrier separating cyclists and walkers. Demarcation had been discussed but was not considered appropriate.

Mr Cotton gave his support to the proposal and moved that the recommendation as set out in the report be agreed. He welcomed that it would link in with the Kendal Local Cycling and Walking Infrastructure Plan and it made sense to open up the bridge to cyclists so they could turn left. Mr Morgan seconded the Motion.

The Chair moved to the vote which was cast as follows: 15 members in favour of the motion, 1 against and 0 abstentions.

RESOLVED that, pursuant to the power set out at Part 2G paragraph 2.1(g)(i) of the

County Council's Constitution, the Chief Legal Officer be authorised to enter into an Agreement under Section 25 of the Highways Act 1980 with the relevant landowner to

- upgrade that section of public footpath no 536260 in the parish of Kendal to bridleway as shown A-B on the plan at Appendix A of the report
- upgrade that section of public footpath no 536261 in the parish of Kendal to bridleway as shown C-D on the plan at Appendix A of the report

23 HIGHWAYS ACT 1980 SECTION 119 APPLICATION TO DIVERT PUBLIC FOOTPATH NO 507010 PARISH OF BURTON IN KENDAL

A report was considered from the Executive Director – Economy and Infrastructure regarding the Highways Act 1980 Section 119 Application to Divert Public Footpath No 507010 Parish of Burton in Kendal. The report advised that an application had been received by the County Council to divert a section of public footpath no 507010 at Moss House in the parish of Burton in Kendal. The purpose of the report was to ask members to reach a decision as to whether or not a diversion order should be made.

The Countryside Access Officer made their presentation using plans and photographs to explain the application. There were no member questions to the Countryside Access Officer.

Mr Bingham, Local Member explained that he knew the area very well. No one used the footpath through the farmyard as it was a busy farm. He supported the diversion as it was in the interest of local people. He moved that the recommendation, as set out in the report, be agreed.

A member expressed his surprise that it had been allowed that a farm building had been built over a footpath. Mr Mallinson stated that he understood that in the past, farmers did not have to obtain planning permission to build farm buildings as long as they were not near a carriageway. He seconded the motion.

The Chair moved to the vote which was cast as follows: 16 members 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 a section of public footpath no 507010 in the parish of Burton in Kendal shown A-B to a new route C-D-B 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 be referred to the Secretary of State for consideration.

24 APPLICATION REFERENCE NO. 1/21/9004. PROPOSAL: APPLICATION TO AMEND CONDITION 2 OF PLANNING PERMISSION 1/18/9006 AND TO APPROVE FURTHER DETAILS SUBSEQUENTLY SUBMITTED FOR THE CONSTRUCTION AND OPERATION OF A BUILDING FOR THE PROCESSING OF WASTE TO PRODUCE REFUSE DERIVED FUEL, AND PROCESSING OF CO-MINGLED RECYCLABLE MATERIAL, WHICH IT IS PROPOSED TO DETERMINE UNDER SECTION 73A OF THE TOWN AND COUNTRY PLANNING ACT 1990 FOR RETROSPECTIVE PERMISSION FOR THE CONSTRUCTION AND OPERATION OF A BUILDING FOR THE PROCESSING OF WASTE TO PRODUCE REFUSED DERIVED FUEL, AND THE PROCESSING OF CO-MINGLED RECYCLABLE MATERIAL. THIS IS FULLY EXPLAINED IN SECTION 2 OF THIS REPORT. LOCATION: HESPIN WOOD WASTE MANAGEMENT PARK, ROCKCLIFFE, CARLISLE, CA6 4BJ

There was a change to the order of business. This item was taken immediately after the Minutes of the last meeting.

The Manager Development Control and Sustainable Development informed the Committee of the recommendation as set out in the report.

Members' attention was drawn to the Update Sheet which had been published on the County Council's website and circulated to members the day before the meeting. The Manager Development Control and Sustainable Development reported that there had been a number of representations made, which had been included in the Update Sheet, in particular, relating to the advertisement of the application. There was concern locally that the last consultation did not make clear that the recommendation was for a retrospective permission to be granted and this may have been prejudicial.

The Manager Development Control and Sustainable Development recommended to the Committee that under the circumstances, consideration of the planning application should be deferred to a future meeting in order for further consultation to take place.

The Chair of the Committee proposed that the planning application be deferred to a future meeting in order for further consultation to take place on the proposal to grant retrospective permission for the development already carried out. The motion was seconded by Mr Cotton.

The Chair moved to the vote which was cast as follows: 16 members in favour of the motion, 0 against and 0 abstentions.

RESOLVED that, the planning application be deferred to a future meeting in order for further consultation to take place on the proposal to grant retrospective permission for development already carried out.

Mr Mudge was present at the meeting for public participation on this Item but did not speak as the item had been deferred.

25 APPLICATION REFERENCE NO. 1/22/9003. PROPOSAL: MODULAR BUILDING TO PROVIDE 2 TEMPORARY CLASSROOMS AND 16 ADDITIONAL CAR PARKING SPACES. LOCATION: JAMES RENNIE SCHOOL, CALIFORNIA ROAD, CARLISLE, CA3 0BX

A report was considered from the Executive Director – Economy and Infrastructure regarding Application Reference No. 1/22/9003. Proposal: Modular building to provide 2 temporary classrooms and 16 additional car parking spaces. Location: James Rennie School, California Road, Carlisle, CA3 0BX.

The Planning Officer made their presentation using plans and photographs to explain the application. She clarified that the car parking spaces would remain once the temporary planning permission for the modular building had expired. The reason for the retention of the car parking spaces was explained with members being advised that the car parking spaces would alleviate congestion on California Road.

It was confirmed by the Manager Development Control and Sustainable Development that the planning conditions should state that planning permission for the modular building was temporary and permission for the car parking spaces was permanent.

A member asked if twelve months' planning permission for the building was long enough whilst permanent accommodation was developed off site as a smooth transition would be required. The Planning Officer confirmed that new accommodation would be ready by Christmas 2022.

Mr Bingham, who had experience of visiting the school stated that traffic congestion was an issue. He welcomed the application and moved that that the recommendation as set out in the report with an amended condition which clarified that the permission for the modular building was temporary and the permission for the car parking spaces was permanent.

Mr Mallinson, who was also familiar with the area, explained that local residents were in support of the school and would welcome additional car parking as it would alleviate the car parking problems on California Road. He seconded the motion.

The Chair moved to the vote which was cast as follows: 16 members in favour of the motion, 0 against and 0 abstentions.

RESOLVED that, planning permission be granted subject to conditions set out in Appendix 1 to the report with an amended condition to provide for planning permission for the modular building to be temporary and permission for the car park to be permanent.

26 APPLICATION REFERENCE NO. 2/22/9001. PROPOSAL: SECTION 73 APPLICATION TO PLANNING PERMISSION 2/12/9013 FOR EXTRACTION OF SAND AND GRAVEL AND CONCRETE BATCHING PLANT TO VARY CONDITION 2 TO EXTEND TIME LIMIT FOR OPERATION TO ALLOW THE RESTORATION OF THE SITE FOR A FURTHER PERIOD OF FIVE YEARS. LOCATION: ALDOTH QUARRY, ALDOTH TO THE C2012, ALDOTH, SILLOTH, CA7 4NB

(One presentation was given by the Planning Officer for Agenda Items 12 and 13 as they were linked).

A report was considered from the Executive Director – Economy and Infrastructure regarding Application Reference No. 2/22/9001. Proposal: Section 73 Application to planning permission 2/12/9013 for extraction of sand and gravel and concrete batching plant to vary condition 2 to extend time limit for operation to allow the restoration of the site for a further period of five years. Location: Aldoth Quarry, Aldoth to the C2012, Aldoth, Silloth, CA7 4NB.

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

There were no questions from members.

In supporting the application, Mr Markley explained that he was familiar with the site – it had been his father's field and he had sold it to the applicant over forty years ago. He considered business to be legitimate and there was demand for sand.

It was moved by Mr Morgan 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: 16 members in favour of the motion, 0 against and 0 abstentions.

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

27 APPLICATION REFERENCE NO. 2/22/9002. PROPOSAL: SECTION 73 APPLICATION TO PLANNING PERMISSION 2/12/9015 FOR EXTRACTION OF SAND AND GRAVEL TO VARY CONDITION 2 TO EXTEND TIME LIMIT FOR USE FOR AGGREGATE PROCESSING AND THE RESTORATION OF THE SITE FOR A FURTHER PERIOD OF FIVE YEARS..LOCATION: DIXON HILL QUARRY, ALDOTH TO THE C2012, ALDOTH, SILLOTH, CA7 4NB

(One presentation was given by the Planning Officer for Items 12 and 13 as they were linked).

A report was considered from the Executive Director – Economy and Infrastructure regarding Application Reference No. 2/22/9002. Proposal: Section 73 Application to planning permission 2/12/9015 for extraction of sand and gravel to vary condition 2 to extend time limit for use for aggregate processing and the restoration of the site for a further period of five years. Location: Dixon Hill Quarry, Aldoth to the C2012, Aldoth, Silloth, CA7 4NB.

There were no member questions or debate on this item.

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

The Chair moved to the vote which was cast as follows: 16 members in favour of the motion, 0 against and 0 abstentions.

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

28 APPLICATION REFERENCE NO. 3/22/9001. PROPOSAL: ERECTION OF EMERGENCY STANDBY GENERATOR AND ASSOCIATED OIL TANK AND FENCING AND ANCILLARY LANDSCAPING. LOCATION: GRISEDALE CROFT RESIDENTIAL CARE HOME, CHURCH ROAD, ALSTON, CA9 3QS

A report was considered from the Executive Director – Economy and Infrastructure regarding Application Reference No. 3/22/9001. Proposal: Erection of emergency standby generator and associated oil tank and fencing and ancillary landscaping. Location: Grisedale Croft Residential Care Home, Church Road, Alston, CA9 3QS.

The Lead Officer - Development Control made their presentation using plans and photographs to explain the application.

A member familiar with the use of generators asked if it was well insulated and quiet. The Lead Officer - Development Control advised that it would be in a compound and would only be run intermittently so did not consider noise to be an issue.

Another member highlighted that it would be situated near properties and queried if there could be an odour nuisance if it ran on diesel. The Lead Officer - Development Control did not consider this to be an issue as it was in a sealed unit.

Referring to maintenance, a member asked if a condition could be imposed to ensure the generator was well maintained. The Lead Officer - Development Control considered that as it would be used infrequently, a maintenance schedule would not be required so a planning condition would not be appropriate.

After highlighting the importance of care homes having back-up generators and referring to issues with heating and lighting care homes during major storms in Cumbria over the past decade, it was moved by Mr McSweeney and seconded by Mr Mallinson that the recommendation as set out in the report be agreed.

The Chair moved to the vote which was cast as follows: 15 members in favour of the motion, 0 against and 1 abstention as Mr Hamilton did not vote as he was not present in the room for the whole item.

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

29 APPLICATION REFERENCE NO. 4/22/9001. PROPOSAL: DEMOLITION OF BUILDINGS. LOCATION: FORMER BRACKENTHWAITE ELDERLY PERSONS HOME, SENHOUSE STREET, WHITEHAVEN, CA28 7ES

A report was considered from the Executive Director – Economy and Infrastructure regarding Application Reference No. 4/22/9001. Proposal: Demolition of Buildings. Location: Former Brackenthwaite Elderly Persons Home, Senhouse Street, Whitehaven, CA28 7ES.

The Lead Officer - Development Control made their presentation using plans and photographs to explain the application. Members' attention was drawn to the Update Sheet which had been published on the Council's website and circulated to the Committee the day before the meeting. This had amendments to Conditions 2, 6, and 10.

It was noted that initially, the Town Council had objected to the planning application but further information had been received from the Applicant. The Town Council had not commented on that information.

Mr Roberts advised that he was a member of Whitehaven Town Council and this matter had been raised at a Whitehaven Town Council meeting. After taking legal advice, Mr Roberts decided not to vote on the planning application.

A member, familiar with the site asked for the timescale for the building to be demolished and restored as he thought it would likely be vandalised. The Lead Officer - Development Control advised that if it was longer than three years, another planning application would be required.

A couple of material considerations were raised by members such as preserving the trees on site and the location of underground electrical cables. A non-material consideration was also raised in regard to the costs to demolish the building.

A member was concerned about the state of the road left by vehicles during the demolition process. The Lead Officer - Development Control talked about the Traffic Management Plan in place which would reduce the impact of dirt on the road and control routing of vehicles. A short discussion took place on the protection of trees. The Lead Officer - Development Control explained that a formula was used for tree protection during developments to ensure survival of trees by reducing root loss.

Following a member question on the monitoring of planning conditions, the Lead Officer - Development Control briefly explained how officers ensured the enforcement of conditions. To reassure members, the Manager Development Control and Sustainable Development described how planning law and an arboricultural method statement would be used to ensure that the trees would be safeguarded on the site. The tree protection measures would need to be implemented before any demolition work.

It was moved by Mr Markley and seconded by Mr Morgan that the recommendation as set out in the report and the amended Conditions as set out in the Update Sheet be agreed.

The Chair moved to the vote which was cast as follows: 15 members in favour of the motion, 0 against and 1 abstention as Mr Roberts did not vote on this item due to an earlier disclosure of interest.

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

30 APPLICATION REFERENCE NO. 5/22/9004. PROPOSAL: SECTION 73 FOR IMPROVEMENTS TO AGRICULTURAL LAND THROUGH IMPORTATION OF INERT MATERIAL, TO VARY CONDITIONS 1, 2, 3, 4 AND 12 OF PLANNING PERMISSION 5/19/9005. LOCATION: LAND AT WINDER MOOR, WILLOW LANE, FLOOKBURGH, GRANGE-OVER-SANDS, LA11 7LU

A report was considered from the Executive Director – Economy and Infrastructure regarding Application Reference No. 5/22/9004. Proposal: Section 73 for improvements to agricultural land through importation of inert material, to vary Conditions 1, 2, 3, 4 and 12 of planning permission 5/19/9005. Location: Land at Winder Moor, Willow Lane, Flookburgh, Grange-over-Sands, LA11 7LU.

The Lead Officer - Development Control made their presentation using plans and photographs to explain the application. Members' attention was drawn to the Update Sheet which had been published on the Council's website and circulated to the Committee the day before the meeting. The Update Sheet proposed amendments to Conditions 2 and 6. The changes were detailed for the Committee.

Mr Bingham recalled a site visit to the location and expressed his concerns for flooding there. Although he thought drainage was an issue, the proposed application would improve the site. He moved that the recommendation as set out in the report and amended Conditions 2 and 6 as set out in the Update Sheet be agreed. This was seconded by Mr McSweeney.

The Chair moved to the vote which was cast as follows: 16 members in favour of the motion, 0 against and 0 abstentions.

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

31 APPLICATIONS DETERMINED UNDER DELEGATED POWERS

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

32 APPLICATIONS PROPOSED TO BE DETERMINED UNDER DELEGATED POWERS

In relation to Application no 4/21/9002 at Energy Coast Business Park, Egremont, a member asked what material would be stored on site. The Planning Officer advised that material was on site already.

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

33 FORWARD PLAN

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

The Manager Development Control and Sustainable Development advised that Application 5/22/9001 for development at land between the villages of Grizebeck and Chapels, Cumbria would be ready for consideration at a meeting to be held near the end of September and proposed that an extra meeting be held on 29 September 2022. The 1 September meeting may be cancelled and all its business be conducted at the 29 September meeting. This would be confirmed in due course. Members agreed with this course of action.

Due to the change in scheduled meeting dates, the 12 October 2022 meeting date would be kept under review.

The Manager Development Control and Sustainable Development advised that the Government decision regarding 4/17/9007, Mine at Former Marchon Site, Pow Beck Valley and area from Marchon Site to St Bees Coast, Whitehaven had been postponed to 17 August 2022.

RESOLVED that,

- 1 The Forward Plan be noted.
- 2 A site visit be held to Planning Application No. 5/22/9001 to land between the villages of Grizebeck and Chapels, Cumbria on 24 August 2022
- 3 An additional meeting be entered into the Calendar of meetings for 29 September 2022.

34 DATE AND TIME OF NEXT MEETING

The next scheduled meeting of the Committee would be on 1 September at 10.00am, County Offices, Kendal. However, this meeting might be postponed if the business scheduled for the meeting could be considered at the meeting scheduled for 29 September 2022.

35 UPDATE SHEET

The meeting ended at 12.20 pm