Development Control Committee

MINUTES of a meeting of the Development Control Committee held at the National Park Office, Murley Moss, Kendal at 10.00 am on 5 August 2009.

Present
Ms J H Cooke (Chair)
Mr W Barr
Mr H Branney
Mrs S E Brown
Mr N Clarkson
Mrs D A Hall
Mr J M Hayton
Mr J S Holliday
Mr W Jefferson OBE
Admiral Sir John Kerr GCB DL
Professor J Rowan-Robinson
Mr J G Thompson

Apologies
Mr M S McKinley
Mrs V J C Rees

83/09 Apologies
Apologies were received from Mr McKinley and Mrs Rees.

84/09 Minutes
Decided: that the Minutes of the meeting held on 1 July 2009 be confirmed and signed by the Chair.

85/09 Declarations of Interest
Ms Cooke declared a personal and prejudicial interest in planning application 7/2009/3022 as she has a contractual and financial relationship with PFK, the applicant’s agent. She left the room and took no part in the discussion or debate.

86/09 Public Participation
There were no questions, petitions or deputations of a general nature relating to the business of the Committee.

87/09 Site Inspections
The Head of Development Management advised Members that there were no forthcoming planning applications that he wished Members to conduct site inspections on prior to making their decision.
Decided: to conduct site inspections on 12 August 2009 at:
Wythen, Storrs Park, Bowness on Windermere.

88/09 Planning Applications with Public Speaking
In accordance with the Authority’s Policy for Public Speaking at Meetings, the public participated at this stage in the meeting. Details of those attending in respect of specific applications are set out in Annex 1 to these minutes.
89/09  **Schedule of Planning Applications**

The Committee considered planning applications and reached decisions as listed in the schedule.

Professor Rowan-Robinson, as Deputy Chairman, chaired the meeting for planning application 7/2009/3022.

7/2009/3022  Delegated to Head of Development Management to Approve Subject to Appropriate Conditions and the Completion of a Section 106 Agreement relating to Occupancy of the Dwelling at Thrang Crag

7/2009/5207  Refused

7/2009/5267  Approved with Conditions

7/2009/2038  Approved with Conditions

7/2009/2066  Refused. The Committee noted that Enforcement Action would be taken under Delegated Powers to Seek Removal of the Building

7/2009/5119  Refused

7/2009/5236  Deferred for Site Inspection

90/09  **Delegated Planning Applications**

**Decided:** to accept the report of the Head of Development Management.

91/09  **Compliance Matters for Decision**

a)  Residential chalet caravan at Lane End Farm, Lowick

At the meeting of the Development Control Committee on 1 July 2009, Members had agreed to visit the site prior to making a decision on the proposed enforcement action. The Head of Development Management briefed Members on the history of the site and informed them that a planning application had now been submitted to regularise the situation.

The Head of Development Management proposed that the recommendation in the Leading Compliance Planner’s report to take enforcement action should stand, however no action would be taken until the planning application had been determined. Members agreed the proposal.

Members asked for their thanks to be forwarded to the Leading Compliance Planner for the preciseness of the report.

**Decided:** Enforcement action be taken to secure the removal of the unauthorised residential chalet caravan and associated decking at Lane End Farm, Lowick. Action to be held in abeyance pending the determination of the planning application to retain the residential chalet caravan.

92/09  **Delegated Compliance Matters**

Certain planning enforcement and related actions are delegated to the Head of Development Management. It is a requirement of the scheme of delegation that such actions be reported to the next available Development Control Committee for information. The report provides that information.
It had been decided that it would not be expedient, in the public interest, for the Authority to take enforcement action to remedy the following breaches of planning control:

<table>
<thead>
<tr>
<th>Reference</th>
<th>Location</th>
<th>Breach</th>
</tr>
</thead>
<tbody>
<tr>
<td>E/2009/0119</td>
<td>High Cark Hall Farm, Field Broughton</td>
<td>Non-compliance with condition 4 on 7/2006/5400 – landscaping</td>
</tr>
<tr>
<td>E/2007/0237</td>
<td>The Old Vicarage, Troutbeck</td>
<td>Formation of vehicular access and parking area</td>
</tr>
</tbody>
</table>

The Head of Development Management updated Members on the position regarding the proposed helicopter flights from a field close to the Watermill at Ings. The Compliance Planner had contacted the Company, helicopters.co.uk, to ascertain their intentions. The flights were to be pre-booked; duration of 30 minutes, and four advance bookings had been received. These were due to take place on 1 August 2009 but had been cancelled due to the funeral of a local farmer on that day.

The Head of Development Management advised Members that permitted development rights allow the temporary use of land for any purpose for 28 days each year without the need to make a planning application subject to certain exceptions which did not apply in this particular case. The proposed flights would therefore constitute permitted development and there would be no breach of planning control.

The Compliance Planner had also advised the Company that any advertisements they propose to display in relation to the event would require advertisement consent.

Mr Branney raised a question regarding the increasing problem of cars for sale in lay-bys and whether the Authority could take action to prevent this. The Legal Adviser agreed to look into the legal position and would report back to the Committee.

Decided: to accept the report of the Head of Development Management.

**93/09 Appeals Lodged**

Decided: to note that the following appeals had been lodged:

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/2008/5531</td>
<td>Increase balcony size Holme Fell, Brantfell Road, Bowness on Windermere, LA23 3AE</td>
</tr>
<tr>
<td></td>
<td>Type of Appeal: Planning</td>
</tr>
<tr>
<td>7/2009/5135</td>
<td>2 storey side extension to dwelling 23 Fisherbeck Park, Ambleside, LA22 0AJ</td>
</tr>
<tr>
<td></td>
<td>Type of Appeal: Planning</td>
</tr>
<tr>
<td>7/2008/5674</td>
<td>Verge adjacent to St Annes School, Browhead, Patterdale Road, Windermere, LA23 1NW</td>
</tr>
<tr>
<td></td>
<td>Erection of 1 no 12 m telegraph pole type antenna support, with 1 no integral antenna, 1 no 0.3 m low profile telecommunications dish, 1 no equipment cabinet and 1 no meter cabinet</td>
</tr>
<tr>
<td></td>
<td>Type of Appeal: Planning</td>
</tr>
</tbody>
</table>
94/09 Appeals Decided

Decided: to note that the following appeal had been decided:

7/2007/5718 Extension to existing shop premises to include extended Tourist Information Centre and demolition of existing office and storeroom (‘Oakwood’, ref: 7/2003/5077)
Lakeland Great Outdoors Ltd, Plantation Bridge, Kendal, LA8 9JA
DISMISSED
Committee decision in agreement with officer’s recommendation

The Head of Development advised Members that the decision had been previously reported to the Committee.

95/09 Forthcoming Public Inquiry/Hearing Dates

Hearing to be held on 8 September 2009 at the Lake District National Park Authority, Offices, Murley Moss, Oxenholme Road, Kendal, LA9 7RL

7/2008/5417 Sunny Orchard, Kentmere Road, Staveley, LA8 9JF
Temporary residential caravan for agricultural worker

Decided: To note the forthcoming hearing date.

96/09 Quarterly Development Management Performance Reporting

The Head of Development Management introduced the report and highlighted aspects of the information on the performance of the Development Management service for the first quarter, 1 April to 30 June 2009.

Members gave consideration to issues regarding the effects of the current economic climate in relation to reduction of planning fee income, pre-application enquiries and local needs housing.

Decided: Members noted the performance monitoring information provided.

(The meeting finished at 2.00 pm)
Public Participation: Development Control Committee – 5 August 2009

<table>
<thead>
<tr>
<th>Planning Ref. Number</th>
<th>Planning Application Site</th>
<th>Name of Person Speaking</th>
</tr>
</thead>
<tbody>
<tr>
<td>7/2009/3022</td>
<td>Henhow Martindale Pooley Bridge Penrith Cumbria CA10 2NF</td>
<td>Mr P Winter, PFK Planning (Applicant’s Agent)</td>
</tr>
<tr>
<td>7/2009/5207</td>
<td>Neaum Crag Loughrigg Ambleside LA22 9HG</td>
<td>Mr M Cave (Applicant)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mr C Yardley (Objector)</td>
</tr>
<tr>
<td>7/2009/5267</td>
<td>Unit 1 Rothay Holme Ambleside</td>
<td>Mr B Porter (Applicant)</td>
</tr>
</tbody>
</table>