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 3 December 2008.

Present
Mr J R Collier (Chairman)
Mr W Barr
Mr H Branney
Mr N Clarkson
Mrs J Cooke
Mrs D A Hall

Mr J M Hayton
Mr W Jefferson OBE
Mr P Phizacklea OBE
Mrs V J C Rees

Apologies
Admiral Sir John Kerr GCB DL
Professor J Rowan-Robinson
Mr M McKinley

Unable to be present
Mr A Clark

122/08 Apologies

Apologies were received from Sir John Kerr, Mr McKinley and Professor Rowan-Robinson.

123/08 Minutes

Decided: that the Minutes of the meeting held on 4 November 2008 be confirmed and signed by the Chairman.

124/08 Declarations of Interest

Mr Barr declared a personal and prejudicial interest in planning application 7/2008/5532 as he is a relative of the applicant. He left the room and took no part in the discussion or debate.

Mr Hayton declared a personal interest in planning application 7/2008/2255 and Agenda Item 10, the Tree Preservation Order at Whin Garth, High Lorton. He had attended a recent Parish Council meeting where both items had been discussed but had taken no part in the discussions.

Mrs Cooke declared a personal and prejudicial interest in planning application 7/2008/2255 as her husband is the Director of Home Group Developments Limited. She left the room and took no part in the discussion or debate.

Mr Clarkson declared a personal interest in planning application 7/2008/2255 and Agenda Item 10, the Tree Preservation Order at Whin Garth, High Lorton as the applicant and owner were personally known to him.

Mr Phizacklea declared a personal interest in planning application 7/1997/3129 as a member of Cumbria County Council. He informed the Committee that a recent application at Shap Quarry had been determined by Cumbria County Council but he had left the room and took no part in the discussion or debate at that meeting.
Mr Collier declared a personal interest in planning application 7/1997/3129 as a member of Cumbria County Council. He informed the Committee that a recent application at Shap Quarry had been determined by Cumbria County Council but he had left the room and took no part in the discussion or debate at that meeting.

Mrs Rees declared a personal interest in planning application 7/2008/5521 as she is a member of Lakes Parish Council and Grasmere Village Society. She advised the Committee that she had taken no part in any discussions relating to the application.

125/08 Public Participation

There were no questions, petitions or deputations of a general nature relating to the business of the Committee.

126/08 Appeals Lodged

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

7/2008/3047 Variation of condition 2 of application 7/1993/3099 to allow use as staff annexe
Building at Parkfoot Holiday Park, Howtown Road, Pooley Bridge, Cumbria, CA10 2NA

7/2008/3046 External alterations to existing ancillary building
Building at Parkfoot Holiday Park, Howtown Road, Pooley Bridge, Cumbria, CA10 2NA

127/08 Appeals Decided

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

7/2007/4051 Removal of condition limiting use of course to private recreation only
Eskdale Gold Course, Eskdale Estate, Ravenglass, Cumbria, CA18 1RL
ALLOWED CONDITIONALLY
Committee decision, contrary to officer’s recommendation

7/2008/5028 Demolition of outbuilding and construction of two storey extension to house
Fellside, Kentmere road, Staveley, Kendal, LA8 9JD
DISMISSED
Delegated decision

E/2006/0063 Operational development consisting of the erection of a stone wall
Land at The Lodge, Ridding Bay, Lakeside, LA12 8AU
DISMISSED AND NOTICE UPHELD
Enforcement Notice Appeal

7/2007/5629 New garage and mini gym with patio over
Wardle How, Brantfell Road, Bowness on Windermere, LA23 3AE
DISMISSED
Delegated decision
7/2007/5703  Install a shop front awning to provide undercover and sheltered seating  
Purple Chilli, 4 Windermere Bank, Lake Road, Bowness on Windermere, Cumbria, LA23 2JJ  
ALLOWED CONDITIONALLY  
Delegated decision

7/2007/4095  Use of land for siting of 7 residential mobile homes together with associated hardstandings and internal road  
Fell View Park, Gosforth, Seascale, CA20 1HY  
DISMISSED  
Delegated decision

128/08  Delegated Planning 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:

Reference: E/2007/0232  
Location: Unit 4, Brantfell Place, Bowness on Windermere, LA23 3FB  
Breach: Change of use of business unit to dog grooming salon

Reference: E/2007/0261  
Location: 1 The Laurels, Brow Edge Road, Backbarrow, Ulverston, LA12 8QH  
Breach: Formation of earth banking

Reference: E/2007/0312  
Location: Springwood, Hawkshead, LA22 0ND  
Breach: Installation of domestic security lighting

Reference: E/2007/0330  
Location: Aphrodites, Longtail Hill, Bowness-on-Windermere, LA23 3JD  
Breach: Erection of extension to shed

Reference: E/2008/0013  
Location: Key Largo, Colthouse, Hawkshead, LA22 0JS  
Breach: Erection of carport

Reference: E/2008/0149  
Location: Ashes Farmhouse, Staveley, Kendal, LA8 9NL  
Breach: Formation of hole in ground to site trampoline

Reference: E/2008/0165  
Location: Lachra, The Shore, Silcroft, Cumbria  
Breach: Installation of septic tank and gabion baskets
Reference: E/2008/0224
Location: Castle Head Farm, Lindale, Grange-over-Sands, LA11 6LL
Breach: Formation of hard standing

Reference: E/2008/0228
Location: Myrtle Villas, Keswick
Breach: Erection of 1.2m high panel fence

Reference: E/2008/0229
Location: Falcons Beck, Holbeck Lane, Windermere, LA23 1LY
Breach: Alterations and extensions to dwelling

It had been decided that it would be expedient, in the public interest, for the Authority to initiate formal enforcement proceedings to regularise the breach and issued and served an enforcement notice under delegated authority on the following:

Reference: E/2007/0296
Location: B-line Taxis, Back Ellerthwaite Road, Windermere, LA23 2BS
Breach: Change of use to taxi office and ancillary workshop

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

129/08 Planning Applications

The public participated at this stage in the meeting and objectors who had given appropriate notice were invited to present their objections to planning applications and the applicant/agent was invited to respond. Details of those attending in respect of specific applications are set out in Annex 1 to these minutes.

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

7/2008/5521 Refused
7/2008/2235 Approved with Conditions
7/2008/2252 Approved with Conditions
7/2008/2255 Deferred for Site Inspection
7/1007/3129 Approved with Conditions
7/2008/5490 Approved with Conditions
7/2008/5532 Delegated to Head of Development Management to Approve subject to the completion of an amendment to the Section 106 Agreement to amend terms of reference (to include reference to both the original permission and the new permission) and appropriate conditions

130/08 Planning Applications Determined by the Head of Development Management

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

131/08 Site Inspections

Decided: to conduct site inspections on 11 December 2008 at:

Land adjacent to Brackenrigg, Low Lorton, Cockermouth; and TPO 319 at Land adjacent to Whin Garth, High Lorton.
132/08  **Tree Preservation Orders**

a)  **The Lake District National Park Authority (Land adjacent to Whin Garth, High Lorton) Tree Preservation (No 319) Order 2008**

Members received a report notifying them of the serving of Tree Preservation Order (TPO) 319 at Land adjacent to Whin Garth, High Lorton which requested Members to make a decision on its confirmation.

Members decided that whilst they were carrying out a site inspection in Low Lorton on 11 December 2008 they wished to visit the site of the Tree Preservation Order also.

**Decided:**  Deferred for site inspection with informed comments to be forwarded to the Head of Environment and Heritage to make a delegated decision on the confirmation of the Tree Preservation Order.

b)  **The Lake District National Park Authority (Fir Trees, Ferney Green) Tree Preservation (No 320) Order 2008**

Members received a report notifying them of the serving of Tree Preservation Order (TPO) 320 at Fir Trees, Ferney Green which requested Members to make a decision on its confirmation.

**Decided:**  

- a  Members noted that Tree Preservation Order (TPO) 320 had been served under delegated powers; and
- b  Members confirmed the Tree Preservation Order without modification as an opposed order.

c)  **The Lake District National Park Authority (Sun Hotel, Coniston) Tree Preservation (No 321) Order 2008**

Members received a report notifying them of the serving of Tree Preservation Order (TPO) 321 at Sun Hotel, Coniston which requested Members to make a decision on its confirmation.

**Decided:**  

- a  Members noted that Tree Preservation Order (TPO) 321 had been served under delegated powers; and
- b  Members confirmed the Tree Preservation Order without modification as an opposed order.

133/08  **Planning Seminars: LDNPA and CALC**

Members asked that it be recorded that the recent Planning Seminars held in Keswick, Gosforth and Staveley had been very successful. The Parish Councils were appreciative of everyone’s time and effort in planning and attending these events.

(The meeting finished at 12.10 pm)
## Public Participation: Development Control Committee – 3 December 2008

<table>
<thead>
<tr>
<th>Planning Ref. Number</th>
<th>Planning Application Site</th>
<th>Objector's Name &amp; Address</th>
<th>Applicant's/Agent's Name &amp; Address</th>
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<tbody>
<tr>
<td>7/2008/5521</td>
<td>Stable End Easedale Road</td>
<td>Mr P Stokes Bouthwaite Barn Easedale Road Grasmere LA22 9QL</td>
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<tr>
<td></td>
<td>Grasmere Ambleside</td>
<td>Mr J Lagoe Helm End Easedale Road Grasmere LA22 9QN</td>
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<tr>
<td></td>
<td>LA22 9QL</td>
<td>Mrs M Stokes Bouthwaite Barn Easedale Road Grasmere LA22 9QL</td>
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<td></td>
<td></td>
<td>Mr P Truelove Dale End Grasmere LA22 9PY</td>
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