

8. Planning

Only one item is before the council, Fearon Place Farm, Kinniside, Cleator, CA23 3AG. Full documents have been circulated to all councillors.

In summary

The LDNPA have issued an enforcement notice for the “alleged breach of planning control relating the making of a material change of use of the land from use as agriculture to use for tented camping and the siting of holiday caravans.”

The owner has appealed the enforcement notice on the grounds that “at the time of the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice.”

Legislation

The legislation around the grounds for appeal state “For immunity purposes involving a material change in the use of a building or land, the evidence needs to show when that use was instituted and that it has subsisted, without significant interruption, for a continuous 10-year period.”

Decision

The council must decide whether the appeal meets the test of the legislation stated above or not and if they wish to submit comments regarding this.