

# APPLEBY-IN-WESTMORLAND TOWN COUNCIL

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## PLANNING AND GENERAL PURPOSES COMMITTEE MINUTES FOR THE MEETING HELD IN THE MOOT HALL MONDAY 13<sup>TH</sup> MARCH 2023 at 6.45pm

### Present:

Cllr Stephenson (Chair)  
Cllr Curley (Vice-Chair)  
Cllr Connell  
Cllr P Davidson  
Cllr C Kemp  
Cllr Pape

### Also in attendance:

Cllr Anderton  
Cllr Heap  
Cllr Rooke  
Town Clerk  
Clerk's Assistant  
4 MOP's, 1 arr 7.13pm, 1 arr 7.24pm

### P1/03/23 Apologies for Absence

No apologies received.

### P2/03/23 Declarations of Interest

Cllr Connell declared an interest in relation to any item on the agenda that relates to Cumbria County Council and Eden District Council, and felt a need to declare a personal interest in item 7 as a family member works for Jacobs, but pointed out that they are a multi-national company, and his relation has no involvement with the Doomgate project.

Cllr Stephenson declared a personal interest in item 7, due to a family member working for the Environment Agency.

### P3/03/23 Actions from Previous Minutes

- **Oaklea Trust – Edenside:** the planning application for the demolition of the old Edenside building and the erection of a new building (19/0820) will be going before EDC's March Planning Committee.
- **British Legion Commemorative Bench:** EDC have approved the plans in principle, with the understanding that Appleby Council are responsible for the ongoing maintenance of the bench. Currently the British Legion are still sorting out some copyright issues which have arisen.
- **Warm Spots:** Cumbria Community Foundation have released additional funding to run the weekly Warm Spot sessions through to the end of April and all publicity has been changed to reflect the new date.
- **Co-op Parking and Pricing issues:** This is ongoing and unlikely that anything will be progressed with Cumbria Highways until April.
- **22/0848 – Barratt Homes, Station Road:** Cllrs Stephenson, Anderton and Connell met with Barratt Homes and EDC Planning to discuss this application and specifically some highways issues surrounding the project. No amended plans have yet been received.

### P4/03/23 Planning Applications

The following applications were brought to the committee for their consideration. The below comments were made:

Two residents were in attendance for planning applications 23/0457 and 23/0141

ACTION

[23/0164](#)

#### Condensergapp, Bongate, CA16 6HW

Fell T2 Norway Spruce in conservation area, due to size and proximity to house.

Applicant: Mr Wilkinson

No objections or comments

[23/0157](#)

#### 62 Boroughgate, CA16 6XG

Listed Building Consent for proposed two storey extension to the gable end elevation.

Applicant: Mr and Mrs Murphy

[23/0126](#)

#### 8 Battlebarrow, CA16 6XS

Listed Building Consent for the retention of panel fence and repairs to outbuilding, retaining walls and steps.

Applicant: Mr P Fussell

No objections or comments

[23/0141](#)

#### 62 Boroughgate, CA16 6XG

Proposed two storey extension to the gable end elevation. Re-submission of 22/0863.

Applicant: Mr and Mrs Murphy

Residents of 60 Boroughgate attended the meeting and spoke about applications 23/0457 and 23/0141. They raised concerns regarding the balcony area on the first floor of the proposed extension, and whether this was appropriate for a Listed Building. They made it clear they were not wishing to object, rather that this would be given consideration. The committee agreed these comments would be passed on to EDC, however encouraged the residents to do the same. The more comments EDC receive the better.

2 members of the public left the meeting at 7.05pm.

[23/0070](#)

**Bongate Hall West, CA16 6HW**

Retrospective erection of an outbuilding.

Applicant: Mr P Kirwan

No objections or comments

**P5/03/23 Plannings Decisions**

The following decisions were noted by the committee:

[22/0960](#)

**Tree Works CA Approved**

Mount Eden, The Sands, CA16 6XR  
Fell to ground Beech tree subject to TPO.  
Agent: Whites Tree Services

[22/0961](#)

**Tree Works CA Approved**

Mount Eden, The Sands, CA16 6XR  
Reduce Beech Tree by 15% or 2m  
Agent: Whites Tree Services

[22/0992](#)

**Certificate Lawful Use Issued**

Appleby War Memorial Swimming Pool, CA16 6QR  
Lawful Development Certificate for the installation of a ventilation column to pumping station.  
Applicant: Environment Agency

[22/0713](#) **Late entry**

**Full Approval**

Land Adj to Appleby Leisure Centre, Chapel Street, Appleby, CA16 6QR  
Temporary Construction compound for the siting of an office cabin, welfare cabin and staff parking associated with the Appleby Flood Risk Management Scheme.  
Applicant: Environment Agency

[22/0653](#) **Late entry**

**Full Approval**

Listed Building Consent for the repairs to the external walls and chimney.  
The Armoury, Holme Street, CA16 6QU

1 member of the public arrived at 7.13pm

**P6/03/23 Chairman's Report**

The Chair reported that plans for the Heritage Centre are still moving forward. The Rotary Club are helping with cleaning the area and Newton Rigg Training will be delivering the courses once up and running.

**P7/03/23 Doomgate Culvert FRMS**

Cllr Stephenson asked the attending member of the public, Oliver Swann, whether he would like to make comment on the agenda item.

Mr Swann said he had delivered a letter today, both by hand and email to Councillors regarding the control and oversight surrounding Appleby's FRMS project.

The Clerk reported that the Environment Agency will be holding a Public Information Event in the Public Hall on Monday 3<sup>rd</sup> April between 2 and 7pm. Flyers have been produced and will be publicised tomorrow. The EA will produce information boards outlining the timelines and traffic management plans and there will be members of the EA project team available to speak to. The EA have also set up a dedicated email for Appleby's project ([ApplebyFRMS@environment-agency.gov.uk](mailto:ApplebyFRMS@environment-agency.gov.uk)) for anyone wanting to submit any questions or concerns.

In the meantime, because there was very limited information available for residents and businesses, pending information being published by the EA, the Council has enlarged some of the plans presented by the EA and these are available for viewing in the Exhibition Room, together with other information. The Appleby FRMS page on the Flood Hub website is almost complete and we will publicise this as soon as it goes live.

Mr Swann informed Councillors that in his letter, he had requested that a Councillor stand and motion a vote in the Planning Committee meeting to send the Flood scheme application back to EDC Planning

for re-consultation. Cllr Curley outlined that the request had only been sent a couple of hours before the meeting, meaning not all councillors will have read it or be well enough informed to make a vote.

He also pointed out that the letter contained wrong facts and a general lack of information. Cllr Stephenson added that Appleby Town Council doesn't have the power to change a planning application that has already been approved, so he is requesting something that cannot be done. Mr Swann argued to say the Planning Ombudsman and Planning Aid England had confirmed his request was valid, so Cllr Curley suggested he take it up directly with the Environment Agency, as it is their project. Appleby Town Council have had their position confirmed by the Planning Department at Eden District Council.

The Clerk reported that the Council are continuing to look at alternative parking options.

*1 member of the public (Colin Smith) arrived at 7.24pm,*

Cllr Stephenson invited Mr Smith to speak. Mr Smith commented that although he believed it is positive news that the Environment Agency are looking to spend money on the town, the project in its current form requires some adjustments and TLC. He commented that he thought there were better ways for piping to be installed and could they look at moving the culvert to Holme Street instead to keep the disruption more contained? He said that there needs to be a way to bring a vote to the town.

Cllr Curley assured Mr Smith that the EA are well aware of the logistical issues and are very open to discussions. The EA's door is open, so he encouraged all to take advantage of that.

Cllr Stephenson added the technologies the EA are using mean the disruption and road closures are kept as minimal as possible. The Public Drop-in session will be a good opportunity to voice concerns and have issues clarified. The Council have to take into account the feelings of the businesses, but also look at the benefits the project will bring to the residents living in that area of the town. The Council look at both sides of the argument before reaching a conclusion. The Clerk also advised Mr Smith to send comments directly to the Environment Agency. Mr Smith thanked the Council for the information and opportunity to speak.

*Mr Smith left the meeting at 7.33pm.*

### **P8/03/23 Council Policies**

The Clerk advised that there had been no major changes to any of the other policies that Councillors needed to be aware of.

The policies listed below were accepted and it was **RESOLVED** to **RECOMMEND** these be adopted by Full Council:

- Community Engagement Policy
- Document Retention Policy
- Fire Safety Policy
- Media Policy
- Privacy Policy

Full  
Council

### **P9/03/23 Councillors' reports and items for future agendas**

The Clerk reported a resident of Boroughgate had contacted the Council to advise that the trees lining Boroughgate are getting too large and need cutting back. It was agreed to bring this to next month's agenda. The Clerk will ask the resident if they would like to put their views forward at the meeting.

Cllr Stephenson reported that there has been replacement trees planted in between the current trees, so when the current ones need removing, there will already be mature trees in place.

The Clerk

### **P10/03/23 Date of the Next Meeting**

Councillors noted that the next meeting of the Planning and General Purposes Committee will be held in the Moot Hall on **Tuesday 11<sup>th</sup> April 2023** at **7.15pm** or at the rising of the Finance Committee.

All

There being no further business the meeting closed at **7.37pm**.

AT THE COUNCIL MEETING ON: **WEDNESDAY 22<sup>nd</sup> March 2023**  
THE CHAIRMAN OF THE COMMITTEE WAS AUTHORISED BY THE  
COMMITTEE TO SIGN THESE MINUTES TO CONFIRM THEIR  
BEING A TRUE AND ACCURATE RECORD:

*Cllr M Stephenson*