

APPLEBY-IN-WESTMORLAND TOWN COUNCIL

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Planning and General-Purposes Committee Minutes

For the meeting held in the Moot Hall

Monday 12th February 2024 at 6.45pm

Present:

Cllr Connell (Chair) Cllr Turnbull
Cllr Mycock Cllr Davidson (Ex-officio)
Cllr Railton

Also in attendance:

Cllr Anderton Cllr Kemp
Cllr Heap Cllr Potts
Cllr Hilsden
Town Clerk and Clerk's Assistant

P1/02/24 Apologies for Absence

Apologies received from Cllr Curley and Cllr Pape.

P2/02/24 Declarations of Interest

Cllr Railton declared an interest in Application Nos. 23/0744 and 2023/1216/DISC, due to his company Eden Heritage providing services in respect of both developments.

P3/02/24 Actions from the Previous Minutes

• Story Homes Development

Cllr Connell advised that he is not a member of Westmorland and Furness's Local Planning Committee, so can lead this part of the meeting with no conflict of interest.

It was noted that a number of the issues and concerns highlighted by Appleby Town Council and local residents regarding the application have already been addressed by W&F in their consultation reply letter to Planning, dated 28 November 2023. This included concerns over drainage and traffic management issues relating to vehicular access to/from the estate and extending the 30mph zone on the B6542. Cllr Anderton informed that she had checked with the Primary School about their capacity, and they confirmed they have spaces available to accommodate an influx of new children moving into the area. It was noted that although the extra burden on the already over stretched doctors and dentists is a concern, it is not a planning consideration.

Cllr Connell recommended that Appleby Council submit comments to Planning to record their disappointment that the applicant has made no attempt to comply with the requirements of either the Local Plan Policy HS1 or the Housing Needs Survey, in respect of the provision of affordable housing and smaller 2 and 3 bedroom properties as a priority over larger properties. Consideration needs to be made by the applicant to provide some affordable housing and more 2 and 3 bedroom properties, including bungalows in the development.

In addition, the plot of land immediately adjacent to the houses on Cross Croft should be reviewed to be more sympathetic to current residents, perhaps recommending bungalows in this area.

It was **recommended** to Full Council that Appleby Town Council submit comments to W&F Planning, outlining their concerns about the lack of affordable housing, the mix of housing sizes and types and the intrusion of large houses on current residents at Cross Croft.

- **Doomgate FRMS**

The Environment Agency do not have a definitive timeline of works, as they are still waiting for some of the utility providers to confirm start dates in respect of the preliminary work, and there are still some outstanding conditions to be discharged with the planning application for Edenside.

This preliminary work includes:

- 4-5 weeks of work on Holme Street by United Utilities and Northern Gas. This work does not involve a road closure, but it will need 3-way traffic lights at the junction of Holme Street with Chapel Street and loss of on-street parking around this junction.
- This will be followed by 3-4 weeks of work on Chapel Street, with a small road closure between the car park entrance and Pigneys petrol station. There will be 2-way traffic on Low Wiend, controlled by traffic lights at either end. The Clerk has written to the EA to express concerns about potential congestion and managing deliveries to the Spar and Crown and Cushion.

If the planning application goes through as expected, it is anticipated that mobilisation of the compound and work on installing the temporary car park will start in April/May. The EA hope to be able to confirm the dates for the preliminary work within the next week.

- **Heritage Centre**

Cllr Connell has a meeting on Thursday with W&F's Director of Assets to discuss the Heritage Centre.

- **W&F Community Asset Transfer Scheme**

The Clerk has received confirmation that there are currently no buildings in Appleby on W&F's disposal register.

The Clerk met with two W&F officers last week to look at the first floor of the library building. There is not a lot of work that needs doing structurally and the majority of the work required is either minor repairs or cosmetic. The fire escape to the rear of the building is potentially the only major thing that would need upgrading. The Estates Officer has been given approval to have the works costed up. Once this is forthcoming, the next step would be to arrange a meeting of potential stakeholders to discuss how this could be progressed.

- **Appleby properties on the Historic England 'At Risk' Register**

Historic England have confirmed that the Local Authority (W&F's Conservation team) have to submit an annual update to them regarding Appleby's conservation area. Currently, there is no risk of Appleby's conservation area being downgraded, if anything it has improved, as many buildings have been refurbished over the last few years. Other properties on the Heritage at Risk Register include the Red House and the old stables and coach house at Appleby Castle, which are both privately owned and monitored directly by HE.

Cllr Railton highlighted the need for the Council to provide condensed information for new shop owners to ensure they know the restrictions about being in a conservation area, and how this relates to signage and shop fronts, etc. It was agreed there is currently a lack of guidance available and that the Council could support new shop owners by providing some guidelines and advice on who to contact if they require more information.

Action: The Clerk will produce some guidelines based on the information provided in the EDC Shop Front & Advertisement planning supplement.

- **High Wiend**

Building Control have confirmed that they have no fixed schedule for surveying buildings that have been served with dangerous structure notices. However, as they are in Appleby regularly, they do carry out regular checks on High Wiend. Their last visit was around two weeks ago, and the officer found no traces of debris or discernible deterioration of the buildings. Cllr Hilsden has been asked to keep an eye out for any debris or rubble that falls and take a photo, as it is likely that any evidence of rubble is being removed before W&F officers see it.

Building Control have powers under the Building Act to take action to remove a danger from a building, which they have done on both buildings when required. They cannot be proactive about this, as they are not in a position to demand repairs be carried out. However, as No 1 is a Listed Building, they have powers to seek repairs and a planning application has been submitted by the owner to carry out repairs to the gable end, but this has not been approved yet.

Action: It was agreed that the Clerk will write to Building Control to highlight that Appleby Town Council would like it noted that they have serious concerns the condition of both buildings, and the consensus from councillors is that they present a significant risk to public safety.

- **Yew Tree at Mill Hill**

The sign has been on the tree for over 28 days, and no one has come forward with any information about land ownership. The felling of the tree is scheduled for around 3 weeks time. We won't know the cost of rebuilding the wall until the tree is removed.

The logs from the felled tree will be stacked and left for people to collect. Cllr Mycock reiterated his concerns about yew trees being poisonous. The arboriculturist has advised that no elements of a yew tree are poisonous unless ingested and he had no concerns in this matter. Cllr Mycock wanted it noted that he was not happy with this.

- **Dog Related Issues Working Group**

Cllr Heap updated the committee on steps that have been taken by the working group since the first meeting. It is hope that the first public meeting will be held in March. (Report and minutes of the meeting attached.)

Cllr Mycock suggested providing accommodation in Appleby with information regarding dog control, as he thinks dog related issues also get worse over the weekend when there is an influx of visitors. Leaflets could also be left with the TIC.

P4/02/24 Planning Applications

Under Westmorland and Furness Council's consultation process, to consider the following Planning Applications, plus any late arrivals, to prepare, under delegated authority, a response from Council:

<p>2024/0017/FPA – 5 Friary Park, CA16 6XD Proposed access improvements to dwelling for disabled persons <i>Applicant: Ms J Watkinson</i> Consultation period ends 8th February No comments or objections</p>	<p>2023/1216/DISC – Edenside Residential Care Home, Holme Street. CA16 6QU Discharge of 9 conditions relating to approved planning application 19/0820. <i>Applicant: The Oaklea Trust</i> Consultation period ends 9th February No comments or objections</p>
<p>2023/1122/FPA – The Coach House, The Sands, CA16 6XN Change of use of ground floor domestic garage/store use class C3, to a yoga studio class E <i>Applicant: Coach House Studio</i> No comments or objections</p>	<p>2024/0100/FPA – 30 Glebe Road, CA16 6RT Erection of detached garage and creation of new driveway. <i>Applicant: D Murphy</i> No comments or objections</p>
<p>2024/0193/TCA – The Armoury, Holme Street, CA16 6QU Works to trees in conservation area (full list of works on the planning portal) <i>Applicant: Mr Stephen Lyon</i> No comments or objections</p>	

P5/02/24 Planning Decisions

Under Westmorland and Furness Council's consultation process, to consider the following Planning Decisions:

<p>2023/1089/FPA – 9 Rivington Park, CA16 6HU Approved with Conditions Two storey rear extension <i>Applicant: Mr R Park</i></p>	<p>23/0692 – Flats 1 and 2, 16A Boroughgate, CA16 6XB Refused Listed Building Consent for the replacement of 8no single glazed timber windows with double glazed timber windows <i>Applicant: Mr AT Bell</i></p> <p>The application was refused as W&F say the current windows can be repaired. It was noted that the applicant can appeal the decision.</p>
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P6/02/24 Chairman's Report

There was no Chair's report in respect of the meeting.

P7/02/24 Councillors' reports and items for future agendas

- Cllr Kemp asked about the scaffolding surrounding the old Co-op building and did the Council know what the plans were for the building. It is understood that there are plans for the building to host a new chemist.

P8/02/24 Next Meeting

To note that the next meeting of the Planning and General Purposes Committee will be on **Monday 11th March 2024** at **6.45pm** in the Moot Hall.

There being no further business, the meeting closed at 7.40pm.

At the Council Meeting held on **Wednesday 21st February 2024**, the Chairman of this meeting was authorised by the Council to sign these minutes, to confirm they are a true and accurate record:

Cllr Connell
