

15 September 2020, Kirkby Stephen Town Council

Extra- Ordinary Meeting

Kirkby Stephen Town Council, Local Links, Vicarage Lane, Kirkby Stephen, Cumbria, CA17 4QX

Tel. 017683 74854 | Clerk@kirkby-stephen.com | www.kirkbystephen.com

Via Zoom video conference at 7:30pm

Attending: Cllrs. J Johnstone, P Richardson, A Birtles, M Walker, G Wren, C Lynch & S Lancaster (EDC/KSTC); Cllr P Dew (CCC/EDC), Mr C Barnes (Clerk) and 2 members of the Public.

Public Participation

A member of the public attending raised an issue regarding screening (hedging) and attenuation/drainage between Manor Court and the proposed Whitehouse Farm Development.

A member of the public had raised the issue of the footpath at the Whitehouse Farm Development site.

A member of the public raised deeply felt objections to the Whitehouse Farm proposal

The plan to bring back more Police was supported. It was noted that the current plan was for a post to be shared with Appleby. It was agreed to write to the PCC and Chief Constable supporting dedicated policing for the town. Cllr Dew asked to be copied into the correspondence.

District and County Councillors None.

Participation of the Police None.

20/046 **Apologies**, none

20/047 **Declarations of Pecuniary Interest**, none

20/048 **Minutes.**

The Chairman was authorised to sign the Minutes (Part 1 & 2) of the meeting held on the 4th August as a true record.

The Chairman was authorised to sign the Minutes of the Jubilee Park AGM held on the 4th August as a true record.

20/049 **Planning 20/0561- Site address: WHITEHOUSE FARM, HIGH STREET KIRKBY STEPHEN, CA17 4SH**

Description: Reserved Matters application for appearance, landscaping, layout and scale, attached to approval 17/0263.

Councillors Birtles, Lancaster & Johnstone had met with the developers on the 11th September 2020 as agreed at the meeting on the 8th September. Feedback from the meeting was given.

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Correspondence previously sent to the council on the subject of the proposed development was shared with the developer and the concerns raised in the previous council meeting on the 8th September as follows:

- The proposed scale of the development relative to the allowance in the plan and the history of statements made relative to the planned scale of the development.
- Visual Impact.
- Drainage.

Councillors AGREED that the only basis in planning terms on which they could object to the scheme was on the basis of its visual impact. The development was proposed on land earmarked for development. However, the impact of the development on the green setting of the town as set out in the Town Plan and in prior planning assessments of the site was considered to be of paramount importance.

The developer had suggested during the meeting on the 11th September that the issue of the impact on skyline (ridgeline) could be mitigated by an agreed scheme of planting to screen the prospect of the site from the east (Nateby Road and Yorkshire Dales National Park) to include hedging and tree planting together with a review of existing trees/TPO's.

A councillor noted that the Town Council had raised the issue of the need to protect the ridge line (setting of the town) in respect of the Levens Farm Development and that this had been enforced in the eventual planning decision in which the roof line has been set below the ridgeline.

The developer had also been responsive to the proposition made regarding bungalow development. It was noted that the ridge line was proposed to be breached with two story houses. A councillor noted that bungalows would not breach the skyline if built in the proposed locations below the ridge.

Assurances were also made regarding drainage; the strategy was that attenuation basins would hold run off water and slow its release into Croglam Beck a margin of 10% excess capacity existed in the drainage plan and calculations to allow for later householder development.

Another drainage issue had arisen in respect of the residents of Manor Court where a property had flooded as a result of water displaced from the development site during ground works operations. The issue had been resolved to the householder's satisfaction by the developer. However, it was thought appropriate to seek extended and specific measures to mitigate the risk of flooding at Manor Court and to accompany this with screening measures (hedge planting).

The developer had suggested that development might take place over a period of up to 4 years.

In the meeting on the 11th September the developer had maintained that it would have been possible to develop a maximum of 120 houses on the site and that the proposed numbers 88 were well back from that.

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The impact of the development on traffic (parking) and other infrastructure Schools and Health Services was debated. It would be helpful to have clarity and consultation over the s106 agreement mentioned at 3.2.5 which simply states 'includes sums for education'.

The Council RESOVLED not to object to the development. However, it was felt essential that conditions were applied to the development and the council seeks conditions in respect of:

1.0 Visual Amenity/Impact

The Town Council seeks an agreed and protected scheme of screening/tree planting and protection on the ridge line to protect the appearance/setting of the Town from Nateby Road and the Yorkshire Dales National Park to the East.

1.1 Visual Amenity/Impact

The Town Council seeks in addition to drainage proposals specific to the boundary with Manor Court a scheme of screening (hedge) to mitigate the visual impact of the development from Manor Court.

2.0 Drainage

Development proposals include a detailed and highly technical report on drainage which is designed to 10% over capacity to allow for household development. The ground is not permeable so proposed attenuation measures concentrates on the retention of water on site and slow release into Croglam Beck. The Town Council considers it essential that the Planning Authority is satisfied that the measures proposed will not overwhelm the capacity of Croglam Beck giving rise to flooding in the town bearing in mind planned development upstream. The imposition of protective conditions limiting later householder development may need to be considered to limit run off. The drainage report mentions that infiltration to the ground 'will not be effective' because of 'the low permeability soils present' and refers to Croglam Beck as being 'an appropriate outfall' noting that 'this is subject to agreement with Cumbria County Council'

2.1 Drainage

The Town Council seeks an agreed scheme regarding drainage during the construction period specifically to protect the residents of Manor Court from the risk of flooding which has already been demonstrated during Phase 1 and recent groundworks associated with the development.

2.2 Drainage

The Town Council seeks agreed and specific measures to protect the residents of Manor Court permanently from flooding extending existing provision. This has been the subject of direct communication between the council developer and residents involved.

The Town Council believes that the issues it has raised and over which it seeks conditions in any eventual planning consent are best addressed in the first instance by meeting on site The Town Council requests that a site visit is made as an essential prerequisite of any determination.

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20/050 **Exclusion of the Press and Public**

It was RESOLVED to resolve to exclude the press and public by a resolution of the council on the grounds that publicity would prejudice the public interest by reason of the confidential nature of the business in respect of the following agenda item.

20/051 **Confidential Minute.**

20/052 **Date of Next Meeting** October 6th format/venue to be confirmed.

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Chairman

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Date

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