

## HEVERSHAM PARISH COUNCIL

### Unconfirmed Minutes of the Parish Council meeting held on **Thursday 20 September 2018** at 7.30pm in the Athenaeum, Leasgill

**Present** – Cllrs. Brian Rendell, Peter Clarke, Adrian Bland, Gordon Capstick, Tom Grindey and Iain Richards; County Cllr. Roger Bingham (arrived 8.25pm); District Cllr. Kevin Holmes; the Clerk; and eight members of the public.

#### **101/18 Apologies**

Apologies were received from Cllr. Adele Shepherd and County Cllr. Bingham (who would be arriving late).

#### **102/18 Declarations of Interest**

Cllr. Clarke declared an interest with regard to item 111/18 vi).

#### **103/18 Minutes**

**Resolved** that the minutes of the meeting held on 12 July 2018 be confirmed as a true record and be signed by the Chairman.

#### **104/18 Public Participation**

Several of the members of the public present expressed their views with regard to the planning application SL/2018/0715 by Cumbria County Council for land to the east of Park House Drive (see item 111/18 vii). Their comments included concerns with regard to two hammerheads which indicated incremental development; current traffic and the dangerous exit from Dugg Hill; the apparent error in the number of properties already on Dugg Hill and Park House Drive; existing flooding from the site; the topography of the site; the proposed height of the properties and the material and height of the proposed fence.

#### **105/18 Matters Arising from Parish Meeting**

Housing & Demography – Cllr. Clarke is to meet Fran Richardson of ACT before the next meeting in advance of a proposed future open meeting.

#### **106/18 Ongoing Items**

- New flower bed at the north end of the village: Martin Tyson is no longer able to do the work which is now expected to be completed by the end of October at an amended cost of approx £700 (including footings) compared to the original quote of £404. SLDC gave a grant of £330 towards the flower bed in 2017/18 and it was agreed to make an application for the difference to be funded by Leasgill Quarry Trust.
- Double Yellow Lines: The Clerk had been told by Cumbria County Council Highways Dept that the Traffic Regulation Order process had begun.
- Grievegate milestone plaque: The Clerk reported that approval of the design and wording had been received from the Levens Estate and that delivery of the plaque was expected next week after the pro-forma invoice had been paid (see item 116/18c).
- Monument: The bench had been purchased at a cost of £316 plus VAT (see item 116/18 c) and had been fitted by Cllr. Rendell.
- Speed Indication Device: It was agreed to apply to the Cumbria Police & Crime Commissioner, the Rhoda Thompson Trust and Leasgill Quarry Trust for funding.

#### **107/18 B4RN**

Cllr. Richards reported that there had been no progress since the last meeting and that we were still a long way from raising the requisite funds.

#### **108/18 Street Lighting**

The Clerk reported that a reply was still awaited from Electricity North West with regard to their charges for taking lights off the wooden poles and connecting them onto the steel columns. The proposed transfer date had therefore been amended to 1 January 2019. The Clerk also reported that there were two sources of funding which were both based upon payback out of savings and that the Council was holding surplus funds which could be put towards the cost.

#### **109/18 Reports**

- a. No report on behalf of the Kendal Neighbourhood Policing Team had been received but it was reported that there had been several burglaries in Woodhouse Lane and the Clerk was asked to obtain a report on these from the Policing Team.
- b. District Cllr. Holmes reported that there was a grant of approx £330 available for something of benefit to the parish. He also commented on the SL/2018/0032 planning application (see item 111/18i) and confirmed that the new standard proposed by the Council with regard to councillors being explicit about on behalf of which community they are speaking was to be put to the next Standards Committee meeting.
- c. County Cllr. Bingham reported on the matters discussed at the last County Council meeting including the rail problems, the pledge against using plastic and Crooklands bridge. He was attempting to improve cycle access from Levens and was still working on flooding at Leasgill and other gully problems. He also reported that 25 new police officers had been appointed.
- d. The Athenaeum: The Treasurer's financial report was received for the quarter and year ended 31 July 2018.

#### **110/18 WWI Commemoration**

- a) Barn Dance: Cllr. Grindey is to prepare a poster and Cllr. Bland is to arrange the tickets which are £10 each. The hotpot cost is £6 per head and the Barn cost is £600. It was agreed to apply for a grant from the Leasgill Quarry Trust for £500 to fund any deficit.

- b) Beacon on Heversham Head: The beacon would be lit at 7.00pm.
- c) Church and Community Planning Group: The grant application by the Parish Council had been approved and the 10 silhouettes had been received. It was agreed that the other 7 silhouettes be funded by the Parish Council (see 116/18c).
- d) It was agreed to order a poppy wreath as in previous years at a cost of £45 (including a donation).

### 111/18 Planning

#### i) **SL/2018/0032 Land opposite Brant House, Woodhouse Lane, Heversham**

It was noted that a reply had been received from the Chief Executive of SLDC which didn't address several of the central points. However, it was agreed to send an email setting out the specific recent failures with electronic communication within the planning process which had increased significance due to the cessation of paper information and were compromising the Council's ability to discharge an important part of its statutory responsibility.

ii) **Primary School Site:** The Council agreed that they would continue to work with the PCC to seek a payback/legacy from the Diocese and noted that a meeting with the Diocese had been arranged for tomorrow afternoon (21<sup>st</sup>).

iii) It was noted that the following planning applications had been approved by SLDC since the last meeting:

#### **SL/2016/1141 Land to west of 28, Dugg Hill, Heversham**

Single storey dwelling

#### **SL/2018/0529 West Cottage, Leasgill**

Conversion of unused first floor area to create ancillary domestic accommodation

iv) It was noted that the following planning application has been refused by SLDC since the last meeting:

#### **SL/2018/0281 Ghyll Cottage, Leasgill**

Single dwelling and formation of vehicular access

v) **Resolved** that **no objection** be made to the following planning applications which had been submitted to SLDC and circulated to the members of the Council since the last meeting:

#### **TR/2018/0114 Smithy Cottage, Heversham**

Tree pruning and hedge felling (SLDC stated no objection)

#### **SL/2018/0631 Land adjacent to Hill Brow, Dugg Hill, Heversham**

Single dwelling (reserved matters of access, appearance, landscaping, layout, surface water management, sewage disposal) (Outline approval 25/8/15) (SL/2015/0634)

vi) Cllr. Clarke informed the meeting that the following planning application had been withdrawn:

#### **SL/2018/0650 Eversley Coach House, Leasgill**

Removal of condition 1 (vehicle turning space) attached to planning permission 5/88/1212 (conversion of barn to dwelling)

vii) **Resolved** to make the **following comments** with regard to the following planning application which had been submitted to SLDC and circulated to the members of the Council since the last meeting:

#### **SL/2018/ 0715 Land to the east of Park House Drive, Heversham**

Residential development of 6 dwellings, including 2 affordable dwellings, with parking and amenity space

The Council found it necessary to make clear that, contrary to that which is implied by some of the documents attached to the application, the pre-application discussion had not been such as to represent any level of approval (or not) of the application.

The Council welcomed the fact that the application is for a development that is limited to six houses. Whilst Councillors would have wished to see a higher proportion of affordable properties, they welcomed the fact that two of the six are designated as such.

The majority of Councillors concluded that the application should not be considered to be contrary to the policies set out in the Neighbourhood Plan.

However, the Council noted with concern that:

- a) There appears to be evidence of potential flooding from the site. After heavy rainfall, water is known to run off the field and form a pool, from which the run off downhill has caused significant flooding of adjacent properties. It would appear that unless specifically and appropriately addressed, hard surfaces associated with the development would increase the risk.
- b) It appears that the topography of the site is not as stated and the proposed fence will be obtrusive.
- c) The report by TPS Transport Consultants Ltd contains a number of unfortunate errors but, importantly, there appears to be evidence that it mis-states the number of properties served by Dugg Hill and Park House Drive. If the alternative figures are correct, then Cumbria County Council's own cited formula would indicate that the existing roads are unsuitable in terms of capacity for the proposed additional properties.
- d) The outline site plan includes two apparent hammerheads (spurs). This could be taken to infer that there is envisaged to be scope for subsequent expansion into the remainder of the field. The Neighbourhood Plan policy HH3B is unambiguous in the unacceptability of development on sites next to new sites established in the lifetime of the Plan. This was a key issue in the consultation process that lay behind the Plan and the presence of HH3B was a clear factor in the outcome of the referendum.

The council was also concerned that:

- Evidence from elsewhere suggests that the presence of an element of affordable housing in outline

applications can evaporate by the time the development is completed.

- The potential impact of the proposed development will be significantly influenced by the detail design of the properties and these are to be considered as reserved matters, rather than forming part of the current process.

The Parish Council would therefore ask that, prior to reaching a determination of the outline application, SLDC ensure that:

- 1) The potential flooding issues are specifically considered and, if appropriate, any necessary mitigating action is made a condition of any development.
- 2) The number of dwellings served by the relevant roads is checked and the stated Cumbria County Council formula consistently applied.
- 3) The Parish Council's concern that the inclusion of the hammerheads in the current application may indicate an intention to expand the site before 2025 is explicitly addressed and resolved.
- 4) Measures are taken to ensure that the commitment to two affordable properties (without which the Parish Council would strongly object to this application as being directly contrary to the Neighbourhood Plan) is honoured throughout the ensuing process.
- 5) The Parish Council is engaged in the consideration of all reserved matters including those relating to the design and appearance of the development.

#### **112/18 Highways/Footpaths**

- a. Cllr. Clarke reported that discussions were ongoing with regard to the items previously reported but there was no final outcome yet in each case.
- b. The meeting was informed that the pavement cracks had been reported. The Clerk was requested to inform Highways that the primary school lights had not been switched off and that there were three street lights which were not working.

#### **113/18 Playground Report**

- i. Cllr. Rendell had inspected the playground since the last meeting and continued to monitor the equipment.
- ii. Cllr. Bland and Cllr. Rendell had yet to meet to discuss some equipment problems and they would look at the mud problem at the entrance, which had been reported by a parishioner.
- iii. The inspections until the next meeting were to be carried out by Cllr. Rendell.

#### **114/18 Communication with Dallam School Charitable Trust**

The approach from the Trust was noted and Cllr. Clarke was confirmed as the Parish Council link.

#### **115/18 Community Defibrillator**

It was agreed not to purchase another defibrillator.

#### **116/18 Finance**

- a. The following receipts were noted:  
HMRC – VAT refund to 31/03/18 - £274.04  
HMRC – The Athenaeum VAT refund - £1021.90 (see July 2018 payments)  
Rhoda Thompson Trust – Old railway line footpath grant - £1000.00  
Leasgill Quarry Trust – Grievegate milestone plaque grant - £300.00
- b. The following payment made between meetings was approved:  
CHB Surfacing – Old railway line footpath - £1008.00 – cheque 441
- c. The following payments were approved:  
A2A Advertising Ltd – Domain name registration (2 yrs) - £30.00 - cheque 442  
Iain Richards – Refund re Solway Recycling Ltd monument bench invoice - £381.60 – cheque 443  
M R Richardson – Refund re There But Not There invoice for 7 silhouettes - £316.96 – cheque 444  
Leander Architectural – Grievegate milestone plaque - £364.80 – cheque 445
- d. It was agreed to pay the Data Protection Registration annual fee of £35.00 by direct debit as that was £5 per annum cheaper than paying by cheque.
- e. Correspondence from CALC setting out the proposal to amend the subscription calculation for 2019/20 which would reduce the annual Parish Council subscription by just over £50 was noted.
- f. **Resolved** that it be noted that the closing bank balance at 31<sup>st</sup> August 2018 was £21,321.32 and that the bank statement be counter-signed.

#### **117/18 Correspondence**

The following correspondence received and not included as an item on this agenda was noted:

- a. South Westmorland LAP – Request for opinion on consultation with CCC & SLDC (emailed to Cllrs.13/7/18)
- b. CALC – Fire Service consultation event on 8/8/18 (emailed to Cllrs.16/7/18)
- c. CALC – July 2018 newsletter (emailed to Cllrs.16/7/18)
- d. SLDC – Link to council agenda for 24/7/18 meeting (emailed to Cllrs.16/7/18)
- e. CALC – 2018 Annual General Meeting to be held on 10/11/18 (emailed to Cllrs.16/7/18)
- f. CCC – Proposed traffic restrictions consultation (emailed to Cllrs.20/7/18)
- g. CALC – Update re developing your skills programme & planning training (emailed to Cllrs.20/7/18)
- h. CALC – Paperwork for District Association meeting on 20/9/18 (emailed to Cllrs.25/7/18)
- i. CALC – Warning re trees in drought (emailed to Cllrs.25/7/18)
- j. SLDC – Letter from SLDC's solicitor on behalf of the Independent Remuneration Panel re allowances 2019/20 (emailed to Cllrs.25/7/18)

- k. SLDC – Consultation on draft statement of community involvement (emailed to Cllrs.26/7/18)
- l. CALC – NALC request for views regarding rural economy (emailed to Cllrs.1/8/18)
- m. CALC – Friends of The Lake District – Rally on 4/8/18 re cable car proposal (emailed to Cllrs.1/8/18)
- n. CALC – Adult safeguarding information posters (emailed to Cllrs.15/8/18)
- o. Garden Organic – Cumbria volunteer master composter scheme (emailed to Cllrs.15/8/18)
- p. Cambridge University – Neighbourhood planning survey (emailed to Cllr. Clarke 15/8/18 and completed 16/8/18)
- q. SLDC – Community governance review for South Lakeland (emailed to Cllrs.14/9/18)
- r. CALC – Cumbria Constabulary & Office of the Police & Crime Commissioner joint annual public consultation survey (emailed to Cllrs.14/9/18)
- s. CALC – August North West Coastal Access update (emailed to Cllrs.14/9/18)
- t. ACT – Community Buildings event on 6/10/18 (emailed to Cllrs.14/9/18)
- u. CALC – Nominations to Executive Committee 2018 (emailed to Cllrs.14/9/18)
- v. CALC – Final paperwork for District Association Annual General Meeting on 20/9/18 (emailed to Cllrs.14/9/18)
- w. SLDC – Website link to Standards Committee agenda 18/9/18 (emailed to Cllrs.14/9/18)

**118/18 Westmorland Gazette** – Matters from this meeting to be reported for the Westmorland Gazette:

- Barn Dance

**119/18 Items for Information-** *no decisions or action permitted*

- The meeting was reminded that there is to be a St Peter's Church quiz night in the Athenaeum on 13 October 2018

**120/18 Items for consideration for a future agenda**

- Promotion of wild flowers and wildlife

**121/18 Date of next meeting**

The next meeting of the Parish Council will be held on Thursday 11 October 2018 and will commence at 7.30pm in the Athenaeum, Leasgill

The meeting closed at 10.05 pm

**Malcolm Richardson**  
Clerk to the Council