

Cockermouth Town Council

29 April 2020

Dear Sir/Madam,

You are summoned to a special meeting of Cockermouth Town Council to be held in the Council Chamber, Town Hall, Cockermouth **Thursday 7 May 2020 at 7pm** for the purpose of the under-mentioned business.

Please let me know if you are unable to attend.

Yours sincerely,



Sheila Brown

1. **Apologies for absence**
2. **Declaration of Interest** – Members to give notice of any disclosable pecuniary interest, other registrable interest or any other interest and the nature of that interest in relation to any item on the agenda in accordance with the adopted code of conduct.
3. **Public Participation**
 - a) To answer any questions from members of the public in accordance with the Summary of Public Rights
 - b) To receive a petition from a member of the public in accordance with the Summary of Public Rights (if any)
4. **Planning Applications** – To comment on various planning applications received from Allerdale Borough Council (**page 1**)
5. **TPO No. 13 of 2019** – To note the contents of TPO No. 13, Land at Gote Road (**pages 2-9**)

Press and Public Welcome



Town Hall, Market Street
Cockermouth
Cumbria CA13 9NP

Tel: 01900 821869

Fax: 01900 827166

Email:

cockermouthtowncouncil
@btconnect.com

Website:

www.cockermouth.org

Town Clerk
Sheila Brown



Joint Winners
Council of Europe Year 2000
Europe Prize

Previous Awards
Plaque of Honour, Flag of Honour
European Diploma



Twin Town
Marvejols, France



A Fairtrade Town

Ref: **FUL/2020/0077**

Erection of fence around school grounds

St Joseph's RC School, Mountain View, Cockermouth

Ref: **HOU/2020/0062**

Proposed Double Garage

1 High View, Holmewood Gardens, Cockermouth

Ref: **HOU/2020/0065**

Demolition of existing rear extensions and rebuild new two storey rear extension (resubmission)

76 Brigham Road, Cockermouth

Ref: **FUL/2020/0084**

Storage area to existing laundry with new pitched roof and flat roof

Fellcroft, Windmill Lane, Cockermouth

Ref: **HOU/2020/0049**

Removal of conservatory, internal alterations and extension to relocate kitchen/dining room

13 Albermarle Street, Cockermouth

Our Ref :
Your Ref :

This matter is being dealt with by:-

Christopher Fleming

Direct Line : (01900) 702915
Email: christopher.fleming@allerdale.gov.uk



14 April 2020

The Clerk to Cockermouth Town Council,
Mrs. S. Brown,
Town Hall,
Cockermouth,
Cumbria. CA13 9NP

Dear Madam,

**Tree Preservation Order No. 13 of 2019
Land at Gote Road, Cockermouth, Cumbria**

I enclose by way of service upon you a copy of the confirmed Tree Preservation Order and the accompanying Notice.

Although the Tree Preservation Order does not directly affect the land within your ownership it is a statutory requirement that the Local Planning Authority also serve a copy of the order upon the Town Council.

If you have any queries please do not hesitate to contact either myself or Kerry McCartney (01900 702743).

Yours faithfully,

Christopher Fleming
Legal Services

Enc.



**Allerdale - a great
place to live,
work and visit**

Allerdale Borough Council
Allerdale House
Workington
Cumbria CA14 3YJ
Tel: 0303 123 1702
Fax: 01900 702507

Dated: 16th October, 2019

THE ALLERDALE BOROUGH COUNCIL

TREE PRESERVATION ORDER NO. 13 OF 2019

TREE ON LAND AT GOTE ROAD, COCKERMOUTH

FORM OF TREE PRESERVATION ORDER

Regulation 3(1)

Town and Country Planning Act 1990

The Tree Preservation Order No. 13 of 2019

The Allerdale Borough Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order--

Citation

1

This Order may be cited as Tree Preservation Order No. 13 of 2019

Interpretation

2

(1) In this Order "the authority" means the ALLERDALE BOROUGH COUNCIL.

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2011.

Effect

3

(1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

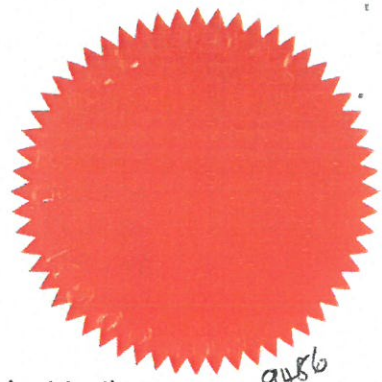
4

In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 16th October, 2019

The Common Seal of
ALLERDALE BOROUGH COUNCIL
was affixed to this Order
in the presence of






CONFIRMATION OF ORDER

This Order was confirmed by Allerdale Borough Council without modification on the 14 day of APRIL 2020

OR

~~This Order was confirmed by the Allerdale Borough Council, subject to the modifications indicated by [state how indicated], on the _____ day of [insert month and year]~~

Signed on behalf of the Allerdale Borough Council

.....


Authorised by the Council to sign in that behalf

~~DECISION NOT TO CONFIRM ORDER~~

~~A decision not to confirm this Order was taken by Allerdale Borough Council on the _____ day of~~

~~Signed on behalf of the Allerdale Borough Council~~

~~.....~~

~~Authorised by the Council to sign in that behalf]~~

VARIATION OF ORDER

This Order was varied by the Allerdale Borough Council on the _____ day of _____ by a variation order under reference number [insert reference number to the variation order] a copy of which is attached

Signed on behalf of the Allerdale Borough Council

.....

Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the Allerdale Borough Council on the day of _____

Signed on behalf of the Allerdale Borough Council

.....

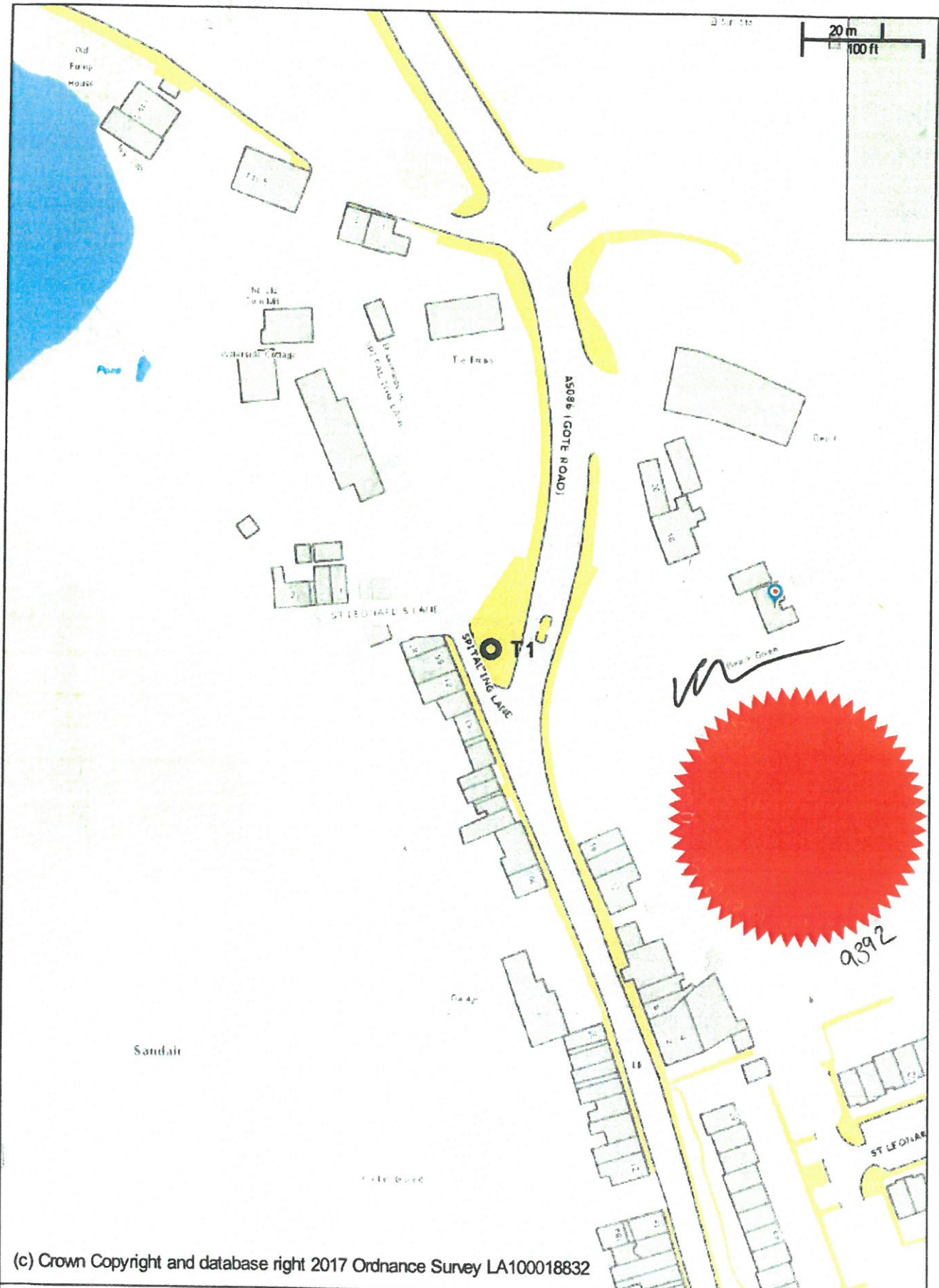
Authorised by the Council to sign in that behalf

**SCHEDULE
SPECIFICATION OF TREES**


Article 3

Trees specified individually
(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Oak	Land at Gote Road, Cockermouth



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IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990

TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012

Tree Preservation Order: No.13 of 2019

ALLERDALE BOROUGH COUNCIL

On 16 October 2019 we made the above tree preservation order, and sent you a copy.

We have considered whether or not the order should be confirmed (or, in other words, made permanent). One representation in favour of the order was received; we considered this before reaching our decision.

On 14 April the Council decided to confirm the order.

We have confirmed the order because a Section 211 notice had been received proposing to pollard the tree. The tree is considered to be of high amenity value contributing to the character of the area. It is visible from various public vantage points. It is considered that the results of a pollard would affect the visual amenity provided by the tree and also has the potential to cause detriment to its future health given the age and size of the tree.

Whilst the reasons for the works are acknowledged (to reduce leaf fall which is a contributing factor to flooding), it is considered that other measures could be carried out to achieve the desired results.

For more information about our decision, please contact Kerry McCartney on 01900 702743.

If you disagree with our decision you can challenge it by applying to the High Court under sections 284 and 288 of the Town and Country Planning Act 1990.

You can apply to the High Court if you believe:

- (1) the order is not within the powers of the Town and Country Planning Act 1990;
- or
- (2) the requirements of the 1990 Act or Town and Country Planning (Trees) Regulations 1999 have not been met.

You must apply to the High Court within six weeks from the date of our decision.

Dated: 14 April 2020