

EDC Planning Committee 15.12.22

Report by Michael Hanley

1. Questions from the Public

Cllr (Penrith Town Council) Jonathan Davies (JD): Asked about the number of houses approved since May 19.

William Patterson (Chair, I): A total of 830 dwellings have been approved across Eden, of which 352 were in Penrith.

Supplementary Question: JD: Asked about the additional infrastructure, such as GP surgeries, dentists and school spaces required to be delivered along side the new homes.

WP: There is no information regarding this. The agreed S106 contributions over this timescale from developers amount to £1.33 million towards primary and secondary education, £156k towards school transport, £245k towards highways and footpaths and £48k towards travel plans and public transport.

2. Reports for Debate

(a): Development of 25 residential buildings at Appleby. Planning Application: 22/00507. Referred to Planning Committee because of planning obligation under Section 106 of the Planning Act.

John Hiscox (Planning Officer, JH): 30% of housing should be affordable. Also Nutrient Neutrality needs to be considered. Mitigation needs to be made. A remote site to mitigate this is available which can be converted to woodland or re-wilded.

Debra Wicks (DW, C): Asked about mitigation.

JH: Natural England has recommended this approach. We have had a number of applications where Nutrient Neutrality had to be considered. In a smaller scheme you have a smaller area of land with which to mitigate.

Mike Eyles (ME, LD): Asked about mitigation.

JH: The harm is on the river from the site, the mitigation area is further upstream. A lot of waste from such a development goes into waste water treatment. There is more pressure on United Utilities to improve this.

WP: This is a bit of a test case for Eden. Its the first larger development under the new rules.

JH: Discussed an offer from the applicant to provide energy creating systems: solar panels and heat pumps. We have welcomed this. With this scheme there will be a blend of provision.

Peter Baker (PB, LD): I am disturbed that you are allowing all the birch trees (on the site) to be felled. Is it not possible to retain some of the trees?

JH: I did ask the developer to do this early on but the trees are not of such value to have them preserved. Birch trees are considered lower down the pecking order of trees.

PB: Will you ensure that appropriate species of trees are planted?

JH: It is necessary that the site will be suitably landscaped.

Graham Simpkins (GS, LD): I believe the mitigation site is at Stainmore. Its impossible to grow trees up there.

JH: Its not necessarily woodland planting, it could be re-wilding.

Michael Hanley (MH, L): Asked JH about the effect of re-wilding on rivers. With woodland planting, there is a reduction of water run-off into the rivers and reduced risks of flooding but does rewilding have any effect?

WP: Disallowed the question saying it was inappropriate.

Vote: Unanimous in favour.

(b) Application to reduce the height of spruce trees at Garrigill. Applicant: Simon Young. Planning Application: 22/0588. Reason for referral: Parish Council objection.

JH: Red squirrels are known to be in this area. The trees will still support red squirrels after tree surgery. It was reported that there a drey there but it is thought this is a crow's nest. Whether squirrels use this group of trees or not is not part of the consideration. It was suggested that we consult an organisation for red squirrels. In November, Alston Moor Parish Council (AMPC) objected again. The trees have a potential to double in height. Although red squirrels are important, however here they shouldn't influence the planning decision. The original proposal was to fell the trees but now its to reduce the height.

Applicant Simon Young: Discussed late representation from Cllr Elaine Grew. She talks about red squirrels and dreys, but there is no drey there. She talked about recent sighting of red squirrels at the bridge but we have seen red squirrels for many years in this area. We use the site as a workshop. She said that as we were living full time in Edinburgh, she implied we didn't care about red squirrels. Mrs Grew persuaded AMPC to vote against it. It was recommended that a red squirrel survey would be done and we would have to pay for it. We have made a complaint to EDC about the way Mrs Grew handled the affair, revealing confidential letters we sent her.

JH: Red squirrels could be an issue going forward. It is important to establish, with the use of a competent body, whether there are red squirrels here.

DW: Should there be trees that high? Isn't there a risk in a storm?

JH: It depends on the soil, their grouping etc.

Elaine Martin (EM, C): Asked whether the third party letter could be read out.

JH: We cannot read this out due to GDPR.

ME: I am concerned about this in view of the laws protecting wild life. If we approve this we could be accused of breaking the law.

WP: We are not felling trees.

ME: We are affecting the environment.

PB: How much of the height will be removed and what does thinning mean?

JH: The proposal is to reduce the height by one third. There are eight stems. We will be losing 2-3 stems. That wont affect the canopy.

PB: Mentioned phytophthera (blight) being a risk.

JH: This shouldn't be a consideration in view of the worth of the trees.

DW: What's stopping felling them, if we refuse the application, the applicant could go and fell them anyway.

JH: The proposal is not to fell them.

DW: The application is a compromise. I am happy to approve it.

Henry Sawrey-Cookson (HSC, I): You cant shape spruce trees.

JH: A good tree surgeon could do an acceptable job.

ME: I cant support this because the danger to the red squirrel population is there.

Deb Holden (DH, LD): It is commendable that the applicant has reached this half way measure.

Vote: For: 7, against: 1, Abstain:1 (MH due to previous discussion at AMPC).

(c) Demolition of existing buildings and erection of equestrian centre building (54x12 metres) in south Penrith. Main issue is that part of the land on which it will be built is land used for travellers. The building will contain 16 stables.

JH: There are 33 letters of support, no objections from Penrith Town Council or other objections.

Part of the present site is scrap yard so the benefit will outweigh the harm.

Applicant, K Bowman: I have represented GB in horse riding. Our vision is to build a world class equestrian centre. It will provide jobs and there is a huge demand for what we will offer.

Vote: For: unanimous.