

Eden Local Area Planning Committee 17.5.23

Report by Michael Hanley

Chair: Graham Simpkins

1. Nick Howard (planning officer) discussed public participation in meetings

2. Planning Applications

(a) Land west of Bruntley Meadows, Alston, erection of five bungalows.

Matt Wilson (Planning Officer): Discussed concerns. The planning department will be rigorous in making sure that the drainage will be adequate. Two parking spaces per bungalow is appropriate.

Michael Hanley (MH, L): Asked further questions about the drainage and the public footpath.

MW: Discussed rigorous pre-building checks on the site (drainage) and the building will not be allowed to proceed unless the inspector is satisfied. There will be a commitment to keep the path open.

Mary Robinson (MR, I): Suggested a site visit. Also expressed concerns about flooding ri

Mark Lynch (ML, Development Manager): The drainage should be sorted out. Obstruction of a Right of Way would be an offence. He advised against a site visit as this would push the decision beyond the time-limit.

Mary Robinson (MR, I): Agreed that the site visit is not needed.

ME: I would like to move to accept the planning application.

Vote: 7 in favour, 1 abstention.

(b) Belah Bridge Inn, Brough Sowerby, change of use of public house to market led residential dwelling.

ML: The main reason that this is coming to the Planning Committee is this will be a loss of a facility to the local area. The applicant says there is no local need, it is not economical and it has been up for sale for over a year. The local parish council says that the way the pub was marketed is not known (the asking price).

G Simpkins (GS, chair, LD, stood down as chair during this item and addressed the committee from the public area): The pub has been marketed and it has struggled as a business. It closed in 2018 and has been for sale for five years. There has been no approach from the community to buy the pub. There are three pubs in nearby Brough, all open part time. The pubs in Kirkby Stephen are also struggling. This pub wasn't well supported. Mr O'Donaghue bought it and put a lot of money into it. If the community want it why haven't they come forward to buy it? If it is not allowed to be sold as residential dwelling, it will fall into disrepair.

Mike Collins (speaking for the local parish council): There are 88 signatures in opposition. The pub didn't close because of lack of community support. It closed because it lost it's chef. The pub was listed for sale two years after it was bought in 2017. An early offer was rejected. Three other offers were made. The loss of the pub to the community, once gone, will be gone forever. The pub was put up for sale for nine months prior to closure in 2018. The application for ACV (Asset of Community Value) application in 2021 was unsuccessful. The council has asked us to resubmit the application for ACV. Four enquiries have been made to the owner without reply.

Neil McCall (NC, LD): I live in a small village and the pub closed ten years ago. The community did buy it but it took a while to get it going. Getting the right chef was important. Now they have a roaring business. If we had let it go, it would have been gone forever.

ME: An ACV lasts six months, it is reasonable to allow the community to have six months to put forward an offer.

ML: We need to make a decision today on what is in front of us, not an ACV.

MR: I want to recommend the proposal of the officers to refuse conversion.

Vote: unanimous in favour of refusal (to allow conversion to residential dwelling).

(c) Solar panels and wind turbines to support holiday home site (Ullswater Heights) at Silver Howe, Flusco).

ML: 4.5 hectares of solar panels (15 rows) and five 14 metre high vertical wind turbines.

Common wind turbine has horizontal blades, which are much more dangerous to flying birds.

The government is very much in favour of renewable energy and is encouraging green energy installations. We recommend this application for approval.

Representative of the applicant: The UK is committed to Zero Carbon by 2035. This development is in line with government policy. A 1.5 megawatt solar array and five wind turbines. The diameter of the blade area will only be 3.5 metres. A shipping container will house the inverters. Sheep will be able to graze below the panels.

Vote: Unanimous in favour.

(d) Solar farm at Omega Proteins, Penrith.

ML: This will be a 10 hectare area for a solar panel array near Omega Proteins factory north of Penrith. It is now an open field. It is recommended that it will be decommissioned in 25 years. The government recommends avoiding siting solar arrays on agricultural land. This is not an issue for members to be concerned about in this case. The application is recommended for approval.

Speakers: Tom Hauslip (Energy Specialist): All consultants are happy about the nature survey.

The land is low quality. There will be no noise or emissions. It will reduce the amount of electricity drawn from the national grid. 2.5 megawatts will help decarbonise the site.

Councillor (Penrith Town Council) Thompson (who campaigns against Omega Protein under the title of Penrith Pong): I would have to know why the meat company is wanting to build this. I am shocked that this will use agricultural land. The Eden District Council ignored the 1300 signature petition. We have animal rendering taking place 24/7. There have been offal spillages onto the road. This business has had a poor record of communicating with local public. What more is there to come? An anaerobic congester? It is your responsibility to restore faith in a broken planning system. We want this application to be refused outright. Today you must reject or defer this application.

ML: There are two issues: what has been going on with the plant, they may be investigated, the other is this proposal which involves solely the solar array site. There are no problems from odour from this development. Let us deal with this application as it stands.

Lorna Baker (LB, LD): Is the wattage in excess of what is required?

ML: Any extra electricity will go into the national grid.

NC: The application says that this will increase capacity of the plant.

ML: I am not aware of any application to increase the output of the plant. If it increases capacity that is a separate matter.

ME: This development is long overdue. We need more of these developments.

Vote: Unanimous in favour.

(e) Change of use of cafe at Langwathby Station to holiday accommodation

(2 units).

Objection from Langwathby Parish Council: inappropriate development, danger from passing trains, still has potential as a cafe, very noisy due to passing HGVs (Frank Bird Poultry).

ML: Discussed the application. There is a pub in the village. Environmental Health have judged the noise levels from the HGVs not an issue because of temporary residency of holiday makers. It is recommended for approval.

Speaker: Brian Grey (Chair, Settle-Carlisle Railway Trust): We have three station holiday lets. They are successful, popular and support the local community. We haven't experienced any safety issues. This place has been on the market for a few years. We looked to buy it but the price was too high. The fabric of the building has deteriorated so it's important that it is used. There is a cafe on the village green and a pub. This development will provide more customers.

MR: Asked about the change of use. I agree with the parish council regarding the change to residential use, it should be office or catering use. I am not going to support this application.

ME: The use of this type of building is getting more difficult especially with the cost of living crisis. The building is deteriorating, a holiday let will be less pressure on occupants from passing HGVs.

GS: People who book holidays in a railway-side residence are usually train spotters, so I don't think HGVs will bother them.

Vote: 6 in favour, 1 against.

(f) Erection of detached dwelling at Bolton.

Recommendation to refuse: Unsympathetic and incongruous design and internal floor space (230 square metres) exceeds permitted amount of 150 square metres. The local parish council also objects : not in keeping with surrounding dwellings.

Speakers: Richard Diyell (? spelling, architect): The applicant wants to move to a modern energy efficient house. The design has been made for heat gain. The planning officer says it's incongruous . This is a subjective opinion. All proposed materials have been used in the area. Bolton stone will be used.

David Addis (Planning consultant): At the end of the day there is no right or wrong design. NPPF (National Planning Policy Framework) says that weight should be given to design and sustainable features. The size may be an issue but was contested at Clifton.

NM: The councillor who supported this was the previous local EDC councillor.

Vote: For: 3, against:3, abstain:1.

Ian Blinkho (IB,solicitor): There needs to be a second recommendation.

MR: The floor space should not be restricted as the original application was made before the local plan (which introduced the floor restriction of 150 square metres).

MW: We would put a restriction on the development.

IB: We need to have new conditions, so we need to have a short adjournment.

MW: Discussed conditions including prior approval of materials.

Vote: In favour: 4, against: 2, abstention:1.

Result: application approved with conditions.