

Eden Locality Planning Committee 5.9.23

Report by Michael Hanley.

1. Erection of a dwelling on site of former beer garden at The Belah Bridge Inn, Brough Sowerby, Kirkby Stephen.

Reason : Objection from parish council: the pub is a valuable community asset. There is no mains sewage. Building the dwelling would reduce the ability of the pub to re-open.

Speakers: Stephen O'Donahoe (owner): The application for community asset was refused. The pub wasn't viable. We shut before Covid, we couldn't make ends meet with the pub. It has been closed for 6-7 years. The pub won't be opening in the future. It will cost a lot of money to re-open it. We feel victimised. The new build will be a house to live in, not a holiday let. My next step is to board it up.

Second speaker: Councillor Collins, chair of Brough Sowerby Parish Council. The loss of the beer garden would reduce the desirability of the pub. No details of where the septic tank would go are provided. There is no mains sewage. The Asset of Community Value (ACV) we have applied for includes the beer garden. The pub has never been put up for sale to the locals. It's not true that there is no interest in the purchase of the pub.

Debate:

M Eyles (ME, LD): Asked about the ACV.

L Tremble (LT, locality legal officer): This is under consideration but this is irrelevant to your consideration today.

G Simpkins (GS, Chair, LD): I propose we go ahead with the planning officers' recommendation (to refuse the application).

M Robinson (MR, I): Seconded.

ME: Comm 1 (of The Eden Local Plan) is a reason for refusal. The residents have to come up with the money (to buy the pub).

LT: The ACV regime was introduced to give communities time to raise funds to buy a community asset. It is not designed to stop a planning application.

ME: Is there a time scale for the sale to go through?

LT: If it is listed as an asset, there would be a six month period when the community could raise the money to buy the property.

M Lynch (ML, Planning Development Manager, Penrith Office): Your job is to consider the application against elements of the local plan. The property has to be marketed at a reasonable value.

Vote: Unanimous to refuse the application.

2. Change of use at The George and Dragon Pub, Clifton, Penrith of three bedrooms to increase overnight guest accommodation. Reason: 6 letters of objection: noise, vehicles turning etc.

Reason: Member call-in.

Recommendation: application to be granted.

Speakers: Chris Curry (owner): Nowadays the success of a pub depends on whether you have overnight accommodation. If we have three more bedrooms we will make the pub more viable. We have accepted various objections and made the appropriate changes. We could have converted it into an air b and b. The community will be more protected with the current proposal.

Councillor J Davies (Penrith Town Council): The action will be a change of use to remove residential property in Clifton. There is a demand for domestic properties in Clifton. There is a concern about noise and traffic from residents. I would ask the committee to refuse this application.

ML: We have the ability to impose conditions. What we can hang a refusal on are extremely

limited.

ME: I propose accepting the officer's recommendation.

Vote: Application approved.

3. Open sided frame cover to farm building at Edenhall, 18 by 24 by 6 metres.

Reason: Parish council objections.

Recommendation: planning permission be granted subject to conditions.

Objection: Parish council: Increased heavy traffic on a narrow road used by the C2C cycle route.

Other objections: Adverse impact on spring water, odours, loss of trees, slurry, harm local economy by dissuading cyclists, increased nitrates.

Discussion: The sheep handling unit exists though uncovered. The covering will not increase the number of sheep. There will not be an increase in phosphorous pollution.

Speakers against: Daniel Jason: Asked whether the councillors on the committee had read all the documents. Discussed the spring near the facility. The facility will have tens of thousands of sheep per annum and will endanger his spring. He said that he was seeking a commitment from WAF council that if his spring becomes contaminated there will be compensation. The facility is visible from his residence and he will be affected by the odours. HGVs will have to offload sheep into smaller trailers. Where this will happen has not been decided.

Mr Longworth, Eden Cycle Group: The road from Roundthorn is dangerous with mud and stones on the tarmac. More than 2000 cyclists ride the C2C route every year. Stagstones road is narrow and not suitable for HGVs.

Catherine Siddle (local resident): The proposed structure is close to a listed building and this should have been taken into account. The existing farm buildings were sold off which is why this development is in an open field. The existing farm buildings were converted into residential accommodation. The siting of this building is inappropriate. This development is a dangerous precedent for years to come.

LT: The comments regarding the owner selling off farm buildings should be disregarded.

Speakers in favour: Mr Harrington (owner): I bought the farm land in 2019. The farm buildings were sold to the highest bidder. I raised sheep and grew crops to feed them. There are no chemicals used. We need the pens there because walking sheep 1-2 miles causes deaths. We have three farm vehicles each with a top speed of 25 mph.

Daniel Addis (agent): The proposal is a cover for an existing facility. The justification is for animal welfare and the welfare of the staff. The parish is concerned with expansion of the site and vehicle movement. Vehicle movement will not change. The previous agent discussed expansion of the site but this is not now planned. The applicant will keep the sheep moving action as far away from the nearest dwellings as he can. Farming is important to the local area. Many people who move to the countryside expect a rural idyll.

Mat Wilson (MW, planning officer): The application was due to be heard at a previous planning committee meeting. There are conditions as part of the approval: waste management, landscaping.

N NcCall (NC, LD): Asked about HGV movement.

MW: We have no control over the highways. A condition is that HGVs should not be used.

MR: What is the acreage?

MW: I dont know.

Owner: 250 acres. There could be 5000 sheep on that land during the winter.

MR: Asked about the actual movement of the sheep. MR said that the effect on the residents and the HGVs on the C2C on this narrow road concerned her.

MW: The condition (for approval) requires the use of tractors and trailers.

ML: The Highways Authority has not objected.

NC: I propose that we accept the recommendation.

Vote: For:4, against:1, abstain: 1.

4. Diner serving food and beverages. Glenwilly Industrial Estate, Penrith.

Reason: Departure from Eden Development Plan. Recommendation : to approve.

ME: We should accept the proposal (to approve the application).

Vote: unanimous in favour.

5. Residential development of 25 buildings at Appleby by Home Group. Applicant: Atkinsons Builders.

Reason: to consider S106 agreement.

Initially there would have been 16 affordable homes. Home Group were awarded £250k grant for green measures.

J Murray (JM, LD): We should accept this.

ME: 70% of the houses will be affordable. If these are bought by the occupiers, can they be sold at market value?

MW: That's beyond our control.

ML: It will depend on the contracts. 9 will be for rent. We can't get involved as planners.

Vote: unanimous in favour.

6. Construction of 2 storey dwelling at Knock, Appleby next to a derelict reading room. The new building will incorporate the old reading room.

Reason: departure from Development Plan.

Vote: unanimous in favour.

7. Retention of outdoor shower and wooden cover on listed building in Stainton.

Reason: member call-in.

Speaker in favour: James Thompson (planning consultant): The shower and wooden cover have been undertaken to a high level of craftsmanship. It is not located in a prominent position. It is confined to a secluded and private area. There are no privacy issues.

ME: I propose we accept the recommendation.

Vote: Unanimous in favour.