

Eden Planning Committee

Report by Michael Hanley

1. Storage Shed at Crackenthorpe, Appleby.

Use: 75% agricultural and 25% domestic (timber for heating boiler). Objection: Parish Council.
Size: 6x18 metres, height: 3.6 metres. There will be a high hedge to shield building.
Objections: Use, noise, increased risk of vermin, fire risk. Nearest other building us Holme Farm, 60 metres away. Recommended for approval.

M Eyles (ME, LD): Can we inspect the fences every few years?

M Lynch (Director, Planning Dept): We would look to make sure that the conditions are met but we don't have a monitoring officer to keep a check. We have to rely on the public.

Speaker against: It's not an agricultural building, it's a mixed use building. There is no farm at this site. It will sit in isolation. There is no economic benefit. The building will affect the surrounding houses with noise and visual prominence. I ask you to refuse this application.

Stan Hall (owner): We received concerns from a neighbour so we repositioned the shed. Also the drainage has been improved. As for the appearance the hedge will screen the shed.

Dougie Hall (owner): I am not trying to make an industrial estate. An application was approved in 2014, double this size. I decided not to develop this in consideration of the neighbours.

Daniel Addis (DA, planning consultant): It is a simple mono-pitch building. The applicant needs this building. There is support for agricultural buildings. It will be visible but not overbearing.

When the applicant tried construct a building further away from the village, the residents objected and the application was withdrawn.

L Baker (LB, LD): Proposed to accept. Seconded by N. McCall (N McC, LD). Vote: unanimous in favour.

2, Modification of Section 106 agreement relating to affordable housing

Stoneswood Developments Ltd request release from committment to provide 30% of houses (7) as affordable units. The contribution of £72k to secondary school education would remain.

Shawn Fleet (SF, Planning Dept): In 2017 consent for the housing estate was given with S106 agreement to provide 7 affordable houses and a contribution to local education. Drainage works have been installed. Looking at the books, the scheme is not viable with the S106 commitment. The developer wants to remove the S106 requirements. We have advice from independent surveyors that the development is not viable. It is recommended to remove the affordable housing. This is a sound request.

ME: Asked about this scaling back of affordable housing.

SF: We have had a look at the profit with the affordable housing and it is a zero figure. We have had a strong request for educational provision.

M Robinson (MR, I): I am with Mike (ME). I am concerned about having to lose affordable housing. Can there be a partnership with development to supply affordable housing? Is that an option? When money goes into the pot for education, it doesn't necessarily go into local schools.

M Hanley (MH, L): If this goes through it will set a precedent for future housing developments.

N Mc C: Exactly what I was going to say.

SF: There is a need for money to go to education in the local area. If a specific school is concerned it should be specified in the S106 agreement. With regard to a precedent, it could. This is only one application in a trend. Developers have been heavily hit with a reduction of profits in the last few years. We can check whether their claims are sound. We have done that

with the independent assessors. What happens if we decline the request. Within the first five years of the approval, we can throw it out. If its greater than 5 years, the application can go to appeal. The appeal would look at the evidence and if figures are sound, it would put the authority in a difficult position. I know the only way we can win is by having the independent surveyor's evidence behind us. I would think that the appeal would be successful.

ME: Asked about the 2021 application.

SF: Yes, they put an application in in 2021 but we hadn't an independent survey.

ME: This was more than two years ago. Why didn't it come to committee then.

SF: It could have come to the committee a few months ago.

ML: In 2021 Shawn wasn't here. There were backlog issues. These issues were affecting performance.

G Simpkins (GS, LD): When was the assessment done?

SF: It was done before Christmas. On local data.

N McC: Is the plan to build 17 houses now affordable?

SF: It will be 24 houses, the full compliment being open market houses.

ME: Asked about variation in house sizes.

SF: If the developer wants to change the size of houses, they would have to apply for this change, a schedule 73 application.

J Murray (JM, LD): This conversation is very frustrating. It feels like we are working in a box which prevents any sideways discussion. Is there any other way we can get affordable housing here?

SF: The maths essentially says zero.

C Atkinson (CA, C): I am surprised by the independent assessor. I know Sockbridge, there is a need for affordable housing there. It is wrong that a local person couldn't afford a house there. I imagine

these houses will be very expensive.

SF: I suspect there will be some people coming from Manchester or Newcastle. Some may come from the local area who will sell their house.

CA: If S106 for affordable housing is not affordable in Sockbridge, it will not be affordable anywhere.

MR: Could this be deferred? Our economy will not thrive if we don't have housing for our young people. Alston Moor is a good example. We have no new schools. I am asking our chair if the Eden Locality Board (JM) to take this to the ELB for discussion. We can't keep going on like this.

ML: We could defer it. We could decide for affordable housing or education. We might get one affordable house. It would not be good to have this rejected.

Neil Le Sage (NLS, Developer): I am in favour of affordable housing. We couldn't start the work because of the figures. We are looking to start in March. On this occasion it doesn't work. I bought the site, we had to build a road to the main road. I am not here as a greedy developer. It wont get built with the current agreement.

Opposing speaker: Tony Wolf (parish council): This developer has been problematic since the beginning. The provision of affordable housing has not been questioned until now. I don't believe that the valuation is correct. Recent new houses locally have sold for high prices. One was put on the market for £350k and recently sold for £425k. There is a desperate need for affordable housing. We are becoming a geriatric enclave. The £72k education contribution will primarily benefit schools in Penrith.

Speaker in favour: Daniel Addis (Planning Consultant): We have had two quantity surveyor's reports. There has been problems with Covid, the war in the Ukraine, the rise in interest rates and the fall in house prices. We are unable to provide affordable houses. We can provide the £72k educational contribution. We are desperate to get started. Nutrient neutrality has had a massive negative affect on building new homes.

Debate:

ME: I am torn. There are two conflicting tales. The evidence from the parish council is interesting. Councillor Robinson's suggestion is possibly the best way forward. I am reluctant to lose the affordable housing.

N McC: This has been a controversial scheme from the beginning. We are letting the people down if we don't oppose this. In my village, if we had no affordable housing, our school would have closed. We have to consider the villages and those living there now.

GS: Interest rates are falling rapidly. The viability study needs looking at again.

NLS: I am between a rock and a hard place. This has been kicked down the road for so long. If I was to offer two affordable houses, would that work.

MR: If we can go away and see if we can get some support from the council. It doesn't stop you starting.

NLS: Yes it does. We will have to get a loan from the bank.

MR: My proposal would defer to the next meeting. Councillor Murray (chair of ELB), can you take this matter to cabinet for further discussion?

NLS: I can offer a couple of affordables.

MR: You mightn't need to. What do think Mark (ML)?

ML: Hopefully by then we will have something positive.

MR: It's too important to lose these affordable houses.

ML: If that money is available. We also need to look at the fine detail of the S106.

DA: Is there a fund? Would that go to the developer?

NLS: If I sell some houses as affordable, do I get a top-up?

MR: Yes. I am not sure whether it's there.

TW: Will you not be using the public purse to back private enterprise?

3. Landscaping for Two Houses at Penruddock.

Objection: Parish council.

ML: Discussed the two houses. They are subject to nutrient neutrality. It is proposed to connect the two houses and other nearby houses to the mains sewer as a S106 activity.

DA: The development stalled because of the introduction of Nutrient Neutrality. If approved, it will allow the development to proceed after six years.

NMcC: Asked about ownership.

DA: Two of the other houses nearby are owned by the applicant. The other householders are happy because they will not have to deal with a septic tank.

Vote: Unanimous approval.