

Eden Planning Committee 9.10.24

1. Allow option of opening windows (amendment of condition 27) in houses at Raiselands Farm, Penrith (Persimmons housing estate of 229 dwellings). Supported by Penrith Town Council.

Shaun Fleet (Planning officer): Estate is between the M6 motorway and the mainline railway. At the time of approval for the building of the estate there were concerns about the noise from regular trains. One duty of the council is to give regard to the health of residents. Double glazed windows were installed on bedroom windows to houses nearest to the railway and mechanical ventilation to these rooms. Some of the windows needed to be closed permanently. Most of the focus was on the bedrooms. There is concern that if the rules were relaxed this could disturb residents especially the children who might not be able to close the window (at night). This could cause a slow erosion of their mental health. Only the houses on the edge of the site (nearest the railway line) where the noise levels are highest are affected and only the bedrooms.

Speaker in favour (of openable windows): Mr Mansfield,(Managing Director, Persimmons Homes):

The window issue affects most of the site. The sound levels fall short of that that would cause hearing damage. If I am annoyed by noise I can close the window.

Sara Watson (SW, Environmental Protection Manager): The problem is the bedroom windows. It's the noise from the trains at night-time, very loud and of short duration. People are less tolerant of train noise. The application was in 2017 (to build the housing estate). There is evidence for coronary heart disease, stroke and diabetes. Noise doesn't have to wake you up to affect your health. Ignoring the issues we have raised, sets a precedence for other housing developers.

MH: Asked what is the distance between the railway line and the nearest houses?

SW: I don't have the distance.

MH: About 20 metres?

SW: Yes.

CA: Asked about the noise from the railway line and the vibration from the trains. Has any work been done to check the psychological affect of not being able to open the windows?

SW: People are only in their bedrooms for 8 hours per day.

J Murray (JM, LD): Asked about the condition put on the developer (in 2017). If a resident wanted to instal an opening window, would that need planning permission?

SW: Yes.

M Eyles (ME, LD): I would like to accept the planning officer's recommendation.

N McCall (NMC, LD): When you buy a house you check where it is. It's protecting the council from a claim down the line.

SW: We have housing in certain areas that could cause harm to health.

M Robinson (MR, I): DEFRA has brought in changes to do with noise levels. . We will have to take note of this. We have to protect young people going forward.

Vote: 6 voted against amendment to condition 27, 2 abstained.

2. Application to build a dwelling in the grounds of Petteril Cottage, Greystoke Gill, Greystoke. Decision delayed from previous planning committee meeting so that members could do a site visit.

Mat Wilson (MW, Planning Officer): The application is for a single dwelling. It is described as infill. Discussed the definition of infill. The officer's view is that it doesn't represent a modest infill

development. There are objections from neighbours. Also the site is in a prominent and elevated position and will be visually discordant.

L Baker: Could permission be given to a single story building and be limited to one dwelling?

MW: We can limit it to one.

G Simpkins (GS, LD): Whether it will be single or two story, it will be very visible.

JM: Asked about the definition of local resident occupancy.

MW: A resident from this or the neighbouring parish.

MH: The applicant spoke about the possibility of his daughter moving into the house. Would she be regarded as a local resident despite the fact that she currently lives outside Cumbria.

MW: Yes.

CA: I think this is infill.

ME: I would like to go with the officer's recommendation (to refuse).

GS: I support this.

LB: It's a decision as to whether this is infill. I believe it is infill.

MH: I agree with Councillor Baker.

JM: I agree, could we agree about the local resident occupancy condition?

ME: The gap is far too large to be considered as infill.

NMC: I agree it could be classified as infill. If you look at the map, it looks like infill.

Vote: Undecided.

New Proposal: LB: Discussed restricting numbers of dwellings and the height.

New recommendation: One dwelling, single story of a certain height and local resident occupancy.

Vote: For:5, against: 2.

3. Install glazed covered area and conservatory to Hazel Bank, Yanwith.

Hazel Bank: a large Victorian house, previously a residential care home.

Objection: Parish council

MR: I am disappointed that the parish council, who has objected, hadn't sent a representative to speak. I propose we accept the officer's recommendation (to accept the application).

Vote: Unanimous to accept.

4. Replacement of Tipping Shed, Omega Proteins, Penrith

Reason: Item of sensitive nature.

MW: This is to replace an existing building but this would be larger. It for tipping feathers into a processing plant. The room air will be filtered through biofilters.

Speaker:

For:

Mr Watt: The application is recommended for approval. The new tipping shed will accommodate two trailers. The new building will be more air-tight. The old building is rusting. The air is constantly being drawn by large fans. The feathers do not have a strong odour.

Against:

Jeff Thomson (Fresh Air for Penrith): This application was submitted in November 23. Why has it taken 10 months to come before the planning committee? Possibly for the application to come up with responses to the objections of local residents. We have had little opportunity to have our complaints heard.

Last month there were 320 odour complaints from Penrith residents to the Environment Agency. Fresh Air for Penrith have been ignored by this council. How many of these applications have

become retrospective? The site is already too crowded and too intensified. Does this development mean more lorries with the increased risk of spillage?

We would like answers to these questions before any further expansion. We need a proper future planning from the applicant. I think that this application should be before the local strategic planning committee.

ME: I propose we accept the officer's recommendation. It's an improvement on the existing building.

JM: We have had a series of applications. It's a frustration that we don't get an overall plan for future years.

MR: I support John. I am concerned that there are more applications in the pipeline.

N Howard (NH, Interim Head, Development Manager): I will speak to Mark (Lynch, lead planning officer) about this.

Vote: Unanimous in favour.