

# Eden District Council

## Planning Committee Minutes

**Date: 16 June 2022 Venue: The Council Chamber, Town Hall, Corney Place, Penrith, CA11 7QF Time: 1.30 pm**

### Present:

Chairman: Councillor W Patterson

Vice Chairman: Councillor D Wicks

Councillors: M Eyles A Ross  
M Hanley H Sawrey-Cookson  
D Holden G Simpkins

Standing Deputies: Councillor M Clark

Officers Present: Richard Fox, Planning Services Development Manager  
Lisa Tremble, Assistant Director Legal and Democratic Services

Democratic Services Officer: Lewis Powell

### Pla/1/06/22 Appointment of Vice-Chair

Proposed by Councillor Patterson  
Seconded by Councillor Eyles

and **RESOLVED** that Councillor Wicks be appointed Vice-Chair of the Planning Committee for 2022 – 23.

### Pla/2/06/22 Apologies for Absence

Apologies were received from Councillor Martin, with Councillor Clark deputising, and Councillor Chambers.

### Pla/3/06/22 Minutes

RESOLVED that the public minutes Pla/181/05/22 to Pla/192/05/22 of the meeting of this Committee held on 19 May 2022 be confirmed and signed by the Chairman as a correct record of those proceedings.

### Pla/4/06/22 Declarations of Interest

Councillor Eyles declared an interest in that he was recording the meeting.

Councillor Simpkins declared an interest in that he had been lobbied on Planning Application No: 22/0254.

Councillor Patterson declared an interest in that he had been lobbied in relation to Planning Application No: 22/0254. He also declared that one of the speakers, the Chair of the Parish Council, on this item is known to him.

Councillor Wicks declared that all Committee Members had been lobbied via email and on several occasions in relation to Planning Application No: 22/0254.

### **Pla/5/06/22 Planning Issues**

**RESOLVED** that the attached lists of the Assistant Director Planning and Economic Development:

- a) Applications determined under office delegated powers for the month of May 2022 and;
- b) Reasons for refusal on delegated decisions for the month of May 2022 be noted.

### **Pla/6/06/22 Planning Issues - Applications for Debate (Green Papers)**

Members were advised of the applications requiring a decision by Members as detailed in a report of the Assistant Director Development.

**RESOLVED** that:

1. the following applications for planning permissions ("those applications") are determined as indicated hereunder;
2. those applications which are approved be approved under the Town and Country Planning Act, 1990, subject to any detailed conditions set out in the Report, to any conditions set out below and to any conditions as to time stipulated under Sections 91 and 92 of the Act;
3. those applications which are refused be refused for the reasons set out in the report and/or any reasons set out below;
4. those applications which the Assistant Director Development is given delegated powers to approve under the Town and Country Planning Act, 1990, be approved by him subject to any detailed conditions set out in the Report, to any conditions as to time stipulated under Sections 91 and 92 of the Act, to the receipt of satisfactory replies.

### **Pla/7/06/22 Planning Application No: 22/0254 Infilling of a road (B6259) bridge over the former Eden Valley Railway with structural fill and foamed concrete Great Musgrave Road Bridge, Musgrave Historical Railways Estate (on behalf of Department for Transport)**

The Planning Services Development Manager stated that there was an error in the report and accompanying recommendation. The last line of the recommendation should read "The development is therefore contrary to policies DEV5 and ENV10." This same error also

occurs at 10.2 of the report. In addition, at 2.2.3, the wording should reflect that the New Inn is now a former public house.

The Committee heard a presentation from Graeme Bickerdike, an objector, speaking in objection to the application. The Committee also heard a presentation from Robert Sandland, an objector, speaking in objection to the application. The two objectors split the allocated time.

The Committee heard a presentation from David Pemberton, a supporter, in support of the application.

The Committee heard a presentation from Musgrave Parish Chair Tim Wells, in objection to the application.

The Committee heard a presentation from Helene Rossiter on behalf of the applicant, in support of the application.

Proposed by Councillor Eyles that the officer's recommendation as set out in the report be moved, with the addition of ENV1 as a reason for refusal, due to the disrupted potential wildlife corridor.

Seconded by Councillor Sawrey-Cookson

Councillor Ross requested an amendment in that ENV2 added as a reason for refusal in terms of the development failing to conserve and enhance the distinctive elements of landscape, character and function.

The amendment was accepted by the proposer and seconder.

Councillor Eyles amended his proposal in that ENV1 be removed as a reason for refusal.

This amendment was accepted by the seconder.

For: 9

Against: 0

Abstain: 0

and **RESOLVED** that planning permission be REFUSED for the following reason:

The proposal results in considerable harm to the visual appearance of the bridge as a single span arch structure and fails to complement or enhance the area or protect features or characteristics of local importance, as such the works cause less than substantial harm to a non-designated heritage asset. The stated public benefit, in terms of reduced cost to the public purse in the long term, compared to more sympathetic repair and reinforcement, is not considered sufficient to outweigh this harm. The development is therefore contrary to policies DEV5, ENV2 and ENV10 of the adopted Local Plan.

### **Pla/8/06/22 Confirmation of Site Visits (if any)**

No site visits were confirmed.

**Pla/9/06/22 Any Other Items which the Chair decides are urgent**

No other items of business were confirmed.

**Pla/10/06/22 Date of Next Meeting**

The date of the next scheduled meeting of the Committee was confirmed as 21 July 2022.

The meeting closed at 2.17 pm

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