



# Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR

Tel: 01768 899 773 Email: [office@penrithtowncouncil.co.uk](mailto:office@penrithtowncouncil.co.uk)

**DATE: 22 February 2021**

**NOTICE IS HEREBY GIVEN** that an **ORDINARY MEETING** of **THE PLANNING COMMITTEE** will be held on 1 March 2021, at 1.00pm and you are hereby **SUMMONED** to attend to transact the business as specified in the agenda and reports hereunder.

Due to the current Government Covid-19 restrictions, this meeting will be a virtual meeting via video conferencing and will not take place in a physical location. The meeting link is available on the Town Council website.

## **COMMITTEE MEMBERSHIP**

Cllr. Jackson	North Ward
Cllr. Kenyon	North Ward
Cllr. Knaggs	West Ward
Cllr. Shepherd	East Ward
Cllr. Snell	West Ward

Mrs V. Tunnadine, Town Clerk

Members of the public are welcome to attend. Details about how to attend the meeting remotely, and how to comment on an agenda item are available on the Town Council Website.

The Town Council resolved from 20 May 2019, until the next relevant Annual Meeting of the Council, that having met the conditions of eligibility as defined in the Localism Act 2011 and SI 965 The Parish Councils (General Power of Competence)(Prescribed Conditions) Order 2012, to adopt the General Power of Competence.

# **AGENDA FOR THE MEETING OF PLANNING COMMITTEE 1 MARCH 2021**

Due to the current restrictions in place this meeting will be a virtual meeting and therefore will not take place in a physical location. The meeting be held virtually via video conferencing using Microsoft Teams. Therefore, this is a meeting in public, not a public meeting.

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (“the 2020 Regulations”) come into force on 4 April 2020.

Section 78 of the 2020 Regulations enable local councils to hold remote meetings (including by video and telephone conferencing) for a specified period until May next year. The Regulations apply to local council meetings, committees, and sub-committees

## **PART I**

### **1. Apologies For Absence**

Receive apologies from Members.

### **2. Minutes**

Authorise the Chair to sign, as a correct record, the minutes of the meeting of the Finance Committee held on Monday 1 February 2021 and agree they be signed as such, when permissible.

### **3. Declarations of Interests and Requests for Dispensations**

Receive declarations by Members of interests in respect of items on this agenda and apply for a dispensation to remain, speak and/or vote during consideration of that item.

#### **ADVICE NOTE:**

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council’s Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting.) Members may, however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests. If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote, he/she is advised to contact the Monitoring Officer at least 24 hours in advance of the meeting

#### **4. Public Participation**

Receive any questions or representations which have been received from members of the public.

##### **ADVICE NOTE:**

Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda. The public must make a request in writing to the Town Clerk **PRIOR** to the meeting, when possible. A member of the public can speak for up to three minutes. A question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given

#### **5. EXCLUDED ITEM: Public Bodies (Admissions to Meetings) Act 1960**

To determine whether any item/s should be considered without the presence of the press and public, pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960, as publicity relating to that (any of those) matter/s may be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for the other special reasons noted in relation to that matter on the agenda.

#### **6. Model Design Code Consultation**

To consider the Government's consultation on the Model Design Code and agree delegated power to the Chair of Planning and Deputy Town Clerk to formulate a response based on comments made and provided by councillors. The design code and associated guidance notes can be found at <https://www.gov.uk/government/consultations/national-planning-policy-framework-and-national-model-design-code-consultation-proposals>

#### **7 Right to Regenerate: Reform of the Right to Contest**

To consider the Government's consultation, decide whether to respond and agree delegated power as necessary to the Chair of Planning and Deputy Town Clerk to formulate any response necessary based on comments made and provided by councillors.

#### **8. Developer Engagement Policy**

To consider and approve a policy to enable the Town Council to continue to engage with developers.

#### **9. Highways and Footpath Issues**

To note:

- that County of Cumbria has given notice that it proposes to make the following order 'The County of Cumbria (Various Towns and Villages in the District of Eden)(Consolidation and Provision of Speed Limits)Order under Sections 84(1) and (2) and part IV of Schedule 9 to the Road Traffic Regulation Act 1984.

- Issues of speeding on Wordsworth Street which have been reported to Cumbria County Council
- Issues relating to the footpath from Carleton Heights to Beacon Edge (Jacobs Ladder) which has been reported to Cumbria County Council.

## 10. Planning Applications

### a) DELEGATED RESPONSES TO NOTE

Planning application number:	21/0019
Site address:	GREENGILL FOOT BOWSCAR PENRITH CA11 8RP
Description:	Certificate of Lawfulness for the existing use of building in association with poultry rearing unit to include the siting of two biomass boilers with associated wood pellet stores.
Proposed Response	No Objection

Planning application number:	21/0027
Site address:	MITRE HOUSE KING STREET PENRITH CA11 7AJ
Description:	Listed Building Consent for three new internal door openings. Two at ground floor and one at first floor through an existing party wall, to provide access to adjoining buildings.
Proposed Response	No Objection

Planning application number:	21/0020
Site address:	14 KING STREET PENRITH CA11 7AH
Description:	Change of use of redundant office buildings (use category E(c)(ii)) to drinking establishment (Sui Generis), food on premises (E(b)) and Hotels (C1).
Proposed Response	No Objection

Planning application number:	21/0069
Site address:	ST CATHERINES VIRGIN AND MARTYR CHURCH DROVERS LANE PENRITH CA11 9EL
Description:	Cut down and remove the two Beech trees and replace with a single fruit tree; Apple or Pear
Proposed Response	No objection

Planning application number:	21/0041
Site address:	45 HOLME RIGGS AVENUE PENRITH CA11 8NL
Description:	Erection of a single-storey side extension to create garage accommodation and conversion of the existing garage and attached outbuilding into additional living accommodation.
Proposed Response	No Objection

Planning application number:	21/0071
Site address:	11 CLIFFORD COURT PENRITH CA11 8PX
Description:	Erection of two storey rear extension, front single storey extension and sloped roof over existing front extension.
Proposed response	No Objection

Planning application number:	21/0084
Site address:	17 SKIRSGILL GARDENS PENRITH CA11 7EP
Description:	Erection of shed for home gym.
Proposed Response	No Objection

Planning application number:	21/0065
Site address:	8 CLIFFORD ROAD PENRITH CA11 8PP
Description:	Replacement of garage with two storey extension to include garage and additional bedroom accommodation above.
Proposed Response	No Objection

## **b) PLANNING APPLICATIONS FOR CONSIDERATION**

Consider the following applications for which information can be found on the Eden District Council Website <https://eforms.eden.gov.uk/fastweb/search.asp> by inserting the appropriate planning reference number

Planning application number:	21/0017
Site address:	VOREDA HOUSE PORTLAND PLACE PENRITH CA11 7BF
Description:	Passivhaus standard retrofit to existing office building involving demolition and replacement of external cladding, demolition of external stairs and creation of external service zone together with extension of ground floor area to match upper floors.

Planning application number:	21/0093
Site address:	LAND OFF SALKELD ROAD SALKELD ROAD PENRITH CA11 8SQ
Description:	Construction of dwelling with amended access, landscaping, energy infrastructure and drainage system.

Planning application number:	21/0082
Site address:	HIGH RAISE GRAHAM STREET PENRITH CA11 9LB
Description:	Single storey extension to replace existing flat roof conservatory.

Planning application number:	21/0091
Site address:	LAND OFF CARLETON ROAD PENRITH
Description:	Modification of S106 to include amendments to comply with requirements of Riverside Housing Association, attached to approval 19/0426.

Planning application number:	21/0097
Site address:	LAND AT FIELD 5070 INGLEWOOD ROAD STONEBECK PENRITH
Description:	Erection of detached live-work unit and associated continued use of land for timber processing. Re-submission of 19/0624.

Planning application number:	21/0086
Site address:	42 WORDSWORTH STREET PENRITH CA11 7QY
Description:	Replacement rear single storey extension.

## **11. Next Meeting**

Note the next meeting is scheduled for 12 April 2021 at 1.00pm, Board Room, Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR or that the meeting may be convened on this date via video conferencing.

## **12. Neighbourhood Development Plan**

To note the Post Hearing Note of the Planning Inspector.

## **PART II PRIVATE SECTION**

There is one item in this part of the Agenda which should be considered in private. The reason that the item is likely to be considered in private is that it will involve the disclosure of exempt information under the following category of Part 1 of Schedule 12A of the Local Government Act 1972: Paragraph 3 - Exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

## **13. Neighbourhood Development Plan**

To decide how to proceed with an issue which will be referred to Council.

## **FOR THE INFORMATION OF ALL MEMBERS OF THE PLANNING COMMITTEE AND FOR INFORMATION TO ALL REMAINING MEMBERS OF THE TOWN COUNCIL**

### **Access To Information**

Copies of the agenda are available for members of the public to inspect prior to the meeting. Agenda and Part I reports are available on the Town Council website or, in the case of planning applications, the link to applications on the Eden District Council Website can be found above

## **Background Papers**

Requests for the background papers to the Part I reports, excluding those papers that contain exempt information, can be made to the Town Clerk address overleaf between the hours of 9.00 am and 3.00 pm, Monday to Wednesday via [office@penrithtowncouncil.co.uk](mailto:office@penrithtowncouncil.co.uk)



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Minutes of the meeting of

## **PLANNING COMMITTEE**

Held virtually via video conference on **Monday 1 February 2021**, at 1.00 p.m.

### **PRESENT**

Cllr Jackson	North Ward
Cllr. Kenyon	North Ward
Cllr. Knaggs	West Ward
Cllr. Shepherd	East Ward
Cllr. Snell	West Ward

Deputy Town Clerk

The Town Council resolved from 20 May 2019, until the next relevant Annual Meeting of the Council, that having met the conditions of eligibility as defined in the Localism Act 2011 and SI 965 The Parish Councils (General Power of Competence)(Prescribed Conditions) Order 2012, to adopt the General Power of Competence.

# **MINUTES FOR THE MEETING OF PLANNING**

**Monday 1 February 2021**

## **PART I**

### **PL21/89 Apologies for Absence**

There were no apologies for absence.

### **PL20/90 Minutes**

#### **RESOLVED THAT:**

The Chair be authorised to sign, as a correct record, the minutes of the meeting of the Committee held on Monday 11 January 2021 and agreed they be signed as such, when permissible.

### **PL20/91 Declaration of Interests and Requests for Dispensations**

Members were asked to disclose their interests in matters to be discussed whether disclosable pecuniary or other registrable interest, and to decide requests for dispensations. No declarations were received.

### **PL20/92 Public Participation**

Members noted that there were no questions or representations that had been received from members of the public prior to the meeting. Councillor Davies had requested to speak on Planning application No 21/0017, Voreda House.

#### **RESOLVED THAT**

Councillor Davies be invited to speak for up to 3 minutes immediately prior to the application being considered.

### **PL20/93 EXCLUDED ITEM: Public Bodies (Admission to Meetings) Act 1960**

Members were asked to consider whether agenda item 11 should be considered without the presence of the press and public, pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960 as publicity relating to that (any of those) matter/s may be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for the other special reasons noted in relation to that matter on the agenda.

#### **RESOLVED THAT:**

Item 11 be considered without the presence of press or public

## **PL20/94 Budgetary Control Statement**

### **RESOLVED THAT:**

the budgetary control statement for the nine months ended 31 December be noted.

## **PL20/95 Community Infrastructure Levy**

### **RESOLVED THAT:**

It be noted that the Eden Area Local Committee (EALC) of CALC had received a response from Eden District Council reporting that at this moment in time, Eden District Council would not support the preparation of a CIL as it would divert resources from other areas of work. Should future viability evidence show there is merit in preparing a CIL and taking into account the Government position at the time, the Eden District Council will re-consider its position.

## **PL20/96 Draft Council Meeting Dates**

### **RESOLVED THAT:**

- a. it be noted that the Planning Committee meetings in 2021-2022 would be held on the following dates commencing at 1pm;

7 June 2021

5 July 2021

6 September 2021

4 October 2021

1 November 2021

6 December 2021

10 January 2022

7 February 2022

7 March 2022

4 April 2022

9 May 2022

- b. should membership of the meeting change, the time of the meeting would be reconsidered; and

- c. the dates and time be recommended to Council.

## **PL20/97 Planning Applications**

### **a) Delegated Responses**

Members noted the planning responses submitted by the Deputy Town Clerk under delegated authority on behalf of the committee between the scheduled meetings of the Committee:

## **b) Planning Applications Considered**

Members considered the following applications which had been received and which required a committee decision. Further information could be found on the Eden District Council Website <https://plansearch.eden.gov.uk/fastweb/> by inserting the appropriate planning reference number

### **Members received additional information from the Deputy Town Clerk before hearing a presentation by Councillor Davies.**

Planning application number:	<b>21/0017</b>
Site address:	VOREDA HOUSE PORTLAND PLACE PENRITH CA11 7BF
Description:	Passivhaus standard retrofit to existing office building involving demolition and replacement of external cladding, demolition of external stairs and creation of external service zone together with extension of ground floor area to match upper floors.
Response	<p>Penrith Town Council wishes to object to planning application 21/0017 on the following grounds:</p> <ol style="list-style-type: none"><li>1. The location of this building is on a prominent crossroads within the Penrith Conservation area. Voreda House is in close proximity to three Grade II listed structures, the Methodist Church, Wordsworth Terrace and the Town Hall.</li><li>2. The visual impact due to the mass and scale of the proposed building, and particularly the lift/staircase on the Portland Place side of the building, makes it a very boxy building which is out of place and dominates the buildings round it, especially the Grade II listed Wordsworth Terrace. It has an adverse effect on the area and detracts from the conservation area.</li><li>3. The design and character and the artificial cladding on three walls does not enhance the area as the panels are too large and regimented and the use of three different colours is too harsh. Rather than blend in with the sandstone they compete and would be better as softer and complimentary to the surrounding area.</li></ol>

Planning application number:	<b>21/0017</b>
Response (Continued)Description:	<ol style="list-style-type: none"> <li>4. The windows are too large and look out of place with those overlooking residential properties affecting the residential amenity due to overlooking, lack of privacy and the light pollution that they will omit.</li> <li>5. Reducing the height of the wall to Coronation Gardens will remove the quiet and peaceful community space appreciated by the community. To preserve the peace and tranquillity of Coronation Gardens, the wall should be retained. We would definitely not wish to see Coronation Gardens opened up and subsumed into this development.</li> <li>6. It looks like there are just railings around the roof level and there is no indication how high the PV panels would be. PV panels may add to the effect of massing, increasing the height of the building, be easily visible and reflect into nearby properties.</li> <li>7. By infilling the ground floor, removing parking places and designating Drivers Lane as a private staff car park, the proposal removes public parking, assumes current staff usage and does not accord to the aims and objectives of the Penrith Parking and Movement Study which was jointly commissioned by CCC, EDC and PTC. The objective was 'a suitable parking offer to support the functionality, attractiveness and viability of Penrith which addresses current issues and supports future capacity. The proposal does not even consider the agreed proposed interventions and could actually reduce the parking offer available in the town for workers who have to commute due to a lack of public transport or visitors who wish to have a long stay car park to explore</li> </ol> <p>Penrith Town Council believes that the adverse impacts of this development demonstrably outweigh the benefits, especially when the issue of unitary status has not been finalised</p>

Planning application number:	<b>20/0995</b>
Site address:	LAND AT CARLETON PENRITH
Description:	Reserved Matters application for appearance, landscaping, layout and scale, attached to approval 13/0033.
	<p>Penrith Town Council wishes to object to the application on the following grounds.</p> <ol style="list-style-type: none"> <li>1. the development does not accord to Policy DEV5 in the Local Plan in that the design of the development does not reflect local distinctiveness with the same style of houses and type of layout being developed in many developments.</li> <li>2. the development does not include a suitable mix of houses and bungalows. The Housing Needs Survey for Penrith carried out in 2018 confirmed that the largest requirement was for two and three bedroomed houses and bungalows ie homes for young peoples, the elderly, singles, the disabled and small families.</li> </ol> <p>(Policy 7 in Penrith Town Council’s emerging Neighbourhood Development Plan relates to housing type and mix and states ‘New housing development should provide a range of types and sizes of dwellings that meet identified local needs in accordance with ELP 2014-2032 Policy HS4.</p> <p>In Penrith, as confirmed by the 2018 Housing Need Survey, the priority should be for the provision of homes to meet the needs of young renters with/without children, first time buyers, empty nesters and the ageing population. Based on the 2018 Housing Need Survey and in consultation with the local community, developers should include bungalows and the mix of homes on individual sites’</p>

<p>Planning application number:</p>	<p><b>20/0995</b></p>
<p>Response (Continued):</p>	<ol style="list-style-type: none"> <li data-bbox="663 208 1444 701">3. There are major issues regarding highways safety as the junction is unsuitable for the number of cars that will be generated. This is a relatively fast and busy main road and tourist route and opposite a junction servicing the developments on the opposite side of the A686. The road from the estate is joining the junction on the inside of the bend which reduces visibility when turning out of the estate. We believe that the best solution would be a roundabout at this point and the speed limit should be reduced to 30 mph on the A686 through Carleton</li> <li data-bbox="663 712 1444 1395">4. Penrith Town Council also wishes to register its concern that the infrastructure in the Town is not capable of supporting additional development of this scale and there are deficiencies in social facilities. During the Neighbourhood Plan process, evidence was gathered in 2018 from the educational establishments, Doctors and Dentists who advised that they had either no capacity or very little capacity to take additional people. It is understood that a primary school was proposed adjacent to Carleton Heights, but it is unclear when this development will take place. This does not, however, help the situation with regard to secondary education as one school is selective and only takes pupils who achieve the pass score regardless of where they live.</li> <li data-bbox="663 1406 1444 1863">5. It is important on developments such as this which will hopefully attract young families that an open safe area is provided to enable social mixing and play. There is no detail about the 'natural play trail' and what will be included, and it is disappointing that it is in a corner near the SuDS drainage and relatively near the busy A686. Penrith Town Council would wish to see a development with a safe and secure play area including equipment for pre-school and primary children within the development</li> </ol>

Planning application number:	<b>20/0995</b>
Response (Continued)	<p>6. Given the distance from local schools and facilities we would expect there to be footpath and cycling routes joining to those already in the area and providing a safe crossing over the A686. Walkways should link to an island crossing to give safe pedestrian access to Carleton, the rest of Penrith and the proposed school if and when it is built</p> <p>7. We would expect the developers to talk to a public transport provider, especially the company that provides the current town bus service to ensure that the site is serviced by public transport as this site is some distance from the centre of the town and amenities.</p>

Planning application number:	<b>21/0006</b>
Site address:	19 SKIRSGILL CLOSE PENRITH CA11 8QF
Description:	Proposed side extension.
Response	No Objection

### **PTC20/98 Next Meeting**

Members noted that the next meeting was scheduled for Monday 1 March 2021 at 1.00pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR or that the meeting may be convened on this date via video conferencing.

### **PART II PRIVATE SECTION**

There was one further item in this part of the Agenda to be considered in private in that it will involve the disclosure of exempt information under the following category of Part 1 of Schedule 12A of the Local Government Act 1972: Paragraph 3 - Exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

### **PL20/99 Neighbourhood Development Plan**

#### **RESOLVED THAT:**

1. the preliminary findings of the independent Planning Inspector be noted; and
2. the proposed responses to the comments made during the Regulation 16 consultation be approved for return to the Inspector.

**CHAIR:**

**DATE:**

**FOR THE INFORMATION OF ALL MEMBERS OF  
THE PLANNING COMMITTEE  
AND FOR INFORMATION FOR ALL REMAINING  
MEMBERS OF THE TOWN COUNCIL**

**Access to Information**

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**Background Papers**

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## **Model Design Code Consultation Questions**

### **Proposed changes to Chapter 2: Achieving sustainable development**

The revised text reflects the Government's response to the Building Better Building Beautiful Commission, and makes a small number of other minor changes:

The wording in paragraph 7 has been amended to incorporate the 17 Global Goals for Sustainable Development which are a widely-recognised statement of sustainable development objectives, to which the UK has subscribed.

Paragraph 8(b) has been amended in response to the Building Better Building Beautiful Commission recommendations to emphasise the importance of well-designed, beautiful and safe places in achieving social objectives of sustainable development.

The wording in paragraph 8(c) has been strengthened to emphasise the role of planning in protecting and enhancing our natural, built and historic environment.

The wording of the presumption in favour of sustainable development (paragraph 11(a)) has been amended to broaden the high-level objective for plans to make express reference to the importance of both infrastructure and climate change.

The final sentence in footnote 8 (referred to in paragraph 11(d)) has been removed as the transitional arrangements for the Housing Delivery Test no longer apply.

### **Do You Agree with the changes proposed in Chapter 2**

Yes / No

Please provide comments

### **Proposed changes to Chapter 3: Plan-making**

The revised text reflects the Government's response to the Building Better Building Beautiful Commission, and recent legal cases:

In response to the Building Better Building Beautiful Commission recommendations, paragraph 20 has been amended to require strategic policies to set out an overall strategy for the pattern, scale and design quality of places.

Paragraph 22 has also been amended in response to the Building Better Building Beautiful Commission recommendations to clarify that councils who wish to plan for new settlements and major urban extensions will

need to look over a longer time frame, of at least 30 years, to take into account the likely timescale for delivery.

Paragraph 35(d) has been amended to highlight that local plans and spatial development strategies are 'sound' if they are consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in the Framework, and other statements of national planning policy where relevant. This ensures that the most up to date national policies (for example, Written Ministerial Statements) can be taken into account.

### **Do you agree with the changes proposed in Chapter 3?**

Yes / No

Please provide comments

### **Proposed changes to Chapter 4: Decision making**

The revised text aims to clarify the policy intention for Article 4 directions:

In order to ensure Article 4 directions can only be used to remove national permitted development rights allowing changes of use to residential where they are targeted and fully justified, we propose amending Paragraph 53, and ask for views on two different options.

We also propose clarifying our policy that Article 4 directions should be restricted to the smallest geographical area possible. Together these amendments would encourage the appropriate and proportionate use of Article 4 directions.

### **Do you agree with the changes proposed in Chapter 4?**

Yes / No

Which option relating to change of use to residential do you prefer and why?

### **Proposed changes to Chapter 5: Delivering a wide choice of high quality homes**

The revised text aims to clarify the existing policy and reflects the Government's response to the Building Better Building Beautiful Commission and recent legal cases:

New paragraph 65 has been amended to clarify that, where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. This is to address confusion as to whether the 10% requirement applies to all units or the affordable housing contribution.

New paragraph 70 has been amended to remove any suggestion that neighbourhood plans can only allocate small or medium sites. This was not the policy intention, so the wording has therefore been amended to clarify that neighbourhood planning groups should also give particular consideration to the opportunities for allocating small and medium-sized sites (of a size consistent with new paragraph 69a) suitable for housing in their area.

New paragraph 73 has been amended to reflect Chapter 9: "Promoting sustainable transport" in ensuring that larger scale developments are supported by the necessary infrastructure and facilities including a genuine choice of transport modes. New paragraph 73(c) has also been amended in response to the Building Better Building Beautiful Commission's recommendations to clarify that when planning for larger scale development, strategic policy making authorities should set clear expectations for the quality of the places to be created and how this can be maintained (such as by following Garden City principles) and ensure that masterplans and codes are used to secure a variety of well-designed and beautiful homes to meet the needs of different groups in the community.

Footnote 40 (referred to in new paragraph 74(c)) has been updated to reflect that the Housing Delivery Test has now come into effect.

New paragraph 80(d) has been amended in response to legal cases in order to clarify that the curtilage does not fall within the scope of this policy.

New paragraph 80 (e) has been amended in response to the Building Better, Building Beautiful Commission's policy proposition 1 e) that it opens a loophole for designs that are not outstanding, but that are in some way innovative, and that the words 'or innovative' should be removed. This change is not proposed to rule out innovative homes, rather that it will ensure that outstanding quality can always be demanded, even if an innovative approach is taken.

**Do you agree with the changes proposed in Chapter 5?**

Yes / No

Please provide comments

## **Proposed changes to Chapter 8: Promoting healthy and safe communities**

The revised text seeks to clarify existing policy:

New paragraph 92(b) includes minor changes to help to clarify Government's expectations for attractive pedestrian and cycle routes. This supports the Building Better Building Beautiful Commission's recommendations on supporting walkable neighbourhoods.

New paragraph 97 has been amended to emphasise that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and efforts to address climate change.

### **Do you agree with the changes proposed in Chapter 8?**

Yes / No

Please provide comments

## **Proposed changes to Chapter 9: Promoting sustainable transport**

The revised text reflects the Government's response to the Building Better Building Beautiful Commission:

New paragraph 105(d) has been amended to support the Building Better, Building Beautiful Commission's recommendations on encouraging walking and cycling.

New paragraph 109(c) and supporting footnote 45 has been amended to prevent continuing reliance by some authorities on outdated highways guidance. Our amended wording states that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that the design of schemes and standards applied reflects current national guidance, including the National Design Guide and National Model Design Code.

### **Do you agree with the changes proposed in Chapter 9?**

Yes / No

Please provide comments

## **Proposed changes to Chapter 11: Making effective use of land**

The revised text reflects the Government's response to the Building Better Building Beautiful Commission:

New paragraph 124 has been amended to include an emphasis on the role that area-based character assessments, codes and masterplans can play in helping to ensure that land is used efficiently while also creating beautiful and sustainable places.

### **Do you agree with the changes proposed in Chapter 11?**

Yes / No

Please provide comments

## **Proposed changes to Chapter 12: Achieving well-designed places**

The revised text reflects the Government's response to the Building Better Building Beautiful Commission:

New paragraphs 125 and 127 have been amended to include the term "beautiful" in response to the Building Better Building Beautiful Commission's findings. This supports the Building Better Building Beautiful Commission's recommendation for an overt focus on beauty in planning policy to ensure the planning system can both encourage beautiful buildings and places and help to prevent ugliness when preparing local plans and taking decisions on planning applications

New paragraph 126 has been amended to clarify the role that neighbourhood planning groups can have in relation to design policies.

New paragraph 127 has been amended to emphasise that all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code and which reflect local character and design preferences.

A new paragraph 128 has been added in response to the Building Better Building Beautiful Commission's recommendations and our manifesto commitment to give communities greater say in the design standards set for their area. This reflects the Government's proposals for a National Model Design Code, which will include a model community engagement process, and will create a framework for local authorities and communities to develop a more consistent approach which reflects the character of each place and local design preferences. It also clarifies that the National Design Guide and the National Model Design Code should also be used to guide decisions on planning applications in the absence of locally produced guides or codes.

A new paragraph 130 has been added to reflect the findings of the Building Better Building Beautiful Commission and the Government's ambition to ensure that all new streets are tree-lined, and that existing trees are retained wherever possible.

New paragraph 132 and footnote 50 have been updated to refer to Building for a Healthy Life.

New paragraph 133 responds to the Building Better Building Beautiful Commission's recommendations to make clear that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design. In addition, it clarifies that significant weight should be given to development which reflects local design policies and government guidance on design.

**Do you agree with the changes proposed in Chapter 12?**

Yes / No

Please provide comments

**Proposed changes to Chapter 13: Protecting the Green Belt**

The revised text seeks to clarify existing policy:

New paragraph 149(f) has been amended slightly to set out that development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order, is not inappropriate in the Green Belt provided it preserves its openness and does not conflict with the purposes of including land within it.

**Do you agree with the changes proposed in Chapter 13?**

Yes / No

Please provide comments **Proposed changes to Chapter 14:  
Meeting the challenge of climate change, flooding and coastal change**

The revised text seeks to strengthen environmental policies, including clarifying some aspects of policy concerning planning and flood risk.

The changes proposed are in part, an initial response to the emergent findings of our joint review with the Department for Environment, Food and Rural Affairs (Defra) of planning policy for flood risk. The government's [Policy Statement on flood and coastal erosion risk management](#) sets out a number of actions to maintain and enhance the existing safeguards concerning flood risk in the planning system. Informed by this, we will consider what further measures may be required in the longer term to strengthen planning policy and guidance for proposed development in areas at risk of flooding from all sources when our review concludes.

On planning and flood risk, new paragraphs 160 and 161 have been amended to clarify that the policy applies to all sources of flood risk.

New paragraph 160(c) has been amended to clarify that plans should manage any residual flood risk by using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management).

The Flood Risk Vulnerability Classification has been moved from planning guidance into national planning policy (set out in Annex 3 and referred to in paragraph 162). It is considered that this classification is a key tool and should be contained in national policy.

New paragraph 163 has been amended to clarify the criteria that need to be demonstrated to pass the exception test.

New paragraph 166(b) has been expanded to define what is meant by "resilient".

#### **Do you agree with the changes proposed in Chapter 14?**

Yes / No

Please provide comments

#### **Proposed changes to Chapter 15: Conserving and enhancing the natural environment**

The revised text seeks to clarify existing policy and reflects the Government's response to the Building Better Building Beautiful Commission:

New paragraph 175 has been amended in response to the [Glover Review of protected landscapes](#), to clarify that the scale and extent of development within the settings of National Parks and Areas of Outstanding Natural Beauty should be sensitively located and designed so as to avoid adverse impacts on the designated landscapes.

New paragraph 176 has been separated from the preceding paragraph to clarify that this policy applies at the development management stage only.

New paragraph 179(d) has been amended to clarify that development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around other developments should be pursued as an integral part of their design, especially where this can secure measurable net gains for biodiversity and enhance public access to nature.

**Do you agree with the changes proposed in Chapter 15?**

Yes / No

Please provide comments **Proposed changes to Chapter 16:**

**Conserving and enhancing the historic environment**

The revised text seeks to reflect a change made to national planning policy by a Written Ministerial Statement on protecting our nation's heritage dated 18 January 2021.

New paragraph 197 has been added to clarify that authorities should have regard to the need to retain historic statues, plaques or memorials, with a focus on explaining their historic and social context rather than removal, where appropriate.

**Do you agree with the changes proposed in Chapter 16?**

Yes / No

Please provide comments

**Proposed changes to Chapter 17: Facilitating the sustainable use of minerals**

Minor changes have been made to clarify existing policy.

New paragraph 209(c) has been amended to refer to Mineral Consultation Areas in order to clarify that this is an important mechanism to safeguard minerals particularly in two tier areas, and to reflect better in policy what is already defined in Planning Practice Guidance.

New paragraph 210(f) has been amended to reflect that some stone extraction sites will be large and serve distant markets.

**Do you agree with the changes proposed in Chapter 17?**

Yes / No

Please provide comments **Proposed changes to Annex 2: Glossary**

The definition of "green infrastructure" has been updated to better reflect practice, as already set out in Planning Practice Guidance, published evidence reviews and the new national framework of green infrastructure standards.

The definition of the "Housing Delivery Test" has been amended to reflect the rulebook. This clarifies that the test measures homes delivered in a local authority area against the homes required, using national statistics and local authority data.

The definition of "minerals resources of local and national importance" has been amended to include coal derived fly ash in single use deposits.

Definitions of “mineral consultation area”, “recycled aggregates” and “secondary aggregates” have been added to reflect the changes in chapter 17.

**Do you have any comments on the changes to the glossary?**

Yes / No

Please provide comments

**We would be grateful for your views on the National Model Design Code, in terms of a) the content of the guidance b) the application and use of the guidance c) the approach to community engagement**

Please provide comments

**We would be grateful for your comments on any potential impacts under the Public Sector Equality Duty.**

Please provide comments

# Right to Regenerate: Reform of the Right to Contest

## Scope of the consultation

**Topic of this consultation:** This consultation paper sets out a number of questions relating to the effectiveness of Strand 2 (land owned by a local authority or certain other public bodies) of the Right to Contest under the Local Government, Planning and Land Act 1980 operated by the Ministry of Housing, Communities and Local Government.

**Scope of this consultation:** We are keen to hear the views of all parties with an interest in the proposed changes, so that relevant views and evidence can be taken into account in deciding the way forward.

**Geographical scope:** The questions and potential reforms raised in this consultation paper apply to England only.

**Impact Assessment:** No impact assessment has been produced for this consultation, as policy development is at an early stage. An impact assessment will be produced to accompany future policy proposals if relevant.

**Duration:** This consultation will last for 8 weeks and will close on 13 March 2021.

## Introduction

1. Longstanding vacant, derelict or underutilised public sector land can have a significant impact on the attractiveness of a local area, acting as a focus for anti-social behaviour. Since 1980, the public has been able to request that the government considers whether certain publicly owned land is unused or underused, and if so directs that it be sold.
2. In 2011, this power was incorporated into the portfolio of Community Rights as the Community Right to Reclaim Land, and extended to apply to land owned by the Greater London Authority, Transport for London, and the British Transport Police.
3. In 2014, the power was brought together with policy on the release of central government land as the Right to Contest, to make it simpler for the public to request the disposal of public land. Strand 1 of the Right to Contest applies to central government land, and is administered by the Cabinet Office; Strand 2, the powers originally created under the 1980 Act, is today administered and exercised by the Secretary of State for Housing, Communities and Local Government.

4. The government wants to empower people to challenge the inefficient use of public sector land in their communities, and to bring it into better economic use, including to provide new homes. The government is consulting on the effectiveness of these requests as it considers reforms to make the process more efficient and more transparent.
5. The government believes that reforming the Right to Contest and relaunching it as a new 'Right to Regenerate' could provide a quicker and easier route for individuals, businesses and organisations to identify, purchase and redevelop underused or empty land in their area. In turn, a strengthened right would support greater regeneration of brownfield land, boost housing supply and empower people to turn blights and empty spaces in their areas into more beautiful developments.
6. Following the consultation, the government will consider the feedback as it determines whether to bring forward reforms to the right in order to encourage the public to drive regeneration and stimulate the more productive use of public land.

## **Background**

7. The Local Government, Planning and Land Act 1980 empowers the Secretary of State to direct a body within a [specific list of bodies](#), set out in Schedule 16 to that Act, to take steps to dispose of their interest in that land where that land is not being used or not being sufficiently used.
8. This power now operates as part of the policy known as the Community Right to Contest, which has two strands. Strand 1 covers central government bodies on a voluntary, non-statutory basis, and is administered by the Cabinet Office. Strand 2 covers those public bodies set out in [Schedule 16 of the 1980 Act](#), and is administered by the Ministry of Housing, Communities and Local Government. This consultation relates only to Strand 2.
9. Since 2014, 192 requests have been submitted under Strand 2. Of these, 145 were refused, 10 withdrawn, 9 are still pending, 27 were not a valid request and one direction to order disposal was issued.

10. Strand 2 of the Right to Contest was designed to be an intervention last resort, enabling someone to ask Ministers to order a listed public body to dispose of land, including any property on that land, if they think the land is unused or under-used, and the public body has either refused to do so or not engaged. Most requests come from members of the public rather than community groups or companies and relate to small plots of land. At present, the [right is promoted on GOV.UK](#) and some local authority websites.
11. Refusals arise largely because the public body has a use/intended use for the land or it is allocated in the Local Plan.
12. The government is consulting on whether reforms to the right could lead to it being utilised more effectively and more widely.

## **Consultation questions**

### **Increasing the usefulness and effectiveness of the right**

13. The government seeks views on the usefulness of the right, as well as potential reforms to increase effectiveness. Respondents should consider how the right is used by private individuals as well as organisations. The government is particularly interested in responses from anyone who has previously submitted a request under the Right to Contest.

#### **Q1: Do you consider the Right to Contest useful?**

Yes/No – please provide a reason for your answer.

#### **Q2: Do you think there are any current barriers to using the right effectively, and if so, how would you suggest they be overcome?**

Yes/No – please provide details.

### **Making it clearer when land is unused or underused**

14. The government is considering publishing a definition of land that is unused or underused, to help guide people in making applications.

#### **Q3: Would a definition of unused or underused land be useful, and, if so, what should such a definition include?**

Yes/No – please provide details.

### **Extending the scope of the right**

15. The government is also interested in views as to whether extending the right to include unused and underused land owned by town and parish councils would increase the effectiveness of the right in optimising land usage across England.

### **Q4: Should the right be extended to include unused and underused land owned by town and parish councils?**

Yes/No – please provide a reason for your answer.

### **Land where a public body has an intended use**

16. Many requests are refused as the public body indicates that it has an intended use for the land. This may mean some sites are left unused or underused for some time until those plans materialise.

17. The government is considering incentivising temporary uses by ordering sales where temporary uses cannot be identified. This would help minimise blight until sites are put to better long-term use and help to keep neighbourhoods vibrant and productive especially in town centres and urban areas.

### **Q5: Should the government incentivise temporary use of unused land which has plans for longer term future use?**

Yes/No – please provide a reason for your answer.

### **A greater role for local authorities**

18. The Right to Contest was designed to be a last resort where listed public bodies have refused to engage with, or refused, a request to bring unused land into use. The government is inviting views as to whether it should require applicants making a request under the right regarding local-authority-owned land to demonstrate that they have contacted their local authority before making a request. The purpose would be for the applicant to find out more about the land from informal discussions or correspondence with the local authority, without needing to submit a formal request, and to allow requests submitted under the right to progress more swiftly, as local authorities should be prepared to respond.

### **Q6: Should the government introduce a requirement for local authorities to be contacted before a request is made?**

Yes/No – Please provide a reason for your answer.

## **Presumption in favour of disposal**

19. The government welcomes views on whether the Secretary of State should apply a presumption in favour of disposal when considering applications under the right, establishing clearly that disposals will be ordered unless there is a compelling reason not to do so.

### **Q7: Should the government introduce a presumption in favour of disposal of land or empty homes/garages where requests are made under the right?**

Yes/No – Please provide a reason for your answer

## **Publicity and reporting**

20. To improve transparency around these requests and assist with record-keeping, the government is considering placing requirements on local authorities such as:

- quarterly reports by a designed local authority officer on the number of preliminary enquiries made
- requiring the display of physical and electronic publicity where a request has been submitted for the release of a site
- requiring local authorities to publish all requests, together with their outcomes and reasoning, on their websites

### **Q8: Do you agree that the government should require these publicity measures where requests are made under the right?**

Yes/No – Please provide a reason for your answer

## **Right of first refusal**

21. Successful requests lead to the land being placed on the open market. This can act as a significant disincentive for those putting in a request, for example, for community groups who can find it difficult to raise finances quickly. The government is considering introducing a 'right of first refusal' to those who make the request recognising that they may need additional time to prepare a bid. This would usually be for market value and would be for a limited period of time. The right of first refusal would be imposed by the Secretary of State as a condition of disposal at his discretion. The government would welcome views as to the circumstances in which it should be employed.

### **Q9: Should government offer a 'right of first refusal' to the applicant as a condition of disposal?**

Yes/No – Please provide a reason for your answer. Please also include what you believe would be a reasonable timeframe for the expiration of the right of refusal.

### **Conditions attached to disposals**

22. The Secretary of State has the power to specify in the direction the terms and conditions for disposal of the land. To date this power has never been exercised. The government invites views on whether conditions ought to be imposed on the disposal of land (for example, that a sale could only be to someone with the intention to redevelop a site).

#### **Q10: Should the government impose conditions on the disposal of land? And if so, what conditions would be appropriate?**

Yes/No – Please provide a reason for your answer.

23. Thank you for completing this consultation, there is one final question:

#### **Q11: Do you have any additional suggestions regarding reforms that could improve the effectiveness of the Right to Contest process?**

Please explain your answer.



## **PLANNING COMMITTEE**

**1 March 2021**

**MATTER: DEVELOPER ENGAGEMENT POLICY**

**To clarify how Penrith Town Council (PTC) will engage with developers and/or their agents, both prior to, and following, the submission of a planning application within the parish boundary of Penrith.**

**ITEM NO:**

**AUTHOR: Rosalyn Richardson, Deputy Town Clerk**

**SUPPORTING MEMBER: Cllr Scott Jackson, Chair of Planning Committee**

### **LINK TO COUNCIL PRIORITIES**

The policy contributes to the Council priorities of Growth, Community Engagement and Council Business.

### **RECOMMENDATION**

To approve the draft Developer Engagement Policy and to agree that the policy go forward to Full Council for ratification.



# Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR

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## DRAFT DEVELOPER ENGAGEMENT POLICY

### Policy Statement

- 1.1 Penrith Town Council recognises that pre-application discussions can play an important part in major planning applications and welcomes the desire of developers to consult both Penrith Town Council and the public more widely. However, the Council is aware of the importance of public perception in planning and the critical need to avoid any appearance that Penrith Town Council is conducting secretive negotiations or is colluding with developers. It is important therefore that such pre-application discussions are undertaken appropriately and transparently.
- 1.2 This policy is designed to clarify how Penrith Town Council will engage with developers and/or their agents, both prior to, and following, the submission of a planning application within the parish. The policy will inform both Councillors and Officers when arranging discussions with developers.

### Scope

- 1.3 This policy applies to:
  - a) All Councillors and Officers of Penrith Town Council as well as third parties and agents of the Council who work and act on behalf of the Council.
  - b) All stages of the development cycle including speculative queries and during the construction phase. Penrith Town Council will not offer any advice on planning policy or provide a formal view at presentations; and
  - c) All meetings with developers, landowners, their employees, and agents that act on their behalf.

### Responsibility for Implementation

- 1.4 The Council has overall responsibility for the effective operation of this policy.
- 1.5 All Councillors and employees should ensure that they read and understand it.
- 1.6 Any breach of this policy should be reported to the Town Clerk.
- 1.7 Questions regarding the content or application of the policy should be directed to the Town Clerk in the first instance.

## **Pre-determination**

- 1.8 In all meetings and discussions, developers, Councillors and Officers are reminded of the critical importance of not pre-determining their position on any future application, as this could require them to take no part in the discussion at Committee or Council. It should be noted, that expressing a pre-disposition, for example 'welcome in principle' or 'concerns' is permissible.
- 1.9 Those considering an application must be able to apply an open mind and be willing to consider all material issues before deciding on a particular view of an application.
- 1.10 On occasions, individual Councillors may be approached by developers for informal discussions about an application already within the planning system or regarding possible future applications. Whilst it is up to the individual whether they take part in a discussion, based on the nature of the proposed development and the possible level of controversy, they are advised:
- a) To carefully consider the public perception of such a discussion/meeting.
  - b) To avoid any appearance of collusion in applications.
  - c) To avoid accepting any hospitality or gifts from the developer in connection with such meetings; and
  - d) To advise the Chair of the Planning Committee and Officers of such meetings as soon as possible.
- 1.11 Councillors must not suggest that they are representing Penrith Town Council at such meetings, unless expressly authorised to do so by the Council.

## **Pre-Application Meeting Guidelines**

- 1.12 Penrith Town Council will, where possible, accommodate requests from developers to present their pre-application proposals at a Planning Committee or other arranged meeting on the following conditions:
- a) Full public consultation is either already scheduled or firmly planned.
  - b) The meeting is open to the public to attend and has been reasonably advertised.
- 1.13 The developer must provide information about the proposed development in writing.
- 1.14 If the developer considers that the information provided is sensitive and wishes it to remain confidential, the developer must identify the specific information that they wish to remain confidential and explain the reasons in writing. If the reasons are legitimate, the Council will keep a written record of the confidential and non-confidential issues.
- 1.15 Where possible, specific meetings with developers will normally be held before a meeting of the Planning Committee and, as a preference, be open to the public. Should developers request not to attend a public meeting because of compelling and justifiable reasons (e.g. strong commercial sensitivity), a private meeting may be arranged.
- 1.16 All meetings with developers will be documented and reported to Committee/Council.
- 1.17 Pre-application planning discussions, communications and any comment given by Penrith Town Council, individual Councillors or Officers, will not bind the

Council to making a particular decision and any views expressed will be without prejudice and based on the information available at that time.

## **Pre-Application Public Consultations**

- 1.18 Penrith Town Council strongly encourages developers to carry out full public consultation before submitting plans for major developments on the following basis:
- a) Any consultation meeting should be held at an accessible and convenient venue.
  - b) Sufficient publicity should be given to likely interested parties, in good time.
  - c) Appropriate timings should be given to allow as wide a range of people as possible to attend.
  - d) Consultation should be meaningful. Developers should have a genuinely open mind and a willingness to adapt and revise plans in response to feedback.
- 1.19 Councillors are advised not to attend separate private briefings as part of public consultation, but instead to attend with the public.

## **Monitoring and Review**

The Planning Committee shall be responsible for reviewing this policy every two years or sooner if legislation dictates, to ensure that it meets legal requirements and reflects best practice.

**Approved:**

**Review:**

## **THE COUNTY OF CUMBRIA (VARIOUS TOWNS AND VILLAGES IN THE DISTRICT OF EDEN) (CONSOLIDATION AND PROVISION OF SPEED LIMITS) ORDER 20><**

The County Council of Cumbria in exercise of its powers under Sections 84(1) and (2) and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 ("the Act") and of all other enabling powers and after consultation with the Chief Constable of Cumbria in accordance with Part III of Schedule 9 to the Act hereby makes the following Order:-

1. This Order shall come into operation on >< 20>< and may be cited as The County of Cumbria (Various Towns and Villages in the District of Eden) (Consolidation and Provision of Speed Limits) Order 20><
2. In this Order "junction" means the intersection of the general alignment of two roads.
3. No person shall cause or permit a motor vehicle to proceed at a speed exceeding 20 miles per hour in the lengths of road specified in Schedule 1 to this Order.
4. No person shall cause or permit a motor vehicle to proceed at a speed exceeding 30 miles per hour in the lengths of road specified in Schedule 2 to this Order.
5. No person shall cause or permit a motor vehicle to proceed at a speed exceeding 40 miles per hour in the lengths of road specified in Schedule 3 to this Order.
6. No person shall cause or permit a motor vehicle to proceed at a speed exceeding 50 miles per hour in the lengths of road specified in Schedule 4 to this Order.
7. The Order detailed in Schedule 5 to this Order is hereby revoked to the extent specified therein.
8. No speed limit imposed by this Order applies to vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011 when used in accordance with regulation 3(5) of those Regulations.
9. In accordance with Section 87 of the Act, no speed limit imposed by this Order shall apply to any vehicle on an occasion when it is being used for fire brigade, ambulance or police purposes, if the observance of that speed limit would be likely to hinder the use of the vehicle for the purpose for which it is being used on that occasion.
10. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Dated the >< day of >< 20><

Executed as a Deed by )

affixing the Common Seal of )

CUMBRIA COUNTY COUNCIL )

in the presence of:- )

Authorised Signatory .....

## SCHEDULE 1

### Lengths of road subject to 20 mph Speed Limit

#### **Wetheriggs Estate, Penrith**

Blencathra Court	For its entire length
Castle Hill Road	From a point 20 m south east of its junction with Castle Drive, for its entire length in a south-easterly direction.
Clifford Road	From a point 20m east of its junction with the A592 Ullswater Road, for its entire length
Clifford Close	For its entire length.
Clifford Court	For its entire length.
Helvellyn Court	For its entire length.
Holme Riggs Avenue	For its entire length.
Huntley Court	For its entire length.
Huntley Avenue	For its entire length.
Kilgour Street	From its junction with Castle Hill Road to the access road for the New Squares development, a total distance of 130m.
Mayburgh Avenue	For its entire length.
Netherend Road	For its entire length.
Pearson Court	For its entire length.
Porthouse Road	For its entire length.
Rydal Crescent	For its entire length.
Skirsgill Close	For its entire length.
Thirlmere Park	For its entire length.
Tyne Close Terrace	For its entire length.
Tyne Close Avenue	For its entire length.
Wetheriggs Rise	For its entire length.
Wetheriggs Lane	For its entire length.

#### **Appleby (Zone)**

Banks Lane	For its entire length.
Boroughgate	For its entire length.
Chapel Street	For its entire length.
High Wiend	For its entire length.
Holme Court	For its entire length.
Holme Street	For its entire length.
Low Wiend	For its entire length.

Doomgate	From its junction with Holme Street for a distance of 140m in a southerly direction.
Bridge Street	From its junction with Boroughgate, for a distance of 65m in an easterly direction.

**Westgarth Estate, Penrith**

U3426 Westgarth Avenue	For its entire length.
U3426 Westgarth Court	For its entire length.
U3426 Westgarth Gate	For its entire length.
U3426 Westgarth Road	For its entire length.

**Scaws/Carleton Estates, Penrith**

Brentfield Way	For its entire length.
Friars Road	For its entire length.
Friars Close	For its entire length.
Friars Walk	For its entire length.
Friars Rise	For its entire length.
Friars Terrace	For its entire length.
Askham Crescent	For its entire length.
Brentfield Court	For its entire length.
Brent Gardens	For its entire length.
Hutton Hill	For its entire length.
Roman Road	For its entire length.
Penning Way	For its entire length.
Cold Springs Park	For its entire length.
Cold Springs Court	For its entire length.
Eden Mount	For its entire length.
Milner Mount	For its entire length.
Oak Road	For its entire length.
Meadow Croft	For its entire length.
Parklands Crescent	For its entire length.
The Parklands	For its entire length.
Parklands View	For its entire length.
Carleton Derrick Drive	For its entire length.
Parklands Way	For its entire length.
Willow Close	For its entire length.
Chestnut Close	For its entire length.
Frenchfield Gardens	For its entire length.

Maple Drive	For its entire length.
Cedar Close	For its entire length.
Rimington Way	For its entire length.
Brooklands Grange	For its entire length.
Birch Crescent	For its entire length.
Alder Road	For its entire length.
Frenchfield Way from its junction with Barton View.	For its entire length.
Brent Road from its junction with Barton View.	For its entire length.

### **Penrith**

Ash Road on Carleton Heights Estate	Between its junctions with Oak Road and Carleton Hill Road a total distance of approximately 560m.
All minor access roads served by Ash Road, Penrith	Within a zone bounded by Oak Road and Frenchfield Estate to the south, Parklands Estate to the west, Carleton Hill Road to the east and the boundary of the Carleton Heights estate to the north.
Carleton Hill Road	From its junction with the A686 extending in a Northerly and then Easterly direction for a total distance of 420m, including the cul-de-sac roads known as Azalea Close and Beech Gardens.

Pategill	The U3535 from its junction with the A686 Carleton Avenue to its junction with the C3090 Carleton Road, including the streets, also designated U3535, in their entirety: Carleton Hall Road (including its spur road), Pategill Park (loop road), Pategill Road (including its spur roads), Pategill Walk, Mary Langley Way, Pategill Court (North, South and Central), Prince Charles Close, Jubilee Close and Windsor Court. The entirety of the U3674 comprised of Carleton Hall Gardens and Carleton Hall Walk.
Burrowgate	From its junction with Middlegate extending in an easterly direction for a distance of 110m.
Cornmarket	From its junction with Market Square to its junction with Great Dockray.
Devonshire Street	For its entire length.
King Street	From its junction with Market Square extending in a south-easterly direction for a distance of 30m.
Little Dockray	For its entire length.
Market Square	For its entire length.
Middlegate	For its entire length.
Queen Street	From its junction with Brook Street to its junction with Middlegate.

## SCHEDULE 2

### Lengths of road subject to 30 mph Speed Limit

#### Ainstable

C1039	From a point approximately 300m South East of its junction with the C1042 to a point approximately 570m North of its junction with the U3050, a total distance of 1385m.
C1042	From a point 55 South of its junction with the C1039 to a point approximately 595m in a generally North-Easterly direction from its junction with the C1039, a total distance of 665m.
U3558 No Through Road	For its entire length.
U3050	From its junction with the C1039 for approximately 80m in a South-Westerly direction.

#### Alston

A689	From its junction with the A686 at the War Memorial in Alston for a distance of approximately 560m in a northerly direction.
A689	From a point on the east side of Potters Lonning for a distance of approximately 280m in an easterly direction.
C3039 Park Lane	Between its junction with the A686 and the A689, a distance of approximately 420m.
B6277	From the junction of the B6277 and the U3106 Bruntley Meadows in generally south-easterly direction for a distance of approx 405m to a point just south of the property known as "Springfield Cottage".

#### Armathwaite

C1038	From its junction with the C3027, at The Dukes Head Inn, in a northerly direction for a distance of approximately 1814m.
C1038	From its junction with the C3027, at The Dukes Head Inn, in an Easterly directions for approximately 465m to its junction with the U3047 and then in a South-Westerly direction for 160m. A total distance of 625m.
C1040	From its junction with the C3027 in a north-westerly direction for a distance of 740m.
U3593 Brackenrigg	For its entire length.

### **Askham**

C3043	From a point 200m north of its junction with the U3175 to a point 150m south of its junction with the C3046.
U3175	For its entire length.
U3176	For its entire length.
U3177	For its entire length.
C3046	From its junction with the C3043 extending in an easterly direction for approximately 650m to a point 50m north of the river bridge.

### **Bampton**

C3043	From a point 340m northwest of its junction with the U3168 to a point 150m east of its junction with the C3044, a total distance of 600m.
C3044	From its junction with the C3043 to a point 145m south of its junction with the C3043, a total distance of 145m.
U3168	From its junction with the C3043 to a point 20m west of its junction with the C3043, a total distance of 20m.

### **Bampton Grange**

C3043	From a point 50m north west of its junction with the U3170 to a point 25m west of the U3174, a total distance of 395m.
U3170	From its junction with the C3043 to a point 45m south of the C3043, a total distance of 45m.
U3395	From its junction with the C3043 to a point 110m northwest of the C3043, a total distance of 110m.

### **Berrier**

C3032	From a point 280m north west of its junction with the C3034 extending a north westerly direction for a distance of 890 metres.
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### **Blencarn**

C3004	From a point 420m south-east of its junction with the U3072 to a point 260m north-west of that junction, a total distance of 680m.
C3004 (SW Extension)	From the junction with C3004 extending south westerly for a distance of 70m.
C3013	From its junction with the C3004 extending north easterly to its junction with the C3013 (Northern Extension) for 780m.

C3013 (Northern Extension)	From the junction with the C3013 extending northerly for 490m.
U3072	From its junction with the C3013 (Northern Extension) extending to a point 890m south east of the junction with the U3072 (Central).
U3072 (Central)	From the junction with the U3072 extending south westerly to its junction with the C3004 for a distance of 830m.

### **Blencowe**

C1036	From a point approximately 140m south west of the western extremity of the village green to a point approximately 270m north east of the eastern extremity of the village green, a total distance of approximately 600m.
C3019	From its junction with the C1036 (both sides of the village green), extending for a distance of 840m in a south easterly direction.

### **Bolton**

C3047 Chapel Street	From a point 130m west of its junction with the C3059 to a point 370m east of that junction, a total distance of approximately 550m.
U3190 North End	From its junction with the C3047 to its north west extremity, a distance of approximately 550m.
U3213 Silver Street	For its entire length.
C3059 South End	From its junction with the C3047 for a distance of 660m in a south easterly direction.

### **Brampton**

U3211	From a point 211 north west of its junction with the C3065 in a north westerly direction for a distance of approximately 740m.
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### **Brougham and Eamont Bridge**

B6262	From its junction with the A6 to a point 260m east of its junction with the U3182.
U3182	From the junction with the B6262 for a distance of 640m in a generally south-easterly then south- westerly direction.
U3850	For its entire length, including Brougham Avenue and Brougham Hall Gardens.
A6	From a point 50m south of its junction with the A66, to a point 70m south of its junction with the B6262.
B5320	From the junction with the A6 to a point 130m west of that junction.
U3483 Skirsgill Lane	For its entire length.
U3370 Mayburgh Close	For its entire length.

U3371 Lowther Glen & Mont For its entire length.

### **Brough Sowerby**

C3084 From its junction with the A685 to a point approximately 460m east.

### **Brough Village**

B6276 (New road) From its junction with the A66 slip road (east bound) to its junction with the C3077 on the west side of Brough Clock for a distance of 1.9km.

B6276 (New road) From its junction with the B6276 on the east side of Brough Clock extending south for a distance of 30m.

C3077 (Market Street) From a point 90m west of the junction with the C3077 extending easterly to the junction with the B6276 New Road for a distance of 380m.

C3077 From its junction with the C3077 (Market Street) extending south to the junction with the U3315 for a distance of 370m.

U3316 (Croft Close) For its entire length.

U3316 (Castle View) For its entire length.

U3315 From the junction with the C3077 extending easterly to the junction with the B6276 New Road for a distance of 310m.

Castle Park (No Road Number) From its junction with the U3315 extending to a point 100m south west of that junction.

B6276 (Upper Market Street) From the junction with the B6276 New Road extending east to a point 100m east of the junction with the U3315 for a total distance of 320m.

U3315 From the junction with the B6276 Upper Market Street, extending to a point 100m southwest of that junction.

U3315 From the junction with the B6276 New Road, extending in a predominantly north easterly direction for 400m to the junction with the B6276 Upper Market Street.

U3315 (Black Bull Lane) For its entire length.

U3314 (Helbeck Road) From its junction with the C3077 Market Street, extending north to a point 220m north of that junction.

### **Calthwaite**

C1037 From a point approximately 50m south east of its crossroads junction with the C3003 for a distance of approximately 540m in a north westerly direction.

C3003 From its crossroads junction with the C1037 for a distance of approximately 230m in a south westerly direction.

**Catterlen**

C3030 From a point 30m west of its junction with the C3029 to its junction with the B5305.

**Cliburn**

C3056 From a point 900m north of its junction with the C3047 to a point 600m south of its junction with the C3047, a total distance of 1.5km.

C3047 From a point 150m north west of its junction with the C3056 to a point 450m south east of its junction with the C3056, a total distance of 600m.

**Clifton**

A6 From a point 300m south of the property known as 'Rose Barn' extending in a north-westerly direction to a point 120m north of the property known as 'Old Vicarage', a total distance of 1.17km.

U3375 Fairview Gardens Entire length.

U3384 Crooklands View Entire length.

U3384 Cumberland Close Entire length.

U3183 From its junction with the A6 for a distance of 170m in a southeasterly direction.

**Colby**

C3059 From a point 360m south east of the junction with the C3053 to a point 610m north of the junction with the C3053.

C3053 From a point 60m south west of the junction with the C3059 to the junction with the C3059.

**Croglin**

B6413 From a point approximately 105m north west of its junction with the U3075 and the B6413, to a point approximately 315m south east of that junction, a total distance of 420m.

U3075 From its junction with the B6413 in Croglin, extending in a generally north easterly direction for a distance of approximately 430m.

**Crosby Ravensworth**

C3054 From its junction with the C3058 for a distance of 145m in a westerly direction.

C3058 From a point 110m south of its junction with the U3251 to a point 610m north of its junction with the U3250, a total distance of 1710m.

U3250 From its junction with the C3058 for a distance of 260m in an easterly then southerly direction.

### **Culgaith**

B6412 From a point approximately 20m south east of its junction with the U3069 to a point approximately 350m south east then of its junction with the C3028 Skirwith Road.

C3028 Skirwith Road From its junction with the B6412 road for a distance of approximately 600m in a north easterly direction.

U3195 The Pea From its junction with the B6412 road to a point 29m south of the centreline of its junction with the road called Otters Holt.

### **Dufton**

C3065 From a point approximately 30m south of its junction with the C3064 to a point approximately 50m south east of Billysbeck Bridge, a total distance of approximately 910m.

### **Edenhall**

U3063 From a point 420m south of its eastern junction with the A686 to a point 315m north east of its junction with the U3065.

U3064 From its junction with the U3063 to a point 200m north west of its junction with the U3063.

### **Ellonby**

C3019 From a point 80m south of its southern junction with the C3033 in a north-westerly direction for a distance of 700m.

C3033 (east) From its southern junction with the C3019 in an easterly direction for a distance of 50m.

C3033 (west) From its northern junction with the C3019 in a westerly direction for a distance of 50m.

### **Gamblesby**

C3004 From a point approximately 400m south of its junction with the C3022 extending to a point approximately 530m north of that junction.

C3022 From its junction with the C3004 for a distance of approximately 130m in a westerly direction.

### **Glassonby**

C3008 From a point 60m south of its junction with St Michael's Church Road extending in a predominantly northerly direction for a distance of 640 metres.

C3022	From its junction with the C3008 extending in a predominantly easterly direction for a distance of 430m.
U3086	From its junction with the C3022 extending in a predominantly northerly direction for a distance of 250m.
Back Lane (Link Between C3008 & C3022)	From its junction with the C3008 to its junction with the C3022, a total distance of 170m.
St Michael's Church Road	For its full length from its junction with the C3008.

### **Great Asby**

C3068 (north-east length)	From its junction with the U3263 and the U3264 at Town Head in a north-easterly direction for a distance of 620m.
C3068 (south-west length)	From its junction with the C3068 (north-east length) at St Peter's Church in a southerly direction over Asby Bridge then a north-easterly direction to a point 50m south-west of its junction with the C3057.
U3263	From its junction with the C3068 and U3264 at Town Head in a south-westerly direction for a distance of 250m.
U3264	For its entire length.
U3265	For its entire length.
U3439	For its entire length.

### **Great Ormside**

U3256	From a point 10m south west of its junction with the U3257 to its junction with the U3259.
U3257	From its junction with the U3256 adjacent to the property known as "Osmond Close" to its junction with the U3256 adjacent to the "Wild Rose Caravan Park".
U3259	From its junction with the U3256 to a point 1.25km in a south easterly direction.

### **Great Musgrave**

C3077	From a point 145m east of its junction with the B6259 for a distance of approximately 435m in a generally easterly direction.
U3312	Both sides of the grassed area, from its junction with the C3077 for a distance of approximately 80m in a northerly direction.

### **Great Salkeld**

B6412	From a point 195m south of its junction with the C3018 to a point 755m north of its junction with the C3018.
C3018	From a point 210m west of its junction with the C3017 to its junction with the B6412.

U3057 All lengths, a combined length of approximately 710m.

### **Great Strickland**

C3049 (Airygill Lane) From its junction with the C3050 for a distance of approximately 150m in a northerly direction.

C3050 From a point approximately 90m west of its junction with the C3049 for a distance of approximately 800m in an easterly direction.

U3185 (Priest Close Lane) From its junction with the C3050 for a distance of approximately 160m in a southerly direction.

### **Greystoke**

B5288 From a point 350m south of its junction with Church Road to a point 490m north-east of its junction with the C1036 Johnby Road, a total distance of approximately 890m.

C3014 From its junction with the C1036 to a point approx. 225m north of that point.

C1036 From its junction with the B5288 to a point approx. 150m north east of its junction with the C3014, a total distance of approximately 540m.

### **Hackthorpe**

U3179 Back Road From a point 40m south of its northern junction with the A6 in a southerly then south-easterly direction to a point 30m north of its southern junction with the A6.

U3179 From its junction with Back Road in a north-westerly then south-westerly direction through Lowther Village for a distance of 300m.

U3180 Woodland Close For its entire length.

U3180 Pennine Close For its entire length.

U3180 Pattinson Close For its entire length:

### **Hartley**

C3079 From a point 260m north of its junction with the C3079 at Hartley Fold, extending in a southerly direction for 860m.

C3079 (western leg) From its junction with the C3079 at Hartley Fold, extending in a westerly direction for 265m.

U3430 From its junction with the C3079, extending in a southerly direction for 290m.

U3430 From its junction with the U3430 at Salt Pie Hall, extending in a westerly direction for 175m.

### **High Hesketh**

- U3454 From a point 15m south-east of its northern junction with the A6 in a south-easterly direction for a distance of 925m.
- U3038 From its junction with the U3454 for a distance of 85m.

**Hilton and Murton**

- C3066 From a point 20m west of its junction with the U3220 extending in a north-easterly then north-westerly direction for a distance of 1.23km to a point 50m north-west of the crossroads in the village of Murton.
- U3219 (both legs) Full length from its junction with the C3066.
- U3220 From its junction with the C3066 extending in a south-easterly then south-westerly direction for a distance of 380m.
- U3221 From its junction with the U3220 extending in a south-easterly direction for a distance of 50m.
- U3222 For its full length from its junction with the U3220.

**Ivegill**

- C3010 From a point 400m south of its junction with High Garth Meadows in a northerly direction for a distance of approximately 1km to a point 40m south of its junction with the C1036.
- U3593 High Garth Meadows For its entire length.

**Johnby**

- C3014 From a point 85m south of its junction with the C3020, extending in a north-westerly direction to a point 685m north of its junction with the C3020.
- C3020 From its junction with the C3014, extending in a north-easterly direction for a distance of 80m.

**Kaber**

- C3086 From its junction with the 'Popping Lane' C3086 for a distance of 370m in South Westerly and then Southerly direction.
- U3328 For its entire length.
- U3329 For its entire length.

**Kings Meaburn**

- C3057 From a point 480m north of its junction with the U3188 at Welltree Brow, for a distance of 850m in a southerly direction.

### **Kirkby Stephen**

C3069 Christian Head	From a point 155m west of its junction with North Road for a distance of 160m in a westerly direction.
B6259 Nateby Road	From its southerly junction with The Crescent extending southerly to a point 320m south of the junction with Station Road for a distance of 730m.
U3424 Station Road	From a point adjacent to the junction with Quarry Close extending easterly for 130m to the junction with Nateby Road.
C3080	From its junction with Christian Head C3069 for a distance of 175m in a westerly direction.

### **Kirkby Thore**

U3199	From its junction with the C3030 to a point 100m west-north-west of that point.
C3030	From its junction with the C3065 to a point 455m north west of that point.
C3065	From its junction with the A66 Trunk Road to a point 1240m east of that point.
Kirkby Thore Loop Road	For its full length from the junction with the C3065 to its junction with the C3030.
The Access Road to Sandersons Croft Estate and British Gypsum Works	From the junction with the C3065 to a point 190m north east of that point.
High Bankhill, Kirkoswald	
B6413	From a point 350m SW of its junction with the C3025 to a point 415m NW of that junction, a total distance of 765m.
C3025	From its junction with the B6413, extending in s north-easterly direction for a distance of 270m.

### **Laithes**

C3010	From a point 30m west of the entrance to Laithes Mill in an easterly direction to a point 80m east of its junction with the U3029.
U3587 The Lea	For its entire length.

### **Lamonby**

C3021	From its junction with the C3033 in a northerly direction for a distance of 490m.
C3033 (east)	From its junction with the C3021 for a distance of 110m.
C3033 (west)	From its junction with the C3021 for a distance of 90m.
U3014	For its entire length.

## **Langwathby**

- A686
- (i) From a point 225m east of Langwathby Bridge to a point 60m west of langwathby Bridge.
  - (ii) That section of the A686 in Langwathby, from its junction with the C3013 to Skirwith extending in a westerly direction for approximately 270m.
- B6412
- Rhat section of the B6412 (Langwathby to Culgaith Road) from its junction with theA686 near Townhead Farm, extending in a southerly direction for approximately 280m.
- U3066
- That section of the U3066 in Langwathby, from its junction with “Black Lane” extending in an easterly direction for approximately 430m.
- C3008
- That section of the C3008 Salkeld Road, Langwathby, from its junction with the A686 extending in a northerly direction to a point 135m north of the junction for The Meadows.

## **Lazonby Village**

- B6412 Road to Great Salkeld
- From the centre of its junction with Scaur Lane southwards for a distance of 110m.
- B6413 Road to Plumpton
- From the centre of its junction with the C3007 (road to Carlisle), southwestwards for a distance of 105m.
- U3055 Scarrows Lane
- From the centre of its junction with the C3007 (road to Carlisle) northwards for a distance of 270m.

## **Little Musgrave**

- C3076
- From a point 670m east of the junction with the C3078 to a point 490m west of that junction.
- C3078
- From the junction with the C3076 extending south to a point 730m south of that junction.

## **Little Salkeld**

- C3008
- From a point 145m south of its junction with the C3009extending in a northerly then north-easterly direction for a total distance of 1.2km, to a point 350m north east of its junction with the U3464.
- C3009
- From its junction with the C3008 extending in an easterly direction for a distance of 275m.
- U3464
- (i) From its junction with the C3008 extending in a westerly direction for a distance of 300m.
  - (ii) From its junction with the C3008 opposite theproperty known as “Garth House”, extending in awesterly then north-easterly direction to the junction with the U3464(1), opposite the property known as “Rhencullen”, a total distance of 175m.

### **Little Strickland**

C3051	From a point approximately 8m north of the centre line of its northern junction with the U3183 (link road), to a point approximately 365m south of the centre line of the southern junction (a total distance of approximately 488m).
U3185	From its southern junction with the C3051, to a point approximately 190m north of that junction.
U3185 (link road)	Its full length.

### **Long Marton**

C3004	From a point approximately 255m north of its junction with the C3063 for a distance of 1055m in a northerly direction (a point approximately 115m north of Marton House).
U3210 The Croft	Its entire length.
U3210 Back Lane	Its entire length.
U3210 Croft View	Its entire length.
C3064	From its junction with the C3004 for a distance of approximately 330m east.

### **Low Hesket**

C3010 Southwaite Road	From its junction with the A6 for a distance of approximately 500m in a southerly direction.
U3453 Aiketgate Road	From its junction with the A6 for a distance of approximately 300m in an easterly direction.
U3453 (South)	For its entire length.

### **Maulds Meaburn**

C3058	From a point 80m north of its junction with the unclassified road U3248 to a point 350m south of its junction with the C3060, a total distance of approximately 960m.
C3060	From its junction with the C3058 for a distance of 380m in a south easterly direction.
U3248	From its junction with the C3058 for a distance of 110m in an easterly direction.

### **Melmerby**

A686	From a point approximately 95m north east of its junction with the C3004 (Gamblesby Road) for a distance of approximately 820m in a south westerly direction.
C3004	From a point approximately 270m north of its junction with the A686 (Alston Road) to a point approximately 60m south of its junction with the unclassified road U3468, a total distance of approximately 670m (including part of the A686).

U3097 Its entire length (approximately 570m).

### **Millhouse**

C2045 Salter Lonning From a point 250m North West of its junction with the C3032, to a point 175m South East of that junction, a total distance of approximately 425m.

C3032 From its junction with the C2045 extending in a South Easterly and then a North Easterly direction for a distance of approximately 200m.

U3008 From its junction with the C2045 extending North for a distance of 55m.

### **Morland**

C3056 From a point 10m north of Powdonnet Bridge in a southerly, then easterly, then south-easterly direction to a point 50m south east of Town Head Bridge.

C3050 From its junction with the C3056 in a westerly direction for a distance of 250m.

C3052 High Street From its junction with the C3056 in a southerly, then south-westerly direction for a distance of 360m.

C3052 Well Lane From its junction with the C3056 in an easterly, then south-easterly direction for a distance of 390m.

U3607 Jackson Croft For its entire length.

U3241 Church Lane and Mill Lane For its entire length.

U3267 Mothercroft For its entire length.

U3242 Lower Gate For its entire length.

### **Motherby**

B5288 From a point approximately 50m south west of its junction with Station Road, to a point approximately 370m north east of its junction with the U3144, a total distance of approximately 935m.

### **Nateby**

B6270 From its junction with the B6259 in an easterly direction for a distance of approximately 380m, to a point 20m east of the cattle grid at Rakehead.

B6259 From a point 60m north of its northerly junction with the B6270 in a southerly direction for a distance of 290m.

U3452 The Green For its entire length.

## **Nenthead**

A689	From a point approximately 630m east of its junction with the unclassified road U3116 for a distance of approximately 430m south east of its junction with the unclassified road U3113.
U3112 (to Whitehall)	From its junction with the A689, extending in a north-easterly then north westerly direction for a total distance of approximately 580m.
Vicarage Terrace (U3112)	For its entire length (from its junction with the U3112 extending in a north westerly direction for a distance of approximately 290m).
The Row (U3112)	For its entire length (from its junction with the U3112, extending for a distance of approximately 55m in an easterly direction).
U3116 (loop road)	From its junction with the A689 (at Gillgill Bridge), extending in a south-westerly, then north-westerly, then north-easterly direction for a total distance of 615m to its junction with the A689.
Fiddlers Bank (U3116)	From its junction with the U3116, at a point 35m north-west of the property known as "Brookside Cottage, extending in a south-westerly direction for a distance of approximately 120m.

## **Newbiggin (Stainton)**

C3019	From a point 90m south of its junction with U3150 to a point 435m south of its junction with B5288, a total distance of 1150m.
U3148	From its junction with C3019 to a point 125m west of that junction.
U3150	From its junction with C3019 to a point 70m southwest of that junction.
U3151	From its junction with the C3019, extending in a north-easterly direction for a distance of 225m.
U3722 Oak Bank	From its entire length.
U3723 Joiners Close	From its entire length.

## **Newbiggin on Lune**

U3290 Main Street	From its junction with the A685 for a distance of approximately 415m in a southeasterly direction, including the northern spur immediately west of its junction with the A685.
U3290	From its junction with the A685 to its junction with the U3290 Main Street.

## **Newby**

C3052	From a point 140m west of its junction with the C3055 to a point 50m north of its junction with the U3188.
C3055	From a point 250m north west of its junction with the C3052 to a point 40m south of that junction.
U3399	From its junction with the C3052 to a point 50m south.
U3188	From its junction with the C3052 to a point 420m east.

### **Newton Reigny**

C3010	From its junction with the C3029 in a north-westerly direction for a distance of 240m and in a south-easterly direction for a distance of 530m.
C3029	From its junction with the C3029 in a northerly direction for a distance of 405m.
U3021	For its entire length.

### **North Dykes, Great Salkeld**

C3002	From a point approximately 110 south-west of its junction with the C3017 extending in a north-easterly direction for a distance of approximately 250m.
C3017	From its junction with the C3002 to a point approximately 105m south of that junction.
U3056	From its junction with the C3002 to a point approximately 165m north of that junction.

### **Orton**

B6261	From its junction with the B6260 to a point 60m south east of the property Mazongill.
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### **Ousby**

C3004	From a point approximately 330m south of its junction with the U3099 for a distance of 870m in a northerly direction (to Melmerby).
C3009 (South loop)	From a point approximately 550m west of its junction with the C3004 to its junction with the U3101 (to Townhead) a total distance of approximately 1.63km.
C3009 (North loop)	From its junction with the U3101 (to Townhead) for a distance of 470m in a north westerly direction.
U3101	From its junction with the C3009 for a distance of 95m in a south easterly direction.
U3100	From its junction with the C3009 for a distance of 40m in a north easterly direction.
U3099	Its entire length (approximately 260m).

### **Patterdale & Glenridding**

A592	From a point approximately 240m north of the northern junction with the unclassified road U3456 to a point approximately 300m south of its junction with the unclassified road U3456, a total length of approximately 2.48km.
U3456	From the junctions with the A592 for a distance of approximately 500m in a westerly direction.

### **Penruddock**

B5220	From its junction with the U3144 in a westerly direction for a distance of 610m.
B5220	From its junction with the U3144 in a south-easterly direction for a distance of 220m.
U3144	From its junction with the B5220 in a northerly direction for a distance of 850m.
U3143	For its entire length.
Station Road	For its entire length.

### **Penrith**

C3002 Salkeld Road	From its junction with the C3029 Beacon Edge for a distance of approx. 430m in a north easterly direction.
A6 Scotland Road	From a point 165m west of its junction with the C3029 Beacon Edge, for a distance of 150m in a westerly direction to a point 315m west of its junction with the C3029 Beacon Edge.
B5288 Newton Road	From its junction with Haweswater Road for a distance of 120m in a westerly direction.

### **Plumpton**

C3012	From a point on the western side of the railway bridge to its junction with the A6, a total distance of 1,050m.
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### **Renwick**

C3026	From its junction with the C3025, extending East for 100m to its junction with the C3004 and the U3083.
U3083	For its entire length, including the section encircling the Methodist Church and the U3083 loop road immediately to the south of that church.
U3560	For its entire length, including the loop road at its South Eastern extremity.
C3004	From its junction with the U3083 and C3026, extending in a North Easterly and then an North Westerly direction, to a

point 130m North West of its junction with the U3082 and U3083, a distance of 455m.

C3004 From its junction with the U3083 and C3026, extending 22mm in a generally South Easterly direction.

### **Pooley Bridge**

B5320 From a point approximately 216m east of its junction with High Street, to a point approximately 340m south west of the bridge over the River Eamont, a total length of approximately 800m.

High Street (U3159) The entire length of High Street.

### **Shap**

A6 From a point 180m north of its junction with the C3043 to a point 610m south of its junction with the unclassified road U3232, a total distance of 2100m.

### **Skelton**

C3010 From its junction with the U3023 at Town Head Farm in a southerly direction to a point 80m south of its junction with the C3033, a distance of approximately 490m.

U3024 From its junction with the C3010 in an easterly direction for a distance of 150m.

C3033 From its junction with the C3010 in a westerly then northerly direction for a distance of 660m.

C3033 (Ellonby Road) From the junction at Corney House in a southerly then westerly direction for a distance of 190m.

Pennine View For its entire length.

Phoenix Park For its entire length.

Coopers Garth For its entire length.

Townfoot For its entire length.

### **Skirwith**

C3004 From a point 190m north of its junction with the C3013 to a point 340m south of its junction with the C3013.

C3013 From a point 500m west of its junction with the C3004 to a point 580m east of its junction with the C3004.

U3472 Church Street For its entire length.

### **Sleagill**

C3053 From a point 55m south west of its junction with the U3401 extending in a generally north easterly direction to a point

240m north east of its junction with the C3055 at Irving House.

C3055 From its junction with the C3053 at Nanny Croft extending in a northerly direction for 40m.

C3055 From its junction with the C3053 at Irving House, extending in a southerly direction for 145m.

U3401 From its junction with the C3053, extending in a northwesterly direction for 90m.

### **Soulby**

C3057 From its junction with the C3069, extending in a south westerly direction for 500m.

C3069 From a point approx. 330m north of its junction with the U3408, to a point approx. 185m south of its junction with the U3406, a total distance of approx 810m

C3078 From its junction with the C3069, extending in an easterly direction for 220m.

U3406 For its entire length

U3407 For its entire length

U3408 For its entire length

### **South Dykes**

C3017 From a point 380m south of its junction with the C3018 to a point 200m north of its junction with the C3018.

### **Southwaite**

C1041 From its junction with the C3010 and the U3460 in a northerly then north-westerly direction following the railway line for a distance of 302m.

C3010 From its junction with the C1041 and the U3460 in a south-easterly direction under the railway bridge for a distance of 120m.

U3460 From its junction with the C1041 and the C3010 in a south-westerly direction for a distance of 70m.

### **Stainton**

U3152 From its junction with the C3088 extending in a northerly direction for approx. 235m

### **Tebay**

A685 From a point 40m south of Tebay M6 roundabout extending southerly to a point 160m south of the junction with the U3392 for a distance of 1.5km.

U3281 From its junction with A685 extending 230m north east of that junction.

U3282	From its junction with the U3281 extending 80m south east of that junction.
U3390	For its entire length.
U3390 (Highfield)	For its entire length.
Church Rise (No road number)	For its entire length.
U3389 (Church Street)	From its junction with the A685 extending north-westerly to a point 100m west of the junction with Galloper Park for a distance of 330m.
U3279 (Galloper Park)	For its entire length.
U3392	For its entire length.

### **Temple Sowerby**

C3057 (former A66)	From a point 188m south east of the centre of its junction with Vicarage Lane to a point 828m north west of the said junction, a total distance of 1016m.
C3061	From the centre of its junction with the C3057 in a generally northerly direction for a distance of 375m.
U3197 & U3198	All publicly maintained roads numbered U3197 and U3198 in the village of Temple Sowerby including the named roads Betsy Lane, May Pole Terrace, Chapel Street, Vicarage Lane and Croft Place. All other unclassified roads in the village of Temple Sowerby, not listed above and which are publicly maintained highways.

### **Tirril**

B5320	From a point on the south west side of the village, approximately 230m south west of its junction with the U3163, to a point 60m north east of its junction with the U3164.
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### **Warcop**

B6259	From a point 110m north west of the church entrance to a point 350m south east of its junction with the C3070.
C3070	From a point 600m south west of its junction with the B6259 to a point 70m north east of the entrance to Warcop Army Camp.

### **Winskill**

C3009	From a point 42m south east of its junction with the U3094, extending in a westerly direction for 700m to a point 238m south east of its junction with the U3096.
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U3094 From its junction with the C3009, extending in a north-westerly direction to a point 245m north west of its junction with the U3096.

U3096 From its junction with the U3094, extending in a westerly direction for a distance of 140m.

**Winton**

C3079 From its junction with the A685 to a point approx. 160m south of its southerly junction with the U3330, a total distance of approx. 600m

U3382 From its junction with the C3079, extending west for approx. 90m

U3381 From its junction with the A685 to its junction with the C3079, a total distance of approx. 220m

U3330 From its junction with the C3079, extending in an easterly direction for approx. 340m

U3330 (arm south of the vantage green) For its entire length.

## SCHEDULE 3

### Lengths of Road Subject to 40 mph Speed Limit

#### Alston

A686	From a point 125m west of Alston Bridge for a distance of approximately 365m in a south-westerly direction.
C3039 Leadgate Road	From its junction with the A686 for a distance of approximately 35m in a southerly direction.

#### Appleby

B6542	From a point 140m southeast of its junction with the U3338 Cross Croft for a distance of 430m in a southeasterly direction.
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#### Appleby, Croft Ends

C3004	From a point 210m northwest of its junction with the U3065 (Clickham Farm Junction) for a distance of 400m in a generally north direction.
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#### Bolton

C3059 South End	From its junction with the C3047 for a distance of 660m in south-easterly direction.
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#### Brough

A685 Brough	From a point 128m north of the junction with the U3317 and the A685, in a northerly direction to a point 304m south of the junction of the U3317 and the A685, a total distance of 432m.
U3317 Brough	From its junction with the A685 in a westerly direction to a point 80m from that junction.

#### Brough Sowerby

A685 Brough Sowerby	From a point 723m south of the junction of the A685 and the C3084 in a northerly direction to a point 205m north of the same junction, a total distance of 923m.
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## **Burrels**

- B6260 From 110m north of its junction with the C3069 (Great Asby road) to a point 120m south west of its junction with the U3253.
- C3069 From its junction with the B6260 to a point 225m in a south easterly direction.

## **Carleton**

- A686 From a point 285m south-east of its junction with the U3489 to its western junction with the A66, a total distance of approximately 1685m.
- U3489 From a point 420m North and then East of its junction with the A686 to its junction with the C3029 a total distance of approximately 680m.
- U3489 From its junction with the A686 for a distance of 25m in a northerly direction.
- U3482 (Carleton Hall Access roads) From its junction with the A686 for its entire length.

## **Clifton Dykes**

- C3047 From a point approximately 410m east of its junction with the A6 to a point approximately 340m north west of the centreline of its junction with the C3046.
- U3183 From its junction with the C3047 to a point approximately 75m south of that junction.

## **Hackthorpe**

- A6 From a point 620m south east of its junction with the U3179 in Hackthorpe for a distance of approximately 1170m in a north westerly direction.

## **Kirkby Stephen**

- A685 From a point approximately 85m south of its junction with the B6259 for a distance of approximately 600m in a north-easterly direction.
- B6259 From its junction with the A685 for a distance of approximately 95m in a north-westerly direction.

## **Low Hesket**

A6 From a point 150m south east of its junction with the Southwaite Road C3010 for a distance of 940m in a north-westerly direction.

## **Nenthall and Nentsberry**

A689 From 150m west of its junction with the B6294 to a point 50m south of Nentsberry Bridge.

## **Newbiggin (Stainton)**

C3019 From its junction with the B5288 to a point 435m South of that junction.

## **Newton Reigny**

C3010 From its junction with the B5288, extending in a north-westerly direction to a point 530m south east of its junction with the U3029, a total distance of 2.6km.

## **Penrith**

B5288 Newton Road From a point 120m west of its junction with Haweswater Road extending for a distance of approximately 220m in a westerly direction.

C3029 Beacon Edge From a point 110m east of its junction with Fell Lane extending for a distance of approximately 675m in a easterly direction.

## **Plumpton**

A6 From a point approximately 900m south of the crossroads junction of the A6 and the B6413, to a point approximately 1.07 km north of that junction, a total distance of approximately 1.97 km.

B6143 From its junction with the A6 for a distance of 330m in an easterly direction.

## **Pooley Bridge**

C3042 From its junction with the B5320 to a point approximately 1.63km south west of that junction.

B5320 From a point approximately 75m south west of its junction with the C3042 to a point approximately 655m north east of that junction, a distance of 730m.

U3159 From its junction with the C3042 to a point 915m south east of that junction.

U3161 Its entire length.

## **Shap**

- A6 From a point 180m north of its junction with the C3043 to a point 380m in a northerly direction.
- A6 From a point 150m south of Brookfield to a point 110m south of the property Fell Garage.

## **Temple Sowerby**

- C3057 (former A66) From a point 213m south east of the centre of its junction with the B6412 road to Culgaith at White Gate to a point 830m north west of the centre of its junction with Vicarage Lane, a total distance of 380m.

## **Watermillock**

- A5091 From both of its junctions (spurs) with the A592 to a point 160m north-west of that junction.
- A592 From a point 100m south-west of its westernmost junction with the A5091 to a point 1.17km east of that junction.

## **Yanwath**

- B5320 From a point 240m north-east of its junction with the C3043 Bob Lonnen to a point 30m east of its eastern junction with the U3166 road into Yanwath Village.
- C3043 From its junction with the B5320 at Yanwath School in a southerly direction for a distance of 360m.
- U3166 (Yanwath Village) For its entire length.

## SCHEDULE 4

### Lengths of Road Subject to 50 mph Speed Limit

#### Carleton to Langwathby

A686 From a point 285m east of its junction with the U3489 to a point 60m west of Langwathby Bridge.

#### Edenhall

U3063 (i) From its westerly junction with the A686 to a point 315m north east of its junction with the U3065.

(ii) From its easterly junction with the A686 to a point 420m south of its eastern junction with the A686.

U3064 From its junction with the A686 to a point 200m north west of its junction with the U3063.

U3065 Its entire length.

## **SCHEDULE 5**

### **Revoked Order**

<b>Title of Order</b>	<b>Extent of Revocation</b>
The County of Cumbria (Various Towns and Villages in the District of Eden) (Consolidation and Provision of Speed Limits ) Order 2018	The entire Order



# Footpath – Carleton Heights to Beacon Edge



Footpath



# Penrith Neighbourhood Plan

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## Post Hearing Notes

**Prepared by**

**JOHN SLATER BA(Hons), DMS, MRTPI**

**John Slater Planning Ltd**

**Independent Examiner**

10<sup>th</sup> February 2021

## Introduction

1. I held a hearing, via video conferencing, as part of my examination of the Penrith Neighbourhood Plan on Tuesday 9<sup>th</sup> February 2021. This lasted from 9.00 until approximately 15.00. Representatives of Eden District Council, Penrith Town Council and its advisors and Lowther Estates and their planning agent took part. I am very grateful for the participation and the courtesy shown by all participants. It was a very valuable exercise from my point of view and helped clarify a number of issues.
2. I have asked Eden District Council to make a recording of the session, which had been streamed live, available on its website.
3. During the hearing, there were a small number of matters where I invited the parties to look at providing me with further information or seek to clarify various matters. These are set down below.

## Results of community consultations

4. During the discussions on Topic A regarding the responses that were received from the public during the early consultation exercises, Ros Richardson from the Town Council told me that they were on the neighbourhood plan website – I have seen the document with the individual comments set out called Consultation Responses – is there a document that sets out, in numerical terms the answers given to each question in the surveys and the total number of responses? I am trying to gauge the level of community support which justifies the priorities set out in the plan.

## Maps

5. I had previously raised the issue of the legibility of the open space maps and their scale in terms of locating and also defining the extent of the designations. Again, Ros Richardson said that these concerns could now be addressed with upgraded mapping software. As discussed in the hearing, I would be grateful if these maps could be prepared and sent to me. I would ask that the plans show 3 categories of open space
  - Proposed local green space sites
  - Sites which are already designated as COM2 sites by the Eden Local Plan
  - The additional sites, proposed for designation as COM2 sites, by the neighbourhood plan.
6. We discussed the criteria used by the Steering Group for differentiating between the LGS sites and the COM 2 sites, but on reflection, it would assist me in preparing my report, if these criteria could be clarified in writing in a short note.

## Beacon Hill

7. Some time was spent discussing whether Beacon Hill met all of the criteria required to be satisfied for designation as local green space (LGS) as set out in paragraph 100 of the NPPF. I am assured that this area is in close proximity to the Penrith built up area and is an area which is considered demonstrably special by the community and it does hold significance, in terms of its landscape value, its use for community events, its recreational value and indeed its ecological value – I discovered that it is home to red squirrels. It is an asset that is on the doorstep of the town and is local in character. The key consideration is whether, at 40 ha, it is “an extensive tract of land”. If I conclude that it is, then I would not be able to conclude that it meets all the Secretary of States’ policy on LGS – which is one of the basic conditions.
8. There was a frank and open discussion regarding what the Town Council was seeking to prevent by way of inappropriate development and equally the owners were candid that they did not have major development aspirations but did point to the potential for small scale tourist development such as forest lodges/ pods or glamping facilities, which it was stated would be policy compliant were the land not designated local green space, which may be prejudiced by a LGS designation. There was also a concern that such a designation could be material to any future felling licenses.
9. It would appear that the Town Council were reassured regarding the intentions of the Estate in that regard, especially in view of the restrictions imposed by the steep gradient and in fact there was discussions on possibly extending public access and introducing other public facilities such as forest gyms which were mentioned by David Gill.
10. During the hearing I offered a possible alternative solution, that rather than stretching the definition of LGS in order to secure the protection of the wooded slopes of Beacon Hill, which the community clearly aspired to, one possible option would be to look as to whether a separate policy could achieve both the aspirations of the Town Council - to protect the forest area so close to the town from inappropriate development yet which would not frustrate the legitimate commercial aspirations of the landowner.
11. I am therefore offering the two parties plus representatives of Eden District Council, the opportunity to explore the possible drafting of such a policy, which then could be suggested to me, as a possible recommendation, that I could make in my report.
12. Clearly if either party does not wish to engage in that discussion or if it is impossible to reach a jointly agreed position, then I need to be advised and I will continue with the examination of this issue, based on the respective positions as set out already and make appropriate recommendations.
13. I do understand that if the Town Council is to support a jointly proposed policy then it will be a matter that will need to be subject to appropriate Town Council approval, but it is a matter that merits taking such time as is necessary to secure a position that achieves both parties’ aspirations.

### Policy 13: Town Centre Improvements

14. During our brief discussion on this policy, during the afternoon session, Michael Wellock, the Town Council's planning adviser, agreed that the submitted policy or its supporting text, required greater clarity as to what sort of development would be expected to make contributions to town centre improvements either by way of financial contribution or by onsite delivery. He offered to provide me with a written note expanding on how the Town Council envisaged the policy operating, which could then assist developers/ retailers and decision makers in understanding what the policy is seeking to achieve. I would welcome such an elaboration and also would ask for the Town Council to demonstrate how such contributions would be meeting the 3 tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

### Habitat Regulation Assessment

15. In my Initial Comments document, I asked Eden District Council to send me a copy of its screening decision in respect of the Habitats Regulations and also confirm that it is happy with the Town Council's screening under the SEA Regulations. It merely responded by saying that it is in agreement with the Town Council's conclusions. I do not think that is sufficient.
16. I would refer the District Council to the provisions of Regulation 105 and 106 of the Conservation of Habitats and Species Regulations 2017 and as it is the District Council which as the Competent Authority must make the determination, whether an assessment under Regulation 105 is required. I set out the relevant extract from the PPG which deals with the screening process.  
*"All plans and projects (including planning applications) which are not directly connected with, or necessary for, the conservation management of a habitat site, require consideration of whether the plan or project is likely to have significant effects on that site. This consideration – typically referred to as the 'Habitats Regulations Assessment screening' – should take into account the potential effects both of the plan/project itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, a [competent authority](#) must make an appropriate assessment of the implications of the plan or project for that site, in view the site's conservation objectives. The competent authority may agree to the plan or project only after having ruled out adverse effects on the integrity of the habitats site. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest and if the necessary compensatory measures can be secured.*

17. In my view it is necessary for the District Council to prepare a screening report and I can send examples of other screening reports which offer a template, if required.

### **Concluding Remarks**

18. I have therefore decided that I will hold the current examination in abeyance until I receive the relevant information. I would specifically ask that Rachael Armstrong at Eden District Council, liaises with Lowther Estates and the Town Council on the Beacon Hill discussions.
19. At the hearing I was suggesting a timescale for these discussions and the provision of the additional information but upon reflection I do not consider that an arbitrary time limit will necessarily help, especially in terms of preparing the maps, carrying out the HRA screening and allowing genuine discussions to take place on a possible Beacon Hill.
20. Clearly the sooner the information is provided, then the sooner that the examination can be concluded.
21. Finally, I would ask that a copy of this note be sent to Andy Murphy at Stansgate Planning and also that it be placed on the respective websites.

John Slater BA(Hons), DMS, MRTPI.

John Slater Planning Ltd

10<sup>th</sup> February 2021