



# Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR  
Tel: 01768 899773 Email: [deputytownclerk@penrithtowncouncil.co.uk](mailto:deputytownclerk@penrithtowncouncil.co.uk)

DATE: 23 September 2019

Dear Councillor

You are hereby summoned to attend a meeting of the:

## **PLANNING COMMITTEE**

to be held on:

Monday 7 October 2019 2.00 pm - 2.45 pm the Boardroom, Penrith Town Council Offices, Unit 1, Church House, 19-24 Friargate, Penrith

Mrs V. Tunnadine

### **TOWN CLERK**

*(Please Note: Under the Openness of Local Government Bodies Regulations 2014 this meeting has been advertised as a public meeting and as such could be filmed or recorded by broadcasters, the media or members of the public)*

When it is proposed to consider the following business:-

# **AGENDA FOR THE PLANNING COMMITTEE**

**Monday 7 October 2019**

**2.00 PM – 2.50 PM**

**the Boardroom, Penrith Town Council Offices, Unit 1, Church House,  
19-24 Friargate, Penrith**

## **1. Apologies for Absence**

To receive apologies from members.

## **2. Minutes of the Previous Meeting**

To authorise the Chairman to sign the Minutes of the Meeting of the Planning Committee held on 2 September 2019 as a true record.

## **3. Declaration of Interests and Dispensations**

To receive any declarations of interest by elected or co-opted Members of any disclosable pecuniary or other registrable interests relating to any items on the agenda for this meeting and to decide requests for dispensations. Members are reminded to make any declarations at any stage during the meeting if it becomes apparent that this may be required when a particular item or issue is considered

***Note:** 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 clerk in advance of the meeting*

## **4. Public Participation**

Members of the public who have requested in writing to speak prior to the meeting, are invited to speak on matters related to the agenda for up to three minutes.

## **5. Public Bodies (Admission to Meetings) Act 1960 – Excluded Item**

To consider whether any agenda items should be considered without the presence of the press and public, pursuant to the Public Bodies (Admission to Meetings) Act 1960 Section 2.

## **6. Draft Housing Supplementary Planning Document – Public Consultation**

To consider the draft Housing Supplementary Planning Document (SPD) (<https://www.eden.gov.uk/planning-and-building/planning-policy/eden-local-plan/supplementary-planning-documents/housing-spd/>) produced by EDC to provide detailed guidance on the interpretation of policies in the Eden Local Plan 2014-2032 that relate to housing. The Housing SPD adds details to policies in the Eden Local Plan, it does not create new policy nor allocate further sites for development.

## **7. Local Plan Review**

To note that Eden District Council's Executive agreed on 3 September to undertake a full review of the Local Plan.

## 8. Penrith Parking and Movement Study

To nominate four Councillors to sit on the PPMS stakeholder group and attend stakeholder workshops.

## 9. Annual Review of the Eden Traffic Regulation Orders

To consider the proposed changes to Traffic Regulation Orders at:

- Friargate
- Harrison Street
- Sand Croft
- Askham Crescent
- Gillan Way

## 10. Highways Concern

To consider a request from a resident expressing concern regarding safety at the junction of Sandgate / Fell Lane / Benson Row, and decide whether to lobby Cumbria County Council regarding the issue.

## 11. Street Naming and Numbering

To consider proposals to name a development off Beacon Edge.

## 12. Adoption of CIL

To reaffirm the minute of 3 December 2018 requesting CALC to lobby EDC to adopt CIL.

## 13. Planning Applications

### a) Delegated Responses – To Note

Planning application number:	19/0554
Site address:	CARLETON PARK CARLETON PENRITH
Description:	Installation of multi-use games area and path.

**Proposed Response:** No objection, this area will provide a facility for people of all ages to be active and participate in sporting and outdoor activities.

Planning application number:	19/0514
Site address:	EH BOOTHS WESTGATE HOUSE BRUNSWICK ROAD PENRITH CA11 7JU
Description:	Installation of 2 no. vehicle charging stations within car park area.

**Proposed Response:** Fully support this application which supports one of the points in Objective 6 of the emerging Neighbourhood Plan and provides a much needed facility in the town.

Planning application number:	19/0553
Site address:	MILBURN HOUSE BOWSCAR ROAD BOWSCAR PENRITH CA11 9NW
Description:	Erection of an agricultural building to house cattle.

**Proposed Response:** No objection

Planning application number:	19/0580
Site address:	HASTY BANK BOWSCAR ROAD BOWSCAR PENRITH CA11 9NW
Description:	Removal of 2 no. sections of hedegrow.

**Proposed Response:** No objection in principle to the removal of the hedges but would like to see a number of trees planted on the boundaries of the field (details to be agreed with the Arborist) to maintain carbon retention and mitigate the effects on the environment.

Planning Application Number:	19/0611
Site Address:	1 NEWTON HOUSE NEWTON ROAD PENRITH CA11 9EE
Description:	Remove Apple tree in north-west corner of site; Reason: As a result of the extent of pruning required to erect the scaffolding and the proximity of the drainage excavation works that will have a significant effect upon the roots; Tree Preservation Order No 191, 2018, Newton House, Penrith.

**Proposed Response:** No objection in principle to the removal of the tree but would like to see replacement trees planted on the site (details to be agreed with the Arborist) to maintain carbon retention and mitigate the effects on the environment.

Planning application number:	19/0593
Site address:	BARCO LODGE FOLLY LANE PENRITH CA11 8NA
Description:	Variation of condition 2 (plans compliance) to alter garage accommodation to under the building attached to approval 13/0962.

**Proposed Response:** No objection

Planning application number:	19/0628
Site address:	14 MIDDLEGATE PENRITH CA11 7PG
Description:	Advertisement consent for 1 no. illuminated fascia sign and 1 no. illuminated projecting sign.

**Proposed Response:** No objection

Planning application number:	19/0627
Site address:	13 - 14 MIDDLEGATE PENRITH CA11 7PG
Description:	Installation of new shopfront and entrance doors, installation of 4 no. windows to first floor and re-render addition of black PVCu fascia and replacement of existing air conditioning units.

**Proposed Response:** No objection

Planning Application Number:	19/0646
Site Address:	EDGE CUMBE FELL LANE PENRITH CA11 8AD
Description:	Single storey side extension.

**Proposed Response:** No objection

### **b) Planning Applications for Consideration**

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

Planning application number:	19/0624
Site address:	LAND AT FIELD 5070 INGLEWOOD ROAD STONEYBECK PENRITH
Description:	Proposed erection of detached live-work unit in association with existing timber processing

Planning application number:	19/0565
Site address:	ASH GROVE ALEXANDRA ROAD PENRITH CA11 9AN
Description:	Listed building consent for the addition of solar PV panels to garage roof.

Planning application number:	19/0600
Site address:	ASH GROVE ALEXANDRA ROAD PENRITH CA11 9AN
Description:	Addition of solar PV panels to garage roof.

Planning application number:	19/0636
Site address:	LAND SOUTHWEST OF MILE LANE REDHILLS PENRITH CA11 0DT
Description:	Outline planning permission for use classes B1 (business), B2 (general industrial) and B8 (storage and distribution) with approval for access

Planning application number:	19/0640
Site address:	4 St Andrew's Churchyard, Penrith CA11 7YE
Description:	Listed building consent for retention of internal and external decoration and replacement of external hanging sign.

Planning application number:	19/0664
Site address:	6 BEACON SQUARE PENRITH CA11 8AJ
Description:	Proposed alterations and extension.

Planning application number:	19/0676
Site address:	MOORFIELD LOWTHER STREET PENRITH CA11 7UW
Description:	Remove Silver Birch tree in rear garden due to internal decay; Penrith New Streets Conservation Area.

#### **14. Neighbourhood Plan**

To receive a verbal update on the work being undertaken for the Neighbourhood Plan.

#### **15. Next Meeting**

To note that the next Planning Committee Meeting will be held 2.00pm – 2.50pm, in the Boardroom, Penrith Town Council Offices, Church House, 19-24 Friargate, Penrith

For the attention of the Planning Committee

Councillor S Jackson

Chairman

Councillor G Bowen

Vice Chairman

Councillor R Kenyon

Councillor D Knaggs

Councillor C Shepherd

Councillor H Snell

Councillor J Fallows – Standing Deputy

For information to all other Councillors

Councillor R Burgin

Councillor M Clark

Councillor S Clarke

Councillor J Davies

Councillor P Donald

Councillor N Hawkins

Councillor D Lawson



# Penrith Town Council

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Minutes of the meeting of the:

## **PLANNING COMMITTEE**

Held on: Monday 2 September 2019, Unit 1, Church House, 19-24 Friargate, Penrith.

### **PRESENT:**

Cllr Jackson - Chairman  
Cllr Kenyon  
Cllr Knaggs  
Cllr Shepherd  
Cllr Snell

Deputy Town Clerk



# **MINUTES FOR THE PLANNING COMMITTEE**

**2 September 2019**

**2.00PM – 3.10 PM Unit 1, Church House, 19-24 Friargate, Penrith**

## **PL/19/21 Apologies for Absence**

Apologies for absence were received from Councillor Bowen.

## **PL/19/22 Minutes of Previous Meeting**

Members **RESOLVED** that the minutes of the meeting of the Planning Committee held on 8 July 2019 be signed by the Chairman as a true and accurate record.

Members were advised that current legislation on high hedges comes under Section 8 of the Anti-Social Behaviour Act which allows Councils to take action where the hedge has grown to a height which adversely affects the complainant's reasonable enjoyment of their property. Permission is not required to plant a hedge on your property but you are responsible for looking after it.

If part of a Leylandii hedge grows over the boundary, owners of the neighbouring property have the right to cut it back to their boundary but anything they cut remains the property of the person who has the hedge who must be asked what they want done with any trimmings.

The Anti-Social Behaviour Act (2003) only applies to:

- Hedges of two or more evergreen or mostly evergreen trees, not to individual trees;
- Hedges over two metres tall; and
- Hedges affecting domestic property.

The owner of the hedge cannot be forced to cut the hedge below 2 metres in height or to remove it entirely. A neighbour who fails to cut a hedge could be prosecuted and fined £1000.

## **PL/19/23 Declarations of Interest and 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.

Councillor Shepherd declared that application No 19/0592 was near but not adjacent to his property. He did not know the applicants and would take part in the debate and decision thereon.

## **PL/19/24 Public Participation**

No members of the public had requested in writing to speak prior to the meeting. Councillors Davies and Whitby were in attendance and wished to speak briefly on matters on the agenda when the agenda item arose. The Chairman agreed to this request.

## PL/19/25 Public Bodies (Admissions to Meetings) Act 1960 – Excluded Items

**RESOLVED** that there were no agenda items to be considered without the presence of the press and public, pursuant to the Public Bodies (Admissions to Meetings) Act 1960 Section 2.

## PL/19/26 Penrith Parking and Movement Study

It was reported that the response of Penrith Town Councillors had been forwarded to Cumbria County Council and been considered by the Eden Local Committee. Members were advised that guidance from the Highways Agency advises that the collection of data - relating to transport - should be collected in neutral months to reflect the typical situation. These months are September, October, April, May and June as representative of average / non-exceptional days. This is to ensure that data collected is representative of normal conditions. It is proposed to undertake a survey to assess people's behaviour on why they use different parking locations and the means by which they get there.

While ELC Members fully accept and agree with the Town Council Members' assertion that the traffic utilising the town is likely to be up on the average in April, they are comfortable with the technical officer advice that progressing with the study this year will still offer robust and relevant intelligence and will not negatively impact the study. With this in mind, and, given the importance of this work which has been a priority for the people of Penrith for a number of years, ELC Members would wish to progress to the timings as described in the original scope.

A meeting has been set up on 9 September at 3pm with Members and Technical Officers from Cumbria County Council to discuss and hopefully assuage concerns so that continuation with the co-delivery of this important study for Penrith can continue.

## PL/19/27 Planning Applications

### a) Delegated Responses

Members noted the planning responses submitted under delegated powers by the Deputy Town Clerk between the scheduled meetings of the Committee:

Planning application number: 19/0425  
Site address: 10 WETHERIGGS LANE PENRITH CA11 8PD  
Description: Proposed extensions to existing detached dormer bungalow.

**Response:** No Objection

Planning application number: 19/0421  
Site address: ENTERPRISE RENT-A-CAR HAYTONS GARAGE HAWESWATER ROAD PENRITH CA11 9EU  
Description: Replacement of existing structure and lean-to carwash with modular building and 1 vehicle carwash bay.

**Response:** No Objection

Planning application number: 19/0422  
Site address: ENTERPRISE RENT-A-CAR HAYTONS GARAGE HAWESWATER ROAD PENRITH CA11 9EU  
Description: Advertisement consent for 3 internally illuminated fascia signs.  
**Response:** No Objection

Planning application number: 19/0423  
Site address: AGRICULTURE HOUSE CROMWELL ROAD PENRITH CA11 7JW  
Description: Installation of 1 no. condensing unit, 1 no. heat recovery unit and duct work to rear of property.  
**Response:** No Objection

Planning application number: 19/0273  
Site address: PENRITH AFC FRENCHFIELD PARK PENRITH CA11 8UU  
Description: Ground floor office extension.  
**Response:** No Objection

Planning application number: 19/0463  
Site address: 1 SCOTT YARD CORNEY SQUARE PENRITH CA11 7PU  
Description: Variation of condition 2 (plans compliance) to extend existing dwelling into adjoining building and omit bungalow and flats attached to approval 16/0384.  
**Response:** No objection, this reduces the number of units

Planning application number: 19/0444  
Site address: 51 King Street Penrith CA11 7AY  
Description: Advertisement consent for 2.no illuminated fascia signs, 1 no. illuminated hanging sign, 1 no hand painted lettering sign, 5 no. vinyl text window signs, 1 no. vinyl sign, 2 no. upward flood lights and 1 no. lantern.  
**Response:** See documents attached to planning application 19/0446, No Objection

Planning application number: 19/0472  
Site address: G R ARCHITECTS 97 LOWTHER STREET PENRITH CA11 7UW  
Description: Retrospective application for replacement porch with garden room.  
**Response:** No objection

Planning application number: 19/0489  
Site address: NEWTON HOUSE NEWTON ROAD PENRITH CA11 9EE  
Description: Fell mature Birch tree in Area 1; Reason: The tree requires the removal of a large co-dominant stem to facilitate the approved development under 18/0913, this will result in a very large wound and leave the tree unbalanced, therefore removal and replacement is an appropriate course of action as agreed with the Council Arbiculturist on site 27/6/19; Tree Preservation Order 191, 2018, Newton House, Penrith.

**Response:** No objection but would like to see a native hardwood planted to replace this tree

Planning application number: 19/0492  
Site address: PENRITH (NORTH LAKES) STATION ULLSWATER ROAD PENRITH CA11 7JQ  
Description: Listed Building Consent for installation of cycle racks with cycle repair stand and pump.

**Response:** No objection

Planning application number: 19/0502  
Site address: LONSDALE VILLA FELL LANE PENRITH CA11 8AA  
Description: T1 and T2 Fir trees: Fell trees as they have started to block light into the property and T1 is becoming a concern around the entrance / exit of the garage; Penrith New Streets Conservation Area.

**Response:** No objection but work to be carried out at the end of the nesting season

Planning application number: 19/0459  
Site address: 4 ST ANDREWS CHURCHYARD PENRITH CA11 7YE  
Description: Change of use of office (B1) to beauty and hair salon (sui generis).

**Response:** No objection

Planning application number: 19/0487  
Site address: 2 PENRITH INDUSTRIAL ESTATE HAWESWATER ROAD PENRITH CA11 9EU  
Description: Change of use from vehicle showroom (sui generis) to commercial vehicle hire and sales centre (sui generis) with associated workshop facilities and provision of bunded fuel tank, jet wash bay, cycle shelter and customer car parking.

**Response:** No objection

Planning application number: 19/0489  
Site address: NEWTON HOUSE NEWTON ROAD PENRITH CA11 9EE  
Description: Fell mature Birch tree in Area 1; Reason: The tree requires the removal of a large co-dominant stem to facilitate the approved development under 18/0913, this will result in a very large wound and leave the tree unbalanced, therefore removal and replacement is an appropriate course of action as agreed with the Council Arbiculturist on site 27/6/19; Tree Preservation Order 191, 2018, Newton House, Penrith.

**Response:** No objection but would wish to see replacement planting

Planning application number: 19/0474  
Site address: 1 TYNEFIELD DRIVE PENRITH CA11 8JA  
Description: Demolition of existing garage, erection of 2 storey side extension on similar footprint, single storey rear extension and front porch.

**Response:** No objection

Planning Application Number: 19/0559  
Site Address: 3 CORNEY PLACE PENRITH CUMBRIA CA11 7PY  
Description: Extensions to dwelling and erection of replacement garage.

**Response:** No objection

Planning application number: 19/0507  
Site address: THE ROYAL HOTEL WILSON ROW PENRITH CA11 7PZ  
Description: Advertisement consent for 2no illuminated fascia signs, 1no illuminated hanging sign, 1no hoarding, 1no illuminated hoarding, 2no poster cases, 1no lantern and 9no floodlights.

**Response:** No objection to signage but would object to faux flowers in a window box (may be indicative only) as they quickly start to fade and look tacky

Planning application number: 19/0508  
Site address: 39 WORDSWORTH STREET PENRITH CA11 7QY  
Description: Proposed replacement of dormer window with larger dormer window and roof works

**Response:** No objection, adjoining property already has a similar window to the one requested.

Planning application number: 19/0499  
Site address: PLOT 8 KITCHEN GARDENS PENRITH CUMBRIA CA11 9GS  
Description: Outline application for one dwelling with all matters reserved.

**Response:** No objection No objection in principle to the development if the house is to be accessed from existing entrance to Kitchen Gardens. PTC would be very concerned if the new house was to have any access directly onto Salkeld Road as this would create a hazardous situation near a busy junction and would wish to object if this was to be the case.

## b) Planning Applications for Consideration

Members considered the following items which had been received and which required a committee decision due to the nature of the applications Further information could be found on the Eden District Council Website

<http://eforms.eden.gov.uk/fastweb/search.asp> by inserting the appropriate planning reference number.

Planning Application Number:	19/0592
Site Address:	26 ARTHUR STREET PENRITH CA11 7TU
Description:	Single storey rear extension.

**RESOLVED** that a response of no objection be returned to Eden District Council.

Planning application number:	19/0579
Site address:	HIGHWAYS DEPOT AREA 13 REDHILLS PENRITH CA11 0FF
Description:	THE DEMOLITION OF AN EXISTING OFFICE BUILDING AND ERECTION OF A NEW OFFICE AND WELFARE BUILDING, ASSOCIATED PARKING AND OTHER ANCILLARY DEVELOPMENT

**RESOLVED** that a response of no objection be returned to Eden District Council.

Planning application number:	19/0602
Site address:	CROSSFIELD FARM BOWSCAR PENRITH CA11 9NQ
Description:	Outline planning permission for Use Class B1/B2/B8 development associated access, car parking, landscaping and ecological enhancement with all matters reserved.

**RESOLVED** that a response be returned to EDC OBJECTING to the application at the present time on the grounds that:

- it is not in compliance with the local plan with no overriding material considerations;
- the site is not adjacent to Penrith with easy walking and cycling links;
- EDC report that there is currently sufficient available employment land allocated within the Eden Local Plan; and
- The development would cause harm to local amenity through the loss of open farmland as it sits in a prominent highly visible position on a major route into the town; and
- There is no previous development on the site.

Penrith Town Councillors feel that sites near J41 may be suitable in the future and would wish to see land available for economic growth however they feel that at the present time this site is unsuitable in the absence of a holistic overall plan for the District.

## **PL/19/28 Neighbourhood Development Plan**

The Chairman of the Neighbourhood Plan Group updated members on progress. Following the meeting of the Group held on 29 May when the proposed responses to all the comments were considered and approved, the Planning Consultant has been working on the approved revisions to the draft document which will be considered by Council on 23 September.

Members were also advised that EDCs Executive would be considering a report on 3 September recommending a full review of the Eden Local Plan which may have a knock-on effect on the Neighbourhood Plan.

## **PL/19/29 Next Meeting**

Members noted that the next Planning Committee Meeting would be held on Monday 7 October 2019 in the Boardroom, Penrith Town Council Offices, Church House, 19-24 Friargate, Penrith

.....  
Chairman

### For the attention of the Planning Committee

Councillor S Jackson	Chairman
Councillor G Bowen	Vice-Chairman
Councillor D Knaggs	
Councillor C Shepherd	
Councillor H Snell	

Councillor J Fallows – Standing Deputy

### For information to all other Councillors

Councillor R Burgin  
Councillor M Clark  
Councillor J Davies  
Councillor P Donald  
Councillor N Hawkins  
Councillor D Lawson  
Councillor C Whitby