



Penrith Town Council

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

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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