



Penrith Town Council

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

Minutes of the meeting of the:

PLANNING COMMITTEE

Held on: Monday 7 October 2019, Unit 1, Church House, 19-24 Friargate, Penrith.

PRESENT:

Cllr Bowen – Vice Chairman
Cllr Kenyon
Cllr Knaggs
Cllr Shepherd
Cllr Snell

Deputy Town Clerk

MINUTES FOR THE PLANNING COMMITTEE

7 October 2019

2.00PM – 3.25 PM Unit 1, Church House, 19-24 Friargate, Penrith

PL/19/30 Apologies for Absence

Apologies for absence were received and accepted from Councillor Jackson.

The meeting was chaired by the Vice-Chairman, Councillor Bowen.

PL/19/31 Minutes of Previous Meeting

Members **RESOLVED THAT** the minutes of the meeting of the Planning Committee held on 2 September 2019 be signed by the Chairman as a true and accurate record.

PL/19/32 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.

Councillors Kenyon and Shepherd both declared a registrable interest in that they knew the applicant for Planning Application 19/0676 but declared this would not affect their decision making.

PL/19/33 Public Participation

No members of the public had requested to speak in writing prior to the meeting.

PL/19/34 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/19/35 Draft Housing Supplementary Planning Document – Public Consultation

Members considered 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.

RESOLVED THAT a response be returned to EDC advising that:

- The diagram on P9 was confusing and that an additional line was required leading from 'Is the site in Penrith' as the yes line ran immediately into the 'no' line;
- Given that the Housing Need Survey and NP consultations had identified the need for smaller 2/3 bed houses and bungalows more emphasis needs to be placed on affordability and the fact that some affordable bungalows are also required;

- All affordable houses should be built to a proper standard, scattered throughout the development and should not be distinguishable within the development.

PL/19/36 Local Plan Review

RESOLVED THAT it be noted that Eden District Council's Executive had agreed on 3 September to undertake a full review of the Local Plan.

PL/19/37 Penrith Parking and Movement Study

Members were advised that Cumbria County Council had awarded the tender to a consultant for the Parking and Movement Study and that the Town Council had been involved in assessing and awarding the tender. An inception meeting would be held with the consultant on 17 October to go through the details.

The Committee were asked to nominate four members of the Planning Committee (under whose remit highways issues fall) to sit on the PPMS delivery group.

RESOLVED THAT:

1. Councillors Kenyon, Knaggs and Shepherd be appointed to the group;
2. Councillor Jackson be asked if he wished to be involved and if not Councillor Clarke be approached; and
3. any queries for the inception meeting be forwarded to the Deputy Town Clerk or Economic Development Officer by Monday 14 October at the latest so that they can be raised.

PL/19/38 Annual Review of the Eden Traffic Regulation Orders

Members considered proposed changes from Cumbria County Council to the Traffic Regulations Orders at:

- Friargate (one way traffic restrictions)
- Harrison Street (removal of parking bays and introduction of no waiting at any time plus extension of existing residents parking bays on Foster Street)
- Sand Croft (no waiting at any time)
- Askham Crescent (one way traffic restrictions)
- Gillan Way (introduction of 7.5t weight restriction).

RESOLVED THAT a response be returned to Cumbria County Council supporting the proposals but requesting that appropriate above ground signage be installed at Friargate and Askham Crescent for the avoidance of any doubt.

PL/19/39 Highways Concern

Members were advised that an email had been received from residents expressing concern about the safety of the junction(s) of Sandgate / Fell lane / Benson Row. The junction is always a problem with many drivers going straight across without giving way, particularly if coming from the Sandgate side. This had been exacerbated during the recent closure of Middlegate when all the traffic was diverted through this junction.

RESOLVED THAT a letter be sent to Cumbria County Council asking them to give serious consideration to making changes at this junction.

PL/19/40 Street Naming and Numbering

Members considered a request from Atkinson Homes for address allocation for their development off Beacon Edge on the former BUPA Care Home site.

RESOLVED THAT their suggestion of Mulberry Gardens be accepted with the provision that a number of Mulberry Trees be used in the landscaping and not just one or two.

PL/19/41 Community Infrastructure Levy (CIL)

Further to the decision of the Planning Committee made on 3 December 2018 to request CALC to lobby EDC, on behalf of all Parish Councils in Eden, to adopt CIL, it was **RESOLVED THAT** the decision be reaffirmed and that CALC be requested again to lobby for CIL to be adopted.

PL/19/42 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:	19/0554
Site address:	CARLETON PARK CARLETON PENRITH
Description:	Installation of multi-use games area and path.

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.

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.

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.

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.

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.

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.

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.

Response: No objection

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

Response: No objection

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

RESOLVED THAT a response of NO OBJECTION be returned to EDC. Members felt that the development accorded to Policy NPPF 81(d) and Policy RUR4 of the Eden Local Plan.

The following two applications were considered together but decided upon separately

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.

RESOLVED THAT a response of NO OBJECTION be returned to EDC

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

RESOLVED THAT a response be returned to EDC supporting the application.

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

The Committee received a presentation from Councillor Davies who was speaking on behalf of residents in the area objecting to the application.

RESOLVED THAT concern be expressed to EDC regarding the access arrangements, the turn out onto the busy and fast flowing A66 and the additional effect on J40 of increased HGV or large traffic from this development. It was felt that class B8 was not suitable for this site.

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.

RESOLVED THAT a response of NO OBJECTION be returned to EDC however it was pointed out that despite the end date for the consultation the work had already been undertaken.

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

RESOLVED THAT a response of NO OBJECTION be returned to EDC

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.

RESOLVED THAT a response of NO OBJECTION be returned to EDC however it was pointed out that despite the end date for the consultation a decision notice was already on the EDC website.

Planning application number:	19/0426
Site address:	LAND OFF CARLETON ROAD PENRITH
Description:	Residential development of 149 dwellings.

RESOLVED THAT a response **OBJECTING** to the application on the following grounds:

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 houses being developed in any Storey Homes development. Densities are varied throughout the estate however with an additional 35% of houses being proposed in this application for the same space the overall density of the development has increased; (Policy 6 in the emerging Neighbourhood Development Plan). We can only comment on this application as there is no application for the wider site.
2. the split for affordable rent and intermediate housing should remain at 50:50 as agreed in principle rather than the 43:56 proposed in the supporting planning statement;
3. little regard has been taken of the Housing Needs Survey undertaken in 2018. The development still 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 of a suitable size i.e. homes for young peoples, the elderly, singles, the disabled and small families.
(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.

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’.

4. there are issues regarding highways safety as the junction is unsuitable for the number of cars that will be generated by both the original application and the number of additional houses proposed by this application as this is a relatively fast and busy main road and tourist route. The speed limit should be reduced to 30 mph on the A686 through Carleton.
5. although the ‘play equipment’ seems to have been moved into a central area closer to the affordable homes, the play equipment suggested, is not varied enough consisting of various forms of balance beams. Penrith Town Council would wish to see a centralised secure fenced play area with multi activity play equipment. This together with open community space for all ages will help to promote social inclusion and healthy lifestyles.

(Policy 4 in Penrith Town Council’s emerging Neighbourhood Plan is about accessibility and social inclusion and states that ‘to improve social inclusion, where appropriate, proposals should provide high quality, well located, accessible, functional, centralised public open space, play areas and public spaces that allow people of all ages and backgrounds to meet and lead healthy and active lifestyles.

6. the style of windows suggested means that they are too small to allow maximum natural light in and thereby reduce energy usage for residents.

The developers should take into account Policy 1 (Sustainable Development in Penrith) of Penrith Town Council’s emerging Neighbourhood Development Plan which has been developed from consultations with the public;

‘Development proposals should be designed to incorporate sustainable development principles and measures. These measures should build in resilience and achieve development that is adaptable to meet the challenges of future climate and socio-economic change. Development proposals should demonstrate, where practicable, that they meet all of the following criteria:

- a. The inclusion of design features and measures that encourage active and healthy lifestyles, for example, good links to the walking, cycling and public transport network, access to private or shared garden space and public recreation space and incorporation of cycle storage;
- b. Capacity of the development to prevent flooding and water course pollution and measures to minimise water consumption, including the incorporation of sustainable urban drainage systems, rainwater harvesting and water efficient fittings;

- c. Design that includes measures to minimise energy use and consumption, seeks to include the highest available standards of energy efficiency measures for buildings, and provides, where appropriate, on-site production of energy using renewable sources, such as photo voltaics, ground/air source heat pumps and small wind turbines;
- d. Inclusion of measures to reduce resource consumption and measures that re-use and recycle resources, including:
 - i. Using sustainable building materials that are capable of recycling following demolition (e.g. masonry, concrete, glass, timber, roofing materials, pipework and insulation)
 - ii. Utilising recycled building materials, wherever possible (e.g. masonry, roofing materials, aggregate).
- e. Maximise opportunities for active means of transport, (walking, cycling and public transport) and to promote use of low carbon vehicles by providing charging points;
- f. Use of sustainable, renewable, healthy products (e.g. by avoiding toxic or carcinogenic materials) that embody low energy output, and are, wherever possible, sourced locally;
- g. Protection of greenspaces, creation of new greenspaces and, where applicable, net gains in biodiversity;
- h. Protection and enhancement of the local identity, character and distinctiveness of the Town

The developers should also take into account Policy 2 (Environmentally Sustainable Design) of Penrith Town Council's emerging Neighbourhood Development Plan which has been developed from consultations with the public;

Development should be designed in such a way that it promotes high quality, environmentally sustainable design. Proposals should be informed by, and respect, the Town's wider character and the local site context. High quality, contemporary design will be encouraged where it reflects these criteria.

Planning applications will be assessed against the following:

- a. Design and Access Statements, where they are required to accompany a planning application, should set out how the proposal achieves high quality and environmentally sustainable design;
- b. For planning applications classed as major development, the Design and Access Statement should include an Energy Statement setting out how the proposal meets zero or low carbon targets and includes climate change resilience measures. As a minimum, Building Research Establishment Environmental Assessment Method (BREEAM – Good or Excellent Standard) or Code for Sustainable Homes (Level 4 equivalent) should be achieved;
- c. Innovative sustainable design solutions will be encouraged to ensure that buildings remain at the forefront of sustainable building design. For example, measures to be considered include things such as:

- i. Adopting water recycling methods at source;
 - ii. Using sustainable building materials;
 - iii. Recycling of grey and rainwater;
 - iv. Adopting high standards for thermal insulation and using features such as building orientation and natural ventilation to maximise passive solar gain and to aid natural heating and cooling of buildings and
 - v. Inclusion of design features that encourage more sustainable lifestyles e.g. electric vehicle charging points, convenient storage of waste for recycling etc.
7. Penrith Town Councillors are concerned about the phrases used in 3.12 and 3.13 of the Supporting Planning Statement that the Bailey is 'in the main compliant with the national space standards' and the Harper is 'almost fully compliant with the nationally described space standard' PTC strongly feel that those in affordable housing need should have housing that meets the nationally described space standards.

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. 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 and the other has reported that it is close to capacity.

Councillors also remain concerned about the junction with the A686 which is a busy main road. The new developments on both sides of the road will impact heavily in this area and, with a new primary school proposed on the Persimmon site, safety to school must be a priority.

An air quality note was submitted as an addendum to the air quality assessment which supported the original application for 110 dwellings. The conclusion of the note is that the air quality impacts associated with 149 dwellings will not exceed those previously predicted however Penrith Town Council queries how the additional dwellings will not have an impact.

PL/19/43 Neighbourhood Plan

Councillor Knaggs advised Members that following approval at Council, final amendments were being made to the Neighbourhood Plan by the Planning Consultant and the Deputy Town Clerk. The Environmental Statement had been written and the Consultation Statement was being finalised before coming to this meeting to be signed off. The Draft PNDP would then be passed to EDC who had to do the Regulation 16 Consultation on our behalf.

PL/19/44 Next Meeting

Members noted that the next Planning Committee Meeting would be held on Monday 3 November 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 S Clarke
Councillor J Davies
Councillor P Donald
Councillor N Hawkins
Councillor D Lawson