



# 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 3 December 2018, Unit 1, Church House, 19-24 Friargate, Penrith.

### **PRESENT:**

Cllr Jackson - Chairman  
Cllr Baker – Vice Chairman  
Cllr Bowen

Deputy Town Clerk

# **MINUTES FOR THE PLANNING COMMITTEE**

**3 December 2018**

**2.00PM – 3.30 PM Unit 1, Church House, 19-24 Friargate, Penrith**

## **PL/18/52 Apologies for Absence**

Apologies for absence were received from Councillor R Kenyon for this meeting.

## **PL/18/53 Minutes of Previous Meeting**

Members **RESOLVED** that the minutes of the meeting of the Planning Committee held on 5 November 2018 be signed by the Chairman as a true and accurate record with a revision to minute number PL/18/50 which should read Regulation 14 Pre-Submission Consultation.

## **PL/18/54 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.

There were no declarations of interest made at the meeting.

## **PL/18/55 Public Participation**

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

## **PL/18/56 Public Bodies (Admissions to Meetings) Act 1960 – Excluded Items**

**RESOLVED** that agenda item 13 be considered without the presence of the press and public, pursuant to the Public Bodies (Admissions to Meetings) Act 1960 Section 2

## **PL/18/57 Highways Issues**

The Deputy Town Clerk updated Members on several highways issues that the Town Council had raised with Cumbria County Council.

- In March 2017, the Town Council requested consideration of the installation of a zebra crossing between Angel Square and Bowling Green Lane. Assessment of the site has not yet been undertaken and will be carried out after Christmas to see whether it meets the criteria for a crossing.
- In December 2017, the Town Council raised the issue of the pedestrian crossing on Friargate outside Merlin Court, which residents considered to be dangerous. The County Council had assessed the crossing and the lights had been upgraded. No other action was to be taken as visibility was considered adequate and there were no reported accidents.
- Following concerns that we raised about the parking outside the Old Laundry on Friargate, the County Council undertook consultation on reconfiguration of the area which should be undertaken in March. A light column is likely to be moved as part of the reconfiguration.

- In September, following an email from members of the public, the Town Council requested the County Council to consider the installation of a controlled crossing on Stricklandgate near to Portland Place. The County Council have assessed possible points but have stated that there are no plans to take this forward at the current time.
- The County Council are aware of problems with parking in front of the Two Lions and are taking the necessary action.
- The Parking and Movement Study for Penrith has been delayed, the County Council will advise when it starts and will involve the Town Council.
- Residents on Castle Hill Road are unhappy with the double yellow lines which they say are too extensive allowing them nowhere to park. **RESOLVED** that the Chairman write to Cumbria County Council reiterating the Town Council's view that a residents parking scheme would have been better in this location.

### **PL/18/58 Cumbria Joint Health and Wellbeing Strategy 2019-2029**

The Committee considered the Cumbria Joint Health and Wellbeing Strategy 2019-2029. Members expressed the view that consultation on what action was going to be taken rather than the key themes would have been more beneficial.

**RESOLVED** that a response be sent back to the County Council stating how the Neighbourhood Plan supported some of the priorities in the strategy.

### **PL/18/59 Council Plan Monitoring**

The Committee reviewed the updated Work Plan and the reasons for any underperformance.

**RESOLVED** that the Work Plan and any reasons for underperformance be noted.

### **PL/18/60 2019-2020 Draft Budget**

The Committee considered the report of the Responsible Financial Officer which set out the draft budget for the Planning Committee for 2019-2020. It was reported that the Regulation 14 Pre-submission Consultation should be undertaken prior the end of the financial year however, in the event of a delay into the 2019-2020 financial year the budget would need to be reconsidered.

**RESOLVED** that the draft budget 2019-2020 be recommended to Council.

## PL/18/61 Planning Applications

### a) Delegated Responses

Planning Application Number: 18/0881  
Site Address: BRUNSWICK SQUARE GARDEN AREA PENRITH CA11 7LL  
Description: 1) Pruning all trees as necessary to provide 2.5m clearance over paths and up to 5m over road; 2) Prune Beech and Lime to clear street lamp; 3) Remove shoot growth from 2 Lime trees; 4) Annual shaping of Hollies, Cypress and Yew; 5) Remove Laburnum with split stem; Penrith Conservation Area.

**Response:** No objection – all works have been suggested and approved by the Tree Officer

Planning Application Number: 18/0865  
Site Address: LAND BEHIND 13-14 CYPRESS WAY PENRITH CA11 8UN  
Description: Group of 3 Ash trees: Remove trees and replace with new suitable trees (Alder or Birch); Tree Preservation Order No 125, 2006, Carleton Heights, Penrith (Group 2). Reasons: Trees are remnant hedgerow trees and display a number of structural defects; stem bifurcation being the most significant. The presence of the three Trees is not suitable with the new housing in the longer term.

**Response:** No objection, Work to be carried out after bird breeding season as per advice provided by DEFRA 'Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In terms of tree felling the main mitigation route to reduce the likelihood of harm to breeding birds is to undertake clearance or destruction of any vegetation or structure which may be used as a breeding site outside the bird breeding season when breeding birds are unlikely to be present (based upon habitat features) or where survey work has confirmed their absence. The bird breeding season will be dependent upon weather conditions and will vary from year to year, but in general is the period between early March and late August.

Planning application number: 18/0873  
Site address: 29 WORDSWORTH STREET PENRITH CA11 7QY  
Description: Remove T1 Birch and T2 Cherry; Penrith New Streets Conservation Area.

**Response:** No Objection but would like to see some replacement planting for the Cherry Tree

Planning application number: 18/0740  
Site address: 1 CEDAR CLOSE PENRITH CA11 8TJ  
Description: Non-material amendment comprising of addition of render to upper floor of extension attached to approval 18/0084.

**Response:** No objection, although others in the short terrace aren't rendered matching the brick might be impossible. Houses opposite in the same road are mostly render and some are a mixture of render and brick making this acceptable.

Planning application number: 18/0826  
Site address: CORNER HOUSE 36 VICTORIA ROAD PENRITH CA11 8HR  
Description: Change of use of guest house and premises to residential.

**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: 18/0913  
Site address: 1 NEWTON HOUSE NEWTON ROAD PENRITH CA11 9EE  
Description: Demolition of former care home and erection of 54 apartments for assisted living with ancillary communal rooms.

**RESOLVED** that a response of NO OBJECTION be returned to Eden District Council with the Town Council's concern about the removal of trees on the site and a request that replacement trees be planted for those felled and care be taken of those that are retained.

Planning application number: 18/0915  
Site address: 1 COMMON GARDEN SQUARE PENRITH NEW SQUARES PENRITH CA11 7FG  
Description: Advertisement consent for 10 non-illuminated signs.

**RESOLVED** that a response of NO OBJECTION be returned to Eden District Council with a request that the back of the signs be used for maps of Penrith to assist visitors rather than being kept blank

Planning application number: 18/0938  
Site address: 2 HUNTLEY AVENUE PENRITH CA11 8NS  
Description: Proposed alterations and extension.

**RESOLVED** that a response of NO OBJECTION be returned to Eden District Council.

Planning application number:	18/0549
Site address:	FIELD TO THE EAST OF INGLEWOOD ROAD BOWSCAR PENRITH
Description:	Change of use of part of agricultural field to football pitch.

**RESOLVED** that a repose of NO OBJECTION be returned to Eden District Council

### **PL/18/62 Neighbourhood Plan**

The content and policies of the draft Neighbourhood Plan will be considered by Council on 10 December following which a summary booklet will be produced which will be sent out for the Regulation 14 Pre-Submission Consultation.

Following a number of queries, Members thanked those involved for their hard work.

### **PL/18/63 Next Meeting**

**RESOLVED** that the next meeting would be held at 3pm on Monday 14<sup>th</sup> January in the Boardroom, 19-24 Friargate, Penrith.

**The Committee considered the following item on Legal Issues without the presence of the press and public as agreed in minute number PL/18/56**

### **PL/18/64 Legal Issues**

The Town Clerk joined the meeting and outlined a legal issue that she wished to pursue. **RESOLVED** that the issue be pursued.

### **PL/18/65 Late Item**

The following item was considered as a late urgent item of business as it required a response by 4 December 2018.

Members discussed a report being presented to the Executive of Eden District Council on 4 December which was considered to be misleading. **RESOLVED** that the following agreed response be sent to Eden District Council.

'Your report to the Executive on 4 December on the Penrith Strategic Masterplan – Public Engagement Update was considered at Committee yesterday and Penrith Town Council wishes to respond regarding the report, most specifically paragraphs 3.1 and 3.4 which we consider to be misleading.

In December 2016, Penrith Town Council was contacted by Barry Cooper seeking a contribution to an Eden Vision document by way of an appendix setting out ambitions and projects for the town. At this point there was no mention of a Masterplan which is seen as a separate document to the Eden Vision.

The Town Council drafted a contribution covering projects on the attached list, as other towns were requested to do. We requested sight of the final document prior to publication to allow us to review the entire document. No response was received despite sending reminders on 6 December 2016 and 1 February 2017. We reiterate that we never saw a final copy of the Eden Vision Document.

With its subsequent evolution into the Penrith Masterplan, the Town Council attended stakeholder meetings and received presentations from LUC about the Masterplan. It was made clear at each meeting that any comments and questions were being raised by the individuals attending as only full Council could agree a formal Town Council response. Penrith Town Council has never had a Leader with executive authority. The Town Council put in its formal response to the Masterplan following a full Council meeting on 19 June but did not contribute to the development of the Masterplan'.

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Chairman

For the attention of the Planning Committee

Councillor S Jackson

Chairman

Councillor P Baker

Vice-Chairman

Councillor R Kenyon

Councillor R Burgin – Standing Deputy

For information to all other Councillors

Councillor J Briggs

Councillor M Clark

Councillor P Donald

Councillor D Lawson

Cllr M Thorley

Councillor D Whipp