

## 6. NEIGHBOURHOOD DEVELOPMENT PLAN POLICIES

- 6.1 This section sets out the planning policies of the PNDP.

These will be used to help determine planning applications in the area and shape the future of Penrith as a place to live, work and visit.

The Policies have been prepared by the Neighbourhood Plan Development Group on behalf of Penrith Town Council.

Each policy is set out under one of the 8 objectives identified for the Regulation 14 Draft PNDP.

Each policy is accompanied by a Background/Justification section that sets out why the policy is needed the evidence used to develop and justify the policy.

This section also includes where necessary, explanatory material setting out how the policy will be used when planning applications and proposals are being assessed and prepared.

### OBJECTIVE 1: SUSTAINABLE DEVELOPMENT

- 6.2 **To ensure that all development in the Town is sustainable and meets the needs of the present without compromising the ability of future generations to meet their own needs and to promote and pursue a transition to a low carbon economy.**

#### 6.3 Policy 1 Sustainable Development in Penrith

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:

1. 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;
2. 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;

3. 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;
4. 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).
5. Maximise opportunities for active means of transport, (walking, cycling and public transport) and to promote use of low carbon vehicles by providing charging points;
6. 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;
7. Protection of greenspaces, creation of new greenspaces and, where applicable, net gains in biodiversity;
8. Protection and enhancement of the local identity, character and distinctiveness of the Town.

## **Background/Justification**

- 6.4 The National Planning Policy Framework (NPPF) sets out that the purpose of planning is to help achieve sustainable development. One component of this is the creation of high-quality buildings and places.
- 6.5 To help achieve this national objective, Policy 1 of the PNDP sets out how planning proposals in Penrith should seek to be sustainable.
- This is an overarching policy of the PNDP and these principles are also amplified in more detail in other policies of the PNDP. Where this occurs, the policies should be read and used in conjunction.
- 6.6 Policy 1 provides a means of assessing proposals to ascertain if they meet the criteria in the Policy.
- 6.7 Policy 1 helps the PNDP deliver on its key theme of delivering a more sustainable Town.

## **Relevant District Planning Policies:**

### **Eden Local Plan 2014-2032**

DEV1 General Approach to New Development  
DEV2 Water Management and Flood Risk  
DEV5 Design of New Development  
ENV5 Environmentally Sustainable Design  
ENV6 Renewable Energy

### **Penrith Town Council Strategic Priorities:**

Health and Wellbeing; Economic Development; Transport; Growth; Community Engagement.

6.8

## **Policy 2 Environmentally Sustainable Design**

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:

1. Design and Access Statements, where they are required to accompany a planning application, should set out how the proposal achieves high quality design and sustainable development;
2. 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;
3. 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.

## Background/Justification

- 6.9 Proposals for new housing will be expected to meet the requirements of the Code for Sustainable Homes (CSH), or for commercial development the Building Research Establishment Environmental Assessment Method (BREEAM). The ministerial statement of 25 March 2015 states that:

"For the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the [Planning and Energy Act 2008](#) in the Deregulation Bill 2015."

- 6.10 Those amendments have not been enacted to date. Setting standards equivalent to the Code for Sustainable Homes Level 4 (CSH4) is consistent with the stated intent of the ministerial statement:

"The government has stated that, from [the enactment of the amendments], the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the government's intention into account in applying existing policies and not set conditions with requirements above a Code level 4 equivalent."

(Ministerial Statement: [The Rt Hon Sir Eric Pickles, Department for Communities and Local Government, 25 March 2015](#))

- 6.11 Applicants will be encouraged to provide Sustainability Statements, or separate sections in submitted Design and Access Statements to provide comprehensive evidence of the sustainability of each development, demonstrating that the design meets the highest feasible and viable standards.

Measures that could be included for major development, standard methods of assessment such as BREEAM and Code for Sustainable Homes (CSH) should be used wherever possible. Following amendments to the Planning and Energy Act 2008 then the standards required by the PNDP and other planning policy will change in accordance with national guidance.

- 6.12 Tackling climate change is a long-standing priority in the UK. Section 19 of the Town and Country Planning Act (as amended by the Planning Act 2008) states that "Development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change".

The NPPF explains that this provision should be complied with “in line with the objectives and provisions of the Climate Change Act 2008” (footnote 16). The 2008 Climate Change Act commits the UK to reduce carbon emissions by at least 80% by 2050, from a 1990 baseline.

- 6.13 The UK Carbon Plan states that, if this target is to be reached, “by 2050 the emissions footprint of our buildings will need to be almost zero”. The English Housing Survey (2008) identified that nearly 80% of the current housing stock were built more than 34 years ago.
- 6.14 The reality is that homes we build today will still be in use in 2050 when all our housing stock must be almost zero carbon. The homes we build today must be built to run without emitting greenhouse gas emissions. If this does not happen, costly energy retrofits may be required within the next 30 years, with those costs likely to fall to the home owner or tax payer.
- 6.15 If we are to limit the increase in global temperature rises to a level that will avoid the worst impacts new development must begin to make the transition to zero greenhouse gas emissions.

### **Relevant District Planning Policies:**

#### **Eden Local Plan 2014-2032**

DEV1 General Approach to New Development  
DEV2 Water Management and Flood Risk  
DEV5 Design of New Development  
ENV5 Environmentally Sustainable Design  
ENV6 Renewable Energy

#### **Penrith Town Council Strategic Priorities:**

Health and Wellbeing; Economic Development; Transport; Growth; Community Engagement.

#### **6.16 Policy 3 Energy Use and Reducing Carbon Emissions**

Developers of major proposals above a threshold of 1,000 square metres or 10 dwellings shall provide at least 10% of the development’s total predicted energy requirements on-site, from renewable energy sources, unless it can be demonstrated that this is neither practicable nor viable.

#### **Background/Justification**

- 6.17 The planning system has a role to play in supporting the transition to a low carbon future (NPPF, para.148).
- 6.18 Policy 3 seeks to set detailed local policy for Penrith so that the national aim of securing radical reductions in greenhouse gas emissions can be met.

- 6.19 For the purposes of this policy renewable energy could also include passive solar design; wind turbines; Biomass, ground and air source heat pumps and district heating schemes.

Such schemes should be practical e.g. small wind turbines in suitable locations, such as where they would not have significant adverse impacts; and, viable, i.e. they can be delivered as part of a wider scheme without affecting the financial viability of the development.



- 6.20 Policy 3 should be read in conjunction with Eden Local Plan 2014-2032 policies ENV5 Environmentally Sustainable Design and ENV6 Renewable Energy.

### **Relevant District Planning Policies:**

#### **Eden Local Plan 2014-2032**

DEV1 General Approach to New Development  
ENV5 Environmentally Sustainable Design  
ENV6 Renewable Energy

#### **Penrith Town Council Strategic Priorities:**

Health and Wellbeing; Growth.

- 6.21 **Policy 4 Accessibility and Social Inclusion**

To ensure that all development proposals meet the needs of all groups and sections of the community they should be in a location that can be reasonably accessed by walking, cycling, those with mobility aids, public transport and motor vehicles. To increase accessibility, proposals should incorporate measures and features to ensure that any routes (e.g. footpaths, streets, roads etc.) through, to and from a site are welcoming, overlooked and safe.

To improve social inclusion, where appropriate, proposals should also:

1. Provide high quality, well located, accessible, functional, centralised public open spaces, play areas and public spaces that allow people of all ages and backgrounds to meet and lead healthy and active lifestyles;
2. Incorporate design features that will allow buildings and spaces the flexibility to adapt and change so they can meet the needs of a changing population (e.g. Lifetime Homes) and new technologies.

## **Background/Justification**

- 6.22 The ELP2014-2032 seeks to achieve “Thriving Communities” (Local Plan Objectives 15, 16 & 17).

Such communities will have “locally accessible, high quality health care”, protected and enhanced community facilities and services where accessibility to them has been maximised, to create a “sense of community and belonging”.

“Lifetime Homes” are ordinary homes designed to incorporate design features to support the changing needs of individuals and families at different stages of life.

- 6.23 Policy 4 of the PNDP is a plan-wide, Penrith-wide policy that seeks to ensure that new development in the Neighbourhood Area promotes social inclusion for all sections of the community and delivers the social role of sustainable development.
- 6.24 Planning’s main way of contributing to this is in the geographical location of land uses, and their physical accessibility (e.g. through design) of buildings and spaces.

Penrith’s population is generally a healthy one. In 2011, 79.6% of residents considered themselves to have “very good” or “good” health and that their day-to-day activities were not limited, but 9.0% of residents considered that day-to-day activities were limited a lot; 10.5% limited a little (Source: 2011 Census).

## **Relevant District Planning Policies:**

### **Eden Local Plan 2014-2032**

DEV1 General Approach to New Development  
DEV3 Transport, Accessibility and Rights of Way  
DEV5 Design of New Development

### **Penrith Town Council Strategic Priorities:**

Health and Wellbeing.

6.25

## Policy 5 Conservation Areas in Penrith

### A. Penrith Conservation Area

Development within or affecting the setting of the Penrith Conservation Area should be designed to take account of the conservation and enhancement of the following:

1. Historic street patterns and layouts including former market places, lanes and yards and the Conservation Area's high degree of permeability;
2. The fine grain of built development and the well-defined building hierarchy with buildings generally two storeys in height and not exceeding four storeys unless of exceptional design and having no other significant adverse impact;
3. Vernacular buildings and styles;
4. Retention re-use and use of local materials, for example red sandstone, Westmorland/Burlington slate and timber in buildings and boundary treatments, particularly red sandstone walls;
5. Irregular roofscapes and the predominance of vertical fenestration including number and size of window openings, materials, sub-division of windows (e.g. mullions), decoration, shutters, window colour and glazing;
6. The retention, renovation and re-introduction of traditional shopfronts in line with the planning policies in this plan and the Eden District Shopfronts Supplementary Planning Document;
7. Key views and vistas within and of the Conservation Area, including:
  - i. View from the Beacon to the North Eastern Fells,
  - ii. View of Beacon Hill from Penrith Castle,
  - iii. View of the Lakeland Fells from above Scaws Drive on Beacon Edge, and at the corner of Beacon Edge and Salkeld Road, and Croft Terrace and Fairhill.
8. Hard and soft landscaping in local materials with native species planting.

## Policy 5 Conservation Areas in Penrith

### B. Penrith New Streets

Development within or affecting the setting of the Penrith New Streets Conservation Area should be designed to take account of the conservation and enhancement of the following:

1. Retain the layout of tightly knit terraces and larger semi-detached and detached villas;
2. Use suitable materials such as red sandstone and Westmorland/Burlington slate roofs or sympathetic alternatives that would introduce and encourage high quality, innovative design;
3. Retention of vernacular architectural detailing such as arched doorways, bay windows, stone mullions, large stone chimney stacks and decorative eaves, and sandstone boundary walls within a high-quality design proposal;
4. Retention of mature gardens and open spaces that are integral to the Conservation Area and its setting.

Development proposals in and affecting the setting of both Conservation Areas will be required to describe the significance of any designated and non-designated heritage assets affected and the likely impact of the development upon them. This should be done through the submission of a Heritage Statement with the planning application.

### Supporting Town Council Actions

- To work with EDC to review the Penrith Conservation Area boundary and seek the incorporation of Drovers Lane, Brunswick Road School and Croft Avenue within the Conservation Area boundary.
- To work with EDC to investigate the desirability of designating some of the residential properties in Castletown a Conservation Area.



## Background/Justification

- 6.26 Penrith retains a strong sense of identity and local distinctiveness. This stems from the historic market town and the atmosphere this creates, and from the historic built environment with its distinctive red sandstone buildings, narrow streets and passageways. Important in their own right, the Town's designated heritage assets, such as the Conservation Areas, help retain the distinctive character of the Town and are attractive to visitors and residents alike and have an important role to play in supporting heritage related tourist visits.
- 6.27 Much of the central area of the Town was designated as a Conservation Area in 1975 and then revised on 27 May 1976, 16 April 1981 and 4 May 2010. (**Figure 9**).
- 6.28 Drovers Lane is sandwiched between the Penrith New Streets and Penrith Conservation Areas, it is one of the main routes into Town and is a good illustration of the history and development of the Town through various historical periods and different architectural styles. When proposals affect Drovers Lane, given the area's straddling of the two Conservation Areas, applicants' attention is drawn to the need to consider this area as a whole and not simply as part of the Conservation Area within which it may fall.



Innovative design in the New Streets showing the same house before and after being redesigned

## Relevant District Planning Policies:

### Eden Local Plan 2014-2032

ENV10 The Historic Environment

### Penrith Town Council Strategic Priorities:

Health and Wellbeing.

**Figure 9. Penrith and Penrith New Streets Conservation Areas**  
(Source: Eden District Council)

