



Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR
Tel: 01768 899 773 Email: office@penrithtowncouncil.gov.uk

Penrith Neighbourhood Development Plan – Proposed Response

Please find below Penrith Town Council's response to the proposed policy put forward by the Independent Planning Inspector which was agreed unanimously at Council on 24 January 2022 (Minute No PTC21/102)

Penrith Town Council wishes to object to the Inspector's proposed policy regarding Beacon Hill for the following reasons:

1. The policy proposed by the Independent Inspector completely changes the nature of what was intended within the Neighbourhood Plan from a protective document to a supportive document for the principle of development on every part of the front of the Beacon. The Town Council's position recognised the feedback from our three previous consultations, and taking responses submitted as part of Eden District Council's Masterplan exercise, the policy included elements for tourism potential but did not allow for overnight accommodation. This proposal allows small scale tourism development on Beacon Hill without limiting it to a specific area, in effect opening up the whole of the hill including the frontage to development.
2. Although the proposal states that accommodation has to be temporary in nature without curtilages; electricity, water and sewerage works would be required to service any development.
3. In the post-hearing note the Inspector said 'if it is impossible to reach a jointly agreed position, then I need to be advised and I will continue with the examination of this issue, based on the respective positions as set out already and make appropriate recommendations'. We understood that this meant that should a compromise not be reached, the Inspector would consider the policies as submitted and strike out the areas that he felt did not meet the criteria and national tests.

4. Policy 8 of the Neighbourhood Development Plan is about protecting local green spaces put forward by residents as being special to them. These spaces, which included the Beacon were areas used by the public for informal gatherings, play and recreation and which were maintained and sometimes cultivated by the local community. At the examination we were asked to clarify how the areas were chosen and explained that they had been identified by the public during our consultation events, visited by ward councillors who observed how they were used and who also talked to local residents. Policy 9 is about protecting and enhancing sport, leisure and recreation facilities. It is unclear why these policies should be removed as not meeting basic conditions 'as the criteria for their designation has not had regard to the Secretary of State Policy and advice'. We believe that they are and would ask the Inspector to identify individual areas of concern. This point was not raised in the hearing, other than the concern surrounding the area of the Beacon. Should these policies be deleted, residents might reasonably ask why they had been consulted numerous times if their views about which spaces were important to them were to be unilaterally disregarded.
5. We do not believe that the Inspector has the power to propose what he does. He has to consider the matters set out in para 8 of Schedule 4B including general conformity with the strategic policies in the development plan. He can make recommendations as set out in para 10 of the schedule and no others as stated explicitly and expressly in para 10(1). The recommendations are not any of those permissible under the Act and the modifications he can make are prescribed too.
6. We have been repeatedly told by residents about the Beacon 'if the price of access is development, it is a price too high'.
7. We believe that with the inclusion of this proposed policy, we have a Neighbourhood Development Plan that we cannot support at referendum and which would ultimately fail – a situation that the system should not produce. The Inspector should not put EDC in this position or affect PTC as the proposer in this way.

Suggested Modifications:

1. Rather than deleting these policies and replacing them with a policy covering just Beacon Hill, Penrith Town Council would prefer a modification to remove Beacon Hill and other individually identified green and leisure spaces not determined to fit the criteria out of Policies 8 and 9.

2. EDC has to consider the report and the recommendations contained within it with reference to the Act and strike out those areas not deemed to conform.

Yours Faithfully

A handwritten signature in blue ink that reads "Charles Shepherd". The signature is written in a cursive style with a large initial 'C' and a prominent 'S'.

Councillor Charlie Shepherd
Chair of Penrith Town Council and Mayor of Penrith