



# Penrith Town Council

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

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Minutes of the meeting of

## **PLANNING COMMITTEE**

Held on **Monday 5 September 2022**, at 1.30pm. Meeting Room, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

### **PRESENT**

Cllr Kenyon	North Ward
Cllr Knaggs	West Ward
Cllr Lawson	Carleton Ward
Cllr M Shepherd	North Ward
Cllr Snell	West Ward

Deputy Town Clerk

The Town Council resolved from 20 May 2019, until the next relevant Annual Meeting of the Council, that having met the conditions of eligibility as defined in the Localism Act 2011 and SI 965 The Parish Councils (General Power of Competence)(Prescribed Conditions) Order 2012, to adopt the General Power of Competence.

**MINUTES FOR THE MEETING OF  
PLANNING  
5 SEPTEMBER 2022**

**PART I**

**PL22/146 Election of Chair**

In the absence of a Chair and Vice-Chair, Councillor Knaggs was elected as Chair for this meeting of Planning Committee only.

**PL22/147 Order of Agenda Items**

As the agent for planning application 22/0589 was in attendance to answer queries, Members agreed to consider this application for consideration prior to item 6 on the agenda with the remainder of the planning applications being considered later on.

**PL22/148 Apologies for Absence**

Apologies for absence were received from Councillors M Clark and C Shepherd.

**PL22/149 Minutes**

**RESOLVED THAT:**

The Chair be authorised to sign, as a correct record, the minutes of;

- i. the meeting of the Committee held on Monday 4 July 2022; and
- ii the extra ordinary meeting of the Committee held on Monday 1 August 2022

and agreed they be signed as such.

**PL22/150 Declaration of Interests and Requests for 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.

- i. Councillor Lawson declared a registrable interest in planning application 22/0591 as he knew the applicant through work but he would take part in the discussion and decision thereon.

**PL22/151 Public Participation**

Members noted that there were no questions or representations that had been received from members of the public prior to the meeting.

Members were advised that the applicant's agent for planning application 22/0589 was in attendance to answer any queries that members may have.

## **PL22/151 EXCLUDED ITEM: Public Bodies (Admission to Meetings) Act 1960**

Members considered whether any items on the agenda should be considered without the presence of the press and public, pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960, and agreed that agenda item 11 should be considered in private as legal advice was being provided.

## **PL22/152 Planning Application for Consideration**

Members considered the following application which had been received and which required a committee decision. Further information could be found on the Eden District Council Website <https://plansearch.eden.gov.uk/fastweb/> by inserting the appropriate planning reference number.

Members asked questions of the planning agent.

Planning application number:	22/0589
Site address:	Omega Proteins Penrith Ltd PROCESSING PLANT PENRITH CA11 0BX
Description:	Construction of Bio Filter structure.
Response:	<b>RESOLVED THAT:</b> A response of no objection be returned to Eden District Council.

## **PL22/153 Consultation into Short Term Holiday Lets**

Members considered the consultation being carried out by the Department for Culture, Media and Sport into short term holiday lets, including the growth of the Air BnB market and the problems caused such as pressure on local housing.

### **RESOLVED THAT:**

A letter be drafted in response to the consultation to include the points raised by members during the discussion.

## **PL22/154 Pre-Planning Consultations – Mobile Infrastructure**

Members considered the pre planning information for installation upgrades at Skirsgill Agricultural Hall, Redhills and Kettleside Farm

### **RESOLVED THAT:**

A response be returned to the company saying that at this time Penrith Town Council does not have a problem with the application but reserves the right to change their mind when the formal application is received if it is different.

## **PL22/155 Informal Consultation: Proposed Changes to Eden Speed Limit Order**

Members considered the informal consultation on proposed changes to speed limits at Carleton Brows and Castletown. The proposals for consideration are to extend the 30pmh limit on Carleton Brows to below the entrance to Hunter Hall and Frenchfield to 30mph. This was requested initially by the Town Council when the estate was being built. The existing 40mph on Greystoke Road is proposed to be extended beyond the entrance to Lingstubbs.

### **RESOLVED THAT:**

A response be returned to the Highways Authority supporting the proposals.

## **PL22/156 Planning Applications**

### **a) Delegated Responses**

Members noted the planning responses submitted by the Deputy Town Clerk under delegated authority on behalf of the committee between the scheduled meetings of the Committee:

Planning application number:	22/0461
Site address:	LONSDALE VILLA FELL LANE PENRITH CA11 8AA
Description:	Proposed mixed residential and holiday let use of house and annex.
Response	No Objection but would wish to see a condition relating to noise and disturbance to protect the amenity of neighbouring residents

Planning application number:	22/0504
Site address:	Beck House Watson Terrace Penrith Cumbria CA11 7ND
Description:	Conservation area tree works: T1 - Laurel shrub, reduce height to 1.5 metres. T2 - Sycamore, growing very close to the property and previously heavily reduced - Fell. T3 - Weeping Ash - Fell. T4 - Leylandii, leaning - Fell. T5 - Laburnum, leaning - Fell. T6 - Gingko - Fell.
Response:	No Objection however would wish to see some replanting of small trees / shrubs to help climate mitigation and to enhance greening and biodiversity

Planning application number:	22/0483
Site address:	UNIT 5 NEWTONGATE DEPOT NEWTON ROAD PENRITH CA11 0BF
Description:	Variation of condition 1 (hours of operation), to allow for 1no night time delivery between 11pm and 2am, attached to approval 01/0072.
Response	Objection. The previous hours of operation of the site of 7.30am to 7.00pm Monday to Saturday and not on Sundays and Bank Holidays were in the interests of local amenity as two properties may be affected. Nothing has changed and this condition is still appropriate.

Planning application number:	22/0487
Site address:	FORMER P F & K SALES ROOM SKIRSGILL PENRITH CA11 0DN
Description:	Change of use from Sui Generis to Class E.
Response:	No Objection

Planning application number:	22/0442
Site address:	59 CROFT AVENUE PENRITH CA11 7RL
Description:	Retrospective application for the erection of dwelling and addition of rear extension to existing dwelling.
Response:	<p>Penrith Town Council finds it difficult to comment on this application and is concerned and disappointed that a householder has seemingly built a complete new house without gaining planning permission prior to the work being carried out,</p> <p>Penrith Town Council wishes to Object on grounds of adverse harm to the residential amenity of neighbouring property by virtue of an overbearing impact which would be domineering contrary to policies DEV1 and DEV5 of the ELP. There are other houses with similar frontages but NOT a new house attached.</p>

Planning application number:	22/0502
Site address:	FORMER KFC FIELDROSE HOUSE BRIDGE LANE PENRITH CA11 8JB
Description:	Alterations to building and elevations to include re-cladding.
Response:	No Objection

Planning application number:	22/0519
Site address:	FORMER KFC FIELDROSE HOUSE BRIDGE LANE PENRITH CA11 8JB
Description:	Advertisement Consent for 1no internally illuminated welcome totem sign, 1no internally illuminated height limiter sign, 4no internally illuminated information signs and 7no illuminated fascia signs.
Response	No Objection but a request that a condition be included relating to low intensity lighting which is turned off out of hours to reduce light pollution

Planning application number:	22/0496
Site address:	ROWAN HOUSE ST ANDREWS PLACE PENRITH CA11 7XZ
Description:	Listed Building Consent to enable change of use of offices to 6no residential units.
Response:	No Objections to the internal changes however concern is expressed that parking will be a problem as residents are not entitled to parking permits and season tickets for EDC off street parking are limited. Cumbria County Council parking services should be requested for their views.

Planning application number:	22/0527
Site address:	43 WORDSWORTH STREET PENRITH CA11 7QY
Description:	Tree works in a conservation area - Fell Silver Birch.
Response	No Objection

Planning application number:	22/0532
Site address:	AGRICOLA HOUSE COWPER ROAD PENRITH CA11 9BN
Description:	Variation of condition 2 (plans compliance) to change the type and colour of the cladding, attached to approval 21/1045.
Response	No Objection

Planning application number:	22/0544
Site address:	8 ANGEL SQUARE PENRITH CA11 7BT
Description:	Sub-division of retail unit into two, creation of roof terrace area and shopfront alterations.
Response	No objection however conditions should be attached to the use of the roof terrace to prevent nuisance or disturbance to neighbouring properties

Planning application number:	22/0524
Site address:	102-103 SCOTLAND ROAD PENRITH CA11 7NP
Description:	Change of use of office to 2no residential units, addition of extension and conversion of existing dwelling to 2no apartments.
Response	No Objection but would wish CCC Highways to be consulted on parking arrangements in the light of the Penrith Parking and Movement Study

Planning application number:	22/0520
Site address:	LAND SOUTHWEST OF MILE LANE REDHILLS PENRITH CA11 0DT
Description:	Reserved Matters application for appearance, landscaping, layout and scale, attached to approval 19/0636. Re-submission of 21/1092.
Response:	<p>No Objection but would like to ask for conditions as follows:</p> <ol style="list-style-type: none"> <li>1. Both EDC and PTC have declared a climate emergency so renewable energy technologies should be incorporated into the design, including pv panels and BRE A construction methods should be used to include high levels of thermal performance.</li> <li>2. 2. New buildings should be future proofed at the build stage as soon as possible, as retrofitting to increase standards later on would be more expensive. It is hoped that the building has been sited to optimise passive solar gain.</li> <li>3. The building should be constructed of sustainable thermally efficient building materials and include good loft and wall insulation to reduce energy consumption as far as possible. Water recycling methods should be included within the development</li> <li>4. The site should include good inter-connectivity with the existing business parks and town and paths/tracks to promote sustainable transport and encourage cycling and walking as a way to get to work.</li> <li>5. The development should include electric vehicle charging points and cycle storage.</li> <li>6. To help climate mitigation, native trees, including fruit/nut trees) should be used to enhance greening and biodiversity within the plan area.</li> <li>7. Design or landscape features should be incorporated to provide habitat for insects, nesting birds and other wildlife.</li> <li>8. Hardstanding should be porous where possible to reduce run off.</li> </ol>



Planning application number:	22/0490
Site address:	42 BURROWGATE PENRITH CA11 7TA
Description:	Change of use from retail shop (class E) to tanning salon (sui generis).
Response	No Objection

Planning application number:	22/0503
Site address:	2 PORTLAND PLACE PENRITH CA11 7QN
Description:	Change of use from guest house (C1) to self catering holiday letting accommodation (C3)
Response	No Objection, no of rooms remains the same but rather than letting individually the proposal is to let the house as a whole unit which may actually reduce the number of vehicles associated with the property. Would wish CCC Highways to be consulted on parking arrangements in the light of the Penrith Parking and Movement Study

Planning application number:	22/0574
Site address:	53 Arthur Street Penrith CA11 7TU
Description:	Conservation area tree works: Removal to ground level 1x multi-stemmed Cypress.
Response	No Objection but would wish to see some replacement planting to help climate mitigation and to enhance greening and biodiversity

Planning application number:	22/0566
Site address:	44 BRENTFIELD WAY PENRITH CA11 8DL
Description:	Replacement of single storey side extension with two storey extension to include additional ground floor living accommodation and first floor annex accommodation for a disabled person.
Response	No Objection

Planning application number:	22/0560
Site address:	APPLEGARTH NICHOLSON LANE PENRITH CA11 7UL
Description:	Conservation area tree works: 1) Cypress in decline, fell to stump. 2)Gum. Target prune 1x limb to improve view of Fir - remove small diameter low lateral. 3) Laurel shrub, sensitive target pruning to reshape. 4) Fruit trees x2, Reduction (targeted) to reshape and crown clean Crab Apple and Plum. 5) Elm, reduce by height and spread by up to 1/3rd. Reduce height by 1-2 meters, spread by 2-3 meters leaving a finished height of 5-7 meters and spread of 6-7 meters. 6) Holly, reduce to create crown separation and frame rear Beech (neighbouring). 7) Pear, Reduce lateral growth of 2/3 lowest branches to reduce loading. Reduce each by approx 1 meter max. 8) Silver Birch, Crown reduce by 3-4 meters in height and 2-3 meters spread. Leaving a finished height of 14-16 meters and spread of 7-9 meters. 9) Beech, Fell to stump. 10) Hornbeam shrub, reduce by up to 1/3rd. 11) Beech and Laburnum, Target prune for stability and separation whilst maintaining weep as best as possible.
Response	No Objection

Planning application number:	22/0568
Site address:	INGLESIDE BEACON STREET PENRITH CA11 7UA
Description:	Replacement of rear attached garage/workshop and alterations to roof to include addition of rear dormer and enlargement of front skylight.
Response:	No Objection

Planning application number:	22/0553
Site address:	LAND AT WHITE OX FARM GREENGILL PENRITH CA11 8SE
Description:	Variation of condition 13 (hours of construction) To extend the construction hours from 08:00 - 18:00 Monday - Friday to 07:30 - 18:00 Monday - Friday, attached to appeal approval APP/H0928/W/20/3260394, LPA ref 19/0908.
Response:	No Objection, this brings it in line with the Storey Homes site.

The following application was considered by Council on 18 July as a response was required prior to this meeting.

Planning application number:	22/0497
Site address:	Omega Proteins Penrith Ltd PROCESSING PLANT PENRITH CA11 0BX
Description:	Installation of 25m chimney stack. Part retrospective.
Response:	No Objection on material planning grounds however it is essential that an odour impact assessment is carried out and that any conditions related to odour are adhered to. A letter be sent to both Eden District Council and the applicants conveying disappointment that yet another retrospective or part retrospective application has come forward for consideration, with EDC being asked to expedite any outstanding planning applications that may be operation critical. A letter be sent to the Environment Agency [Appendix C] expressing concern about the level of particulates and asking for regular feedback on the situation.

## b) Planning Applications Considered

Members considered the following applications which had been received and which required a committee decision. Further information could be found on the Eden District Council Website <https://plansearch.eden.gov.uk/fastweb/> by inserting the appropriate planning reference number

**The applicant for the following application joined the meeting to answer any queries Members had.**

Planning application number:	22/0591
Site address:	SALKELD ROAD PENRITH CA11 8SQ
Description:	Construction of dwelling with amended access, landscaping, energy infrastructure and drainage system.
Response:	<p><b>RESOLVED THAT</b> a response OBJECTING to the application be returned on the following grounds:</p> <ol style="list-style-type: none"><li>1. The proposal sits as a large house in the open countryside on a greenfield site well outside the boundary of the town. The site is not allocated in the Local Plan for housing nor is it part of a proposed planned extension to the town. The house does not fulfil any of the National Planning Policy Framework (NPPF) requirements for rural housing so the application goes against both local and national policy. There is no justification for a house in this location let alone of this size.</li><li>2. Although the Highways Authority have suggested that if approved, visibility splays would be required, there are still concerns that the proposed entrance is just before / after a blind crest cut into the land with a narrowed bit of road and very high edges. Salkeld Road is untreated in winter and very busy during the summer months as a route from the fellside villages but also used by large agricultural vehicles.</li><li>3. Although the new proposal is of a style more in keeping with the agricultural area, the NPPF says that land outside settlements will be prized and nurtured. Although not grade 1 agricultural land, it is stock rearing land and we should be looking to preserve areas to improve Britain's food security which will become increasingly important.</li><li>4. The Town Council believes that the adverse impacts of a large new build in the open countryside demonstrably outweigh the benefits.</li></ol>

Planning application number:	22/0616
Site address:	LAND AT RAISELANDS FARM SCOTLAND ROAD PENRITH CA11 9NQ
Description:	Erection of site entrance wall, pursuant of previous planning approval 14/0405.
Response:	<b>RESOLVED THAT:</b>  A response of No Objection be returned to Eden District Council.

Planning application number:	22/0584
Site address:	7 BRENT GARDENS PENRITH CUMBRIA CA11 8DH
Description:	Single storey rear extension.
Response:	<b>RESOLVED THAT:</b>  A response of No Objection be returned to Eden District Council.

Planning application number:	22/0602
Site address:	LAND OFF GREENBANK ROAD EDEN BUISNESS PARK PENRITH CA11 9FB
Description:	Proposed Class E building for a learning/training swimming pool.
Response:	<b>RESOLVED THAT:</b>  A response of No Objection be returned to Eden District Council with a request that the following conditions be incorporated: 1. Renewable energy technologies, including PV panels, should be incorporated into the design and a BRE A construction method to include high levels of thermal performance should be used. 2. It is important that new buildings are future proofed at the build stage as soon as possible and to avoid expensive retrofitting later on. Wherever possible buildings should be sited to optimise passive solar gain.

	<p>3. Buildings should be constructed of sustainable thermally efficient buildings materials and include good insulation to reduce energy consumption as far as possible with water recycling methods included within the development.</p> <p>4. The site should include good inter-connectivity to existing paths and tracks and sustainable transport methods, including electric vehicle/bike charging points should be heavily promoted and cycling and walking as a way to get to work or use the site encouraged. It would have been good to see a travel to work plan, such as the one included with application 20/0629 included with the application.</p> <p>5. To help climate mitigation and in the interests of neighbours, native trees should be used for screening and to enhance greening and biodiversity within the plan area.</p> <p>6. As the site is close to a wildlife area, design or landscape features should be incorporated to provide habitat for insects, nesting birds and other wildlife and the construction plan should be mindful of any potential wildlife on site</p>
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Planning application number:	22/0604
Site address:	LAND OFF GREENBANK ROAD EDEN BUSINESS PARK PENRITH CUMBRIA CA11 9FB
Description:	Discharge of condition 18 (ecology), attached to approval 21/0356.
Response:	<p><b>RESOLVED THAT:</b></p> <p>A response of No Objection be returned to Eden District Council.</p>

Planning application number:	22/0603
Site address:	Tyson H Burridge Ltd LORRY PARK UNIT 16 COWPER ROAD PENRITH CA11 9BN
Description:	Discharge of conditions 3 (materials) and 4 (surface and foul drainage), attached to approval 22/0226.
Response:	<b>RESOLVED THAT:</b>  A response of No Objection provided the application meets the technical specifications be returned to Eden District Council.

**Councillor Knaggs declared a registrable interest in the following application as he knew the applicant and declared he would take no part in the discussion and decision thereon.**

Planning application number:	22/0611
Site address:	WHITE GABLES WORDSWORTH STREET PENRITH CA11 7QY
Description:	Conservation area tree works:1) fell Yew tree, 2) undertake crown clean of Cherry including deadwood removal.
Response:	<b>RESOLVED THAT:</b>  A response of No Objection be returned to Eden District Council with a request that the applicant be asked to include some replacement planting of a native tree or shrub to help mitigate climate issues and to enhance greening and biodiversity.

Planning application number:	22/0623
Site address:	CARLETON HILL CARLETON PENRITH CA11 8TZ
Description:	Erection of a timber framed agricultural building for fodder storage and livestock housing.
Response:	<b>RESOLVED THAT:</b>  A response of No Objection be returned to Eden District Council.

Planning application number:	22/0605
Site address:	11 CLIFFORD COURT PENRITH CA11 8PX
Description:	Erection of wall with panel fence on top and gate to a height of 1.82m around the front perimeter.
Response:	<b>RESOLVED THAT:</b> A response of No Objection be returned to Eden District Council.

### **PTC22/157 Next Meeting**

Members noted that the next meeting was scheduled for Monday 3 October 2022 at 1.30pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

### **PART II PRIVATE SECTION**

There is one further item in this part of the Agenda

#### **PL22/158 Neighbourhood Development Plan**

Members received a verbal update on the Neighbourhood Development Plan in respect of Policy 8 (Identifying and Protecting Local Green Space) and Policy 9 (Protecting and Enhancing Sport, Leisure and Recreation Facilities). Following the recommendation of the Independent Inspector who suggested that these policies did not meet basic conditions, Members were reminded that the National Planning Policy Framework (NPPF) states that Local Green Space designation should only be used where it is:

- i. In reasonably close proximity to the community it serves,
- ii. Is demonstrably special to a local community and holds a particular local significance for example because of its beauty, historic significance, **recreational value (including as a playing field)**, tranquillity or richness of its wildlife; and
- iii. Local in character and not an extensive tract of land.

Members were advised that the Legal Officer was in communication with Eden District Council and that further information was awaited from the Town Council's Planning Consultant.



**CHAIR:**

**DATE:**

**FOR THE INFORMATION OF ALL MEMBERS OF  
THE PLANNING COMMITTEE  
AND FOR INFORMATION FOR ALL REMAINING  
MEMBERS OF THE TOWN COUNCIL**

**Access to Information**

Copies of the agenda are available for members of the public to inspect prior to the meeting. Agenda and Part I reports are available on the Town Council website

**Background Papers**

Requests for the background papers to the Part I reports, excluding those papers that contain exempt information, can be made to the Town Clerk address overleaf between the hours of 9.00 am and 3.00 pm, Monday to Wednesday via [office@penrithtowncouncil.co.uk](mailto:office@penrithtowncouncil.co.uk)