



# Penrith Town Council

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

**DATE: 30 January 2023**

**NOTICE IS HEREBY GIVEN** that an **ORDINARY MEETING** of **THE PLANNING COMMITTEE** will be held on Monday 6<sup>th</sup> February 2023, at 2.30pm and you are hereby **SUMMONED** to attend to transact the business as specified in the agenda and reports hereunder.

The meeting will be held at Unit 2, Church House, 19-24 Friargate, Penrith.

To assist in the speedy and efficient dispatch of business', Members should read the agenda and reports in advance of the meeting. Members wishing to obtain factual information on items included on the agenda are asked to enquire of the relevant officer **PRIOR** to 9.00am on the Friday prior to the meeting.

Members are asked to indicate if they wish to speak on an item **PRIOR** to the meeting (by 10.00am on the day of the meeting at the latest) by emailing [office@penrithtowncouncil.gov.uk](mailto:office@penrithtowncouncil.gov.uk)

## COMMITTEE MEMBERSHIP

Cllr M Clark	South Ward	Cllr. C Shepherd	East Ward
Cllr Kenyon	North Ward	Cllr. M Shepherd	North Ward
Cllr Knaggs	West Ward	Cllr Snell	West Ward
Cllr Lawson	Carleton Ward		

Mrs V. Tunnadine, Town Clerk

## **Public Participation**

Members of the public are welcome to attend. Details about how to attend the meeting remotely, and how to comment on an agenda item are available on the Town Council Website.

## **Filming**

**Please note that this meeting may be filmed for live or subsequent broadcast via the internet or social media.**

**Please be advised that the Town Council does not record or live stream meetings.**

Penrith Town Council fully supports the principle of openness and transparency and has no objection to filming and reporting at its Full Council, and Committee meetings that are open to the public. It also welcomes the use of social networking websites, such as Twitter and Facebook, to communicate with people about what is happening, as it happens. Filming will only commence at the beginning of a meeting when the Chair opens the meeting with apologies and will finish when the meeting is closed or when the public may be excluded from an exempt item. The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

## **General Power of Competence**

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.

# **AGENDA FOR THE MEETING OF PLANNING COMMITTEE 6 FEBRUARY 2023**

## **PART I**

### **1. Apologies For Absence**

Receive apologies from Members.

### **2. Minutes**

Authorise the Chair to sign, as a correct record, the minutes of the meeting of the Planning Committee held on Monday 9 January 2023 and agree they be signed as such, when permissible.

### **3. Declarations of Interests and Requests for Dispensations**

Receive declarations by Members of interests in respect of items on this agenda and apply for a dispensation to remain, speak and/or vote during consideration of that item.

#### **ADVICE NOTE:**

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting.) Members may, however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests. If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote, he/she is advised to contact the Monitoring Officer at least 24 hours in advance of the meeting

### **4. Public Participation**

Receive any questions or representations which have been received from members of the public. A period of up to 15 minutes for members of the public to ask questions or submit comments.

#### **ADVICE NOTE:**

Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda. The public must make a request in writing to the Town Clerk **PRIOR** to the meeting, when possible. A member of the public can speak for up to three minutes. A question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given

## **5. EXCLUDED ITEM: Public Bodies (Admissions to Meetings) Act 1960**

Determine whether item/s 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, as publicity relating to that (any of those) matter/s may be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for the other special reasons noted in relation to that matter on the agenda.

## **6. A66 Northern Trans Pennine Re-Consultation**

To consider the revisions to the A66 Northern Trans Pennine Project in respect of Penrith. The proposed amendments can be found on pages 14,16 and 62 of their consultation brochure <https://tinyurl.com/A66ProjectPenrith>

## **7. Planning Applications**

### **a) DELEGATED RESPONSES TO NOTE**

Planning application number:	22/0973
Site address:	49 PENNY HILL PARK PENRITH CA11 9JW
Description:	Single story rear extension.
Response	No Objection

Planning application number:	22/0978
Site address:	CARLETON HEIGHTS PENRITH
Description:	Discharge of conditions 15 (attenuation basins and swales), 20 (surface treatments, landscaping and path details and maintenance schedule), 21 (surface treatments, landscaping and path details and maintenance schedule), attached to approval 08/0291.
Response	No Objection

**b) PLANNING APPLICATIONS FOR CONSIDERATION**

Consider the following applications for which information can 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:	22/0943
Site address:	LAND NORTH OF KEMPLAY FOOT FARM KEMPLAY FOOT EAMONT BRIDGE PENRITH CA10 2BD
Description:	Outline application for a residential development, with all matters reserved.

Planning application number:	22/0989
Site address:	LAND AT A6 AND B5305 STONEYBECK BOWSCAR PENRITH CA11 8RR
Description:	Outline application for Class E(g) and/or Class B2 and/or Class B8 development, with approval sought for access.

Planning application number:	22/0995
Site address:	BELLEVUE FARM SALKELD ROAD PENRITH CA11 8SG
Description:	Outline application for a residential development, with all matters reserved. Re-submission of 22/0036.

Planning application number:	22/0997
Site address:	LAND BETWEEN EAST LARCHES AND LYNWOOD BEACON EDGE PENRITH CUMBRIA
Description:	Outline application a dwelling, with approval sought for access.

Planning application number:	22/0412
Site address:	5 COCKELL HOUSE DROVERS LANE PENRITH CA11 9HF
Description:	Listed Building Consent for the replacement of timber and glass front door with composite and glass door.

Planning application number:	23/0010
Site address:	PLOT 9 EDEN BUSINESS PARK PENRITH CA11 9FB
Description:	Variation of condition 2 (plans compliance) for design amendments to units 5 and 6, attached to approval 08/0330.

Planning application number:	23/0002
Site address:	4 MONNINGTON WAY PENRITH CA11 8QJ
Description:	Variation of condition 2 (plans compliance) to increase the ridge and eaves height, attached to approval 21/0846.

## 8. Next Meeting

Note the next meeting is scheduled for 6 March 2023 at 1.30pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

## PART II PRIVATE SECTION

There are no further items in this part of the Agenda

### **FOR THE INFORMATION OF ALL MEMBERS OF THE PLANNING COMMITTEE AND FOR INFORMATION TO 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 or, in the case of planning applications, the link to applications on the Eden District Council Website can be found above

#### **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.gov.uk](mailto:office@penrithtowncouncil.gov.uk)



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**DRAFT** Minutes of the meeting of

## PLANNING COMMITTEE

Held on **Monday 9 January 2023**, at 2.30pm. Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

### PRESENT

Cllr Clark	South Ward
Cllr Kenyon	North Ward
Cllr Knaggs	West Ward
Cllr C Shepherd	East Ward
Cllr M Shepherd	North 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 COMMITTEE**

**9 January 2023**

## **PART I**

### **PL22/190 Apologies for Absence**

Apologies for absence with reasons were received from Councillors Lawson and Snell.

### **PL22/191 Minutes**

#### **RESOLVED THAT:**

The Chair be authorised to sign, as a correct record, the minutes of the meeting of the Committee held on 5 December 2022 and agreed they be signed as such.

### **PL22/192 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. No declarations were received.

### **PL22/193 Public Participation**

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

### **PL22/194 EXCLUDED ITEM: Public Bodies (Admission to Meetings) Act 1960**

Members considered whether any item(s) 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.

**RESOLVED THAT** agenda item 8 (Neighbourhood Development Plan) should be considered without the press or public present to receive an update and legal advice before considering what action to take, pursuant to Section 1(2) of the Public Bodies (Admissions to Meetings) Act, 1960.



## PL22/195 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:	22/0727
Site address:	SYCAMORE HOUSE ARTHUR STREET PENRITH CA11 7TX
Description:	Conservation area tree works - T1 Cyprus - remove. T2 Holly - reduce to hedge height. T3 shrub - reduce to hedge height.
Response	No objection but would wish to see some replacement planting for the cyprus to help mitigate climate change and to enhance greening and biodiversity

Planning application number:	22/0728
Site address:	3 JUBILEE LODGE BEACON EDGE PENRITH CA11 7SQ
Description:	Conservation area tree works - removal of tree.
Response	No Objection, but would like to see some replacement planting to help mitigate climate change and to enhance greening and biodiversity

Planning application number:	22/0730
Site address:	1 JUBILEE LODGE BEACON EDGE PENRITH CA11 7SQ
Description:	Conservation Area tree works - removal of tree.
Response	No Objection, but would like to see some replacement planting to help mitigate climate change and to enhance greening and biodiversity

Planning application number:	22/0662
Site address:	21 CLIFFORD ROAD PENRITH CA11 8PP
Description:	Addition of front porch extension and creation of parking area.
Response	No Objection

Planning application number:	22/0685
Site address:	LAND NORTH OF EDEN BUSINESS PARK COWPER ROAD PENRITH CA11 9FW
Description:	Discharge of conditions 4 (carriageway, footways, footpaths, cycleways), 5 (highway verge crossings), 6 (surface water drainage system), 7 (construction vehicle parking), 8 (construction traffic management plan), 9 (surface water drainage scheme) and 10 (construction surface water management plan), attached to Outline approval 21/0295.
Response	No Objection

Planning application number:	22/0746
Site address:	EAST GABLE GRAHAM STREET PENRITH CA11 9LQ
Description:	Conservation area tree works, fell Leylandii.
Response:	No Objection, but would like to see some replacement planting to help mitigate climate change and to enhance greening and biodiversity

Planning application number:	22/0717
Site address:	UNIT 2A HAWESWATER ROAD PENRITH INDUSTRIAL ESTATE PENRITH CA11 9EU
Description:	Change of use from Class E to Class B8 for storage.
Response:	No Objection

Planning application number:	22/0744
Site address:	HILL HOUSE FELL LANE PENRITH CA11 8BJ
Description:	Listed Building Consent for the opening of a new internal doorway between living room and hall and for the existing opening studwork to be blocked up.
Response:	No Objection

Planning application number:	22/0743
Site address:	BUILDING TO THE REAR OF 14 KING STREET PENRITH
Description:	Change of use from B8 storage to Sui Generis tanning and wellness centre.
Response:	No Objection

Planning application number:	22/0162
Site address:	BOWERBANK WAY PENRITH CA11 9BQ
Description:	Creation of 36 off road parking spaces.
Response	No Objection however would like to see all parking spaces have a permeable surface to prevent run off

Planning application number:	22/0796
Site address:	42 BURROWGATE PENRITH CA11 7TA
Description:	Variation of condition 3 (opening hours) to amend the erroneous opening hours specified on original decision notice, attached to approval 22/0490.
Response	No Objection

Planning application number:	22/0789
Site address:	BRUMBY HOUSE BOWSCAR PENRITH CA11 8RP
Description:	Side extension to existing steel frame building.
Response:	No Objection

Planning application number:	22/0782
Site address:	REAR OF RICKERBYS GREENBANK ROAD EDEN BUSINESS PARK PENRITH CA11 9FB
Description:	Creation of path to join existing paths and erection of post and wire fence.
Response:	No Objection, creates a good walking link with the wider area but would wish surface to be porous as stated in the application form

Planning application number:	22/0819
Site address:	ST. CATHERINES RC SCHOOL ST CATHERINES RC SCHOOL DROVERS LANE PENRITH CA11 9EL
Description:	Oak - Crown reduction with specific attention to branches close to, and in contact with Church roof. Ash - Semi-Pollard, addressing branches with no leaf-cover; showing signs of disease and/or deadwood.
Response:	No Objection

Planning application number:	22/0811
Site address:	29 GREYSTOKE PARK AVENUE PENRITH CA11 9DB
Description:	Lawful Development Certificate for the proposed replacement of conservatory with single storey rear extension
Response:	No Objection

Planning application number:	22/0802
Site address:	DEVELOPMENT AT CARLETON HEIGHTS CARLETON HILL ROAD PENRITH
Description:	Non Material Amendment to update the play area surface material to black Wetpour, attached to approval 16/0811.
Response:	No Objection

Planning application number:	22/0790
Site address:	DIAMOND COTTAGE WEST LANE PENRITH CA11 7DP
Description:	Proposed alterations and extension.
Response	No Objection but any parking area should be porous with some planting to compensate for the loss of grass to help mitigate climate change.

Planning application number:	22/0745
Site address:	LAND AT EAMONT CHASE CARLETON PENRITH CA11 8TY
Description:	Non Material Amendment to change the housetypes for plots 8 and 53 from Dee bungalows to Tay dormer bungalows, attached to approval 20/0995.
Response	Although this is a non material amendment, Penrith Town Council objects to the proposal to change to dormer bungalows. Our housing survey for the NDP shows a requirement for affordable <i>bungalows</i> . The reason for the need for affordable bungalows that elderly people (and we have the most elderly population of any county in the UK) or those with a family member who is disabled, do not wish to have their master bedroom, or any rooms at all, upstairs. The stairs are clearly the issue. There is an abundance of affordable homes with stairs currently being built within Penrith.

Planning application number:	22/0742
Site address:	17 MEETING HOUSE LANE PENRITH CA11 7TR
Description:	Listed Building Consent for the replacement of 2no single glazed timber and 2no single glazed metal windows with double glazed timber windows.
Response	No Objection, the windows are being replaced like for like, true to character but making the building more energy efficient and will have no detrimental effect on the building or surrounding area. .

Planning application number:	22/0827
Site address:	8 Aspen Gardens Penrith Cumbria CA11 8UL
Description:	Fell 2x Ash Trees subject to TPO125.
Response	No Objection but would wish to see some replanting to help mitigate climate change

Planning application number:	22/0830
Site address:	SYCAMORE HOUSE ARTHUR STREET PENRITH CA11 7TX
Description:	Internal and external alterations to dwelling.
Response:	No Objection

Planning application number:	22/0895
Site address:	28 MAYBURGH AVENUE PENRITH CA11 8PA
Description:	Removal of existing garage and erection of two story side extension with garage and access alterations.
Response	No Objection

Planning application number:	22/0820
Site address:	PINFOLD NICHOLSON LANE PENRITH CA11 7UL
Description:	Conservation Area Tree Works: Cypress - Dismantle tree and reduce stem to ground level. Silver Birch 1, 2 and 3 - Dismantle trees and reduce stems to ground level.
Response	<p>Objection on the following grounds:</p> <ol style="list-style-type: none"> <li>1. There is no evidence that these trees would be any more susceptible to prevailing winds than other trees and the 'potential to grow taller' is not valid at this point. Lowering the height to within reasonable parameters would be a better way forward.</li> <li>2. Cypress trees have strong carbon sequestration potential absorbing CO<sub>2</sub> from the atmosphere whilst releasing oxygen. Concerns about mitigation against climate change should retain as many healthy trees as possible.</li> <li>3. It is vital we maintain as many indigenous trees as possible and that the birches are retained.</li> </ol>

Planning application number:	22/0897
Site address:	10 MANOR PARK CARLETON PENRITH CA11 8AL
Description:	Non Material Amendment for an increase in width of one elevation and inclusion of an additional velux window to rear and omission of a velux window to side, attached to approval 17/0257.
Response	No Objection

Planning application number:	22/0886
Site address:	CARLETON HEIGHTS PENRITH CA11 8TZ
Description:	Discharge of condition 11 (bus service), attached to approval 08/0291.
Response	No Objection – However would be concerned if the service was withdrawn after just 6 months without it having time to develop.

Planning application number:	22/0889
Site address:	LAND NORTH OF MILE LANE PENRITH CA11 0DS
Description:	Non Material Amendment to reduce the length of the building by 5.9m, attached to approval 21/0355.
Response	No Objection, this application reduces the size of the building

Planning application number:	22/0877
Site address:	LAND OFF GREENBANK ROAD EDEN BUSINESS PARK PENRITH CA11 9FB
Description:	Discharge of conditions 3 (external lighting) and 5 (landscaping), attached to approval 22/0602.
Response	No Objection with a request for the planting to be native species trees and shrubs for carbon sequestration

Planning application number:	22/0910
Site address:	LAND OFF GREENBANK ROAD EDEN BUSINESS PARK PENRITH CA11 9FB
Description:	Variation of condition 8 (hours of operation) to extend the opening hours, attached to approval 22/0602.
Response	No Objection



Planning application number:	22/0913
Site address:	OAKVILLE BEACON EDGE PENRITH CA11 7SF
Description:	25% crown reduction of overall crown of 3 no. Beech trees, focussing on crossing, rubbing and repeat branches to reduce weight and wind sail/resistance.
Response	No Objection

Planning application number:	22/0741
Site address:	46 WORDSWORTH STREET PENRITH CA11 7QY
Description:	Erection of car port, boundary fencing and gates and proposed erection of garden room in rear garden, part retrospective.
Response	No Objection

Planning application number:	22/0673
Site address:	74 BRENTFIELD WAY PENRITH CA11 8DP
Description:	Creation of driveway. Once EDC planning approval is received, a separate dropped kerb application will be submitted to the Cumbria County Council. It is anticipated that the driveway work will be conducted by the same groundwork professionals dropping the kerb; commissioned from those on the CCC approved list, conducting the work to CCC required specifications.
Response	It is good to reduce parking on the public highway, however the Town Council would wish the driveway to be porous to reduce surface water runoff.

Planning application number:	22/0946
Site address:	BRUNSWICK SQUARE PENRITH CA11 7LL
Description:	Arboricultural management work to several trees comprising; pruning all trees as necessary to provide 2.5m clearance over footpaths, 5m clearance over highway and clearance of street lamps. Removal of shoot growth from Lime trees. Annual shaping of Hollies, Cypresses and Yews contained within the boundaries of the central garden.
Response:	No objection – this is regular maintenance work carried out periodically

Planning application number:	22/0945
Site address:	LONSDALE LODGE ARTHUR STREET PENRITH CA11 7TX
Description:	Conservation area tree works - fell 5no Conifer trees.
Response	No Objection however would wish to see some replacement planting of native trees or shrubs to help carbon sequestration.

## **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

Planning application number:	22/0964
Site address:	PENRITH AFC FOOTBALL CLUB FRENCHFIELD PARK PENRITH CA11 8UU
Description:	Addition of 3G artificial grass pitch with replacement floodlighting, fencing, storage container and cycle parking.
Response:	<b>RESOLVED THAT</b> a response of No Objection be returned to Eden District Council.

Planning application number:	22/0974
Site address:	26 CROFT TERRACE PENRITH CA11 7RS
Description:	Erection of two storey side extension and single storey rear extension to replace the existing detached garage and side elevation link.
Response:	<b>RESOLVED THAT</b> a response of No Objection be returned to Eden District Council.

### **PTC22/196 Next Meeting**

Members noted that the next meeting was scheduled for 6 February 2022 at 2.30pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR and that the meeting would be preceded by an informal training session for members of the committee at 1.30 regarding tree work applications.

### **PART II PRIVATE SECTION**

The following agenda item was exempt under Section 1(2) of the Public Bodies (Admissions to Meetings) Act, 1960 to allow members to receive legal advice on the next steps regarding the Neighbourhood Development Plan.

### **PL22/197 Neighbourhood Development Plan**

Members were given an update following the Town Council's challenge that Policies 8 and 9 should remain within the Neighbourhood Development Plan after the Examiner had recommended their removal. Members received the legal advice received by Eden District Council and that of its own legal officer.

#### **RESOLVED THAT:**

Delegated authority be given to the Deputy Town Clerk and Chair of the Committee to devise a survey to go out to the public regarding the pieces of land identified in Policy 8, to demonstrate further why they were identified by residents as important and special to them in the earlier consultations.

**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)