



# 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 6 February 2023**, at 2.30pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

### **PRESENT**

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

**6 FEBRUARY 2023**

## **PART I**

### **PL22/198 Apologies for Absence**

Apologies for absence with reasons were received from Councillor Lawson.

Councillor Knaggs gave apologies that he had to leave the meeting at 3.40 for a prior engagement.

### **PL22/199 Minutes**

#### **RESOLVED THAT:**

The Chair be authorised to sign, as a correct record, the minutes of the meeting of the Committee held on 9 January 2023 and agreed they be signed as such.

### **PL22/200 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.

1. Councillor C Shepherd declared a registrable interest as he was an officer in Penrith Ramblers who had objected to application 22/0995. He also declared that the Ramblers had been involved in discussions about changes to the A66 however it was about areas outside Penrith Parish boundary.

### **PL22/201 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 provided with written submissions received from members of the public who were unable to attend the meeting with regard to applications 22/0989 and 22/0995.

### **PL22/202 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 there were no applications to be considered without the press or public present.

## **PL22/203 A66 Northern Trans Pennine Re-Consultation**

Members considered the revisions to the A66 Northern Trans Pennine Project in respect of Penrith. The proposals are:

- Change in speed limit of A66 west of J40 to 30mph eastbound and westbound between the railway bridge and J40 so there was no need of a merge and diverge lane at the auction.
- Realign the walking and cycling route at Skirsgill so that the footpath is diverted from the slip road and redirected alongside the boundary of the Skirsgill depot to the north.
- Change the shape of Kemplay roundabout from an oval aligned east west to aligned north south to enable traffic phases to be simplified, reduce excavation required for the underpass and shorten construction programme.

### **RESOLVED THAT:**

A response be returned to National Highways accepting the changes proposed.

## **PL22/204 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:	22/0973
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 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:	22/0943
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.
Response:	<p><b>RESOLVED THAT</b> a response be returned to Eden District Council stating that the Town Council is unable to comment at the present time due to a lack of detail regarding access, drainage, effect of emissions and nutrient neutrality requirements. Penrith Town Council would wish to see the additional information before making an informed response but would wish the following concerns to be taken into account:</p> <ol style="list-style-type: none"><li>1. Although it is stated that this is a brownfield site, it is believed that any small buildings were knocked down some time ago and were outside the boundary being proposed for this application. This is therefore a greenfield site, not allocated within the local plan.</li><li>2. The proposed access is through a gateway that is not a historic entrance. It is understood that this is also the route chosen by Highways England as the entrance to the construction compound for the work on the A66, there is no recognition of this in the application and how this will impact on the application site or residents of the proposed dwellings.</li><li>3. The proposed dwellings will sit much higher than the older dwellings on a steeply sloping field and there is concern about drainage and surface water runoff affecting these older properties. There is no detail about how this will be managed either during the construction or afterwards.</li></ol>

Planning application number:	22/0943 (Continued)
Site address:	LAND NORTH OF KEMPLAY FOOT FARM KEMPLAY FOOT EAMONT BRIDGE PENRITH CA10 2BD
Response (Continued)	<p>4. As this site lies within close proximity to the River Eamont, a tributary of the Eden, there is no information about the nutrient neutrality requirements of the development. This is essential given the nature of the site.</p> <p>5. Given the proximity to a number of very old dwellings, including a toll cottage and on a main historic trade route into Penrith, Penrith Town Council would wish to see an archaeological survey carried out on the site and a report submitted.</p>

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.
Response:	<p><b>RESOLVED THAT</b> the following response objecting to the application be returned to Eden District Council.</p> <p>1. The proposed development is on a greenfield site on a main gateway to Penrith that is not allocated within the Eden Local Plan for development. Land is allocated in Policy PEN1 as an extension to Gilwilly Business Park, Skirsgill park with a longer term strategic growth opportunity at Newton Rigg College. This is therefore a departure from the now adopted Eden Local Plan and, if approved, would set a precedent for large scale development in the open countryside. New strategic growth should be steered in the first instance towards Newtown Rigg (PEN2 and PEN3 of the Eden Local Plan)</p>

<p>Planning application number:</p>	<p>22/0989 (Continued)</p>
<p>Site address:</p>	<p>LAND AT A6 AND B5305 STONEYBECK BOWSCAR PENRITH CA11 8RR</p>
<p>Response (Continued)</p>	<ol style="list-style-type: none"> <li data-bbox="603 342 1460 689">2. Although there is good access to the motorway, the land is not adjacent to Penrith with access for workers being on the whole by private car so not on a sustainable public transport route. It is on a single bus route (104) which is between Carlisle to Penrith although the location of the bus stop would mean pedestrians crossing busy roads. The site is some distance from the railway station.</li> <li data-bbox="603 730 1441 1137">3. It is unlikely that workers from Penrith would walk or cycle to the site. The very busy A6 has no cycle lane or footpath and the suggested route along Inglewood road would take people along a busy unlit single track road without a footpath which is already quite heavily used by traffic. The road has already seen one fatality on it due to the speed travelled by vehicles has also seen a number of complaints reported to Cumbria Police.</li> <li data-bbox="603 1167 1449 1406">4. Any development on this site would be to the detriment of Penrith removing workers from the town. Office development or small workshops should be encouraged in the town centre in empty buildings to increase the vitality of the town centre.</li> </ol>

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.
Response:	<p><b>RESOLVED THAT</b> the following response objecting to the application be returned to Eden District Council.</p> <ol style="list-style-type: none"> <li>1. Although allocated within the Local Plan for development, this site sits just above Green Lane which is an appropriate definition of the end of the built environment of the town.</li> <li>2. The application, although outline, indicates a potential 18 market led dwellings. It does not accord with Policy HS1 of the Eden Local Plan which seeks the provision of 30% affordable houses on schemes with 11 or more dwellings as it does not propose any affordable element.</li> <li>3. The application is for 3 and 4 bed houses and does not accord to Policy HS4 of the Eden Local Plan as the Housing Needs Survey carried out by Eden District Council on behalf of the Town Council in 2018 clearly showed the need for affordable housing and bungalows which is still the case.</li> <li>4. The access to the site is on a very busy route into Penrith and, if approaching Penrith, is just over a blind crest. There is concern that this is a highway safety issue due to the volume and speed of traffic using Salkeld Road.</li> <li>5. The potential development will sit on a rising site above the existing development and Green lane. There is concern that, given the topography of the site, surface water runoff may affect the lane and houses below, not enough detail has been provided to give a detailed response on this aspect.</li> <li>6. Given the proximity to the roman road and identified ancient ditch with runs alongside the site, it is strongly felt that an archaeological assessment should be undertaken should the Local Planning Authority be minded to recommend the application for approval</li> </ol>

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.
Response:	<p><b>RESOLVED THAT</b> a response of no objection be returned to Eden District Council with the following comments.</p> <ol style="list-style-type: none"> <li>1. Penrith Town Council feels that this is an infill development as Lynwood is seen as the edge of the built environment on Beacon Edge. The Town Council would wish to see no further development south of Lynwood.</li> <li>2. The indicative plans show a house sympathetic to the environment and similar in size and character to the existing Victorian dwellings along Beacon Edge. Although the scale, character and materials will be considered at reserved matters stage, the Town Council would wish to see a design reflective of the houses already there.</li> <li>3. A detailed landscaping scheme should be submitted at reserved matters which should include native trees and shrubs as appropriate.</li> </ol>

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.
Response:	<p><b>RESOLVED THAT</b> a response of no objection be returned to Eden District Council as this is in a later addition to the listed building and will improve the energy efficiency of the flat, however this should not be seen as a precedent to allow composite or uPVC fittings elsewhere on the listed building.</p>



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.
Response:	<b>RESOLVED THAT</b> a response of no objection be returned to Eden District Council.

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.
Response:	<p><b>RESOLVED THAT</b> a response objecting to the application be returned to Eden District Council on the following grounds:</p> <ol style="list-style-type: none"> <li>1. The agreed development (planning app 21/0846) dropped the ridge height as this was a second storey in an area predominantly bungalows.</li> <li>2. The proposed development has an adverse impact on the surrounding area and is out of character with the surrounding bungalows., doesn't respect the local context and doesn't fit with the street scene.</li> <li>2. The scale and massing of the reduced ridge height was accepted by the Local Planning Authority, however the increase from 7700 to 8110 would lead to greater overshadowing of properties directly opposite which sit lower down and it would be too overbearing in its nature to the detriment of residential amenity.</li> </ol>

## **PTC21/ Next Meeting**

Members noted that the next meeting was 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

**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)