



# Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR  
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**DATE: 30 May 2023**

**NOTICE IS HEREBY GIVEN** that an **ORDINARY MEETING** of **THE PLANNING COMMITTEE** will be held on Monday 5 June 2023, at 1.30pm 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.co.uk](mailto:office@penrithtowncouncil.co.uk)

## COMMITTEE MEMBERSHIP

Cllr Bowen	Pategill Ward	Cllr. Shepherd	East Ward
Cllr Holden	Carleton Ward	Cllr. Snell	West Ward
Cllr Jackson	North Ward	Cllr Thomson	West Ward
Cllr D Jayson	West 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 5 JUNE 2023**

## **PART I**

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

Receive apologies from Members.

### **2. Appointment of Vice Chair**

To appoint a Vice Chair of the Planning Committee for the 2023/24 municipal year.

### **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. Terms of Reference**

To consider a change to the Terms of Reference to allow up to 8 councillors to sit on the Planning Committee.

## **7. Speed Limits in Penrith**

To receive an update on a Town Council Resolution regarding 20mph speed limits in Penrith

## **8. Highways Issues**

To consider the following highways issues

- a) Parking on High Carleton; and
- b) Mini roundabout Scotland Road

and determine what response to make to Westmorland and Furness Council.

## **9. Planning Applications**

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

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	No Objection

Planning application number:	23/0036
Site address:	HSBC 16 MARKET SQUARE PENRITH CA11 7SN
Description:	Replacement of the existing external through the wall ATM machine with new model.
Response:	No Objection

Planning application number:	23/0039
Site address:	HSBC 16 MARKET SQUARE PENRITH CA11 7SN
Description:	Advertisement Consent for ATM signage.
Response	No Objection

Planning application number:	23/0038
Site address:	Network Rail PENRITH RAILWAY STATION ULLSWATER ROAD PENRITH CA11 7JQ
Description:	Listed Building Consent for repairs, refurbishment and rebuilding of roof and skylight to the northern end of the island platform station building.
Response	No objection

Planning application number:	23/0061
Site address:	BISHOPS YARD HOUSE BISHOP YARDS PENRITH CA11 7XU
Description:	Prunus - Crown reduction by 35%.
Response	No Objection

Planning application number:	23/0046
Site address:	26 GRAHAM STREET PENRITH CA11 9LG
Description:	Single story rear extension.
Response	No objection, proposal is at the rear of the property, blends with existing and provides additional useable space

Planning application number:	23/0073
Site address:	6 TULIP GARDENS PENRITH CUMBRIA CA11 8BY
Description:	Single storey side extension.
Response	No objection, off road parking is reconfigured but remains the same.

Planning application number:	23/0104
Site address:	WHITE GABLES WORDSWORTH STREET PENRITH CA11 7QY
Description:	Fell Sycamore.
Response	No Objection

Planning application number:	23/0085
Site address:	14 JUNIPER WAY PENRITH CA11 8UF
Description:	Prior Notification for a single storey rear extension.
Response	No Objection

Planning application number:	23/0026
Site address:	15 ROMAN ROAD PENRITH CA11 8DZ
Description:	Prior Notification for a single storey rear extension.
Response	No Objection

Planning application number:	23/0108
Site address:	9 BEACON CLOSE PENRITH CA11 8QH
Description:	Tree works in Conservation area comprising: remove 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13 and significantly reduce the height and width of others along the boundary fence. Remove 14 and 16 and prune weeping tree (17).
Response	No objection but would want to see some replacement planting of native trees/shrubs for biodiversity and to help mitigate climate change

Planning application number:	23/0105
Site address:	48 MILNER MOUNT PENRITH CA11 8EZ
Description:	Addition of two storey side extension, garage and porch.
Response:	No Objection

Planning application number:	23/0149
Site address:	FORMER PFK ANTIQUES AND FURNITURE SALE ROOM SKIRSGILL BUSINESS PARK NORTH SKIRSGILL PENRITH CA11 0DN
Description:	Change of use of former PFK furniture sale room (Sui Generis) to an office (class E).
Response	No Objection

Planning application number:	23/0159
Site address:	VOREDA HOUSE PORTLAND PLACE PENRITH CA11 7BF
Description:	Non Material Amendment for changes to some ground floor windows and doors, revised support structure for the external planting frames and amendments to extent and formation of paving and re-tarmacking, attached to approval 21/0970.
Response	No Objection

Planning application number:	23/0144
Site address:	PLUMPTON HEAD PLUMPTON PENRITH CA11 9NP
Description:	Change of use and extension of 2no agricultural buildings to create a single dwelling including associated operations.
Response	No Objection however would wish to see an updated bat and owl survey completed to ensure protection of protected species and we believe that a nutrient neutrality report should be submitted as this is a revised new application

Planning application number:	23/0131
Site address:	8 MIDDLEGATE PENRITH CA11 7PG
Description:	Listed Building Consent for the replacement of windows to front and rear and general repairs to roof, shop front and external redecoration.
Response:	No Objection but would like conditions relating to the retention and preservation of the plaques and rainwater hopper

Planning application number:	23/0168
Site address:	7 JUBILEE LODGE BEACON EDGE PENRITH CA11 7SQ
Description:	Removal of T1 - Conifer.
Response:	No objection but would like to see some alternative planting of native shrubs to assist with carbon sequestration

Planning application number:	23/0167
Site address:	BEACON BANK COTTAGE BEACON EDGE PENRITH CA11 7BD
Description:	Prune back overhanging Yew Tree to approx 2m from boundary fence.
Response	No Objection

Planning application number:	23/0192
Site address:	11 ALDER ROAD PENRITH CUMBRIA CA11 8TT
Description:	Proposed single storey rear sun room extension.
Response	No Objection

Planning application number:	23/0134
Site address:	AGRICULTURAL HALL SKIRSGILL PENRITH CUMBRIA CA11 0DN
Description:	Roof over existing livestock handling pens.
Response	No Objection

Planning application number:	23/0219
Site address:	JOHN BEATY TRANSPORT LTD STATION VIEW PENRITH CA11 0BX
Description:	Erection of side extension.
Response	No Objection



Planning application number:	23/0227
Site address:	MYERS LANE BUSINESS PARK MYERS LANE PENRITH CA11 9DP
Description:	Erection of a building and the siting of shipping containers. Part retrospective.
Response	No Objection but a condition relating to operating hours to respect the amenity of the nearby residential properties should be included.

Planning application number:	23/0037
Site address:	LAND NORTH OF EDEN BUSINES PARK COWPER ROAD PENRITH CA11 9FW
Description:	Outline application for Class B2, Class B8 and Class E(g) development, with approval sought for access.
Response	Objection  Although the site itself is suitable for small scale development, Penrith Town Council objects on the grounds of the access which is along a well used public footpath and included within the Local Cycling and Walking Infrastructure proposals. Any access to this site should be direct off Cowper Road to ensure that all vehicles are kept away from the public footpath.

Planning application number:	23/0231
Site address:	PENRITH CRICKET CLUB WETHERIGGS LANE PENRITH CA11 8PE
Description:	Erection of new cricket club changing facilities building.
Response:	No Objection. The proposed development will enhance the facilities at the club.

Planning application number:	23/0230
Site address:	32 BRENTFIELD WAY, PENRITH
Description:	Two storey side extension
Response:	No Objection.

Planning application number:	23/0248
Site address:	LAND AND BUILDINGS AT GILWILLY ROAD GILWILLY ROAD PENRITH CA11 9BL
Description:	Prior Notification for replacement of existing 15m monopole mast with 30m lattice sharable mast with 6no antenna and 2no mounted dishes, and associated ancillary development.
Response	No Objection

Planning application number:	23/0243
Site address:	LAND AT RAISELANDS FARM SCOTLAND ROAD PENRITH
Description:	Advertisement Consent for 1no non-illuminated pole mounted notice board sign.
Response	No Objection

Planning application number:	23/0037
Site address:	LAND NORTH OF EDEN BUSINES PARK COWPER ROAD PENRITH CA11 9FW
Description:	Outline application for Class B2, Class B8 and Class E(g) development, with approval sought for access.
Response:	No objection however as the plans still aren't clear with no revised site plan showing access, it is essential that it is conditioned that the access and egress from the site should be off Cowper Road well away from the public footpath.

Planning application number:	23/0270
Site address:	HOWDENS JOINERY HARTNESS ROAD PENRITH CA11 9BD
Description:	Variation of condition 2 (plans compliance) to reposition the extension away from rear retaining wall and drainage, attached to approval 22/0297.
Response	No Objection

Planning application number:	23/0249
Site address:	LAND OF GREEN BANK ROAD EDEN BUSINESS PARK PENRITH CA11 9FB
Description:	Discharge of condition 9 (noise validation report) and confirmation of compliance with condition 16 (cumulative noise level), attached to approval 21/0356.
Response:	No Objection

## b) PLANNING APPLICATIONS FOR CONSIDERATION

Consider the following applications for which information can be found on the Westmorland and Furness Council Website

<http://eforms.eden.gov.uk/fastweb/search.asp> by inserting the appropriate planning reference number.

Planning application number:	23/0304
Site address:	GENERAL WOLFE 6 - 7 LITTLE DOCKRAY PENRITH CA11 7HL
Description:	Listed Building Consent for alterations to the internal layout, including relocation of customer toilets.

Planning application number:	23/0236
Site address:	38 - 39 GREAT DOCKRAY PENRITH CA11 7BN
Description:	Listed Building Consent for the replacement of timber framed single glazed shop front window with timber framed double glazed shop front window.

Planning application number:	23/0321
Site address:	45 WORDSWORTH STREET PENRITH CA11 7QY
Description:	Fell Holly tree.

Planning application number:	23/0333
Site address:	BRACKENBER COURT MUSGRAVE STREET PENRITH CA11 9AT
Description:	Pine subject to TPO - Prune back low branch overhanging the bin store by 2-3m. Pine subject to TPO - Prune back building face of building by 2m and shape in, remove major deadwood.

Planning application number:	23/0327
Site address:	GO OUTDOORS ULLSWATER ROAD BUSSINESS PARK ULLSWATER ROAD PENRITH CUMBRIA CA11 7EH
Description:	Advertisement Consent for 1no internally illuminated fascia sign, 1no externally illuminated panel, 1no non illuminated digitally printed vinyl, 6no non illuminated pole mounted panels, 1no non illuminated panel and 1no internally illuminated free standing totem.

Planning application number:	23/0324
Site address:	PENRITH RAILWAY STATION ULSWATER ROAD PENRITH CUMBRIA CA11 7JQ
Description:	Discharge of condition 4 (glazing), attached to Listed Building Consent 23/0038.

Planning application number:	23/0334
Site address:	18 TYNE CLOSE AVENUE PENRITH CA11 7ER
Description:	Erection of single storey side, rear and front elevation extension.

Planning application number:	23/0312
Site address:	2 FRIARS RISE PENRITH CUMBRIA CA11 8DB
Description:	Addition of two storey side extension and front porch extension.

Planning application number:	23/0342
Site address:	CATERPREP GREENBANK ROAD EDEN BUSINESS PARK PENRITH CA11 9FB
Description:	Advertisement Consent for 1no non-illuminated pole mounted sign.

## 10. Times of Meetings

To consider the times of Planning Committee Meetings.

## **11. Next Meeting**

Note the next meeting is scheduled for 3 July 2023, 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 ATTENTION 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 at <https://www.penrithtowncouncil.gov.uk/> 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)



## Scheme of Delegation Planning Committee Terms of Reference

<b>PLANNING COMMITTEE</b>	
<ul style="list-style-type: none"> <li>• Housing and Planning</li> <li>• Conservation and heritage</li> <li>• Street naming</li> <li>• Footpaths and rights of way</li> <li>• Highway and traffic regulations</li> <li>• Traffic calming</li> <li>• General Highways Issues</li> <li>• Tree preservation</li> <li>• Planning policy</li> <li>• Town Centre</li> <li>• Parking &amp; Movement</li> </ul>	<ul style="list-style-type: none"> <li>• Transport</li> <li>• Connectivity</li> <li>• Climate Change mitigation for planning applications</li> <li>• Recycling</li> <li>• Community Partnerships</li> <li>• Green spaces</li> <li>• LCWIP</li> <li>• Regeneration &amp; development projects</li> <li>• Borderlands</li> </ul>

### Planning Committee Terms of Reference

**MEMBERSHIP:** Up to **EIGHT** Members of Penrith Town Council.

**QUORUM:** **THREE** Members of the Committee.

#### Terms:

- a) The Council's Standing Orders apply to all meetings of the Committee.
- b) The Committee shall be appointed on an annual basis at the Annual Meeting of the Town Council when the Committee Chair will be appointed.
- c) The first order of business of the first meeting of the Committee after its annual appointment will be to elect a Vice-Chair.
- d) Unless the Council directs otherwise, the Committee may arrange to devolve any of its functions to a Sub-Committee or to Officers of the Council.
- e) The Committee will meet monthly.
- f) Meetings shall be open to the public unless the Committee feels it appropriate to exclude the press and public for specific items.
- g) Members of the Committee will receive an agenda and supporting papers in accordance with the Councils Standing Orders.
- h) All Members of the Council will receive an agenda only, sent via email.
- i) Notice of meetings will be published in accordance with the Councils Standing Orders.

## **Limitations**

- a) Only Members of the Committee may vote on agenda items.
- b) Non-Members of the Committee may attend in their capacity as a Councillor and will be allowed to speak on an agenda item with the agreement of the Chair.
- c) Non-Members of the Committee are subject to the same rules as Committee Members regarding confidentiality and the requirements of the Code of Conduct.
- d) Non-Members of the Committee have no more rights at Committee meetings than members of the public.

## **Responsibilities**

- a) Consider and provide responses to planning applications made to Eden District Council for planning permission.
- b) Consider and provide responses to any proposals by the Local Planning Authority to make Tree Preservation Orders.
- c) Consider consultation responses to the Government's Planning Inspectorate and other appropriate bodies.
- d) Consider and provide responses with respect to the stopping up, diversion, maintenance, or creation of public rights of way.
- e) Consider and provide responses with respect to footpath/bridleway creation orders, highway adoption orders and other highway notices.
- f) Consider and recommend responses to any proposals with respect to street naming.
- g) Consider and provide responses to proposals with respect to highway and traffic regulation issues and orders.
- h) Develop and implement a Neighbourhood Plan for Penrith.
- i) Delegate areas of responsibility to either a sub-committee or to an office.
- j) Formulate budget recommendation.
- k) Develop policy.

## **Delegated Powers**

The committee has delegated authority:

- a) Respond to all planning matters referring contentious and significant applications to full Council for consideration.
- b) Design, develop and approve policy relevant to the Neighbourhood Plan and Climate Change Strategy.
- c) Financial powers within the approved budget for expenditure related to the Neighbourhood Plan budget.



# **REPORT TO PLANNING COMMITTEE**

**Date: 5 June 2023**

## **Public Report**

**Item no: 9**

**Matter:** Highways Issues

**Author:** Deputy Town Clerk

**Supporting Member:** Council Chair

**Purpose of Report:** To consider two highways issues reported by members of the public and determine how to respond.

## **Recommendations**

That the issues be highlighted to Westmorland and Furness Council as the Highways Authority to ask them to look into them and report back on what action they will take.

## **Law and Legal Implications**

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.

## 1. Report Details

- 1.1 Members of the public have recently brought two highways issues to the attention of Penrith Town Councillors to see what action, if any can be taken.
- 1.2 It should be noted that Penrith Town Council has no responsibility for highways as this falls under the jurisdiction of Westmorland and Furness Council as the Highways Authority.

### 1.3 Cedar Close High Carleton

The first issue relates to an ongoing parking problem in Cedar Close, High Carleton where damage is being caused to pavement edges and the grassed area. The issue has been reported to



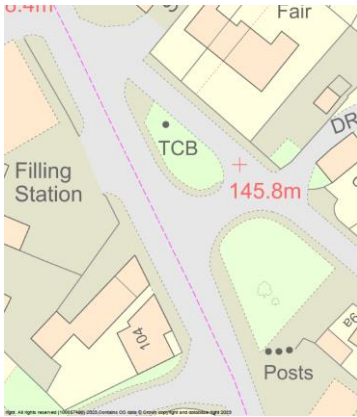
Westmorland and Furness Council who responded initially to say that no further work would be undertaken as upon inspection they were unable to locate the defect.

- 1.4 Following further enquiries from residents, it is understood by the residents that someone is looking into the possibility of providing no parking signs / bollards however no information has been given about who is looking into this or when it will be done. Pictures of the damage are shown below.



## 1.5 Roundabout Scotland Road

The second issue relates to the roundabout on Scotland Road which has been brought forward by a member of the public. It has been the site for countless near misses along with a few RTCs. Cars coming south down Scotland Road are often going quite fast as they come round the corner from The Grey Bull and go straight across rather than slowing for a roundabout. This leaves cars coming out of Drovers Lane with little opportunity to pull out and round the roundabout, particularly if heading north.



## 2. Recommendations

It is proposed that delegated authority be given to the Chair of the Planning Committee and Deputy Town Clerk to send a letter to the appropriate Departmental Director of Westmorland and Furness Council asking that:

1. action is taken as soon as possible regarding no parking signs or bollards at Cedar Close to ensure no further damage to either kerb or grass; and
2. the roundabout on Scotland Road is the subject of investigation to see whether reconfiguration or signage is possible to make it safer.

## 3. Reasons for Recommendations

To ensure that highways issues are brought to the attention of the appropriate authority and action taken to make sure residents concerns are addressed.

## 4. Options Analysis including risk assessment

### a) Risks

### b) Consequence

### c) Mitigation

The Town Council could decide not to pursue the issues brought to its attention however there is a reputational risk that should it pursue this option, members of the public lose faith that the Town Council will not represent their views on such issues.

## 5. Financial Implications

None

## 6. Equalities Implications

None

## 7. Climate Change and Environmental Implications

Should vehicles be prevented from accessing the grassed verges, grass will be able to grow to assist biodiversity and carbon capture.