



Penrith Town Council

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

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DRAFT Minutes of the meeting of

PLANNING COMMITTEE

Held on 8 April 2024, at 4.00pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

PRESENT

Cllr Bowen	Pategill Ward
Cllr Jackson	North Ward
Cllr. Knaggs	East Ward
Cllr. Lawson	Carleton Ward
Cllr. Shepherd	East Ward
Cllr Snell	West Ward

Deputy Town Clerk

The Town Council resolved from 15 May 2023, 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
8 APRIL 2024**

PART I

PL23/93 Apologies for Absence

Apologies for absence with reasons were received from Councillors Holden and Kenyon.

Councillor D Jayson was absent without apologies.

PL23/94 Minutes

RESOLVED THAT:

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

- i. the meeting of the Planning Committee held on Monday 4 March 2024;
and
- ii. the minutes of the extra ordinary meeting of the Planning Committee held on Monday 11 March 2024

and agreed they be signed as such.

**PL23/95 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.

PL23/96 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 received a presentation from Councillor Mike Eyles, Penrith South Ward Councillor, Westmorland and Furness Council relating to item 6 on the agenda; the footpath at the Two Lions.

**PL23/97 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.

PL23/98 Claimed Footpath at Two Lions Pub, Penrith

Members considered the report relating to the closed path at The Two Lions between Penrith New Squares and Great Dockray.

RESOLVED THAT:

- i. the Chair of Planning and the Deputy Town Clerk meet with the developer to ascertain their views and request that the footpath be re-opened; and
- ii. delegated authority be given to the Chair and Deputy Town Clerk to gather evidence and submit an application to Westmorland and Furness Council to claim a new public right of way in accordance with the Wildlife and Countryside Act 1981 (The Wildlife and Countryside (Definitive Maps and Statements) Regulations 1983

PL23/99 Decision Making Process for Planning Applications

Members considered the report on the planning process adopted by Westmorland and Furness Council which no longer allowed members of the public to request that applications be considered by the area Planning Committee. Planning Officers at Westmorland and Furness have been given delegated authority to decide certain planning applications however, delegated authority does not apply to the following:

- Approvals which would be contrary to policy,
- Applications of a major, controversial or sensitive nature,
- Applications arousing significant public interest on valid planning grounds (although significant public interest is not quantified),
- An objection from a statutory consultee,
- Where a Parish Council has objected on valid planning grounds,
- Where a W&F Member asks for the application to go to committee with a clear written planning-related justification for doing so within the initial 21 day period,
- Where the recommendation is contrary to that of a statutory undertaker eg the Highways Authority.

RESOLVED THAT:

Penrith Town Council writes to Westmorland and Furness Council asking them to consider requests by members of the public to hear planning applications at committee in the interests of democracy when reviewing their constitution.

PL23/100 Speed Indicator Device (SID) – Oak Road

Members considered the installation and on-going maintenance of a Speed Indicator Device (SID) on Oak Road due to on-going speeding issues. Members were advised that Cumbria Road Safety Partnership (CRSP) had verified data available to them and agreed that it was a suitable location.

RESOLVED THAT

- i. A Speed Indicator Device (SID) be purchased and maintained by the Town Council on Oak Road at a location approved by CRSP and that it be installed by Westmorland and Furness Council.
- ii. delegated authority be given to the Deputy Town Clerk to liaise with Westmorland and Furness Council regarding the Memorandum of Agreement and exact location and with the provider regarding purchase of the SID.

PL23/101 Consultation Regarding Sustainable Transport

The Committee considered the consultation by Westmorland and Furness Council on the proposed bus routes affecting Penrith which could potentially be funded from the £1.7m Bus Service Improvement Plan Plus money awarded by the Department of Transport.

RESOLVED THAT

A response be returned to Westmorland and Furness Council stating that the Town Council felt that the priority route for Penrith was the expansion of the 646 Penrith Town Service to introduce early morning and later afternoon services which would benefit workers and those getting children to school and that a more imaginative route should be explored to cover all areas of the town. A lower priority would be to extend the Greystoke to Penrith route to possibly link to the Settle-Carlisle line at Langwathby.

The meeting was adjourned for 5 minutes.

PL23/102 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:

Application Number	2024/0310/NMA
Location Address	Land at Carleton Hall Farm Carleton Avenue PENRITH CA11 8RQ
Proposal	Non Material Amendment to change the north west gable from stone to render, attached to approval 23/0416.
Response:	No Objection

Application Number	2024/0173/ADV
Location Address	Morrison's Supermarket Brunswick Road Penrith CA11 7JU
Proposal	Advertisement Consent for the retention of 32no non-illuminated parking information signs.
Proposed Response	No Objection

Application Number	2024/0354/TCA
Location Address	9 Beacon Close Penrith CA11 8QH
Proposal	Remove Weeping Willow.
Proposed Response:	No Objection but would like to see replaced with smaller native tree or shrub

Application Number	2024/0384/NMA
Location Address	Land at Raiselands Farm Penrith CA11 9NQ
Proposal	<u>Non Material Amendment</u> to update planning layout to change Plot 126 to Rufford from Roseberry to enable Plot 125 to move away from boundary by approx 800mm. Plot 160 moved west, away from boundary by approx 300mm. Plots 36 and 144 separated from garages and garages omitted from Plots 147, 148 and 166. Retaining wall alignment amended to better reflect approved drawings. Plot 164 moved to plot 185. Update of approved plan Proposed Site Levels 30083_200 Rev A with 30038.16.1 Rev A; 30038.16.2 Rev B; 30038.16.3 Rev A; 30038.16.4 Rev A to reflect above amendments and stepped lowering of plot 229 against existing, attached to approval 14/0405.
Response	No Objection as this is a non material amendment however Penrith Town Council has some concerns about the removal of garages from plots 147, 148 and 166 as they provide parking place or additional storage.

Application Number	2024/0291/LDPR
Location Address	59 Musgrave Street PENRITH CA11 9AS
Proposal	<u>Lawful Development Certificate</u> for proposed rear extension to extend kitchen, conversion of existing outbuilding to create utility room/shower/wc and addition of dormer window to rear elevation.
Response:	Support

Application Number	2024/0351/NMA
Location Address	1-2 Little Dockray PENRITH CA11 7HL
Proposal	<u>Non Material Amendment</u> for application of render to facade, replacement of existing timber windows with uPVC, replacement of existing entrance door with composite door and insertion of roof lantern, attached to approval 19/0202.
Response:	Although Penrith Town Council has no problem with uPVC windows in the upper story to make the building more environmentally useable, it does Object to the render on a prominent position within the conservation area

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.

Application Number	2024/0332/FPA
Location Address	Creations 2-4 Poets Walk Penrith CA11 7HJ
Proposal	Change of use of first floor of hair and beauty salon (use class E) to a residential flat (use class C3), and replacement of first floor window.

RESOLVED THAT

A response be returned to Westmorland and Furness Council SUPPORTING the application. Conversion of redundant upper storey space is ideal in this location. The adjacent window above The Little Chippy already looks to be uPVC so changing the window to a heritage wood look uPVC would not be detrimental to the character to the conservation area (especially as it's an upper storey window) and would make a dwelling more environmentally sustainable.

Application Number	2024/0385/FPA
Location Address	16 Scaws Drive Penrith CA11 8AZ
Proposal	Alterations and extensions to dwelling. Re-submission of 23/0725.

RESOLVED THAT

A response be returned to Westmorland and Furness Council SUPORTING the application which has been realigned to reflect neighbouring properties.

Application Number	2024/0502/TCA
Location Address	Beacon Hill Cottage Fell Lane Penrith CA11 8BJ
Proposal	Reduce Scots Pine by 1/3 and extended branch by 2m, to reduce the risk of limb and stem failure.

RESOLVED THAT

A response be returned to Westmorland and Furness Council SUPPORTING the application.

Application Number	2024/0501/PALHE
Location Address	59 Musgrave Street Penrith CA11 9AS
Proposal	Prior Notification under schedule 2, part 1, class A, for a single storey rear extension.
RESOLVED THAT A response be returned to Westmorland and Furness Council SUPPORTING the application which brings the dwelling up to modern family standards.	

Application Number	2024/0452/LDPR
Location Address	1 Plimsoll Close Penrith CA11 9EY
Proposal	Lawful Development Certificate for a single storey rear extension.
RESOLVED THAT A response be returned to Westmorland and Furness Council SUPPORTING the application.	

Application Number	2024/0439/TCA
Location Address	13 Graham Street Penrith CA11 9LG
Proposal	Laburnum tree in garden - cut down to stump.
RESOLVED THAT A response be returned to Westmorland and Furness Council SUPPORTING the application with a request that the wood and stump is disposed of properly as the wood is poisonous and may sprout. Penrith Town Council would like to see a replacement native tree or shrub planted to aid biodiversity and carbon capture.	

Application Number	2024/0451/TCA
Location Address	Yew Trees Lowther Street Penrith CA11 7UW
Proposal	2x Holly Trees in conservation area Crown reduction to prevent the canopies from reaching the roof line and overhanging neighbouring property.
RESOLVED THAT A response be returned to Westmorland and Furness Council SUPPORTING the application.	

Application Number	2024/0446/TPO
Location Address	Yew Trees Lowther Street Penrith CA11 7UW
Proposal	Yew tree subject to TPO 20% Crown reduction to prevent the canopies from reaching the roof line and overhanging neighbouring property.
RESOLVED THAT A response be returned to Westmorland and Furness Council SUPPORTING the application.	

Application Number	2024/0448/TCA
Location Address	Arbol House Fell Lane Penrith CA11 8BJ
Proposal	Yew Tree - T1 Remove 2x branches on south side of tree. 12cm in diameter at 4m in height. 2m in length. tree height 7. Holly Tree - T2 Remove 6 small branches on south side of tree, 8-12cm in diameter up to 1m in length. Height approx 5m. To reduce the height by 1/2 removing thin shoots from previous pruning point. Both trees overhanging the garden of the applicant.
RESOLVED THAT A response be returned to Westmorland and Furness Council SUPPORTING the application.	

Application Number	2024/0542/TPO
Location Address	Lindenthwaite Beacon Edge Penrith Westmorland And Furness CA11 8BN
Proposal	TPO No58 1994, T1 Yew – remove co-dominant stem growing at 45 degrees to the northwest. Reduce canopy on remaining crown by 30 per cent on the north side to balance the tree. This will leave a single stem with a uniform crown securing the tree’s future. T2 Beech tree – raise crown of the beech tree to 7m. This will provide light for the yew tree securing its future, take ends of branches away from the roof and give us headroom while gardening.
RESOLVED THAT A response be returned to Westmorland and Furness Council SUPPORTING the application.	

PTC23/103 Next Meeting

Members noted that the next meeting was scheduled on 13 May 2024 at 4.00pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

RESOLVED THAT

An extra ordinary meeting of the Planning Committee be convened on 24 April at 4.00pm should an additional meeting be required to consider two applications for Omega Proteins and no extension be granted by Westmorland and Furness Council.

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