



Penrith Town Council

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

DATE: 7 May 2024

NOTICE IS HEREBY GIVEN that an **ORDINARY MEETING** of **THE PLANNING COMMITTEE** will be held on Monday 13 May, at 4.00pm 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 1.00pm on the day of the meeting at the latest) by emailing office@penrithtowncouncil.gov.uk

COMMITTEE MEMBERSHIP

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

Mr I. Parker, Acting Town Clerk

Public Participation

Members of the public are welcome to attend. Details about 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 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.

AGENDA FOR THE MEETING OF PLANNING COMMITTEE MONDAY 13 MAY 2024

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 8 April 2024 and agree they be signed as such by the Chair.

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. Neighbourhood Development Plan - Update

To note the verbal update.

7. 20mph Scheme

To receive a verbal update.

8. Planning Applications

a) DELEGATED RESPONSES TO NOTE

Application Number	2024/0622/LBC
Location Address	Barclays Bank Plc 2-3 Market Square PENRITH CA11 7YB
Proposal	Listed Building Consent for external alterations to include removal of existing ATM and opening infilled with matching stone, removal of existing signage, CCTV, ADT alarm box and made good, night safe to be sealed internally with facing plate retained, and removal of fixtures and fittings and some modern glazing partitions and doors from ground and first floors.
Response	No Objection

Application Number	2024/0494/FPA
Location Address	Barclays Bank Plc 2-3 Market Square Penrith CA11 7YB
Proposal	External alterations to include removal of existing ATM and opening infilled with matching stone, removal of existing signage, CCTV, ADT alarm box and made good, night safe to be sealed internally with facing plate retained, and removal of fixtures and fittings and some modern glazing partitions and doors from ground and first floors.
Response:	No Objection

Application Number	2024/0560/NMA
Location Address	Land at Carleton Penrith
Proposal	Non Material Amendment to rotate garages, amend parking and fence lines on Plots 46 and 47 and amend parking and fence lines on Plots 62 and 63, attached to approval 20/0995.
Response	No Objection

Application Number	2024/0472/DISC
Location Address	Omega Proteins Penrith Ltd Processing Plant Penrith CA11 0BX
Proposal	Part discharge of condition 2 (surface water drainage scheme), attached to approval 21/0870.
Response	No Objection

Application Number	2024/0546/DISC
Location Address	Land at Raiselands Farm Scotland Road Penrith CA11 9JW
Proposal	Discharge of conditions 8 (construction management plan) and 20 (open spaces and play equipment), attached to approval 14/0405.
Response	PTC cannot comment on the discharge of condition relating to the construction management plan as it doesn't appear to be in the documentation online. In relation to the play equipment, it is disappointing that most of the equipment is basic although it is pleasing to see an accessible roundabout being installed. It is unclear from the documentation where the play equipment is to be located but it should be in a safe centrally location

Application Number	2024/0545/NMA
Location Address	Land at Raiselands Farm Scotland Road Penrith CA11 9JW
Proposal	Non Material Amendment for the addition of natural stone wall features within the site, attached to approval 14/0405.
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.

Application Number	2024/0471/FPA
Location Address	Omega Proteins Penrith Ltd Processing Plant Penrith CA11 0BX
Proposal	Installation of 25m chimney stack.

Re-consultation

Application Number	22/0256
Location Address	LAND BETWEEN INGLEWOOD ROAD AND CENTURION RISE, PENRITH, CA11 8QW
Proposal	Erection of 194 dwellings and associated infrastructure including landscaping, open space, access, highways and drainage.

Application Number	23/0713
Location Address	Castle Park Ullswater Road Penrith CA11 7EF
Proposal	Listed Building Consent for the creation of vehicular access to the side of the memorial gate to include alterations to existing wall and railings and installation of new gate, railings and security footpath lighting. Part Retrospective.

Application Number	23/0698
Location Address	Castle Park Ullswater Road Penrith CA11 7EF
Proposal	Creation of vehicular access to the side of the memorial gate to include alterations to existing wall and railings and installation of new gate, railings and security footpath lighting. Part Retrospective.

Application Number	2024/0640/TCA
Location Address	Burlish Beacon Edge PENRITH CA11 7PE
Proposal	Conservation area tree works comprising; CT1 and CT2 in front garden, reduce in height to avoid interference with telephone lines. Copper Beech (CB1) in rear garden, minimum 1-2 ft reduction of upper branch system. Additional management of tree growth over boundary fence in to garden of adjoining property.

Application Number	2024/0428/FPA
Location Address	Maidenhill Farm Salkeld Road PENRITH CA11 8SQ
Proposal	Installation of 8 heat exchange and ventilation units.

Application Number	2024/0430/FPA
Location Address	Greengill Foot Inglewood Road Bowscar PENRITH CA11 8RP
Proposal	Installation of 10 heat exchange and ventilation units.

Application Number	2024/0483/FPA
Location Address	Land off Cowper Road Gilwilly Industrial Estate Penrith
Proposal	Construction of new vehicle bodyshop with associated vehicle parking.

Application Number	2024/0533/FPA
Location Address	Heathfield Croft Terrace Penrith CA11 7RS
Proposal	Alteration and extension of dwelling, alteration and extension of detached garage to form annex and erection of a garden room. Re-submission of 23/0737.

Application Number	2024/0556/FPA
Location Address	1 Beacon Gardens Penrith CA11 8BE
Proposal	Proposed chimney.

Application Number	2024/0749/PAPP
Location Address	Mounsey Bank Plumpton PENRITH CA11 9NP
Proposal	Prior Notification under schedule 2, part 6, class A, for a replacement slurry tower and self supporting cover.

Application Number	2024/0697/FPA
Location Address	Land at Carleton Hall Farm Carleton Avenue PENRITH CA11 8RQ
Proposal	Proposed installation of wall mounted satellite dish to rear elevation.

Application Number	2024/0652/NMA
Location Address	Land at Raiselands Farm PENRITH CA11 9NQ
Proposal	Non Material Amendment to update approved plan Proposed Site Levels 30083_200 Rev-A with 30083_200 Rev-B to show stepping of Plots 228 and 229 down to east instead of single plateau for both plots (Plot 228 to sit at 161.75aod and Plot 229 at 161.15aod), attached to approval 14/0405.

Application Number	2024/0694/DISC
Location Address	Land North of Eden Business Park Cowper Road Penrith CA11 9FW
Proposal	Discharge of conditions 4 (existing hedgerows), 7 (construction surface water management plan) and 11 (pipe material), attached to approval 23/0366.

Application Number	2024/0747/FPA
Location Address	9 Angel Square PENRITH CA11 7BT
Proposal	Variation of condition 2 (plans compliance) for the inclusion of a balcony above the proposed porch and alteration of an existing window to form doorway, attached to approval 2024/0077/FPA.

10. Next Meeting

Note that this is the last meeting of this municipal year and the next meeting is scheduled for Monday 3 June 2024 at 4.00pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR, subject to approval at the Annual Town Council meeting. The times for meetings during the following municipal year will be set at the first meeting of this Committee in June.

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 Westmorland & Furness Council Website can be found at <http://eforms.eden.gov.uk/fastweb/search.asp>

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



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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**

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