



Penrith Town Council

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

Tel: 01768 899 773 Email: office@penrithtowncouncil.gov.uk

DATE: 30 September 2024

NOTICE IS HEREBY GIVEN that an **ORDINARY MEETING** of **THE PLANNING COMMITTEE** will be held on Monday 7 October 2024, at 5.15pm 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
Cllr Holden
Cllr Jackson
Cllr D Jayson

Pategill Ward
Carleton Ward
North Ward
West Ward

Cllr Knaggs
Cllr Lawson
Cllr. Shepherd
Cllr. Snell

East Ward
Carleton Ward
East Ward
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 7 OCTOBER 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 2 September 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 any items 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. Highway Safety Issues Little Dockray

To consider issues regarding highways safety in Little Dockray.

7. 2025/26 Budget: Process and Proposals

To consider the process for the 2025/26 budget

8. Neighbourhood Development Plan Update

To note the letter from Westmorland and Furness Council and agree the date proposed and agree the wording for a leaflet to be delivered to all households prior to the referendum as agreed at Planning Committee in December 2023.

9. Planning Applications

a) DELEGATED RESPONSES TO NOTE

Application Number	2024/1522/NMA
Location Address	Land known as Carleton Heights PENRITH
Proposal	Non Material Amendment for the insertion of brick recesses in place of approved windows on apartment block (plots 522-527), attached to approval 18/0259.
Response	No Objection

Application Number	2024/1596/NMA
Location Address	Land Off Carleton Hill Road Carleton PENRITH CA11 8TZ
Proposal	Non Material Amendment for changes to facade treatment from timber cladding throughout to timber cladding on the front and partial side elevations of main building only, remainder of elevations to be composite panel and sheet cladding. Omission of roof overhang to rear of main building, attached to approval 22/0868.
Response	Support

Application Number	2024/1666/TCA
Location Address	Shearman House Benson Row PENRITH CA11 7YW
Proposal	1) Plum - reduce to half height 2) Plum - crown reduce 2m 3) Apple - reduce over extending branches by up to 2m 4,5) Laburnum - Crown reduce 1.15m for maintenance 6) Eucalyptus - Trim regrowth, crown reduce by 1m
Response	Support

Application Number	2024/1665/TCA
Location Address	Crozier Lodge Fell Lane PENRITH CA11 8AB
Proposal	G1 - remove 3x small Cyprss to stump G2 - Remove 1x small Cypress to stump T1 - Lime - dead wood IIII - Maintain hedge to all sides
Response	Support

Application Number	2024/1559/TCA
Location Address	Brunswick Square PENRITH CA11 7LL
Proposal	Laurels, rhododendrons, hollies, cypresses and yews contained within the boundaries of the central garden; annual shaping. Crown lift all trees in square as needed to provide clearance of street lamps, 2.5m over footpaths and 5m over highways. General maintenance of larger trees in garden, as follows: 1) Lime: Opposite no 19; removal of shoot growth; hard re-pollard at existing 4m height 2) Lime: Opposite no 27; removal of shoot growth; hard re-pollard at existing 4m height 3) Beech: Opposite no 37; crown thinning by 20%; crown reduction by 2m; crown lift to 3m above ground; overall volume reduction up to 50%. 4) Apple: Opposite no 14; crown reduction by 2m: crown lift to 2m above ground; removal of cross-branches. 5) Cherry: Opposite no 12; crown reduction by 3m; crown lift to 3m above ground. 6) Cherry: Opposite no 35; crown reduction by 2m; crown lift to 2m above ground. 7) Holly: Opposite no 2; remove. 8) Silver Birch: Opposite no 2; crown reduction by maximum of 4m. 9) Silver Birch: Opposite no 6; crown reduction by maximum of 4m. 10): Silver Birch: Opposite no 13; crown reduction by maximum of 4m.
Response:	Support

b) PLANNING APPLICATIONS FOR CONSIDERATION

Consider the following applications for which information can be found on the Westmorland and Furness Council Website. The application number is the link which takes you direct to the application.

Application Number	<u>2024/1380/LBC</u>
Location Address	21 Stricklandgate PENRITH CA11 7QA
Proposal	Listed Building Consent for the replacement of existing front and rear timber doors in the same style and replacement of single glazed timber windows with double glazed timber windows in the same style.

Application Number	<u>2024/1313/FPA</u>
Location Address	Greggs Plc Baker House Greenbank Road Eden Business Park PENRITH CA11 9FB
Proposal	Proposed two storey extension to the existing office and amenity areas.

Application Number	<u>2024/1525/ADV</u>
Location Address	2 Tun House Brewery Lane Penrith New Squares PENRITH CA11 7FR
Proposal	Advertisement Consent for 1no internally illuminated fascia sign and 1no non-illuminated printed vinyl graphic.

Application Number	<u>2024/1524/FPA</u>
Location Address	41 Holme Riggs Avenue PENRITH CA11 8NL
Proposal	Erection of a two storey side extension.

Application Number	<u>2024/1319/FPA</u>
Location Address	31 Huntley Avenue Penrith CA11 8NU
Proposal	Proposed two storey front extension and single storey rear extension.

Application Number	<u>2024/1689/TCA</u>
Location Address	60 Wordsworth Street PENRITH CA11 7QY
Proposal	1no Japanese maple (Acer pamtum(rubrum), 1no Holly (Ilex aquifolium) and 1no flowering currant (Ribes sanguineum). The Japanese maple is to undergo a minor crown lift to head height (1.8 metres) to allow the passage of people to use the paved and seating area beneath. In addition there are a number of minor crossing branches and a number of dead branches to be removed. The overall intention is to improve the viability and the safety of the tree as well as improving its appearance. Both the Holly and the Flowering Currant are incursions from planting very close to the boundary in the garden next door. The boundary wall is a retaining wall and the next door garden is on a much higher level. The intention is to remove all parts of the trees which are overhanging the applicants property on a perpendicular axis from the boundary line. As these trees are not fully mature the average size of the branches being removed is 25 millimetres or less.

Application Number	<u>2024/1779/TCA</u>
Location Address	Land adjacent Centurion Rise Penrith CA11 8BS
Proposal	Tree T1 Oak - Prune roots exposed during archaeological excavations within the 3m buffer zone indicated on plan CL12956-001 P0.01 Proposed Strip Map and Record Area and Access Plan (Figure 1 in CL12956 Tech Note AMS Final) to prevent significant harm arising to T1 from the excavations.

Application Number	<u>2024/1670/LBC</u>
Location Address	Two Lions Great Dockray PENRITH CA11 7FX
Proposal	Listed Building Consent for external and internal alterations to enable the re-instatement of public house and hotel.

Application Number	<u>2024/1625/FPA</u>
Location Address	11 Skirsgill Close PENRITH CA11 8QF
Proposal	Retrospective erection of boundary fence and gate.

10. Next Meeting

Note the next meeting is scheduled for 4 November 2024, 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 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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Minutes of the meeting of

PLANNING COMMITTEE

Held on 2 September 2024, at 5.15pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

PRESENT

Cllr Bowen	Pategill Ward
Cllr Holden	Carleton Ward
Cllr Jackson	North Ward
Cllr D Jayson	North Ward
Cllr. Knaggs	East 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

MONDAY 2 SEPTEMBER 2024

PART I

PL24/28 Apologies for Absence

Apologies for absence with reasons were received from Councillor Lawson.

PL24/29 Minutes

RESOLVED THAT:

The Chair be authorised to sign, as a correct record, the minutes of the meeting of the Committee held on Monday 29 July 2024 and agreed they be signed as such.

PL24/30 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.

- i. Councillor Knaggs declared a registrable interest in planning application 17/0375 as he knew one of the people making the presentation however declared that it would have no bearing on his decision and in application 2024/1482/TCA as he lived nearby but it would not impact his property directly.
- ii. Councillor Snell declared a registrable interest in planning application 17/0375 as she knew one of the people making the presentation however declared that it would have no bearing on her decision and in application 2024/1482/TCA as she lived nearby but it would not impact her property directly.

PL24/31 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 agreed that the representative of Atkinsons Builders could speak about Planning Application 17/0375 immediately prior to it being considered.

APPROVED THAT:

Planning Application 17/0375 be considered immediately after the following item to enable the representative to make their presentation and leave the meeting should they so wish.

PL24/32 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.

PL24/33 Planning Application for Consideration:

Members received a presentation from representatives of Atkinsons Builders in relation to the following application.

Application Number	17/0375
Location Address	LAND NORTH OF RAISELANDS FARM, PENRITH
Proposal	Outline application for residential development.

RESOLVED THAT:

A response be returned to Westmorland and Furness Council in SUPPORT of the application but with the following comments:

1. It is noted that the land is already allocated for development within the current Eden Local Plan.
2. PTC is pleased that the development will provide an affordable housing scheme, including single storey bungalows, with a small percentage of market led although this is to be confirmed at reserved matters stage.
3. It is pleasing that the development is proposed to be fully sustainable, highly insulated and highly energy efficient with a list of proposed features such as EV charging, pv panels etc meaning that an expensive retrofit should not be necessary.
4. The development should include a children's play area or communal space as Fairhill is across the busy A6.
5. Any hardstanding should be porous to prevent water run-off and there should be soft landscaping on the site.
6. The trees and stone walls, on and surrounding the site, should be retained as they add to the character of the area.
7. There is concern about another busy entrance off the A6 in such a small area adding to potential congestion although it is recognised that the Highways Authority will provide professional advice regarding this.
8. As well as the above points, PTC still has major concerns about the effect of any new development on the infrastructure of Penrith. This development, along with others, will add substantial pressure on the road network and particularly on the social infrastructure of school places and NHS services. Although there is a suggestion of a financial contribution towards secondary school placements, there is concern that this does not future proof Penrith for the overall rise in development.

PL24/34 Street Naming and Numbering – Fairways 2 Development

Members considered the request by Storey Homes for up to seven potential street names for the next phase of the Fairways Development off Inglewood Road.

RESOLVED THAT:

The following suggestions be put forward to carry on the Roman theme given the proximity of the old Roman Road: Vicus, Via, Legion, Hadrian, Caesar, Consul, Emperor, Cohort, Tribune, Gladiator.

PL24/35 Eden Design Code

Members considered the consultation questions on the Eden Design Code and provided comments.

RESOLVED THAT

The Deputy Town Clerk prepare a response to the questions based on the comments which would be circulated to the Planning Committee

PL24/36 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:

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://planningregister.westmorlandandfurness.gov.uk/> by inserting the appropriate planning reference number.

Application Number	2024/1255/FPA
Location Address	Hawthorn Alexandra Road PENRITH CA11 9AL
Proposal	Replacement of existing 2no 1 bed single storey cluster accommodation units with 2no 2 bed single storey cluster accommodation units. Re-submission of 23/0477.

RESOLVED THAT a response be returned to Westmorland and Furness Council in SUPPORT of the application with the following comments:

1. If approved, PTC would wish to see conditions relating to the construction so that the development period does not impact on, or affect, the residential amenity of neighbours.
2. PTC has concerns that the development may exacerbate parking issues within the area.

Application Number	2024/1482/TCA
Location Address	Land off Beacon Edge Penrith CA11 9LA
Proposal	Sycamore tree in conservation area - crown raise 5.2m and 3m reduction all round tree.
RESOLVED THAT a response be returned to Westmorland and Furness Council in SUPPORT of the application.	

Application Number	2024/1393/LBC
Location Address	1 Wordsworth Terrace Drovers Lane PENRITH CA11 7QT
Proposal	Listed Building Consent for the replacement of existing single glazed timber windows with double glazed timber windows.
RESOLVED THAT a response be returned to Westmorland and Furness Council in SUPPORT of the application as it makes the property more environmentally sustainable and mirrors other properties adjoining.	

PTC24/37 Next Meeting

Members noted that the next meeting was scheduled on 7 October 2024 at 5.15pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

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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PLANNING COMMITTEE

Date: 7 October 2024

Public Report

Matter: Highway Safety Issues Little Dockray

Item no: 6

Author: Deputy Town Clerk

Supporting Member: Councillor Scott Jackson, Chair of Planning Committee

Purpose of Report:

To consider issues raised by members of the public with regard to Little Dockray

Recommendations:

- i. To give delegated authority to the Deputy Town Clerk to liaise with Highways Officers; and
- ii. Recommend that the Highways Authority consider making an emergency traffic restriction order for Little Dockray prior to making a Traffic Regulation Order for the longer term.

Law and Legal Implications

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.

1. Report Details

1.1 The Council has received comments from a number of members of the public regarding concerns about pedestrian safety in Little Dockray due to cars driving down to park with a disabled parking disk or using it as a short cut.

1.2 At the present time Little Dockray is not fully pedestrianised but a pedestrian only zone between 10am and 4pm, except for loading and disabled persons. There are no markings indicating disabled parking bays and cars have been seen to be parked at both sides of the throughfare.



1.3 There is some confusion about the status of Little Dockray as retailers have heard traffic enforcement officers referring to a pavement on the same side as the pub. The only possible demarcation is a slightly different paved strip however everything is the same height. Cars with blue badges are seen parking on both sides.



Two cafes have pavement licences, one on each side, as has the pub allowing their customers to sit outside. This adds to the vibrancy of the area and is supported by the other retailers as it brings added footfall, however it adds another complication.

1.4 All the retailers had concerns about traffic using the route as a through road, the speed of traffic on occasions and the way that those with Blue Badges left their cars, often blocking doorways, shop windows and outside displays.

1.5 Town Council officers have been to observe the issue and whilst in Little Dockray saw a large car enter Little Dockray, mounting the kerb on either side at the entrance off Middlegate then going very close to the tables and chairs before leaving at the other end. A second car was observed entering slowly, driving through pedestrians, some with pushchairs before stopping next to a rear door of a premises before a number of cars drove in some carrying on straight through using it as a rat run and one further car stopping. Both parked cars had Blue Badges. Had a delivery been required to any of the premises a van would not have been able to get down nor would the premises next to where the driver parked been able to receive anything.



- 1.6 All the businesses in Little Dockray need access for deliveries (both in and out) throughout the day. Deliveries are generally quick and some of the independent businesses carry out the deliveries using their own cars, pulling up outside their doors, prior to going to park elsewhere. Some of these retailers have received tickets from wardens for pulling up outside to unload. On occasions, slightly larger delivery vans have been unable to access businesses due to poorly parked cars which are either across rear doorways or sticking out into the carriageway.
- 1.7 The charity shop on the entrance of Little Dockray next to Middlegate receive a lot of donations from members of the public during the day, all dropped off to their back door by car. Some donators bring multiple bags and there is no space to pull up close by on Middlegate or Devonshire Street. They are concerned that if members of the public are unable to stop and unload at the back door their donations and hence money raising capacity would be diminished.
- 1.8 There are some residential properties on the second floor in Little Dockray with more coming due to the conversion of the second and third floors of another property. On occasions, residents have parked overnight in Little Dockray and cars have not been moved prior to retailers opening. It was strongly felt that this should not be used for residential parking.

2. Proposal Details

- 2.1 It is proposed that officers work closely with Highways Officers and retailers to get a solution that is legal and works for all.

3. Options Analysis including risk assessment

a) Risk

It is important that the Town Council is seen to be acting on concerns reported by the public. It is however also important to observe the law and try to reach a solution that also works for retailers.

b) Consequence

Reputational risk if public concerns reported to us are ignored.

c) Controls Required

Work closely with Highways colleagues in Westmorland and Furness Council to come to a satisfactory arrangement.

4. Financial and Resource Implications

None

5. Equalities Implications

Although removing Blue Badge parking from Little Dockray would affect those with a disability there is parking on Middlegate, Devonshire Street and the Cornmarket. All areas can be used by those with a blue badge and not just specific disabled parking bays. It may be that another specific disabled parking bay is provided in Devonshire Street to compensate for the loss of parking in Little Dockray.

6. Climate Change and Environmental Implications

None

Appendices None

Background Documents: None

PLANNING COMMITTEE

Date: 7 October 2024

Public Report

Matter: 2025/26 Budget: Process and Proposals

Item no: 7

Author: RFO and SCM

Supporting Member: Cllr. Shepherd, Chair of Finance Committee

Purpose of Report:

To consider the process for the 2025/26 Budget.

Recommendations:

The committee is requested to consider this report and indicate:

- i. Whether any revision should be made to the Planning budget of £15,000 for the current financial year and whether to continue at £10,000 as shown in the Medium-Term Financial Plan appears reasonable to meet as yet unforeseen expenditure and;
- ii. Whether it wishes to identify any service development proposals to be submitted as growth bids in the 2025/26 budget process.

Law and Legal Implications

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.

Sections 41 and 50 of the Local Government Finance Act 1992 require the Council to calculate its annual budget requirement and its resulting precept by 28 February.

Contribution to Council Business Plan

The annual budget should reflect the Council's priorities and key work areas for the financial year ahead.

1. Report Details

1.1 The Finance Committee, 16 September 2024 has agreed guidelines for the preparation of the Council’s budget for 2025/26 and has adopted the following parameters which are in line with previous years:

- There should be a clear distinction between the committed level of service (the base budget) and proposals to develop services (growth items).
- All Councillors are to be given the opportunity to suggest growth items to improve the Council’s services.
- Growth proposals should be scheduled separately from the base budget and assessed by reference to the Council’s priorities.

1.2 The key dates in the preparation of the 2025/26 budget are as follows:

2 October 2024	Councillor Budget Workshop and General Reserve proposals.
7 October 2024	Planning Committee to consider growth proposals, redirection or reduction in resources.
14 October 2024	Communities Committee to consider growth proposals, redirection or reduction in resources.
By 01 November	Individual Councillors to submit budget proposals.
11 November 2024	Budget Working Group to consider broad budget prospects.
3 December 2024 (Members to confirm)	Budget Working Group to consider initial draft detailed budget.
December	Planning & Communities Committees to consider their estimates in the light of corporate budgets (if required).
13 January 2025	Finance Committee to consider proposed budget.
27 January 2025	Council to approve budget and determine precept.

The remainder of this report deals with the first step in the process, mainly for the Planning Committee to consider whether it wishes to make any changes in its budget for next year. The Committees recommendations will be forward to the meeting of the Budget Working Party on 11 November 2024.

1.3 Base Budget

The Base Budget is a continuation budget which identifies and provides for the current committed level of service to be maintained. This involves the current year’s budget being adjusted to remove any one-off items in the 2024/25 budget and to include the estimated costs of contractually committed changes to expenditure or income. Any approved revisions to the current year’s budget should also be assessed to see if they will affect the 2025/26 budget.

The statement at **Appendix A** shows:

- the Committee’s 2024/25 Approved Budget;

- its section of the current Medium Term Financial Plan (MTFP)

The budget of £10,000 for Planning Services can be spent across any of the individual headings. The budgetary control statement to 31 August 2024 reported to Council on the 23 September 2024 shows only £208 expenditure against the current year's budget of £15,000. £5,000 of the budget was in respect of a one-off item to develop a plan to identify improvements to the public realm and street scape, it is understood that the cost of this will be seen in the coming months.

While it is understood that production of the Neighbourhood Plan and related consultation can be affected by external factors, which can influence both the need for expenditure and its timing, the statement suggests that it is likely that the current year's £15,000 budget will be more than adequate. Members are therefore requested to consider whether any revision is required to the £15,000 provision, eg to reduce it or spread it between this year and next, as this would inform a more accurate forecast of the Council's overall finances at year end.

The Medium-Term Financial Plan at Appendix A currently shows the Committee's base budget for Planning services continuing at £10,000 per annum; Members are asked to consider whether this provision is appropriate for the medium term up to 2028/29.

Service Development Proposals

Committees and individual Members are being given the opportunity to suggest items which would involve increased expenditure but would enable the Council to provide a better level of service to the community. These could be one off items, for a single financial year, or could create an ongoing financial commitment, in which case the implications should be identified clearly. Growth items (bids) will not be included in the Base Budget but will be scheduled separately for consideration by the Budget Working Group, Finance Committee and Council. In all cases, proposals should be assessed by reference to the Council Plan priorities, which currently are:

- Climate Change
- Living Well – Vibrant Town and Economy
- Local Government Reorganisation
- Core Council Business;
- Unavoidable legislative changes; and
- Essential work to meet health and safety standards or to ensure business continuity.

The Committee is asked to consider whether it wishes to propose any service development proposals to be progressed as growth bids in the budget process.

2. Options Analysis including risk assessment

a) Risk

An inadequate budget process which fails to recognise financial and or legal responsibilities.

b) Consequence

Overspendings leading to unwelcome curtailment of spending programmes; possible unpalatable council tax increase; setting an illegal budget; potential reputational damage.

c) Controls Required

A sound budget process will address these risks.

3. Financial and Resource Implications

A sound budget process is essential for robust financial management. This report identifies the relevant issues relating to the Committee's budget.

4. Equalities Implications

None identified.

5. Climate Change and Environmental Implications

Climate Change budgets fall within the Planning Committee responsibility and are addressed herein.

Appendices

- Medium Term Financial Plan – Planning Committee

Background Documents:

- Budgetary control working papers 2024/25
- Budget Process 2025/26, Finance Committee, 16 September 2024.



Penrith Town Council

MEDIUM TERM FINANCIAL FORECAST

2024/25 TO 2028/29

APPROVED BUDGET 2024/25	Heading	2025/26	2026/27	2027/28	2028/29
£		£	£	£	£
	EXPENDITURE				
	PLANNING COMMITTEE:				
	Planning:				
15,000	Planning Consultancy	10,000	10,000	10,000	10,000
15,000		10,000	10,000	10,000	10,000
15,000	Planning Committee Total	10,000	10,000	10,000	10,000

Monday 30th September 2024

Good afternoon

Penrith Neighbourhood Development Plan – Addendum to Penrith Neighbourhood Development Plan Decision Statement

In line with Regulation 18(2) of the Neighbourhood Planning (General) Regulations 2012 (as amended) please find attached a copy of the addendum to the Decision Statement and Schedule of Modifications which have been produced by Westmorland and Furness Council (the ‘Council’) to reflect the minor changes made to the Penrith Neighbourhood Plan (‘the Plan’) following the public consultation on Policies 8 and 9.

The amendments relate to Policies 8 and 9 only. All modifications relating to other Policies remain as stated in the main Decision Statement and Schedule of Modifications.

Following further consultation, the decision was made by Westmorland and Furness Director of Thriving Places in consultation with the Cabinet member for Sustainable Communities and Localities to endorse the additional minor modifications to the Plan.

The Council is satisfied that the Plan, as modified meets the legal requirements and basic conditions as set out in legislation. On this basis the Council determined that the modified Plan should proceed to referendum.

In March 2022 the Independent Examiner issued his report on the examination of the Penrith Neighbourhood Plan. The report concluded that the Penrith Neighbourhood Plan should proceed to referendum, subject to amendments being made in line with the Examiner's recommended modifications.

Eden District Council (now Westmorland and Furness Council) considered each of the Examiner's recommendations (and the reasons for them).

It was decided to make amendments to Policies 8 and 9 rather than to delete them as per the Examiner's recommendations.

The modifications proposed were as shown underlined below:

Policy 8 – Identifying and Protecting Local Green Spaces

- Amend the name of Local Green Space site PW45 to 'Nichol Hill Nature Reserve and adjacent private gardens'.

Policy 9 – Protecting and Enhancing Sport, Leisure and Recreation Facilities

Add the following to Policy 9 supporting text for clarity:

Policy 9 identifies and seeks to protect Penrith Leisure Centre car park in accordance with Policy COM2. Penrith Leisure Centre is designated as Public Open Space in the Eden Local Plan and already protected under Policy COM2.

As the Council's decision is contrary to the Examiner's recommendation, there needed to be a further round of consultation based on the amended wording, before the Neighbourhood Plan could proceed to referendum.

The period of consultation on Policy 8 (Identifying and Protecting Local Green Spaces) and Policy 9 (Protecting and Enhancing Sport, Leisure and Recreation Facilities) took place from 8 January 2024 until 18 February 2024.

Following this, an additional Consultation Statement was produced which set out the responses received and Westmorland and Furness's response to the issues raised in those responses.

A total of 105 responses were received in relation to whether the consultees agreed or not with the proposed modifications to those policies.

A written notice of the addendum to the decision statement has been sent to Penrith Town Council and any person who asked to be notified of the decision, along with people or groups who were previously consulted at regulation 16 and 18 stages and who made representations.

A Referendum relating to the adoption of the Penrith Neighbourhood Development Plan will be held on Thursday 28th November 2024. The Referendum will be conducted in accordance with procedures which are similar to those used in local government elections.

The Penrith Neighbourhood Development Plan documents can be viewed on the Council's website at www.eden.gov.uk/penrithneighbourhoodplan

If you have any queries contact the Planning Policy Team at neighbourhood.planning@westmorlandandfurness.gov.uk or on 0300 373 3300.

Yours faithfully,

Planning Policy Team

T. 0300 373 3300

E. neighbourhood.planning@westmorlandandfurness.gov.uk

WESTMORLAND AND FURNESS COUNCIL
Town and Country Planning, England

(Published pursuant to Section 38A(9) of the Planning and Compulsory Purchase Act 2004 and Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended)).

**ADDENDUM TO PENRITH NEIGHBOURHOOD DEVELOPMENT PLAN
DECISION STATEMENT**

1. The Decision Statement and Schedule of Modifications was originally published on 8 January 2024 in line with Regulation 18(2) of the Neighbourhood Planning (General) Regulations 2012 (as amended).
2. This addendum to the Decision Statement and Schedule of Modifications has been prepared to reflect the minor changes made to the Penrith Neighbourhood Plan ('the Plan') following the public consultation on Policies 8 and 9.
3. The amendments relate to Policies 8 and 9 only. All modifications relating to other Policies remain as stated in the main Decision Statement and Schedule of Modifications.

Background

4. The background to the Plan prior to the public consultation on Policies 8 and 9 is set out in paragraphs 2 to 11 of the main Decision Statement.
5. The consultation on Policies 8 and 9 was open from 8th January to 18th February 2024. 105 responses were received and are summarised in the Consultation Statement. The following minor modifications to the Plan were proposed:

Policy 8 – Identifying and Protecting Local Green Spaces

- Amend the name of Local Green Space site PW45 to 'Nichol Hill Nature Reserve and adjacent private gardens'.

Policy 9 – Protecting and Enhancing Sport, Leisure and Recreation Facilities

- Add the following to Policy 9 supporting text for clarity:
Policy 9 identifies and seeks to protect Penrith Leisure Centre car park in accordance with Policy COM2. Penrith Leisure Centre is designated as Public Open Space in the Eden Local Plan and already protected under Policy COM2.

The Council's Decision and Reasons

6. The decision was made by Westmorland and Furness Director of Thriving Places in consultation with the Cabinet member for Sustainable Communities and Localities to endorse the additional minor modifications to the Plan.
7. The Council is satisfied that the Plan, as modified meets the legal requirements and basic conditions as set out in legislation. On this basis the Council determined that the modified Plan should proceed to referendum.
8. The Decision Statement and Addendum, the Examiner's Report, including the proposed modifications, and the Referendum Version of the Penrith Neighbourhood Plan can be viewed on the Westmorland and Furness Council website: <https://www.eden.gov.uk/penrithneighbourhoodplan>.
9. The documents are also available for Inspection at: the following locations during normal opening hours: Penrith Town Hall and Penrith Library.
10. A written notice of this decision statement will also be sent to Penrith Town Council and any person who asked to be notified of the decision, along with people or groups who were previously consulted at regulation 16 and 18 stages and who made representations.
11. Subject to a positive vote at referendum (more than 50% of the votes cast are in favour of the Plan), the Plan will be 'made' (adopted) by the Council. It is not for the council decide for or against adoption of the Neighbourhood Plan.
12. For more information please contact the Planning Policy Team on 0300 373 3300 or email: Neighbourhood.Planning@westmorlandandfurness.gov.uk.

Schedule of Modifications

The changes below are expressed either in the conventional form of strikethrough for deletions and underlining for additions of text, or by specifying the change in words in *italics*.

The page numbers and policy numbering below refer to the submission neighbourhood plan, and do not take account of the deletion or addition of text.

Policy	Page No	Proposed Modification	Examiners Justification	Decision
Policy 8: Identifying and protecting Local Green Space	50	Policy 8: The following areas (Map A – Policies Map, page 134) will be designated as local green spaces and will be protected from inappropriate development.	The neighbourhood plan is proposing that a number of these areas of public open space already identified under Local Plan Policy COM2 should now be designated as local green space, which is the highest level of protection of green spaces available.	Policy 8: Identifying and protecting Local Green Space be amended accordingly deleting site PN14 Beacon Hill.
Policy 9: Protecting and enhancing Sport, Leisure and Reactional Facilities		C2 Land between rugby pitches and houses on Carleton Road PE6 Land and wood above Scaws Drive PE8 Land between Brentfield Way and Meadowcroft PE9 Folly Lane Allotments PE12 St Andrew’s Churchyard PN14 Beacon Hill- PN17 Open area at top of Croft Terrace against Beacon Edge PN18 Field on Beacon Edge PN24 Fell Lane Pinfold PN27 Cockell House Gardens / Drovers Lane	That is entirely appropriate. Some of the existing site COM2 sites are retained as such, but in addition, the neighbourhood plan includes a number of new sites which are to be designated as public open space, so as to be protected by Local Plan Policy COM2. In addition, the plan is proposing to include new areas, which are not currently protected by the public open space, as local green spaces. The COM2 sites are to be protected through Policy 9 of the neighbourhood plan. The interrelationship between the two policies means that it is sensible to refer to them both together. The criteria used by the Town Council to determine which sites are to be protected and by which route,	Following further public consultation the name of site PW45 Nicholl Hill Nature Reserve be amended for clarity. Policy 9: Protecting and enhancing Sport, Leisure and Reactional

	<p>PN28 Cockell House Gardens / Macadam Gardens PN29 Voreda Park Central Space PN30 Head of Macadam Way PN31 Pembroke Place PN32 Land in Voreda Park PN33 Plimsoll Close PN34 Cambridge Drive PN36 St Catherine's Churchyard PN37 Christchurch Churchyard PN39 Salkeld Road Allotments PN40 Coronation Gardens PN42 Bowscar PN43 Friends Meeting House Allotment Gardens PW45 Nichol Hill Nature Reserve <u>and adjacent private gardens</u> PW46 Thacka Beck Nature Reserve PW487 Brunswick Square Gardens PW49 James Street Allotments PW50 Castletown/Musgrave St/Brackenber Allotments PP66 Thacka Glen PW52 Recreation area between Musgrave Street Allotments and Newton Road PS53 Weatheriggs Country Park PP67 Pategill Back Field PP70 Open space to south of Eden Housing Association (EHA) PP71 Open space to the north of EHA</p>	<p>were discussed during the hearing and I subsequently asked the Town Council to confirm what criteria was used.</p> <p>I was informed local green spaces were those spaces identified as being <i>"informal areas used by residents for unstructured play, gathering together and in some places are spaces which are maintained and planted by residents and community groups"</i>. The criteria for being identified as COM2 sites include <i>"more formal sports, leisure and recreation facilities with play equipment, including school playing fields."</i></p> <p>It appears to me that the Town Council has chosen to identify what are to be local green space, not based on the relative importance of the spaces to the local community, but rather the selection has been based on whether the spaces are used for passive or for active leisure pursuits such as sports ground or play areas.</p> <p>The Secretary of State in the NPPF sets out a hierarchy, whereby the greatest level of protection is afforded to those green spaces that are designated as local green spaces, compared to those other facilities, which are covered by paragraph 99 of the Framework.</p> <p>I heard repeatedly, during the hearing, that the choice of the local green spaces was determined by the local knowledge of the town councillors based on</p>	<p>Facilities, be retained in full</p>
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	<p>PP72 Open space to the north of Greengarth Development of the designated Local Green Spaces must be consistent with national planning policy for Green Belts.</p> <p>Policy 9: The following sport and recreation facilities, also identified on the Policies Map, Map A, page 134, will be protected in accordance with Eden Local Plan 2014-2032 Policy COM2 Protection of Open Space, Sport, Leisure and Recreation Facilities:</p> <p>C1 Carleton Heights play area C2 Part of C2 Penrith RUFC (the rugby pitches are already designated as public open space in the Local Plan although the field between the pitches and the houses on Carleton Road is not) C4 Hunter Hall School Playing Field C5 Frenchfield Sports Centre incorporating Penrith Football Club PE7 Scaws play area PE10 Friars Bowling Club PE11 Beaconside School Playing Fields PN16 Milton Street Play Area PN19 Penrith Golf Course</p>	<p>responses from the local residents, but I am not convinced that the choices have been informed by a clear understanding of the different criteria set out in the framework for identifying local green spaces as opposed to other open spaces.</p> <p>I am not necessarily convinced that the town's residents would have placed greater importance on the protection of some sites, which are offered a higher level of protection via Policy 8, compared to some other sites which are protected as COM2 sites set out in Policy 9. I am sure that some of the Policy 9 sites would be considered to be demonstrably special to the local community, holding local significance because of their recreational value or other reasons. I am not satisfied that the Town Council has demonstrated that the town's community, places greater value on the protection of the areas of undeveloped informal open space around the Macadam Way housing estate, than it will say place protecting the grounds of Penrith Cricket club or indeed Castle Park, both of which are identified within Policy 9.</p> <p>I am reinforced in my view that there has been a lack of understanding of the relative importance in two categories, based on the revised mapping which I was sent, following the request I made in my Post Hearing Note.</p> <p>My conclusion is that the identification of the local green spaces based on the Town Council's criteria</p>	
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	<p>PN21 Fairhill playing field PN22 St. Catherine's School Field PN41 Bowscar play area PP68 Pategill play area and recreation ground PS54 The Crescent playing fields PS55 In part PS55 Ullswater CC playing fields (the area to the south of the cricket ground is already designated as public open space in the Local Plan although the field between the cricket ground and Bridge Lane is not) PS56 Penrith Cricket Ground PS57 Playing field at southern gateway to town between A66 and Clifford Road PS58 Clifford Road play area PS59 North Lakes School Playing Field PS60 Land between Wetheriggs Lane and Astro Turf PS62 Queen Elizabeth Grammar School Playing Field PS64 Castle Park PW51 Castletown recreation area Penrith Leisure Centre Proposals for a new youth facility providing indoor and outdoor space will be supported where they would not lead to significant adverse impacts on</p>	<p>has not had proper regard to the Secretary of State criteria and I conclude that both Policy 8 and 9 does not meet the basic conditions of having regard to Secretary of State policy and advice.</p> <p>Regarding Beacon Fell which was proposed to be designated as local green space by the submitted neighbourhood plan. During the hearing itself, I sensed that there could be scope for an accommodation of the Town Council's desire to protect the forest area, particularly for its landscape value.</p> <p>I therefore suggested that rather than pursue the local green space designation which was doomed to fail, there was scope for further discussions on the possibility to allow development of a bespoke policy for Beacon Hill, which could protect the special character of the forest which is clearly valued by the residents but which would not prevent development, which currently meets policy requirements.</p> <p>Unfortunately, the respective positions of the land owner and the Town Council had become entrenched. I introduced a bespoke policy for Beacon Fell which was the subject of a further round of consultation but this did not attract public support. There were only around 18 responses, out of over 600 replies which offered support to the bespoke policy and the reasoning set out in my draft report.</p>	
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		<p>the amenity of adjacent users and occupiers</p>	<p>It is clear that the over whelming desire of the residents is to seek to prevent any development on the Beacon taking place. The Neighbourhood Plan seeks to do that through the designation as Local Green Space, which would mean that development is managed in a way consistent with Green Belt policy.</p> <p>The Beacon Fell area would still fail the third test, as set out in Paragraph 102 c) as it is, in my opinion, an extensive tract of land, and therefore does not meet the basic condition of having regard to Secretary of State policy and advice, regarding local green space designation.</p> <p>I am therefore recommending that the two policies, Policies 8 and 9 be deleted, as I do not believe, as currently proposed, they are compatible with the Secretary of State's policy and advice regarding local green space. The Town Council, as part of any future review of the neighbourhood plan, can revisit the question of which areas are to be designated as local green space, based on the relative importance to the community of the facilities, rather than differentiating them based on whether they are used as active or passive open spaces.</p>	
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