



# Penrith Town Council

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

Tel: 01768 899 773 Email: [office@penrithtowncouncil.gov.uk](mailto:office@penrithtowncouncil.gov.uk)

Minutes of the meeting of

## PLANNING COMMITTEE

Held on Monday 2 December 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. Lawson   | Carleton Ward |
| Cllr. Shepherd | East 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 COMMITTEE  
MONDAY 2 DECEMBER 2024**

**PART I**

**PL24/58 Apologies for Absence**

Apologies for absence with reasons were received from Councillors Knaggs and Snell.

**PL24/59 Minutes**

**RESOLVED THAT:**

The Chair be authorised to sign, as a correct record, the minutes of the meeting of the Committee held on Monday 4 November 2024 and agreed they be signed as such.

**PL24/60 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.

**PL24/61 Public Participation**

Members noted that there were no questions or representations that had been received from members of the public prior to the meeting.

**PL24/62 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.

**PL24/63 High Street Rental Auctions (HSRAs)**

Members noted the report.

## PL24/64 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:

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|--------------------|---|
| Application Number | 2024/1816/TCA   |
| Location Address   | 8 Foster Street PENRITH CA11 7PD  |
| Proposal           | 2no Pinus Sylvestris - Fell to ground level.  |
| Response           | Support with request that there be some replacement planting of smaller native tree / shrub to aid biodiversity and carbon capture. |

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| Application Number | 2024/1648/FPA  |
| Location Address   | Morrisons Petrol Filling Station Brunswick Road Penrith CA11 7JU   |
| Proposal           | Extension to the existing sales building, installation of an EV charging zone, substation, LV electrical enclosures, 3no jet wash bays and associated works. |
| Response           | Support – the installation of EV chargers is in accordance with the Town Council’s environmental policy but would ask that they be 50kw fast chargers        |

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| Application Number | 2024/1794/PAPP   |
| Location Address   | Maidenhill Farm Salkeld Road Penrith CA11 8SQ                                    |
| Proposal           | Prior Notification under schedule 2, part 6, class A, for an agricultural track. |
| Response           | No Objection   |

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| Application Number | 2024/1759/NMA   |
| Location Address   | Maidenhill Farm Salkeld Road Penrith CA11 8SQ   |
| Proposal           | Non Material Amendment to re-build a section of wall on North West elevation, attached to approval 22/0043. |
| Response           | No Objection  |

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| Application Number | 2024/1847/TPO  |
| Location Address   | Lonsdale Villa Fell Lane Penrith CA11 8AA  |
| Proposal           | Acer / Cedar - Crown lift to approx 5m. Oak - remove lower limb (a). Reduction on limbs above (overhanging 20 Beacon Square) to suitable pruning points. Reduction of verticle growth extending from stub cut back to main union. Yew and Laurel - cut back to boundary. Beech - Reduce back to 3m clearance from shed garage. All work to BS3998 and to reduce excessive shading. |
| Response           | Support  |

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| Application Number | 2024/1888/TCA   |
| Location Address   | 49 Arthur Street PENRITH CA11 7TU   |
| Proposal           | Conservation area tree works, comprising; felling and removal of large Oak tree at the bottom of the back garden of 49 Arthur Street. The tree has reached an unmanageable size. It is a nuisance to neighbours due to blocking of natural light, overhanging branches and leaf fall. Roots have caused damage to neighbours paving (50 Arthur Street) and is beginning to cause damage to garden fence and stone wall. |
| Response           | As this is a large and distinctive tree within the conservation area, albeit in a back garden, Penrith Town Council would wish to OBJECT to its felling and request that crown reduction and crown raising takes place to the satisfaction of the arboriculturist   |

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| Application Number | 2024/1849/TPO   |
| Location Address   | Lonsdale Villa Fell Lane PENRITH CA11 8AA   |
| Proposal           | Yew - x2no on boundary line, between two properties. Reduction of overhanging branches. Yew - 20-25% reduction to suitable pruning points. Multi-stem Ash, crown lift over hanging branches. Dead Yew to be removed. All works to reduce excessive shading. |
| Response           | Support   |

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| Application Number | 2024/1401/FPA  |
| Location Address   | 3 Roman Road PENRITH CA11 8DZ  |
| Proposal           | Retrospective creation of a tarmac driveway.   |
| Response           | Although the creation of additional off road parking is supported, the surface should be porous to reduce run-off – normal tarmac is not porous and should be avoided for the creation of hard standing wherever possible. |

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| Application Number | 2024/1850/DISC   |
| Location Address   | Land at Carleton Hall Farm Carleton Avenue PENRITH CA11 8RQ  |
| Proposal           | Discharge of conditions 8 (external lighting) and 10 (refuse and recycling), attached to approval 2024/0621/FPA. |
| Response           | No comment – conditions have been met  |

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| 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  |

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| 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   |

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|--------------------|--|
| 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  |

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| 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<br>3) Apple - reduce over extending branches by up to 2m 4,5)<br>Laburnum - Crown reduce 1.15m for maintenance 6)<br>Eucalyptus - Trim regrowth, crown reduce by 1m |
| Response           | Support   |

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

## 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 Westmorland and Furness Council using the link in the application.

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| Application Number   | <b><u>2024/2057/FPA</u></b>  |
| Location Address   | Land off Blamire Road Eden Business Park Penrith CA11 9FD  |
| Proposal   | Erection of new base building for Penrith Mountain Rescue and Cumbria Ore and Mines Rescue Unit, and associated works. |
| <b>RESOLVED THAT</b> a response be returned to Westmorland and Furness Council in SUPPORT of the application with comments that it was good to see that PV panels were included on the application and that the hard standing is porous to prevent run off. The Town Council requests that other sustainability features including EV chargers are included and requests that the planting be of native trees and shrubs. It is important that the applicants be mindful of light pollution and that low level lighting is used. |  |

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| Application Number   | <b><u>2024/2101/FPA</u></b>                                 |
| Location Address   | 1 Plimsoll Close Penrith CA11 9EY                           |
| Proposal   | Extension to existing front porch and addition of cladding. |
| <b>RESOLVED THAT</b> a response be returned to Westmorland and Furness Council in SUPPORT of the application |   |

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| Application Number   | <b><u>2024/2123/LBC</u></b>  |
| Location Address   | Penrith Railway Station Ullswater Road PENRITH CA11 7JQ  |
| Proposal   | Listed Building Consent for refurbishment of the existing male and female passenger toilets on platform 1. |
| <b>RESOLVED THAT</b> a response be returned to Westmorland and Furness Council in SUPPORT of the application with the additional comments that it is disappointing that there are only two cubicles in the ladies facilities given that there seems to be so much unused space |  |

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| Application Number   | <b><u>2024/1852/FPA</u></b>  |
| Location Address   | 68 Scotland Road Penrith CA11 9JD                                  |
| Proposal   | Proposed demolition of remaining structure of the former dwelling. |
| <b>RESOLVED THAT</b> a response be returned to Westmorland and Furness Council in SUPPORT of the application but requesting conditions relating to:<br>i. Hours of work should be limited to 8am to 6pm Monday to Friday, 9am to 1pm Saturdays and no work on Sundays or Bank Holidays<br>ii. Nuisance caused by dust or noise |  |

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| Application Number   | <b>2024/2128/FPA</b>   |
| Location Address   | 18 Tynefield Drive PENRITH CA11 8JA  |
| Proposal   | Erection of two storey front side extension and replacement of existing rear conservatory with single storey rear extension. |
| <b>RESOLVED THAT</b> a response be returned to Westmorland and Furness Council in SUPPORT of the application |  |

### **PL24/65 Next Meeting**

**RESOLVED THAT** an extra ordinary meeting of the Planning Committee be held at 5.15pm on Wednesday 11 December to consider two urgent planning applications that had just been received and that the next scheduled meeting would be held on Monday 6 January 2025 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**

#### **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.gov.uk](mailto:office@penrithtowncouncil.gov.uk)



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Tel: 01768 899 773 Email: [office@penrithtowncouncil.gov.uk](mailto:office@penrithtowncouncil.gov.uk)

11 December 2024

Ms Plum  
Chief Executive Officer  
Westmorland and Furness Council

## **BY EMAIL**

Dear Ms Plum

### **Penrith Neighbourhood Development Plan Adoption**

The Town Council received an email from the Acting Senior Planning Policy Officer on 27 November, the day of the referendum, advising us that should it be successful, the Penrith Neighbourhood Development Plan had to be made by Cabinet and would need to go through the relevant checks and signs-offs.

The Neighbourhood Plan was accepted by the majority of voters at referendum, and, by law, the plan must be made by the Local Planning Authority within 8 weeks of the referendum. The making of the plan should be by 23rd January 2025 to comply with the law.

Your Acting Senior Planning Policy Officer is of the view that the Town Council can agree to an alternative date: this is not the Town Council's understanding of the legislation. The requirement to make the plan arises from regulation 18A of the Neighbourhood Planning (General) Regulations, 2012. Regulation F2(3) to which your Planning Policy Officer may be referring relates to a modification to a neighbourhood development plan and is not applicable to the making of the plan in this circumstance.

Within the email the Planning Policy Officer stated that Westmorland and Furness would not be able to meet the statutory 8 weeks' deadline and that the implementation of the plan would be further delayed. The reason given was because of the dates of Cabinet meetings (and meetings leading up to Cabinet) over the Christmas period.



The Town Council was asked to agree to the making of the Plan on either 11 February 2025 or 8 March 2025 depending on resources and deadlines at W&FC.

This matter was considered by the Town Council's Planning Committee on Wednesday 11 December as an urgent matter.

It is considered that the Town Council is not able to sanction or approve this breach in order to render it permissible. The Town Council considers that a failure to meet the deadline would be judicially reviewable.

Given that your Council arranged the referendum and were aware of all the associated critical deadlines, the further delay is inexcusable. Any report should have been able to drafted and prepared to be ready to be submitted to a meeting of Cabinet to meet the statutory deadline.

It is imperative that any additional delays are kept to a minimum.

The Town Council would strongly request that the report making the plan is considered as soon as possible and within the prescribed period. Failing that the Town Council would prefer the report to be considered at the earlier date of 11 February 2025 of those proposed by your officer and not further delayed to the March meeting. If your Council is unable to consider the plan within the statutory deadline the Town Council, reluctantly, would accept or agree that you will consider the matter on 11<sup>th</sup> February.

Please be advised that in the interim that the Neighbourhood Plan policies will be referred to in resolved responses to planning applications as and when appropriate.

We politely request that this matter is given your most urgent attention.

Yours sincerely



Councillor Scott Jackson  
Chair of Penrith Town Council Planning Committee

Cc:

CLlr Jonathan Brook, Leader of the Council  
CLlr Virginia Taylor, Cabinet Member for Sustainable Communities and Localities  
Mr Gareth Candlin, Asst Director, Inclusive and Green Growth  
Emily Battrick, Acting Senior Planning Policy Officer

