



Penrith Town Council

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

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

DATE: 26 February 2025

NOTICE IS HEREBY GIVEN that an **ORDINARY MEETING** of **THE PLANNING COMMITTEE** will be held on 3 March 2025, 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 Davies
Cllr Holden
Cllr Jackson

Pategill Ward
West Ward
Carleton Ward
North Ward

Cllr D Jayson
Cllr Lawson
Cllr. Shepherd
Cllr. Snell

West Ward
Carleton Ward
East Ward
West Ward

Mrs V Tunnadine, 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 3 MARCH 2025

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 meetings of the Planning Committee held on:

- i. Monday 3 February 2025; and
- ii. The Extra Ordinary meeting held on Monday 24 February 2025

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. Penrith Neighbourhood Development Plan

To note that in accordance with Section 38A(9) of the Planning and Compulsory Purchase Act 2004 and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012 (as amended) the Final Decision Statement has been issued by Westmorland and Furness Council.

7. 20mph Application

To receive an update.

8. Highway Safety Issues Netherend Road

To consider issues brought to the attention of the Committee.

9. Planning Applications

a) DELEGATED RESPONSES TO NOTE

Application Number	2025/0193/TCA
Location Address	21 Arthur Street PENRITH CA11 7TU
Proposal	Section 211 Notice. Removal of dead wood from an ash tree infected with Ash die-back disease. The dead and unsafe branches will be removed, leaving the viable branches and trunk insitu. Some of the viable branches will be pruned to improve the cosmetic appearance of the tree, where necessary. The tree is situated close to the retaining wall bordering number 20 Arthur Street and is directly opposite the gable end of number 20, 3 metres from it. Removal of the dead branches is necessary for the safety of anyone using the access path on the property of number 20, which runs parallel to the retaining wall, 2 metres from the tree. Removal of dead branches will also guard against damage to the retaining wall or the gable end of number 20, should the tree of one of the larger branches fall.
Proposed Response	Support

Application Number	2025/0220/TPO
Location Address	5 Sandath Gardens Fell Lane Penrith CA11 8BG
Proposal	Holly subject to TPO81. Reduce in height by 1m, and branches trimmed. Beech hedge to be pruned back to 4'.
Proposed Response	Support

Application Number	2024/2254/LDPR
Location Address	The Warehouse Rowcliffe Lane Penrith CA11 7BH
Proposal	Lawful Development Certificate for the proposed replacement of the existing single glazed timber windows with double glazed timber windows on front elevation of dwelling.
Proposed Response	Support – although not listed in its own right or as part of 43 King Street which is listed due to its frontage, the building is within the Conservation area. The proposed changes will make the building more thermally efficient and will not detract from the character of wither the building nor the area.

Application Number	2025/0159/DISC
Location Address	Maidenhill Farm Salkeld Road Penrith CA11 8SQ
Proposal	Discharge of condition 3 (drainage scheme), attached to approval 22/0043.
Proposed Response	No Comment

Application Number	2025/0198/TCA
Location Address	20 Arthur Street PENRITH CA11 7TU
Proposal	Section 211 Notice. Light pruning of an apple tree and removal of a single diseased/rotting branch.
Proposed Response	Support

Application Number	2025/0155/TCA
Location Address	Hameln House Lowther Street Penrith CA11 7UW
Proposal	S211 notification, comprising; works to Fir tree. Fir tree lost one of it's two boughs during Storm Eowyn on Friday 24 Jan 25. This fell onto the footway and drive entrance outside of the property. Remaining bough looks to be much weakened at the point it broke Possible danger of tree breaking and falling on the footway/carriageway adjacent to the property, potentially causing damage to parked vehicles or pedestrians.
Proposed Response	Support

b) PLANNING APPLICATIONS FOR CONSIDERATION

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

Application Number	<u>2025/0275/DISC</u>
Location Address	Omega Proteins Greystoke Road Penrith CA11 0BX
Proposal	Discharge of conditions 6 (construction method statement) and 7 (equipment removal), attached to approval 21/0752.

Application Number	<u>2025/0116/FPA</u>
Location Address	19 Brunswick Square Penrith CA11 7LR
Proposal	Change of use of hostel (Sui Generis) to a residential children's home (class C2).
Application Number	<u>2024/2362/FPA</u>
Location Address	1 Drovers Lane Penrith CA11 9EP
Proposal	Erection of single storey rear extension.

Revised Application – Drainage Plan

Application Number	<u>2024/2275/FPA</u>
Location Address	Croft Avenue Residential Care Home Croft Avenue Penrith CA11 7RJ
Proposal	Single storey extension to the front elevation to provide an additional 14no bedrooms with associated communal accommodation, and creation of new parking and retaining wall.

Application Number	<u>2025/0242/DISC</u>
Location Address	Plot 1 Land North of Eden Business Park Cowper Road PENRITH CA11 9FW
Proposal	Discharge of conditions 2 (construction plan working method statement) and 4 (fence details), attached to approval 22/0764.

Application Number	<u>2025/0250/TCA</u>
Location Address	19 Wordsworth Street Penrith CA11 7QY
Proposal	T1 - Multi stemmed Hazel, reduce height by 50% approx. Remove larger stems. T2 - Elder, reduce height as it is growing in to telephone wires.

Application Number	<u>2025/0227/PASOLAR</u>
Location Address	Penrith Leisure Centre Southend Road Penrith CA11 8JH
Proposal	Prior Notification under schedule 2, part 14, class J, for the installation of a 330 panel solar photovoltaic array.

Application Number	<u>2025/0278/TCA</u>
Location Address	Wordsworth Cottage Wordsworth Street PENRITH CA11 7QZ
Proposal	Section 211 notice; cut down a tree in the back garden, leaning after last storm.

Application Number	<u>2025/0162/DISC</u>
Location Address	Land off Beacon Edge PENRITH
Proposal	Discharge of conditions 5 (surface water soakaway), 6 (boundary treatments), 7 (soft landscaping), 8 (bird boxes), 9 (sustainable drainage) and 10 (ground investigation), attached to approval 2024/0871/FPA.

Application Number	2025/0293/DISC
Location Address	Myers Lane Business Park Myers Lane Penrith CA11 9DP
Proposal	Discharge of conditions 3 (sustainable surface water and foul water drainage schemes), 4 (sustainable drainage management and maintenance plan) and 5 (noise), attached to approval 23/0227.

Application Number	2024/2292/FPA
Location Address	United Reform Church Lowther Street PENRITH CA11 7UW
Proposal	Change of use of former United Reform Church into 6no residential flats and the erection of a single linked dwelling in the car park. Part retrospective.

10. Next Meeting

Note the next meeting is scheduled for Monday 7 April 2025, 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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DRAFT Minutes of the meeting of

PLANNING COMMITTEE

Held on **Monday 3 February 2025**, at 5.15pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

PRESENT

Cllr Bowen	Pategill Ward
Cllr Davies	West Ward
Cllr Holden	Carleton Ward
Cllr Jackson	North Ward
Cllr D Jayson	North Ward
Cllr. Lawson	Carleton 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 3 FEBRUARY 2025**

PART I

PL24/83 Apologies for Absence

Apologies for absence with reasons were received from Councillor Shepherd.
Apologies without reasons were received from Councillor Snell.

Councillor D Jayson was absent without apologies.

PL24/84 Minutes

RESOLVED THAT:

The Chair be authorised to sign, as a correct record, the minutes of the meeting of the Committee held on Monday 6 January 2025 and agreed they be signed as such.

**PL24/85 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 Bowen declared a registrable interest in that she thought she knew one of the objectors to planning application no 2024/2352/FPA, however the application had not been discussed and would have no bearing on her decision.

PL24/86 Public Participation

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

**PL24/87 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.

PL24/88 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	2024/2155/FPA
Location Address	The Orchard Carleton Road Penrith CA11 8LT
Proposal	Alteration of existing access and creation of new access onto Brooklands Grange.
Response	Penrith Town Council would wish to submit the following comments: As the old entrance is being retained it is difficult to understand the purpose of the new one. The new entrance is on or just after a sharp bend on a residential road which is not particularly wide and steep in at least one place. It is possible that the location of the new gate may compromise the ease of access for the bungalows opposite so Highways would need to be content on road safety aspects

Application Number	2024/2306/FPA
Location Address	1A Porthouse Road Penrith CA11 8QB
Proposal	Variation of condition 2 (plans compliance) for amendments to the parking, landscaping and boundary treatments, attached to approval 18/0002.
Response	OBJECT as the development proposed is considered to be overbearing does not reflect the existing street scene as the fence is too high and overbearing compared to neighbouring properties

Application Number	2024/2318/FPA
Location Address	2 Frenchfield Way PENRITH CA11 8TW
Proposal	Alterations and extensions.
Response	The development is on a large corner plot and is a similar development to neighbouring properties although there are no other balconies. Balcony will look towards dormer bungalow over the road but it has a high hedge so privacy won't be affected. Support with conditions requesting privacy glass to the balcony and environmentally sustainable design features to accord to Policy 1 of the Penrith Neighbourhood Development Plan.

Application Number	2024/2342/FPA
Location Address	Land off Carleton Hill Road Carleton PENRITH CA11 8TZ
Proposal	Variation of condition 2 (plans compliance) for changes to facade materials to the main building and equine building, and omission of roof overhang to rear of main building, attached to approval 22/0868.
Response	Support

Application Number	2024/2379/FPA
Location Address	29 Frenchfield Gardens PENRITH CA11 8TX
Proposal	Replacement of existing rear sunroom with single storey rear extension.
Response	Support

Application Number	2024/2433/TCA
Location Address	1 Jubilee Lodge Beacon Edge PENRITH CA11 7SQ
Proposal	Conservation area tree works comprising; T1 removal of lowest branch at trunk area. Remove any dead wood. Tidy up and prune. T2 remove dead branches, reduce size of lowest branches, tidy up and prune.
Response	Support

Application Number	2024/2377/DISC
Location Address	Cumberland & Westmorland Herald 14 King Street Penrith CA11 7AH
Proposal	Discharge of conditions 3 (odour) and 4 (noise), attached to approval 2024/0234/FPA.
Response	Support in principle provided Env Health are happy with the extraction details

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 on the link below.

Application Number	<u>2024/2352/FPA</u>
Location Address	Land at Inglewood Road Penrith CA11 8QY
Proposal	Proposed development of 53 dwellings, accesses and associated infrastructure.
<p>RESOLVED THAT a response be returned to Westmorland and Furness Council OBJECTING to the application for the following reasons:</p> <ol style="list-style-type: none"> 1. Although allocated for development for 54 dwellings in the adopted Eden Local Plan, the application goes against Policy PEN2 which states that the remaining strategic sites in the north will not be given permission for development until masterplans in accordance with the objectives and outputs contained in the 2011 masterplan for Penrith been agreed with the Council. 	

Application Number	2024/2352/FPA
Location Address	Land at Inglewood Road Penrith CA11 8QY
CONTINUED:	
<p>Given the scale of potential development in this area with planning applications coming forward it is important that a plan is developed to address the cumulative impacts of development potential.</p> <ol style="list-style-type: none"> 2. The developers have not demonstrated, in accordance with Policy PEN2, that they have worked with infrastructure providers and other developers to demonstrate how the development will jointly provide and fund the physical and social infrastructure necessary to support development in the town. 3. Although Policy HS1 of the Eden Local Plan required 30% affordable housing on sites of 11 or more dwellings, the application does not accord to Policies HS4 of the Eden Local Plan and Policy 6 of the adopted Penrith Neighbourhood Development Plan (PNDP). Policy HS4 states that the mix of dwelling types and sizes provided will be expected to address the nature of local need as evidenced through set criteria one of which is a housing needs survey. The Town Council commissioned a housing needs survey for Penrith in 2018 and are advised that this is still applicable. In that survey, the priority for housing was for homes to meet the needs of young renters with or without children, first time buyers, empty nesters and the aging population, it is pleasing to see 11 bungalows on site and it is hoped some of these will be discounted/affordable. Town Councillors have concerns that discounted homes are not truly affordable and would prefer to see affordable rented properties and homes with a local occupancy clause on them. Should the application be approved by Westmorland and Furness, the Town Council would wish it to be conditioned that the houses remain discounted in perpetuity. 4. Policy 1 of the Penrith Neighbourhood Plan requests developers to set out, within the design and access statements, how the proposals achieve a high-quality design and sustainable development. Retro fitting is difficult and expensive so the development should include innovative sustainable design proposals to ensure that the dwellings remain at the forefront of contemporary sustainable building design and should include sustainable building materials, recycling of grey and rainwater, high standards of thermal insulation and features that encourage a more sustainable lifestyle eg EV charging points, PV panels and air source heat pumps. 5. Penrith Town Council does not believe that the development accords to Policy 5 of the PNDP for the following reasons: <ul style="list-style-type: none"> • There is no provision of features to encourage wildlife movement, migration, nesting eg swift bricks, bird boxes, bat roots, hedgehog holes. • There is little provision for community green spaces on the site. Although no play areas are proposed on site due to the proximity of existing play areas, Milton Street is some distance away across the busy A6 and with limited play equipment. Should the application be approved, the Town Council would it to be conditioned that the developer should speak to the Town Council regarding a contribution of funding for the enhancement and development of Fairhill which is owned by the Town Council. 6. There are concerns about road safety on Inglewood Road. Inglewood Road is currently a single-track road from Stoneybeck Roundabout and has been the subject of a number of police complaints due to speeding with the road already having had one fatality and a number of near misses reported by the equestrian facilities at either end. Should the application be approved, the 30mph zone should be extended beyond the extent of this development and in fact beyond the current Traveller Site. 	

Application Number	2024/2352/FPA
Location Address	Land at Inglewood Road Penrith CA11 8QY
CONTINUED:	
<p>7. The Town Council notes that the developer has said that the nearest shops are on Scotland Road however the two referred to are small convenience stores attached to a garage and would not be used for general shopping.</p> <p>8. The Town Council has major concerns about the effect of any new development on the infrastructure of Penrith. New developments will add substantial pressure, particularly on the social infrastructure of school places and the NHS services. The Brunswick Clinic referred to within the documentation is a private osteopath, all GP and medical facilities are at the southern end of Penrith and although St Catherine's is mentioned as the nearest primary school, it is an RC school with additional admittance criteria. Most children will probably attend nurseries and primary schools further away eg Brunswick Road, Wetheriggs and Beaconside Schools thereby putting more pressure on these establishments. We have been informed that our primary schools are full. Likewise, secondary provision is also stretched. QEGS can be discounted as a selective grammar school whilst a previous application, although agreeing a secondary contribution through a S106 agreement of £884,000 towards additional provision at UCC also mentioned that a transport contribution may be required to support travel to the nearest secondary school at Appleby which would be unacceptable.</p> <p>9. The parking provision is incorrect in that the defined amount in the Eden Local Plan 2014-2032 to meet the standards defined in the updated Cumbria Design Guide is 1 bed – 1 space, 2 bed – 2 spaces, 3 bed – 2.5 spaces and 4 bed – 3 spaces. Currently this application only allocated 2.5 spaces for a 4-bed house. Given the definition above this could impact significantly on the highway network by adding an additional 130 cars taking children to and from school, travelling to work and health facilities and shopping. Given its location the Town Council does not believe that people would necessarily walk, bike or take public transport.</p> <p>10. There is no outlet from the attenuation pond relying on soakaway. Other applications within this area have said that total soak away would not work, additional concern is raised by the fact that the application talks about protecting the sides of the pond indicating that it is expected that it will get very full.</p> <p>11. The construction management plan is inadequate. There is no mention of how surface water drainage will be managed during the construction phase, it should be specified in detail that the drainage and the attenuation pond should be constructed first and the vehicle wash station should be at the entry to the site and not at the entry to the construction compound at the far end of the access road. It is also important that construction, should it be approved, be limited to protect the amenity of local residents.</p>	

Application Number	2024/2275/FPA
Location Address	Croft Avenue Residential Care Home Croft Avenue Penrith CA11 7RJ
Proposal	Single storey extension to the front elevation to provide an additional 14no bedrooms with associated communal accommodation, and creation of new parking and retaining wall.
<p>RESOLVED THAT a response be returned to Westmorland and Furness Council in SUPPORT of the application with the additional comments:</p> <ol style="list-style-type: none"> 1. Although the application is on the outside periphery of the conservation area, the design minimises the visual impact on the conservation area with it being sunk into the ground with its green roof and sustainable building materials. 2. With the additional staffing complement and 14 additional rooms there is concern about the additional traffic generation with the access and egress on to Wordsworth Street. The entrance is narrow on to a road with serious traffic issues, so Highways need to be content that the entrance is sufficient and safe for traffic. 3. Wordsworth Street has a combined sewer, so any excess surface water ends up in the hard-pressed treatment plant. It is also important to note that there is impervious clay 7 feet down in this area. Given this it is important to be satisfied that the soakaway will be sufficient and that all hard standing is porous to assist with soak away as it works better when spread around. This is particularly important in this location on this hill because there has been flooding on the downhill side on previous occasions. 4. Lighting, if required for security reasons, should be low level, motion activated and turned off, if possible, at night, to avoid disturbing the amenity of nearby residents. 5. There should be the facility for the separate storage and collection of waste including recyclable waste, which will increase. 6. An arboricultural survey should be undertaken of the remaining trees to ensure that they can be retained to add to the biodiversity of the site. 	

Application Number	2025/0005/FPA
Location Address	Ambulance Station Bridge Lane PENRITH CA11 8HY
Proposal	Variation of condition 2 (plans compliance) for changes to the fenestration, attached to approval 23/0415.
<p>RESOLVED THAT a response be returned to Westmorland and Furness Council in SUPPORT of the application.</p>	

Application Number	2025/0015/TPO
Location Address	Carleton Hall Carleton Avenue Penrith Westmorland and Furness CA10 2AU
Proposal	Work to 3 x mature Lime (T1 - T3) subject to Tree Preservation Order No 111, 2002. Remove epicormal growth, crown raise to 5.1m over access road and crown thin by 10% to allow improved air flow through the crown. Remove any significant dead branching Reason: sound arboricultural practice.
<p>RESOLVED THAT a response be returned to Westmorland and Furness Council in SUPPORT of the application.</p>	

Application Number	2025/0088/DISC
Location Address	Land off Greenbank Road Eden Business Park Penrith CA11 9FB
Proposal	Discharge of condition 6 (nursery management plan), attached to approval 2023/1128/FPA.
RESOLVED THAT a response be returned to Westmorland and Furness Council in SUPPORT of the application.	

PL24/89 Next Meeting

Members noted that the next meeting was scheduled on Monday 3 March 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

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Background Papers

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DRAFT Minutes of the meeting of

EXTRA ORDINARY PLANNING COMMITTEE

Held on Monday 24 February 2025, 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. 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 EXTRA ORDINARY MEETING OF
PLANNING COMMITTEE
MONDAY 24 FEBRUARY 2025**

The Chair advised members of the Planning Committee that he had agreed to take an urgent late item that needed to be considered that evening, at the end of the agenda.

PART I

PL24/90 Apologies for Absence

Apologies for absence with reasons were received from Councillors Davies, Lawson and Snell.

**PL24/91 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.

PL24/92 Public Participation

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

**PL24/93 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.

RESOLVED THAT

The urgent late item should be considered without the press or public due to reasons of commercial sensitivity

PL24/94 Planning Applications

a) PLANNING APPLICATIONS FOR CONSIDERATION

Members considered the following application which had been received and which required a committee decision. Information could be found on the Westmorland and Furness Council Website using the link shown

Application Number	2024/2356/FPA
Location Address	Beaconside C of E Primary School Hutton Hill Penrith CA11 8EN
Proposal	Extensions and alterations to existing school.

RESOLVED THAT a response be returned to Westmorland and Furness Council to OBJECT to the application.

1. Although the Town Council recognises the importance of educational development and that Beaconside School has been chosen as the school where growth will occur, it also believes that the application fails to adequately address several significant concerns related to the Transport Statement and Travel Plan relating to topography of the town, highway safety, public transport access and compliance with the relevant national and local planning policies, including the National Planning Policy Framework (NPPF) 2024 and the current Eden Local Plan.
2. There is concern that the amount of parking for staff (33 spaces [2.15 of the Transport Statement]) based on Cumbria County Council's Parking Standards is insufficient for 70FTE staff. The Transport Statement states that the current provision is well used and that free parking spaces are limited in supply. Although current Government policy trends seek to reduce single occupancy car travel, the town sits in a rural area with little to no public transport and there is no evidence provided about where the staff travel from to get to work. It would be unacceptable for additional parking to encroach onto nearby areas.
3. S9 Para 109 of the NPPF talks about sustainable transport that should be considered. Although a plan has been provided, there is concern that it does not adequately reflect the reality in the area. Although there is public transport within Penrith and three bus stops in the locality, the document rightly states that the buses do not run at times corresponding with start and finish times. Although the bus station is stated to be a 7 minute walk away and would also need the company of an adult, it does not include the reality that the walk is up hill and would take significantly longer with a young child or a pram/push chair. The lack of a robust public transport infrastructure around the school site at times to benefit those attending undermines the town's sustainability objectives outlined in Policy HS2 of the Eden Local Plan.
4. Penrith's road network is already under significant pressure given all the new and proposed development taking place. This could exacerbate highway safety issues. Given the topography of Penrith and people's lifestyles (ie working families delivering children on the way to work, caring responsibilities etc), there is an over-reliance on private vehicles. The NPPF (Para 111) emphasises that developments should only be approved when they do not significantly increase road safety hazards or cause unacceptable harm to local infrastructure. The Town Council believes that this application and the documentation provided fails to demonstrate acceptably how it will address these concerns in a comprehensive way for residents and other road users.

Application Number (Continued)	2024/2356/FPA
Location Address	Beaconside C of E Primary School Hutton Hill Penrith CA11 8EN
<p>5. The increase in traffic volume resulting from the extension will exacerbate traffic congestion, particularly during peak school hours and further burden already busy traffic systems. It will create additional risks for pedestrians, cyclists and other road users. The roads around the school are narrow and prone to congestion due to residents on street parking and extremely busy at drop off and pick up times with cars. Issues have been reported to Highways and the Police regarding the dangers for those walking to school or crossing roads with a large number of vehicles and inconsiderate parking near junctions, across driveways and across crossing points.</p> <p>6. The development does not include sustainable design features such as EV charging points and EV panels etc to provide climate change resilience measures as set out in Policy 1 of the Penrith Neighbourhood Development Plan.</p> <p>Given the issues Penrith Town Council would wish to see a traffic safety case assessment including vehicle movements, together with an environmental assessment for pollution which would also affect local residents prior to any decision being made</p>	

PL24/95 Next Meeting

Members noted that the next meeting was scheduled on Monday 3 March 2025 at 5.15pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

The Chair had agreed to take the following item as a late urgent item as business.

PART II PRIVATE SECTION

There was one further item in this part of the Agenda

Members agreed that there was one item in this part of the Agenda to be considered in private. The reason that the item was considered in private is that it would involve the disclosure of exempt information under the following category of Part 1 of Schedule 12A of the Local Government Act 1972: Paragraph 3 - Exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

PL24/96 Appointment of Contractor

RESOLVED THAT

The recommendations within the report were agreed.

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

Westmorland and Furness Council

MADE PENRITH NEIGHBOURHOOD DEVELOPMENT PLAN

Regulation 19 (Final) Decision Statement

Published pursuant to Section 38A(9) of the Planning and Compulsory Purchase Act 2004 and Regulation 19 of the The Neighbourhood Planning (General) Regulations 2012 (as amended)

Summary

1. This document is the Decision Statement required to be prepared under Section 38A (9) of the Neighbourhood Planning (General) regulations 2012 (as amended). It sets out Westmorland and Furness Council's (the 'Council's') considerations and formal decision in bringing the Penrith Neighbourhood Development Plan into legal force.
2. Following an independent examination and positive referendum result, held on 28th November 2024, the Council decided to make the Penrith Neighbourhood Development Plan under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended).

Background

3. Penrith Parish was approved as a Neighbourhood Planning Area in September 2016. Penrith Town Council consulted on the draft Penrith Neighbourhood Development Plan between February 2019 and March 2020 and the draft Plan was submitted to Eden District Council in August 2020.
4. The Council appointed an independent Examiner, John Slater, BA (Hons), DMS, MRTPI to examine whether the Plan met the 'basic conditions' as set out in Schedule 4B to the Town and Country Planning Act 1990, and whether the Plan should proceed to a referendum.
5. The Examination of the Plan commenced in November 2020 and closed on 2 March 2021 with the Examiner's Report received by Eden District Council on 29 March 2022. The Examiner's Report concluded that the Plan should proceed to referendum subject to a number of modifications set out in the Report, including the deletion of four policies (Policies 1, 8, 9 and 12).

6. The Council decided that all of the Examiner's recommendations be accepted with the exception of those that relate to Policy 8 (Identifying and Protecting Local Green Spaces) and Policy 9 (Protecting and Enhancing Sport, Leisure and Recreation Facilities). Due to the retention of Policies 8 and 9 against the Examiner's recommendation, a further round of public consultation on these policies was necessary and took place from 8 January until 18 February 2024.
7. A local referendum was held in Penrith Parish on 28 November 2024 to decide whether the local community were in favour of the Plan. From the votes recorded, 1,131 of the 1,371 votes (82%) received were in favour of the Plan (3 votes were rejected). The turnout of electors was 10.17%.

The Council's Decision and Reasons

8. The Council decided by resolution of Cabinet on 21st January 2025 to 'make' the Penrith Neighbourhood Development Plan as part of the Development Plan in accordance with Section 38A (4) of the Planning and Compulsory Act 2004 (as amended) requires that the Council must 'make' the Plan if more than half of those voting in the Referendum have voted in favour of the Plan.
9. The Council has assessed the Plan and concluded that the Plan, including its preparation, is compatible with EU obligation and the Convention Rights (within the meaning of the Human Rights Act 1998) and complies with the relevant provisions within the Planning and Compulsory Purchase Act 2004 (as amended).
10. The 'made' (adopted) version of the Penrith Neighbourhood Development Plan (as approved by Cabinet) was published on the Council's website, alongside this Penrith Neighbourhood Development Plan Decision Statement, on 20 February 2025.
11. An errata notice was also published on 20 February 2025 alongside the Penrith Neighbourhood Development Plan, which identifies a correction to an administrative error in the 'made' version of the Penrith Neighbourhood Development Plan.
12. The Decision Statement, the 'made' Penrith Neighbourhood Development Plan, the errata notice and Examiner's Final Report can be viewed on the Council's website <https://www.eden.gov.uk/planning-and-building/planning-policy/neighbourhood-planning/penrith-neighbourhood-planning-area/>
13. The documents are also available for inspection at the following locations during normal opening/visiting hours:
 - Voreda House, Portland Place, Penrith, CA11 7BF
 - Penrith Library, St Andrew's Churchyard, Penrith, CA11 7YA



14. 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 stage and who made representations submitted to the Examiner.

15. For more information please contact the Planning Policy Team on 0300 373 3300 or email: neighbourhood.planning@westmorlandandfurness.gov.uk

Dated: 20 February 2025



Author:

Date: 25/02/2025

