



Penrith Town Council

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

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

DATE: 25 June 2024

NOTICE IS HEREBY GIVEN that an **ORDINARY MEETING** of **THE PLANNING COMMITTEE** will be held on Monday 1 July 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	Pategill Ward	Cllr Knaggs	East Ward
Cllr Holden	Carleton Ward	Cllr Lawson	Carleton Ward
Cllr Jackson	North Ward	Cllr. Shepherd	East Ward
Cllr D Jayson	West Ward	Cllr. Snell	West Ward

Mr I. Parker, Acting Town Clerk

Public Participation

Members of the public are welcome to attend. Details about how to comment on an agenda item are available on the Town Council Website.

Filming

Please note that this meeting may be filmed for live or subsequent broadcast via the internet or social media.

Please be advised that the Town Council does not record or live stream meetings.

Penrith Town Council fully supports the principle of openness and transparency and has no objection to filming and reporting at its Full Council, and Committee meetings that are open to the public. It also welcomes the use of social networking websites, such as Twitter and Facebook, to communicate with people about what is happening, as it happens. Filming will only commence at the beginning of a meeting when the Chair opens the meeting with apologies and will finish when the meeting is closed or when the public may be excluded from an exempt item. The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

General Power of Competence

The Town Council resolved from 15 May 2023, until the next relevant Annual Meeting of the Council, that having met the conditions of eligibility as defined in the Localism Act 2011 and SI 965 The Parish Councils (General Power of Competence)(Prescribed Conditions) Order 2012, to adopt the General Power of Competence.

AGENDA FOR THE MEETING OF PLANNING COMMITTEE MONDAY 1JULY 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 3 June 2024 and agree they be signed as such by the Chair.

3. Declarations of Interests and Requests for Dispensations

Receive declarations by Members of interests in respect of items on this agenda and apply for a dispensation to remain, speak and/or vote during consideration of that item.

ADVICE NOTE:

Members are reminded that, in accordance with the revised Code of Conduct, they are required to declare any disclosable pecuniary interests or other registrable interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting.) Members may, however, also decide, in the interests of clarity and transparency, to declare at this point in the meeting, any such disclosable pecuniary interests which they have already declared in the Register, as well as any other registrable or other interests. If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote, he/she is advised to contact the Monitoring Officer at least 24 hours in advance of the meeting

4. Public Participation

Receive any questions or representations which have been received from members of the public. A period of up to 15 minutes for members of the public to ask questions or submit comments.

ADVICE NOTE:

Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda. The public must make a request in writing to the Town Clerk **PRIOR** to the meeting, when possible. A member of the public can speak for up to three minutes. A question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.

5. EXCLUDED ITEM: Public Bodies (Admissions to Meetings) Act 1960

Determine whether item/s ** should be considered without the presence of the press and public, pursuant to Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960, as publicity relating to that (any of those) matter/s may be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for the other special reasons noted in relation to that matter on the agenda.

6. W&F Local Plan - Wayforward

To receive an update on the process of consultation (8 July to 6 September 2024) by Westmorland and Furness Council for the revision the Local Plan.

7. NDP Update

To receive an update.

8. Oak Road SID

To receive an update.

9. Planning Applications

a) DELEGATED RESPONSES TO NOTE

Application Number	2024/0437/FPA
Location Address	Penrith AFC Football Club Frenchfield Park Frenchfield PENRITH CA11 8UU
Proposal	Retrospective change of use of storage container to form outdoor catering facility.
Response	Support

Application Number	2024/0907/PALHE
Location Address	16 Hawthorn Drive Penrith CA11 8WF
Proposal	Prior Notification under schedule 2, part 1, class A, for a single storey rear extension.
Response:	Support

Application Number	2024/0942/TPO
Location Address	2 Brooklands Carleton Road Penrith CA11 8LT
Proposal	Lime Tree 1 and 2, subject to Tree Preservation Orders EDC T3/CC24-G3 T3/CC24-G3 Field OS 4600, Brooklands, re-pollard both trees by cutting back all growth above the main stem back down to the original pollard point.
Response	Support – re-pollarding will support the longer term health of the trees

Application Number	2024/0873/FPA
Location Address	Land off Greenbank Road Eden Business Park Penrith CA11 9FB
Proposal	Discharge of condition 4 (nesting birds), attached to approval 2023/1128/FPA.
Response	<p>Support</p> <p>The condition imposed was: “Prior to development being commenced, a pre-start check of the site to check for nesting birds including a fingertip search will be undertaken by a suitably qualified and competent individual and details of this check shall be submitted to and approved in writing by the Local Planning Authority. Should active birds’ nests be observed, the developer will be required to delay works on site until such a time agreed by the Local Planning Authority</p> <p>Survey undertaken in April (bird nesting season) – no evidence of nesting, recommendation is to remove the trees on site asap to prevent nesting.</p>

Application Number	2024/0950/TPO
Location Address	Footway Between Fairhill Road and Scotland Road PENRITH CA11 8QL
Proposal	Crown raise Lime trees subject to Tree Preservation Orders TPO209-G1 and TPO209-G2 along the footpath between Salkeld Road and Fairhill to allow 3m clearance.
Response:	Support – this work is carried out every couple of years

Application Number	2024/0912/FPA
Location Address	Newton Gate Newton Rigg Penrith CA11 0AG
Proposal	Erection of sunroom extension.
Response:	Support – nothing to be seen from the front.

Application Number	2024/0910/FPA
Location Address	Forest Hill Farm Bowscar PENRITH CA11 8RY
Proposal	Removal of condition 5 (occupancy restriction), attached to approval 10/0489.
Response:	Although Penrith Town Council support the removal of the agricultural occupancy restriction to enable a built residence to be occupied, the Town Council would strongly request that it be conditioned that the house has to be a permanent residence and should not be used for holiday accommodation or Air BnB

Application Number	2024/0848/LDPR
Location Address	59 Musgrave Street Penrith CA11 9AS
Proposal	Lawful Development Certificate for proposed rear extension to extend kitchen and internal alterations and change of use from C4 (HMO) to C3 (Dwellinghouse).
Response	Support

b) PLANNING APPLICATIONS FOR CONSIDERATION

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

<http://eforms.eden.gov.uk/fastweb/search.asp> by inserting the appropriate planning reference number.

Application Number	2024/0871/FPA
Location Address	Land off Beacon Edge PENRITH
Proposal	Proposed erection of a dwelling.

Application Number	2024/0796/FPA
Location Address	Land at Raiselands Farm Penrith CA11 9JW
Proposal	Variation of condition 27 (non-opening windows) to allow the option of opening windows in place of non-opening windows, attached to approval 14/0405.

Application Number	22/0483
Location Address	UNIT 5 NEWTONGATE DEPOT, NEWTON ROAD, PENRITH, CA11 0BF
Proposal	Variation of condition 1 (hours of operation), to allow for 1no night time delivery between 11pm and 2am, attached to approval 01/0072.

Application Number	2024/0854/FPA
Location Address	Greengill Head Villa Salkeld Road PENRITH CA11 8SQ
Proposal	Proposed conversion and extension of domestic outbuilding to form kitchen and bathroom.

Application Number	2024/1065/TCA
Location Address	54 Arthur Street Penrith CA11 7TU
Proposal	Reduce height of Holly tree.

Application Number	2024/0707/FPA
Location Address	AST Signs Ltd Box House Greenbank Road Eden Business Park PENRITH CA11 9FB
Proposal	Creation of two new vehicular accesses.

Application Number	2024/0462/LBC
Location Address	Dockray Hall Great Dockray PENRITH CA11 7DE
Proposal	Listed Building Consent for alterations to include installation of 1no window to rear west elevation and 3no conservation rooflights, reconfiguration of existing accommodation to provide additional guest bedrooms and en-suite bath/shower rooms, replacement of plastic with cast iron rain water goods and replacement of existing fencing with new fencing including enclosed bin store.

Application Number	2024/1016/FPA
Location Address	62 Lowther Street PENRITH CA11 7UF
Proposal	Proposed replacement of existing dormer window on rear elevation and conversion of two attic bedrooms into a single bedroom with en-suite.

10. Next Meeting

Note the next meeting is scheduled for Monday 29th July 2024 at 5.15pm, 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 Monday 3 June, at 4.00pm, Unit 2, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR.

PRESENT

Cllr Bowen	Pategill 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 COMMITTEE
MONDAY 3 JUNE 2024**

PART I

PL24/01 Apologies for Absence

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

PL24/02 Appointment of Vice Chair

Councillor Holden, in her absence was nominated and seconded to be Vice-Chair of the Planning Committee for the 2024-25 Municipal Year.

RESOLVED THAT:

Councillor Holden be appointed as Vice Chair of the Planning Committee for the 2024-25 Municipal Year.

**PL24/03 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.

PL24/04 Public Participation

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

**PL24/05 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.

PL24/06 Times of Meetings

RESOLVED THAT:

Planning Committee meetings during the 2024-25 Municipal Year would commence at 5.15pm.

PL24/07 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	2024/0772/TCA
Location Address	37 Wordsworth Street PENRITH CA11 7QY
Proposal	Conservation area tree works comprising reduction in height to reduce vulnerability to high winds and prune to reduce conflict with neighbouring trees, to be carried out by an arborist.
Response	Support

Application Number	2024/0500/NMA
Location Address	Rear of Rickerbys Greenbank Road Eden Business Park Penrith CA11 9FB
Proposal	Non Material Amendment for the insertion of an accessible kissing-gate on footpath, attached to approval 22/0782.
Response	Support

Application Number	2024/0717/NMA
Location Address	Land known as Carleton Heights Penrith
Proposal	Non Material Amendment for the inclusion of updated play equipment to the play area, attached to approval 16/0811.
Response	Support – the equipment shows much more variety which is welcome

Application Number	2024/0775/NMA
Location Address	Bowerbank Way Gilwilly Industrial Estate Penrith CA11 9BQ
Proposal	Non Material Amendment to change the orientation of the parking spaces and insertion of planting between some spaces, attached to approval 22/0162.
Response:	Support but would wish there to be mention of future electric charge points as detailed on the original application

Application Number	2024/0752/FPA
Location Address	Northbank Beacon Street PENRITH CA11 7UA
Proposal	Alterations to include replacement utility room, extension of porch and addition of cladding to existing extension.
Response	Support – proposals are sympathetic to existing dwelling and the conservation area although none of the alterations are visible from the front of the house.

Application Number	2024/0332/FPA
Location Address	Creations 2-4 Poets Walk Penrith CA11 7HJ
Proposal	Change of use of first floor of hair and beauty salon (use class E) to a residential flat (use class C3) and replacement of first floor window.
Response:	Support – PTC would wish it to be conditioned that given the high demand for rental properties in Penrith, the development should be used for long term residential letting and not for short term holiday let. Conversion of redundant upper storey space is ideal in this location. The adjacent window above The Little Chippy already looks to be uPVC so changing the window to a heritage wood look uPVC would not be detrimental to the character to the conservation area (especially as it's an upper storey window) and would make a dwelling more environmentally sustainable.

b) Planning Applications Considered

Members considered the following applications which had been received and which required a committee decision. Further information could be found on the Eden District Council Website <https://plansearch.eden.gov.uk/fastweb/> by inserting the appropriate planning reference number.

Application Number	2024/0851/TCA
Location Address	Laurel Bank Fell Lane Penrith CA11 8AA
Proposal	Conservation tree works application to trim a Silver Birch.
RESOLVED THAT A response be returned to Westmorland & Furness Council in SUPPORT of the application.	

Application Number	2024/0806/TPO
Location Address	8 The Parklands PENRITH CA11 8TF
Proposal	T6: Oak - Reduce central damaged stem / canopy section by up to 3m to subordinate it within the rest of the crown. Crown reduce ESE portion of crown growing towards house by 2m. Crown reduce rest of tree by up to 1.5-2m as required to reduce over extending branches and balance shape. Crown raise to gain 2.5m clearance from the ground.
RESOLVED THAT A response be returned to Westmorland & Furness Council in SUPPORT of the application.	

Application Number	2024/0847/TPO
Location Address	Carleton Derrick Carleton Derrick Drive Penrith Cumbria CA11 8LS
Proposal	Works to trees T11 Oak and T12 Wellingtonia, subject to Tree Preservation Order No.123, 2005, comprising; T11 Wellingtonia crown reduced to lower wind loaded stresses on the main stem and butters rooting. To achieve this, crown thinning should be carried out removing a maximum of 10% of branching, focusing on dead, dying, crossing and rubbing branches. T12 Oak The removal of dead branches.
RESOLVED THAT A response be returned to Westmorland & Furness Council in SUPPORT of the application.	

Application Number	2024/0732/LDPR
Location Address	4 Holly Close PENRITH CA11 8UP
Proposal	Lawful Development Certificate for a proposed single storey side extension.
RESOLVED THAT A response be returned to Westmorland & Furness Council in SUPPORT of the application	

Application Number	2024/0594/FPA
Location Address	38 Willow Close Penrith CA11 8TH
Proposal	Two storey side extension and front porch extension.
RESOLVED THAT A response be returned to Westmorland & Furness Council in SUPPORT of the application.	

Application Number	2024/0695/FPA
Location Address	32 Brentfield Way Penrith CA11 8DL
Proposal	Proposed enlargement of existing single storey side extension and addition of first floor extension with balcony over existing rear sun room. Revised scheme of 23/0230.
RESOLVED THAT A response be returned to Westmorland and Furness Council in SUPPORT of the application with a request that it should be conditioned that should there be a request for access onto the balcony at a future date, Penrith Town Council would wish to see any future application and privacy glass should be inserted to the side of the balcony facing No 30 to avoid any loss of privacy.	

Application Number	2024/0557/FPA
Location Address	24-25 Devonshire Street Penrith CA11 7ST
Proposal	Installation of internal Radon gas suppression ductwork system and external weather louvre.
RESOLVED THAT	
Although the application be supported in principal, Westmorland and Furness Council be requested to provide additional information regarding the external louvre and its impact on the building and that delegated authority be given to the Deputy Town Clerk to respond once that information has been received a circulated to members of the Planning Committee.	

Application Number	2024/0651/ADV
Location Address	Carleton Hall Farm Carleton Avenue PENRITH CA11 8RQ
Proposal	Advertisement Consent for 2no illuminated fascia signs, 1no non-illuminated fascia sign, 1no illuminated projecting sign, 1no illuminated gantry sign and 2no non-illuminated di-bond panels mounted on poles.
RESOLVED THAT	
A response be returned to Westmorland & Furness Council OBJECTING to the application on the following grounds:	
1. the gantry sign is grossly out of character with the surrounding area and therefore goes against policy EC5 of the Eden Local Plan. The signage is large and fully illuminated adjacent to a lit highway, listed building and residential areas as is the fascia signage. Such signage would detract from the character and appearance of the area and will have an adverse effect on the locality.	
Should Westmorland & Furness Council be minded to approve the application, Penrith Town Council would wish it to be conditioned that all illuminated signage should be turned off outside business hours in what is a semi rural residential area.	

Application Number	2024/0832/DISC
Location Address	Land off Carleton Road PENRITH
Proposal	Part discharge of condition 9 (noise) for Plot 27, attached to approval 20/0501.
RESOLVED THAT	
A response of NO OBJECTION be returned to Westmorland& Furness Council with a request that the information for other plots is provided once available.	

Application Number	2024/0805/LDPR
Location Address	1-2 Little Dockray PENRITH CA11 7HL
Proposal	Lawful Development Certificate for proposed change of use of offices to 4no residential units.
RESOLVED THAT	
A response be returned to Westmorland & Furness Council in principal in SUPPORT of the application with a query requesting why this wasn't a full planning application as the permission had expired.	

PTC24/08 Next Meeting

Members noted that the next meeting was scheduled on 1 July 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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