



Penrith Neighbourhood Development Plan Summary of Regulation 16 representations

Organisation	Representation
Coal Authority	No comments
	<p>The Draft Plan is impressive, but information re the 563 Penrith-Appleby bus service is unfortunately out of date. The stated first and last times relate to the 506, which is no longer a registered service.</p> <p>The 563 operates Monday-Friday as follows: 0915 Penrith-Appleby 0950 Appleby-Penrith (via Cross Croft and Kirkby Thore) 1050 Penrith-Appleby 1125 Appleby-Penrith 1330 Penrith-Appleby (via Kirkby Thore and Cross Croft) 1425 Appleby-Penrith</p> <p>You won't want to include all this, but please ensure that what is included is correct at the time of going to press.</p>
Cumbria County Council	<p>1.0 INTRODUCTION</p> <p>1.1 The Submission Draft of the Penrith Neighbourhood Plan (prepared by Penrith Town Council) has been published by Eden District Council under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.</p> <p>1.2 The response made to this consultation will be considered by an independent examiner. The examiner will consider if the Penrith Neighbourhood Plan meets the basic conditions for a neighbourhood plan and will recommend if it is put to a local referendum, if there is a majority vote, then the Penrith Neighbourhood Plan will form part of Eden District Council's development plan policies to help make decision on planning applications in Penrith. The development strategy for the Penrith Neighbourhood Plan is set out in Eden District Council's adopted Local Plan. It is noted that the Submission Draft of the Penrith Neighbourhood Plan does not seek to allocate further sites for development.</p> <p>1.3 Cumbria County Council welcomes the opportunity to comment on the Penrith Neighbourhood Plan. When undertaking the review of the policies of the Penrith Neighbourhood Development Plan it is important that it reflects the strategy and aspirations of the Local Transport Plan; Cumbria County Council's Area Plan for Eden and the Cumbria LEP's Industrial Strategy.</p>

Organisation	Representation
Cumbria County Council (continued)	<p>2.0 CUMBRIA COUNTY COUNCIL'S RESPONSE</p> <p>2.1 The response below sets out Cumbria County Council's comments in relation to the Penrith Neighbourhood Plan's Objectives; Policies; Supporting Town Council Actions and Background and Justification text, where relevant to the county council's role as Highway and Lead Local Flood Authority and service and infrastructure provider. This response focuses on the matters set out in bold type.</p> <p>2.2 Objective 1: Sustainable Development. Policies covered by this objective are:</p> <ul style="list-style-type: none"> • Policy 1 Sustainable Development • Policy 2 Environmentally Sustainable design • Policy 3 Energy use and reducing carbon emissions • Policy 4 Accessibility and Social Inclusion • Policy 5 Conservation Areas <p>Policy 1 Sustainable Development in Penrith</p> <p>2.3 Policy 1 is an overarching policy which sets out the sustainable development principles and measures that should be incorporated into development proposals to build in resilience and achieve development that is adaptable to, climate and socio-economic change.</p> <p>2.4 The adopted Eden Local Plan recognises that the scale of new development should be dependent upon sufficient capacity being available in existing infrastructure networks to meet the demands of new development. Where this cannot be demonstrated, permission for that development will only be granted where additional capacity can be released through better management of existing infrastructure, or through the provision of new infrastructure.</p> <p>2.5 Whilst it is welcomed that the background and justification text identifies the role of Cumbria County Council as infrastructure providers, there are other infrastructure providers who play a key role.</p> <p>2.6 Objective 2: Housing. Policies covered by this objective are:</p> <ul style="list-style-type: none"> • Policy 6 High Quality New Homes • Policy 7 Housing Type and Mix • Policy 8 Identifying and protecting Local Green

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Cumbria County Council (continued)	<p>Policy 6 High Quality New Homes</p> <p>2.7 Reference needs to be made to the whole of the Cumbria Development Design Guide (November 2017)¹ and not just the car parking standards contained within. The car parking standards set out in the Penrith Neighbourhood Plan are different to those set out the Cumbria Development Design Guide.</p> <p>2.8 The Cumbria Development Design Guide is not designed to be a supplementary planning document, but does show how the County Council will respond to planning applications where it is a statutory consultee. It therefore has planning weight. The document provides guidance in three areas:</p> <ul style="list-style-type: none"> • Residential Development • Commercial Development • Sustainable Drainage Systems (SUDs) <p>2.8 Objective 5 Wellbeing. Policies covered by this objective are:</p> <ul style="list-style-type: none"> • Policy 10 Protecting and enhancing Health and Community Facilities • Policy 11: Walking and Cycling <p>Policy 11: Walking and Cycling</p> <p>2.9 The policy and background justification needs to make clearer reference to the work undertaken by partners.</p> <p>2.10 To support the development of the Eden Local Plan (2014-2032), the County Council used the Penrith Transport Model to understand what impact the proposed level of development would have on the highway network. The Penrith Transport Improvements Study identified highways and sustainable transport (including walking and cycling) schemes to mitigate the impact of the development. These schemes form part of Eden Local Plan Infrastructure Delivery Plan and were identified as necessary infrastructure need to help facilitate the delivery of the level of growth proposed for up to 2032.</p> <p>1 Cumbria Design Guide (November 2017)</p> <p>https://www.westmorlandandfurness.gov.uk/planning-and-building-control/environment-and-planning/flooding-management-and-prevention/cumbria-development-design-guide</p> <p>2.11 Further work was undertaken in the Penrith Parking and Movement Study (PPMS) (September 2020), jointly funded by Cumbria County Council, Eden District Council and Penrith Town Council. The overarching aims of the PPMS were to understand the how the existing parking provision in Penrith could be improved whilst seeking to enhance walking and cycling connectivity between car parking areas and the town centre, key employment sites and the bus and railway station.</p>

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Cumbria County Council (continued)	<p>2.12 Eight improvement packages were developed. Package 7: Cycling and Walking Improvements sets out improvements to walking and cycling with the town. Several of the improvements are derived from the Eden Local Plan Infrastructure Delivery Plan, and their inclusion in the PPMS evidences the need for investment.</p> <p>2.13 It is envisaged that a Local Cycling and Walking Infrastructure Plan (LCWIP) will be developed for Penrith. This will build on the above work and provide a more coherent plan for active mode infrastructure in the town as a whole.</p> <p>2.14 Objective 6: Town Centre Car Parking. There are no policies proposed under this objective, but a number of Supporting Town Council Actions.</p> <p>2.15 Paragraph 6.51 of the background and justification to the Supporting Town Council Actions is incorrect in that it refers to Cumbria County Council commissioning a study to look at car parking provision. The Penrith Parking and Movement Study (September 2020) was jointly funded by Cumbria County Council, Eden District Council and Penrith Town Council to develop a coherent and comprehensive parking and movement study for Penrith.</p> <p>2.16 The PPMS was based on a robust assessment and defined methodology on what type of interventions are required to improve parking provision in Penrith and was approved by Penrith Town Council in September 2020. As such the evidence and recommendations within the PPMS should provide the basis for the Supporting Town Council Actions.</p> <p>2.17 Objective 7 Traffic Management. Policies covered by this objective are</p> <ul style="list-style-type: none"> • Policy 12 Traffic Management. <p>2.18 Policy 12 of the Penrith Neighbourhood Plan states “The following measures to improve traffic flows and ease congestion will be supported:</p> <ol style="list-style-type: none"> 1. A new route to divert through-traffic around the town...” <p>2.19 Cumbria County Council’s response to the Regulation 14 identified this as a concern and queried what is intended by a “new route” as it lacked clarity and is not evidenced by any technical assessment. Cumbria County Council is currently updating the Penrith Transport Model. The updated model could be used to test potential alterations the highway network, but this needs to be done logically and consistently as part of consideration of future growth strategy as part of the review of the Eden Local Plan. Cumbria County Council therefore object to the inclusion of point 1 of Policy 12.</p>

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Cumbria County Council (continued)	<p>2.20 Paragraph 6.53 of the background and justification to the policy refers to “..... growth needs to take place in a way that maintains strong connections to and from the M6 via well maintained routes. This will include maximising opportunities to channel financial contributions from new development into highway improvement and promoting the use of Junction 41 to take pressure off the overburdened Junction 40”.</p> <p>2.20 It is not clear what is meant by ‘channel financial contributions’. Without clarity of its purpose Cumbria County Council suggests that it is removed.</p> <p>2.21 In addition the Penrith Neighbourhood Plan does not allocate additional land. The statement ‘promoting the use of Junction 41 to take pressure off the overburden Junction 40’ is therefore ambiguous. The promotion of strategic growth areas should be considered and evidenced through the review of the Eden Local Plan and underpinned by appropriate technical assessment.</p> <p>2.22 Objective 8 Penrith Town Centre. Policies covered by this objective are</p> <ul style="list-style-type: none"> • Policy 13 Penrith Town Centre Improvements <p>2.23 Paragraph 6.58 of the background and justification to the policy needs to be clearer and explain that the schemes contained within the Penrith Transport Improvements Study form part of Eden Local Plan’s Infrastructure Delivery Plan and were identified as necessary highway infrastructure needed to help facilitate the delivery of the level of growth proposed in the Local Plan up to 2032.</p> <p>General Comments</p> <p>2.24 Below are general comments to the introductory sections of the Penrith Neighbourhood Plan.</p> <p>2.25 Page 7, first paragraph should read working with the “district and the county council”. As currently worded, it suggests more than one county council.</p> <p>2.26 Paragraph 3.2.15 is misleading. Cumbria County Council would recommend parking is provided in line with the current Cumbria Development Design Guide. The guide details different parking provision for different development sizes and types.</p> <p>2.27 The evidence presented in section 3.6, Car Parking and Public Transport should be updated to reflect the extensive evidence base collected as part of the Penrith Parking and Movement Study (September 2020).</p>

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Cumbria County Council (continued)	<p>2.28 Section 3.7 Traffic Management, paragraph 3.7.1 refers to a possible park and ride. This was explored as part of the PPMS and therefore any comments regarding this should reflect the evidence and recommendation of the PPMS.</p> <p>2.29 Paragraph 3.7.2 and corresponding figure 7 refers to the first stage of the Penrith Transport Improvement Study (2015) (used to inform the preparation of the Eden Local Plan’s Infrastructure Delivery Plan) and the early baseline information and outlined the existing pinch points on the network. Further iterations of the Penrith Transport Improvement Study developed highways and sustainable transport schemes which when implemented would mitigate these pinch points. The paragraph and figure are misleading and should be removed.</p> <p>2.30 Paragraph 3.7.5 refers to the dualling of the A66. This is the A66 Northern Trans- Pennine Project. Highways England are the project’s promoter and it is suggested that Penrith Town Council contact Highways England to clarify the text in this paragraph. https://nationalhighways.co.uk/our-roads/a66-northern-trans-pennine/</p> <p>3.0 CONCLUSION</p> <p>3.1 This response identifies further amendments for the Town Council to consider to enhance the content of the Penrith Neighbourhood Plan. However objection is raised to the inclusion of point 1 of Policy 12: Traffic Management. What is meant by a “new route” lacks clarity and is not evidenced by any technical transport modelling assessment.</p> <p>3.2 There is significant ongoing activity by stakeholders in respect of considering future improvements plans for Penrith. It is important that the different work areas are looked at in a holistic manner to allow for the development of a coherent and integrated ‘whole place’ approach to the phasing, planning and delivery of potential improvements in Penrith.</p>
Cumbria Police	<p>This is a response on behalf of the Cumbria Police and Crime Commissioner’s Office (to whom the Notification of Regulation 16 was sent) and Cumbria Constabulary.</p> <p>We welcome the opportunity to participate in this consultation and wish to offer the following comments.</p> <p>Introduction and Background (Figure 2)</p> <p>The Constabulary acknowledges and supports the Penrith Neighbourhood Development Plan and draws attention to National Planning Policy Framework that underpins it:</p>

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Cumbria Police (continued)	<p>8. Promoting healthy and safe communities b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion –</p> <p>12. Achieving well-designed places f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.</p> <p>The Submission Draft document only refers to crime (ie reducing the opportunities for crime) at Policy 11 (6) Walking and Cycling – yet crime prevention may be a consideration for all sustainable development.</p> <p>The Constabulary will continue to contribute to the planning process in respect of planning application consultations on crime prevention issues and shall endeavour to assist the Council in formulating new planning policy in this regard.</p> <p>For example, with regard to Policy 14 – Shopfront Design (item 3), there is now an aesthetic alternative to the presence of external shutters or grilles in modern (not historical) frontages with the deployment of ‘Hammerglass’™ integrated with specialist internal security measures. It may be helpful if the Supplementary Planning Document – Shopfront and Advertisement Design encouraged developers to seek crime prevention advice from the Constabulary, prior to submitting their proposals.</p> <p>Item 3 of the SPD (Policy Context) refers to the expected adoption of a relevant Supplementary Planning Document for Crime Prevention Through Environmental Design – but it would appear this guidance has not been adopted.</p> <p>I trust these comments are of interest.</p>

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Eden District Council	<p>16 para 3.3.3, 'There are few developed land sites available ', Typo, 'There are few undeveloped land sites available</p> <p>18 para 3.5.3, '.. or privately (table 2) for adult patients., Consistency, '.. or privately for adult patients (Table 2).</p> <p>23 para 3.8.1, '.. character of the town is red sandstone and stucco, the...', Slate roofs are a predominant material in the town centre, '.. character of the towns is red sandstone, stucco under slate roofs, the....'</p> <p>26 para 3.9.6, '20142032', Typo, '2014-2032'</p> <p>26 para 3.10.2, 'Askham Bryan College at Newton Rigg Campus provides courses in tourism as well as land-based courses and.....', Current situation is changing, 'Askham Bryan College at Newton Rigg Campus currently provides courses in tourism as well as land-based courses although its long-term future is currently in doubt and..'</p> <p>31 Figure 8, 'ELP 2014 to 2032', Consistency, 'ELP 2014-2032'</p> <p>34 Policy 1, '1. Development proposals should be designed to incorporate sustainable development principles and measures. These measures should build in reliance and achieve development that is adaptable to meet the challenges of future climate and socio-economic change. Development proposals should demonstrate where practicable, that they meet all of the following criteria.' , The format of the policy should be the main aim followed by the series of criteria. The wording of the policy is vague and imprecise including words such as 'should' and 'where practicable'. Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, The word 'should' introduces imprecision and be replaced by 'shall' . The format should be amended to the main aim and a series of criteria. 'Development proposals shall be designed to incorporate sustainable development principles and measures. These measures shall build in resilience and achieve development that is adaptable to meet the challenges of future climate and socio-economic change. Development proposals shall demonstrate that it meets, or has fully considered all of the following criteria:'</p> <p>34 criteria 2, '2 The inclusion of design features and measures that encourage.....', Clarity, '1 Design features and measures that encourage...'</p> <p>34 criteria 3, '3 Measures to prevent flooding and watercourse pollution and measures to minimise water consumption, including...', Clarity, '2 The prevention of flooding, watercourse pollution and minimise water consumption, including..'</p>

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Eden District Council (continued)	<p>35 criteria 5, '5 Utilising recycled building materials', Clarity, '4 That the proposal utilises...'</p> <p>35 criteria 6, '6 Maximise opportunities for..', Clarity, '5 Maximises opportunities for..'</p> <p>35 criteria 7, '7 use of sustainable, renewable, healthy products...', Clarity, '6 The use of sustainable, renewable, healthy products..'</p> <p>35 criteria 8, '8 protection of green spaces, creation of new green spaces and, where practicable, the development achieve net gains in biodiversity.', Clarity, '7 The protection of green spaces, creation of new green spaces and achieves a net gain in biodiversity.'</p> <p>35 criteria 9, '9 inclusion of adequate infrastructure to service the development and to ensure the development is sustainable – economically, socially and environmentally., Clarity, '8 includes infrastructure to adequately service the development and which ensures that the development is sustainable (economically, socially and environmentally).'</p> <p>35 criteria 10, '10 Protection and enhancement of local identity, character and distinctiveness of the town by way of sympathetic use of building styles, layouts, materials and landscaping.', Clarity and reflects NPPF paragraph 127 a) adding to the overall quality of the area., '9 The enhancement of local identity, character and distinctiveness of the town by way of sympathetic and complementing use of design, building styles, layouts, materials and landscaping.'</p> <p>36 6.7 line 3, '.. Requirements applicants should set out how the proposal meets the..', The wording of the policy is vague and imprecise including words such as 'should'. Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, '...requirements applicants must set out how the proposal meets the..'</p> <p>37 Policy 2, 'Development should be designed.... Proposals should, therefore..... Contemporary design will be encouraged....', The wording of the policy is vague and imprecise including words such as 'should'. Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'Development proposals shall be designed in such a way that it promotes high quality, environmentally sustainable design. Proposals shall, therefore, be informed by, and respect, the town's wider character and the local site context. High quality, traditional and contemporary design will be required to promote local distinctiveness, or where appropriate, reflect or complement a 21st-century responses, including technical design, required to reduce the impact of climate change. Planning applications will be assessed against the following criteria.'</p>

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Eden District Council (continued)	<p>37 policy 2.1, '1 Design and access statement, where they are required to accompany a planning application, should set out how the proposal achieves a high quality design and sustainable development.', The wording of the policy is vague and imprecise including words such as 'should'. Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, '1 design and access statement, where they are required to accompany a planning application, shall set out how.....'</p> <p>37 policy 2.3, '3 If the proposals are and innovative sustainable design solution such proposals will be encouraged to ensure.....', The wording of the policy is vague and imprecise including words such as 'encouraged' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, '3 if the proposals are considered to be an innovative sustainable design solution, such proposals will be required to ensure that the development remains at the forefront of contemporary, sustainable building design and as such, will be assessed for the way in which they include measures for: Adopting water recycling methods at source ;Using sustainable building materials; Recycling of grey and rainwater; Adopting;Inclusionetc.'</p> <p>38 6.10, 'Applicants will be encouraged to provide..', The wording of the policy is vague and imprecise including words such as 'encouraged' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'Applicants will be required to provide....'</p> <p>38 6.10 , 'Measures that could be included...', The wording of the policy is vague and imprecise including words such as 'could' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'Measures that should be included..'</p> <p>39 policy 3, 'Developers of major proposals above a threshold of... Unless this can be demonstrated to be neither practicable nor viable.', The wording of the policy is vague and imprecise' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'Major development proposals above the threshold of 1000 m² or 10 dwellings, shall provide at least 15% of the developments total predicted energy requirements from on-site renewable energy generation and storage, unless this can be demonstrated to be neither technically practicable nor financially viable (through the submission of a financial viability assessment).</p> <p>40 6.17, 'Such schemes should be practical eg small wind turbines in suitable locations, such as where they would not have significant adverse impacts..' , The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'Such schemes must be practical e.g. small wind turbines in suitable locations of the installation of photovoltaic panels in suitable locations, such as where they would not have significant adverse visual impacts...'</p>

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Eden District Council (continued)	<p>40 policy 4, To ensure that all development proposals meet the needs of all groups and sections of the community they should be in a location that can be reasonably accessed by walking, cycling, those with mobility aids, public transport and motor vehicles..... ', The wording of the policy is vague and imprecise including words such as 'encouraged' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'To ensure that all development proposals meet the needs of all groups and sections of the community, they shall be in a location that can be accessed by walking, cycling, those with public mobility aids, public transport in addition to access by private motor vehicles.....'</p> <p>40 policy 4, 'To improve social inclusion proposals should also:', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'To improve social inclusion all development proposals shall meet the following criteria:'</p> <p>40 policy 4.1, '... where feasible and appropriate.', The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, Delete 'where feasible and appropriate' and replace with 'in accordance with the requirements of policy COM 3 – Provision of New Open Space, of the ELP 2014-2032'</p> <p>41 Relevant District Planning Policies: Eden Local Plan 2014 – 2032, Add additional policy reference, Lack of information, Include under DEV 1,3 and 5 COM3 Provision of New Open Space</p> <p>42 Policy 5 A, 'Penrith Conservation Are', Typo, 'Penrith Conservation Area'</p> <p>42 Policy 5 A, 'Development within or affecting the setting of the Penrith Conservation Area should be designed to take account of the conservation or enhancement of the following:', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'New development proposals within or affecting the setting or character of the Penrith Conservation Area shall be designed to take account of the conservation and enhancement of the following:'</p> <p>42 Policy 5 A 2, 'The fine grain of built development and well-defined building hierarchy within buildings generally to stories in height and not exceeding four stories and less of exceptional design and having no other significant adverse impact.', Clarity/ambiguity, The fine grain of built development and the well-defined building hierarchy, comprising buildings generally two to four storeys in height. Any development exceeding four storeys in height may only be considered if they are of exceptional design complementing and enhancing the area within which they are located and have no other significant adverse impact.</p>

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Eden District Council (continued)	<p>42 Policy 5 A 4, 'Retention, reuse and use of local materials for example red sand stone...', Clarity, The retention, reuse and.....'</p> <p>42 Policy 5 A 7, 'Key views and vistas within and of the conservation area, including:', Clarity/ambiguity, 'The retention and improvement of key views and vistas within the Conservation Area in addition to.'</p> <p>42 Policy 5 A 8, 'Hard and soft landscaping in local materials with native species planting.', The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'The introduction, retention and improvement of hard and soft landscaping in local materials with native species planting.'</p> <p>43 Policy 5 B, 'Development within or affecting the setting of the Penrith New Streets Conservation Area should be designed to take account of the conservation or enhancement of the following:', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'New development proposals within or affecting the setting or character of the Penrith New Streets Conservation Area shall be designed to take account of the conservation and enhancement of the following:'</p> <p>43 Policy 5 B 1, 'Retain the layout of tightly knit terraces and larger semi-detached and detached villas.', The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'The retention of the character and appearance of the layout of the tightly knit terraces and semi-detached and detached villas.'</p> <p>43 policy 5 B 2, 'Use suitable materials such as red sandstone...', The wording of the policy is vague and imprecise including words such as 'suitable' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'The retention, use and reuse of suitable materials such as red sandstone and Westmorland/Burlington slate roofs or sympathetic alternatives, that would result in a high quality, innovative design.'</p> <p>43 Policy 5 B 4, 'Retention of mature gardens and open spaces...', Clarity, 'The retention of mature gardens and open spaces...'</p> <p>46 Policy 6, 'To ensure new housing development is of high quality design that reinforces local identity and reflects local distinctiveness it should have regard to and will be assessed against the following', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'To ensure new housing development proposals are of a high quality design that reinforces local identity and reflects local distinctiveness it shall have regard to and will be assessed against the following criteria:'</p>

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Eden District Council (continued)	<p>46 Policy 6 1, 'Use of sympathetic layouts', Clarity, 'The use of sympathetic layouts...'</p> <p>46 Policy 6 2, 'Visual and landscape character impact.', Clarity/ambiguity, 'The development proposals impact on visual and landscape character.'</p> <p>46 Policy 6 3, 'Access to local facilities and services.', Clarity/ambiguity, 'The ability of the development proposal to access local facilities and services.'</p> <p>46 Policy 6 4, 'Impact on existing communities in terms of residential amenity and impact on local infrastructure.', Clarity/ambiguity, 'The developments impact on existing community in terms of the existing residential amenity and local infrastructure.'</p> <p>46 Policy 6 5, 'Traffic generation and its impact.', The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'The potential additional traffic generation and its impact on both the local and wider community.'</p> <p>46 Policy 6 6, 'Provision of appropriate social infrastructure to meet the needs arising from the development, including.....', The wording of the policy is vague and imprecise including words such as 'appropriate' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'The provision of necessary and identifiable social infrastructure to meet the needs arising from the development, including accessible and usable public open space, and landscaping incorporating native plant and tree species, including food plants and fruit trees.'</p> <p>46 Policy 6 7, 'Provision of features to encourage wildlife movement, migration, nesting (eg bird boxes, bat roosts, hedgehog holes), roosting and foraging, The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, The development proposal shall include both natural and constructed features to encourage wildlife movement, migration, nesting (eg bird boxes, bat roosts and hedgehog holes), roosting and foraging to provide for biodiversity net gain.</p> <p>46 Policy 6 8, 'Outside the town centre as defined in....', The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'That for development proposals outside the town centre as defined in ELP 2014-2032, off-street car parking provision shall meet the standards defined in part one of the Cumbria Design Guide produced by Cumbria County Council as set out below (all garages where they are proposed, to be of a sufficient size to accommodate contemporary vehicles).</p>

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Eden District Council (continued)	<p>48 Policy 7, 'New housing development should provide a range of types and sizes of dwellings that meet identified local needs in accordance with ELP 2014 2032 Policy HS4.', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28,</p> <p>'That all new housing development shall provide for a range of types and sizes of dwellings which meet identified local needs in accordance with ELP 2014 – 2032 Policy HS4.</p> <p>48 Policy 7, 'In Penrith, as confirmed by the 2018 Housing Need Survey, the priority should be for the provision of homes..', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'Within Penrith, as confirmed in the 2018 Housing Need Survey, the priority shall be for the provision of homes to meet the needs of young renters with/without children, first-time buyers, empty nesters and the ageing population. The provision of serviced plots, individually or within schemes, for custom build and self- build affordable housing will also be required on sites/schemes of 10 or more homes, or where the site area is 0.5 hectares or more.</p> <p>48 Policy 7, 'Based on the 2018 Housing need survey and in consultation with the local community, developers should include bungalows within the mix of homes on individual sites. Extra care housing to meet the needs of the ageing population will also be supported', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'Based on the 2018 Housing need survey and in consultation with the local community, developers shall include bungalows within the mix of homes on individual sites. Extra care housing to meet the needs of the ageing population will also be supported on appropriate sites supported by Policy HS4 of the ELP 2014 – 2032.'</p> <p>48 6.29, 'Policy HS4 Housing Type of Mix in the ELP 2014 – 2032 seeks to secure a suitable mix of homes on development sites this will be informed by using evidence from and set out in ELP 2014 – 2032 Policy HS4.', The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'Policy HS4 Housing Type of Mix in the ELP 2014 – 2032 seeks to secure a suitable mix of homes all development sites and this will be informed by using evidence from and set out in ELP 2014 – 2032 Policy HS4, in addition to an assessment of the following more up-to-date criteria:'</p>

Organisation	Representation
Eden District Council (continued)	<p>49 6.35, 'The PNDP seeks to meet such need by seeking the provision of service plots,.....', The wording of the policy is vague and imprecise including words such as 'seeking' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'The PNDP seeks to meet such need by requiring the provision of serviced plots,.....'</p> <p>50 Policy 8, 'Development of the designated Local Green Spaces must be consistent with national planning policy for Green Belts.', The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'Development within or affecting the designated Local Green Spaces identified above shall be consistent with national planning policy for Green Belts'.</p> <p>54 Policy 10, When a non—community use (eg housing) is proposed to replace, either by conversion or redevelopment, one of the facilities, such development will only be supported when it can be demonstrated that: a) there is no longer a need for the facility or suitable and accessible alternatives exist. b) that it is no longer economically viable to provide the facility. c) that the site has been unsuccessfully marketed for sale in its current use. Clarity/ambiguity/format, When a non—community use (e.g. housing, commercial development or a mix of development) is proposed to be replaced, either by conversion or redevelopment, such development will only be supported when it can be demonstrated that it meets each of the following criteria: a) there is no longer a need for the facility and that suitable and accessible alternatives with the necessary spare capacity exist elsewhere; b) that it is no longer economically viable to provide the facility; and c) that the site has been unsuccessfully marketed for sale in its current use and at a value that reflects its current use.</p> <p>54 6.46, 'To ensure that quality of life is maintained and, where possible, enhanced the PNDP identifies and seeks to protect key community facilities.....', Clarity, 'To ensure that quality of life is maintained and where possible, enhanced, the PNDP identifies and seeks to protect key community facilities.....'</p> <p>55 Policy 11, 'The provision and enhancement of walking and cycling links within the town especially between existing and new residential areas and key destinations, such as the town centre, employment sites, schools and other community facilities will be supported. Where appropriate, new development should include walking and cycling infrastructure that is of high – quality design and accessible to all. To ensure new development meets this policy, assessment will be made against the following;', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28,</p>

Organisation	Representation
Eden District Council (continued)	<p>'The provision and enhancement of new and existing walking and cycling links within the town, especially between existing and proposed new residential areas and key destinations, such as the town centre, employment sites, schools and other community facilities, will be supported. New major developments shall include walking and cycling infrastructure within the site which links on to adjacent existing infrastructure. All such links must be of high-quality design and accessible to all. To ensure new development meets this policy, assessment will be made against the following criteria;'</p> <p>55 Policy 11 1, '1 where necessary and feasible, provision of links to existing open spaces, green infrastructure and watercourses (rivers, backs and streams) and water features (eg ponds). The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, '1 Within Major Developments walking and cycling links shall be provided within the scheme linking proposed open spaces, green infrastructure, watercourses (e.g. rivers, backs and streams) and water features (e.g. ponds) and these walking and cycling links shall be made to link into existing adjoining and adjacent open spaces, green infrastructure, watercourses and water features, as part of the proposal. '</p> <p>55 Policy 11 2, '2 connections to the existing network of walking and cycling path routes, where this is feasible, including ease and directness of any new connections created to the existing path and cycle path network.', The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, '2 As part of a Major Development, the proposal shall include connections to the existing network of walking and cycling path routes, where this is financially viable and technically feasible, taking into account ease and directness of any new connections created to the existing path and cycle path network.'</p> <p>55 Policy 11 3, '3 The design of the foot and cycle paths within the development site should be legible and permeable (structured to provide routes to distinctive places and allow easy navigation around the site.', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, '3 The design of the foot and cycle paths within the development site shall be legible and permeable within an overall highway hierarchy structured to link to distinctive areas and promote easy navigation, around the site.'</p>

Organisation	Representation
Eden District Council (continued)	<p>55 Policy 11 6, '6 Routes of all kinds should be designed in such a way so as to be as safe as practicable, appropriately lit and to minimise opportunities for crime; and, The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, '6 Both public highways and private access ways shall be designed to allow safe passage for all users and be lit to minimise opportunities for crime; and</p> <p>55 Policy 11, The criteria involve a mix of full stops and semi-colons, but all criteria commence with a capital letter , Consistency Unclear mixed format, Each criteria should commence with lowercase, and finish with a semi colon with the exception of the final criteria.</p> <p>56 6.49, 'In some cases, eg where an existing route is not adjacent or related to existing walking and cycling routes it may not be feasible to create new connections to the existing walking and cycle network. ', The wording of the explanation is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'In some cases, eg where an existing route is not related to existing walking and cycling routes it may not be technically feasible or financially viable to create new connections from the development site to the existing walking and cycle network.'</p> <p>58 Policy 12 1, '1 A new route to divert through – traffic around the town, introduce traffic calming to improve safety, access for emergency vehicles and maintain traffic flows, The wording of the policy is vague and imprecise' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, '1 Identify and develop a new route to divert through-traffic around the town centre, introduce traffic calming to improve road/pedestrian safety, ensure access for emergency vehicles is maintained and maintain traffic flows through the town.</p> <p>58 Policy 12 2, '2 Measures to mitigate the impacts of traffic generated from new development.', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, '2 The introduction of measures to mitigate the offsite adverse impacts of traffic generated from new development proposals, either individually or cumulatively.'</p> <p>60 Policy 13, Development to improve the appearance of the town centre will be supported. Where appropriate, new development should seek to include or make contributions to the following:, The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, Development proposals to improve the appearance of the town centre will be supported. Where directly attributable to the development proposed, either individually or cumulatively, contributions will be required in respect of the following:</p>

Organisation	Representation
Eden District Council (continued)	<p>60 Policy 13 1, '1 improve the key gateways (entry points such as Castlegate, Bridge Lane and Ullswater Road) to the town centre and the main routes through the town., The wording of the policy is vague and imprecise Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, '1 Provide for the visual improvement of the key gateways (entry points such as Castlegate, Bridge Lane and Ullswater Road) to the town centre and the main routes through the town.</p> <p>60 Policy 13 2, '2 To incorporate native species of street trees and other plants in at key gateways and through routes.', Consistency, '2 To incorporate native species of street trees and other plants in at key gateways to the town centre and the main routes through the town. '</p> <p>60 Policy 13 3, '3 Measures to improve the environment for walking and cycling, including possible pedestrianisation of areas of the town centre.', consistency, '3 The introduction of measures to improve the environment for walking and cycling, including the pedestrianisation of areas of the town centre.'</p> <p>61 6.54, '6.54ELP 20142032...', Typo, '6.54ELP 2014-2032..'</p> <p>64 Policy 14, 'To maintain the quality, character and distinctiveness of Penrith town centre new shopfronts and alterations to existing shopfronts should take account of the following:', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, 'To maintain the quality, character and distinctiveness of Penrith town centre, new shopfronts and alterations to existing shopfronts where planning permission is required, shall take account of each of the following criteria:'</p> <p>64 Policy 14 1, '1 the scale and architectural style of the existing building and any existing shopfront. The overall aim should be to seek where possible, the retention and repair of existing traditional and historic features that contribute to the interest of the building and the street frontage.', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, '1 the scale and architectural style of the existing building within which the shopfront will be framed together with and any original and traditional existing shopfront which remains. A new or altered shopfront shall ensure the replacement, retention and repair of existing traditional and historic features that contribute to the interest of the building and the street frontage.'</p>

Organisation	Representation
Eden District Council (continued)	<p>64 Policy 14 2, '2 the size, detailing and materials of signage should respect the character and the area within which it is located.', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, '2 the size, detailing and use of materials of signage shall respect the form and character both of the building on which it is sited and the area within which the building is located.'</p> <p>64 Policy 14 4, '4 where in use, blinds, blind boxes and awnings should respect the scale and character of the building and the area within which it is located.', The wording of the policy is vague and imprecise including words such as 'should' Contrary to NPPF February 2019 Section 3 Plan-Making 16d, 28, '4 where proposed, new blinds, blind boxes and awnings should respect the scale and character of the building on which they are sited and the area within which the building is located.'</p>
Environment Agency	<p>Thank you for consulting the Environment Agency on the submission draft of the Penrith Neighbourhood Plan. We welcome the opportunity to comment on the document which will have an important role in contributing to the spatial planning strategy for Penrith.</p> <p>The issue of climate change cuts across many of the topics in the plan, one way or another. The preparation of the plan comes when the expected impacts of climate change and the urgency of mitigating and adapting to them are becoming more important to our future.</p> <p>We have considered the contents of the submission draft document and overall we welcome the approach taken in preparing the plan and are supportive of the proposed policies relevant to the Environment Agency's remit. We would offer the following comments:</p> <p>Policy 1 Sustainable Development</p> <p>We suggest that reference to protecting and enhancing water quality is included in the wording of this policy. The plan area is partly located within a Source Protection Zone for a groundwater public drinking water supply and Thacka Beck (Main River) and tributaries flow through the town.</p>

Organisation	Representation
Environment Agency (continued)	<p>5. Suggest this paragraph instead refers to new construction adhering to the principles of the waste hierarchy which gives top priority to preventing waste in the first place - to reduce, reuse and recycle.</p> <p>6.6. Whilst the comments referring to the proximity of sustainable drainage systems to railway embankments are valid there needs to be a paragraph added which describes the benefits of SuDS in general. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SuDS). SuDS manage surface water run-off by simulating natural drainage systems. Whereas traditional drainage approaches pipe water off-site as quickly as possible, SuDS retain water on or near to the site. As well as reducing flood risk, this promotes groundwater recharge, helps absorb diffuse pollutants, and improves water quality. Ponds, reed beds and seasonally flooded grasslands can also be particularly attractive features within public open spaces.</p> <p>SuDS involve a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, green roofs, ponds and wetlands. As such, virtually any development should be able to include a scheme based around these principles. In doing so, they'll provide multiple benefits and will reduce costs and maintenance needs.</p> <p>The plan could require the provision of new green infrastructure features on the high street. Green Infrastructure in town centres can reinvent retail areas and encourage new uses that promote them as a destination for local residents. It would also have positive environmental and wellbeing impacts and contribute to the attractiveness of the area.</p> <p>Policy 2 Environmentally Sustainable Design</p> <p>2. We would suggest that the submission of a construction environment management plan is a requirement for proposals involving major development within the plan area. A construction environmental management plan outlines how a <u>construction project</u> will avoid, minimise or <u>mitigate</u> effects on the <u>environment</u> and surrounding <u>area</u>.</p> <p>We have no further comments to make on the submission draft document, if you have any questions or queries regarding any of our comments, please do not hesitate to contact me.</p>

Organisation	Representation
<p>Friends of the Lake District: Campaign to Protect Rural England (CPRE Cumbria Association).</p>	<p>Friends of the Lake District (FLD) welcomes the opportunity to comment on the above Neighbourhood Plan (NP) consultation. We are the only charity wholly dedicated to protecting the landscape and natural environment of Cumbria and the Lake District.</p> <p>Landscape</p> <p>There are very limited references to landscape, and two of the few references include landscape only as a sub-category under the heading 'Heritage'. (para. 3.1.1 and p.68). Consideration of landscape character is referred to only in the policy relating to new housing. We recommend that landscape impacts and landscape character be treated as separate from heritage and be considered in relation to all types of new development, not just housing proposals.</p> <p>There are several references to Penrith's proximity to the Lake District and important views from the parish into the Lake District but no reference is made to the relevance of this in terms of the statutory duty for the conservation and enhancement of the setting of the National Park or the protection of these views.</p> <p>The NP might usefully refer to the parish being in the setting of the LDNP and the importance of this. The statutory duty to National Parks applies in the setting and so is important to reflect this in policy terms. The NP should refer to the Cumbria landscape character assessment and the LDNP landscape character assessment. One of the landscape types and two Areas of Distinctive Character (ADC) in the LDNP landscape character assessment (LCA) extend beyond the LDNP boundary and the Parish – see figure 3.5 at the end of this document</p> <p>This is a strong indication that parts of the Parish lie within the setting of the Park and it would be beneficial to refer to both LCAs in policy or supporting text e.g. proposals should be required to take the fact that the parish is identified in this way and the resulting guidance in the LCAs taken into account.</p>

Organisation	Representation
<p>Friends of the Lake District: Campaign to Protect Rural England (CPRE Cumbria Association) (continued)</p>	<p>Dark Skies</p> <p>Eden is the third darkest district in England. Dark skies are an important part of landscape character and tranquillity, as well as being important for both human and wildlife health and well-being. Addressing/avoiding unnecessary lighting and over-lighting also helps to address carbon footprints and biodiversity impacts and, in turn, climate emergency and ecological collapse. This is in line with Eden’s declaration of climate and ecological emergency.</p> <p>As part of the Dark Skies Cumbria project, we have been working with several communities around the county. We have learnt of some specific issues regarding light pollution in the Penrith area.</p> <p>The NP could help to protect the dark skies in the area by incorporating elements of our dark skies policy https://www.friendsofthelakedistrict.org.uk/Handlers/Download.ashx?IDMF=0a80f016-905a-4608-a9c0-3bbc29bcd987 (you will need to scroll down beyond the explanatory text to see the policy itself). We developed this with reference to dark skies policies successfully put in place elsewhere in the country.</p> <p>Our website also offers a range of other information that may help https://www.friendsofthelakedistrict.org.uk/dark-skies-subsite</p> <p>This recent dark skies evidence https://www.lightpollutionmap.info/#zoom=10.51&lat=54.1484&lon=-2.8634&layers=B0TFFFFFFFFFFFFFFFFF backs up the rationale for including policy protection for dark skies – it shows that the area around Penrith already suffers from light pollution, but that the rest of the District is very dark. Including measures in the NP would help ensure that the dark skies of Eden, particularly around Penrith, are not further eroded. This would support and expand upon Town Council action ‘c’ on page 60, which suggests an intention to create a style guide including lighting guidance, which is welcomed.</p> <p>The above is more up to date than CPRE’s dark sky maps, although they too have some useful information on dark skies generally https://www.nightblight.cpre.org.uk/maps/</p> <p>Please record these representations as those of the Campaign to Protect Rural England (CPRE Cumbria Association).</p>

Organisation	Representation
Historic England	<p>Penrith Neighbourhood Development Plan: Submission Draft, August 2020 Neighbourhood Planning (General) Regulations 2012: Regulation 16.</p> <p>Thank you for consulting Historic England on the submission draft of the above neighbourhood plan. As the public body that advises on England’s historic environment, we are pleased to offer our comments. The Penrith Neighbourhood Plan area contains 9 Scheduled Monuments and 300 listed buildings including 5 x Grade I and 23 x Grade II* listed buildings. Two listed churches within the Neighbourhood Plan area are also identified on our Heritage at Risk (HAR) register that was very recently been published in October 2020: Parish Church of St Andrew, St Andrew's Place, Penrith (Grade I) and Christ Church, Stricklandgate, Penrith (Grade II). The programme identifies those sites that are most at risk of being lost as a result of neglect, decay or inappropriate development, and more information can be found here: www.historicengland.org.uk/advice/heritage-at-risk/ http://www.historicengland.org.uk/advice/heritage-at-risk/</p> <p>The Penrith Neighbourhood Plan area also includes two Conservation Areas. There are also likely to be other features of local historic, architectural or archaeological value (otherwise known as non-designated heritage assets) within the plan area.</p> <p>Historic England made comments in relation to Penrith’s pre-submission draft plan (reg 14), in our letter of 22 March 2019. As well as providing general advice, including directing you to our comprehensive advice on Neighbourhood Planning and the Historic Environment on our website: www.historicengland.org.uk/advice/planning/improve-your-neighbourhood/ http://www.historicengland.org.uk/advice/planning/improve-your-neighbourhood/ such as our Advice Note No.11, we also provided specific comments. In general these comments do not appear to have been taken into account in revision to the draft Neighbourhood Plan. We therefore refer you back to our letter of 22/03/2019, which is appended in full to this letter, for further consideration. Our key point remains that a positive approach to protecting and enhancing the historic environment needs to be embedded throughout the plan, by, for example:</p> <ul style="list-style-type: none"> • Including a detailed Historic Environment section within Chapter 3 ‘Key Issues’. Heritage is briefly noted within section 3.1 ‘Sustainable Development’, but is not expanded upon within the text of this chapter, unlike other aspects noted such as housing and wellbeing;

Organisation	Representation
Historic England (continued)	<ul style="list-style-type: none"> • Expressly referring to protecting and enhancing the historic environment within Chapter 5 the 'Vision and Objectives'; and • Considering the economic and social - as well as environmental - dimensions of sustainable development in Policies 1 and 2. Conservation of the historic environment relates to all three dimensions. It is also recommended that the evidence base in relation to the Historic Environment is strengthened by, for example, undertaking the character appraisal of Penrith New Streets Conservation Area to inform the plan (notably Policy 5). We would additionally welcome the plan identifying and considering solutions to heritage assets that are at risk from their condition or vacancy, or are vulnerable to becoming so during the life of the plan. The plan area contains two entries on the national Heritage at Risk (HAR) Register. The national register does not however ordinarily cover Grade II listed buildings or non-designated heritage assets, so the plan could usefully consider whether any of these assets with its area are also at risk. <p>We do not wish to comment in further detail upon the submission draft Neighbourhood Plan and consider that the planning and conservation staff at Eden Borough Council and are best placed to assist. If you have not already done so, we would recommend that you speak to the staff at the Cumbria County Council who look after the Cumbria Historic Environment Record (HER, formerly SMR). They should be able to provide details of not only any designated heritage assets but also locally-important buildings, archaeological remains and landscapes (non-designated heritage assets). Some Historic Environment Records may also be available on-line via the Heritage Gateway (https://historicengland.org.uk/research/support-and-collaboration/heritage-information-access-simplified/heritage-gateway-improvement/)</p> <p>REG 14 CONSULTATION RESPONSE LETTER DATED 22 MARCH 2019: "22 March 2019 Dear Ms Richardson, re: Neighbourhood Planning (General) Regulations 2012: Regulation 14 Penrith Neighbourhood Plan: Pre-Submission Draft, January 2019</p>

Organisation	Representation
Historic England (continued)	<p data-bbox="539 245 2029 357">Thank you for consulting Historic England on the pre-submission draft of the above neighbourhood plan. As the public body that advises on England’s historic environment, we are pleased to offer our comments.</p> <p data-bbox="539 395 2029 651">Historic England is keen to ensure protection of the historic environment is appropriately taken into account in neighbourhood plans. Having reviewed the information provided in correspondence of 4 February 2019, we do not consider there is a need for us to be involved in development of the plan at this stage. Nonetheless, the plan area contains a large number of designated heritage assets (including conservation areas, listed buildings and scheduled monuments) as well as the potential for many more non-designated heritage assets. We therefore set out some general advice and some detailed comments on the pre-submission draft.</p> <p data-bbox="539 689 2029 1059">General advice on neighbourhood plans and the historic environment We publish a full advice note on Neighbourhood Planning & the Historic Environment (HE Advice Note 11) which can be downloaded here: https://historicengland.org.uk/images-books/publications/neighbourhood-planning-and-the-historic-environment/ . It should be the first port of call for advice on heritage in neighbourhood plans. Written specifically for those preparing plans, it explains why you should consider the historic environment, and sets out how to gather and use evidence on heritage to help prepare your plan. It also signposts a number of other resources, including how to explore what the community values in your area’s heritage. We also have a wealth of neighbourhood planning advice and case studies on our website, here: http://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/ .</p> <p data-bbox="539 1059 2029 1283">The National Planning Policy Framework (NPPF) says neighbourhood plans have the power to develop a shared vision for their area, to shape, direct and help to deliver sustainable development (NPPF para 29). Specifically, this can include detailed policies on conserving and enhancing the historic environment and on design (NPPF para 28). The National Planning Practice Guidance says that, where relevant, neighbourhood plans should include enough information about heritage to guide planning decisions and to put strategic heritage policies into action at a neighbourhood scale.</p>

Organisation	Representation
Historic England (continued)	<p>It is therefore important that your plan identifies heritage assets in the area, and includes a positive strategy to safeguard those elements that contribute to their significance. This will ensure they can be appropriately conserved and enjoyed now and in the future. For example, policies might address the following:</p> <ul style="list-style-type: none"> • Considering how the plan’s objectives can be achieved by maximising the wider social, cultural, economic and environmental benefits flowing from heritage, eg. regeneration, tourism, learning, leisure, wellbeing and enjoyment. • Locating new development to protect heritage assets and their settings. • Giving detail on the expected scale, density, massing, height, landscape, layout, materials and access of new development. • Offering solutions to heritage assets that are at risk from their condition or vacancy, or are vulnerable to becoming so during the life of the plan. The plan area contains a number of entries on the national Heritage At Risk Register, which policy might help address; the national register does not ordinarily cover Grade II listed buildings or non-designated heritage assets, so your plan could usefully consider whether any of these are also at risk. <p>As well as designated heritage assets (such as listed buildings and conservation areas), your plan is also an important opportunity to include a positive strategy for local heritage assets. Such ‘non-designated heritage assets’ may include buildings, monuments, sites, places, areas or landscapes important to the local community for their heritage value. If identifying these, your plan should include enough information to set out the elements that make them special so they, too, can be appropriately conserved and enjoyed. More information is given in our advice note.</p> <p>The strategy and policies in your plan should be based on proportionate, robust evidence. For heritage, this might include a characterisation study, historic area assessment or archaeological appraisal, a summary historical narrative, or identifying locally significant buildings, areas and other assets. Rather than just the presence or absence of heritage assets, evidence should focus on what makes them significant and, where relevant, vulnerable. This helps you to identify the issues and options for your policies to address. More information is given in our advice note.</p>

Organisation	Representation
Historic England (continued)	<p>To help in preparing the plan, Eden District Council should be able to offer you support, including evidence on heritage assets and mapping. The county Historic Environment Record will contain information on designated and non-designated heritage assets. You could involve civic and amenity societies or local history groups with an interest in your area’s heritage. Locality provides funds to enable you to hire suitable historic environment expertise, for example to help prepare evidence, develop policy and produce the plan. More information is given in our advice note.</p> <p>Neighbourhood plans also give you the opportunity to tackle other issues important to the heritage, more on which can be found in our advice note. You have used most of these opportunities, which is welcome. One not considered is that communities with a neighbourhood plan in force can claim 25% of funds raised through the Community Infrastructure Levy (CIL) in their area. Your plan can set out how CIL can be used to fund conservation of relevant heritage assets (eg. transport infrastructure such as historic bridges, or social infrastructure such as historic green spaces).</p> <p>Other Historic England advice that may also be of use includes:</p> <p>HE Advice Note 2 - Making Changes to Heritage Assets: https://historicengland.org.uk/images-books/publications/making-changes-heritage-assets-advice-note-2/</p> <p>HE Good Practice Advice in Planning 3 - The Setting of Heritage Assets: https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/</p> <p>HE Advice Note 3 - Site Allocations in Local Plans (which also applies to neighbourhood plans): https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans</p> <p>HE Advice Note 7 - Local Heritage Listing: https://www.historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7 You can familiarise yourself with basic legislative and policy protections that heritage assets in England enjoy by browsing our online Heritage Protection Guide at https://historicengland.org.uk/advice/hpg/ .</p>

Organisation	Representation
Historic England (continued)	<p>Finally, you should consider whether or not the plan would be likely to have significant environmental effects and thus require strategic environmental assessment (SEA) to comply with EU obligations. This is established by following the Environmental Assessment of Plans & Programmes Regulations 2004, which require you as the neighbourhood plan qualifying body to consult us on the matter. This is normally done in the form of a Screening Opinion. The local planning authority can advise on this, and we publish HE Advice Note 8, Sustainability Appraisal and Strategic Environmental Assessment to support this process https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/.</p> <p>Detailed comments</p> <p>Your plan recognises the important role historic environment conservation should play in ensuring sustainable development. Broadly, your policies support, shape and direct the delivery of strategic policies at a local level (as required by NPPF paragraphs 13 and 28), and you have taken advantage of opportunities offered through neighbourhood planning. However a stronger connection could still be made between heritage and the plan’s vision and objectives to give a more comprehensive, well-rounded approach to protecting and enhancing the historic environment. For example:</p> <ul style="list-style-type: none"> • We recommend including a Historic Environment section in 3. Key Issues. This could more readily set out heritage as a key driver to your plan, including preventing unjustified harm, reducing risk and seeking enhancement. We note the ‘golden thread’ of sustainable development, the first of your key issues (which includes heritage), yet other topics also included here are tackled in individual paragraphs that follow. We suggest heritage would benefit in the same way. • The vision and objectives do not expressly refer to protecting and enhancing the historic environment. Objective 8 does cover this for Penrith Town Centre, but a wider, clearly expressed intention to conserve and enhance heritage assets would help focus the positive strategy for the historic environment which the plan should contain.

Organisation	Representation
Historic England (continued)	<p>• Policies 1 and 2 concentrate on the environmental dimension of sustainable development and much less on economic and social dimensions. The benefits that historic environment conservation can bring to sustainable development are to be found in all three dimensions. For example, Policy 1 Clause 8 could be expanded to highlight that protecting and enhancing historic character and local distinctiveness directly contributes to economic vitality and desirable neighbourhoods, making Penrith a more sustainable place in the round. The inherently sustainable benefits of re-using historic buildings and their embodied energy could also inform an amendment to these policies.</p> <p>The supporting text to Policy 3 would benefit from a discussion of how “unless ... neither practical nor viable” would be assessed; we suggest the impact of proposed measures on the significance of heritage assets would be one aspect to be considered.</p> <p>Policy 5 is welcome, as are the related town council actions. The policy adds local depth to help apply higher level policy, setting out specific themes, characteristics or features to be protected or enhanced in the conservation areas. We recommend ensuring each clause is linked to evidence, most importantly in the adopted conservation area appraisal for the areas. However, we note that Penrith New Streets Conservation Area does not have an adopted character appraisal, which is a gap in the evidence base for your plan. We recommend getting an appraisal in place now to clearly set out its special architectural and historic interest, thus informing this policy. You should contact Eden DC’s Conservation Officer to discuss this further. Conservation Area Appraisal, Designation and Management (HE Advice Note 1), provides advice on how to do this (https://historicengland.org.uk/images-books/publications/conservation-area-appraisal-designation-management-advice-note-1/). In the main clauses of parts A and B of this policy, we recommend changing “take account of” to “pay special attention to” as this is stronger and reflects the statutory duty relating to conservation areas. We would question whether the policy should use the term “Burlington slate” as this is a commercial supplier even if often used synonymously with the generic term “Westmorland slate”.</p>

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Historic England (continued)	<p>Policy 8 is welcome. In the evidence provided, only a small number of the evaluations in Appendix VIII mention historical significance. It would be worth considering whether you have fully taken advantage of the opportunity the NPPF provides to identify Local Green Space with historical significance (or, indeed, whether any areas already proposed have historical significance not yet mentioned). In the town council action identified it will be important to include historic landscape conservation matters where these were relevant.</p> <p>Whilst we note Policy 12's support for a new route to divert through-traffic around the town, we have previously commented to Eden District Council on the potentially harmful archaeological impacts of routes which had been suggested in the Penrith Vision Masterplan. Policy 12 would be strengthened by indicating the need to protect the significance of designated and non-designated heritage assets, including significance generated by their settings, when supporting a new route.</p> <p>Policy 13 is welcome. It broadly addresses public development; its ambitions have much in common with Policy 5, which broadly relates to private development. We recommend a stronger link between these two policies to protect special town centre architectural and historic character and appearance in the round. Our Advice Note 1 (see above) stresses that the special interest of conservation areas depends as much on the public realm as private development. The policy and/or supporting text should explain how character and appearance should influence such development and how to interpret policy wording such as "where appropriate", "improve", "high quality", and "suitable". We recommend our advice in Streets for All: Advice for Highway and Public Realm Works in Historic Places (2018) (https://historicengland.org.uk/images-books/publications/streets-for-all/) to ensure the historic environment is properly addressed; it is not just relevant to conservation areas. The policy could also expressly recognise the strong link between a well-cared for and presented historic town centre, and improved economic activity. Evidence in various recent Heritage Counts publications could support this; see https://historicengland.org.uk/research/heritage-counts/ for publications on heritage and place-branding, heritage and the economy, and heritage in commercial use.</p>

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Historic England (continued)	<p>Policy 14 is welcome. This, too, could be more strongly linked to Policy 5 which partly addresses the same issue. It should seek to enhance as well as maintain. If the policy is to carry stronger weight in the conservation areas, we recommend using “pay special attention to” rather than the weaker “take account of”, as with Policy 5. It will be important to ensure the explanatory text includes any criteria or thresholds you would want “where possible” to be judged against (eg scheme viability, new design characteristics; perhaps consider what is discussed in the shopfront design guide to which the supporting text refers). Clause 3 could spell out that shutter boxes should not be installed externally.</p> <p>Thank you once again for the opportunity to comment. Our comments are based on the information supplied to date; we hope they are useful. Our opinion may change should the plan change materially in content and direction, so you should consult us again as the plan develops, when we may provide further comments. We should be consulted again under regulation 16 of the above regulations (publication stage) if our interests are affected. Please contact us should you require any clarification.</p>
	<ul style="list-style-type: none"> • I am pleased that there is good coverage of the open green spaces in Penrith and that these are mostly to be retained for community use. I would have preferred to see all the green spaces saved from development. • Policy 3 - Energy Use and Reducing Carbon Emissions - page 39 - Interested that requirement for developers (over 1,000sq metres, or 10 dwellings) to provide just 15% of total predicted energy requirements from on site renewable energy generation and storage is rather modest. Even more worrying is that if this 15% is not practicable or viable, then it isn't essential. • Policy 4 Accessibility and Social Inclusion - design adaptability is necessary for future proofing our housing stock. Not clear how this is to be achieved. • Policy 5 Conservation Areas in Penrith - This is an interesting section. I would agree that parts of Castletown, Croft Avenue and the Drovers Lane area should be considered for Conservation areas. However has this been thought through with a design code? There are various different house designs and finishes in these areas and any new builds would have several to choose from? Is this conservation? I agree with the retention of mature gardens and open spaces which are integral to the Conservation area and its setting.

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	<p>I would like to see the inclusion of Beacon Edge as a Conservation area, particularly in the light of recent developments, just outside the 30 mph zone. Perhaps from Lowther Street, East to Roundthorn road. The hedges alone are worth preserving, as is the outlook from the houses in the more rural setting. A particularly pleasing and unique aspect of Penrith are the old dry stone walls . Some stone walls are being removed by developers to make space for new boundaries, gardens and paths. Replacing these ancient walls with wooden fencing or brick walls is destroying the very uniqueness of Penrith. Stone walls provide a haven for wildlife, they are long lasting and provide craftsmen with work and apprentices with new skills. They may not be the cheapest option but they should be preserved. If a stone wall is removed to enable construction. then it should be replaced with the original stones where possible, or rebuilt with new; no compromise with a wooden fence should be allowed.</p> <p>Retention of traditional shop fronts is apparently in line with EDC's Shopfronts SPD. I am not aware of how this translates onto our high street and it could be one of the many reasons for national retailers to avoid Penrith.</p> <ul style="list-style-type: none"> • Policy 6 High Quality New Homes - I agree that open green spaces should be made available for recreation and PTC, with Fairhill Community Group has done a great job on Fairhill Playing Field. The young people have enjoyed the new playground and it is constantly in use. <p>I believe that it is wrong for developers to indicate an open green space is for community use, when. it is in fact part of the surface water drainage scheme; an attenuation basin. I am pleased that the Town Council realises the importance of infrastructure to serve the community and improve residential amenity. However I do have concerns that planning conditions and obligations are not easily enforced.</p> <p>Policy 7 Housing type and mix - There is a growing need for more bungalows in Penrith, particularly with accessibility to local shops and amenities as well as public transport. I didn't really see a specific reference in the Neighbourhood Plan as to how this could be achieved. Older people are living in homes which have become too large for them to manage, but there is no accessible alternative for downsizing.</p>

Organisation	Representation
Homes England	<p>I would firstly like to thank you for the opportunity to comment on the proposed Penrith Neighbourhood Plan.</p> <p>Homes England is the government’s housing accelerator. We have the appetite, influence, expertise and resources to drive positive market change. By releasing more land to developers who want to make a difference, we’re making possible the new homes England needs, helping to improve neighbourhoods and grow communities.</p> <p>Homes England does not wish to make any representations on the Penrith Neighbourhood Plan consultation. We will however continue to engage with you as appropriate.</p>
	<p>I support the draft Penrith NP with the following comments and questions</p> <p>3.2.2 Agree important new homes should have renewable energy systems (and be very well insulated)</p> <p>3.2.4 Housing (all tenures?) undersupply running at 25% below target - Core Strategy (all tenures?) target 239pa. Net annual affordable supply needed 227pa.</p> <p>As described at 3.2.6 - market housing is unaffordable to many local people, especially the young.</p> <p>3.2.5 new housing should be of appropriate size, type and tenure</p> <p>Size - do Councils have any influence over this?</p> <p>British house sizes 'Shoobox homes' become the UK norm</p> <p>Tenure</p> <p>Market housing prices tends to generate in-migration of older, better off households from cities. As a result Eden (and Cumbria) has a long standing exodus of young working age people (30% under 30 versus 37% nationally) and an influx of older people destined to develop care needs (27% over 65 versus 18% nationally - Invest in Eden and Cumbria Observatory).</p>

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	<p data-bbox="539 252 1727 284">Is there any data to show the % of market housing which is bought by local people?</p> <p data-bbox="539 325 2018 469">Eden Local Plan affordable housing policy requires 30% of housing schemes over 11 units to be affordable housing. In high value areas like Eden the affordable housing component is most important to local communities. At the same time it is widely recognised that developers negotiate affordable housing contributions down on the grounds of viability.</p> <p data-bbox="539 510 1877 542">Is there any data on the actual % of affordable housing achieved per new scheme per annum?</p> <p data-bbox="539 584 1603 616">3.2.7 441 households on the housing register (Choice Based Lettings CBL)</p> <p data-bbox="539 657 2018 727">Is there any data (for instance Eden Housing Market Assessment) on the number of households in need of affordable housing but do not go on the register as they don't think it will lead to an offer of housing?</p> <p data-bbox="539 769 1559 801">3.2.8 the greatest need is for single people and couples without children</p> <p data-bbox="539 842 1995 912">As there is a large under supply of affordable housing are these groups less likely to receive an offer of housing through the CBL system?</p> <p data-bbox="539 954 2029 1129">3.2.12 supporting local vernacular style - some flex on this would be desirable - especially in the context of the Sustainable Development Policy - need to consider that vernacular style increases build costs and tends to be associated with materials that have high embodied energy like quarried stone or brick - which is also in short supply. It would be good to see some support for attractive modern designs that reflect our own times.</p> <p data-bbox="539 1171 1760 1203">3.2.13 new development is too dense, gardens and green spaces too small - linking to</p> <p data-bbox="539 1244 1435 1276">3.3.3 the town needs to expand due to limited brownfield sites -</p>

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	<p>The quality of a home and the environment around it have a major influence on human wellbeing. New developments provide an important opportunity to create homes with adequate storage, low running costs, adequate gardens, neighbourhood layouts which are pleasing to the eye, with meaningful green spaces for people to meet and interact, and facilities such as corner shops to reduce local journeys.</p> <p>Communities that are subject to planned development need to be able to shape what happens. Community Led Housing (CLH) is a good way to achieve this, with Housing Associations helping to deliver the vision.</p> <p>Homepage Community Led Homes</p> <p>Community led housing Cumbria, community led housing Lancaster - Community Led Housing Hub Cumbria & Lancaster</p> <p>It would be great to see some aspiration for CLH to play a role in Penrith's future</p>
	<p>PRELIMINARY MATTERS</p> <p>Deficient Evidence Base</p> <p>1.1 Planning Advisory Service, Good Plan Making Guide, Plan Making Principles for Practitioners, September 2014 (paragraph 6.22) requires that all evidence referenced should be compiled and recorded into an iterative, public and readily accessible evidence list, to ensure clarity and transparency for all those engaged in the plan production process. This can be at either a library or webpage, and the evidence should be set out clearly and made as easy to read as possible.</p> <p>1.2 Regulation 16 consultation documents comprise:</p> <ul style="list-style-type: none"> • Penrith Neighbourhood Development Plan Submission Draft - August 2020 • Penrith Neighbourhood Development Plan - Consultation Statement – October 2019 • Penrith Neighbourhood Development Plan - Basic Conditions Statement - October 2019 • Penrith Neighbourhood Development Plan - Strategic Environmental Assessment and Habitats Regulations Assessment - Screening Report - October 2019

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	<p>1.3 Page 99 of the Regulation 16 Plan states: “An independent review of Eden District Council’s consultation exercise was carried out by Lancaster University and the University of Cumbria which included a section dedicated to The Beacon. The findings of the independent review mirrored the views expressed by the public during the consultation events for the Neighbourhood Plan.”</p> <p>1.4 However, the Regulation 16 consultation documents do not include the report carried out by Lancaster University and the University of Cumbria (titled Eden Vision: Analysis & Insight). The NDP Submission Draft does not provide a link to the report and it is not readily accessible from the Eden District Council website. This absence from the Reg 16 consultation documents is undemocratic because it denies the public the opportunity to comment upon a background paper to the NDP Submission Draft.</p> <p>Oral Evidence</p> <p>1.5 Regulation 14 of the Neighbourhood Planning (General) Regulations 2012 requires the relevant authority to publicise the neighbourhood plan proposal in a manner which is likely to bring it to the attention of people who live, work and carry on business in the neighbourhood area. Before submitting its plan proposal to the local planning authority, Penrith Town Council should have consulted any consultation body whose interests Penrith TC considered to be affected by the proposal, including voluntary bodies, some or all of whose activities benefit all or any part of the neighbourhood area.</p> <p>3. POLICY 8 – LOCAL GREEN SPACE</p> <p>Introduction Planning policy context NPPF paragraph 100</p> <p>3.2 The Local Green Space designation should only be used where the green space is:</p> <ul style="list-style-type: none"> a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and

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	<p>c) local in character and is not an extensive tract of land.</p> <p>Relevant Planning Practice Guidance</p> <p>3.3 Paragraph: 007 Reference ID: 37-007-20140306 Designating any Local Green Space will need to be consistent with local planning for sustainable development in the area. In particular, plans must identify sufficient land in suitable locations to meet identified development needs and the Local Green Space designation should not be used in a way that undermines this aim of plan making.</p> <p>3.4 Paragraph: 009 Reference ID: 37-009-20140306. Local Green Spaces may be designated where those spaces are demonstrably special to the local community, whether in a village or in a neighbourhood in a town or city.</p> <p>3.5 Paragraph: 014 Reference ID: 37-014-20140306 The proximity of a Local Green Space to the community it serves will depend on local circumstances, including why the green area is seen as special, but it must be reasonably close. For example, if public access is a key factor, then the site would normally be within easy walking distance of the community served.</p> <p>3.6 Paragraph: 015 Reference ID: 37-015-20140306 Local Green Space designation should only be used where the green area concerned is not an extensive tract of land. ...blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name.</p> <p>3.7 Paragraph: 017 Reference ID: 37-017-20140306 Some areas that may be considered for designation as Local Green Space may already have largely unrestricted public access, though even in places like parks there may be some restrictions. However, other land could be considered for designation even if there is no public access (e.g. green areas which are valued because of their wildlife, historic significance and/or beauty).</p> <p>3.8 Designation does not in itself confer any rights of public access over what exists at present. Any additional access would be a matter for separate negotiation with land owners, whose legal rights must be respected.</p>

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	<p>PN14 – Penrith Beacon – an extensive tract of land?</p> <p>3.9 Appendix VIII of the draft NDP states the area of PN14 is 100.6 acres (41 hectares) and that “This is not considered to be a significant tract of land as it forms a proportionate backdrop to the Town”. Whether or not the land is a “backdrop to the town” is irrelevant as to whether it is an extensive tract of land. 41 hectares is clearly a large area of open countryside and “an extensive tract of land.” Its designation as Local Green Space fails for reason of extensiveness alone.</p> <p>Other examples</p> <p>3.10 There are many examples of Neighbourhood Plan Examiners rejecting Local Green Spaces on grounds of size; sites that are much smaller than PN14.</p> <p>3.11 Backwell Neighbourhood Plan - Examiners Report dated October 2014. The Examiner stated: “In the case of Farleigh Fields, it is my view that 19 hectares also comprises an extensive tract of land. To provide some perspective, at least twenty-three full size football pitches would easily fit in to an area of this size. Given that the Framework is not ambiguous in stating that a Local Green Space designation is not appropriate for most green areas or open space, it is entirely reasonable to expect compelling evidence to demonstrate that any such allocation meets national policy requirements. Specific to demonstrating that Farleigh Fields, and Moor Lane Fields are not extensive tracts of land, no substantive or compelling evidence has been presented.”</p> <p>3.12 Alrewas Neighbourhood Plan - Examiner’s Report dated August 2015. The Examiner removed the proposed LGS designations affecting two sites of 2.5 and 3.9 hectares respectively, having found these to constitute extensive tracts of land by virtue of their size and there being no compelling evidence to demonstrate why the sites were demonstrably special to the local community.</p> <p>3.14 Sedlescombe Neighbourhood Plan - Examiner’s Report dated January 2015. The Examiner found a proposed LGS of 4.6 hectares at Street Farm to be extensive in size and therefore contrary to national planning policy.</p> <p>3.15 Tatenhill Neighbourhood Plan - Examiner’s Report dated November 2015. The Examiner considered that at 9.2 and 4.3 hectares respectively, LGS sites to the north and south of Branston Road constituted extensive tracts of land and instructed their removal from the draft NP.</p>

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	<p>3.16 Oakley and Deane Neighbourhood Plan - Examiner's Report dated December 2015. The Examiner considered a LGS site of just over 5 hectares: "I note that B5 is some considerable distance from, rather than within reasonably close proximity to, the community it serves. Furthermore, it comprises an extensive tract of land. On further assessment of B5, I note that large areas of farmland are included in the proposed designation, as well as a cricket ground..... The designation of B5 as Local Green Space does not meet the basic conditions."</p> <p>3.17 Shipston on Stour Neighbourhood Plan – Examiner's Report dated March 2018. The Examiner wrote "In the case of [Local Green Space] designation at Hanson Hill I consider the site at 18.24 ha. is too large to fulfill the NPPF criteria that it should be local in character and not an extensive tract of land. This requirement is to ensure that larger areas are not designated in an attempt to fulfill the same purpose as Green Belt or other strategic policies to protect the countryside from the encroachment of built development."</p> <p>NPPF paragraph 100 – other matters</p> <p>3.18 PN14 is not "demonstrably special to the local community" or a "valuable local amenity". The paths to Beacon Hill and across PN14 are not designated public footpaths or bridleways. The recreational value of PN14 to the local community is limited to a single permissive footpath and occasional community events allowed by the landowner. A plan of the permissive footpath is at Appendix 5. However, the permissive footpath and occasional public access can be closed at any time. Public access to this land is highly restricted. Although lack of public access does not preclude its designation as LGS, it serves to weaken its alleged role as a space valuable to the local community.</p> <p>3.19 A single permissive footpath on PN14 does not make PN14 special in terms of its recreational value. Indeed, many public footpaths providing limited recreation to the local community radiate around Penrith on land that is not designated LGS.</p> <p>3.20 A Scheduled Monument at Beacon Tower comprises a tiny percentage of the overall area of the LGS. The SM is the only part of Beacon Hill with "historic significance" and the SM will not be affected by LGS designation. There is no public footpath to the Scheduled Monument.</p> <p>3.21 The view from PN14 to Penrith and the Lake District Fells is limited to a single point - the Beacon itself. This single viewpoint does not justify the designation of 41 hectares as LGS. Furthermore, there are no public footpaths to the viewpoint.</p>

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	<p>3.22 Planning Practice Guidance states the LGS designation should only be used “where the green space is in reasonably close proximity to the community it serves.” PPG states “For example, if public access is a key factor, then the site would normally be within easy walking distance of the community served.” PN14 lies outside the settlement boundary of Penrith. A 45 minute walk from the town centre to the Beacon is not “reasonably close” or “easy walking distance” to Penrith. Furthermore, given the extensive tract of PN14 (41 hectares), large parts of PN14 are located more than 45 minutes from the town centre.</p> <p>3.23 Appendix VIII of the draft NDP states PN14 is “planted with maturing native hardwood (predominately oak) and pine (80%).” Actually, the ratio within PN14 is 10% hardwood and 90% pine and is managed for commercial forestry. The management of the Beacon plantation, including PN14, is governed by a Woodland Management Plan (‘WMP’) which is administered by the Forestry Commission (‘FC’). This plan was subject to public consultation and will go back out to consultation when it is renewed every 10 years. The current WMP was approved in 2014 and runs to 2024 with a review in 2019. The WMP is an agreement between FC and the landowner and governs the felling of trees within the approved systems stated in the plan.</p> <p>3.24 Being a predominately commercial non-native forest, PN14 is not a tract of land with exceptional beauty, landscape sensitivity or local significance. There is no Habitat Biodiversity Audit that demonstrates a particularly special level of habitat diversity at PN14. The land does not have a national or local ecological or habitat designation. For example, PN14 is not a Local Nature Reserve or a Local Wildlife Site. Additional detail about why P14 is “demonstrably special to the town” – pages 99 and 100 of the Regulation 16 Plan</p> <p>3.25 As mentioned above, the “independent review of Eden District Council’s consultation exercise” is a report titled Eden Vision: Analysis & Insight, dated June 2019 (“the report”). The report itself was not commissioned by Eden District Council or Penrith Town Council. The report is not a review of the draft Neighbourhood Plan. Rather, the report was written in response to the draft “Penrith Strategic Masterplan, a Vision to 2050” engagement undertaken by Eden District Council and abandoned in 2019. That engagement is quite separate to the draft Penrith Neighbourhood Development Plan.</p>

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	<p>3.26 Consequently, the report is not a review of Local Green Spaces and draft Policy P8 in general nor whether site P14 qualifies as a Local Green Space. It therefore has little relevance to draft Policy P8. Moreover, pages 99 and 100 of the Regulation 16 Plan do not provide any contextual analysis of the report. The absence of analysis further reduces the relevance of this report to draft Policy P8.</p> <p>3.27 Chapter 9 of the report is called “The Beacon”. It provides no location plan of “The Beacon” that may be cross-referenced with the proposed extent of P14. Chapter 9 discusses the responses to the proposed Masterplan and attitudes to The Beacon. However, the number and strength of responses was largely influenced by the Masterplan’s proposal to develop housing at Penrith Beacon and build three new ‘Beacon Villages’ comprising over 5000 houses. Furthermore, page 5 states: “However, we must be extremely careful to note that this cannot be treated as a representative sample of the wishes of the people of Penrith or wider communities.”</p> <p>3.28 The report does not provide an independent assessment of P14 in relation to matters such as ecology, historic significance, recreation or beauty, undertaken by chartered practitioners with expertise in those fields. Such matters are particularly important in this case because there is no public access to P14 (PPG reference ID: 37-017-20140306). Therefore the matters that may or may not result in 35 sites (of which P14 is one) being designated as Local Green Space are not explored by the report. That omission is not surprising, given the report was not considering Local Green Space designation. Eden Vision: Analysis & Insight carries very little weight in support of the proposed identification of P14 as a Local Green Space.</p> <p>3.29 Page 100 of the Regulation 16 Plan states: “The views relating to the Beacon, as borne out by our own consultations and that of Eden District Council...” The Reg 16 Plan is unclear regarding the evidential basis for such a comment. For example, Eden District Council does not explicitly endorse or support the proposed designation of P14 as Local Green Space; EDC is neutral.</p> <p>3.30 In conclusion, PN14 should be removed as a Local Green Space designation from the Neighbourhood Plan.</p>

Organisation	Representation
National Grid	<p>National Grid has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.</p> <p>About National Grid National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators across England, Wales and Scotland. National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use. National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States. Proposed development sites crossed or in close proximity to National Grid assets: An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines. National Grid has identified that it has no record of sites crossed or in close proximity to such assets within the Neighbourhood Plan area. National Grid provides information in relation to its assets at the website below. • https://www.nationalgrid.com/ Please also see attached information outlining guidance on development close to National Grid infrastructure.</p> <p>Distribution Networks Information regarding the electricity distribution network is available at the website below: https://www.energynetworks.org/ Information regarding the gas distribution network is available by contacting: plantprotection@cadentgas.com</p>

Organisation	Representation
Natural England	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.</p> <p>Natural England does not have any specific comments on this draft neighbourhood plan.</p>
	<p>broadly support the inclusion of Pategill back field (PP67) in the plan as protected green space as was requested at the beginning of the neighbourhood plan process. However as there are increasing pressures about parking on the estate residents would welcome if consideration of some of the area could be given over to parking for residents to help with amenity of the area.</p> <p>Residents first campaigned to save the field from the developer in 2007. The ask has always been for more extra parking and to keep some green space.</p>
	<p>They successfully registered the field as a community asset. I do not know whether the request for additional parking was included in the application.</p>

Organisation	Representation
	<p>We are overall supportive of this Draft Neighbourhood Plan, however we feel that some of the points outlined within the Plan are aspirational and therefore have not included sufficient evidence to support certain paragraphs. This is clear in para 6.13 which references ‘ that homes today must be built to run without emitting greenhouse gases .’ Whilst this statement is an admirable goal, there is no evidence suggesting that developments today are being built with zero carbon emissions. Therefore it is not reasonable for the LPA to require developments to meet this standard when it is currently not achievable.</p> <p>Policy 7 of the Draft Neighbourhood Plan references the preferred mix for proposed housing developments. Included within this policy it is stated that: ‘Based on the 2018 Housing Need Survey and in consultation with the local community, developers should include bungalows within the mix of homes on individual sites.’ Whilst we are supportive of providing a range of mix and types of housing, we feel the using Building Regulation Part M (specifically M4(2) and M4(3)) instead of a stating a preference for bungalows would provide much more flexibility. Furthermore referenced within the Housing Options Technical Paper, it outlines that LPA’s can use building regulations to facilitate accessibility and wheelchair standards. Moreover, this policy contradicts Policy 4 of the draft plan which states that proposals should, ‘ Incorporate design features that will allow buildings and spaces the flexibility to adapt and change so they can meet the needs of a changing populations .’ By using Building Regulations Part M it will ensure that these policies align and provide adaptable homes for future homeowners.</p> <p>Para 6.28 references the use of Supporting Town Council Actions for planning conditions. However, it would be appreciated if more clarity is provided in regards to how the process would work.</p> <p>As has been shown we are overall supportive of this Draft Neighbourhood Plan which has addressed policies in a positive way and encouraged the use of sustainable development. We would appreciate that our points be taken in consideration and would welcome any queries should you have any.</p>

Organisation	Representation
	<p>1. The plan is full of weak words such as should, /expect. which should be replaced by MUST.. eg Objective 1 policy 1 and policy 2 line 1 Developments must comply with high qualityetc.</p> <p>2. in Objective 8 page 57 d. Burrowgate should be included in the list of support packages . it is on the route from the bus station, Dockray Car park and pedestrians from the East ,New streets and Scaws</p> <p>3. Policy 11 on page 52 onwards is very weak. it need strengthening. With the arrival of electric assisted cycles etc. many areas out of cycling reach will become within and High Quality cycle and walking routes from all the new developments to the centre and the employment areas are absolutely essential policy 11 page 52.. line 5 should is not good enough</p>
Sport England	<p>Playing fields are afforded protection through the National Planning Policy Framework and through Sport England’s role to protect, enhance and provide playing fields as set out in its’ Playing Fields Policy as follows:</p> <p>Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:</p> <ul style="list-style-type: none"> • all or any part of a playing field, or • land which has been used as a playing field and remains undeveloped, or • land allocated for use as a playing field <p>unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.</p> <p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (“the 2015 Order”) defines a playing field as ‘the whole of a site which encompasses at least one playing pitch’. This definition is also provided within the glossary to the Government’s National Planning Policy Framework. The definition refers to the whole of a site and therefore does not just cover land which is currently laid out as pitches. It also does not differentiate between different types of ownership e.g. public, private or educational ownership.</p>

Organisation	Representation
Sport England (continued)	<p>The 2015 Order defines a playing pitch as ‘a delineated area which, together with any run-off area, is of 0.2 hectares or more, and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo.</p> <p>In respect of land that has been used as a playing field in the past the 2015 Order does not provide a definition; but Sport England considers the term to mean land which is not currently, but has been used as a playing field and remains undeveloped, including land where a decision may have been taken to no longer mark out any playing pitch or pitches. A lack of use of a playing field, or part of, should not be taken as necessarily indicating an absence of need in an area. Such land can retain the potential to provide playing pitches to meet current or future needs.</p> <p>Where a planning application is submitted for development of affecting a playing field site Sport England would assess it in accordance of the National Planning Policy Framework (NPPF) (notably Paragraphs 96, 97 and 182) and against its own planning objectives, which are Protect - To protect the right opportunities in the right places; Enhance - To enhance opportunities through better use of existing provision; Provide - To provide new opportunities to meet the needs of current and future generations. Further information on the objectives and Sport England’s wider planning guidance can be found on its website: http://www.sportengland.org/planningforsport</p> <p>In response to this specific Neighbourhood Plan Sport England advises:</p> <ol style="list-style-type: none"> 1. Sport England generally supports Objectives 1 Sustainable Development; 3 Greenspaces; 4 Culture and Leisure and 5 Wellbeing which secure greenspaces leisure and recreation facilities and community facilities having the capacity to meet the needs generated by new development. 2. Sport England support policy 1 (2) Sustainable Development, to deliver the inclusion of design features and measures that encourage active and healthy lifestyles, including access to walking and cycling infrastructure; and (6) maximising opportunities for active travel. 3. Policy 1 (8) Sustainable Development, Sport England are concerned about the quantity and quality of playing fields that could be eroded, reduced or lost by works to “achieve net gains in biodiversity”, and this could include tree planting, engineering operations, wildlife enhancements, etc.

Organisation	Representation
Sport England	<p>4. Sport England broadly support Policy 4 to ensure that all development proposals should be in a location that can be reasonably accessed by walking and cycling.</p> <p>5. Sport England broadly support Objective 3 Greenspaces, and Policy 8 Identifying and Protecting Local Green Spaces. However, playing field sites and sports clubs and facilities already have protection under Paragraph 97 of the NPPF and adding a Local Green space designation then means that policies for managing this Local Green Space become consistent with Green Belt policy. This places those sites under undue restriction affecting how they could be developed without such a designation. The policy isn't clear on what it would permit or indeed not permit, and may prevent those sites for being developed for sport and recreation facilities (indoor or outdoor) in the future.</p> <p>6. It's not clear what Policy 9 Protecting and Enhancing Sport, Leisure and Recreation Facilities is setting out to achieve beyond listing sites relevant to the Eden Local Plan Policy COM2. It's not clear if this would permit enhancement and future development of their sport and recreation offer or indeed development for an alternative use and replacement elsewhere.</p> <p>Sport England reserves the right to object to any future planning application if we do not consider that it accords with our objectives or the NPPF.</p>
	<p>There seems to be little detail in the plan to cover provision of public facilities / infrastructure to support an increasing local population:</p> <p>SCHOOLS and where they would be located. Existing schools have little potential for expansion and getting pupils in and out causes major congestion a.m. and p.m. DOCTORS / DENTISTS: provision for more capacity and location.</p> <p>INFASTRUCTURE / ROADS: there seems little detail /consideration on how the towns roads and systems can be improved to solve existing peak flow conditions and will not be exacerbated further by any further expansion.</p> <p>Essential pre requisites to any further development would be: Improvements to A66 to negate any roundabouts or junctions for through traffic and heading up or down the M6 and similarly that from the M6 heading East or West. Also A6 traffic must be able to bypass the town or get onto the A66.</p> <p>SUSTAINABILITY: ambitions are not sufficiently ambitious. Any new homes must now and in the future be 100% carbon neutral, constructed / insulated so as not require any heating or cooling and lighting and cooking energy green generated.</p>

Organisation	Representation
	<p>Policy 13 state that new development should seek to include 'To incorporate native species of street trees and other planting at key gateways and through routes.' The town council could plant trees itself in public areas of the town centre without waiting for new developments. This could include all car parks as well as the market square and other open spaces in the town.</p> <p>Policy 6 - High Quality New Homes While Policy 2 wants new homes to be built in accordance with the Code for Sustainable homes policy 6 makes no mention of the space standard "Technical Housing Standard - nationally described space standard". The "Technical Housing Standard - nationally described space standard" is required to be included in a local plan in order to be implemented. Hence could policy 6 state that the Technical Housing Standard should be included in the Eden District Council local plan and that it is included in the Penrith Town Council development Plan.</p>
	Support
	<p>page 114 Castletown recreation area. owned by PTC who advise it is protected in the Local Plan. Does PTC own this land or EDC? If it is protected in the Local Plan, then perhaps EDC own this piece of land?</p> <p>3.8.2 Shop Fronts. Agree that they should be in keeping with conservation area and heritage aspect. However I am not convinced that national retailers will comply with this. Therefore PTC could be restricting the number of companies which might consider locating to Penrith. Aesthetics v practicalities is difficult . If all the sops looked the same that would be boring, but to have a high standard of shop frontage is Commendable. Insist on a high standard of shop fronts particularly in the town centre,; yes. But have an understanding that national companies will want to use their own logo and colour schemes. Hopefully a compromise can be reached. Penrith does need retailers.</p> <p>Some of the PTC policy statement is repeating that of EDC Local Plan. However I am pleased to see that PTC wish for high standards of thermal insulation and that in any design and access statements, applicants must say how their proposal meets the criteria in PNDP Policy 1. I am not entirely sure how enforceable the proposals can be, but it is good to know that PTC prefer developers to install sustainable features on new builds, rather than occupants having to retrofit, more expensively at a later date. I do hope this policy is complied with.</p>

Organisation	Representation
United Utilities	<p data-bbox="539 217 1899 284">United Utilities recommends additional wording with respect to Surface Water Management. We recommend the following is included in the plan, as a separate policy.</p> <p data-bbox="539 325 2011 432">“New development should be designed to maximise the retention of surface water on the development site and to minimise runoff. The approach to surface water drainage should be considered in liaison with the LLFA, the public sewerage undertaker and where appropriate the Environment Agency”.</p> <p data-bbox="539 474 1507 507">Surface water should be discharged in the following order of priority:</p> <ul data-bbox="539 512 1473 651" style="list-style-type: none"> <li data-bbox="539 512 1473 545">• An adequate soakaway or some other form of infiltration system. <li data-bbox="539 550 1420 584">• An attenuated discharge to watercourse or other water body. <li data-bbox="539 588 1341 622">• An attenuated discharge to public surface water sewer. <li data-bbox="539 627 1288 660">• An attenuated discharge to public combined sewer. <p data-bbox="539 697 2029 764">Applicants wishing to discharge to the public sewer will need to submit clear evidence demonstrating why alternative options are not available as part of the determination of their application.</p> <p data-bbox="539 805 2018 1023">All residential developments of 10 properties or more and major commercial development should incorporate sustainable drainage systems which minimises surface water run-off and ensures that all surface water is addressed within the site boundary. These may include features such as ponds, swales and permeable paving designed as part of the development and to reflect the rural character of the area. Every option should be investigated before discharging surface water into a public sewerage network, in line with the above surface water hierarchy.”</p> <p data-bbox="539 1064 689 1098">Summary</p> <p data-bbox="539 1102 1995 1204">Moving forward, we respectfully request that Penrith Town Council continue to consult with United Utilities on all future planning documents. We are keen to continue working in partnership with you and Eden Council to ensure that all new growth can be delivered sustainably.</p>