KENDAL TOWN COUNCIL

Notice of Meeting

PLANNING COMMITTEE

Monday, 18th June 2018 at 6.00 p.m.
in the Mayor's Parlour, the Town Hall, Kendal

Committee Membership (8 Members)

Douglas Rathbone (Chair)	Alvin Finch (Vice Chair & Deputy Mayor)	Dave Miles
Michele Miles	Jonathan Cornthwaite	Pat Gibson
Susanne Long	Graham Vincent	

AGENDA

1. WELCOME AND INTRODUCTIONS

2. APOLOGIES

3. PUBLIC PARTICIPATION

Any member of the public who wishes to ask a question, make representations or present a deputation or petition at this meeting should apply to do so before the commencement of the meeting. Information on how to make the application is available on the Council's Website - http://www.kendaltowncouncil.gov.uk/kendal-town-council/statutory-information/guidance-on-public-participation-at-kendal-town-council-meetings/ or by contacting the Town Clerk on 01539 793490.

4. DECLARATIONS OF INTEREST

To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda
[In accordance with the revised Code of Conduct, Members are required to declare any Disclosable Pecuniary Interests (DPIs) or Other Registrable interests (ORIs) which have not already been declared in the Council's Register of Interests. Members are reminded that it is a criminal offence not to declare a DPI, either in the Register or at the meeting. In the interests of clarity and transparency, Members may wish to declare any DPI which they have already declared in the Register, as well as any ORI.]

5. SLDC PAPERLESS PLANNING APPLICATIONS – PRESENTATION BY DAVID COOPER, DEVELOPMENT CONTROL TEAM LEADER

6. MINUTES OF MEETING HELD ON 4TH JUNE 2018 *(see attached)*

7. MATTERS ARISING FROM PREVIOUS MINUTES, NOT ON AGENDA

8. ANY OTHER BUSINESS

9. PLANNING APPLICATIONS *(see attached schedule)*

Liz Richardson, *Town Clerk*

By e-mail/post to: Members of the Committee
All other Councillors (agenda only, for information)

KENDAL TOWN COUNCIL

Please note that only Committee Members will receive the minutes and attachments, but that other Councillors may request a copy of any agenda papers. Any Councillor who is not a Committee Member may still attend the meeting, as an observer.

Members of the Press and Public are welcome to attend the meeting.

KENDAL TOWN COUNCIL

Planning Committee

Monday 4th June 2018 at 6.00 p.m.
in the SLDC Chairman's Room, the Town Hall, Kendal

PRESENT Councillors Graham Vincent (Chair), Alvin Finch and Douglas Rathbone

Councillor S Evans was also in attendance in respect of item 7 on the Agenda (Land to the East of Whinfell Drive and Rydal Road, Sandylands, Kendal).

APOLOGIES None.

OFFICERS Nicky King (Council Secretary)

015/18/19 PUBLIC PARTICIPATION

None.

016/18/19 DECLARATIONS OF INTEREST

Councillor Rathbone:
- 83 Sedbergh Road, Kendal (SL/2018/0378) – the architect was known to him and currently working on his own property.
- Strawberry Fields, Oxenholme, Kendal (SL/2018/0425) – resides in close proximity to the site.
- Land off Oxenholme Road (SL/2018/0432) – resides in close proximity to numbers 10, 11 & 12 on the site. Previous dealings with the site re flooding issues.

Councillor Finch:
- 28 Empsom Road, Kendal (SL/2018/0401) – the applicant was known to him.
- 28 Whinlatter Drive, Kendal (SL/2018/0392) – the architect was known to him.

Councillor Vincent:
- SLDC notification of paperless planning applications – member of SLDC cabinet.
- K Village planning application consultation (AOB) – member of SLDC cabinet.

017/18/19 MINUTES OF MEETING HELD ON 14TH MAY 2018

Members considered the minutes of the Committee meeting held on 14th May 2018.

Councillor Rathbone proposed that the minutes be accepted as a correct record. This was seconded by Councillor Finch and carried unanimously.

RESOLVED That the minutes of the meeting held on 14th May 2018 be accepted as a correct record, and signed by the Chair.

018/18/19 MATTERS ARISING

None.

019/18/19 NALC – RELATIONSHIP BETWEEN BUILDING CONTROL AND DEVELOPMENT CONTROL

Members considered correspondence received from Chris Borg at NALC. It referred to the intention of Barrowden Parish Council to submit a proposal direct to Government asking for an end to the division of responsibility between Planning bodies and Building Control. They felt it should be a requirement that Building Control bodies ensure that development proceeds in general accordance with the approved plans and conditions. Supporting evidence was being sought from the local Council sector. The Committee had been invited to complete a survey if it wished to do so.

Councillor Vincent commented that he was not sure how the two bodies would merge and still operate their current functions.

Members noted the intention but felt they had insufficient knowledge of the operations of the two bodies to be in a position to complete the survey.

RESOLVED That Committee note the intention of Barrowden Parish Council to request Government end the division between Planning bodies and Building Control.

020/18/19 LAND TO THE EAST OF WHINFELL DRIVE AND RYDAL ROAD, SANDYLANDS, KENDAL (REF SL/2017/1124 & SL/2017/1129)

Additional information had been received from SLDC in respect of the above application relating to diversion of outfall pipe from the newt pond.

Councillor Evans presented the Committee with a summary of a report prepared by Curtins on behalf of the North East Kendal Flood Action Group. The report presented a Review of Planning Flood Risk and Drainage Documentation for the Russell Armer Cragg Close Development.

Serious concerns were raised in the report as to the effectiveness in solving flooding issues. Having heard some of the conclusions contained in the report, Committee were concerned that the application presumed it would solve adverse flooding issues.

It was agreed that Councillor Vincent would respond directly to SLDC Development Management by the deadline of 8th June, urging them to consider all evaluations of measures that seek to provide effective solutions to flooding issues. All Committee members to be copied into the response.

RESOLVED That Councillor Vincent respond to SLDC by the deadline of 8th June, urging them to consider all evaluations of measures that seek to provide effective solutions to flooding issues (all Committee members to be copied into the response).

021/18/19 DEVELOPMENT PLANS – PUBLIC HEARINGS

Members were advised that public hearings for two major planning documents are set to take place:

- Development Management Policies DPD for South Lakeland – 12th and 13th June.
- Arnside and Silverdale AONB Development Plan Document (DPD) hearings – 19th, 20th and 21st June.

Members noted the hearings and looked forward to a presentation by SLDC Development Control on Kendal issues.

022/18/19 SLDC NOTIFICATION OF PAPERLESS PLANNING APPLICATIONS

Committee had been advised by the Town Clerk that SLDC had moved to paperless planning applications with immediate effect. Print copies would no longer be provided. SLDC Development Control Team Leader, David Cooper, had volunteered to attend all Town and Parish Council meetings to discuss these changes.

Members discussed the implications. Whilst they were not against the idea, they agreed that a presentation and assistance would be required on how to access information electronically. In the meantime paper applications would need to be provided by SLDC.

RESOLVED That Committee require a presentation by SLDC and assistance on how to access information electronically.

023/18/19 ANY OTHER BUSINESS

Members noted that there was to be a public consultation event at K Village in respect of proposals to convert part of the retail space into a 69 bed Travelodge Hotel. There would be an opportunity to preview the plans and speak with members of the team on Monday 11th June, 2-4pm, in the vacant Paver Shoe unit in K Village.

Members welcomed the proposals.

024/18/19 PLANNING APPLICATIONS

Members considered Planning Applications submitted for consultation purposes by the local planning authority, South Lakeland District Council.

RESOLVED That having considered the applications outlined in the schedule, the recommendations in Appendix I attached to these minutes be made to South Lakeland District Council.

The meeting ended at 7.29pm

Signed ……

Dated ……

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0378	**83 Sedbergh Road, Kendal** Demolition of existing single storey flat roof extension, replacement two storey side extension with dormer window and single storey rear extension (revised scheme SL/2017/0835)	02.06.2018	**Approve** Provided appropriate materials are used as per application
2	FPA 0401	**28 Empsom Road, Kendal** Single storey side and rear extension	05.06.2018	**Approve**
3	FPA 0397	**56 Shap Road, Kendal** Single storey rear extension	05.06.2018	**Approve** Provided loss of privacy as a result of the choice of balcony is considered.
4	FPA 0392	**28 Whinlatter Drive, Kendal** First floor extension over garage and single storey rear extension	05.06.2018	**Approve** Provided not unneighbourly
5	FPA 0393	**Ghyll Head House, Captain French Lane, Kendal** Erection of partially attached garage to the S.E. side of dwelling and installation of timber mock sash windows	05.06.2018	**Approve**
6	FPA 0406	**6 Market Place, Kendal** Removal of external ATM and nightsafe and infilling of apertures with stonework cladding to match the existing elevation	06.06.2018	**Approve**
7	FPA 0312	**81 Highgate, Kendal** Change of use from sandwich bar (Use Class A1) to café (Use Class A3) and hot food takeaway (Use Class A5)	07.06.2018	**Refuse** Subject to further information addressing Environmental Protection Officer's report and concerns from neighbours in respect of odours, noise and late opening.
8	FPA 0391	**R M Robinson, Mintsfeet Road South, Kendal** Change of use from store room to motorcycle showroom	07.06.2018	**Approve**
9	FPA 0385	**7 Hardknott Gardens, Kendal** Single storey rear extension	12.06.2018	**Approve** Subject to successful resolution between all parties of the mitigating

				flood defences at Strawberry Fields
10	FPA 0425	**Strawberry Fields, Oxenholme, Kendal** Engineering proposals to provide swale and retaining wall to improve drainage	12.06.2018	**Approve** • Provided it will be a benefit to flood defence as a result of Dec 2017 floods • Provided all parties (EA, SLDC, CCC & LLFA) are agreeable it will be a suitable improvement
11	FPA 0432	**Land off Oxenholme Road, Kendal** Discharge of condition 9b (drainage) attached to planning permission SL/2015/0085	13.06.2018	**Approve** • Provided it will be a benefit to flood defence as a result of Dec 2017 floods • Provided all parties (EA, SLDC, CCC & LLFA) are agreeable it will be a suitable improvement • Regarding the permeable surface – given the nature of past problems, will this be an undue cost to CCC in long term?
12	FPA 0424	**Land Off Oxenholme, Kendal** Variation of conditions 2, 3b, 5a, 7a, 8a and 9a and 9b attached to planning permission SL/2015/0085 (Variation of conditions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 18 and 19 attached to planning permission SL/2012/0566 – Outline planning permission for 148 dwellings)	13.06.2018	**Approve** • Provided it will be a benefit to flood defence as a result of Dec 2017 floods • Provided all parties (EA, SLDC, CCC & LLFA) are agreeable it will be a suitable improvement • Regarding swale – provided all parties are agreeable
13	FPA 0430	**3 Kent Park Avenue, Kendal** Single storey rear extension	13.06.2018	**Approve** Provided not unneighbourly
14	LISTED 0169	**1 Town View, Kendal** Work to chimney stacks	13.06.2018	**Approve**

KENDAL TOWN COUNCIL
Applications for Planning Committee: 18th June 2018 Appendix 1

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0456	**Former Kendal Rugby Union Football Club, Shap Road, Kendal** Variation of conditions 2 (approved plans), 19 (hours of operation), 20 (hours of operation for petrol filling station), 22 (hours of delivery), 26 (hard and soft landscape) and approval of conditions 16 (external lighting), 17 (external lighting for petrol filling station), 18 (noise assessment), 23 (use of carpark) , 30 (acoustic fence) and 33 (electric vehicle charging points) attached to planning permission SL/2013/1120 (Erection of foodstore (Class a1), petrol filling station and associated parking and servicing facilities)	03.07.2018	
2	FPA 0460	**86 Milnthorpe Road, Kendal** Demolition of existing bungalow and garage/store and erection of replacement dwelling with separate annex and garage (revised scheme SL/2017/1029)	27.06.2018	
3	FPA 0462	**7 Horncop Lane, Kendal** Single storey rear extension with terrace/balcony over and alteration to vehicular access	27.06.2018	
4	DISCHARGE 0472	**Martindale Builders, Woolpack Yard, Stricklandgate, Kendal** Discharge of conditions 5,7,8,9,10 & 12 attached to planning permission SL/2014/1205 (Change of use and conversion of existing buildings and builder's yard, to create 13 dwellings, including minor demolition and extension works, and other associated works)		

NOTE:

Due to notification from SLDC that they have moved to paperless planning applications with immediate effect, no guarantee can be made that there are not further applications not listed.