

KENDAL TOWN COUNCIL

Notice of Meeting

PLANNING COMMITTEE

**Monday, 4th September 2017 at 6.00 p.m.
in the SLDC Chairman's Room, the Town Hall, Kendal**

Committee Membership (8 Members)

Jon Robinson (Chair)	Austen Robinson (Vice-Chair)	Clare Feeney-Johnson
Alvin Finch	Keith Hurst-Jones	Lynne Oldham
Kath Teasdale	Graham Vincent	

AGENDA

- 1. APOLOGIES**
- 2. 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 - [www.kendaltowncouncil.gov.uk/Statutory Information/General/](http://www.kendaltowncouncil.gov.uk/Statutory%20Information/General/) Guidance on Public Participation at Kendal Town Council Meetings or by contacting the Town Clerk on 01539 793490.

- 3. 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.]

- 4. MINUTES OF MEETING HELD ON 21ST AUGUST (see attached)**
- 5. MATTERS ARISING FROM PREVIOUS MINUTES, NOT ON AGENDA**
- 6. CUMBRIA COUNTY COUNCIL CONSULTATION ON THEIR PLANNING DESIGN GUIDE (see attached)**

KENDAL TOWN COUNCIL

7. PLANNING APPLICATION (LISTED BUILDING & CONSERVATION AREAS) ACT 1990 (*see attached*)

- County Offices, Busher Walk, Kendal - Listed Building Consent for Repairs and alterations to Kendal County Hall to facilitate improved disabled access – ref 5/17/9011

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)

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 21st August 2017 at 6.30 p.m.
in the Mayor's Parlour, the Town Hall, Kendal**

PRESENT	Councillors Jon Robinson (Chair), Austen Robinson (Vice Chair), Lynne Oldham and Graham Vincent
APOLOGIES	Councillors Feeney-Johnson, Finch & Teasdale
OFFICERS	Hazel Belshaw (Temporary Council Secretary)
309/17/18	PUBLIC PARTICIPATION None
310/17/18	DECLARATIONS OF INTEREST None
311/17/18	MINUTES OF MEETING HELD ON 7TH AUGUST Members considered the minutes of the Committee meeting held on 7 th August. Councillor Vincent proposed that the minutes be accepted as a correct record. This was seconded by Councillor J Robinson and carried with two abstentions.
RESOLVED	That the minutes of the meeting held on 7 th August be accepted as a correct record, and signed by the Chair.
312/17/18	MATTERS ARISING Sink Holes (ref minute 273/17/18) Councillor J Robinson advised Members he has drafted a response to SLDC regarding the sink holes on the land to the south of Lumley Road that he will pass on to the Town Clerk for sending.
RESOLVED	That Councillor J Robinson will pass his response for SLDC regarding the sink holes to the Town Clerk for sending.
313/17/18	Planning Application (ref minute 278/17/18) Councillor Oldham advised Members of concerns from residents regarding the parking on Shap Road with the proposed change of use at Baby World (FPA 0638)
314/17/18	ANY OTHER BUSINESS Councillor A Robinson updated Members regarding flooding due to his involvement with South Lakes Flood Action Group (SLFLAG) Members of SLFLAG were recently on a site visit of the upper Kent with Simon from the Environment Agency in which it was highlighted that people are unaware of current developments.
315/17/18	Councillor A Robinson raised the issue that an application for the erection of the fence at Queen Katherine School had not been seen by this Committee and could we raise the issue as to why.

RESOLVED

The Town Clerk to contact SLDC to ask why an application for the erection of a fence at QKS had not been received by this Committee.

316/17/18

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 7.23pm

Signed

Dated

No.	App No./Type	Address/Proposed Development	Comments to SLDC	Observations/Recommendations
1	FPA 0583	Subway, 1 Stramongate, Kendal Retention of illuminated ATM in shop front	24.08.2017	Refuse Due to the illumination being inappropriate for the location and the visibility of the unit through the window
2	FPA 0570	Former Lowe Alpine premises, Ann Street, Kendal Change of use from Class A2 (financial & professional services) to Class D1 (non-residential services)	29.08.2017	Approve
3	FPA 0649	42 Dunmail Drive, Kendal Side extension with dormer and rear extension	29.08.2017	Approve Providing not un-neighbourly
4	FPA 0684	89 Peat Lane, Kendal Single storey side extension	29.08.2017	Refuse Unneighbourly due to the length of the extension
5	FPA 0637	Garage site to the rear of Blea Tarn Road, Kendal Erection of two domestic garages	31.08.2017	Approve

KENDAL TOWN COUNCIL REPORT

To: Planning Committee	4 th September 2017
From: The Town Clerk	Agenda Item No. 6

County Council Consultation on their Planning Design Guide

A couple of weeks ago, the County Council sent out the email below with a link to a consultation regarding the guide that they use to determine planning applications. The consultation period has now been extended until the **end of September** to allow parish councils to discuss it, if they wish to, at their September meeting.

Please click on the link below to access the consultation.

Dear all,

Following on from below and the Members briefing event that we held last Friday could you please make Members aware that we are now going out to a full external consultation, which will run until the 4th September. The updated version of the Cumbria Design Guide will replace the current version which has been in place since 1997 and is used to guide the County Council's responses to planning applications in its role as Local Highway Authority. Key changes from the earlier consultation include:-

- Introduction of Commercial section
- Amendments to the Sustainable Drainage Chapter
- Introduction of technical appendices

The consultation can be found by following the link below.

<https://cumbria.citizenspace.com/cumbria-county-council/cumbria-design-guide/>

Could you also please make any relevant stakeholders (such as Parish Councils) within your area aware of the consultation so that they have an opportunity to comment.

If you have any further queries then please do not hesitate contact myself.

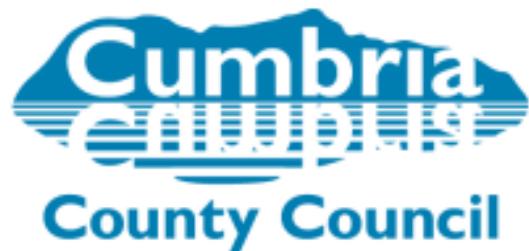
Regards

Graeme Innes

Lead Officer – Flood and Development Management |
Economy and Environment | Cumbria County Council |
Parkhouse Building | Carlisle | Cumbria | CA6 4SJ

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www.cumbria.gov.uk



DISABILITY ACCESS WORKS

at

COUNTY HALL KENDAL

Mini Specification for Works



June2017

1.0 CONTRACT PARTICULARS

- 1.01 The Form of Contract to be used will be the JCT Agreement for Minor Works (MW 2016).
- 1.02 The defects liability period for this contract shall be six months.
- 1.03 The period for payment by the Employer, following certification by the Contract Administrator, shall be 14 days for this contract.
- 1.04 Commencement and completion dates are to be agreed once a Contractor is appointed.
- 1.05 The Contractor should allow a sum of £2000 for Contingencies, which are to be expended or deducted only by instruction from the contract administrator.
- 1.06 The Contractor will be liable for £150.00 Liquidated Damages per week, payable to the Employer, should the works not be completed by the anticipated completion date, agreed between both parties prior to commencement of the works. An Extension of Time will be granted to the Contractor should this be applicable under the JCT Minor Works 2016 Contract (MW 2016).
- 1.07 The Contractor, upon completion, is to clean all the works thoroughly inside and out, removing all splashes, efflorescence, rubbish and surplus materials.

2.0 PREAMBLES AND PRELIMINARIES

- 2.01 The proposed works are as described below :-
The works comprise alterations and repairs to County Hall to implement some of the recommendations identified in the DCL DDA Audit to make the building more suitable for DDA access around the building and facilitate. The works shall be completed in a satisfactory manner to the true intent and meaning of the design.
- 2.02 This project is not deemed notifiable to the Health and Safety Executive under the Construction (Design and Management) Regulations 2015, as it is not envisaged that the proposed works will take more than 30 days, have more than 20 people on site or exceed 500 person days to complete.
A Pre Construction Information pack will be issued by the Principal Designer.
- 2.03 The Contractor must include in his tender for the provision and maintenance of welfare facilities and for general site security for the duration of the proposed works, in a location to be agreed with the client.
- 2.04 The Contractor, before tendering, shall visit the site and make himself fully conversant with all site conditions, means of access and any restrictions that may affect the mobility of labour and materials. No claim made by the Contractor on the grounds of lack of knowledge in such matters will be considered. The contact at County Hall is Jamie Nelson on 01539 713030 who will arrange access to view the building. In view of the nature of the building users a minimum of 24hrs notice should be given to the County Hall for any proposed visits.

- 2.05 The premise must always be that all works are undertaken to minimise disruption to the operation of County Hall, the works will need to be carried out whilst the building is operational.
- 2.06 The Contractor will be held responsible for damage beyond fair wear and tear occasioned to the building, and shall indemnify the Employer against any claim arising from such damage.
- 2.07 Before commencing day-to-day operations, the Contractor shall notify the County Hall contact of the exact positions of works and discuss any problems regarding this. This meeting should be scheduled at the end of each working day ready for the start of the next. Problems are to be discussed and a solution agreed prior to commencement.
- 2.08 The Contractor shall protect, uphold and maintain all pipes, ducts, service mains, cables and the like until completion of the works. If any are damaged, due to any cause of the Contractor's control, he shall arrange for their prompt reinstatement and meet at his own expense and indemnify the Employer against any costs and charges in connection therewith, including claims from Third Parties. The Contractor shall not interfere with the operation of existing services such as gas, water, electricity, telephones, buried cables, sewers or drains without the permission of the Employer and in the case of services of Statutory Authorities and Private Owners, without their permission.
- 2.09 Any damage to existing mains or services on the sites shall be reported by the Contractor to the Contract Administrator in writing, giving details of the damage and, where known, how and by whom the damage was caused. Any damage not reported to the Contract Administrator, which results in disputes of liability at a later date, will be deemed to have been caused by the Contractor. These will then be made good at his expense; therefore it is recommended that the Contractor should be particularly vigilant when other Contractors are working on or in the vicinity of the works.
- 2.10 The Contractor shall observe and comply with all bylaws and recommended safety precautions whether standard publication or specifically related to the sites.
- 2.11 The Contractor shall allow for protecting, keeping free from damage and clean all areas to the entire satisfaction of the Contract Administrator and Employer.
- 2.12 The Contractor, upon completion, is to clean all the works thoroughly, removing all splashes, efflorescence, rubbish and surplus materials.
- 2.13 The Contractor shall be responsible for the offloading and handling of all materials delivered to site for installation as part of the project.
- 2.14 Unless otherwise stated, all items marked as being removed should be carted away from site and taken to a licensed refuse site for disposal.

3.0 GENERAL AND SCAFFOLDING (only where applicable to specific tasks)

- 3.01 The Contractor, where necessary, shall provide scaffolding around the exterior of the building providing a safe working environment, in accordance with the following points.
- 3.02 Where anybody is working or gaining access at a height of 2m or more and the provisions adopted include the use of a guard-rail, toeboard, barrier or other similar means of protection then the following requirements apply:
- The provisions adopted should be adequately strong and rigid and built to avoid accidental displacement.
 - The main guard-rail must be at least 910mm above the platform but there must not be a gap of more than 470mm between any guard rail, toeboard, barrier or similar structure; where guard-rails and toeboards are erected, therefore, there is a requirement to place an intermediate barrier which may be a second guard-rail, brickguard, additional toeboards or other similar means.
 - Toeboards must be at least 150mm high.
 - The provisions must be placed to prevent the fall of persons or objects.
 - Where anybody is working or gaining access at a height of 2m or more and the provisions adopted include a working platform, it should:
 - Be suitable and strong enough for its intended use.
 - Be large enough for its intended use (and not be less than 600mm wide).
 - Not have a gap through which people or materials could fall.
 - Do not give rise to the risk of people slipping or tripping.
 - Not give rise to a risk of people being trapped between the platform and adjacent structure.
 - Be provided with any hand and/or foot holds necessary to prevent slipping or falling.
- 3.03 In addition to these requirements outlined above, there must be a sufficient number of working platforms and these must not be overloaded. The supporting structure must be of suitable strength and rigidity and if necessary, tied to another structure to ensure stability.
- 3.04 Ladders may only be used for access and egress, and for purposes of work where work is of short duration and can be carried out with minimal risk and where a ladder can be safely used. Ladders:
- Must be suitable, sufficiently strong and erected to prevent accidental displacement.
 - If 3m or longer, must be secured or, if this is not practical, be 'footed'
 - When used as access between places of work must be secured to prevent slipping or falling.
 - Must protrude, at access points, far enough to provide a safe hand hold or an alternative hand hold must be provided.
 - When extending in runs of 9m or more must be provided with rest platforms at suitable intervals.
 - Ladders must be removed at the end of each working day and the scaffold made inaccessible.
 - All of the above must be installed or erected only when supervised by a competent person.

- 3.05 For internal works where no scaffolding is required the following rules for the use of access equipment must be applied:

The Contractor is to provide Risk Assessments and Method Statements for his method of working as to how the works will be accessed.

The Work at Height Regulations 2005 specially require the Risk Assessment of all work at height and where this work cannot be avoided, as in this case, the method of access must be considered within the hierachal approach thereby eliminating the equipment presenting the highest level of risk until the optimal balance reached presenting the lowest level of risk. It is essential that **all** other risks associated to the use of access equipment are also taken into consideration not just falls from height, but also security of the premises and the health and safety of the residents and their visitors. As in most cases on this particular contract, after the Risk Assessment there is a range of access equipment that could be selected. This equipment includes either fixed scaffold, tower scaffold, MEWPS, steps or finally ladders, or a combination of several of these. If any ladders are used they must always be both footed and secured.

Suitable Risk Assessments and Method Statements will be required for either scaffolding, tower scaffolds or laddered access to these areas.

In addition to 3.02 above, any scaffolding must be constructed with protective fans over each and every access door to the properties and must be fully sheeted to ensure the environment below is safe for the protection of the residents. Windows to properties that are on access routes along scaffold will also be protected to prevent accidental damage.

4.00 THE RECITALS

First

THE WORKS :

The works comprise the repair and alteration to facilitate better DDA access to County Hall as described in the DDA Audit and briefly below.

Second

CONTRACT DOCUMENTS

These are limited to this specification and the DDA Audit which should be referred to for reference.

Third

OTHER DOCUMENTS SUPPLIED BY THE EMPLOYER

None

Fourth – Base Date

The base date will be the TBA

Fourth - CIS

The employer is a Contractor under the Finance Act.

Fifth - CDM

The CDM Regulations do not apply as far as notification is concerned.

Article 9: Amendment 1: CDM Regulations will be incorporated.

Sixth – FRAMEWORK AGREEMENT
Framework agreement does not apply.

Seventh – SUPPLEMENTARY PROVISIONS
Supplementary Provisions apply

Clauses

Clause 2.2 – Date for Commencement and completion to be agreed
Clause 2.8 - £150.00 Liquidated Damages per week.
Clause 2.10 – Rectification Period is 9 months.
Clause 4.3 – 95% prior to PC
Clause 4.3 – 97.5% post PC
Clause 4.8.1 – 3 months
Clause 5.3.2 - £10,000,000
Clause 5.4 B - Applies
Clause 7.2 – RICS

5.00 BRIEF SCHEDULE OF WORKS

To be read in conjunction with the DCL Disability Access Audit which forms part of the tender package.

	Description of Works	Cost
	DCL Specification and Drawings	£ P
	External Works	
5.01	Existing kerbs and first 2no. rows of paving to be lifted from disabled car parking bays / paving where they abut the entrance paving. Allow for dividing the works into 3no bays as phases to allow 2 bays to always be accessible during the works.	
5.02	Provide and install new dropped kerbs being level with tarmac car park bays, set to meet paving edges. Kerbs to be on min 150mm x 150mm deep concrete foundations. Concrete mix ST2. Reset existing gulley tops to suit new paving levels. Provide and install 300mm x 300mm new tactile paving flags to match existing paving in contrasting but complimentary colour along full length of car parking bays, being bedded on cement / sand mortar and cut to splayed falls to match existing falls already present.	
5.03	Replace existing street light fitting mounted at high level on front corner of building with 2no. new LED floodlights directed to the front entrance paving and to the side steps. Fittings to be from the ASD range	
5.04	Remove existing above door light and cart away, make good to stonework. Provide and install new LED floodlight mounted above the front entrance doors directed down over the steps to the disabled parking area. Fitting to be from the ASD range	
5.05	Carefully lift areas of damaged paving to area adjacent to Busher Walk access, as shown on the plan below, and store on site for re-use. Rebed on cement / sand including replacing broken flags with new matching units. Allow 30no. flags to be lifted and rebedded and 5no replacement flags.	
5.06	Generally jet wash all paving to front elevation of the building next to the car park, to the paths leading to the steps down the side, to the frontage and also to the steps leading down to the rear to remove moss and vegetation and then treat with a fungicide. Allow also for repointing and joints between flags on completion in cement sand mortar.	
5.07	To the stone steps leading down from the front entrance area to the rear car park provide and install new 50mm diam roll mop treated timber handrail on galv mild steel brackets set at 900mm above pitch line to both flights and around the landing. Handrail to be provided to one side only on the taller wall section that allows the fitting to be sited at that height.	

5.08	To the front entrance area, provide new hold open magnets for temporary use when accessing the stairlift. These are not to be connected to the fire alarm and are to be switch operated for release once the user has entered or left the building.	
5.09	To the corridors on the ground floor repair damaged cork floor tiles where they abut the marble flooring to ensure they are stuck down flush with the adjacent flooring. Allow 5 sq metres of repair.	
5.10	To main reception entrance counter take out the modesty plinth panel below the glazed / stainless steel framed area and recess back under the counter to give 400mm knee clearance for wheelchair use externally. Provide and install new timber bearers fitted to the underside of the counter and side panels. Include for repositioning cables below the desk behind the revised plinth position.	
5.11	To Council Chamber, identify with Jamie Nelson on site which desks are to be used for wheelchair users and reposition internally in the chamber to allow 1m clearance from the access door to the seating. The units are movable, not fixed.	
5.12	To the ramp from the rear car parking area provide new 900mm high timber handrail with 50mm diam roll mop rail on timber legs at 600mm centres with timbers bedded 450mm into ground with concrete encasement to provide handrail for access.	
5.13	Provide and install 2no FD30 fire screens complete with 900mm wide FD30S HO doors to turn that part of Council Chamber lobby into a refuge area as shown below. Screens to be in hardwood taken full height of openings and to have Pyrodour clear 30min rated glazing bedded in intumescent channels. Hold open devices to be linked to fire alarm to shut in case of the alarm sounding.	
5.14	Allow for carpeting to corridors and committee rooms and for the provision of a tapered hardwood timber threshold to each doorway to suit differing floor levels on each side of the doorway. Include here for a PS of £ 35 per sqm for the carpet provision itself to these areas.	
5.15	To AG039 this room is now to be used as a break out area.	
5.16	Remove temporary screens, desks and chairs and hand to CCC. Provide temporary cover to smoke detector for duration of the works, removing cover at the end of each working day.	
5.17	Form new breakout area using timber stud partition with 75mm x 50mm studs at 400mm centers with head and sole plate securely fixed to floor and both walls for stability. Height of wall to be 2600mm, and be capped off using hardwood capping piece. Include for formation of door opening as shown for 1981 x 826mm FD30S SC fire door with NV4 type vision panels to match existing adjacent corridor and toilet doors in design and colour. Include for matching architraves around door frame to both sides. Include for scribing around any trunking / ducting as required to allow the screen to fit flush to the wall, including around existing skirtings which, as part of the listed building, are to be left in situ.	
5.18	Allow in the above PS for the provision of vertical ties to stabilize the partition to the ceiling soffit if required.	£250

General	
5.19	Preliminaries for provision of site set up, welfare, scaffolding etc as detailed in 3 above.
5.20	Include for acting as Principal Contractor under CDM2015 based on enclosed PCI issued by DCL as Principal Designer.
5.21	Allow for Contingency to be expended or deducted by the Surveyor as noted in the PSA specification
5.22	Clear away all rubble and rubbish leaving site clean and tidy at the end of each working day and on completion.

6 Site Photographs



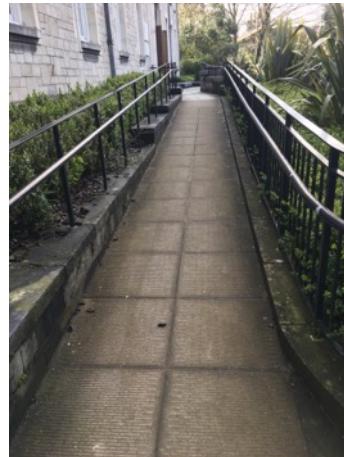
Disabled Parking Bays – existing unaltered



Kerb modifications – new drop kerbs and tactile paving to be provided full length



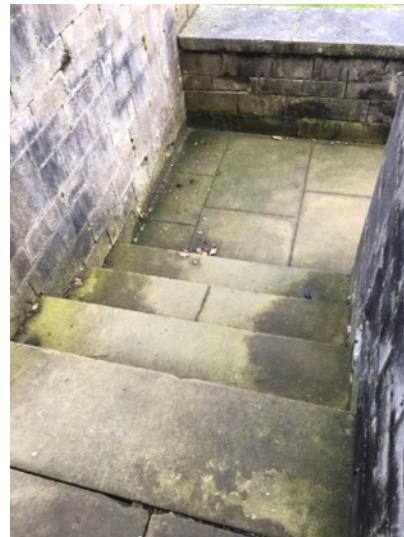
Damaged flag stones to be repaired then washed



Access Ramp to be pressure washed with all other paving

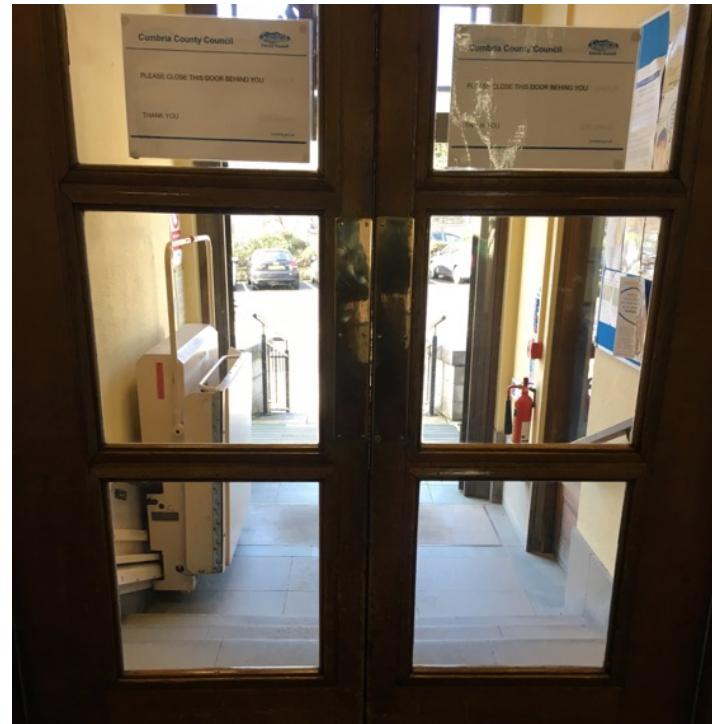


Steps to car park – handrail to be provided and steps pressure washed





Main Entrance –
new floodlight to be provided



View of entrance doors for hold open devices



Reception Counter – showing modesty panel to be repositioned



Council Chamber - benches needing to be repositioned to allow 1000mm access between them



Rear Entrance

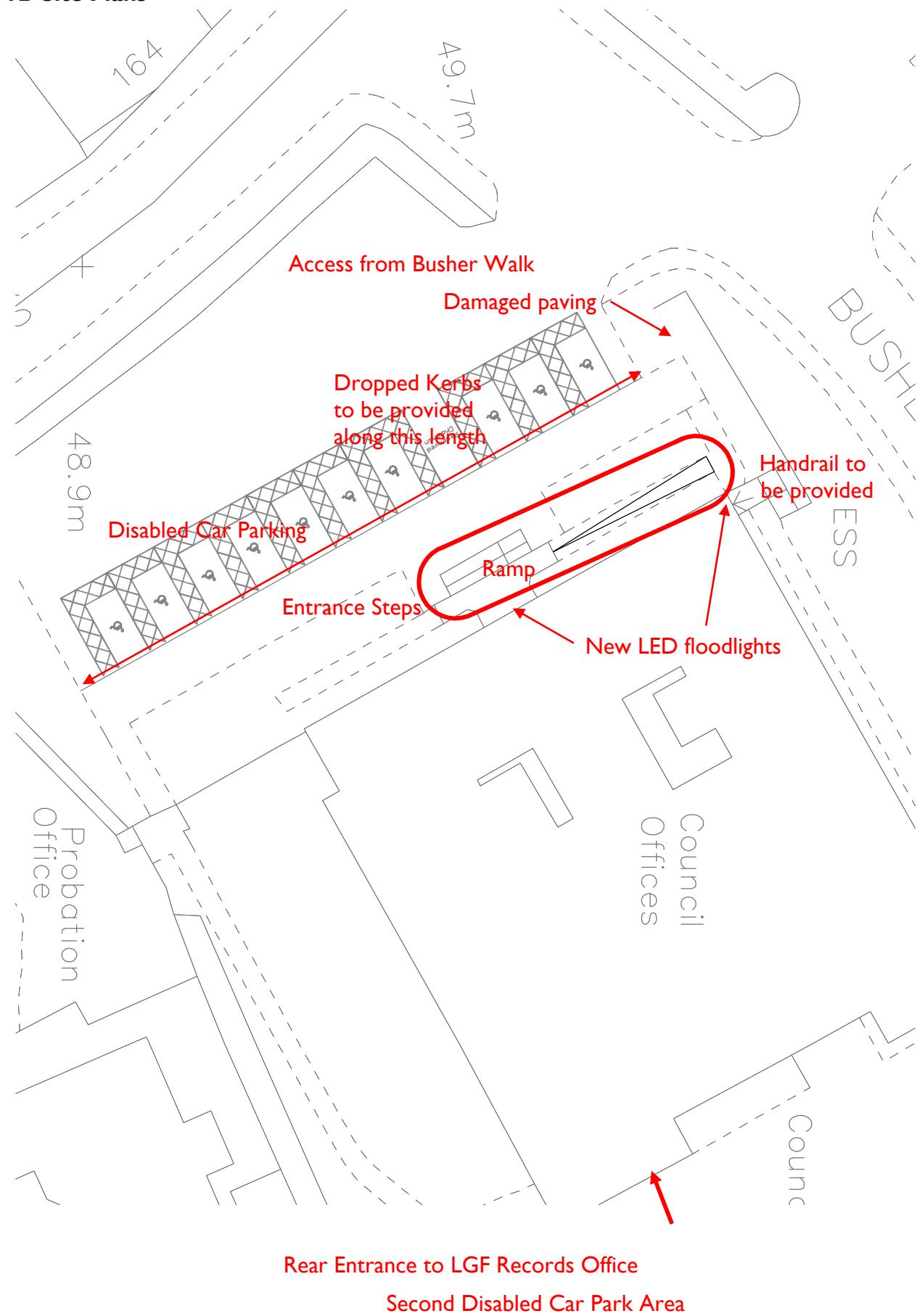


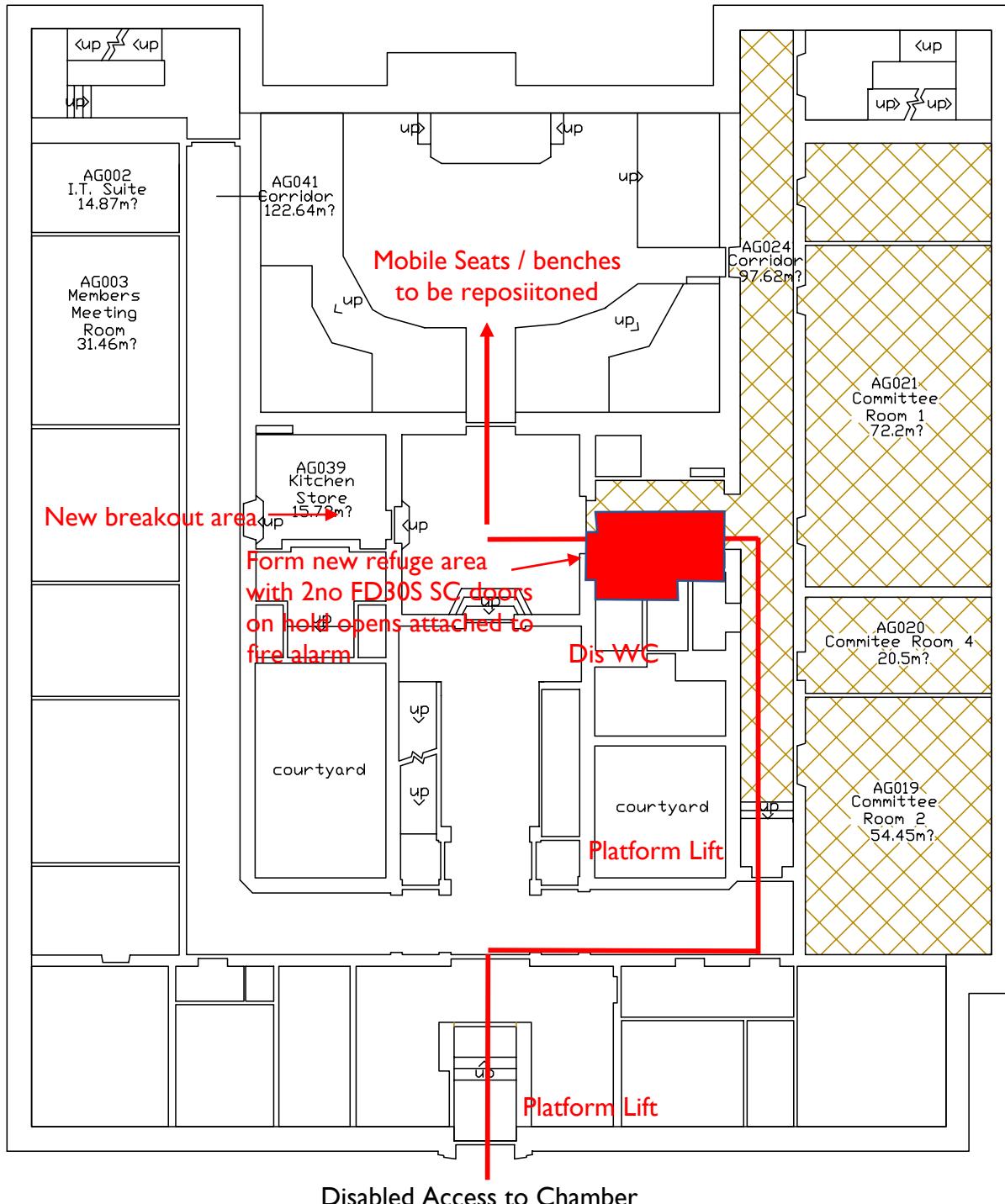
"Ramp" from rear car park – handrail required

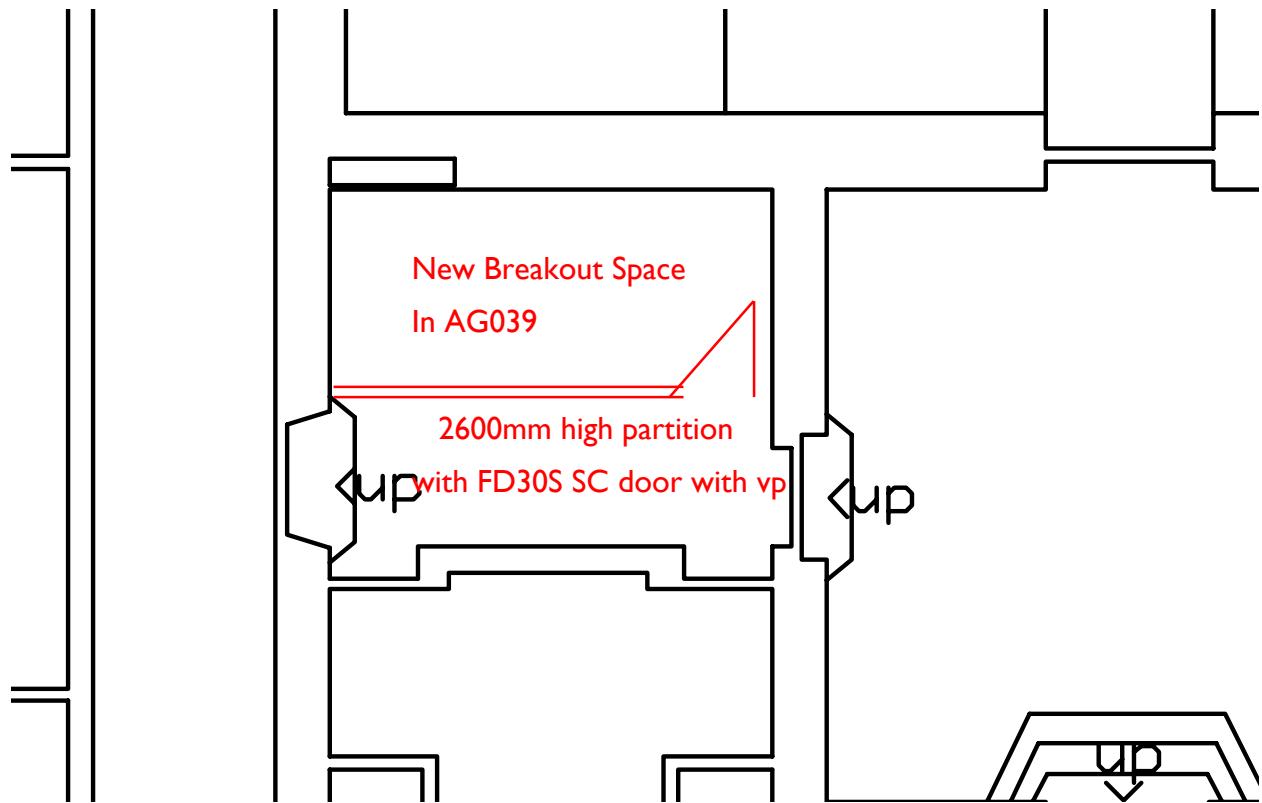


New Breakout Room, as existing



1B Site Plans

**Ground Floor Plan**



KENDAL TOWN COUNCIL

Applications for Planning Committee: 4th September 2017

Appendix 1

No.	App No./Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0703	4 Wainwrights Yard, Kendal Change of use from Class A1 (Retail) to Class A3 (Café)	11.09.2017	
2	FPA 0692	31 – 37 Stramongate, Kendal Change of use and alterations to form a Café (Use Class A3) and hot food takeaway (Use Class A5) with installation of ventilation extraction grille to gable elevation	11.09.2017	
3	FPA 0743	Elmhurst, Bankfield, Kendal Replacement outdoor classroom	12.09.2017	
4	FPA 0724	5A Highgate, Kendal Fascia sign and internally illuminated projecting sign	12.09.2017	
5	FPA 0667	14 Collin Croft, Kendal Replacement front windows	12.09.2017	
6	FPA 0731	Castle Green Hotel, Castle Green Lane, Kendal Single storey extension, walled service area, glazed smoking shelter and formation of a new window opening	13.09.2017	
7	FPA 0730	17 Collin Road, Kendal Replacement rear extension and front porch extension	13.09.2017	
8	FPA 0742	Underhill, Burton Road, Oxenholme, Kendal Marketing sign	13.09.2017	
9	FPA 0671	25 Stricklandgate, Kendal Rear fire escape and access to second floor flat	14.09.2017	
10	FPA 0720	Unit 1, Mintsfeet Road, Kendal Change of use to allow additional retail use (Use class A1)	14.09.2017	
11	FPA 0721	Unit 1, Mintsfeet Road, Kendal Installation of 2 panel signs to the gable wall	14.09.2017	
12	FPA 1090	Land adjacent to north side of Natland Mill Beck Lane, Kendal Erection of up to 26 dwellings, including vehicular and pedestrian access	14.09.2017	

KENDAL TOWN COUNCIL

Applications for Planning Committee: 4th September 2017

Appendix 1

13	FPA 0751	Land at Natland Mill Beck Lane, Kendal Change of use of land to amenity area for the public including training area, hard-standing, teaching area for landscape & ecological enhancement of the site	14.09.2017	
14	FPA 0751	20 Caroline Street, Kendal Replacement UPVC casement windows (resubmission)	14.09.2017	