

KENDAL TOWN COUNCIL

Notice of Meeting

PLANNING COMMITTEE

**Monday, 18th September 2017 at 6.00 p.m.
in the Mayor's Parlour, 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/ Guidance on Public Participation at Kendal Town Council Meetings](http://www.kendaltowncouncil.gov.uk/Statutory%20Information/General/Guidance%20on%20Public%20Participation%20at%20Kendal%20Town%20Council%20Meetings) 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 4TH SEPTEMBER (see attached)

5. MATTERS ARISING FROM PREVIOUS MINUTES, NOT ON AGENDA

6. CUMBRIA COUNTY COUNCIL CONSULTATION ON THEIR PLANNING DESIGN GUIDE (REF MINUTE 324/17/18)

7. ANY OTHER BUSINESS

8. 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 4th September 2017 at 6.00 p.m.
in the SLDC Chairman's Room, the Town Hall, Kendal

PRESENT Councillors Jon Robinson (Chair), Austen Robinson (Vice Chair), Clare Feeney-Johnson, Alvin Finch, Lynne Oldham, Kath Teasdale and Graham Vincent

APOLOGIES None

OFFICERS Hazel Belshaw (Temporary Council Secretary)

317/17/18

ORDER OF BUSINESS

The Chair suggested that the order of business of the agenda be amended to bring forward two planning applications (SL/2016/1090 and SL/2017/0754) from item 9 and this was agreed.

Councillor J Robinson gave a brief overview on both planning applications and the previous recommendations to SL/2016/1090 submitted by this Committee in December 2016.

318/17/18

PUBLIC PARTICIPATION

Andrew Thomas, Helme Drive, Kendal.

Thank you for the opportunity to speak once again about the two applications relating to the erection of up to 26 houses at land at Natland Mill Beck Lane at Kendal.

My aim tonight is to urge the Town Council to recommend refusal of a new application relating to the field south of Helme Drive and to comment further on an amended application for the houses.

The new application is for a change of use to what is called an 'amenity area', including a training area and hard standing. There is a reference to a 'large gated entrance with hard standing for cars or a minibus'; a timber-clad building or pod complete with classroom/teaching area, washroom, kitchen and office; a shed for storage of hand tools; a polytunnel; both hard standing and mown paths; plus a series of planters.

All this development and its associated traffic, increase in noise and general activity, would cause a major change to what is currently a pleasant, open field – designated as open space – and would urbanise a lovely rural area. And don't forget the original plan already includes a new footpath running through that field.

Why destroy a natural, beautiful green space to create something that is not natural?

Previous points about the 26 houses proposal – the land not being allocated for housing in the local plan; the open nature of the site; the fact the scheme could exacerbate flooding problems – all remain.

The original application for 26 homes has now been amended – largely, it seems, adding detail about traffic access.

The proposed access to both the new houses and to the educational facility would be along Natland Mill Beck Lane, a quiet, safe, historic and rural lane – currently virtually traffic-free but well used by pedestrians, families and cyclists.

The increase in traffic from these developments, along with widening the lane, proposed new passing places and the creation of a whole new section of road, would spoil the lane's rural character and affect the setting of the architecturally important and historic mill race which runs alongside the lane.

Passing places suggest a stop-start traffic flow with regular manoeuvring by drivers to allow cars to pass each other – such a system would have a hugely detrimental effect on the nature of such a rural lane.

I am sceptical about the traffic movements mentioned – 27 at morning peak and 36 at afternoon peak. It is likely most of the 26 homes would have more than one car. With school, work, shopping and leisure journeys – plus delivery vehicles from online shopping – I believe there would be considerably more journeys along Natland Mill Beck Lane than predicted.

When approval was given for The Beeches housing development, access to Natland Mill Beck Lane was turned down – so it doesn't make sense that would increase traffic on the lane and fundamentally alter its nature.

With regards to the field south of Helme Drive, the applicant speaks of an educational facility potentially used by Myerscough College, Continental Landscapes, Horticare, Cumbria Wildlife Trust, local school groups, plus Cubs, Scouts and Brownies etc. All this suggests yet further traffic using Natland Mill Beck Lane and being forced to negotiate its 'passing places'.

I believe Natland Mill Beck Lane is totally unsuitable for such levels of traffic from a practical and structural point of view and also because such use would completely destroy the tranquil and rural nature of the land and the adjacent important open space.

In conclusion and I believe I speak for the local residents here tonight I urge Kendal Town Council to recommend refusal of the new plan and comment further in opposition to the amended plan for 26 new houses.

319/17/18

**PLANNING APPLICATIONS SL/2016/1090 & SL/2017/0754
SL/2016/1090**

Councillor J Robinson gave more detail on the application to Members. Developers are proposing to widen the road in different sections and to build over the mill lead, which is not listed but is a rare survival. Comments from the Historic Environment Officer have been made. Another issue is traffic generation and suitability of the

route, which Highways suggest is adequate. He also commented that there is no detail on the re-submission to show the required 35% of affordable housing on the site.

Councillor J Robinson suggested that the Comments made by this Committee in December 2016 with regards to this planning application still stand. Councillor Feeney-Johnson suggested that the additional comment regarding the affordable housing be added.

Councillor J Robinson proposed that the comments from this Committee in December 2016 be re-submitted (see below on application table) with the addition of the concerns around affordable housing. This was seconded by Councillor Teasdale and carried unanimously.

SL/2017/0754

Councillor J Robinson gave more detail on the planning application with information that had been supplied by Continental Landscapes. The document suggests the erection of a large pod style classroom, although there are concerns with the lack of detail on the structure itself. The area could be used by various organisations as an educational resource for children and adults to learn about horticulture and biodiversity. He feels there are benefits to the local community for a facility like this but questions whether this is a good space for it. Councillor A Robinson believed the Continental Landscapes amenity proposal would be inappropriate in any case for the size and location of the land concerned, and that it should be left as an amenity for residents in the locality as a valuable Open Space. He also raised concerns about the traffic impact to Natland Mill Beck Lane, as sufficient damage has already been done to this area. Also how that would work with the SL/2016/1090 application.

Councillor J Robinson proposed the application be refused due to lack of information and that there are concerns around additional traffic generation if the facility and urbanising the only bit of land available there. This was seconded by Councillor Teasdale and carried unanimously.

RESOLVED

1. That the comments made from this Committee in December 2016 with regards to planning application SL/2016/1090 be re-submitted with the additional comment around concerns over affordable housing
2. That the Committee recommend refusal of the planning application SL/2017/0754 due to the lack of information, concerns on traffic generation and the urbanisation of the area

320/17/18

DECLARATIONS OF INTEREST

None

321/17/18

MINUTES OF MEETING HELD ON 21ST AUGUST

Members considered the minutes of the Committee meeting held on 21st August.

Councillor J Robinson proposed that the minutes be accepted as a correct record. This was seconded by Councillor Oldham and carried unanimously.

RESOLVED

That the minutes of the meeting held on 21st August be accepted as a correct record, and signed by the Chair.

MATTERS ARISING

322/17/18

Sink Holes (ref minute 312/17/18)

Councillor J Robinson confirmed a letter with regards to the sink holes on the land to the south of Lumley Road had been sent to SLDC and they had not received a response as yet.

323/17/18

Fence at QKS (ref minute 315/17/18)

Councillor J Robinson confirmed a response from SLDC had been received regarding the planning application from QKS for the erection of their fence. They confirmed it had permitted development rights and so did not require planning permission.

324/17/18

CUMBRIA COUNTY COUNCIL CONSULTATION ON THEIR PLANNING DESIGN GUIDE

Councillor J Robinson presented the CCC Planning Design Guide, which had been previously circulated. He felt it was a very comprehensive document with lots of technical data included. Although he felt the title could be clearer, as he felt it is *Cumbria Highways and Drainage Design Guide*. He welcomed the section in which they are encouraging discussion in the pre-application stage around drainage and flooding issues and the information on cycle paths.

Councillor Vincent commented that SLDC have produced a design guide for the public which goes into more detail around the different materials used. Councillor J Robinson confirmed CCC hadn't gone into that much detail although there is some reference to the SLDC design guide in there.

Councillor J Robinson also commented that the drainage section looked good although maybe the wording could be made simpler. He acknowledged the need for more drainage detail at pre-application.

Councillor J Robinson suggested that Members look at the guide further and more comments to be made at the next meeting as the deadline for comments to CCC is now the end of September.

RESOLVED

That further comments on the CCC Design Guide be made at the next Planning Committee Meeting

325/17/18

PLANNING APPLICATION (LISTED BUILDING & CONSERVATION AREAS) ACT 1990

Councillor J Robinson presented the planning application for changes at the County Offices on Busher Walk to improve their disabled access that had been previously circulated.

Councillor A Robinson recommends approval of the application.

RESOLVED That the Committee recommend approval of the application.

326/17/18

ANY OTHER BUSINESS

Councillor J Robinson presented an appeal decision for SL/2016/0398 - Land to the west of Oxenholme Road.

Councillor Feeney-Johnson declared an interest at this stage.

Members noted the appeal notice.

RESOLVED That the appeal notice for SL/2016/0398 - Land to the west of Oxenholme Road be noted.

327/17/18

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 7.26pm

Signed

Dated

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	Approve Providing the waste is managed appropriately and the opening hours are no later than similar adjacent uses
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	Approve Providing the opening hours are no later than similar adjacent uses
3	FPA 0743	Elmhurst, Bankfield, Kendal Replacement outdoor classroom	12.09.2017	Approve
4	FPA 0724	5A Highgate, Kendal Fascia sign and internally illuminated projecting sign	12.09.2017	Refuse Inappropriate in a conservation area
5	FPA 0667	14 Collin Croft, Kendal Replacement front windows	12.09.2017	Approve
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	Approve
7	FPA 0730	17 Collin Road, Kendal Replacement rear extension and front porch extension	13.09.2017	Approve
8	FPA 0742	Underhill, Burton Road, Oxenholme, Kendal Marketing sign	13.09.2017	Approve
9	FPA 0671	25 Stricklandgate, Kendal Rear fire escape and access to second floor flat	14.09.2017	Approve
10	FPA	Unit 1, Mintsfeet Road, Kendal	14.09.2017	Approve

	0720	Change of use to allow additional retail use (Use class A1)		
11	FPA 0721	Unit 1, Mintsfeet Road, Kendal Installation of 2 panel signs to the gable wall	14.09.2017	Approve
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	See below
13	FPA 0754	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	See below
14	FPA 0751	20 Caroline Street, Kendal Replacement UPVC casement windows (resubmission)	14.09.2017	Refuse Inappropriate materials in a conservation area

FPA SL/2016/1090 - Land adjacent to north side of Natland Mill Beck Lane, Kendal

Refuse:

Committee considered that comments made previously in December 2016 still apply:

- The proposed altered access arrangements in this application would cause damage to historic assets and would result in even more loss of amenity land and would cause greater damage to the landscape than the earlier proposal.
- Although there was additional information on the impact on historic assets the Committee did not agree that the damage would not be significant, potentially to the structures, but also to their setting.
- The land is not allocated for housing in the Local Plan and the applicant has not provided sufficient evidence that there is not an adequate supply of readily available housing to meet the requirements of the next five years.
- It was not considered that there was sufficient information in the application to address potential on-site and off-site flooding issues exacerbated by the proposed development.
- Potential damage to ecological assets such as the white-clawed crayfish during construction and if flooding is increased on the site.

Also:

- Disappointed that have re-submitted without the detail provided to show the required 35% of affordable housing can be achieved.

FPA SL/2017/0754 - Land at Natland Mill Beck Lane, Kendal

Refuse:

- Not enough information submitted
- The Committee welcome an amenity of this nature but feel this is not the right place to build one
- Concerned the benefits to the local community will be reduced if used solely by groups
- Concerned about the amount of extra traffic

KENDAL TOWN COUNCIL

Applications for Planning Committee: 18th September 2017

Appendix 1

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0759	Bleak House, 25 Serpentine Road, Kendal Alteration to window on ground floor west elevation to create doorway, widening of existing French doors to the east elevation and creation of new window opening to ground floor north elevation	19.09.2017	
2	FPA 0764	Asda Stores Ltd, Burton Road, Kendal Installation of secondary roof escape stair and ladder	20.09.2017	
3	FPA 0766	Asda Stores Ltd, Burton Road, Kendal Erection of new coldrooms to the rear of the existing home shopping building	21.09.2017	
4	FPA 0676	54 Oxenholme Road, Kendal Single storey side and rear extension	21.09.2017	
5	FPA 0763	22 Hawthorn Gardens, Kendal Demolition of garage, construction of a two storey side extension and a single storey rear extension	21.09.2017	
6	FPA 0780	106 Hayclose Road, Kendal Two storey front extension	21.09.2017	
7	Advertis ement 0773	Kendal Town Hall, Kendal Advertisement banner affixed to scaffolding	22.09.2017	
8	FPA 0777	17 Underley Road, Kendal Rear garage and workshop	22.09.2017	
9	FPA 0785	27 Scarfell Drive, Kendal First floor side extension over existing garage and single storey front extension	27.09.2017	
10	FPA 0499	50 Stramongate, Kendal Installation of six traditional sliding sash timber windows with painted finish to match existing	27.09.2017	
11	FPA 0757	3 Parkside Meadow, Kendal Installation of new upper floor window opening in side elevation	27.09.2017	