

## Notice of Meeting

**PLANNING COMMITTEE**

**Monday, 3<sup>rd</sup> December 2018 at 6.00 p.m.**  
**in the SLDC Chairman's Room, the Town Hall, Kendal**

**Committee Membership (8 Members)**

Douglas Rathbone  
 (Chair)  
 Michele Miles  
 Susanne Long

Alvin Finch  
 (Vice Chair & Deputy Mayor)  
 Jonathan Cornthwaite  
 Graham Vincent

Dave Miles  
 Pat Gibson

**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 <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.

**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 19<sup>th</sup> November 2018 (see attached)****5. MATTERS ARISING FROM PREVIOUS MINUTES, NOT ON AGENDA****6. LETTER RECEIVED FROM KENDAL CIVIC SOCIETY ABOUT POTENTIAL REDEVELOPMENT OF KENDAL UNITED REFORM CHURCH (see attached)****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.***

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

## Planning Committee

**Monday 19<sup>th</sup> December 2018 at 6.30 p.m.**  
**in the SLDC Chairman's Room, the Town Hall, Kendal**

- PRESENT** Councillors Douglas Rathbone (Chair), Alvin Finch (Vice Chair & Deputy Mayor), Dave Miles, Michele Miles, Jonathan Cornthwaite, Pat Gibson, and Graham Vincent. Councillor Rowley was also present.
- APOLOGIES** Councillor Long
- OFFICERS** Amy Robinson (Interim Council Secretary)
- 565/18/19 PUBLIC PARTICIPATION**
- None
- 566/18/19 DECLARATIONS OF INTEREST**
- None
- 567/18/19 MINUTES OF MEETING HELD ON 5<sup>TH</sup> NOVEMBER 2018**
- Members considered the minutes of the Committee meeting held on 5<sup>th</sup> November 2018.
- Councillor Gibson proposed that the minutes be accepted as a correct record. This was seconded by Councillor Vincent and carried unanimously.
- RESOLVED** That the minutes of the meeting held on 5<sup>th</sup> November be accepted as a correct record, and signed by the Chair.
- MATTERS ARISING**
- 568/18/19 Discussion with SLDC Planning Department**
- The Chair reported that he had had a discussion with SLDC Planning Department relating to the Planning Committee's role in making recommendations on planning applications. The Chair described this as a positive meeting with the offer of future training being provided by SLDC to members. The Chair encouraged the Committee to contribute suggestions for any training that they would find helpful.
- The Chair had asked SLDC for guidance on what can and cannot be considered as a material consideration when looking at a planning application. A list of key considerations has been provided by SLDC of which the Chair distributed a number of copies to the committee. It was agreed that a copy will be sent to all members and the Town Clerk will be asked to provide laminated copies for use during Planning Meetings.
- RESOLVED** That the Town Clerk will laminate a copy of SLDC's planning considerations list and make these available to Planning Committee meetings. A copy will also be attached to the minutes.
- 569/18/19 DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT (DM DPD) – CONSULTATION ON MAIN MODIFICATIONS (REF 525/18/19)**

The Chair commented that these appeared to be positive amendments which tightened up protections. Councillor Rowley asked, as a non-committee Councillor, given the size of the document and time needed to digest this, whether further feedback could be offered at the 3<sup>rd</sup> December Committee meeting. Members expressed concern about capacity at the next Committee meeting, the fact that this item had already been held back for one meeting for precisely that purpose and that committees did not take such externally called witnesses. It was noted to Councillor Rowley that he and his own consultees could present an independent response to the consultation.

It was agreed that the Chair will write to SLDC noting the Committees general approval of modifications.

**RESOLVED**

**The Chair will submit comment as above.**

**570/18/19**

**PLANNING INSPECTORS DECISION SL/2017/1086 – 3 HIGH PARK HOUSE, CONVERSION OF GARAGE TO DWELLING**

Committee noted the Planning Inspectors decision.

**571/18/19**

**ANY OTHER BUSINESS**

None

**572/18/19**

**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 7.20pm

Signed .....

Dated .....

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA <a href="#">0868</a>	<b>73 Bellingham Road, Kendal</b> Demolition of detached garage and erection of single storey front and side extension	21.11.2018	<b>No objections</b>
2	FPA <a href="#">0880</a>	<b>Unit 6 South Lakeland Retail Park, Queen Katherines Avenue, Kendal</b> Window vinyls and illuminated fascia sign	22.11.2018	<b>No objections</b>
3	FPA <a href="#">0882</a>	<b>22 Highgate, Kendal</b> Illuminated aluminium fascia sign	22.11.2018	<b>No objections</b>
4	FPA <a href="#">0886</a>	<b>42 Wattsfield Road, Kendal</b> Erection of detached timber summer house	01.12.2018	<b>Objections</b> *See notes below
5	FPA <a href="#">0806</a>	<b>Land at High Sparrowmire, Kendal</b> Hybrid application for the erection of 24 affordable (Paper copy will be brought to meeting)	20.11.18 Extended from 08.11.18	<b>Objections</b> *See notes below

\*Committee considered the proposals and commented as follows:

#### **42 Wattsfield Road, Kendal (SL/2018/0886)**

The Committee considered the scale and dominance of the proposal to be over-intense and out of keeping with the area. The Committee questioned the intended use of the 'summer house' and expressed severe concerns that the intention may be for use as a commercial enterprise or for additional domestic dwelling; suggested by its size, layout and proposed materials (including double glazing). The Committee strongly urge SLDC to refuse permission on the basis of appearance and design of development. If permission granted, the Committee would request confirmation of controls and enforcement of its end use.

#### **Land at High Sparrowmire, Kendal (SL/2018/0886)**

Members noted that this was the second time this proposal had been discussed at Planning Committee and include comments relating to objections and for reference, previous comments made during Planning Committee 05/11/18.

Councillors noted that while United Utilities had made changes to drainage plans members did not feel these addressed key issues and expressed strong concern that with the existing Hallgarth system at capacity, the addition of foul water drainage into existing drains, risks causing a log jam of water with problems higher up the estate. Members note concern that existing flooding issues on Hallgarth have not been addressed by United Utilities and that these should be resolved before additional capacity be expected of the drainage system. The Committee would welcome a representative of United Utilities to discuss these concerns or at least these to be specifically addressed.

Due to concerns relating to the robustness of drainage plans, the Committee request confirmation from the lead flood authority as to the viability of United Utilities figures.

**Planning Committee 5<sup>th</sup> November 2018 (526/18/19)**

*Councillor Rowley advised Members that he had spoken with the Planning Officer and residents with regards to the proposed development of 24 houses on land to the north of High Sparrowmire. The development is just outside the Kendal boundary although it is understood that Parishes are able to comment on developments that border their boundary. Concerns have been raised as to the potential of flooding in the area. On further investigation Cllr Rowley understood that the core strategy had decided that no more houses should be built in that area until the drainage was sorted.*

*Councillor Rathbone agreed the area was sodden ground and is at the end of the estate in a tranquil area. There would also be access concerns and problems from the increase of traffic. Difficult access to the area and will increase the amount of traffic. He further added that the Committee would have no objections to affordable housing but would object to the proposal as it stands at the moment, due to current and potential future risk of flooding. They would also like to highlight the access concerns and would ask that SLDC Planning look at the provision of increased access to the development as and when plans are submitted. Finally the Committee would like to be kept undated.*

**Summary of Information, Resolutions and Recommendations to Council**

<b>Min</b>	<b>Subject</b>	<b>Information/Resolution/Recommendation to Council</b>	
568/18/19	Discussion with SLDC Planning Department	RES	That the Town Clerk will laminate a copy of SLDC's planning considerations list and make these available to Planning Committee meetings. A copy will also be attached to the minutes.
569/18/19	Development management policies development plan document (DM DPD). Consultation on main modifications (REF 525/18/19)	RES	The Chair will write to SLDC noting the Committees general approval of modifications.

## What are material planning considerations?

A material consideration is a matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.

### **Material considerations can include (but are not limited to):**

- Overlooking/loss of privacy
- Loss of daylight/sunlight or overshadowing
- Scale and dominance
- Layout and density of buildings
- Appearance and design of development and materials proposed
- Disabled persons' access
- Highway safety
- Traffic and parking issues
- Drainage and flood risk
- Noise, dust, fumes etc
- Impact on character or appearance of area
- Effect on listed buildings and conservation areas
- Effect on trees and wildlife/nature conservation
- Impact on the community and other services
- Economic impact and sustainability
- Government policy
- Proposals in the Local Development Plan
- Previous planning decisions (including appeal decisions)

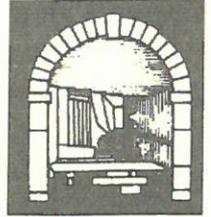
### **Issues which cannot be taken into account:**

- Who the applicant is/the applicant's background
- Loss of views
- Loss of property value
- Loss of trade or increased competition
- Strength or volume of local opposition
- Construction noise/disturbance during development
- Fears of damage to property
- Maintenance of property
- Boundary disputes, covenants or other property rights
- Rights of way
- Personal circumstances are generally not a material planning consideration

Hon Sec. Mrs P. Hovey MBE  
 Cherry Tree Cottage  
 30 Helme Lodge  
 Natland  
 Kendal  
 Cumbria, LA9 7QA

21 November

# KENDAL CIVIC SOCIETY



Registered Charity Number 238470

Kendal Town Council  
 Planning Committee  
 Town Hall  
 Kendal  
 Cumbria LA9 4DQ

16<sup>th</sup> November 2018

Dear Sir,

Kendal Civic Society <sup>has</sup> have serious concerns about potential redevelopment proposals in the pipeline for the United Reform Church in Kendal (106A Highgate Kendal Cumbria LA9 4HE) which is listed (Grade: II), List Entry Number 1404303. This Victorian Church was only listed in April 2012.

We have become aware, as a consequence of a planning application for listed building consent to South Lakeland District Council that the main part of the church may be sold as a development opportunity. The application number is SL/2018/0723 and is for the 'Removal of seven war memorial mentioned in the listing on the western wall of Kendal United Reformed Church, **prior to the sale of the church**, to enable their storage in the Cumbria County Archive'. While this application has been withdrawn it has raised our awareness and we hope to involve as many parties as possible with an interest in commenting on the way this site develops.

While we do not yet know the details of any redevelopment proposed we would be particularly concerned, and are likely to strongly object, if they compromised the architectural interest of the exterior or particularly the high quality intact interior mentioned in the listing, either by altering it or removing it from view in any significant way.

We are aware that it is increasingly difficult to find alternative uses for buildings of this type if they are considered to be redundant but hope that its future use will be sympathetic to the listing. Part of the reason Kendal is a vibrant and attractive town is the quality of its built heritage and unsympathetic redevelopment or conversion will not enhance these qualities.

Yours sincerely

*Patricia Hovey*

Patricia Hovey

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1.	FPA <a href="#">0846</a>	<b>The Orchard adjacent to Larch How, Brigsteer Road, Kendal</b> Erection of single dwelling	04.12.18	
2.	FPA <a href="#">0885</a>	<b>16 Carter Road, Kents Bank, Grange over Sands</b> Raising roof height to provide first floor accommodation, installation of dormers to side and rear, single story rear extension with raised patio and glazed balustrade	07.12.18	
3.	FPA <a href="#">0904</a>	<b>71 Highgate, Kendal</b> Conversion and alterations to upper floors to create residential accommodation	07.12.18	
4.	FPA <a href="#">0920</a>	<b>Cherry Tree, Kentrigg, Kendal</b> Two storey extension to create ground floor utility room and second conservatory with additional bedroom over new utility room and alterations to create new canopy over external doors.	07.12.18	
5.	FPA <a href="#">0923</a>	<b>194 Burneside Road, Kendal</b> Formation of new vehicular access and car parking area	07.12.18	
6.	FPA <a href="#">0912</a>	<b>16 Woolpack Yard, Stricklandgate, Kendal</b> Erection of entrance foyer (Revised scheme SL/2018/0351)	07.12.18	
7.	FPA <a href="#">0914</a>	<b>70 Rinkfield, Kendal</b> Siting of detached garden cabin	10.12.18	
8.	FPA <a href="#">0926</a>	<b>27 Kendal Green, Kendal</b> Two storey side extension, single storey lean-to rear extension and new porch.	10.12.18	
9.	FPA <a href="#">0896</a>	<b>Detached training building at Furman House, Shap Road, Kendal</b> Demolition of existing building and erection of new building utilising limestone from demolished structure, installation of 5 security lighting columns and repairs/replacement hardstanding area	11.12.18	
10.	FPA <a href="#">0933</a>	<b>38 Kirkbie Green, Kendal</b> Extension to existing detached garage to form single storey extension and	14.12.18	

		installation of decking		
11.	FPA <a href="#">0941</a>	<b>29 Garburn Road, Kendal</b> Single storey front and rear extensions and installation of dormer to the rear	17.12.18	