

# KENDAL TOWN COUNCIL

Notice of Meeting

## PLANNING COMMITTEE

**Monday, 18<sup>th</sup> February 2019 at 6.00 p.m.**  
**in the SLDC Chairman's Room, 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. 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 4TH FEBRUARY 2019 (see attached)**

**5. MATTERS ARISING FROM PREVIOUS MINUTES, NOT ON AGENDA**

**6. APPEAL UNDER SECTION 78 AGAINST REFUSAL OF ADVERTISEMENT CONSENT – FORMER KENDAL RUFC (NOW SAINSBURYS), SHAP RD, KENDAL REF SL/2018/0511 (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.**

# KENDAL TOWN COUNCIL

## Planning Committee

**Monday 4<sup>th</sup> February 2019 at 6.30 p.m.**  
**in the Georgian Room the Town Hall, Kendal**

- PRESENT** Councillors Douglas Rathbone (Chair), Alvin Finch (Vice Chair & Deputy Mayor), Dave Miles, Michele Miles, Jonathan Cornthwaite, and Graham Vincent
- APOLOGIES** Councillors Long and Gibson
- OFFICERS** Rose Tideswell (Temporary Council Secretary)
- 845/18/19 PUBLIC PARTICIPATION**
- Graham Harrison to make representations on the latest Environmental Agency papers with regard to the proposed wall along Aynam Road.
- 846/18/19 DECLARATIONS OF INTEREST**
- All members of the committee declared an interest in planning application No. 3 as the application was from KTC.
- Councillor Cornthwaite declared an interest in planning application No. 1 as he is the ward councillor.
- Councillor Rathbone declared an interest in planning application No. 5 as he is an elder of the URC Church group, he took no part in the discussions.
- 847/18/19 MINUTES OF MEETING HELD ON 21<sup>st</sup> JANUARY 2019**
- Members considered the minutes of the Committee meeting held on 21<sup>st</sup> January 2019.
- Councillor Cornthwaite proposed that the minutes be accepted as a correct record. This was seconded by Councillor Michele Miles and carried unanimously.
- RESOLVED** That the minutes of the meeting held on 21<sup>st</sup> January 2019 be accepted as a correct record, and signed by the Chair.
- 848/18/19 MATTERS ARISING**
- None
- 849/18/19 ANY OTHER BUSINESS**
- None

07.01.2019

**850/18/19**

**REPRESENTATION FROM MR. HARRISON**

Mr. Harrison made representation to the committee with regard the Environmental Agency, Kendal flood relief, latest submissions on the proposed wall along Aynam Road. The construction of a 4ft to 5ft high wall along Aynam Road, which will obscure the view of the Parish Hall and Church along the river for residents and householders alike. He proposed that some parts of the wall be constructed in glass. He provided the committee with a paper photo of such a design. Councillor Rathbone thanked Mr Harrison for his comments and, after discussion, proposed that a way forward would be for the KTC to specifically raise this at the upcoming Councillors' update briefing with the Environment Agency and for a written submission to go to SLDC. The wording of this was agreed. See below for submission.

**851/18/19**

**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 7:25 pm

Signed .....

Dated .....

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	Advertisement <a href="#">0957</a>	<b>Unit 2, 2 Mintsfeet Road South, Kendal</b> Fascia sign	05.02.2019	<b>No Objections</b>
2	Advertisement <a href="#">0029</a>	<b>15-17 Stricklandgate, Kendal</b> Replacement non-illuminated fascia and hanging signs	07.02.2019	<b>No Objections</b>
3	FPA <a href="#">0020</a>	<b>South Lakeland House, Lowther Street, Kendal</b> Installation of a green wall system to the Lowther Street elevation of the Council offices	07.02.2019	<b>Some Objections</b>  <b>See below</b>
4	FPA <a href="#">0023</a>	<b>21 Stricklandgate, Kendal</b> Replacement of existing shop façade to incorporate a new double automated door	07.02.2019	<b>Objections</b>  <b>See below</b>
5	FPA <a href="#">1010 &amp; 1011</a>	<b>104 Highgate, Kendal</b> Conversion of Church (Use class D1) to form either 22 serviced apartments (sui generis) or 22 flats (C3), including the demolition of a single storey lean-to-extension on the western side of the building and its replacement with a single-storey extension, alongside internal and external alterations	04.02.2019	<b>Objections</b>  <b>See below</b>
6	FPA <a href="#">0806</a>	<b>Land at High Sparrowmire, Kendal</b> Hybrid application for the erection of 24 affordable dwellings (Full Planning Application) and 2 dwellings (Outline)	05.02.2019	<b>Objections</b>  <b>See below</b>

**Item 3 Comments****South Lakeland House, Lowther Street, Kendal. Installation of a green wall.**

The Committee has concerns regarding Health & Safety from the watering aspect, and therefore ice, and that an overall Health & Safety report has not been undertaken. With regard to council and public safety, a Health & Safety report would seek to address the Committee's realistic concerns. This item was also constrained by a conflict of interest by all members of the Committee as the application was from Kendal Town Council.

**Item 4 Comments****21 Stricklandgate, Kendal. Replacement of existing shop façade.**

The Committee has concerns that the design and access statement does not enhance the buildings appearance. This has a detrimental effect on the character of the area and the overall commercial street view.

**Item 5 Comments****104 Highgate, Kendal. Conversion of Church.**

The Committee has already objected to this application with regard to parking issues and the lack of affordable housing for local residents. As there is no change to these issues the Committee's concerns are still there and when we have answers to these they will look again at the plans.

**Item 6 Comments****Land at High Sparrowmire, Kendal. Application to erect 24 affordable dwellings.**

The Committee understand, in good faith, that notice has been served for the relevant small parcel of land and have no objections to this, assuming that there are no hidden changes to the plan. However, the Committee wishes to take this opportunity to reiterate the original reasons for making strong objections to the original application. In addition, the Committee will expect to be made aware of any future applications for changes or enlargements of this development in due course.

**Written submission for SLDC.**

Having had receipt of the latest information posted in the SLDC website with regard to the flood relief plan for Kendal Plan SL/2018/0925 we strongly raise objections to the proposed implementation of a solid wall which would in parts be to up to 5ft, according to different gradients, along the river next to Aynam Road. This strength of feeling extends throughout the committee as a whole and we propose that the EA seriously looks at the possibility of amending their proposal to construct the wall of stone and glass. To this end a photo example of such a dual stone fascia and glass wall is attached. The committee wish to raise this point here for SLDC consideration and to have it addressed at a future EA update.

The Occupier

**South Lakeland District Council**

South Lakeland House  
Lowther Street  
Kendal  
Cumbria LA9 4DL

Tel: 01539 733333

[www.southlakeland.gov.uk](http://www.southlakeland.gov.uk)

Our Ref: SL/2018/0511

Your Ref:

Date: 7 February 2019

Dear Sir / Madam

**TOWN & COUNTRY PLANNING ACT 1990 – APPEAL UNDER SECTION 78 - AGAINST REFUSAL OF ADVERTISEMENT CONSENT - (Written Representations Procedure) (England) Regulations 2009, as amended by the (Written Representations Procedure and Advertisements) (England) Regulations 2013.**

**SITE AT: Former Kendal RUFC (now Sainsburys), Shap Road, Kendal**

**PROPOSED DEVELOPMENT: Installation of 1 illuminated totem sign, 2 non-illuminated totem signs, 2 illuminated fascia signs, 2 welcome wall signs, 1 ATM wall sign, 1 ATM projecting sign, 3 window vinyl signs, 2 door signs and multiple post and building mounted information signs**

**APPELLANT: Sainsbury's Supermarkets Limited**

**SLDC APPLICATION REF: SL/2018/0511**

**PLANNING INSPECTORATE REF: APP/M0933/Z/18/3212323**

**APPEAL START DATE: 6 February 2019**

I refer to the above details. An appeal has been made to the Secretary of State (Planning Inspectorate) against the decision of South Lakeland District Council to refuse to grant planning permission.

This appeal will proceed under the Commercial Appeals Service. **Therefore, there is no further opportunity for you to submit any comments.** We will, however, forward copies of all representations made to us in relation to the planning application to the Planning Inspectorate and to the appellant. The Inspector appointed by the Secretary of State will consider these representations when determining the appeal.

You may withdraw any representations you have already made so that they are not taken into consideration by the Inspector. You must do so before **6 March 2019**; it can be done online at: <https://acp.planninginspectorate.gov.uk>.

If you do not have access to the internet you can withdraw your representations by writing to:-

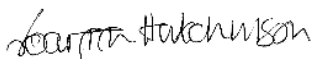
Roxanne Gold - Case Officer  
The Planning Inspectorate  
Room 3D, Eagle Wing  
Temple Quay House  
2 The Square  
Bristol BS1 6PN

- The appeal documentation will be available to view on the Council's website: <http://applications.southlakeland.gov.uk/PlanningApplications/welcome.asp>; alternatively, in person, on the computer in reception at South Lakeland House, Lowther Street, Kendal (9.00 am – 5.00 pm).
- When made, the decision will be published online at: <https://acp.planninginspectorate.gov.uk> It will also be available on the Council's website: <http://applications.southlakeland.gov.uk/PlanningApplications/welcome.asp>.

**NB** The Planning Inspectorate will publish appeal documentation, including copies of representations received, on the Planning Portal website. Information provided in your representation, will be published. This may include your name and address, but personal telephone numbers and email addresses and signatures of individuals will be removed.

If you object to publication in this way, please contact the Planning Inspectorate directly on 0303 444 5000, or by writing to the Planning Inspectorate at the above address.

Yours faithfully



Jo Hutchinson

**Senior Development Management Technician**

Email: [development.management@southlakeland.gov.uk](mailto:development.management@southlakeland.gov.uk)

Direct line: 01539 793330

## KENDAL TOWN COUNCIL

Applications for Planning Committee: 18<sup>th</sup> February 2019

Appendix 1

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA <a href="#">0925</a>	<b>Land adjacent to Rivers Mint and Kent extending from adjacent to Lakeland Distribution Centre to Helsington Mills, Kendal</b> Kendal Flood Risk Management Scheme - Phase 1 Kendal Linear Defences, comprising works along the rivers Kent & Mint through Kendal including new & raised flood walls, new & raised flood embankments, ground raising, pumping station & associated changes to the public realm & landscaping	03.02.2019	
2	FPA <a href="#">0060</a>	<b>Balmstead, 18 Undercliff Road, Kendal</b> Installation of UPVC windows (retrospective)	25.02.2019	
3	ADVERTI SEMENT <a href="#">0035</a>	<b>24A Finkle Street, Kendal</b> Retractable advertising canopy	25.02.2019	
4	FPA <a href="#">0840</a>	<b>BT Telephone Exchange Kendal, Blackhall Road, Kendal</b> Remove glazing from two windows on third floor, west facing elevation and install acoustic louvre	25.02.2019	
5	FPA <a href="#">0066</a>	<b>Unit 2, Chancel Place, Shap Road Industrial Estate, Kendal</b> Change of use from use class B2 (General Industrial) to use class D2 (Assembly & Leisure)	25.02.2019	
6	FPA <a href="#">0068</a>	<b>4 Castle Park, Kendal</b> Installation of front and rear roof lights and single storey rear extension	26.02.2019	
7	FPA <a href="#">0074</a>	<b>Moss Lea, Romney Road, Kendal</b> Single storey rear extension	26.02.2019	
8	FPA <a href="#">0071</a>	<b>166 Windermere Road, Kendal</b> Change of roofing materials and installation of replacement windows	26.02.2019	
9	FPA <a href="#">0077</a> & FPA <a href="#">0078</a>	<b>25 Stramongate, Kendal</b> Refurbishment and change of use of upper floors to create self-contained flat	28.02.2019	
10	FPA <a href="#">0067</a>	<b>Kendal Church Parish Hall, Kirkland, Kendal</b> Creation of 6/7 car parking spaces	28.02.2019	
11	FPA <a href="#">0085</a>	<b>174 Valley Drive, Kendal</b> Rear single storey extension	28.02.2019	