

KENDAL TOWN COUNCIL

Notice of Meeting

PLANNING COMMITTEE

Monday, 18th March 2019 at 6.30 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 MARCH 2019 (see attached)

5. MATTERS ARISING FROM PREVIOUS MINUTES, NOT ON AGENDA

6. LETTER OF CONSULTATION FROM CCC RE 1 STRAWBERRY FIELDS, KENDAL (PLANNING APPLICATION REF 5/19/9002) (see attached)

7. DISCUSSION ON THE CREATION OF A KENDAL TOWN COUNCIL FLOOD RELIEF WORKING GROUP WITH THE AIM OF CREATING SUCH A GROUP

8. ANY OTHER BUSINESS

9. PLANNING APPLICATIONS (see attached schedule)

KENDAL TOWN COUNCIL

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 March 2019 at 6.00 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, Susanne Long, Pat Gibson and Graham Vincent
- APOLOGIES** None
- OFFICERS** Rose Tideswell (Temporary Council Secretary)
- 910/18/19 PUBLIC PARTICIPATION**
- Paul Naylor, 39 High Sparrowmire, Kendal.
- Richard Smith, 18 Moorfield Close, Kendal.
- Both to make representations on the FPA 0138 proposal for the Land to the West of High Sparrowmire and Kettlewell Road, Kendal. An off-site surface storage basin.
- 911/18/19 DECLARATIONS OF INTEREST**
- Councillor Graham Vincent declared an interest in agenda item 6 (Land enquiry to the right of No. 42 Rinkfield, Kendal and planning application No. 7 and 10. He took no part in these discussions.
- 912/18/19 MINUTES OF MEETING HELD ON 18th FEBRUARY 2019**
- Members considered the minutes of the Committee meeting held on 18TH February 2019.
- Councillor Cornthwaite proposed that the minutes be accepted as a correct record. This was seconded by Councillor Gibson and carried unanimously.
- RESOLVED** That the minutes of the meeting held on 18th February 2019 be accepted as a correct record, and signed by the Chair.
- 913/18/19 MATTERS ARISING**
- FPA 0020 South Lakeland House, Lowther Street, Kendal. Installation of a green wall.**
- Installation of a green wall system to the Lowther Street elevation of the Council offices
- The Committee had concerns regarding Health & Safety from the watering aspect, and therefore ice, and that an overall Health &

Safety report with regard to council and public safety had not been undertaken,

Helen Moriarty gave the committee feedback with regard to their and CCC comments about watering and Health & Safety.

In the current application, the watering of the green wall would be integrated and regulated by SLDC internally. However, KTC is considering the possibility of collecting water from the roof of the building for the watering of the wall. As the tender has not gone out this added criteria with companies asked, "can you deliver within this criteria using recycled water". 25% of the tendering process is attached to the quality of work = watering system and Health & Safety and ongoing maintenance by a contractor who can show this.

Helen hoped this report reassured the committee that the watering of the green wall could be achieved with recycled water with the contractor maintaining the wall and the Health & Safety issues will be sorted within the 10K tendering process.

Councillor Rathbone asked the committee if the problems they highlighted had been addressed by the presentation. Councillor Cornthwaite sort reassurance that the tender process would reveal the best to go for and asked if Helen had seen a green wall? She has.

Councillor Rathbone stated that the committee was satisfied and Councillor Finch thanked Helen for attending and addressing the Committee's concerns, which they believe will be addressed within the tendering process.

914/18/19

REPRESENTAION FROM MR. P. NAYLOR & MR. R. SMITH

Paul Naylor, 39 High Sparrowmire, Kendal.
Richard Smith, 18 Moorfield Close, Kendal

Both made representations on the FPA 0138 proposal for the Land to the West of High Sparrowmire and Kettlewell Road, Kendal. An off-site surface storage basin.

Paul Naylor gave a very informed short talk on the facts surrounding the alleged storage basin's betterment and concerns with regard to the Health & Safety especially concerning children.

Richard Smith also talked about the Health & Safety aspect and that the Hallgarth drainage system cannot cope now and with the proposed extra 24 dwellings, this off-site surface storage basin is not the answer.

Attached to the minutes page 1 & 2 of their report.

07.01.2019

915/18/19 LAND ENQUIRY TO THE RIGHT OF NO 42 RINKFIELD, KENDAL

The committee considered the application to purchase the land as shown on the attached plan edged red and decided to object because this small parcel of land is part of the local community. It houses the community notice board and makes an attractive entrance to the estate. Its sale would have a detrimental impact on the character and appearance of the area. It would also create an unwanted precedent.

916/18/19 ANY OTHER BUSINESS

None

917/18/19 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 7:28 pm

Signed

Dated

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0082	2 Kentrigg, Kendal Single storey extension	06.03.2019	No Objections As long as not un-neighbourly
2	FPA 0091	4 Town View, Kendal Removal of shrub border and formation of hardstanding for car parking	06.03.2019	Objections See notes below
3	FPA 0083	29-33 Finkle Street, Kendal Refurbishment of shopfront	07.03.2019	No Objections
4	FPA 0108	Spital Farm, Appleby Road, Kendal Installation of stone access tracks and hard standing for 20 touring caravan pitches	07.03.2019	Objections See notes below
5	FPA 0110	29 Lowther Street, Kendal Remove existing cement render to south (rear) elevation and reinstate original lime render, replace rotten beams and re-plaster interior	07.03.2019	No Objections
6	FPA 0109	8 Thorny Hills, Kendal Replacement of internal fixtures, replacement roof light and removal of hazardous materials	07.03.2019	No Objections
7	FPA 0064	Management Suite, Westmorland Shopping Centre, Kendal Formation of 60 bedroom hotel with alterations to three public entrances	07.03.2019	No Objections See notes below
8	Advertisement 0129	WHSmith, 44-46 Stricklandgate, Kendal Installation of 4 non-illuminated fascia signs and 1 non-illuminated hanging sign	11.03.2019	No Objections Though it was noted the consultation period has not yet

				ended
9	FPA 0124	MD Laundry Machines (Kendal) Ltd, Parkside Business Park, Parkside Road, Kendal Change of use of building from use class B1/B8 (business/storage or distribution) to use class D2 (assembly and leisure)	11.03.2019	Objections See notes below
10	FPA 0138	Land to the West of High Sparrowmire and Kettlewell Road, Kendal Off-site surface storage basin to help reduce the extent of flooding experienced during times of extreme rainfall to the front of nos. 102 and 104 Low Garth	12.03.2019	Objections See notes below & attachments provided by Paul Naylor from High Sparrowmire
11	FPA 0135	22 Kirkbie Green, Kendal Conversion of garage into living accommodation	14.03.2019	No Objections
12	FPA 0158	25 Fowl Ing Lane, Kendal Detached garage and workshop	18.03.2019	Objections See notes below

Item 2) FPA 0091 Comments**4 Town View, Kendal. Removal of shrub border and formation of hardstanding for car parking.**

The Committee has strong concerns over the impact on the character and appearance of the area given the historic nature of the houses and the unique location to Maudes Meadow and that this impact would extend to the community as a whole. It therefore strongly objects.

Item 4) FPA 0108 Comments**Spital Farm, Appleby Road, Kendal. Installation of stone access tracks and hard standing for 20 touring caravan pitches.**

The Committee's objection is in line with the Highways objections on traffic and access issues. The applicant has not complied with request for a design and access statement or an access layout plan; this omission is indicative of an overall disregard of the planning process. The committee can not look further until these are provided. We also object on the basis of the possibility of "planning permission creep".

Item 7) FPA 0064 Comments

Management Suite, Westmorland Shopping Centre, Kendal. Formation of 60-bedroom hotel with alterations to three public entrances.

The Committee supports the idea of providing hotel space to increase tourism and footfall to enjoy the current and future amenities of Kendal and note that the space concerned is not currently in use or occupied. The committee was however disappointed that there was no offer to talk through the plans which the committee struggled at times to understand in order for them to reach a decision.

Item 9) FPA 0124 Comments

MD Laundry Machines (Kendal) Ltd, Parkside Business Park, Parkside Road, mire, Kendal. Change of use to building from use class B1/B8 (business/storage or distribution) to use class D2 (assembly and leisure).

The Committee has already objected to this application with regard to parking issues. As there is no change to these issues the Committee's concerns still exist.

Item 10) FPA 0138 Comments

Land to the West of High Sparrowmire and Kettlewell Road, Kendal. Off-site surface storage basin to help reduce the extent of flooding experienced during times of extreme rainfall to the front of nos. 102 and 104 Low Garth

The Committee has already objected to the previous applications made on more than one occasion. This application is not fit for purpose and does not solve flooding or drainage problems. It does not mitigate the flood relief and has a significant impact on the community and other services. It does not ameliorate the existing flood risk and there are serious material considerations that require addressing with the existing drainage of Hallgarth not merely to be further exacerbated by new buildings.

This proposal does not solve the drainage issues regarding the original application (0806) for 24 houses. The drainage, as a whole needs to be addressed rather than this individual attempt to do so. Also with an artificial storage facility comes Health & Safety issues for the community such as water borne diseases and risk of drowning. The Committee does not see that this application solves the drainage problem as a whole and as there is no change to these issues the Committee's concerns are still extant and it strongly objects.

Item 12) FPA 0158 Comments**Detached garage and workshop**

The committee would like the applicant to resubmit plans showing proposal within the curtilage of the land to give an indication as to the impact on the area. The committee assumes that, as it is not included in the application there will be no electric in the garage and workshop and the outbuildings would be for residential use only. However this is only an assumption.

Cumbria County Council

Development Control
County Offices - Busher Walk - Kendal - LA9 4RQ
T: 01539 713 422 - E: developmentcontrol@cumbria.gov.uk

Kendal Town Council
Kendal Town Hall
Kendal
Cumbria
LA9 4DQ

Date: 26 February 2019
References: 5/19/9002

Dear Sir/Madam

Notification of and Consultation on an Application for Planning Permission

County Matter Application for Minerals and/or Waste Development

Application Reference Number:5/19/9002

Proposal: Engineering Operations to infill and level part Fields 8900 and 9108, Land South East of Strawberry Fields

Location: 1 Strawberry Fields, Kendal, LA9 7TA

I have received an application in respect of the above proposal. The proposal may also affect a Public Right of Way. The submitted application documents can be viewed/downloaded via:
<https://planning.cumbria.gov.uk/Planning/Display/5/19/9002>

Please inform me of your recommendation concerning the proposal **by 19 March 2019**. Should you require additional time to reply to this consultation, for instance due to parish meeting cycle, please inform me as soon as possible with your reason(s) for your request for an extension of time and the date by which you will be able to respond.

It would be helpful if you could make your response online via the following link:
<https://planning.cumbria.gov.uk/Planning/Consultee?cuuid=81CF7C3B-68CB-464F-A102-97BFA388513E>

Alternatively you can respond via email to developmentcontrol@cumbria.gov.uk. Your consultation reply will be published online and included in the report on the application. Please ensure when responding, that you only provide information that you are happy will be available to others in this way. If you supply personal information belonging to a third party, please ensure you have their permission to do so.

Yours faithfully

Mr David Hughes
Planning Officer, Development Control
T. 01539 713 422

KENDAL TOWN COUNCIL

Applications for Planning Committee: 18th March 2019

Appendix 1

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0130	43 Serpentine Road, Kendal Replacement windows including opening up of previously blocked up cellar window/grille at pavement level	19.03.2019	
2	FPA 0169	5 Natland Road, Kendal Single storey side garage	19.03.2019	
3	FPA 0102	4 Summer Hill, Kendal Reposition entrance gate and stoops, removal of random stone top on front boundary wall, erection of boundary wall to side and installation of metal railings	18.03.2019	
4	FPA 0151	11 Castle Rise, Kendal Formation of new vehicular access and two new parking bays	20.03.2019	
5	FPA 0166	17 Hayfell Rise, Kendal Installation of first floor window	20.03.2019	
6	FPA 0170	Empsom Hill, Kendal Green, Kendal Removal of existing outdoor swimming pool and erection of dwelling with integral garage	27.03.2019	
7	FPA 0114	21 High Fellside, Kendal Installation of bifold doors to replace existing timber patio doors	27.03.2019	
8	FPA 0176	Garage site east of Castle Drive, off Parkside Road, adjacent to Oxenholme-Windermere Railway Line, Kendal Erection of five affordable dwellings	27.03.2019	