

KENDAL TOWN COUNCIL

Planning Committee

Monday 22nd February 2016 at 6.00 p.m.
in The Georgian Room, the Town Hall, Kendal

PRESENT Councillors Jon Robinson (Chair), Lynne Oldham and Matt Severn

APOLOGIES Councillors Austen Robinson (Vice Chair), Alvin Finch, Keith Hurst-Jones and Kath Teasdale

OFFICERS Nicky King (Council Secretary)

Also present for item 1 on the planning applications schedule were Councillor Giles Archibald and members of the public.

901/15/16 **ORDER OF BUSINESS**

Councillor J Robinson suggested that the order of business of the agenda be amended to bring forward item 1 on the Planning Applications Schedule (land adjacent to Underbarrow Road, Kendal). This would enable members of the public in attendance to leave the meeting following consideration of that application. This was agreed by the Committee

902/15/16 **DECLARATIONS OF INTEREST**

None.

903/15/16 **PUBLIC PARTICIPATION**

The following members of the public were in attendance and wished to address the Committee on the application for land adjacent to Underbarrow Road, Kendal:

- Councillor G Archibald of 35 Greenside
- Mr and Mrs Crowe of 19 Greenside
- Martin Julian of Highlands, Brigsteer Road
- James Carmichael of The Gill

Mr and Mrs Crowe had 2 main concerns regarding the proposed development:

1. Drainage
Concern about the increased risk of flooding due to (1) the site being built over an underground spring (2) steep boundaries (3) surface water.
2. Traffic
At present all traffic heads down Underbarrow Road to the junction with High Tenterfell, Queens Rd etc. This is already a particularly busy junction, without any increase in traffic that would be generated by the proposed development.

Councillor Giles Archibald stated that the Development Brief had not been followed. There was no plan to widen Underbarrow Road, no report on how primary school places would be provided, no sustainable bus route, no self-build and no noise abatement programme. He outlined 3 main concerns:

1. Affordable housing was not distributed throughout the development.
2. There had been no details provided for water run-off and proposed mitigation measures.
3. Proximity to hazardous waste. The contamination report indicated that the land is contaminated.

Martin Julian of Highlands, Brigsteer Road and James Carmichael of The Gill presented the Chair with a document which had been prepared by their lawyer for issue to SLDC. Martin Julian outlined 5 main concerns:

- Loss of amenity
- Drainage
- Ecology
- Transport
- Screening

Members of the Committee then moved on to discuss the application in detail and the following comments were made:

Layout and design

The Committee, although pleased to see the affordable housing element incorporated, would prefer to see it distributed throughout the site as requested by the Development Brief.

Housing types and layout were discussed and particular concern raised of overlooking by the 3 storey affordable houses and their proximity to what was described in the Development Brief as a sensitive boundary. The use of stone on the frontage to Underbarrow Road was particularly welcome but the rendered blank face presented by plot 51 was commented on unfavourably.

Of particular concern was the relative height of the three storey proposed apartments immediately adjacent to the boundary of the site on rising ground. It was noted that there is a considerable difference in ground level between the apartments and 35 Greenside which would be visually incongruous and the relationship is not indicated on plans supplied by the applicant. While it was appreciated that taller terraced houses are characteristic of Greenside as a whole, they are not on the south (lower) part of Greenside.

It was also noted that some of the proposed houses on the southern boundary of the site were close to and above adjacent existing property with potential for a loss of privacy.

Bus service

The application indicated proposals to facilitate a bus service to the site – it was considered that this should be a requirement but there were concerns about how long this would be for and if it would be sustainable.

Green corridor

It was noted that the only element of 'green corridor' runs across the entrance road at the front of the site.

Trees

It was noted that some trees were to be removed, including some with relatively recent Tree Preservation Orders.

Drainage

This was highlighted as a matter of particular concern due to the steep fall of the land south of the site, adjacent properties and the capacity of watercourses south of the site. There was soakaway drainage indicated in some areas of the site but some was indicated as draining to the sewerage system. Discharging water to the combined sewer system was seen as a significant risk following recent weather events generating large amounts of surface water. Holding tanks were proposed but could present potential problems if capacity is not sufficient and would need to be managed/regularly maintained to ensure they were effective. More details would be required about how these would be maintained and who would be responsible. The effect of surface water run-off and groundwater on adjacent lower properties to the west of the site did not seem to be considered in the drainage reports.

Noise

Noise from the waste transfer area, concrete batching plant and other industrial uses was discussed as a potential issue.

Air quality

There was concern that an increase in traffic would affect air quality and that other energy efficiency measures should be required to offset it.

Underbarrow Road/Traffic

There was no indication that Underbarrow Road would be widened as had been previously suggested in the Development Brief. Queens Road, High Tentefell/Bankfield Road, Glebe Road and Gillinggate and Allhallows Lane junctions would all be affected by increased traffic flows.

Schools

There was no provision for additional primary school places.

Landfill/contamination issue

Highlighted as a particular issue of concern.

Councillor J Robinson proposed that the application be refused given the concerns that had been raised and discussed. Councillor Oldham was in agreement. Councillor Severn abstained.

RESOLVED That application 1 on Appendix 1 for development of land adjacent to Underbarrow Road, Kendal be refused.

904/15/16 MINUTES OF MEETING HELD ON 1ST FEBRUARY 2016

Members considered the minutes of the Committee meeting held on 1st February 2016.

RESOLVED That the minutes of the meeting held on 1st February 2016 be accepted as a correct record, and signed by the Chair.

MATTERS ARISING

905/15/16 SLDC Consultation on Development Management Policies – Development Plan Document (Ref Minute 849/15/16)

Councillor J Robinson commented that although comments were recorded in the minutes of the last meeting, he was not sure whether SLDC required feedback separately. He advised that he would clarify this with SLDC and forward the Committee's comments if necessary.

RESOLVED That Councillor J Robinson clarify with SLDC whether they required feedback on the DPD separately and forward this information if necessary.

906/15/16 SLDC INFRASTRUCTURE PLANNING – IDP REVIEW

The Committee had been requested by SLDC to comment on the Infrastructure Delivery Plan (IDP) as part of their annual review by 26th February 2016. A general discussion ensued. Members discussed the spending of CIL monies and agreed that the Northern Development Route should be a priority.

Councillor J Robinson advised that he would be raising the matter for further discussion at the Management Committee meeting later that evening.

907/15/16 ANY OTHER BUSINESS

None.

908/15/16 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 7.30pm

Signed

Dated

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 1189	Land Adjacent to Underbarrow Road, Kendal Construction of 38 dwelling houses and 12 apartments including vehicular access, car parking areas and garages	23.02.2016	Refuse
2	FPA 0031	Unit 21 Beeson Road Trading Estate, Kendal Change of use from office space to retail space and warehouse/storage area	22.02.2016	Approve
3	FPA 1148	22 Collin Croft, Kendal Replacement timber window frames	23.02.2016	Approve
4	FPA 0032	35 Allhallows Lane, Kendal Change of use from beautician business (Class A1) to a taxi booking office (Class A2)	25.02.2016	Approve (1) Provided not unneighbourly (2) Parking of vehicles associated with the business to be prohibited (3) Subject to acceptable noise mitigation measures
5	FPA 0044	67 Low Mead, Kendal Two storey side and single storey rear extensions	25.02.2016	Approve
6	FPA 1192	21 Entry Lane, Kendal Replacement timber window frames and doors	29.02.2016	Approve
7	FPA 0045	9 Ann Street, Kendal Replacement double-glazed UPVC mock sash window frames	29.02.2016	Approve
8	FPA 1104	2A Gilthwaiterigg Lane, Kendal Single storey garage extension	26.02.2016	Approve
9	FPA 0006	32 Collin Road, Kendal Single storey rear/side extension	01.03.2016	Approve Provided not unneighbourly
10	FPA 0033	10 Wray Crescent, Kendal First floor dormer extension, rear conservatory and alterations to front porch	02.03.2016	Approve Provided not unneighbourly
11	FPA 0051	26 Sparrowmire Lane, Kendal Two storey rear and single storey rear extensions	02.03.2016	Approve

12	FPA 0048	7 Queen Street, Kendal Replacement front door and fanlight above	02.03.2016	Approve
13	FPA 1122	Land at Cherry Tree Lane, Sedbergh Road, Kendal Dwelling with new vehicular access and formation of domestic curtilage Note: additional drainage information	03.03.2016	Refuse
14	FPA 0018	27 Spital Park, Kendal Two storey rear extension	04.03.2016	Approve Provided not unneighbourly