

Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED
www.kendaltowncouncil.gov.uk



27 August 2024

To Members of the Planning Committee

Cllr A Campbell	Cllr A Finch
Cllr J Cornthwaite	Cllr H Ladhams (Vice-Chair)
Cllr L Edwards	Cllr R Edwards
Cllr D Miles	Cllr D Rathbone (Chair)
Cllr G Supka	

You are summoned to a meeting of Kendal Town Council Planning Committee on **Monday, 2 September 2024**, at **6.30 p.m.** in the Council Chamber at the Town Hall, Highgate, Kendal.

(Distributed to other Members of the Council for information only.)

Yours faithfully

Chris Bagshaw
Town Clerk

AGENDA

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.

1. Apologies

To receive and accept any apologies. If accepted, apologies will be considered to be for reasons approved by the council under the terms of the Local Government Act 1972, s85.

2. Declarations of Interest

To receive declarations by members and/or co-optees of interests in respect of items on this agenda.

3. Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

To consider whether there are any agenda items during consideration of which the press and public should be excluded.

4. Minutes from the Last Meeting (pages 3 to 6)

To receive the minutes of the meeting held on 19 August 2024 and to authorise the Chair to sign them as a true record (see attached).

5. Minute Action Sheet (pages 7 to 9)

To consider a report on actions taken by officers on resolutions or recommendations made at previous meetings (see attached).

6. Planning Process and Issues

To consider any planning process or related issues arising from the Council's interaction with the Planning Authorities. These may include items for reference, training, or guidance following feedback from previous applications.

7. Kendal Town Council Flood Relief Scheme Working Group

To receive a verbal update on the activities of the Working Group.

8. Kendal Town Council Local Plan Action Group

To receive a verbal update on the activities of the Action Group.

9. Planning Applications (pages 10 to 11)

To consider planning applications received from Westmorland and Furness Council (see attached).

The Committee will consider planning applications received and published by the Local Planning Authority up to the date of the meeting. Where the publication of the application is after the initial publication of the agenda, items will be added up to the day of the meeting where necessary to meet planning consultation timeframes. A full list of applications likely to be considered can be obtained by checking the local planning authority website:

<https://www.southlakeland.gov.uk/planning-and-building/planning/planning-applications/search-for-a-planning-application/>

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Minutes of a meeting of the Planning Committee held on Monday, 19 August 2024, at 6.40 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.

Cllr A Campbell	Apologies	Cllr H Ladhams (Vice-Chair)	Apologies
Cllr J Cornthwaite	Present	Cllr D Miles	Present
Cllr L Edwards	Present	Cllr D Rathbone (Chair)	Apologies
Cllr R Edwards	Present	Cllr G Supka	Present
Cllr A Finch	Apologies		

In attendance: Chris Bagshaw (Town Clerk) and Inge Booth (Democratic Services Assistant).

Also present: Cllr C Russell.

P53/2024 Election of Chair

Resolved: In the absence of the Chair, Cllr Cornthwaite be elected Chair for this meeting.

P54/2024 Apologies

Resolved: To receive and accept apologies for absence from Cllrs Campbell, Finch, Ladhams and Rathbone.

P55/2024 Declarations of Interest

No declarations of interest were raised under this item.

P56/2024 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no excluded items on the agenda.

P57/2024 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 29 July 2024 and to authorise the Chair to sign them as a true record.

P58/2024 Minute Action Sheet

The Committee considered actions taken by officers on resolutions or recommendations made at previous meetings, as follows:

Ref. No.35 regarding the establishment of a Local Plan Action Group - It was reported that no further meetings had been held since 22 July 2024 due to holiday commitments. The Town Clerk advised that he had received a lot of feedback in relation to the request to all Members for contributions. It was suggested that the Committee should be provided with a regular update on the work of the Group, as per the standing item in relation to the Kendal Town Council Flood Relief Scheme Working Group. It was further raised that Cllrs L Edwards and Cornthwaite had requested to be part of the

Local Plan Action Group. Cllr Russell took the opportunity to express appreciation for the support provided by Cllr Ladhams who was working with Natural Kendal on the green agenda in relation to the Local Plan.

Resolved: To include a standing item on work being carried out by Local Plan Action Group on all future agendas for Planning Committee meetings.

Resolved: To note the actions taken by officers on resolutions or recommendations made at previous meetings.

P59/2024 Planning Process and Issues

The Town Clerk had nothing to report, however, in response to a query, reported that online training on the Local Plan had recently been provided for all town and parish council members

Resolved: To note the verbal updates

P60/2024 Kendal Town Council Flood Relief Scheme Working Group

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, presented the minutes of the meeting of the Group held on 25 July 2024.

Resolved: To receive the minutes of the meeting of the Kendal Town Council Flood Relief Scheme Working Group held on 25 July 2024.

Attention was first drawn to the fact that the Flood Relief Scheme Working Group had met in the Council Chamber earlier on 19 August 2024 to receive the presentation of the F3 Document. The outcome had been to instruct the Town Clerk to forward the document to Andrew Martin, Westmorland and Furness Planning Officer, and the Environment Agency.

Cllr Cornthwaite further reported on the professional report which had been commissioned with regard to the Flood Relief Scheme, Reach 3, Gooseholme to Miller Bridge. The report, which had now been produced and finalised, outlined four other possible options to that proposed by the Environment Agency's current planning application, and had been shared with Westmorland and Furness planners and the Environment Agency and would now be forwarded to Planning Committee Members. The Environment Agency was being asked to examine the options contained within the report and to reconsider them as part of their own optioneering process, in line with the request from the lead planner at Westmorland and Furness for the Agency to demonstrate that level of optioneering. The four options contained within the report were valid ones which had not already been considered and which addressed concerns raised by local residents and the Town Council and dealt sensitively with the Conservation Area and common land.

In response to a query, the Committee was advised that the report would be shared with the rest of the Town Council Members in due course. In response to a further query regarding concerns around potential additional costs, it was pointed out that two of the four options would result in significant cost savings, one would cost more and the other was cost-neutral. It was, however, for the Environment Agency to make a decision.

No further meeting of the Group had yet been arranged.

Resolved: To note the verbal update.

P61/2024 New Public Space Protection Order (PSPO) for the Westmorland and Furness Area

Further to Planning Committee Minute No.P49/2024, the Committee consider a response to the consultation on the proposed legal order, with Westmorland and Furness Council which sought to address various areas within the PSPO including dog fouling, regulating alcohol consumption and a range of other anti-social activity; the deadline for comments was 1 September 2024.

At Minute No.P49/2024, it had been suggested that all Members should be advised to consult with residents in their wards for input, pending further discussion at the next meeting of the Planning Committee. Furthermore, it had been suggested that Kendal Town Council should provide links to the consultation via its website and Facebook page.

The Town Clerk reported that there had been no feedback, also pointing out that Members were able to submit individual representations, should they so wish.

Resolved: To note that there are no comments in relation to the consultation on the New Public Space Protection Order for the Westmorland and Furness area.

P62/2024 Town and Country Planning Act 1990 - Appeal Under S78 against Refusal of a Planning Application at Camden & Beacon Buildings, Kendal, LA9 4BH (SL/2023/0383/APP)

The Committee was asked to consider whether to submit comments in relation to an appeal against refusal of replacement of softwood dark brown stained windows & cladding with dark brown uPVC windows & cladding.

Attention was drawn to the fact that the Committee had not commented on the original application.

Resolved: To advise the Planning Inspectorate that the Committee expresses support for the Conservation Officer's statement, however, has no further comments.

P63/2024 Planning Applications

The Committee considered the Planning Applications as detailed in Appendix 1 to these minutes.

Resolved: To submit the recommendations in Appendix 1 to these minutes to the Planning Authority.

The meeting closed at 7.26 p.m.

Kendal Town Council
 Responses from Planning Committee: 19 August 2024
Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	2024/1267/FPA	7 Green Road Kendal LA9 4QR Replacement of three windows on the rear elevation (east) with UPVC sliding sash grained white finish	Strickland	20 August	No Material Objections
2	2024/1341/FPA	1 Hawesmead Cottages Hawesmead Avenue Kendal LA9 5HX Demolition of the existing detached garage, erection of replacement garage with covered link to a new single storey rear sunroom extension on the house	Stonecross	20 August	No Material Objections provided that there is sufficient Biodiversity Net Gain.
3	2024/1345/FPA	Premier Inn Maude Street Kendal LA9 4QD Conversion of an existing hotel restaurant into 7 additional hotel bedrooms and a breakfast room, with alterations made to the building.	Fell	21 August	No Material Objections
4	2024/1331/FPA	23 Greenside Kendal LA9 5DU Proposed new front entrance porch, single storey ensuite side extension, new flat roof configuration over existing accommodation, existing rear conservatory removed and replaced with single storey extension	Highgate	22 August	Recommend Refusal on the grounds of scale and dominance, close proximity to neighbours, damage to the visual amenity of a sensitive area located adjacent to a Conservation Area and a lack of provision for Biodiversity Net Gain. The Committee would prefer to see a pitched roof.

Item No.5

Planning Committee - Minute Action Sheet - as at 27 August 2024

Ref. No.	Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible	Deadline, if any	Date Action Commenced	Comments
7	14/08/2023	P51/2023	Minute Action Sheet	The Town Clerk to be asked to progress action in relation to P95/2022 (Planning Process and Issues) and P164/2022 (Minute Action Sheet) and arrangements for Planning Training for Members.	CB			Follow up made to RTPi
22	19/02/2024	P150/2023	Planning Process and Issues	To produce a draft statement in relation to out of town food outlets, and to circulate to all Members of the Planning Committee, with Members to submit comments for inclusions should they so wish.				To be drafted
30	07/05/2024	P190/2023	Minute Action Sheet	To raise again the issue of the two shopfronts at Finkle Street and Kirkland with the Planning Authority.			23-May-24	Action initiated by W&F 6 June. Awaiting outcome of review. Action also now initiated on Kirkland. Awaiting outcome.
34	01/07/2024	P32/2024	Planning Process and Issues	The Town Clerk to bring to a future meeting of the Committee a paper outlining alternative options to a neighbourhood plan for Kendal.				Committee exploring options with new Local Plan

Ref. No.	Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible	Deadline, if any	Date Action Commenced	Comments
35	15/07/2024	P40/2024	Planning Process and Issues	To establish a Local Plan Action Group to investigate alternative options and policy aims for the Local Plan instead of providing a Neighbourhood, to report back to the Planning Committee prior to Full Council and onward submission of proposals to Westmorland and Furness Council for inclusion within the Local Plan, the membership to comprise Cllrs Dunlop, Ladhams, Long, Rathbone and Supka.			First meeting of group 22 July 2024.	
37	29/07/2024	P49/2024	New Public Space Protection Order (PSPO) for the Westmorland and Furness Area	Members to consult with residents within their wards and links to be included on the Council's website and Facebook page prior to further discussion on the item at the next meeting of the Planning Committee			Actioned 1 August 2024	
38	29/07/2024	P52/2024	Kendal Town Council Flood Relief Scheme Working Group	To accept the Working Group's recommendation that the Council should present a professional report to the Planning Authority on the other options for Reach F3, and that a budget of £3,500 be allocated to the production of the report			Initial action 30 July 2024	

Ref. No.	Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible	Deadline, if any	Date Action Commenced	Comments
39	19/08/2024	P58/2024	Minute Action Sheet	To include a standing item on work being carried out by Local Plan Action Group on all future agendas for Planning Committee meetings.			21/08/2024	
40	19/08/2024	P61/2024	New Public Space Protection Order (PSPO) for the Westmorland and Furness Area	To note that there are no comments in relation to the consultation on the New Public Space Protection Order for the Westmorland and Furness area.			21/08/2024	Nil response submitted
41	19/08/2024	P62/2024	Town and Country Planning Act 1990 - Appeal Under S78 against Refusal of a Planning Application at Camden & Beacon Buildings, Kendal, LA9 4BH (SL/2023/0383/A PP)	To advise the Planning Inspectorate that the Committee expresses support for the Conservation Officer's statement, however, has no further comments.			No further action required	

Kendal Town Council
 Applications for Planning Committee: 2 September 2024
Appendix 1

Item No.9

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	2024/1426/FPA	<p>Cherry Tree Kentrigg Kendal LA9 6EE</p> <p>Alterations to replace existing conservatory and extension to create new extensions</p>	Strickland	5 September	
2	2024/1412/FPA	<p>23 Kendal Green Kendal LA9 5PN</p> <p>Proposed new double gazed timer windows to the front</p>	Strickland	10 September	
3	2024/1436/FPA	<p>Unit 1B (Former car workshops) Queen Katherines Avenue Kendal LA9 6DU</p> <p>Change of Use of car workshops (Use class sui-generis) to a 24 hours, seven days a week gym (Puregym) with associated elevation amendments and site works (Use Class E(d))</p>	Mintsfeet	10 September	
4	2024/1089/ADV	<p>Kendal Dental Surgery 56 Stramongate Kendal LA9 4BD</p> <p>Advertisement Consent for the installation of new signage on front building and replacement projecting sign to existing bracket</p>	Fell	11 September	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
5	2024/1498/LBC	<p>Kendal Dental Surgery 56 Stramongate Kendal LA9 4BD</p> <p>Listed building consent for the installation of new signage on front building and replacement projecting sign to existing bracket.</p>	Fell	11 September	
6	2024/0571/FPA	<p>Land adjacent to River Kent on the west side of the Jennings Yard Footbridge Kendal Cumbria LA9 4EN</p> <p>Minor Planning Application for the installation of two pedestrian gates at the western end of Jennings Yard footbridge in Reach G of the approved Kendal Flood Risk Management Scheme.</p>	Highgate	6 September	