

Kendal Town Council

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



27 March 2023

To Members of the Planning Committee

Cllr A Campbell	Cllr H Ladhams (Vice Chair)
Cllr J Cornthwaite	Cllr D Miles
Cllr L Edwards	Cllr D Rathbone (Chair)
Cllr D Evans	Vacancy

You are summoned to a meeting of Kendal Town Council Planning Committee on **Monday, 3 April 2023**, 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

A handwritten signature in black ink, appearing to be 'CB' with a long horizontal stroke extending to the right.

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

To receive the minutes of the meeting held on 20 March 2023, and to authorise the Chair to sign them as a true record (see attached).

5. Minute Action Sheet

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. South Lakeland Strategic Housing and Economic Needs Assessment Study (Shena)

Further to P158/2022, the Planning Authority did not consent to a submission so late after their preferred deadline. They were willing to accept comments up to 31 March, so the Chair has consulted Members and the Clerk accordingly and the Council has submitted comments. The Chair will give a briefing on this feedback.

9. Planning Applications

To consider planning applications received from South Lakeland District Council and Cumbria County Council (see attached).

The Committee will consider planning applications received and published by local planning authorities 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 websites:

<https://applications.southlakeland.gov.uk/fastweb/welcome.asp>

<https://planning.cumbria.gov.uk/Search/Results>

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Minutes of a meeting of the Planning Committee held on Monday, 20 March 2023, at 6.30 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.

Cllr A Campbell	Present	Cllr H Ladhams (Vice-Chair)	Present
Cllr J Cornthwaite	Present	Cllr D Miles	Present
Cllr L Edwards	Present	Cllr D Rathbone (Chair)	Present
Cllr D Evans	Present	Vacancy	

In Attendance: Chris Bagshaw (Town Clerk)

Also present Mr M Willacy, applicant for SL/2023/0126, South View Cottage.

Prior to the meeting, Mr Willacy gave a brief presentation on the difficulties his development was experiencing on South View Lane. The Chair explained that Committee had considered the application at its previous meeting, to meet the deadline for comments set by the Planning Authority, but would pass on the applicant's concerns to the Planning Officer.

P150/2022 Apologies

There were no apologies for absence, all Members of the Committee being present.

P151/2022 Declarations of Interest

No declarations of interest were raised.

P152/2022 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

P153/2022 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 6 March 2023 and to authorise the Chair to sign them as a true record.

P154/2022 Minute Action Sheet and Planning process

Members considered a report on actions taken by officers on resolutions or recommendations made at previous meetings. It was noted that the start time of the meeting appeared confusing to some, but that the reversion to 6.30pm may allow former members to return to the Committee. The Chair explained that occasional 6pm starts may still be necessary to ensure sufficient time was made available to consider items of complexity. The current vacancy on the committee would be filled at the next meeting of the Full Council.

It was suggested Local Occupancy become a standard criterion on the Committee's checklist for application.

Resolved: To note the report.

Resolved: To add Local Occupancy to the application checklist.

P155/2022 Kendal Town Council Flood Relief Scheme Working Group

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, provided a verbal update on the Scheme. A date was still awaited for the next meeting, but in the meantime a visit to the scheme for Flood Action Groups had been extended to Working Group and Committee members for the following evening at 5.30. It was noted that the Gooseholme Planning application was now completed and the submission to the Secretary of State for Common Land Consent had passed its first hurdle. The Council has been asked whether it wants to make further comments on the consent application in the light of the EA response to the initial application.

Resolved: To note the verbal update and to make no further comment on the Common Land consent application for New Road.

P156/2022 Westmorland and Furness Validation Checklist

Members' comments were sought on the proposed draft validation list from Westmorland and Furness Council (from 1 April 2023, the local Planning Authority). It was noted that there was an expectation that the document was 'live' (ie that it would be subject to amendment as statutory circumstance changed). It was hoped that it would be robustly adhered to, particularly in the context of the quality of submitted drawings, figures and contextual illustrations. It was adversely noted that there appeared to be no mention of 10% biodiversity net gain.

Resolved: To pass these comments on to the Planning Authority.

P158/2022 South Lakeland Strategic Housing and Economic Needs Assessment Study (SHENA)

The Committee was asked to consider any appropriate comments on the South Lakeland Strategic Housing and Economic Needs Assessment Study which provided an updated evidence-base assessment of the need for both housing and employment land to 2040, to inform Local Plan preparation.

The Committee noted that they still had insufficient time to consider this document effectively, but would complete the process at their next meeting.

Resolved: To request acceptance of a late submission of comments by the Planning Authority, and to add this to the agenda for the next meeting.

P159/2022 Planning Applications

The Committee considered the Planning Applications shown 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 19.42 p.m.

Kendal Town Council

Responses from Planning Committee: 20 March 2023

Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2023/0163	Kendal Nutricare Ltd, Lake District Business Park, Mint Bridge Road, Kendal New building on existing car park to house a spray dryer, existing covered walkway to be enclosed to create new access corridor, car park spaces to be reconfigured to suit building position (MAJOR APPLICATION)	Mintsfeet	27 March	<u>No material objections.</u> The council is supportive of this application.
2	SL/2023/0168	200 Burneside Road, Kendal Conversion of existing attic bedrooms with erection of a rear dormer	Strickland	21 March	The committee was concerned about the roofline being in harmony with others in the area, and wondered if provision could be made for nesting birds in the proposal, but otherwise had <u>No material objections.</u>
3	SL/2023/0171	27 Stonecross Road, Kendal Formation of a rear dormer, pitched roof to existing flat roof garage & general external alterations	Stonecross	21 March	The committee would like to see provision for some net biodiversity gain at a sufficient level, but otherwise had <u>No material objections.</u>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
4	SL/2023/0051 & SL/2023/0052	5 Stramongate, Kendal Change of use & conversion hotel letting rooms & accommodation areas into four new one and two bed residential apartments (Use Class C3)	Fell	21 March	The Committee welcomed improvements to an otherwise partially derelict yard. It hoped that some provision could be made to ensure the new housing units are affordable. Subject to the Conservation Officer being satisfied that the development does not compromise the visual amenity of the Conservation Area, and that the accommodation is compliant with current minimum size regulations, the Council had No Material Objections .
5	SL/2023/0165	Carus Green Farm, Burneside Road, Kendal Demolition of existing garage & erection of garage, workshop and gym	Strickland	21 March	The Committee was unsure whether this application was meant in addition to a previous application for a similar purpose and location, or instead of. If the latter, then they had No material objection , but if it was in addition, then they felt there may be an issue of overdevelopment to address.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
6	SL/2023/0161	41 Broad Ing Crescent, Kendal Single storey front extension & 2 storey rear extension	Nether	22 March	The Committee had no objection to the single storey extension at the front, but felt that the development taken as a whole was of an inappropriate scale and dominance. They drew attention to neighbours' comments about privacy, and were sorry that a previous green roof proposal appeared to have been dropped. For a development of this size there seemed little attempt to contribute to net biodiversity. Discussion also highlighted that issues raised in the consideration of previous application plans had not been suitably addressed. <u>Recommend Refusal.</u>
7	SL/2022/0718	Land off Underbarrow Road, Kendal Residential Development for 12 Dwellings with associated access, landscaping and drainage works (Major application)	Highgate	24 March	No further comments on this application at this time.
8	SL/2023/0187	Unit 2, Beezon Road Trading Estate, Kendal Change of use of building from use class B2 (general industrial) to use class B8 (storage and distribution)	Mintsfeet	27 March	<u>No material objection</u> , subject to the traffic impact being assessed and having no negative impact.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
9	SL/2022/0921	<p>Land at Brigsteer Road (Phase 3), Kendal</p> <p>Erection of 24 dwellings with associated vehicular access, roads and footways, hard and soft landscaping, drainage and other associated works MAJOR</p>	Highgate	28 March	<p>The Committee is still minded to <u>recommend refusal</u> for this application. The contribution to net biodiversity is explicitly negative, the drainage plan remains unconvincing, the affordable element is not sufficient, the proximity to existing houses on Stainbank Green gives an inappropriate sense of overdevelopment, there is no allowance for solar generation, first mentioned in the outline application and the travel plan is insufficient, given the development's remote location from the town. The committee's comments have been consistent on these matters since its response to the initial consultation on the overall development and it still does not believe that these plans provide the 'sustained and integrated development' promised in that consultation. It feels that the above points have not been either sufficiently addressed or actively considered.</p>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
10	SL/2023/0174	Land Adjacent to 17 Gillinggate, Kendal Detached dwelling	Highgate	3 April	The Committee considered this application at length, and eventually concluded that the negatives outweighed the positives and so Recommend Refusal . It acknowledged the propriety for developing the vacant plot, but did not think that the proposed dwelling met the design standards which should be expected from a sensitive site in the Conservation Area, adjacent to an important and protected watercourse. The attenuation scheme was unconvincing, there appeared little attempt to contribute to net biodiversity gain. The fenestration was disappointingly unimaginative, with asymmetrical sashes and frames in several places, and a lack of coordination. The scale of the building seemed inappropriate for such a conservative profile, making very little reference to the points of detail elsewhere on the street.
11	SL/2023/0176	74 Greenside, Kendal Erection of front and rear dormers, replacement windows and new rear garage/garden room	Fell	3 April	No material objections assuming the Conservation Officer is satisfied that it does not compromise the visual amenity of the Conservation area.
12	SL/2023/0191	Land at Rear of Kent Lea, Kentrigg, Kendal Variation of condition 1 (Approved plans) attached to approval of reserved matters SL/2017/1048 (Erection of two dwellings)	Strickland	3 April	No material objections , but request that some provision be made for swifts.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
13	SL/2023/0193	1 Red Tarn Road, Kendal Single storey side flat roof extension	Heron Hill	3 April	<u>No material objections</u> but would welcome a contribution to net biodiversity gain through nesting boxes or a green roof.

Planning Committee - Minute Action Sheet - as at 27-03-23							
Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible	Deadline, if any	Date Action Commenced	Comments
05/12/2022	P95/2022	Planning Process and Issues	Production of checklist containing relevant points for discussion during consideration of large housing developments.	CB		26-Jan-23	Revision ongoing
05/12/2022	P95/2022	Planning Process and Issues	Arrange Planning training for Members.	CB	01/04/2023	08/02/2023	Ongoing. Appropriate Training partner being sought.
20/03/2023	P154/2022	Minute Action Sheet and Planning Process	To add Affordable Housing element to standard list of criteria.	CB		21-Mar-23	
20/03/2023	P155/2022	Kendal Town Council Flood Relief Scheme Working Group	To note the verbal update and to make no further comment on the Common Land consent application for New Road.	CB		24-Mar-23	Completed
20/03/2023	P156/2022	W&F Validation Checklist	To pass these comments on to the Planning Authority.	CB		22-Mar-23	Completed

Kendal Town Council

Applications for Planning Committee: 3 April 2023

Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2023/0059	35 Beast Banks, Kendal Repair and raise the height of a section of limestone boundary wall which borders Bowling Fell using local limestone and mortar to match the existing materials	Highgate	4 April	
2	SL/2023/0202	Jewson Ltd, Stockbeck, Kendal Variation of condition 2 (Approved plans) attached to planning permission SL/2022/0226 (Demolition of existing warehouse building and erection of new warehouse building)	Nether	4 April	
3	SL/2023/0205	33 Castle Road, Kendal Demolish single storey rear extension and replace with larger single storey extension	Castle	4 April	
4	SL/2023/0196	8 Belmont, Kendal Installation of 4 solar panels in the front of the roof (east facing) and 6 on the back (west facing)	Fell	12 April	