

Kendal Town Council

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



26 June 2023

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, 3 July 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

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 7)**
To receive the minutes of the meeting held on 19 June 2023, and to authorise the Chair to sign them as a true record (see attached).
- 5. Minute Action Sheet (Pages 8 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. Proposed Residential Development on Land off Brigsteer Road, Kendal (Pages 10 to 11)**
To consider a letter from Story Homes in relation to their intention to submit a full planning application for approximately 108 new homes on the above site in Summer 2023 (see attached).
- 9. Planning Applications (Page 12)**
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>

Item No.4

Kendal Town Council

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Minutes of a meeting of the Planning Committee held on Monday, 19 June 2023, at 6.30 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.

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

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

P17/2023 Apologies

Apologies for absence were received and accepted from Cllrs A Campbell, J Cornthwaite, L Edwards, R Edwards and A Finch.

P18/2023 Declarations of Interest

No declarations of interest were raised.

P19/2023 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

P20/2023 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 5 June 2023 and to authorise the Chair to sign them as a true record.

P21/2023 Minute Action Sheet

The Committee considered a report on actions taken by officers on resolutions or recommendations made at previous meetings.

With reference to P95/2022 (Planning Process and Issues) and P164/2022 (Minute Action Sheet), the Town Clerk informed the Committee that he would now be getting back to RTPi to explore what training could be achieved.

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

P22/2023 Planning Process and Issues

The Town Clerk referred to recent receipt of a letter from Story Homes with regard to an application for the variation of a condition in relation to Planning Application No.SL/2020/0783, Land at Brigsteer Road, Kendal. This application had been considered

by the Town Council Planning Committee on 20 February 2023, when the response had been that, *"The Committee positively noted the comments raised by the residents of No.4 Briarwood. The Committee further noted Natural England's inability to assess this application. **Objection** on the basis of loss of visual amenity and owing to insufficient plans outlined in the application, as well as impact through loss of vegetation and to the removal of planting adversely affecting flood water run off."* Story Homes, in the letter, asked that Kendal Town Council review the content of the letter and consider removing its current objection to the amendments proposed under Planning Application No.SL/2023/0090. The Town Clerk provided the Committee with details in relation to the original application and to the application for a variation of conditions, also displaying the relevant site plans. Lengthy discussion ensued, during which Members expressed the wish to stand by their original comments.

Resolved: To respond to Story homes informing them that the Town Council's Planning Committee stands by its original decision in relation to Planning Application No.SL/2023/0090 and suggesting that the applicant comes back with an improved application, also copying in the relevant Planning Officer at Westmorland and Furness Council.

The Town Clerk further wished to draw the Committee's attention to planning process, explaining that all those applications regarding which the Town Council recommended refusal were now being put before Westmorland and Furness' South Lakeland Area Planning Committee as a matter of course. He made reference to two such planning applications within the Kendal Conservation Area considered recently by the Town Council Planning Committee, both of which had resulted in a recommendation of refusal, and both of which had subsequently been considered by the South Lakeland Area Planning Committee. Both applications had been approved, and the Town Clerk felt that this raised questions around the delivery at the meeting of the Town Council's comments. He felt that consideration needed to be given to the question of how to react moving forward and how to ensure that the Town Council's comments raised were relayed appropriately. The Town Clerk, therefore, suggested that, when making recommendations for refusal of applications within the Kendal Conservation Area, specific reference should be made to the Conservation Area listing for the relevant property. He further suggested that, on occasion, he might attend the relevant meeting in order to present the Town Council's views on a specific planning application, this to be directed by the Committee. Also raised was the need for the Town Council to be aware of what applications were being considered by the South Lakeland Area Planning Committee and to diarise those meetings moving forward. Whilst it was acknowledged that Westmorland and Furness were now informing the Town Council of any such applications being presented to their Planning Committee, the need to ensure that those emails were sent to an appropriate group email address was highlighted in order to make certain that they were dealt with swiftly. Also mentioned was the need for feedback on final decisions by the Planning Authority, and it was suggested that the Chief Planning Officer at Westmorland and Furness be requested, therefore, to seek to provide the Town Council with a list of decisions in relation to applications within the Kendal Area and, in addition, details showing which Town Ward each application fell in when initially advising the Town Council about forthcoming applications.

Resolved: Future recommendations on applications recommended for refusal within the Kendal Conservation Area include specific reference to the Conservation Area listing for the site under consideration.

Resolved: The Town Clerk to attend meetings as directed by the Planning Committee in order to present the Town Council's views on specific planning applications.

Resolved: To write to the Chief Planning Officer at Westmorland and Furness seeking regular provision of a list of decisions in relation to applications within the Kendal Area and, in addition, details showing which Town Ward each application falls in when initially advising the Town Council about forthcoming applications.

Resolved: To note the verbal reports.

P23/2023 Kendal Town Council Flood Relief Scheme Working Group

In the absence of Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, the Town Clerk reported that, the meeting of the Group scheduled to take place on 14 June 2023 having been cancelled, the next meeting would take place on Thursday, 6 July 2023.

Resolved: To note the verbal update.

P24/2023 Planning Applications

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

During consideration of the applications, the Committee asked for details to be provided to Members regarding the shop-front style for the Kendal Conservation Area.

Resolved: The Committee to be provided with details regarding the shop-front style for the Kendal Conservation Area.

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

The meeting closed at 7.15 p.m.

Kendal Town Council

Responses from Planning Committee: 19 June 2023

Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2023/0409	Land North of Laurel Gardens, Kendal Variation of Condition 2 (approved plans) attached to planning permission SL/2019/0602 (Residential development with associated landscaping and infrastructure) (MAJOR APPLICATION)	Strickland	21 June	No Material Objections dependent on the response from United Utilities and provided that the changes do not adversely affect surface catchment site elevations or result in overlooking of neighbouring properties compared with what was previously approved. In addition, the Committee would require the footpath wall referred to within the neighbour response from 206 Burneside Road to be reinstated.
2	SL/2023/0418	35-55 Finkle Street, Kendal Formation of new entrances into the existing building from Finkle Street	Fell	22 June	No Material Objections , however, the Committee would prefer down-lighting on the Spinning Jenny logo in line with Kendal Town Council's Dark Skies Policy and approval being dependent on the design conforming with the shopfront style for the Kendal Conservation Area.
3	SL/2023/0440	Empsom Hill, Kendal Green, Kendal Extension and thermal improvement works to the existing dwelling, including installation of solar panels to the roof a new pedestrian access onto the public footpath	Strickland	28 June	No Material Objections provided that there is not a detrimental impact on the visual amenity of the Conservation Area.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
4	SL/2023/0435	144 Stricklandgate, Kendal Change of use & conversion of ground floor annex/garage to a 2 bedroom flat	Fell	28 June	No Material Objections provided that the the proposal is in accordance with the design and materials stated.
5	SL/2023/0258	2 Summer Hill, Kendal Removal of middle chimney stack which has been causing internal water damage to the property	Highgate	28 June	No Material Objections
6	SL/2023/0420	27 High Fellside, Kendal Replacement single glazed front door with composite triple glazed door	Fell	29 June	No Material Objections

Item No.5

Planning Committee - Minute Action Sheet - as at 26-06-23							
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	Arrange Planning training for Members.	CB	01/04/2023	08/02/2023	Ongoing. Appropriate Training partner being sought
03/04/2023	P164/2022	Minute Action Sheet	Arrangements be made for Planning training for Members to be held after May.	CB			Arrangements being explored with RTPi
03/04/2023	P165/2022	Planning Process and Issues	To make informal enquiries of the Planning Authority on how to initiate proceedings with regard to a review of the Kendal Town Council Conservation Area.	CB	17-Apr	informal approach made. Awaiting response	
02/05/2023	P185/2022	Responding to Planning Applications – Draft Notes for Guidance April 2023	To accept the draft set of notes for guidance in considering planning applications and to include the information raised during discussion and outlined above.	CB			In progress
19/06/2023	P22/2023	Planning Process and Issues	To respond to Story homes informing them that the Town Council's Planning Committee stands by its original decision in relation to Planning Application No.SL/2023/0090 and suggesting that the applicant comes back with an improved application, also copying in the relevant Planning Officer at Westmorland and Furness Council.	CB		Completed	

Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible	Deadline, if any	Date Action Commenced	Comments
19/06/2023	P22/2023	Planning Process and Issues	Future recommendations on applications recommended for refusal within the Kendal Conservation Area include specific reference to the Conservation Area listing for the site under consideration.	CB		To be referenced	
19/06/2023	P22/2023	Planning Process and Issues	The Town Clerk to attend meetings as directed by the Planning Committee in order to present the Town Council's views on specific planning applications.	CB		As required	
19/06/2023	P22/2023	Planning Process and Issues	To write to the Chief Planning Officer at Westmorland and Furness seeking regular provision of a list of decisions in relation to applications within the Kendal Area and, in addition, details showing which Town Ward each application falls in when initially advising the Town Council about forthcoming applications.	CB		Completed	
19/06/2023	P24/2023	Planning Applications	The Committee to be provided with details regarding the shop-front style for the Kendal Conservation Area.	CB		Completed	

Item No.8

Mr Chris Bagshaw
Clerk to Kendal Town Council
Kendal Town Council
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KENDAL
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LA9 4ED

Story House, Lords Way
Kingmoor Business Park
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www.storyhomes.co.uk

19th June 2023

Dear Mr Bagshaw

Proposed residential development on Land off Brigsteer Road, Kendal (Phase 4).

I am writing to inform you that Story Homes intends to submit a Full planning application for approximately 108 new homes on the above Site in Summer 2023.

You will be aware that Story Homes is currently constructing 88 new homes on the first phases of Brigsteer Rise, and a planning application for a further 24 homes in the third phase is currently pending determination.

The application site forms part of the larger area of land allocated for housing development by policies LA1.3 (Housing Allocations) and LA2.7 (Stainbank Green) of the Land Allocations Development Plan Document.

I have enclosed a copy of the Consultation Layout for your information. This shows the application site in the context of the phases referred to above.

Should you wish to make any comments, please email them to consultation@storyhomes.co.uk by Wednesday 5th July.

Once the Full planning application has been submitted to Westmorland and Furness Council and is validated you will then be able to submit your formal comments to the Council as part of the planning application process.

Yours sincerely

Story Homes (Cumbria and Scotland)

STORY HOMES LTD

Registered in England No. 2275441

Registered Office:
Story House, Lords Way
Kingmoor Business Park
Carlisle, Cumbria, CA6 4SL

Phase 1 & 2
Under Construction

Brigsteer Road



Phase 3
Planning
Application
Submitted

Phase 4
Proposed
Planning
Application Site

Potential Vehicular
Access

Cedar Grove

Drainage
Basin

Drainage
Basin

A591

Proposed Development
Brigsteer Rise Phase 4

Kendal Town Council

Applications for Planning Committee: 3 July 2023

Appendix 1**Item No.9**

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2023/0460	22 Gillinggate, Kendal Replacement of 4 single glazed timber sash windows with Upvc double glazed sash windows	Highgate	11 July	