

Kendal Town Council

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



Minutes of a meeting of the Planning Committee held on Monday, 3 October 2022, at 6.30 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.

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

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

P60/2022 Apologies

An apology for absence was received and accepted from Cllr A Finch.

P61/2022 Declarations of Interest

No declarations of interest were raised.

P62/2022 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

P63/2022 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 5 September 2022 and to authorise the Chair to sign them as a true record.

P64/2022 Planning Applications dealt with under Delegated Powers

The meeting of the Committee scheduled to have been held on 19 September 2022 had been cancelled due to the mourning period and funeral of Her Majesty Queen Elizabeth II.

Resolved: Following the cancellation of the meeting of the Committee scheduled to have been held on 19 September 2022, to note the delegated responses made in relation to those planning applications for which comments were due prior to the next meeting (*Appendix 1 to these minutes*).

P65/2022 Planning Process and Issues

The Chair reported that he had discussed with the Clerk earlier in the day the way forward with regard to the Town Council's a position on second homes and holiday lets within

Kendal. He suggested that there was a need for discussion on this now, with a view to making an appropriate proposal to Council at the next meeting which achieved the maximum benefit possible.

The Clerk informed Members that this was not a straightforward issue and that there was no legislation or planning law which allowed for intervention on short term letting. He pointed out the difficulties in establishing statistics in relation to properties affected within Kendal. Colleagues at South Lakeland District Council had not yet come up with a solution, however, he was of the opinion that the easiest method would be through the Airbnb Website. The actual impact of second home and holiday lets within Kendal was, therefore, difficult to quantify, although there was anecdotal evidence of people trying to buy or rent who were unable to. The Town Council was aware of a lot of properties in the centre of Kendal which were short term lets. The Clerk further advised that in order to establish proper statistics and the impact on the housing market, professional research would be required. He, however, drew attention to the fact that there was also pressure on the issue from the Liberal Democrat Office and other towns facing similar problems. He raised the question of whether this was actually a problem or if it was merely perception and warned of the potential for any action to worsen the problem. As regards a proposal to Council, the Clerk believed that this was as much as the Planning Committee could do, with appropriate wording to express that the Town Council supported Tim Farron, MP, in this matter.

A lengthy discussion took place during which Members acknowledged that a problem existed in Kendal and furthermore that the South Lakeland-wide issue also impacted on Kendal. It was suggested that local estate and letting agencies might be approached for feedback and statistics, although the Clerk pointed out that the information may not be received in time. Attention was drawn to recent Scottish legislation with regard to the licensing of short term lets, demonstrating that this issue was already being taken seriously there. Members were keen to progress the matter, to co-ordinate with Tim Farron, MP's, office and to make a formal proposal, based on Cllr A Campbell's original wording, to Council. The need to ensure that the correct wording regarding the fact that an issue existed, that this was believed to be a problem and distorted the local housing market and the need for suitable policy was stressed.

Resolved:

- (1) to note the verbal update;
- (2) the Clerk to approach local estate and letting agencies for feedback and statistics on short term lets within the Kendal area;
- (3) Members to liaise and co-ordinate with Tim Farron, MP and, through the chair, develop a suitable motion for the full council to consider.

P66/2022 Kendal Town Council Flood Relief Scheme Working Group

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, advised the Committee that there had been no further meetings of the Group, however, that the familiarisation trip to Pilkingtons in St. Helen's, where the glass screens for the Flood

Scheme were being made, was due to take place on the following day. There had also recently been a walk through the southern reaches of the scheme led by the Environment Agency.

Resolved: To note the verbal update.

P67/2022 Planning Applications

The Committee considered the Planning Applications shown in Appendix 2 to these minutes.

Resolved: To submit the recommendations in Appendix 2 to these minutes to the Planning Authority.

The meeting closed at 7.13 p.m.

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Applications for Planning Committee: 19 September 2022

Appendix 1

Please note, the following observations were forwarded by the Town Clerk, following the appropriate consultations with the Chair and individual councillors, under the scheme of delegation. This was due to the impact of the period of Public Mourning on council meeting schedules.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2022/0710	27 Kendal Green, Kendal Ancillary Building	Strickland	21 September	The Council would expect the development not to overlook neighbouring properties unduly, utilise appropriate local materials where possible, and to demonstrate net biodiversity gain. Assuming the Conservation Officer was content that it did not prejudice the visual amenity of the Conservation Area, the Council has <u>No material objections.</u>
2	SL/2022/0763	Kendal Nutricare Ltd, 1 Mint Bridge Road, Kendal Erection of new RTF building	Mintsfeet	22 September	The Council has <u>No material objections</u> but assumes that the flood plan is sufficient in the view of the LLFA, and that a consideration of net biodiversity gain is made.
3	SL/2022/0767	77-78 Aynam Road, Kendal Change of use of ground floor retail unit (Use class E) to 2 dwellings (Use class C3) including associated demolition, extension & alterations	Castle	22 September	The Council has <u>No material objections,</u> providing it does not present an overlooking issue. It was difficult to tell from the plans.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
4	SL/2022/0770	Premier Inn Kendal Central, Maude Street, Kendal Replacement of 1 internally illuminated totem sign, 1 internally illuminated fascia sign, 1 externally illuminated fascia sign and 1 internally illuminated roundel sign	Fell	22 September	<u>No material objections</u> providing its level of brightness does not create additional issues
5	SL/2022/0776	58 Sedbergh Road, Kendal Proposed front porch and detached garage	Nether	22 September	<u>No material objections</u>
6	SL/2022/0806	9 Strickland Court, Windermere Road, Kendal Replace the existing windows and door with UPVC White wood grain effect	Strickland	30 September	<u>No material objections</u> , though the Council would like to see a contribution to net biodiversity gain, and assuming the visual amenity of the area is not compromised.
7	SL/2022/0808	Willowfield, Parkside Road, Kendal Single garage (Retrospective)	Castle	30 September	The Council is disappointed to be receiving a retrospective application, as this implies the developer thought they did not need to bother applying. However, it has <u>No material objections</u> .
8	SL/2022/0810	Rear of 10 Murley Moss, Kendal Change of use of public space to garden extension for 10 Murley Moss to be established as a community garden	Oxenholme?	30 September	<u>No material objections</u>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
9	SL/2022/0802	<p>Kendal Rugby Union Football Club, Mint Bridge, Shap Road, Kendal</p> <p>Variation of condition 6 (Use of the clubhouse & grounds) attached to planning permission SL/2021/0101 (Variation of condition 19 (Open Hours) attached to planning permission SL/2015/0016 (Engineering operation and development to re-grade the site to form one full sized floodlit rugby pitch, one full sized floodlit artificial pitch, two training pitches, a clubhouse, parking and landscaping.)</p>	Mintsfeet	7 October	<u>No material objections</u>
10	SL/2022/0803	<p>Kendal Rugby Union Football Club, Mint Bridge, Shap Road, Kendal</p> <p>Variation of condition 1 (Camping season) attached to planning permission SL/2021/0102 (Change of use of land to allow seasonal camping)</p>	Mintsfeet	30 September	<u>No material objections</u> but the Council would not like to see this becoming a permanent development without a full planning application

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Responses from Planning Committee: 3 October 2022

Appendix 2

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2022/0819	72 Greenside, Kendal Repositioning of existing front door to allow for internal lobby	Fell	5 October	No Material Objections provided the following serious questions are suitably addressed: The Heritage Statement states that the overall appearance and character of the front elevation will look unaltered. The Committee feels that it will, as it expects that the door will be moved by a significant amount, and would therefore expect it to compromise the visual amenity of the Conservation Area. In addition it is questioned as to why a new garage/study is shown on the plans but not included within the body of the application.
2	SL/2022/0528	7 Michaelson Road, Kendal Two storey rear extension	Stonecross	7 October	No Material Objections but would expect a significant increase in net biodiversity gain from what proposed.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
3	SL/2022/0822	48 Natland Road, Kendal Two storey side & single storey rear extensions (Resubmission of SL/2022/0202)	Stonecross	7 October	No Material Objections however the Committee does not feel that net biodiversity gain has been improved sufficiently from the last application, if any meaningful amendment at all has actually been made.
4	SL/2022/0837	7 Captain French Lane, Kendal Change of use of vacant residential property (Use class C3) to part of dental practice premises (Use class E)	Highgate	12 October	No Material Objections however the Committee is disappointed in the loss of a residential property from the market.
5	SL/2022/0841	4 Spital View, Kendal, LA9 4NX Construction of rear dormer & replacement of existing front dormer	Fell	12 October	No Material Objections provided that applicant is encouraged to ensure that the materials to be used are in keeping with the Conservation Area.
6	SL/2022/0787	Sunny Cote, Sunnyside, Kendal Erection of a single storey garage/outbuilding	Mintsfeet	13 October	Material Objections on the basis that the plans for garden reinstatement (Proposed floor plan & elevations 108_002 A1) are not specific enough on whether biodiversity gain is net or otherwise. This is not sufficient given that the plans for the removal of the existing garage are not specific enough and should be included in an application and conditions regarding NBG.