

# Kendal Town Council

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



28 November 2023 Version 2

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, 4 December 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 6)

To receive the minutes of the meeting held on 20 November 2023, 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. Westmorland and Furness Council Planning Application for Comment - SL/2023/0692 – 41 Whinfell Drive, Kendal – Single storey rear extension forming self contained annex accommodation - Amended Plan**

To consider an amended plan received by Westmorland and Furness Council in relation to Planning Application No. [SL/2023/0692](#) (the scheme has been reduced in size). The Committee is asked, therefore, to re-consider and remove its original objection to the proposal of 16 October 2023 (*The development was characterised as having the appearance of a shipping container in a garden. The Committee felt it was out of keeping with the surrounding area, of an inappropriate scale and dominance, with inappropriate design and materials. There was also concern that it would be very visible from Garburn Road. The Committee welcomed the proposal to plant silver birches, but otherwise could not support the proposal and therefore recommended refusal.*).

**9. Westmorland and Furness Council Planning Applications for Comment - SL/2023/0527, 0528 & 0596 – Wainwrights Yard, Kendal**

To consider amendments to the application received by Westmorland and Furness Council in relation to Planning Applications Nos. [SL/2023/0527](#), [SL/2023/0528](#) and [SL/2023/0596](#). In discussions with Westmorland and Furness Council's Planning Officer and Conservation Officer, the proposed scheme has been amended (the new plans should be made available for viewing on the Westmorland and Furness Planning Portal later this week). The key amendments have included:

- Reduction in signage within the passageways, particularly removal within the northern listed passageway.
- Reduction in the size of the first floor vertical banner.
- Flush lettering and static lighting band on the ground floor vertical sign.
- Agreement to slate flooring by the conservation officer.

As such, the Town Council's Planning Committee is asked to review these amendments and to seek to remove its original objections to the applications, which can be viewed using this [link](#).

**10. Planning Applications (page 10)**

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/>

# Kendal Town Council

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



## Minutes of a meeting of the Planning Committee held on Monday, 20 November 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 R Edwards	Present	Cllr G Supka	Present
Cllr A Finch	Present		

**In Attendance:** Chris Bagshaw (Town Clerk)

### Public Participation

Messrs F and M Pennington, accompanied by Mr P Winter (the developers) made a brief representation on the principles behind their Planning Application SL/2023/0781. They explained that a similar application had been made in 2017 but had been rejected by the local planning authority at the time. Several amendments had been made, and there was a new development on the site opposite which altered the sites relationship with the surrounding town. The low density of the proposed development afforded the opportunity to considerably improve the biodiversity of the site. In response to queries from the developers explained the SUDS scheme for the site and the design principles. The application was for outline consent for self-build dwellings, so would not be so tightly prescriptive as to preclude innovation, but there would be protections in place to prevent overdevelopment, subdivision and design not in accordance with the site's sensitive location on the edge of the Lake District National Park and World Heritage Site.

The Committee went on to consider the application and the result is recorded in the later minute.

Prior to the formal commencement of the meeting, a minutes' silence was observed in memory of Mrs S Blackman, wife of Cllr A Blackman, whose funeral had been held earlier in the day.

### P103/2023 Apologies

All members were present

### P104/2023 Declarations of Interest

No declarations were raised under this item.

### P105/2023 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no excluded items on the agenda.

### P106/2023 Minutes of the Previous Meeting

**Resolved:** To receive and accept the minutes of the previous meeting of the Planning

Committee held on 6 November 2023 and to authorise the Chair to sign them as a true record.

### **P107/2023 Minute Action Sheet**

The agenda included a report on actions taken by officers on resolutions or recommendations made at previous meetings. The Clerk reported that he anticipated being able to have some arrangements for training available by February 2024. After a query about progress on the Aynam Road fountain, it was concluded that the Clerk and Cllr Cornthwaite would follow this up and report back to a subsequent meeting. Issues relating to the changes to the Planning system following the passing of the Levelling Up and Regeneration Act, which received Royal Assent on 26 October, would await the secondary legislation the act enabled.

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

### **P108/2023 Planning Process and Issues**

No additional items were raised

### **P109/2023 Kendal Town Council Flood Relief Scheme Working Group**

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, presented the notes of the meeting of the Group which had been held on 26 November 2023. Cllr Ladhams noted that her presence was recorded, when in fact she had sent her apologies.

**Resolved:** With this amendment, to receive the notes of the meeting of the Kendal Town Council Flood Relief Scheme Working Group held on 26 October 2023.

**Resolved:** To note the verbal update.

### **P110/2023 Budget 2024/25**

The Clerk presented a report asking the Committee to consider its expenditure aims for the next financial year. Expenditure had to be in keeping with the aims of the Council Plan.

The following table included within the report showed the current budget and estimated outturn, the estimated amount required in the next financial year to complete the Council's actions and the percentage change to the previous year's budget.

There was one more payment instalment on the glass wall, with the total bill of £150,000 being due on 1 April 2024. The Committee had had no specific budget lines to deal with training support, and the need for some work on Neighbourhood Planning (as yet to be determined) suggested that it was prudent to bring in budget lines for these.

<b>Item</b>	<b>Budget 2023-24</b>	<b>Estimated Outturn</b>	<b>Proposed 2024-25</b>	<b>% change</b>
<b>FRSWG</b>	20,000	20,000	20,000	0
<b>Planning Training</b>	0	0	2,500	-
<b>Neighbourhood Planning</b>	0	0	2,500	-
<b>Total</b>	20,000	20,000	25,000	+25%

**Resolved:** To recommend the proposed budget requirements for the next financial year, as attached to the report and outlined above, for consideration by the Management Committee prior to presentation to Full Council.

### **P1111/2023    Planning Applications**

The Committee considered the Planning Applications as detailed in Appendix 1 to these minutes. Prior to their consideration of application SL/23/0777, they watched a short video from the RSPB on the use of Swift boxes to encourage Swift nesting on new estates and elsewhere. The Committee reaffirmed its commitment to supporting the use of Swift-friendly policies, and other planning conditions which supported provision in development for nesting birds.

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

The meeting closed at 7.24 p.m.

Kendal Town Council  
 Responses from Planning Committee: 20 November 2023  
**Appendix 1**

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2023/0777</a>	<b>1 Rydal Road, Kendal</b> Two storey side extension, single front extension and single storey rear extension	Nether	23 November	<b>No material objections.</b> The Committee welcomed the provision of integral nesting boxes and supported the application in the context of the recommendations from the local tree officer, and with the proviso that the planning officer is satisfied that the development does not unduly compromise the visual amenity of the area.
2	<a href="#">SL/2023/0781</a>	<b>Land to north of Underbarrow Road, Kendal</b> Application for outline application (some matters reserved - access, layout & scale) for the erection of 8 self-build dwellings (Resubmission of SL/2017/0575)	Fell	28 November	<b>No material objections.</b> The Committee welcomed a development which enabled self-build opportunities into the housing mix. With the various improvements to the application, and appropriate conditions relating to the comments already made by statutory consultees, they commended the application.

## Item No.5

## Planning Committee - Minute Action Sheet - as at 27-11-23

Ref. No.	Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible	Deadline, if any	Date Action Commenced	Comments
1	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
2	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
3	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	17/10/2023	informal approach made. Awaiting reponse	
5	17/07/2023	P38/2023	Kendal Town Council Flood Relief Scheme Working Group	To approach officers at Westmorland and Furness Council to inform them of the Committee's support for the proposal for relocation of the fountain to Abbot Hall and to discuss the way forward.	CB		Actioned post FRSWG meeting. Awaiting response	
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	



Ref. No.	Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible	Deadline, if any	Date Action Commenced	Comments
8	14/08/2023	P52/2023	Planning Process and Issues	To ask Westmorland and Furness Council's Development Management Team whether it would be possible to provide an indication of pertinent points for consideration when Kendal Town Council's Planning Committee discusses individual significant planning applications for large developments. Also, to ask Westmorland and Furness Council's Development Management Team, when seeking comments on material amendments in relation to large developments which have already been granted approval, whether it would be possible to provide a clear	CB		Inquiry made	Committee on 2/10 asked for this to be pursued.
12	04/09/2023	P59/2023	Minute Action Sheet	The Town Clerk to follow up with Westmorland and Furness Council the matter regarding the proposed relocation of the fountain on Aynam Road to <u>Abbot Hall</u> .	CB		Inquiry made	
20	02/10/2023	P76/2023	Minute Action Sheet	To consider the impact of the new Act (Levelling Up and Regeneration) alongside the challenges of Neighbourhood Planning in future meetings, including briefing sessions outwith the scheduled programme of Committee meetings	CB		ongoing	Action plan being drawn up

Ref. No.	Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible	Deadline, if any	Date Action Commenced	Comments
23	16/10/2023	P87/2023	Planning Process and Issues	To clarify any changes in policy advice concerning Solar Panels with Westmorland and Furness.	CB		17-Oct	Question put
24	16/10/2023	P89/2023	DLUHC (Department for Levelling Up, Housing and Communities) Consultation	To delegate the substance of a response to DLUHC to the Clerk in consultation with the Chair any other members required.	CB			No action to date
28	20/11/2023	P109/2023	Kendal Town Council Flood Relief Scheme Working Group	To amend the notes of the meeting of the Kendal Town Council Flood Relief Scheme Working Group held on 26 October 2023 as stated within the minutes.	CB		21-Nov-23	
29	20/11/2023	P110/2023	Budget 2024/25	To recommend the proposed budget requirements for the next financial year, as attached to the report and outlined above, for consideration by the Management Committee prior to presentation to Full Council.	CB		21-Nov-23	

Kendal Town Council  
 Applications for Planning Committee: 4 December 2023  
**Appendix 1**

<b>Item No.10</b>
-------------------

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2023/0808</a>	Land South of Underbarrow Road KENDAL LA9 5RS  Application for a non-material amendment following a grant of planning permission SL/2019/0398 (Residential development for 84 dwellings with associated access, landscaping and drainage works)	Highgate		