

Kendal Town Council

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



3 January 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, 8 January 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 7)

To receive the minutes of the meeting held on 18 December 2023 and to authorise the Chair to sign them as a true record (see attached).

5. Minute Action Sheet (pages 8 to 10)

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. Planning Applications (pages 11 to 12)

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, 18 December 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	Absent		

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

P112/2023 Apologies

There were no apologies for absence.

P113/2023 Declarations of Interest

No declarations of interest were raised under this item.

P114/2023 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no excluded items on the agenda.

P115/2023 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 20 November 2023 and to authorise the Chair to sign them as a true record.

P116/2023 Planning Applications dealt with under Delegated Powers

Resolved: Following the cancellation of the meeting of the Committee scheduled to have been held on 4 December 2023, to note the delegated responses made in relation to those planning applications for which comments were due prior to the next meeting (see Appendix 2 to these minutes).

P117/2023 Minute Action Sheet

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

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

P118/2023 Planning Process and Issues

No issues were raised under this item.

P119/2023 Kendal Town Council Flood Relief Scheme Working Group

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, advised that there had been no further meetings of the Group. However, site visits had taken place with regard to Beezon Fields and the land that the Town Council now owned at Mintsfeet, with a view to progressing the potential for a footpath. In addition, realignment of the tree planting was being looked into in order to enable progress on the route.

Cllr Cornthwaite had also witnessed the installation of the first glass panel at Chantry Gardens, Gooseholme, and he also drew attention to the recent demolition of the old toilet block. Attention was drawn to the fact that conversations were taking place between the Environment Agency and the proprietor of the Waterside Café with regard to problems being faced as a result of the current restricted access to that area. In addition, it was pointed out that the Flood Hub at Little Aynam had now closed and would be moving to the former Dominos Pizzas premises at Beezon Road. The date for the next meeting of the Group was currently as shown in its last set of minutes.

Resolved: To note the verbal update.

P120/2023 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 7.10 p.m.

Kendal Town Council
 Responses from Planning Committee: 18 December 2023
Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2023/0659	<p>28 Longpool, Kendal LA9 6ER</p> <p>Change of use of former betting shop (Use class Sui Generis) to a hot food takeaway with rear external flue (Use class Sui Generis)</p>	Nether	25 December	<p>Recommend Refusal on the basis of serious, widely-known traffic management issues at and near the junction of Shap Road and Appleby Road, particularly in relation to the comments raised by the resident of 123 Appleby Road. The frequent, increased road traffic that would result from a successful application would be both detrimental to road users and dangerous to pavement users. Notwithstanding this, there is not enough information to be able to make a positive decision – the Committee would require mitigations in line with the comments raised by the resident of 123 Appleby Road including enforcement of no parking on the pavement, specific information on the premises signage mentioned, details on the type of hot food to be offered by the takeaway and opening hours.</p>
2	SL/2023/0786	<p>96 Greenside, Kendal LA9 5DT</p> <p>Replacement sliding sash timber windows</p>	Fell	25 December	<p>No Material Objections provided that the Conservation Officer is satisfied with the design and materials to be used.</p>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
3	SL/2023/0813	13 Stonecross Green, Kendal LA9 5HL Internal & external alterations	Stonecross	25 December	No Material Objections provided that there is no overlooking and that the proposal is not over-dominant in its position, especially in relation to No.12 Stonecross Green.

Appendix 2

Kendal Town Council
 Applications for Planning Committee: 4 December 2023

The following observations were considered under delegated powers by the Town Clerk in consultation with the members of the Committee.

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

The Council welcomes the amendments to the proposed development. It would expect a commitment to net biodiversity gain within any Planning Conditions but now has **no material objections**.

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

The Council welcomes the amendments to the proposed development. Assuming the changes meet the expectation of the Conservation Officer in terms of visual amenity and historic context, the Council has **no material objection**.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&FC	Observations/Recommendations
1	SL/2023/0808	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		This recommendation was considered under delegated powers by the Town Clerk in conjunction with members of the Committee. The Town Council has no further comments to add at this stage, assuming that the application is within the conditions set by the original Planning Consent.

Item No.5

Planning Committee - Minute Action Sheet - as at 03-01-24

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
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: 8 January 2024
Appendix 1

Item No.8

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2023/0789	29 Queen Katherine Street Kendal LA9 7DG Replacement UPVC windows.	Mintsfeet	9 January	
2	2023/1033/FPA	1 Aldercroft Kendal LA9 5BQ Demolition of existing single-storey conservatory with replacement single-storey extension.	Kirkland	9 January	
3	2023/1044/FPA	15 Underley Avenue Kendal LA9 5EU Two storey side extension, single storey rear extension, front porch & proposed vehicular access (parking area) to front garden.	Strickland	9 January	
4	2023/1061/FPA	Brigsteer Road Kendal 108 dwelling houses and associated infrastructure including landscaping, open space, access, highway and drainage (Brigsteer Rise, Phase 4).	Highgate	10 January	
5	2023/1104/FPA	53 Milnthorpe Road Kendal LA9 5QG Detached double garage & home office with associated garden works & replacement UPVC windows to the west facing bay windows.	Kirkland	11 January	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
6	2023/1043/FPA	Sunny Cote Sunnyside Kendal LA9 7DJ Replacement of windows and door from timber single glazed with like for like timber double glazed.	Mintsfeet	11 January	
7	2023/1014/FPA	Existing garden to the rear Hallgarth Community Centre Hallgarth Circle Kendal LA9 5NY Introduction of grass areas, planting, timber raised beds, timber pergola and seating, steel knee rail and resin bound paths to create community garden on current area of tarmac.	Strickland	11 January	
8	2023/1077/FPA	20 Oxenholme Road Kendal LA9 7NJ Replacement single story side extension & erection of a detached single garage.	Heron Hill	14 January	