

Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED
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Minutes of a meeting of the Planning Committee held on Monday, 14 August 2023, at 6.30 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.

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

In Attendance: Inge Booth (Democratic Services Assistant).

P47/2023 Apologies

An apology for absence was received and accepted from Cllr G Supka.

P48/2023 Declarations of Interest

No declarations of interest were raised under this item.

P49/2023 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no excluded items on the agenda.

P50/2023 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 31 July 2023 and to authorise the Chair to sign them as a true record.

P51/2023 Minute Action Sheet

The Committee considered a report on actions taken by officers on resolutions or recommendations made at previous meetings. Reference was made to P95/2022 (Planning Process and Issues) and P164/2022 (Minute Action Sheet), Members raising the need now to seek action on arrangements for Planning Training for Members, the new Council year having commenced in May.

Resolved: 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.

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

P52/2023 Planning Process and Issues

The Chair referred to a suggestion which had been made with regard to the potential for Westmorland and Furness Council's Development Management Team to provide an indication of pertinent points for consideration when discussing individual significant planning

applications for large developments.

Resolved: 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.

Furthermore, the Chair suggested that the Westmorland and Furness Council's Development Management Team be asked, when seeking comments on material amendments in relation to large developments which had already been granted approval, whether it would be possible to provide a clear description of the amendment.

Resolved: 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 description of the amendment.

Also raised during the meeting was the potential for Kendal Town Council Planning Committee Members to carry out site visits in relation to large developments, at the same time observing protocol as regards pre-determination.

Resolved: To ask the Town Clerk to look into the potential for site visits by Kendal Town Council Planning Committee Members to large developments.

Furthermore, Members were keen to know how much of the Land Allocation Plan's five year deliverables needed to be within the Kendal area rather than, for example, Ulverston.

Resolved: To ask the Town Clerk to seek to discuss with officers at Westmorland and Furness Council the question of the Land Allocations Plan's five year deliverables.

Resolved: To note the verbal update.

P53/2023 Kendal Town Council Flood Relief Scheme Working Group

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, reported that there had been no further meetings of the Group since the last meeting of the Planning Committee. Work continued in the Gooseholme area and exploratory work was being carried out in relation to the fountain on Aynam Road and the proposed relocation to Abbot Hall. Cllr Cornthwaite referred to the work being carried out by Town Councillors, members of the Flood Relief Scheme Working Group and local volunteers on the footpath from Romney Road to Scroggs Lane. In response to a query, he explained that this work bore no relation to the Flood Relief Scheme but that the work was in relation to connectivity right along the river corridor. The Chair drew attention to the fact that it was appropriate to carry out this work at the same time as the Flood Relief Scheme, with funding being available from United Utilities. In response to a further query, Cllr Cornthwaite explained that options with regard to parking in the Castle Street and Castle Crescent area had been explored, however, that no alternative options had come to light. No arrangements had as yet been made for a further meeting of the Group.

Resolved: To note the verbal update.

P54/2023 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 7.16 p.m.

Kendal Town Council
 Responses from Planning Committee: 14 August 2023
Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<u>SL/2023/0561</u>	25 Dunmail Drive, Kendal Extending the existing front dormer to the width of the house	Heron Hill	15 August	No Material Objections provided that the materials used are in keeping with the character and appearance of those used in other properties in the neighbouring area.
2	<u>SL/2023/0560</u>	Unit 2 Gibsons Of Kendal, Mintsfeet Road South, Kendal Construction of industrial building containing 4 self contained letting units (Use Class B2 & B8)	Mintsfeet	15 August	No Material Objections subject to United Utilities' drainage condition (11/8/23) for sustainable development and management of flood risk; officers being satisfied with contaminants reporting and suitable arrangements for public rights of way; and provision for net biodiversity gain of at least 10%.
3	<u>SL/2023/0562</u>	Flat 1, 64 Stramongate, Kendal Subdivision of single flat into two flats	Fell	17 August	No Material Objections <i>Note – Cllr A Finch declared an interest in this application by virtue of the fact that he was acquainted with the applicant and took no part in the discussion or voting on the item.</i>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
4	<u>SL/2023/0564</u>	<p>Land north of Laurel Gardens, Kendal</p> <p>Variation of condition 2 (Approved plans) attached to planning permission SL/2019/0602 (Residential development with associated landscaping and infrastructure) (MAJOR APPLICATION)</p>	Strickland	17 August	<p>Recommend Refusal due to seeming over-development of the site and neighbour concerns. There is insufficient provision for net biodiversity gain and the developer should look to include planting and green barriers.</p> <p>A suitable substantive response should be made to neighbour comments regarding increased risk of flooding regarding SUDs and that the lack of privacy is dramatically increased since the original application owing to an increased number of dwellings.</p> <p>On-street parking as shown will cause access issues for emergency and service vehicles.</p> <p>The Committee suggests, therefore, that the application reverts to the previous proposals which were granted for the site.</p> <p>Note – Cllr D Rathbone, Chair, abstained from voting on this application.</p>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
5	<u>SL/2023/0174</u>	Land Adjacent to 17 Gillinggate, Kendal Detached dwelling	Highgate	16 August	Recommend Refusal in line with the comments raised by the Civic Society and Conservation Officer. This Committee agrees with the specifics in these two submissions and underlines that this it does not '(make) a positive contribution to local character and distinctiveness'. This development is unsympathetic to its immediate surroundings and is not in keeping with the character and appearance of the immediate vicinity. It does not preserve or enhance the character, distinctiveness or appearance of the area (NPPF 190 and 197 [above]). The Committee objects to the scale, block appearance and use of materials (zinc and brushed uPVC) as proposed.
6	<u>SL/2023/0576</u>	Town and Village Green Area, Kendal Fell, Kendal Variation of conditions 4 (siting of the sign 4) & 5 (fence) attached to planning permission SL/2021/1147 (Signs & viewing platforms)	Fell	25 August	No Material Objections

7	<u>SL/2022/0921</u>	<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	18 August	<p>Recommend Refusal.</p> <p>SHENA looks to two and three bedroom dwellings being provided and this application is in contravention of that outline and of local need. There are not enough of these on the site.</p> <p>There is no play area to the south of the development.</p> <p>There is a lack of provision for net biodiversity gain.</p> <p>On street parking as shown will cause access issues for emergency and service vehicles.</p> <p>The plans show use of block paving as opposed to tarmac, which is harder to maintain and which should be justified given the original consent.</p> <p>The travel plan is inadequate because it needs to take into account the new development on Underbarrow Road which will use the same roads and thus increase total road traffic.</p> <p>A decision must also take into account the 'most used' route for south-west / south with less number of junctions is Underwood – Stainbank Road – Vicarage Drive (or Westwood Ave to Vicarage Drive) This route is already a rat-run south. The development's traffic will have an impact on the already excess speed along Stainbank Road, which necessitates braking sharply to turn left onto Vicarage.</p>
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No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
					<p>routes for traffic. Anything that differs from the Development Brief must be referred back to the Local Plan itself. In addition, any alterations to one phase of the development must be seen in relation to all four phases of the Development, particularly with regard to the road entrance and exit from the development, and in line with the Development Brief.</p> <p>The Committee suggests, therefore, that the application reverts to the previous proposals which were granted for the site.</p> <p>Note – Cllr D Rathbone, Chair, abstained from voting on this application.</p>