

# Kendal Town Council

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



9 May 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)

You are summoned to a meeting of Kendal Town Council Planning Committee on **Monday, 15 May 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

A handwritten signature in black ink, appearing to be 'CB' with a long horizontal stroke extending to the right.

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**

To receive the minutes of the meeting held on 2 May 2023, and to authorise the Chair to sign them as a true record (see attached).

**5. Minute Action Sheet**

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**

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>

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## Minutes of a meeting of the Planning Committee held on Tuesday, 2 May 2023, at 6.30 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.

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

\* Arrived at 6.32 p.m., prior to consideration of Agenda Item No.4 (Minutes of the Previous Meeting), Minute No.P181/2022 below.

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

### **P178/2022 Apologies**

Apologies for absence were received and accepted from Cllrs A Campbell and D Evans.

The Committee was furthermore advised that Cllr Evans had also regretfully resigned from the Committee with immediate effect due to work commitments.

### **P179/2022 Declarations of Interest**

No declarations of interest were raised.

### **P180/2022 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**

No issues were considered for exclusion.

### **P181/2022 Minutes of the Previous Meeting**

**Resolved:** To receive and accept the minutes of the previous meeting of the Planning Committee held on 17 April 2023 and to authorise the Chair to sign them as a true record.

### **P182/2022 Minute Action Sheet**

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

*P175/2022 (Kendal Town Council Flood Relief Scheme Working Group)* – The Town Clerk provided an update with regard to the field and horses which had been discussed under this item. He informed Members that, further to involvement from other organisations and following consultation with the Mayor and the Chair of the Management Committee, the Licensee had been advised that he could keep two horses on the land until the end of May 2023, at which point they would be removed together with other items.

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

### **P183/2022 Planning Process and Issues**

There was nothing to report under this item.

### **P184/2022 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 Working Group held on 4 April 2023. He also informed Members that the next meeting of the Group was scheduled to be held at 6.30 p.m. on Wednesday, 14 June 2023. In response to a query, he explained that it was possible to get by Mint Bridge around by Shap Road to Morrisons. In response to a question regarding progress regarding Gooseholme Bridge and access problems, Cllr Cornthwaite informed Members that a meeting was due shortly to take place involving Westmorland and Furness Cllr P Thornton, Local Members and residents. The need to consider input by the Town Council was raised.

**Resolved:** To receive the notes of the meeting of the Kendal Town Council Flood Relief Scheme Working Group held on 4 April 2023.

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

### **P185/2022 Responding to Planning Applications – Draft Notes for Guidance April 2023**

The Committee considered a draft set of notes for guidance in considering planning applications.

The Chair pointed out that this remained a work in progress and that this was a living document which would change over time. Now, he felt, was the time for the Committee to consider the format and whether any improvements could be made. He drew attention to the need for the inclusion of numbers in relation to, for example, the National Planning Policy Framework and the Local Plan, and also suggested the need for a tick list in relation to large development around, for example, the amount of green space required. He pointed out the fact that the Committee would have two new Members in 2023/24 and that the document could be used as a training tool in this regard.

The Town Clerk explained that from this document, simplified checklists including finer details could be produced, from which relevant phrases could be picked during consideration of planning applications.

Also suggested was the need to attach to the guidance notes the existing document, "What are Material Planning Considerations." The importance of keeping the information as simple as possible was stressed.

The Chair encouraged Members to write to the Town Clerk with any other suggestions.

**Resolved:** To accept the draft set of notes for guidance in considering planning applications and to include the information raised during discussion and outlined above.

### **P186/2022 Planning Applications**

The Committee considered the Planning Applications shown 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 7.12 p.m.

**Kendal Town Council**

Responses from Planning Committee: 2 May 2023

**Appendix 1**

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2023/0309</a>	<b>Unit 1 Lake District Business Park, Mint Bridge Road, Kendal</b> Erection of ready to feed milk (RTF) building (Revised scheme SL/2022/0763)	Mintsfeet	12 May	<b>No Material Objections</b> provided that the Environment Agency's request for an acceptable Flood Risk Assessment is submitted and agreed and that the potential variation in the Environmental Permit is also agreed and new equipment is subject to Best Available Technique standards under the 2016 Regulations. The Committee welcomes this application as beneficial to the Town's economy and necessary for the expansion of the business.
2	<a href="#">SL/2023/0316</a>	<b>3 Longpool, Kendal</b> Replacement front windows and door	Mintsfeet / Nether	8 May	<b>No Material Objections</b> provided that the materials used are sympathetic to the Conservation Area. The Committee also wishes to ensure that there is no loss of access to the public footpath whilst works are carried out.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
3	<a href="#">SL/2023/0283</a>	<p><b>32 Moore Field Close, Kendal</b></p> <p>New porch, rear extension &amp; deck, solar panels, external wall insulation, external storage &amp; shed (Part retrospective)</p>	Strickland	9 May	<p>Recommend <b>Refusal</b> on the basis of overlooking and loss of privacy on the neighbouring property as a result of the cantilevered decking and car port/balcony. In addition, the Committee feels that the external cladding is out of keeping in the immediate area. Also, it is felt that this application would result in overdevelopment of the site. The Committee also expresses disappointment that this is a part retrospective application.</p>
4	<a href="#">SL/2023/0323</a>	<p><b>Land Off Brigsteer Road, Kendal</b></p> <p>New means of enclosure around approved SuDS pond and in respect of plots 1 to 3, 11, 12, 17, 20 to 24, 37, 51, 52, 65, 71 to 75; and (2) modifications to embankment and boundary treatment in respect of plot 10</p>	Highgate	11 May	<p><b>No Material Objections</b> provided that the changes are not felt to be detrimental to the current agreement to build affordable homes.</p>
5	<a href="#">SL/2023/0197</a>	<p><b>Pizzeria Italia, 9 Allhallows Lane, Kendal</b></p> <p>Variation of conditions 2 (opening hours) attached to planning permission SL/2008/0514 (Retrospective)</p>	Fell	15 May	<p>Recommend <b>Refusal</b> on the basis of unwarranted noise, increased instances of waste and anti-social behaviour in this area. Any positive decision should be dependent on comments from the Police and Licensing Authorities. The Committee also expresses disappointment that this is a retrospective application.</p>

Planning Committee - Minute Action Sheet - as at 09-05-23							
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 reponse	
17/04/2023	P177/2022	Planning Applications	To approach the Planning Department at Westmorland & Furness Council to discuss the potential for provision of appropriate scale and measurements within the drawings relating to planning applications	CB			Completed
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



**Kendal Town Council**

Applications for Planning Committee: 15 May 2023

**Appendix 1**

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2023/0334</a>	<b>Electricity North West Limited Depot, Parkside Road, Kendal</b> Removal of existing asbestos cement pitched roof and replaced with new insulated metal pitched roof to the stores building and garage building, increasing the ridge heights approx. 350mm & removal of upper floor glazing on stores elevation facing Parkside Road (north elevation) and replaced with metal cladding	Castle / Kirkland	17 May	
2	<a href="#">SL/2023/0320</a>	<b>Ground, 4 A High Tenterfell, Kendal</b> Replacement of 11 windows and 2 doors with UPVC	Fell	17 May	
3	<a href="#">SL/2023/0342</a>	<b>7 Castle Riggs, Kendal</b> Single storey side extension & internal alterations to kitchen	Castle	17 May	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
4	<a href="#">SL/2023/0349</a>	<p><b>35-55 Finkle Street, Kendal</b></p> <p>Change of use of part of 1st floor of former retail and retail storage &amp; ancillary accommodation (Use class E) to 2 flats (Use class C3)</p>	Fell	19 May	
5	<a href="#">SL/2023/0354</a>	<p><b>Bottom flat 5 Mint Street, Kendal</b></p> <p>Single storey rear extension</p>	Mintsfeet	19 May	