

Kendal Town Council

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



10 June 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 17 June 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 5)

To receive the minutes of the meeting held on 3 June 2024 and to authorise the Chair to sign them as a true record (see attached).

5. Minute Action Sheet (pages 6 to 7)

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 8 to 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/>

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Minutes of a meeting of the Planning Committee held on Monday, 3 June 2024, at 6.30 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.

Cllr A Campbell	Apologies	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).

P10/2024 Apologies

Resolved: To receive and accept apologies for absence from Cllr A Campbell.

P11/2024 Declarations of Interest

No declarations of interest were raised under this item, though Cllr Rathbone explained that he would leave the room during any consideration of the Flood scheme, as the matter was being considered by a Westmorland and Furness Planning Committee on which he sat. He would also recuse himself from any consideration or mention of a development in Kendal Parks, because he is a neighbour.

P12/2024 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no excluded items on the agenda.

P13/2024 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 20 May 2024 and to authorise the Chair to sign them as a true record.

P14/2024 Minute Action Sheet

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

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

P15/2024 Planning Process and Issues

The Chair reported that Westmorland and Furness members had recently received training on viability tests for new developments. He explained that there were ways that developers could minimise their affordable housing liabilities. The general lesson learned was that there were considerable benefits to town and parish councils from being involved in the creation of the Local Plan.

On a separate issue, it was noted that the land included in the latest application for development in Kendal Parks appeared to incorporate that land currently occupied by a golf driving range. This portion of land was not included in the land allocated for development in the current local plan or the Supplementary Planning Document from 2015.

Resolved: To note the verbal update.

P16/2024 Kendal Town Council Flood Relief Scheme Working Group

Cllr Rathbone left the meeting at this point, returning when the item was concluded. Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, reported that there had been an informal workshop session to consider what the group's position should be with regard to the ongoing application from the Environment Agency to build a stone-fronted flood wall along New Road. The group's preferred outcome was for this wall to be constructed at the river side of the New Road common, but it was noted that the EA had long-since proposed a wall on the road side. This wall had been granted permission in 2019 and now required further permission to allow the EA to amend their plan slightly with regard to gates and alignment. It was noted that at the meeting of the South Lakeland Area Planning Committee when the matter was considered, it had been deferred to give the EA opportunity to better explain the thinking behind their application. Attempts by the KTCFRSWG to develop alternative plans appear to have been thwarted by a lack of information being supplied by the EA. Although general survey work had been shared through the work done on New Road by SLDC, members believed there was further bore hole data which had not yet been shared with the Working Group, and this was hindering the group's ability to consider and comment effectively on the options, particularly the assumptions behind the choice of wall alignment. It was suggested that the Council use a Freedom of Information request to obtain the necessary bore hole data.

Resolved: To note the verbal update and to request that the Town Clerk uses Freedom of Information if necessary to obtain the data the Working Group is seeking.

P17/2024 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 7.13pm.

Kendal Town Council
 Responses from Planning Committee: 3 June 2024
Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	2024/0807/FPA	2 Lower Castle Park KENDAL LA9 7BW Replacement of rear glazed extension.	Mintsfeet	6 June	No material objections on the condition that the materials are of a suitable match.
2	2024/0820/FPA	42 Hayclose Crescent KENDAL LA9 7NT Detached fitness studio for a personal training business.	Heron Hill	11 June	No material objections , though the Committee were concerned that the business did not expand beyond the outline given in the application. Further expansion would require further permission to consider impact on traffic, noise, nuisance, waste etc. Some consideration of biodiversity net gain would be welcomed, given that there is very little on the site presently.

Item No.5

Planning Committee - Minute Action Sheet - as at 10-06-24

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
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	Now in budget for 2024
21	19/02/2024	P150/2023	Planning Process and Issues	To review ongoing dialogue between the Planning Committee and Westmorland and Furness Council planning officers with a view to maximising the impact of the Town Council's comments on planning applications.		Oct-24		Ongoing.
22	19/02/2024	P150/2023	Planning Process and Issues	To produce a draft statement in relation to out of town food outlets, and to circulate to all Members of the Planning Committee, with Members to submit comments for inclusions should they so wish.				To be drafted

Ref. No.	Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible	Deadline, if any	Date Action Commenced	Comments
25	08/04/2024	P174/2023	Planning Process and Issues	To contact Westmorland and Furness Council with regard to the need for enforcement action to be pursued in relation to the Chip Shop on Finkle Street and the Newsagent's on Kirkland			10-Apr-24	
26	08/04/2024	P175/2023	Kendal Town Council Flood Relief Scheme Working Group	To authorise the Town Clerk to write to the Environment Agency seeking information from when they carried out boring tests in the New Road area.			10-Apr-24	
27	08/04/2024	P175/2023	Kendal Town Council Flood Relief Scheme Working Group	To authorise the Town Clerk to write to the Environment Agency seeking clarification on the matter of moving the fountain on Aynam Road and re-siting, as previously agreed.			15-Apr	
28	22/04/2024	P181/2023	MAS	To diarise a review of the Aynam Road Fountain case in June		17-Jun-24		
30	07/05/2024	P190/2023	Minute Action Sheet	To raise again the issue of the two shopfronts at Finkle Street and Kirkland with the Planning Authority.			23-May-24	Action initiated by W&F 6 June. Awaiting outcome of review
32	20/05/2024	P5/2024	Minute Action Sheet	On the issue of New Road, to follow up queries with EA and include the chair of W&FC Locality Board in any correspondence.			23-May-24	Outcome expected w/c 10/6
33	03/06/2024	P16/2024	Kendal Town Council Flood Relief Scheme Working Group	The Town Clerk to use Freedom of Information if necessary to obtain the data the Working Group is seeking.			06-Jun-24	Outcome expected w/c 10/6

Kendal Town Council
 Applications for Planning Committee: 17 June 2024
Appendix 1

Item No.8

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	2024/0835/ADV	FATFACE 15-17 Stricklandgate Kendal LA9 4LY Advertisement consent for replacement non-illuminated fascia sign & double sided aluminium projecting sign	Fell	18 June	
2	2024/0829/LBC	FATFACE 15-17 Stricklandgate Kendal LA9 4LY Listed building consent for shopfront refurbishment, repair, maintenance, repaint & new signage	Fell	18 June	
3	2024/0864/FPA	5 Castle Garth Kendal LA9 7AT Loft conversion with front and rear dormer windows	Mintsfeet	19 June	
4	2023/1061/FPA	Brigsteer Road Kendal 107 dwelling houses and associated infrastructure including landscaping, open space (including equipped play area) , access, highway and drainage (Brigsteer Rise, Phase 4)	Highgate	13 June	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
5	2024/0875/LBC	56 Gillinggate Kendal LA9 4JB Listed building consent for internal alterations including the addition of a shower to the existing utility room, addition of a toilet to the existing bathroom, conversion of the top floor toilet to a shower room	Highgate	21 June	
6	2024/0467/FPA	36 Kendal Green Kendal LA9 5PP Single storey extension, and solar panels to roof	Strickland	14 June	
7	2024/0899/FPA	3 Blencathra Gardens Kendal LA9 7HL Erection of 2.4m rear boundary fence comprised of concrete posts with concrete (lower) and timber infill panels	Oxenholme	24 June	
8	2024/0906/LBC	30-32 Lowther Street Kendal LA9 4DH Listed Building application for the installation of a solar array	Fell/Highgate	24 June	
9	2024/0811/LBC	Kendal Town Hall Highgate Kendal LA9 4ED Retrospective Listed Building Consent for the installation of a roller shutter door at the internal entrance to the reception area	Highgate	25 June	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
10	2024/0816/FPA	Berendsen Shap Road Kendal LA9 6DQ Proposed single storey steel framed extension to existing factory unit	Fell	26 June	
11	2024/0935/FPA	St Thomas' Church Windermere Road Kendal LA9 4RF Installation of 7 Air-to-Air Heat Pump Condensers on the single-story modern extension	Fell	27 June	
12	2024/0857/FPA	134 Stainbank Road Kendal LA9 5BE First floor side extension	Kirkland	1 July	
13	2024/0979/LBC	George And Dragon 42 Branthwaite Brow Kendal LA9 4TX Installation of replacement windows and associated repairs to surrounding render	Fell	1 July	
14	5/24/9004	Kendal Transfer Station, Boundary Bank Lane, Kendal Westmorland and Furness, LA9 5RR SUEZ's lease of the site comes to an end in November 2024 and in order to hand the site back to the landlord in its pre-lease condition, SUEZ need to remove the waste transfer building and external storage bays.	Fell	17 June	