

Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED
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Minutes of a meeting of the Planning Committee held on Monday, 18 September 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	Present		

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

P64/2023 Apologies

There were no apologies for absence.

P65/2023 Declarations of Interest

Cllr D Rathbone declared a non-pecuniary interest in Agenda Item No.8, Planning Application Ref. No.9 (SL/2023/0653), Minute No.P71/2023 below and detailed within Appendix 1 to the minutes, by virtue of the fact that he had been in communication with the applicant during the last couple of years in his role as Mayor.

Cllr J Cornthwaite sought advice with regard to a potential interest in Agenda Item No.8, Planning Application Ref. No.10 (SL/2023/0656), Minute No.P71/2023 below, however, was advised by the Town Clerk that no declaration was necessary.

P66/2023 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no excluded items on the agenda.

P67/2023 Minutes of the Previous Meeting

Attention was drawn to the fact that, although the correct version, the minutes of the meeting of the Committee held on 4 September 2023 referred to 14 August in error. This error had been corrected within the document due to be signed by the Chair and published on the Council's Website.

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 4 September 2023 and to authorise the Chair to sign them as a true record.

P68/2023 Minute Action Sheet

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

Ref. No.5 – The Town Clerk reported that he had still received no response from Westmorland and Furness Council with regard to the proposed relocation of the fountain on Aynam Road to Abbot Hall. He assured the Committee, however, that this was being followed up by Graham Harrison as a co-opted Member of the Kendal Town Council Flood Relief Scheme Working Group.

Ref No.16 – The Town Clerk reported that he was due, the following day, to address the Westmorland and Furness Council's Strategic Planning Committee in relation to Phase 3 of the Brigsteer Rise development to emphasise the points which had been raised by Kendal Town Council's Planning Committee.

Ref No.18 – Cllr J Cornthwaite would provide an update on discussions with the Environment Agency on the matter of recent refusal to accept a planning application as a minor material amendment in relation to the flood relief scheme at New Road under Agenda Item No.7, Minute No.P70/2023 below.

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

P69/2023 Planning Process and Issues

There was nothing to report under this item.

P70/2023 Kendal Town Council Flood Relief Scheme Working Group

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, referred to Agenda Item No.5, Minute No.P68/2023 above, and explained that he had not, as yet, managed to discuss with the Environment Agency the matter of recent refusal to accept a planning application as a minor material amendment in relation to the flood relief scheme at New Road. In addition, Cllr Cornthwaite reported that no further meetings had been held to date but that it was hoped that a meeting would be arranged for October. In the meantime, work on the scheme at Gooseholme continued apace. He also reported that the Local Member of Parliament had met with residents with regard to the parking issue at Castle Street, however, that no alternative options had yet been resolved.

Resolved: To note the verbal update.

P71/2023 Planning Applications

The Committee considered the Planning Applications as detailed in Appendix 1 to these minutes.

During consideration of Planning Application Ref. No.7 (SL/2023/0577) (Ye Olde Fleece Inn, 14 Highgate, Kendal), reference was made to the railings which had been removed from in front of the building some years ago, but which had not been replaced as required. The Town Clerk was asked to write to the proprietor to seek to have the rails reinstated.

Resolved: The Town Clerk to write to the proprietor of Ye Olde Fleece Inn to seek to have the rails from in front of the building reinstated.

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

The meeting closed at 7.23 p.m.

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

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2023/0612	1 Stramongate, Kendal Change of use of first and second floors from Subway seating area and storage (Use Class E) to one 2 bedroom flat and two bedroom flats (Use Class C3)	Fell	20 September	No Material Objections subject to Environmental Health's stipulations being addressed. The Committee, however, notes and emphasises neighbour comments in relation access for bins – storage is also not to be condoned on the street.
2	SL/2023/0616	1 Stramongate, Kendal Installation of new shop fronts	Fell	20 September	The Committee would welcome the signage being brought into line with the aspirations of the 2004 Shopfront Guidance within the Development Document (DM20 5.1) and awaits an improved drawing and description of the signage proposed.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
3	SL/2023/0632	<p>Land Adjacent 39 C Helme Drive, Kendal</p> <p>Application for approval of reserved matters (access, appearance, landscaping, layout & scale) following outline approval SL/2021/0499 (Outline Planning Permission (all matters reserved) for the erection of a bungalow)</p>	Heron Hill	22 September	<p>No Material Objections provided that the advice from Natural England is adhered to, that the requirements from Highways regarding EVAs and turning circles are written into the plans and subject to provision for net biodiversity gain of at least 10%.</p>
4	SL/2023/0634	<p>51 Broad Ing Crescent, Kendal</p> <p>Two storey extension to replace existing single storey extension</p>	Nether	22 September	<p>Recommend Refusal with regard to the roof and window as currently shown. The Committee feels that a flat roof is not appropriate on this site, that it is not in keeping with the character and appearance of the area and that approval of such a roof could set a precedent. The Committee agrees with the neighbour response with regard to loss of privacy and would require a frosted glass window, as suggested. However, the Committee has no objections with regard to the rest of the design or size of the application. Without prejudice, this development would require provision for net biodiversity gain of at least 10%.</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
6	SL/2023/0643 & SL/2023/0644	The Miles Thompson, Allhallows Lane, Kendal Installation of 2 new external condensers	Highgate	22 September	No Material Objections provided that Environmental Health accept the noise of the condensers and that there is no objection from the Conservation Officer with the property being situated within a Conservation Area.
7	SL/2023/0577	Ye Olde Fleece Inn, 14 Highgate, Kendal Remove, damaged wood floor from front of bar to replace with traditional stone tiles	Fell	29 September	No Material Objections
8	SL/2023/0402	11 Gawith Place, Kendal Replacement of wooden black single glazed sash windows with black UPVC double glazed wood effect mock sash windows	Highgate	25 September	Recommend Refusal with regard to the materials and design of the windows. The applicant states that this is "like for like" replacement, which this Committee wholeheartedly disagrees with. It is felt that this would have a detrimental effect on the vernacular style of the property and, therefore, on the surrounding area. Note – Cllr D Rathbone, Chair, abstained from voting on this application.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
9	SL/2023/0653	185 Highgate, Kendal Change of use of shop with offices above (Use Class E) to Muslim Community Centre (Use Class F1)	Highgate	27 September	Note – Cllr D Rathbone declared an interest in this application by virtue of the fact that he had been in communication with the applicant during the last couple of years in his role as Mayor. No Material Objections , however, the issues of noise prevention at any unsocial hours and local parking need to be addressed.
10	SL/2023/0656	33 Shap Road, Kendal Replacement garage/outbuilding	Mintsfeet	27 September	No Material Objections subject to the provisions, subject to the appropriate Flood Risk Assessment and subject to provision for net biodiversity gain of at least 10%.