

# Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED  
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## Minutes of a meeting of the Planning Committee held on Monday, 20 February 2023, at 6.00 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.

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

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

### P132 Chair's Announcement

The Chair informed Members of the recent resignation from the Committee of Cllr A Finch due to work commitments.

### P133/2022 Apologies

There were no apologies for absence, all current Members of the Committee being present.

### P134/2022 Declarations of Interest

No declarations of interest were raised.

### P135/2022 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

### P136/2022 Minutes of the Previous Meeting

**Resolved:** Subject to the amendments outlined above being made, to receive and accept the minutes of the previous meeting of the Planning Committee held on 6 February 2023 and to authorise the Chair to sign them as a true record.

### P137/2022 Minute Action Sheet

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

A query having been raised with regard to the contents in the "Date Actioned" column, the Town Clerk explained that the date that he entered was the date on which work on the action had commenced. It was, therefore, suggested that the heading should instead read "Date Action Commenced" and that once the action had been completed, then this should be clearly indicated.

The Town Clerk referred to Minute No.P119/2022 (Planning Process and Issues) and informed the Committee that he had spoken with the agents regarding Meadowbank Industrial Estate about the

trees and “Welcome to Kendal” and “Skelsmergh” signs. The agent had provided assurance that, although the development was unlikely to commence in the near future, the original owners had stipulated that these three issues must be transferred into the new design. Whilst this was not a guarantee, the current landowners were also keen for this to happen. The Chair asked for correspondence on the matter to be forwarded to South Lakeland District Council’s Development Management Team.

The Town Clerk referred to P95/2022 (Planning Process and Issues) and Planning Training and informed the Committee that he was in discussion with the local branch of the Campaign for the Preservation of Rural England with regard to partnership training. Attention was drawn to the fact that training on planning was being held later in the week for Westmorland and Furness Authority Members.

**Resolved:** To alter the “Date Actioned” column to read “Date Action Commenced”, with officers to clearly indicate once an action has been completed.

**Resolved:** To forward correspondence with the agent with regard to Meadowbank Industrial Estate to South Lakeland District Council’s Development Management Team.

**Resolved:** To note the report.

#### **P138/2022     Planning Process and Issues**

There were no issues to report in relation to planning process and issues.

#### **P139/2022     Kendal Town Council Flood Relief Scheme Working Group**

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, informed Members that a group meeting had been held on 15 February 2023 at the Environment Agency Flood Hub at Little Aynam. There had been an opportunity to view the boarding, mapping and exhibition photographs and Cllr Cornthwaite urged Members to go and have a look if they had not already done so. At the meeting, the Environment Agency had provided an update on the scheme, and Cllr Cornthwaite advised that the slides would be available online; the Town Clerk further undertook to distribute a copy to all Members. Cllr Cornthwaite explained that there had not been a chance to provide an update from the Town Council’s perspective on this occasion but that he would look at hosting another meeting to do this. The Chair asked for the minutes of the 15 February meeting to be included on the agenda for the next meeting of the Planning Committee.

**Resolved:** To circulate copies of the slides of the Environment Agency’s presentation to all Members.

**Resolved:** To include the minutes of the meeting of the Working Group on the agenda for the next meeting of the Planning Committee.

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

#### **P140/2022     Town and Country Planning Act 1990 – Appeal under S78 Against Refusal of a Householder Application – 25 Dunmail Drive, Kendal – Extension to existing front dormer to full width and rear first floor extension (SL/2022/0852)**

It was reported that an appeal has been made to the Secretary of State (Planning Inspectorate) against the decision of South Lakeland District Council to refuse planning permission for the above-mentioned development. As this appeal was proceeding under the Householder Appeals Service, there was no opportunity to submit comments. However, all

of the representations made to South Lakeland District Council had been forwarded to the Planning Inspectorate. These would be considered by the Inspector when determining the appeal. Anyone wishing to withdraw any representations which they had made on the application could do so by submitting a request to the Planning Inspectorate by 2 March 2023. Once made, the decision would be published online by the Planning Inspectorate or, alternatively, a paper copy of the appeal decision could be requested from the District Council offices.

It was pointed out that the Town Council's recommendation had been similar to the decision made by the District Council.

**Resolved:** To note that an appeal has been made to the Secretary of State (Planning Inspectorate) against the decision of South Lakeland District Council to refuse planning permission for an extension to existing front dormer to full width and rear first floor extension at 25 Dunmail Drive, Kendal (SL/2022/0852).

### **P141/2022 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 6.46 p.m.

## Kendal Town Council

Responses from Planning Committee: 20 February 2023

### Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2023/0053</a>	<b>The Ice Cream Parlour, Natland Mill Beck Lane, Kendal</b> Erection of new Ice Cream Parlour annex	Natland	22 February	<b>No Material Objections</b> to the build provided that a plan indicating sufficient surface water drainage is submitted. Information on this subject has not been sufficiently submitted yet. In addition, the Tree Constraints Plan must be followed, with additional planting included in order to sufficiently satisfy DM4.
2	<a href="#">SL/2023/0058</a>	<b>Carus Green Farm, Burneside Road, Kendal</b> Erection of home garage, workshop and gym, with associated change of land change of use from agricultural to domestic	Strickland	22 February	<b>No Material Objections</b> subject to no adverse neighbour comments and provided that there is sufficient contribution to net biodiversity gain as required by DM4. The Committee, however, questioned the proposed scale of the building on the boundary of the urban area of Kendal, given its current agricultural usage.
3	<a href="#">SL/2023/0066</a>	<b>9 Helsington Road, Kendal</b> Single storey rear extension	Stonecross	23 February	<b>No Material Objections</b> , however, the Committee drew attention to the need for a suitable gap with the neighbouring property to allow access for maintenance and felt that there was not sufficient net biodiversity gain in the application as it stands.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
4	<a href="#">SL/2023/0075</a> & <a href="#">SL/2023/0076</a>	<b>157 Stricklandgate, Kendal</b> Replacement Windows	Strickland	28 February	<b>No Material Objections</b> provided that replacement windows are like for like and that the Conservation Officer is satisfied with the proposal.
5	<a href="#">SL/2023/0083</a>	<b>8 Fowl Ing Lane, Kendal</b> Single story front porch extension	Nether	28 February	<b>No Material Objections</b>
6	<a href="#">SL/2023/0090</a>	<b>Land off Brigsteer Road, Brigsteer Road, Kendal</b> Variation of condition 2 (approved plans) attached to planning permission SL/2020/0783 (Erection of 88 dwellings and associated works) to: (1) amend plots 60 to 69; and (2) amend tree planting proposals adjoining highway from plots 79 to 61 (MAJOR APPLICATION)	Highgate	8 March	The Committee positively noted the comments raised by the residents of No.4 Briarwood. The Committee further noted Natural England's inability to assess this application.  <b>Objection</b> on the basis of loss of visual amenity and owing to insufficient plans outlined in the application, as well as impact through loss of vegetation and to the removal of planting adversely affecting flood water run off.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
7	<a href="#">SL/2023/0095</a>	<p><b>36 Kendal Green, Kendal</b></p> <p>Two storey extension, insulation and cladding, raised decking with glazed balustrade and solar panels to roof</p>	Strickland	3 March	<p>The Committee commended the use of solar panels.</p> <p><b>Objection</b> on the basis of loss of visual amenity and owing to insufficient plans outlined in the application, which it was felt did not fulfil the need to plan for water run-off. In addition, loss of vegetation was not mitigated by sufficient net biodiversity gain and the removal of planting also adversely affecting flood water run off with seemingly no attempt to justify or mitigate this in the application. No agreement is possible without such information, as stated by Natural England.</p>