

Kendal Town Council

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



13 May 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 **Tuesday 20 May 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 6)

To receive the minutes of the meeting held on 7 May 2024 and to authorise the Chair to sign them as a true record (see attached).

5. Minute Action Sheet (pages 7 to 8)

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 Application Consultation 2024/0587/LBC Mint House Shap Road Kendal LA9 6NY

To note that this application was considered under delegated powers to the Clerk, in consultation with the Chair and Vice-Chair of the Planning Committee. The response was that the Council has no material objections, in line with the Conservation Officer's considered response.

9. Planning Applications (pages 9 to 11)

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 Tuesday, 7 May 2024, at 6.30 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.

Cllr A Campbell	Present	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	Apologies	Cllr G Supka	Apologies
Cllr A Finch	Present		

In Attendance: Chris Bagshaw (Town Clerk).

P186/2023 Apologies

Resolved: To receive and accept apologies for absence from Cllrs R Edwards and G Supka.

P187/2023 Declarations of Interest

Cllr Edwards drew the Committee’s attention to potential conflicts of interest with items 8.1) – her daughter attends the school; and item 8.3) and 8.4) – Greggs donates food to a charity for which she volunteers. Cllr Edwards left the room and took no part in the meeting when these items were considered.

P188/2023 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no excluded items on the agenda.

P189/2023 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 22 April 2024 and to authorise the Chair to sign them as a true record.

P190/2023 Minute Action Sheet

The Committee considered a report on actions taken by officers on resolutions or recommendations made at previous meetings. Follow ups were requested on the two shop fronts – in Finkle St and Kirkland – which the Committee believed may have breached the rules for Conservation Area consent and were not within the guidelines of the South Lakeland shopfront design toolkit.

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

Resolved: To raise again the issue of the two shopfronts with the Planning Authority.

P191/2023 Planning Process and Issues

A query was raised about the local policy relating to the development of fast food outlets in

the vicinity of schools.

Resolved: To raise a query with local Planning Policy officers about the current and future policies in this regard.

P192/2023 Kendal Town Council Flood Relief Scheme Working Group

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, reported that although there had been no formal meeting of the Working Group, a number of meetings had been held between elected members and officers at the Environment Agency with a view to resolving the queries relating to the flood wall at New Road. The Chair thanked Cllrs Cornthwaite and Ladhams for the continuing engagement on this matter, which was clearly one of considerable public interest.

Resolved: To note the verbal update.

P193/2023 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 18.59 p.m.

Kendal Town Council
 Responses from Planning Committee: 7 May 2024
Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	2024/0636/FPA	Queen Katherine School, Appleby Road Variation of Condition 2 (approved plans) attached to planning permission SL/2021/0495 (Extension of Sandgate SEN school comprising of new educational classrooms, multi-purpose hall with pupil facilities, teaching facilities and external works)	Mintsfeet	14 May	No material objections
2	2024/0634/FPA	60 Low Fellside Replacement of conservatory with new garden room, replacement roof covering and dormers to rear, and replacement windows and door	Fellside	14 May	No material objections , subject to the conditions that the Conservation Officer is satisfied that it does not compromise the visual amenity of the Conservation Area and that there is a consideration of appropriate biodiversity net gain.
3	2024/0671/ADV	Unit 1A Queen Katherine's Avenue Advertisement consent of the installation of 2 illuminated fascia signs and 2 illuminated projecting signs	Mintsfeet	21 May	No material objections , subject to the conditions that any illuminated signage is only lit during opening times plus 30 mins either side.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
4	2024/0677/FPA	Unit 1A Queen Katherines Avenue Planning Permission for new signage, shopfronts, air conditioning condenser units and extract grilles	Mintsfeet	21 May	No material objections subject to the conditions that the relevant Environmental Health standards are applied; and that the developer/business makes a contribution to, or employs their own litter collection service within 400m of the site.

Item No.5

Planning Committee - Minute Action Sheet - as at 13-05-24

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
24	08/04/2024	P174/2023	Planning Process and Issues	To invite officers from Westmorland and Furness Council's Planning Policy to attend a future meeting of the Planning Committee to talk about the Neighbourhood Plan and the Local Plan			15-Apr-24	
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	07/05/2023	P190/2023	Minute Action Sheet	To raise again the issue of the two shopfronts at Finkle Street and Kirkland with the Planning Authority.				

Kendal Town Council
 Applications for Planning Committee: 20 May 2024
Appendix 1

Item No.9

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	2024/0661/PAC OU	<p>36 Finkle Street Kendal LA9 4AB</p> <p>Application to determine if prior approval is required under Schedule 2, Part 3, Class MA for a proposed change of use of upper floors to 2 dwellinghouses (Use Class C3)</p>	Fell	28 May	
2	2024/0679/FPA	<p>Friends Meeting House Stramongate Kendal LA9 4BH</p> <p>Installation of Air-Source Heat Pump unit to exterior of Curtilage Building in the grounds of the Grade II* Listed Friend Meeting House</p>	Fell	29 May	
3	2024/0680/LBC	<p>Friends Meeting House Stramongate Kendal LA9 4BH</p> <p>Installation of Air-Source Heat Pump unit to exterior of Curtilage Building in the grounds of the Grade II* Listed Friend Meeting House.</p>	Fell	29 May	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
4	2024/0700/FPA	<p>65 Paddock Drive Kendal LA9 5FJ</p> <p>To reduce the cill of the window to the rear of the property to create an accessible door into the garden with a metal portable ramped access to the garden</p>	Stonecross	29 May	
5	2024/0681/RMA	<p>1.1 acre plot Moraine Business Park Land North of Meadowbank Business Park Kendal LA9 6NY</p> <p>Application for Approval of Reserved Matters for a vehicle workshop with MOT bay and associated works following Outline Approval SL/2019/0743 (Hybrid application: 1. Full Application for motor dealership (sui generis) including workshops, access roundabout, spine road and internal compartmentation area access junctions. 2. Outline Planning Application all matters reserved, apart from access, for employment business park (indicatively B1/B2 6400m2 & B8 2500m2) MAJOR)</p>	Mintsfeet	30 May	
6	2024/0410/ADV	<p>113 Stricklandgate Kendal LA9 4RF</p> <p>Advertisement consent for the installation of 4 illuminated fascias</p>	Fell	30 May	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
7	2024/0741/FPA	<p>41 Captain French Lane Kendal LA9 4HP</p> <p>Replacement of 2 doors and 6 windows with brown (rosewood) UPVC</p>	Highgate	30 May	
8	2024/0743/FPA	<p>43 Captain French Lane Kendal LA9 4HP</p> <p>Replacement of 1 door and 8 windows with brown (rosewood) UPVC</p>	Highgate	30 May	
9	2024/0629/FPA	<p>3 Fir Tree Rise Kendal LA9 5FA</p> <p>Creation of level parking area for wheelchair access</p>	Strickland	3 June	