

# 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 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	Apologies
Cllr L Edwards	Present	Cllr D Rathbone (Chair)	Present
Cllr R Edwards	Apologies	Cllr G Supka	Apologies
Cllr A Finch	Apologies		

**In Attendance:** Chris Bagshaw (Town Clerk).

### **P1/2024 Apologies**

**Resolved:** To receive and accept apologies for absence from Cllrs R Edwards, A Finch, D Miles and G Supka.

### **P2/2024 Declarations of Interest**

No declarations of interest were raised under this item.

### **P3/2024 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**

There were no excluded items on the agenda.

### **P4/2024 Minutes of the Previous Meeting**

**Resolved:** To receive and accept the minutes of the previous meeting of the Planning Committee held on 7 May 2024 and to authorise the Chair to sign them as a true record.

### **P5/2024 Minute Action Sheet**

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

On the issue of unlawful development of a shop front in the Conservation Area, the Clerk reported that nothing further had been heard from the Planning Authority.

On the issue of the New Road bore hole data from the Environment Agency, no further information had been received.

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

**Resolved:** To follow up the issue of unlawful shop front developments with the Planning Authority.

**Resolved:** To follow up queries with EA and include the chair of W&FC Locality Board in any correspondence.

#### **P6/2024 Planning Process and Issues**

The Clerk reported that he had held a meeting with Dan Hudson, Interim Senior Manager in Planning Policy at Westmorland & Furness Council. He had outlined the current position of the Local Plan, which will now have to integrate all three former districts in W&F. He is expecting the first round of consultation to commence this coming summer, and would be very grateful for the Town Council's input. The Chair reminded the Committee of the Town Council's current position on the development of a Neighbourhood Plan (NP) in Kendal, to better express the Council's aims and the community's wishes, however a pragmatic approach was still appropriate, as the NP process was both time consuming and potentially inadequate, given that it must be in accordance with the Local Plan. It was the general consensus amongst those who had been through the process that influencing the Local Plan from the outset was likely to bear more lasting and less time-consuming results. However he reiterated that the Town Council should keep the matter on the table, to act as a fallback position.

The Clerk reported that the Planning Authority had confirmed that presently they had no plans to alter the boundary of the Conservation Area, but if a case was developed to do this, they would review it.

Dan Hudson had made a query about the relationship with Kendal Futures, which the Town Clerk had explained as being one of a partnership in an ideas forum. The Town Council's role was statutory and distinct.

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

#### **P7/2024 Kendal Town Council Flood Relief Scheme Working Group**

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, reported that the group had not met since the last meeting, but there had been considerable activity around the application for an amendment to the plans for New Road, which had recently come before the Planning Authority. Cllr Ladhams reported that she had been present at a meeting with Richard Knight from the EA and a number of others at which a range of options were looked at for New Road. The Planning Committee at W&FC had deferred the EA's application to seek further information from the EA on the extent of their liaison with KTC over the different options. The EA were reported to be quoting an additional two years on the timetable and an additional £8-9 million to develop a riverside wall. There was also some discussion concerning scheduling a roadside wall/glass wall with current Local Cycling and Walking Infrastructure Plan (LCWIP) related development of the river corridor cycling route, and suggestions that gate opening times might be available for long periods over the summer months.

Cllr Cornthwaite concluded that he would like to convene a meeting of the Working Group's non-EA members to establish a consensus position on how best to proceed, and would seek dates for this in the coming weeks.

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

#### **P8/2024 Planning Application Consultation 2024/0587/LBC Mint House Shap Road Kendal LA9 6NY**

**Resolved:** 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 having been that the Council had no material objections, in line with the Conservation Officer's considered response.

**P9/2024      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 7.30 p.m.

Kendal Town Council  
 Responses from Planning Committee: 20 May 2024  
**Appendix 1**

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	<a href="#">2024/0661/PAC OU</a>	<b>36 Finkle Street Kendal LA9 4AB</b>  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)	Fell	28 May	<b>No material objections</b> , though the Committee did suggest that the development may benefit from local occupancy clauses, and would need to comply with design minima for living space.
2	<a href="#">2024/0679/FPA</a>	<b>Friends Meeting House Stramongate Kendal LA9 4BH</b>  Installation of Air-Source Heat Pump unit to exterior of Curtilage Building in the grounds of the Grade II* Listed Friend Meeting House	Fell	29 May	<b>No material objections</b> subject to the Conservation Officer being content that the development does not compromise the visual amenity of the Conservation Area.
3	<a href="#">2024/0680/LBC</a>	<b>Friends Meeting House Stramongate Kendal LA9 4BH</b>  Installation of Air-Source Heat Pump unit to exterior of Curtilage Building in the grounds of the Grade II* Listed Friend Meeting House.	Fell	29 May	<b>No material objections</b> subject to the Conservation Officer being content that the development does not compromise the visual amenity of the Conservation Area.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
4	<a href="#">2024/0700/FPA</a>	<b>65 Paddock Drive Kendal LA9 5FJ</b>  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	Stonecross	29 May	<b>No material objections</b> , providing the neighbours do not feel there are material concerns.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
5	<a href="#">2024/0681/RMA</a>	<p><b>1.1 acre plot Moraine Business Park Land North of Meadowbank Business Park Kendal LA9 6NY</b></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 &amp; B8 2500m2) MAJOR)</p>	Mintsfeet	30 May	<p><b>Recommend refusal.</b></p> <p>The Committee were disappointed to note that no mention had been made of a sequential test for the development. The boundary treatments were unimaginative at best, and could be served by thorn hedges in many areas. No provision appeared to be made for electric vehicles. The Council has already expressed its dissatisfaction with the layout of the estate making no reference to the entrance to the town. Any lighting should be dark skies, insect and biodiversity friendly in the colour, intensity and frequency. Lighting up times should be restricted (30 mins either side of opening hours) as well as appropriate dimming of the LEDs for such a sensitive edge of town location. Inadequate provision is made for biodiversity net gain, and no mention is made of the necessary relocation of community assets, including those installed by Kendal Town Council at the entrance to the new estate.</p> <p>Cllr Rathbone took no part in this item.</p>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
6	<a href="#">2024/0410/ADV</a>	<b>113 Stricklandgate Kendal LA9 4RF</b>  Advertisement consent for the installation of 4 illuminated fascias	Fell	30 May	<b>No material objections</b> , subject to the Conservation Officer being satisfied that it does not compromise the visual amenity of the Conservation area. Lighting should be restricted to 30 mins either side of opening hours, comply with dark skies policy and be insect and biodiversity friendly in the intensity, colour and frequency.
7	<a href="#">2024/0741/FPA</a>	<b>41 Captain French Lane Kendal LA9 4HP</b>  Replacement of 2 doors and 6 windows with brown (rosewood) UPVC	Highgate	30 May	<b>No material objections</b> , subject to the Conservation Officer being satisfied that it does not compromise the visual amenity of the Conservation area.
8	<a href="#">2024/0743/FPA</a>	<b>43 Captain French Lane Kendal LA9 4HP</b>  Replacement of 1 door and 8 windows with brown (rosewood) UPVC	Highgate	30 May	<b>No material objections</b> , subject to the Conservation Officer being satisfied that it does not compromise the visual amenity of the Conservation area.
9	<a href="#">2024/0629/FPA</a>	<b>3 Fir Tree Rise Kendal LA9 5FA</b>  Creation of level parking area for wheelchair access	Strickland	3 June	<b>No material objections</b> but the development should be subject to a basic level of net biodiversity gain.