

# Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED  
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## Minutes of a meeting of the Planning Committee held on Monday, 23 January 2023, at 6.01 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	Apologies
Cllr D Evans	Apologies	Cllr D Rathbone (Chair)	Present

\* Arrived at 7.08 p.m. prior to consideration of Agenda Item No.5 (Minute Action Sheet).

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

### **P113/2022 Chair's Announcement**

The Chair announced that, due to time constraints having arisen in recent months, all future meetings of the Planning Committee would commence at 6.00 p.m.

### **P114/2022 Apologies**

Apologies for absence were received and accepted from Cllrs D Evans and D Miles.

### **P115/2022 Declarations of Interest**

No declarations of interest were raised.

### **P116/2022 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**

No issues were considered for exclusion.

### **P117/2022 Minutes of the Previous Meeting**

**Resolved:** To receive and accept the minutes of the previous meeting of the Planning Committee held on 9 January 2023 and to authorise the Chair to sign them as a true record.

### **P118/2022 Minute Action Sheet**

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

With regard to Minute No.P109/2022 , Members felt that, in retrospect, there had been no need for an additional column including within the Action Sheet and, therefore, requested that the new column labelled “Timeline for updates” be removed.

**Resolved:** To remove the column labelled “Timeline for updates” (P109/2022) from the Minute Action Sheet.

In response to a query in relation to Minute No.P110/2022, the Town Clerk advised that he awaited news from the printer with regard to the laminated versions of the Conservation Area map and that he would chase this up.

**Resolved:** The Town Clerk to chase up the printer with regard to laminated versions of the Conservation Area map (P110/2022).

A query was raised with regard to Minute No.P95/2022 (production of checklist containing relevant points for discussion during consideration of large housing developments), the entry for which had been removed from the Action Sheet as having been completed, Members asked for this to be put back onto the document pending completion of the final document. Also raised was the need to include a point regarding whether the application was acceptable to the Conservation/Heritage Officer.

**Resolved:** To reinstate the entry regarding the production of a checklist containing relevant points for discussion during consideration of large housing developments (P95/2022).

**Resolved:** To note the report.

#### **P119/2022     Planning Process and Issues**

The Town Clerk raised the issue of the planning application at Meadowbank Industrial Estate (Meadowbank 2), for a proposed car showroom. He referred to pieces of infrastructure at that location which were owned by the Town Council, and to trees belonging to the Rotary Club and funded by the District Council. All of this would appear to be obliterated by the proposed new junction and the Town Clerk explained that he had seen nothing within the application either acknowledging this fact or offering to replace. He questioned whether the Town Council should have been notified

**Resolved:** To raise the issue with the Planning Authority, copying in the relevant agent, and report back to the committee with a response.

#### **P120/2022     Kendal Town Council Flood Relief Scheme Working Group**

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, informed the Committee that there had been no further meetings of the Group, although the Environment Agency had recently put forward a date of Wednesday, 15 February 2023, at 7.00 p.m. in their Hub. He intended, however, to ask them to bring the start of the meeting forward to 6.00 p.m., following Member training for Westmorland and Furness Members on highways. Cllr Cornthwaite provided Members with an update on progress on the works being carried out on the section between Gooseholme and the Scout Hut and advised that preparations were being made for the wall along New Road. The rest of the works would fire up again in July when there would be access to the river.

Some concern was expressed regarding the fact that work was only possible for two to three months after July, before the river rose again. Cllr Cornthwaite explained that a lot of areas would be hit simultaneously at that time.

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

### **P121/2022 South Lakeland, Barrow and Eden Playing Pitch and Outdoor Sport Strategy Survey**

The Committee considered the Town Council's response to the Playing Pitch and Outdoor Sport Strategy survey. The document considered the adequacy of provision for a variety of outdoor sports and included facilities owned by town and parish councils, as well as facilities on school, private and district council sites. It would help to protect existing sports facilities and would identify if any new facilities were required, as well as where improvements were needed to existing facilities. This was an important Strategy for the councils. As well as supporting the planning process, the Strategy would provide the evidence required to generate investment into sport, both through external funding and by maximising funding delivered through new development. This investment could be in facilities owned by town and parish councils.

The survey sought to confirm the facilities owned by the Town Council, which was currently nil, to understand any issues that arose with these facilities and to capture any aspirations for future development. It further sought to understand if the Council was aware of any unmet demand for outdoor sports facilities within Kendal. Inclusion in the Strategy document would ensure that the Town and any facilities it managed would be able to benefit from any investment opportunities that arose.

Members considered responses to the questions contained within the survey at some length, with a particular focus on the section relating to unmet demand. The Town Clerk made a note of the responses, with the general consensus of opinion being that Kendal did not have enough sports pitches or outdoor sports facilities, with those that existed being of poor quality and not up to date, having deteriorated with time. The need for all-weather pitches within the Town was stressed.

Also raised was concern regarding land availability and the need for assurance that the District Council would include land and pitches which it owned.

**Resolved:** The Town Clerk to draft a response along the lines discussed at the meeting and briefly outlined above and to circulate it to all Members of the Committee for comment prior to submission of the response to the Playing Pitch and Outdoor Sport Strategy survey by 1 February 2023.

### **P122/2022 Application under Section 38 of the Commons Act 2006**

The Committee was asked to consider whether to make a representation with regard to the submission of an application by the Environment Agency under Section 38 of the Commons Act 2006 for common land consent for works on New Road Common in Kendal. The proposed works were for the construction of new linear flood defences along the edge of

New Road Common to increase the flood resilience for Kendal as part of the wider Kendal Flood Risk Management Scheme. Members expressed the view that the work on the Common Land would not negatively affect the residential amenity or commoners' rights and were in favour of the proposal.

**Resolved:** The Town Clerk to submit the response to the application by the Environment Agency under Section 38 of the Commons Act 2006 for common land consent for works on New Road Common in Kendal, as discussed at the meeting and outlined above, before 14 February 2023.

### **P123/2022    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 6.58 p.m.

## Kendal Town Council

Responses from Planning Committee: 23 January 2023

### Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2022/1170</a>	<b>Land adjacent to Rivers Mint and Kent extending from adjacent to Lakeland Distribution Centre to Helsington Mills, Kendal</b>  Demolition and reconstruction of a grade II listed gate pier and two sections of stone walling, and permanent removal of another section of listed walling, all to facilitate access to, and safe construction of, the flood defences in Reaches F5 and F6 of the Kendal Flood Risk Management Scheme Phase 1 (originally approved under reference SL/2018/0925)	Several	30 January	<b>No Material Objections</b> subject to the conditions of the original application.
2	<a href="#">SL/2022/1176</a>	<b>Highgate Hotel, 128 Highgate, Kendal</b>  Replace one rotten window on the south elevation of the property, with a like for like timber hardwood sash window. Replace all windows the rear (west) and side (north) elevations of the property, with a like for like double glazed casement window using Sapele treated wood	Highgate	30 January	<b>No Material Objections</b> provided that the Sapele treated wood is sustainably farmed and that the Conservation Officer is satisfied with the proposal.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
3	<a href="#">SL/2022/1178</a>	<p><b>Land adjacent to Rivers Mint and Kent extending from adjacent to Lakeland Distribution Centre to Helsington Mills, Kendal, Little Aynam, Kendal</b></p> <p>Demolition and reconstruction of a section of stone walling to provide an alternative route for construction vehicles accessing Reaches F5 and F6 of the Kendal Flood Risk Management Scheme Phase 1 (originally approved under reference SL/2018/0925)</p>	Several	30 January	<b>No Material Objections</b> subject to the conditions of the original application.
4	<a href="#">SL/2022/1167</a>	<p><b>38 Hillswood Avenue, Kendal</b></p> <p>Single storey rear extension</p>	Kirkland	30 January	<b>No Material Objections</b> provided that there is a contribution to net biodiversity gain as required by DM4.
5	<a href="#">SL/2023/0021</a>	<p><b>18, 26, 28, 30 Hawthorn Way, Kendal</b></p> <p>Deed of variation to section 106 agreement dated 20 February 2017 to permit 18, 26, 28 and 30 Hawthorn Way, Kendal to be disposed of as affordable units for discounted sale</p>	Heron Hill	31 January	Members expressed concern with regard to the nature of the variation, concerned that the units may originally have been for rent. To this end, a <b>response is delegated to the Chair of the Committee</b> subject to sight of the paperwork which was not available at the meeting due to the Northgate system having been out of action at the time.