

# Kendal Town Council

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



25 July 2023

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 **Monday, 31 July 2023, 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

A handwritten signature in black ink, appearing to be 'CB' with a long horizontal stroke extending to the right.

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 7)**  
To receive the minutes of the meeting held on 17 July 2023, and to authorise the Chair to sign them as a true record (see attached).
- 5. Minute Action Sheet (Page 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 Applications (Page 9)**  
  
To consider planning applications received from South Lakeland District Council and Cumbria County Council (see attached).

The Committee will consider planning applications received and published by local planning authorities 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 websites:

<https://applications.southlakeland.gov.uk/fastweb/welcome.asp>

<https://planning.cumbria.gov.uk/Search/Results>

## Kendal Town Council

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### Minutes of a meeting of the Planning Committee held on Monday, 17 July 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). Two members of the public were present, Graham Harrison (co-opted Member of the Kendal Town Council Flood Relief Scheme Working Group) and Jon Robinson (Kendal Civic Society).

#### Public Participation

Graham Harrison, co-opted Member of the Kendal Town Council Flood Relief Scheme Working Group) addressed the Committee. He referred to the fountain on Aynam Road which was dated 1857, pointing out, however, that the structure had not always been at this site. He explained the Environment Agency's proposals to lift the structure and to drop it behind the wall, so obscuring an ancient part of Kendal's history. Kendal Town Council had put pressure on the Environment Agency to move the fountain to a more suitable location and Kendal Civic Society was fully supportive of the move to a better location at Abbot Hall. Mr Harrison circulated papers providing details of what the fountain would look like should the Environment Agency carry out its proposals, how it might look in Abbot Hall and a plan of the Abbot Hall site detailing a number of suitable re-location sites.

#### P34/2023 Apologies

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

#### P35/2023 Declarations of Interest

No declarations of interest were raised.

#### P36/2023 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

#### P37/2023 Minutes of the Previous Meeting

**Resolved:** To receive and accept the minutes of the previous meeting of the Planning Committee held on 3 July 2023 and to authorise the Chair to sign them as a true record.

**P38/2023 Kendal Town Council Flood Relief Scheme Working Group**

The Town Clerk, referring to the issue raised by Graham Harrison under public participation, provided further details on the matter. He referred to the latest suggestion from Kendal Civic Society which was to position the fountain at the entrance to Abbot Hall. The Town Clerk had forwarded this proposal to colleagues at Westmorland and Furness Council ten days previously, however, had not yet received a response. The matter had been discussed at the last meeting of the Kendal Town Council Flood Relief Scheme Working Group and Mr Harrison's plan provided details of the latest iteration. The Environment Agency had indicated a willingness, subject to the Town Council providing funding, to place the structure on a pallet and to store it, on the condition that it did not remain within the flood relief scheme.

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, drew attention to changes in personnel at the Environment Agency and to differing priorities resulting in this matter having been pushed down the list. He questioned whether Westmorland and Furness Council now had to make the final decision on the relocation of the fountain. He also stressed dependency on the Environment Agency fulfilling its commitment.

Members expressed support for the Flood Relief Scheme Working Group and the Civic Society's proposal. It was felt that officers at Westmorland and Furness Council should be approached again to inform them of this support and to discuss the way forward.

**Resolved:** To approach officers at Westmorland and Furness Council to inform them of the Committee's support for the proposal for relocation of the fountain to Abbot Hall and to discuss the way forward.

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

Cllr Cornthwaite presented the notes of the meeting of the Working Group held on 6 July 2023.

**Resolved:** To receive the notes of the meeting of the Kendal Town Council Flood Relief Scheme Working Group held on 6 July 2023.

**P39/2023 Minute Action Sheet**

The Committee considered a report on actions taken by officers on resolutions or recommendations made at previous meetings and the Town Clerk responded to queries raised.

*P29/2023 (Minute Action Sheet)* – The shop front style document for the Kendal Conservation Area having been circulated to both Members and Kendal BID, it was queried whether any feedback had been received from the BID. This raised the question as to whether the BID was aware of the 2004 doors and windows legislation.

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

**P40/2023 Planning Process and Issues**

The Chair referred to P30/2023 (Planning Process and Issues) of the last meeting of the Committee when Members had been informed of the new planning process at Westmorland and Furness Council where applications recommended by town/parish councils for refusal were now being put before their area planning committees where Westmorland and Furness

officers were recommending approval. Members had also been notified of two such applications relating to 4a High Tenterfell and 10 Bluebell Close.

These applications had since been considered by the South Lakeland Area Planning Committee where it had been negotiated with the applicant for the High Tenterfell application for windows of a different style and a site visit had been sought regarding Bluebell Close. This, the Chair believed, provided that planning officers at Westmorland and Furness Council were taking notice of the Town Council's recommendations.

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

#### **P41/2023      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 7.09 p.m.

Kendal Town Council  
 Responses from Planning Committee: 17 July 2023  
**Appendix 1**

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2023/0482</a>	<b>7 The Old Woodyard, High Tenterfell, Kendal</b> Replacement wooden windows with UPVC	Fell	19 July	<b>No Material Objections</b> on the condition that the windows proposed do not damage the visual conformity and consistency with the rest of the development as mentioned in the neighbour response.
2	<a href="#">SL/2023/0484</a>	<b>23 Parr Street, Kendal</b> Replacement of front timber dormer windows with matching hardwood timber double-glazed windows	Mintsfeet / Castle	19 July	<b>No Material Objections</b>
3	<a href="#">SL/2023/0485</a>	<b>9 Wildman Street, Kendal</b> Alterations to frontage to reinstate a more traditional shopfront appearance	Mintsfeet	20 July	<b>No Material Objections</b> subject to there being no adverse comments from the Conservation Officer.
4	<a href="#">SL/2023/0479</a>	<b>Printers Croft, Entry Lane, Kendal</b> Replace wooden door frame and surrounding window with UPVC & aluminium to main entrance on the west elevation	Fell	20 July	<b>No Material Objections</b> despite disappointment that the use of materials predates the Kendal Conservation Area Statement.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
5	<a href="#">SL/2023/0504</a>	<b>The Birches, Murley Moss Lane, Kendal</b> Demolition of existing lean-to porch canopy/roof and construction of first floor glazed balcony	Heron Hill	26 July	<b>No Material Objections</b> provided that officers do not view the proposal as overlooking the premises opposite.
6	<a href="#">SL/2023/0505</a>	<b>6 Bellingham Road, Kendal</b> Replacement single-storey rear extension	Stonecross	26 July	<b>No Material Objections</b> provided that officers do not view the proposal as overlooking neighbours and subject to provision for net biodiversity gain of at least 10%.

**Item No.5**

<b>Planning Committee - Minute Action Sheet - as at 25-07-23</b>							
<b>Meeting Date</b>	<b>Minute No.</b>	<b>Title</b>	<b>Action (Resolution)</b>	<b>Officer Responsible</b>	<b>Deadline, if any</b>	<b>Date Action Commenced</b>	<b>Comments</b>
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
03/04/2023	P164/2022	Minute Action Sheet	Arrangements be made for Planning training for Members to be held after May.	CB			Arrangements being explored with RTPi
03/04/2023	P165/2022	Planning Process and Issues	To make informal enquiries of the Planning Authority on how to initiate proceedings with regard to a review of the Kendal Town Council Conservation Area.	CB	17-Apr	informal approach made. Awaiting reponse	
02/05/2023	P185/2022	Responding to Planning Applications – Draft Notes for Guidance April 2023	To accept the draft set of notes for guidance in considering planning applications and to include the information raised during discussion and outlined above.	CB			In progress
17/07/2023	P38/2023	Kendal Town Council Flood Relief Scheme Working Group	To approach officers at Westmorland and Furness Council to inform them of the Committee’s support for the proposal for relocation of the fountain to Abbot Hall and to discuss the way forward.	CB		Actioned post FRSWG meeting. Awaiting response	



Kendal Town Council  
 Applications for Planning Committee: 31 July 2023  
**Appendix 1**

<b>Item No.8</b>
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No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2023/0367</a>	<b>Beech House, 40 Greenside, Kendal</b> Replacement double glazed timber front bay window	Fell	1 August	
2	<a href="#">SL/2023/0511</a>	<b>8-10 Kirkland, Kendal</b> Re-roofing works to include Solar PV to front and rear roofs	Kirkland	2 August	
3	<a href="#">SL/2023/0534</a>	<b>43-45 Branthwaite Brow, Kendal</b> Fitting of inset photovoltaic panels to the rear elevations of the buildings	Fell	8 August	
4	<a href="#">SL/2023/0547</a>	<b>High Park Cottage, Oxenholme, Kendal</b> Variation of condition 2 (Approved plans) & 7 (Materials) attached to planning permission SL/2020/0726 (Construction of a new dwelling in place of the existing converted garage building)	Oxenholme	10 August	