

KENDAL TOWN COUNCIL

Notice of Meeting

PLANNING COMMITTEE

Monday, 2nd November 2020 at 6.30 p.m.
(Via Zoom)

Committee Membership (8 Members)

Douglas Rathbone (Chair & Deputy Mayor)	Jonathan Cornthwaite (Vice Chair)	Dave Miles
Michele Miles	Pat Gibson	Helen Ladhams
Chris Rowley	Graham Vincent	

AGENDA

1. **APOLOGIES**

2. **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.

3. **DECLARATIONS OF INTEREST**

To receive declarations by Members and/or co-optees of interests in respect of items on this Agenda

[In accordance with the revised Code of Conduct, Members are required to declare any Disclosable Pecuniary Interests (DPIs) or Other Registrable Interests (ORIs) which have not already been declared in the Council's Register of Interests. Members are reminded that it is a criminal offence not to declare a DPI, either in the Register or at the meeting. In the interests of clarity and transparency, Members may wish to declare any DPI which they have already declared in the Register, as well as any ORI.]

4. **MINUTES OF MEETING HELD ON 19TH OCTOBER 2020** (see attached)

5. **MATTERS ARISING FROM PREVIOUS MINUTES, NOT ON AGENDA**

6. **PLANNING APPLICATION REF SL/2020/0676 – 26 RIVER BANK, KENDAL – TO CONSIDER ADDITIONAL INFORMATION RECEIVED FROM SLDC**

7. **KENDAL TOWN COUNCIL FLOOD RELIEF SCHEME WORKING GROUP**

8. **PLANNING APPLICATIONS** (see attached schedule)

Chris Bagshaw
Town Clerk

By e-mail/post to: Members of the Committee
All other Councillors (agenda only, for information)

KENDAL TOWN COUNCIL

Please note that only Committee Members will receive the minutes and attachments, but that other Councillors may request a copy of any agenda papers. Any Councillor who is not a Committee Member may still attend the meeting, as an observer.

Members of the Press and Public are welcome to attend the meeting via teleconferencing or correspondence by arrangement with the Chair, Cllr Doug Rathbone, at rathers@live.co.uk or 07505503965.

KENDAL TOWN COUNCIL

Planning Committee

**Monday 19th October 2020 at 6.00 p.m.
(Via Teleconferencing)**

- PRESENT** Councillors Douglas Rathbone (Chair & Deputy Mayor), Jonathan Cornthwaite (Vice Chair), Dave Miles, Michele Miles, Helen Ladhams, Chris Rowley and Graham Vincent
- APOLOGIES** Councillor Gibson
- OFFICERS** Chris Bagshaw (Town Clerk) and Hazel Belshaw (Temporary Council Secretary)
- 339/20/21 PUBLIC PARTICIPATION**
- None
- 340/20/21 DECLARATIONS OF INTEREST**
- Councillors Ladhams and Rathbone declared an interest in respect of the applications relating to Kendal Town Hall (items 5, 6 & 7) as they are District Councillors. All other Councillors declared an interest as they are Town Councillors.
- Councillors Ladhams, Rathbone, Vincent, Cornthwaite, M. Miles, D. Miles and Rowley declared an interest in respect of the application relating to The New Union (item 11) as the applicants are known to them.
- Councillor Vincent declared an interest in respect of the application relating to Stricklandgate House (item 16) as he is a Trustee and he took no part in the discussion.
- 341/20/21 MINUTES OF MEETING HELD ON 5TH OCTOBER**
- Members considered the minutes of the Committee meeting held on 5th October.
- Councillor Ladhams proposed that the minutes be accepted as a correct record. This was seconded by Councillor Cornthwaite and carried unanimously.
- RESOLVED** That the minutes of the meeting held on 5th October be accepted as a correct record, and signed by the Chair.
- 342/20/21 MATTERS ARISING**
- None

19.10.2020

343/20/21 PLANNING APPLICATION REF SL/2020/0594 - 75 HAYCLOSE CRESCENT, KENDAL – TO CONSIDER ADDITIONAL INFORMATION RECEIVED FROM SLDC

Councillors reviewed the application and have no material objection.

344/20/21 KENDAL TOWN COUNCIL FLOOD RELIEF SCHEME WORKING GROUP

Cllr Cornthwaite advised there was no further update but the group is scheduled to meet on Wednesday 28th October at 7pm. Cllr Vincent asked if there was an update following the article in the Westmorland Gazette regarding the Open Space Society who are looking at part of the river being common land resulting in a delay to the project. He suggested he would contact them to find out more and report back to Cllr Cornthwaite before the meeting on the 28th.

345/20/21 NOTIFICATION OF APPEAL UNDER SECTION 78 – SLDC REF SL/2019/1036 – FLIXTON HOUSE, FAIRFIELD LANE, KENDAL, LA9 5ER

Members noted the appeal as it has ‘no opportunity to submit further comments’. Cllr Rowley felt very disappointed in the decision. There followed a discussion on how to improve the communication with SLDC Planning and this Committee. A meeting with the Town Clerk will be arranged to discuss further.

346/20/21 ANY OTHER BUSINESS

None

347/20/21 PLANNING APPLICATIONS

Members considered Planning Applications submitted for consultation purposes by the local planning authority, South Lakeland District Council.

RESOLVED That having considered the applications outlined in the schedule, the recommendations in Appendix I attached to these minutes be made to South Lakeland District Council.

The meeting ended at 7.24pm

Signed

Dated

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0677	The Beeches, 7b Sedbergh Road, Kendal New carport, raised garage roof to create 1st floor, 1st floor side extension and single storey rear porch	20.10.2020	No material objections provided it is not overlooking neighbouring properties and there are no further neighbour responses, especially from residents on Sandgate.
2	FPA 0575	24 Kendal Green, Kendal Erection of fence (retrospective)	20.10.2020	No material objections The Committee was disappointed to receive this as a retrospective application with no excuse or explanation. They would also like to draw attention to the comments from the neighbours regarding overshadowing and suggest they seek negotiation or mediation.
3	FPA 0586	Parr Street Evangelical Chapel, Parr Street, KENDAL Installation of new ancillary fire exit through the lower part of an existing roadside window with stepped access to the pavement below.	20.10.2020	No material objections
4	FPA 0645 & 0646	53 Stramongate, Stramongate, KENDAL Application of white cement render to the west gable to prevent water ingress	21.10.2020	Before making a decision on whether use of white cement render the Committee would wish the applicant to take advice from a building surveyor in particular around venting of

				the chimney space and this advice to be included in the application papers.
5	FPA 0654	Kendal Town Hall, Highgate, KENDAL Removal and reinstatement of existing roof light and refurbishment of associate skylight.	21.10.2020	No material objections in line with the application and Ancient Monument Society response and that it is like-for-like.
6	FPA 0655	Kendal Town Hall, Highgate, KENDAL Replacement of defective windows	21.10.2020	No material objections as long as the hardwood used is verifiable and sustainable sapele wood.
7	FPA 0656	Kendal Town Hall, Highgate, KENDAL Structural reinforcements to stairway skylight and stair	21.10.2020	No material objections
8	FPA 0665	1A Finley Close, KENDAL First floor rear extension	21.10.2020	No material objections providing there is no overlooking
9	FPA 0672	14 Stonecross Road, KENDAL Erection of a new glass front porch with a slate roof	22.10.2020	No material objections
10	FPA 0676	26 River Bank Road, Kendal Demolition of side carport & rear conservatory, erection of single storey rear extension, alterations and conversion of the existing single garage to a utility room, new side window & move of the entrance door to the side elevation and alterations to the front elevation fenestration.	23.10.2020	Material objection The proposal is out of keeping with the neighbourhood and would result in dominance with the surrounding dwellings. The committee would want to have fears that this would negatively impact on the appearance & character of the area and reduce local biodiversity removed.
11	FPA 0679	The New Union Tavern, 159 Stricklandgate, KENDAL	23.10.2020	No material objections although the Committee was

		Removal of window and cellar door/hatch, and replacement with disabled access door		disappointed to receive this as a retrospective application.
12	Advertisement 0685	Land Off Underbarrow Road, KENDAL 1 flagpole, 1 sign board & V sign board	23.10.2020	No material objections subject to CCHLLFA condition in their response of 5th October 2020.
13	FPA 0687	3 Scaffell Drive, KENDAL Raised platform to access rear conservatory with opaque glazed privacy screening (retrospective)	23.10.2020	Non-material/material objections attention is drawn to initial 'overlooking' & loss of privacy resulting from the building of the initial platform; use of materials & design/impact on the appearance of the area. These are to be taken into consideration in Development Control Officers' decision as to whether this is in keeping with local design plan. The Committee was disappointed to receive this as a retrospective application.
14	FPA 0684	Empsom Hill, Kendal Green, KENDAL Dwelling (resubmission of SL/2019/0904)	26.10.2020	Material objections Committee do not feel that the issues raised in the initial application (SL/2019/0904), raised by KTC or SLDC Planning Officers have been sufficiently addressed, especially given the nature of this site, ridge heights, & the special

				character of the Conservation Area. The issue of access to the house by easement and for building purposes does not deem to have been addressed. A materially changed re-submission is recommended once United Utilities' outlined suggestions are decided upon.
15	FPA 0699	Homebase, Beeson Road, KENDAL Refurbishment and external alterations to the existing store and other associated works to provide a discount food store	27.10.2020	Material objections (see comments below)
16	FPA 0691 & 0692	Stricklandgate House Trust, 92 Stricklandgate, KENDAL Change of use of coach house to dwelling	28.10.2020	No material objections
17	FPA 0705	66 Natland Road, Kendal Proposed porch and side extensions	30.10.2020	No material objections
18	FPA 0412	4 Thorny Hill, Kendal Patio steps down to garden, garden wall modification and addition of garden studio/office	30.10.2020	No new material objections The new proposals should be considered in line with the previous neighbour responses for the superseded application.

1. **0699, Homebase, Beeson Road, KENDAL**

- Under planning legislation neither KTC nor SLDC planning committees can determine where an application is made nor tell applicants what to apply for on that site. Each application must therefore be determined by national guidelines & local plans that are properly formulated under those national guidelines. SLDC do have a Local Strategic Plan under which this application must be judged, which should be underlined in this process. This application should also be viewed in line with the Kendal Town Centre Strategy 2020 and the Kendal Vision statement;
- The committee recognises that this is already an existing retail site (Class A1) with the resultant decision process;

- No sequential test of a supermarket on this site has been given and no evidence of a required need. This is in line with neighbour responses, which have been made on the SLDC portal as well as personally to every member of the Committee;
- Attention should also be drawn to the apparent increased internal sales space requested, given the above seeming test omission;
- A response is required from Highways, despite the Transport Statement and Travel Plan provided, regarding safety for:
 - (a) the junction between the A6 & Beezon Road as there will be significant increase in traffic, despite the Travel Plan provided, on a difficult turning which will result in significant tail backs, a lot of traffic disruption on what is already a congested one-way system through much of Kendal and potential dangers from resultant driver behaviour
 - (b) deliveries to the back of the premises;
- If the application is successful a permanent condition of approval should be for the hours of deliveries to be limited to 6am - 10pm despite the Noise Impact Assessment provided;
- Concerns that this store would disrupt the business of long existing neighbourhood stores, which are part of the Town Centre Strategy & Kendal Vision statement, are significant;
- We would look for a condition of agreement, if made, of installation of electric car charging points in the car park;
- Development Control should also look at ways of gaining alternative funding from the applicant to take into consideration the strategic impact of the increased vehicle and footfall in the area, as well as waste created and recycling needs on site. This would be beneficial to the Council's current work to create linked new/improved footpaths, shared cycle routes, open spaces, public realm, connectivity and biodiversity along the whole route of the river through Kendal. Working with Kendal Town Council in this way would enhance the environmental and biodiversity credentials of this application significantly on this riverside site.

KENDAL TOWN COUNCIL
Applications for Planning Committee: 2nd November 2020

Appendix 1

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0729	14 Cedar Grove, Kendal Side extension at first floor over garage	11.11.2020	
2	FPA 0720	14 Collinfield , Kendal Raising of existing garage roof to provide additional room with glazed balcony & bi-fold doors to the front elevation, new front porch, alterations to existing and formation of new window openings, new landscaping.	11.11.2020	
3	FPA 0702	74 Bleaswood Road, KENDAL Replacement front porch	11.11.2020	
4	FPA 0732	2 Kentrigg, KENDAL Detached single storey garden office	12.11.2020	
5	FPA 0735	5 Natland Road, KENDAL Single storey side extension (resubmission of SL/2019/0169) Retrospective	12.11.2020	
6	FPA 0734	42 Serpentine Road, KENDAL Rear Juliet balcony, rear glazed porch and conservatory to rear garage	12.11.2020	
7	FPA 0693	59 Scafell Drive, KENDAL Single storey side & rear extension with raised rear patio	16.11.2020	