

# KENDAL TOWN COUNCIL

Notice of Meeting

## PLANNING COMMITTEE

**Monday, 16<sup>th</sup> November 2020 at 6.30 p.m.  
(Via Zoom)**

### Committee Membership (8 Members)

Douglas Rathbone  
(Chair & Deputy Mayor)  
Michele Miles  
Chris Rowley

Jonathan Cornthwaite  
(Vice Chair)  
Pat Gibson  
Graham Vincent

Dave Miles  
Helen Ladhams

## 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/>. The public are not permitted to speak in other parts of the meeting unless allowed to do so by the chair. Please follow the specific guidelines for Zoom meetings distributed separately.

**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 2<sup>ND</sup> NOVEMBER 2020** *(see attached)*

To receive the minutes from the meeting on 2<sup>nd</sup> November 2020 and affirm them as a true record *(see attached)*.

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

**6. LAKE DISTRICT LOCAL PLAN: CONSULTATION ON PROPOSED MAIN MODIFICATIONS – 29<sup>TH</sup> OCTOBER TO 11<sup>TH</sup> DECEMBER 2020** *(see attached)*

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

## KENDAL TOWN COUNCIL

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

To consider the following planning applications received from South Lakeland District Council and Cumbria County Council. 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>

**Chris Bagshaw**  
**Town Clerk**

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

***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.***

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**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](mailto:rathers@live.co.uk) or 07505503965.**

# KENDAL TOWN COUNCIL

## Planning Committee

**Monday 2<sup>nd</sup> November 2020 at 6.30 p.m.  
(Via Zoom)**

- PRESENT** Councillors Douglas Rathbone (Chair & Deputy Mayor), Jonathan Cornthwaite (Vice Chair), Dave Miles, Michele Miles, Pat Gibson, Helen Ladhams, Chris Rowley and Graham Vincent
- Jason Rushworth, Newsquest
- APOLOGIES** None
- OFFICERS** Chris Bagshaw (Town Clerk) and Nicky King (Council Secretary)
- 378/20/21 PUBLIC PARTICIPATION**
- None.
- 379/20/21 DECLARATIONS OF INTEREST**
- Councillor Pat Gibson declared an interest in application SL/2020/0729, 14 Cedar Grove, Kendal as her husband is the architect. She took no part in the discussion on this item.
- 380/20/21 MINUTES OF MEETING HELD ON 19<sup>TH</sup> OCTOBER 2020**
- Members considered the minutes of the Committee meeting held on 19<sup>th</sup> October 2020.
- Councillor Rowley 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 19<sup>th</sup> October 2020 be accepted as a correct record, and signed by the Chair.
- 381/20/21 MATTERS ARISING**
- None.
- 382/20/21 PLANNING APPLICATION REF SL/2020/0676 – 26 RIVER BANK, KENDAL**
- Following receipt of subsequent information from SLDC committee has no material objections to this application.
- 383/20/21 KENDAL TOWN COUNCIL FLOOD RELIEF SCHEME WORKING GROUP**
- Councillor Cornthwaite advised that the group is scheduled to meet on Wednesday 3<sup>rd</sup> November. Councillor Nick Cotton will be attending to make a presentation on cycle paths and right of way

through the river corridor. Potential pricing from the EA for glass panels etc along Aynam Road is anticipated shortly.

Plans for upper reaches river walks will have to be curtailed due to lockdown.

**384/20/21**

**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.

**385/20/21**

**30 ULLSWATER ROAD – SL/2020/0716**

Members considered an application for replacement rear extension and first floor front extension.

Committee had no material objections provided there is no indication of loss of privacy or overlooking.

**RESOLVED**

That Committee have no material objections provided there is no indication of loss of privacy or overlooking.

The meeting ended at 7.15pm

Signed .....

Dated .....

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA <a href="#">0729</a>	<b>14 Cedar Grove, Kendal</b> Side extension at first floor over garage	11.11.2020	<b>No material objections</b>
2	FPA <a href="#">0720</a>	<b>14 Collinfield , Kendal</b> 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	<b>No material objections</b>
3	FPA <a href="#">0702</a>	<b>74 Bleaswood Road, KENDAL</b> Replacement front porch	11.11.2020	<b>No material objections</b>
4	FPA <a href="#">0732</a>	<b>2 Kentrigg, KENDAL</b> Detached single storey garden office	12.11.2020	<b>No material objections</b> Provided there is no suitable agreement regarding new sewerage arrangements.  Provided Development Control make a condition that it is not to be used as a dwelling - overnight, temporary or permanent.  The answer regarding pre-application advice (Q10) seems to be unusual, stating that an officer would be favourable to the application, prior to receipt.
5	FPA <a href="#">0735</a>	<b>5 Natland Road, KENDAL</b> Single storey side extension (resubmission of SL/2019/0169) Retrospective	12.11.2020	<b>No material objections</b>

6	FPA <a href="#">0734</a>	<b>42 Serpentine Road, KENDAL</b> Rear Juliet balcony, rear glazed porch and conservatory to rear garage	12.11.2020	<b>Material objection</b> to the balcony owing to overlooking and loss of privacy on neighbours gardens, unless a suitable solution is subsequently negotiated.
7	FPA <a href="#">0693</a>	<b>59 Scafell Drive, KENDAL</b> Single storey side & rear extension with raised rear patio	16.11.2020	Information insufficient to make judgement on the application's relationship to its surroundings and cannot therefore form any considered opinion.
8	FPA <a href="#">0676</a>	<b>26 River Bank Road, Kendal</b> 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		<b>No Material Objections</b> following receipt of subsequent information.
9	FPA <a href="#">0716</a>	<b>30 Ullswater Road, Kendal</b> Replacement rear extension and first floor front extension	10.11.2020	<b>No material objections</b> provided there is no indication of loss of privacy or overlooking.

# KENDAL TOWN COUNCIL REPORT

To: Planning Committee	16 <sup>th</sup> November 2020
From: Cllr Rathbone	Agenda Item No. 6

## LAKE DISTRICT LOCAL PLAN: CONSULTATION ON PROPOSED MAIN MODIFICATIONS – 29<sup>TH</sup> OCTOBER TO 11<sup>TH</sup> DECEMBER 2020

The Lake District Local Plan is undergoing an independent public examination following its submission to the Government in August 2019.

Examination hearings took place in November and December 2019 under the direction of Planning Inspectors Sarah Housden BA(Hons) MRTPI and Kelly Ford MSc, MRTPI. The Authority and the Inspectors are now undertaking further work aimed at the Authority formally adopting the Local Plan in spring 2021.

This letter is to tell you that you have an opportunity to comment proposed Main Modifications to the Local Plan between **29 October 2020** and **11 December 2020**.

### The proposed Main Modifications to the Local Plan

The Inspectors consider that the Local Plan could be found ‘sound’ subject to it including a number of Main Modifications. These are identified in:

- Schedule of Main Modifications (LDNPA-027)
- Proposed changes to Submission Policies Map and diagram alterations (LDNPA-028)
- Habitats Regulation Assessment (LDNPA-029)
- Appropriate Assessment (LDNPA-030)
- Sustainability Appraisal (LDNPA-031)

The proposed Main Modifications are put forward without prejudice to the Inspectors final conclusions regarding the soundness of the Plan. All representations made on the proposed Main Modifications during this consultation period will be taken into account by the Inspectors before reaching final conclusions on the Main Modifications required to the Plan.

You can also view a tracked changes version illustrating how the proposed modifications to the Local Plan would be incorporated into the Local Plan.

- Tracked Change Local Plan (LDNPA-032)
- Tracked Change Section 4 (Allocations of Land) (LDNPA-033)

Comments are invited on the Main Modifications during the consultation period commencing on **29 October 2020** and concluding at 5pm on **11 December 2020**. Comments are not invited on other areas of the plan or evidence documents.

Comments on the proposed Main Modifications should focus on whether you think the proposed Main Modifications are necessary to make the Local Plan ‘sound’ (including legally compliant) as required by paragraph 20 of the Planning and Compulsory Purchase Act 2004. The National Planning Policy Framework (2019) explains that to be

'sound', Local Plans have to be positively prepared, justified, effective and consistent with national policy (paragraph 35).

Please quote the relevant Main Modification reference number including, the policy or paragraph to which your response relates.

### **Revisions and updates to the Local Plan evidence base**

The following documents have been prepared to support the Main Modifications and for the purposes of clarification and can be commented on as part of the representations on a related Main Modification:

1. Note regarding Modifications to Showcase Areas, Use Class Order changes, and Site CSE05M, by LDNPA (LDNPA-034)
2. Infrastructure Delivery Plan v1.2 (reformat) (LDNPA-035)
3. LDNPA response to 2018 household projections (LDNPA-025)

A schedule of Additional Modifications (LDNPA-036) which are changes which would not materially affect the policies in the Plan has also been prepared and is available for information.

### **Parts of the Local Plan which have not changed**

This consultation only deals with the proposed Main Modifications, and changes to the Policies Map. The rest of the Local Plan is no longer open for comment and any comments not related to the proposed Main Modifications or Policies changes will not be taken into account.

If you have already submitted comments on the Local Plan then there is no need to repeat these or re-submit them as they have already been considered as part of the examination process.

### **Consultation Arrangements**

The Government has emphasised the importance of plan-making continuing during the Covid-19 pandemic. In accordance with Government guidance the Authority has made temporary changes to its adopted Statement of Community Involvement (LDNPA-026) to set out how the Authority will ensure that the public consultation is meaningful, open and accessible to all stakeholders including residents of the Lake District.

### **Where copies of the documents can be viewed?**

Copies of the documents can be viewed online in the [Examination Library](#).

As paper documents can't be made available for inspection at some deposit locations in accordance with our normal arrangements, we will provide you with paper copies of the documents free of charge along with a freepost envelope if you do not have access to the internet or are unable to view them. If you require paper copies of documents please notify us at the earliest opportunity on 01539 724555 or email [localplan@lakedistrict.gov.uk](mailto:localplan@lakedistrict.gov.uk) so you have sufficient time to read and respond.

Copies can also be viewed by appointment only at LDNPA headquarters at Murley Moss, Kendal. Please call 01539 724555 to arrange a viewing. Please note this may be subject to change if further COVID restrictions are imposed. You should only travel to view documents in accordance with Government advice.

We will also provide documents in alternative formats if requested and where it is possible to do so.



Comments should be a maximum of 3,000 words per any modification and should be sent by email to [localplan@lakedistrict.gov.uk](mailto:localplan@lakedistrict.gov.uk) or returned to:

Strategy and Partnerships, Lake District National Park Authority, Murley Moss, Oxenholme Road, Kendal, LA9 7RL.

All comments will be passed to the Inspectors and will be made available on the [Examination](#) web site.

We are unable to accept anonymous responses as your comments will form part of the Independent Examination, and we may need to contact you. All comments made will be publicly available but we will not publish your contact details. We will only use your contact details to provide you with information about the Local Plan. Our [Privacy Notice](#) contains further information about how we use your data and your rights to privacy.

For further advice on the consultation including access to the documents please contact by email [localplan@lakedistrict.gov.uk](mailto:localplan@lakedistrict.gov.uk) or by phone 01539 724555.

### **Next steps**

Having considered all responses to the proposed Main Modifications, the Inspectors will finalise the report into the soundness of the Local Plan and the schedule of recommended Main Modifications. The Inspector's report is expected in early 2021. If the Inspectors find the Local Plan 'sound' and legally compliant, the Authority will adopted the Plan at our earliest convenience.

### **Hanna Latty**

Acting Head of Strategy and Partnerships

## KENDAL TOWN COUNCIL

Applications for Planning Committee: 16th November 2020

Appendix 1

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA <a href="#">0741</a>	<b>37 Longlands View, Kendal</b> Proposed front porch, patio doors and rear dormer window	17.11.2020	
2	FPA <a href="#">0310</a>	<b>Kendal Ski Club, Canal Head North, Kendal</b> Lodge and slope extensions	13.11.2020	
3	FPA <a href="#">0511</a>	<b>39 Briarigg, Kendal</b> Alterations and extensions to boundary wall	18.11.2020	
4	FPA <a href="#">0611</a>	<b>44 High Fellside, Kendal</b> Alterations to side of front bay window to form doorway leading to front garden, replacement UPVC window to side	27.11.2020	
5	FPA <a href="#">0726</a>	<b>High Park Cottage, Oxenholme, Kendal</b> Construction of a new dwelling in place of the existing converted garage building	27.11.2020	
6	FPA <a href="#">0727</a>	<b>22 Michaelson Road, Kendal</b> Two storey side extension and new detached garage	25.11.2020	