

KENDAL TOWN COUNCIL

Notice of Meeting

PLANNING COMMITTEE

**Monday, 4th January 2021 at 6.30pm
(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**
To receive and accept any apologies from members.
- 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 21ST DECEMBER 2020** *(see attached)*
To receive the minutes from the meeting on 21st December 2020 and affirm them as a true record *(see attached)*.
- 5. MATTERS ARISING FROM PREVIOUS MINUTES, NOT ON AGENDA**
- 6. KENDAL TOWN COUNCIL FLOOD RELIEF SCHEME WORKING GROUP**
To receive an update from the Working Group and minutes of the last meeting held 16th December 2020 *(see attached)*.

KENDAL TOWN COUNCIL

7. **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.

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 21st December 2020 at 6.00 p.m.
(Via Zoom)**

- PRESENT** Councillors Douglas Rathbone (Chair & Deputy Mayor), Jonathan Cornthwaite (Vice Chair), Dave Miles, Michele Miles, Chris Rowley and Graham Vincent
- Also in attendance was Graham Harrison
- APOLOGIES** None.
- OFFICERS** Chris Bagshaw (Town Clerk) and Nicky King (Council Secretary)
- 488/20/21 PUBLIC PARTICIPATION**
- None.
- 489/20/21 DECLARATIONS OF INTEREST**
- Councillor Rowley declared an interest in respect of 88 Windermere Road and was not present for that item.
- The Chair referred to applications relating to Beezon Lodge and brought the Committee's attention to the Council's interest in the neighbouring property, being the buildings of the Allen Technical Institute and Museum. The freehold is owned by a Charity of which the Council is sole Trustee. The Committee noted that the buildings are on a very long lease and the interest of individual councillors is not pecuniary.
- Councillor Cornthwaite declared an interest in respect of 77 Milnthorpe Road, Kendal. The resident is known to him through his place of work.
- 490/20/21 MINUTES OF MEETING HELD ON 7TH DECEMBER 2020**
- Members considered the minutes of the Committee meeting held on 7th December 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 7th December 2020 be accepted as a correct record, and signed by the Chair.
- 491/20/21 MATTERS ARISING**
- None.

492/20/21**KENDAL TOWN COUNCIL FLOOD RELIEF SCHEME WORKING GROUP**

Councillor Cornthwaite advised Members that the KTC Flood Relief Scheme Working Group met on 16th December. Matters discussed included the glass wall and specifications.

Councillor Rowley mentioned a project that is part of a partnership bid, looking at innovative experimental upstream solutions in the Upper Kent. It will be submitting a bid in the region of half a million pounds for a proposed scheme which is looking for £500k to move forward on bunds adjacent to the Kentmere Reservoir. It was proposed at the meeting of the Working Group to continue to work with that group, in order to collect data on bunds' usefulness. The capacity of Councillor Rowley's link as KTC Flood Group representative will need to be considered although it was felt the reporting line was through Flood Group to Planning and so to Full Council.

493/20/21**SLDC STREET NAME NUMBER TEAM CONSULTEE LETTER – LAND NORTH OF HIGH SPARROWMIRE/MOORE FIELD CLOSE, KENDAL (REF SNN 2469)**

Members considered a Street Name Numbering application for the development on Land North of High Sparrowmire/Moore Field Close. The proposed names of Holmfirth and Lockton represent names of places in Yorkshire and a continuation of Kettlewell Road theme.

Committee resolved that either offered name is acceptable. Chris Bagshaw to notify SLDC.

RESOLVED

Committee agree that either offered name is acceptable. Chris Bagshaw to notify SLDC.

494/20/21**TRAFFIC REGULATION ORDER**

Members considered correspondence from CCC regarding proposed amendments to the speed limit on the A6, Milnthorpe Road, Kendal. The proposal is to extend the existing 30mph speed limit to a more suitable location as well moving the existing 40mph buffer zone further out of Kendal.

Members discussed the need to improve this dangerous location. Following a general discussion Committee agreed they were broadly in favour of the proposals, however they would prefer to see it go further than the proposed extension of the 30mph limit, taking the lower speed restriction as far south towards the roundabout as possible. It is their view that this would be environmentally preferable and safer for the approaches to the town. Town Clerk to notify CCC Highways of Committee's comments.

RESOLVED

Town Clerk to notify CCC Highways of Committee's comments in respect of proposed amendments to the speed limit on Milnthorpe Road.

495/20/21

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 7.26pm

Signed

Dated

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0814	88 Windermere Road, KENDAL Provision of a single of street parking space at the level of the public highway for ease of access.	21.12.2020	No material objections but Committee would draw attention to neighbours' comments, specifically regarding lack of 'green frontage' and the existing drainage problem
2	FPA 0846	Former K Village, Lound Road, KENDAL Alterations to basement area to remove vacant retail stores and introduce car parking	21.12.2020	No material objections provided the agreed remedial work on "back watering" of the drainage system can be confirmed
3	FPA 0849	10 White Stiles, KENDAL Two storey rear extension and front porch	22.12.2020	No material objections and Committee support the comment regarding swift boxes.
4	FPA 0858	77 Milnthorpe Road, KENDAL Replacement single storey rear extension	23.12.2020	No material objections
5	FPA 0864	35 Burton Road, KENDAL Two storey & single storey side extensions	23.12.2020	No material objections and Committee support the comment regarding swift boxes.
6	FPA 0919	Builders Supply Co, Mintsfeet Road South, KENDAL Retention of 3 lighting columns to illuminate yard area of existing builders merchant	25.12.2020	No material objections See comments below.
7	FPA 0877	2 Kendal Green, KENDAL Replacement first and second floor front windows	05.01.2021	No material objections
8	FPA 0882 & 0883	62 Stramongate, KENDAL Conversion & change of use of ground floor retail/office unit to one bedroomed flat	06.01.2021	Material Objections See comments below.

9	FPA 0867	4 Anchorite Road, KENDAL Single storey side extension	30.12.2020	No material objections
10	FPA 0887	Spital Farm, Appleby Road, KENDAL Change of use of land for 10 additional touring caravan pitches and installation of stone access track	06.01.2021	Material Objections See comments below.
11	FPA 0893	Beezon Lodge, Beezon Road, KENDAL Two storey commercial building for mixed use (Use Class E - commercial, business & service) and insertion of new window to gable of existing office (Resubmission SL/2020/0221)	08.01.2021	No material objections
12	FPA 0894	Beezon Lodge, Beezon Road, KENDAL Alterations to existing south west facing boundary wall to Beezon Road, and part of south east facing boundary wall to Back Rawes Yard in conjunction with application SL/2020/0893	08.01.2021	No material objections
13	FPA 0908	Porsche Centre, Longpool, KENDAL Erection of retirement living apartments with associated communal facilities, landscaping, and on-site car-parking	18.01.2020	No material objections See comments below.
14	FPA 0911	Bracken Bank, Singleton Park Road, KENDAL Single storey front extension	11.01.2021	No Material Objections Suggest using flat roof as a green roof for biodiversity improvement and wish to ensure that access is sufficient and ownership of that access is confirmed.

COMMENTS

6. Builders Supply Co, Mintsfeet Road South, KENDAL (SL/2020/0919)

The committee wishes to understand what work has been undertaken in the last 12 months since the original refusal of permission, to mitigate the adverse effect of the unauthorised building of the light columns? It also noted the answers to the original objections.

Moving forward, the Committee draws attention to Friends of the Lake District/Dark Skies comments regarding the strength and intensity of the planned lights. However it feels that should be mitigated in future by shielding the lights, and may not be as adverse as suggested due to the change in lighting times proposed and confirmation of column height at 8.5m.

8. 62 Stramongate, KENDAL (SL/2020/0882 & 0883)

Committee looks favourably upon the conversion of retail premises into accommodation. However the appearance and design of the application is not consistent with a domestic property and would therefore adversely affect the high street and visual amenity of the Kendal Conservation Area. Reference was particularly made with reference to the retained shop front.

Property level flood protection should be included in any amended application.

There is no flood risk assessment according to the EA. If received, this should be assessed as per their letter.

Committee draws attention to the fact that it is below the minimum size that SLDC prescribe for conversion of buildings to residential use and on the basis of that cannot see a way this application can proceed.

10. Spital Farm, Appleby Road, KENDAL (SL/2020/0887)

The Committee drew attention to their opposition to the application owing to potential danger of increased traffic flow, entering and leaving the site with large vehicles, with its site opposite a large school.

If agreement is given to this application this would amount to more than the maximum number of pitches that could be contained on this site regardless of traffic. The Committee challenge the Design and Access Statement – there is no evidence to back up the assertion regarding the applicant's figures re 50-60 extra movements per day – and that was not felt to be realistic from local experience without more robust proof. It was questioned whether this included additional vehicles brought on site by those using the pitches. That was also used to underline the previous objection.

It was felt that there was not sufficient evidence provided of any net biodiversity gain, subsequent to the removal of 2 sections of hedge, or of sufficient separation from the road.

Any agreement must be consistent with the Environment Agency's Sustainable Places letter regarding permit and foul drainage.

13. Porsche Centre, Longpool, KENDAL (SL/2020/0908)

Committee is in agreement with the principle of this application and the positive use of the site for this style and quality of development and feels it is an important addition to this part of Kendal. Despite this, the committee discussed various matters for ongoing consideration.

We await responses from Lead Flood Authority. A response from Highways will be monitored re the increase to traffic and the requirements for better pedestrian access, both to the property and from the property into the centre of town. This is a potentially difficult junction and work needs to be done to ensure its safety for all people using the apartments and to encourage non-car travel into town as per the stated aims of the applicants. We therefore reserve our right to enter into dialogue further, depending on the above reports, before the stated deadline.

The size and especially the height of the application were discussed, particularly in contrast to the surrounding urban build which is largely of 2 stories. This was noted but attention was drawn to similar heights of buildings evidenced in the application and was not felt to constitute a material objection.

The Committee also underline the questions raised by the Street Scene Safety Adviser for clear areas of movement and turning.

It was underlined that we trust SLDC will work alongside developers to facilitate easier access to the town centre by pedestrians, mobility scooters and such like.

We support the letter written with regard to swift boxes as well as hoping to ensure other gains in biodiversity for the site.

Kendal Flood Relief Scheme Working Group (KTCFRSWG) Notes 16.12.2020, Zoom meeting

Attendees: Cllr Jonathan Cornthwaite (JC) KTC, Cllr Jonathan Brook (JB) KTC SLDC, Cllr Chris Rowley (CR) KTC, Cllr Shirley Evans (SE) KTC, SLDC Julia Dunlop (JD) KTC, Cllr Susanne Long (SL) KTC, SLDC, Cllr Eamonn Hennessy (EH) KTC SLDC, Cllr Douglas Rathbone (DR) SLDC KTC, Tom McCormick EA (TM), Cllr Brenda Grey (BG) CCC, Peter Thornton (PT) CCC, Cllr Nick Cotton (NC) CCC, Gareth Candlin SLDC.

In Attendance: Graham Harrison (GH) Researcher.

Apologies: Craig Cowperthwaite (CC), Cllr Graham Vincent (GV) KTC.

1. Welcome. JB
2. Apologies. JB - As above
3. Declarations of Interest. – None
4. Minutes/Notes of Last Meeting dated 04/11/20. - Agreed.
5. Matters Arising not dealt with elsewhere on the Agenda. – None
6. EA Update – Tom McCormick TM

Project meeting today with glass wall suppliers. Issues discussed including the 5 degree angle limit. Consultants Jacobs will develop alignment-based options. Some designs will be produced for the New Year. These will be forwarded to Andrew Martin the planning officer at SLDC.

Then visualisations will be created so that we can promote the scheme. There is a need to identify the best locations to try to sell the benefits of the glass design. EA will collate ideas for the best locations and will take forward those to SLDC planning and to others to promote the landscape scheme. A sales pitch will be developed. Current suggested locations include a) Aynam Road towards Jennings yard footbridge and b) Just outside alms houses with the corner in view.

The EA are looking into providing 3d images and/or photo montages that will help the planning process in consultation with the LPA and the landscape specialists on the project team. There is a need to create some high quality images. Unfortunately, stainless steel generates reflections that can make this difficult and my note DR suggested the oblique angle of travelling down Aynam Road and the view across the river. Question: How presented to the public? TM responded that this is for primarily for the planning application, but will be released to public just ahead of this. The Virtual hub is also being developed. If live it could have 3d visualisation as this has benefits. However, the team that deliver this have been overworked due to COVID-related demand.

GC Had initial concern around views from Abbot Hall. Suggest a look across from Abbot Hall. TM noted that views across the river may not adequately be able to demonstrate the glass as the top rails may not be discernible at that distance.

JC asked if Waterside and Gooseholme will be included in this exercise. TM: These need full visualisations. Gooseholme will have a separate planning application. JC indicated that it will also be good to see the revised format.

TM informed the meeting that the Demonstration glass order has been placed. A date for the installation will be available for the next meeting.

TM has also had a positive meeting with the new Kendal Town Council Clerk - Chris Bagshaw. The question of Chantry gardens had been raised. There was some discussion around this.

It was agreed that E&H Committee would follow this up. Contact also needs to be maintained with Kendal Civic Society to find out their thoughts. There is a no-man's land. This area is looking sad. Email to Chris Bagshaw. There is a need to highlight the requirement to keep disabled access. More with planting and landscaping plans. What the EA submitted to planning was simple. All partners need to tie in with existing plans.

JC asked if the kiosk will remain? TM explained that plans will show the need for an additional kiosk. This is because there is now a need for a new substation. The new requirements will necessitate having to take down the toilet block and build a slightly larger building.

SE indicated that there are 2 KTC planters and 2 benches on site that were transferred some time ago. SE asked how will Substation look? TM replied that it will be attached to existing building footprint and that there will be an enclosed transformer, together with some large pump controls.

JC asked for additional information about the pumps. TM replied that the pumps will not run in normal conditions. When the river level rises to the point that Stock Beck start to back up the pumps will start. They will take water

Kendal Flood Relief Scheme Working Group (KTCFRSWG) Notes 16.12.2020, Zoom meeting

from Stockbeck. The pumps will also help the surface sewer. They will have a benefit for a wider area up towards Longpool. Advance Work will be done to divert several sewers, which will involve a road closure on St Georges Walk. NC highlighted the LCWIP work ongoing adjacent to this location. The aspiration is for Stramongate Bridge to have a widened pavement to join with the Gooseholme path. This is part of some ideas being looked at by WSP the project consultants. We need to all pull together to achieve the desired outcomes.

It was noted that *Save our Rivers* had supplied some signs to *Save the Heart of Kendal*. The group has not attended any EA meetings recently.

PT & JC noted that tree removal will be a key time. That process will need careful management. Need to make sure there aren't gleaming white stumps. TM responded that there may be hoarding up. This is being discussed with the contractor. Planning requires that the trees are taken out on a just in time basis in phases. Also avoiding bird and bat nesting times. Hoarding is 2.3m high. The more permanent hording may have images and information panels, perhaps Gooseholme for example. Some of trees are large may require a crane to assist in removal to avoid falling into the river.

EH asked if there had been any further adjustment to the number of trees to be removed? TM constant process of assessing each tree as design progress - numbers have been reduced from original in planning application. There will be soft felling of some trees for bat roosting. With branches lowered to the ground and removed after a couple of days allowing bats will find a new roost. Replacement Bat and bird boxes being placed at present. JB Encouraged a press release to showcase good practice.

TM continued that no formal construction has started. EA are awaiting discharge of planning conditions. A construction compound is being setting up at Gilthwaiterigg Lane. Some preparatory work is being done to move services and sewers and put new lampposts on Natland Road adjacent to Ford Park and at Romney Gardens Further discussion on the glass solution is awaiting a contractors meeting.

JB asked if the EA and SLDC had identified a committee date. TC commented that work is ongoing to get buy in from Planning. There will be an Action plan update at the next meeting.

7. KTC update: JC

TM confirmed that CC has received a letter requested by the EA from the KTC Clerk re glass wall specifications.

JC has managed to get a walk through the northern reaches.

NC commented that WSP are making good progress on the LCWIP. NC had walked the entire length with WSP. They have seen how muddy it can get!

8. Cumbria County Council – Concrete path specification

NC made reference to a specification of a pre-formed concrete path. This may be useable for the section owned by Mr Pugh and offers a substantial and resilient option. NC asked if there are plans for Mr Pugh's land. Would this material be a problem for EA? TM noted the conditions of this section adjacent to Beeson Fields. TM felt that this material is better than tarmac and asphalt that tend to lift if flooded. NC responded that this is good news. This solution has been used successfully in Kirkby Lonsdale alongside Devils Bridge. There is a long a section of concrete path installed 10-12 years ago. It fairly regularly gets flooded it is resilient. This may be cost effective per m. If we were to find funding this is a good option. At present for large parts of the year this section can get very muddy. JC to follow up and get pricing for the prefabricated slabs. CR asked about a permeable mesh solution which would potentially have less environmental impact. NC responded that this may be more attractive, but may not be suitable. The ideal material required here must be resistant to frequent river scouring. Can all members please research materials and come up with ideas.

9. Upper Kent Issues

CR raised this issue and provided the background. This project is part of a partnership bid. This is looking at innovative experimental upstream solutions. The flood and coastal flood relief programme has £6m available in Cumbria. A key to an applications is that it needs community involvement. The scheme has input from Doug Coyle, Ann Briggs and Helen Reynard as well as Paul Barns. Paul invited a heart of Kendal to be involved. The hope being that involving them is an opportunity to involve them in the bigger picture evidence of what works and what doesn't. The proposed scheme is looking for £500k to move forward on bunds adjacent to the Kentmere Reservoir.

Kendal Flood Relief Scheme Working Group (KTCFRSWG) Notes 16.12.2020, Zoom meeting

This would be monitored. This small area of catchment is upstream from the work of EA doing. The great thing is that it has farmers on board and buy in from landowners. The EA have been supportive. Doug Coyle seems impressed. But needs community buy in. CR asked if the working group are interested in carrying this forward? CCC will manage this process. Support will demonstrate that we are interested in wider catchment and upstream solutions. Paul Barnes is a member of Cumbria Flood Partnership.

PT asked about the volume of water that would be held back by this pilot scheme? CR indicated a figure of 67,000 m³. This was small in terms of the catchment but significant enough to provide some resilience.

JB said that we need to find out legal position in respect of KTC getting involved in matters outside of the Kendal boundary, although there was clearly a potential positive impact for flood resilience in the town.

It was agreed that the working group's support for this initiative be recorded and that clarification would be sought from the Town Clerk regarding the how we could proceed within the bounds of KTC's constitution.

SE commented that other parish Councils should be approached. There may be some linkage.

It was noted that this could never be a substitute for the flood wall in Kendal.

10. Scheme Communication Plan and Actions

JC discussed Press Releases. Particularly the press release and contact with residents around Aynam Road.

A Press Release should come out as soon as possible. EH asked why KTC had been asked to undertake consultation with Aynam Road residents. This had been raised by Jackie at SLDC. GC responded that SLDC are the planning authority so SLDC are looking for a different body to engage with residents. EH indicated that he can knock on doors. It was suggested that an article should be placed in the KTC Newsletter.

SL said that she was holding off re Kendal Futures, but that their next meeting was 13th Jan. JC will provide an update so that they can spread the positivity.

Kendal BID have replied as being on-board with the glass wall proposals.

11. AOB – None

12. Date of Next Meeting to be confirmed as likely to be 7pm Weds 20th Jan 2021.

KENDAL TOWN COUNCIL

Applications for Planning Committee: 4th January 2021

Appendix 1

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0913	Kendal Town Hall, Highgate, KENDAL Replacement and repair of 6 windows to the rear fire escape light well and the replacement rainwater pipes and hoppers.	13.01.2021	
2	FPA 0914	Kendal Town Hall, Highgate, KENDAL Installation of 2 glazed screens in the ground floor corridor	11.01.2021	
3	FPA 0915	Kendal Town Hall, Highgate, KENDAL Remedial works to existing wall in the Highgate room	13.01.2021	
4	FPA 0865	49a Kendal Green, KENDAL Conversion of existing garage into part of dwelling, including replacement of current flat roof with pitched roof. Replacement porch, reroof to house including two new Velux windows & replacement of all windows and doors.	13.01.2021	
5	FPA 0872	6 Longpool, KENDAL Replacement composite front door and 2 UPVC front windows (Retrospective)	13.01.2021	
6	FPA 0926	19 Collin Croft, KENDAL Internal alterations & window repairs	13.01.2021	
7	FPA 0930	24 Grasmere Crescent, KENDAL Proposed single storey front and rear extension and two storey side extension	14.01.2021	
8	FPA 0931	Benton, Romney Road, KENDAL Erection of a 1680mm high vertical boarded timber boundary fence (Retrospective)	14.01.2021	
9	FPA 0634	30 Oxenholme Road, KENDAL Erection of sectional concrete garage	14.01.2021	
10	FPA 0850	Birds Park Farm, Sedbergh Road, KENDAL Agricultural building	14.01.2021	
11	FPA 0927	4 Thorny Hills, KENDAL Addition of glass balustrade to stone parapet on rear extension flat roof	15.01.2021	
12	FPA 0938	25 Archers Meadow, KENDAL Extension to raised terrace forming porch to doorway	15.01.2021	

13	FPA 0943	9 Castle Dale, KENDAL Single storey rear extension with garage attached (Revised scheme SL/2019/0603 - Part Retrospective)	15.01.2021	
----	-----------------------------	--	------------	--