

# KENDAL TOWN COUNCIL

Notice of Meeting

## PLANNING COMMITTEE

**Monday, 18<sup>th</sup> January 2021 at 6.30pm  
(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**

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 4<sup>TH</sup> JANUARY 2021** *(see attached)*

To receive the minutes from the meeting on 4<sup>th</sup> January 2021 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.

## 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.***

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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 4<sup>th</sup> January 2021 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

Also in attendance: Jason Rushworth (Reporter, Newsquest)

**APOLOGIES** None

**OFFICERS** Chris Bagshaw (Town Clerk) and Nicky King (Council Secretary)

**509/20/21 PUBLIC PARTICIPATION**

Councillor Rathbone advised of possible public participation later in the meeting from Graham Harrison in respect of application SL/2020/0964 relating to removal of a condition on a development on Aynam Road. This participation was agreed to be taken later owing to his connectivity issues.

**510/20/21 DECLARATIONS OF INTEREST**

SL/2020/0964 – 9 and 10 Aynam Road, Kendal

All Members (as KTC Councillors) declared an interest as the owner of the company which is the applicant (Aynam Tower Developments) is known to them.

SL/2020/0913, 0914 & 0915 – Kendal Town Hall

All Members declared an interest as KTC Councillors.

Councillors Rathbone and Ladhams also declared an interest as SLDC Councillors.

**511/20/21 MINUTES OF MEETING HELD ON 21ST DECEMBER 2020**

Members considered the minutes of the Committee meeting held on 21<sup>st</sup> December 2020.

Councillor Cornthwaite proposed that the minutes be accepted as a correct record. This was seconded by Councillor Rowley and carried with 2 abstentions.

**RESOLVED** That the minutes of the meeting held on 21<sup>st</sup> December 2020 be accepted as a correct record, and signed by the Chair.

**512/20/21 MATTERS ARISING**

Councillor Rathbone has been contacted by various residents in respect of the Brigsteer Road development. CCC Highways have submitted a comprehensive report which highlights the lack of a proper Travel Assessment, queries the basis of their figures and the

04.01.2021

assumptions as to travel behaviour.

**513/20/21**

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

Councillor Cornthwaite advised that the next meeting of the group is scheduled for Wednesday 20<sup>th</sup> January 2021 at 7pm. It is hoped further information in respect of commencement dates for sections of work will be available at that meeting. Liaison with consultees such as the Civic Society is ongoing to reiterate support for the scheme.

**514/20/21**

**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 7.20pm

Signed .....

Dated .....

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA <a href="#">0913</a>	<b>Kendal Town Hall, Highgate, KENDAL</b> Replacement and repair of 6 windows to the rear fire escape light well and the replacement rainwater pipes and hoppers.	13.01.2021	<b>Material Objections</b> Rainwater goods should not be PVC to conform to the spirit of the Kendal Conservation Area Article 4 Direction and for aesthetic reasons.
2	FPA <a href="#">0914</a>	<b>Kendal Town Hall, Highgate, KENDAL</b> Installation of 2 glazed screens in the ground floor corridor	11.01.2021	<b>No Material Objections</b>
3	FPA <a href="#">0915</a>	<b>Kendal Town Hall, Highgate, KENDAL</b> Remedial works to existing wall in the Highgate room	13.01.2021	<b>No Material Objections</b>
4	FPA <a href="#">0865</a>	<b>49a Kendal Green, KENDAL</b> 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	<b>No Material Objections</b> however require materials used for windows and doors to be in strict accordance with Kendal Conservation Area Article 4 Direction.  Committee also supports comments from Kendal Swifts regarding a swift box.
5	FPA <a href="#">0872</a>	<b>6 Longpool, KENDAL</b> Replacement composite front door and 2 UPVC front windows (Retrospective)	13.01.2021	<b>No Material Objections</b> Committee expressed disappointment with the retrospective nature of this application.  Despite the precedent otherwise in the immediate area, we would

				encourage use of non UPVC materials in accordance with the Conservation Area.
6	FPA <a href="#">0926</a>	<b>19 Collin Croft, KENDAL</b> Internal alterations & window repairs	13.01.2021	<b>No Material Objection</b> Provided windows are in a style and material consistent with Kendal Conservation Area Article 4 Direction
7	FPA <a href="#">0930</a>	<b>24 Grasmere Crescent, KENDAL</b> Proposed single storey front and rear extension and two storey side extension	14.01.2021	<b>No Material Objections</b>
8	FPA <a href="#">0931</a>	<b>Benton, Romney Road, KENDAL</b> Erection of a 1680mm high vertical boarded timber boundary fence (Retrospective)	14.01.2021	<b>No Material Objections</b> Committee expressed disappointment with the retrospective nature of this application.  Attention is drawn to Graham Nicholson's comments and Committee would encourage alternative planting to make up for the loss of biodiversity.
9	FPA <a href="#">0634</a>	<b>30 Oxenholme Road, KENDAL</b> Erection of sectional concrete garage	14.01.2021	<b>No Material Objections</b> however Committee require biodiversity improvement to counter the recent loss of hedge in the front of the property.  Applicants are to provide figures regarding size of new build to Development

				Control prior to any agreement as this has not currently been provided.
10	FPA <a href="#">0850</a>	<b>Birds Park Farm, Sedbergh Road, KENDAL</b> Agricultural building	14.01.2021	<b>No Material Objections</b>
11	FPA <a href="#">0927</a>	<b>4 Thorny Hills, KENDAL</b> Addition of glass balustrade to stone parapet on rear extension flat roof	15.01.2021	<b>Material Objections</b> Committee maintain objections as per previous application (SL/2020/0927) and support neighbours' objections.  Committee raised the possibility that the stated use may be naturally overridden by usage of the family.
12	FPA <a href="#">0938</a>	<b>25 Archers Meadow, KENDAL</b> Extension to raised terrace forming porch to doorway	15.01.2021	<b>No Material Objections</b>
13	FPA <a href="#">0943</a>	<b>9 Castle Dale, KENDAL</b> Single storey rear extension with garage attached (Revised scheme SL/2019/0603 - Part Retrospective)	15.01.2021	<b>No Material Objections</b>

### **PUBLIC PARTICIPATION**

#### **SL/2020/0964 – 9 & 10 AYNAM ROAD, KENDAL DISCHARGE OF CONDITION 7 (CONSTRUCTION ENVIRONMENT AND TRAFFIC MANAGEMENT PLAN), 8 (SURFACE WATER DRAINAGE), 9 (FLOOD RISK) ATTACHED TO PLANNING PERMISSION SL/2018/0181**

Mr Graham Harrison (owner of Aynam Tower Developments, the Applicant) explained the background of the application for the removal of conditions 7, 8 and 9 of the original planning application. He referred to the previous concern of flooding and advised that the proposal was now based on a 1:1000 year flood event risk.

Following a general discussion Committee agreed they had **No Material Objections**. They agreed to the discharge of Condition 7.1 with the CTEMP agreed and await implementation. The discharge of Conditions 8 and 9 were also agreed, provided the Lead Flood Authority (Colin Parkes) is agreeable to the plans for these Conditions.



## 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 m<sup>3</sup>. 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 13<sup>th</sup> 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 20<sup>th</sup> Jan 2021.**

## KENDAL TOWN COUNCIL

Applications for Planning Committee: 18<sup>th</sup> January 2021

Appendix 1

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA <a href="#">0910</a>	<b>26 Garden Road, KENDAL</b> Demolition of existing rear lean-to, erection of replacement single-storey rear extension & front porch.	25.01.2021	
2	FPA <a href="#">0909</a>	<b>24 Garden Road, KENDAL</b> Demolition of existing rear lean-to, erection of replacement single-storey rear extension & front porch.	25.01.2021	
3	FPA <a href="#">0916</a>	<b>Glendene, 17 Gillinggate, KENDAL</b> Replacement section of front boundary wall	25.01.2021	
4	FPA <a href="#">0965</a>	<b>20 Collin Road, Kendal</b> Single story rear extension	26.01.2021	
5	FPA <a href="#">0951</a>	<b>3 Garth Heads, KENDAL</b> Rear dormer with glazed balcony	26.01.2021	
6	FPA <a href="#">0969</a>	<b>Former Enterprise Rent A Car, Station Yard, Station Road, KENDAL</b> Storage warehouse & workshop	26.01.2021	
7	FPA <a href="#">0897</a>	<b>79 Serpentine Road, KENDAL</b> Formation of new vehicular access and drive	27.01.2021	
8	FPA <a href="#">0004</a>	<b>1 Silver Howe Close, KENDAL</b> Variation of condition 4 (glass balustrade) attached to planning permission SL/2017/1006 (Construction of side and rear extensions and installation of glazed balcony to rear)	28.01.2021	
9	FPA <a href="#">0016</a>	<b>1 Cedar Grove, Kendal</b> Single storey rear extension with glazed balcony over to replace existing conservatory & extension to detached garage	01.02.2021	