

# KENDAL TOWN COUNCIL

Notice of Meeting

## PLANNING COMMITTEE

**Monday, 1<sup>st</sup> March 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 15<sup>th</sup> FEBRUARY 2021** *(see attached)*

To receive the minutes from the meeting on 15<sup>th</sup> February 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 15<sup>th</sup> February 2021 at 6.30 p.m.  
(Via Zoom)**

- PRESENT** Councillors Douglas Rathbone (Chair & Deputy Mayor), Jonathan Cornthwaite (Vice Chair), Dave Miles, Michele Miles, Helen Ladhams, Chris Rowley and Graham Vincent
- Also in attendance: Graham Harrison and Jason Rushworth, Newsquest Reporter
- APOLOGIES** Councillor Pat Gibson
- OFFICERS** Chris Bagshaw (Town Clerk) and Nicky King (Council Secretary)
- 601/20/21 PUBLIC PARTICIPATION**
- None
- 602/20/21 DECLARATIONS OF INTEREST**
- None.
- 603/20/21 MINUTES OF MEETING HELD ON 1<sup>ST</sup> FEBRUARY 2021**
- Members considered the minutes of the Committee meeting held on 1<sup>st</sup> February 2021.
- Councillor Rowley proposed that the minutes be accepted as a correct record. This was seconded by Councillor M Miles and carried unanimously.
- RESOLVED** That the minutes of the meeting held on 1<sup>st</sup> February 2021 be accepted as a correct record, and signed by the Chair.
- 604/20/21 MATTERS ARISING**
- None.
- 605/20/21 KENDAL TOWN COUNCIL FLOOD RELIEF SCHEME WORKING GROUP**
- Councillor Cornthwaite advised there was a presentation mid-week to SLDC by the EA. There is a possibility this could be followed up with a presentation to KTC.
- The next group meeting will be held on Wednesday 17<sup>th</sup> March.
- Councillor Cornthwaite proposed that the minutes of the working group meeting held 20<sup>th</sup> January 2021 be noted. This was seconded by Councillor Rathbone and carried.

**RESOLVED**

That the minutes of the working group meeting held 20<sup>th</sup> January 2021 be noted.

606/20/21

**LDNPA SUPPLEMENTARY PLANNING DOCUMENTS  
CONSULTATION**

At the last meeting held on 1<sup>st</sup> February, it had been resolved to consider Committee's response in respect of the LDNPA planning related consultations for the revised Housing Supplementary Planning Document and the new Biodiversity Supplementary Planning Document.

Councillor Rowley advised he had spoken to LDNPA to request clarity as to any crossover implications between the town boundary and LDNPA. It was pointed out that there is no overlap into our boundaries with LDNPA. He had also enquired about the new build housing policy. Sometimes when a parish lies in a National Park and another area there might be some crossover, however in this case there is no crossover in KTC boundary so this does not apply. Both consultations on biodiversity and housing only refer to new development in the National Park so would only have implications for Kendal if there was any new development either immediately surrounding Kendal or, in terms of biodiversity, in the catchment area. Councillor Rowley had also enquired about whether biodiversity would have any implications for the catchment area in terms of flooding. There was none as far as he could see.

In respect of biodiversity, the proposals are to ask for a 10% net gain for all developments. This is not difficult for farms, but will have implications on new builds in the National Park so an offsetting programme is to be offered, where some net gain can be made elsewhere.

The matter of Boundary Bank was raised by Councillor Vincent and the quarry area on Underbarrow Road. It is the only small piece of National Park on the Kendal side of the A591. He proposed some years ago offering to swap that land for a large area of land at Staveley, which is only area of South Lakeland land in the National Park. This would serve to clean up the boundary lines to fit the parishes. He suggested a need to have a policy that we will engage seriously with the National Park and hoped they will do likewise where those areas impact on employment opportunities for Kendal.

Following a general discussion regarding the issue of the quarry and LDNPA boundaries with Kendal, the Chair suggested and it was agreed to respond to the LDNPA advising that Committee have no objections and are and broadly supportive of this development of their policies. Town Clerk to draft a reply and forward to Councillor Rathbone prior to formal response by the deadline of 19<sup>th</sup> February.

In addition Cllr Rathbone suggested and it was agreed that KTC looks to engage further with LDNPA on the basis of this and looks to form policies where National Park developments impinge on areas within the town boundary. Committee are particularly interested in further working with LDNPA on the development of brownfield sites adjacent

to Kendal in the National Park, transport planning policies etc and wish to underline our role as a statutory consultee for any developments on the boundaries between the two organisations.

It was noted that the two LDNPA Officers to contact are Paula Allen and Hannah Lattie.

**RESOLVED**

Town Clerk to draft a response to LDNPA as per discussions and forward to Councillor Rathbone prior to formal response by the deadline of 19<sup>th</sup> February.

**607/20/21**

**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="#">SL/2020/0968</a>	<b>1, 2, 5, 6 ,7 &amp; 8 Nobles Rest, Maude Street, KENDAL</b> Replacement windows and doors	22.02.2021	<b>Material Objections</b> Committee request justification for use of materials between metal and wood, given that it is within the Conservation Area. The Heritage Statement was very vague and specifically did not adequately discuss that argument as to addressing or justifying what material should be proposed for the replacement windows. If approval is given for wooden replacement windows this should be from 'sustainably sourced' hardwood or accoya.
2	FPA <a href="#">SL/2021/0049</a>	<b>10 Finkle Street, KENDAL</b> Change of use from barbers shop (Use Class F2) to Fish and Chip Shop and Take-Away/Cafe (Use Class E)	22.02.2021	<b>No Material Objections</b> Committee propose a waste management condition – the applicant provides and empties public rubbish bin(s) outside the premises, specifically given its location.  Committee object to such extended hours as proposed given the location and potential for lack of public order in the Kendal Conservation Area in the town centre at that latest requested time.  Conditions made regarding the noise and smell of the proposed extraction duct must conform to policy for what is a mixed residential and retail area.  To ensure that pedestrian movement past the shop and waiting for service in its pavement vicinity is not an issue.
3	FPA <a href="#">SL/2021/0070</a>	<b>6 Littledale, KENDAL</b> Single storey rear extension & front porch extension	25.02.2021	<b>No Material Objections</b> Committee would propose that in order to conform to policy, use of the extensive flat roof area is strongly considered as a condition, for biodiversity net gain. Using a bird box as sole biodiversity gain is not felt to be sufficient.

4	FPA <a href="#">SL/2021/0072</a>	<b>Workshop 3, Canal Head South, KENDAL</b> Replacement lean-to storage building & alterations	25.02.2021	<b>No Material Objections</b>
5	FPA <a href="#">SL/2021/0078</a>	<b>Westmorland General Hospital, Burton Road, KENDAL</b> Construction of a modular CT scanner facility and associated infrastructure	25.02.2021	<b>No Material Objections</b> in order to make permanent this application in accordance with the T&C Planning Act GDP 2020.
6	Advertisement <a href="#">SL/2021/0088</a>	<b>4 Allhallows Lane, KENDAL</b> Installation of 2 high level fascia signs, 1 pictorial sign, 2 chalk boards, 4 flood lights, 6 up/down lights and 2 sign written displays.	26.02.2021	<b>No Material Objections</b> Increased use of down lighters is proposed, bearing in mind the Dark Skies Policy.  The advertising A board proposed could cause a pedestrian movement issue.
7	FPA <a href="#">SL/2021/0084</a> & <a href="#">SL/2021/0085</a>	<b>2-6 New Shambles, KENDAL</b> Change of use of upper floor from hairdressing storage (Use class E) to dwelling with Internal & external alterations	01.03.2021	<b>No Material Objections</b>
8	FPA <a href="#">SL/2021/0086</a>	<b>Castle Howe, Bankfield Road, KENDAL</b> Replacement of front sliding sash windows	01.03.2021	<b>No Material Objections</b> <u>Note:</u> the second generic plan indicates an Ulverston location.
9	FPA <a href="#">SL/2021/0093</a>	<b>50 Larch Grove, KENDAL</b> First floor rear glazed balcony	01.03.2021	<b>No Material Objections</b>

## KENDAL TOWN COUNCIL

Applications for Planning Committee: 1<sup>st</sup> March 2021

Appendix 1

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA <a href="#">SL/2021/0089</a>	<b>43 Helme Drive, KENDAL</b> Erection garden building	02.03.2021	
2	Advertisement <a href="#">SL/2021/0097</a>	<b>Duke Of Cumberland Inn, 1 Appleby Road, KENDAL</b> Installation of 4 x externally illuminated fascia signs	02.03.2021	
3	FPA <a href="#">SL/2021/0101</a>	<b>Kendal Rugby Union Football Club, Mint Bridge, Shap Road, KENDAL</b> Variation of condition 19 (Open Hours) attached to planning permission SL/2015/0016 (Engineering operation and development to re-grade the site to form one full sized floodlit rugby pitch, one full sized floodlit artificial pitch, two training pitches, a clubhouse, parking and landscaping.)	02.03.2021	
4	FPA <a href="#">SL/2021/0102</a>	<b>Kendal Rugby Union Football Club, Mint Bridge, Shap Road, KENDAL</b> Change of use of land to allow seasonal camping	03.03.2021	
5	FPA <a href="#">SL/2021/0124</a>	<b>5 Hawesmead Avenue, KENDAL</b> First floor extension over existing single storey extension	10.03.2021	
6	FPA <a href="#">SL/2021/0129</a>	<b>2 Murley Moss, KENDAL</b> Single storey rear extension & detached garden room for domestic & business use	10.03.2021	