

KENDAL TOWN COUNCIL

Notice of Meeting

PLANNING COMMITTEE

Monday, 19th April 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 6TH APRIL 2021 *(see attached)*

To receive the minutes from the meeting on 6th April 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.

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

**Tuesday 6th April 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, Newsquest Reporter
- APOLOGIES** None
- OFFICERS** Nicky King (Council Secretary)
- 722/20/21 PUBLIC PARTICIPATION**
- None.
- 723/20/21 DECLARATIONS OF INTEREST**
- Councillor Rowley declared an interest in application SL/2021/0248 (3 Hayfell Rise). The applicant is known to him.
- 724/20/21 MINUTES OF MEETING HELD ON 15TH MARCH 2021**
- Members considered the minutes of the Committee meeting held on 15th March 2021.
- Councillor Ladhams proposed that the minutes be accepted as a correct record. This was seconded by Councillor Vincent and carried with one abstention.
- RESOLVED** That the minutes of the meeting held on 15th March 2021 be accepted as a correct record, and signed by the Chair.
- 725/20/21 MATTERS ARISING**
- Councillor Rathbone drew attention to SLDC Planning Committee's decision in respect of the Magistrates Court application. It was noted that there was no affordable housing for the site. Councillor Rathbone suggested Committee consider the minutes of that meeting once they are published. Committee discussed the fact that the independent assessment papers in respect of affordable housing do not have to be made public and therefore were not available to scrutinise.
- It was brought to Members' attention that the old coaching archway at the Sawyers Arms has been removed. Councillor Rowley will contact Enforcement at SLDC.

06.04.2021

726/20/21

KENDAL TOWN COUNCIL FLOOD RELIEF SCHEME WORKING GROUP

Committee noted the Minutes from the meeting held on 17th March 2021. A further meeting may be held in April, although no date has been set as yet.

Councillor Rowley referred to item 9 relating to Upper Kent issues. He raised the need to keep a close watching brief in this respect. It was noted that CCC have submitted an application for work to the Upper Kent although this is part of work for the whole of Cumbria. The Chair of the working group noted these comments.

727/20/21

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 7.45pm.

Signed

Dated

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA SL/2021/0228	108 Low Garth, KENDAL Single storey side extension & replacement porch	06.04.2021	No Material Objection however sufficient biodiversity gain is required to compensate for the loss of the side hedge and so create net biodiversity gain. To be agreed in conjunction with Officers.
2	FPA SL/2021/0236	3 Wansfell Drive, KENDAL Two side extension and raised rear garden	07.04.2021	No Material Objection provided suitable conditions are made to counteract the loss in biodiversity created by this application. Provision of a bird box is not sufficient to counteract biodiversity loss in this case, in this site position.
3	FPA SL/2021/0233	14 Collin Croft, KENDAL Replacement double glazed hardwood front windows	08.04.2021	No Material Objections
4	FPA SL/2021/0241	Bracken Bank, Singleton Park Road, KENDAL Single storey front extension (Resubmission SL/2020/0911)	13.04.2021	No Material Objections We refer to our suggestion of a condition of a green roof in application SL/2020/0911 and repeat that proposal.
5	FPA SL/2021/0244	Benton, Romney Road, KENDAL Erection of a 1030mm high timber boundary fence to Romney Road & a 1800mm high timber boundary fence to Romney Avenue (Part Retrospective)	13.04.2021	No Material Objections The committee has no objections given the alterations made since the previous application which are aimed to conform to planning guidance. Also this decision takes account of the height of road-facing, directly neighbouring fencing the other side of Romney Avenue, which had been previously deemed acceptable and acts as a precedent. As a result the committee has no material objections to this new, amended application.

6	FPA SL/2021/0256	Kendal Leisure Centre, Burton Road, KENDAL New modular building connected to mains power and drainage	16.04.2021	No Material Objections Based on an initial consent period of 6 months to 2 years. Any period longer than that would require a subsequent application. Biodiversity net gain is required and the provision of fruit trees in discussion with SLDC Arboricultural Officer is recommended.
7	FPA SL/2021/0258	Westmorland General Hospital, Burton Road, Kendal 4-storey extension incorporating a two-story plant room	16.04.2021	No Material Objections Provided suitable elevation plans are provided prior to decision. Biodiversity net gain is required and this should be agreed in discussion with SLDC Horticultural Officer.
8	FPA SL/2021/0248	3 Hayfell Rise, KENDAL Installation of external decking area with glazed balustrade (Resubmission of expired planning permission SL/2016/0668)	16.04.2021	No Material Objections In accordance with conditions of previous application SL/2016/0668 and also provided it is not deemed unneighbourly. Net biodiversity gain is required in consultation with Officers.
9	FPA SL/2021/0269	21 Hawthorn Way, Kendal Single storey rear extension	16.04.2021	No Material Objections
10	FPA SL/2021/0259	47 Rydal Road, KENDAL Creation of parking space to the front garden and laying of a tarmacadam surface for access over the grass verge	19.04.2021	Material Objections This application would remove an existing parking space on the public highway. It would create a precedent for any such removal – particularly important given the likely increase in such requests in the future. Loss of access to rear of terrace with the steps. Loss of communal grass area (currently owned by SLDC). Loss of visual amenity – integral design of the estate being lost. Works appears to have already been started, evidenced 06.4.21, before permission has been given resulting in a

				loss of biodiversity from the front garden which will need to be replaced regardless of any decision.
11	FPA SL/2021/0274	21 Lumley Road, KENDAL Detached garage	19.04.2021	No Material Objection Provided a biodiversity net gain is achieved sufficient to make up the loss caused by the garage built on lawn.
12	FPA SL/2021/0275	Allhallows Church House, Cliff Lane, KENDAL Replacement double glazed windows to the east elevation	19.04.2021	No Material Objection Provided the Conservation Officer is confident there is no compromise to the visual amenity of the Conservation Area
13	FPA SL/2021/0245	Riverside Place, Lound Road, KENDAL Creation of 3 additional residential apartments and addition of solar panels	19.04.2021	No Material Objection Given the increased viability of this plot, as evidenced in the application, one additional affordable apartment is justified under current SLDC policy and agreement is subject to that provision. The Committee are pleased to note the inclusion of PV panels. We note the possibility of including a green roof with the PV solar panels as described in the application and wish this to be followed up. Provided sufficient biodiversity gain is provided via bat boxes, swift boxes, window boxes or indeed the green roof previously mentioned.
14	FPA SL/2021/0261	10 Ruskin Close, KENDAL Erection of an end of terrace bungalow with joined porch structure	19.04.2021	No Material Objection Subject to any existing planning restrictions.

KENDAL TOWN COUNCIL

Applications for Planning Committee: 19th April 2021 (version 2)

Appendix 1

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA SL/2021/0301	43 Silver Howe Close, KENDAL Single storey front & rear extensions	29.04.2021	
2	FPA SL/2021/0307	41 Bellingham Road, KENDAL Two storey side extension	29.04.2021	
3	FPA SL/2021/0299	54 Greenside, KENDAL Replacement garage	30.04.2021	
4	FPA SL/2021/0333	15 Wray Crescent, KENDAL Front & rear dormer windows, demolition of existing single storey extension and construction of a two storey side extension	06.05.2021	
5	FPA SL/2021/0331	2 Hawesmead Cottages, Hawesmead Avenue, KENDAL Demolition of the existing lean-to garage and replace with two storey side extension and single storey rear extension	06.05.2021	
6	FPA SL/2021/0335	17 Wordsworth Drive, KENDAL Single storey side extension	06.05.2021	
7	FPA SL/2021/0339	Kendal College, Milnthorpe Road, KENDAL Demolition of existing animal rescue centre and construction of 2 new buildings for construction and engineering	06.05.2021	