

Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED
www.kendaltowncouncil.gov.uk



17 May 2022

To Members of the Planning Committee

Cllr A Campbell	Cllr H Ladhams (Vice chair)
Cllr J Cornthwaite	Cllr D Miles
Cllr L Edwards	Cllr D Rathbone (Chair)
Cllr D Evans	

You are summoned to a meeting of Kendal Town Council Planning Committee on **Monday 23 May 2022 at 6.30PM** at the Town Hall, Highgate, Kendal. (Please note day)

Distributed to other members of the Council for information only.

Yours faithfully

Chris Bagshaw
Town Clerk

AGENDA

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/> or by contacting the Town Clerk on 01539 793490.

1. **Apologies**
To receive and accept any apologies. If accepted, apologies will be considered to be for reasons approved by the council under the terms of the Local Government Act 1972, s85.
2. **Declarations of Interest**
To receive declarations by members and/or co-optees of interests in respect of items on this agenda.
3. **Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**
To consider whether there are any agenda items during consideration of which the press and public should be excluded.
4. **Minutes from the Last Meeting**
To receive the minutes of the meeting on 3 May 2022 and affirm them as a true record.

5. Planning Process and Issues

To consider any planning process or related issues arising from the Council's interaction with the Planning Authorities. These may include items for reference, training, or guidance following feedback from previous applications.

6. Kendal Town Council Flood Relief Scheme Working Group

To consider the scheme of delegation to the Flood Relief Scheme Working Group and to receive a report from its current Chair.

Background

The Flood Relief Scheme Working Group was established to liaise with the Environment Agency and other partners over the development of the Kendal Flood Relief Scheme. It is currently chaired by Cllr Cornthwaite and is supported by the Town Clerk. It appoints such members as it sees appropriate. These may include non-elected members. It reports its activities to the Planning Committee.

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>

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Minutes of a meeting of the Planning Committee held on Tuesday 3 May 2022 at 6.30pm in the Town Hall, Kendal.

Cllr J Cornthwaite	Present	Cllr D Rathbone (Chair)	Present
Cllr P Gibson	Apologies	Cllr C Rowley	Present
Cllr H Ladhams (Vice Chair)	Present	Cllr K Teasdale	Apologies
Cllr D Miles	Present	Cllr G Vincent	Present

In Attendance: Town Clerk

P169/21/22 Apologies

Apologies were received and accepted from Cllrs P Gibson and K Teasdale.

P170/21/22 Declarations of Interest

None

P171/21/22 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

P172/21/22 Minutes of the Previous Meeting

The Committee received the minutes of the previous planning committee meeting held on 19 April 2022.

Resolved: To accept them as a true record.

P173/21/22 Planning Process and Issues

Resolved: That the matter of the compromised visual amenity of the tree be brought to the attention of the Conservation officer and Tree officer at SLDC.

P174/21/22 Kendal Town Council Flood Relief Scheme Working Group

The Chair asked if there were parallels to be drawn from the retrospective application about to be considered for the White Stiles filling station on Shap Road with the building work currently taking place at the filling station on Burton Road, which also appeared not to involve Planning Consent at this stage.

The Clerk reported that the correspondence with SLDC and LDNPA had shown support for the Committee's position on working together and coordinating Planning Policies.

There was also a lot of learning drawn from the issue of the tree on Kendal Green, referred to at the last meeting, however the impact of the 'surgery' on the visual amenity of the Conservation Area had not yet been resolved.

Resolved: That the Clerk follow up the queries about the filling station and pursue ascertain a response from a Planning Officer about the visual impact of tree work in a Conservation Area.

P175/21/22 Flood Scheme Working Group

The Chair of the Working Group reported that the group had not met formally since the latest Planning submission in the previous month and would now look forward to being reconstituted after the elections. The coping stones on the glass wall had been trialled with the new chamfering, but this was a work in progress.

Resolved: To note the report.

P176/21/22 Planning Applications

The Committee considered the Planning Applications shown in Appendix 1.

Resolved: To submit the recommendations in Appendix 1 to the Planning Authority.

The meeting closed at 19.40.

Kendal Town Council

Responses from Planning Committee: 3 May 2022

Appendix 1 v2

No.	App No./Type	Address/Proposed Development	Comments to SLDC	Observations/Recommendations
1	SL/2022/0083	<p>Stephenson Centre, Ann Street Temporary pod to house 1 homeless individual in emergencies</p>	12 May	The Committee was concerned that a 'temporary' installation might become permanent, and felt this would be inappropriate in the location. Whilst raising No Material Objections , it recommended the permission be given a timescale of 3-5 years after which further permission should be sought.
2	SL/2022/0347	<p>Jenkin Cragg Farm, Fowl Ing Lane Erection of an agricultural livestock building</p>	13 May	Whilst recognising that agricultural buildings in rural/agricultural settings are usually treated differently for Planning purposes, the Committee was concerned about the scale of this building, added to existing structures. The application offered no detail about mitigations, and did not seek to address issues of climate change or biodiversity. On the basis that it did not address the Town Council's concerns (expressed through the Climate Jury recommendations) about the contribution to global heating from intensive dairy cattle production, did not feel they could support it as presented. Recommend Refusal.
3	SL/2022/0348	<p>Jenkin Cragg Farm, Fowl Ing Lane Erection of an agricultural covered muck midden</p>	13 May	The Committee was unsure how the development would not create an additional burden of effluent on the existing drainage infrastructure, since the application gave no details about drainage

				management other than to say that surface water will drain into existing water courses. No mention was given to mitigation against pollution, climate change or biodiversity. <u>Recommend refusal.</u>
4	SL/2022/0303	4 Heron Hill Alterations & extensions of existing garage & front entrance	16 May	<u>No material objections</u> , though some acknowledgement of the need for net biodiversity gain must be made.
5	SL/2022/0357	21 Spital Park Single storey front porch extension	16 May	<u>No material objections</u>
6	SL/2022/0362	49 Shap Road Replacement above ground fuel tank (Retrospective)	16 May	The Committee was disappointed to be considering a retrospective application, and urges the Planning Authority to do its utmost to promote better awareness of the requirements for planning consent, and the risks of not seeking it. Well-established and respectable companies should be aware of legislation. They were concerned that more should be done to screen the tank from surrounding properties, and that some attempt at contributing to net biodiversity gain ought to be possible on the site. However it had <u>no material objections</u> to the application, if the above is taken in to account.
7	SL/2022/0369	2 Hawesmead Avenue First floor extension over existing single storey store extension and erection of	16 May	The plans showed no consideration of the need for net biodiversity gain and no indication about the surface treatment of the drive, which ought to be shown. However, the committee had <u>no</u>

		detached garage		<u>material objections.</u>
8	SL/2022/0371 & SL/2022/0372	50 Branthwaite Brow Alterations to create smaller ground floor retail premises with self-contained dwelling unit on first floor (Retrospective resubmission of planning permission SL/2019/0669 & Listed Building Consent SL/2019/0670)	16 May 2022	The Committee was disappointed to be considering a retrospective application, and urges the Planning Authority to do its utmost to promote better awareness of the requirements for planning consent, and the risks of not seeking it. Well-established and respectable companies should be aware of legislation. <u>No material objections.</u>
9	SL/2022/0307	34 Low Mead Two storey rear extension	17 May 2022	Subject to the objections raised by the neighbour being satisfied, the Committee had <u>no material objections.</u>
10	SL/2022/0359	Unit 2a, Westmorland Shopping Centre Change of Use retail unit (Use Class E) for the sitting and administration of computer-based driving theory test exams on behalf of the DVSA (Use Class Sui Generis)	18 May 2022	<u>No material objections</u>
11	SL/2022/0298 & SL/2022/0299	5 Thorny Hills Replacement of 4 roof widows with Velux Conservation roof windows & re-roofing of the main house.	18 May 2022	<u>No material objections</u>
12	SL/2022/0383	16 Kentrigg Timber framed garden studio and	20 May 2022	<u>No material objections,</u> though the application would benefit from some consideration of net

		landscaping		biodiversity gain.

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Applications for Planning Committee: 23 May 2022

Appendix 1

No.	App No./Type	Address/Proposed Development	Comments to SLDC	Observations/Recommendations
1	SL/2022/0392	37 - 39 Finkle Street Division of existing ground floor retail space to 2 retail units with new shop entrance to 39 Finkle Street	31 May 2022	
2	SL/2022/0395	2 Fulmar Drive Detached garage	31 May 2022	
3	SL/2022/0400	Stramongate Primary School, Blackhall Road New window opening adjacent to the main entrance	1 June 2022	
4	SL/2022/0405	37 - 39 Finkle Street Change of use of 1st & 2nd floors to 4 flats with a bin store and bicycle parking	1 June 2022	
5	SL/2022/0406	Rear of 37 - 39 Finkle Street Change of use of rear to 3 cottages with a bin store and bicycle parking	1 June 2022	

6	SL/2022/0407	29 Langdale Crescent Front porch and alterations including pitch roof to existing single storey side extension	1 June	
7	SL/2022/0408	2 Tudor Gardens, Burton Road Extension to an existing garden annex	1 June	
8	SL/2022/0411	14 Birkbeck Close Two storey front extension	1 June	
9	SL/2022/0420	23 Rydal Mount Single storey side and rear extensions	1 June	
10	SL/2022/0404	Nobles Garage, Maude Street Alterations & change of use of former garage/office (Use class Sui Generis) to joinery workshop/store & gymnasium for (Use class E) (Part Retrospective)	7 June	
11				
12				