

Kendal Town Council

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



11 July 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	One vacancy

You are summoned to a meeting of Kendal Town Council Planning Committee on **Monday, 18 July 2022, at 6.00 p.m.** at the Town Hall, Highgate, Kendal (***please note earlier start time***).

(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 4 July 2022 and to authorise the Chair to sign 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 receive and accept the notes of the meetings of the Group held on 23 March and 22 June 2022 and to receive an update on the activities of the Working Group.

7. Planning Applications (see attached schedule)

To consider 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 Monday, 4 July 2022, at 6.00 p.m., in the Town Hall, Kendal.

Cllr A Campbell	Present	Cllr H Ladhams (Vice-Chair)	Present
Cllr J Cornthwaite	Present	Cllr D Miles	Absent
Cllr L Edwards	Present *	Cllr D Rathbone (Chair)	Present
Cllr D Evans	Present *	One vacancy	

* Arrived late during consideration of Item No.8 (Minute No.P28/2022 below).

In Attendance: Chris Bagshaw (Town Clerk) and Inge Booth (Democratic Services Assistant)

P22/2022 Apologies

There were no apologies for absence.

P23/2022 Declarations of Interest

No declarations of interest were raised.

P24/2022 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

P25/2022 Minutes of the Previous Meeting

Attention was drawn to the fact that subsequent to the responses attached having been made to South Lakeland District Council, further comment had been forwarded with regard to Planning Application No.SL/2022/0490 (land east of Hayclose Road, Kendal Parks) emphasising that the Committee had felt that the proposed access to the site through the insertion of a mini roundabout at the station end would create a significant new dangerous hazard. The present blind bend would not be ameliorated by the roundabout, instead the traffic would be further unsighted. It had been the view of the Committee that this access point should be for emergency vehicles only, perhaps making additional space for a cycling route.

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 20 June 2022 and to authorise the Chairman to sign them as a true record.

P26/2022 Planning Process and Issues

Further to Minute No. P19/2022, the Town Clerk was asked for an update on progress on his paper summarising the legal position and putting forward appropriate options with regard to the Town Council adopting a position on second homes and holiday lets within Kendal. The Town Clerk explained that he was still gathering evidence and that he would be sending a draft document to the Chairman and Cllr A Campbell in due course, also informing Members that this was a hot topic across the nation. The Chair expressed content with regard to the local District Ward Member's comments regarding the Hayclose Road application (SL/2022/0490) (Minute No. P21/2022 refers) suggesting that the developer might commit to providing a statement of assurance that the development is deemed viable bearing in mind all the costs of development, including the provision of the District Council's requirement for 35% affordable housing.

Resolved: That the Town Clerk's verbal update be noted.

P27/2022 Flood Scheme Working Group

Cllr J Cornthwaite, Chairman of the Flood Scheme Working Group, informed Members that there had been a meeting of the Group on 22 June 2022 but that the notes of that meeting had not been appended to the Planning Committee agenda; he asked that they be appended to the agenda for the next meeting. Members raised the need for the Planning Committee to formally accept the notes of the Flood Scheme Working Group moving forward.

Cllr Cornthwaite advised that there was to be a site walk through part of the Scheme on 6 July, at Busher Walk and County Hall, starting at 6.30 p.m. The walk through would be repeated later in the year when there would be more to see.

The Chair referred to a walk which had taken place at the southern reaches and Members acknowledged the need for all groups involved to come together in discussion on the project.

Cllr Cornthwaite undertook to notify Members once the date for the next meeting of the Flood Scheme Working Group was set.

Resolved: To note the verbal update.

P28/2022 Proposed Upgrade to Telecommunications Installation

Members were asked to consider an appropriate response to the pre-consultation request from Cellnex for their proposed work at Blackhall Road.

Resolved: To advise Cellnex that this Committee has no comments to make on this application.

P28/2022 Planning Applications

The Committee considered the Planning Applications shown in Appendix 1 to these minutes.

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

The meeting closed at 6.33 p.m.

Kendal Town Council

Applications for Planning Committee: 4 July 2022

Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2022/0311	52-56 Highgate, Kendal Replace the roof covering on 2 storey rear extension	Highgate	15 July	Recommend Refusal on the basis that no heritage or access statements. Please resubmit application including statements and an explanation as to why Brazilian slate has been chosen over local state and details regarding the colour of Brazilian slate.
2	SL/2022/0525	3 Low Garth, Kendal Single store side and rear extension	Strickland	7 July	No Material Objection provided that there are no adverse neighbour comments, however, net biodiversity gain must be shown within any conditions.
3	SL/2022/0536	5 Landsdown Close, Kendal Two storey rear extension	Heron Hill	8 July	The Committee drew attention to the comments raised by neighbours at Nos. 6 and 7 Landsdown Close and felt that the overall size of the development is out of keeping with the size of the plot. Material Objection on the basis of scale, dominance and adverse effect on the visual amenity of the area.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
4	SL/2022/0539	Kendal Nutricare Ltd, Mint Bridge Road, Lake District Bus Park, Kendal Erection of new evaporator building	Mintsfeet	8 July	The Committee raised the importance of encouraging business in Kendal. <u>No Material Objection</u>
5	SL/2022/0542	41 Buttermere Drive, Kendal Two storey side extension	Heron Hill	12 July	The Committee felt that the proposal fitted in with the plot and that there would be no encroachment on neighbours. <u>No Material Objection</u>
6	SL/2022/0553	Land North of Laurel Gardens, Kendal Variation of condition 2 (approved plans) - Minor amendment of house type drawings - attached to planning permission SL/2019/0602 (Residential development with associated landscaping and infrastructure)	Strickland	21 July	<u>No Objection</u> to change in house types so long as no detrimental impact on previously approved scheme.
7	SL/2022/0579	15 Bluebell Close, KENDAL Replacement rear sun room		18 July	<u>No Material Objection</u> provided that there are no adverse neighbour comments.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
8	SL/2022/0582	50 Sedbergh Road, Kendal Single storey rear extension to replace existing conservatory		18 July	There is no provision for biodiversity net gain and the Arboriculture Specialist's request for a Tree Protection Plan and Arboricultural Method Statement should be considered but otherwise <u>No Material Objection.</u>

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Notes from the Kendal Flood Relief Scheme Working Group meeting held on Wednesday 23 March 2022

Cllr J Brook	Present	T McCormick (EA)	Apologies
Cllr J Cornthwaite (Chair)	Present	Cllr D Rathbone	Apologies
C Cowperthwaite (EA)	Apologies	Cllr C Rowley	Apologies
Cllr J Dunlop	Apologies	Cllr P Thornton (CCC)	Apologies
Cllr S Evans	Apologies	Cllr G Vincent	Apologies
Cllr E Hennessey	Present	Cllr G Harrison (Co-optee)	Present
Cllr S Long (Vice Chair)	Apologies		

Invitees

N Cotton (CCC)	Not present		
B Gray (CCC)	Not present		

In attendance: Chris Bagshaw (Town Clerk)

KFRS 38/21/22 Apologies

Apologies were received and accepted from Cllrs J Dunlop, S Evans, S Long, D Rathbone, C Rowley, P Thornton and G Vincent, and all Environment Agency staff.

KFRS 39/21/22 Minutes of the Previous Meeting

The working group considered the minutes of the meeting held on 24 February 2022.

Resolved: To accept them as a true record.

KFRS 40/21/22 KTC Update

The Chair reported that it was felt there was a gap in knowledge about the latest revised tree removal plan, (see map for details) this has been started already to allow access to the Waterside and will be restricted to these locations only and not the main reaches down to Nether Bridge. This will still be done in the Autumn. He noted that he had not experienced too much negativity as yet, but awaited events to be reported in the Gazette.

There was some discussion about the possibility that the lane restrictions on Aynam Road be used to positively trial lower speed limits or cycle lanes. Cllr Hennessey would email Cllr Cotton at CCC to raise possibilities, though it was understood that the work was under EA supervision not necessarily CCC.

Members were urged to go on the SLDC planning portal, with friends and family and offer their support to the scheme, and put their comments on the glass wall planning application (SL/2022/0163)

Gooseholme plans continue to evolve and many people have strong views. The group was generally supportive of the Pumping Station plans so far, but concerned that there was still not enough effective liaison between stakeholders.

KTC's land connectivity plan was progressing slowly through legal channels and in influencing the LCWIP and other policies.

Concerns have been raised and subsequent meetings held regarding the encroachment by a local scrap yard business onto SLDC land, earmarked for a future connectivity route at Beezon Fields.

The hold up with the Gooseholme bridge build is hopefully resolved as Vodafone are sorting their services, this is restricting some local parking in Little Aynam and Thorny Hills/Castle walk short term.

KFRS 41/21/22 Date of Next Meeting

It was suggested that the next meeting should be on 20 April 2022, at 8pm to fit in with EA work, though this may be affected by the upcoming elections.

The meeting closed at 19.52

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Notes from the Kendal Flood Relief Scheme Working Group meeting held on Wednesday 22 June 2022

Cllr J Brook	Present	T McCormick (EA)	Present
Cllr J Cornthwaite (Chair)	Present	Cllr D Rathbone	Apologies
Cllr J Dunlop	Apologies	Cllr P Thornton (CCC)	Present
Cllr S Evans	Present	Cllr G Harrison (Co-optee)	Present
Cllr E Hennessey	Present		
Cllr H Ladhams	Present		
Cllr S Long (Vice Chair)	Present		

Invitees

N Cotton (CCC)	Not present		
B Gray (CCC)	Not present		

In attendance: Chris Bagshaw (Town Clerk)

KFRS 1/2022 Apologies

Apologies were received and accepted from Cllrs J Dunlop and D Rathbone. It was noted that C Rowley and G Vincent were no longer councillors, and that Craig Cowperthwaite was no longer at the EA. New advisors had been appointed by the EA but were not yet in post. There was discussion about the co-option of new members to Working Group. The Clerk confirmed this was within the group's terms of reference. The Chair would seek the view of the new Green Party members of the Council to see if they would be interested in taking a place.

KFRS 2/2022 Minutes of the Previous Meeting

The minutes of the last meeting were not yet available. The Clerk promised to circulate them with the notes from this meeting.

KFRS 3/2022 Environment Agency Update

Tom McCormack reported on the progress of the scheme, reach by reach. On the left bank from Mint Bridge, all the investment work was complete and materials were assembled on site for installation. However, there was significant repair work to be carried out prior to commencement. This remedial work was outwith the scheme, being the result of storms last winter, but was necessary for the scheme to go ahead. On the right bank at Mint Bridge, the design work was being reviewed to accommodate a gas main.

At Mintsfeet, provisional designs had been shared with a limited group – the Chair was included in this - and comments had been received. The Chair has noted that the density of trees seemed a little high to maintain the open feel of the site. Other members of the group asked if this plan could be more widely shared.

There was some property level work to be done at Aikrigg End, which had been affected by the modelling further downstream.

At Dockray Hall, remedial work on the completed but unsatisfactorily finished section had now been done. New formulations of vandal-proof paint were expected shortly.

It was hoped that the section all the way to Sandes Avenue would be opened later this week. Concerns were raised about information getting through to Wainwright Court residents, and this was being addressed by EA staff.

The Little Aynam office was now open to the public 9.30-4 on Tuesdays and Thursdays for engagement.

The design at Sandes Court had been amended in conjunction with the LCWIP to remove the conflict between cycles and pedestrians. The scaffolding was now in place at Sandaire House, and construction through to Melrose Place would commence shortly. The finished height would be roughly in line with the current balustrade. The collapsed wall on the left bank by Stramongate Bridge was now within the scheme boundary, and temporary traffic and parking measures had been agreed with CCC. These may be subsequently altered to deliver the LCWIP.

Plans for the Pumping Station works had been revised to allow access to Gooseholme Bridge, once it opens, and access work was being agreed with CCC and Thorney Hills residents to mitigate impacts.

It was hoped that members of the group would be able to see more of the Beezon Fields work at the next meeting which was scheduled to be a walkabout. Gooseholme Green planting regime was being amended to accommodate stakeholder views, and the Reach by the scout hut was now complete, awaiting landscaping, which would take place in the autumn.

On Aynam Road, the crane pad for the in-river work is complete and, subject to planning consent, the temporary bridge is on its way. The sewer network on Waterside is the reason why this bank must be approached from the river, but on the Left bank the service diversions are almost complete. There have been some concerns about the lighting installed by CCC and these are being addressed through their Highways Team.

Reach G4 at Waterside flats is nearing completion, but gates will not be installed until the whole scheme is complete.

Objections to the current Planning Application are being considered, and these have caused several delays in mobilisations. At Abbot Hall Park, the works are approaching demobilisation and there is an opportunity to retain the temporary path on the desire line from Kirkland. This will be discussed with the landowner, SLDC. At Kirkland, reinstatement is beginning and the right of way realignment is expected on 7 July. The scheme expects to be out of the whole area before Torchlight.

Engagement with schools has included hosting 90 children from three local primaries, so far, as well as students from the town's secondary schools and the universities of Exeter and Kingston. Many of the Sand2Stone exhibits are now on display at Little Aynam.

There was some discussion about the property level protection for Abbot Hall, which it is understood the Lakeland arts Trust are developing. It is not thought that the scheme will increase flood risk here, but the property level work will need doing for some of the ancillary buildings. The main building is considered to be above the flood risk.

KFRS 4/2022 KTC Update

The Chair welcomed the Little Aynam opening times and urged members to review the sample walling. He noted there was an opportunity at Mintsfeet to develop the old County Highways depot as an education and sporting hub, and that he understood the County would not try to dispose of the site until Westmorland & Furness was established in 2023. After then it would be for the new authority to decide how it might be used. He also welcomed the prospect of enforcement action being taken at Beezon Fields in response to the encroachment. Cllr Brook offered to follow this up if required to ensure it was delivered in a timely fashion.

KFRS 5/2022 Date of Next Meeting

The next meeting will be a practical tour of some finished parts of the scheme and others. Members to meet at Busher Walk car park at 18.30 on 6 July 2022. The Chair would see if former Cllrs Rowley and Vincent would be available to attend.

The meeting closed at 20.22

Kendal Town Council

Applications for Planning Committee: 18 July 2022

Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2022/0602	14 Gillinggate, KENDAL Replacement of 3 windows and 2 doors	Highgate	26 July	
2	SL/2022/0613	Homebase, Beezon Road, KENDAL Installation of 1 Large Column-Mounted Illuminated Sign, 1 Flagpole Sign & 2 Wall Mounted Signs	Mintsfeet	26 July	
3	SL/2022/0616	31 Helsington Road, KENDAL Two storey front extension	Stonecross	26 July	
4	SL/2022/0620	133 Windermere Road, KENDAL Construction of raised glazed terrace at rear of property	Strickland	26 July	
5	SL/2022/0626	73 Helmside Road, Oxenholme, KENDAL Revisions to windows & doors addition of front dormer, entrance porch & bay windows	Oxenholme	1 August	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
6	SL/2022/0628	Natland Mill Canal Bridge, Natland Mill Beck Lane, KENDAL Repair of bridge parapet wall caused by tree falling from SLDC land onto bridge, rebuild of 2m length of 600mm height of wall using new stone	Stonecross/ Heron Hill/ Natland CP	1 August	
7	SL/2022/0635	Land off Underbarrow Road, KENDAL Erection of marketing signboards and flags for the residential development	Highgate/ Fell	1 August	
8	SL/2022/0633	23 Michaelson Road, KENDAL Single storey rear & 1st floor rear extensions	Stonecross	2 August	
9	SL/2022/0601	25 Windermere Road, KENDAL Installation of 12 black inset Solar (PV) panels to the south facing roof slope	Strickland	3 August	