

# Kendal Town Council

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



11 October 2021

To Members of the Planning Committee

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

## ZOOM MEETING

You are invited to a non-statutory Working Group meeting of Kendal Town Council Planning Committee on Monday 18 October 2021 at 6.30pm via Zoom. Kendal. Details of the meeting can be found on the Town Council's website at [www.kendaltowncouncil.gov.uk](http://www.kendaltowncouncil.gov.uk).

Join Zoom Meeting

<https://us02web.zoom.us/j/2455117789>

**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 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 October, 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 (see attached)**

To receive the notes from the Kendal Flood Relief Scheme Working Group meeting held on Wednesday 15 September 2021

**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 the Planning Committee meeting held on Monday, 4 October 2021 at 6.30pm, Kendal Town Hall.

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

**In attendance:** Chris Bagshaw (Town Clerk), Ian Gordon (Democratic Services Assistant).

### **P64/21/22 Apologies**

Apologies received and accepted from Councillor Rowley and Vincent

### **P65/21/22 Declarations of Interest**

Cllr Miles declared an interest in planning application 3

### **P66/21/22 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**

No issues were considered for exclusion.

### **P67/21/22 Minutes of the Previous Meeting**

The Council received the minutes of the previous planning committee meeting held on 20 September 2021

**Resolved:** To accept them as a true record.

### **P68/21/22 Planning Process Issues**

Jennings Yard Fountain. The fountain currently located at Jennings Yard has to be moved to facilitate EA work related to the flood relief scheme. The Clerk is investigating previous locations of the fountain and will contact councillors asking for suggestions on a possible new location. Suggestions from the committee include Gillinggate or Kirkland.

### **P69/21/22 Kendal Town Council Flood Relief Scheme.**

No current updates awaiting notes to be agreed for last meeting. Next meeting on 20 October.

### **P70/21/22 Planning Applications**

The Committee considered the Planning Applications shown in Appendix 1.

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

### **P71/21/22 Permitted Development Notification**

The committee considered the proposed upgrades to the telecommunications installations at Parkside Business Park and Oxenholme Road. The committee had no objections to either of these applications.

The meeting closed at 19.23

**Kendal Town Council**  
**Appendix 1**  
**Applications for Planning Committee 4 October 2021**

No	App No/Type	Address/ Proposed Development	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2019/0743</a>	<p><b>Land North of Meadowbank Business Park, Shap Road</b></p> <p>Hybrid application: 1. Full Application for motor dealership (sui generis) including workshops, access roundabout, spine road and internal compartmentation area access junctions. 2. Outline Planning Application all matters reserved, apart from access, for employment business park (indicatively B1/B2 6400m2 &amp; B8 2500m2).</p>	7 October	<p><b>Refuse.</b> This application is not acceptable in its current form.</p> <p>The visual impact of the site on the environs of Kendal should be mitigated with use of more sympathetic materials such as stone facings. The lack of any sensitive design makes it unacceptable in its current state in what is the liminal point between a rural and urban location.</p> <p>In addition, concerns that there is insufficient falls for adequate drainage and removal of surface water. The committee wish to see an adequate attenuation scheme to cover this and for this to be further consulted on.</p> <p>Equally, the committee would like to see a plan for lighting that fully embraced the Dark Skies Policy of the Town Council.</p> <p>Net bio-diversity gain must be actioned on this site regardless of anything actioned elsewhere at any separate sites.</p> <p>The committee also had concerns about the lack of a satisfactory Dust, Noise and construction plan properly outlined.</p> <p>All of this speaks of an application which is not suited to this site and appears to be merely an off-the-peg design.</p> <p>Above all, changes need to be made that address both the specific issues of this site and its situation on the edge of Kendal with proper facing and design.</p>

				The committee wanted to ensure that proper notice is taken of the comments of Chris Crewdson, of Beck Mills Farm, dated 3 <sup>rd</sup> December 2019 and that a suitable solution is found to the entry and exit to his field if the current application is successful. The field entrance is directly where the proposed roundabout would be and the committee felt this to be unsafe from a Highways viewpoint and impracticable for agricultural vehicles, but had seemingly not been addressed in either the application or consultee responses
2	<a href="#">SL/2021/0883</a>	<b>61 Scafell Drive</b> Single storey front, side and rear extension	5 October	We object to the extension on the front of the property and raise significant concerns how the building can be practically constructed at the side of the property given the closeness to the neighbouring property. The front extension is not in keeping with the character and appearance of this row of dwellings and has potential detrimental effects on the privacy of neighbouring properties. In addition, there is insufficient net biodiversity gain in this application.
3	<a href="#">SL/2021/0828</a>	<b>13 Valley Drive</b> Erection of a 1 meter front boundary wall with pillar height not exceeding 1.5 meters	7 October	<b>No material objections.</b> However, the committee recommend a planning condition of appropriate permanent planting such as a hedge in line with the wall.
4	<a href="#">SL/2021/0769</a>	<b>79 Helmside Road, Oxenholme</b> Creation of new driveway	13 October	<b>No material objection.</b> However, requirement that there is a permeable surface plus additional planting to achieve net biodiversity gains and protect privacy of neighbouring properties.
5	<a href="#">SL/2021/0891</a>	<b>4a Merced Building, Parkside Business Park</b> 6 non-illuminated fascia signs, 1 ownership plaque and 3 A0 poster display signs	13 October	<b>No material objections</b>

<b>6</b>	<a href="#">SL/2021/0907</a>	<b>11 Red Tarn Road</b> Demolition and rebuilding of the existing garage to allow for the repair of a broken water main beneath the building by United Utilities.	14 October	<b>No material objections</b>
<b>7</b>	<a href="#">SL/2021/0899</a>	<b>111 Windermere Road</b> Replacement windows & front door	19 October	<b>No material objections.</b> The committee were pleased to see a suitable use of materials.
<b>8</b>	<a href="#">SL/2021/0906</a>	<b>9 Wildman Street</b> Change of use & internal alterations of mixed retail, workshop and domestic accommodation to single dwelling over 3 floors dwelling (Use Class C3)	20 October	<b>No material objections</b>

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## Notes from the Kendal Flood Relief Scheme Working Group meeting held on Wednesday 15 September 2021 via Zoom.

Cllr J Cornthwaite (Chair)	Present	Cllr J Dunlop	Present
Cllr S Long	Present	Cllr E Hennessey	Apologies
Cllr J Brook	Present	Cllr C Rowley	Present
Cllr S Evans	Present	Cllr P Thornton (CCC)	Present
Cllr D Rathbone	Present		

**In attendance:** Chris Bagshaw (Town Clerk), Alison Kirkpatrick (EA), Craig Cowperthwaite (EA), Graham Harrison (co-opted member)

### **KFRS 10/21/22 Apologies**

Apologies were received and accepted from Cllr E Hennessy

### **KFRS 11/21/22 Declarations of Interest**

None

### **KFRS 12/21/22 Minutes of the Previous Meeting**

It was noted that it was Cllr Long not Cllr Evans who wished to attend the meeting about Chantry Gardens.

**Resolved:** To accept them as a true record, with this amendment.

### **KFRS 13/21/22 Environment Agency Update**

The group received a presentation from Alison Kirkpatrick (Environment Agency), on the current position of the scheme. This showed that the EA were getting on with the job, with major works down river at Clarks Shoes. There was some difficulty with a rock outcrop on Aynam Road. The pump scheme at Chantry Gardens would raise the profile of the building to allow for flood water. It was expected that there would have to be limited tree work at Church Rooms this November, and also at Busher Walk.

There had been considerable deliberation over the Art and Public Realm consultation and the group congratulated Gareth Candlin of SLDC for holding parties together to work for the common good.

Members expressed concerns about the nature of the concrete finish on the dryside of the wall on Waterside, and about the deflector walls, which were relatively recently installed.

The Group spent some time looking at handrail design for the reach by the Parish Rooms and it was noted that the Civic Society had also expressed concerns about this.

It was noted that this was really a matter for the public realm design and should be considered throughout the scheme. A public realm steering group was being formed to look



at these more closely, with membership from Kendal Futures, KTC, SLDC and the Civic Society.

It was noted that the Town Council's Planning Committee had been caught out by the volume of work being pushed through as non-material amendments, and it would have to work its way through quite a lot of information to catch up.

The Group then considered Reach H2 which was upstream from Nether Bridge. There was clarification over the application to realign the public right of way. The Clerk reminded the Group that this was not Town Council land and the Town Council had neither been asked for nor granted permission for working here – contrary to the assertions in the Planning Application. However, it was accepted that the scheme would involve the temporary dismantling of flower beds which the Town Council managed around the Kendal Crest, and these would have to be reinstated by the EA after the works. It was noted that although two sycamores were going to have to be removed here, all other trees in this reach were to be retained.

There was some discussion about how to show which trees would be removed and which retained, and where the mitigating planting was going to be. It was noted that some of the trees on Aynam Road were already scheduled for removal, the flood scheme notwithstanding, due to their age, condition and the damage their roots were causing the adjacent highway. The tree work on Aynam Road was scheduled for February/March 2022.

#### **KFRS 14/21/22 Environment Agency Update – Aynam Road and Waterside Planning Application**

The group considered the timetable for the additional planning application required by material amendments to the scheme at Aynam Road and Waterside. The most important of these was the changed specification for the glass walling which would now run for over 400m instead of 62m. The EA shared some new visuals which showed the Group what the scheme should look like with the changes to the specification. There was some discussion about the style and look of the mock-ups but the general feedback was very positive, with one councillor remarking that this is what he had hoped it would look like.

#### **KFRS 15/21/22 Other aspects of the Scheme**

The Group heard that it was expected that the Public Art steering group would deliver better outcomes than the initial consultation had originally suggested, and that this was a good example of working together. Noel Farrer, from Kendal Futures was proving to be particularly helpful.

Works on the Stock Beck culverts was progressing though some agricultural landowner issues had had to be overcome. Upstream issues were being investigated.

The Town Council was looking at public convenience provision on Gooseholm and the Project manager would be in touch with the EA to see if there was any scope for cooperation.

There was some discussion about the proposed relocations for the water fountain by Jennings Yard Bridge, but no decision had been made yet and more consultation was required.

The Civic Society had raised a query about the use of concrete coping stones when natural stone was available, and this was being discussed with the Planning Officer.

It was proposed that the Group convenes on Wed 6 October to review the Planning Application, ahead of a general consultation meeting with councillors and stakeholders the following day.

**KFRS 16/21/22 Next meeting**

The next meeting of the Working Group was proposed for Wednesday 20 October at 7pm, though Cllr Long would not be able to attend. It was noted that this was the day before the Planning Application for the Aynam Road etc amendments had to be submitted, so could provide a useful point to summarise the state of the scheme so far.

The meeting closed at 9.05pm.

**Kendal Town Council**

**Appendix 1**

**Applications for Planning Committee 18 October 2021**

No	App No/Type	Address/ Proposed Development	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2021/0920</a>	<b>Stonecross Manor Hotel, 84 Milnthorpe Road</b> Two storey rear extension, partial infill of existing courtyard to provide 12 guestrooms and larger spa facilities	21 October	
2	<a href="#">SL/2021/0936</a>	<b>102 Windermere Road</b> Alterations to include a replacement single storey rear extension (Resubmission SL/2021/0519) <sup>1</sup>	22 October	
3	<a href="#">SL/2021/0928</a> & <a href="#">SL/2021/0929</a>	<b>Second Floor, 24 Market Place</b> Change of use & conversion of existing office space (Use class E) to residential (Use class C3)	22 October	
4	<a href="#">SL/2021/0935</a>	<b>5 Webb View</b> Replacement rear party fence between 5 and 6 Webb View to a total height of 3.2 meters	25 October	
5	<a href="#">SL/2021/0938</a>	<b>144 Windermere Road</b> Single story rear family room and utility extension	25 October	
6	<a href="#">SL/2021/0939</a>	<b>25 Greenside</b> Construction of steel frame balcony with glazed balustrades on upper ground floor of rear	25 October	

<sup>1</sup> 102 Windermere Road. At Kendal Town Council Planning Committee Meeting held on 7 June 2021, the committee had no material objections to the original application

		elevation, enlargement of existing window and installation of French doors.		
<b>7</b>	<a href="#">SL/2021/0949</a>	<b>1 Summerhill Gardens</b> Single storey side & rear extension	27 October	
<b>8</b>	<a href="#">SL/2021/0808</a>	<b>Church Wall, Holy Trinity Church, Kirkland</b> Listed building consent for works to church wall at the Church of the Holy Trinity as part of Kendal Flood Management Scheme. Works to comprise the dismantling of a 38.8 m section of the wall and the construction of a new concrete flood wall, retaining/preserving the full-height gateway and the historic opening between the church yard and the former vicarage site.	28 October	
<b>9</b>	<a href="#">SL/2021/0950</a>	<b>139 Stricklandgate</b> Variation of condition 1 (approved plans) attached to planning permission SL/2020/0426 <sup>2</sup> (Variation of condition 2 (Approved Plans), 4 (External Materials), 5 (Roof Materials), 6 (Windows & Doors), 8 (Permitted Working Hours), 9 (Soft Landscaping) attached to planning permission SL/2017/0711) <sup>3</sup>	29 October	
<b>10</b>	<a href="#">SL/2021/0952</a>	<b>16 Woolpack Yard, Stricklandgate</b>	29 October	

<sup>2</sup> 139 Stricklandgate – SL2020/0426 The Town Council had no material objections providing the site retains the current class of usage.

<sup>3</sup> 139 Stricklandgate – SL2017/0711 The Town Council recommended refusal of the amended plans for the conversion of the Sawyer Arms

		Demolition of former undertakers workshop and the construction of two new dwellings (Re-submission of SL/2018/0267) <sup>4</sup>		
11	<a href="#">SL/2021/0954</a>	<b>Aynam Cote, 2 Bridge Street</b> Replacement entrance door	29 October	
12	<a href="#">SL/2021/0959</a>	<b>Stramongate County Primary School, Blackhall Road</b> New multi use games area (MUGA) incorporated into the site area which was previously occupied by the Nursery Block. The MUGA will have a high performance 3G artificial grass finish - in green. The ends of the pitch will have 2 metre high fencing with goal recesses. The pitch will be raised by approximately 100mm off the existing level of the field to protect the roots of the existing trees.	29 October	
13	<a href="#">SL/2021/0978</a>	<b>15 Curson Rise</b> Single storey front extension	1 November	
14	<a href="#">SL/2021/0979</a>	<b>37 Longlands View</b> Front porch, patio doors & front & rear dormer windows (Resubmission of SL/2016/0740) <sup>5</sup>	1 November	

<sup>4</sup> 16 Woolpack Yard – SL2018/0267 The Town Council recommended approval

<sup>5</sup> 37 Longlands View SL/2016/0740 The Town Council recommending approval