

Kendal Town Council

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



28 February 2022

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

You are summoned to a meeting of Kendal Town Council Planning Committee on Monday 7 March 2022 at 6pm, at the Town Hall, Highgate, Kendal.

PLEASE NOTE START TIME

Distributed to other members of the Council for information only.

Yours faithfully

A handwritten signature in black ink, appearing to read 'C Bagshaw'.

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 21 February 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. Biodiversity Net gain Regulations Consultation

To consider the Council's response to the Government's consultation on biodiversity net gain regulations.

Background

The Department for Environment, Food and Rural Affairs is consulting on proposed regulations for the imposition of net biodiversity gain levels in new developments. https://consult.defra.gov.uk/defra-net-gain-consultation-team/consultation-on-biodiversity-net-gain-regulations/supporting_documents/Consultation%20on%20Biodiversity%20Net%20Gain%20Regulations%20and%20Implementation_January2022.pdf

The Committee will consider what feedback it should offer the Consultation which closes on 5 April 2022.

7. Kendal Town Council Flood Relief Scheme Working Group

To receive an update on the activities of the Working Group. The minutes of their last meeting are attached.

8. 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 Monday 21 February 2022 at 6.30pm.

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	Present
Cllr D Miles	Present	Cllr G Vincent	Present

In attendance: Chris Bagshaw (Town Clerk)

P129/21/22 Apologies

Apologies were received and accepted from Councillor Gibson

P130/21/22 Declarations of Interest

None

P131/21/22 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

P132/21/22 Minutes of the Previous Meeting

The Committee received the minutes of the previous planning committee meeting held on 27 February 2022

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

P133/21/22 Planning Process Issues

The Chair reminded the Committee that it would be considering the Defra consultation on biodiversity at the next meeting. Paper copies were distributed to members who needed them.

P134/21/22 Kendal Town Council Flood Relief Scheme Working Group

The minutes of the last meeting, along with the latest presentation from the Environment Agency had been distributed with the agenda for this meeting. The next meeting is Thursday 24 February. Cllr Rowley reported that he was meeting with upstream action groups from Staveley and elsewhere to continue researching options for Natural Flood Management.

Resolved: To note the report.

P135/21/22 Street Naming

The Committee considered a consultation on street naming for the new estate north of Laurel Gardens. Whilst welcoming the opportunity to comment the Committee expressed

disappointment that it had not been asked sooner. It felt that a real opportunity had been missed to allocate names with local significance. It felt that although the meadow flower names were inoffensive, they were also extremely generic and added to the sense of 'anytown' developments

Resolved: To seek more advanced consultation for the committee on future road naming.

Resolved: To express the Committee's disappointment with the generic nature of the names proposed.

P136/21/22 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 19.08

KENDAL TOWN COUNCIL

Applications for Planning Committee: 21 February 2022

Appendix 1

No	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	SL/2021/1189	42 Hayclose Crescent Boundary wall extension	28 February	The committee was concerned that permission for the extension might set an unwelcome precedent of oppressive walling and boundary treatments. However, it noted that the wall was a continuation in style of an existing structure and recognised that for that reason there were: <u>No material objections</u>
2	SL/2021/1114	6 Undercliff Road Ground floor study/office extension, front porch extension, front dormer, side balconies with ridge alteration/raising of roof works	1 March	The Committee felt the development was of a scale that was vastly out of keeping with surrounding properties. There was no attempt to make real biodiversity net gains. <u>Recommend Refusal</u>
3	SL/2022/0098	10 Helmside Gardens, Oxenholme Detached rear garden room		It was noted that a single bird box does not really make a net biodiversity gain. The Committee were concerned that the development may be used for a purpose other than that for which it is originally planned. It was noted that a material change of use would require a subsequent planning application. <u>No material objections.</u>
4	SL/2022/0099	Unit 2a-3 South Lakeland Retail Park Queen Katherines Avenue Internal and external alterations including bollards, plant and bin compound to		<u>No material objections</u>

KENDAL TOWN COUNCIL

Applications for Planning Committee: 21 February 2022

Appendix 1

		enable occupation by a convenience retailer (Use Class E(a))		
5	SL/2022/0041	<p>Telephone Engineering Centre, Sandylands Road</p> <p>The subdivision of the site to mothball and secure the existing flood damaged and vandalised buildings including the installation of galvanised steel screens to the windows and doors to the mothballed buildings. A new 2.4m perimeter fence of varying styles and entrance gates to the retained site and new food lighting on 6m posts to replace the existing at the site. The soft landscaped area the south east is to receive new surface treatments and the redundant fuel island will be removed to allow for additional storage and parking on the site. A new modular building is to be incorporated into the retained site and 4 shipping containers for storage of BT materials are to be located on the site.</p>	4 March	<p>The Committee expressed disappointment that the site was not being redeveloped but that the buildings continued to present an eyesore, affecting the visual amenity of the area. Concerns were expressed about the impact of the proposed lighting – there were no specific details of the number of lighting columns - and it was noted that there were no ‘dark skies’ mitigations offered. There were concerns about the continued risk of contamination from the site, especially with the proposed additional tarmac areas increasing potential run off into the Stock Beck. Although future traffic was being planned for with the increase in parking and practical covered storage, no traffic plan was presented, so it was difficult to gauge how this might impact on the local community. No proposals for net biodiversity gain were offered and it was suggested that the fencing materials added to the oppressive nature of the site, albeit making it more secure. The Committee felt it could not support the application and suggests that the applicant considers plans for complete site clearance as the only long-term, viable way forward.</p> <p><u>Recommend Refusal</u></p>

No	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	SL/2022/0115	20 Kirkland Change of use of ground floor from dog grooming business (Use class Sui generis) & residential (Use class C3) to commercial, business and service use (Use class E)	7 March (extension requested)	
2	SL/2022/0128	Former Safehands Nursery, Captain French Lane Conversion & adaptation of units 3 & 5 to create a single dwelling as approved as under planning permission SL/2020/0648	7 March (extension requested)	
3	SL/2022/0133	2 Romney Villas Single storey rear extension	15 March	
4	SL/2022/0136	10 Castle Grove Raise roof height of outbuilding to 2.6 meters	15 March	
5	SL/2022/0137	8 Silver Howe Close Demolition of existing garage & porch and erection of single storey side extension, front porch & alterations to drive (Resubmission of SL/2021/0415)	15 March	
6	SL/2022/0157	30 Copperfield Lane Two storey side extension and single storey rear and side extension	17 March	

7	SL/2021/0495	Queen Katherine School, Appleby Road, Extension of Sandgate SEN school comprising of new educational classrooms, multi-purpose hall with pupil facilities, teaching facilities and external works	18 March	
8	SL/2021/1201	7 Oak Tree Road Roof, rear & side extensions	18 March	
9	SL/2022/0161	7 Kentwood Road Garage/workshop extension on the side of the property	18 March	
10	SL/2022/0166	43 Bellingham Road Single storey rear extension & rear dormer window	18 March	
11	SL/2022/0167	Bankfield House, Bankfield Road Renovate, draught proof and double glaze existing sliding sash windows	21 March 2022	
12	SL/2022/0172	2 Murley Moss Detached garden room with air conditioning units (Retrospective) revision to approved planning permission SL/2021/0129 (Single storey rear extension & detached garden room)	18 March 2022	