

# Kendal Town Council

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



10 October 2022  
V2

To Members of the Planning Committee

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

You are summoned to a meeting of Kendal Town Council Planning Committee on  
**Monday, 17 October 2022, at 7pm** at the Town Hall, Highgate, Kendal.

**(Distributed to other members of the Council for information only.)**

Yours faithfully

A handwritten signature in black ink, appearing to be 'A B' followed by a long horizontal stroke.

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 held on 3 October 2022; and to authorise the Chair to sign them as a true record (*see attached*).

**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 an update on the activities of the Working Group.

**7. Planning Applications**

To consider planning applications received from South Lakeland District Council and Cumbria County Council (*see attached*).

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>

# Kendal Town Council

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## Minutes of a meeting of the Planning Committee held on Monday, 3 October 2022, at 6.30 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.

Cllr A Campbell	Present	Cllr A Finch	Apologies
Cllr J Cornthwaite	Present	Cllr H Ladhams (Vice-Chair)	Present
Cllr L Edwards	Present	Cllr D Miles	Present
Cllr D Evans	Present	Cllr D Rathbone (Chair)	Present

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

### P60/2022 Apologies

An apology for absence was received and accepted from Cllr A Finch.

### P61/2022 Declarations of Interest

No declarations of interest were raised.

### P62/2022 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

### P63/2022 Minutes of the Previous Meeting

**Resolved:** To receive and accept the minutes of the previous meeting of the Planning Committee held on 5 September 2022 and to authorise the Chair to sign them as a true record.

### P64/2022 Planning Applications dealt with under Delegated Powers

The meeting of the Committee scheduled to have been held on 19 September 2022 had been cancelled due to the mourning period and funeral of Her Majesty Queen Elizabeth II.

**Resolved:** Following the cancellation of the meeting of the Committee scheduled to have been held on 19 September 2022, to note the delegated responses made in relation to those planning applications for which comments were due prior to the next meeting (*Appendix 1 to these minutes*).

### P65/2022 Planning Process and Issues

The Chair reported that he had discussed with the Clerk earlier in the day the way forward with regard to the Town Council's position on second homes and holiday lets within

Kendal. He suggested that there was a need for discussion on this now, with a view to making an appropriate proposal to Council at the next meeting which achieved the maximum benefit possible.

The Clerk informed Members that this was not a straightforward issue and that there was no legislation or planning law which allowed for intervention on short term letting. He pointed out the difficulties in establishing statistics in relation to properties affected within Kendal. Colleagues at South Lakeland District Council had not yet come up with a solution, however, he was of the opinion that the easiest method would be through the Airbnb Website. The actual impact of second home and holiday lets within Kendal was, therefore, difficult to quantify, although there was anecdotal evidence of people trying to buy or rent who were unable to. The Town Council was aware of a lot of properties in the centre of Kendal which were short term lets. The Clerk further advised that in order to establish proper statistics and the impact on the housing market, professional research would be required. He, however, drew attention to the fact that there was also pressure on the issue from the Liberal Democrat Office and other towns facing similar problems. He raised the question of whether this was actually a problem or if it was merely perception and warned of the potential for any action to worsen the problem. As regards a proposal to Council, the Clerk believed that this was as much as the Planning Committee could do, with appropriate wording to express that the Town Council supported Tim Farron, MP, in this matter.

A lengthy discussion took place during which Members acknowledged that a problem existed in Kendal and furthermore that the South Lakeland-wide issue also impacted on Kendal. It was suggested that local estate and letting agencies might be approached for feedback and statistics, although the Clerk pointed out that the information may not be received in time. Attention was drawn to recent Scottish legislation with regard to the licensing of short term lets, demonstrating that this issue was already being taken seriously there. Members were keen to progress the matter, to co-ordinate with Tim Farron, MP's, office and to make a formal proposal, based on Cllr A Campbell's original wording, to Council. The need to ensure that the correct wording regarding the fact that an issue existed, that this was believed to be a problem and distorted the local housing market and the need for suitable policy was stressed.

**Resolved:**

- (1) to note the verbal update;
- (2) the Clerk to approach local estate and letting agencies for feedback and statistics on short term lets within the Kendal area;
- (3) Members to liaise and co-ordinate with Tim Farron, MP and, through the chair, develop a suitable motion for the full council to consider.

**P66/2022 Kendal Town Council Flood Relief Scheme Working Group**

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, advised the Committee that there had been no further meetings of the Group, however, that the familiarisation trip to Pilkingtons in St. Helen's, where the glass screens for the Flood

Scheme were being made, was due to take place on the following day. There had also recently been a walk through the southern reaches of the scheme led by the Environment Agency.

**Resolved:** To note the verbal update.

#### **P67/2022      Planning Applications**

The Committee considered the Planning Applications shown in Appendix 2 to these minutes.

**Resolved:** To submit the recommendations in Appendix 2 to these minutes to the Planning Authority.

The meeting closed at 7.13 p.m.

## Appendix 1

**Kendal Town Council**

Applications for Planning Committee: 19 September 2022

**Appendix 1**

Please note, the following observations were forwarded by the Town Clerk, following the appropriate consultations with the Chair and individual councillors, under the scheme of delegation. This was due to the impact of the period of Public Mourning on council meeting schedules.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2022/0710</a>	<b>27 Kendal Green, Kendal</b> Ancillary Building	Strickland	21 September	The Council would expect the development not to overlook neighbouring properties unduly, utilise appropriate local materials where possible, and to demonstrate net biodiversity gain. Assuming the Conservation Officer was content that it did not prejudice the visual amenity of the Conservation Area, the Council has <b><u>No material objections.</u></b>
2	<a href="#">SL/2022/0763</a>	<b>Kendal Nutricare Ltd, 1 Mint Bridge Road, Kendal</b> Erection of new RTF building	Mintsfeet	22 September	The Council has <b><u>No material objections</u></b> but assumes that the flood plan is sufficient in the view of the LLFA, and that a consideration of net biodiversity gain is made.
3	<a href="#">SL/2022/0767</a>	<b>77-78 Aynam Road, Kendal</b> Change of use of ground floor retail unit (Use class E) to 2 dwellings (Use class C3) including associated demolition, extension & alterations	Castle	22 September	The Council has <b><u>No material objections,</u></b> providing it does not present an overlooking issue. It was difficult to tell from the plans.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
4	<a href="#">SL/2022/0770</a>	<b>Premier Inn Kendal Central, Maude Street, Kendal</b> Replacement of 1 internally illuminated totem sign, 1 internally illuminated fascia sign, 1 externally illuminated fascia sign and 1 internally illuminated roundel sign	Fell	22 September	<b><u>No material objections</u></b> providing its level of brightness does not create additional issues
5	<a href="#">SL/2022/0776</a>	<b>58 Sedbergh Road, Kendal</b> Proposed front porch and detached garage	Nether	22 September	<b><u>No material objections</u></b>
6	<a href="#">SL/2022/0806</a>	<b>9 Strickland Court, Windermere Road, Kendal</b> Replace the existing windows and door with UPVC White wood grain effect	Strickland	30 September	<b><u>No material objections</u></b> , though the Council would like to see a contribution to net biodiversity gain, and assuming the visual amenity of the area is not compromised.
7	<a href="#">SL/2022/0808</a>	<b>Willowfield, Parkside Road, Kendal</b> Single garage (Retrospective)	Castle	30 September	The Council is disappointed to be receiving a retrospective application, as this implies the developer thought they did not need to bother applying. However, it has <b><u>No material objections</u></b> .
8	<a href="#">SL/2022/0810</a>	<b>Rear of 10 Murley Moss, Kendal</b> Change of use of public space to garden extension for 10 Murley Moss to be established as a community garden	Oxenholme?	30 September	<b><u>No material objections</u></b>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
9	<a href="#">SL/2022/0802</a>	<b>Kendal Rugby Union Football Club, Mint Bridge, Shap Road, Kendal</b>  Variation of condition 6 (Use of the clubhouse & grounds) attached to planning permission SL/2021/0101 (Variation of condition 19 (Open Hours) attached to planning permission SL/2015/0016 (Engineering operation and development to re-grade the site to form one full sized floodlit rugby pitch, one full sized floodlit artificial pitch, two training pitches, a clubhouse, parking and landscaping.)	Mintsfeet	7 October	<b><u>No material objections</u></b>
10	<a href="#">SL/2022/0803</a>	<b>Kendal Rugby Union Football Club, Mint Bridge, Shap Road, Kendal</b>  Variation of condition 1 (Camping season) attached to planning permission SL/2021/0102 (Change of use of land to allow seasonal camping)	Mintsfeet	30 September	<b><u>No material objections</u></b> but the Council would not like to see this becoming a permanent development without a full planning application



**Kendal Town Council**

Responses from Planning Committee: 3 October 2022

**Appendix 2**

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2022/0819</a>	<b>72 Greenside, Kendal</b> Repositioning of existing front door to allow for internal lobby	Fell	5 October	<b>No Material Objections</b> provided the following serious questions are suitably addressed: The Heritage Statement states that the overall appearance and character of the front elevation will look unaltered. The Committee feels that it will, as it expects that the door will be moved by a significant amount, and would therefore expect it to compromise the visual amenity of the Conservation Area. In addition it is questioned as to why a new garage/study is shown on the plans but not included within the body of the application.
2	<a href="#">SL/2022/0528</a>	<b>7 Michaelson Road, Kendal</b> Two storey rear extension	Stonecross	7 October	<b>No Material Objections</b> but would expect a significant increase in net biodiversity gain from what proposed.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
3	<a href="#">SL/2022/0822</a>	<b>48 Natland Road, Kendal</b> Two storey side & single storey rear extensions (Resubmission of SL/2022/0202)	Stonecross	7 October	<b>No Material Objections</b> however the Committee does not feel that net biodiversity gain has been improved sufficiently from the last application, if any meaningful amendment at all has actually been made.
4	<a href="#">SL/2022/0837</a>	<b>7 Captain French Lane, Kendal</b> Change of use of vacant residential property (Use class C3) to part of dental practice premises (Use class E)	Highgate	12 October	<b>No Material Objections</b> however the Committee is disappointed in the loss of a residential property from the market.
5	<a href="#">SL/2022/0841</a>	<b>4 Spital View, Kendal, LA9 4NX</b> Construction of rear dormer & replacement of existing front dormer	Fell	12 October	<b>No Material Objections</b> provided that applicant is encouraged to ensure that the materials to be used are in keeping with the Conservation Area.
6	<a href="#">SL/2022/0787</a>	<b>Sunny Cote, Sunnyside, Kendal</b> Erection of a single storey garage/outbuilding	Mintsfeet	13 October	<b>Material Objections</b> on the basis that the plans for garden reinstatement (Proposed floor plan & elevations 108_002 A1) are not specific enough on whether biodiversity gain is net or otherwise. This is not sufficient given that the plans for the removal of the existing garage are not specific enough and should be included in an application and conditions regarding NBG.

**Kendal Town Council**

Applications for Planning Committee: 17 October 2022

**Appendix 1**

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2022/0856</a>	<b>16 Heron Close, Kendal</b> Single story rear extension to replace existing conservatory	Heron Hill	19 October	
2	<a href="#">SL/2022/0865</a>	<b>12 - 14 Stricklandgate, Kendal</b> Installation of internally illuminated fascia signs and menu board	Fell	19 October	
3	<a href="#">SL/2022/0858</a>	<b>Land adjacent to Kendal United Football Club, Castle Drive, Kendal</b> Creation of Sports Pitch (Junior Football) on land adjacent to Kendal United Football Club	Castle	26 October	
4	<a href="#">SL/2022/0843</a>	<b>14 Copperfield Lane</b> Erection of a 2 metre rear extension and rebuild the garage to attach it to the main house	Nether	27 October	
5	<a href="#">SL/2022/0894</a>	<b>5 Curson Rise</b> Single storey detached outbuilding (Retrospective)	Strickland	27 October	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
6	<a href="#">SL/2022/0907</a> & <a href="#">SL/2022/0908</a>	<b>Norfolk House, 9 Thorny Hills</b> Removal of existing cement render to gable wall and application of traditional lime render, localised repointing with lime mortar, the taking down and rebuilding of the gable end chimney stack over a lead damp proof course, and associated works to slate overhangs, lead soakers and flashings where required and following further investigation.	Mintsfeet	1 November 2022	
7	<a href="#">SL/2022/0911</a>	<b>Alyth, Castle Green Lane</b> Internal alterations including loft conversion, replacement of doors and windows, replacement garage, new garden studio.	Nether	1 November 2022	
8	<a href="#">SL/2022/0913</a>	<b>1 Teal Beck</b> Single storey side & rear extension	Heron Hill	1 November 2022	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
9	<a href="#">SL/2022/0916</a>	<b>53 Milnthorpe Road,</b> Removal of cast iron balcony, application of white painted or self-coloured smooth render coat to the whole of the South gable, removal and replacement of existing hedges, alterations to garden area, installation of acoustic fence to garden, installation of timber gates to vehicular entrance to property.	Kirkland	1 November 2022	
10	<a href="#">SL/2022/0883</a>	<b>43 Allhallows Lane</b> Replacement timber ground & 1st floor front windows	Fell	3 November 2022	
11	<a href="#">SL/2022/0884</a>	<b>Glenholme Guest House, 43 Milnthorpe Road</b> Replacement timber windows to front elevation	Kirkland	3 November 2022	
12	<a href="#">SL/2022/0919</a>	<b>28 Copperfield Lane</b> Single storey rear extension & replacement detached garage	Nether	3 November 2022	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
13	<a href="#">SL/2022/0920</a>	<b>Unit2 A - 3, South Lakeland Retail Park, Queen Katherines Avenue</b>  The construction of a plant cage/compound (of flow forge material) and installation of air conditioning/refrigeration plant there together with the construction of a bin store (flow forge material ) and the forming of 1 no. opening in external wall/cladding for AC pipework	Mintsfeet	3 November 2022	
14	<a href="#">SL/2022/0921</a>	<b>Land at Brigsteer Road (Phase 3)</b>  Erection of 24 dwellings with associated vehicular access, roads and footways, hard and soft landscaping, drainage and other associated works MAJOR	Highgate	10 November 2022	