

Kendal Town Council

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



25 April 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 **Tuesday 3 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

A handwritten signature in black ink, appearing to read '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 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 19 April 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 receive an update on the activities of the Working Group.

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 19 April 2022 at 6.30pm in the Town Hall, Kendal.

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

In Attendance: Town Clerk

P162/21/22 Apologies

No apologies were received.

P162/21/22 Declarations of Interest

None

P163/21/22 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

P164/21/22 Minutes of the Previous Meeting

The Committee received the minutes of the previous planning committee meeting held on 4 April 2022.

Resolved: To accept them as a true record.

P165/21/22 Planning Process and Issues

The Committee discussed an issue which had arisen on Kendal Green, where a tree had been damaged in a storm. The Tree Officer had confirmed that the owner could fell the tree if required, but instead they had opted to leave it standing, following some work by a tree surgeon. Unfortunately, in the view of the neighbours, this left the tree still unsafe and now also unsightly, which did not contribute to the visual amenity of the Conservation Area.

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.

P166/21/22 Kendal Town Council Flood Relief Scheme Working Group

The Chair of the Working Group reported that Craig Cowperthwaite had now retired from the Environment Agency and that the Flood scheme and the town would miss his expertise, patience and pragmatism. He hoped that the new management at the EA would continue his collaborative tradition. A new date was still being sought for an additional meeting of the

Working Group, but it looked likely that this would now be after the elections. Although there were a couple of negative comments about the glass wall scheme, the overwhelming response from the public to the Planning Application had been supportive.

Resolved: To note the report.

P167/21/22 Footpath Diversion

The Committee considered a proposed footpath diversion by the river at Kirkland. It was noted that the diversion served to tidy up the alignment of the rights of way on the paths around the Kendal Crest (footpaths 536209 and 536210).

Resolved: To support the realignment of the rights of way.

P168/21/22 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 19.20.

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Applications for Planning Committee: 19 April 2022

Appendix 1

No.	App No./Type	Address/Proposed Development	Comments to SLDC	Observations/Recommendations
1	SL/2022/0284	48 Buttermere Drive Refurbishment including external insulation with a rendered finish, replacement triple glazed windows, removal of existing conservatory and replacement of existing stepped access to the rear garden.	19 April	<u>No material objections.</u> The Committee commends this application for its use of Passivhaus standards and other sustainable measures. They also welcomed the extent of neighbour consultation.
2	SL/2022/0292	116 Burneside Road Single storey extensions to porch and bay window	19 April	<u>No material objections.</u>
3	SL/2022/0293	116 Burneside Road Rear raised deck / balcony replacing Juliet Balcony	19 April	<u>No material objections.</u> The Committee had concerns about the development creating overlooking issues, but were unsure about the angles, so their observation is conditional on this being acceptable to the Planning Officer. There should be some consideration of net biodiversity gain.
4	SL/2022/0307	34 Low Mead Two storey rear extension	20 April	No material objections. The Committee drew attention to the neighbour's comment about boundary matters and would seek

				reassurance that this is a mapping accuracy issue, not an assertion of development rights over an adjacent property.
5	SL/2022/0226	Jewson Ltd, Stockbeck Demolition of existing warehouse building and erection of new warehouse building	28 April	<u>No material objections.</u> Dependent on UU and LLFA conditions relating to impacts on flooding and adequate drainage. The Committee supported the additional biodiversity measures suggested by the Tree Officer.
6	SL/2022/0243	11 Nether Street Replacement limestone perimeter wall	28 April	<u>Recommend refusal.</u> The Committee could not see how the development overcame the creation of a blind corner on the highway, which would be potentially less safe for pedestrians and vehicles. The development seemed to be out of proportion for its location in the Conservation Area and had no mention of biodiversity net gain.

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Applications for Planning Committee: 3 May 2022

Appendix 1 v2

No.	App No./Type	Address/Proposed Development	Comments to SLDC	Observations/Recommendations
1	SL/2022/0083	Stephenson Centre, Ann Street Temporary pod to house 1 homeless individual in emergencies	12 May	
2	SL/2022/0347	Jenkin Cragg Farm, Fowl Ing Lane Erection of an agricultural livestock building	13 May	
3	SL/2022/0348	Jenkin Cragg Farm, Fowl Ing Lane Erection of an agricultural covered muck midden	13 May	
4	SL/2022/0303	4 Heron Hill Alterations & extensions of existing garage & front entrance	16 May	
5	SL/2022/0357	21 Spital Park Single storey front porch extension	16 May	

6	SL/2022/0362	49 Shap Road Replacement above ground fuel tank (Retrospective)	16 May	
7	SL/2022/0369	2 Hawesmead Avenue First floor extension over existing single storey store extension and erection of detached garage	16 May	
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	
9	SL/2022/0307	34 Low Mead Two storey rear extension	17 May 2022	
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	

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	
12	SL/2022/0383	16 Kentrigg Timber framed garden studio and landscaping	20 May 2022	