

# Kendal Town Council

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



28 March 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 4 April 2022 **at 6PM** at the Town Hall, Highgate, Kendal. (Please note time)

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

Yours faithfully

A handwritten signature in black ink, appearing to be 'CB' with a long horizontal stroke extending to the right.

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 March 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. Consultations**

- a) To note the completed feedback to Defra on Biodiversity Net Gain
- b) To consider submitting feedback to LDNPA on rate relief for second homes.

**7. Kendal Town Council Flood Relief Scheme Working Group**

To receive an update on the activities of the Working Group.

**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>

# Kendal Town Council

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



## Minutes of a meeting of the Planning Committee held on Monday 21 March 2022 at 6.30pm in the Town Hall, Kendal.

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

**In Attendance:** Town Clerk

### **P145/21/22 Apologies**

Apologies were received and accepted from Cllrs Rathbone and Rowley. The meeting was chaired by Cllr Ladhams.

### **P146/21/22 Declarations of Interest**

Cllr Cornthwaite reminded the Committee of his chairmanship of the Flood Scheme working group in relation to the first planning application.

### **P147/21/22 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**

No issues were considered for exclusion.

### **P148/21/22 Minutes of the Previous Meeting**

The Committee received the minutes of the previous planning committee meeting held on 7 March 2022.

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

### **P149/21/22 Planning Process and Issues**

Concerns were raised about a possible breach of Planning laws at Beeson Fields, where a very high fence has been constructed to the rear of the industrial estate. It is understood the district council, Environment Agency, Network Rail and others are investigating.

### **P150/21/22 Net Biodiversity Gain Consultation**

The Vice Chair confirmed that she had met with the Chair and the Clerk to complete the Council's feedback to Defra. The Clerk confirmed that the comments from E&H had been incorporated into the response. It was noted that coordinating this response was made more difficult by the inability of the Consultation website to allow a summary of responses prior to confirmation. The final feedback would be circulated to members for information, with the caveat that it had been difficult to verify without scrolling through 60 pages of feedback.

**Resolved:** To note this response and circulate the Council's submission.

**P151/21/22 Kendal Town Council Flood Relief Scheme Working Group**

The Committee received the minutes and EA report from their last meeting. The Chair of the Working Group reported that the Committee was scheduled to meet again on Wednesday evening, having also met with EA staff for a briefing on Gooseholme the previous week. No Environment Agency staff would be available for the Working Group's next meeting so it would be used as an opportunity to re-evaluate the Council's position on a number of issues. A summary sheet of the latest developments had been produced for the general public. It was noted that the tree-felling which had taken place in the last week or so was sufficient to allow the EA to carry out sufficient in-river work this summer, without further felling at this stage..

**Resolved:** To note the report.

**P152/21/22 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 19.22.

**Kendal Town Council**

Applications for Planning Committee: 21 March 2022

**Appendix 1**

No	App No/Type	Address/Proposed Development	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2022/0163</a>	<p><b>Waterside and Aynam Road</b> Erection of flood defences along Waterside and Aynam Road. Amendments to Reaches G1, G2, G3 and H1 of the Kendal Flood Risk Management Scheme approved under reference SL/2018/0925.</p>	31 March 2022	<p><b><u>No material objections.</u></b> The Committee welcomed the progress and commended the new design for the glass panels.</p>
2	<a href="#">SL/2022/0178</a>	<p><b>28 Larch Grove</b> Single storey front extension</p>	23 March 2022	<p><b><u>No material objections</u></b> It was noted that although the two applications (0178 and 0179) were adjacent, there was little presented to enable one to be compared with the other. There was no mention of biodiversity net gain.</p>
3	<a href="#">SL/2022/0179</a>	<p><b>30 Larch Grove</b> Single storey front extension</p>	23 March 2022	<p><b><u>No material objections</u></b> It was noted that although the two applications (0178 and 0179) were adjacent, there was little presented to enable one to be compared with the other. There was no mention of biodiversity net gain.</p>
4	<a href="#">SL/2022/0176</a>	<p><b>Brewery Arts Centre, 118-120 Highgate</b> Replacement illuminated digital screen display hoarding</p>	28 March 2022	<p><b><u>No material objections</u></b></p>
5	<a href="#">SL/2022/0186</a>	<p><b>26 Strickland Court, Windermere Road</b></p>	28 March 2022	<p><b><u>No material objections</u></b></p>

		Replacement UPVC windows and doors		
6	<a href="#">SL/2022/0191</a>	<b>14 Back Lane</b> Erection of a front boundary wall (Retrospective)	29 March 2022	<b><u>No material objections</u></b> The Committee reiterated its disappointment to be looking at a retrospective application and urges the Planning Authority to do more to publicise the need for Planning Applications in a variety of situations.
7	<a href="#">SL/2022/0177</a>	<b>16 Stonecross Road</b> Demolition of single storey garage & erection of a 2-storey side extension	30 March 2022	<b><u>No material objections</u></b> The Committee supported the comments of the Kendal Swifts group, but also noted that the simple inclusion of a birdbox does not in itself constitute a sufficient amount of biodiversity net gain.
8	<a href="#">SL/2022/0202</a>	<b>48 Natland Road</b> (note property is incorrectly addressed on application) Two storey side & single storey rear extensions.	31 March 2022	<b><u>No material objections</u></b> The Committee supported the comments of the Kendal Swifts group, but also noted that the simple inclusion of a birdbox does not in itself constitute a sufficient amount of biodiversity net gain.
9	<a href="#">SL/2022/0108</a>	<b>6 Cliff Terrace</b> Replacement windows & roof lights, new rear roof light & alterations to kitchen window & back door openings	4 April 2022	<b><u>No material objections</u></b>
10	<a href="#">SL/2022/0217</a>	<b>Netherfield Sports And Social Club, Parkside Road</b> Raised decked area on existing patio enabling better disabled access to the Sports and Social Club	4 April 2022	<b><u>No material objections</u></b> The Committee found it difficult to interpret the drawings supplied in the context of the existing facilities. It was not obvious how the ramp fitted in with the current access.

Submitted to Consultation on Biodiversity Net Gain Regulations and Implementation  
Submitted on 2022-03-22 16:27:45

## Confidentiality and your response

1 Would you like your response to be confidential?

No

If you answered 'Yes' to this question, please state clearly what information you would like to be kept as confidential and explain your reasons for confidentiality:

2 What is your name?

Name:  
Chris Bagshaw

3 What is your email address?

Email:  
clerk@kendaltowncouncil.gov.uk

4 What is your organisation?

Organisation:  
Kendal Town Council

5 Which option best describes the sector you work in or otherwise represent?

Other (please specify)

If you answered 'Other', please specify:

Town Council

## Introduction

## Background

### Why are we consulting?

### The context for biodiversity net gain

### Overview of the proposed biodiversity net gain processes

## Part 1: Defining the scope of the BNG requirement for Town and Country Planning Act 1990

### Part 1.1: Exemptions

#### 1.1.1: Developments impacting habitat below a minimum size 'de minimis' threshold for biodiversity net gain

6 Do you agree with our proposal to exempt development which falls below a de minimis threshold from the biodiversity net gain requirement?

No (please explain why not)

Please provide any explanation for your answer here:

No blanket de minimis is appropriate

No (please explain why not)

Please provide any explanation for your answer here:

No blanket de minimis is appropriate

7 Do you agree with our proposal to exempt householder applications from the biodiversity net gain requirement?

No (please explain why not)

Please provide any explanation for your answer here:

Every development has a biodiversity impact

### 1.1.3: Change of use applications

8 Do you agree with our proposal to exempt change of use applications from the biodiversity net gain requirement?

No (please explain why not)

Please provide any explanation for your answer here:

Impact is no different with change of use. Each should be treated on its own merits

### 1.1.4: Creation of biodiversity gain sites

9 Do you think developments which are undertaken exclusively for mandatory biodiversity gains should be exempt from the mandatory net gain requirement?

Yes, only for biodiversity net gain (please explain why)

Please provide any explanation for your answer here:

Net gain on net gain seems unnecessary, but other mitigations are a part of a different set of criteria and should be accounted for separately.

### 1.1.5: Self-builds and custom housebuilding

10 Do you think self-builds and custom housebuilding developments should be exempt from the mandatory net gain requirement?

No (please explain why not)

Please provide any explanation for your answer here:

Because self-build is no different from ordinary development, and potentially has a greater impact, depending on the nature of the build

### 1.1.6: Brownfield sites

11 Do you agree with our proposal not to exempt brownfield sites, based on the rationale set out above?

Yes

Please provide any explanation for your answer here:

Many brownfield sites are also important for biodiversity (eg small blue butterflies on former steelworks slag). The requirement for BNG is different from the need to re-use land.

### 1.1.7: Temporary permissions

12 Do you agree with our proposal not to exempt temporary applications from the biodiversity net gain requirement?

Yes

Please provide any explanation for your answer here:

### 1.1.8: Developments for which permitted development rights are not applicable due to their location in conservation areas, areas of outstanding natural beauty or national parks

13 Do you agree with our proposal not to exempt developments which would be permitted development but are not on account of their location in conservation areas, such as in areas of outstanding natural beauty or national parks?

Yes

Please provide any explanation for your answer here:



14 Are there any further development types which have not been considered above or in the previous net gain consultation, but which should be exempt from the biodiversity net gain requirement or be subject to a modified requirement?

No

Please provide any explanation for your answer here:

### Part 1.2: Development within statutory designated sites for nature

15 Do you agree with our proposal not to exempt development within statutory designated sites for nature conservation from the biodiversity net gain requirement?

Yes

Please provide any explanation for your answer here:

### Part 1.3: Irreplaceable habitat

16 Do you agree with the stated proposals for development (or component parts of a development on irreplaceable habitats), specifically:

Yes

Please provide any explanation for your answer here:

Yes

Please provide any explanation for your answer here:

Yes

Please provide any explanation for your answer here:

Yes

Please provide any explanation for your answer here:

Yes

Please provide any explanation for your answer here:

## Part 2: Applying the biodiversity gain objective to different types of development

### Part 2.1: Phased development and development subject to subsequent applications

17 Do you agree with our proposed approach that applications for outline planning permission or permissions which have the effect of permitting development in phases should be subject to a condition which requires approval of a biodiversity gain plan prior to commencement of each phase?

Yes

Please provide any explanation for your answer here:

18 Do you agree with the proposals for how phased development, variation applications and minerals permissions would be treated?

Yes

Please provide any explanation for your answer here:

### Part 2.2: Small sites

19 Do you agree that a small sites metric might help to reduce any time and cost burdens introduced by the biodiversity gain condition?

Other (please tell us more)

Please provide any explanation for your answer here:

Yes, the smaller metric has the potential to simplify matters, but this should not mean something simplistic like 1 bird box = 4 square metres of garden.

20 Do you think a slightly extended transition period for small sites beyond the general 2-year period would be appropriate and helpful?

Do not know

Please provide any explanation for your answer here:

21 Are there any additional process simplifications (beyond a small sites metric and a slightly extended transition period) that you feel would be helpful in reducing the burden for developers of small sites?

No

Please provide any explanation for your answer here:

## Part 2.3: Nationally significant infrastructure projects

### 2.3.1: Proposal 1 - Scope, percentage, and targeted exemptions

22 Are any targeted exemptions (other than that for irreplaceable habitat), reduced biodiversity net gain objectives, or other modified requirements necessary for the application of the biodiversity net gain requirement to NSIPs?

No

Please provide any explanation for your answer here:

### 2.3.2: Proposal 2 - Setting the requirement and transition arrangements through 'biodiversity gain statements'

23 Do you agree that the above approach is appropriate for setting out the biodiversity net gain requirement for NSIPs?

Yes (please explain why)

Please provide any explanation for your answer here:

Because it seems sensible

24 Do you consider that the November 2025 is an appropriate date from which NSIPs accepted for examination will be subject to the biodiversity net gain requirement?

Yes (please, provide any supporting evidence or justification)

Please provide any explanation for your answer here:

25 Do you agree that a project's acceptance for examination is a suitable threshold upon which to set transition arrangements?

Do not know

Please provide any explanation for your answer here:

### 2.3.3: Proposal 3 - NSIP off-site gains and a 'portfolio approach'

26 Would you be supportive of an approach which facilitates delivery of biodiversity net gain using existing landholdings by requiring a lighter-touch registration process, whilst maintaining transparency?

Yes (please explain why)

Please provide any explanation for your answer here:

Because it seems sensible

### 2.3.4: Proposal 4 - Process and demonstrating biodiversity net gains

27 Do you consider that this broad 'biodiversity gain plan' approach would work in relation to NSIPs?

Yes

Please provide any explanation for your answer here:

28 Should there be a distinction made for NSIPs between on-site habitats (which are subject to the biodiversity net gain percentage) and those habitats within the development boundary which are included solely for environmental mitigation (which could be treated as off-site enhancement areas without their own gain objective)?

Please provide any explanation for your answer here:

Sites should be treated in their totality

29 Is there any NSIP-specific information that the Examining Authority, or the relevant Secretary of State, would need to see in a biodiversity gain plan to determine the adequacy of an applicant's plans to deliver net gain (beyond that sought in the draft biodiversity gain plan template at Annex B)?

Do not know

Please provide any explanation for your answer here:

### 2.3.5: Proposal 5 - Maintenance period for Nationally Significant Infrastructure Project developments

30 Do you think that 30 years is an appropriate minimum duration for securing off-site biodiversity gains allocated to NSIPs?

No, it should be longer

### 2.3.6: Proposal 6 - Compulsory acquisition

31 Are further powers or other measures needed to enable, or manage the impacts of, compulsory acquisition for net gain?

Do not know

Please provide any explanation for your answer here:

This is outwith our field of experience

### 2.3.7: Proposal 7 - Marine infrastructure

32 Is any guidance or other support required to ensure that schemes which straddle onshore and offshore regimes are able to deliver biodiversity net gain effectively?

Do not know

Please provide any explanation for your answer here:

This is outwith our field of experience

## Part 3: How the mandatory BNG requirement will work for Town and Country Planning Act 1990 development

### Part 3.1: Biodiversity gain plan

33 Do you agree with the proposed:

Yes

Please provide any explanation for your answer here:

Yes

Please provide any explanation for your answer here:

34 We will continue to work with external stakeholders and industry on the form and content of the template. Do you agree with the proposed information to be included in a biodiversity gain plan as shown in the draft template?

Yes

Please provide any explanation for your answer here:

### Part 3.2: Off-site biodiversity gains

35 Do you agree that further guidance is needed to support decision-making about what constitutes appropriate off-site biodiversity gains for a given development?

Yes (please state what in particular would help most)

Please provide any explanation for your answer here:

Planning 4 April 2022 Page 12 of 21  
We do not support the use of off-site mitigations, but where they are an absolute necessity, there should be tight rules and how they might be delivered. This would require considerable further guidance.

36 How should the UK Government encourage or enable developers and landowners to secure biodiversity gain sites for longer than the minimum 30-year period?

How should the UK Government encourage or enable developers and landowners to secure biodiversity gain sites for longer than the minimum 30-year period?:

It should legislate.

### Part 3.3: The market for biodiversity units

37 Do you agree with our proposals for who can supply biodiversity units and the circumstances in which they may do so?

No (please explain why not)

Please provide any explanation for your answer here:

We do not agree with the marketisation of BNG

38 Do you agree that developers which are able to exceed the biodiversity gain objective for a given development should be allowed to use or sell the excess biodiversity units as off-site gains for another development, provided there is genuine additionality?

No (please explain why not)

Please provide any explanation for your answer here:

We do not agree with the marketisation of BNG

39 Do you agree with the proposed scope of the UK Government's role in facilitating the market, as set out above?

No (please explain why not)

Please provide any explanation for your answer here:

We do not agree with the marketisation of BNG

### Part 3.4: Habitat banking

40 Are the proposals outlined here sufficient to enable and encourage habitat banking?

No (please specify what else could be done and why it is needed)

Please provide any explanation for your answer here:

We do not agree with the marketisation of BNG

41 Do you agree with our proposal that to be eligible to supply biodiversity units for mandatory biodiversity net gain, habitat must be created or enhanced on or after a specified date, proposed to be 30 January 2020?

No (please explain why not)

Please provide any explanation for your answer here:

We do not agree with the marketisation of BNG

42 Should there be a time limit on how long biodiversity units can be banked before they are allocated to a development? What would you consider to be an appropriate time limit?

Yes (please specify what this time limit should be)

Please provide any explanation for your answer here:

Yes, but we do not agree with the marketisation of BNG, so this is moot. As short a time as possible if it means the BNG is delivered in a timely fashion.

### Part 3.5: The biodiversity gain site register

#### 3.5.1: Proposal 1 - The criteria and process for registration

Yes

Please provide any explanation for your answer here:

44 Do you agree that the register operator should determine an application within a maximum of 28 days unless otherwise agreed between both parties?

No (please explain why not)

Please provide any explanation for your answer here:

This sounds like a stick to beat regulators and not beneficial to the aims of this policy

### 3.5.2: Proposal 2 - Information that will be required by and recorded in the register

45 Do you agree that this list of information requirements will be sufficient to demonstrate that a biodiversity gain site is legitimate and meets the eligibility criteria?

Yes

Please provide any explanation for your answer here:

46 Do you agree that the UK Government should require a habitat management plan, or outline plan, for habitat enhancement to be included on the register?

Yes

Please provide any explanation for your answer here:

### 3.5.3: Proposal 3 - Application fees and penalties for false and misleading information

47 Do you agree that the UK Government should allow the register operator to:

Yes

Please provide any explanation for your answer here:

Yes

Please provide any explanation for your answer here:

### 3.5.4: Proposal 4 - Appeals against rejection of a biodiversity gain site application or non-determination of an application by the register operator

48 Do you agree with our proposal to allow applicants to appeal a decision by the register operator where the applicant believes that the registration criteria have not been appropriately applied?

Yes

Please provide any explanation for your answer here:

As long as we don't end up with register by Planning inspector - a time limit on appeals might assist

## Part 3.6: Additionality

### 3.6.1: Proposal 1 - Additionality with respect to wider environmental planning policy and legislation

49 Do you agree with our proposals for additionality with respect to:

Yes

Please provide any explanation for your answer here:

As long as the gain is genuine net

Yes

Please provide any explanation for your answer here:

Yes

Please provide any explanation for your answer here:

As long as the gain is genuine net

Yes

Please provide any explanation for your answer here:

As long as the gain is genuine net

Yes

Please provide any explanation for your answer here:

As long as the gain is genuine net

### 3.6.2: Proposal 2 - Enhancements in statutory protected sites for nature conservation

50 Do you think that A) the non-designated features or areas of statutory protected sites and/or B) local wildlife sites and local nature reserves, should be eligible for enhancement through biodiversity net gain?

Yes, both A and B should be eligible

Please provide any explanation for your answer here:

51 Do you agree that the enhancement of habitats, including designated features, within statutory protected sites should be allowed in the coastal, intertidal and marine environment as defined above?

Do not know

Please provide any explanation for your answer here:

This is outwith our field of experience

### 3.6.3: Proposal 3 - Stacking of payments for environmental services

52 Do you agree with our proposed approach to combining payments for biodiversity units with other payments for environmental services from the same parcel of land?

No (please explain why not)

Please provide any explanation for your answer here:

We do not agree with the marketisation of BNG

## Part 3.7: Statutory biodiversity credits

### 3.7.1: Proposal 1 - Use of statutory biodiversity credits

### 3.7.2: Proposal 2 - Credit price and sales

53 Are these proposals for statutory biodiversity credits sufficient to:

No (please explain why not)

Please provide any explanation for your answer here:

We do not agree with the marketisation of BNG

No (please explain why not)

Please provide any explanation for your answer here:

We do not agree with the marketisation of BNG

54 Do you think there are any alternatives to our preferred approach to credit sales, such as those outlined above, which could be more effective at supporting the market while also providing a last resort option for developers?

Please provide any explanation for your answer here:

We do not agree with the marketisation of BNG

55 Do the principles for how we will set, and review credit price cover the relevant considerations?

Other (please tell us more)

Please provide any explanation for your answer here:

We do not agree with the marketisation of BNG

### 3.7.3: Proposal 3 - Credit investment

56 Do you agree with the proposed principles for credit investment?

No (please explain why not)

Please provide any explanation for your answer here:

We do not agree with the marketisation of BNG

## Part 3.8: Reporting, evaluation, and monitoring

### 3.8.1: At a project level

57 Do the above project-level management, monitoring, enforcement, and reporting proposals seem sufficient, achievable, and not overly burdensome on practitioners, developers, or planning authorities?

Yes

Please provide any explanation for your answer here:

58 Do you think earned recognition has potential to help focus enforcement and scrutiny of biodiversity net gain assessments, reporting and monitoring?

Yes (please explain why this would help)

Please provide any explanation for your answer here:

Good exemplars should help explain what BNG means for developers who are unsure or unaware

### 3.8.2: At a policy level

59 Do the above proposals for policy-level reporting, evaluation and enforcement seem sufficient and achievable?

Yes, but not sufficient

Please provide any explanation for your answer here:

60 Considering the data requirements set out above and in greater detail in Annex C:

Do not know

Please provide any explanation for your answer here:

Do not know

Please provide any explanation for your answer here:

Annex A: Other policies and objectives which interact with biodiversity net gain

Annex B: Biodiversity gain plan template (working draft)

Annex C: Reporting requirements

Glossary

61 Overall, how satisfied are you with our online consultation tool?

Dis-satisfied

Please give us any comments you have on the tool, including suggestions on how we could improve it. :

The consultation was over technical in places, and very difficult to complete through a democratic structure. The inability to move easily between sections meant that the whole document required scroll-through just to check a response. No printout available prior to submission also meant that the live document had to be referred to and couldn't be shared.



From Lake District National Park Authority

To Kendal Town Council

Dear Sir/Madam

We are acutely aware that large percentages of second homes and holiday lets in our communities serves to undermine the viability and resilience of our communities.

Through the Lake District National Park Partnership we intend to make representations to central government on this issue. There is a lot of activity currently taking place at the moment regarding the issue of second homes and holiday lets through the work of Tim Farron MP and the Welsh Government, and we are keen to capitalise on the momentum this offers. We consider changing the Use Classes Order is the correct mechanism that is needed to control second homes and holiday lets being formed without the need for planning permission, and we have secured support from National Parks England, District and County Councils, and are working with the local Members of Parliament to this effect.

We would very much welcome the support of our Town and Parish Councils and this would add significant weight to our lobbying activity and subsequent discussions with central government. To help support this activity we would appreciate if you could complete the questionnaire to help us gather the views of the Lake District's Town and Parish Councils.

There are just three questions to complete, and we would appreciate if you could complete the survey by the 29<sup>th</sup> April 2022.

The link to the survey can be found [below](#).

<https://forms.office.com/r/YeBReA9umc>

Yours sincerely,

Paula Allen

Strategy Planner

Lake District National Park Authority

Parish Survey

### **Second Homes and Holiday lets**

The Partnership's Plan is a joint Management Plan for the Lake District – reflecting its position as a National Park and a World Heritage Site. It has been prepared by the 25 organisations in the Lake District National Park Partnership and was adopted by the Authority in October 2021.

Within the Plan the Partnership have identified the following action:

*'Lobby Central Government to agree to introduce a mechanism to control the conversion of first to second homes in the Lake District, and to remove the small business rates exemption for furnished holiday homes by 2023.'*

The ability to control the number of second homes in our settlements will help us to support communities remain vibrant and resilient, by increasing the number of permanent residents and the share of the resident population that is of working age. Removing the small business rates relief on furnished holiday homes would mean that these properties would pay the full rateable value of the property, which could result in more properties being made available for permanent residential, or more money being generated for the local authority.

We are currently liaising with a variety of stakeholders, the results of which will inform our engagement with central government.

1. We believe the Town and Country Planning (Use Classes) Order should be amended to create new use classes for Primary Homes, Secondary Homes and Short-term Holiday lets. Any change of use between these would require planning permission, with local circumstances being a material consideration.

**Do you agree the number of second homes in the Lake District National Park should be controlled through the local authority planning function?**

- Yes
- No
- Do not know

2. If a property is in England and available to let for short periods that total 140 days or more per year, it will be rated as a self-catering property and valued for business rates. The Valuation Office will work out the rateable value of the property based on its type, size, location, quality and how much income is likely to be made from letting it.

Small business rate relief is available if:

- The property's rateable value is less than £15,000
- The business only uses one property – you may still be able to get relief if you use more

You will not pay business rates on a property with a rateable value of £12,000 or less. For properties with a rateable value of £12,001 to £15,000, the rate of relief will go down gradually from 100% to 0%.

**Do you support the proposal to remove furnished holiday homes from the small business rate relief?**

- Yes
- No
- Do not know

**3. Question 3:** Which Parish are responding on behalf of?

**Kendal Town Council**

Applications for Planning Committee: 4 April 2022

**Appendix 1**

No.	App No./Type	Address/Proposed Development	Comments to SLDC	Observations/Recommendations
1	SL/2021/0626	<p><b>From land to the south of the A685, Appleby Road, Kendal to land immediately north of the A684 off Kinn Road, Kendal</b></p> <p>Proposed works for and use of replacement section of aqueduct, including earthworks and ancillary infrastructure including: new valve house buildings within fenced compounds with permanent vehicular access provision; installation of tunnel shafts; open cut connection areas at either end of the replacement section within temporary construction compounds, to include site accesses, storage areas, plant and machinery, and drainage infrastructure.</p>	15 April	
2	SL/2022/0155	<p><b>Bull Gap House, 31 Beast Banks</b></p> <p>Replace wooden single glazed sash windows with like for like wooden double glazed sash windows</p>	7 April	
3	SL/2021/1147	<p><b>Town and Village Green area, Kendal Fell</b></p> <p>Signs &amp; viewing platforms</p>	8 April 2022	

4	SL/2022/0246	<b>18 Laurel Gardens</b> First floor side extension	11 April	
5	SL/2022/0251	<b>High Park Cottage, Oxenholme</b> Variations of conditions 8 (Contamination) 9 (Construction management plan) & 11 (Foul and surface water drainage) attached to planning permission SL/2020/0726 (Construction of a new dwelling in place of the existing converted garage building)	12 April	
6	SL/2022/0260	<b>124 Stainbank Road</b> Single storey rear extension	12 April	
	SL/2022/0274	<b>55 Finkle Street</b> Change of use of 2nd floor to dwelling with roof terrace with glazed balustrade	14 April	
	SL/2022/0273 & SL/2022/0277	<b>Globe Inn, 8 Market Place, KENDAL</b> Installation of 2 retractable canopies to the front elevation	14 April	
	SL/2022/0275	<b>Globe Inn, 8 Market Place, KENDAL</b> Internal Decorations and Minor alterations	15 April	
	SL/2022/0276	<b>56 Greenside</b> Single storey side return extension to rear of property and rebuild of existing rear utility room outbuilding.	18 April	

	SL/2022/0280	<p><b>34 High Fellside</b>                  Removal of rear conservatory, erection of rear porch and utility room, installation of glazed patio doors, new roof lights to front and rear elevation &amp; new double glazed timber window to front elevation at ground floor level</p>	18 April	
--	--------------	---	----------	--