

# Kendal Town Council

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



31 August 2022

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, 5 September 2022, at 6.30 p.m.** at the Town Hall, Highgate, Kendal.

**(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 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 retrospectively receive and accept an apology for absence which, despite having been submitted, was not raised at the meeting of the Committee held on 15 August 2022; to receive the minutes of the meeting held on 15 August 2022; and to authorise the Chair to sign 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. NALC Short Term Holiday Lets Policy Consultation Briefing**

To consider any comments that the Committee may wish to make to NALC in response to consultation questions contained within the Department of Culture, Media and Sport's consultation into short term holiday lets.

**Background**

The Committee is expecting a report on this issue in the near future. Although the report is not yet complete, the Clerk will be able to share some of the findings, so far, particularly in relation to identifying the scope of the issue in Kendal.

**8. Planning Applications (see attached schedule)**

To consider 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, 15 August 2022, at 6.32 p.m., in the Town Hall, Kendal.

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

\* Cllr A Finch had been appointed to the Committee by Council on 8 August 2022 and had been provided with a copy of the Agenda within the necessary three clear days of the meeting.

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

### **P44/2022      Apologies**

An apology for absence was received and accepted from Cllr D Rathbone (Chairman).

### **P45/2022      Declarations of Interest**

No declarations of interest were raised.

### **P46/2022      Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)**

No issues were considered for exclusion.

### **P47/2022      Minutes of the Previous Meeting**

**Resolved:** To receive and accept the minutes of the previous meeting of the Planning Committee held on 1 August 2022 and to authorise the Vice-Chair in the Chair to sign them as a true record.

### **P48/2022      Planning Process and Issues**

No planning process or related issues were raised.

**P49/2022 Kendal Town Council Flood Relief Scheme Working Group**

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, advised that the Group had not yet met again, with the next meeting likely to be held during September.

Members discussed the fact that the trees due to be felled along Aynam Road in Autumn had already been taken down and wished for their disappointment in this regard to be conveyed to the Environment Agency.

In addition, Members discussed the need for publicity on what was happening along Waterside, through provision of informative signage.

The Town Clerk informed the Committee of the aim to finalise details on the land purchase issue by the end of September.

**Resolved:**

- (1) the Town Clerk to write to the Environment Agency on behalf of the Planning Committee expressing Members' disappointment in relation to the premature felling of the trees on Aynam Road and raising the need for appropriate publicity and informative signage along Waterside; and
- (2) the Chair of the Kendal Town Council Flood Relief Scheme Working Group, Cllr J Cornthwaite, to write to the Environment Agency on behalf of that Group, emphasising the Planning Committee's comments.

**P50/2022 Town and Country Planning Act 1990 Section 257 – Proposed Stopping Up and Diversion of Public Footpath No 536002 Parish of Kendal and Public Footpath No 570013 Parish of Skelsmergh and Scalthwaiterigg**

The Committee was asked to consider any comments that it may wish to make to the Cumbria County Council regarding the proposed stopping up and diversion of public footpath nos 536002 and 570013.

Members noted that, whilst the location map attached to the report was correct, it was incorrectly titled. Members raised concerns that the proposals would create less accessibility for pedestrians, with the footpath now leading directly onto the main road instead of onto a car park. They further drew attention to the proposed roundabout which may affect the footpaths in the future.

**Resolved:** The Town Clerk to respond to Cumbria County Council expressing the Committee's concern in terms of safety due to the pedestrian access from the road to the footpath having no pavement and drawing attention to the future planned roundabout which was likely to obliterate the footpath again.

## **P51/2022      Planning Applications**

The Committee considered the Planning Applications shown in Appendix 1 to these minutes.

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

The meeting closed at 6.53 p.m.

**Kendal Town Council**

Responses from Planning Committee: 15 August 2022

**Appendix 1**

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2022/0673</a>	<b>73 Lingmoor Rise, KENDAL</b> Detached garage	Castle	23 August	<b>No Material Objection</b> provided that sufficient provision for biodiversity net gain is made.
2	<a href="#">SL/2022/0674</a>	<b>8 Bellingham Road, KENDAL</b> Front porch extension	Stonecross	23 August	<b>No Material Objection</b>
3	<a href="#">SL/2022/0680</a> & <a href="#">SL/2022/0681</a>	<b>HSBC, 64 Highgate, KENDAL</b> Installation of one new CCTV camera	Highgate	23 August	<b>No Material Objection</b>
4	<a href="#">SL/2022/0696</a>	<b>17 Heron Close, KENDAL</b> Alterations & extension to remove rear conservatory and erection of a single storey rear extension to form open plan kitchen / dining room	Heron Hill	24 August	<b>No Material Objection</b> provided that sufficient provision for biodiversity net gain is made and not overlooking neighbours.

18 JULY 2022

## **PC6-22 | SHORT TERM HOLIDAY LETS**

### **Summary**

The Department for Culture, Media and Sport (DCMS) has recently launched a consultation into short term holiday lets. The aim of the consultation is to garner potential solutions, including measuring regulation, to fix the problems caused across England by short term property lettings.

The main consultation document can be downloaded [here](#) . The consultation closes at DCMS on 21 September 2022.

### **Context**

The consultation seeks insight on:

- changes and growth in the short-term letting market.
- benefits of short term lets.
- challenges, including compliance with the existing regulatory framework and housing and community impacts.
- the impact of potential policy responses.

NALC will be responding to this consultation as many coastal local councils and several rural local councils will have an interest in feeding in their own experiences over the summer period of the problems caused by short term holiday lets.

### **NALC's current policy positions**

NALC will be arguing very strongly to DCMS that any review of regulation or other solutions surrounding short term holiday lets must include mandatory registration and strengthened legislation to bring AirBnB under the same ambit of regulation as other landlord systems. Powers of local inspection and monitoring must be delegated to local planning authorities to achieve this. However, recognising that planning departments have been severely depleted and under much strain in recent years, it will be necessary to ensure that they are properly resourced in order to take on this extra task.

## **Consultation Questions**

The main consultation questions NALC will be responding to in this consultation are as below and NALC seeks the views of county associations and member councils in response to these questions to help inform its own submission to DCMS:

### **Effect on labour supply**

**Q6. Do you consider the increase in short term and holiday letting in England to have had adverse consequences in the housing market?**

**Option 1 Yes this is a major problem**

**Option 2 Yes but this is only a minor problem**

**Option 3 No there is no problem**

**Please provide evidence in brief to supplement your response.**

### **Noise, anti-social and other nuisance behaviour by guests**

**Q7. Do you consider noise, anti-social or other nuisance behaviour in other short term or holiday lets in England to be a problem?**

**Option 1 Yes this is a major problem**

**Option 2 Yes but this is only a minor problem**

**Option 3 No there is no problem**

**Please provide evidence in brief to supplement your response.**

### **Impact on local communities and residents**

**Q.8 Aside from the impacts on housing and incidents of anti-social/nuisance behaviour, do you consider the increase in short-term and holiday letting in England to have had other adverse impacts on local communities and residents?**

- **Option 1 - Yes**
- **Option 2 - No**

**Please provide evidence in brief to supplement your response.**



## **Potential impacts**

**Q9. Which of the following do you consider to be the most appropriate form of response in the short-term letting market?**

**1 - Do nothing**

**2 - Provide more information to the sector**

**3 - Develop a self-certification registration scheme**

**4 - Develop a registration scheme with light-touch checks**

**5 - Develop a licencing scheme with physical checks of the premises**

**Please provide evidence in brief to supplement your response.**

**6 - Regulatory alternative to a registration system, such as extension of the Deregulation Act 2015**

**Question 10: What do you consider to be the costs and associated burdens of these options, who would bear the costs and how might they be mitigated?**

## **Supplementary question**

**Does you have any interest in being part of the registration or monitoring process for short term holiday lets?**

## **Your evidence**

Please email your responses to this consultation to [chris.borg@nalc.gov.uk](mailto:chris.borg@nalc.gov.uk) by 17.00 on Tuesday 30 August 2022. County associations are asked to forward this briefing onto all member councils in their area.

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**Kendal Town Council**

Applications for Planning Committee: 5 September 2022

**Appendix 1 v.2**

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	<a href="#">SL/2022/0311</a>	<b>52-56 Highgate, Kendal</b> Replace the roof covering on 2 storey rear extension	Highgate	5 September	
2	<a href="#">SL/2022/0703</a>	<b>149 Hallgarth Circle, Kendal</b> Two storey side extension and single storey rear extension	Strickland	6 September	
3	<a href="#">SL/2022/0704</a>	<b>27 Stricklandgate, Kendal</b> Internal alterations to shop premises	Fell	6 September	
4	<a href="#">SL/2022/0709</a>	<b>21 Helme Drive, Kendal</b> Demolition of existing porch and erecting of larger porch	Heron Hill	6 September	
5	<a href="#">SL/2022/0715</a>	<b>Formentor, Oxenholme, Kendal</b> Erection of domestic horse stables (Resubmission of SL/2022/0494)	Oxenholme	7 September	
6	<a href="#">SL/2022/0718</a>	<b>Land off Underbarrow Road, Kendal</b> Residential Development for 9 Dwellings with associated access, landscaping and drainage works (Major application)	Highgate	13 September	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
7	<a href="#">SL/2022/0726</a>	<b>Ruby's Chinese Take Away, 68 Natland Road, Kendal</b> First floor front extension (Resubmission of SL/2021/0821 & SL/2021/1117)	Stonecross	12 September	
8	<a href="#">SL/2022/0732</a>	<b>12-14 Stricklandgate, Kendal</b> Installation of extraction together with blocking up existing metal gate and window, opening up of side windows to enable property to be used as a Lounge cafe	Fell	7 September	
9	<a href="#">SL/2022/0735</a>	<b>12-14 Stricklandgate, Kendal</b> Installation of new shopfront	Fell	7 September	
10	<a href="#">SL/2022/0748</a>	<b>16 Hayfell Rise, Kendal</b> First floor rear glazed balcony	Heron Hill	14 September	
11	<a href="#">SL/2022/0753</a>	<b>19 Union Street, Kendal</b> Detached office/shed	Strickland	14 September	
12	<a href="#">SL/2022/0755</a>	<b>37-55 Finkle Street, Kendal</b> Division of existing ground floor retail space to 2 retail units with new shop entrance to 39 Finkle Street (Resubmission of SL/2022/0392)	Fell	14 September	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
13	<a href="#">SL/2022/0764</a>	<b>Land around Longlands View, Kendal</b> Removal of existing planted verge and build three parallel parking bays, new planting, lower brick walls at the ends of both cul de sacs and replace with coping stone and decorative railings, install railings and gate to the garden area	Nether	14 September	
14	<a href="#">SL/2022/0083</a>	<b>Stephenson Centre, Ann Street, Kendal</b> Temporary pod to house 1 homeless individual in emergencies	Mintsfeet	13 September	
15	<a href="#">SL/2022/0757</a>	<b>125 Valley Drive, Kendal</b> Alterations and 2 storey side extension to create ground floor garage and first floor bedrooms	Castle	14 September	