

Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED
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Minutes of a meeting of the Planning Committee held on Monday, 2 October 2023, 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	Apologies
Cllr R Edwards	Present	Cllr D Rathbone (Chair)	Present
Cllr G Supka	Present		

In Attendance: Chris Bagshaw (Town Clerk).

P72/2023 Apologies

Apologies for absence were received and accepted from Cllrs A Finch and D Miles.

P73/2023 Declarations of Interest

Cllr Rathbone drew the Committee's attention to his previous knowledge of the Oakmere Homes development at Strawberry Fields (as a local resident and councillor), but confirmed that the present application was not within his scope of knowledge. Cllrs R and L Edwards drew the Committee's attention to their knowledge of an applicant as a neighbour, and suggested they will take no part in consideration of Item 10 1).

P74/2023 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no excluded items on the agenda.

P75/2023 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 18 September 2023 and to authorise the Chair to sign them as a true record.

P76/2023 Minute Action Sheet

It was suggested that Issue 3 be given a new Deadline.

Resolved: To alter this deadline to 17 October 2023.

It was suggested that Issues 8 and 9 are followed up with officers at Westmorland and Furness Council for attention.

Resolved: To follow up these issues further with W&FC

There was further consideration of the significance of the response offered by the Planning Authority to the Council's query on deliverable housing supply. It was noted that the imminent new Levelling Up and Regeneration Act would alter the way in which Local Plans are developed and that this would need careful studying to assess its impact. It was further noted that it seemed likely that Neighbourhood Planning would be boosted by the Act and that this was an issue that the Town Council would have to look at if it wanted to resolve some of its aspirations concerning housing and development.

Resolved: To consider the impact of the new Act alongside the challenges of Neighbourhood Planning in future meetings, including briefing sessions outwith the scheduled programme of Committee meetings.

Resolved: To note the other actions taken by officers on resolutions or recommendations made at previous meetings.

P77/2023 Planning Process and Issues

The Chairman reported that Westmorland and Furness Council had received an application for the vacant properties at 9-11 Church Walk to become an Asset of Community Value and was inviting the Council to comment.

Resolved: To inform the Planning Authority that the Council would support any initiative which secures a viable future for a historic listed building within a sensitive part of the Conservation Area.

P78/2023 DLUHC Consultation

The Committee noted that it had been asked to consider a response to a request from NALC on a consultation on permitted development rights from the Department for Levelling Up, Housing and Communities (DLUHC), but that the NALC request was for responses by 22 September, whereas the DLUHC deadline was 18 October.

Resolved: To submit a response to DLUHC supporting NALC's response.

(Note: it subsequently transpired that NALC's response was not yet available, so this item will be considered again at the Committee's next meeting.)

P79/2023 Kendal Town Council Flood Relief Scheme Working Group

Cllr Cornthwaite reported that he was awaiting confirmation of a choice dates from the Environment Agency for the Working Group's next meeting.

Resolved: To note the verbal update.

P80/2023 SL/2023/0586

The Committee considered a request from the local Planning Authority for comments on a Non Material Amendment following approval of reserved matters SL/2016/0398 (erection of 69 dwellings (phase 2)). The developer, Oakmere Homes, has found that it no longer needs to use an area in the development earmarked for surface water drainage. It is proposing an amenity planting scheme in its place.

Resolved: To delegate a response to this request to the Clerk, in consultation with Committee members.

P81/2023 Planning Applications

The Committee considered the Planning Applications as detailed 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 7.23 p.m.

Kendal Town Council
 Applications for Planning Committee: 2 October 2023
Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2023/0668	20 Drovers Drive, Kendal Single storey rear extension	Nether	3 October	<i>Cllrs L and R Edwards took no part in the consideration of this item.</i> Whilst having No Material Objections , the Committee suggests that a biodiversity net gain of at least 10% is stated as a condition, along the specific lines indicated in the application.
2	SL/2023/0675 & SL/2023/0676	43–45 Branthwaite Brow, Kendal Installation of Solar Panels to the rear elevation with battery backup	Fell	4 October	The Committee had No Material Objections , subject to confirmation by the Conservation Officer that the development is not detrimental to the visual amenity of the Conservation Area. The Council understands that solar panels may now be considered a permitted development, even in the Conservation area, but would hope that this issue is still subject to planning oversight in some form.
3	SL/2023/0683	5 Highgate, Kendal Replacement shopfront	Fell	16 October	See below

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
4	SL/2023/0684	5 Highgate, Kendal Installation of 1 illuminated fascia sign	Fell	16 October	<p>The Committee did not feel the development is in line with the aims of the Planning Authority's shop front design toolkit (agreed as Supplementary Planning Guidance by SLDC in 2004), and did not feel any effort had been made to acknowledge the site's prominent location within the town centre and Conservation area. Whilst it welcomes the re-occupation of a vacant shop, it feels this should be done sympathetically with appropriate materials and design, using the existing style points. The Committee questioned the purpose of the design toolkit if it can be so apparently readily ignored by developers.</p> <p>Recommend refusal on the plans shown. If an illuminated sign is subsequently accepted it should be restricted in its lit hours to those required for trading, to comply with Dark Skies initiatives.</p>