

# KENDAL TOWN COUNCIL

## Planning Committee

Monday 1<sup>st</sup> April 2019 at 6.00 p.m.

in the SLDC Chairman's Room the Town Hall, Kendal

- PRESENT** Councillors Douglas Rathbone (Chair), Alvin Finch (Vice Chair)  
Dave Miles, Michele Miles, Jonathan Cornthwaite, Susanne Long,  
and Graham Vincent
- APOLOGIES** Councillor Pat Gibson
- OFFICERS** Rose Tideswell (Temporary Council Secretary)
- 1002/18/19 PUBLIC PARTICIPATION**  
None
- 1003/18/19 DECLARATIONS OF INTEREST**  
Councillor Douglas Rathbone agenda item 8 he lives in the area.  
He took no part in the committee's discussions. Councillor Jonathan  
Cornthwaite Appendix 1 item 8 FPA 0204 he took no part in the  
discussions.
- 1004/18/19 MINUTES OF MEETING HELD ON 4<sup>th</sup> MARCH 2019**  
  
Members considered the minutes of the Committee meeting held on  
18<sup>th</sup> March 2019.  
  
Councillor Vincent proposed that the minutes be accepted as a  
correct record. This was seconded by Councillor Long and carried  
with one abstention.
- RESOLVED** That the minutes of the meeting held on 18<sup>th</sup> March 2019 be accepted  
as a correct record, and signed by the Chair.
- 1005/18/19 MATTERS ARISING**  
  
None
- 1006/18/19 LETTER OF CONSULTATION FROM CCC RE APPLICATION  
REF 5/19/9001 – LAND TO THE FRONT & REAR OF COUNTY  
HALL & THE EMERGENCY SERVICES BUILDINGS ACCESSED  
FROM BUSHER WALK,**  
  
**Notification of and Consultation on an Application for Change  
of use.** County Council Development Application under Regulation  
3 of the Town & Country Planning General Regulations 1992.  
**Application Reference No. 5/19/9001**  
**Proposal:** Change from office & storage uses (with associated  
parking) to a Car Park with associated development.  
**Location:** Land to the front & rear of County Hall & the Emergency

Services buildings accessed

The committee welcomes the increase in availability of parking in Kendal and also the demolition of the utilitarian buildings to increase parking capacity. The committee noted the proposal.

**1007/18/19**

**LETTER OF & CONSULTATION ON AN APPLICATION FOR LISTED BUILDING CONSENT APPLICATION REFERENCE 5/19/9003**

**County Council Development Application under Regulation 3 of the Town & Country Planning General Regulations 1992 Application No. 5/19/9003**

**Proposal:** Part demolition of a section of in curtilage wall & erection of car park related infrastructure, cycle shelter & other miscellaneous changes within the curtilage.

**Location:** County Hall, Busher Walk, Kendal LA9 4RQ

The Committee noted the proposal.

**1008/18/19**

**LETTER FROM THE TOWN CLERK RE: 1 STRAWBERRY FIELDS, KENDAL – PLANNING APPLICATION REF 5/19/9002**

Councillor Rathbone took no part in the discussion and Councillor Vincent took the chair.

The committee thanked CCC for their report and noted the replies.

Councillor Rathbone thanked Councillor Vincent and took the chair.

**1009/18/19**

**LETTER FROM THE PLANNING INSPECTORATE**

**Town & Country Planning (Control of Advertisements) (England) Regulations 2007 – Appeal by Sainsbury’s Supermarkets Ltd, Shap Road, Kendal, LA9 6DL**

Appeal Decision – Date 26<sup>th</sup> March 2019

**Appeal Ref: APP/M0933/Z/18/3212323 former Kendal Rugby Union Football Club, Shap Road, Kendal, LA9 6DL**

The committee noted the report and realise that the residents are disappointed with the outcome.

**1010/18/19**

**ANY OTHER BUSINESS**

The committee wants ‘Kendal Town Council Flood Relief Scheme Working Group as an agenda item at each meeting.

**1011/18/19**

**PLANNING APPLICATIONS**

Members considered Planning Applications submitted for consultation purposes by the local planning authority, South Lakeland District Council.

Councillor Cornthwaite took no part in planning application FPA [0204](#)

**RESOLVED**

That having considered the applications outlined in the schedule, the recommendations in Appendix I attached to these minutes be made to South Lakeland District Council.

The meeting ended at 7.15pm

Signed .....

Dated .....

## KENDAL TOWN COUNCIL

Applications for Planning Committee: 1<sup>st</sup> April 2019

## Appendix 1

| No. | App No./<br>Type                       | Address/<br>Proposed Development   | Comments<br>To SLDC | Observations/<br>Recommendations  |
|-----|--|--|---------------------|---|
| 1   | FPA<br><a href="#">0123</a>            | <b>35 Hayclose Road, Kendal</b><br>Detached annexe   | 03.04.2019          | <b>Objections</b><br><br>See comments below   |
| 2   | FPA<br><a href="#">0187</a>            | <b>3 Lound Square, Kendal</b><br>Two storey rear extension (resubmission of SL/2018/1028)  | 03.04.2019          | <b>Objections</b><br><br>See comments below   |
| 3   | FPA<br><a href="#">0182 &amp; 0183</a> | <b>Abbot Hall Art Gallery, Kirkland, Kendal</b><br>Alterations to Abbot Hall, the Stables, Old Grammar School and surrounding estate, including improvements to landscaping, removal of some outbuildings, erection of detached single storey visitor café and conversion of an outbuilding to WC's and a store. | 03.04.2019          | <b>Comments below</b>   |
| 4   | FPA<br><a href="#">0188</a>            | <b>40 Oxenholme Road, Kendal</b><br>Single storey rear extension and balcony   | 04.04.2019          | <b>Objections</b><br><br>Unneighbourly, overlooking/loss of privacy   |
| 5   | FPA<br><a href="#">0034</a>            | <b>1 School House, Castle Street, Kendal</b><br>Change of use from holiday let to dwelling   | 04.04.2019          | <b>Withdrawn</b>  |
| 6   | FPA<br><a href="#">0196</a>            | <b>10A Castle Mills Business Park, Aynam Road, Kendal</b><br>Change of use from business (Use Class B1) to sandwich bar (Use Class A1)   | 05.04.2019          | <b>Defer –</b> Until Highways give their response, SLDC to inform the committee when this has been received |
| 7   | FPA<br><a href="#">0207</a>            | <b>27 Kirkstone Close, Kendal</b><br>Two storey rear extension   | 09.04.2019          | <b>No Objections</b><br><br>Provided not unneighbourly  |

|    |   |  |            |   |
|----|---|--|------------|---|
| 8  | FPA<br><a href="#">0204</a>               | <b>15 River Bank Road, Kendal</b><br>Single storey extension   | 09.04.2019 | <b>No Objections</b>  |
| 9  | FPA<br><a href="#">0202</a>               | <b>Morrisons Supermarket plc, Queen Katherines Avenue, Kendal</b><br>Installation of signs on car valeting unit  | 09.04.2019 | <b>No Objections</b>  |
| 10 | FPA<br><a href="#">0200</a>               | <b>45 Horncop Lane, Kendal</b><br>Single storey front & side extension with canopy (revised scheme SL/2018/1050)   | 09.04.2019 | <b>Objections</b><br><br>See Comments below   |
| 11 | FPA<br><a href="#">0214</a>               | <b>The Bowling Fell, Beast Banks, Kendal</b><br>Single storey link extension   | 09.04.2019 | <b>No Objections</b> - To the development however the Committee would like to appropriate materials used for the doors as this is in a conservation area. |
| 12 | FPA<br><a href="#">0225</a>               | <b>27 Castle Green Close, Kendal</b><br>Two storey extension (resubmission of SL/2015/0063)  | 10.04.2019 | <b>No Objections</b><br><br>On the basis of the previous decision by SLDC.  |
| 13 | ADVERTIS<br>EMENT<br><a href="#">0201</a> | <b>Morrisons Supermarket plc, Queen Katherines Avenue, Kendal</b><br>Installation of Portakabin and canopy within the existing car park to facilitate a valeting franchise | 10.04.2019 | <b>No Objections</b> - As long as in accordance with United Utilities conditions & consultation with the EA regarding Flood Risk.                         |
| 14 | FPA<br><a href="#">0227</a>               | <b>E H Booth and Co. Ltd., Wainwrights Yard, Kendal</b><br>Installation of four rapid electric vehicle charging stations in existing parking spaces                        | 12.04.2019 | <b>No Objections</b><br><br>The committee welcomes these charging points & the move to a more sustainable and carbon neutral town                         |

|    |                             |  |            |   |
|----|-----------------------------|--|------------|---|
| 15 | FPA<br><a href="#">0229</a> | <b>90 Castle Grove, Kendal</b><br>Single storey rear extension   | 12.04.2019 | <b>Comments</b><br><br>The committee sees no reason to agree to concrete roof tiles rather than slate given the character and appearance of the area. |
| 16 | FPA<br><a href="#">0893</a> | <b>73 Serpentine Road, Kendal</b><br>Replacement windows   | 16.04.2019 | <b>No Objections</b><br><br>The committee welcomes the proposed changes.  |
| 17 | FPA<br><a href="#">0241</a> | <b>57 Castle Grove, Kendal</b><br>Variation of condition 2 (approved plans) attached to planning permission SL/2012/0120 (single storey side and rear extensions)  | 16.04.2019 | <b>No Objections</b>  |
| 18 | FPA<br><a href="#">0246</a> | <b>Pye Motors, Mint Bridge Road, Kendal</b><br>Removal of grass area and replacing with slate chippings & rocks together with the installation of tubular barriers and telescopic bollards around an existing car park & vehicle sales area                  | 16.04.2019 | <b>No Objections</b>  |
| 19 | FPA<br><a href="#">0959</a> | <b>Land off Kendal Parks Road, Kendal</b><br>Erection of 30 dwellings and associated infrastructure including landscaping, open space, access with bridge, highways and parking arrangements, sustainable drainage system (SuDS) and land re-profiling works | 11.04.2019 | <b>Comments below</b>   |
| 20 | FPA<br><a href="#">0235</a> | <b>Unit 16 Castle Mills Business Park, Aynam Road, Kendal</b><br>Change of use from Class B1 (Business) to Class A4 (Drinking Establishments)  | 19.04.2019 | <b>No Objections</b><br><br>Subject to suitable parking.  |

**Item 1) FPA 0123**

**35 Hayclose Road, Kendal** - Detached annexe.

Loss of privacy and overshadowing, increased by its proximity to the boundary of the neighbouring property; the appearance and design of development; and materials proposed, given that it is only a covered wooden frame. The question of inappropriate use of stone material from the boundary wall where work on this site had already started was also raised. The committee's concerns are be forwarded to SLDC enforcement officers: Councillor Rathbone will follow this up.

**Item 2) FPA 0187**

**3 Lound Square, Kendal** - Two storey rear extension (resubmission of SL/2018/1028)

The committee feels that the basis of SLDC reasons to refuse the original submission SL/2018/102 is still applicable to this current submission.

**Item 3) FPA 0182 & 0183 Comments****Abbot Hall Art Gallery, Kirkland, Kendal**

Alterations to Abbot Hall, the Stables, Old Grammar School and surrounding estate, including improvements to landscaping, removal of some outbuildings, erection of detached single storey visitor café and conversion of an outbuilding to WC's and a store.

The committee commends the work involved in moving Abbot Hall forward, however they have concerns with the ongoing maintenance especially with the work running over the main water supply. The committee looked positively on the work involved in submitting these plans but strongly wish to draw attention to the loss of local parking, and given that the proposed projected increase in footfall is to be a third in the first year, with no compensatory parking having been proposed and overall there will 26 fewer parking spaces available for local residents. There is also a concern that the residents parking will be used by visitors, despite presumptions in the application. In addition the car park study quoted is 10 years old.

The Committee strongly suggests that United Utilities drainage conditions and the SLDC tree survey conditions are adhered to. The Committee endorses the letter from Kendal Swift's as part of the 'Swifts in the Community' comments for this development.

**Letter from Kendal Swifts as part of the 'Swifts in the Community'****Item 10) FPA 0200 Comments**

**45 Horncop Lane, Kendal** - Single storey front & side extension with canopy (revised scheme SL/2018/1050)

The Committee felt that not enough information had been supplied for such a significant increase in size compared with the previous application and therefore opposed the application as outlined. The Committee wishes to bring this to the attention of the Ward Councillors and for a full application to be received for this as an adequate submission.

**Item 19 FPA 0959 Comments**

**Land off Kendal Parks Road, Kendal**

Erection of 30 dwellings and associated infrastructure including landscaping, open space, access with bridge, highways and parking arrangements, sustainable drainage system (SuDS) and land re-profiling works.

The Committee agree in line with original development application, however it considers that due to the two large developments there is insufficient remedial work being done to make up for the combined effect of increased traffic on Hayclose Rd, Kendal Parks Rd & Oak Rd. This is both during the construction period and on an ongoing strategic basis for the area.

The building plan needs to be addressed for suitable access during construction for Kendal Parks and Oak Road as there will not be sufficient access given the current CCC construction phase traffic management plan and timing of traffic needs to take account/impact on residents.

The Committee would like to insure Network Rail drainage proposals are complied with and proper calculations made.

Ensure that the EA, the lead flood authority proposals are robust in their models for drainage with regard to flooding & surface water dispersal. The drainage design specifications and surface water validation report from CCC should be deemed adequate; this should be for both the site and, importantly, for the run off in Teal Beck, Swallow Close & Valley Drive spurs.

To underline, SLDC should look at the overall infrastructure plan for the incremental increase in volume of traffic created by this and the previous application for Ash Tree Park, due to that cumulative effect.

Suitable consideration should be given to the loss of daylight/sunlight and overshadowing in the amended plans by looking at those plans for individual houses, taking into account residents' comments on the portal.