

Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED
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Minutes of a meeting of the Planning Committee held on Monday, 5 September 2022, at 6.30 p.m., in the Council Chamber at the Town Hall, Kendal.

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

Also in attendance: Two members of the public.

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

Public Participation

Emma Cowan of Hylands, Brigsteer Road, Kendal, spoke in relation to Minute No.P59/2022 (Planning Application No.SL/2022/0718 – Land off Underbarrow Road, Kendal) below.

P52/2022 Apologies

Apologies for absence were received and accepted from Cllrs A Campbell, D Evans and A Finch.

P53/2022 Declarations of Interest

Cllr D Miles declared an interest in Minute No.P59/2022 (Planning Application No.SL/2022/0726 below and at Appendix 1 to these minutes by virtue of the fact that both he and his son had carried out work for and were acquainted with the applicant.

P54/2022 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

P55/2022 Minutes of the Previous Meeting

Members were asked to retrospectively receive and accept an apology for absence from Cllr D Miles which, despite having been submitted, had not been raised at the meeting of the Committee held on 15 August 2022.

Resolved:

- (1) to retrospectively receive and accept an apology for absence from Cllr D Miles for the meeting of the Planning Committee held on 15 August 2022; and
- (2) to receive and accept the minutes of the previous meeting of the Planning Committee held on 15 August 2022 and to authorise the Chair to sign them as a true record.

P56/2022 Planning Process and Issues

The Chair pointed out that the issue of short term holiday lets formed a separate item later on in the Agenda.

The Town Clerk referred to recent receipt of a request from Storys Homes for pre planning comments in relation to Phase 3 of the Brigsteer Road development. It was noted that the deadline for receipt of comments was 19 September 2022 which was the date of the next meeting of the Planning Committee. It was, therefore, suggested that the Company be asked if they would be willing to accept comments on the following day and, furthermore, that the Company be advised not to set such short deadlines in future if they actually wished to receive responses from the Town Council.

Resolved: The Town Clerk to write to Storys Homes seeking an extension to the deadline for pre planning comments and to advise the Company of the need for longer consultation periods as mentioned above.

P57/2022 Kendal Town Council Flood Relief Scheme Working Group

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, informed the Committee that there had still not been any further meetings but that the Group would try to meet before the end of September. He advised, however, that he had recently met with Tom McCormick from the Environment Agency who had talked him through the relief scheme in detail. With regard to the controversy over the premature felling of the trees along Aynam Road, he explained that the Environment Agency believed that they had sent notification of this by email.

The Planning Committee Chair questioned whether there may now be a need to re-advertise details about the Flood Hub and Cllr Cornthwaite said that discussions were currently taking place on how to move forward in this regard. Cllr Cornthwaite added that Tom McCormick had indicated that some aspects of the scheme were ahead of schedule and, furthermore, that some areas would be opened up for Torchlight.

Cllr Cornthwaite referred to the positive television report on the scheme in the previous week during which Cllr L Edwards had made an appearance.

Resolved: To note the verbal update.

P58/2022 NALC Short Term Holiday Lets Policy Consultation Briefing

Members' attention was drawn to a request for comments to NALC in response to consultation questions contained within the Department of Culture, Media and Sport's consultation into short term holiday lets. It was, however, pointed out that the deadline for comments to NALC had passed.

The Town Clerk further referred to the fact that the Committee was expecting a report on this issue in the near future but the report was not yet complete, this being an incredibly complex issue. He explained the difficulties in quantifying the impact on the housing market in Kendal, however, stressed the fact that many traditional starter homes within the Town had now become AirBnBs making it difficult for permanent homes of this type to be come by. The deadline for comments to NALC having passed, he suggested that he could provide some feedback. He also drew attention to the fact that he was aware that there were solutions in the pipeline.

A Member drew attention to the need for licensing of AirBnBs in order to be able to establish numbers.

Resolved: The Town Clerk to provide feedback to NALC.

P59/2022 Planning Applications

Note - Cllr D Miles declared an interest in this item regarding Planning Application No.SL/2022/0726 by virtue of the fact that both he and his son had carried out work for and were acquainted with the applicant.

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

A member of the public, Emma Cowan of Hylands, Brigsteer Road, Kendal, spoke in relation to Minute No.P59/2022 (Planning Application No.SL/2022/0718 – Land off Underbarrow Road, Kendal), as detailed within the Appendix.

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

The meeting closed at 7.28 p.m.

Kendal Town Council

Responses from Planning Committee: 5 September 2022

Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2022/0311	52-56 Highgate, Kendal Replace the roof covering on 2 storey rear extension	Highgate	5 September	Recommend refusal on the basis that no heritage or access statements. Please resubmit application including statements and an explanation as to why Brazilian slate has been chosen over local state and details regarding the colour of Brazilian slate.
2	SL/2022/0703	149 Hallgarth Circle, Kendal Two storey side extension and single storey rear extension	Strickland	6 September	No Material Objection provided that sufficient provision for biodiversity net gain is made (nest boxes not viewed as sufficient), however, attention is drawn to the potential detrimental impact of scale, dominance and overlooking.
3	SL/2022/0704	27 Stricklandgate, Kendal Internal alterations to shop premises	Fell	6 September	No Material Objection provided that the grills and television cause no detrimental impact on the Conservation Area in being overtly visible.
4	SL/2022/0709	21 Helme Drive, Kendal Demolition of existing porch and erecting of larger porch	Heron Hill	6 September	No Material Objection

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
5	SL/2022/0715	Formentor, Oxenholme, Kendal Erection of domestic horse stables (Resubmission of SL/2022/0494)	Oxenholme	7 September	Recommend refusal as this proposal does not take advantage of the contours of the land and is detrimental to the immediate view of Kendal as seen from the Helme. The Committee also raises the potential detrimental impact on the Council's dark skies policy on a prominent location on the edge of Kendal. The refusal decision for the previous application does not appear to have been addressed, especially with regard to positioning sufficiently far from neighbouring residential curtilage in what is not a rural location.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
6	SL/2022/0718	<p>Land off Underbarrow Road, Kendal</p> <p>Residential Development for 9 Dwellings with associated access, landscaping and drainage works (Major application)</p>	Highgate	13 September	<p>Emma Cowan of Hylands, Brigsteer Road, on behalf of herself and Craig Russell, raised a number of comments and observations in relation to the application. These were around boundaries and wildlife, urging planners to request details on boundary treatments; concerns around trees, water wind and wildlife; and surface water in a natural valley, the measures put forward within the application considered to be inadequate.</p> <p>No recommendation can currently be made on the application without a report from the Arboriculturist which should examine the potential for pollarding the Lime trees of not to be retained in their current state. Any response on this application is dependent on resolving this and issues around drainage, foul water, biodiversity, environmental protection, banking, fire service and street scene. Without this additional information the Committee cannot recommend a decision and requires resubmission with additional information as it is currently detrimental to the amenity of the area.</p>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
7	SL/2022/0726	Ruby's Chinese Take Away, 68 Natland Road, Kendal First floor front extension (Resubmission of SL/2021/0821 & SL/2021/1117)	Stonecross	12 September	Note - Cllr D Miles declared an interest in this application by virtue of the fact that both he and his son had carried out work for and were acquainted with the applicant. No Material Objection provided that the suitability of the extraction unit and its height are confirmed.
8	SL/2022/0732	12-14 Stricklandgate, Kendal 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	No Material Objection provided that the access report is deemed suitable for neighbouring properties.
9	SL/2022/0735	12-14 Stricklandgate, Kendal Installation of new shopfront	Fell	7 September	No Material Objection
10	SL/2022/0748	16 Hayfell Rise, Kendal First floor rear glazed balcony	Heron Hill	14 September	No Material Objection provided that not overlooking neighbours to the side or on Wordsworth Drive.
11	SL/2022/0753	19 Union Street, Kendal Detached office/shed	Strickland	14 September	No Material Objection provided that sufficient provision for biodiversity net gain is made.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
12	SL/2022/0755	37-55 Finkle Street, Kendal 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 Material Objection provided that waste storage arrangements are deemed adequate and that any asbestos is dealt with as necessary.
13	SL/2022/0764	Land around Longlands View, Kendal 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	No Material Objection provided that the Arboriculturist's comments are noted.
14	SL/2022/0083	Stephenson Centre, Ann Street, Kendal Temporary pod to house 1 homeless individual in emergencies	Mintsfeet	13 September	No Material Objection although attention is drawn to neighbour comments and provided that the temporary permission is for no longer than five to seven years in line with that recently agreed for the pod at Manna House.
15	SL/2022/0757	125 Valley Drive, Kendal Alterations and 2 storey side extension to create ground floor garage and first floor bedrooms	Castle	14 September	No Material Objection