

KENDAL TOWN COUNCIL

Planning Committee

Monday 19th August 2019 at 6.30 p.m.
in the SLDC Chairman's Room, the Town Hall, Kendal

PRESENT	Councillors Jonathan Cornthwaite (Vice Chair), Pat Gibson, Helen Ladhams, Chris Rowley and Graham Vincent
APOLOGIES	Councillors Douglas Rathbone (Chair & Deputy Mayor), Dave Miles and Michele Miles
OFFICERS	Nicky King (Council Secretary)

282/19/20

PUBLIC PARTICIPATION

Mr Austen Robinson attended the meeting to make a representation in respect of a formal letter of consultation from CCC relating to 1 Oak Tree Road, Kendal. An application had been received for change of use from residential dwelling house to Local Authority Children's Home.

Whilst Mr Robinson had no objection in principle to the application, as a resident of Oak Tree Road he wished to state his concerns regarding various highways issues. He explained that the bottom of the road is very steep and narrow with 2 blind bends, which in itself creates existing problems. In winter significant snow lies on Oak Tree Road. Due to the number of cars, bicycles and pedestrians using the road he felt there should be yellow lines in place. Cars currently parking on the pavement outside numbers 1 and 3 force vehicles into the middle of the road. With the increase in traffic that the proposed development will generate these problems will only be exacerbated.

For the reasons explained, Mr Robinson said he wished to recommend refusal of the application unless;

- (1) Double yellow lines are put on the road.
- (2) The wall within the curtilage of the property (from the side of the house to the front entrance) is removed to allow additional parking/turning space.
- (3) There is no reversing of vehicles off the site.

Mr Robinson recommended that the Local Authority consults with local residents in respect of the proposal. He commented that the children's home should be adequately staffed with suitably qualified personnel.

It was noted that the deadline for submissions to Cumbria County Council was 4th September. The Planning Committee agreed to discuss the matter further at the next meeting scheduled for 2nd September. Mr Robinson stated that he would be happy to attend that meeting.

RESOLVED That Committee discuss the application further at the next Planning Committee meeting.

283/19/20 DECLARATIONS OF INTEREST

Councillor Rowley declared an interest in item 3 on the agenda (76 & 78 Windermere Road, Kendal) as the residents are known to him.

Councillor Vincent declared an interest in item 1 on the agenda (Abbot Hall Art Gallery) as he is a Friend of Lakeland Arts Trust.

284/19/20 MINUTES OF MEETING HELD ON 5TH AUGUST 2019

Members considered the minutes of the Committee meeting held on 5th August 2019.

Councillor Rowley proposed that the minutes be accepted as a correct record. This was seconded by Councillor Vincent and carried unanimously.

RESOLVED That the minutes of the meeting held on 5th August 2019 be accepted as a correct record, and signed by the Chair.

285/19/20 MATTERS ARISING

Members noted a letter received from Mr Holmes regarding a planning application to build homes off Underbarrow Road. Mr Holmes was of the opinion that the Field Barn should not be demolished. The Planning Committee had previously raised the same concern when it considered the application at the last meeting, commenting that:

“Committee views it as an important example of vernacular architecture which should be protected”.

286/19/20 KENDAL TOWN COUNCIL FLOOD RELIEF SCHEME WORKING GROUP

Members considered the notes from a meeting of the working group held on 1st July.

Councillor Rowley highlighted reference to the better connectivity of cycleways. The minutes stated that “*someone needs to take the lead on such elements*” and he was concerned that this could be missed. Councillor Cornthwaite said this would be picked up at the next meeting scheduled for 27th August.

Councillor Vincent commented that the working group need more detail in respect of CCC’s plan and strategy for a comprehensive network of cycleways. Consideration can then be given as to how this can be supported and fit into the strategy.

287/19/20**CCC APPLICATION TO CORRECT NON-REGISTRATION OR MISTAKEN REGISTRATION CL153 – GOOSEHOLME, KENDAL**

At the previous meeting held on 5th August Councillor Rowley had agreed to contact the Open Spaces Society to confirm reasons for the application.

Councillor Rowley advised he had spoken to the Cumbria Commons Registration Office in Carlisle, but information received did not clarify matters. David Sykes in SLDC Planning had provided further background information and explained that in 1972 when the Commons Land Register was compiled, there had been lengthy dialogue with the Open Spaces Society and a letter was issued confirming an agreement that the land could be as it currently exists.

Councillor Rowley conveyed the Committee's concern relating to land where the pumping station would be and David Sykes' view was that it would be reasonable for KTC Planning Committee to object to the proposal on the grounds that the decision was taken in 1972.

A general discussion ensued. As attempts to contact the Open Spaces Society and discussions with CCC had proved unsuccessful, Committee formed the view that it is an unnecessary process and they could not see any justification or need for it. Further information would be required in order to take any further decision.

Committee agreed the Town Clerk should write to the Cumbria Commons Registration Office in Carlisle and Cumbria County Council to convey Committee's view on the application (copy to be sent to David Sykes at SLDC Development Control). It was noted that the deadline for representations in relation to the application was 5pm on 27th August.

RESOLVED

The Town Clerk to write to the Common Land Registration Office in Carlisle and Cumbria County Council to convey the Committee's view on the application. Deadline for representations 5pm on 27th August.

288/19/20**ANY OTHER BUSINESS**

Committee noted the following items of correspondence:

Sandgate Hydrotherapy Pool, Sandgate School, Kendal

Notice of Planning Permission (reference 5/19/9008) issued by CCC in respect of works to replace existing fibre roof with a shallow profiled insulated panel roof and installation of roof mounted solar panels.

Demolition of Gooseholme Bridge, New Road, Kendal

Notice of Planning Permission (reference 5/19/9007) issued by CCC in respect of the demolition of flood damaged footbridge.

Land Adjacent to the North Side of Natland Mill Beck Lane, Kendal

Planning Inspectorate's appeal decision (dismissed).

1 Oak Tree Road, Kendal

Letter of consultation issued by CCC in respect of change of use application from residential dwelling house to Local Authority Children’s Home. Committee had previously agreed to consider this matter at the next meeting scheduled for 2nd September.

289/19/20

PLANNING APPLICATIONS

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

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 7.43pm

Signed

Dated

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0182 & LBC 0183	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 cafe and conversion of an outbuilding to WCs and a store.	14.08.2019	No objections See comments below
2	FPA 0602	Land North of Laurel Gardens, Kendal Residential development with associated landscaping and infrastructure	26.08.2019	Objections <ul style="list-style-type: none"> 35% affordable housing not provided See additional comments below
3	FPA 0563	76 & 78 Windermere Road, Kendal Formation of joint vehicular access and hardstanding for parking	21.08.2019	No objections Committee raised concern about the speed of traffic on Windermere Road leaving town.

Item 3) FPA [0182](#) & [0183](#) Comments Abbot Hall Art Gallery, Kirkland, Kendal

Committee noted the amended plans but wished to reinforce their previous comments made at the Planning Committee meeting held on 1st April 2019 as follows:

“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”.

Members agreed the amended plans did not appear to make any changes in respect of parking and this was a particular concern. Councillor Vincent commented that the Kendal Masterplan should be addressing the future need for parking and it could be that this issue may be resolved. He added that the proposed car park on land off Parkside Road could help support a loss of parking.

**Item 2) FPA 0602 Comments
Land North of Laurel Gardens**

Committee raised the following concerns:

- (1) Despite being a large plot there is no opportunity for self-build. The Development Plan encourages developers to include 2 or 3 self-build plots.
- (2) The developer claims they cannot afford 35% affordable housing. The Development Plan states that, in such a case, a developer has to offer clear evidence that affordable housing is unsustainable.
- (3) Travel plan – Committee would like to see the path from Burneside Road over the bridge to Hallgarth resurfaced as a cycle path by the developer.
- (4) There are many south facing roofs on the proposed development – Committee would like these houses to be made solar panel ready and include electric car chargers.
- (5) Reservation with the roundabout at the bottom of Kentrigg.
- (6) Concern re surface water catchment area which is similar to Strawberry Fields. Councillor Rowley said this was less of an issue on this development, however he would like to request more permeable surfaces.

A letter from Kendal Swifts (part of Swifts in the Community) was noted.