

KENDAL TOWN COUNCIL

Planning Committee

Monday 6th July 2020 at 6.00 p.m.
(Via Teleconferencing)

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

APOLOGIES None.

OFFICERS Nicky King (Council Secretary)

101/20/21 **PUBLIC PARTICIPATION**

Mr Bob Gibbs, a resident of Kirkbie Green, attended the meeting representing approximately 20 Kirkbie Green households strongly opposed to proposals to extend Kendal Ski Club (planning application reference SL/2020/0310).

Mr Gibbs noted the proposals would see an expansion of approximately 75% to the site and presented material grounds for objection as follows:

- Loss of privacy – proposed ski/snowboard ramp will overlook some properties meaning full view into dining rooms, living rooms and bedrooms.
- Effect of proposal on appearance of locality – there is already excessive light pollution from the site creating a ‘twilight zone’ for houses backing onto the Ski Club. It also causes significant distress to birdlife and other wildlife.
- Noise and disturbance for proposed use – local residents already tolerate and accept some level of noise and disturbance but this proposal would have an unacceptable increase in noise levels. The proposed jumping area and air bag will cause significant noise and require a generator.
- Scale of development – residents feel the proposal is over developing the site. There will be a negative impact on the view, local environment and biodiversity of the woodland and beyond. The proposals would also see felling of at least 40 trees.
- Incompatible uses – Kirkbie Green is in the Kendal Conservation Area. Residents considered the proposal contravenes SLDC policy which states “...it is desirable to preserve or enhance”.

Other concerns included access and parking, potential impact on house valuations, misleading supporting evidence and incomplete site plans.

102/20/21 **DECLARATIONS OF INTEREST**

The following declarations of interest were made:

Councillor Cornthwaite - SL/2020/0336 - 1 Hunters Croft. The applicant is known to him.

Councillor Vincent – SL/2020/0310 – Kendal Ski Club. Councillor Vincent is a former member of the Ski Club.

Councillor Gibson – SL/2020/0172 – Highgate Hotel. Although not employed by them directly, Councillor Gibson teaches a group of residents of Highgate Hotel on employability schemes through CCC.

103/20/21

MINUTES OF MEETING HELD ON 15TH JUNE 2020

Members considered the minutes of the Committee meeting held on 15th June 2020.

Councillor Cornthwaite referred to minute reference 060/20/21 in respect of Kendal Household Waste Recycling Centre. He requested that reference be made to residents' concerns in respect of specifically HGV vehicles using Canal Head and Gilkes.

Councillor Cornthwaite proposed that the minutes be accepted as a correct record subject to the amendment discussed. This was seconded by Councillor Ladhams and carried unanimously.

RESOLVED

That the minutes of the meeting held on 15th June 2020 be accepted as a correct record, subject to the amendment discussed, and signed by the Chair.

104/20/21

MATTERS ARISING

Councillor Rathbone referred to minute reference 060/20/21 regarding Kendal Household Waste Recycling Centre. He advised that the Town Clerk had issued a response to SLDC before the final wording had been agreed. Members voted unanimously that no official responses should be issued prior to agreement by the Chair or Vice Chair being obtained.

RESOLVED

That no official responses should be issued prior to agreement by the Chair or Vice Chair being obtained.

105/20/21

KENDAL TOWN COUNCIL FLOOD RELIEF SCHEME WORKING GROUP

Councillor Cornthwaite advised that a meeting of the working group had been held on 17th June. The minutes will be attached to the agenda of the next Committee meeting. The group are pursuing their intended aims and aspirations, with or without the Environment Agency.

106/20/21

SLDC STREET NAME NUMBERING CONSULTATION – LAND TO THE SOUTH OF UNDERBARROW ROAD, KENDAL

Members considered a request from SLDC Street Name Number Team for suggestions for road names. Following a general discussion it was agreed Councillor Rathbone will put forward the suggestion of

links to the quarry, limestone and lime kilns to SLDC.

RESOLVED

Councillor Rathbone to put forward the suggestion of links to quarry, limestone and lime kilns for road names to SLDC Street Name Number Team.

107/20/21

SLDC LOCAL PLAN CONSULTATION – COMMITTEE RESPONSE

Councillor Rathbone asked Councillor Rowley to introduce this subsequent to their previous conversations on this subject. Councillor Rowley has had a number of discussions with Simon Blythe from SLDC Planning Department in respect of the Local Plan. The consultation will be a long process likely to take 18-24 months to finalise. It is currently in the very early stages and SLDC are requesting initial comments to the material published on line regarding the subject criteria under which the plan will be drawn up. He put forward a Planning doughnut model by Kate Raworth for consideration, which is a visual framework for sustainable development. He advised that some Local Authorities have already looked at this regarding their Local Plan and asked Committee whether and how they wished to use the model.

A general discussion ensued and Members discussed their preferred approach. One option from the Chair was to respond as a Committee ensuring a holistic approach to the planning application process and the pre-application process, suggesting SLDC Planners look to the doughnut theory for planning applications and the Local Plan. Another option was to discuss the matter further at a Full Council meeting.

The Chair proposed that he and Councillor Rowley would formulate a consultation response to SLDC. This would be on the basis of a holistic approach to the planning process with the different policy aims of the eventual Local Plan to be judged in the round and not in the current silo approach where one item eg non-motorised transport links, biodiversity, environmentally efficient building, where each factor can be viewed separately in the process. The doughnut model should be actively put forward as a viable approach to use at this stage.

This was agreed by the committee with a deadline for response of 15th July 2020.

RESOLVED

The Chair and Councillor Rowley will formulate a consultation response to SLDC by the deadline of 15th July 2020.

108/20/21

ANNUAL REVIEW OF TERMS OF REFERENCE

Members considered the Terms of Reference for the Committee. Councillor Gibson proposed that it be accepted without amendment. This was seconded by Councillor Vincent and carried unanimously.

RESOLVED

That the Terms of Reference for the Committee be accepted without amendment.

109/20/21

ANY OTHER BUSINESS

The Chair informed Members that a large application would come before Committee at the next meeting in respect of Phases 3 and 4 Strawberry Fields and requested they consider the application in advance.

110/20/21

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 7.30pm

Signed

Dated

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0310	Kendal Ski Club, Canal Head North, Kendal Lodge and slope extensions	06.07.2020	Material objections See comments below.
2	FPA 0336	1 Hunters Croft, Kendal Single storey rear extension	07.07.2020	No material objections
3	FPA 0323	13 Tithebarn Cottages, Bankfield Road, Kendal Repair of existing window frames, replacement of window sashes to include double glazed units, replacement of window lintel, update glazing of front door and fan light, removal of cement render (Part retrospective)	07.07.2020	No material objections Committee suggest the use of sustainable hardwood for the windows.
4	FPA 0172	Highgate Hotel, 128 Highgate, Kendal Change of use from (Use class) C1 Hotel to (Use class) C2 Residential Institution	07.07.2020	No material objections Provided SLDC are assured of the necessary quality of the 24 hour support.
5	FPA 0145	Former Enterprise Rent A Car, Station Yard, Kendal Change of use from Sui Generis to Use Class A1 (retail) and the partial demolition and rebuild with single storey rear extension and remodel of façade	15.07.2020	No material objections.
6	FPA 0332	Former Christadelphian Church, Tanners Yard, Kendal Change of use of former Christadelphian Church to 2 residential units (Revised scheme SL/2019/0876)	17.07.2020	No material objections. Committee fully supports the comments from Kendal Swifts.

SL/2020/0310 - Kendal Ski Club - Lodge and Slope Extensions

Committee did not object to the Ski Club or a potential expansion of the site in principle, and agreed it is an asset for Kendal and the North West providing a valuable leisure service for the town and wider area. However there was a general concern regarding the scale of the expansion proposals and certain issues such as light and noise pollution for local residents, overlooking/privacy for residents scale and dominance.

The following material objections were agreed:

Noise pollution – including people, events and generator noise which will be required for the air bag, given the extremely large increase in anticipated usage in terms of numbers,

time and area, all abutting a residential area. The committee requested a time limit on these, music related activities and events, and a guillotine of 9pm was suggested.

Increased traffic – this has increased greatly since previous planning permission was granted. This is of importance due to the proximity to the Recycling Centre with existing traffic queues.

Loss of privacy – see Neighbour responses. This is especially detrimental to the residential area on the northern end of the proposed site where various properties would be overlooked in house and garden under this application from the building and viewing decks.

Scale and dominance – questions were raised given the evidence provided that seems to indicate an increase of $\frac{2}{3}$ to $\frac{3}{4}$ in the size of the site in use.

Biodiversity - loss of trees and the impact on birdlife and other wildlife. Whilst this is not a large residential application the Committee did not feel this was compatible with SLDC Local Plan on biodiversity net improvement from developments.

Incompatible with a Conservation Area regarding size under the current application (and specifically with regard to future available use of Canal Head).

Councillor Rathbone stated that SLDC & the Ski Club need to consult with residents at every stage of the development work, which does not seem to have been done prior to the application. The Committee would refer SLDC back to neighbours' comments which it took into full consideration.

The committee noted that increased light pollution could impact on the bid to make the Lake District part of the Dark Skies Campaign & could also impact on the Astronomical Society's use of Kendal Castle. It was suggested that the closing time of the Ski Club should be no later than 9pm.

Councillor Cornthwaite queried whether the northern development could be moved to the southern boundary as this does not overlook any properties. Land ownership needs to be checked to north and south ends.