

KENDAL TOWN COUNCIL

Planning Committee

**Monday 20th July 2020 at 6.30 p.m.
(Via Teleconferencing)**

- PRESENT** Councillors Douglas Rathbone (Chair & Deputy Mayor), Jonathan Cornthwaite (Vice Chair), Dave Miles, Michele Miles, Pat Gibson, Helen Ladhams and Chris Rowley
- APOLOGIES** None.
- OFFICERS** Nicky King (Council Secretary)
- 143/20/21 PUBLIC PARTICIPATION**
- None.
- 144/20/21 DECLARATIONS OF INTEREST**
- The following declarations of interest were made:
- Councillor Rathbone - Phases 3 and 4 Strawberry Fields as the local SLDC Councillor and involvement in previous discussions.
- Councillor Ladhams – 19 Whinfell Drive and 29 Garburn Road as SLDC Councillor.
- 145/20/21 MINUTES OF MEETING HELD ON 6TH JULY 2020**
- Members considered the minutes of the Committee meeting held on 6th July 2020.
- Councillor Ladhams proposed that the minutes be accepted as a correct record. This was seconded by Councillor Rowley and carried unanimously.
- RESOLVED** That the minutes of the meeting held on 6th July 2020 be accepted as a correct record, and signed by the Chair.
- 146/20/21 MATTERS ARISING**
- Minute 1071/20/21 – SLDC Local Plan Consultation
Committee resolved at the last meeting that the Chair and Councillor Rowley would formulate a consultation response to SLDC by the deadline of 15th July 2020. Councillor Rathbone advised this response had been submitted, a copy of which had been forwarded to committee members, and would be appended to the minutes of the meeting. Committee noted the reply.
- 147/20/21 KENDAL TOWN COUNCIL FLOOD RELIEF SCHEME WORKING GROUP**
- Councillor Cornthwaite referred to the minutes from the last Working

Group meeting held on 17th June. Finances were signed off at the last Full Council meeting. Further communication has been received from the EA with the latest glass panels spec (Waterside, Gooseholme and Aynam Road). These will be scrutinised by the Group before being returned to the EA and requesting contracted prices from suppliers.

Councillor Rowley queried a request in the minutes to utilise some funds for drawings for a potential path network behind Millennium Fields. Councillor Cornthwaite advised that the Environment & Highways Committee had discussed funding of £1.5k for additional work such as architectural drawings etc. This funding would be for work throughout the scheme. He explained that subgroups had been set up aside from the main Working Group to look at the upper, central and lower reaches of the path network but work on the glass panels had dominated. He will email all Councillors involved and convene a meeting to take this forward. The Chair requested Councillor Cornthwaite keep the Planning Committee up to date and provide a further update at the next meeting.

The next meeting of the Working Group is scheduled for 5th August 2020 at 6.30pm.

RESOLVED

Councillor Cornthwaite to convene a meeting of the subgroup to progress the potential path network.

148/20/21

CCC DECISION NOTICE 5/20/9004 – KENDAL HOUSEHOLD WASTE RECYCLING CENTRE, CANAL HEAD NORTH, KENDAL

The Decision Notice permitting the development was noted by Committee.

149/20/21

ANY OTHER BUSINESS

None.

150/20/21

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 7.15pm

Signed

Dated

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0390	Phases 3&4 Strawberry Fields, Oxenholme, Kendal Erection of 49 dwellings (Phases 3 and 4). Application under section 73 to amend conditions 1, 4 and 9 of Approval of Reserved Matters ref. SL/2018/0011 to: (i) amend the house types on plots 111-114, with consequential amendments to the road layout, drainage, landscaping and proposals to meet Building Regulations Requirements M4(2) and M4(3); and (ii) make wider amendments to Phase 4 in respect of road layout, drainage, landscaping and other external works.	23.07.2020	No Material Objections See comments below.
2	FPA 0376	29 Garburn Road, Kendal Single storey front porch extension	20.07.2020	No material objections
3	FPA 0387	Town View Fields, Town View, Kendal Replacement of existing timber casement windows with rosewood timber effect casement UPVC windows	21.07.2020	No material objections but Committee expressed its continued disappointment at the use of UPVC within the Kendal Conservation Area (Article 4 Direction).
4	FPA 0384	19 Whinfell Drive, Kendal First floor side & rear extension, alterations to current window openings, installation of front & rear roof lights & side elevation window	21.07.2020	Material Objections See comments below.
5	FPA 0357	3 Mount Street, Kendal Replacement single story rear extension and replacement uPVC windows	28.07.2020	Material Objections Committee uphold all comments made by the neighbour at number 4. Committee strongly recommend the property be retained as a domestic, private residence.

				Committee strongly oppose the use of UPVC to replace windows in the centre of the Kendal Conservation Area.
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COMMENTS:**SL/2020/0390 - Phases 3&4 Strawberry Fields, Oxenholme, Kendal**

Provided there is no compromise on Building Regulation standards of access. Wheelchair & disabled access is to be of no less a standard than previous planning permission for plots 111-114.

The Committee draws attention to changes in floor levels that are outlined & commented on in Neighbours' Comments to ensure that (1) they do not detrimentally affect the change in privacy amenity value; this may necessitate ensuring a large enough fence to be provided or alteration in plans and (2) that the drainage and flood relief proposals are agreed by appropriate authorities according to sectional drawings and construction materials agreed by officers & adhered to

Provided the green wildlife corridor mentioned in neighbour responses (plot 14) is ensured/retained.

SL/2020/0384 - 19 Whinfell Drive, Kendal

The following material objections were agreed:

Scale and dominance of the extension in the area, particularly given that no other properties have a similarly sized addition to the original property. The Committee draws attention to a potentially material loss of privacy to the next door property as a result of the planned French windows on the first floor.

East elevation – Committee request Officers look at the appearance and relationship to other houses and their boundaries as it is unclear as to how the extension will be maintained in the future.

Committee requested that Officers obtain clarification on the direction of the slope of the roof on the east elevation.

Committee fully supports the comments from Kendal Swifts.

From: Cllr Doug Rathbone, Chair, Planning Committee, Kendal Town Council

South Lakeland Local Plan Review – pre submission representation

The Kendal Town Council (KTC) Planning Committee has agreed to the comments below in response to the SLDC request for initial comments regarding the subject criteria under which the Local Plan will be drawn up.

In deciding parameters for consultation and how topics are to be defined the Committee strongly believes a holistic approach should underwrite all of the Local Plan. This would then feed down to the same holistic approach being used in the planning process, integrating all other policy areas.

The current demarcation of topics for the Local Plan has resulted in looking at a planning application & only be able to judge it on individual criteria – without, for example, mixing energy efficiency, non-road travel corridors and a mix of size of domestic properties with national & local policies on biodiversity or social housing or with strategic needs such as schooling.

A breaking down of these barriers to create a holistic framework would enable a more robust approach to be taken during the pre-app and actual application process with a firmer line able to be defended. It would enable all policy aims within the community to be addressed ‘in the round’.

There is a need to reach a consensus to consider how existing policies and Plans fit together overall. For example when an application comes before this Committee it should be looked at in how it fits together, in totality, with the context formed by the Local Plan and existing policies, future social aims and changes in society.

In another example, how would a Local Plan fit in with answering the current move to an overall reduction in town centre retail need & consequent increase in individual residential applications, with the resultant changes in strategic planning needs? These changing strategic needs would not necessarily be flagged up to decision makers or, importantly, to consultees, unless a holistic approach was taken and overtly stated within the process.

This would also enable a more robust stance to be taken when negotiating with developers or residents in subsequent amendments to large applications or in requiring retro-fitting of environmental standards for individual owners.

Finally, we would wish to continue to be part of this consultation process and be included in future discussions when trying to pull these areas together.

Please address any communication regarding this to office@kendaltowncouncil.gov.uk in the current absence of a Town Clerk.

Yours,

Cllr Doug Rathbone
Chair, Planning Committee
Kendal Town Council

Kendal Flood Relief Scheme Working Group (WG) Notes 17.06.2020, Zoom meeting

Attendees: Cllr Jonathan Brook KTC SLDC, Cllr Jonathan Cornthwaite KTC, Cllr Brenda Gray (BG) CCC, Cllr Graham Vincent (GV) KTC. Cllr Chris Rowley (CR) KTC, Cllr Shirley Evans (SE) KTC, Craig Cowperthwaite (CC) EA, Tom McCormick EA, Peter Thornton (PT) CCC, SLDC Julia Dunlop (JD) KTC, Cllr Susanne Long (SL) KTC, SLDC

Apologies: Cllr Eamonn Hennessy (EH) KTC SLDC, Cllr Douglas Rathbone SLDC KTC.

In Attendance: Graham Harrison Researcher (GH).

1. Welcome. JC
2. Apologies. JB - As above
3. Declarations of Interest. - None
4. Minutes/Notes of Last Meeting dated 13/05/20. - Agreed.
5. Matters Arising not dealt with elsewhere on the Agenda. - None
6. EA Update – Tom McCormick TM EA, Craig Cowperthwaite CC EA

CC highlighted the recently produced information updates. These had been forwarded to JB earlier in the day and will be referenced in this meeting. JB circulated to working group members at this point, as it was not possible to access them via the Zoom Meeting at this point due to a technical issue.

CC reiterated his comments at the last meeting that EA work to start in Kendal in the autumn. Need to prioritise work based on what suppliers can deliver.

Work on planning conditions is continuing. EA need to be able to demonstrate that have listened or give reasons why not. EA are working to discharge all the planning conditions.

EA looking at having a virtual hub. This will help facilitate and consultation and meetings. The hope is that this will be a one stop shop for all partners' information.

The Little Aynam site is now open to the public some of team are working from this site.

Ground investigation has now restarted. People are out and about doing surveys and data gathering.

River maintenance – Sandy bottoms, Dockray Hall, Beezon Fields, Stramongate Weir, Romney Gardens starting in July to remove gravel.

Glass specification is being worked on and a programme can be found in the documents for circulation.

CC highlighted some important information events for members. Invitations will be sent out this week. A meeting with SLDC hosting a members briefing is scheduled for 29th June. Another event on 1st July will be for the wider community. Invitations will come through relevant channels for members from each of KTC, SLDC & CCC.

Planning details will be made public at the meeting on 29th June. This will include visualisation and key milestone dates.

There were several questions at this point.

JB asked if information about the glass wall proposals would be made public at the proposed briefings. CC confirmed that this was not proposed due to the detailed work that is still required on this element of the work.

JC asked about the railings on Riverside. CC replied that these will be refurbished and will be retained.

JC asked about the cost of the project. CC confirmed that this is £76m. This sum contains a significant contingency for the overall project and a £125k circa contingency for the glass wall still stands.

TM confirmed that work on trees continues to be undertaken and changes being considered. Some of this has incurred additional cost.

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PT asked about traffic issues – CC confirmed that no traffic measures will be implemented in the town centre before Christmas 2020. Work will start south of Romney Road this year, but this is not the Town Centre. CC highlighted the point that project delivery is not a linear process. Also that work will include both roads and footpaths. EA are looking to make sure alternatives do exist where any interventions are made. The Traffic Management Plan details and summary can be shared. After some further discussion it was agreed that it would be best for PT to discuss these matters directly with Peter Hoskins at CCC.

CC highlighted the myth busting notes on flood management leaflet.

CR asked about the potential conflict between the EA's Phase 3 upstream plans and farmer and landowner issues highlighted by Paul Quinn. CC confirmed that the EA is committed to funding that work. However, as with all Natural Flood Management (NFM) schemes it requires land owners to come on board. CC stressed that NFM is complimentary to the hard engineering work the EA is doing. It is not engineering vs NFM it is complimentary to.

Also, that the figures for the projected benefits have come from external sources to the EA. This is not an exact science. Projections just aim to give an indication of the scale and extent of what's planned.

Discussion moved on to the glass installation. New information is now available on glass specification based on location requirements. The information provided has been written in such a way that EA can take estimated prices out. The details are not prescriptive to one supplier. The information allows each supplier to quote according to their own strengths.

There is a date of 24th June 2020 for completion of the documentation.

Extent of glass on the Aynam Road drawings is annotated so that it is possible to zoom in on text. In between glass panels there are stone columns. Elevation drawings are set from roadside. This helps visualise what all this looks like. There are 6 drawings in total, spanning the length of the proposed installation. Feedback either before or at the forthcoming meeting. In addition, please contact TM with comments ahead of time.

Again it was stressed that this is a sequential scheme and has to be worked through on an item by item basis.

7. KTC – Confirmation of KTC total commitment of £150k. JB confirmed that at the recent meeting of KTC the funding total and profile had been agreed. This means funding from KTC is 20/21 £35k, 21/22 £35k, 22/23 £40k, 23/24 £40k. Total £150k.

8. Scheme Communication Plan and Actions including funding for riverside walk.

JC Gave an update on what the group is wanting to do on the various reaches. He indicated that what we don't want to lose sight of is that access to riverside access routes is key. We need the plan to be finalised.

SL asked for clarity around the specific outcomes.

JC talked about the southernmost reach. Several walks had been undertaken with GH, GV JB and Sion Thomas from SLDC. There is currently a pathway only 1m wide as opposed to 3m wide. We are looking to open this up more, with some seating areas. There is a need for additional access points from higher up on Wattsfield Road. The track become much rougher opposite Bridge Mills, before it opens out at back of Riverbank Road and eventually Scroggs Wood. The current thought is to make this more accessible to Helsington Lathes by both foot and by bikes.

The plans for the middle reach are quite well developed. However, we need to know how we go from here to get some funds to get some proper diagrams and plans. Moving on to the land owned by Mr Pugh opposite Dockray Hall business park. This could be opened up with a connecting footpath to make a route through for cycling and walking from Beezon Fields to Sandy Meadows for access and opening up a route all the way through the town. This is a key proposal.

SL indicated that she was struggling to picture exactly what's needed. Several questions then arose: What funds are available? We need some drawings to start talking to EA about the proposals. How will we get these? Also what exactly do we need to raise funds for and how much will the various elements cost? Do we have a plan written and

Kendal Flood Relief Scheme Working Group (WG) Notes 17.06.2020, Zoom meeting

identifying physical gaps and joining up gaps to enable working with EA? We need to clarify what's known and then also need to know what CCC are planning.

PT commented on the walking and cycling money that has been suggested is available from government. There is a lot of talk of £2b and that will be an announcement by PM of national cycling plan. PT didn't know mechanism by which this will be allocated. But that in 2 -3 weeks we may be looking at these schemes. PT suggested that JC should start sharing ideas and plans with Nick Cotton (NC) (Chair CCC local committee).

PT suggested that CCC could get £10-£30m. Therefore SL could get £3m-£8m. This could fund a scheme from Hallgarth to Mintsfeet. This was part of a safe route to school. This scheme has been discussed with SE. However, it needs something to kick start these proposals and it needs some physical input. PT asked if all the proposals are mapped out. JC indicated that he had tried to do this but he is struggling to see how we are going to get this going. PT felt that this particular scheme is well understood and worked up. Other schemes should be walked and PT & NC should be invited. We also need to be clear about what information the EA need.

There was then a discussion about the northern reach. TM made reference to an email from a project officer at CCC indicating that any cycle ways need to be on dry side. PT indicated that it would be necessary to involve Mark Brierley or Owen Davis. TM indicated that EA had not moved on the need for the legal agreements. EA can't lead on legal side outside of red line boundary. PT asked why is preference that way? TM indicated that this was related to the risks associated with moving over an embankment into a wet area. It was noted that historically solutions had been proposed inside existing budgets but that there was now new Government money that may unlock some new ideas.

SE added that things have moved on. We are desperate to get something delivered. EA could help. A track on the dry side would be safer and in all weathers. Multiple loops are possible and Mr Pugh offer opens up additional possibilities so people can go on different routes. We need to be ready to take advantage of Govt. money.

It was noted that we need to be looking to tap into some funds to get some proper drawings. PT reconfirmed that Hallgarth to Sainsbury's is defined. CC and TM indicated that other schemes can come forward and there are opportunities for paths that to be upgraded. PT indicated that there is an aspiration to widen the route around the gateway to provide for future cycling. Menus are needed. The Govt. money may need ideas to respond to in the next 3 weeks. There is a urgent need to have something on the shelf.

The EA are hesitant to commit to something that is not within their gift. The EA are committing their resources to what's in scope. PT asked about routes where the EA are already doing work that could add a couple of feet of width? Such betterment and opportunities need to be identified and included in proposals. Money is available for walking as well as cycling

9. AOB

JC emphasised that he has been motivated from the start to take advantage of such opportunities to work partners and to enhance this project for the benefit of current and future generations. Now is a critical moment. We need to ensure we don't miss this opportunity.

10. Date of Next Meeting to be confirmed – but needs to be in near future. Additional site visits also to be arranged.