

KENDAL TOWN COUNCIL

Planning Committee

**Monday 17th August 2020 at 6.30 p.m.
(via teleconferencing)**

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

Graham Harrison was also in attendance.

APOLOGIES Councillor Jonathan Cornthwaite

OFFICERS Nicky King (Council Secretary)

200/20/21 PUBLIC PARTICIPATION

None.

201/20/21 DECLARATIONS OF INTEREST

Councillor Rowley declared an interest in respect of applications relating to 4 Mount Street and 33 Appleby Road as he knows the owners of those properties.

Councillor Gibson declared an interest in respect of 69 Serpentine Road as she is friends with the applicant.

202/20/21 MINUTES OF MEETING HELD ON 3RD AUGUST 2020

Members considered the minutes of the Committee meeting held on 3rd August 2020.

Councillor Ladhams proposed that the minutes be accepted as a correct record. This was seconded by Councillor Vincent and carried with 2 abstentions.

RESOLVED That the minutes of the meeting held on 3rd August 2020 be accepted as a correct record, and signed by the Chair.

203/20/21 MATTERS ARISING

Councillor Rathbone advised that both Councillor Rowley and himself have written to the SLDC Housing Portfolio Holder regarding the windows/double glazing issue previously discussed and remain in correspondence in this respect.

204/20/21 KENDAL TOWN COUNCIL FLOOD RELIEF SCHEME WORKING GROUP

Members were advised that a meeting of the working group has taken place since the last Planning Committee meeting. Councillor Cornthwaite will update Committee at the next meeting.

205/20/21 LAND TO THE SOUTH OF UNDERBARROW ROAD, KENDAL – STREET NAMES

Committee noted confirmation from SLDC Street Name Number Team that the suggested limestone related street names have been agreed by the developer.

206/20/21 ANY OTHER BUSINESS

Councillor Rathbone referred to the Government White Paper on Planning. He felt Committee should consider this and put forward comments to both Full Council and Government. He commented that the White Paper will see wholesale change both in the planning process generically and specifically with the Kendal Conservation Area. It was agreed to add this to the agenda of the next meeting for further discussion.

RESOLVED Government White Paper on Planning to be added to the agenda of the next Committee meeting for discussion.

207/20/21 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 7.10pm

Signed

Dated

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0443	Kendal Magistrate Court, The Courthouse, Burneside Road, Kendal Redevelopment to form 64 retirement living apartments for older people (sixty years of age and/or partner over fifty five years of age), guest apartment, communal facilities, access, car parking and landscaping	18.08.2020	Material objections See comments below.
2	FPA 0892	South View Cottage, South View Lane, Kendal Erection of detached dwelling, two storey extension to existing dwelling and creation of vehicular access	17.08.2020	Material objections See comments below.
3	FPA 0434	1 Hayclose, Hayclose Lane, New Hutton, KENDAL Front porch	19.08.2020	Not considered as outside Kendal Town boundary.
4	FPA 0451	28 Applerigg, Kendal Two Storey Side Extension in lieu of Single Storey	24.08.2020	No material objections.
5	FPA 0485	5 Spital View, Kendal Construction of dormer to roof at the rear of 5 Spital View in the conservation area	24.08.2020	No material objections as long as in accordance with Kendal Conservation Area Policy, Planning Guidance and Precedents.
6	FPA 0477	69 Serpentine Road, Kendal Installation of solar panels and pruning of silver birch tree 'T1' at 69 Serpentine Road.	27.08.2020	No material objections In light of the declared climate emergency, Committee feel solar panels are acceptable in this instance, even within Kendal Conservation Area.
7	FPA 0480	19 Helsington Road, Kendal Proposed front extension & internal alterations	27.08.2020	No material objections Committee suggests the placement of bird boxes should take into account flight lines.

8	FPA 0482	44 Lingmoor Rise, Kendal Proposed single storey rear store, side extension and front porch	01.09.2020	No material objections Be aware of flight lines for bird boxes and suggest moving from where placed on the plan.
9	FPA 0484	98 Oxenholme Road, Kendal Proposed front and rear extension	01.09.2020	No material objections
10	FPA 0511	39 Briarigg, Kendal Alterations and extensions to boundary wall	01.09.2020	No material objections on the basis of local precedents. Committee request clarification in respect of the importance of the splay on the border with number 41. We also request Highways issue an adequate safety report on the wall and sight lines.
11	FPA 0509	4 Mount Street, Kendal Replacement ground floor front windows and front door	02.09.2020	No material objections
12	FPA 0429	14 Kent Street, Kendal Change of use from barbers shop (Use class A1 Shop) to café & bar (Use class A3 Restaurant & café)	02.09.2020	No material objections
13	FPA 0461	33 Appleby Road, Kendal Change the use from a non-residential institution (Use Class D1) to dwelling (Use Class C3)	03.09.2020	No material objections

COMMENTS**Item 1 – SL/2020/0443 - Kendal Magistrate Court, The Courthouse, Burneside Road, Kendal**

Committee would refer back to previous comments made to SL/2019/0841 on 5.12.19, which it felt have not been adequately addressed, and put forward the following material objections:

The Committee agree with the principle, as outlined in 2019 by SHMA, for affordable dwellings of this type. We draw attention to this need and find this application does not meet the policy criteria required, with no seeming viability rationale adequately put forward. Once again we draw attention to the Committee's wish that guidance is given to LSH that policy regarding this should be robustly upheld in this and other cases.

We also draw attention to residents' comments, especially with regard to increased footprint, height in front of the building, flooding risk and increased traffic during construction and afterwards.

Whilst this is not within the Kendal Conservation Area it does face it across Burneside Road and the fourth floor does create a dominant, solid and unremitting frontage which is out of keeping with surrounding properties in terms of scale and dominance. This increase, as designed, adversely affects the appearance along the border of Kendal Conservation Area, especially with regard to the northwest elevation.

The Committee also asks for specific clarification on the demolishing and construction phases of the application, especially in relation to neighbouring properties, the riverside and surrounding roads and with respect to use of articulated lorries. This is of specific concern to residents and the Committee.

We also remind Development Control and Planning of our specific road proposals and travel plan within our comments to SL/2019/0841 on 5th December 2019, especially with regard to taking the corner off the Dockray Hall/ Burneside junction.

Sufficient notice should be taken of Cumbria County Council's report as Lead Flood Authority, objecting to the original surface water drainage strategy. It should be ensured that these objections have been adequately answered by response from CCC and that data supplied & relied on in the application were correct, given the area's flood risk.

Committee are disappointed to note removal of the intended ground source heat pump for heating and request a justification as to why this has been omitted when so much was made of it in publicity for the pre-application.

The Travel Plan encourages cycling, yet only 2 bikes spaces have been accommodated in the buggy store. Committee would suggest at least 10 spaces should be provided for to conform to the needs of the Travel Plan actually used to support this application & SLDC policy.

We therefore ask for a revision of the application before any determination of SL/2019/0841.

Item 2 – SL/2019/0892 - South View Cottage, South View Lane, Kendal

The Committee would refer back to previous comments made for this site which it still wishes to raise as material objections.

It also wishes to put forward the following material objections in addition to neighbour comments received:

Original objections have not been answered by the applicant.

The size, appearance and design of the new build cottage is not in keeping with the character or appearance of the immediate (conservation) area. We also draw attention to potential loss of privacy as outlined in neighbours' comments.

Building standards are not compatible with Planning Guidance for the Kendal Conservation Area.

Vehicular access issues have not been addressed with the impact on the Lane.

We strongly object to the use of uPVC for windows/doors due to this being within the Kendal Conservation Area with no reasonable pretext and there being no known precedent of breaching these planning guidelines in the immediate area.

The Committee also draws attention to the Greenfield designation as outlined in 3 West Groves neighbour comment.

The extension of the existing property is felt to be acceptable but the new build "cottage" on a seeming Greenfield site means that this application is not compatible with the Local Plan or policy.

The Committee still states, as with its previous comments, that this new build is a suburban application within a semi-rural curtilage. The building of two properties of such a size does not conform to the aims of the LDP and the changes in submission do not adequately answer that issue.