

# KENDAL TOWN COUNCIL

## Planning Committee

**Monday 19th October 2020 at 6.00 p.m.  
(Via Teleconferencing)**

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

**APOLOGIES** Councillor Gibson

**OFFICERS** Chris Bagshaw (Town Clerk) and Hazel Belshaw (Temporary Council Secretary)

**339/20/21 PUBLIC PARTICIPATION**

It was noted that Councillor Coleman had written to positively back application 11 for the New Union public house due to increased disabled access and to oppose application 15 for the Homebase site on the basis of location, lack of need and resulting road traffic problems.

**340/20/21 DECLARATIONS OF INTEREST**

Councillors Ladhams and Rathbone declared an interest in respect of the applications relating to Kendal Town Hall (items 5, 6 & 7) as they are District Councillors. All other Councillors declared an interest as they are Town Councillors.

Councillors Ladhams, Rathbone, Vincent, Cornthwaite, M. Miles, D. Miles and Rowley declared an interest in respect of the application relating to The New Union (item 11) as the applicants are known to them.

Councillor Vincent declared an interest in respect of the application relating to Stricklandgate House (item 16) as he is a Trustee and he took no part in the discussion.

**341/20/21 MINUTES OF MEETING HELD ON 5TH OCTOBER**

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

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

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

**342/20/21 MATTERS ARISING**

None

**343/20/21 PLANNING APPLICATION REF SL/2020/0594 - 75 HAYCLOSE CRESCENT, KENDAL – TO CONSIDER ADDITIONAL INFORMATION RECEIVED FROM SLDC**

Councillors reviewed the application and have no material objection.

**344/20/21 KENDAL TOWN COUNCIL FLOOD RELIEF SCHEME WORKING GROUP**

Cllr Cornthwaite advised there was no further update but the group is scheduled to meet on Wednesday 28th October at 7pm. Cllr Vincent asked if there was an update following the article in the Westmorland Gazette regarding the Open Space Society who are looking at part of the river being common land resulting in a delay to the project. He suggested he would contact them to find out more and report back to Cllr Cornthwaite before the meeting on the 28th.

**345/20/21 NOTIFICATION OF APPEAL UNDER SECTION 78 – SLDC REF SL/2019/1036 – FLIXTON HOUSE, FAIRFIELD LANE, KENDAL, LA9 5ER**

Members noted the appeal as it has ‘no opportunity to submit further comments’. Cllr Rowley felt very disappointed in the decision. There followed a discussion on how to improve the communication with SLDC Planning and this Committee. A meeting with the Town Clerk will be arranged to discuss further.

**346/20/21 ANY OTHER BUSINESS**

None

**347/20/21 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 7.24pm

Signed .....

Dated .....

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA <a href="#">0677</a>	<b>The Beeches, 7b Sedbergh Road, Kendal</b> New carport, raised garage roof to create 1st floor, 1st floor side extension and single storey rear porch	20.10.2020	<b>No material objections</b> provided it is not overlooking neighbouring properties and there are no further neighbour responses, especially from residents on Sandgate.
2	FPA <a href="#">0575</a>	<b>24 Kendal Green, Kendal</b> Erection of fence (retrospective)	20.10.2020	<b>No material objections</b> The Committee was disappointed to receive this as a retrospective application with no excuse or explanation. They would also like to draw attention to the comments from the neighbours regarding overshadowing and suggest they seek negotiation or mediation.
3	FPA <a href="#">0586</a>	<b>Parr Street Evangelical Chapel, Parr Street, KENDAL</b> Installation of new ancillary fire exit through the lower part of an existing roadside window with stepped access to the pavement below.	20.10.2020	<b>No material objections</b>
4	FPA <a href="#">0645 &amp; 0646</a>	<b>53 Stramongate, Stramongate, KENDAL</b> Application of white cement render to the west gable to prevent water ingress	21.10.2020	Before making a decision on whether use of white cement render the Committee would wish the applicant to take advice from a building surveyor in particular around venting of

				the chimney space and this advice to be included in the application papers.
5	FPA <a href="#">0654</a>	<b>Kendal Town Hall, Highgate, KENDAL</b> Removal and reinstatement of existing roof light and refurbishment of associate skylight.	21.10.2020	<b>No material objections</b> in line with the application and Ancient Monument Society response and that it is like-for-like.
6	FPA <a href="#">0655</a>	<b>Kendal Town Hall, Highgate, KENDAL</b> Replacement of defective windows	21.10.2020	<b>No material objections</b> as long as the hardwood used is verifiable and sustainable sapele wood.
7	FPA <a href="#">0656</a>	<b>Kendal Town Hall, Highgate, KENDAL</b> Structural reinforcements to stairway skylight and stair	21.10.2020	<b>No material objections</b>
8	FPA <a href="#">0665</a>	<b>1A Finley Close, KENDAL</b> First floor rear extension	21.10.2020	<b>No material objections</b> providing there is no overlooking
9	FPA <a href="#">0672</a>	<b>14 Stonecross Road, KENDAL</b> Erection of a new glass front porch with a slate roof	22.10.2020	<b>No material objections</b>
10	FPA <a href="#">0676</a>	<b>26 River Bank Road, Kendal</b> Demolition of side carport & rear conservatory, erection of single storey rear extension, alterations and conversion of the existing single garage to a utility room, new side window & move of the entrance door to the side elevation and alterations to the front elevation fenestration.	23.10.2020	<b>Material objection</b> The proposal is out of keeping with the neighbourhood and would result in dominance with the surrounding dwellings. The committee would want to have fears that this would negatively impact on the appearance & character of the area and reduce local biodiversity removed.
11	FPA <a href="#">0679</a>	<b>The New Union Tavern, 159 Stricklandgate, KENDAL</b>	23.10.2020	<b>No material objections</b> although the Committee was

		Removal of window and cellar door/hatch, and replacement with disabled access door		disappointed to receive this as a retrospective application.
12	Advertisement <a href="#">0685</a>	<b>Land Off Underbarrow Road, KENDAL</b> 1 flagpole, 1 sign board & V sign board	23.10.2020	<b>No material objections</b> subject to CCHLLFA condition in their response of 5th October 2020.
13	FPA <a href="#">0687</a>	<b>3 Scaffell Drive, KENDAL</b> Raised platform to access rear conservatory with opaque glazed privacy screening (retrospective)	23.10.2020	<b>Non-material/material objections</b> attention is drawn to initial 'overlooking' & loss of privacy resulting from the building of the initial platform; use of materials & design/impact on the appearance of the area. These are to be taken into consideration in Development Control Officers' decision as to whether this is in keeping with local design plan. The Committee was disappointed to receive this as a retrospective application.
14	FPA <a href="#">0684</a>	<b>Empsom Hill, Kendal Green, KENDAL</b> Dwelling (resubmission of SL/2019/0904)	26.10.2020	<b>Material objections</b> Committee do not feel that the issues raised in the initial application (SL/2019/0904), raised by KTC or SLDC Planning Officers have been sufficiently addressed, especially given the nature of this site, ridge heights, & the special

				character of the Conservation Area. The issue of access to the house by easement and for building purposes does not deem to have been addressed. A materially changed re-submission is recommended once United Utilities' outlined suggestions are decided upon.
15	FPA <a href="#">0699</a>	<b>Homebase, Beeson Road, KENDAL</b> Refurbishment and external alterations to the existing store and other associated works to provide a discount food store	27.10.2020	<b>Material objections</b> (see comments below)
16	FPA <a href="#">0691 &amp; 0692</a>	<b>Stricklandgate House Trust, 92 Stricklandgate, KENDAL</b> Change of use of coach house to dwelling	28.10.2020	<b>No material objections</b>
17	FPA <a href="#">0705</a>	<b>66 Natland Road, Kendal</b> Proposed porch and side extensions	30.10.2020	<b>No material objections</b>
18	FPA <a href="#">0412</a>	<b>4 Thorny Hill, Kendal</b> Patio steps down to garden, garden wall modification and addition of garden studio/office	30.10.2020	<b>No new material objections</b> The new proposals should be considered in line with the previous neighbour responses for the superseded application.

#### 1. **0699, Homebase, Beeson Road, KENDAL**

- Under planning legislation neither KTC nor SLDC planning committees can determine where an application is made nor tell applicants what to apply for on that site. Each application must therefore be determined by national guidelines & local plans that are properly formulated under those national guidelines. SLDC do have a Local Strategic Plan under which this application must be judged, which should be underlined in this process. This application should also be viewed in line with the Kendal Town Centre Strategy 2020 and the Kendal Vision statement;
- The committee recognises that this is already an existing retail site (Class A1) with the resultant decision process;

- No sequential test of a supermarket on this site has been given and no evidence of a required need. This is in line with neighbour responses, which have been made on the SLDC portal as well as personally to every member of the Committee;
- Attention should also be drawn to the apparent increased internal sales space requested, given the above seeming test omission;
- A response is required from Highways, despite the Transport Statement and Travel Plan provided, regarding safety for:
  - (a) the junction between the A6 & Beezon Road as there will be significant increase in traffic, despite the Travel Plan provided, on a difficult turning which will result in significant tail backs, a lot of traffic disruption on what is already a congested one-way system through much of Kendal and potential dangers from resultant driver behaviour
  - (b) deliveries to the back of the premises;
- If the application is successful a permanent condition of approval should be for the hours of deliveries to be limited to 6am - 10pm despite the Noise Impact Assessment provided;
- Concerns that this store would disrupt the business of long existing neighbourhood stores, which are part of the Town Centre Strategy & Kendal Vision statement, are significant;
- We would look for a condition of agreement, if made, of installation of electric car charging points in the car park;
- Development Control should also look at ways of gaining alternative funding from the applicant to take into consideration the strategic impact of the increased vehicle and footfall in the area, as well as waste created and recycling needs on site. This would be beneficial to the Council's current work to create linked new/improved footpaths, shared cycle routes, open spaces, public realm, connectivity and biodiversity along the whole route of the river through Kendal. Working with Kendal Town Council in this way would enhance the environmental and biodiversity credentials of this application significantly on this riverside site.