

KENDAL TOWN COUNCIL

Planning Committee

**Monday 7th December 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 Pat Gibson

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

451/20/21 PUBLIC PARTICIPATION
None

452/20/21 MCCARTHY & STONE
In attendance to speak regarding the McCarthy & Stone planning application for 55 retirement properties:
Chris Butt - Planning Bureau on behalf of McCarthy & Stone
Paul Stephenson - Architect for the site
John Turton
Carol Riley

Chris Butt gave a brief update. McCarthy & Stone are the leading provider of retirement accommodation and in Kendal their previous developments are Kent Court, Blackhall Croft and Wainwright Court. The site for this scheme is the Porsche garage site on Longpool and is to include one and two bedroom apartments with central communal spaces. There will be a manager onsite and a 24 hour emergency alarm system.

Paul Stephenson is the Architect for the scheme and he shared some visuals of the plans with Members. He said it is a challenging site due to levels and traffic and they have looked at ways to simplify traffic congestion into the site by retaining the most northerly entrance. A full traffic statement has been submitted with the application. It has been noted of previous flooding issues, mainly in the south of the site and with this in mind they have liaised with the Environment Agency.

Carol Riley advised that following an online virtual exhibition in which 113 attended they received 23 comments, 14 were in favour, 6 against and 3 were neutral.

Councillor Rathbone thanked them for their time.

453/20/21 DECLARATIONS OF INTEREST
None

454/20/21 MINUTES OF MEETING HELD ON 16TH NOVEMBER

Members considered the minutes of the Committee meeting held on 16th November.

Councillor Vincent 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 16th November be accepted as a correct record, and signed by the Chair.

455/20/21 MATTERS ARISING
None

456/20/21 KENDAL TOWN COUNCIL FLOOD RELIEF SCHEME WORKING GROUP

Councillor Cornthwaite advised Members that the next meeting of the KTC Flood Relief Scheme Working Group is due to take place on Wednesday 16th December at 7pm. The proposed stone work is now on display at Little Aynam although they are still awaiting the arrival of the glass panel. He took part in a socially distanced walk through of the upper section of the proposed work and more walk-throughs are planned. A letter of thanks had been sent to the Environment Agency for their work with the specification. The joint working group chaired by Nick Cotton from CCC have employed consultants who are looking at costings and planning permissions.

457/20/21 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 7.00pm

Signed

Dated

No.	App No./ Type	Address/ Proposed Development	Comments To SLDC	Observations/ Recommendations
1	FPA 0783	Land off Brigsteer Road, KENDAL Erection of 89 dwellings and associated works	10.12.2020	Material objections (see below)
2	FPA 0603	28 Stramongate, KENDAL Alterations and change of use of existing retail premises (Use Class A1 Shop) to 3 self-contained dwellings (Use Class C3 Dwellinghouses) and reduced floor area retail premises (Use Class A1 Shop), with rear two storey extension	04.12.2020	No material objections The Environment Protection Management and Safe Disposal of Asbestos Report should be used in any decision. The Highways response regarding car spaces should also be included in any decision. Members agree with the Kendal Civic Society comments and note the increase in light and space of the dwelling.
3	FPA 0825	17 Littledale, KENDAL Single storey rear extension to replace conservatory	15.12.2020	No material objections Providing there is no overlooking with regards to the neighbours.
4	FPA 0827	18 Bellingham Road, KENDAL Single storey rear extension	15.12.2020	No material objections Providing concerns regarding access for maintenance, to the side and the property boundary, is resolved.

5	FPA 0828	Sundial Guest House, 51 Milnthorpe Road, KENDAL Installation of glazed balustrade to existing flat roof to create roof terrace, minor alterations & extension to owners accommodation	16.12.2020	No material objections Provided that the proposed rooftop garden is assessed and is also not overlooking.
6	FPA 0842	249 Valley Drive, KENDAL First floor side extension	17.12.2020	No material objections Providing it is not overlooking the neighbour's property.
7	FPA 0496	64 Hayclose Road, KENDAL Replacement detached garage	18.12.2020	Material objections Questions have not been sufficiently answered and suitable legible plans to answer that and issues raised in the neighbour's response dated 3.9.20 should be provided.

1. Land off Brigsteer Road, KENDAL

Given that this application applies to a site already classed as development land the purpose of the committee's discussions & response is to raise issues that need further consideration. From this committee's point of view there is a need for further significant work to be done on the Local Plan policy prerequisite of affordable housing, the Travel Plan, various environmental/ sustainability issues that are not addressed and other items before matters can proceed.

The development plans as outlined do not even seek to have a veneer of an attempt to work within SLDC's policy and plans for affordable housing. In the public consultation we specifically stated that we would be looking for the development to include affordable housing to the percentage agreed within the SLDC Local Plan. Dialogue on this has not been forthcoming. We would expect SLDC to robustly defend their policy and seek specific justification for any arbitration decision, in order to justify any given profit margin for developers and why that problem had not been seen prior to application given Council policy.

The Travel Plan and associated planning need to be reworked to be more realistic; to be based on behavioural models that show patterns of movement to and from the edge of Kendal that will actually happen given the size and type of housing proposed. It is an area of existing problems with traffic as shown by recent accidents along Brigsteer

Road and adjoining carriageways. Traffic flow, encouraged patterns of movement (vehicular and non-vehicular) and speed restrictions should be altered to reduce the increased traffic flow that will result from the development of this site as a whole. Speed limits or controls, increased pedestrian access and safety are crucial to this application being approved, especially given recent examples of accidents. These changes should be required from the initial phase of the development as they have a strategic impact on this area on the outskirts of Kendal.

Pedestrian access should be improved and linked to existing routes – foot and cycle ways – to encourage their use. It is only then that access could be created sufficient to not adversely affect the safety of the public highway. There is a significant lack of pavement at crucial parts of the development and this should be included in the application as part of the applicant's build and built in as a site cost, as otherwise this will merely encourage use of cars further. So, access for pedestrians, cyclists and motor vehicle users should be re-evaluated.

We would require the footpath outlined to be an integral part of the development, given that it is extremely long standing, comes within the required planning timescales to make it regarded as ancient; indeed, it used to form part of the parish boundary for Kendal.

Following from that last point, the development plans as outlined do not seem to take account of the history and community feel of the area. We would draw specific attention to the CCC Historic Landscape as well as FOLD comments. Historical and archaeological items should be included and an archaeological survey of the southern end of the site be undertaken prior to permission. This is additionally surprising given that the site is within 300m of a World Heritage Site (LDNPA).

The committee strongly emphasised the importance of the dark skies project and suggested liaison to reduce resultant light pollution from the elevated location of this new site on the edge of town. Dark Sky-friendly standards of mitigation should be adhered to in the continuance of this application. It also suggested the use of outdoor lighting on the edge of the Kendal conurbation with a suitable mix of use of cool colour temperature with warmer coloured light with a system such as Thorn Lighting's Night Tune or similar as a suggestion.

There appears to be little work done to include sustainability into the plans for dwellings with a dearth of possible, available and necessary initiatives ranging from use of additional such as pv's to inbuilt sustainability.

In addition, a net biodiversity gain has not sufficiently been demonstrated to the committee, within the plans, and needs to be proven to come within planning guidelines.

Electric charging points have not been built into the plans. This is disregarding future need for residents as well as KTC and SLDC Climate Emergencies. With these, there will be a need to ensure a future proofing of sufficient substation or grid access for future surges in usage from home charging of c.2 vehicles per household.

The design of the cul de sacs should be looked at and roadways provided that are capable of supporting refuse bins and their turning circles, something that is not feasible with the current plans.

We would wish sight of an improved plan for the attenuation ponds in order that they do not visually detract from the amenity as this and other recent plans have done.

During the building programme it should be ensured that the use of explosives or pecking of bedrock outlined in the application should not cause noise nuisance or excessive so as to cause pollution.

Note should be taken of reports from stakeholders with an interest in the development as well as neighbour comments. This should include following the recommendations of the police and crime report for the supervision of footpaths.