

Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED
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Minutes of a meeting of the Planning Committee held on Monday, 21 November 2022, at 6.00 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.

Cllr A Campbell	Present	Cllr A Finch	Present
Cllr J Cornthwaite	Present	Cllr H Ladhams (Vice-Chair)	Present
Cllr L Edwards	Present	Cllr D Miles	Present
Cllr D Evans	Apologies	Cllr D Rathbone (Chair)	Apologies

In Attendance: Chris Bagshaw (Town Clerk) and Inge Booth (Democratic Services Assistant).

Public Participation

Laura Miller, local Architect, spoke in detail on behalf of LAWSA (Lancaster and Westmorland Society of Architects) in relation to proposal by Story Homes to build a major housing development of 340 homes on land to the south of Kendal. The Society wished to highlight its views on the low ambition and standard of design for developments such as this, which would have a huge and long-lasting impact on the character and appearance of the Town. The environmental credentials of this type of development were also typically very poor, with a design that did not enable future changes, such as PV panels. The design of the houses was also unneighbourly. The Society also wished to point out that many developers put in place restrictive covenants preventing the retrospective fitting of panels to completed buildings. In addition, it was felt by the Society that the purchase prices of these developments were also contrary to efforts to address the affordability problems within the area, but under the guise of working to solve the housing crisis. The Society also wished to draw attention to, amongst many other comments, the house types being standard, “off the shelf” products, with a three bed house being scaled up rather than designing the larger houses with extra specific rooms to invite the enlarged price of over £700,000. Some were faced in brick, showing a complete lack of empathy with the Town and its history and, most importantly, there was no consideration with regard to employment or school or NHS places within the Town. Laura questioned the need for 350 highly priced homes in Kendal and suggested that smaller flats within the Town Centre would be more attractive for local buyers and felt that local people should be given the opportunity to take control of what was built in the area. Given the fact that the proposal was still at pre-application consultation stage, she suggested that the Society may wish to prepare a more coherent response and return to speak again at a future meeting of the Committee.

Laura answered a number of questions raised by Members who also thanked her for addressing the Committee.

P82/2022 Apologies

Apologies for absence were received and accepted from Cllrs D Evans and D Rathbone (Chair).

P83/2022 Declarations of Interest

No declarations of interest were raised.

P84/2022 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

No issues were considered for exclusion.

P85/2022 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 7 November 2022 and to authorise the Chair to sign them as a true record.

P86/2022 Planning Process and Issues

A report had been circulated to Members prior to the meeting.

The Town Clerk spoke to the Committee in relation to the South Lakeland Local Plan 2021 and the District Council's publication of another list of Call for Sites proposals, which although outside Kendal's parish boundary, had a material affect on the Town. A site at Burton Road was also the subject of a pre-application by Story Homes for a 340-house development. He drew particular attention to this proposal, suggesting that Members consider the purpose of this development at the southern end of the Town.

Members raised a number of comments, reiterating the above-mentioned ones raised by LAWSA and, in particular, expressed strong concerns in relation to the saturation point of local services and schools within Kendal, a point which they felt needed to be stressed. Also raised was the potential for development to continue further down the A590 all the way to Junction 36 and the fact that this was highly undesirable.

The Clerk undertook to collate the comments raised by the Committee, those drawn to Members' attention by LAWSA and comments raised by Cllr Suzanne Long and to forward a response to South Lakeland District Council.

Resolved:

- (1) To note the verbal update.
- (2) The Clerk to produce a response including comments raised by the Committee, those drawn to Members' attention by LAWSA and comments raised by Cllr Suzanne Long and to forward the document to South Lakeland District Council.

P87/2022 Kendal Town Council Flood Relief Scheme Working Group

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, presented the notes of the meeting of the Working Group held on 26 October 2022. He informed the Committee that the next meeting of the Working Group would take place on 7 December 2022.

Resolved:

- (1) To note the verbal update.
- (2) The notes of the meeting of the Kendal Town Council Flood Relief Scheme Working Group held on 26 October 2022 be received.

P88/2022 Motion to Council

Cllr A Campbell presented proposed text for a Motion to the next meeting of Full Council on the Town Council's position on second homes and holiday lets within Kendal.

Members were keen to ensure that an appropriate press release was made following the meeting of Full Council, should the motion be upheld.

Resolved: To forward the following Motion to Full Council on 3 December 2022:-

"The Council believes that everyone in Kendal should be able to buy or rent an affordable home in town and notes with deep concern the growing shortage of homes in Kendal and the surrounding parishes thanks to the increase in the number of second homes, holiday lets, and Airbnbs in the community leading to increasing house prices, increasing rent costs and an increasing number of residents seeking social-rented housing.

The Council also notes with deep concern the increasing incidences of eviction in South Lakeland District and the rising number of homelessness applications received by the District Council.

The Council recognises the importance of tourism and hospitality to Kendal's economy, providing jobs for locals and amenities to both locals and visitors. The Council also recognises that accommodation is a key requirement to sustaining a healthy tourism and hospitality sector.

However, without affordable housing, Kendal risks losing not only its local workforce but young people, families, and pensioners, who are being priced out of the community by rising housing costs. Fewer people using services like the Post Office, local transport, schools, and libraries, put those services at risk of closure and fewer workers damage Kendal's economy as local businesses struggle to recruit employees.

Current planning law is not sufficient to protect local homes for local people.

We, therefore, call on the Secretary of State for Leveling Up, Housing and Communities to protect local homes for local people by adopting the following reforms:

- 1. Require property owners to seek planning permission before converting their properties to second homes, Airbnbs and other holiday lets thereby handing local authorities the power to control the number and location of such properties in Kendal and the surrounding communities.*
- 2. Grant local authorities the power to charge a council tax premium on second homes in excess of the current 100% maximum.*
- 3. Grant planning authorities the power to demand more affordable homes from developers, up to 100% of a development.*
- 4. Restrict developers' use of viability assessments to reduce the number of affordable homes built.*

The Council, also urges South Lakeland District Council and Westmorland and Furness Council, when considering any planning application concerning a dwelling, to use any and all powers available to them to ensure that that dwelling becomes or remains a primary residence.

The Council also calls on South Lakeland District Council and Westmorland and Furness Council to join this Council and our Member of Parliament in lobbying Ministers to protect local homes for local people in Kendal and in our South Lakeland communities."

P89/2022 Asset of Community Value Nomination – Kendal Mountain Search and Rescue Team Base, Busher Walk

The Clerk provided details with regard to the process relating to assets of community value and asked Members to consider any comments in relation to a nomination which had been submitted to South Lakeland District Council by Kendal Mountain Search and Rescue Team with regard to its Base at Busher Walk.

Resolved: The Town Clerk to express the Committee's support to South Lakeland District Council for inclusion of the Kendal Mountain Search and Rescue Team Base within its list of Assets of Community Value.

P90/2022 Planning Applications

The Committee considered the Planning Applications shown in Appendix 1 to these minutes.

Resolved: To submit the recommendations in Appendix 1 to these minutes to the Planning Authority.

The meeting closed at 7.00 p.m.

Kendal Town Council

Responses from Planning Committee: 21 November 2022

Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
1	SL/2022/0969	Unit 2, Mintsfeet Road South, Kendal Canopy enclosure.	Mintsfeet	22 November	No Material Objections.
2	SL/2022/0849	Pekora Nera One, 104 - 106 Stricklandgate, Kendal Removal of signage, repainting of building facade and erection of awning (Part Retrospective).	Fell	22 November	No Material Objections provided that the Conservation Officer is satisfied that the proposal does not compromise the visual amenity of the Conservation Area. The Committee expressed disappointment that this was a part retrospective application.
3	SL/2022/0955 & SL/2022/0956	64 Highgate, Kendal Replacement of the existing external ATM with new model, through new centred aperture. Surrounding stonework replaced to suit & match existing, with lime-based mortar used.	Highgate	23 November	No Material Objections provided that the Conservation Officer is satisfied that the proposal does not compromise the visual amenity of the Conservation Area.
4	SL/2022/0957	64 Highgate, Kendal Replacement of the existing external ATM, with associated aperture & internal plinth alteration works. Installation of 1No non illuminated ATM header sign. Replacement / removal of existing internal machines, with associated making good works. New wall & floor decorations.	Highgate	23 November	No Material Objections provided that the Conservation Officer is satisfied that the proposal does not compromise the visual amenity of the Conservation Area.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
5	SL/2022/0972	15 Castle Oval, Kendal Proposed single storey rear and side extension.	Castle	22 November	No Material Objections provided that there is a contribution to meet net biodiversity gain as required by DM4.
6	SL/2022/0977	166 Valley Drive, Kendal Single storey front extension.	Heron Hill	24 November	No Material Objections provided that there is a contribution to meet net biodiversity gain as required by DM4 and the Planning Officer should check on the measurements of the building, details of which are unclear.
7	SL/2022/0987	9 Hawesmead Avenue, Kendal Demolition of existing garage & outbuildings and the erection of a detached single storey garage/workshop.	Stonecross	24 November	Material Objections on the grounds of scale, size and dominance of the proposed building in that plot.
8	SL/2022/0946	6 Lound Road, Kendal Change of use of ground floor office (Use class E) to a single apartment (Use class C3) with single storey rear extension.	Castle/Kirkland	24 November	No Material Objections provided that the Conservation Officer is satisfied that the proposal does not compromise the visual amenity of the Conservation Area.
9	SL/2022/0989	Unit 2 A - 3 South Lakeland Retail Park, Queen Katherines Avenue, Kendal High level sign to front elevation, replacement panels/vinyls to existing totem poles, loading bay sign to rear elevation, and vinyls/graphics/solar film to internal face of windows/doors.	Mintsfeet	24 November	No Material Objections

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to SLDC	Observations/Recommendations
10	SL/2022/0971	37-39 Finkle Street, Kendal Change of use of 1st & 2nd floors of former retail and retail storage & ancillary accommodation (Use class E) to 4 flats (Use class C3) with bin, recycling store and bicycle park (Resubmission of SL/2022/0405)	Fell	28 November	No Material Objections provided that the problems in relation to the original application have been addressed.
11	SL/2022/0975	55 Finkle Street, Kendal Change of use of 2nd floor of former retail (Use class E) to a dwelling (holiday accommodation) (Use class C3) with roof terrace with glazed balustrade (Resubmission of SL/2022/0274)	Fell	28 November	No Material Objections provided that the problems in relation to the original application have been addressed.
12	SL/2022/0898	114 - 116 Kirkland Installation of 1 non-illuminated fascia sign to front elevations & 1 non-illuminated tray sign to side elevation	Kirkland	2 December	Material Objections due to the size and dominance of the proposed sign on the front elevation in that area; the Committee prefers the size of the existing sign on the front elevation.
13	SL/2022/1006	3 Spring Bank Two storey rear extension & front porch replacement	Strickland	2 December	No Material Objections provided that there is a contribution to meet net biodiversity gain as required by DM4.