

Kendal Town Council

Town Hall, Highgate, Kendal LA9 4ED
www.kendaltowncouncil.gov.uk



15 April 2024
Version 2

To Members of the Planning Committee

Cllr A Campbell	Cllr A Finch
Cllr J Cornthwaite	Cllr H Ladhams (Vice-Chair)
Cllr L Edwards	Cllr R Edwards
Cllr D Miles	Cllr D Rathbone (Chair)
Cllr G Supka	

You are summoned to a meeting of Kendal Town Council Planning Committee on **Monday, 22 April 2024, at 6.30 p.m.** in the Georgian Room at the Town Hall, Highgate, Kendal.

(Distributed to other Members of the Council for information only.)

Yours faithfully

A handwritten signature in black ink, appearing to read 'A B' followed by a long horizontal stroke.

Chris Bagshaw
Town Clerk

AGENDA

Public Participation

Any member of the public who wishes to ask a question, make representations or present a deputation or petition at this meeting should apply to do so before the commencement of the meeting. Information on how to make the application is available on the Council's Website - <http://www.kendaltowncouncil.gov.uk/kendal-town-council/statutory-information/guidance-on-public-participation-at-kendal-town-council-meetings/> or by contacting the Town Clerk on 01539 793490.

Westmorland and Furness Council Development Management

To receive a presentation from a representative from Westmorland and Furness Council's Development Management Department on Planning Process and Issues.

1. Apologies

To receive and accept any apologies. If accepted, apologies will be considered to be for reasons approved by the council under the terms of the Local Government Act 1972, s85.

2. Declarations of Interest

To receive declarations by members and/or co-optees of interests in respect of items on this agenda.

3. Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

To consider whether there are any agenda items during consideration of which the press and public should be excluded.

4. Minutes from the Last Meeting (pages 3 to 8)

To receive the minutes of the meeting held on 8 April 2024 and to authorise the Chair to sign them as a true record (see attached).

5. Minute Action Sheet (pages 9 to 10)

To consider a report on actions taken by officers on resolutions or recommendations made at previous meetings (see attached).

6. Planning Process and Issues

To consider any planning process or related issues arising from the Council's interaction with the Planning Authorities. These may include items for reference, training, or guidance following feedback from previous applications.

7. Kendal Town Council Flood Relief Scheme Working Group

To receive a verbal update on the activities of the Working Group.

8. Planning Applications (pages 11 to 12)

To consider planning applications received from Westmorland and Furness Council (see attached).

The Committee will consider planning applications received and published by the Local Planning Authority up to the date of the meeting. Where the publication of the application is after the initial publication of the agenda, items will be added up to the day of the meeting where necessary to meet planning consultation timeframes. A full list of applications likely to be considered can be obtained by checking the local planning authority website:

<https://www.southlakeland.gov.uk/planning-and-building/planning/planning-applications/search-for-a-planning-application/>

9. Updated proposals for Land off Brigsteer Road, Phase 4 (pages 13 to 15)

To consider the proposed amendments to Story Homes' Brigsteer Road (Phase 4) development (2023/1061/FPA).

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Minutes of a meeting of the Planning Committee held on Monday, 8 April 2024, at 6.30 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.

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

In Attendance: Chris Bagshaw (Town Clerk), Inge Booth (Democratic Services Assistant) and one member of the public.

Public Participation

No items were brought forward by the public.

P169/2023 Apologies

Resolved: To receive and accept apologies for absence from Cllrs A Campbell and G Supka.

P170/2023 Declarations of Interest

No declarations of interest were raised under this item.

P171/2023 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no excluded items on the agenda.

P172/2023 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 18 March 2024 and to authorise the Chair to sign them as a true record.

P173/2023 Minute Action Sheet

The Committee considered a report on actions taken by officers on resolutions or recommendations made at previous meetings. It was suggested that the deadlines on Items Ref. Nos. 21 and 23 relating to dialogue with officers from Westmorland and Furness should be moved on by six months.

Resolved: To move on the deadlines relating to Items Ref. Nos. 21 and 23 by six months.

Resolved: To note the actions taken by officers on resolutions or recommendations made at previous meetings.

P174/2023 Planning Process and Issues

Discussion took place on the need for officers from Westmorland and Furness Council's Planning Policy Team to be invited to attend a future meeting of the Planning Committee to talk about the Neighbourhood Plan and the Local Plan. The importance of Kendal Town Council ensuring that it could feed into the Local Plan was stressed.

Resolved: To invite officers from Westmorland and Furness Council's Planning Policy to attend a future meeting of the Planning Committee to talk about the Neighbourhood Plan and the Local Plan.

Also raised was the issue relating to enforcement at both the Chip Shop on Finkle Street and the Newsagent's on Kirkland and the need for action to be pursued.

Resolved: To contact Westmorland and Furness Council with regard to the need for enforcement action to be pursued in relation to the Chip Shop on Finkle Street and the Newsagent's on Kirkland.

P175/2023 Kendal Town Council Flood Relief Scheme Working Group

Cllr J Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, presented the minutes of the meeting of the Group held on 21 March 2024.

Resolved: To receive the minutes of the meeting of the Kendal Town Council Flood Relief Scheme Working Group held on 21 March 2024.

Cllr Cornthwaite further reported on recent contact with the Environment Agency with regard to the planning situation around New Road and the potential alteration to the original consent. He referred to details held by the Environment Agency from when they had carried out boring tests in that area and to the need to authorise the Town Clerk to write to the Agency requesting that information.

Resolved: To authorise the Town Clerk to write to the Environment Agency seeking information from when they carried out boring tests in the New Road area.

Also raised was the question of the fountain on Aynam Road which, it was understood, the Environment Agency was no longer prepared to remove and re-site as previously agreed. It was suggested that a letter should be written to the Environment Agency seeking clarification on the matter.

Resolved: To authorise the Town Clerk to write to the Environment Agency seeking clarification on the matter of moving the fountain on Aynam Road and re-siting, as previously agreed.

Resolved: To note the verbal report.

P176/2023 Planning Applications

The Committee considered the Planning Applications as detailed 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 7.15 p.m.

Kendal Town Council
 Responses from Planning Committee: 8 April 2024
Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	2024/0413/FPA	8 Castle Oval Kendal LA9 7BD Construction of new side and rear single storey extension and associated internal layout alterations to create open-plan living / kitchen / diner with separate utility and porch	Castle	1 April	Recommend Refusal on the basis of scale and dominance and the close proximity to the neighbouring property and that the development is out of character in the area. Without prejudice to any decision made, there has been the removal of a significant amount of hedging without anywhere near an adequate biodiversity net gain, which should be remedied adequately.
2	2024/0443/FPA	15 Wansfell Drive Kendal LA9 7JF Proposed garage conversion and 1st floor extension above	Heron Hill	10 April	No Material Objections and the Committee welcomes the potential inclusion of internal swift bricks within the design and would encourage this to be pursued.
3	2024/0468/FPA	2 Serpentine Road Kendal LA9 4PE Replacement uPVC double glazed windows	Fell	8 April	No Material Objections provided that the windows are of a colour and finish that match the originals and that the Conservation Officer is content that they are appropriate in the Conservation Area.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
4	2024/0464/LBC	<p>The Eddington Kendal (former United Reformed Church) Highgate Kendal LA9 4HE</p> <p>Change of use to community facility, including café, food larder and training kitchen, together with associated facilitating works including internal alterations to former church hall, installation of extractor fan, alterations to provide accessible WC, installation of air source heat pump and removal of lean-to structure.</p>	Highgate	15 April	<p>No Material Objections provided that it is ensured that the proposal will not have a detrimental impact on either the existing building or the neighbouring properties and subject to an appropriate environmental report in relation to the extractor fans and any attendant implications of the change of use to a café.</p>
5	2024/0463/FPA	<p>The Eddington Kendal (former United Reformed Church) Highgate Kendal LA9 4HE</p> <p>Change of use to community facility, including café, food larder and training kitchen, together with associated facilitating works including internal alterations to former church hall, installation of extractor fan, alterations to provide accessible WC, installation of air source heat pump and removal of lean-to structure.</p>	Highgate	15 April	<p>No Material Objections provided that it is ensured that the proposal will not have a detrimental impact on either the existing building or the neighbouring properties and subject to an appropriate environmental report in relation to the extractor fans and any attendant implications of the change of use to a café.</p>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
6	2024/0467/FPA	36 Kendal Green Kendal LA9 5PP Single storey extension, raised decking with glazed balustrade and solar panels to roof	Strickland	16 April	No Material Objections subject to the inclusion of the same conditions applied to the previous planning consent and, particularly, the inclusion of four internal swift bricks in the northern elevations. As previously, the Committee would stress the importance of water run off being taken into consideration.
7	2024/0393/FPA	5 Sunnyside Kendal LA9 7DJ Replacement timber front door & 3 windows above	Mintsfeet	16 April	No Material Objections and the Committee welcomes the use of the materials and design as stated.
8	2024/0479/FPA	78 Hayclose Road Kendal LA9 7ND Installation of L shaped Bay window to front elevation	Heron Hill	16 April	No Material Objections
9	2024/0496/FPA	17 Castle Road Kendal LA9 7AU Replacement front and rear window	Castle	23 April	No Material Objections and the Committee welcomes the use of the materials and design as stated.
10	2024/0503/LBC	32 Lowther Street Kendal LA9 4DH Minor internal improvements and alterations, including toilet facilities, provision of bike store within existing lean-to at the rear, replacement of some existing windows.	Fell	23 April	No Material Objections provided that the roofing materials and design are like for like and that the replacement timber sash windows are appropriate in the Conversation Area, with the Conservation Officer being satisfied that the changes do not have a detrimental effect on the visual amenity of the Conservation Area and are appropriate. The Committee welcomes the provision of a bike store.

Item No.5

Planning Committee - Minute Action Sheet - as at 15-04-24

Ref. No.	Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible	Deadline, if any	Date Action Commenced	Comments
1	05/12/2022	P95/2022	Planning Process and Issues	Arrange Planning training for Members.	CB	01/04/2023	08/02/2023	Ongoing. Appropriate Training partner being sought
5 and 12	17/07/2023 and 04/09/2023	P38/2023 and P59/2023	Kendal Town Council Flood Relief Scheme Working Group	To approach officers at Westmorland and Furness Council to inform them of the Committee's support for the proposal for relocation of the fountain to Abbot Hall and to discuss the way forward.	CB		Actioned post FRSWG meeting. Awaiting response	
7	14/08/2023	P51/2023	Minute Action Sheet	The Town Clerk to be asked to progress action in relation to P95/2022 (Planning Process and Issues) and P164/2022 (Minute Action Sheet) and arrangements for Planning Training for Members.	CB		Follow up made to RTP1	Now in budget for 2024
21	19/02/2024	P150/2023	Planning Process and Issues	To review ongoing dialogue between the Planning Committee and Westmorland and Furness Council planning officers with a view to maximising the impact of the Town Council's comments on planning applications.		Oct-24		Ongoing.

Ref. No.	Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible	Deadline, if any	Date Action Commenced	Comments
22	19/02/2024	P150/2023	Planning Process and Issues	To produce a draft statement in relation to out of town food outlets, and to circulate to all Members of the Planning Committee, with Members to submit comments for inclusions should they so wish.				To be drafted
24	08/04/2024	P174/2023	Planning Process and Issues	To invite officers from Westmorland and Furness Council's Planning Policy to attend a future meeting of the Planning Committee to talk about the Neighbourhood Plan and the Local Plan.			15-Apr-24	
25	08/04/2024	P174/2023	Planning Process and Issues	To contact Westmorland and Furness Council with regard to the need for enforcement action to be pursued in relation to the Chip Shop on Finkle Street and the Newsagent's on Kirkland.			10-Apr-24	
26	08/04/2024	P175/2023	Kendal Town Council Flood Relief Scheme Working Group	To authorise the Town Clerk to write to the Environment Agency seeking information from when they carried out boring tests in the New Road area.			10-Apr-24	
27	08/04/2024	P175/2023	Kendal Town Council Flood Relief Scheme Working Group	To authorise the Town Clerk to write to the Environment Agency seeking clarification on the matter of moving the fountain on Aynam Road and re-siting, as previously agreed.			15-Apr	

Kendal Town Council
 Applications for Planning Committee: 22 April 2024
Appendix 1

Item No.8

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	2024/0529/LBC	8-10 Highgate Kendal LA9 4SX Application for Listed Building Consent for the relocation of CCTV from 6 to 8 - 10 Highgate	Highgate	29 April	
2	2024/0532/LBC	40 Market Place Kendal LA9 4TN Application for Listed Building Consent for the installation of CCTV on 40 Market Place	Fell	29 April	
3	2024/0537/FPA	29 Dunmail Drive Kendal LA9 7JG Replacement of existing detached garage and canopy structure with a two storey side extension and rear infill extension	Heron Hill	29 April	
4	2024/0541/LBC	Parish Hall Kirkland Kendal LA9 5AF Listed Building Consent for the restructuring and re-roofing of entrance porch & narthex	Highgate	29 April	
5	2024/0540/FPA	Parish Hall Kirkland Kendal LA9 5AF Application for Planning Permission for the restructuring and re-roofing of entrance porch & narthex	Highgate	29 April	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
6	2024/0550/FPA	109 Milnthorpe Road Kendal LA9 5HH Demolition of an existing extension & store and erection of a two storey extension	Stonecross	29 April	
7	2024/0571/FPA	Land adjacent to River Kent on the west side of the Jennings Yard Footbridge Kendal Cumbra LA9 4EN Minor Planning Application for the installation of two pedestrian gates at the western end of Jennings Yard footbridge in Reach G of the approved Kendal Flood Risk Management Scheme	Highgate	6 May	
8	2024/0588/FPA	17 Sunnyside Kendal LA9 7DJ Single storey rear extension to create a larger Dining room	Mintsfeet	6 May	



Mr Chris Bagshaw
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15th April 2024

Dear Mr Bagshaw

Updated proposals for residential development on Land off Brigsteer Road, Kendal (Phase 4).

I am writing to inform you that Story Homes has amended proposals for the above Full planning application that were submitted in December 2023.

You will be aware that the application site forms part of the larger area of land allocated for housing development by policies LA1.3 (Housing Allocations) and LA2.7 (Stainbank Green) of the Land Allocations Development Plan Document. Story Homes is currently developing Phases 1 and 2 (88 homes), and recently obtained planning approval for Phase 3 (24 homes).

The amended proposals for Phase 4 are still for 108 new homes, however several important changes are now proposed. A Consultation Layout (enclosed) provides details of these changes, which are summarised as follows:

1. The introduction of 'character areas' with differing densities, house types and use of materials.
2. The retention and reinforcement of the existing hedgerow through the centre of the site to create a 'green corridor' that links to the Vicarage Drive area of open space.
3. An improved relationship between the proposed new homes and the mature Sycamore tree protected under Tree Preservation Order 264 2014.
4. Improved pedestrian and cycle routes throughout the new development and linkages to existing areas beyond the development.
5. Improved surveillance over the new SUDS pond located at the eastern boundary.
6. The introduction of traffic calming to discourage and reduce use by vehicles of the highway connection to Cedar Grove.
7. Working with existing ground levels to create an improved relationship between the proposed new homes and the rear of the existing properties at Aldercroft and Cedar Grove.

STORY HOMES LTD

Registered in England No. 2275441

Registered Office:
Story House, Lords Way
Kingmoor Business Park
Carlisle, Cumbria, CA6 4SL

Should you wish to make any comments, please email them to consultation@storyhomes.co.uk by 5pm on 29th April 2024.

It is our intention to submit a set of amended proposals in May, and Westmorland and Furness Council will then re-consult with residents and consultees. At this stage you be able submit your formal comments to the Council.

Yours sincerely

Story Homes (Cumbria and Scotland)

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Connection to existing Public Right of Way to Stainbank Green

Connection to earlier phases to north

Significant open space corridor framed by gateway overlooking units to south and north, accommodating new trees, marginal (southern) hedge, the retained Public Right of Way, SUDS pond, riparian, sedges, plants, and then significant swathes of wildflower planting etc. Strengthen relationship with adjacent Maple Drive play space

Key cross site cycle route linking to Vicarage Road Green Wedge

Landmark dual aspect home, offering surveillance over northern Gateway Green area, existing Public Right of Way, (west and south), whilst closing views to higher side gables associated with earlier Phase II and III areas

Retained, protected tree anchors a discreet, well overlooked pocket park. Reinstated / rebuilt drystone walls form key boundaries around this space

Retention of existing central embankment and hedgerow as far as possible with some reinforcement, providing a key green corridor. Linkage to Vicarage Road Green Wedge (east) and further existing vegetation to the north and west

Tighter grained core street and adjacent front and rear parked side streets. Short terraces introduce variety and interest to central areas south of the key central hedge and retained embankment area

Potential for marginal planting and establishment of wildflower meadows with mown margins / informal trim trail etc. creating an attractive transition to countryside to the south

Marginal units orientated to gain maximum advantage from views over adjacent countryside and longer-range views down Kent Valley to the south

Corner turning dual aspect units to key edges / corners

Southerly 'Housing Square' to become a key focal point framed by terraces, 2.5 storey units etc. the space comprising block paving, in square parking, low walls, etc.

Pedestrian connections to Vicarage Road Green Wedge to south east. Lower density units set well back from boundary and existing units on Collin Hill. Proposed homes frame new landscaped areas offering an attractive developed edge

Pedestrian connectivity maximised with linkage to existing Public Right of Way

Secondary access to Cedar Grove accommodating narrowing / calming feature(s) to discourage through traffic

4 no bungalows, ease the transition to Cedar Grove to north easterly margins

Key corner turning unit, offering surveillance over pedestrian link (east) and pocket park (south)

North of the retained central hedge and embankment, a strong new street frontage with avenue trees and key north west / south-east cycle route offers access to more discreet side streets with higher density, generally smaller scale homes, these gabling onto Aldercroft from a much lower level and significantly reducing potential amenity impacts. Screen planting to street ends wherever possible

Importantly, easterly units offer high levels of overlooking across SUDS pond and adjacent public open space. Pedestrian accessibility to be encouraged as far as possible

Bench alongside cycle route and SUDS pond

Potential for cycle route linkage to the Vicarage Road Green Wedge subject to existing levels

