

PLANNING COMMITTEE

Minutes of the proceedings at a meeting of the Planning Committee held on Thursday, 26 November 2020, at 10.00 a.m.

Present

Councillors

Pete McSweeney (Chairman)
Vicky Hughes (Vice-Chairman)

Rupert Audland
Helen Chaffey
Brian Cooper
Michael Cornah

Philip Dixon
Judy Filmore
Gill Gardner
John Holmes

Janette Jenkinson
Malcolm Lamb
Susanne Long
David Webster

Apologies for absence were received from Councillors Dave Khan.

Officers

Linda Fisher	Legal, Governance and Democracy Lead Specialist (Monitoring Officer)
Chris Gordon	Legal, Governance and Democracy Specialist
Mike Hoar	Planning Officer
Nick Howard	Team Leader Development Management
Dan Hudson	Strategy Lead Specialist
Mark Lynch	Interim Development Management Team Leader
Adam Moffatt	Specialist - Legal, Governance and Democracy
Amanda Pharaoh	Housing Strategy and Delivery Specialist
Lizzie Spencer	Specialist (Development Management)
Sion Thomas	Operational Lead Delivery and Commercial Services

P/55

CHAIRMAN'S ANNOUNCEMENT

Following confirmation that the live stream of the meeting had commenced, the Chairman welcomed everyone to the virtual meeting of South Lakeland District Council's Planning Committee, in doing so, thanking all officers involved in the process for their work on the project.

The Chairman referred to the new Government legislation allowing councils to conduct remote meetings and explained in detail to all taking part, and for the benefit of members of the public, the procedures for the meeting. He then invited Members of the Planning Committee to introduce themselves, to advise whether they were taking part by video or audio and to confirm that they were able to see (where practicable) and hear all Members participating in the meeting. All Members present, including the Chairman himself, having indicated that this was the case, he referred to officers present at the meeting who would introduce themselves when asked to address the meeting.

The Chairman informed Members that there had been a change to the running order of the agenda and highlighted that Agenda Item 12 (P/60) (Mortgagee in Possession Clauses in Section 106 agreements relating to delivery of Affordable Housing) would now

be considered ahead of Agenda Item 5 (P/61) (Planning Application No. SL/2020/0183 – Land at Green Lane/ Vicarage Lane, Allithwaite). The Chairman went on to add that Agenda Item 7 (P/62) (Planning Application No. SL/2018/0897 – Land south of Allithwaite Road, Kents Bank, Grange-over-Sands – Phase 1) and Agenda Item 8 (P/63) (Planning Application No. SL/2018/0898 – Land south of Allithwaite Road, Kents Bank, Grange-over-Sands – Phase 2) had been withdrawn from the Agenda by Officers in conjunction with the Applicant due to representations that had been made by Members of the Public. The Chairman informed Members that the two withdrawn Applications would be considered at the next Planning Committee Meeting due to be held on Thursday, 17 December 2020.

P/56 MINUTES

RESOLVED – That the Chairman be authorised to sign, as a correct record, the minutes of the meeting of the Committee held on 24 September 2020.

P/57 DECLARATIONS OF INTEREST

RESOLVED – That it be noted that the following declarations of interest were made:-

Councillor Phillip Dixon declared a non-pecuniary interest with regard to Minute No. P/60 (Mortgagee in Possession Clauses in Section 106 agreements relating to delivery of Affordable Housing);

Councillor John Holmes declared pecuniary interests with regard to Minute No. P/60 (Mortgagee in Possession Clauses in Section 106 agreements relating to delivery of Affordable Housing) and Minute No. P/61 (Planning Application No. SL/2020/0183 – Land at Green Lane/ Vicarage Lane, Allithwaite); and

Councillor Susanne Long declared a pecuniary interests with regard to Minute No. P/60 (Mortgagee in Possession Clauses in Section 106 agreements relating to delivery of Affordable Housing) and Minute No. P/61 (Planning Application No. SL/2020/0183- Land at Green Lane/ Vicarage Lane, Allithwaite). Councillor Long declared non-pecuniary interests with regard to Minute No. P/64 (Planning Application No. SL/2020/0654 – Kendal Town Hall, Kendal), Minute No. P/65 (Planning Application No. SL/2020/0655 - Kendal Town Hall, Kendal) and Minute No. P/66 (Planning Application No. SL/2020/0656 - Kendal Town Hall, Kendal).

P/58 LOCAL GOVERNMENT ACT 1972 - EXCLUDED ITEMS

RESOLVED – That it be noted that there are no excluded items on the Agenda.

P/59 PUBLIC PARTICIPATION

RESOLVED – That it be noted that no applications to speak under the Council's public participation scheme have been received.

P/60 MORTGAGEE IN POSSESSION CLAUSES IN SECTION 106 AGREEMENTS RELATING TO DELIVERY OF AFFORDABLE HOUSING

Note – Councillor Phillip Dixon declared a non-pecuniary interest in this item by virtue of the fact that he was a Cabinet Member and had previously considered the report on Mortgagee in Possession Clauses considered by Cabinet on Thursday, 5 November 2020 and he was disconnected for the remainder of the item.

Councillor John Holmes declared a disclosable pecuniary interest in this item by virtue of the fact that he was one of South Lakeland District Council's nominated Directors on the Board of South Lakes Housing. Councillor Holmes sought permission to address the Planning Committee under the dispensation that allowed Members to make a representation under the Public Participation scheme applicable to the Planning Committee, after which he would be disconnected for the remainder of the item.

Councillor Susanne Long declared a disclosable pecuniary interest in this item by virtue of the fact that she was one of South Lakeland District Council's nominated Directors on the Board of South Lakes Housing and she was disconnected for the remainder of the item.

Note – At this stage, the Live Stream of the meeting failed and the meeting was adjourned at 10.17 a.m. in order for Officers to set up a new meeting and update the links to the Live Stream on the website and on the Agenda.

The meeting reconvened at 10.41 a.m. when a roll call was taken, all Members confirming that they were present, that they were able to see (where practicable) and hear all Members participating in the meeting.

Following the reconvening of the meeting, the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) presented a report relating to Mortgagee in Possession (MIP) Clauses. She explained that there had been a number of requests for MIP Clauses in Section 106 agreements relating to the delivery of affordable housing. As a result, work had been underway to find a solution to enable a number of Section 106 Agreements to move forward and ensure that affordable housing was delivered in line with what the Planning Committee has approved and the Council wanted to see developed in the area. She informed Members that the MIP Clauses were technically in conflict with established Local Plan policy. As a result, Cabinet had considered having regard to the policy position, the circumstances in which the Council would support MIP clauses adding that each application and agreement would have to be carefully considered against the identified criteria before negotiations on MIPs were entered into. She highlighted that Cabinet had clearly supported the balancing of local plan policy against the consideration of material planning consideration in considering requests for the MIP Clauses and felt that the Planning Committee should consider these, with Officers presenting the report and weigh in the balance, the requests that come through against established policy positions.

The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) went on to explain what a Mortgagee in Possession Clause was. The effect of an MIP Clause, was normally that if the lender took possession of the site following the failure of a Housing Association, restrictions in the Section 106 Agreement requiring the properties to be affordable would no longer apply, contrary to Local Plan Policy. MIP Clauses were increasingly being required by lenders. The lack of an MIP Clause could lead to development finance being made on less favourable terms, which prevented the delivery of affordable housing due to the funding conditions.

The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) informed Members that the report was proposing that the Council negotiate a cascade clause that stated, before an MIP Clause came into effect, the relevant housing had to be offered to another RP or offered to the Council. She explained that this approach was supported by detailed criteria set out by Cabinet for when Officers or the Planning Committee were considering requests and highlighted a number of Local Authorities that had accepted MIP Clauses. She went on to explain that Cabinet had suggested that applications be

considered on a case by case basis and apply policy context and background (affordable housing in perpetuity), adding that without fettering the individual Planning Applications, the following criteria may be relevant in considering any application seeking MIP Clauses:-

- The scale and quality of the affordable housing offer;
- The degree to which the proposal is supported by evidence; and
- The extent to which the risk of the clause being triggered can be mitigated.

The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) concluded her presentation by highlighting the extensive discussions internally and through various negotiation processes that had provided feedback from solicitors highlighting that a consistent approach had been required when considering MIP Clauses. She reiterated the low risk of a Registered Provider actually experiencing the financial difficulties described and that in the instances where this had happened in the past, another Registered Provider had stepped in.

Note – at this point in the proceedings, the Chairman requested that Councillor John Holmes address the Committee to make his representation.

Councillor John Holmes addressed the Planning Committee in favour of the Application.

Note – at this point in the proceedings, Councillor John Holmes was disconnected from the meeting as he had declared a pecuniary interest in the item by virtue of the fact that he was a Director of South Lakes Housing.

Note – at this point in the proceedings, Councillor Gill Gardner informed the Chairman that due to connection issues she felt that she had not heard enough of the presentation from the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) to participate and vote.

Note – at this point in the proceedings, Members were advised that the Strategy Lead Specialist and the Specialist (Housing), were present in the meeting in order to answer any questions Members may have.

The Legal, Governance and Democracy Lead Specialist (Monitoring Officer), Strategy Lead Specialist and Specialist (Housing) responded to questions raised by Members. Members sought clarity on the Registered Providers in the local area, the number of current cases that had been held up due to the lack of MIP Clauses, the role of Homes England, the impact of MIP Clauses on the number of affordable houses built going forward, the potential for all applicants to request MIP Clauses in the future, the impact of this decision on the Local Plan going forward and the impact of MIP Clauses on current Section 106 negotiations.

Members gave consideration to the proposal and thanked Councillor John Holmes for his representation and the Officers for their presentation and responses to questions that added clarity.

A motion to note the report and approve the principles of the approach set out in the report and approve delegated authority for the Director of Customer and Commercial Services and the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) to negotiate the terms of Section 106 clauses relating to requests for MIP Clauses was proposed and seconded and a vote was taken on the motion, during which all Planning

Committee Members confirmed that they had, without interruption heard the full presentation and discussion on the item and it was

RESOLVED – That:-

1. the report be noted and the principles of the approach set out in this report be approved; and
2. to approve the Director of Customer and Commercial Service in consultation with the Lead Specialist Legal Governance and Democracy (Monitoring Officer) to have delegated authority to negotiate the terms of Section 106 clauses relating to requests for Mortgagee in possession clauses:-
 - (a) In relation to requests to vary S106 applications to insert the Mortgagee in Possession clauses which have previously been determined by the Planning Committee;
 - (b) In relation to new applications which are delegated to the Director of Customers and Commercial Services and as set out in the Scheme of Delegation in the Constitution;
 - (c) in accordance with the criteria outlined in para 3.24 and as agreed by Cabinet at their meeting on the 5th November 2020; and
 - (d) Where applicants refuse to accept these principles then authority is granted to the Director of Customer and Commercial Services to refuse the planning permission.

Note – at this point in the proceedings Councillor John Holmes and Councillor Susanne Long were reconnected to the meeting and Councillors Holmes and Long confirmed that they were able to see (where practicable) and hear all Members participating in the meeting.

P/61

PLANNING APPLICATION NO. SL/2020/0183 - LAND AT GREEN LANE/VICARAGE LANE, ALLITHWAITE

Variation of Planning Obligations.

Note - Councillor John Holmes declared a disclosable pecuniary interest in this item by virtue of the fact that he was one of South Lakeland District Council's nominated Directors on the Board of South Lakes Housing and he was disconnected for the remainder of the item.

Councillor Susanne Long declared a disclosable pecuniary interest in this item by virtue of the fact that she was one of South Lakeland District Council's nominated Directors on the Board of South Lakes Housing and she was disconnected for the remainder of the item

Note – The Planning Officer's presentation displayed at the meeting had been circulated to Members and displayed on the Council's Website on the day before the meeting.

The Planning Officer began his presentation by highlighting the site which was located on the north western side of Allithwaite and was an allocated site which had been put through

the Local Plan Allocations Development Plan Document. He explained that Planning Permission had been granted in 2019 for the erection of 23 dwellings with accompanying Section 106 Agreement which secured the provision of affordable housing. He advised Members that the development at the site had progressed, following the grant of planning permission in 2019 and had been all but completed. He explained that this application was not to revisit the decision from 2019 but acted as a formal mechanism to adjust or vary the Section 106 Agreement principles, adding that principle of the development including the physical characteristics of the site and the number of affordable units would remain the same.

The Planning Officer informed Members that the application sought to add a Mortgagee in Possession (MIP) Clause to the varied Section 106 Agreement and reiterated the explanation of an MIP in and the 5 November Cabinet report that had been circulated prior to the meeting. He added that the approach taken by Cabinet had been for the Planning Committee to consider these applications by the existing scheme of delegated and to allow the process of variation to be carried out speedily, on a case by case basis. He moved on to highlight that the provision of affordable housing was finely balanced and without such a safeguard in place, lenders were unwilling to fund schemes or if they did, it would be on unfavourable terms and in either event, it could jeopardise the scheme from moving ahead. He informed Members that affordable rent qualifying persons issues are part of the normal negotiations of the Section 106 agreement, and highlighted the MIP Clause was the key issue in this instance.

In concluding his presentation, the Planning Officer highlighted that inclusion of the MIP Clause would provide a safeguard to lenders that in the event of the Registered Provider failing, there is a clear mechanism by which their liabilities are covered in the event of the disposal of their assets. He added that as previously explain, the suggested use of an MIP Clause with a Cascade mechanism this allows for a different Registered Provider or he Council to take up those units and that this was a nationally accepted standard and with this in place, the risk to the aims of the affordable strategy for the Council was minimal, however Developers and Registered Providers will have to provide evidence that the lack of a MIP Clause would cause or create such a situation.

Note – at this point in the proceedings, Members were advised that the Strategy Lead Specialist and the Specialist (Housing), were present in the meeting in order to answer any questions Members may have.

The Legal, Governance and Democracy Lead Specialist (Monitoring Officer), Strategy Lead Specialist and Specialist (Housing) responded to questions raised by Members. Members raised questions on why a Registered Provider would request an MIP Clause at such a late stage in an application, at what stage a Registered Provider becomes involved in a housing development and what the Council would do in the unlikely event that any housing stock had been offered back to them.

Members gave consideration to the fact that they trust Officers to ensure that affordable housing is delivered in perpetuity.

A motion to approve that the Director of Customer and Commercial Services and the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) be given delegated authority to request evidence to substantiate the request for the variation to the Section 106 Agreement and based on this evidence, conclude the negotiations regarding the MIP Clause and it was

RESOLVED – That:-

1. the Director of Customer and Commercial Services has delegated authority to request the evidence from the applicant to substantiate the request for the variation to the S106; and
2. that subject to the above the Director of Customer and Commercial Services and the Legal Governance and Democracy Lead Specialist (Monitoring Officer) are authorised to conclude the negotiations regarding the MIP clause including the insertion of a cascade clause (in line with the guiding criteria agreed by Cabinet) and the amendments relating to Protected Tenant the definition of Affordable Rent and Qualifying Persons.

Note - at this point in the proceedings Councillor John Holmes and Councillor Susanne Long were reconnected to the meeting and Councillors Holmes and Long confirmed that they were able to see (where practicable) and hear all Members participating in the meeting.

P/62 PLANNING APPLICATION NO. SL/2018/0897 - LAND SOUTH OF ALLITHWAITE ROAD, KENTS BANK, GRANGE- OVER- SANDS - PHASE 1

This item was withdrawn from the Agenda, by Officers in conjunction with the Applicant and will be considered at the next Planning Committee meeting, due to be held on Thursday, 17 December 2020.

P/63 PLANNING APPLICATION NO. SL/2018/0898 - LAND SOUTH OF ALLITHWAITE ROAD, KENTS BANK, GRANGE- OVER- SANDS - PHASE 2

This item was withdrawn from the Agenda, by Officers in conjunction with the Applicant and will be considered at the next Planning Committee meeting, due to be held on Thursday, 17 December 2020.

P/64 PLANNING APPLICATION NO. SL/2020/0654 - KENDAL TOWN HALL, KENDAL

An application for Listed Building Consent for the removal and replacement of rooflight to the Council Chamber.

Note - Councillor Long declared non-pecuniary interests with regard to this item, by virtue of the fact that she was a Member of Kendal Town Council.

Note – The Planning Officer’s presentation displayed at the meeting had been circulated to Members and displayed on the Council’s Website on the day before the meeting.

The Planning Officer began her presentation by highlighting that the Application was for Listed Building Consent and was being considered by the Committee because South Lakeland District Council owned the building. She continued by identifying the site, Kendal Town Hall which was a Grade II Listed building located in the Kendal Conservation Area and reminded Members that the application was part of a wider internal refurbishment of the Town Hall which had been approved by the Committee in December 2019.

The Planning Officer, referring to the presentation, highlighted the rooflight which the application related to explaining that the application sought to replace the rooflight above

the District Council Chamber and the exterior vent. She informed Members that the rooflight is a metal frame with lead flashings, finials and was single glazed. The Planning Officer added that the rooflight was a redundant feature with a mismatch of glazing and that wood rot had led to water ingress as a result of poor repair works in the past and that the Council was keen to replace the rooflight as part of the ongoing refurbishment.

The Planning Officer informed Members that the replacement would be like for like in terms of detailing but would remove the external vent and be made of new lightweight aluminium frame and that as a historic feature, the central iron feature vent to the interior of the building, sitting below the external rooflight would be retained. She added that the application had addressed the statutory considerations of the Planning (Listed Buildings and Conservations Areas) Act 1990, as well applying the relevant policies in the Development Plan, the National Planning Policy Framework (paragraph 192) and South Lakeland Core Strategy/Development Management Policies (DPD) (Policies CS8.6a & DM3). Furthermore, the Planning Officer added that consultation provided no objections from Kendal Town Council, the Council's Conservation Officer, Historic England, The Georgian Group and the Ancient Monuments Society.

In concluding her report, the Planning Officer highlighted that the rooflight was not viewable from the Kendal Conservation Area, that the glazing that was to be replaced had not been original and that the external vent had not been particularly attractive and due to water ingress caused by the vent, meant that this application represented a good opportunity to resolve the issue.

The Planning Officer responded to questions raised by Members of the Planning Committee. Members raised questions on whether the replacement panes of glass would be double glazed and if not why, the no comment from the Council's Conservation Officer, whether the original pommels on the rooflight would be replaced with the new rooflight, how the District Council Chamber would be ventilated given the removal of the external vent, whether the replacement glass would be self-cleaning, how the borrowed light would be reconstructed, the possibility of adding lighting in the gap underneath the rooflight and the reasons behind the use of single glazing over double glazing.

Following questions raised by Members the Planning Officer agreed to provide a comprehensive written response in relation to questions relating to the use of single glazing in the rooflight.

Members gave consideration to the importance of ensuring that any issues of water ingress on Council buildings be resolved.

A motion was to grant Listed Building Consent, subject to the conditions outlined at the end of the report was proposed and seconded and a vote was taken on the motion, during which all Planning Committee Members confirmed that they had, without interruption heard the full presentation and discussion on the item and it was

RESOLVED – That Listed Building Consent be granted, subject to the following conditions:-

Condition (1) The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 18 of the Planning (Listed Buildings Conservation Areas) Act 1990 (as amended).

Condition (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

- 2181-2023 Site Location Plan
- DR-4007 P01 Committee Room Rooflight and skylight proposed replacement works
- DR-A-4011 Window Replacement Plan
- DR-A-4009-P01 Committee Window Replacements
- KPP Heritage Statement (Committee Room Roof Light and Skylight Replacement)

Reason: For the avoidance of doubt and in the interests of proper planning.

P/65

PLANNING APPLICATION NO. SL/2020/0655 - KENDAL TOWN HALL, KENDAL

An application for Listed Building Consent for the Replacement of 6 windows to the Council Chamber and 3 windows to the Georgian Room which are in a poor state of repair.

Note - Councillor Long declared non-pecuniary interests with regard to this item, by virtue of the fact that she was a Member of Kendal Town Council.

Note – The Planning Officer’s presentation displayed at the meeting had been circulated to Members and displayed on the Council’s Website on the day before the meeting.

The Planning Officer began her presentation, again highlighting that the Application was for Listed Building Consent and was being considered by the Committee because South Lakeland District Council owned the building. Referring to the presentation, the Planning Officer described the position of the windows 3 of which were in the Georgian Room, in a prominent location overlooking Lowther Street and 6 being in the District Council Chamber on the first and second floor, overlooking the fire escape to the rear of the building adding that the windows were in a poor state of repair with the frames, transoms and mullions and sills being rotten and the glass being single panes.

The Planning Officer outlined the proposal, informing Members that the replacement would be like for like in terms of size, style and positioning with the glass matching the existing windows in with single glazed clear glass panes in the Georgian Room and Georgian wired glass panes in the District Council Chamber. She highlighted the only change, was to use hardwood instead of softwood as it provided more durability in terms of being water tight and fire resistance.

In concluding her presentation, the Planning Officer informed Members that the application had addressed the statutory considerations of the Planning (Listed Buildings and Conservations Areas) Act 1990, as well as applying the relevant policies in the Development Plan, the National Planning Policy Framework (Paragraph 192) and South Lakeland Core Strategy/Development Management Policies (DPD) (Policies CS8.6 and DM3). She added that the replacement windows in the Georgian Room were visible from the Kendal Conservation area and that as the replacements were like for like, they would have no discernible impact on the area.

The Planning Officer responded to questions raised by Members of the Planning Committee. Members raised questions as to whether there was any assurance over the quality of the repair given the poor state the previous repairs had left the building in, the reasons for using single glazing instead of double glazing in the Georgian Room and the fact that double glazing had not been considered especially in the Georgian Room where there are noise issues from Lowther Street. Further questions were raised relating to the ecological and soundproofing impact of using single glazing over double glazing in the Georgian Room, the potential to have less bulky double glazing in the replacement windows, the potential to defer the item given the concern expressed over the double glazing and the timeframe for having the windows replaced and the impact on the road stopping order scheduled for Lowther Street in December 2020 as part of the internal refurbishment works to the Town Hall.

At this point in the proceedings the Planning Team Leader added that it may have been helpful to seek delegated authority from the committee to negotiate redesigning the windows to include double glazing to avoid the potential impact on the overall work programme.

Members raised further questions relating to whether it was actually possible to use double glazing, the timescale in place for the scheduled works to Lowther Street whether the windows had already been made and whether it was possible for the contractor to use double glazing in the replacement windows.

Members gave consideration to the potential for using double glazing instead of single glazing in the Georgian Room and the impact this would have, the possibility of using secondary glazing within the window reveals if the single glazing units had already been manufactured.

During the debate the Operational Lead (Delivery and Commercial Services) responded to Members questions over the use of single glazing, he informed Members that there was already a road closure notice in place and that the units would (if they had not already been manufactured) have a manufacture slot and that the use of single glazing was decided in consultation with the conservation officer to meet the requirements to preserve the heritage fabric of the listed building. He added that double glazing would need to meet the window profiles across the elevation and that secondary glazing could be an option. He informed Members that the remainder of the Georgian Room had single glazing which would mean upgrading only part of the windows in the Georgian Room and lead to a mix matched appearance.

Members gave further consideration to the impact on the heritage fabric and character of the listed building with regard to the type of glazing, the potential to defer the item to the 17 December 2020 Planning committee, gaining a definitive answer on if double glazing was an option and the fact that the remaining two windows and doors were single glazed.

At this point the Planning Team Leader informed Members that an Officer outside of the meeting had contacted the agent and confirmed that the window units had already been manufactured.

Members gave further consideration to the possibility of adding a condition to the motion, if it were to be accepted, requesting that consideration be given to the use of secondary glazing in the Georgian Room.

At this point the Planning Team Leader informed Members that while it was not possible to add a condition as secondary glazing would interfere with the historic fabric of the room

and was probably not development as such, it would be possible to add an informative to the motion, requesting that the applicant consider adding secondary glazing to the windows.

The Legal, Governance and Democracy Lead Specialist (Monitoring Officer) received confirmation from the proposer and seconder that they were happy with the inclusion of the amendment in the form of an informative to the motion that requested that exploration into secondary glazing was considered.

A motion to propose that Listed Building Consent be granted with an the addition of an informative that states “to consider exploration of secondary glazing to all windows affected by the proposals” was proposed and seconded and a vote was taken on the motion, during which all Planning Committee Members confirmed that they had, without interruption heard the full presentation and discussion on the item and it was

RESOLVED – That Listed Building Consent be granted with the addition of the informative “to consider exploration of secondary glazing”, subject to the following conditions:-

Condition (1) The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 18 of the Planning (Listed Buildings Conservation Areas) Act 1990 (as amended).

Condition (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

- 2181-2023 Site Location Plan
- DR-A-4011 Window Replacement Plan
- DR-A-4009-P01 Committee Window Replacements
- DR-A-4008-P01 Georgian Window Replacements
- KPP Heritage Statements (Georgian Window Replacement and Council Chamber Window Replacement)

Reason: For the avoidance of doubt and in the interests of proper planning.

Secondary Glazing - It is recommended that an appropriate form of secondary glazing shall be attached to the window reveals of the windows hereby approved under this application (to the Georgian Room and the Council Chamber) in order to improve the thermal efficiency of the windows. The Local Planning Authority is willing to advise on the secondary glazing details and can be contacted via development.management@southlakeland.gov.uk .

P/66

PLANNING APPLICATION NO. SL/2020/0656 - KENDAL TOWN HALL, KENDAL

An application for Listed Building Consent for structural reinforcements to stairway skylight.

Note - Councillor Long declared non-pecuniary interests with regard to this item, by virtue of the fact that she was a Member of Kendal Town Council.

Note – The Planning Officer’s presentation displayed at the meeting had been circulated to Members and displayed on the Council’s Website on the day before the meeting.

The Planning Officer began her presentation by highlighting the site location, Kendal Town Hall, which was a Grade II Listed Building and informed Members that the application sought Listed Building Consent to provide structural reinforcements to the stairway Skylight and the head of the stairstring. Referring to the presentation she highlighted the location of the Skylight and stairstring. She added that the excessive weight of the existing Skylight had caused damage to the fascia and the ceiling in the form of cracking which needed to be strengthened by inserting structural steel work in the area above the Skylight with works to repair and redecorate the cracking. The Planning Officer added that in addition to the work on the skylight the head of the stairstring had experienced sagging that also needed structural steel work to repair and prevent any further damage.

The Planning Officer highlighted the proposal which was to insert structural steel work into the ceiling void above the skylight to support the existing structure and repair the fascia and ceiling adjoining the Skylight and to insert a stair reinforcement plate that offered reinforcement to the junction of the stair string and the landing, she added that the reinforcement plate would be behind the reinstated plaster face once completed.

In concluding her presentation, the Planning Officer informed Members that the application had addressed the statutory considerations of the Planning (Listed Buildings and Conservations Areas) Act 1990, as well applying the relevant policies in the Development Plan, the National Planning Policy Framework (paragraph 192) and South Lakeland Core Strategy/Development Management Policies (DPD) (Policies CS8.6a & DM3). The Planning Officer informed Members that the existing stairway skylight contributed towards the character and appearance of the listed building and that proposed works would rectify the structural stress of the skylight, adding that the proposed beams would be concealed from view and preserve the original appearance along with the repair of the damaged fascia and ceiling. She informed Members that the proposed stair reinforcement bracket added strength to the head of the stairstring and safeguard its long-term future and that the reinforcement bracket would be concealed from view. The Planning Officer highlighted that the proposed works would have no adverse effect on the character or appearance of the building.

The Planning Officer responded to questions raised by Members of the Planning Committee. Members raised questions on how the steel work had been planned to ensure that it didn't add extra weight and load to the bearings. The planning officer advised that the strengthening works had been designed by a structural engineer appointed by the Council. In the subsequent written response to members the planning officer advised that the structural metal support beams either side of the skylight will be built into the wall above the ceiling cavity and these will be fixed to the walls for support. As such, the walls will take the additional load – the metalwork is there to span across the ceiling light and fix back into the wall to provide support. At present the ceiling is taking all of the load.

A motion was to grant Listed Building Consent, subject to the conditions outlined at the end of the report was proposed and seconded and a vote was taken on the motion, during which all Planning Committee Members confirmed that they had, without interruption heard the full presentation and discussion on the item and it was

RESOLVED – That Listed Building Consent be granted, subject to the following conditions:-

Condition (1) The development to which this notice relates must be begun not later than the expiration of three years beginning with the date of this notice.

Reason: To accord with the requirements of Section 18 of the Planning (Listed Buildings Conservation Areas) Act 1990 (as amended).

Condition (2) The development hereby permitted shall be carried out in accordance with the following approved plans:

- 2181-2023 Site Location Plan
- K36473/A1/110 Town Hall stairwell remedial works and details
- KPP Heritage Statement (Skylight Strengthening Works)

Reason: For the avoidance of doubt and in the interests of proper planning.

The meeting ended at 1.21 p.m.