

# UPDATES AND LATE REPRESENTATIONS FOR COMMITTEE

Committee Date: 29 July 2021

Planning application no. SL/2020/0310

Kendal Ski Club, Canal Head North, Kendal

## 1.0 Committee referral

- 1.1. This application has been 'called in' to Planning Committee by Cllr Dixon due to the proposal's potential impact on the amenity of neighbouring residents.

## 2.0 Updates

### The National Planning Policy Framework

- 2.1. On 20 July 2021 the government published an updated version of the National Planning Policy Framework (NPPF). In essence this has strengthened requirements on design quality and the use of trees in new developments, as well as presenting revised policies on plan-making, removing statues and opting out of permitted development rights. The NPPF remains a key material consideration in the determination of all planning applications.
- 2.2. None of the updates in the 2021 version of the NPPF has a material impact on the recommendation for the current application, although some of the paragraph numbers in the NPPF referred to in the officers' report have now been altered. The updated cross-references are listed below:

2019 National Planning Policy Framework	2021 National Planning Policy Framework
Para 92	Para 93
Para 127	Para 130
Para 193	Para 199
Para 196	Para 202
Para 109	Para 111

## 3.0 Representations

### Applicant Representations

- 3.1. A number of public representations raised concerns regarding the proposed block plan, specifically the omission of surrounding dwellings.
- 3.2. On the 25/07/2021 an amended block plan was received by the applicant which includes the dwellings surrounding the site. The amended block plan has been added to recommended Condition 2 approved documents.
- 3.3. It is recommended that Condition 2 be amended to the following:
- 3.4. Condition (2) The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Location Plan, date received 12/05/2020;
  - Proposed South and West Elevations, date received 13/05/2020;
  - Proposed East Elevation, date received 13/05/2020;
  - Proposed North Elevation Rev 2, date received 26/10/2020;
  - Proposed Club House layout Rev 2, date received 26/10/2020;
  - Proposed Block Plan Amended, date received 25/07/2021;
  - Arboricultural Report Rev 2, date received 26/10/2020;
  - Proposed Planting Scheme (AH/AIA/180220-1), date received 19/05/2021.

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

- 3.5. On the 21/07/2021 the below was received from the Chair of Kendal Ski Club with reference to recommended Condition 7 operation hours for the site.
- 3.6. *“following our discussion this morning and your email of 21/7/21 with Condition 7 regarding the operating times, on behalf of concerns raised by the Trustees of the charity, Kendal Snowsports Club, registered charity 1192759, we would like to raise*

*the following concerns about the time required to open prior to commencement of slope use for skiing or boarding.*

*The process of commencing operations requires significant work by the volunteers:*

*Unlock the lodge (2 mins)*

*Set up the till system (3 mins)*

*Set up the skis (up to 15 sets per lesson at 5 mins per skier = 75mins)*

- for each skier, this involves getting the right length of ski,*
- getting the correct boots,*
- putting the boots into the bindings*
- setting the safety release levels on the bindings,*
- putting the skis & boots ready for the participant to use*

*Put on the electrics for the slope use (3 mins)*

*Check the water tank (3 mins)*

*Conduct a slope check and sign for the slope check, this involves (7 mins)*

- a walk over the slope looking for anything untoward*
- unlocking the lift control panels,*
- checking the lifts work and the safety cut outs work*

*Total Time 95 mins or 1 hour 30 mins*

*As can be seen these steps, which are vital to the safe operating of the slope can take over an hour and a half. Consequently, we would like Condition 7 on operating time to be clarified, specifying slope operation for skiing and boarding but allowing an hour and a half prior to commencement to conduct these activities. These activities take place in the lodge (other than the visual slope inspection).*

*Participants are expected to arrive half an hour prior to commencing activities. This allows them to:*

- Check in through the till system (again a safety and insurance issue to ensure we know exactly who is on the slope)*
- Put on their clothing*
- Get their equipment (and check that the boots are correct etc, which can necessitate redoing the whole process)*
- Get poles*

- *Proceed to the slope ready for the lesson/activity to commence at the appropriate time slot*

*I trust this explanation of operating and safety issues allows you better understanding of the time requirements prior to commencement of slope use. Hence, we reiterate again, we would like Condition 7 to make clear the difference between slope use for lessons or activities and opening of the site to conduct the above preparations and safety activities, allowing 1 hour 30 minutes prior to commencement for use of the lodge including the arrival of volunteers and arrival of participants”.*

- 3.7. Given the above it is considered reasonable to extend the club house and grounds operating hours to accommodate the above whilst maintaining the existing recommended ski slope operating times to protect neighbouring residential amenity.
- 3.8. It is recommended that Condition 7 be amended to the following:

Condition (7)

The use of ski slope shall not take place other than between the following hours:-

10:00 – 22:00 - Mondays - Fridays.

09:15 – 20:00 - Saturdays.

10:00 - 20:00 Sundays and Bank or Public Holidays.

The use of the Clubhouse and grounds shall not take place other than between the following hours:-

08:00 – 22:30 - Mondays - Fridays.

08:00 – 20:30 - Saturdays.

09:00 - 20:30 Sundays and Bank or Public Holidays.

## Public Representations

- 3.9. 6 late public letters of representation were received for the application stating the following:
- 3.10. Public representation 1 – *“I’m writing to confirm my objection to the extension to the Ski Slope and Ski Lodge.*

*One of the benefits of the Covid lockdown has been the lack of noise from the ski slope and on the few occasions that the slope has been running this year it is apparent just how intrusive the shouting and whooping can be.*

*The proposed extension will only result in more noise and so I am objecting to what I consider to be the overdevelopment of the site”.*

- 3.11. Public representations 2 – *“I am unable to attend the above meeting, and send my apologies.*

*However, I am writing to you to let you know about my ongoing concerns about the over-development of the above site,*

*I have objected to the proposals being put forward previously, and my opinions have not changed.*

*I wish to be placed on record that the plans should be rejected and the site should not be expanded to the levels being proposed”.*

- 3.12. Public representation 3 – *“We live adjacent to the north end of the ski club and like virtually everyone who lives in Kirkbie Green we object strongly to the proposed expansion of the existing facility as being disproportionate in a Conservation Area.*

*We have yet to see plans for the increased drainage needed to accommodate the expansion of toilet facilities required by the development”.*

- 3.13. Public representation 4 – *“I understand the planning Committee are reviewing the above application on Thursday, 29 July 2021.*

*I am the owner of 22 Kirkbie Green but am presently away from Kendal and unable to attend the meeting.*

*However, I would like to record my strong opposition to this proposed development on the grounds that it is gross over-development of the site”.*

- 3.14. Public representation 5 – *“Regarding Planning Application No. SL/2020/0310 (Kendal Ski Club, Canal Head North, Kendal, LA9 7BY)*

*We wish to strongly object to the councils comments in support of the above application*

*-This will be a over development of the site and be very intrusive of our privacy*

*-The proposed balcony would not look towards the ski run and we fail to understand to what advantage the view which would only face directly into our garden bedroom kitchen and conservatory dining room would serve”.*

- 3.15. Public representation 6 – *“Apologies I cannot attend but I’m away on holiday that week. We still strongly object to this application for all the many good reasons already stated previously around: increased noise and light pollution, further industrialisation to this quiet neighbourhood, increased traffic and car action, the knock on effect this has on pedestrians passing through and the picturesque scenery we love so much and chose to buy a house here at a premium....probably easy to miss if you don’t live here but like skiing. I like both but if the club wants to grown then move out”.*