

Kendal Town Council

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



26 August 2025

To Members of the Planning Committee

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

You are summoned to a meeting of Kendal Town Council Planning Committee on **Monday, 1 September 2025**, at **6.30 p.m.** in the Council Chamber 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 give notice of their attention to do so by contacting the Town Clerk on 01539 885430, office@kendaltowncouncil.gov.uk. 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.

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 11)

To receive the minutes of the meeting held on 28 July and 18 August 2025 and to authorise the Chair to sign them as true records.

5. Minute Action Sheet (pages 12)

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

6. Planning Process and Issues

To consider verbal updates on 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 (page 13)

a) To receive and note the response from the local Planning Authority to the Council's query about the built height of the F3 Flood Wall on New Road.

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

8. Kendal Town Council Local Plan Action Group

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

9. Planning Applications (pages 14 to 22)

To consider planning applications received from Westmorland and Furness Council, if any.

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/>

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Minutes of a meeting of the Planning Committee held on Monday, 28 July 2025, 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	Apologies	Cllr D Miles	Absent
Cllr L Edwards	Present	Cllr D Rathbone (Chair)	Apologies
Cllr R Edwards	Present	Cllr G Supka	Present
Cllr A Finch	Apologies		

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

Also present: Cllr E Hennessy, Cllr T Martland and one member of the public.

Note – In the absence of Cllr Rathbone, Chair, Cllr Ladhams, Vice-Chair, took the Chair for the meeting.

Public Participation

Bill Woods addressed the Committee with regard to Agenda Item No.9 (Planning Applications), No.3 2025/1288/LBC (Kendal Town Hall, Highgate, Kendal LA9 4DL). He expressed thanks to the Town Council Planning Committee and the Westmorland and Furness Council Conservation Officer for standing firm with regard to the previous retrospective application to retain the hideous roller shutter doors in this fine building. Mr Woods suggested that Westmorland and Furness Council’s Scrutiny Committee should investigate this matter and the waste of public funds in relation to such a costly mistake. Officers had now finally admitted defeat and submitted this new application which was supported by himself, the Conservation Officer and, he hoped, this Planning Committee.

The Vice-Chair in the Chair and twin-hatted Member undertook to raise the matter with Westmorland and Furness Council’s Scrutiny Committee, pointing out that that Council needed to know that the people of Kendal used Kendal Town Hall and that it needed to be taken care of in an appropriate manner.

Mr Woods was thanked for his submission.

It was raised from the floor that an inquiry should be raised with the relevant formal body as to why the work had been undertaken by the Local Planning Authority in the first place without the relevant planning consent.

P38/2025 Apologies

Resolved: To receive and accept apologies for absence from Cllrs Campbell, Cornthwaite, Finch and Ladhams.

P39/2025 Declarations of Interest

No declarations of interest were raised under this item.

P40/2025 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no excluded items on the agenda.

P41/2025 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 14 July 2025 and to authorise the Chair to sign them as a true record.

P42/2025 Minute Action Sheet

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

P43/2025 Planning Process and Issues

There was nothing to raise under this item.

P44/2025 Kendal Town Council Flood Relief Scheme Working Group

In the absence of Cllr Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, Cllr Ladhams informed the Committee that Cllr Cornthwaite had written to both the Environment Agency and Westmorland and Furness Council regarding the error in the height of the flood wall and as to what should be done. The Town Clerk added that he had also written to the Planning Department at Westmorland and Furness Council and that a response had been received stating that the matter had been placed on the enforcement file for consideration.

Cllr Supka displayed photographs of the wall close to the pedestrian traffic lights at Miller Bridge in which the ground level was significantly lower than the top of the wall. Cllr Supka explained that, given that any flood water could flow around the wall at that point, the height of the wall should be approximately 15cm lower than the current height.

The Town Clerk stressed the fact that the matter was now in the hands of the enforcement team at Westmorland and Furness Council and that the matter would, in due course, be brought back to Committee.

Resolved: To note the verbal update.

P45/2025 Kendal Town Council Local Plan Action Group

There was nothing to raise under this item.

P46/2025 Planning Applications

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

Note - Cllr Hennessy, Local Ward Member, spoke in relation to No.4, Planning Application No. 2025/1279/FPA (Amenity open grassed land adjacent to 73 Lingmoor Rise, Kendal LA9 7NR), stating that he was not in support of the application. Whilst he acknowledged that it was not a planning consideration, he questioned the ownership of the land. He further expressed disappointment in the retrospective

nature of the application and, in addition, the claim that there was no requirement for Biodiversity Net Gain.

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: 28 July 2025
Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	2025/1214/FPA	Station Inn Beehive Lane New Hutton Kendal LA9 7RF Erection of timber decking & covered seating area (Retrospective)	Oxenholme	28 July	No Material Objection , however, the Committee expresses disappointment at the retrospective nature of the application.
2	2025/1257/LBC	Tesco Stores Ltd 26-28 Highgate Kendal LA9 4SX Listed Building Consent to paint Tesco express branding like for like, apply new store address & Est. yr. vinyl lettering to new fascia, apply store directory vinyl to glazing internally and Install new projecting sign made of 2 mm formed aluminium powder coated white RAL 9010 with Tesco in opal 030 Avery 4509 Red 431, Express and blips in Opal 030-Avery 5600 LD/082 A blue letters. Sides, top and bottom to be blue as per fascia.	Fell	29 July	No Material Objection
3	2025/1288/LBC	Kendal Town Hall Highgate Kendal LA9 4DL Listed Building Consent for the replacement of fire shutter to a fire rated glazed door	Fell	1 August	No Material Objection and the Committee welcomes this conclusion.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
4	2025/1279/FPA	<p>Amenity open grassed land adjacent to 73 Lingmoor Rise Kendal LA9 7NR</p> <p>Change of use of amenity land to extend garden curtilage & erection of a random local stone boundary wall (retrospective)</p>	Castle	5 August	<p>Material Objection on the grounds of loss of relatively scarce amenity land to the local area which is needed in Heron Hill and loss of biodiversity to this area, which creates part of the biodiversity pathway through this estate. The Committee further expresses disappointment at the retrospective nature of the application.</p>
5	2025/0313/HOU	<p>Sunny Cote Sunnyside Kendal LA9 7DJ</p> <p>Proposed replacement ground floor porch and first floor sun room with glazed units in timber frames and a new door. Existing glazed roof to be replaced with lead using traditional bottle joints</p>	Mintsfeet	5 August	<p>No Material Objection and the Committee commends the proposed Biodiversity Net Gain shown within the application.</p>

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Minutes of a meeting of the Planning Committee held on Monday, 18 August 2025, at 6.30 p.m., in the Council Chamber at the Town Hall, Highgate, Kendal.

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

In attendance: Democratic Services Assistant and Development and Delivery Manager (Deputy Clerk).

Also present: One member of the public.

P47/2025 Apologies

Resolved: To receive and accept apologies for absence from Cllrs L Edwards and D Miles.

P48/2025 Declarations of Interest

Cllr Ladhams declared an interest in Agenda Item No.11 (Planning Applications) 2025/1281/FPA (Kendal United Football Club, Castle Grove, Kendal, by virtue of the fact that she had, in her role as Chair of Westmorland and Furness Council's Licensing Committee, provided advice to the Club. She pointed out, however, that she was not biased or predetermined and would remain in the Chamber and take part in the discussion and voting on the item.

Cllr Rathbone declared an interest in Agenda Item No.10 (2025/1436/SCOPE, Land West of Burton Road) by virtue of the fact that he was the Westmorland and Furness Council Ward Member for that area and had had dealings with resident groups and Natland Parish Council with regard to this scope. He pointed out, however, that he was not biased or predetermined and would remain in the Chamber and take part in the discussion and voting on the item.

P49/2025 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no excluded items on the agenda.

P50/2025 Minutes of the Previous Meeting

Attention was drawn to the addition within the minutes due to be signed of Cllr T Martland's name within the section identifying those also present at the meeting.

Cllr Supka drew attention to the second paragraph within Minute No.P44/2025 (Kendal Town Council Flood Relief Scheme Working Group). He advised that what appeared was not what he had actually stated. It was suggested, therefore, that appropriate wording might be considered prior to the next meeting of the Committee in order that a suitable amendment could be raised at that time.

Resolved: To defer a decision on this item to the next meeting of the Committee due to be held on 1 September 2025.

P51/2025 Minute Action Sheet

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

P52/2025 Planning Process and Issues

There was nothing to raise under this item.

P53/2025 Kendal Town Council Flood Relief Scheme Working Group

Cllr Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, informed the Committee that he currently had no update. No date had yet been scheduled for the next meeting of the Group. This would take place once reliable information had been shared by the Environment Agency on upstream storage.

In response to a query, Cllr Cornthwaite undertook to find out why half of the entire length of Aynam Road had been blocked off during the summer holidays, with no apparent work being carried out.

In response to a further query regarding the floodgates being 7cm below the top of the finished wall on New Road, it was pointed out that this had already been brought to the attention of the Local Planning Authority.

Resolved: Cllr Cornthwaite to seek a response on the closure of half of Aynam Road during the summer holidays and to report back.

Resolved: To note the verbal update.

P54/2025 Kendal Town Council Local Plan Action Group

There was nothing to raise under this item.

P55/2025 Highways Act 1980 Section 119 - Proposed Diversion of Public Footpath 536013 at Kendal

The Committee gave consideration as to whether it wished to make comments regarding the proposed diversion order of a section of public footpath 536013, at Kentrigg in the parish of Kendal.

Resolved: To advise Westmorland and Furness Council that Kendal Town Council has no comment on the proposed diversion order.

P56/2025 [2025/1436/SCOPE](#), Land West of Burton Road

Note - Cllr Rathbone declared an interest in this item by virtue of the fact that he was the Westmorland and Furness Council Ward Member for the area and had had dealings with resident groups and Natland Parish Council with regard to this scope. He pointed out, however, that he was not biased or predetermined and remained in the Chamber and took part in the discussion and voting on the item.

The Committee considered the Council's response to the applicant's request for a scoping opinion on its Environmental Impact Assessment for a development of 450 houses on land west of Burton Road, in Natland Civil Parish.

It was suggested that the Committee should consider whether the proposals to 'scope out' certain topics from the EIA were valid. However the complexity of the issues could preclude effective consideration in the limited time of a Planning Committee.

Whilst it was acknowledged that the application fell within the Parish of Natland, its impact on facilities within Kendal was stressed.

Resolved: To note the applicant's request to the Planning Authority for a Scoping Opinion on its Environment Statement for a proposal to build up to 450 houses on land to the west of Burton Road, Kendal.

Resolved: Due to the size and nature of the proposed development, Kendal Town Council would expect all of the topics described by the Town and Country Planning (EIA) Regulations 2017 to be included within the scope of its Environmental Impact Assessment.

Resolved: Bearing in mind the large impact of the application on the facilities in Kendal, the Committee expects the applicant to engage with Kendal Town Council as a part of its pre-application community engagement.

P46/2025 Planning Applications

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

Note – Attention was drawn to the fact that the Committee would consider planning applications received and published by the Local Planning Authority up to the date of the meeting. Where the publication of the application was after the initial publication of the agenda, items would be added up to the day of the meeting where necessary to meet planning consultation timeframes. Planning Application No.2025/1545/NMA, Land Off Kendal Parks Road, Kendal, details of which had been received by the Town Clerk on 14 August 2025, was, therefore, accepted by the Chair for consideration at this meeting.

Note - Cllr Ladhams declared an interest in Planning Applications 2025/1281/FPA (Kendal United Football Club, Castle Grove, Kendal, by virtue of the fact that she had, in her role as Chair of Westmorland and Furness Council's Licensing Committee, provided advice to the Club. She pointed out, however, that she was not biased or predetermined and remained in the Chamber and took part in the discussion and voting on the item.

Note – At the start of consideration of Planning Applications 2025/0902/FPA and 2025/0903/LBC (109 Burneside Road, Kendal), Cllr Finch declared an interest by virtue of the fact that he was acquainted with the applicant. He remained in the Chamber, however, did not take part in the discussion or voting on the item.

Note – During consideration of Planning Application 2025/1239/FPA (Land adjacent to 35 Queen Katherine Street, Kendal), Cllr Rathbone declared an interest by virtue of being Westmorland and Furness Council's representative on the Lancaster Canal Regeneration Partnership. He pointed out, however, that he was not biased or predetermined and remained in the Chamber and took part in the discussion and voting on the item.

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

The meeting closed at 8.50 p.m.

Kendal Town Council
 Responses from Planning Committee: 18 August 2025
Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	2025/1281/FPA	<p>Kendal United Football Club Castle Grove Kendal LA9 7AY</p> <p>Change of use of existing football clubhouse and changing rooms (Use Class F2) to sporting facilities with ancillary licensed bar operation (Use Mixed use Class F2/Sui Generis)</p>	Castle	20 August	<p>No Material Objections subject to the Environmental Protection Officer’s comments being appropriately addressed regarding controlling the design and timing of the additional lighting; the provision of details on appropriate opening hours; the neighbours’ concerns regarding additional noise being addressed; and ensuring sufficient acoustic standards.</p>
2	2024/0571/FPA	<p>Land adjacent to River Kent on the west side of the Jennings Yard Footbridge Kendal LA9 4EN</p> <p>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 (further information)</p>	Castle / Highgate / Mintsfeet	20 August	<p>No Material Objections</p>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
3	2025/1364/LBC	<p>Kendal Library Stricklandgate Kendal LA9 4PY</p> <p>Listed Building Consent to undertake essential repairs to a section of the external façade to prevent water ingress, and to carry out re-roofing works</p>	Fell	20 August	No Material Objections
4	2025/1390/ADV	<p>7 Stricklandgate Kendal LA9 4NB</p> <p>Advertisement consent for 4 illuminated fascia signs & an illuminated bus stop sign</p>	Fell	21 August	No Material Objections subject to the comments of the Conservation Officer being suitably addressed.
5	2025/0902/FPA	<p>109 Burnside Road Kendal LA9 6DZ</p> <p>Erection of a new holiday let and conversion of existing building to create a second holiday let (Retrospective) with two replacement windows and a new 1.2m high fence to the rear of Aikrigg End Cottage (further information)</p>	Strickland	19 August	No Material Objection subject to the Planning Officer and neighbours being satisfied that the proposed fence is adequate.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
6	2025/0903/LBC	<p>109 Burneside Road Kendal LA9 6DZ</p> <p>Erection of a new holiday let and conversion of existing building to create a second holiday let (Retrospective) with two replacement windows and a new 1.2m high fence to the rear of Aikrigg End Cottage (further information)</p>	Strickland	19 August	No Material Objection subject to the Planning Officer and neighbours being satisfied that the proposed fence is adequate.
7	2025/1406/HOU	<p>29 Whinlatter Drive Kendal LA9 7HE</p> <p>Proposed single storey front & side extensions & new dwarf stone boundary wall</p>	Oxenholme	27 August	No Material Objections subject to obtaining an acceptable Arboricultural Report and the Planning Officer being satisfied with regard to the height and materials to be used for the dwarf stone wall being in keeping with the character and appearance of the immediate area.
8	2025/1458/FPA	<p>Town and Village Green area Kendal Fell Kendal</p> <p>Variation of condition 2 (approved plans) attached to planning permission SL/2021/1147 (Signs and viewing platforms)</p>	Fell	28 August	No Material Objections

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
9	2025/1239/FPA	<p>Land adjacent to 35 Queen Katherine Street Kendal LA9 7DG</p> <p>Change of use of vacant, overgrown land under a garden tenancy agreement to domestic garden with erection of a 1800 mm high vertical timber 'featherboard' boundary fence</p>	Mintsfeet	28 August	<p>No Material Objections provided that the height of the fence is reduced by the order of 2 feet and ensuring appropriate conditions that the land remains in the control of Westmorland and Furness Council and not sold on to the property owner.</p>
10	2025/1472/FPA	<p>44 Heron Hill Kendal LA9 7JD</p> <p>Variation of condition 2 (approved plans) attached to planning permission 2024/1797/FPA (Proposed detached rear garage)</p>	Heron Hill	28 August	<p>No Material Objections</p>
11	2025/1545/NMA	<p>Land off Kendal Parks Road Kendal LA9 7SN</p> <p>Non Material Amendment to replace the as approved Method Statement for work around Natland Beck with an updated version (Revision 1) attached to planning permission SL/2018/0959</p>	Heron Hill	21 August	<p>Given the fact that work was originally stopped due to potential damage to Natland Mill Beck, the Committee does not consider this potential change to be a non-material amendment and would, therefore, require a longer period of time to be able to assess this matter and would, therefore, request that the deadline for Kendal Town Council's comments is extended to 3 September 2025. If this additional time is not allowed, then the Committee would provide a Material Objection to the amendment on the basis of the potential adverse impact on Natland Mill Beck and its local ecology.</p>

Item No.5

Planning Committee - Minute Action Sheet - as at 11 August 2025

Ref. No.	Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible (CB unless stated)	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. (17/03/2025 - The Chair and the Town Clerk to discuss the matter of a draft statement in relation to out of town food outlets and to alter the commencement date on the sheet to 17 March 2025.)	DFR/CB		17/03/2025	To be drafted
53	17/03/2025	P180/2024	Minute Action Sheet	The Town Clerk to present a report on Planning Training for Members to the Committee in April 2025.	CB			Being collated
56	02/06/2025	P6/2025	Planning Process and Issues	The Town Clerk to report back to Committee on receipt of a response from Westmorland and Furness Council regarding its "non-statutory allotment land."	CB		22/05/2025 initially 07 Aug 25	Brief didscussion followed by request for further information.

Ref. No.	Meeting Date	Minute No.	Title	Action (Resolution)	Officer Responsible (CB unless stated)	Deadline, if any	Date Action Commenced	Comments
58	16/06/2025	P18/2025	Shop Front Design Toolkit	To ask Westmorland and Furness to update the current Shop Front Design Toolkit.	CB		18-Jun-25	Scoping session held with KF and W&FC Econ Dev team. Next step will be Econ Dev taking conersation to Planning Policy colleagues and reporting to Town Team.
59	18/08/2025	P53/2025	Aynam Road	Cllr Corthwaite to seek response on closure of half of Aynam Road	JC			

Chris Bagshaw

From: Howard, Nick <*****@westmorlandandfurness.gov.uk>
Sent: 19 August 2025 09:33
To: Chris Bagshaw
Cc: Gareth.Candlin; Cllr Phil Dixon; Cllr Vicky Hughes; Cllr Doug Rathbone; Helen Ladhams; Cllr Jonathan Cornthwaite; Martin, Andrew
Subject: Reach F3, Kendal Flood Relief Scheme 2024/0216/FPA

Dear Chris

Further to the letter you forwarded from Cllr Doug Rathbone on 17 July and following confirmation from the Environment Agency that its flood defence wall adjoining New Road Common has been constructed 50 - 70mm higher than approved, the local planning authority has considered whether enforcement action to remedy this breach is warranted. Officers have considered the impact of the increase in height against the range of planning considerations applied in the determination of the extant planning permission for this section of the flood defences, approved under reference 2024/0216/FPA, which itself approved an increase in height on the original planning permission for Phase 1 of the Kendal Flood Risk Management Scheme, approved under reference SL/2018/0925. It has been confirmed that the top of the concrete core of the wall, the impermeable flood defence element, remains unchanged; the increase in height is due to the application of a different coping.

While noting the point that an additional 50 - 70mm could have disproportionately negative effects on top of a wall that, in places, is already in excess of 1.6m high, those effects are only likely to be significant when viewed at close quarters. In practice, this means views from within New Road Common. And, for the most part, the perceived height of the wall relative to the adjoining ground level in the Common is now lower than it was when application 2024/0216/FPA was approved, a consequence of the subsequent non-material amendment (granted under reference 2025/0366/NMA), which permitted the raising of the ground level in the Common abutting the wall by 200 – 250mm. The additional 50 - 70mm of wall will be most noticeable at the new pedestrian accesses towards the northern end of the Common, adjoining Gooseholme footbridge and the light-controlled crossing opposite Blackhall Road. This is where the approved wall is already at its highest and the amendments in the NMA less beneficial. Nevertheless, even here, the negative effects are limited.

The local planning authority is not obliged to take enforcement action when faced with a breach of planning control. On the contrary, we have a statutory duty to consider the expediency of doing so on a case-by-case basis. And, in this case, having reviewed the breach against the key planning considerations, officers have concluded that while the increased height is regrettable, there would be insufficient grounds to take enforcement action.

Kind regards

Nick Howard
Senior Development Manager | Inclusive and Green Growth
Thriving Places | Westmorland and Furness Council
South Lakeland House, Lowther Street, Kendal
Tel: 0300 3733300
Email: *****@WestmorlandandFurness.gov.uk

Kendal Town Council
 Applications for Planning Committee: 1 September 2025
Appendix 1

Item No.9

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	2025/1370/HOU	13 Sunnyside, Kendal LA9 7DJ Proposed replacement front door and top light	Mintsfeet	12 September	
2	2025/1529/SCREE N	Kendal Flood Risk Management Scheme Reach A Kendal Request for a Screening Opinion to establish if the modification of the approved embankment and flood walls at Reach A (the Proposed Development), on the eastern side of the River Kent and northern side of the River Mint, amounts to EIA development	Mintsfeet	1 September	
3	2025/1494/HOU	1 Belmont Kendal LA9 4JP Four replacement timber windows & replacement of 2 concrete cills	Fell	18 September	
4	2025/1528/HOU	Skewgarth High Tenterfell Kendal LA9 4PQ Proposed three new dormer windows to facilitate loft conversion to form more habitable space	Fell	18 September	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
5	2025/1498/PACOU	<p>36 Finkle Street Kendal LA9 4AB</p> <p>Prior Notification under schedule 2, part 3, class G for the change of use of commercial, business and service (Use Class E) to a mixed use of Use Class E on ground floor and 2 flats on the upper 2 floors (Use Class C3)</p>	Fell	4 September	
6	2025/1506/HOU	<p>Newlands 37 Milnthorpe Road Kendal LA9 5QG</p> <p>Accoya double glazed replacement windows to front and side</p>	Kirkland	12 September	
7	2025/1071/FPA	<p>Skewmount, High Tenterfell, Kendal LA9 4PQ</p> <p>Subdivision of single dwelling into 3 separate dwellings with a small side extension</p>	Fell	5 September	
8	2025/1513/HOU	<p>9 Beech Hill Terrace, Kendal LA9 4PP</p> <p>Replacement roof to rear (west) outriggers and replacement windows</p>	Fell	12 September	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
9	2025/1565/DISC	<p>Kendal Nutricare Ltd, Lake District Business Park, Mint Bridge Road, LA9 6NL</p> <p>Approval of Details Reserved by Condition 6 (Additional riverside planting) attached to planning permission SL/2023/0163</p>	Mintsfeet	10 September	
10	2025/1586/FPA	<p>Cherry Tree, Kentrigg, Kendal LA9 6EE</p> <p>Variation of condition 2 (approved plans) attached to planning permission 2024/1426/FPA (Alterations to replace existing conservatory and extension to create new extensions)</p>	Strickland	13 September	
11	2025/1432/HOU	<p>6 Langdale Crescent, Kendal LA9 6JU</p> <p>Two storey side extension for accessible bathroom and bedroom accommodation</p>	Nether	13 September	
12	2025/1481/FPA	<p>Market Hall, Market Place Kendal LA9 4LR</p> <p>Proposed outdoor heat pump & high-level extract fans</p>	Fell	18 September	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
13	2025/1558/FPA	<p>Formentor, Oxenholme, Kendal LA9 7RF</p> <p>Extension of domestic horse stables approved under planning permission SL/2022/0715.</p>	Oxenholme	13 September	