

Kendal Town Council

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



11 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, 18 August 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 7)**

To receive the minutes of the meeting held on 28 July 2025 and to authorise the Chair to sign them as a true record.
- 5. Minute Action Sheet (pages 8 to 9)**

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**

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. Highways Act 1980 Section 119 - Proposed Diversion of Public Footpath 536013 at Kendal (pages 10 to 11)**

To consider whether the Committee wishes to make comments regarding the proposed diversion order of a section of public footpath 536013, at Kentrigg in the parish of Kendal.
- 10. [2025/1436/SCOPE](#), Land West of Burton Road (pages 12 to 13)**

To consider 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.
- 11. Planning Applications (pages 14 to 16)**

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/>

Kendal Town Council

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



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 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, explaining how the wall as built at this point was not required at all.

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	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.
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	No Material Objection and the Committee commends the proposed Biodiversity Net Gain shown within the application.

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	14/07/2025	P35/2025	Kendal Town Council Flood Relief Scheme Working Group	The Chair of the Kendal Town Council Flood Relief Scheme Working Group to submit a complaint to the Environment Agency and Planning Authority as per his report, and the Chair of the Planning Committee and the Town Clerk to write to the Enforcement at the Planning Authority with initial complaints and seeking detailed information on the height of the wall at New Road as built, with the matter to be brought back to the next meeting of the Committee for consideration on how to move forward and subsequent action with Enforcement.	CB/JC/DFR		16/07/2025	Response received confirms an Enforcement case has been raised for investigation.

From: Hart, Louise <louise.hart@westmorlandandfurness.gov.uk>

Sent: 01 August 2025 15:07

Subject: Highways Act 1980 S119, Proposed Diversion Order 536013 - Informal Consultation

Dear Sir or Madam,

**HIGHWAYS ACT 1980 SECTION 119
PROPOSED DIVERSION OF PUBLIC FOOTPATH 536013 AT KENDAL**

I shall be pleased to receive any comments that you might wish to make regarding the proposed diversion order of a section of public footpath 536013, at Kentrigg in the parish of Kendal, as shown on the attached plan.

The diversion has been proposed by the countryside access team. A section of the footpath has been washed out by the River Kent so, for the benefit of the public and to preserve the integrity of the route for the future, it is felt that this diversion should be undertaken.

The central grid reference is: 351709, 494683

The nearest postcode is: LA9 6ED

A reply by August 29th would be appreciated.

Many thanks,
Louise

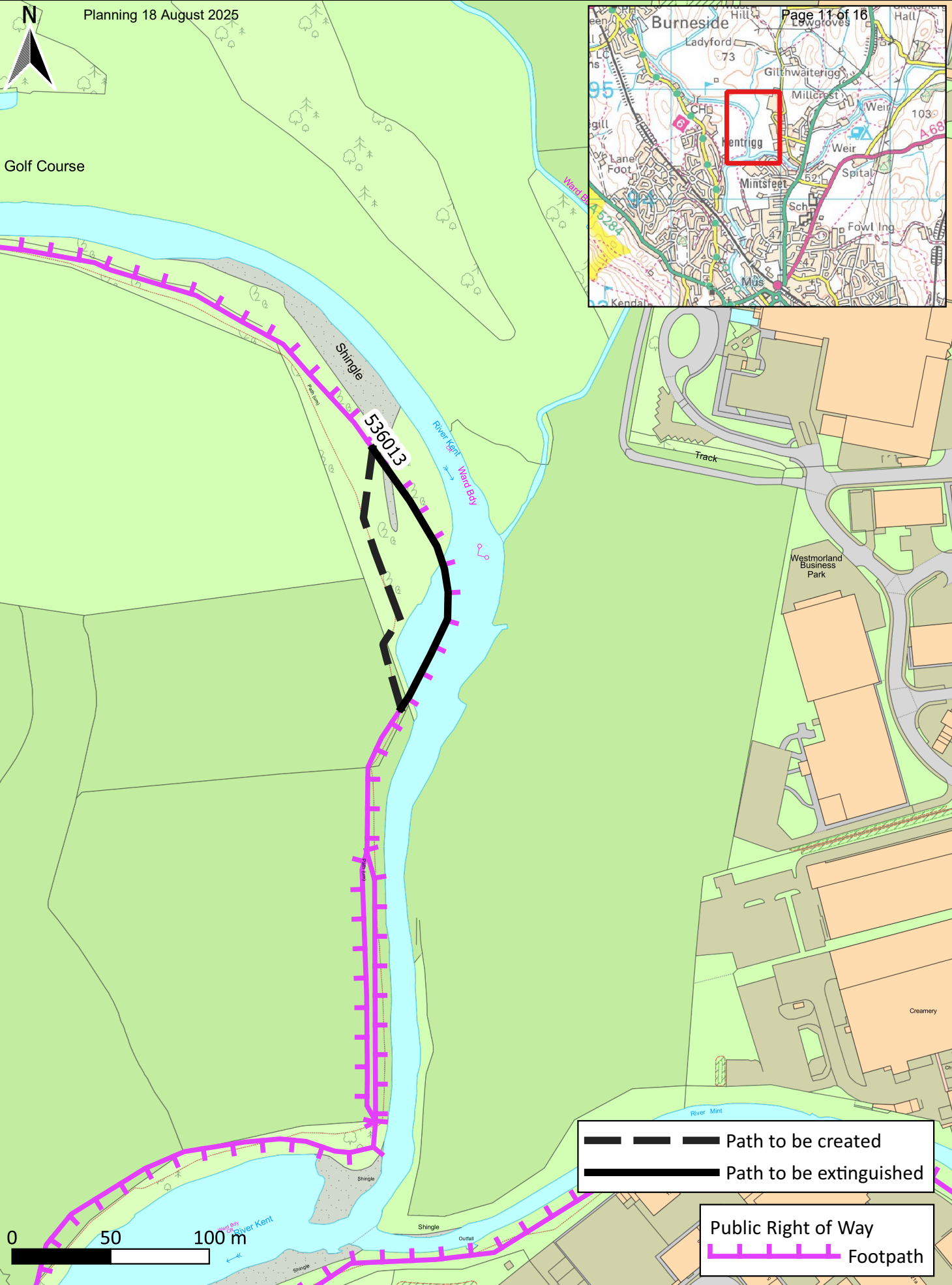
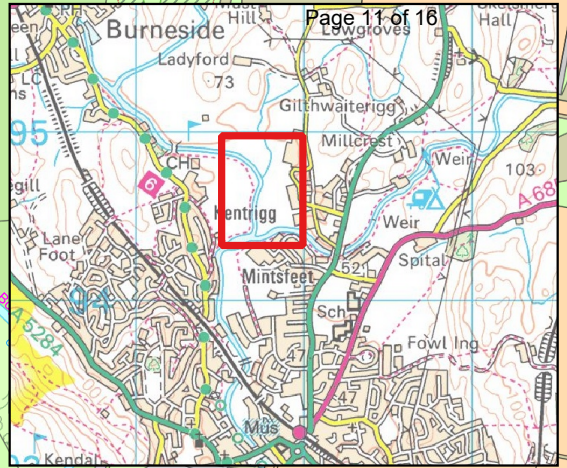
Louise Hart
Countryside Access Officer



Highways Assets and Strategy | Sustainable Transport and Highways
Thriving Place Directorate | Westmorland and Furness Council
Eamont Building | Skirsgill Depot | Penrith | Cumbria | CA10 2BQ



Mob: 07585 795706

louise.hart@westmorlandandfurness.gov.uk

westmorlandandfurness.gov.uk



 Path to be created
 Path to be extinguished

 Public Right of Way
 Footpath

**Highways Act 1980 Section 119
PROPOSED Public Footpath Diversion Order**



Kendal Town Council

Agenda Report

Committee: Planning	Meeting Date 18 August 2025
From: Town Clerk	Agenda No: 10
Description: 2025/1436/SCOPE, Land West of Burton Road	

Summary

To consider 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.

Background

The Council was not notified of this application, nor has the developer engaged with the Council in discussions relating to the development. However, the proposed development is very large, and is on land immediately adjacent to the Civil Parish of Kendal for its entire eastern boundary. The rest of the proposed development's boundaries abut land in Natland Civil Parish, for which the northern boundary (with Kendal) is Natland Mill Beck. The northern boundary of the development is less than 275m from the Town Council's allotment site at Rinkfield.

Story Homes worked up a previous proposal for this site in 2022 (a scoping opinion for which was requested from SLDC under SO/2022/000). This involved fewer houses, but included commercial and community facility space. The scheme outlined in the 2025 plan is for up to 450 homes and makes no mention of other uses.

The application is for a Scoping Opinion from the Planning Authority for an Environmental Impact Assessment. This is a process described by the Town and Country Planning (EIA) Regulations 2017. The applicant has set out what it considers are the necessary considerations for its Environmental Impact Assessment (EIA).

It proposes that the following topics are included in the scope of its EIA.

- Transport
- Air Quality and odour
- Landscape and Visual
- Ecology and biodiversity

It proposes that the following are considered out of the scope of the EIA:

- Agricultural land and soils
- Ground conditions
- Water Environment
- Archaeology
- Built heritage
- Noise and vibration
- Socio-economics and human health
- Climate change
- Obtrusive lighting

- Microclimate
- Water and resources
- Risk of major accidents and/or disasters

These topics will mostly be covered by the subsequent Planning Application, but will not be the subject of specific pre-application consideration.

The Planning Authority is required to consult Statutory Consultees on requests for a Scoping Opinion. The Town Council is not a Statutory Consultee, and under W&FC's current rules would not even be notified of the Planning Application, because it falls outside the Civil Parish of Kendal.

Recommendation

The Committee should consider whether the proposals to 'scope out' certain topics from the EIA are valid. However the complexity of the issues may preclude effective consideration in the limited time of a Planning Committee. On this basis it is suggested that:

The Committee notes 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.

That the Committee expects the applicant to engage with Kendal Town Council as a part of its pre-application community engagement.

Kendal Town Council
 Applications for Planning Committee: 18 August 2025
Appendix 1

Item No.11

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	
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 (<i>further information</i>)</p>	Castle / Highgate / Mintsfeet	20 August	
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.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
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	
5	2025/0902/FPA	<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 (<i>further information</i>)</p>	Strickland	19 August	
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 (<i>further information</i>)</p>	Strickland	19 August	

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
7	2025/1406/HOU	29 Whinlatter Drive Kendal LA9 7HE Proposed single storey front & side extensions & new dwarf stone boundary wall	Oxenholme	27 August	
8	2025/1458/FPA	Town and Village Green area Kendal Fell Kendal Variation of condition 2 (approved plans) attached to planning permission SL/2021/1147 (Signs and viewing platforms)	Fell	28 August	
9	2025/1239/FPA	Land adjacent to 35 Queen Katherine Street Kendal LA9 7DG 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	Mintsfeet	28 August	
10	2025/1472/FPA	44 Heron Hill Kendal LA9 7JD Variation of condition 2 (approved plans) attached to planning permission 2024/1797/FPA (Proposed detached rear garage)	Heron Hill	28 August	