

Kendal Town Council

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



21 July 2025

To Members of the Planning Committee

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

You are summoned to a meeting of Kendal Town Council Planning Committee on **Monday, 28 July 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 flourish.

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 8)**

To receive the minutes of the meeting held on 14 July 2025 and to authorise the Chair to sign them as a true record.
- 5. Minute Action Sheet (pages 9 to 10)**

To consider a report on actions taken by officers on resolutions or recommendations made at previous meetings.
- 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 (pages 11 to 12)**

To receive the notes of the meeting of the Kendal Town Council Flood Relief Scheme Working Group held on 9 July 2025 and 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 13 to 14)**

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, 14 July 2025, at 6.30 p.m., in the Georgian Room at the Town Hall, Highgate, Kendal.

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

In attendance: Inge Booth (Democratic Services Assistant) and Natalia Williams (Development and Delivery Manager (Deputy Clerk)).

Also present: Seven members of the public.

Public Participation

Michelle Rothwell, representing Watch this Space, addressed the Committee with regard to a forthcoming planning application for the Flock Business Park on Shap Road. She drew the Committee's attention to recent projects carried out by the organisation – Billy's Space in Staveley and a Co-living Scheme in Windermere. The organisation's skill was to do things differently and it had won several national and regional awards for its work. Ms Rothwell referred to the previous scheme for the site on Shap Road and explained that the owner of the site had now asked Watch this Space to bring the site forward and to make it deliverable. She had, therefore, spent the last year carrying out research with regard to demand and how to make it work and believed now that there was a deliverable scheme. The intention was to submit an application to the Planning Authority in September 2025, however, the organisation wished in the meantime to seek views in order to attempt to address any comments or concerns raised. She pointed out, in particular, the plan to remove the roundabout which had been included in the previous application for the site. In addition, the size of the field had been doubled, and the application now covered both plots of land. She also drew attention to the inclusion of trees to mitigate the impact of the site on Kendal. Ms Rothwell informed the Committee that the organisation was also speaking to local businesses, Kendal Futures and the public, with a public consultation due to take place on 14 July 2025 at Carus Green. Details were also available on the organisation's website and on social media.

P29/2025 Apologies

Resolved: To receive and accept apologies for absence from Cllrs Campbell and R Edwards.

P30/2025 Declarations of Interest

No declarations of interest were raised under this item.

P31/2025 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no excluded items on the agenda.

P32/2025 Minutes of the Previous Meeting

Resolved: To receive and accept the minutes of the previous meeting of the Planning Committee held on 30 June 2025 and to authorise the Chair to sign them as a true record.

P33/2025 Minute Action Sheet

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

P34/2025 Planning Process and Issues

There were no issues to report under this item.

P35/2025 Kendal Town Council Flood Relief Scheme Working Group

Cllr Cornthwaite, Chair of the Kendal Town Council Flood Relief Scheme Working Group, reported on the meeting which had taken place on 9 July 2025, in the form of a site visit with the Environment Agency at New Road Common. The Group had been taken through progress on the various reaches in that area. Waterside had moved on considerably, with less disruption to neighbours and businesses; the café was due to open in the following week. Works at Gooseholme were progressing well, and the Engineer in Charge had been positive that dates set for completion would be met. New Road Common had been opened up and was accessible by the public. However, regrettably, the Environment Agency explained that there had been an oversight on the build in the height of the wall, with the finished build height being approximately 70mm higher than what had been approved by the Planning Authority. Cllr Cornthwaite expressed disappointment in both the manner in which this had been brought to the Group's attention and also given the time and effort which the Town Council had put into ensuring that the area remained fit for purpose but had failed; the least that could have been expected was for the build which had been approved to be correct.

The Committee discussed the matter at some length, considering how the matter should be addressed. Whilst it was felt that the Committee should attempt to seek for enforcement action to be taken, Members suggested the need first for additional information on measurements and as to whether there was a material difference as currently believed. To this end it was proposed that the Group should write to the Environment Agency and that the Committee and the Town Clerk should send initial complaints to Westmorland and Furness Council, with the matter to be brought back to the next meeting of the Committee for consideration on the way forward, including detailed information on the height of the wall as built.

Resolved: To note the verbal update.

Resolved: 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.

P36/2025 Kendal Town Council Local Plan Action Group

There were no issues to report under this item.

P37/2025 Planning Applications

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

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

The meeting closed at 7.15 p.m.

Kendal Town Council
 Responses from Planning Committee: 14 July 2025
Appendix 1

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	2025/1122/FPA	37-39 Highgate Kendal LA9 4ED Minor alterations to re-open and widen a side entrance door from Tanners Yard which has previously been infilled. This will therefore reinstate secondary access to the property. Provision of an accessible WC and a small kitchenette on the ground floor, enhancing both the accessibility and functionality of the space.	Highgate	16 July	No Material Objections subject to the Countryside Access Officer's and the Conservation Officer's comments being addressed.
2	2025/0601/HOU	16 Hillswood Avenue Kendal LA9 5BT Two storey side extension with single storey rear extension (<i>further information</i>).	Kirkland	9 July	Material Objection. The new design as shown still appears too large in the context, and therefore should be rejected for its scale and dominance, as stated previously. The Committee, however, takes a positive view with regard to the inclusion of Biodiversity Net Gain.

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
3	2025/1190/FPA	<p>Land South of Underbarrow Road Kendal LA9 5RS</p> <p>Variation of condition 2 (approved plans) attached to planning permission SL/2019/0398 (Residential development for 84 dwellings with associated access, landscaping and drainage works).</p>	Fell	16 July	Material Objection. The Committee agrees with the comments raised by neighbours. There is no material reason that the Committee can see to vary the conditions of the original planning application. The Committee opposes this application to change Condition 2 as it will result in the destruction of habitat and loss of biodiversity.
4	2025/1200/HOU	<p>39 Milnthorpe Road Kendal LA9 5QG</p> <p>Proposed single storey rear extension, landscape alterations and replacement garage roof.</p>	Kirkland	16 July	No Material Objections subject to the comments raised by the Arboriculturist being followed and subject to the inclusion of a bat box and swift brick for Biodiversity Net Gain.
5	2025/1136/HOU	<p>Norfolk House 9 Thorny Hills Kendal LA9 7AL</p> <p>Take down the middle chimney stack of three and to provide a lead damp proof course prior to rebuilding. The proposal includes the replacement of lead flashing and soakers to the perimeter of the chimney stack.</p>	Mintsfeet	17 July	No Material Objections

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
6	2025/1137/LBC	Norfolk House 9 Thorny Hills Kendal LA9 7AL Listed Building Consent to take down the middle chimney stack of three and to provide a lead damp proof course prior to rebuilding. The proposal includes the replacement of lead flashing and soakers to the perimeter of the chimney stack.	Mintsfeet	17 July	No Material Objections
7	2025/1231/HOU	7 Wray Crescent Kendal LA9 7NX Proposed single storey side extension and front porch.	Heron Hill	22 July	No Material Objections , however, the Committee would wish to see the proposals for Biodiversity Net Gain being made a condition.
8	2025/1259/HOU	22 Serpentine Road KENDAL LA9 4PD Replacement single glazed windows with like for like double glazed windows	Fell	28 July	No Material Objections and the Committee commends the like for like approach with regard to design and materials.

Item No.5

Planning Committee - Minute Action Sheet - as at 21 July 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	Awaiting response

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.

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DRAFT Notes from a Kendal Flood Relief Scheme Working Group meeting held at 5.30pm on Wednesday 26 March 2025, commencing at New Road, Kendal and progressing to Stramongate Bridge, via Gooseholme.

Cllr J Brook	Apologies	Cllr D Rathbone	Apologies
Cllr J Cornthwaite (Chair)	Present	Cllr P Thornton	Apologies
Cllr J Dunlop (Vice Chair)	Present	G Harrison (Co-optee)	Present
Cllr S Evans	Present	T McCormick (EA)	Present
Cllr E Hennessy	Apologies	M Ulliyart (EA)	Present
Cllr H Ladhams	Present	Alex Cowin (EA)	Present
Cllr S Long	Apologies	David Park (EA)	Present

In attendance: Chris Bagshaw (Town Clerk)

KFRS 1/2025 Apologies

Apologies were received from Cllrs J Brook, E Hennessy, D Rathbone and P Thornton.

KFRS 2/2025 Notes of the previous meeting

The meeting was held in the open air so, this formality was not included.

KFRS 3/2025 EA Presentation

The session began at Waterside, overlooking the in-river platform working. The EA reported that the spiral flush drilling had progressed successfully, and that piles were now being installed and would be completed by the end of August. There was some slumping which had been countered with additional underpinning and heavy blockwork. The methodology had been finessed now, and the café would be able to re-open on Monday 14 July. The walling would commence in a fortnight, on top of the I-beam kingposts, fitted in the piles. The in-river working deck would be removed next summer. It was suggested that the FRSWG holds one of its meetings in the café.

The group then moved to Reach F3 (New Road) and looked at the metal fencing, where EA had installed a pedestrian gate to enable the wet side to be closed off in flood events. This would include a small standard sign in due course. The large flood gates above the ramp could be opened May-September if the LCWIP plans go ahead, as they would allow a controlled space to be left on the road side, which could be guarded with a bollard. Currently the gates lead out into traffic.

The group observed a discrepancy between the built wall height and the approved height of around 70mm. This was very noticeable around the central crossing flood gates, where the gates are at the same height as the wall's approved inner core, but the oversized coping stones are twice the size of those controversially approved against the Town Council's belief that they were too high. EA Officers explained that a decision had been taken by the

contractor to use the quarried stone as supplied, and not insist that it was replaced with coping stones of the correct size in the specification. The Planning Officer was aware of the issue and was considering what action should be taken. Members expressed concern that this apparent oversight in technical detail severely damaged the credibility of the scheme, albeit in this case delivering something in excess of the required height. The issue would be reported back to the Planning Committee for further consideration.

The group then progressed to the Aynam side of Gooseholme Bridge, having observed the raised levels in front of Melrose Place, which has now been grassed over effectively. The pedestrian gates at Little Aynam will be installed to prevent access to Gooseholme in time of flood. They will match the grey tubing style of the CCC-installed bridge scheme. To cover the ramped access the railings will be extended to a new gatepost, which will allow the bridleway compliant gates to be flush to the railings when open.

It was suggested that the finger post, formerly here, may be with Story Contracting. A contact was suggested at W&FC who may be able to retrieve it. The public art installation here was being commissioned by W&FC.

At the north end of Gooseholme the group looked through the fence to the working site. The steel support piles were expected to be removed from the site around 21 July. The crane will require special traffic access at 5.30am, due to its size. The pitching stone on the new headwall is designed to reduce scour. The former revetment will also be reinstated.

When the site is clear, and there is sufficient water in the river, the pump will be tested before being commissioned. It is intended to have everything clear and the new floodgates fitted by January 2026, after which there will be reinstatement and de-commissioning of the old scheme by July 2026.

The area known as Chantry Garden has had to be re-designed slightly to accommodate mobility access (buggies, wheelchairs etc) but will open as soon as possible.

KFRS 9/2024 Upcoming dates

EA will present to Full Council at the next available meeting.

There will be a meeting to look at Upstream Flood Storage on 24 September 2025, which will be coordinated with an FRSWG meeting on the same day.

The meeting closed at 18.55

Kendal Town Council
 Applications for Planning Committee: 28 July 2025
Appendix 1

Item No.9

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	2025/1214/FPA	<p>Station Inn Beehive Lane New Hutton Kendal LA9 7RF</p> <p>Erection of timber decking & covered seating area (Retrospective)</p>	Oxenholme	28 July	
2	2025/1257/LBC	<p>Tesco Stores Ltd 26-28 Highgate Kendal LA9 4SX</p> <p>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.</p>	Fell	29 July	
3	2025/1288/LBC	<p>Kendal Town Hall Highgate Kendal LA9 4DL</p> <p>Listed Building Consent for the replacement of fire shutter to a fire rated glazed door</p>	Fell	1 August	

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	
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	