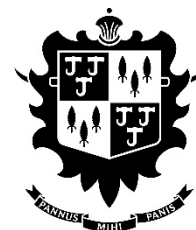


# Kendal Town Council

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



13 May 2026

To Members of the Planning Committee

Cllr J Cornthwaite	Cllr D Rathbone (Chair)
Cllr L Edwards	Cllr G Supka
Cllr R Edwards	Cllr K Teasdale
Cllr H Ladhams (Vice-Chair)	
Cllr T Martland (Vice Chair)	

You are summoned to a meeting of Kendal Town Council Planning Committee on Monday **18 May 2026**, at **6.30pm** in the Council Chamber at the Town Hall, Highgate, Kendal.

**(Distributed to other Members of the Council for information only.)**

Yours faithfully

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](mailto:office@kendaltowncouncil.gov.uk). Information on how to make the application is available on the Council's Website [www.kendaltowncouncil.gov.uk/kendal-town-council/statutory-information/guidance-on-public-participation-at-kendal-town-council-meetings/](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 885432

**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 4 to 9)**

To receive the minutes of the meeting held on 7 April 2026 and to authorise the Chair to sign them as true records.

**5. Minute Action Sheet (pages 10 to 11)**

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

**6. Planning Process and Issues (pages 12 to 17)**

a) 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.

b) To consider the footpath diversion described in the attached notice under the Highways Act 1980, Section 119; Wildlife And Countryside Act 1981, Section 53a(2); Westmorland And Furness Council (Footpath 536013, Kendal Parish) Public Path Diversion And Definitive Map And Statement Modification Order.

**7. Kendal Town Council Flood Relief Scheme Working Group**

To receive a brief verbal report from the Chair 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 (page 18 to 22)

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

The Committee may 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: [Quick Search | Westmorland & Furness Council](#)

# Kendal Town Council

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



## Minutes of a meeting of the Planning Committee held on Monday, 20 April 2026, at 6.30pm, in the Lowther Room at the Town Hall, Highgate, Kendal.

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

**In attendance:** Chris Bagshaw, Town Clerk

### Public Participation

Mr William Woods drew the Committee's attention to a Planning Consent granted to Westmorland and Furness Council for replacement security shutters in the entrance hall of the Town Hall (2025/1288/LBC). Mr Woods reported that the Discharge of Conditions letter from the Planning Authority specified that the work be started within 4 months of the Notice of Discharge of Conditions. Having viewed the shutters in situ with a number of elected members prior to the meeting, he suggested that no work had been carried out, and that the application consent should therefore be considered to have lapsed.

The Chair thanked Mr Woods for his diligence and tenacity on this issue, and asked the Clerk to raise the issue with the Planning Authority as soon as possible.

### P195/2025 Apologies

None were received.

### P196/20025 Declarations of Interest

Cllr Rathbone drew the Committee's attention to his role as an observer on Brewery Arts board for Westmorland and Furness Council. The role did not conflict with his capacity to be impartial on item 9.8. Cllr Ladhams drew members' attention to her acquaintance with the applicant in item 9.10, through the Friends of Fletcher Park, but this did not extend to being any form of interest or conflict. Cllr Cornthwaite reminded members that the application from the Environment Agency had already been previewed by the Flood Relief Scheme Working Group, but no predetermination was made.

### P197/2025 Exclusion of Press and Public (Public Bodies Admission to Meetings Act 1960)

There were no excluded items on the agenda.

### P198/2025 Minutes of the Previous Meeting

**Resolved:** To receive and accept the minutes from the meeting held on 7 April 2026 and to authorise the Chair to sign them as a true record.

### P199/2025 Minute Action Sheet

Following on from the notes from the previous meeting it was proposed to diarise an Out of Town food outlets policy (Ref no 22) and Planning Training for councillors (Ref no 53) forward an additional month (to May/June 2026).

**Resolved:** To diarise an additional month to the deadlines for Ref nos 22 and 53.

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

#### **P200/2025 Planning Process and Issues**

The Committee considered the points raised in Public Participation concerning the issue of the reception doors in the Town Hall, particularly whether it should be raised as an issue of Planning Enforcement.

**Resolved:** To draw the issue to the attention of the Planning Authority, expressing the Committee's disappointment that the satisfactory resolution of this retrospective application was still in doubt.

#### **P201/2025 Kendal Town Council Flood Relief Scheme Working Group**

The Chair of the Working Group reminded members that the next meeting of the working group would be Thursday 23 April 2026, 6:30pm at the Flood Hub, with a Teams link also available.

He reported that there had been several queries about how United Utilities fits in to flood and planning arrangements for the town, and suggested answers might be found if a site visit to the Kendal WWTW were arranged.

**Resolved:** The Clerk will contact United Utilities to explore possibilities for a site visit.

**Resolved:** To note the verbal update.

#### **P202/2025 Kendal Town Council Local Plan Action Group**

The Chair noted that now the evenings were lighter, the group should complete the second half of their townwide site visit, taking in the northern half of the town.

**Resolved:** That the Town Clerk organise the second leg (northern sites) of the Planning group's town site visit one light evening.

#### **P203/2025 Planning Applications**

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

The meeting closed at 7.25 pm.

Kendal Town Council  
 Applications for Planning Committee: 20 April 2026  
**Appendix 1**

<b>Item No.9</b>
------------------

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	<a href="#">2026/0503/FPA</a>	<p><b>6 Hawesmead Avenue</b></p> <p>Demolition of existing building and construction of a replacement dwelling with a detached garage.</p>	Stonecross	30 April 2026	<p>The Committee were concerned about the scale of the proposed development, noting that although it was only a marginally bigger footprint, it appeared more massive on the site. It was also disappointed that work appeared to have already started on the site prior to any Planning consent, and that more information was required about the mitigations being put in place to lessen the impact of the working on the nearby school, traffic and biodiversity. There was also concern about the lack of landscaping detail and other arboricultural measures. The Committee supported the proposals from Kendal Swifts that should planning consent be given, it should include as a condition that six Swift Bricks are incorporated into the eastern gable, but on the basis of their concerns about the scale and dominance of the development, felt that on balance they could only <b>Recommend Refusal</b>.</p> <p>Cllr Rathbone did not vote on this item</p>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
2	<a href="#">2026/0608/FPA</a>	<b>GP Surgery, Health Centre, Gillinggate</b>  Installation of prescription dispenser and associated works	Highgate	30 April 2026	Subject to the satisfaction of the Conservation Officer that the proposals do not compromise the visual amenity of the Conservation Area – <b>no material objections.</b>
3	<a href="#">2026/0616/FPA</a>	<b>Kendal Flood Risk Management Scheme Reach A, Gilthwaiterigg Lane, between Lakeland Distribution Centre and Dale Farm</b>  Amendments to Reach A of Kendal Flood Risk Management Scheme - Phase 1 (approved under reference SL/2018/0925).	Mintsfeet	30 April 2026	The Committee expressed concerns about the extent of mitigations for the protection of the River Kent SSSI/SAC, and asked that the EA explain these further to the FRSWG. The Committee supported the comments of the Arboriculturist with regard to the protection of trees. Concern was also raised about the proximity to overhead powerlines in the context of a raised bank.  <b>No material objections.</b>
4	<a href="#">2026/0638/HOU</a>	<b>Kilnstones, Underbarrow Road</b>  Proposed two storey rear extension, single storey side extension to replace existing sun room and relocation of front door.	Fell	29 April 2026	It was suggested that such a big plot should be able to deliver some biodiversity net gain.  <b>No material objections.</b>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
5	<a href="#">2026/0494/ADV</a>	<p><b>Lidl, Beezon Road</b></p> <p>Advertisement Consent for 1no. internally illuminated acrylic sign of dimensions 2100mm (H) x 2100mm (W), decorated with Lidl logo graphic and to be mounted on west (rear) elevation</p>	Mintsfeet	8 May 2026	<p>The Committee considered the impact of the signage overall, and were particularly concerned about the cumulative impact of the proposal on the south west corner of the building. The signage is directly facing the River Kent SSSI/SAC, and although set back only by the width of a road, no mention is made in the application. At the very least this ought to include lighting impact considerations. For this and its cumulative impact:</p> <p><b>Recommend refusal</b></p> <p>Cllr Rathbone did not vote on this item.</p>
6.	<a href="#">2026/0523/FPA</a>	<p><b>Castle Street Garage, Castle Street</b></p> <p>Proposed replacement roof covering to existing building</p>	Mintsfeet	8 May 2026	<b>No material objections.</b>
7	<a href="#">2026/0718/HOU</a>	<p><b>48 Greenside, Kendal</b></p> <p>Installation of external PVC cast iron effect soil and vent pipe (SVP) to replace use of existing rainwater pipe for foul drainage.</p>	Fell	8 May 2026	<p><b>No material objections.</b></p> <p>Subject to the satisfaction of the Conservation Officer with the materials used and that it does not harm the visual amenity of the Conservation Area.</p>

No.	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
8	<a href="#">2026/0707/PACOU</a>	<b>122A Highgate, Kendal</b>  Prior Notification under Schedule 2, Part 3, Class MA, for change of use of offices (Use Class E) to four dwellinghouses (Use Class C3).	Highgate	1 May 2026	<b>No material objections.</b>  The Committee noted that any physical alterations to the building would require separate planning consent.
9	<a href="#">2026/0677/ADV</a>	<b>7 New Road, Kendal</b>  Advertisement Consent for 3 non-illuminated Fascia signs, 1 non-illuminated Totem sign.	Fell	15 May 2026	<b>No material objections.</b>  Subject to the satisfaction of the Conservation Officer that it does not harm the visual amenity of the Conservation Area.
10	<a href="#">2026/0493/HOU</a>	<b>11 Sunnyside, Kendal</b>  Insertion of one roof window to the front elevation and two roof windows to the rear to facilitate loft conversion	Mintsfeet	15 May 2026	<b>No material objections.</b>  Subject to the satisfaction of the Conservation Officer that it does not harm the visual amenity of the Conservation Area.

**Item No.5**

**Planning Committee - Minute Action Sheet - as at 13 May 2026**

<b>Ref. No.</b>	<b>Meeting Date</b>	<b>Minute No.</b>	<b>Title</b>	<b>Action (Resolution)</b>	<b>Officer Responsible (CB unless stated)</b>	<b>Deadline, if any</b>	<b>Date Action Commenced</b>	<b>Comments</b>
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	17/03/2026		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	20-Apr-26		Being collated. Will be reported in April 2026. Suggest now 1 June 2026
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 discussion followed by request for further information. Subsequent conversation Mar 2026

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	20/10/2025	P91/2025	Tebay Gorge bridges	For the Town Clerk to discuss diversion routes with Highways England, Police and Westmorland & Furness officers.	CB	17-Nov-25	27-Jan-26	National Highways are proposing a stakeholder group. This is currently being considered. Followed up for update 27 January 2026. A further action (16 Feb) was for the Chair to discuss the matter with Tim Farron MP and for the Clerk to raise the issue with the portfolio holder at W&FC.
61	02-Mar-26	P174/2025	Blind Beck	To see if the Blind Beck corridor can be added in the Call for Sites process.	CB	14-Mar-26	09-Mar-26	Question asked



**HIGHWAYS ACT 1980, SECTION 119**

**WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53A(2)**

**WESTMORLAND AND FURNESS COUNCIL (FOOTPATH 536013, KENDAL PARISH)**

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER**

The above-named Order made on 21st April 2026 will divert public footpath no 536013 at Carus Green from 351712, 494620 to 351698, 494752; to run from 351712, 494620 north-northwestwards for about 36 metres to 351705, 494655, then northwards for about 102 metres to 351698, 494752. The width of the new path will be 3 metres.

A copy of the Order and plan will be available to view at South Lakeland House, Lowther Street, Kendal, LA9 4DQ. Alternatively, contact [countryside.access@westmorlandandfurness.gov.uk](mailto:countryside.access@westmorlandandfurness.gov.uk) for further information.

Any supporting statements or objections with respect to the Order can be sent in writing to the Westmorland and Furness Countryside Access Team, Eamont Building, Skirsgill Highway Depot, Penrith, CA10 2BQ or email as above, to be received not later than 5th June 2026, and should state the grounds on which they are made.

If no objections are duly made or if any so made are withdrawn, Westmorland and Furness Council may confirm the Order as an unopposed Order. If the Order is submitted to the Secretary of State, any objections which have not been withdrawn will be submitted with the Order.

**Chief Legal Officer**

**Enabler Services**



**HIGHWAYS ACT 1980 SECTION 119  
WILDLIFE AND COUNTRYSIDE ACT 1981 SECTION 53A(2)**

**WESTMORLAND AND FURNESS COUNCIL  
(FOOTPATH 536013 PARISH OF KENDAL)  
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT  
MODIFICATION ORDER 2026**

This Order is made by Westmorland and Furness Council ("the authority") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the public, it is expedient that the line of the footpath described in paragraph 1 of this Order should be diverted.

This Order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the Authority that the Cumbria County Definitive Map and Statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely the diversion (as authorised by this Order) of public footpaths over the land in the area to which the map relates.

**BY THIS ORDER:**

1. The public right of way over the land situate at Carus Green in the parish of Kendal shown by black continuous lines on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be extinguished on the later of the following events:
  - i. The date of first publication of confirmation of this Order
  - ii. The date the Highway Authority certifies that all necessary works to bring the footpaths described in Part 2 of the Schedule into a fit condition for use have been completed

and thereupon the Cumbria County Definitive Map shall be modified by deleting from it those public rights of way.

2. From the date of first publication of confirmation of this Order, there shall be a public footpath over the land situate at Carus Green in the parish of Kendal described in Part 2 of the Schedule to this Order and shown by black dashed lines on the map contained in this Order, and thereupon the Cumbria County Definitive Map shall be modified by adding to it those public rights of way. On the same date, the Cumbria County Definitive Statement shall be modified as described in Part 4 of the Schedule to this Order.
3. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part 3 of the Schedule to this Order.
4. Despite this Order, all statutory undertakers shall continue to have any existing rights

of access to and egress from any apparatus, equipment and plant accessible only from the rights of way referred to in Part 1 of the Schedule to this Order.

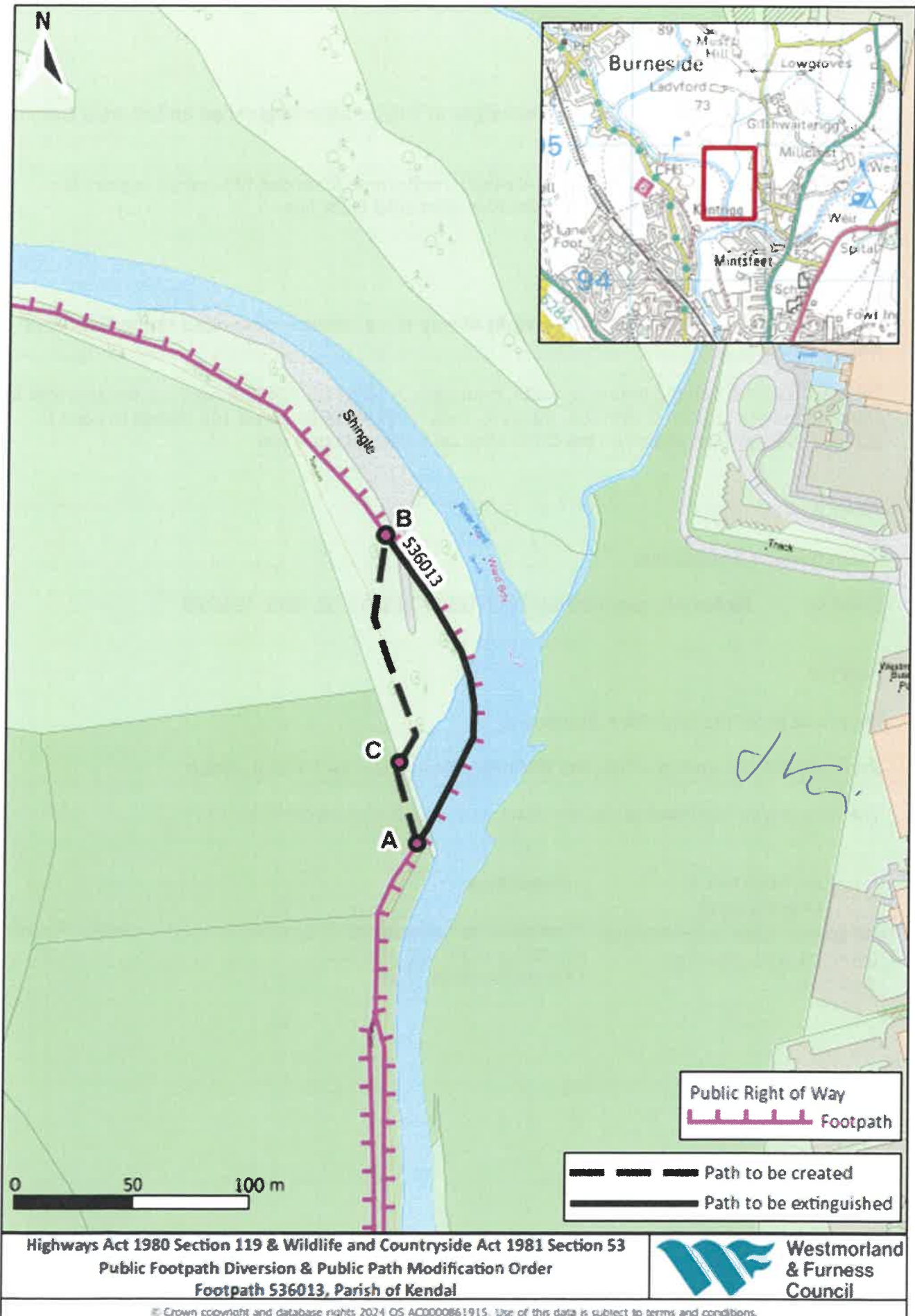
Dated: 21 day of April 2026



The **COMMON SEAL** of  
**WESTMORLAND AND FURNESS**  
**COUNCIL** was hereunto affixed  
in the presence of:



Authorised Signatory



## SCHEDULE

### PART 1

**Description of existing section of public right of way to be extinguished and deleted from the Definitive Map:**

Footpath 536013 from point A (351712, 494620) northwards for about 148 metres to point B (351698, 494752), as shown on the Order Plan as a solid black line.

### PART 2

**Description of new section of public right of way to be created and added to the Definitive Map:**

Footpath 536013, being 3 metres in width, from point A (351712, 494620) north-northwestwards for about 36 metres to point C (351705, 494655), then northwards for about 102 metres to point B (351698, 494752), as shown on the Order Plan as a dashed black line.

### PART 3

**Limitations or Conditions:**

**Point C:** Pedestrian gate conforming to BS:5709:2018 (351705, 494655)

### PART 4

**Modification of the Definitive Statement**

**Particulars to be varied within the Definitive Statement for Kendal parish**

The following will be inserted into the Statement details for footpath 536013:

LIMITATIONS & CONDITIONS	REMARKS
Pedestrian Gate conforming to BS:5709:2018 (351705, 494655)	3 metres wide between 351712, 494620 and 351698, 494752. Diverted by order, 2026.

Confirmed as an unopposed Order

this

day of

2026

Authorised Signatory

**HIGHWAYS ACT 1980 AND WILDLIFE  
AND COUNTRYSIDE ACT 1981**

**WESTMORLAND AND FURNESS  
COUNCIL**

(Parish of Kendal) Public Path  
Diversion and Definitive Map and  
Statement Modification Order 2026

Kendal Town Council  
 Applications for Planning Committee: 18 May 2026  
**Appendix 1**

**Item No.9**

No	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
1	<a href="#">026/0884/HOU</a>	<b>41 Hallgarth Circle</b>  Rear single storey extension, replacement front porch and insertion of first floor window to front elevation.	Strickland	28 May	
2	<a href="#">2026/0821/HOU</a>	<b>20 Castle Circle</b>  Proposed single storey rear extension	Castle	28 May	
3	<a href="#">2026/0783/HOU</a>	<b>2 Stonecross Green</b>  Single storey rear extension (revised scheme to that previously approved under SL/2021/1204)	Stonecross	28 May	
4	<a href="#">2026/0882/HOU</a>	<b>2 Ivy Garth, Sedbergh Road</b>  Proposed single storey rear extension, outbuilding to side and internal alterations	Nether	5 June	

No	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
5	<a href="#">2026/0514/FPA</a>	<b>Pizzeria Italia 9 Allhallows Lane</b>  Variation of condition 1 (opening hours) attached to planning permission 2024/2442/FPA (Variation of condition 2 (opening hours) attached to planning permission SL/2008/0514 (Change of use from cafe/tea room to hot food takeaway (Class A5)))	Fell	5 June	
6	<a href="#">2026/0917/HOU</a>	<b>7 Sedbergh Road</b>  Siting of garden studio structure in garden.	Nether	5 June	
7	<a href="#">2026/0761/FPA</a>	<b>7 New Road</b>  Replacement windows to the front and rear elevations	Fell	5 June	
8	<a href="#">2026/0589/FPA</a>	<b>Land Adjacent to Busher Walk</b> Proposed car park on existing unkept grassland	Fell/ Strickland	30 May	

No	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
9	<a href="#">2026/0662/FPA</a>	Unit 21 Castle Mills Business Park Aynam Road  Change of use of warehouse (Use Class B2) indoor pickle ball facility and multi-purpose fitness studios, including Pilates and exercise space (Use Class Ed).	Mintsfeet	5 June	
10	<a href="#">2026/0868/LBC</a>	<b>25 Stramongate</b>  Listed Building Consent for the refurbishment and change of use of upper floors to create self-contained flat (Resubmission of SL/2019/0078)	Fell	5 June	
11	<a href="#">2026/0867/FPA</a>	<b>25 Stramongate</b>  Refurbishment and change of use of upper floors to create self-contained flat (Resubmission of SL/2019/0077)	Fell	5 June	

No	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
12	<a href="#">2026/0928/HOU</a>	<p><b>122 Stainbank Road</b></p> <p>Single storey side and front porch extensions</p>	Kirkland	4 June	
13	<a href="#">2026/0712/FPA</a>	<p><b>Land South of Sedbergh Road</b></p> <p>Demolition of existing outbuilding and the erection of 5no. dwellings, construction of new vehicular access from Sedbergh Road, construction of a proposed footpath link, landscaping and associated infrastructure works.</p>	Nether	4 June	

No	App No./Type	Address/Proposed Development	Parish Ward	Comments to W&F	Observations/Recommendations
14	<a href="#">2026/0811/FPA</a>	<p>K Village Riverside Place Lound Road</p> <p>Change of use of existing storage area to convenience store (Use Class E(a)), including associated external alterations, customer parking, cycle parking, servicing, bin storage and new pedestrian access steps</p>	Kirkland	4 June	