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Dear Ms Dobson

EXAMINATION OF SLDC LAND ALLOCATIONS DPD

REPRESENTATION TO COUNCIL'S RESPONSE TO MATTER 1.6

We write on behalf of Time & Tide (North West) Ltd in relation to the Council's response to Matter 1.6. Time & Tide has an interest in sites E57 and M7.

We are still strongly of the view that the Council does not have a robust evidence base in order to justify an allocation for strategic employment development at site E4M Scroggs Wood. The Land Allocations DPD is not sound because it fails to meet the four tests of NPPF Paragraph 182, namely that it is not positively prepared, not justified, not effective and not consistent with national policy.

Site E4 is not justified

The evidence presented by the Council in their response to Matter 1.6 does not demonstrate that large scale development can be adequately mitigated in respect of the likely landscape and visual impact.

On the contrary, we have reviewed schedule EX020A in relation to site E4. This confirms that the Employment and Housing Land Search Study (EHLSS) concluded that site E4M:

'...is within a location which the settlement landscape assessment (Appendix 5) indicates the general location has limited or no potential for development.'

Indeed, the summary of assessment in schedule EX020A concludes that site E4M *'...has moderate/high landscape character impact, moderate heritage impact and moderate/high biodiversity value'*. We are therefore unclear why the schedule suggests that, under the heading 'landscape impact', site E4 only has *'some impact but which can be moderated through landscape mitigation'*.

There is no evidence to justify this change in stance and dismissal of the

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evidence base. Indeed, Paragraph 3.12.1 of document Ex023 relates to a '*Landscape Mitigation Assessment of Proposed Development Site Allocations EvE05' (site E4M).*

The assessment of site E4M is very basic and does not consider the quantum of development which could be accommodated in the landscape. Drawing no 642.A.01.02 presents one option for landscape screening, but this is not based on any development proposals so cannot justify the acceptability of development. There is no assessment of landscape and visual impact, which is essential for an allocation which would likely see large format and tall commercial buildings of a utilitarian style. Against this limited information the allocation cannot be deemed to meet the Core Strategy tests of CS7.2.

Without a thorough Landscape and Visual Impact Assessment (LVIA), the Council cannot demonstrate that development can be adequately mitigated on site E4M given its identified constraints and sensitivities. Without a robust evidence base the proposed allocation is plainly unsound.

In comparison, sites E57 and M7 were identified as having potential for employment development. This has been demonstrated by the success of Moss End Business Village and the Agri Quarter development, which underwent a full ES. It has been deemed a suitable development location, with necessary infrastructure and does not suffer the same landscape sensitivities as Scroggs Wood.

Site E4M is not deliverable or achievable

There is insufficient evidence submitted to demonstrate that strategic employment development at Scroggs Wood is deliverable or achievable without significant landscape and environmental harm, thereby resulting in it being deemed unsustainable development .

Schedule EX020A confirms that site E4M has moderate infrastructure, biodiversity and heritage constraints, but no detailed work has been undertaken to address these.

We have reviewed the information submitted by Maple Grove Developments. While it provides some information on ecology and archaeology, this work is over two years old (June/July 2010), was not considered in light of NPPF guidance, and is therefore out of date. Initial drainage layouts were submitted, however these have not been tested in light of the level of development proposed. The same is true in highway terms.

Insufficient evidence has been produced to show that development can be mitigated while also delivering viable employment development.

Schedule EX020A also confirms that there is significant local opposition to employment development at site E4M. The local community have strongly objected to development on this important greenfield site at the gateway to Kendal. Given NPPF and the Localism agenda, significant weight must be



afforded to these concerns, especially as they are reflected in the Council's own assessment which has highlighted the landscape sensitivity.

In comparison, there has been some public support for employment development at sites M7 and E57.

Our representation stands in that we ask that the Inspector finds the draft Land Allocations DPD unsound on a lack of evidence base to support the proposed allocation of Scroggs Wood for strategic employment use. On the basis that there are no other suitable alternative sites for strategic employment development in South Lakeland, we also ask the Inspector to request that SLDC reconsiders sites E57 and M7 as the preferred option in a revised draft of the Land Allocations DPD.

We trust that this representation will be forwarded to the Inspector and taken into account in the examination of the Land Allocations DPD.

Yours sincerely

A solid yellow rectangular box used to redact the signature of Daniel Jackson.

Daniel Jackson

cc: Mr J Asplin, Time & Tide (North West) Ltd

