



577 - Lancaster Canal Trust
(LARRINGTON)

The Lancaster Canal Trust

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Corporate Member of The Inland Waterways Association



Development Plans Manager,
South Lakeland District Council,
South Lakeland House,
Lowther Street,
Kendal,
LA9 4DL

3rd May 2013
SOUTH LAKELAND DISTRICT COUNCIL RECEIVED
7 MAY 2013
REVS & BENS

Dear Sir.

I write as Secretary to the Lancaster Canal Trust to give additional comments on the updated Schedule of Main Modifications to be examined by the appointed Inspector Mr Simon Berkeley.

REF MM03 I POLICY LA2.6 LAND SOUTH OF NATLAND BECK FARM

The Trust supports the proposed four listed provisions under this reference. The SLDC have currently been very supportive regarding the eventual aim of restoring the Lancaster Canal into Kendal and current policy supports this. For this we are very grateful. (See attached letter from SLDC).

However, a recent proposal made by a local developer appears to ignore the protection of the route of the Canal at the old Natland Road crossing. We acknowledge that whilst no formal planning application has been made to date, were it to be so, then the Trust would strongly oppose such an application. It is vitally important therefore that the four provisions are retained and robustly enforced. The protection of the route will mean that a replacement bridge has to be constructed over Natland Road at the very point where the proposed access point from this piece of land is proposed. The Trust would much prefer to work alongside developers and local authorities to achieve an acceptable resolution to any such future problems.

REF MM03 POLICY 3.37 LAND SOUTH OF K SHOES FACTORY, NATLAND ROAD

The Access to this proposed site will add to congestion at this point on Natland Road as Watercreek Lane is again almost at the point of the Canal Route to be preserved in MM03 I above and at the point where a new bridge will need to be constructed to cross Natland Road.

Perhaps there needs to be an additional provision that the development of this Land will not be allowed to impact on the restoration of the route of the Canal. Hopefully, the proposed transport assessment will deal positively with this problem and it needs all parties concerned to negotiate an amicable outcome.

Yours faithfully



D.Currington
Secretary Lancaster Canal Trust



David Currington,



David Sykes
Director - People and Places

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Date: 1 May 2013

Dear David,

Lancaster Canal

Thank you for your letter. I am well, thank you.

I have asked Dan Hudson, our Development Strategy Manager to explain the planning policy situation.

Any planning application affecting the Lancaster Canal would be determined in accordance with Development Plan policies, national planning policy and other material considerations. The Council's policies relating to the Lancaster Canal are the following

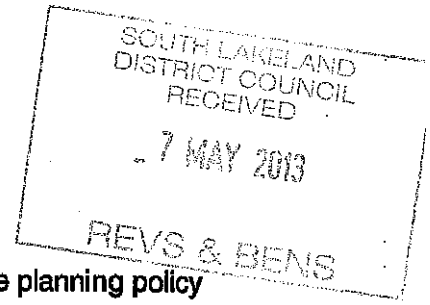
South Lakeland Core Strategy (adopted October 2010)

Policy CS10.1 states that 'The Council will protect the route of the Northern Reaches of the Lancaster Canal and any associated infrastructure to enable its restoration for navigation'.

South Lakeland Local Plan (adopted in 1997 and altered in 2006)

Policy L12 states that 'Development will not be permitted which would be likely to prevent or impair the restoration of the Lancaster Canal along the route shown on the Proposals Map, or which would result in the loss of any buildings, locks or other structures associated with the Canal.

Any essential development that would affect the alignment of the Canal will only be permitted if adequate arrangements are made for its restoration on an alternative alignment, and for the restoration or improvement of the canalside towpath and its links to existing footpath routes.



The Council will seek the restoration of the canal in association with any adjacent development where the canal route is in the same ownership and where restoration would benefit the proposed development. Such restoration must take into account the importance of, and the need to protect the wildlife interests of the canal, whilst recognising the primacy of navigation as being the reason for the existence of the canal.

National Planning Policy Framework

Planning applications also have to be considered against The National Planning Policy Framework which post-dates both documents. Para 14 of the National Planning Framework states that 'Where the development plan is absent, silent or relevant policies are out-of-date, [The presumption in favour of sustainable development means] granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in this framework taken as a whole; or specific policies in this Framework indicate that development should be restricted.

Para 41 states that 'Local authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice'. At Para 173 it states that 'Pursuing sustainable development requires careful attention to costs in plan-making and decision taking and that sites and scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened'.

The consideration of any planning application would have to balance these and other factors. We are not able to comment on the outcome of any future planning application or appeal. However, the Council's policies continue to seek to safeguard the line of the canal and ensure that development does not prejudice the possibility of future restoration.

I understand that there are queries with respect to the development proposals for Watercrock in terms of site access and how options for a future alignment of the road may be affected. I also understand that the Planning Officer has requested the developers to liaise with the LCRT to seek to place the access in the position that meets highway standards and respects the future needs of the realignment as far as is possible.

Yours sincerely



David Sykes
Director - People and Places

