

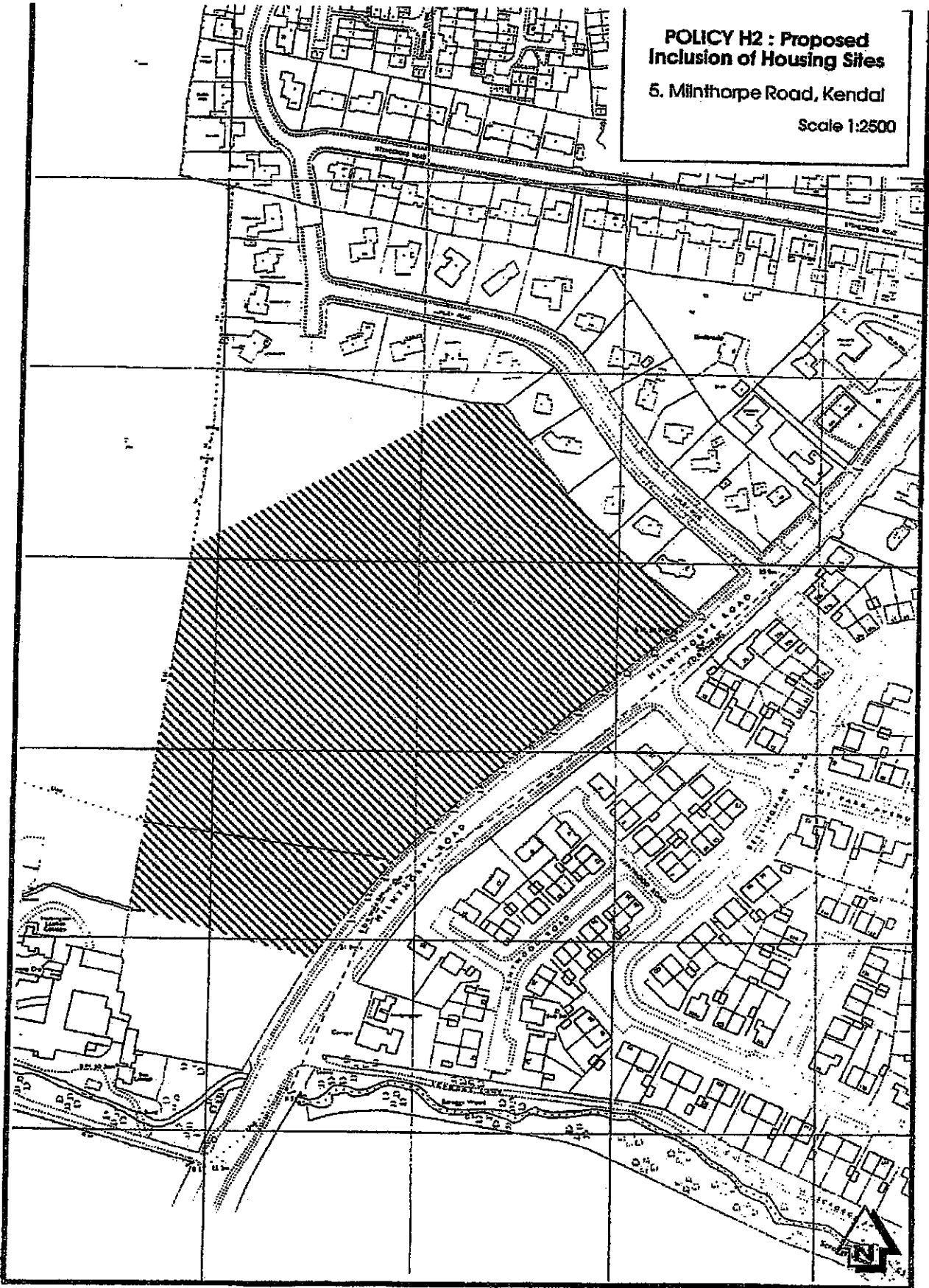
Appendix B

Extract from Inspector's Report

**POLICY H2 : Proposed
Inclusion of Housing Sites**

5. Milnthorpe Road, Kendal

Scale 1:2500



the land a visually important link between the open land west of Castle Green Road and the higher slopes of the hillside to the east. I do not find the argument that the allocation is an infill site surrounded by existing development convincing. The Oak Tree Road/ Rowan Tree Crescent development to the north appears as a visually intrusive element in the rising landscape, whilst to the south, the development is quite different: the ten or so houses are traditional cottages and conversions based on a farmstead. They blend into a landscape which has a rural character quite different from that of Oak Tree Crescent some 200m to the north. The allocation site provides an important visual buffer between these distinct locations - particularly to the observer leaving Kendal southwards. For these reasons I consider the site's value in landscape terms is sufficient to outweigh its value as a housing allocation.

2.44 So far as the other issues raised by the objections are concerned, the effect on privacy and amenity of local residents (iii) is recognised by the Council, but I consider that any harm could be minimised by careful attention to layout, building types, and landscaping. I am satisfied by the Highway Authority's evidence that access from Castle Green Road could be achieved without creating a highway hazard, with only pedestrian and cycle access by way of Oak Tree Road (iv). Although the NRA has drawn attention to the flooding of low-lying parts of the site (150/08), it has not objected to development in principle and the Council's evidence satisfies me that potential problems can be taken into account at the detailed planning stage (v). I have noted that, notwithstanding the objectors' concerns about wildlife (vi), the site is not designated as of national or regional nature conservation importance and neither English Nature nor the Cumbria Wildlife Trust has raised objection. I accept the Council's view that any features of local significance could be considered at the detailed planning stage.

2.45 Have considered all of those matters, and notwithstanding its omission from the LCI designation, I believe that the allocation site has a visual quality of some considerable importance in the local landscape which outweighs the very small contribution which it can make to the housing land need.

Recommendation

2.46 That Policy H2 be modified by deleting the residential allocation at Oak Tree Road, Kendal: Site No 4. Appendix A and Inset 52 will require consequential modification.

Site No 5: Milnthorpe Road, Kendal.

Objectors:

| | | | |
|--------|---------------------|--------|------------------|
| 065/01 | Mr & Mrs K S Gibson | 066/01 | Mr & Mrs D Hirst |
| 210/01 | Mr & Mrs M J Black | 220/01 | Mrs Ann Hoyle |
| 221/01 | Mr Victor Hoyle | 257/01 | Mrs D Cottam |
| 258/01 | Mr J R Lowther | 262/01 | Mr G Thompson |

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Issues:

- 2.47
- (i) consistency with the strategic aim of strictly controlling development in the open countryside and effect on the southern approach to Kendal;
 - (ii) effect on traffic on Milnthorpe Road;
 - (iii) lack of demand for houses in Kendal.

Inspector's conclusions:

2.48 (i) Objectors consider that the allocation would extend development into the countryside. It would occupy a raised hillside dominating a main access route to Kendal. Some objectors argue that this is the only unspoilt entrance to the town from the south and point to Kendal's claim to be the "Gateway to the Lakes" in support. The Council concedes that the site is prominent from both the A591 to the west and the A6 to the east, and refers to its "shop-window location". Nevertheless it considers the development would not be a major incursion into the open countryside and that Heslington Laithes forms a more logical town boundary. The landowner, Levens Hall Estate, supports the allocation (057/01).

2.49 I find the main thrust of the Council's argument flawed. From the south via the M6, from the south-east along the A65 and from the south-west along the A590, this is clearly the most important approach to Kendal. The visitor's first impression is an important consideration. Whilst I accept the Council's view that Lumley Road presents a fragmented and, in parts, insensitive edge to the settlement, there is some screening to soften the edge of the development. I consider this to be a defensible boundary.

2.50 On the east side of the main road the development is set lower in the landscape, it is not visually prominent, and the edge follows a natural boundary at Scroggs Lane. None of these features apply to the allocation site. Rather, it is a prominent bare hillside facing south-east; it rises above the A6 road and development would dominate the approach to the town; there are no natural boundaries or vegetation to contain development. Because of the site's elevation, I do not agree that the provision of a generous landscaping belt would protect views on to the site; on the contrary, I believe the development would be visually intrusive in an area which, despite its proximity to the town, retains a largely rural character and designated under SP Policy 12 as LCI. Bearing in mind the Structure Plan reference to the eastern area around Kendal becoming particularly sensitive to further growth (CLDJSP, para 4.9), I do not consider removal of this allocation from the Plan would undermine the strategy of concentrating the bulk of allocations on Kendal and Ulverston.

2.51 (ii) Concern has been expressed that another junction to Milnthorpe Road would create an additional hazard. Objectors consider that traffic volumes and speeds already make access from Lumley Road difficult, development of the allocated site would make it more so. The Highway Authority has advised that a new junction to serve the site should be sufficiently far from the existing ghost island layout at Kent Park Avenue to give complete separation. Nevertheless I consider that a satisfactory access could be achieved to Milnthorpe Road, a view which is supported by the Highway Authority. As previously stated, I will not deal with point (iii) here.

2.52 Notwithstanding my comments regarding access, I see no reason to retain the allocation in the light of my findings concerning the impact of development of the site. I also consider that removal of the allocation would remove the need to protect Helsington Laithes as an Important Open Space, and allow the Development Boundary to be redrawn in a more defensible location immediately south of the Lumley Road properties.

Recommendation:

2.53 That Policy H2 be modified to remove the residential allocation at Milnthorpe Road, Kendal: Site No 5 and that the Development Boundary be redrawn as I have suggested. Appendix A and Inset 52 will require consequential modification to remove the IOS designation from Helsington Laithes and introduce the LCI designation.

Site No 6: North Sandylands, Kendal

Objectors:

| | |
|--------|-----------------|
| 105/01 | Mr A W Robinson |
| 115/01 | Mr E Dodgson |
| 147/01 | Miss A Todd |

Issues:

2.54 The boundaries of the allocation should take account of access requirements, drainage and ownership constraints, and the effect of the proposal on Appleby Road.

Inspector's conclusions:

2.55 None of these objections are directed at the principle of development of the allocation. Mr Dodgson has suggested revised boundaries to the allocation to take account of constraints. The NRA has indicated the need to consider proposals carefully against the requirements of Policy C20, Flood Risk, and the need to provide for compensatory flood storage. In addition to meeting this requirement, the proposed boundaries would allow for linked access to the North-east Sandylands allocation (Site 7, below).

2.56 Miss Todd has requested that land owned by her be excluded from development, and that no access be taken from the private lane leading to her property. Both of these objections have been accepted by the Council and it proposes to change Inset 52 in accordance with amended site boundaries (PCDD, Map 1).

2.57 The remaining objection states that development should not take place until the Northern Link Road definitely proceeds. However, it appears to me that the purpose of that road is quite separate from the traffic arising as a result of the allocation (confirmed by para 53 in the Plan). I see no reason why the development should not precede the road.

Appendix C

Photograph looking west from
Milnthorpe Road

