

## The response of WKAG to the Main Modifications published by SLDC on Sept 18<sup>th</sup> 2012

With respect to main modifications 01 and 02 we wish to point out that the page number given (11) for paras 1.23 and 1.24 does not relate to the actual page number in the DPD where these paragraphs appear on page 12. Additionally where we can see that it might be possible to simply add the new policy LA1.0 to the end of the existing para 1.23, it would be impossible to do the same with the new paragraph 1.24 “Duty to Cooperate” as this has nothing to do with the original paragraph 1.24.

Therefore we submit that this confusion does nothing to increase our faith in the rigour of, and care taken by SLDC.

### **We submit these comments on the main modifications proposed:**

**01:** Re new policy LA1.0 we are very happy to see that SLDC seeks to “secure development that improves the economic, social and environmental conditions in South Lakeland.”

However we are concerned to read that “Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise” which seems to imply that the DPD is now irrelevant.

There is also a disturbing assumption in the wording of the policy that any and every development proposal will be considered sustainable.

**02:** We are pleased to see the inclusion of the paragraph on “Duty to cooperate” but contend that this duty has not extended to the detailed practicalities of the implications of development of particular areas of land e.g the Kendal Fell area in conjunction with R129M/R143.

**10:** We are pleased to approve the revised wording regarding the protection of Meadow Saxifrage within R103M

**16:** We are pleased that the necessity for any development on E33 to be sensitively designed and sited has been recognised but consider that the following should be added : 'A scheme for large warehouse style building will not be considered appropriate for this site, and proposed developments should incorporate local building stone and/or ecological design including the use of green (turfed) roofs.' We would also point out that para 3.38 does not refer only to E33 and consequently the wording of that paragraph needs to be revised to avoid any confusion.

**Note:** We are disappointed that there is still no recognition of the problem of flood risk associated with the very steep eastern section of R129M where housing to the south of this site (and subsequently Blind Beck) is already adversely affected by the emergence of subterranean drainage during periods of heavy rain – a situation which would only be exacerbated by development which would significantly increase surface run-off. (Please see photograph below).



Flood water draining from R129M around a property (Robin Hill) on Brigsteer Road (September 2012)





Course of run-off during heavy rainfall within the most easterly part of R129M showing incipient gulleying.  
(Photograph taken during a long dry period in April 2011.)

Margot Harvey  
on behalf of West Kendal Action Group

October 14<sup>th</sup> 2012

