

To Mr Simon Berkeley Inspector
Examination of South Lakeland District Council Land Allocations DPD
Response to the Proposed Main Modifications at 5 April 2013

This paper is submitted on behalf of the South Kendal Preservation Association (SKPA), which represents the interests of Helsington Laithes, Lumley Road, the Bellingham Estate and surrounding area residents. This is in response to the SLDC 5 April proposed Main Modifications to the DPD and supporting documentation, with particular regard to E4M. The soundness of the DPD is challenged by reference to the following extracts, with SKPA response in italics:

Main Modifications - MM02 1.23 Presumption in Favour of Sustainable Development

“taking a flexible approach to high quality enabling development **where it can be shown to be essential to the delivery of employment sites** and premises where compatible with the overall vision for the site and where compatible with maintaining the District’s supply of employment land and premises; “

The soundness of this statement is challenged on the basis that E4M is clearly not essential, with superior established sites available as covered elsewhere in this paper.

“2.43 New employment allocations are needed:

To provide a supply of land and premises to ease **the very low vacancy rates currently experienced in South Lakeland;** “

The soundness of this claim is challenged following a survey of vacant premises and available land for development on the Shap Road Estates, as referred to in the viability report item 5.9.

*To provide high quality, **unconstrained** employment sites;*

“WHEN CONSIDERING DEVELOPMENT PROPOSALS, THE COUNCIL WILL TAKE A POSITIVE APPROACH THAT REFLECTS THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT CONTAINED IN THE NATIONAL PLANNING POLICY FRAMEWORK. IT WILL ALWAYS WORK PROACTIVELY WITH APPLICANTS JOINTLY TO FIND SOLUTIONS WHICH MEAN THAT PROPOSALS CAN BE APPROVED WHEREVER POSSIBLE, AND TO SECURE DEVELOPMENT THAT IMPROVES THE ECONOMIC, SOCIAL AND ENVIRONMENTAL CONDITIONS IN SOUTH LAKELAND. “

The soundness of these statement is challenged on the basis that E4M, with its complex brief, is not cost effective (viability report) or sustainable, with inevitable traffic congestion and associated pollution. You only have to look to nearby Backbarrow to see the consequences of a complex brief, where a failed business park and residential development has remained empty for several years. Plans to resurrect this site in April 2012 have not progressed. The link below provides the background. Pictures are appended.

<http://www.haverthwaiteparishcouncil.org.uk/Ironworks%20LDNPA%20Site%20Visit.html>

“2.49 A developer has proposed the allocation of a site at M6 Junction 36 as a Strategic Employment Site adjacent to the existing Moss End Business Park and the new Kendal Auction Mart. Although this site has excellent links to the national road network, has a willing landowner and is not subject to significant constraints, **it performs poorly in sustainability appraisal**, is remote from existing major

settlements, is poorly served by public transport and is in an **unsustainable location** which does not offer a realistic choice of means of transport. For this reason, it can only be considered as a suitable option for meeting the need for a Strategic Employment Site if there is no more sustainable deliverable alternative identified through the sequential approach set out in the Core Strategy. **It is clearly a less sustainable location than Scroggs Wood and as long as Scroggs Wood is shown to be a deliverable site, the allocation of a less sustainable site would raise soundness concerns.** It is not proposed to allocate this site at this time. The Council will continue to monitor closely the need for and take-up of employment sites and premises. In the event of robust evidence of need, it will consider the need for further employment development. 58BBusiness and Science Park sites

The soundness of the above sustainability statement is challenged on the basis that E4M is not sustainable, viable or deliverable, whereas the now established M6 J36 locality to the M6 junction, affords ample transport links, particularly for goods traffic. Furthermore, this contradicts the three council initiative to develop the M6 corridor for business use, as widely reported on TV and local press in Dec 2012 (see extracts attached). The established Shap Road sites also offer a more acceptable alternative, with existing spare capacity, growth potential and locality, being within the Town, rather than one mile distant, as E4M, or convenient for access in the case of M6 J36.

The impact on tourism, established businesses and Kendal's position as the second best place in the UK to live, are also important sustainability considerations that further challenge the soundness of this statement.

The NPPF Ministerial forword includes the following statement.

*"The purpose of planning is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves, don't mean worse lives for future generations..... Planning must be a creative exercise in finding ways to enhance and improve the places in which we live our lives. This should be a **collective enterprise**. Yet, in recent years, planning has tended to exclude, rather than to include, people and communities.... *Sustainable development is about change for the better, and not only in our built environment"**

E4M has been selected contrary to local opinion and does not satisfy the sustainability criteria

*The Wikipedia definition of Sustainable development refers to a mode of human development in which resource use aims to meet human needs while ensuring the sustainability of natural systems and the environment, so that these needs can be met not only in the present, but also for generations to come. This is broken down into elements broken out into three constituent parts: environmental sustainability, economic sustainability and socio-political sustainability. **E4M clearly fails on all categories.***

MM03 Page 12 1.24 124a Duty to Cooperate Local Planning Authorities are under a duty to co-operate to ensure that development and infrastructure needs are co-ordinated and to address other cross-border issues.

E4M development is contrary to the three council M6 corridor development strategy and disregards new local business park developments at J35.

MM07 Page 21 2.23.

“Heritage considerations including the potential impact of development on listed buildings, scheduled ancient monuments, historic parks and gardens, conservation areas , including impact on setting and on potential archaeological value. “

The impact on the Helsington Grade II Historic Manor house and settlement, Helsington Mills and the Roman Fort, is contrary to this objective and the soundness of E4M is challenged on this basis.*

MM021 Page 35 2.42

“Based on employment land needs identified in the South Lakeland Employment Land and Premises Study, the Core Strategy identifies a need for the development of 4 hectares (ha) per annum of employment land between 2010 and 2025, a total of 60 ha “

The case for E4M is challenged on the basis that there is no consideration of the contribution from existing spare Business space on Shap road, M6 J36 and other established sites, or the three council M6 corridor development strategy. These sites have established infrastructure, without the financial viability, traffic congestion, impact on tourism and Kendal businesses, destruction of valued landscape and heritage consequences associated with E4M, with its complex brief.

MM024 Page 45 Development Briefs

“**Complex Briefs** Strategic Employment Site, Land at Scroggs Wood, Kendal (to be adopted by March 2014) “

Clearly the complex brief requirement severely compromises the viability as a business site, compared with the established unconstrained alternatives on Shap road and M6 J36. The Ex065 Viability Study clearly states that the site is not financially viable.

MM036 Page 69 POLICY LA2.9:

STRATEGIC EMPLOYMENT AND SCIENCE/BUSINESS PARK ALLOCATIONS, KENDAL LAND ADJACENT TO SCROGGS WOOD, A LANDSCAPE AND GREEN INFRASTRUCTURE FRAMEWORK TO INCORPORATE A SUBSTANTIAL BUFFER OF NATIVE VEGETATION OF AT LEAST 10M TO SCROGGS WOOD, BIODIVERSITY MITIGATION, COMPENSATION AND ENHANCEMENT OPPORTUNITIES ACROSS SITE AND SIGNIFICANT GREEN INFRASTRUCTURE RETAINED HEDGEROWS, LANDSCAPING ALONG THE PERIMETER OF THE SITE AND THE PROTECTION OF DRUMLIN CHARACTERISTICS;

This token gesture will not avoid the massive impact on the Kendal tourism economy and position as the second best place in the UK to Live (Times survey April 2013), of a business park at the main entrance, destroying the AONB, valued landscape, traffic congestion etc. You don't put your wheelie bin on your front door step!

The complex brief for such a sensitive site, would preclude category B1(c) [Light Industry], B2 [General Industry] and B8 [Storage and Distribution], development.

**Further Highway Evidence to Support Submission SLDC Land Allocations DPD AECOM March 13
Kendal – Land adjacent to Scroggs Wood site reference E4M**

CCC and AECOM comments Page 71

Land at Scroggs Wood

Satisfactory access can be achieved from Milnthorpe Road. A signalised junction would be the most straightforward design for a single access into this area. Other designs for accesses may be appropriate. The site would be accessed directly from the A6 via a new signalised junction south of the existing access to Helsington Laithes. A study undertaken by Atkins in 2009 (Kendal Transport Assessment June 2009) suggests that this access should be signalised with a right turn pocket for vehicles turning into the site from the south. No further modelling work has been undertaken. A secondary access point was considered from the south which would involve the reconfiguration of the roundabout on the A6, however this would be very costly and as a single access point would not help to integrate the site into the surrounding area and is therefore not recommended. Given the size of the site it may be beneficial in the long term to have a secondary access to prevent the site becoming an extended cul-de-sac. This potential access point could be via the roundabout. The road is 40mph along the site boundary, dropping to 30mph to the north of the site, close to the junction of Kent Park Avenue. It is recommended that the 30mph zone is extended further south to include the new junction.

The soundness of the above report is challenged, on the basis that the addition of a signalised junction and increased traffic will exacerbate the already overloaded A6 entrance to Kendal. This will cause substantial traffic congestion, pollution, dangerous back up onto the bypass and consequent damage to tourism and local business. This is clearly not a sustainable deliverable long term solution, with no regard for the essential Northern Relief Road.

The absence of further modelling is noteworthy in undermining the E4M viability and lack of a credible traffic solution. There is also disagreement between reports on the details of the junction required.

The SLDC rationale that Kendal residents will walk to an E4M business park is not accepted and it is also likely that users will travel from elsewhere. This was the central argument presented by SLDC at the hearing, which is challenged on this basis and the contradictory plan to develop the M6 corridor

The impact of vehicles (including heavy goods vehicles) travelling from the M6 into Kendal is surely more environmentally damaging, than employees travelling from Kendal out to J36. The lack of public transport links can easily be addressed by the provision of bus services

Whether the majority of employees is likely to come from the closer Kendal area will depend on the types of activity undertaken. There is no guarantee that people working on this site would live in Kendal – many might live in other South Lakeland communities, or further afield, accessing the E4M site via a variety of routes other than the A6 out of Kendal. Residents of villages and towns substantially distant from Kendal, in whatever direction, eg in the wider Lake District, the Furness Peninsula, or perhaps northern Lancashire, might be attracted to the employment opportunities provided. Many such employees will be obliged to drive to their place of work. In particular, B1(b) [Research and Development] activity is likely to attract people residing across a larger area.

Why is there no mention of the Northern Relief Road to link the northern end of the bypass from Plumgarth's roundabout to Shap Road? – Cumbria's top priority road scheme according to published

reports. The following extract from a recent Town Council meeting raises this issue in the wider context of Kendal's traffic problems.

Kendal Town Council Meeting 18th June 12

083/12/13 TRAFFIC CONGESTION

Councillor Giles Archibald had asked for this item to be placed on the agenda. Having studied the Cumbria County Council Transport Plan Document, he was concerned about the dire predictions for traffic congestion in Kendal by 2022.

Councillor Willshaw asked when the last proper traffic survey had been carried out in the town. When told it was 15 years ago, he suggested that it was time for a new one..... He felt that the talk of "relief roads" was misleading. What should be considered is a (northern) Development Route with links to the Local Development.

Extract from 06 Infrastructure Position Statement

Transport issues within settlements

Kendal

4.5 In the case of Kendal, there are significant constraints on the town highway network with a number of junctions already at capacity. Kendal suffers from traffic congestion which is resulting in air quality problems in its town centre. This is having a detrimental impact on the town's economy and the quality of life of its residents.

The above statement supports the argument that further pressure at the main entrance to Kendal, created by E4M is not sustainable.

Viability Study and Appendices

The soundness of the plan is challenged on the basis of financial viability when compared with existing spare capacity and alternative sites. The following extracts are noteworthy:

"5.7 We have concentrated on newer property and not surveyed the wider market of older units and buildings." *The extensive availability of existing empty sites and spare capacity on established business parks has been identified in earlier SKPA submissions, to address this oversight. The statement below supports this*

"5.9 The first and overriding finding is that there is very little non-residential development taking place. The second finding is that there is a significant amount of empty space that is available for let or for sale"

"5.18 We reiterate that the commercial development market is going through a difficult period"

"12.7 Conclusions - It is clear from the above, and as we would expect in the current economic climate, that the principle employment uses of industrial and office are not generally viable. This is not surprising and is the norm across the North of England, where very little, if any speculative development is being brought forward by the development industry"

Why pursue a nonviable site exacerbated by complex brief, when established viable alternatives are available?

"Site Description Greenfield site in agricultural use to the south of Kendal. Sloping gently to East with undulating topography. Key gateway site for Kendal in prominent open location."

The damage to Kendal by destruction of its main entrance is clearly at odds with the sustainability principle.

Conclusions

In conclusion the Main modifications and supporting documents, fail to deliver a credible case for E4M and SKPA challenge the soundness of its inclusion within the DPD, with the following headline objections:

- Destruction of a valued landscape at the entrance to Kendal
- Heritage impact on Listed Helsington Laithes **and other historic aspects**
- Traffic congestion and pollution, with accident and health risk
- Impact on tourism and established Kendal businesses
- Not financially viable, due inter alia, to complex brief.
- Inconsistent with post downturn economics and needs
- No infrastructure
- Flooding risk
- No engagement with local opinion
- Contrary to sustainability principle and claims
- Disregards superior established alternatives M6 J36 and Shap road.
- Disregards the N Relief road impact and benefits to the Kendal economy
- Case for site contradicted and superceded by M6 corridor Development Strategy

Is this totally unjustified destruction of the Kendal Gateway, the legacy we would wish for Kendal and future generations?

Please refer to previous SKPA Consultant reports and opposition documents, for further details.

Supporting reference material is provided overleaf.

Three councils work together to support economic growth along M6 corridor

9:00am Saturday 8th December 2012

THREE Cumbrian councils are working together to support economic growth on employment sites along the M6 corridor.

Leaders of South Lakeland District Council, Eden District Council and Carlisle City Council signed the Cumbria M6 Corridor Initiative in front of the area's three MPs.

It binds them together to promote economic growth, making it easier for businesses to relocate to the area, provide employment sites within easy reach of main transport routes, seek to attract new and growing investment, market the corridor from junction 36 to 44 as an area open for business and to upgrade infrastructure and communication networks.

Leader of SLDC, Coun Peter Thornton, said: "South Lakeland's close proximity to the M6 provides businesses with excellent transport links in the North West and beyond. By working in partnership with our partner authorities and our three MPs, we can promote and invest in this key area of Cumbria."

The corridor initiative recognises that all three councils are promoting growth through their planning policy documents covering housing, employment and business growth.

And it seeks to integrate this focus and build on the county's strengths in business areas such as manufacturing.

Westmorland and Lonsdale MP [Tim Farron](#) said he was delighted to join council leaders Peter Thornton, Gordon Nicholson and Joe Hendry along with local MPs [Rory Stewart](#) and John Stevenson to sign the agreement.

"The economy is central to all that we do and this is another important part of our campaign to bring well paid jobs, infrastructure and investment to South Lakeland," he said. "I look forward to working together in the coming months and years to bring the skills and new businesses that our area needs to grow and expand."

Penrith and the Border MP Rory Stewart said: "The M6 corridor project is an excellent example of what we as MPs in Cumbria should be doing more of: working together for the greater good of our county, and putting party politics aside to highlight what we can do, in co-operation, to grow our economy, support our businesses and communities, and generate prosperity for all.

"The M6 is a symbolic road, stretching right through the heart of Cumbria, and is a lifeline to our businesses and industries. We want the M6 corridor to be an example for rural Britain, showing how we can attract investment and development that will power our economy as we move out of recession."

Eden District Council's Leader, Coun Gordon Nicolson, said: "The availability of good employment sites and first class communication links area real opportunity for business. Our council is looking for higher paid jobs and progressive employment opportunities for our young people; this project has the capacity to deliver both."



I'm looking for...



economy in the fast lane SLDC Web Site Statement.

M6 Corridor Initiative to place Cumbrian economy in the fast lane

5 December 2012

Three Cumbrian councils are working together to enable and support growth on employment sites along the M6 Corridor (junctions 36-44).

On 7 December 2012, at Junction 41 of the M6 near Penrith, the respective leaders of South Lakeland District Council, Carlisle City Council and Eden District Council will sign the Cumbria M6 Corridor Initiative, in the presence of the areas'three MPs.

- The Cumbria M6 Corridor Initiative outlines that the councils will work collaboratively to:
- Promote economic growth along the M6 corridor in East Cumbria
- Provide employment sites within easy reach of main transport routes
- Support development wherever it is most appropriate across the area
- Improve infrastructure and communication networks along the corridor

- Make it easier for businesses to relocate in the area
- Seek to attract new and growing investment
- Market the corridor as an area open for business
- Work with partners such as the County Council and Cumbria Local Enterprise Partnership to facilitate growth

Leader of South Lakeland District Council, Councillor Peter Thornton, said: "South Lakeland's close proximity to the M6 provides businesses with excellent transport links in the North West and beyond. By working in partnership with our partner authorities and our three MP's, we can promote and invest in this key area of Cumbria."

The M6 Corridor Initiative recognises that all three councils are promoting growth through their respective planning policy documents covering housing, employment and business growth. The Initiative seeks to integrate this focus and build on Cumbria's strengths in business areas such as manufacturing, which provides 23% of the county's output, in industry sectors such as food and drink, and energy.

Tim Farron MP said: "I'm delighted to join council leaders Peter Thornton, Gordon Nicholson and Joe Hendry along with local MP's Rory Stewart and John Stevenson to sign this agreement. The economy is central to all that we do and this is another important part of our campaign to bring well paid jobs, infrastructure and investment to South Lakeland. I look forward to working together in the coming months and years to bring the skills and new businesses that our area needs to grow and expand."

Given the strategic strengths of Cumbria's M6 corridor, there are ample opportunities to encourage growth especially in the logistics, renewable energy and leisure sectors building on the uniqueness of the area.

By working collaboratively, the three councils will develop a more detailed assessment of the economic growth potential of the M6 Corridor, where key actions to attract private sector investment and stimulate growth could include:

- Superfast broadband connections to all strategic employment sites
- Addressing barriers to development and investment
- Aligning infrastructure funding with unlocking development sites
- Developing a coherent marketing and branding strategy for the M6 Corridor in Cumbria
- Developing a targeted package of support for priority sectors
- Delivering opportunities for new housing provision
- Creating a positive planning environment
- Engaging the education, skills, research and development offer of further and higher education providers

For more information about the Cumbria M6 Corridor Initiative contact South Lakeland District Council telephone: 0845 050 4434.

Making South Lakeland the best place to live, work & explore



M6 deal seeks to reinvigorate Cumbrian business North West Evening Mail

Last updated at 10:28, Wednesday, 05 December 2012

MPs and councils are due to sign a business deal in a bid to boost Cumbrian business along a vital link to the rest of the UK on Friday.

South Lakeland District Council will be working with Carlisle City Council and Eden District Council on the Cumbria M6 corridor agreement.

The scheme aims to promote growth between junctions 36 and 44 on the M6.

MPs Tim Farron, Rory Stewart and John Stevenson will also attend the event.

The M6 Corridor Initiative recognises that all three councils are promoting growth through their planning documents covering housing, employment and business growth.

The scheme hopes to build on Cumbria's strengths in business areas such as manufacturing, which provides 23 per cent of the county's output, in industry sector such as food and drink, and energy.

The Cumbria M6 Corridor Initiative outlines that the councils will work collaboratively to:

- Promote economic growth along the M6 corridor in East Cumbria
- Provide employment sites within easy reach of main transport routes
- Support development wherever it is most appropriate across the area
- Improve infrastructure and communication networks along the corridor
- Make it easier for businesses to relocate in the area
- Seek to attract new and growing investment
- Market the corridor as an area open for business
- Work with partners such as the County Council and Cumbria Local Enterprise Partnership to facilitate growth

Mr Stewart, MP for Penrith and the borders, said: "The M6 corridor project is an excellent example of what we as MPs in Cumbria should be doing more of: working together for the greater good of our county, and putting party politics aside to highlight what we can do, in cooperation, to grow our economy, support our businesses and communities, and generate prosperity for all.

"The M6 is a symbolic road, stretching right through the heart of Cumbria, and is a lifeline to our businesses and industries.

"We want the M6 corridor to be an example for rural Britain, showing how we can attract investment and development that will power our economy as we move out of recession.

"I am delighted to be a part of this exciting project."

By working collaboratively, the three councils will develop a more detailed assessment of the economic growth potential of the M6 Corridor, where key actions to attract private sector investment and stimulate growth could include:

- Superfast broadband connections to all strategic employment sites
- Addressing barriers to development and investment
- Aligning infrastructure funding with unlocking development sites
- Developing a coherent marketing and branding strategy for the M6 Corridor in Cumbria
- Developing a targeted package of support for priority sectors
- Delivering opportunities for new housing provision
- Creating a positive planning environment
- Engaging the education, skills, research and development offer of further and higher education providers

Cumbrian Councils join economy initiative

Three Cumbrian councils have agreed to work together to enable and support growth on employment sites along the M6 Corridor from junctions 36-44.

M6 Corridor to be 'an example for rural Britain'

An initiative by three Cumbrian Councils to agree to promote business and employment along the M6 corridor in the county has been praised. Rory Stewart, MP for Penrith and the Border said:

"The M6 corridor project is an excellent example of what we as MPs in Cumbria should be doing more of: working together for the greater good of our county, and putting party politics aside to highlight what we can do, in cooperation, to grow our economy, support our businesses and communities, and generate prosperity for all.

"The M6 is a symbolic road, stretching right through the heart of Cumbria, and is a lifeline to our businesses and industries. We want the M6 corridor to be an example for rural Britain, showing how we can attract investment and development that will power our economy as we move out of recession. I am delighted to be a part of this exciting project."

– *Rory Stewart MP*

- [UK](#)
- [business](#)
- [Cumbria](#)

[Share](#)

[Share on Facebook](#)

[Share on Twitter](#)[Share on Google+](#)

[7:11 am, Fri 07 Dec 2012](#)

Councils work together to get Cumbria in fast lane

Three Cumbrian councils have agreed to work together to promote the economy in the county along the M6 from junctions 36 to 44.

The leaders of Carlisle City Council, Eden District Council and South Lakeland Council have each signed up to the 'M6 Corridor Initiative.'

The Initiative outlines that the councils will work collaboratively to:

- Promote economic growth along the M6 corridor in East Cumbria
- Provide employment sites within easy reach of main transport routes

- Support development wherever it is most appropriate across the area
- Improve infrastructure and communication networks along the corridor

- Make it easier for businesses to relocate in the area
- Seek to attract new and growing investment
- Market the corridor as an area open for business
- Work with partners such as the County Council and Cumbria Local Enterprise Partnership to facilitate growth

Backbarrow Iron Works Failed Development

Current images:



Brochure Extracts



The Concept

Built on the site of the former Backbarrow Ironworks, in a scheduled Ancient Monument. The Ironworks is a unique development of new build luxury residential accommodation combined with first class workspace in a stunning Lake District National Park riverside setting. The site is of major historical importance and the strict planning controls operating within the National Park probably means that this is likely to be one of the last chances to acquire new residential property in the Lake District.

The development is likely to appeal to all those business owners, company directors or employees who yearn to work from home, whilst maintaining the Lake District lifestyle of a superb natural environment combined with outdoor activities and pursuits.

The History

The Furness iron industry began to expand when more productive blast furnaces fuelled by charcoal and blown by water driven bellows were established like the one erected at Backbarrow in 1711. The Ironworks had easy access to high grade haematite (Cumberland Ore),