

9 July 2012

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

Dear Sir

**Response: Conformity of the Land Allocations Development Plan Document (DPD) with the National Planning Policy Framework (NPPF)**

Please find below my responses in regard to the two documents above. I request that my responses are forwarded to the relevant Planning Inspector for the Secretary of State.

I make my response with particular reference to site R121M (section 3.20 in the DPD)

*This site has continued to be allocated in the DPD in contradiction to sections 17, 32, 94, 100 and 102 of the NPPF*

The site is subject to flooding, with a repeated and well-documented history of such events. Development on this site will have potentially serious consequences for the Stock Beck Flood Relief Scheme. **R121M was selected for inclusion in the DPD with little preparation by SLDC, without even a preliminary site-visit and without any assessment of strategic flood risk, site-specific flood risk, transport assessment or landscape impact assessment.**

Section 17 of the NPPF states that some open land can have a role in flood risk mitigation, **and the potential role of this site in regard to this role has been ignored in the DPD.**

Section 17 of the NPPF states that development allocation need to take into account the intrinsic character and beauty of the landscape. **SLDC have allocated sites in contradiction to this section of the NPPF. SLDC have ignored evidence presented to them which they have found inconvenient for their development schemes.** These have included Kendal Town Council's independent Landscape Character Assessment (the 'Galpin Report') and similar findings on landscape character assessment by Friends of the Lake District as part of their evidence base.

Section 32 of the NPPF states the need for a Transport Assessment for developments, in particular to sustainability and to safe and suitable access to the site. Site R121M presents challenges to these criteria, in particular, additional stresses on sustainability on edge of town requirements for traffic, lack of suitability due to impact of increased traffic on a quiet estate developed

without intention as serving as access for a much larger development and lack of safety of further access onto a busy main road. **SLDC have presented no Transport Assessment at all for this site in contradiction to Section 32.**

Section 94 of the NPPF requires planning authorities to mitigate risks from flooding and climate change. **Site R121M has been included in the DPD without consideration to these factors.** This is despite the known tendency of the site to flooding, the sensitivity of the site in relation to the Stock Beck Flood Alleviation Scheme and the liability of increased flooding here due to climate change.

Section 100 of the NPPF directs that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. **The inclusion of R121M by SLDC in the DPD contradicts this direction.**

Section 102 of the NPPF directs that planned development must demonstrate that it has benefits outweighing flood risk and that the plans must be informed by both a Strategic Flood Risk Assessment and a Site Specific Flood Risk Assessment. Furthermore these have to demonstrate that the development will be safe for its lifetime i) taking account of the vulnerability of its users, ii) without increasing flood risk elsewhere, and, iii) where possible, will reduce flood risk overall.

**The inclusion of R121M by SLDC in the DPD contradicts this direction.** No strategic assessment has been demonstrated for this area of Kendal and crucially no site specific assessment has been presented. SLDC have presented no evidence at all which demonstrates points i), ii) & iii) above.

Yours faithfully

David R Baxter