FCEM97

From: Hubbard, Alan [ak] Sent: 03- Sep- 11 13:35 To: Development Plans

Subject: South Lakeland LDF Land Allocations - Further Consultation - response

from National Trust

Follow Up Flag: Follow up Flag Status: Completed

Dear Sir/Madam,

Please find attached a set of response forms setting out the views of the National Trust following careful consideration of the latest consultation documentation. It is requested that the views set out in the responses are fully considered by the Council prior to preparation of the publication document.

It is noted that several sites put forward at this late stage are owned by National Trust and it is not our intention to bring these forward for development given their importance to the special places that we are charged with protecting on behalf of the nation.

The Trust also wishes to draw attention to our previous comments relating to land to the north of Kendal (including in the context of the attached response to new site RN299#). In particular in respect of Site RN169 we commented as follows in April this year in response to the Preferred Options consultation:

It remains the case that, as previously advised, this site is subject to restrictive National Trust covenants. Whilst that fact is recorded in the relevant documentation it is not addressed at all in any of the Council's commentary responding to this site.

It is particularly disappointing that the Council has not sought to respond to the invitation made by National Trust in its previous submissions, i.e.:

"Given the National Trust's role as a major stakeholder within the District it would welcome the opportunity to discuss the sites identified above, and their availability/appropriateness, with the Council should any of them make it beyond the initial sieving exercise."

The Council's current general consultation is the first time that it has been indicated to the Trust that it might pursue development of this site. At the same time its documentation is silent on the matter of the deliverability of this site, which is surprising given the issues flagged up by the Trust at the first opportunity.

As set out above National Trust has engaged with this DPD work at the earliest stage and despite that now being more than two years ago remains willing to meet with the Council regarding this matter.

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Lastly, it is acknowledged that an approach has been received from the land owner's advisers regarding this site and its possible development. That is under consideration at the moment but it is too early to say what the outcome of discussions might be. At present the position remains as identified at the time of the initial consultation.

It is noted that this position was again drawn to the Council's attention in my conversation with Mr. Alistair MacNeil on 4th July 2011, but the Council has still not sought to enter into discussions with the Trust over this matter. This concern is of course reinforced by the inclusion of site RN299# in the current consultation – the Trust's response to this site is included in the attached set of response forms.

It is noted that current national advice in PPS12 on the preparation of Development Plan Documents (para 5.2) is that they need to comply with the same requirements as those set out for Core Strategies, of particular relevance in this regard are paras 4.20, 4.27 and 4.44.

Regards,

Alan Hubbard

Planning Adviser t National Trust

The National Trust is a registered charity no. 205846. Our registered office is Heelis, Kemble Drive, Swindon, Wiltshire SN2 2NA.

The views expressed in this email are personal and may not necessarily reflect those of the National Trust unless explicitly stated otherwise.

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How to make comments

You need fill out only one copy of your contact details. However, please fill in a separate response form for each site or issue that you wish to comment on. Please indicate in the box provided on the contact details form the total number of pages enclosed. Please complete the attached Equality Monitoring Form if you wish.

An electronic copy of this form is available at www.southlakeland.gov.uk/landallocations

Electronic forms or responses by email can be sent to developmentplans@southlakeland.gov.uk.

Responses on paper copies of this form should be posted or faxed to:

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

Fax: 01539 717355

You may also hand in your form to the council offices at:

- South Lakeland House, Lowther Street, Kendal; or
- Ulverston Local Link (Town Hall)

If you require additional copies of the form please call 01539 717490 or email developmentplans@southlakeland.gov.uk.

Internet access is available at your local library and at South Lakeland House, Kendal.

Please ensure that your comments reach the Council Offices at South Lakeland House, Kendal no later than Friday 9th September 2011.

Your contact details and privacy

Anonymous comments will not be accepted. Comments cannot be treated as confidential and will be available for public inspection. Your submitted comments will be used in the preparation of the LDF.

Contact details, signatures and private addresses will not be made public. Any data that you supply will be held in accordance with the Data Protection Act 1998.

Viewing the relevant documents

The consultation document, which includes maps of the sites we would like comments on can be viewed at council offices and local libraries and downloaded from the Council website

Any questions?

If you need help completing the comments sheet, require further information or are unsure about any aspect of the consultation, our Development Plans Team will be pleased to advise.

Contact details are:

Tel: 01539 717490 Email: developmentplans@southlakeland.gov.uk

Your contact details

If you are completing a paper copy of this form please use CAPITALS and BLACK INK.

Your details	Your Agent's details (if you have one)
Organisation: National Trust	Organisation: N/A
Name: Alan Hubbard	Name:
Address:	Address:
Postcode:	Postcode:
Tel:	Tel:
*Email:	*Email:

*We aim to minimise the amount of paper printed and sent out. Therefore, where an email address is supplied, future contact will be made electronically.

This response contains	25	pages including this one.
Development P	lan Do	you would like us to notify you when the Land Allocations cument is submitted to the Secretary of State for independent it is adopted by the Council.

Please use this form to comment on:

- 1. Alternative sites put forward by respondents to the earlier Land Allocations consultation (January April 2011);
- 2. Time span of the Land Allocations document
- 3. The approach to development in small villages, hamlets and the countryside.

Please complete one of these sheets for every response you make. (Please also note that comments made in earlier consultation need not be repeated.)

1. Alternative Sites

Which site do you wish to comment on?			
Settlement (e.g. Natland)		Site ref (e.g. RN	erence number N298#)
(e.g. Natiand)			,
A590 Corridor and M6 Junction 3	36	E56#	
Please indicate below whether this site be included in the Lan			
Support	Support in part		Oppose √
Please explain your reasons/ac box if necessary)	dd your comments belov	w (contin	nue on a separate sheet/expand
In principle the inclusion of all Brettargh Holt is impractical ar ownership, landscape characte	nd has given no conside	eration to	o matters such as land
The Trust is especially concerned about the impact of development on this scale and in this location upon the approach to Sizergh Castle and Estate, including Helsington Barrows, and their setting – including the views to and from these valued assets. The existing rural surroundings and the visitor approach would be very significantly and adversely affected.			
It is an area of open countrysic services.	de poorly related to exis	ting sett	lements and a range of local
It is considered that an allocati with the adopted Core Strategy		ocation	would not be in conformity
(This response is equally appli	icable to employment or	mixed e	employment/housing use.)

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Please complete one of these sheets for every response you make. (Please also note that comments made in earlier consultation need not be repeated.)

1. Alternative Sites

Which site do you wish to com	ment on?		
Settlement (e.g. Natland)		Site ref (e.g. RN	rerence number N298#)
Sedgwick and Brettargh Holt		E50#	
Please indicate below whether this site be included in the Lar			
Support	Support in part		Oppose √
Please explain your reasons/acbox if necessary)	dd your comments belov	w (contin	nue on a separate sheet/expand
The National Trust objects to t existing settlements and a ran		of open o	countryside poorly related to
More particularly development the Sizergh Estate, including v to Sizergh.			
Development here would clear not least the heritage resource		t upon o	ther environmental assets,
It is considered that an allocat with the adopted Core Strategy		ocation	would not be in conformity

Please use this form to comment on:

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1. Alternative Sites

Which site do you wish to comment on?			
Settlement (e.g. Natland)		Site ref (e.g. RN	erence number N298#)
Sedgwick and Brettargh Holt		E51#	
Please indicate below whether this site be included in the Lan			
Support	Support in part		Oppose √
Please explain your reasons/ac box if necessary)	dd your comments belov	w (contin	ue on a separate sheet/expand
The National Trust objects to t existing settlements and a range		of open o	countryside poorly related to
More particularly development the Sizergh Estate, including v to Sizergh.			
Development here would clear not least the heritage resource		t upon o	ther environmental assets,
It is considered that an allocati with the adopted Core Strategy		ocation	would not be in conformity

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Please complete one of these sheets for every response you make. (Please also note that comments made in earlier consultation need not be repeated.)

1. Alternative Sites

Which site do you wish to comment on?			
Settlement (e.g. Natland)		Site ref (e.g. RN	erence number N298#)
Sedgwick and Brettargh Holt		E52#	
Please indicate below whether this site be included in the Lar			
Support	Support in part		Oppose √
Please explain your reasons/acbox if necessary)	dd your comments belov	w (contin	uue on a separate sheet/expand
Approximately the middle third of this site (as defined by field boundaries) is owned by National Trust as part of the Sizergh Estate. Along with the remainder of site E52# it is an important element of the rural landscape around Sizergh Castle and the approach to it; the Trust does not intend to dispose of its land holding here or to promote mixed housing/employment development upon it.			
The site is an area of open coulocal services.	intryside poorly related	to existi	ng settlements and a range of
Development here would clear not least the heritage resource		t upon o	ther environmental assets,
It is considered that an allocat with the adopted Core Strategy		ocation	would not be in conformity

Please use this form to comment on:

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1. Alternative Sites

Which site do you wish to com	amont on?		
Settlement (e.g. Natland)	illient on?	Site ref (e.g. RI	ference number N298#)
Sedgwick and Brettargh Holt		E53#	
Please indicate below whether this site be included in the Lar			
Support	Support in part		Oppose √
Please explain your reasons/acbox if necessary)	dd your comments belo	w (contin	nue on a separate sheet/expand
The whole of this site is owned employment development. It is Castle, its setting and the appropriate the castle.	s an important element o		
The site is an area of open coulocal services.	intryside poorly related	to existi	ng settlements and a range of
It is considered that an allocat with the adopted Core Strategy		ocation	would not be in conformity

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1. Alternative Sites

Which site do you wish to com	ment on?		
Settlement (e.g. Natland)	intent on:	Site ref (e.g. RN	erence number N298#)
Sedgwick and Brettargh Holt		E54#	
Please indicate below whether this site be included in the Lar			
Support	Support in part		Oppose √
Please explain your reasons/acbox if necessary)	dd your comments belov	w (contin	nue on a separate sheet/expand
The whole of this site is owned employment development. It is Castle, its setting and the appropriate the castle.	s an important element o		
The site is an area of open coulocal services.	intryside poorly related	to existi	ng settlements and a range of
It is considered that an allocat with the adopted Core Strategy		ocation	would not be in conformity

Please use this form to comment on:

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1. Alternative Sites

Which site do you wish to comment on?			
Settlement (e.g. Natland)		Site ret (e.g. Rl	ference number N298#)
Sedgwick and Brettargh Holt		E55#	
Please indicate below whether this site be included in the Lar			
Support	Support in part		Oppose √
Please explain your reasons/a box if necessary)	dd your comments belov	w (contir	nue on a separate sheet/expand
Castle, its setting and the app	is an important element or roach to it. untryside poorly related tion of this scale in this I	of the ru to existi	iral landscape around Sizergh

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Please complete one of these sheets for every response you make. (Please also note that comments made in earlier consultation need not be repeated.)

1. Alternative Sites

Which site do you wish to com	ment on?		
Settlement (e.g. Natland)		Site ref (e.g. RN	erence number N298#)
Sedgwick and Brettargh Holt		RN280#	‡
Please indicate below whether this site be included in the Lar			
Support	Support in part √		Oppose
Please explain your reasons/ac box if necessary)	dd your comments belov	w (contin	ue on a separate sheet/expand
If there is a demonstrable need the National Trust does not op			
However, it is considered that development should be closely end of the identified site. It will suitable having regard to any p	y associated with the ex Il also be necessary to d	isting vi emonst	llage, i.e. utilising the eastern

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1. Alternative Sites

Which site do you wish to com	ment on?		
Settlement (e.g. Natland)		Site ref (e.g. RN	erence number N298#)
Sedgwick and Brettargh Holt		ON56	
Please indicate below whether this site be included in the Lan			
Support	Support in part √		Oppose
Please explain your reasons/ac box if necessary)	dd your comments belov	w (contin	ue on a separate sheet/expand
It is difficult to make a definitive and the level of information average.			
There are potentially a number of issues regarding matters such as how suitable vehicular access to the site would be achieved (in part what is 'suitable' will depend upon the extent and nature of the uses), the scale and design of new development and the impacts upon environmental resources.			
However, in principle a leisure use here based around restoration of the canal could have a number of positive elements and could readily be linked to the existing and potential visitor attractions associated with the Sizergh Estate, including not only the Castle but also Low Sizergh Farm and Sedgwick gunpowder works. (There is an existing right of way to the north of Wilson Place and a related footbridge over the River Kent to the close by.)			

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1. Alternative Sites

Which site do you wish to com	nment on?		
Settlement (e.g. Natland)		Site ref (e.g. RN	erence number N298#)
Kendal SW		E5#	
Please indicate below whether this site be included in the Lar			
Support	Support in part		Oppose √
Please explain your reasons/ac box if necessary)	dd your comments belov	w (contin	ue on a separate sheet/expand
This site is considered to be p from it by both the A590 and a outskirts of Kendal. As such i	lso the existing open lar	nd to the	east of the by-pass up to the
Furthermore development in the countryside and its landscape		sely imp	pact upon the open

Please use this form to comment on:

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1. Alternative Sites

Which site do you wish to comment on?			
Settlement (e.g. Natland)		Site ref (e.g. RN	erence number N298#)
Kendal SW		E8#	
Please indicate below whether this site be included in the Lar			
Support	Support in part		Oppose √
Please explain your reasons/acbox if necessary)	dd your comments belov	w (contin	ue on a separate sheet/expand
This site is considered to be poorly related to the built up part of Kendal, being separated from it by both the A590 and also the existing open land to the east of the by-pass up to the outskirts of Kendal. As such it is not well related to existing services.			
Furthermore development in the countryside and its landscape		sely imp	pact upon the open

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1. Alternative Sites

Which site do you wish to comment on?			
Settlement (e.g. Natland)		Site ref (e.g. RN	erence number N298#)
Kendal NE		RN299#	#
Please indicate below whether this site be included in the Lar			
Support	Support in part		Oppose √
Please explain your reasons/acbox if necessary)	dd your comments belov	w (contin	ue on a separate sheet/expand
As with Site RN169 (as comme restrictive covenants that related		ional Tru	ust is the beneficiary of
To date there have been no dis owner regarding this site and i		rust and	d either the Council or the land

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1. Alternative Sites

Which site do you wish to comment on?			
Settlement (e.g. Natland)		Site reference number (e.g. RN298#)	
Arnside		MN32#	
Please indicate below whether this site be included in the Lar			
Support	Support in part √		Oppose
Please explain your reasons/acbox if necessary)	dd your comments belov	w (contir	nue on a separate sheet/expand
Attention is drawn to the National Trust's response earlier this year to the Site Allocations Preferred Options Consultation with specific reference to the approach generally to be taken to Arnside given its location within the nationally designated landscape of an AONB; including our submissions on the implications of the Adopted Core Strategy (e.g. Policies CS1.1 and 8.2).			
In effect this site is an extension of site MN20 previously put forward.			
The Trust is concerned about a consequent impact of develop infrastructure available in Arns modest employment development he site, the Trust would, for exdevelopment here on the far si envelope.	ment not only on the deside. Whilst a case might nent well related in siting xample, be especially co	signated nt be read g and sc oncerned	d landscape but also on the isonably made for some ale to the characteristics of disbout new housing

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1. Alternative Sites

Which site do you wish to comment on?			
Settlement (e.g. Natland)		Site ref (e.g. RN	erence number N298#)
Arnside		RN269#	#
Please indicate below whether this site be included in the Lar			
Support √	Support in part		Oppose
Please explain your reasons/ac box if necessary)	dd your comments belov	w (contin	nue on a separate sheet/expand
Whilst National Trust is not in a position to comment about the site-specific attributes and therefore the overall suitability of this site it does note that it is situated within the existing built up area of Arnside. As such well considered development on this site is unlikely to have adverse impacts upon landscape character or indeed the wider objectives for the AONB as set out in its Management Plan, or indeed to be in conflict with the relevant policies in the adopted Core Strategy.			
As such it is considered that this site is preferable to some of the sites proposed in the Preferred Options consultation earlier this year (in particular sites R81, RN225 and R693M).			

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1. Alternative Sites

Which site do you wish to comment on?			
Settlement (e.g. Natland)		Site ref (e.g. RI	erence number N298#)
Arnside		RN267	#
Please indicate below whether this site be included in the Lar			
Support √	Support in part		Oppose
Please explain your reasons/acbox if necessary)	dd your comments belov	w (contir	nue on a separate sheet/expand
Whilst National Trust is not in a position to comment about the site-specific attributes and therefore the overall suitability of this site it does note that it is situated within the existing built up area of Arnside. As such well considered development on this site is unlikely to have adverse impacts upon landscape character or indeed the wider objectives for the AONB as set out in its Management Plan, or indeed to be in conflict with the relevant policies in the adopted Core Strategy.			
As such it is considered that the Preferred Options consultation			

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1. Alternative Sites

Which site do you wish to comment on?			
Settlement (e.g. Natland)		Site ref (e.g. RI	erence number N298#)
Holme and Holme Mills		All sites	3
Please indicate below whether this site be included in the Lar			
Support	Support in part		Oppose √
Please explain your reasons/a box if necessary)	dd your comments belov	w (contir	nue on a separate sheet/expand
The National Trust does not wish to comment about the detailed characteristics of individual sites that have come forward at Holme and Holme Mills. However, it does wish to note that the potential scale of cumulative development is excessive, far exceeds the needs of these modest settlements and would fundamentally alter their character.			
The Trust's specific interest is the relative proximity of the settlements to its property at Holme Park Fell to the east which is a very popular viewpoint (along with Farleton Knott). Development of the extent proposed would have a considerable adverse impact upon the view from Holme Park Fell.			
Whilst a very modest amount of new development might reasonably be contemplated (for example sites such as RN30M#, RN283# and RN293# which are quite well related to the existing settlements) the same is not true of the significant number of very large sites (for example sites such as RN273#, RN274# and RN275#).			

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1. Alternative Sites

Which site do you wish to comment on?			
Settlement (e.g. Natland)		Site reference number (e.g. RN298#)	
Levens		RN282	#
Please indicate below whether this site be included in the Lar			
Support	Support in part		Oppose √
Please explain your reasons/ac box if necessary)	dd your comments belov	w (contir	nue on a separate sheet/expand
It is considered that this site is of an excessive size to meet the reasonable needs of the settlement and that its development would considerably, and adversely, impact upon both the existing settlement pattern and the important open spaces between groups of buildings.			
Having regard to the topography of the site and its prominence, especially at the northern portion, in views towards Sizergh Fell from the south/south-west, it is considered that its development would also adversely impact upon the landscape character of this part of the District.			
The Trust is not aware of any detailed investigation into the suitability of this site but there is known to be ecologically sensitive land close by at Lane End corner.			
It is not considered that this si consultation earlier in 2011.	te is preferable to those	advanc	ed in the Preferred Options

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1. Alternative Sites

Which site do you wish to comment on?			
Settlement (e.g. Natland)		Site ref (e.g. Ri	ference number N298#)
Levens		RN295	#
Please indicate below whether this site be included in the Lan			
Support	Support in part		Oppose √
Please explain your reasons/ac box if necessary)	dd your comments belov	w (contir	nue on a separate sheet/expand
It is considered the development of this site could adversely impact upon both the existing settlement pattern and the village envelope.			
Having regard to the topography of the site and its prominence, especially the un-built upon northern portion, in views towards Sizergh Fell from the south/south-west, it is considered that its development could also adversely impact upon landscape character.			
The Trust is not aware of any detailed investigation into the suitability of this site but there is known to be ecologically sensitive land close by at Lane End corner.			
Subject to ecological considerations a well-designed residential redevelopment of the existing buildings may be possible. Preferably this should firstly consider whether or not there is any potential to re-use existing buildings. In any event very careful control would need to be exercised over the height of new buildings and the extent and treatment of their curtilages.			
It is not considered that this site is necessarily preferable to those advanced in the Preferred Options consultation earlier in 2011.			

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1. Alternative Sites

Which site do you wish to comment on?			
Settlement (e.g. Natland)		Site ref (e.g. RN	erence number N298#)
Levens		RN291#	#
Please indicate below whether this site be included in the Lar			
Support	Support in part		Oppose √
Please explain your reasons/acbox if necessary)	dd your comments belo	w (contin	uue on a separate sheet/expand
This site is considered to be q and to be a comparatively pror	•	e existin	g settlement pattern at Levens
It is not considered that this si Options consultation earlier in		ble to th	nose advanced in the Preferred

2. <u>Time Span of Land Allocations Document</u>:

Should the Land Allocations document plan period remain 2003 – 2025 or cover a shorter period, for example, 2003-2020?

Please indicate whether you su of the Land Allocations docum	upport, support in part or opposent (please tick as appropriate)	e a reduction in the time span
Support √	Support in part	Oppose
Please explain your reasons/ac box if necessary)	dd your comments below (contin	nue on a separate sheet/expand
government policy, especially	ncertainty at the present time a in terms of the final detail of the the Localism Bill also remains u rliamentary procedures.	National Planning Policy
submitting a publication docur key planning documents) it wo	on moving forward with its Site nent in the autumn (whilst unce uld be sensible to adopt a short earlier review. Such a review w tablished national perspective.	rtainties will remain over both ter time span for the DPD and

3. Small Villages, Hamlets & Open Countryside

Do you think the future housing and employment land needs of small villages, hamlets and open countryside are best met by: -

- A. Allocating sites for houses and employment in the Land Allocations document; or
- B. Communities and/or developers bringing forward sites for housing and employment for consideration under relevant Core Strategy policies, through neighbourhood plans and/or other local initiatives.

Please indicate which of the above options you would support. (Please tick as appropriate)		
A 🗆	B √	
Please explain your reasons/add your comme box if necessary)	nts below (continue on a separate sheet/expand	
The alternative approach set out in B is approregard to a) the overall criteria that are set out the intention to give local communities greate around the places that are special to them. This approach is not suitable for any large scashould be absent or very unlikely given the overategy. If the need for such development has villages, hamlets and open countryside at this Allocations Document it would be reasonable effect that major development will not be permodered by the small scale development proposals do it will be necessary to clear show that they are communities, and would not adversely impact including landscape, nature conservation and	in the recently adopted Core Strategy, and b) r say in what happens, and where, in and ale proposals – such development proposals rerall spatial strategy set out in the Core is not been identified in or around the 'small is stage in the preparation of the Site to include a policy in the final DPD to the nitted in these locations. come forward in these locations in the future is 'needs based', have the support of local aupon the significances of valued assets	

Thank you for your views and suggestions.