

LANE FOOT FARM MANAGEMENT COMPANY LIMITED
C/o Mrs J Scott, Company Secretary. [REDACTED]

2nd September 2011

Dear Sir

LAND TO THE EAST OF WINDERMERE ROAD KENDAL

SHLAA REF. RN169 (the Site)



This letter is sent by the Board of Directors on behalf of the 11 members of Lane Foot Farm Management Company Limited. We have been notified of the proposal to include the Site as an alternative site in the [local plan]. Individual members have previously written to the Council and have requested the Directors to formally object to the proposal to bring forward the Site.

For the record, the Company fully supports the sympathetic development of housing and employment opportunities in Kendal. We support the policy that previously developed land should be prioritised and appropriate greenfield sites promoted where need cannot be met through brownfield locations.

We consider that the proposal to develop the Site by introducing it as an alternative site is misconceived on a number of planning grounds:

1 Sustainability. The addition of 130-150 new dwellings in this location would substantially increase the number of private vehicles using the suggested access routes. It is not an easy walk for families and older persons from the area around Lane Foot down into the centre of Kendal and the bus service is relatively infrequent.

Any new residents would almost certainly use private vehicles for most of the journeys to and from the Site.

2 Landscaping. The Site is immediately adjacent to the National Park with its designation as such. The current units at Lane Foot are former farm buildings built in the vernacular and sympathetic to the landscape. The development of modern high density residential units on the Site would certainly have a negative impact on the rural northern aspect of Kendal and the approach to the town from Windermere Road.

3 Bulk, density. Any high density development is inappropriate in terms of bulk and massing of the built form on the fringe of the countryside.

4 Highway issues. As referred to at 1 above, the proposed development would have substantial highway issues. None of the proposed accesses off Windermere Road, High Garth or High Sparrowmire are suitable. Windermere Road is extremely busy and the current access to Lane Foot often leads to users waiting for several minutes to safely turn onto Windermere Road (where cars are still decelerating from 60 to 40 mph). The other suggested routes are entirely inadequate and would lead to congestion in the neighbouring area.

5 At Lane Foot Farm, we already have experience of heavy run-off in times of storm from the surrounding fields and hills. Last year Burneside itself was severely flooded, with disastrous effect to local inhabitants in that area. Any increased development with paved areas, roofs and impermeable surfaces, will result in greater increased run-off and a much quicker concentration time for any surface water discharged to the existing watercourses, all of which drain from this catchment area into Burneside. We believe that any approval of the current proposals, on such a large scale, will significantly increase the flooding risk that already exists.

6 Coalescence. It is suggested by the promoter of the Site that there would be no coalescence. This is wrong. The proposed development of the Site would bring it within 75 metres of Lane Foot, which stands presently as a small, distinctive and sympathetic community of stone dwellings with its own character and contribution to the landscape. To permit the development of the Site would produce inappropriate coalescence and the loss of Lane Foot as a distinctive rural community, entirely consistent with its location.

7 Loss of amenity. The only access to Lane Foot is over the farm track from Windermere Road. As mentioned at 4 above, the current access is barely adequate. To permit many other vehicles gain access over this entrance and into the Site would cause a substantial loss of amenity to the members of the Company. The addition of noise, light pollution and loss of green space through development of the Site would result in substantial loss of amenity to occupiers of Lane Foot.

There is also the question of the National Trust 1944 restrictive covenant. Clearly the Trust subsists and has the ability to enforce the covenant. The suggestion that the covenant is of such age or nature that the Land Tribunal would set it aside is, in my view, wrong, we suggest. [discussion with National Trust] (Note - to the extent that the development would adversely effect our rights to use the farm track, we would reserve our position against the track owner).

For the reasons stated we believe that the Site should not be brought forward as an additional site. To the extent that Lane Foot may be considered a Hamlet of 10 or so dwellings, the points above may again be considered relevant to the consultation. We have no view as to the time span though observe that it should be properly linked to the perceived growth of demand in the period.

Yours Faithfully, 

LANE FOOT FARM MANAGEMENT COMPANY LIMITED

CHRISTOPHER BALDERSTONE

DIRECTOR