



## 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.

To assist us in analysing the responses we encourage you to make your comments electronically at <http://www.southlakeland.gov.uk/ldf/consultation/>

Or fill in an electronic copy of this form (available from [www.southlakeland.gov.uk/landallocations](http://www.southlakeland.gov.uk/landallocations)) and email it to [developmentplans@southlakeland.gov.uk](mailto:developmentplans@southlakeland.gov.uk).

You can also fill in a paper copy of the attached form and post or fax it 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](mailto:developmentplans@southlakeland.gov.uk).

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

## Submitting your comments

**Please ensure that your comments reach the Council Offices at South Lakeland House, Kendal no later than Friday 15<sup>th</sup> April.**

## Your contact details and privacy

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

Contact details submitted electronically will not be available to view on the system. 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 Land Allocations document, maps and other supporting documents can be downloaded from and viewed at council offices and local libraries and on the Council website

## Any questions

If you need help completing the comments sheet, or require further information regarding the Land Allocations Document, 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](mailto:developmentplans@southlakeland.gov.uk)**

If you would like a copy of this document in another format such as Large print, Braille, Audio or in a different language, please **0845 050 4434** or email **customerservices@[southlakeland.gov.uk](mailto:customerservices@southlakeland.gov.uk)**





# Consultation Response Form

## Your contact details

FOR OFFICIAL USE ONLY

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: TIME AND TIDE (NORTH WEST) LIMITED		Organisation: INDIGO PLANNING LTD	
Name:		Name: DANIEL JACKSON	
Address:		Address: LOWRY HOUSE	
		17 MARBLE STREET	
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\*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  pages including this one.



Please tick the box if you would like us to notify you when the Land Allocations Development Plan Document is submitted to the Secretary of State for independent examination and when it is adopted by the Council.

If you have any questions, or no longer wish to be consulted on the South Lakeland Local Development Framework, please call the Development Plans Team on tel: 01539 717490.

Completed forms can be sent to:

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

# Comments about suggested site allocations (and other map designations)

Please use this form to comment on emerging options and other sites as they appear on the settlement maps. **Please complete one of these sheets for every response you make.**

Which site or allocation do you wish to comment on?			
Settlement (e.g. Natland)	Map Number (e.g. 11)	Site reference number (e.g. R62)	Other designation – If you want to comment on something that doesn't have a site reference (e.g. development boundary, town centre boundary, green gap) please describe it here
KENDAL		RN181M AND M35KM	
Do you support, oppose or support in part the suggested allocation or designation? (delete as appropriate)			
I oppose <b>the suggested</b> site allocation <b>for the following use(s)</b> Housing other (specify).....			
Please explain your reasons (continue on a separate sheet/expand box if necessary)			
<p><b>PLEASE SEE ACCOMPANYING LETTER</b></p>			

## How to suggest sites which do not appear on the maps

If you want to suggest a site that does not appear on the maps **please provide a map** with the site outlined in red. Please state the uses which you propose allocating the site for and explain your reasoning. Also, please include the name of the landowner if known.

N/A

## Comments about community facilities in your area

New development can provide benefits to communities through enabling the delivery of improved or new community facilities (for example, play areas, allotments, green space, car parks, traffic management, pedestrian and cycle links, health and education facilities and community centres etc).

Do you think that your area needs new or improved community facilities?

**If so, what sort of facilities and where?**

Please explain the types of improved and/or new community facilities you feel your community may need in the next 15 years (continue on a separate sheet/expand box if necessary).

N/A

## Comments about the documents and approach

Please respond here if you have any comments to make about the documents and approach. Please indicate the name of the document, page number, paragraph number or policy reference (where applicable) by ticking the appropriate box.

**Please complete one of these sheets for each specific comment you want to make on each document.**

Which document do you wish to comment on? (tick one)					
Land Allocations Document* <input checked="" type="checkbox"/>	Sustainability Appraisal <input type="checkbox"/>	Scoping Report <input type="checkbox"/>	Retail Topic Paper <input type="checkbox"/>	Settlement Fact File (which?)	Other (please specify)**
What part of this document do you wish to comment on?					
Page:		Paragraph no:		Policy: (where applicable)	DRAFT POLICY K3
Do you support or oppose this part of the document?					
I oppose <b>this part of the document.</b>					
Please explain your reasons (continue on a separate sheet/expand box if necessary)					
PLEASE SEE ACCOMPANYING LETTER					

\* Note the Land Allocations Document is the main document that includes the emerging site options and maps. It also includes proposals for open space and employment land designation, town centre and retail boundaries, green gaps and development boundaries.

\*\* Other documents include the Interim Consultation Statement, Appropriate Assessment Screening Report and the South Lakeland Gypsies, Travellers and Show People Accommodation Study (Final Draft).

**Thank you for your views and suggestions. Electronic copies of the form can be downloaded from [www.southlakeland.gov.uk/landallocations](http://www.southlakeland.gov.uk/landallocations)**



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

**By email**  
[developmentplans@southlakeland.gov.uk](mailto:developmentplans@southlakeland.gov.uk)

15 April 2011

Our ref. DJ/DH/750003

Dear Sir / Madam

## **RESPONSE TO SOUTH LAKELAND DISTRICT COUNCIL LDF LAND ALLOCATIONS CONSULTATION**

We write, on behalf of Time and Tide (North West) Limited, in response to the above consultation exercise.

Our representation relates to draft Policy K3 'Land for New Housing Development in Kendal'. Overall we are of the view that the strategic distribution of housing is at odds with the Core Strategy and principles of sustainable development. In particular, we are of the opinion that two of the sites, RN181M and M35KM should not be allocated for residential development. Residential development on these sites would be contrary to the Core Strategy. As such, the draft policy in its current form is unsound.

### **Strategic Approach to Allocating Sites**

There is a need to build 2,120 dwellings within Kendal over the plan period. It is clear that Kendal has insufficient existing sites within the town boundary to accommodate this significant number of dwellings. Draft Policy K3 reflects this by suggesting the allocation of several residential sites outside the existing town boundary.

The deliverability of several of the sites are however questionable and it appears unlikely that the necessary quantum of development will be delivered in Kendal within the plan period.

Of particular concern is the delivery of two of the sites, namely RN181M and M35KM off Appleby Road to the north of the town. The allocation of these sites does not accord with the Core Strategy so should be removed from the Site Allocations DPD. The reasons for this are set out below.

### **Congestion**

Policy CS2 'Kendal Strategy' refers to implementing the development and mitigation strategy of the Kendal Transport Assessment (KTA). This includes

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**Also in London, Leeds  
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*'informing the location of site allocations for housing and employment land'.*

Policy CS10.2 'Transport impact of new development' considers proposed development against several criteria including whether:

*'the expected nature and volume of traffic generated by the proposal could be accommodated by the existing road network without detriment to the amenity or character of the surrounding area, local air quality or highway safety'.*

Kendal town centre's road network suffers from significant congestion. Paragraph 3.45 of the Core Strategy states:

*'Further development within the Shap Road / Appleby Road corridor needs to be assessed to determine whether its transport and movement impacts can be accommodated as there are significant capacity issues regarding HGV and other peak traffic flow'.*

Against this context, paragraphs 3.18 and 3.19 of the Site Allocations DPD provide further notes on the two sites. The DPD confirms development on either site would likely result in significant impact on existing traffic flows on Appleby Road and the Town Centre network. This is because the majority of traffic would travel in a southbound direction from the sites towards the town centre and the trunk road network.

We have sought initial advice from VTC (Highway & Transportation) Consultancy who has been heavily involved in a recent planning approval for residential development on the auction mart site on Appleby Road. VTC has indicated that development on these two proposed sites would have a significant impact on the network.

As such, development on these two sites would conflict with Core Strategy Policy CS2 and Policy CS10.2 and their allocation would be unsound.

### **Air Quality**

A significant part of Kendal Town Centre lies within an Air Quality Management Area (AQMA) due to nitrogen dioxide levels being above national standards. Increased nitrogen dioxide levels are caused predominately by vehicle emissions.

An Action Plan has been adopted which works towards reducing nitrogen dioxide levels, mainly by reducing the amount of road traffic in the AQMA.

Core Strategy Policy CS2 states that the Council aims to *'minimise both air pollution through implementation of Air Quality Management Plans and the risk of flooding'*. Policy 10.2, quoted in part above, also emphasises the importance of minimising the impact on air quality.

We have sought initial advice from air quality specialists Halcrow who have



indicated that significant residential development on sites RN181M and M35KM would adversely impact on the AQMA. They have advised on a smaller residential development on Appleby Road, where there was a substantial concern from the Council's Environmental Protection Officer over any increase in emissions. More significant development on the proposed sites would see peak hour traffic routed through the AQMA and thus adversely impact on it.

As such, development on these sites would not accord with Policy CS2. Draft Policy K3 is therefore unsound.

### **Constraints**

Sites RN181M and M35KM have significant constraints which are likely to preclude development. A significant part of site M35KM lies within Flood Zone 3. Residential development is classed a more vulnerable use and thus would not accord with the tests of PPS25 which directs development towards lower areas of flood risk. The Council should not be allocating sites which are significantly affected by flooding.

Site RN181M is not contiguous with residential areas. Residential development on this site would be surrounded by agricultural use on all sites apart from a retail park to the south. It is therefore not a suitable location for dwellings.

Further, site M35KM does not form a natural urban extension and has a poor relationship with nearby housing areas. Its development would not form a sustainable community.

### **Alternative Site**

It is important that the Council allocate sufficient number of deliverable sites in order to deliver 2,120 dwellings over the plan period. It is clear that development towards the north east of the town should be avoided as its traffic will inevitably be routed through the town and the AQMA. Sites RN181M and M35KM should be discounted from the Land Allocations DPD. There is therefore a need to look elsewhere in the town to meet the surplus of 295 dwellings.

Focusing residential development towards the south of the town would reduce the pressure on the town centre road network and subsequently help to reduce nitrogen dioxide emissions in the AQMA.

Site EM4 at the southern boundary of the town would be suitable to meet this shortfall. The Council has suggested the site would be suitable for development, however there is significant opposition to the proposed employment use. This is less suitable for employment use and more suitable for housing due to employment's greater impact on visual amenity at a key gateway to Kendal, impact on landscape character and mismatch with the neighbouring residential area. Housing would better relate to its surroundings.

Site EM4 extends to 17.9ha. When taking into account Core Strategy Policy

CS6.6 which seeks an average of 30 dwellings per hectare, the site could easily accommodate the shortfall in dwellings.

The Kendal Fact File that accompanies the DPD acknowledges public support for residential development on the site. This would offer a logical southern extension to the Watsfield housing estate and be more in keeping with surrounding uses.

When compared to large scale industrial or warehousing uses, residential development on site EM4 would have a reduced impact on landscape character.

### **Summary**

In summary, the Council need to ensure they allocate the correct residential sites in order to deliver the ambition target of 2,120 dwellings over the forthcoming plan period.

Sites RN181M and M35KM are unlikely to come forward for development given their location at the north east of the town and subsequent detrimental impact on the AQMA and congestion in the town centre. These sites should be removed from draft Policy K3 otherwise this policy will not accord with Core Strategy policies CS2 and CS10.2.

The Council should instead look to allocate site EM4 for residential development.

We consider it necessary to participate at the oral part of the examination of the Site Allocations DPD in order to fully explain our case. In the meantime, please do not hesitate to contact me should you require any further information.

Yours sincerely



Daniel Jackson

Cc: Client