



Development Strategy Manager
South Lakeland District Council
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By email
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 the following sites and the consultation responses in Appendix 1A of the 'Strategic Employment Sites Serving the Kendal Area' Fact File:

- E57; and
- M7.

The Fact File draws heavily on the evidence base presented in the South Lakeland Employment and Housing Land Search Study (SLEHLSS) of March 2009 and South Lakeland Knowledge Based Employment Land Search and Assessment Study (SLKBELSA) of August 2007.

We have submitted a substantial amount of information to SLDC on behalf of the land promoter over the past two years clarifying a number of significant inaccuracies in these documents. Inaccuracies relate to gaps in information available when the reports were produced but also to more recent changes to the site circumstances as the reports are now dated.

To ensure robust allocations and the soundness of the DPD, it must be based on the updated information we have provided.

However, unfortunately the Fact File still relies on the background papers without taking into account the corrections and updated information provided on behalf of Time and Tide.

In particular, the recent granting of consent for an auction mart and ancillary buildings on site reference EN18 is a significant material change in circumstances which must be considered.

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Clarification on the suitability of employment development on land close to M6 Junction 36 is again emphasised below. We address each of the issues in the order they are raised in the Fact File. We ask that this be considered formally as part of the Land Allocations consultation process.

Sustainability

Whilst the site is only served by a limited public transport service at present, this will improve as the auction mart is developed opposite the sites. Furthermore, the correct assessment is whether the site is or will be accessible by a choice of means of transport. Clearly, the delivery of the Mart, together with recently developed Moss End Business Centre and proposed sites will create a critical mass of development in the area to enable a significant enhancement in public transport provision to be sustained.

Site EN18 will soon be developed for an auction mart and ancillary businesses. A Framework Travel Plan was approved with a target of reducing single occupancy commuting journeys by 10%. The mart is committed, through a Section 106 agreement, to deliver on this target. This will likely be achieved by promoting alternative forms of development such as public transport.

Time & Tide has been liaising with Stagecoach who operate the number 567 service passed the site to see how public transport provision can be improved. The enclosed email from Stagecoach North West acknowledges that the current bus service (number 567) can be enhanced to service a wider employment allocation.

Stagecoach has suggested overlaying an additional hourly weekday service between Kendal and Kirkby Lonsdale, calling at Kendal and Oxenholme railway stations, Crooklands and the Junction 36 site. This additional service, along with the present service, would provide a sustainable connection between the wider site, Principal Key Service Centres and nearby train stations, enabling future employees and visitors to access the site by public transport.

In order to implement this service, Stagecoach would be seeking a commitment of approximately £300,000 over a three year period. Time and Tide confirm that in principal, the payment of such a figure would be commercially viable if the quantum of development being proposed was allocated in the LDF.

Infrastructure and Delivery

A perceived constraint of the site has been the availability of critical infrastructure. Comments have been made about the lack of a public sewer, gas and water mains connections and broadband access to the site. Given the existing use of the site, it should not be expected to be served by such infrastructure at present.

A significant amount of work has been undertaken since the two background reports were produced to demonstrate that the site can be adequately serviced. A copy of this was submitted to the Core Strategy consultation and is appended

here for ease. With respect to foul drainage, two drainage solutions have been explored. A combination of on-site reed beds and Condor sewage treatment plants could service the proposed development without requiring any connection to the mains sewer.

SUDS would be used to drain surface water from the site. These technologies are both economically viable and would provide a highly sustainable solution to drainage.

Time and Tide already utilise a small scale version of the Condor plant at the nearby Moss End Business Village with Environment Agency approval.

Furthermore, the consented auction mart complex will use an on site treatment plant to deal with the significant amount of waste generated. This solution has been accepted by the Environment Agency and clearly shows that a similar solution for a strategic employment site is achievable and deliverable.

The site owner is currently in discussions with United Utilities with regard to mains water and electricity provision. It is expected to cost no more than £100,000 to bring a commercial mains water supply to the wider site and United Utilities have quoted £55,000 for a 200kva electricity transformer, thus making it commercially viable.

The auction mart scheme will lead to a further upgrade to the water and electricity infrastructure in the immediate area and there would be spare capacity for the site.

Crooklands telephone exchange is located to the east of the site. Fibre optics is now on site at Moss End Business Village and the ducting is now in-situ from Crooklands Exchange to Moss End Business Village running down the eastern boundary of the site. This voice and data connection can serve the existing and proposed development.

Page 100 of the Fact File states that site E57 is within close proximity to National Grid's high pressure gas transmission pipeline. Time and Tide confirm this is not the case.

The above information confirms that the site has or can be adequately provided with infrastructure to deliver development.

Access

Page 101 of the Fact File comments on the access to site E57. The auction mart consent includes the provision of a new roundabout spur to E57. The spur has been designed to accommodate employment development on site E57.

Highways

A significant amount of work was undertaken with the auction mart application to demonstrate how the mart traffic could be accommodated on the surrounding

highway network, including the motorway. The Highways Agency was satisfied that the proposed could easily be accommodated on the network and the Transport Assessment submitted with the application demonstrated that even with the development, there was still spare capacity on the network.

As such, we are confident that future work will conclude that there is sufficient capacity on the network to accommodate employment development on sites E57 and M7.

Visual Impact

Comments in Appendix 1A of the Fact File stating '*development would destroy the high value landscape*' are unfounded and are not supported by any evidence. These comments run at odds with the detailed landscape and visual impact assessment undertaken and accepted for the adjacent auction mart proposal.

The surrounding landscape is clearly not rural or 'wholly agricultural' as Cumbria County Council suggest (Fact File page 101). The sites sit within a valley floor which includes the proximate corridor of the Lancaster Canal, the A6070, the commercial development of Moss End Business Village and the M6 Motorway. The auction mart and ancillary buildings will also soon be constructed adjacent to the site which will add another significant feature into the landscape.

The visual impact of development at site EN18 has recently been considered as part of the Environmental Statement accompanying the application for the auction mart.

SLDC, through the advice of an independent consultant, considered that the development (which comprises a large commercial building) would not change the landscape character of the area. The local drumlin landscape is of medium scale and would 'hold' the development.

Any visual impact of the development was also considered acceptable when taking into account the mitigation measures proposed in the landscaping scheme.

The mart building itself extends to 6,740 sqm and is therefore a significant structure. It has been demonstrated that the visual impact of a building of this scale can be adequately mitigated in the location.

As part of the Core Strategy consultation, Time & Tide submitted a concept plan and visualisation of the proposed employment site. A copy is attached to this representation. The buildings will be significantly smaller in scale than the mart building and the use of an innovative layout utilising the existing topography, significant amount of green space and landscape buffers will ensure that the development effectively blends into the surrounding landscape.

The visualisations demonstrate how the use of environmentally sympathetic

techniques such as grass sedum roofs, cedar panelling and stone facing can effectively blend the development into the surrounding landscape.

Impact on Nearby Listed Buildings

The Fact File makes reference to two listed buildings close to site E57.

The site containing the recently approved auction mart is equidistant from site E57. SLDC considered the impact of the proposed mart buildings on the historic environment (Core Strategy Policy CS8.6). It was determined that the mart did not detrimentally affect the setting of the listed building. It can therefore be assumed that development on site E57 would also not affect the setting of these buildings.

Accordance with Adopted Core Strategy

Strategic employment development on sites E57 and M7 fully accords with the adopted Core Strategy. The enclosed letter dated 10 August 2010 demonstrates how the sites accords with the criteria by which potential strategic employment sites will be assessed.

In summary:

- The site draft layout include a mix of use classes B1 b and c and ancillary B1a, B2 and B8 (general uses);
- The strategic location provides excellent connections to principal routes as indicated in the Key Diagram (A590 / A591 / M6), far better than other sites;
- The site, can be accessible by public transport from relevant principal key and local service centres in the vicinity;
- The site is capable of development within the plan period, as the land is in single ownership and immediately available. There has been substantial demand for space at the adjacent Moss End Business Centre and strong interest in the location for inward investment given its strategic advantages. The site can commercially provide the necessary infrastructure and can incorporate green technologies. The area has the environmental capacity; and
- Finally the site importantly will not cause any detrimental impact on the town centre transport network as it is distanced enough from Kendal to avoid exacerbating traffic impacts, unlike other sites, yet close enough to function with Kendal.

Summary

In summary, the perceived constraints of sites E57 and M7 can easily be

overcome. The evidence base documents being used to support the allocation decisions are incomplete and are out of date. The latest information submitted on behalf of Time & Tide and the recent mart decision significantly change the site analysis and scoring. With these accounted for, the site ranks highly and is a sustainable location for development.

It is important to note that the Fact File does not discount sites E57 and M7 for strategic employment use, but rather states that there is a more '*preferable potentially available sustainably located site*' (page 103) i.e. the Scroggs Wood site (E4M).

A separate representation has been submitted which demonstrates why the Scroggs Wood site (site E4M) does not meet the requirements of a strategic employment site, will not meet the needs of the district over the plan period, does not accord with the Core Strategy and should not be allocated for this use.

Junction 36 should be allocated as the location for a strategic employment site in order to bring about a step change in the local economy. The strategic location and its high market attractiveness ensure that it is a deliverable site which can make a strong positive contribution to delivering inward investment and skilled jobs. The Moss End Business Centre provides actual evidence that such users favour the location and have established themselves. They were not attracted to sites in or at the edge of Kendal.

We consider it necessary to participate at the oral part of the examination of the Land 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
Enc: Letter to SLDC dated 10 August 2010;
Junction 36 Promotion Report (July 2009);
Representations to Core Strategy (October 2009);
Representations to Core Strategy (June 2010);
Proposed site layout plan; and
Proposed visualisations.