

Dear Sir,

Reference R121M

15th July 2012

We do not consider that South Lakeland District Council's Land Allocations DPD meets the requirements of the new National Planning Policy Framework (NPPF) . As such the DPD does not meet the test of 'sustainable development'. What follows outlines the main areas where we think conformity is lacking, against the relevant paragraphs of the NPPF.

2.1 Para 47 Housing Targets

The housing delivery targets in the DPD are inherently unsound. The 2011 Annual Report on Residential Monitoring shows an annual completion rate averaging around 200 since 2003, against an annual target of 400. Even in the boom years before the current recession the highest annual completion rate was 303 in 2005/6. In order to meet the DPD targets a completely unrealistic target of over 500 homes per year from now to 2025 would be required. The DPD targets on housing cannot and will not be delivered, but the gross oversupply of prime green field sites in the DPD based on these targets will enable developers to cherry pick those heritage sites that will bring in the highest returns (which will often be the biggest homes in the most beautiful settings).

2.2 Para 51 Empty Homes

The DPD contains no contributions to the housing targets from "bringing back into residential use empty housing and buildings", nor is SLDC taking any serious initiatives in this direction that we have been made aware of. At a recent Special Council debate on a petition request for a referendum on the DPD (16 May 2012), many councillors, across parties, expressed concern about the large number of empty homes they had identified in certain parts of the district (eg Ulverston). SLDC's council tax records of April 2011 show a total of 1143 (officially recorded) empty homes but this is likely to be only a small percentage of the true number.

2.3 Para 52 Planning for Larger Scale Development

SLDC has not adequately considered alternatives to its 'doughnut-style' allocation policy of developing a new ring around our existing settlements on green field sites. Kendal Town Council (KTC), in its thoughtful submission 'Sustainable Development in Kendal' (5 September 2011), proposed a 'hub and spoke' development model which is much more in line with para 52 of the NPPF. This model was rejected out of hand by SLDC and no discussions with KTC were initiated.

2.4 Para 70 Community Facilities and Services

One of the main reasons why the doughnut-style policy approach described above is discredited (see Taylor Review 2008) is because it does not facilitate the provision of community facilities and good transport links; but merely results in urban sprawl with large housing estates merging into each other. These estates will have little in the way of facilities; the DPD makes no mention of new leisure facilities, allotment sites, shops or meeting places.

2.5 Para 72 School Places

There is no detailed analysis available on the impact of the DPD allocations on the availability of school places "to ensure sufficient choice". It is clear that discussions with the education authority (Cumbria County Council) on the implications of the DPD are at a very early stage, if not stalled, and it is irresponsible for the DPD to have been submitted with an infrastructure 'position statement' that simply identifies some of the challenges in this area.

2.6 Para 74 Existing Open Space

The DPD proposes a significant reduction in existing open space across the district (in its own NPPF soundness checklist SLDC admits that most of the proposed sites are green field). However no evidence is given to show that "the open space is surplus to requirements or ... that the loss resulting from the proposed developments would be replaced by equivalent or better provision." In such circumstances existing open space should not be built on.

2.7 Paras 76 and 77 Special Protection Areas

Local communities have been given no opportunity “to identify for special protection green areas of particular importance to them”. Many of the contested sites would qualify under the criteria laid out in para 77. For example this site R121M would qualify because of its beauty, historic significance, recreational value (sledding, wild orchard and footpaths), tranquillity and richness of wildlife (including a Great Crested Newt colony).

2.8 Para 99 Climate Change

There is no evidence in the DPD of a proactive approach to climate change.

2.9 Para 100 Flooding Risk

This paragraph states that local plans should be supported by a Strategic Flood Risk Assessment and that areas at risk “should be avoided”. There is no Assessment accompanying the plan and the Cumbrian Surface Water Management Plan is not yet even in place. It is well known that the fields included and surrounding site R121M are subject to regular flooding and any further development would exacerbate these problems and put extra pressure on the nearby Stock Beck Flood Relief Scheme.

2.10 Paras 109 and 110 Conserving and Enhancing the Natural Environment

The DPD does not “protect and enhance valued landscapes” or “minimise impacts on biodiversity”. There is no analysis of the “net gains in biodiversity” as a result of these proposals. The DPD does not “allocate land with the least environmental or amenity value”, in fact its whole thrust is to offer prime green field sites to developers.

2.11 Para 111 Brownfield Land

The Core Strategy does set a target for brownfield development (CS6.6) of at least 28% of all housing development, but the DPD is clearly intent on ignoring it. 28% of the 500 homes required per

year would be 140 or cumulatively 1820 over the next 13 years of the Plan. Where is this strategy reflected in the overall DPD or the targets for individual settlements?

2.12 Para 117 Impact on Biodiversity

Sustainability appraisals to support the DPD were carried out on each discrete site and there was no attempt to measure the overall biodiversity impact even on adjoining sites . We are not aware that SLDC has, or intends to, develop “a plan for biodiversity at a landscape-scale across local authority boundaries” or has mapped components of the local ecological networks and important wildlife corridors.

2.13 Para 118 Wildlife Protection

Very little account has been taken in the DPD of protecting wildlife and irreplaceable habitats. Included in site R121M is a large pond which houses a colony of Great Crested Newts which are a protected species and need a protected distance of at least 500 metres from their pond for food, habitation and hibernation.

2.14 Para 124 Air Quality

In SLDC’s own ‘Infrastructure Position Statement’ it is admitted that:

“Kendal suffers from traffic congestion which is resulting in air quality problems in its town centre. This is having a detrimental impact on the town’s economy and the quality of life of its residents”

Because certain streets in Kendal exceed safe EU limits on pollutants an Air Quality Management Area has been designated, with little immediate signs of improvement. The developments proposed in the DPD will make the situation far worse. More traffic will pour into the centre of the town from the new ring estates through already overloaded junctions. The Kendal LDF Transport Study concedes that even if all the proposed improvement schemes are put in place “the level of congestion resulting from the LDF development is not fully mitigated.” In other words the congestion will be worse.

2.15 Para 155 Proactive Engagement of Communities

In SLDC's Compatibility Self-Assessment Checklist (Part1) it is stated "Where possible land allocations have been brought forward in consultation with parish and town councils". This is not true. Kendal Town Council's alternative proposals were rejected out of hand by SLDC. KTC has since made a detailed submission to the Inspector on the unsoundness of the DPD (April 2012). A petition of approximately 4,000 signatures was collected on the council's own e petition system to enable a public referendum on the DPD. This was rejected outright by SLDC as were the majority of the objections in the first and second consultations.

2.16 Paras 157 and 162 Infrastructure Implementation Plans

The DPD is unsound as no infrastructure delivery plan is in place . All that exists is a 'position statement' which amounts to little more than a scoping document outlining some of the implementation challenges. Despite promises that an implementation delivery plan would be published in 2011 and then again at the time of publication of the DPD there is still no timetable for completion of the Plan. Consultation on the soundness of the Plan has therefore taken place in the absence of crucial information on "the development and infrastructure required in the area." This is inexcusable and completely unacceptable. Although SLDC have not indicated the preferred access road to site R121M we understand Cumbria County Council prefer Oak Tree Road which is totally unsuitable for any increase in traffic due to its narrowness

2.17 Paras 178-181 Duty to Cooperate

It is clear from the absence of delivery plans that there has been a failure of SLDC to cooperate in a timely manner with statutory partners. We would also draw specific attention to the following:

- There is little evidence in the DPD and supporting material of "jointly prepared strategy" with the Utility Companies, with Cumbria County Council over such matters as school places,**

adult social care and household waste, or with Primary Care Trusts and other health bodies.

3 Conclusions

South Lakeland District Council has clearly failed to take into account the many representations it has received on the unsoundness of its DPD. SLDC's Soundness Self Assessment document and its Compatibility Check List fail to acknowledge or respond to any of the representations it has received .

We request that site R121M is withdrawn from the Plan and that you declare the whole document unsound on the above mentioned points.

Yours faithfully

David and Marilyn Salisbury