

From: Peter Stephenson <
Sent: 26 June 2012 18:55
To: Programme Officer
Cc: Development Plans
Subject: Land Allocations DPD, Reference R108M, Response to Land Allocations Publication Stage and submission in respect of Conformity of the DPD with the National Planning Policy Framework

LAND ALLOCATIONS DPD, REFERENCE R108M, RESPONSE TO LAND ALLOCATIONS PUBLICATION STAGE
AND SUBMISSION IN RESPECT OF CONFORMITY OF THE DPD WITH THE NATIONAL PLANNING POLICY
FRAMEWORK

I refer to our telephone conversation regarding making further comments with respect to responses to the land allocations at the public stage, which ended on 17 April 2012 and providing a submission in respect of conformity of the DPD with the National Planning Policy Framework.

My position is that I act for the owners of the site reference R108M, Oxenholme and am fully supportive of the allocation and in my response I confirmed that the site owners were in favour of developing the site, thus confirming its deliverability, which is a key test of the soundness of the allocation.

I appreciate, from our discussion, that I am not able to attend the Examination as I am in support of the allocation and its soundness, however I would like to make one or two comments on the responses made at the publication stage particularly by Mr Richard Pearse and Rev'd and Mrs Martin & Elspeth Jayne, briefly in respect of the following main points.

1. Landscape Impact and settlement character: This aspect has been covered by SLDC specifically in their Consultation Statement Appendix 8 (February 2012) where it is confirmed that the Authority has taken into account landscape and settlement considerations, including the potential of development on landscape and views, the scale of development relative to the settlement size and whether the site preserves the separate identity of a settlement and the importance of natural and built features. It also confirms that evidence contained within the South Lakeland Housing and Employment Land Search Study and Cumbria Landscape Character Toolkit has been used to inform site assessment and then potential impact on landscape character. Finally, mitigation measures would be required to offset any potential adverse impact. Such measures would form an essential part of any future planning application.

2. Scale of development and statement that the whole site is allocated for some 60 dwellings with details left to the planning application stage creates an ambiguity which is unsound: Clearly the allocation of the site in the DPD is one of principle with the details of the exact number of dwellings to be determined through the planning application process. The suggested density of housing is an assumption based on Core Strategy Policy CS6.6. The way the density of development has been considered is entirely sound, with the actual numbers of dwellings to be determined during the planning application process.

3. Green gap and coalescence with Natland: Questions have been raised regarding the green gap between the site and Natland and coalescence with Oxenholme. SLDC have confirmed that development in this location would not result in the coalescence of Oxenholme and Natland. It is clear from the relevant Map 20, that the significant green gap plus the railway line would prevent any coalescence.

Whilst there are some objections to the allocation of this site, the Land Allocations DPD Consultation Statement Submission Edition dated May 2012 on page 38, states that few people responded to the suggested site options in Oxenholme, compared to other local service centres. So it can be inferred that the site allocation has local support, which has been expressed by Natland Parish Council. As well as the concerns addressed in the three paragraphs above, some respondents raised concerns about impact on highways, amenity and flood risk.

SLDC recognised the key issues affecting development in Oxenholme in paragraph 3.144 of the Land Allocations Development Plan Document Submission Edition dated March 2012 and paragraph 3.148 deals with how the key issues would be addressed. It envisages that a landscape and green infrastructure framework would be developed to reinforce the role of the railway boundary as a wildlife corridor, avoid development on the drumlin crests, reinforce planting on western and southern boundaries and retain and enhance trees and hedges. A transport assessment and travel plan will be required with a need for pedestrian and cycle links to Fell Close and the A65. There will also be the need for effective surface water management to address poor drainage with opportunities for enhancing areas of biodiversity.

In conclusion it is considered that in reaching the decision to allocate this site, SLDC have consulted widely as required, the Authority has taken into account all relevant background documents and quite properly have concluded that a number of matters such as scale of development, transport, general amenity etc. should be properly dealt with during the planning application process. The allocation of site R108M is sound by reference to the Planning Inspectorate's document, 'A brief guide to examining development plan documents', soundness is used in its ordinary meaning of "showing good judgement" and "able to be trusted". This guide also provides nine tests of soundness all of which have been taken account of in the Land Allocations DPD.

Turning to the question of Conformity of the DPD with the National Planning Policy Framework (NPPF) it is noted that submissions are invited to the Inspector by 16 July. It is not considered necessary to go into much detail but to refer to principal provisions of the NPPF. The overriding principle of the NPPF is the presumption in favour of sustainable development, which is emphatically expressed in paragraph 14 on page 4 which states, "At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as the golden thread running through both plan making and decision-taking"

In paragraph 17 on page 5, 12 core land-use planning principles are set out which underpin both plan-making and decision-taking. With reference to the whole DPD and the site allocation reference R108M it is considered that these principles have been applied as appropriate. My conclusion is that the Land Allocations DPD is in conformity with the NPPF.

If you have any questions on the above please do not hesitate to contact me.

Yours sincerely

Peter A Stephenson (on behalf of the owners of allocated site reference R108M)

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