



Appeal Decision

Inquiry held on 16-18 September & 16 October 2009

Site visit made on 15 October 2009

by **S R G Baird** BA(Hons) MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
3 March 2010

Appeal Ref: APP/M0933/A/09/2101381

Kendal Rugby Union Football Club, Shap Road, Kendal LA9 6DL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Morbaine Limited against the decision of South Lakeland District Council.
- The application Ref SL/2008/1219, dated 9 December 2008, was refused by notice dated 26 March 2009
- The development proposed is Class A1 retail development with associated car parking and servicing facilities.

Preliminary Matters

1. The application was submitted in outline with all matters, other than means of access, reserved for a subsequent application. At the Inquiry, the appellant sought to amend to the application to an outline application with all matters reserved. The lpa has no objection and I consider that no party would be prejudiced by dealing with this application on the basis of an outline application with all matters reserved.
2. On Thursday 15 October, I carried out an accompanied visit to the appeal site and the Canal Head Area (CHA). I made unaccompanied visits to Morrisons and the adjacent retail warehouse park, Asda, the town centre, including the Westmorland Centre, Grange-over Sands, Milnthorpe and Kirby Lonsdale.
3. At the Inquiry, the appellant/Rugby Club submitted a copy of a signed and dated Unilateral Undertaking (UU). This UU provides that development of the site would not commence until alternative playing facilities available for immediate use have been provided for the Rugby Club.
4. At the time of the Inquiry, extant national planning guidance included Planning Policy Statement 6: Planning for Town Centres Town (PPS6). However, following the close of the Inquiry, PPS6 was superseded by PPS4: Planning for Sustainable Economic Growth. The main parties have confirmed that the evidence submitted to and the submissions made at the Inquiry were sufficient to enable a decision to be made in the context of national guidance in PPS4.

Decision

5. I dismiss the appeal.
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Main Issues

6. The first issue is whether there are any sequentially preferable sites. The second issue is the impact of the proposed development. The third issue is the extent to which the site would be accessible by a choice of means of transport and the implications for the free flow of traffic on the highway network.

Development Plan and Other Planning Policy

Development Plan

7. The development plan comprises, the North West of England Plan – Regional Spatial Strategy to 2021 (RSS), saved policies in the Cumbria and Lake District Joint Structure Plan 2001-2016 and the South Lakeland Local Plan 2006 and Alterations: Final Composite Plan: March 2007.
8. Of the various RSS policies referred to, I consider the following are the most relevant. RSS Policy RDF 2 indicates that in the rural areas, Key Service Centres should be identified that will provide a range of services, including retail, for surrounding areas. RSS Policy W 5 lists Kendal as a one of several centres where comparison retailing should be enhanced and encouraged. The supporting text identifies the named centres as well developed and vibrant retail centres, particularly for comparison goods retailing. There is reference to the growth in retail spending and that W 5 centres will be the primary focus for this future growth. RSS Policies DP 5 and RT 2 seek to ensure that new developments are located so as to reduce the need to travel, especially by car, and where there is good access to public transport. Structure Plan Policy ST5 identifies Kendal as a Key Service Centre where the emphasis will be sustained development to meet local needs.
9. The Local Plan accepts that edge-of-town/edge-of-centre retail outlets have a legitimate role in the changing patterns of retailing. One of the key objectives of Local Plan policy is to ensure that any further edge-of-town developments do not harm the vitality and viability of Kendal town centre. Of the policies referred to, I consider Policies R2 and L1 to be most relevant. Policy R2 says that large scale retail development outside the town centre will not be permitted unless, amongst other things, there is a demonstrable need for the development there are no sequentially preferable sites and the site is accessible by a choice of means of transport. Policy L1 says that playing fields and other facilities will be protected from development unless a suitable replacement facility is provided.

Emerging Development Plan

10. Kendal is identified as the Principal Town Centre with Grange-over-Sands and Milnthorpe as Rural District Centres. It is intended that policies in the Core Strategy will seek to maintain the hierarchy. The retail strategy is based on a retail study that has identified a quantitative need/capacity for additional convenience goods floorspace in the Kendal Catchment Area. This capacity largely arises from overtrading in out-of-centre stores in Kendal. For Grange-over-Sands and Milnthorpe a high level of leakage to the out-of-centre retail uses in Kendal is highlighted indicating a qualitative deficiency suggesting that these are the centres where the identified quantitative capacity should be directed to with the balance directed to seeking qualitative improvements in

and around Kendal town centre. For comparison goods the study identified that existing commitments meet the capacity for new floorspace up to 2011. The Preferred Options for Grange-over-Sands and Milnthorpe refer to the protection and enhancement of the respective town centres through additional small-scale retail development including a new small supermarket.

11. To the south-west of the town centre the CHA has been identified as a major development opportunity. It is recognised that the comprehensive regeneration of this mixed use area has the potential to provide substantial economic and environmental improvements to Kendal. As part of the LDF, an Action Area Plan (AAP) will be prepared to support the restoration of the canal, the delivery of a new commercial sector and a substantial element of new housing. The commercial sector would include knowledge-based industries and other canal based developments complementing and linking with the town centre. The local planning authority (lpa) has published a Kendal Canal Head AAP – Preferred Options Report, to evaluate various options.
12. Consultation on the Core Strategy Preferred Options has yet to be assessed and the Core Strategy has not been tested for soundness. Therefore, whilst it is a material consideration, the weight I attach to it is limited.

National Guidance

13. PPS4 sets out planning policies for economic development to be taken into account when preparing local development documents and are a material consideration in development management decisions. The PPS4 development management policies can be applied directly by the decision maker when determining planning applications. PPS4 identifies that in achieving a prosperous economy, the Government's overarching objective is sustainable economic growth. To achieve this, key objectives include, amongst other things, improving the economic performance of towns, delivering more sustainable patterns of development, promoting the vitality and viability of towns and other centres. This latter objective is to be achieved through, focussing economic development and growth in existing town centres and competition between retailers through the provision of efficient shopping services in town centres.
14. The appeal proposal is for an out-of-centre convenience and comparison goods retail development which PPS4 defines as main town centre uses. Policy EC17 indicates that such a development on an unallocated site should be refused where it does not comply with the requirements of the sequential approach to site selection (Policy EC15) or the proposal would have a significant adverse impact in terms of any one of the impacts set out in Policies EC10.2 and EC16.1. The policies set out in PPS4 are supplemented by Practice Guidance¹, which, although not policy or prescriptive, may also be a material consideration in individual planning applications.

¹ Planning for Town centres Practice Guidance on Need, Impact and the Sequential Approach. CLG Dec 2009.

Reasons

Sequential Assessment

15. The proposed development comprises some 10,682 sq. m (gross) of retail floorspace of which 5,109 sq. m would comprise a single foodstore and the remainder would be 5,573 sq. m of non-food retail warehousing. The development would be served by some 420 car parking spaces. Although no specific operators are identified, an illustrative layout plan shows 3 non-food retail units comprising a 3,251 sq. m DIY/Garden Centre and 2 units of 1,161 sq. m. Planning conditions suggested by the lpa and the appellant would ensure that none of the non-food retail units would have a floorspace of less than 465 sq. m and would be restricted to the sale of bulky non-food goods. These are specified as DIY goods, furniture and floor coverings and major household appliances and audio-visual equipment.
16. The sequential approach requires that all in-centre options have been thoroughly assessed before less central sites are considered. Where no town centre site is available, suitable and viable, preference should be given to edge-of-centre sites that are well connected to the centre by easy pedestrian access. In assessing in or edge-of-centre sites developers are expected to demonstrate flexibility in terms of scale, format, car parking and scope for disaggregation. In terms of the ability to be flexible in terms of scale, format and disaggregation, I consider it is necessary to look at the drivers behind a proposal.
17. A retail study by the lpa, which forms background evidence to the emerging development plan, identified capacity for additional convenience goods retailing in the Kendal catchment area. This capacity arises mostly from overtrading at the 2 large out-of-centre convenience stores in Kendal. Convenience goods retailing is a highly competitive market and it is one of the Government's objectives to have competition between retailers. Thus, for a new operator to compete in this catchment area the offer has to be of a similar size and format as the 2 existing out-of-centre stores. In terms of comparison goods retailing, the clear steer from the RSS and Structure Plan policies is that Kendal is a Key Service Centre where this type of retailing is to be focussed. Accordingly, the focus of the sequential assessment should be Kendal and in terms of the convenience shopping element it would be unrealistic to require the developer to split the store into separate components i.e. convenience and comparison goods.
18. In this context, I can deal briefly with the lpa's suggestion that the 2 other centres of Grange-Over-Sands and Milnthorpe should also be considered. There is a commitment already in place in Grange for a medium sized supermarket and I have no reason to conclude that this proposal will not go forward. As to Milnthorpe, although no particular site is identified for either convenience or non-food retail development the lpa suggests a broad area close to the centre. However, the lpa's evidence is heavily qualified and it acknowledges that a site within this area is not currently available. I have heard nothing in evidence to suggest that a suitable and viable site would become available within a reasonable period. The lpa suggests that lack of availability should be outweighed by the strategy promoted in the emerging

development plan. However, for the reasons I have indicated above I attach limited weight to the emerging development plan.

19. Within Kendal, 2 major potential sites for a convenience store and/or the non-food retail units have been identified. These are Kendal Cricket Club (KCC) and the CHA. KCC is an-out-of centre site which is closer to the town centre than the Rugby Club and is the subject of a proposal for a 7,923 sq. m (gross) supermarket. Whilst the site may be suitable and viable for the development proposed, there is a significant question mark over its availability. The site is owned by Fields in Trust² (FIT) and leased to KCC. FIT has exchanged a conditional contract with a developer for the redevelopment of the site, which requires the relocation of KCC and the creation of a new "sports village" on land to the west of the Rugby Club. KCC's lease does not expire until 2026 and the current position of the Executive Committee is that KCC does not wish to relocate. It is accepted that there is no legal means by which KCC can be forced off the site before 2026.
20. I have noted KCC's previous involvement with FIT and support for the Sports Village proposal. However, it is not for me to comment on whether the Executive Committee is acting irrationally and against the wishes of the members. It is in the nature of all clubs that there are differences of opinion over the running and direction of the club. When or if this position will change is a matter of speculation and there is nothing in the evidence before me to suggest that this might happen and the KCC site would become available within a reasonable timescale.
21. The CHA is an existing mixed use area in several ownerships to the east of the town centre. One of the major landowners/employers is an existing firm Gilbert Gilkes & Gordon whose premises are sub-standard and who is seeking to redevelop the site for a high value scheme. This would allow for the factory and adjoining land to be redeveloped in a way that would allow Gilkes to remain within Kendal.
22. It would appear that the land identified by Gilkes and its potential partners is of sufficient size to accommodate the scale of development envisaged at the Rugby Club. However, a development of this scale and nature would conflict with the lpa's objectives for the redevelopment of this important area. Moreover, development of this scale and nature represents an option that was assessed as performing poorly in the AAP appraisal process. Amongst other things, concerns relate to the potential loss of the mixed use element and the adverse impact on local character. I understand the desires of Gilkes and other landowners to maximise the potential of the site, their willingness in principle to act in concert and the strong desire of Gilkes to remain in Kendal. However, given the significant policy conflict, the need to assemble the site and relocate existing enterprises, I consider these are significant constraints affecting availability of the site within a reasonable time period.
23. Regarding the non-food retail uses and disaggregation, the lpa point to a vacant bulky goods retail unit on a nearby retail park that has a gross floorspace of some 261 sq. m. For the purposes of the sequential approach, the lpa suggest that this unit provides a useful threshold as the minimum size

² The working Title of the National Playing Fields Association

unit suitable for bulky goods operators. I agree that identifying a threshold size is a useful tool in carrying out a sequential assessment. However, at 261 sq. m this unit is substantially smaller than the lpa's/appellant's suggested planning condition i.e. no unit would be smaller than 465 sq. m. Moreover, it appeared to me that the existing unit has been vacant for some time, which would suggest a lack of attractiveness to this sector of the market. These factors, when taken with the proposed floorspace levels for the appeal proposal, suggest that a threshold set at some 465 sq m would be more realistic.

24. In addition to the size of unit assessed, regard also has to be had to the nature of the goods to be sold. Here, the appellant has suggested a condition restricting the goods to be sold to bulky durable goods. These goods, as PPS4 recognises, are generally regarded as complementary to the role of town centre retailing and do not generate sufficient sales productivity to trade in prime town centre locations. The units identified in the Westmorland Centre, even if they were large enough and I am not convinced that appropriately sized units could be achieved even with amalgamations and the K Village unit on Highgate are in prime retail locations in the Primary Shopping Area which would not, in my view, be suitable for the nature of retailing proposed at the Rugby Club. The lpa also make reference to Bridge Mills, which I understand is on the north-eastern edge of the town centre. However, these units appeared to me to be used and available for office accommodation and unlikely to be suitable for the type of bulky goods retailing proposed by the appellant.
25. The former Stokers Garage site on Kirkland is just outside the defined Secondary Shopping Area. This a cleared site with steeply rising land to the rear. I am advised that a planning application has been submitted for a retail use of some 300 sq. m (gross) with residential use above and previously planning permission has been granted for some 480 sq. m (gross) retail floorspace within a health centre development. This would tend to suggest that retail development here would be viable. Given that the site has been cleared and provides a blank canvas, I do not see the steep slope to the rear of the site placing a significant constraint on development. The appellant's point regarding the finer grain of development on Kirkland and the constraint this would place on development is a design point. I see no reason why a development could not be designed to match the fine grain of the existing streetscape but provide the type of floor plate required by a bulky comparison goods retailer. In these circumstances, I consider this it is suitable, viable and available.
26. Thus, in terms of the criteria of suitability, viability and availability, there are no sequentially preferable sites that would be capable of accommodating the whole of the development proposed and there is one site that would be capable of accommodating a small part of the proposed development.

Impact

27. PPS4, Policy EC16, indicates that proposals should be assessed against impacts which include the impact on existing, committed and planned public and private investment; the impact on town centre vitality and viability EC16(b); the impact on allocated sites outside town centres being developed and the impact on in-centre trade/turnover and on trade in the wider area.

28. In terms of impact on planned investment and allocated sites, the lpa refer to developments at Woolpack Yard, Beezon Road and Grange. Beezon Road appears to have been recently occupied by a Homebase DIY store, Woolpack Yard is where Marks & Spencer are located and there is an outstanding proposal to extend the store. In terms of Grange, there is a commitment for a medium sized supermarket. However, there is nothing in the evidence before me to suggest that in terms of the extension to the Marks store or the Grange supermarket that these developments will not go ahead or would be delayed by the proposed development at the Rugby Club. No site for retailing has been identified in Milnthorpe and given the nature of the capacity identified, i.e. overtrading at existing out-of-centre stores; I have no reason to conclude that the proposed development would have an adverse effect on potential future development here. Moreover, as I have indicated before the Core Strategy Preferred Options for retailing have yet to be assessed for soundness and as such I can attach little weight to it
29. In terms of the vitality and viability of Kendal, a Health Check carried out by the lpa for 2008/09 is overall very positive. It concludes that the retail sector is strong with a good mix of outlets and appears to be growing, the comparison sector is strong and has shown signs of recent growth and there is a strong retail and service sector. Kendal is regarded as an easily accessible and attractive, centre where yields have stabilised suggesting investor confidence in the town. In terms of weaknesses, vacancy rates and in particular long term vacancy rates are said to be rising and the convenience sector is under-represented.
30. The lpa acknowledge that the proposed development might not draw away any existing retailers from the town centre or even attract those who might otherwise locate there. Notwithstanding the suggested impacts on individual operators, there is no indication that the proposed development would result in the closure of either or both of the town centre main convenience stores or where expansion has been contemplated the postponement of these plans. What is of concern is that the diversion of trade would result in reduced footfall and linked trips. Whilst calculating retail capacity and impact is not a precise science, I have taken the lpa's assessment as a worst case scenario. Overall, the lpa suggest that the overall impact would be in the region of some 9.3%. Again, the lpa acknowledge that an impact of this magnitude might not be considered significant for a healthy town centre. Here, however, the lpa considers that Kendal may not be as vital and viable as suggested.
31. From my observations, and the evidence before me, I have not formed the impression that Kendal town centre is weak or vulnerable. During my visits to the centre at various times before, during and after the Inquiry, I was able to confirm the positives highlighted by the Health Checks. In terms of the weaknesses identified, I found that my observations conflict with the lpa's interpretation of the Health Check particularly in relation to vacancies. The Health Check identified that in terms of the number of units, Kendal had a vacancy rate of 9.5% which was slightly below the national average of 10.35% and in terms of floorspace vacancies, at 8.43% were slightly above the national average of 8.38%. I saw that other than within the Westmorland Centre and some secondary retail areas, the level of vacancies within the PSA is not particularly noticeable. Moreover, the differences between the local and

national averages do not strike me as being statistically significant. In terms of vacancies, it would be unusual to find a centre without some vacancies and indeed some are necessary to enable new traders to move in or existing traders to relocate. In this context, it did not appear to me nor does the evidence in my view support the submission that Kendal is a weak and vulnerable centre. In these circumstances, I consider the proposed development would not have an unacceptable impact on the vitality or viability of Kendal town centre.

Traffic Impact and Accessibility

32. Although the site is on an existing bus route, the service is very limited. There are no services in the evenings or on Sundays; both major trading times for major convenience stores. Accessibility by foot and bicycle is significantly affected by the location of the site to the east of the river, the main line railway and substantial industrial/commercial areas and the poor quality/environment of existing pedestrian/cycle routes. In these terms, whilst the site is served by alternative means of transport, it cannot be said with any confidence that it is well served by alternative means of transport. However, in terms of the format and scale of the proposed development, particularly, the convenience goods store, which is intended to compete with the 2 existing out-of-centre stores, the main emphasis will be on bulk main food shopping. In this context, it has to be recognised that this type of shopping trip is largely car based.
33. Kendal, as one of the historic South Lakeland market towns, has developed in a largely linear form along both sides of the River Kent. However, despite being a substantial urban centre, the number of river crossings is limited and the road pattern generally follows the historic layout of the town. As a result, and despite numerous traffic management solutions that have resulted in the introduction of a complex one-way system, there are high levels of congestion with several key junctions operating at or over capacity. The poor operation of these junctions tends to result in high levels of queuing and junction blocking. These features are recognised in the recent Kendal Transport Assessment.
34. Two of these junctions are the Shap Road, Appleby Road, Longpool junction and the Station Road, Longpool roundabout junction. I observed the operation of these junctions at both peak and non-peak travel times, which confirmed the conclusions of the Kendal Transport Assessment. Of the 2 junctions, the Station Road, Longpool roundabout appeared to me to be performing the worst. Here, traffic was regularly at a standstill with queues stretching back in either direction from the junction. Moreover, it was clear that delays at other points in the complicated one-way system to the west of Station Road very quickly resulted in significant congestion at the Station Road, Longpool roundabout.
35. The proposed convenience store would largely compete with the 2 existing out-of-centre stores located in the north and south of Kendal. In these circumstances, I acknowledge that the development would result in a reordering of trips and a reduction of vehicles on some stretches of the road. Clearly this would be welcome and is a benefit that must be weighed in the balance. However, what is clear from a Supplementary Report prepared by the appellant is that the development would result in an increase of some 180 vehicles per hour in both directions at the Station Road, Longpool junction. I

accept that this would only be 3 vehicles both ways per minute and as a headline figure does not appear significant. However, in my view, traffic does not flow as regularly as this and there will be times when the additional flows would be significantly greater. It is clear from the Kendal Transport Assessment, evidence presented at the Inquiry and my observation that there are potential improvements that could be made to the various junctions. However, whilst a particular solution was referred to at the Inquiry, no details were provided and no junction modelling was submitted that could confirm that the works were capable of being carried out and that the additional vehicles through the junction would not result in harm.

36. In these circumstances, I consider that the additional traffic through the Station Road, Longpool roundabout junction would materially add to existing levels of congestion and unacceptably affect the free flow of traffic. The adverse impact would not, in my view, be outweighed by potential reductions elsewhere in the town centre traffic system.

Other Matters

37. Local Plan Policy L1 says that playing fields and other facilities will be protected from development unless a suitable replacement facility is provided. Planning permission has been granted for enhanced facilities for the Rugby Club on land at Oxenholme Road, Kendal. The signed Unilateral Undertaking would ensure that these facilities were available to the club before the Shap Road site was redeveloped. Accordingly, there would be no conflict with Policy L1. Whilst I recognise the concerns that have been raised regarding the impact of the development at Oxenholme Road and its surroundings, those are matters that have been considered by the lpa who granted planning permission. It is not therefore something I can comment on as part of this appeal.

Conclusions

38. I conclude that the proposed development would not have an unacceptable impact on the vitality and viability of the town centre and existing and proposed commitments. There are no available, suitable and viable sequentially preferable sites that could accommodate the whole or a substantial proportion of the proposed development. There is one sequentially preferable site that could accommodate a very small part, some 8.5%, of the non-food retailing element. However, the fact that a very small part of the development could potentially be located elsewhere is not, on its own, a sound reason to dismiss the whole of the development. I recognise that the existing Rugby Club facilities are dated and substantial investment, which is currently beyond the ability of the club to provide, is needed to bring the existing facilities up to a level that would match the club's aspirations. I agree that the improvement of these facilities would provide significant benefits for the Rugby Club and the community. These are all positives that weigh in favour of the proposed development
39. To be balanced against these factors, Kendal has an acknowledged and serious problem with congestion. In particular, the Station Road, Longpool roundabout junction, which is one of the key junctions in the town centre highway network, operates at or above capacity. The proposed development whilst it would result in reductions on traffic flows elsewhere in the town centre, would result

in a material increase in the amount of traffic using this junction. This would unacceptably exacerbate the problem of congestion adversely affect the free flow of traffic in this area. In the absence of workable junction improvements, I conclude that the adverse effect on the free flow of traffic is not outweighed by the positive elements of the development identified above. In these circumstances, and having taken all other matters into consideration, I conclude that the proposed appeal would conflict with the objectives of national planning policy as contained in PPS4 and the development plan. Accordingly, I conclude that this appeal should be dismissed.

George Baird

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Timothy Straker QC instructed by Morbaine Limited.

He called:

Dr S Green
Chairman, Kendal Rugby Union Football Club.

Mr J Lowe C.Eng; BSc Hons; M.Sc; MICE.
Partner, Turner Lowe Associates, Traffic Engineering
Consultants.

Mr K Nutter MRTPI
Director, WYG Planning and Design.

FOR THE LOCAL PLANNING AUTHORITY

Ian Ponter of Counsel instructed by South Lakeland District Council.

He called:

Mr D McKay M.Sc
Town Planning Consultant, Capita Symonds.

Mr M Tonks MRTPI
Principal, Martin Tonks Planning.

Mr J Smith MCILT (UK)
Transport Policy Manager, Cumbria County Council.

FOR MEDIAN DEVELOPMENTS LIMITED

Paul Tucker of Counsel instructed by Turley Associates.

He called:

Mr P Singleton BSc (Hons), MA, MRTPI
Director Turley Associates.

INTERESTED PERSONS

Mr P Bevan
Chair of Planning, Kendal Town Council.

Mr. H Adams.

Mr C Crewdson
Chairman, Gilbert Gilkes & Gordon Limited.

DOCUMENTS SUBMITTED AT THE INQUIRY

- Doc 1 - Statement of Common Ground – Retail.
- Doc 2 - Statement of Common Ground – Highways.
- Doc 3 - Kendal SATURN Model, Impact of Proposed Retail Development, Shap Road, Kendal – Summary Report.
- Doc 4 - Representations by Kendal Town Council.
- Doc 5 - Representations by Mr H Adams.
- Doc 6 - Representations by Mr C Crewdson, Gilbert Gilkes & Gordon.
- Doc 7 - Representations by Mr H M Owen, President, RFU.
- Doc 8 - Duplicate Copy of signed S106 Unilateral Undertaking submitted by Kendal RUFC.
- Doc 9 - GONW Direction Letter dated 20 November 2008.
- Doc 10 - Appendix 6 to the Proof of Evidence of Mr Tonks.
- Doc 11 - Verdict 09 Sales Densities.
- Doc 12 - Copy of letter dated 14 September, Fields in Trust to Turley Associates.
- Doc 13 - Copy of letter dated 14 September 2009 Median Developments Ltd. to Turley Associates.
- Doc 14 - Copy of letter dated 16 September 2009 Kendal Cricket Club to South Lakeland District Council.
- Doc 15 - Copy of Letter dated 25 August 2009, Kendal Cricket Club to South Lakeland District Council.
- Doc 16 - Copy of Email dated 17 November 2008 from Fields in Trust to various parties.
- Doc 17 - Copy of Kendal Cricket Club lease.
- Doc 18 - Copy of Kendal Sports Village Brochure.
- Doc 19 - Extract from railway timetable Windermere-Preston/Manchester services.
- Doc 20 - Kendal Primary Shopping Area and walking distances to Canal Head Site.
- Doc 21 - Supplementary Report No. 1 Effects of Development over a Wider Area, Turner Lowe Associates.
- Doc 22 - South Lakeland District Council. Core Strategy Preferred Options April 2008.
- Doc 23 - South Lakeland District Council, Kendal Canal Head Area Action Plan April 2008.
- Doc 24 - Bundle of Documents including Counsel’s Opinion relating to land at Kendal Cricket Club.
- Doc 25 - Copy of letter dated 24 September 2009 Kendal Cricket Club to Fields in Trust.
- Doc 26 - Copy of letter dated 15 October 2009 Kendal Cricket Club to South Lakeland District Council.
- Doc 27 - Copy of letter dated 7 October 2009 from Dialogue Stakeholder Communications to Mr R Baines.
- Doc 28 - Rebuttal Proof of Evidence of Mr Tonks.
- Doc 29 - Convenience and Comparison Goods definitions Mapinfo Retail Expenditure Guide 2009/2010.
- Doc 30 - List of suggested Planning Conditions.