

Supplementary Planning Document West of High Sparrowmire, Kendal

Development Brief Consultation Statement



November 2016

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1. Introduction

1.1 This document sets out how the Council has involved the community and relevant organisations in the preparation of the Development Brief for the allocated site at West of High Sparrowmire, Kendal. It shows how the Council has complied with **Regulation 12 of the Town and Country Planning (Local Development) (England) 2012 Regulations**, which relates to public participation in the preparation of Supplementary Planning Documents (SPDs).

1.2 In accordance with Regulation 12, this document sets out:

- Who we invited to comment on the SPD (Regulation 12 (a)(i));
- A summary of the main issues raised by those people (or organisations) (Regulation 12 (a)(ii));
- How the issues raised have been addressed in the SPD (Regulation 12 (a)(iii));
- How we:
 - made the relevant documents available at their principal office, on its website and at other suitable locations in the area (Regulation 12 (b));
 - gave people 4 weeks to make representations (Regulation 12 (b)(i));
 - made it clear where to send representations to (Regulation 12 (b)(ii)).

1.3 Regulation 13 stipulates that any person may make representations about the SPD and that the representations must be made by the end of the consultation date referred to in Regulation 12. Regulation 12 states that, when seeking representations on an SPD, documents must be made available in accordance with Regulation 35, which requires the Council to make documents available:

- At the principal offices of the Council and other places within the area and;
- On our website.

1.4 In addition to the Regulations, our **Statement of Community Involvement (SCI) 2016** sets out further details of how we should undertake consultations¹ on Local Plan documents. We have exceeded the requirements set out in the SCI relating to early consultation on the preparation of Development Briefs, as set out in Table 1.

Table 1: SCI requirements vs. Consultation Methods Used		
Consultation Method	SCI requirement for early consultation on SPDs?	Undertaken for Development Briefs consultation?
Making consultation documents available at Council Offices and local libraries	✓	✓
Documents available on the Council's website and electronic consultation response options	✓	✓
Media (local press)	✓	✓
Using existing channels / networks	✓	✓
Key stakeholder groups	✓	✓
Issuing a questionnaire	X	✓
Exhibitions, leaflets and/or posters	X	✓

¹ Statement of Community Involvement 2016

Table 1: SCI requirements vs. Consultation Methods Used		
Consultation Method	SCI requirement for early consultation on SPDs?	Undertaken for Development Briefs consultation?
Focus Groups	X	X
Newsletter – South Lakeland News	X	✓
Meetings with the community	✓	✓
Liaising with schools and colleges	X	X
3-D Computer modelling	X	X

2. Who we have engaged with

2.1 Table 2 sets out in broad terms who the Council has engaged with in preparing the Development Brief for West of High Sparrowmire, Kendal.

Table 2: Who we have engaged with
Specific Consultation Bodies
<ul style="list-style-type: none"> Duty to Cooperate bodies: Neighbouring Local Planning Authorities; Natural England, Environment Agency, Historic England, NHS Cumbria Clinical Commissioning Group, Highways England, Office of Rail Regulation and Network Rail, Homes and Communities Agency, Civil Aviation Authority, Marine Management Organisation, Coal Authority, Cumbria County Council, Lancashire County Council. Other consultation bodies: United Utilities, Electricity Northwest, National Grid, Telecommunication organisations, relevant Town / Parish Councils, Cumbria Constabulary.
General Consultation Bodies
<ul style="list-style-type: none"> Members of the public Local and County Council Elected Members (Councillors) Groups representing voluntary, racial/ethnic, national, religious, disability and business interests. Specific groups representing certain interests who may cover for example environmental, health, education, transport, leisure, economic development and community needs or equalities issues.

2.2 This included all individuals who, at the time of consultation, were identified on the Local Plan consultee database and had indicated to us that they had an interest in the West of High Sparrowmire Development Brief; residents at all addresses within an identified area close to the West of High Sparrowmire site and community groups, businesses and other organisations registered on our consultation database.

Equalities

2.3 As set out above and below, we directly consulted a range of community groups and organisations by contacting them by letter or email through our consultation database. This included organisations representing particular social groups including faith groups, people from black and minority ethnic backgrounds, people with disabilities

and particular age groups, including the young and elderly. A range of engagement techniques were used in order to attract all groups to make their views known.

2.4 Methods of engagement used to help broaden the accessibility of the consultation include:

- Translation / other formats available for all documents;
- Venues for drop-in days are accessible to those with disabilities and open into the evenings (until 7pm);
- Large print versions of the planning maps were made available and officers were on hand to explain;
- Specific activities aimed at children were part of the drop-in events;
- Different methods of responding were available including drawing onto maps and using post-it notes as well as response forms and the option to write a letter or email;
- Ensuring the consultation was advertised through as many means as practicable.

3. How we have engaged

Early Engagement

- 3.1 The Council undertook early, informal consultation with a range of relevant stakeholders and organisations in August 2015 to ensure that the most up-to-date information and guidance available was taken into account on topics such as utilities requirements, biodiversity, heritage and highways, education and health infrastructure and/or to ensure that they were aware of the process. This included:
- landowners
 - agents representing landowners/developers
 - developers
 - relevant parish/town councils
 - local elected members (Councillors)
 - other key interest groups
 - services / infrastructure providers
 - duty to co-operate bodies
- 3.2 On the 11th November 2015, a Place making workshop took place at Hallgarth Community Centre, Kendal. The workshop provided an opportunity for invited key stakeholders to share ideas, suggestions and views on the scope of the Development Brief and to identify constraints and opportunities to be taken into account. Prior to the event participants were invited to an optional site visit. A summary of the event and its findings and are available on our website at <http://tinyurl.com/h7urx22>. The summary documents identify changes made to the draft constraints and opportunities map and Appendix 3 documents as a result of the feedback from the event. It includes a record of all the comments made at the event.
- 3.3 The outcome of this early engagement was used to inform the:
- scope of the Development Brief;
 - key issues that need to be considered in the brief;
 - identification of key local stakeholders;
 - stakeholders' roles in the process;
 - nature of the type of future community engagement exercises;
 - identification of relevant information particularly infrastructure provision (for example utilities provision).

Issues and Options and Draft Brief Consultations

- 3.4 An 8-week **Issues and Options** public consultation (extended to 10 weeks) on the three Phase 2 Development Briefs took place from 4 December 2015 to 12 February 2016. The consultation sought to gather communities' and individuals' views, thoughts and ideas on what should be covered in each development brief and the direction/focus each brief should take. Additionally, we wanted to ensure that all relevant stakeholders and communities were clear on:
- the **development briefs**, the **purpose** for them, the **process** of preparing them and how and when they **may affect them**;
 - **how and when they can comment on and get involved in preparing** the proposals, **what** they can and can't **influence**;
 - how and when their comments will be **taken into account** by the Council and when they can expect feedback;

- the remaining **stages** in preparing the **development briefs** and further opportunities to comment.
- 3.5 It was also important that the consultation helped local people make full use of the opportunity to express community needs and aspirations and made sure that the needs of 'hard to reach' groups were taken into account.
- 3.6 The **Draft Brief Consultation** ran from Thursday 9 June to Thursday 21 July 2016. This period of consultation sought communities', organisations' and individuals' views on the draft proposals for the site that had been developed as a result of earlier consultation and further evidence base work.
- 3.7 Prior to the Issues and Options and Draft Brief consultation periods we raised awareness of the upcoming consultations through a number of means. We:
- **Wrote (by email or letter) to individuals** who, at the time, were identified on the Local Plan consultee database and had indicated to us that they had an interest in the West of High Sparrowmire Development Brief;
 - **Wrote (by email or letter) to all groups and organisations** listed on the Local Plan consultee database;
 - Placed all relevant documents on the **Council's website**;
 - Made all relevant documents available at **Council Offices and at local libraries**;
 - **Briefed all relevant District Councillors and County Councillors** by email/letter on the proposals and consultation process;
 - **Briefed Town and Parish Councils** by email/letter on the proposals and consultation process;
 - Issued a **press release to the local media**;
 - Placed **press advertisement** in the local Westmorland Gazette newspaper prior to the start of the consultation;
 - Used **Facebook & Twitter** to promote awareness of the development briefs process.
- 3.8 During the consultation we:
- Placed an **article in South Lakeland News** (Winter 2015 and Summer 2016) a free newspaper that is distributed to all households in the District;
 - **Enabled responses to be submitted online, by email, by post or by hand**;
 - Held separate **interactive drop-in open day events** for each of the Development Brief sites (events were held from 11am/12pm-7pm);
 - Sent **postcards to all addresses within an identified area** close to each of the Development Brief sites informing residents about the drop-in exhibition and participation event held specifically relating to that site;
 - Put up '**site notices**' at **key locations** around the periphery of the site;
 - Used **Facebook & Twitter** to provide reminders about the drop-in events;
- 3.8 The drop-in events for West of High Sparrowmire were held at Kendal Town Hall on 7 January 2016 (Issues and Options) and Hallgarth Community Centre (Draft Brief) on 7 July 2016. Around 50 people attended the first event and 35 the second event.
- 3.9 At the drop-in event display boards were used to set out background information and maps and aerial photographs showing the site and photographs/sketches illustrating examples of different design and layout, access or green infrastructure features.

- 3.10 Large maps (showing key site features, constraints, opportunities, draft proposals) were laid out on tables, along with a range of other information to help people understand the context of the site and existing information held about the site and what we were asking them to think about.
- 3.11 Using the maps and flip-charts, people could use pens/pencils or post-it notes to record their thoughts. They could also use smaller copies of the maps to draw their ideas on and submit as part of their response if they wished. Response forms and other documentation were available to view and take away.
- 3.12 At the event a 'House of Ideas' activity for children was used, which involved different sections of a house representing different aspects for consideration such as green spaces or design and stickers being used to enable children to select which aspects they felt were most important.

Recording Comments

- 3.13 All comments received online were automatically recorded in the Council's consultation database. All those received by email, letter or on paper copies of the response form were recorded on the database manually. Comments from the Issues and Options and Draft Brief stage consultations are available to view on the Council's website at <http://tinyurl.com/kb8c3az>. Comments from the Issues and Options stage consultation are summarised at Appendix 1 and comments from the Draft Brief stage can be found at Appendix 2.
- 3.14 All anonymous comments, for instance, those received on post-it notes or flip-charts at the drop-in events, were typed up and are recorded in the appendices. In the case of annotated maps where the person's name and address were not given, these were scanned and the ideas they represented considered when drawing up the draft briefs.

4. Summary of the main issues raised and the Council's response

- 4.1 This section provides a summary of the **key** messages from the comments received about the West of High Sparrowmire site in response to the consultations. A summary of all the comments made (categorised by topic) can be found at Appendix 1 and Appendix 2.
- 4.2 Our response to the key messages or main issues raised is set out in a table that is below the text for each topic area. There is a table for each topic. The table is split in to two columns; one listing the issue raised and the other, our response. The response will advise how the main issue raised has been taken into account and if not, why not – for example if the issue is beyond the scope of adopted Local Plan Planning Policy, is not a material planning consideration, or is beyond the scope of the brief itself. The responses that we have taken into account and that have therefore been used to inform the development brief are indicated by a **+ive** symbol and those that have not been taken into account in the brief are indicated by a **-ive** symbol. There are other issues which have been considered through the brief but will ultimately be dealt with more comprehensively through the planning application process (these are not highlighted by a colour).

Vision

Issues and Options Consultation

- 4.3 Comments on the draft vision stressed the importance of making sure the site integrates well with the surrounding residential areas and is not designed as a separate standalone estate.
- 4.4 It was commented that the vision for the site should pay special attention to the site's location close to the Lake District National Park, and recognise its sensitive location in the transitional area between town and countryside. It was suggested that the vision should stress the importance of green and open spaces in the site and sympathetic landscaping appropriate to its edge of town location.

Draft Brief Consultation

- 4.5 At the draft brief stage there were positive comments that the vision appropriately acknowledges the importance of the drumlin landscape, open space provision and the importance of cycling pedestrian provision to help link the site with surrounding areas.
- 4.6 One response commented that whilst the vision sounded good, it was too generic in nature and could apply to any edge of town development site.

Table 3: Vision	
A. Key Issues raised and the Council's response – Issues and Options Consultation	
Main issue raised	Council Response
Recognition of the transitional nature of the site between the town and countryside and National Park and the sensitive landscape setting.	+ive The vision in the draft brief recognises the sensitivity of the site in terms of its edge of town location and proximity to the National Park.

Importance of integration of the site with the Hallgarth Estate.	+ive The vision in the draft brief promotes the integration of the site with the neighbouring residential community and countryside.
Importance of green and open spaces and sympathetic landscaping.	+ive The vision recognises the need for well thought through green infrastructure on the site.
Overall vision should be to prevent flood impact.	-ive The issue of flooding is not directly addressed in the vision for the site but is covered elsewhere in the brief and recognised as an important issue.
B. Key Issues raised and the Council's response – Draft Brief Consultation	
Main issue raised	Council Response
Although the vision sounds good it is very generic and could apply to any edge of town development site.	+ive The vision has been slightly amended to make it more locally specific.
Endorse the acknowledgement of the drumlin setting and attention given to cycling/pedestrian provision and open space in the vision.	+ive Comments noted, and these elements of the vision have been continued into the final Brief.

Traffic and Movement

Issues and Options Consultation

- 4.7 Concerns relating to road safety and traffic were raised at the drop in event and in written responses to the Issues and Options consultation.
- 4.8 Concerns were raised with regards the speed of traffic travelling along Windermere Road and the safety issue this creates for vehicles turning onto and off this main route. Comments highlighted that there have been a number of collisions at the entrance of the new housing development at Fir Tree Rise and there are concerns similar issues would arise with a new access from the West of High Sparrowmire site onto Windermere Road.
- 4.9 There were different views with regards the potential for a secondary vehicle access onto High Garth or High Sparrowmire. Some people thought linking the site to the Hallgarth estate would help integrate the new development with the estate and enable existing residents in the north of Hallgarth estate easier access onto Windermere Road, whilst others were concerned that a new access could encourage 'rat-running' through Hallgarth from Windermere Road through to Burneside Road. Specific concerns were raised about the potential loss of mature trees if a vehicular access is created onto High Sparrowmire.
- 4.10 People commented that the existing footpath route through the site should be protected and they also felt the need for improvements to the local footpath network, for example links down to the town centre and links towards the Plumgarths roundabout and the facilities in that area.

Draft Brief Consultation

- 4.11 The main issue raised at the draft brief consultation stage was regarding the proposed secondary vehicular access onto High Sparrowmire. Local residents raised concerns that the existing high levels of on street parking on High Sparrowmire would make safe access into and out of the site difficult due to restricted visibility. It was commented that the parked cars already narrow the carriageway and restrict the flow of traffic on High Sparrowmire and more vehicles would add to the congestion. Another major concern regarding the secondary access was that providing a route through the site would encourage 'rat-running' from Windermere Road, as vehicles already cut through the Hallgarth housing area to avoid traffic queues up Windermere Road hill.
- 4.12 Residents also raised concerns about the proposed access point and its impact on the mature trees along High Sparrowmire, as it was considered that no trees should be allowed to be removed to facilitate a vehicular access.
- 4.13 There was support for pedestrian/cycle links from the new site to surrounding areas, particularly with the existing Hallgarth housing area and its facilities.

Table 4: Traffic and Movement	
A. Key Issues raised and the Council's response Issues and Options Consultation	
Main issue raised	Council Response
Highways safety concerns relating to new access onto Windermere Road.	+ive The Council has sought the advice of Cumbria County Council as the highways authority. They have advised that safe vehicular access can be achieved from Windermere Road but that speed limits will need to be reduced.
Concerns about additional traffic on local roads in Kendal.	+ive The draft brief states that a transport assessment and travel plan will be required for the site at the planning application stage to determine and mitigate its traffic impacts.
Concerns about a rat run being created through Hallgarth if a vehicular access is opened up from the site to the existing estate.	+ive The Council acknowledges these concerns and whilst the draft brief proposes a vehicular access onto High Sparrowmire, the brief requires the streets in the scheme to be designed in a way that limits traffic speeds and calms traffic which will prevent the new streets from being attractive to through traffic.
Road access should be provided into Hallgarth to help integrate the areas.	+ive The brief proposes a vehicular access onto High Sparrowmire as well as pedestrian/cycle connections to help integrate the site with Hallgarth.
Need to protect existing footpath routes and improve links particularly towards Plumgarths.	+ive/-ive The indicative proposals map in the draft brief identifies the opportunity for a green corridor along the route of the right of way in order to integrate this recreational route into the green infrastructure of the site. The scope of the brief is limited in terms of what it can require in terms of footpath improvements outside the site, unless these are required to be improved to provide safe routes to key facilities such as schools, town centre facilities etc.

Access points and through routes should avoid unnecessary permeability.	+ive The draft brief proposes two vehicle accesses to the site as advised by the County Council as highways authority.
Public footpath across the site should be protected.	+ive The draft brief proposes that the existing right of way is integrated into a green corridor through the centre of the site.
B. Key Issues raised and the Council's response – Draft Brief Consultation	
Main issue raised	Council Response
Concerns over proposed secondary access onto High Sparrowmire due to on street parking issues.	The Council has further engaged with the County Council (the highways authority) who have confirmed that this access location could be achieved satisfactorily in highways terms.
Concerns that secondary access will lead to rat running through the site.	+ive The wording in paragraph 3.4.5 of the final brief has been amended to place stronger emphasis on the need for the design of the road to discourage its use as an alternative route to Windermere Road.
Concerns that proposed access point onto High Sparrowmire is unsuitable given the proximity of existing Kettlewell Road junction.	The Council has further engaged with the County Council (the highways authority) who have confirmed that this access location could be achieved satisfactorily in highways terms.
Objection to the loss of trees that would result from secondary access on to High Sparrowmire.	+ive The brief in paragraph 3.4.4 does set out that the loss of trees in this area will need to be minimised and mitigated against. An additional sentence has been included to stress the importance of these trees and the value placed on them locally to ensure they are given due consideration in proposals for the site.
Support for enhanced pedestrian/cycle provision and links with Hallgarth housing area.	Support noted. No changes made to final brief.
Brief should not be prescriptive about location of secondary access at this stage.	+ive The brief has been amended at paragraph 3.4.4 to increase flexibility in the options for a secondary access, and states that whilst the High Sparrowmire option is preferred due to the benefits it would have in terms of permeability through the to the Hallgarth area, it does not preclude other options being considered at a planning application stage.

Design and Layout Principles

Issues and Options Consultation

- 4.14 Comments were made that development on the site should be attractive and should be in keeping with Kendal's character, through for example reflecting key elements of the local vernacular style and using a palette of materials that reflect traditional materials in the town. It was suggested that given the site's sensitive location housing should be discreet and unobtrusive. It was suggested that the site should take the opportunity to set an example for sustainably designed housing.
- 4.15 It was commented that the overall layout of the site should be strongly guided by its landscape character and should protect the character and setting of the drumlin feature. It was suggested that the layout should be broken up with green spaces and

not comprise of continuous lines or solid blocks of development when viewed from surrounding areas.

Draft Brief Consultation

- 4.16 Very few comments were received in relation to design and layout issues. One comment did stress the need for a design that harmonises with the local environment. The National Trust's response expressed support for the general design principles and the principles for the individual housing character areas, with a few suggestions for minor editing. These suggestions referred to the terminology for the 'Drumlin Setting – West' character area, to make it clear that development should sit 'down' the flanks of the drumlin, and also to the landscaping treatment in the northern housing character area to ensure a good relationship between the site and the countryside.

Table 5: Design and Layout Principles	
A. Key Issues raised and the Council's response – Issues and Options Consultation	
Main issue raised	Council Response
House design should respect local character in Kendal, for example through using vernacular features and an appropriate material and colour palette.	+ive The draft brief sets out a range of design principles for the site, including the requirement for the design to be a careful and imaginative response to local character, based on an appraisal of local character. The brief requires the creative use of materials which reflect and complement local character.
The overall layout should be sensitive to local landscape character in particular the drumlin on the site.	+ive The draft brief sets out specific landscape guidance in relation to development on the flanks of the drumlin, based on specially commissioned professional landscape advice. The draft indicative proposals map indicates which areas of the drumlin should be left undeveloped, and also sets out general landscaping and green infrastructure principles, such as retaining existing landscape features.
The housing design should be ecologically sustainable and low impact.	+ive The draft brief sets out design principles for the scheme, including that it should embrace environmentally sustainable design for example exploring opportunities for passive solar gain. Following national government reforms the Council cannot require environmental sustainability standards above those required by building regulations but it can still encourage them.
Open and green spaces to be interspersed in development.	+ive The draft brief sets out a framework for green infrastructure including a green corridor that runs through the site.
B. Key Issues raised and the Council's response – Draft Brief Consultation	
Main issue raised	Council Response

Support for the key design principles in the brief.	Support noted.
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Landscape, Green Infrastructure Framework and Biodiversity

Issues and Options Consultation

- 4.17 There were a number of comments that stressed the sensitive landscape character of the site and its setting. It was felt that the site's location on the edge of the town and in close proximity to the Lake District National Park meant that a particularly sensitive design for the site would be required to mitigate potential harmful impacts. It was commented that the site is highly visible from surrounding areas and there were concerns that its development will harm local landscape character.
- 4.18 A number of comments made particular reference to the drumlin on the site and stressed the importance of protecting the character of this landscape feature and its setting in the wider landscape. It was commented that built development on the site should avoid the drumlin to allow it to remain a visual focus in the landscape.
- 4.19 It was also suggested that there should be a buffer zone between the new housing and the existing estate.
- 4.20 It was generally felt that the development would need to include significant areas of green and open space to help integrate the site in its landscape setting.
- 4.21 The existing natural features on the site including trees and stone walls were highly valued in comments received, as were the current wildlife habitats on the site. It was suggested that native tree planting and wildflower meadows could be integrated in the site to support biodiversity.

Draft Brief Consultation

- 4.22 Concerns were raised by members of the public about the potential loss of trees on High Sparrowmire to facilitate a vehicular access. These mature tree are highly valued in the local area and it wasn't considered appropriate to allow them to be removed.
- 4.23 The National Trust provided comprehensive comments on the open space and landscaping elements of the Brief. The Trust was supportive of the general principles and proposed locations of the open spaces within the development site. The Trust raised some concerns with regards landscaping treatments on the boundaries of the sites and stressed that clumps of native tree planting would be appropriate as opposed to dense tree belts. The Trust stressed the importance of ensuring that the open space proposed on the drumlin retains its open agricultural character to allow the drumlin to be read as part of the wider landscape.

Table 6: Landscape, Green Infrastructure and Biodiversity	
A. Key Issues raised and the Council's response – Issues and Options Consultation	
Main issue raised	Council Response
Landscape is the key consideration in the development of the site given its sensitive location and drumlin landscape.	+ive The draft brief recognises the landscape sensitivities of the site, and the Council commissioned independent specialist landscape advice to inform the draft brief.

Sensitive countryside location on the edge of Kendal, in close proximity to the Lake District National Park.	+ive The draft brief addresses this issue both in its vision and guidance on design and landscaping. The Council has commissioned specialist landscape advice in recognition of the site's sensitive location and this advice is reflected in the draft brief.
Need to protect the drumlin landscape character.	+ive The draft indicative proposals map indicates which areas of the drumlin should be left undeveloped and provides wider design and landscape guidance to ensure that the development of the site does not compromise the landscape character of the drumlin.
Natural features should be maintained and the site's wildlife habitats should be protected or enhanced.	+ive The draft brief sets out a range of landscaping and green infrastructure principles, including the retention of existing landscape features.
Landscaping proposals should consider what contribution the landscaping of the site can make to reducing surface water flows.	+ive The draft brief recognises the multifunctional nature of green infrastructure on the site and its potential to serve a sustainable drainage function.
Need for significant areas of green and open space in the development.	+ive The draft brief sets out an open space framework for the site, as indicated on the indicative proposals map, and suggests how a range of open spaces on the site could successfully contribute to the overall green infrastructure and landscaping framework. The capacity of the site is based on an assumption of only half the site being developable.
B. Key Issues raised and the Council's response – Draft Brief Consultation	
Main issue raised	Council Response
General support for the location of open spaces within the development site and general principles for their appearance and use.	Support noted.
Concern over loss of trees on High Sparrowmire.	An additional sentence has been included in paragraph 3.4.4 to stress the importance of these trees and the value placed on them locally to ensure they are given due consideration in proposals for the site. It is likely that some trees will need to be lost but the brief stresses the importance of mitigating their loss.
Concern over potential implications of tree planting on northern and western boundaries of site – site should not be screened with dense tree planting.	+ive The wording has been revised in the brief to make it clear that it is not requiring dense tree belts, instead pockets and groups of native species planting. This was not intended in the draft brief but the wording has been amended to aid clarity. The symbols on the proposals map have also been amended to clarify this matter.

<p>Concerns over elements of landscaping proposals, particularly suggestion of additional specimen tree planting along Lane Foot Farm access track.</p>	<p>+ive The paragraph referring to the planting of additional specimen trees to enhance the avenue character along the access lane has been removed. Other references to new 'specimen' tree planting have been removed and replaced with references to native tree planting.</p>
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Type of development/Density of development

Issues and Options Consultation

- 4.24 A small number of comments were received regarding the type or density of development that would be appropriate on the site.
- 4.25 A comment was made that some bungalows should be provided on the site for older people, and another comment suggested that there should be more 3 bedroom houses on the site as it was considered that there is a lack of 3 bedroom affordable properties in Kendal. There was agreement that there is a need for affordable housing on the site but also concerns that houses on the site could be bought as second home which would make existing affordability problems worse.
- 4.26 General comments were made that the site should contain plenty of green and open spaces and not high density development.

Draft Brief Consultation

- 4.27 No consultation comments were received specifically regarding the type of development on site. Verbal comments were made at the drop in event that it should be ensured that the affordable housing on the site is only allocated to local people.

Table 7: Type of development	
A. Key Issues raised and the Council's response – Issues and Options Consultation	
Main issue raised	Council Response
<p>Support for affordable housing on site.</p>	<p>+ive The draft brief sets out the Council's requirements for 35% of the properties on the site to be affordable. The specific types and sizes of affordable houses to be provided will be discussed and agreed with the Council at pre-application/planning application stage.</p>
<p>Demand for bungalows and 3 bedroom houses.</p>	<p>+ive The draft brief sets out the housing requirements for the site and states that a range of house types should be provided, and that the Council will support and encourage bungalows and houses suitable for older people.</p>
<p>All of the houses should be local occupancy only.</p>	<p>-ive The Council cannot require all the houses on the site to be local occupancy as this would not align with the planning policies for the area, however all the affordable units on the site will be local occupancy.</p>

Amenity

Issues and Options Consultation

- 4.28 Concerns were raised with regards potential amenity impacts on existing residential properties which border the site and it was suggested that a buffer zone should be provided between new and existing houses.
- 4.29 Concerns were also raised in relation to residential amenity impacts if a secondary vehicle access is provided into the existing estate, through increased traffic congestion, noise and possible safety impacts.

Draft Brief Consultation

- 4.30 No specific responses were received regarding amenity issues at the draft brief consultation stage.

Table 8: Amenity	
A. Issues raised and the Council's response – Issues and Options Consultation	
Main issue raised	Council Response
Concerns over the impacts of new properties on existing houses that border the site.	+ive Amenity (privacy and overlooking) is a 'material' planning consideration which the draft brief can address by setting out design principles for the layout, design and siting of new development and the potential use of landscaping/screening/fencing. The Draft brief identifies locations where there is a sensitive edge with adjoining housing and other uses and seeks to ensure that the development of the site protects, as far as possible the amenity of existing residents
Concerns over impact on amenity if a new vehicular access is provide onto the Hallgarth estate.	+ive The draft brief proposes a secondary vehicle access onto High Sparrowmire in order to improve connectivity between new and existing development, and this approach has been advised by the County Council. The brief sets out principles for the street design however to ensure the site is not viewed as an attractive alternative to Windermere Road, and this should ensure through traffic through the Hallgarth housing area is not increased significantly.

Drainage

Issues and Options Consultation

- 4.31 Drainage and flood risk were key areas of concern in the consultation comments.
- 4.32 There were major concerns raised with regards the surface water runoff from the site, and these concerns have been heightened with the extreme rainfall events in December 2015. Concerns were raised with regards the flood risk to existing properties from the runoff from the site and it was felt that this situation would be made worse when the site is developed.

- 4.33 Concerns were also raised about the potential impact of development of the site on flood risk in other areas, for example Burneside and further downstream in Kendal. Comments were made that flooding issues in Burneside have worsened since the completion of the housing development at Fir Tree Rise.
- 4.34 Comments were made that the site is very boggy and there are large pools of standing water on the site in the winter months.
- 4.35 Comments were made that Kendal’s existing drainage infrastructure cannot cope with additional housing development in this part of town.
- 4.36 It was suggested that sustainable drainage systems would be required on the site to deal with surface water properly.

Draft Brief Consultation

- 4.37 Drainage and surface water flooding issues continued to be key areas of concern at the draft brief consultation stage. Concerns were raised about the impact of development on the site on flood risk to surrounding properties, due to concerns about surface water run off rates increasing. Concerns were also raised about possible impacts on flood risk in Burneside due to the flow paths of water from the site towards the village.
- 4.38 Given the serious storm events of December 2015 it was felt by a number of respondents that the Brief should be delayed until the full findings of the County Council Flood Investigation Report have been finalised.

Table 9: Drainage	
A. Key Issues raised and the Council’s response – Issues and Options Consultation	
Main issue raised	Council Response
Surface water runoff from the site and flood risk to nearby properties which have suffered flooding in the past.	+ive The draft brief begins to identify solutions and mitigation, such as the use of SuDs and by incorporating on site green infrastructure to reduce flow and help store surface water. At the planning application stage, a detailed ‘Flood Risk Assessment’ will need to be submitted to support the application to demonstrate how surface water will effectively be disposed of. The draft brief requires that runoff rates from the site do not exceed greenfield runoff rates.
Potential impacts on flood risk in other areas, particularly Burneside.	+ive The draft brief explains that a flood risk assessment will be required at planning application stage to demonstrate that the proposal will not increase flood risk elsewhere. The Council has consulted Cumbria County Council as the lead local flood authority and incorporated their advice into the draft brief.
Inadequacy of existing drainage infrastructure in North Kendal.	+ive The Council has liaised with the County Council and United Utilities in the preparation of the brief. The Council will continue to seek clarity from United Utilities as to the timescales for infrastructure improvements in Kendal.
Requirements for sustainable drainage systems on the site.	+ive The draft brief stresses the requirement for sustainable drainage systems to be

	integrated within the site and identifies potential opportunities within the green infrastructure framework. Advice from the County Council regarding surface water drainage has been incorporated into the draft brief. This issue will be considered in detail at a planning application stage when detailed assessments have been undertaken by the applicant.
B. Key Issues raised and the Council's response – Draft Brief Consultation	
Main issue raised	Council Response
Concern that development of site will increase surface water flooding risk.	The brief is clear that surface water is a key issue for the site and sets out the framework for how it will be addressed in more detail at the planning application stage. The District Council has engaged with the County Council, Environment Agency and United Utilities in the preparation of the brief.
Concern over impact of surface water runoff on Burneside.	The brief acknowledges that watercourses on the site impact upon Burneside, as demonstrated in the December 2015 floods. The flood risk assessment for the site at planning application stage will be required to consider the impacts of development on the site elsewhere and mitigate any risks adequately.
Concern that planning decisions will not be based on sound local knowledge of drainage issues.	The District Council has engaged with the County Council, Environment Agency and United Utilities in the preparation of the brief in order to ensure that it is informed by specialist professional knowledge on flooding and drainage issues. These organisations, all of which have roles in flood risk management will be consulted and involved at the planning application stage when the detailed Flood Risk Assessments and drainage strategies will be prepared.
Brief should be delayed until finalised investigation report into the December 2015 floods is published.	It is not considered necessary to delay the brief. The Council has met with the County Council and Environment Agency to understand the issues on the site and how it was affected in December 2015 and will continue working together with other organisations as the site progresses to ensure an appropriate approach to flood risk and drainage.

Infrastructure

Issues and Options Consultation

- 4.39 Concerns were raised over the capacity of Kendal's existing infrastructure to accommodate new development. It was questioned whether there are sufficient school places, doctors and hospital services to serve the additional population that the development would result in.

- 4.40 It was suggested that some new facilities should be provided on the site for example a play area or community hall as it was considered that the existing Hallgarth facilities would be too stretched to serve the new houses. Conversely other comments suggested the site should be integrated with Hallgarth so that its facilities can be shared and new and existing communities be integrated. It was suggested that existing facilities on Hallgarth should be upgraded including improvements to the community centre, bus stops and open spaces, and it was suggested that potentially the Community Infrastructure Levy could help fund some of these improvements.
- 4.41 Other infrastructure issues that have been discussed elsewhere in this report include concerns over the capacity of Kendal’s drainage infrastructure and highways network to accommodate the additional development.

Draft Brief Consultation

- 4.42 At the draft brief consultation stage no responses were received relating specifically to infrastructure issues.

Table 10: Infrastructure	
A. Key Issues raised and the Council’s response – Issues and Options Consultation	
Main issue raised	Council Response
Concerns over the capacity of Kendal’s social infrastructure (e.g. education health services) to accommodate the new development.	+ive The Council has liaised with the County Council as the education authority in the preparation of the brief. The draft brief makes it clear that Cumbria County Council will re-assess the situation regarding school places when a detailed proposal from the developer setting out the housing mix is available. The Community Infrastructure Levy will be collected from the development and could be used as a source of funding for additional school provision if required.
Local community facilities and whether the site should provide its own or share Hallgarth’s.	+ive Given the limited size of the proposed development it is considered that it should integrate with the Hallgarth housing area and share its facilities. The draft brief therefore sets out a framework to promote integration between the two areas through identifying opportunities for cycle, pedestrian and vehicle connections.
Concerns that the local sewerage and drainage infrastructure will not be able to accommodate the development.	+ive The Council has liaised with United Utilities with regards sewerage infrastructure capacity. UU has advised that once more details are known (i.e. at pre-application/planning application stage), for example the approach to surface water management and proposed connection points to the foul network then the delivery of the development can be coordinated with the delivery of any necessary infrastructure improvements. The draft brief recognises the current capacity issues in North Kendal/Burneside and the Council will continue

	to liaise with UU to ensure they are addressed to facilitate the delivery of the site.
Concerns over the capacity of the local highways network to accommodate the additional traffic from the development.	+ive The Council assessed the impact of Local Plan sites on the network in Kendal during the preparation of the Land Allocations document (see Kendal Transport Improvements Study, 2012). This has resulted in a series of junction improvements and sustainable transport measures being designed and implemented in the town to mitigate the impact. The draft brief makes it clear that a transport assessment and travel plan will be required for the site at the planning application stage to determine traffic impacts and mitigation, and the County Council will advise in more detail at this stage.

Ground Conditions

Issues and Options Consultation

- 4.43 Concerns were raised during the consultation about the ground stability in the local area and the impact of water runoff. Comments were made that there has been ground movement and slippage at the new properties at Fir Tree Rise and there are concerns that houses built on the development brief site could be at risk of subsidence. There were also concerns raised about potential subsidence risks for existing houses if water runoff from the site is not managed properly.

Draft Brief Consultation

- 4.44 No responses were received relating specifically to ground conditions at the draft brief consultation stage.

Table 11: Ground Conditions	
A. Issues raised and the Council's response – Issues and Options Consultation	
Main issue raised	Council Response
Concerns about ground stability in the local area, given reported issues at the development on Fir Tree Rise.	-ive It is considered beyond the scope of the development brief to consider technical issues relating to ground stability. Any potential issues would be addressed at detailed design stage though ground assessments undertaken by the applicant. Building Regulations would ensure that construction methods are suited to the underlying ground conditions, for example in terms of the types of foundations required (See Building Regulations 'Approved Document A'.
Concerns over subsidence risk for existing properties due to surface water issues.	-ive Again it is considered beyond the scope of the brief to consider detailed technical issues. These would be investigated in detail through ground assessments undertaken by the developer at the detailed design stage.

Opportunities and Constraints Map

Issues and Options Consultation

- 4.45 The National Trust considered that the map did not adequately reflect the drumlin landform to show how it extends beyond the northern site boundary, and therefore that landscape constraints are not given due regard on the map.

Draft Brief Consultation

- 4.46 At the drop in event a member of the public advised that the bus route through the Hallgarth area had changed and the route on the opportunities and constraints map was therefore incorrect.

Table 13: Opportunities and Constraints Map	
A. Issues raised and the Council's response – Issues and Options Consultation	
Main issue raised	Council Response
Concerns that the opportunities and constraints map does not adequately illustrate the significance of the drumlin landform.	+ive The opportunities and constraints map has been amended to illustrate that the drumlin extends northwards beyond the site boundary.
B. Key Issues raised and the Council's response – Draft Brief Consultation	
Main issue raised	Council Response
Bus route has changed since the Brief was put together so shown incorrectly on map.	+ive The opportunities and constraints map has been updated to show the correct bus route.

Principle of Development

Issues and Options Consultation

- 4.47 A number of comments did still express concern over the general principle of development on the site, largely on landscape grounds. A number of people also felt that the site is not suitable for development because of surface water drainage issues.

- 4.48 However there was also still an acknowledgement of the need for affordable housing in the area and the recognition that the development of the site could contribute towards it.

Draft Brief Consultation

- 4.49 A few comments were made at the draft brief stage questioning the overall suitability of the site and the principle of development. One of these comments was on landscape grounds, and another suggested that the 2015 floods bring into question the suitability of the site for development.

APPENDIX 1: Responses received during the Issues and Options Consultation on the Development Brief for West of High Sparrowmire, Kendal

SUMMARY OF RESPONSES

THIS APPENDIX PROVIDES A SUMMARY OF THE RESPONSES RECEIVED DURING THE ISSUES AND OPTIONS CONSULTATION ON THE DEVELOPMENT BRIEF FOR WEST OF HIGH SPARROWMIRE, KENDAL

It is broken down as follows:

Category A comments – these are comments received on matters relating to topics covered by the Development Brief. It is split between members of the public and organisations.

Category B comments – these are comments received on matters not covered by the Development Brief, for example those that may relate to matters of whether the site in principle is acceptable for the development it is allocated for in the Local Plan.

Category C comments – these are comments received about the Proposals document which are general in nature, non-site specific.

Category D comments – these are comments received about Appendix 3 Site Information Working Document (general)

Category E comments - Drop in Event comments – a record of all responses made at the drop in event on the 7 January 2016.

Category F Comments – A summary of issues raised on Facebook discussion

Category A comments – comments received on matters relating to topics covered by the Development Brief.

Topic Area	Member of public comments	Organisation comments
VISION	<ul style="list-style-type: none"> • The brief recognises the special aspects of this transitional area between the urban and the countryside of the National Park but is prepared to allow building on it with certain caveats which include a recognition of the interest of The National Trust in the area. The input of the National Trust to the SLDC on the proposed development seems to have been largely ignored so far. I suggest that what the National Trust have to say be given more attention from this stage. (R Brown) • Overall vision should be one of as much green and open space as possible – nestled amidst landscaping that’s sympathetic to the surrounding countryside. (A Hawthorn) • Overall vision should be a site to prevent flood impact in Burneside and Kendal rather than one that will impact on flooding. (B Smith) 	<ul style="list-style-type: none"> • A key objective should be for the development to be integrated with the existing Hallgarth estate as far as possible, rather than be separate with only a footpath linking the two. It is too small, to be a self-sustaining community, and future residents will look to existing facilities on Hallgarth - the small local shop, playing fields (soon to include activities for teenagers), community centre, bus service (which is half hourly), and even the Chinese takeaway. It should join this existing community and contribute to it. Some of these facilities could be enhanced with the extra housing and more residents – more events at the Centre and on the playing field, a more certain future for the bus service even longer hours of running, and a bigger play area. The new development could round out the estate, which already has a mix of social rent, affordable rent, private rent, shared equity, bought to-let and privately owned houses (some of which have been put on the market for up to £186,000) (R Boden, Hallgarth Community Centre) • The Trust has no objections to the draft Vision as set out in the consultation document. The key element is the third one and in particular the need to respect the distinctive landform – especially the integrity of the drumlin feature, and particularly its profile, which continues northwards beyond the boundary of the development site. Given that 50% of the overall site is not to be developed maintaining this key landscape feature and being able to appreciate its overall extent from within and more especially from key viewpoints around the site should be readily achievable. (National Trust)
ACCESSIBILITY AND MOVEMENT		

Topic Area	Member of public comments	Organisation comments
General	<ul style="list-style-type: none"> • Not a good idea to have roads leading on to the Hallgarth Estate as it will cause a rat run from Windermere Road when it gets blocked through the estate onto Burneside Road. (R Brasenell) • Concerns about the added congestion on local roads from increase in traffic. Ample provision must be made for pedestrians and cyclists. The existing footpath which passes through the site is a gateway to the Lakeland Hills and development needs to be carefully considered in order to reflect this. This means appropriate, natural landscaping must be incorporated. (A Hawthorn) • Several of the houses nearby have no driveways or parking spaces so park on the roadway up to High Sparrowmire. If this area removed for an access they would have nowhere to park. If access to the estate was made joining onto High Sparrowmire this would cause a "Rat run" through Hallgarth. As well as causing a danger to children these vehicles could get lost due to the layout of Hallgarth, the estate wasn't built for modern traffic. (A Simpson) • Windermere road is already backed up to Plumgarths roundabout at peak times. Extra traffic will make situation worse and make Kendal undesirable for visitors. Hallgarth will become a rat run. Wait until the first school child is run over. (G McKeon) • The proposed vehicular route onto Windermere road will create more queues there and a dangerous rat run through Hallgarth. The proposed cycle and pedestrian routes will have (let's say an average of three people per property) an extra 450 people coming straight onto an already busy estate, an accident waiting to happen. (G McKeon) • Transport report from landowner mentions approx 600 journeys per day into and out of the site. This is based on the initial phase of the development only. Access onto 	<ul style="list-style-type: none"> • Access points and through routes must be designed to serve the development and avoid unnecessary permeability. Reference to 'Manual for Streets' Item 4.6. (Cumbria Constabulary) • Rather than blocking the two estates off apart from a footpath, there are advantages to having a spinal road from the new entrance on Windermere Road serving the new estate but also linking in to High Sparrowmire. This would give existing residents at the north end of the estate a better option to get in and off the estate than driving right through it as at present. The current access routes are getting very busy, not helped by parking on one side of both Sparrowmire Lane and Garth Brow. Exiting onto Windermere Road is also difficult and the speed bumps make this a long journey. I would presume there would be better access onto Windermere Road provided for the new development, either lights or a roundabout. This could also help residents living at the north end of Hallgarth Such a link would also give new residents better access to the facilities already existing on the estate, and help them feel more part of it. The argument against this is that it could create a rat-run from Windermere Road to Burneside Road. Of course, cars could come through the estate now, but I don't think many do as most cars turning onto Sparrowmire Lane from Low Garth come from the right (the rest of the estate) not the left (from Windermere Road). They are more likely to use Horncop Lane or Hollins Lane to do this, and it is difficult to see that people would use a new through road in this way given the problems I've outlined above about access difficulties. This also raises the possibility of re-routing the 44 bus up Windermere Road to serve that road and Fir Tree Rise, before going back through the new estate and connecting with the original route at one of the junctions of High Garth. This would disadvantage some residents on

Topic Area	Member of public comments	Organisation comments
	<p>Windermere road in the Windermere direction is hazardous especially with the varying speed limits on the main road. However, as the long term plan is for additional development, this must be considered in plans as the number of day journeys will well exceed the 600 suggested by the landowner http://applications.southlakeland.gov.uk/LDFDocuments/WalkerMorris_EM434_110411_2.pdf) - refer to separate transport study. (B Smith)</p>	<p>Hallgarth Circle – perhaps 60 houses - but by making the route more attractive to c. 300 houses could ensure the buses' future and even development. The bus could also be rerouted in front of the shop and turn left into the south end of Low Garth again bringing it closer to more houses. (R Boden, Hallgarth Community Centre)</p> <ul style="list-style-type: none"> • Thank you for the opportunity to comment on the latest Development Briefs Phase 2 Issues and Options consultation documentation. Having looked through the documents I can confirm that as these developments lie some way from the Strategic Road Network Highways England has no specific comments to make on these documents. It is felt that as they are some way from the SRN they will not affect the safe running of those routes. (Highways England) • No specific responses to make other than the need to ensure that any new routes respect the landscape form and do not, for example, result in visual intrusions upon the upper slopes and/or crest of the drumlin. (National Trust) • Draft vision highlights many of the key issues that need to be addressed. Vision should be underpinned by consideration for landscape character and capacity. Vision should take cognisance of the landscape character and unique qualities of the site and its position in the wider landscape as an area of open countryside and forming the setting for the Lake District National Park. Vision must acknowledge the importance of green infrastructure and the opportunities to encourage a shift towards walking and cycling through and beyond the site, as well as, maximising opportunities to support biodiversity. (Friends of the Lake District)
Cars – access	<ul style="list-style-type: none"> • The development MUST have its own access from Windermere Road. The existing road infrastructure through Hallgarth couldn't cope with the extra traffic - the 	<ul style="list-style-type: none"> • Issue of providing a safe access to this site is of concern and careful consideration of the current road usage and

Topic Area	Member of public comments	Organisation comments
	<p>roads on the estate are already clogged up with parked cars and are in a poor state of repair in places. Pavement along Windermere Road would also need extending (and I agree about the extension of the 30mph limit too). I don't think any of the existing trees should be removed, so an access point off High Sparrowmire would be unviable as there are some beautiful old trees there that add much to the landscape. (L Graham)</p>	<p>speed limits of Windermere Road if this is to be the likely primary access point. (Friends of the Lake District)</p> <ul style="list-style-type: none"> • In exploring options for access from various locations, the removal of mature trees along the boundaries of the site should be avoided. (Friends of the Lake District)
Pedestrian and cycle – access	<ul style="list-style-type: none"> • Would like to see a footpath leading up to Windermere Road so people can walk to town or up to the Gateway Pub and Plumgarth outlets. (R Brasenell) 	<ul style="list-style-type: none"> • There is currently no cycle access directly to the site – provision of safe cycle access connecting the site to Kendal and Burneside and through the site itself should be of priority when developing the brief for this site. (Friends of the Lake District) • Existing footway and public right of way should be maintained and enhanced as part of the development of this brief. (Friends of the Lake District) • The site should be permeable, allowing for the safe movement of pedestrians and cyclists through the site, traffic calming measures should be sensitive to the site, pedestrian focussed and avoid over engineering. (Friends of the Lake District) • The brief should address the following rights of way and access issues: <ul style="list-style-type: none"> - Seeking opportunities to enhance public rights of way and accessible natural green space. (Natural England)
Existing rights of way	<ul style="list-style-type: none"> • Cycle / pathway to follow existing footpath across the site. (B Smith) • Protect the public footpath that runs across the field to Burneside. (J McKeon) 	
Managing traffic	<ul style="list-style-type: none"> • Please add lots of speed bumps to the new estate. (J McKeon) 	

Topic Area	Member of public comments	Organisation comments
	<ul style="list-style-type: none"> High Garth should remain peaceful so children can play safely – refrain from allowing more cars to pass through here. (J McKeon) 	
<p>OPEN SPACE, LANDSCAPING AND BIODIVERSITY</p>		
<p>General</p>	<ul style="list-style-type: none"> Should be a fair amount of green landscape around the houses. Should be a buffer zone between new and old housing. (R Brasenell) This land is untouched green space and as well as providing habitat for wildlife (there are some beautiful wildflowers in the summer) also provides lovely walking routes and play space. Development would push the existing town boundary out towards the National Park and would be highly visible from Windermere Road. It pushes the boundaries of Kendal and Burneside closer together, making them less distinctive settlements and more part of one larger urban area. Any development would need protect the existing trees and hedges and indeed add more in order to maintain the characteristics of the landscape. This development would really detract from the landscape in this part of Kendal - in particular the drumlins, which are a fairly unusual and interesting feature which should be protected. (L Graham) If this goes ahead (and I don't think it should), this development will need to be hidden in the landscape so low density housing with plenty of green space. (L Graham) Value the features such as the drumlin which can be viewed on the approach into Kendal as well as at various points within the Hallgarth estate. Sincerely hope this will be left untouched, as it echoes the natural unspoilt beauty of the Lake District. The traditional stone walls are also noteworthy, and again echo beautifully the 	<ul style="list-style-type: none"> The key aspects are considered to be those under the headings “Design” and “Landscape Character/Views”. Especially valued is the distinctive landform of the site and how that relates to the surrounding area and not least a) views from the Lake District National Park and b) the adjacent land to the north. In this regard it is important that not only is there no development upon the crest of the drumlin but that development tis restricted to the lower slopes so that it does not visually breach the skyline but maintains continuous views of the whole of the drumlin’s crest. To ensure that the integrity of the landscape is maintained it is also important that the drumlin retains an agricultural appearance and that no significant new boundary treatment (whether built – wall/fence, or landscape – trees/hedgerow) is imposed across the drumlin on the north/north western edge of the development site, i.e. the eye should continue to be taken seamlessly along the whole length of the crest. As a consequence the drumlin should remain a visual focus as opposed to the new development lessening or compromising its visual impact; in this context key considerations are not only the location of built development, but also of tree blocks, new ‘urban’ parkland, and play areas. (National Trust) The Cumbria Landscape Character Guidance provides advice about the important characteristics of the Drumlin Field Character Type (page 94) and it also gives relevant guidance on new development (page 97) to the effect that

Topic Area	Member of public comments	Organisation comments
	<p>splendour of the Lakeland countryside. These too should be left untouched. We also value as much green and open space as possible, which is essential in an every increasingly crowded living area. (A Hawthorn)</p> <ul style="list-style-type: none"> • There should be large areas of green and open space including substantial tree and hedge planting, sourcing native species. Leaving large areas for wildflowers to thrive would ensure a haven for birds and insects threatening our ecological balance. (A Hawthorn) • Impact on drumlins field is immeasurable. To only build on parts of the drumlins and not the peaks of the drumlins shows a lack of awareness of the drumlins in the context of the whole "field of drumlins". These should be considered in the wider context and not just individually. At the presentation, only one drumlin was identified whereas two will be affected by the proposed development. Again, the character of the whole site needs to be considered not just the proposed area for development. This is particularly important in terms of its proximity to the National Park. At the moment, one area is proposed and that is less than twenty feet from the National Park boundary. How will the developers mask the impact of the development or future developments from higher altitude points on National Park land towards Hells Fell? (B Smith) 	<p>development should <i>“Avoid prominent hill tops or cutting across slopes...and...take advantage of natural containment by landform...”</i>. The Trust considers that these are key considerations that the Development Brief needs to reflect and secure accordingly. (National Trust)</p> <ul style="list-style-type: none"> • Whilst couched in the terms of agricultural buildings the advice requiring <i>“careful siting, breaking down mass, choice of sympathetic colours and non-reflective finished and screen planting”</i> is also largely relevant to the proposed residential development – albeit care is needed to ensure that, where screen planting is necessary, it is localised to screen elements of the built development and does not screen the landform of the drumlin itself. (National Trust) • This landscape character type is especially sensitive to tall structures and generally it is unlikely that buildings of more than two storeys (albeit potentially with some limited use of the roofspace) can be satisfactorily accommodated. (National Trust) • The Guidelines (page 96) also specifically urge the resistance of <i>“...large scale planting that would obscure or swamp the pattern of drumlins”</i>. The provision of pockets of new planting within the lower part of the site will still be important; the existing mature trees around the eastern boundary of Hallgarth and around and to the east of the existing Lane Foot steading are an important feature which should be retained and replicated in the design of the development. (National Trust) • The incorporation, and reinstatement where necessary, of existing cultural features such as the stone boundary walls across/around the site and existing boundary hedgerows would also be consistent with the landscape character of the site.(National Trust) • The Brief should ensure that the existing features of note are identified and addressed in the development

Topic Area	Member of public comments	Organisation comments
		<p>proposals; that improvements are secured in line with adopted Development Plan policies; but most particularly that new open space treatments and green infrastructure/landscaping does not compromise the key feature which is the distinctive drumlin landform and its appreciation from key viewpoints. (National Trust)</p> <ul style="list-style-type: none"> • Landscape is the key factor for consideration on this site, the layout, density and design of the buildings should be sympathetic to the rural character of the area. Development of the site should be informed by the Cumbria Landscape Character Guidance and Toolkit and its guidance in relation to the drumlin field character type. (Friends of the Lake District) • Consideration should be given to the provision of community growing space within the development. This could provide a functional open space which could support biodiversity as well as contributing to community cohesion. (Friends of the Lake District) • The brief should address the following landscape issues: <ul style="list-style-type: none"> - Avoiding harm to the character of nationally protected landscapes and locally valued landscapes. - Seeking opportunities to contribute to landscape restoration and enhancement. (Natural England) • The brief should address the following green infrastructure issues: <ul style="list-style-type: none"> - Making a positive contribution to the creation, protection, enhancement and management of networks of green infrastructure. (Natural England)
Type of open space	<ul style="list-style-type: none"> • Play areas for children with walk and cycle paths to access all areas of the development. (xxx) 	

Topic Area	Member of public comments	Organisation comments
Location of open space	<ul style="list-style-type: none"> • Add a green buffer zone along the side of the field nearest High Garth. (J McKeon) 	
Existing open spaces include name	<ul style="list-style-type: none"> • Leave the green spaces alone on High Garth – children need safe places to play. (J McKeon) 	
Landscaping – type, location		<ul style="list-style-type: none"> • The landscaping scheme (choice and location of species) must not compromise surveillance opportunities (nor create hiding places) as plants mature. (Cumbria Constabulary) • The suggestion of a continuous belt of planting between the new and the existing is counter-productive to the idea of an integrated development. Some planting may help where there are existing houses, but there are several stretches where there are not houses. Alternatively, the Development Brief could require the actual new houses to be further apart from the existing ones (I believe only a 22 metre gap is required generally). Another alternative is to create an open green space between the two perhaps for an infants play area. It would be better to develop and enhance the existing play area rather than create a small one on the development. The exception might be a small infants play area on the development. (R Boden, Hallgarth Community Centre) • Landscaping proposals should consider what contribution the landscaping of a site can make to reducing flows from surface water discharge. This can include hard and soft landscaping such as permeable surfaces. (United Utilities)
Biodiversity/Wildlife		<ul style="list-style-type: none"> • The site triggers the impact risk zone for a number of Sites of Special Scientific Interest and the Council should check these in more detail. A summary is as follows: <ul style="list-style-type: none"> - Lake District National Park – 120m (w) (regarding landscaping) - Morecambe Bay – 9.4km (sw) (regarding water runoff)

Topic Area	Member of public comments	Organisation comments
		<ul style="list-style-type: none"> - River Kent & Tributaries – 930m (triggered due to residential development of 100 units or more, and water discharge issues) - Scout & Cunswick Scars – 1km (triggered due to residential development of 100 units or more, and recreational pressure and disturbance issues). (Natural England) • Due to the recent floods there must be a focus on reducing run-off as much as possible in order to reduce pollution into the River Kent and tributaries SAC. (Natural England) • Green Infrastructure will be important to reduce the recreational pressure on the Scout and Cunswick Scar SAC. • The following biodiversity issues should be considered and incorporated into the briefs: <ul style="list-style-type: none"> - Avoiding harm to the international, national and locally designated sites of importance for biodiversity. - Avoiding harm to priority habitats, ecological networks and priority and/or legally protected species protection. - Seeking opportunities to contribute to the restoration and re-creation of habitats, the recovery of priority species populations and biodiversity enhancement. (Natural England)
Existing Natural features	<ul style="list-style-type: none"> • There are several mature trees on the left hand side of High Sparrowmire, two in particular stand close together. Concerned that these could be removed - no amount of replanting could replace them. (A Simpson) • Do not chop the large sycamore tree down to create access onto High Garth – bats live in it. It is a healthy tree – leave it alone. (J McKeon) 	

Topic Area	Member of public comments	Organisation comments
DESIGN AND LAYOUT PRINCIPLES		
General	<ul style="list-style-type: none"> • Houses should be in-keeping with Kendal. (R Brasenell) • The site should be pleasing to the eye that the tenants of Hallgarth would like not like Acre Moss. (R Brasenell) • As this proposed area borders the national park and can be viewed from the surrounding hills, houses should be as unobtrusive as possible. They shouldn't be too high and should be as discreet as possible, using stone/wood cladding to ensure they blend in as much as possible with the surrounding area. (A Hawthorn) • If field must be built on, please place bungalows nearest to High Garth to enable existing residents to maintain some outlook. (J McKeon) 	<ul style="list-style-type: none"> • Cumbria Constabulary welcomes the opportunity to comment on this consultation. We seek the Council's support in encouraging prospective developers to achieve Secured by Design accreditation for this site. In order to identify vulnerability to crime and to minimise delay in the planning process, it would be beneficial for developers to consult with the Force Crime Prevention Design Advisor prior to application stage. Layout and design should have reference to secured by design. (Cumbria Constabulary) • One of the issues raised about the first designs for Fir Tree Rise was that the houses should be in the tradition of the Lakeland vernacular, with gable end roofs and chimneys. I believe the chimneys added on are actually fibreglass mouldings. However, in this important location seen as people enter Kendal from the north, I feel that a similar style is entirely appropriate. Hallgarth is almost entirely two storey buildings, though many of these are two flats. I feel this should be continued in the new development. I would also expect other local vernacular design to be included such as panels of stone wall. (R Boden, Hallgarth Community Centre) • The layout should have regard to the advice set out in the Cumbria Landscape Character Guidance for Type 7b – Drumlin Field and, for example, ensure that the crucial views to the site, in particular from the National Park, are not characterised by regimented, grid pattern or long lines of houses, but instead that the layout is broken up and 'fractured'. • The hue and tone of the development should maintain the predominantly warm grey, mid-tone character of Kendal with roofing materials in darker grey in tone forming minimal tonal contrast with solar panels (if present).

Topic Area	Member of public comments	Organisation comments
		<p>Roughcast finishes and local limestone appropriately laid and bedded would be appropriate. (National Trust)</p> <ul style="list-style-type: none"> • National Trust remains concerned that the Constraints and Opportunities Map accompanying the consultation document does not adequately reflect the key issue regarding how this site is developed – namely the landform and specifically the contours and extent of the drumlin both within the site and as a dominant feature extending well beyond the northern site boundary. The legend refers to a diagrammatic feature shown as the ‘crest of the drumlin’. The crest itself is more linear and continuous extending well into the site to the north. Furthermore any built development a modest distance below the crest will itself still visually breach the crest, for example in views from the National Park and indeed from the adjacent main road into Kendal. New built development needs to be sufficiently down the slopes so that the integrity of the drumlin feature, including crest, is maintained. (National Trust). • Design must be sympathetic to local area. Brief should seek to promote the use of local materials and a layout and density appropriate to the landscape sensitivities and capacity of this site. It would seem appropriate to reduce the indicative capacity of 150 given the issues highlighted in the consultation and the landscape sensitivities. (Friends of the Lake District) • Inclusive design principles should be followed to ensure access for all and enable ‘whole life housing’. (Friends of the Lake District)
Layout – spaces, location of development	<ul style="list-style-type: none"> • There should be a buffer zone between the new housing and the old ones. (R Brasenell) • Need to be sensitive to large areas of surface water and flooding in this area and not build on these sites. Could utilise these areas by having natural wetland areas 	

Topic Area	Member of public comments	Organisation comments
Renewable Energy and Sustainability	<p>within the development. This would be beneficial to wildlife as well as those living in the area. (A Hawthorn)</p> <ul style="list-style-type: none"> If this housing scheme is truly necessary, then let it be an opportunity to be an example of low impact, ecologically sustainable building. Any house building needs to reflect and be sensitive to the fragile state our planet's in. (A Hawthorn) 	<ul style="list-style-type: none"> Whilst United Utilities acknowledges that the Code for Sustainable Homes has now been scrapped as a result of the Housing Standards Review, we suggest that the Council should consider water efficiency measures and the design of new development within the Development Brief as follows: <i>"The design of new development should incorporate water efficiency measures. New development should maximise the use of permeable surfaces and the most sustainable form of drainage , and should encourage water efficiency measures including water saving and recycling measures to minimise water usage"</i>. (United Utilities) The brief should promote the integration of renewable/low carbon energy sources into the site. (Friends of the Lake District)
TYPE OF DEVELOPMENT	<ul style="list-style-type: none"> I would like to see some bungalows for old people that they can move out of Council houses to free those up as well. (R Brasenell) 3 bed house would be useful as there is a lack of this type of affordable housing in Kendal. All of the houses should be local occupancy only and perhaps more of the total houses offered as affordable. (L Graham) There's a need for affordable housing so hope these houses won't be built and then bought as second homes – rather defeats the object of building this vast number of extra houses. (A Hawthorn) Of the proposed mix 35% will be rented/affordable. The remaining 65% should be like the Story Homes development of Natland Millbeck Farm with executive £400,000 homes.(G McKeon) 	

Topic Area	Member of public comments	Organisation comments
INFRASTRUCTURE including developer contributions break down by infrastructure type.	<ul style="list-style-type: none"> Mixed housing with appropriate percentage for elderly population. (B Smith) Need to sort the schools, doctors and hospitals out as they are full now. (R Brasenell) Would existing utilities be able to cope with an influx of new residents? For example, are there enough places in St Thomas's school or spaces on the existing buses? Surely with a development of this size, some new facilities should be included too, such as a play area or community hall? It seems a little unfair that the existing facilities of Hallgarth would just be stretched to provide for all the new houses too, especially as they already serve a fairly big area including the new Fir Tree Rise estate.(xxxx) Major issues in relation to sewage exist. Currently developments on site rely on septic tank. (B Smith) 	<ul style="list-style-type: none"> I understand that this land is in Burneside Parish, though Kendal Town Council may raise this as an issue. To my mind, that important issue rather is that there are still a lot of needs on the Hallgarth estate that the parish share of the CIL should fund whichever Parish receives it. After all, it is the residents of Hallgarth who will have to put up with this development on their doorstep. Any improvements would also help the new residents. This could include: more play equipment including more for teenagers, a second room and storage facilities at the Community centre, bus shelters which the 45 route tends to have but would help increase usage of the 44, improved public realm especially seats and planters to soften the blank environment in parts of the estate. (R Boden, Hallgarth Community Centre)
FLOODING / DRAINAGE	<ul style="list-style-type: none"> Great care and attention should be taken concerning the amount of rain water that runs down the field and collects in a fair sized lake at the bottom of the field as the photos I produced show. (R Brasenell) Already a problem with surface water flooding coming off the proposed site and flooding some of the houses at the lower end of High Sparrowmire. Concern that any new development would exacerbate this problem. During heavy rainfall events the drains and sewers of Hallgarth already struggle to cope so this development would need a completely separate system that bypassed Hallgarth entirely. (L Graham) Well aware of the increased flooding in Kendal. Building on these sites without improving infrastructure leaves the Council with the possibility of liability for future damage to property. There is a clear risk that the use of the land would cause actual damage to existing property and 	<ul style="list-style-type: none"> United Utilities asset register appears to indicate that foul sewage from the Hallgarth area is taken under the railway and joins the problem Burneside sewer just downstream of the point at which (Kentrigg Walk) regular overflows take place from the sewer to the river. Any additional flows would be likely to exacerbate this problem and therefore as stated "Existing capacity issues on the sewer network north of Kendal/Burneside area need to be addressed". Works to resolve the capacity issue must be undertaken prior the development of the area for housing etc if the sewage would end up in this part of the network. United Utilities should be consulted. According to the Environment Agency's Flood Map the site lies within Flood Zone 1 (low probability of tidal or fluvial flooding). There are no Main Rivers within, or adjacent to this site. (Environment Agency)

Topic Area	Member of public comments	Organisation comments
	<p>cause harm to existing residents. What steps will you take to prevent or reduce any damage? (C Hill)</p> <ul style="list-style-type: none"> • Flooding in the fields which results in houses being flooded that are already built. Water runs down the fields into two separate fast running streams which then goes into 2 pools of water then it spills out into the garden/houses of the houses 1-19 Sparrowmire. No. 5 and no.15 seem to get the worst flooding onto the front green and then down to the road and other houses. Drainage has collapsed and needs replacing. A lot of houses on the row have cracks down them – subsidence? Build on land that doesn’t flood! And where you know the drainage works.(T Knowles) • The Kendal end of Burneside was badly affected by the floods in December and in particular houses in Carlingdale and Carling Steps. The final thing that pushed this area towards inundation was when Carling Beck overtopped. The “issue” or outflow into Carling Beck arises very close to this proposed development, so that is why there is great cause for concern. However far the process has progressed for developing this site it can never be too late to mitigate a repeat of the misery which people suffered in the floods. It seems likely that with the changed circumstances this stance can be justified legally as well as morally. There is every reason to call a halt to all future development in this area until the way forward to help reduce flooding risk has been evaluated. (A & S Menzies) • I live in Burneside and two small streams join behind my house and then a single stream runs through my garden, then under Burneside Road and on into the River Kent. One of these streams runs behind Carling Dale joins the other stream and like I’ve described runs through my garden. A number of houses were badly flooded on 5th December 2015. My house was built in 1985-87 and was 	<ul style="list-style-type: none"> • This is a real worry for people, as several houses have been flooded three years ago and this December, from water streaming off this field. I don't think we can talk of a 1 in 100 year event – flood works for any new estate should be addressing much more frequent events and higher volumes of water. At the very least a large SUDS scheme needs to be implemented with new drainage pipes leading to it. The existing system is clearly inadequate. (R Boden, Hallgarth Community Centre) • No particular comments to make, but the existing constraints and the need to address these is acknowledged. It is especially noted that surface water infrastructure will be needed, for example to address flood water considerations; there are appropriate ways to deal with this through ‘softer’ measures such as the use of natural swales and allowing identified areas of land to be flooded where necessary, rather than necessitating ‘hard’ engineered solutions that are more likely to be at odds with the landscape character of the site. (National Trust). • We support the comments that have been included within Section 9 highlighting the need for any proposals to connect foul only to the public sewerage system. Consideration must be given to the disposal of surface water, in line with the surface water hierarchy. (United Utilities) • It may be necessary to coordinate any infrastructure improvements with the delivery of development. In accordance with paragraphs 156 and 162 of the National Planning Policy Framework (NPPF), we recommend the final Development Brief incorporates the following detail, in relation to infrastructure provision: <i>“Once more details are known, for example the approach to surface water management and proposed connection points to the foul sewer network, it may be necessary to coordinate the</i>

Topic Area	Member of public comments	Organisation comments
	<p>built purposely higher than the flood plain/ fields behind my property and since it was built has never flooded. What I have been noticing since the new houses that were built by two castles on Windermere Road, Kendal is during periods of heavy rain the stream swells very quickly and floods the field more frequently. Water has flooded my side garden a number of times since. I'm very concerned that the run off from these new proposed properties will affect the streams and create more frequent flooding. I know that the streams are not tended and that they are silting up year on year and are inadequate to cope with further influxes of water. I'm not against any building of affordable houses as there is a real need for property in the south lakes, but after the serious flooding of carling steps/ carling dale area of Burneside I would hope there will be some serious thought and investigations on the environmental effect it would have on me and other residents. (G Walker)</p> <ul style="list-style-type: none"> • Little is mentioned in terms of flooding - the site itself is identified as low risk but no mention is made of the fact that the water from the site feeds into tributaries leading to Burneside and then Kendal itself. As mentioned above if this development is the first part of a larger development, then the full extent of the potential future development needs to be considered. As this site is to the north of Kendal and water flow is predominantly north to south, this site has a greater potential impact on flooding than other sites in the town. The Environmental Agency representative at the consultation meeting spoke of the potential to build pools to store water on site and release at a slow rate after periods of heavy rain. In addition, other areas in the Lane Foot Farm area, but nearer to Burneside should also be considered for this as it could store water and reduce the impact of flooding on both Burneside and Kendal. (B Smith) 	<p><i>delivery of development with timing for the delivery of any infrastructure improvements.</i>" (United Utilities)</p> <ul style="list-style-type: none"> • Developers should, where viable, consider the use of permeable paving and cycleways, increased landscaping and a reduction in the use of hardstanding as a means to reduce surface water run-off rates. United Utilities would expect greenfield run-off rates to be maintained. We would also encourage the use of SUDs as part of the proposals for this site as a means to mitigate flooding. We note and support the comments raised by SLDC Environment Protection on this matter. Should sites be developed by more than one house builder it may impact on the delivery of a holistic and sustainable drainage strategy across the entire site. Prior to the determination of any planning application(s), the Council should seek to finalise a suitable drainage strategy for the whole site. (United Utilities) • Surface water should be discharged in the following order of priority: <ul style="list-style-type: none"> - An adequate soakaway or some other form of infiltration system. - An attenuated discharge to watercourse. - An attenuated discharge to public surface water sewer. - An attenuated discharge to public combined sewer. • Applicants wishing to discharge to the public sewer will need to submit clear evidence demonstrating why alternative options are not available. Approved development proposals will be expected to be supplemented by appropriate maintenance and management regimes for surface water drainage schemes. On larger sites it may be necessary to ensure the drainage proposals are part of a wider holistic strategy which coordinates the approach to drainage between phases, between developers, and over a number of years

Topic Area	Member of public comments	Organisation comments
	<ul style="list-style-type: none"> • Flooding risk for neighbouring areas of Burneside will increase. If the development goes ahead, all roads will need to be of permeable nature (not as on Fir Tree Rise) to reduce run-off speed and volume. This would be necessary across the whole site. Similarly, pool areas to collect and store water need to be built into the plan to ensure a slower release of water into tributaries. (B Smith) • Do not mess up drainage – the field to be built on becomes bog when it rains. (J McKeon) • Need to put right what has gone wrong before any more houses built at the north end of Kendal. Infrastructure cannot cope with any more houses. (K Davies) 	<p>of construction. On greenfield sites, applicants will be expected to demonstrate that the current natural discharge solution form a site is at least mimicked. The treatment and processing of surface water is not a sustainable solution. Surface water should be managed at source and not transferred. Every option should be investigated before discharging surface water into a public sewerage network. A discharge to groundwater or watercourse may require the consent of the Environment Agency. New development should manage surface water run-off in a sustainable and appropriate way. Developers should look at ways to incorporate an element of betterment within their proposals. This approach is in accordance with paragraph 103 of the NPPF. (United Utilities)</p> <ul style="list-style-type: none"> • The known surface water flooding constraints should be addressed by appropriate on site attenuation. Bearing mind it is a greenfield site it is essential that the site is as permeable as possible post development so that run off does not exceed current levels and as such the development brief should strongly discourage the use of surfacing materials such as tarmac and promote the use of permeable surfaces and the incorporation of effective SUDs. (Friends of the Lake District) • Required community infrastructure and facilities should be identified through consultation with the local community. (Friends of the Lake District)
GROUND CONDITIONS, CONTAMINATION	<ul style="list-style-type: none"> • Do not cause other problems for houses that have been there years. No.1 and no.3 have had problems with drainage and subsidence. Think of the residents of the old original houses, and what problems you are going to cause. No.3 had subsidence caused by water flowing underneath our houses. The houses you built on 	

Topic Area	Member of public comments	Organisation comments
	Windermere Road, gardens are already slipping. (T Knowles)	
HISTORIC ENVIRONMENT		<ul style="list-style-type: none"> • Thank you for consulting Historic England on the above document. At this stage we have no comments to make on its content. (Historic England)
IMPLEMENTATION		<ul style="list-style-type: none"> • Recommend that developers prepare a Construction Management Plan (CMP) in the development of these sites. Allowing time to plan and prepare before work starts on site can significantly reduce the risk of a pollution incident. A CMP can identify activities that could cause pollution to improve risk management thereby reducing the risk of pollution incidents during the construction phase. The CMP can be used to identify surface waters and groundwater on, under or adjacent to the site. This also includes any small (dry) ditches capable of transporting water Efficiencies and potential cost savings together with improved relationships with clients, local regulators and neighbours and reduce likelihood of complaints are additional benefits of a CMP. A Construction Management Plan can be used to manage: <ul style="list-style-type: none"> - the means of access for demolition and construction traffic; - the loading and unloading of plant and materials; - the storage of plant and materials used in constructing the development; - wheel washing facilities; - measures to control the emission of dust and dirt during construction; and - a scheme for recycling/disposing of waste resulting from demolition and construction works <p>(Environment Agency)</p>

Category B

Other issues raised –

- I think the Development Brief is very well prepared and a wide range of potential issues have been well considered. My main concern is the visibility of the site and the impact on the existing houses on Hallgarth which I don't think has been addressed. (L Graham)
- Overall, despite the well planned Brief, I don't think this development should go ahead for the two main reasons of the impact on the beautiful existing landscape and its unique Lakeland characteristics and also the impact on the existing residents of the Hallgarth estate who may be negatively affected by the development. (L Graham)
- Think carefully, act wisely. Once our precious land is built upon we can never, ever get it back again. Today's mistakes are tomorrow's threatened future. (A Hawthorn).
- I agree there is a need for more homes in this area but I disagree we need more houses. How can the true problem of housing be solved when nobody will look at the real reason for the shortages of homes. There are villages throughout the country with some up to 50% holiday and second homes left empty while people are desperate for places to live. Well paid reliable jobs are essential there are areas with enough housing but no jobs for people, which is a recipe for disaster. Let's hope the new English anthem isn't Jerusalem by William Blake as we won't have any green fields left after all the proposed building. (C Hill)
- These fields are used by the air ambulance as one of the few places they can safely land in Kendal that has direct road access so ambulances can transfer patients safely. The helicopter has landed several times last year, if this field was not available people's lives could be put in danger as medical help would not be able to reach them. (A Simpson)
- I don't know if this can be part of a development brief, but to further promote the unity of the whole area, perhaps street names from similar roots as the current names could be used. (R Boden, Hallgarth Community Centre)
- No comments (Canal and Rivers Trust)
- No representation to make. (Health and Safety Executive)
- No specific comments – general advice with regards the role of the Marine Management Organisation. (Marine Management Organisation)
- No specific comments (The Coal Authority)
- I value green fields. I do not wish to live next to a building site for a year and then next to another 150 houses. You have built houses behind me and now wish to build houses to the side of me. Do not build on green fields. One day you live next to a field with beautiful Lake District views and then your house is worth £15000 less and surrounded by a housing estate. How is this fair? I have seen the devastating impact when a housing estate is built at the end of your garden. All you have worked and are still working so hard for. Who thinks about us. Do you want 150 houses built next to yours? Yes or No. When a green field is built on it is lost forever. No good will come of this. Arguments regards flooding and sewerage will be dismissed. Just like the new build houses on Kendal auction mart. It does seem strange how the development Fir Tree rise (cheap rented houses) will join this proposed development. So many people opposed this but perhaps unsurprisingly were not listened to. Let us not make that mistake again. If the people (approximately 450) who will live in these houses already live and work in Kendal then why do we need to build new homes? If they do not live and work in Kendal then who and why are we destroying this beautiful market town with its green fields for? We do not have to build on 8.55 hectares of beauty. When a green field is built upon it is gone forever. This proposal is obscene. Let us not take away what makes Kendal special and replace it with Preston. We can only hope that with the time and effort placed into this development brief that the outcome is not already determined. Please listen to the residents of Kendal. (G McKeon)

- The whole development appears to be a part of a much bigger proposal from the landowner (ref - <http://applications.southlakeland.gov.uk/LDFDocuments/FCLE201.pdf> (furtheroptionsconsultationLandAllocationsDPD)
This document suggest potential further development but the whole planning process deals with this one section in isolation. However, obviously if other parts of the site were to be developed it would have an impact on transport, flooding, amenities, impact on the relationship with the Lake District National Park and the reduction of the green gap between Kendal and Burneside. In my opinion, it would be irresponsible if future potential developments were not included in the planning. (B Smith)
- Leave well alone and do not build on it. Kendal would not be Kendal without the green fields around it. Think about what makes Kendal special. We don't want to live in Preston, so why bring it here? Build next to the M6. (J McKeon)

Category C

GENERAL COMMENTS NON - SITE SPECIFIC – PROPOSALS DOCUMENT

Topic Area	Member of public comments	Organisation comments
Engagement - Consultation		<ul style="list-style-type: none"> • Friends of the Lake District is the only charity wholly dedicated to protecting the landscape and natural environment of Cumbria and the Lake District. As such, we would like to be considered as a stakeholder in the development of future development briefs if the Council are agreeable. This would allow an opportunity for early input to the development of the briefs from a landscape point of view. (Friends of the Lake District)

Category D

Appendix 3 Site Information sheets – general

- Appendix 3 provides a good range of information and has been beneficial in providing context. (Friends of the Lake District)

Category E

Drop in Event comments. All responses submitted at the drop in event (7 January 2016)

- Concerns about water run-off that will increase water collecting at bottom of hill near Carus Green.
- Have all the springs been surveyed that appear on this site when rainfall is up.
- Road link to existing estate would help residents living north of existing estate.
- Transport (Buses), School, and Shop access.
- Need a children's play area onsite.
- Need to move 30mph to lay by.
- Opening to main road: A5254 needs widening.
- Flood alleviation measures.
- Better signage on road itself and speed limits.
- Have access to Hallgarth.

Category F

A Facebook discussion thread in relation to the site was forwarded to the Council. A summary of the issues raised in the various comments is provided below:

- Infrastructure cannot cope with any more houses.
- There is a need for more affordable housing in Kendal.
- Houses are need for local people but they should not be built in an area which causes other areas to flood.
- The north end of Kendal's water system cannot take any more houses.
- Concern over building on greenfield sites above town and runoff from the hills into the town below.
- Existing flooding issues need to be sorted out first.
- Questions as to why land that floods is proposed to be built on.
- The site is very boggy and marshy after rain – where will the water soak away to?
- It isn't suitable land to build on. The drainage system is already at capacity and cannot take anymore. When they built the new houses on the Windermere Road site the drainage problem was raised several times and it was said that the drainage system couldn't cope with any more houses after they were built. Understand that homes need to be built but on suitable sites where the existing drainage system can cope with them.
- Run off from greenfield sites will have a detrimental effect on the town.
- Attention needs to be paid to proper drainage in the new estates, in light of recent flooding in Kendal. New developments must be planned properly.
- New houses off Windermere Road are moving – garden paving has moved and land has slid. Neighbours have suffered with the river of water flowing down from the banking.
- Pathway between Fir Tree Rise and High Garth was washed away during Storm Desmond. Man holes on the estate burst open, outside damage around properties. If another estate is built next door it will add to the current problems.
- There were lots of problems building the Fir Tree Rise owing to the drainage issues and topography – these would apply to the High Sparrowmire sites.
- Traffic safety concerns regarding accesses onto Windermere Road – there have been three crashes at the entrance to Fir Tree Rise site.
- People were told the Fir Tree Rise development would improve current run off and drainage problems but it hasn't.
- People have been flooded from the land that is going to be built on, more suitable land should be found.
- If the land floods without housing on it, it will just make the situation worse when built on.
- Can't ignore climate change.
- The soils in that part of town are all clays so regardless of being greenfield or developed it would not soakaway in rainfall events such as 5th December. You cannot realistically design to accommodate such volumes of water. If the land above High Sparrowmire is

developed it would benefit downstream as it would slow the flows hitting the system which is being inundated at present. People could get more out of the developers to combat flooding than by opposing it.

- The storm of 5th December was a rare event, but the development site floods even in heavy rain, not just extreme rainfall.

APPENDIX 2: Responses received during the Draft Brief Consultation on the Development Brief for West of High Sparrowmire, Kendal

SUMMARY OF RESPONSES

THIS APPENDIX PROVIDES A SUMMARY OF THE RESPONSES RECEIVED DURING THE DRAFT BRIEF CONSULTATION ON THE DEVELOPMENT BRIEF FOR WEST OF HIGH SPARROWMIRE, KENDAL

It is broken down as follows:

Category A comments – these are comments received on matters relating to topics covered by the Development Brief. It is split between members of the public and organisations.

Category B comments – these are comments received on matters not covered by the Development Brief, for example those that may relate to matters of whether the site in principle is acceptable for the development it is allocated for in the Local Plan.

Category A comments – comments received on matters relating to topics covered by the Development Brief.

Topic Area	Member of public comments	Organisation comments
VISION		
	<ul style="list-style-type: none"> • Although the Vision sounds good, how many times has this exact text been used. I also wonder how many previous edge of town developments which used it have been surrounded by new ones using the exact Vision again? This is a very generic Vision. Apart from the first point it could be used for any edge of town development. Make the vision more focused on the local adjoining areas. Maybe explain how it is going to improve the area or explaining why the particular area has been proposed for development. (P Hill) • OK. Particularly endorse: acknowledgement of drumlin setting, attention given to cycling/pedestrian provision, attention given to open spaces. (A Richardson) 	<ul style="list-style-type: none"> • Generally the Vision is welcomed and supported by National Trust. However, we do consider that the proximity of the site to the Lake District National Park, it being part of the Park’s setting, is noteworthy and should be reflected in the Vision. It is suggested that the second bullet point is amended to read as follows: “create a residential community of high quality design that complements the local vernacular architecture and respects the site’s edge of Kendal location next to open countryside including the Lake District National Park;” Arguably the same point should also be picked up at para 2.1.1 and in sections 2.5 and 2.7 re-“Landscape Character” and “Views” respectively. (National Trust)
ACCESSIBILITY AND MOVEMENT		
Vehicle access	<ul style="list-style-type: none"> • The development’s access points need to be looked at again, CCC’s comments are pitifully short with no information. The main access point on Windermere Road could suffer from the same issues as Garth Brow. During summer, in particular, there are often traffic queues going well past the proposed access point. The secondary proposed point, at High Sparrowmire, is a major issue. Due to extensive on-street parking in that area, it has effectively become a single carriage road. At the worse times this is from Hallgarth Circle/Low Garth junction right round past the proposed new access point. In some points 	<ul style="list-style-type: none"> • Premature to impose requirement for secondary access on to High Sparrowmire in the Brief in advance of a full Transport Assessment to fully explore the need for, viability and merits of a secondary access at this or other locations. The proposed secondary access point raises well-founded local concerns regarding rat-running, on street parking and congestion on the local network. The Brief ought to remain flexible to plan for a number of access options. (Walker Morris on behalf of landowner)

Topic Area	Member of public comments	Organisation comments
	<p>parking is on both sides of the road, blocking footpaths and severely narrowing the road. The same problem can be said for the other possible choice on High Garth. I believe the use of the secondary access point will be a lot higher than thought. Having a shop on Hallgarth Circle will encourage extra use and due to congestion on Windermere Road the new residents will find and used the exit on Burneside Road, by passing the congestion/queues. (P Hill)</p> <ul style="list-style-type: none"> • Despite myself and many others voicing concerns at a previous drop in session, regarding the 2 mature trees at the bottom of High Sparrowmire, the people who drew up the plans have completely disregarded our comments and suggested a vehicular access right where the trees are. This is not considering the landscape, these are two fully mature trees which support a variety of wildlife replanting cannot replace them, I am surprised and dismayed that the local tree officer would allow this. <p>My other concern is the suggested vehicular access, there are already 3 roads converging at that site and buses turning onto Kettlewell road a roundabout would just add more danger and confusion and will not help. There is also the problem of people "Rat running " from Windermere road especially when the traffic backs up, this will mean extra traffic trying to get through an area that is becoming increasingly congested with residents parking their cars and where children play. (A Simpson)</p>	
Pedestrian and cycle – access	<ul style="list-style-type: none"> • Pedestrian/cyclist connection to High Garth key to access to Hallgarth shop/post office and Kendal Green and Queen Katherine schools. (A Richardson) 	<ul style="list-style-type: none"> • Permeability between the site and surrounding streets for pedestrians and cyclists is fully supported. (Walker Morris on behalf of landowner)

Topic Area	Member of public comments	Organisation comments
	<ul style="list-style-type: none"> Please will you ensure that along with highways representations there is a strong recommendation for foot/cycleway provision. (Cllr B Gray) 	
Public Transport – access	<ul style="list-style-type: none"> Another point to consider is that the bus route has changed since this Brief was put together. Your maps are still showing the old route. The bus now comes round from Low Garth past the proposed junction, down Kettlewell Road then on to Acre Moss Lane to re-join its original route. (P Hill) 	<ul style="list-style-type: none"> The specification of a layby on Windermere Road near the primary access to the site is perhaps too narrow and could be phrased as “consideration should be given to improved access and public transport, likely to be required as part of the development to implemented through the development control process”. This phrasing would give greater flexibility without being overly prescriptive at this stage. (Walker Morris on behalf of landowner)
Managing traffic	<ul style="list-style-type: none"> Careful design of spine traffic route required to balance need for permeability with creation of rat run line (i.e. for residents of High Sparrowmire, Kettlewell Road, Low Garth, Acre Moss accessing Kendal bypass and the Lakes.) (A Richardson) 	
OPEN SPACE, LANDSCAPING AND BIODIVERSITY		
Landscape		<ul style="list-style-type: none"> From the National Park’s perspective the main issue is the potential impact of new development on the setting of the National Park – a landscape offered the highest status of protection by national planning policy (NPPF para 115). The Draft Development Brief attaches importance to landscaping in key areas of the site, particularly at the boundaries nearest the National Park. It is particularly reassuring to see the provision of natural open space on the drumlin crest and flanks and a landscaped gateway to the site. In our view the Development Brief has due regard to the setting of the National Park and is acceptable. (A Smith, Lake District National Park)

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		<ul style="list-style-type: none"> • National Trust remains concerned about the implications of tree planting along the western, and especially the northern, boundaries of the site having regard to the impacts of such planting upon the landscape character of the site and in particular the distinctive form of the drumlin that extends to some distance both within the Development Brief site and to the north well beyond the site boundary. It is suggested that tree planting should be limited to modest parts of these boundaries comprising clumps of native planting (not ‘screening’). Similarly any drystone wall along the northern boundary should be no higher than a typical agricultural drystone wall in this locality, and much lower than boundary fences/walls designed to provide screening to private domestic garden areas. (National Trust) • The Trust supports the landscape proposals to the western boundary in so far as there is a good relationship between it and the surrounding agricultural land, it is important that it is complementary and does not jar. This is an important edge and the Trust would request the opportunity to input to the detailed design. The Trust supports the provision of a local stone dry stone wall to normal agricultural boundary height. (National Trust) • Paragraph 3.6.14: <i>‘It would be beneficial if additional specimen tree planting could take place on the western side of the access lane to Lane Foot farm out with the site boundary to enhance the avenue character.’</i> It is considered that an accentuation of the existing relatively newly planted avenue down to Lane

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		<p>Foot would jar with the development boundary treatments which will be more soft and informal landscaping. Again this is an area where the Trust would wish to comment on detailed design proposals. (National Trust)</p> <ul style="list-style-type: none"> • Paragraph 3.6.15: We support <i>'the creation of a new length of hedgerow to the north of the stone wall that divides the two fields'</i>. (National Trust) • Paragraph 3.6.17: The Trust would wish to see the provision of an agricultural height dry stone wall boundary between the development and countryside. We would support a suitable landscape belt but would wish to be involved in its detailed design. (National Trust)
Open Space		<ul style="list-style-type: none"> • Having regard to the reference here to: `Natural open space on drumlin crest and flanks` the Trust would stress that this should look like agricultural land, and be managed accordingly, in order to be in keeping with the neighbouring fields and the wider farmed grassland drumlin landscape, e.g. not have the appearance of a formal play area or parkland. This approach is a key consideration and vital to ensuring that the aspiration that the development respects the site's landscape character is achieved. (National Trust) • Other key aspects of the proposals are appropriate and agreed, in particular the: <ul style="list-style-type: none"> - green corridor in the bottom of Valley; - provision of semi natural open space on the western edge;

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		<ul style="list-style-type: none"> - the entrance to Lane Foot to incorporate a landscaped gateway; and - the provision of open space as detailed down into the bottom slope of the drumlin. (National Trust) • Paragraph 3.6.6: <i>‘Drumlin Natural Open Space left undeveloped and retained in an open state’</i>. We would stress that an open/agricultural appearance should be retained. (National Trust) • Paragraph 3.6.10: <i>‘Perimeter Semi- Natural Open Space’</i>. The Trust stresses that the development boundary against adjoining farm land should be carefully designed so the development does not jar against the countryside beyond. This will need careful designing and the Trust would wish to be involved in this. In particular the Trust would not want densely planted blocks of trees and shelter belt type planting within the landscaping works. (National Trust)
Biodiversity and Nature Conservation		<ul style="list-style-type: none"> • We welcome that mitigation measures to protect the River Kent and Tributaries SSSI/River Kent SAC have been incorporated as part of the Appropriate Assessment for the overriding Land Allocations Policy. We advise that specific mitigation measures are further detailed within the Development Briefs in order to ensure the water quality of the River Kent is not reduced by additional housing. We would also welcome a specific greenspace provision for dog walking/exercising as a potential way to reduce visitor pressure (and in particular the disturbing impacts of dogs on ground nesting birds) on Scout & Cunswick

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		<p>Scars SSSI which are part of the Morecambe Bay Pavements SAC. (Natural England)</p> <ul style="list-style-type: none"> Ecological advice (in the Report and Attachments) has identified the importance of the existing tree boundaries to the east and west and the Trust has noted that the trees to the east will be removed. We would support keeping some trees to the east and also support the ecological advice detailing the importance of the existing hedges on the site. (National Trust)
DESIGN AND LAYOUT		
General Principles	<ul style="list-style-type: none"> Please will you ensure that there is a strong recommendation for design that harmonises with the established local environment. (Cllr B Gray) 	<ul style="list-style-type: none"> The Trust supports the: <ul style="list-style-type: none"> `careful and imaginative response to local character and local character building forms and building materials including roofscapes` `not all the same houses, doesn't look monotonous and is not imaginative / innovative` `design that responds to the site and its context and takes advantage of (NT would suggest protect/work with) existing topography.` `working with the contours of the land`. `careful treatment of the site boundaries where they form new settlement edges to ensure a high quality and sensitive transition between built up areas and the countryside.` (National Trust)
Housing Character Areas		<ul style="list-style-type: none"> Southern Housing Area: <ul style="list-style-type: none"> The advice regarding `Respect local topography` - is appropriate and supported. Northern Housing Area:

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		<ul style="list-style-type: none"> - The advice regarding `retention of stonewalled character` - is welcomed and supported. - `additional specimen (large native) tree planting on western edge` - is also welcomed. - In addition National Trust would support robust parkland style planting on the edge between this part of the built development and the countryside. (Conversely the use of shelter belts or large block style planting would be inappropriate in this location. It is vital to have a good relationship between the development and the countryside that fully respects the landscape character of the site and its surroundings. The Trust would be pleased to offer more detailed advice regarding this matter, for example through involvement in detailed design work in this area.) Provision of an agricultural drystone wall to a typical height for such a feature would be supported. <p>Drumlin Setting Housing Area East:</p> <ul style="list-style-type: none"> - The Trust supports the specific inclusion of the text referring to: - `development which nestles within the drumlin landscape` and - `landscape considerations are of the utmost importance and should shape the overall design for this area`. <p>Drumlin Setting Housing Area West</p> <ul style="list-style-type: none"> - The text that at present reads as: `A residential development that sits comfortably on the flanks of the drumlin` is a crucial element of the proposals

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		<p>and how they suitably sit in the wider landscape. The Trust considers that this would better and more accurately read as "...that sits comfortably down the flanks of the drumlin".</p> <ul style="list-style-type: none"> - As you have acknowledged the Trust believes it is crucial that the drumlin can still be fully appreciated in the wider landscape, both in itself and as part of the landscape beyond, particularly as viewed from Windermere Road and from the National Park boundary. - National Trust especially supports the following criteria: <ul style="list-style-type: none"> - `landscape considerations should be the key influence for this area given its sensitivities`; - `stonewall/hedge boundary treatments`; - `design to reflect unique rural setting, agricultural character and drumlin landscape`; and - `careful roof design and consideration of roof scape within drumlin landscape` <p>However, in addition the Trust particularly strongly considers that the agricultural character of this drumlin landscape is a key component that should be respected.</p> <p>(National Trust)</p> <ul style="list-style-type: none"> • Figure 9 in the Draft Development Brief identifies Character Area 'Drumlin Setting West' as a 'potential' housing area, while the supporting paragraphs explain that built development is possible subject to sensitive landscaping and careful design. The careful wording of the supporting paragraphs for the character area are sufficient to ensure that future

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		development respects the form and wider setting of the drumlin. The reference to 'potential' housing therefore ought to be removed from Figure 9. (Walker Morris on behalf of landowner)
INFRASTRUCTURE		
FLOODING / DRAINAGE		
	<ul style="list-style-type: none"> • One thing that has not been spoken about much in the brief is flooding issues. On the surface water flood maps it already shows some areas at high risk of flood on the development site. It also shows large areas of Hallgarth are at High Risk of flooding. Any increase of hard surfaces, buildings, roads etc, will increase the surface run off. If, as I believe it to be, the plan is to connect the developments drains and sewers to the existing Hallgarth network it is only going to cause even more flooding. I believe United Utilities say the drains can cope with the increase, if this is true Hallgarth would not be at high risk already. (P Hill) • Consider that local people's knowledge of flooding issues is no longer taken seriously in planning for new development, for example with the Jenkins Crag development in the Sandylands area. Concern that planning decisions have been made in the past without the proper local drainage knowledge required (for example when flooding responsibility was in transition). (H Southall) • The lie of the land towards Burneside from the existing new development off Windermere Road drains in the direction of Carlingdale residents in Burneside, and so must have added to the volume of surface water reaching them. This new proposed development would of course 	<ul style="list-style-type: none"> • We are pleased to note that our previous comments have been taken into consideration in the latest version of the Development Brief. The flooding an drainage sections of the Development Brief highlight that any flooding issues on the site are related to surface water. In the brief the extent of the flooding experienced in December 2015 has been described, which is welcomed. Cumbria County Council, as the Lead Local Flood Authority, will advise on the surface water management aspects of the Brief and any planning application for the site. (D Hortin, Environment Agency) • The sections on flooding, flood risk assessments and surface water drainage are considered acceptable. However the draft Development Brief and in particular paragraph 3.9.7 does not take into consideration the ongoing investigations at the site, being carried out by the Lead Local Flood Authority (Cumbria County Council), and their proposals to tackle immediate drainage issues. Understandably, these proposals are in their infancy, but regard should be had to them. (Walker Morris on behalf of landowner).

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	<p>run off the same way and join the same watercourse. (H Southall)</p> <ul style="list-style-type: none"> Section 3.9 on flooding and drainage needs therefore to take account of what is still being learned and mapped through the County Council and Environment Agency's ongoing Flood Investigation. A precautionary approach exercising due care suggests delaying final consideration of the Development Brief until the final Flood report is produced. I have been informed that any developer would have to provide an advanced flood assessment before planning permission is granted – proceeding now with the development brief regarding that as a safeguard would be to neglect a wider public responsibility. (H Southall). 	
GROUND CONDITIONS, CONTAMINATION		
ARCHAEOLOGY		<ul style="list-style-type: none"> I agree with the outlined methodology for dealing with archaeological assets, as described in paragraph 3.11 of the brief. (J Parsons, Historic Environment Officer, Cumbria County Council) We enclose a copy of an archaeological desk based assessment carried out by CgMs Consulting in February 2013. The assessment considers the potential for hitherto undiscovered archaeological assets. The assessment concludes that the site has “low/nil archaeological potential” for Prehistoric, Roman, Saxon, Medieval or Post Medieval evidence. As a consequence, paragraph 3.10.1 and its requirement for an archaeological desk based assessment is otiose. A more appropriately worded paragraph would acknowledge that an assessment has been carried out, the results of which found low/nil archaeological potential and an informed

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		judgement would be made as to whether the planning consent for the site will need to include provisions for the recording or preservation of archaeological assets in situ. (Walker Morris on behalf of landowner)
HISTORIC ENVIRONMENT		
PHASING		
VIABILITY		
IMPLEMENTATION		

Category B comments – these are comments received on matters not covered by the Development Brief, for example those that may relate to matters of whether the site in principle is acceptable for the development it is allocated for in the Local Plan.

- It seems the owners of this land are thinking only of the profit they can make, and are completely disregarding the people who live in the surrounding area, and the impact it will have on the landscape. We can only hope that builders decide the land is not worth the effort and cost to build on or the National Trust have the sense to stop this desecration of our green spaces.
- Following the flooding last December and the evidence I heard at the Burnside flood meeting on 12 July there are serious grounds for questioning the site. (H Southall)
- We have reviewed the above consultation document and can confirm that National Grid has no comments to make in response to this consultation. (National Grid)
- I can confirm that the Canal and River Trust has no comment to make in respect of this document. (Canal and River Trust)
- We have concluded that we have no representation to make on this occasion. This is because the land allocated in your consultation document does not appear to encroach on the consultation zones of major hazards establishments or MAHPs. If there is no encroachment HSE does not need to be informed of the next stages in the adoption of the Brief. (J Moran, Health and Safety Executive)
- Thank you for consulting Historic England on the above document. At this stage we have no comments to make on its content. (G Laybourn, Historic England).
- From a mining perspective, we have no comments to make on these proposals. (Mining Team, Network Rail)
- An initial Officer review of the documentation has not identified any strategic cross boundary issues, therefore at this stage we have no comments to make. (M Rushworth, North Yorkshire County Council)
- No specific comments – general advice with regards the role of the Marine Management Organisation. (Marine Management Organisation)

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