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LATE REPRESENTATIONS FOR COMMITTEE

Committee Date: 27 April 2017

App No:
SL/2016/0519

Site Address: Land to the south of Lumley Road,
Kendal

REPRESENTATIONS:

Neighbours / Other:

Two letters have been received in response to the changes made by the applicant and the committee report.

One letter has been emailed directly to Members by the resident. The representation refers to the committee report and argues that the imposition of a specific percentage of Affordable-to-Rent properties should not be applied on this steeply sloping site which is so constrained by its topography. The sensible way forward would be to accept the limitations of the site even if that means a small reduction in the number of these properties.

The response also states that, although there are 3-storey properties at Helsington Laithes, all the properties facing the Development and therefore viewed from the Development are 2-storey.

A response has also been received from the occupier of 2 Lumley Road. The response states that the revised proposal does not address the concern that the close proximity of the property is unreasonable and will give rise to an unfair loss of privacy – not just to occupants of my existing property, but also to the residents of the new property.

APPLICATIONS REPRESENTATIONS:

The applicant has provided supporting information with regard to the affordable housing provision and the assessment of sink holes.

Affordable Housing

Following criticism early in the planning process regarding pepper-potting of the affordable proposal (concerning the delivery of 38 units of 110 units overall), Jones Homes has worked extensively with SLDC Officers and amended repeatedly and very significantly the proposal. Two Castles support the proposal and have advised the Company that the 20th dwelling within these three buildings needs to be social rented as they will not share a building with a single intermediate dwelling not within their ownership, therefore the affordable delivery has actually shifted slightly favourable toward rented units (now 20 social rented and 18 intermediate).

We argue that the apartment block grouping is indistinguishable to how the Company would seek to build out (and externally landscape) a wholly open market offering of

apartment homes, and therefore we reject any claim that we are attempting to tuck rented units purposefully 'out of harms way'. They occupy one of the more desirable areas of the site (enjoying open aspects to open spaces) and by process of elimination they are placed in just about the only universally acceptable location the site can accommodate them. Even in the absence of any external factors that are demonstrable, the very dispersed intermediate housing unquestionably offsets any perceived shortcoming of the social rented clustering.

Sink Holes

Outside of areas that have been subject to mining or where rock with significant and rapid natural dissolution potential (Halite), sink holes are almost exclusively associated with the erosion of the superficial drift soils by natural or man-made groundwater flows, therefore the presence of shallow bedrock at the site makes the potential for largescale sink holes extremely remote. The carboniferous limestone is not subject to rapid ground dissolution to an abnormal degree above that of rock with similar structural properties in this locality and as such the potential for erosion a sinkhole is low. There will be fractures and fissures within the rock that allows some localised flow of water, however rapid erosion potential is low.

The British Geological Survey (BGS) confirmed that there is no potential for ground dissolution and subsidence within influence of the subject site, however the BGS do note the potential for natural consolidation of superficial drift (soil), landslip quarrying and sandpits circa 500-750m from the site which I would suggest is what has been identified by the local residents and is fully documented by the BGS. As you suggest, one approach would be to utilise Ground Penetrating Radar / Geo-physical survey equipment to look for anomalies within the magnetic resistivity of the near surface which would identify any sink holes or voids.

OFFICERS COMMENTS:

The application was deferred at the last committee for the outstanding issues with regard to drainage, levels, the position / height of plot 9, the removal of the garage at plot 1 and the separation/ mix of affordable social housing. These issues have been addressed as explained in the committee report.

Affordable Housing

Paragraph 50 of the NPPF advises that development should create inclusive and mixed communities and Policy CS6.3 requires that affordable housing be mixed within the development. Neither policy provides guidance on clustering. It is acknowledged that the scheme groups 20 affordable units (two buildings including eight flats each and a terrace of four). The design and siting is however appropriate for the context of the site. The flat buildings will be finished in stone and slate. Apart from the scale, which differs to the larger four/five bed detached houses, the quality of the design and materials will not distinguishable as from the remainder of the site.

It is considered that the overall distribution, design and type of housing on the site, including the affordable units will provide an inclusive and mixed community in accordance with policy CS6.3 and the NPPF.

Other matters

A landscaping plan and a boundary treatment (fences/walls) have been provided but there has been insufficient time to assess the detail. These matters are usually dealt with by conditions. Once the schemes have been assessed, the conditions below will be worded accordingly.

RECOMMENDATION:

Delegated authority be given to the Director (People and Places) to grant reserved matters, partially discharge condition 9 (surface water drainage scheme) and partially discharge condition 10 (play area) subject to completion of the S106 agreement with regard to affordable housing and long term management and maintenance of the surface water and open space schemes and condition relating to matters set out below:

- (1) Samples of the materials to be used to be submitted, approved and thereafter used within the development.
- (2) Implementation of the floor and ground levels indicated on the approved plans.
- (3) Hard and soft landscaping.
- (4) Boundary fences / walls.

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LATE REPRESENTATIONS FOR COMMITTEE

Committee Date: 27.04.2017

App No:

SL/2017/0087;
SL/2017/0088 and
SL/2015/0695

Site Address:

Wood End Farm, KIRKBY
LONSDALE

APPLICATION DETAILS:

SL/2015/0695 Reserve Matter for Demolition of farm buildings and the erection of 9 dwellings with associated landscaping and modified access

Additional Location Plan

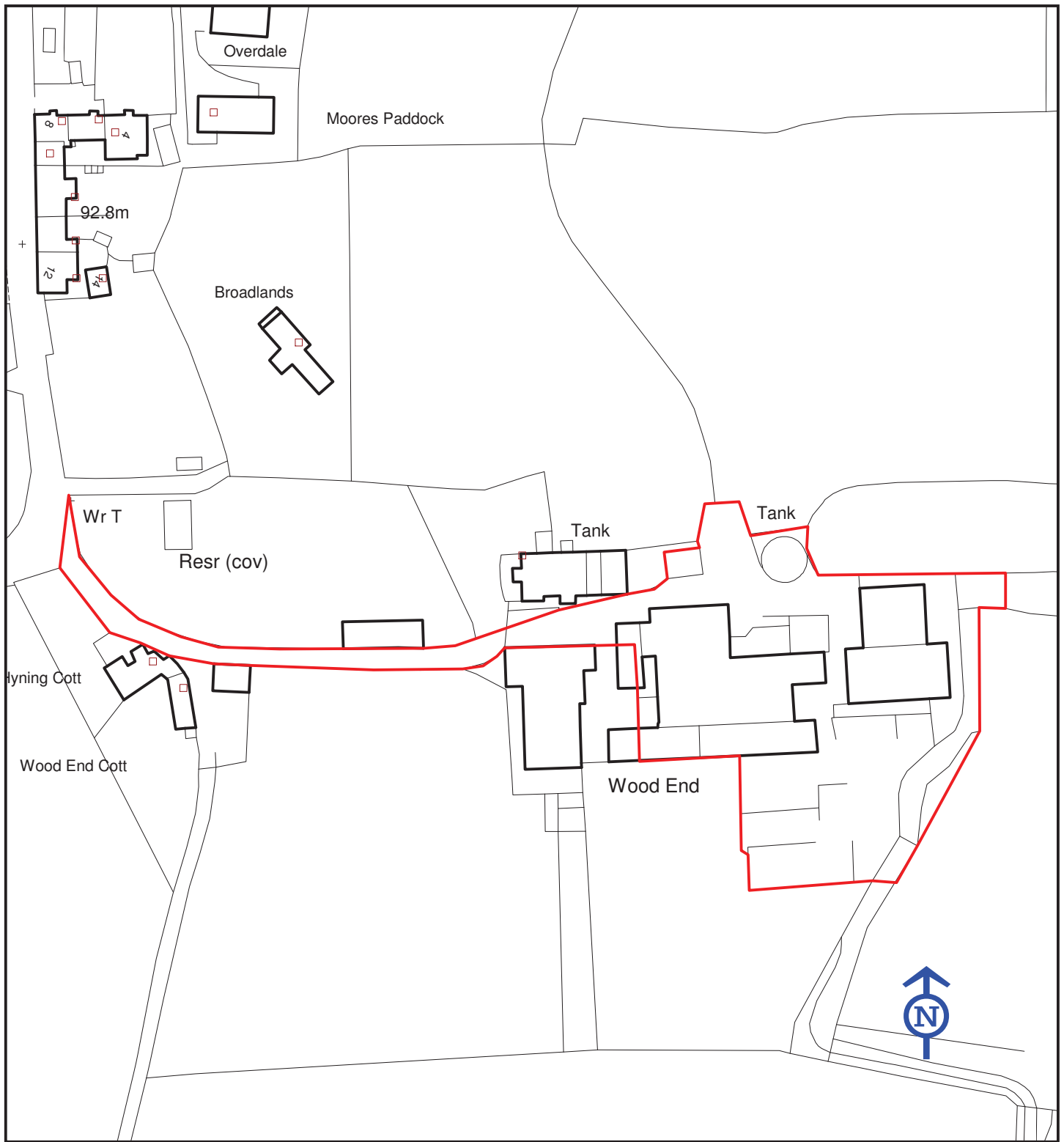
REPRESENTATIONS:

Neighbour: concerns over traffic impact from the new development onto the access road which will cause safety issues. The development should be limited to conversion of the existing barn buildings and subdivision of the farmhouse, being a more appropriate density for the existing infrastructure. Should be 100% affordable

OFFICERS COMMENTS:

SL/2015/0695 Reserve Matter application was not formally itemised on front sheet.

The representation made by a neighbour does not alter the conclusions within the Committee Report with regard to the affordable housing or traffic.



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Development Control Group
 South Lakeland District Council
 South Lakeland House
 Lowther Street
 KENDAL, Cumbria LA9 4DL

**PLAN REFERRED TO:
 SL/2015/0695**

Scale 1:1250

**Wood End Farm
 Low Biggins
 KIRKBY LONSDALE
 LA6 2DH**

April 2017

LATE REPRESENTATIONS FOR COMMITTEE

Committee Date: 27.04.2017

App No: SL/2016/1044 Site Address: former Leeds Children Holiday Camp

LATE REPRESENTATIONS:

Silverdale Parish Council: The Parish Council have requested that the application to be *Called In* to the Secretary of State. The Parish Council reiterated their objections and concern that the application is major development in terms of the NPPF.

Councillor Nigel Goodrich: Objection; At a Silverdale Parish Council meeting and the AONB executive committee meeting major concerns were raised that the proposal seems to flout SLDC Saved Policy T5.

Neighbours:

4 x additional reiteration of objections already received raising local and national policy concerns calling for the application to be refused.

APPLICATIONS REPRESENTATIONS:

The applicant has submitted revised:

Location plan @ 1:500 on A1

LVIA accompanying statement

Habitat Regulation Assessment (HRA)

OFFICERS COMMENTS:

Appropriate assessment of significant effects.

As required by the Habitat Regulations an Assessment of Significant effects has been carried out. The Assessment concluded that the main potential impacts to the designated sites are likely to be indirect and arise during demolition in terms of dust and surface water run-off and increased recreational activities from customers to the

caravan park. There would be no direct harm to habitats. No development is proposed within the designated areas. The potential impact of noise and surface water run-off can be reduced or avoided by the use of appropriate mitigation and conditions attached to any consent. Given the above, it is unlikely that SPA species would be significantly affected by the proposal and that the proposal will not significantly affect the National and European designated areas. It is within the scope of the aims and objectives of the South Lakeland District Council's Local Plan Core Strategy Policy CS8.4 and the NPPF paragraph 115. It is therefore considered that the works will not have a likely significant effect on the interest features or condition of any of the designated site and therefore an Appropriate Assessment is not required.

Natural England

On 24/04/2017 the Assessment of Likely Significance together with an updated LVIA and HRA was emailed to the Officer at Natural England who previously responded. At the time of writing this report no response has been received

Highways – site specific

In respect of the site specific alterations a written response has not been received.

OFFICER COMMENTS:

The additional representations made neighbours and the additional information submitted by the applicant do not alter the conclusions within the Committee Report.

RECOMMENDATION:

It is recommended that planning permission is granted subject to the conditions within the committee report subject to.

Amendment to Condition (2):

Condition (2) drawing 2016.002/Sk34 EXISTING SITE PLAN is replaced with HOL010 Rev.0 (*because it is at the same scale as the proposed layout drawing*)

Amendment to Reason for Condition 5.

Reason: These details are required to be approved before the commencement of development to protect the amenity of adjacent residential properties during the construction phase of the development in accordance with the National Planning Policy Framework Core principles and to prevent harm to protected species in accordance with Policy CS8.4 of the South Lakeland Core Strategy.