Comments

Site Specific Part 2 Local Plan - Publication Plan Consultation (18/12/19 to 12/02/20)

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Consultation Point Policy EMP1 Safeguarding Employment Land (View)
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Representation

Please use a separate form for each representation.

Which part of the Publication Plan does your representation relate to?
Policy EMP1

Tests of Soundness

Do you consider the Local Plan is sound in terms of being:

<table>
<thead>
<tr>
<th>Test</th>
<th>Status</th>
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<tbody>
<tr>
<td>Justified</td>
<td>No</td>
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<tr>
<td>Effective</td>
<td>Yes</td>
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<tr>
<td>Positively prepared</td>
<td>Yes</td>
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<tr>
<td>Consistent with National Policy</td>
<td>Yes</td>
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</tbody>
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Legal and Procedural requirements

Do you consider the Local Plan has been prepared in line with legal procedural requirements?
Yes

Duty to Cooperate

Do you consider the Local Plan to be compliant with the Duty to Cooperate?
Yes

Reasons
Please give the reason(s) why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the statutory Duty to Cooperate.

Until publication of this version of the Kettering Local Plan, the Weetabix site was not allocated or protected by a site-specific employment policy. We are informed that this change was justified by the findings of the Employment Allocations Background Paper (August 2019). Without any discussion with my client, the report assesses the site (Site KE11) and notes that “the units on the estate are generally bespoke and if occupiers vacate, it may be difficult to find new occupiers to take the place”. In terms of opportunities to extend, the review notes that there is “an opportunity to expand to the north of the estate” and confirms that this is the only option given the constraints on the remaining boundaries. The constraints to achieving such extension are noted as “land ownership and planning constraints”.

If the Council had spoken to Weetabix they would have been informed that they had bought the land to the north (known as the expansion land) with the prime purpose of expanding existing operations or to accommodate new business.

The expansion land is key to Weetabix’ ability to be able to secure the long-term future of the site and the current employee numbers (700+). Given the dated appearance of many of the buildings, this expansion land will be required in the future to be able to accommodate the relocation/replacement of existing facilities. It may also be required to locate new facilities on site such as a new factory or processing plant. If the expansion land is not included with the allocation or enabled to become part of it, it could affect the long-term future of Weetabix.

Without the certainty of the expansion land being included as part of the allocation, the council are not providing one of their largest employers the certainty they need for the future.

Proposed Actions/Changes

Please explain what changes or actions are needed to make the Local Plan legally compliant.

Positive discussions have taken place with the Council since Weetabix have been aware of the proposed allocation. Whilst our preference is for the inclusions of the expansion land with the allocation, the Council have offered to amend the wording of the policy EMP 1 to take account of our concerns as follows:

It is recognised that there may be circumstances where parts of employment sites need to be redeveloped or expanded to enable existing businesses to grow and/ or modernise. In these circumstances the preparation of Development Briefs/Masterplans which inform proposals for the future development of the employment site will be supported.

Where an extension is proposed to an existing employment area to enable an existing business to expand or modernise, and the proposed expansion area is located immediately adjacent to a safeguarded employment area but outside the settlement boundary, consideration will be given to the degree of conflict the proposal has with policies which seek to protect the open countryside, and the potential benefits of the proposal in terms of retention and enhancement of employment provision and impact on the local area.

The Council then seeks to retain the original policy text unaltered before concluding with the additional text below:

Where proposals for the expansion or modernisation of a safeguarded employment site involve the redevelopment or extension of a site, the preparation of a Development Brief/Masterplan, which informs proposals for the future development of safeguarded employment areas, will be supported.

Extensions to existing employment areas which are immediately adjacent to safeguarded employment areas will be assessed taking into account the degree of conflict with Policy RS4.

Following discussions with Weetabix these proposed changes to the policy are the minimum which we can agree to. We hope to agree a Statement of Common Ground with the Council for presentation to the Local Plan Inquiry. We also propose to prepare and agree a development brief for the whole site, including the expansion land with the Council in advance of the Local Plan Inquiry.

In addition to the above and to ensure the delivery of the expansion land, the draft settlement boundary should be changed as shown on the drawing attached.
The Council are recommending that the current northern boundary of the Weetabix site should be extended as planning permission was granted for a new building in 1998 in part of the expansion land. This amendment is justified as satisfying principles 1, 2(b) and 2(c). Whist we welcome this amendment, we have reviewed these principles (as set out in the Background paper: Settlement Boundaries (Update) April 2018) and we believe that there is a strong case for the whole of the expansion land being included in the settlement boundary as set out below:

Principle 2(a) The whole site is in the ownership of Weetabix and is planned to be included within the main site. The Council's evidence notes that is the only option for expansion and have already approved planning permission in this area.

Principle 2(b) Whilst not consisting of built form, it is an essential element of the Weetabix business.

Principle 3 – The whole of the expansion land is separated from the open countryside with existing built form to the south and east, a railway line and strategic employment to the west and the A14 large scale warehouses to the north. As such the site is “contained and visually separated from the open countryside”.

**Attendance at the examinations hearings**

If you are seeking to change the Plan, would you like to attend the examination hearings?  Yes

If Yes, please outline the reason(s) why, below.

The implications for Weetabix of the draft allocation of the site could impact on its long-term future and future viability of the current operation. As such, direct dialogue with the local plan inspector is vital.

**Notifications**

Do you wish to be notified?  . When the Plan is submitted for independent examination?

. When the Inspector's Report is published?

. When the document is adopted?