Comments

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

Comment ID 214
Response Date 12/02/20 15:53
Consultation Point Policy NEH4 Open Spaces (View)
Status Processed
Submission Type Email
Version 0.2

Representation
Please use a separate form for each representation.

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

Policy NEH4
Figure 18.20

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

Justified
Effective . No
Positively prepared . No
Consistent with National Policy . No

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.

1.1 On behalf of our client Pytchley Estate Settlement 1996 we object to the section of the publication Plan- Site Specific Part 2 Local Plan related to Policy NEH4 specifically in regard to the village of Mawsley.

1.2 Paragraph 8.47 states that the Open Space Strategy (OSS) provides the Council with a robust evidence base and within Policy NEH4 it stated that:

“to achieve the goals above the following requirements will be made in accordance with the Open Space Strategy for Kettering Borough (2019) (or any subsequent update)”

1.3 However the Open Space Strategy for Kettering Borough (2019) cannot be found within the collection of background papers for the Site Specific Part 2 Local Plan nor can it be found on the Planning Policy A – Z webpage. It has also been confirmed verbally during a telephone call with **** (Planning Policy Officer at Kettering Borough Council) that the Open Space Strategy for Kettering Borough (2019) has not yet been published.

1.4 As the publication draft Site Specific Part 2 Local Plan includes proposed Open Space designations without publicly making available the evidence basis, it could be argued that the emerging Policy NEH4 and proposed open space designations were not based on an evidence basis. Thus, the plan is not justified and therefore cannot be deemed to be sound.

1.5 Background Paper: Open Space and Allotments (2012) specifically relates to assessing the criteria for Historically and Visually Important Open Space (HVI) and allotment provisions within the Borough. It is therefore considered that this background paper should not considered to form the evidence basis for Policy NEH4 as it is not in accordance with paragraph 31 of the NPPF which states that:

“the preparation and review of all policies should be underpinned by relevant and up-to-date evidence This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned”.

1.6 It is therefore considered that background paper Open Space and Allotments (2012) is not “focused tightly on supporting and justifying the policies concerned” in regard to Open Spaces (excluding HV1’s and allotments) and therefore should not be considered to form the evidence basis for policy NEH4. We therefore believe that the Publication draft is not consistent with national policy and therefore the plan cannot be found to be sound.

Mawsley

1.7 Mawsley is a category A village with a large number of services and amenities including but not limited to a primary school, medical centre and community centre. Mawsley is one of the largest villages within the Borough and is defined as a Category A village and therefore is a sustainable location for development. It is therefore felt that the Open Space designations shown on Figure 18.20 would prohibit future growth of Mawsley.

1.8 Without the ability to consider the evidence base for the Open Space designations it is difficult to understand the justification for the proposed Mawsley Open Spaces especially when reviewing the proposed designations within other Category A villages where Open Spaces have been designated within the heart of the villages rather than around the settlement boundary.

Proposed Actions/Changes

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

1.9 We therefore consider that prior to the submission of the SSP2 Local Plan to the Secretary of State, that an additional public consultation should be carried out once the Open Space Strategy for Kettering Borough (2019) is published. Until this is carried out, we consider the plan not to be sound.

Attendance at the examination 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.
To support the inquiry process if requested by Inspector

Notifications

Do you wish to be notified?  
1. When the Plan is submitted for independent examination?  
2. When the Inspector's Report is published?  
3. When the document is adopted?