Comments

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

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Consultation Point Policy KET10 Land at Wicksteed Park, east of Sussex Road and Kent Place (View)
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Files
218. Appendix 8.pdf
218. Appendix 10.pdf
218. Appendix 2.pdf
218. Appendix 9.pdf
218. Appendix 7.pdf
218. Appendix 3.pdf
218. Appendix 4.pdf
218. Appendix 1.pdf
218. Appendix 5.pdf
218. Appendix 6.pdf

Representation

Please use a separate form for each representation.

Which part of the Publication Plan does your representation relate to?
Policy KET10

Tests of Soundness

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

Justified . Yes
Effective . Yes
Positively prepared . Yes
Consistent with National Policy . Yes

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.

2.1 The Wicksteed Charitable Trust consider that the Kettering Borough Council Site Specific Part 2 Local Plan (Publication Plan Consultation) has been prepared in accordance with the National Planning Policy Framework (NPPF) and the Joint Core Strategy. This ensures a deliverable plan that continues the sequential and hierarchical approach set out through the Joint Core Strategy and will meet the needs of the Borough. For the delivery of new housing the Plan seeks to meet the objectively assessed housing need for the Borough, enabling the SSP2 Local Plan to be considered sound when considered against the content of Section 3 of the NPPF.

2.2 However, housing requirements are identified as minimums, and the opportunities to offer residential development over and above this level should be viewed as an additional benefit to ensuring the continued delivery and completion of housing. For this reason, although not considered unsound, greater flexibility is argued to be beneficial to the delivery of housing allocation KE/033a, including the potential for the provision of a higher level of dwellings. The suggested alterations and associated benefits are considered in Section 3 below.

Proposed Actions/Changes

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

3. SUGGESTED ALTERATIONS TO POLICY KET10

3.1 The Wicksteed Charitable Trust support the allocation of land at the Park for housing through Policy KET10. An additional clause has been added into paragraph 9.30 in the latest version, explicitly stating that the proposed development ‘will help deliver the improved access, habitat restoration, educational and recreational opportunities to this new extension to Wicksteed.’ These aims tie in with the philosophy of the Trust and its desire to maintain and enhance the heritage asset and environment, so is not in itself objected to. However, its inclusion places greater onus on the delivery of the benefits to which some concern is raised in respect of financial viability. The current allocation would struggle to unlock all of the possible benefits to the Park and wider area that are identified, whereas a larger development would enable all of the benefits noted in Policy KET10 to be delivered in the widest possible terms.

3.2 The key aspects are considered in more detail below, but in essence the ability to provide some flexibility to the policy in how it is delivered and the potential for additional housing above the suggested allocation would ensure greater benefits to this significant community asset of the Borough and its future expansion. This positive feedback to the community should be seen as a good opportunity to be captured within the Local Plan.

Policy KET10 Clause (f) Amendment

3.3 Clause (f) of Policy KET10 stated: f. Be supported by a Transport Statement that will inform the proposal and ensure: i. it addresses access into the site off Sussex Road; ii. it includes suitable measures to mitigate the impact of additional traffic generated (with particular reference to capacity constraints along the Pytchley Road).

3.4 The proposed land allocation as denoted on the Kettering South West Proposals Map (reference KE/200, but also titled KE/033a by the Council within the evidence base) of the SSP highlights the allocation to adjoin two existing public highways: Sussex Road and Essex Place. Either or both of these could be used to provide access to the allocated site, with both feeding back to the Patrick Road junction with Pytchley Road to the west. The location of these access points is shown on the annotated plan attached as Appendix 2.
3.5 The ability to use either or both highways for access to the Wicksteed Park allocation would offer flexibility to the layout and function of the development. This should be viewed as a positive alteration to the Plan. This alteration could be captured through any of the following amendment to this sub-clause:

1. Removal of clause (f) (i) in its entirety, given that the only access points are to the west of this land; or
2. Rewording of clause (f) (i) to ‘it ensures the provision of access into the site in accordance with adopted highway standards’; or
3. Rewording of clause (f) (i) to ‘it addresses access into the site off Sussex Road and/or Essex Place’; or
4. Rewording of clause (f) (i) to ‘it addresses access into the site utilising the Patrick Road junction with Pytchley Road’.

3.6 Whilst all four options are considered an improvement, the Wicksteed Charitable Trust’s preference is for option 4. There is no intention to exceed existing capacities of the highway network.

Policy KET10 Addendum Text: Maximising Development Potential and the Delivery of KET10 (k)

3.7 The Trust is a non-profit making organisation which reinvests all profits back into Wicksteed Park in order to continue to maintain and improve its function as a recreational, heritage, educational and ecological destination. The provision of housing on part of its land to unlock enhancement to the Park and improvements to physical links with the wider area is a unique opportunity and one that should be taken forward in a manner that maximises the deliverability of the resultant benefits. As outlined above, a larger allocation is considered important to ensure all objectives of Policy KET10 are able to be delivered, with a particular focus on clause (k).

Benefits of a larger site

3.8 Policy KET10 seeks to allocate 1.07 ha of land at Wicksteed Park on the basis that 4.4 hectares of land to the south-east of the parkland will be incorporated into this public open space. However, there is scope to allocate a larger parcel of land (circa 3 – 3.5 ha for 100 – 110 dwellings) whereby the parkland will still increase in overall scale without any harm to the historic core of the Park. It would however offer significantly higher reinvestment opportunities for the Park. This would benefit the whole of the parkland, proposed rejuvenation works and ecological and biodiversity enhancements for parts of the retained land and links to the green corridor/ecological areas to the south.

3.9 Through early consultations and housing allocation options, a larger site at Wicksteed Park was proposed and discounted in 2012 by the Council on the basis of harm of the Park/loss of compensatory open space provision. However, additional information and clarification is now available to be able to support a potential larger allocation/development site. The form of the parkland, proposed allocation site and suggested potential larger site are shown in Appendix 1.

3.10 The key logic streams for enlarging the allocation are:- Any infrastructure work costs, such as sewers and highway upgrades, would essentially be the same, or very similar, for a scheme of 35 and 108 units. This means that the ‘cost per unit’ outlay would be significantly lower for a larger scheme. This would allow more of the land value to be retained by the Trust to be reinvested entirely into the parkland, as well as increasing the overall value that can be captured.

- The land identified for development is beyond the historic Park and garden area (see Appendix 3 for confirmation of the Listed Park and Garden), and forms part of a marginalised grassland area, set between the existing housing and the Park’s campsite. The larger site would incorporate a more logical allocation that incorporates this whole section of land without harm to the function or form of Wicksteed Park.

- The land in question does not form part of the main vistas from the Listed Building in the heart of Wicksteed Park. Development on this land would not therefore harm the setting of this heritage asset.

- The ecological value of the larger site is low, being part of the same field as the proposed allocation to which it has been recognised by the Council to be of little ecological value.

- Wicksteed Park forms part of a local green corridor connecting Wellingborough to Corby via Kettering. This is outlined on the Green Infrastructure Plan and Table 8.2 on pages 62 and 63 of the SSP. The Ise Valley Partnership has assessed this link and the specific land that contributes to this corridor. A copy of this plan is attached as Appendix 4. This excludes the land to the west of the Wicksteed Park campsite; also known as the suggested larger allocation site. The land could therefore be developed without harming this green infrastructure link.

3.11 All of the above points are borne out of examination of the Wicksteed Park Landscape Masterplan (see Appendix 8).
3.12 The current allocation is seeking to incorporate and enhance the ecological value of the 4.4 hectares of land identified as ‘A’ on the plan attached at Appendix 1. Whilst this would clearly offer considerable benefits to the quantity and quality of open space and habitats provided by creating an enhanced wetland area, it would be marginalised within the context of the Park as a whole. In contrast, by allowing a larger development site, it would offer the ability to bring into play a greater opportunity.

3.13 Wicksteed Park has a dedicated Community and Heritage Manager (CHM) who has a role to protect and enhance the function and quality of the parkland whilst identifying opportunities to enhance it where feasible and viable. The opportunities identified by the CHM for financial investment as a result of a larger allocation/development site is set out in full in Appendix 5. Summarising the CHM’s position, the key benefit would be to expand the core of the Park, which currently incorporates the great lake, land to the north-west of the lake focused around the Listed Building and the historic waterpark to the north-east of the lake. The land to the south, identified as areas B and C on the Wicksteed Charitable Trust ownership plan (see Appendix 1) is very much marginalised, such that it is rarely used by visitors or for educational purposes. By bringing the fishing lake, meadow and wetlands (Areas A, B and C) into the main circulation areas of Wicksteed Park through the provision of new and improved pathways and links, along with enhancement of these biodiversity areas would enable the community and education team to develop new learning activities for schools, colleges, HEIs and communities to learn about native habits, flora and fauna, as well as exploring the landscapes in a heritage context. This would include creation of a viewing hide and building upon the learning programme of bat identification and mini beast activities already delivered within other parts of the Park. It would also allow the possible construction of a Saxon/Iron-age roundhouse/outdoor classroom for an immersive education experience, linked to the Scheduled Ancient Monument to the north-east of the Park.

3.14 These elements would relate to around 12 hectares of land (Areas A, B and C – see Appendix 1) and positively link the various elements of the Park together, as well as connecting the parkland to the ecological areas to the south. This includes two areas of Site of Special Scientific Interest (SSSI – identified on the plan attached as Appendix 1), which although not under the ownership of the Wicksteed Charitable Trust would allow better connectivity of the ecological areas and physical footpath links, including connectivity to the old railway line that runs in an east/west direction to the south of Area A and SSSI1. The improved connectivity of these ecological areas directly dovetails with Kettering Borough Council’s Green Infrastructure Delivery Plan (March 2018) which identifies within the current project lists the ‘creation of a linear park on the Ise Brook between Wicksteed Park and South Field Farm Nature Reserve to create links between communities, improve biodiversity and water quality.’ (see Appendix 6 for extract). This also dovetails to the information released by Wicksteed Park in respect of this aim and the joint working of the Trust with the Environment Agency, River Nene Regional Park, the Wildlife Park and local authorities (see Appendix 7). The potential to deliver on these additional spaces and enable connectivity would ensure all these ecological objectives can be delivered.

3.15 Craft Pegg has undertaken a Landscape Masterplan for Wicksteed Park (dated 2017). The enlarged site and potential enhancements to the remainder of the Park have been formulated from the strengths, weaknesses and opportunities identified through the Landscape Masterplan. A copy of this Masterplan is attached as Appendix 8, but overall recognises the ability to deliver improvements to the parkland and wider planting (including trees) in the Trust estate (see Appendix 1 for ownership extent) through grants and monies generated. Key elements of the Masterplan to highlight include:

- Section 1.3: Hydrology
  The land on the western part of the Park is located outside the floodplain. This includes the allocation site on land within Flood Zone 1.

- Section 1.5: Existing Masterplan
  Dating from 2012, this set out the Conservation Management Plan for Wicksteed Park. This highlights the South Field, which includes the proposed allocation land (and any enlargement would be located), for the potential use as a rally and car boot area and associated parking.

- Section 2.3: Access and Connectivity
  Popularity for walking the Ise and lake have emerged and could be developed further. Regular access is taken from the dismantled railway line to the south; this access presents risks to site security and user risk in crossing the Slade Brook bridge parapet. The acquisition of the southern water meadow (Area A on the plan in Appendix 1 to this representation) is noted to be a good time to address this route and assist in developing a more formal route along the Ise through the Park.

- Area C: South Field
  This incorporates the proposed allocation. It is recognised to have been subject to very little development over the centuries. It has been formerly used as a pitch and putt golf course,
with evidence still visible. The south-western area has also been used for the deposition of dredge material from the lake restoration. The western perimeter is noted as being little used and presenting a visually poor edge to the site and an unkempt boundary. It is recognised as an opportunity to provide some residential development to rectify western boundary issues and incorporate more appropriate visual boundaries as part of any works.

- Area I: Arboretum and Meadows
Incorporating Area C as annotated on the plan at Appendix 1 to this representation, it corresponds to the ‘meadows’ element of this landscape area. This highlights the meadow as pasture/arable land and is of ‘limited recreation use’ with the intention to continue to hold it as grazing land ‘until it can be programmed for greater recreational or educational use’.

- Area J: Wetlands and River
Incorporating Areas A and B as annotated on the plan at Appendix 1 to this representation, the recently acquired triangle of land (Area A) is seen as an opportunity to extend the Park’s ecological remit. Sensitive works to this are noted to include increasing flood storage capacity, increase ecological potential with an aim to create ecological diversity to SSSI standards, and create new footpath connections.

3.16 The aims of objections of Policy KET10 (k) therefore dovetail with the Wicksteed Park Landscape Masterplan; appropriate financial resources are, however, needed in order to ensure its complete deliverability.

Reassessment of the larger site

3.17 Whilst the benefits of a larger development at Wicksteed Park can be identified, it is recognised that the acceptability of a larger site needs to be considered. The larger site was initially considered through the 2012 Housing Allocations Background Paper. Extracts of this assessment, along with the criteria against which it was based is attached as Appendix 9. A further Housing Allocations Background Paper (Update) in October 2019 considered a smaller allocation at Wicksteed Park (labelled as KE/200). This document is attached as Appendix 10. The scoring system between the two assessments varies marginally, with the 2019 incorporating a three option scoring system (positive, neutral or negative) whilst the 2012 assessment incorporates single and double positive and negative options as well as neutral impact stance.

3.18 The 2012 and 2019 assessments for the Wicksteed Park sites are set out below, along with the suggested reassessment for the larger site given the additional information now available. The differences where noted are highlighted red and are then explained below.

3.19 Seven elements are highlighted as being amended from the 2012 scheme for the same sized scheme. The justification for these changes is set out below.

a. Health
The proposal has the ability to provide additional open space, sports and recreation facilities to offset the area to be lost. The 4.4 ha of land will still enlarge the Park, whilst the suggested works to Areas B and C as well (see plan in Appendix 1) extend the area to be effectively opened up to the public overall to 12 ha. Both ‘proposed’ figures exceed the circa 3 – 3.5 ha that would be constructed on resulting in a net benefit in both quantity and quality of facilities. Against the Council’s assessment criteria, it therefore is graded as ‘−’.

b. Landscape
The Ise Valley Partnership Assessment (see Appendix 4) outlines the important land to the green infrastructure corridor along the Ise Valley. This explicitly excludes the suggested larger allocation site. Craft Pegge have undertaken a Landscape Masterplan for Wicksteed Park (see Appendix 8). Dating from 2017, this highlights the character of the land as part of the ‘South Field’ to be rough grassland with little historic or ecological merit (see sections 1.5 and C South Field). This highlights the low landscape quality and importance of the site, whilst it is embedded within the urban environment. This includes poor boundary treatment to the existing housing to the west and the opportunities to enhance the repositioned perimeter to the Park if development was forthcoming.

Key views from the Park and central Listed Building in Wicksteed Park are not in the direction of the developable land, all indicating that the land should be considered to have medium, if not low, sensitivity to development. This reflects the recent 2019 LPA assessment of the smaller site, which fundamentally forms part of the same rectangular parcel of land with no clear delineation between the two options or difference in the appearance. This represents a substantive shift compared to the 2012 assessment.
Any reinvestment into the remaining land would offer the ability to also enhance the appearance of the open spaces and habitats, furthering the positive visual setting possible.

c. Cultural Heritage
The site in question is marginalised within Wicksteed Park, has no historic association with the core parkland area and as such is excluded from the Grade II Parks and Garden Listing (see Appendix 3). Likewise, it is located peripherally to the key views of the Listed Building including the Captains Lounge over the centre of the Park. Development of this section of land would not block any key views into or out of the Park/heritage assets, but would look to screen industrial buildings to the south by introducing a foreground vegetative screen as part of a larger development. Other than evidence of some ridge and furrow on the ground, no archaeological significance is expected (as indicated in the Council's 2019 assessment of the smaller allocation).

In contrast to the consideration of the negative impacts upon the setting of the heritage assets, the development would secure much needed funds to enable the protection and enhancement of these assets, including improvements to the facilities in the Park and restoration of the Captain's Lounge within the Listed Building. These would have substantial benefits to the heritage assets, which can be captured fully due to the nature of the Charitable Trust.

In line with the 2019 assessment, a strong positive enhancement to cultural heritage is recognised to exist.

d. Built Environment: Settlement Character
As identified through the Wicksteed Park Landscape Masterplan, the quality and character of the land in question is low, with poor boundary treatment to the existing development to the west. There is scope to incorporate any positive attributes on the site (notably trees), as well as the provision of new, more sensitively and appropriately designed boundary treatment to the retained parkland to enhance its integration into the built environment. These should be considered to offer a neutral impact, reflecting the conclusion of the Council's 2019 Assessment, given that it would only be additional unused grassland that is lost.

e. Soil and Land: Agricultural Land
The site in question is not in agricultural use. It has not been used for agricultural purposes since the Park was established, and there is no expectation that it would be in the foreseeable future if not developed. As such, the proposal would score positively against this point, ensuring the highest-grade agricultural land is not lost as a result of this proposal. This reflects the 2019 score provided by the Council.

f. Infrastructure: Drainage
There is an expectation that some infrastructure will need to be installed on the site but not ‘extensive’ as per the negative description of this assessment classification. The 2019 Assessment identifies capacity in the existing system for both foul and surface waters, so this criterion should still be considered positive for a larger development. There is no intention for this development to exceed the carrying capacity of the existing drainage infrastructure.

Some infrastructure will be required for foul sewers, but no more than that generally associated with developments. In this instance though, there is scope for on-site infiltration (if possible) and failing this, to discharge surface waters into a number of ponds and wetlands under the same ownership, with these connecting to water courses. Discharge of surface waters outside of the public sewers should be seen as a positive, and certainly not the significant negative of the 2012 Assessment.

g. Deliverability
Given that the site was not being taken forward in 2012 by the Council, no timescale was placed on the delivery of housing. However, the 2019 Council Assessment indicates the site is developable within the next five years. It can be confirmed that the Trust is intending to bring the site forward as soon as possible post-allocation, and thus the same would also be true for a larger scale development.

3.20 The updated assessment, based upon additional information that is not available, highlights the ability to provide a sustainably located scheme that does not negatively impact upon the character or appearance of the area, and has no obvious infrastructure or capacity constraints. On balance, the positive attributes that would stem from the proposal extend significantly beyond more housing, reflecting the ability for the additional monies generated for the Trust capable of being reinvested in a number of projects that will enhance the function and quality of the Park, as well as link new wetland and ecological areas into the SSSIs to the south, adding to the network of spaces and interconnectivity.
The scale of modification to the housing numbers would not unbalance the deliverability across the Borough, whilst still complying with the hierarchical approach set out in the Joint Core Strategy.

3.21 Whilst not wishing to delay the Local Plan process, Wicksteed Charitable Trust wish to suggest that in respect of Policy KET10 and its ability to deliver all of the benefits to the community, two alterations should be considered. The first relates to the overall scale of development, with two suggested alternative wordings provided:

1. Increase the overall housing requirement and allocation scale to include up to 3.5 ha of land and 100 – 110 dwellings in place of the 1.07 ha and 30 – 35 dwelling figures; or
2. Include an additional paragraph at the end of the policy indicating: “Additional land for housing may be supported as part of this development, provided it still complies with clauses a – p above and delivers additional open space enhancements and compensatory measures commensurate to the scale of the development proposed.”

3.22 Either of these alternative wordings would offer greater flexibility to the scale of development and thus the resultant benefits that could be captured and delivered to Wicksteed Park and the public by proxy.

3.23 Secondly, if either of the above alternative wording options are to be incorporated, to reflect the additional benefits that would be delivered, it is suggested that clause (k) is modified to the following (additional words are underlined for clarity):

(k) Be supported by a scheme to deliver improved access, habitat restoration, education and recreational opportunities to the 4.4 ha farmland extension and associated underused landscape areas (strategically located at the south east part of the Park to mitigate the loss of open space to residential development)

4. CONCLUSIONS

4.1 Wicksteed Charitable Trust consider the Kettering Borough Site Specific Policies Part 2 Local Plan document to be sound. Nonetheless, minor alteration to the wording of clause f (i) of Policy KET10 would offer greater flexibility and deliverability of this allocation. Increasing the scale of the development allocated within Policy KET10 to up to 3.5 hectares and 100 – 110 dwellings would also significantly increase the benefits that could be made to Wicksteed Park and the associated public benefits through enhancement and connectivity of the parkland and new ecological and wetland areas to the south. It is hoped that these modifications, and the resultant benefits to the community are considered thoroughly as part of the Examination.

4.2 Reflecting the suggested amendments, Wicksteed Charitable Trust requests attendance at the relevant examination stage Hearings.

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.

Important to correctly word policies to maximise deliverability and benefit to public

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?