Comments

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

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Consultation Point Policy STA2 Land to the south of Harborough Road, Stoke Albany (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 STA2
Figure 18.24

Tests of Soundness

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

Justified No
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.

Rosconn Strategic Land (RSL) represent the owners of the land to the south of Harborough Road, Stoke Albany and fully support the site’s allocation under Policy STA2 and confirm that the site is suitable, available and achievable for housing development. A series of detailed surveys and assessments of the site have been undertaken, the results of which have demonstrated that there are no insurmountable constraints to delivery of the site during the plan period.

The allocation of the site to meet housing needs within Stoke Albany contributes towards creating more sustainable rural communities as emphasised by paragraphs 77 and 78 of the NPPF. As previously identified by the Council when choosing to allocate sites within Stoke Albany (5th June 2019, Planning Policy Committee, Paragraph 2.10) the majority of rural growth is proposed away from the northern villages of the Borough, the allocation of suitable land within Stoke Albany assists in redressing this geographical imbalance. The allocation will also be in accordance with paragraph 78 of the NPPF which highlights that development in one village may support services in a village nearby, in this case villages more constrained villages such as Wilbarston where no allocations are proposed. RSL intends to progress with an immediate planning application in view of the site’s suitability for housing development. In line with NPPF paragraph 39 RSL has undertaken pre-application enquiries with the Council through the formal pre-app service, carried out public consultation with the local community and engaged with the Parish Council. As part of the preparation of this application which has been influenced by a number of factors including new information and updated consultee responses this has raised the need for minor amendments to the Policy to ensure that it is justified as outlined within this representation. Policy STA2 sets out twelve site specific development requirements, these are on the whole considered to be appropriate and achievable. As previously stated RSL has undertaken pre-application engagement with the Borough Council through the pre-app service, along with engagement with the local community and Parish Council. As a consequence, RSL would consider the below Minor Modifications to the Policy necessary to ensure the Policy is justified.

Criterion (g) sets out the requirement to provide open space as well as allotments on the southern part of the site, adjacent to the A427. RSL has carried out initial consultation with the local community and Parish Council which has indicated that previous evidence identifying a need for allotments within the village is now out of date and adequate provision exists elsewhere in the village. Consequently, sub criteria (g) should be amended to delete reference to allotments.

Criterion (c) sets out the requirement for a combined parking and vehicle speed survey on Desborough Road. As part of Northamptonshire Highways pre-application advice response, the LHA have since clarified that they do not require a speed survey to be undertaken at the junction near White Horse Inn. Accordingly, criterion (c) should be deleted.

The Policies Map for Stoke Albany Figure 18.24 shows the amended Settlement Boundary to include the entire land parcel to be consistent with the proposed allocation. Due to factors including new information such as the lack of demand for additional allotments which has arisen from community engagement, this could result in a significant area of residual land within the site that is not required to meet the allocation policy objectives. RSL would be content for this residual area to be omitted from the allocation and therefore remain outside the settlement boundary.

NPPF paragraph 16 c) states that plans should be shaped by early and effective engagement between plan-makers and various stakeholders, in addition paragraph 16 d) states that policies are clearly written and unambiguous, so it is evident how the decision maker should react to development proposals. These minor amendments to the Policy will ensure the allocation is in accordance with paragraph 16 sub criterion (c) and (d) so that any subsequent decision-making against Policy STA2 in unambiguous.

The Sustainability Appraisal accompanying the Local Plan has confirmed the site is suitable for housing and can be brought forward with only limited negative impacts. The sustainability appraisal whilst providing a high-level assessment nonetheless is considered to underestimate the site’s (RA/221) sustainability when assessed against the scoring criteria and other alternative sites within the village. In addition, the limited negative impacts identified apply to nearly all potential allocations within the Rural Areas. RSL consider the Sustainability Appraisal assessment of certain criteria should be amended as per the following comments to more accurately reflect the site’s credentials.

Contaminated Land – The site is currently scored as a ‘Neutral impact’ (site is unstable or contaminated land but could be mitigated). A Phase 1 Geo-Environmental Assessment has been undertaken as part
of the application preparation, copies of which can be made available. This has identified no significant contaminative site usage and development of the site is not expected to have a significant environmental impact. Accordingly, the site should score a 'Double Positive' as it meets the criteria 'Site is not unstable or contaminated land'.

Capacity of Highway – The site is currently scored as a 'Neutral Impact' (capacity limited or insufficient capacity but constraints can be overcome). As part of the response to the pre-application submission Northamptonshire Highways have not raised any capacity concerns in relation to development of the site. Accordingly, site should be scored as a 'Double Positive' as it meets the criteria 'sufficient capacity no constraints'.

Capacity Infrastructure – The site is currently scored as a 'Neutral Impact' (capacity limited or insufficient but constraints can be overcome). As part of the allocation evidence base the Council has stated (Item 6 Appendix 1b – Stoke Albany, Kettering Planning Policy Committee 26th February 2019) that Anglian Water when assessing potential site allocation options within Stoke Albany confirmed “Anglian Water confirm both potential housing sites are not constrained by the capacity of water infrastructure or drainage, and confirm that local issues reported through the public consultation resulted from blockages and not hydraulic overload caused by capacity issues. Any proposed development within the village will be considered in consultation with Anglian Water and will be required to provide adequate drainage. As a result, there is no evidence available to demonstrate that the proposed housing allocations within the village will exacerbate existing issues.”. Existing Water Mains, Sewer, Telecoms, Gas and Electric services are located on Harborough Road and no infrastructure constraints are envisaged. As such the site should be scored a double positive.

Proposed Actions/Changes

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

• Policy STA2 Criterion (c) to be deleted.
• Policy STA2 Criteria (g) should be amended to delete reference to allotments.
• The Policies Map for Stoke Albany Figure 18.24 be amended to reflect the site boundary as shown in Location Plan Drawing Reference 3430.100 Revision B.

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.

RSL fully support the site’s allocation under Policy STA2 and seek amendments to ensure that the Plan policies are fully effective. RSL intends to progress with an immediate planning application in view of the site’s suitability for housing development. Evidence prepared to date has demonstrated that the site is suitable for residential purposes and is unlikely to give rise to any unacceptable adverse effects which cannot be appropriately mitigated through detailed design, planning conditions and/or financial contributions. Attendance at examination hearings will ensure that modifications are sought in these representations can be explored with the Inspector and LPA so that the Policy is justified and sound.

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?