Comments

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

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Representation

Please use a separate form for each representation.

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

  Chapter 4 (housing)
  Including paragraphs 4.1-4.10
  Table 4.3

Tests of Soundness

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

  Justified . No
  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? No

Duty to Cooperate

Do you consider the Local Plan to be compliant with the Duty to Cooperate? No
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.

The Site Specific Part 2 (SSP2) Local Plan fails to demonstrate specific, deliverable sites for years one to five of the plan period contrary to Paragraph 67 of the National Planning Policy Framework (NPPF).

The North Northamptonshire Joint Core Strategy (JCS) (Policy 28) seeks to provide a total of 40,000 new homes between 2011 and 2031 and there is a requirement for Kettering Borough to deliver a minimum of 10,400 homes during this period. JCS Policy 29 states that this development will be accommodated in line with the spatial strategy. As Table 4.1 of the SSP2 outlines, the majority of development is directed to Kettering (6,190 dwellings) with smaller development at Burton Latimer (1,180 dwellings), Desborough (1,360 dwellings) and Rothwell (1,190 dwellings). The remaining dwellings are to be accommodated in the rural area.

The adopted JCS allocates strategic housing sites of 500 dwellings plus. This includes the East Kettering SUE (5,500 dwellings) carried over from the 2008 Core Strategy, and smaller SUE’s at Rothwell and Desborough in Kettering Borough (700 dwellings each). The role of the SSP2 Local Plan is to allocate smaller scale housing sites to meet the remaining housing requirement, plus a 10% flexibility allowance. In total, therefore, Kettering must deliver a minimum of 11,392 homes (10,400 + 10%).

The Housing Land Supply Background Paper (HLSBP) (Table 19 and Para 3.12) claims that Kettering Borough Council can demonstrate a five year housing land supply of 6.74 years, based on a housing requirement which excludes the 10% flexibility allowance, and only applies a 5% buffer (in accordance with NPPF para 73).

However, the adopted JCS (Para 9.6) states that monitoring will be undertaken using a 25% buffer, to provide an early warning of housing land supply running short. In such circumstances where a five year housing land supply cannot be demonstrated using a 25% buffer, this triggers corrective action by the LPA in order to boost supply. We would suggest the best means to boost supply would be through allocating additional small scale sites within the Part 2 Plan.

The Council’s five year housing land supply using the 25% buffer supply falls to 5.66 years. In this scenario, the five year housing requirement increases to 3,602, compared with an identified supply of 4,080, which leaves only a surplus of 478 dwellings over the 5 year period (2019-2024). The difference between being able to demonstrate a five year supply is therefore only 478 dwellings which can easily disappear with slippages in projected delivery rates.

The identified supply is very dependent on the three SUEs and, as set out in Hallam’s August 2018 representations to the Draft SSP2 Local Plan, there remain concerns around the anticipated delivery rates at the Kettering East, Desborough North and Rothwell North strategic sites.

Kettering East SUE is expected to deliver 1,565 dwellings in the first five years of the SSP2 Local Plan, which represents 37% of the Council’s total five year housing supply.

The Council has not produced details of annual completions as part of the evidence base, but a paper considered by the North Northamptonshire Joint Planning Committee at its 25/07/19 meeting shows that completions were significantly below the JCS requirement in each of the previous three years.

The figures produced for the joint Planning Committee are summarised below:

<table>
<thead>
<tr>
<th>Year</th>
<th>Adopted JCS Requirement</th>
<th>Kettering East SUE Completions</th>
<th>Completions against requirement (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016/17</td>
<td>120 29 24%</td>
<td>29</td>
<td>24%</td>
</tr>
<tr>
<td>2017/18</td>
<td>180 120 69%</td>
<td>124</td>
<td>69%</td>
</tr>
<tr>
<td>2018/19</td>
<td>220 132 60%</td>
<td>132</td>
<td>60%</td>
</tr>
</tbody>
</table>

Against this starting point, the SSP2 Local Plan assumes what we consider to be an unrealistic step change in completions at the Kettering East SUE, from 132 per annum in 2018/19, to 337 per annum in 2020/21, and then 425 per annum in 2021/22.

Year Anticipated Completions 2020/21 1522020/21 3372020/22 22425022/23 3572024/25 294

The ‘Justification’ column of Sites Schedule in the HLSBP states that the build out rates quoted have been supported by the developer. The Council’s evidence base does not comment or provide evidence that the assumed rates can be achieved. This is a concern in view of experience of large SUE projects and research undertaken on the build out rates associated with large scale sites. For instance, the...
‘Start to Finish Study’ (NLP, 2016) noted that the annual average build for sites over 2,000 dwellings was 161 dwellings per annum, because the number of outlets that can be accommodated is often limited. Quite apart from the ability for Kettering East to deliver the units at the predicted rate, it is questionable whether the local housing market would be able to absorb the new dwellings and sustain the build out rates being relied upon.

The HLSBP Site Schedule indicates that the three parcels on which development has started will be completed during 2019/20. The Table also shows that only 167 plots have detailed planning permission and that the remaining 4,644 plots at Kettering East still require detailed reserved matters approval. This includes parcels R21 and R22, where reserved matters submissions were due to have been made in January 2020 but appear to have been delayed. It is also noted that Condition 2 of the outline planning permission requires that all reserved matters submissions be made within ten years of the permission date, and so by 1st April 2020. An additional requirement to seek planning permission would delay the delivery of individual parcels and their contribution to housing supply, unless reserved matters are submitted by this date.

There are also concerns about the delays to the other strategic site allocations at Desborough North and Rothwell North which are also important components of the Council’s five year housing land supply position.

The Desborough North SUE (700 dwellings) has also been significantly delayed. Outline planning permission (reference KET/2011/0235) was granted on 25/04/2014. Whilst a recent non material amendment approval was authorised construction to keep the permission alive, planning conditions still need to be discharged before the construction of dwellings can begin.

The Rothwell North SUE (700 dwellings) has also been significantly delayed and no dwellings have been delivered yet. It is very unlikely that the outstanding actions (discharge of relevant conditions and delivery of primary infrastructure) will be completed by 31st March 2020 in order to enable completions this year.

The SSP2 Local Plan reliance on these 3 strategic sites within its five year housing land supply means that the SSP2 Local Plan fails to demonstrate specific, deliverable sites for years one to five of the plan period contrary to Paragraph 67 of the NPPF.

Proposed Actions/Changes

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

We request that additional site allocations are made to boost housing supply in accordance with the requirements of the JCS (paragraph 9.6) and maintain a deliverable 5 year supply of housing land in accordance with the NPPF. To assist in delivery, additional small scale allocations should be made in locations that are consistent with the Spatial Strategy, and which are a reliable source of market and affordable housing completions, such as Burton Latimer.

Specifically, it is requested that land south of Higham Road in Burton Latimer is allocated for approximately 160 dwellings and retirement living accommodation (including 30% affordable housing) to increase the supply of affordable housing.

Burton Latimer is an attractive location for residential development and has consistently been able to deliver both market and affordable housing. Burton Latimer was the only settlement that delivered its housing target from the Core Spatial Strategy 2008, and recent planning permissions on land north of Higham Road are under construction with no delays to housing delivery. Historically there have been no concerns about viability at sites in Burton Latimer, and development in the town has been able to deliver 30% affordable housing, as demonstrated by the recent developments to the north of Higham Road. This contrasts to the 20% starting affordable housing target at the SUEs including Kettering East, Desborough North and Rothwell North.

Land to the south of Higham Road is an appropriate location for residential development and is immediately available for development. The site is controlled by Hallam Land Management Limited, who are actively promoting it for residential development. As such, the site will be able to deliver homes early in the plan period and contribute to the Council’s five year housing land supply. The site relates well to the existing settlement and is an appropriate and logical extension against the existing residential development focused along Higham Road.
Engagement with some of the members of the Burton Latimer Town Council has highlighted the potential benefits associated with the development of this site, including the delivery of housing for older people, the expansion of the Burton Latimer Medical Centre, the provision of green infrastructure and an enhancement to public open space. There is also scope for the site to help deliver highway enhancements that have been identified by the Town Council.

The North Northamptonshire SHMA Update 2015 and the Study of Housing and Support Needs for Older People Across Northamptonshire (March 2017) identified a significant need for housing for older people of a variety of types of accommodation. The proposed development can include a parcel of land for retirement living, which could include accommodation for a nursing home, supported living and/or retirement apartments. It is noted that none of the proposed allocations for Burton Latimer (BLA4, BLA5 and BLA6) include housing for older people and so the site will help to meet local needs.

Burton Latimer Medical Centre is now fully occupied, and there is no internal space available for expansion and no capacity to expand into the car park without the loss of parking spaces. The recent permitted residential developments to the north of Higham Road will create additional pressure on the capacity at the Medical Centre in the near future. The proposed development of land to the south of Higham Road could provide land to enable the capacity of the Medical Centre to increase, and an area of the site is set aside for this purpose. It is anticipated that an additional four consulting rooms could be provided within the expanded building, the existing pharmacy could be relocated within the Medical Centre and an additional 44 car parking spaces could be provided at the site.

The proposed development includes a significant amount of green infrastructure to provide open space and natural green space in the south eastern part of Burton Latimer, and provide connections to the wider green infrastructure network. This is described in the Concept Layout Plan and Green Infrastructure Plan submitted with these representations, and includes additional allotments for approximately 14 to 21 plots with associated facilities. It is considered that the delivery of green infrastructure, in conjunction with residential development at the site, will make a significant contribution to the green infrastructure network in a location where recent developments have struggled to make a significant and co-ordinated contribution.

As set out in the August 2018 representations, the site is deliverable and is controlled by a developer who is actively promoting the site for residential development. There are no significant constraints to development at the site. The site is not affected by ecology designations and the majority of habitats are considered to be of local value only. Potential landscape and visual impacts can be addressed through the design of the scheme. The site is within Environment Agency Flood Zone 1 and so subject to low flood risk. The land is capable of incorporating sustainable urban drainage measures to reduce existing run-off rates from the site and improve water quality.

A suitable site access can be achieved and the road network is able to support the development without the need for significant highway interventions. There is also an opportunity for highway improvements to help reduce the need for HGV traffic access through the town centre and along Higham Road, as identified by the Town Council. These potential highway improvements are still under investigation. The site benefits from existing public transport services along Higham Road and can add to the viability of these services. The site is well connected in terms of footway and cycleway access to Burton Latimer Town Centre.

**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.

To elaborate and examine the matters raised which are critical to the soundness of the Plan.

**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?