Gladman Hearing Statement

Kettering Site Specific Plan Part 2 Examination

Matter 1: Legal

September 2020
MATTER 1 – LEGAL AND PROCEDURAL REQUIREMENTS

Question 2. Has the Plan had regard to the North Northamptonshire Joint Core Strategy (JCS)?
(See Initial Question 5 and the Council’s response)

1.1.1 The Sustainable Urban Extensions identified in the JCS will continue to play a key role in the accommodation of future development within Borough. However, this should be balanced through a range of sites at sustainable settlements in order to maximise delivery and significantly boost the supply of new homes.

Question 5. Has the Plan been subject to a Sustainability Appraisal (SA) and have the requirements for Strategic Environmental Assessment been met? Is it evident that reasonable alternatives have been considered and how the SA has influenced the Plan and dealt with mitigation measures? Are there any representations on the SA itself?

1.1.2 Whilst the plan has been subject to a Sustainability Appraisal, Gladman have reservations regarding whether reasonable alternatives have been considered.

1.1.3 The SA is required to set out why those reasonable alternatives were chosen. In terms of housing policies for the Plan this means the need to test:
   - Reasonable alternatives on the quantum of development (i.e. the housing requirement); and,
   - Reasonable alternatives on the distribution of development (i.e. the spatial strategy and combination of site allocations to be made).

1.1.4 The Kettering SSP2 should be based on a SA process that clearly justifies its policy choices. In meeting the development needs of the area, it should be clear from the results of the assessment why some policy options have been progressed, and others have been rejected. When undertaking a comparative and equal assessment of each reasonable alternative, the decision making and scoring should be robust, justified and transparent.

1.1.5 The North Northamptonshire Joint Core Strategy sets a housing requirement of 10,400 dwellings to be delivered over the plan period. Kettering Borough Council has in the preparation of the SPP2, applied a 10% flexibility allowance to the housing requirements for each settlement and additional housing allocations to provide a total supply of 12,976 dwellings over the plan period. This results in an additional 1,584 dwellings above the 10% flexibility factor.
1.1.6 At paragraph 5.3.7 the SA considers that it would be unreasonable to provide a higher housing flexibility allowance than 10%. It states:

“To increase flexibility further, and prepare for beyond the plan period, the choice and amount of housing sites could be increased further beyond 10%. However, this approach is considered to be unreasonable for the following reasons:

The preferred approach already provides land to accommodate an additional 1584 dwellings above a 10% flexibility allowance.

There is no evidence to suggest that higher levels of delivery are necessary to achieve the JCS targets or to secure a 5-year supply of housing.”

1.1.7 The above statement clearly sets out that the choice and amount of housing sites could be increased further beyond the 10% to increase flexibility further. However, assessment against various percentages have not been undertaken despite the fact that additional allocations demonstrate the Council is able to deliver a higher buffer. It is unclear therefore how the Council have arrived at the decision that a higher buffer of sites is an unreasonable option when this has not been tested through the SA process.

1.1.8 Gladman consider that the Plan is jeopardising the delivery of meeting the borough’s housing needs in full due to the reliance on Sustainable Urban Extensions (SUEs) to deliver the majority of the borough's housing requirement. Whilst Gladman do not object to the principle of development of the NNJCS allocations, it is clear that these sites have failed to come forward as previously anticipated. This trend is likely to continue and additional allocations beyond those already proposed will be necessary to ensure the deliverability of the Local Plan. Gladman consider the SA should be revisited to test the Plan’s ability to deliver an increased buffer of sites.

Site Assessment alternative sites

1.1.9 Gladman has significant concerns with the assessment of reasonable alternatives for the allocation of additional housing land. The Council has not considered land at Braybrooke Road as a reasonable alternative for housing. Instead, the site was considered under site ref: D7 – Land at Humphrey’s Lodge for employment use. This is despite the fact that Gladman has been promoting the site for residential development since January 2018.

1 Planning application reference: KET/2018/0060
1.1.10 The SA is obliged to give adequate reasons for selection of particular options as “reasonable alternatives”, and reasons for rejecting those options it did reject. The current SA and associated Site Assessment evidence base does not do so in consideration of the current preferred options. The SA in its current form fails to explain why land off Braybrooke Road was not included as a reasonable alternative for residential development given that it was subject to a live planning application. Gladman consider that it is necessary for the housing sites within the SA to be reassessed in this regard.