KETTERING SITE SPECIFIC PART 2 LOCAL PLAN EXAMINATION
HEARING STATEMENT - MATTER 2

SPATIAL STRATEGY

On behalf of:
Weetabix

Date: September 2020

Reference: 00120/LP Examination Matter 2
1.0 Introduction

1.1 This statement is prepared on behalf of Weetabix in relation to Matter 2 – Spatial Strategy and provides their response to the Questions 3, 4, 7 & 8 raised by the Inspector.

2.0 Response to the Inspector’s Question

Question 3: Does the Plan include sufficient flexibility and contingencies to take account of any changes in circumstances, including any review of the JCS?

2.1 The Weetabix site at Station Road Industrial Estate and the positive policy support expressed towards the extension of existing employment areas policy EMP1 (MM1), is linked via Policy RS4, with policy 25 of the JCS.

2.2 Policy LOC1 indicates in its final sentence that: land located outside settlement boundaries will be considered open countryside.

2.3 Policy RS4: Development in the Countryside states that:

Development in the open countryside will be resisted unless:

a) It meets the requirements of policy 13, 25 or 26 of the JCS.

2.4 As currently worded Weetabix and their food producing operations can draw considerable support from policy 25 of the JCS, parts a, c and d. However in the event this policy is amended and made more restrictive it could undermine the intentions of policy EMP1 (MM1) and limit the ability of Weetabix to expand.

2.5 This situation would be avoided if the settlement boundary around the edge of the expansion land to the north of the Employment Site at Station Road were amended as put forward in our representation (Comment ID154), as shown, by the dotted black line below:
Question 4: Was the methodology used to assess and select the proposed site allocations appropriate? Were reasonable alternatives considered and tested? Are the reasons for selecting the preferred sites and rejecting others clear?

2.6 The allocation of land north of the Weetabix site at Station Road, Burton Latimer to facilitate their future expansion was not given appropriate or reasonable consideration. The Employment Allocations Background Paper (August 2019) including appendix 1 (Employment Land Review by Aspinall Verdi), considers the site under reference KE11. Constraints on extension are listed as land ownership and planning constraints and the willingness of current occupiers to extend/redevelop.

2.7 These findings were drawn without any direct contact being made with Weetabix. Had that contact taken place the Council would have been informed that the land had been acquired by Weetabix with the express intention of accommodating their future development needs.

2.8 In offering guidance on Housing and Economic Needs Assessment the NPPG places great emphasis on engaging closely with the local business community to understand their business needs, as reflected by the sections of the NPPG below:

*How can strategic policy making authorities prepare and maintain evidence about business needs?*

In gathering evidence to plan for business uses, strategic policy making authorities will need to liaise closely with the business community, taking account of the Local Industrial Strategy, to understand their current and potential future requirements. They will need to assess:

- the best fit functional economic market area
- the existing stock of land for employment uses within the area;
- the recent pattern of employment land supply and loss – for example based on extant planning permissions and planning applications (or losses to permitted development);
- evidence of market demand (including the locational and premises requirements of particular types of business) – sourced from local data and market intelligence, such as recent surveys of business needs, discussions with developers and property agents and engagement with business and economic forums;
- wider market signals relating to economic growth, diversification and innovation; and
- any evidence of market failure – such as physical or ownership constraints that prevent the employment site being used effectively.

Paragraph: 026 Reference ID: 2a-026-20190220 (emphasis added)

2.9 Reference ID: 2a-032-20190722, with regard to the specific locational requirements of specialist or new sectors, emphasises the importance of understanding whether there are specific requirements in the local market which will affect the types of land needed. Such assessments are more qualitative in nature and necessarily need to be informed by businesses and occupiers.

2.10 This guidance was not followed in the Council’s selection of allocated employment sites. Following engagement with the Council, the steps taken to amend Policy EMP1 in respect of the expansion of safeguarded sites is acknowledged, however the Council have stopped short of allocating the land to the north for employment or amending the settlement boundary as requested in our original representation.
The allocation of the site for employment and the extension of the settlement boundary, as outlined above would provide Weetabix, as a major employer in the Borough, with greater certainty that plans to extend operations into the land to the north would enjoy clear policy support. This we maintain would be consistent with the onus the NPPF places on providing policies which create conditions in which businesses can invest, expand and adapt (NPPF, paragraph 80). The same paragraph adds that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

As a deliverable employment site in the ownership of Weetabix, immediately neighbouring its existing operations and other designated employment sites, with good means of access, capable of supporting the future success of this major employer in the borough, no clear reason has been given for the sites non-allocation.

**Question 7:** What is the justification for the settlement boundaries referred to in Policy LOC1? What is the approach to defining boundaries and how has this evolved? Are the four defining principles used to define the extent of the areas within the settlement boundaries appropriate? What is the justification for not defining settlement boundaries in Category C Villages?

The four defining principles for settlement boundaries are considered to be reasonable. The Council’s response to our representation (Comment ID154), is simply that the settlement boundaries have been drawn in accordance with a robust set of criteria and therefore no changes are recommended.

We maintain that the extension of the settlement boundary around the land to the north accords with the Council’s principles and could deliver significant benefits in providing clear in principle policy support for the expansion of operations on the Weetabix, including on their land to the north. These are explored more fully below in relation to each criteria:

**Principle 1:** The boundary will be defined tightly around the built-up framework and where possible will follow defined features, such as walls, hedgerows and roads.

The site is enclosed on all sites by significant built form and is viewed in that context as part of the built up framework of Burton Latimer enclosed to the north by the strong defensible boundary of the A14, which represents the settlement boundary edge to the east and could simply be continued to the north of the site.

**Principle 2:** Boundaries will include:

a) **Existing commitments for built development i.e. unimplemented planning permissions;**

Planning permission was granted for a large food production unit which partially extends into this zone (KBC Ref. KE/98/0621) which has been on site since 2000. A further planning permission (KBC Ref. KE/04/1308) for warehousing and food production was also permitted on this land. As acknowledged by the Council the land offers the only expansion opportunity for the existing occupier, who owns the land with the express intention of it accommodating its future business needs.

b) **Buildings on the edge of settlements which relate closely to the economic or social function of the settlement e.g churches, community halls.**

As a major international business and significant employer in the borough the site is an integral and important part of the economic function of the settlement, whose future expansion would deliver sustainable economic benefits to the settlement and its population and local businesses in the future.

c) **Curtiages which are contained and visually separated from the open countryside.**
The land to the north of the safeguarded employment land can be viewed as forming the curtilage of the developed area to the south, falling within the same ownership and sharing common points of access. The enclosed nature of the site by large format industrial buildings to the south, east and west (planning permission ref. KET/2018/0965 is for a major logistics site of 214,606sqm of Class B8 floorspace which allows for buildings of up to a height of 23metres) with the A14 to the north. These physical features contain and visually separate the land from the open countryside.

d) New allocations
We maintain the land should be allocated for employment

Principle 3: Boundaries will exclude

a) Playing fields or open space at the edge of settlements (existing or proposed)
The site represents neither playing fields or publicly accessible open space.

b) New allocations for affordable housing;
Does not apply in this case.

c) Isolated development which is physically or visually detached from the settlement (including farm buildings or agricultural buildings on the edge of the settlement which relate more to the countryside than the settlement);
Does not apply in this case.

d) Large gardens and other open areas which are visually open and relate to the open countryside rather than the settlement;
For the reasons given above the site is not visually open nor does it relate to the open countryside.

e) Larger gardens or other area whose inclusion or possible development would harm the structure, form and character of the settlement.
No unacceptable harm would arise given the commercial context and surroundings of the site.

Principle 4: Settlement boundaries do not need to be continuous. It may be more appropriate given the nature and form of a settlement to define two or more separate elements.
For the reasons given under Principle 1 it is considered this is not applicable in this case and benefits would arise from amending the settlement boundary as recommended.

Question 8: Are the specific boundaries/confines for the settlement justified and adequately drawn in all instances? Do the boundaries as drawn provide flexibility to respond to change?

2.15 For the reasons given above the settlement boundary to the north of the safeguarded Station Road employment site, Burton Latimer, has not been adequately drawn.

2.16 While the Council has sought to introduce a degree of flexibility to accommodate the expansion of safeguarded employment land in its revised wording of policy EMP1, this fails to provide the same degree of certainty that an extended settlement boundary and policy allocation would to support major investment decisions by Weetabix in the future. Neither will it offer the same degree of flexibility to respond to change. Indeed these could include changes to JCS policies such as policy 25, referenced above, which could undermine the flexibility which the Council has sought to introduce via policy EMP1.

Concluding comments Matter 2

2.17 The non-allocation of land north of Station Road, Burton Latimer (the Weetabix site) for employment has arisen following a failure to properly engage with one of the Borough’s main employers and understand their future development needs contrary to the NPPG and NPPF.

2.18 An attempt has been made to rectify this via changes to policy EMP1 which are acknowledged. However consideration of future proposals against this policy are hindered by an interpretation of open countryside
policy (RS4) and a reliance on policies from the JCS which should shortly be the subject of review, which could undermine the value of the changes in the wording of EMP1 which have been made.

2.19 This could simply be rectified by the extension of the allocation of Station Road, to include the Weetabix land to the north and extend the settlement boundary to include the site. This would provide for simpler interpretation of policy intentions, clarity for the reader and greater certainty for Weetabix in making major investment decisions which would benefit the borough as a whole.