Kettering Site Specific Part 2 Local Plan (SSP2)

Examination – Hearing Statement – Inspector’s Matters, Issues and Questions

**Matter 2 – Spatial Strategy**

Week 1 - Day 1 – 8th October 2020

By: David Lock Associates (User ID No. 57)

On behalf of: Hanwood Park LLP
1.0 INTRODUCTION

1.1 This Hearing Statement has been prepared by David Lock Associates (‘DLA’) on behalf of Hanwood Park LLP (‘HPL’), the promoter and principal developer of Hanwood Park, formerly known as the East Kettering Sustainable Urban Extension. As Paragraph 9.1 of the Site-Specific Part 2 Local Plan states, ‘the majority’ of the growth over the plan period within Kettering Borough will be provided through Hanwood Park, comprising up to 5,500 dwellings and related development.

1.2 This Statement responds to the Inspector’s Matter 2 – Spatial Strategy. Hanwood Park LLP strongly supports the spatial strategy within Kettering Borough, set by the adopted North Northamptonshire Joint Core Strategy (‘NNJCS’) of directing the majority of growth towards the Sustainable Urban Extensions, including Hanwood Park.

1.3 This Statement should be considered in conjunction with previous representations made on behalf of Hanwood Park LLP and other statements made to respond to the Inspector’s other ‘Matters’.
2.0 SOUNDNESS TESTS

2.1 Hanwood Park LLP consider that the scale and distribution of development proposed ensures the Plan is positively prepared and justified, effective and consistent with national policy.

2.2 We note that paragraph 36 of the National Planning Policy Framework, 2019 (‘NPPF’) states that the tests of soundness will be applied to non-strategic policies in a proportionate way, taking into account the extent to which they are consistent with relevant strategic policies for the area. As the NNJCS has already established the spatial strategy for North Northamptonshire including Kettering borough and has been found sound, the Part 2 Plan only requires the Inspector to proportionately apply the tests of soundness.

2.3 Hanwood Park LLP do not seek to make comments on the “Site Selection” process.

Positively Prepared

2.4 It is important to highlight at the outset that this Plan is a Part 2 Plan, intended to develop more detail on the “big picture” framework1 established by the NNJCS. As Inspector Nigel Payne stated in paragraph 93 of his Inspector’s Report2 on the NNJCS, the Part 2 local plans will put “flesh on the bones” of the overall policy approach with regard to individual settlements.

2.5 The Borough of Wellingborough Part 2 Local Plan has been examined and found sound by Inspector Mike Fox, in his report dated 20th November 20183. Paragraph 9 of his Inspector’s Report sets out the scope of the Plan succinctly:

‘The scope of Part 2 is to enable the effective delivery of Part 1 of the Plan – the North Northamptonshire Joint Core Strategy (JCS). The Plan therefore aims to complement the strategic policies of the JCS. Anything outside its scope, such as the future growth of Northampton, is therefore not a matter for this Plan to address. Any strategic challenge to the strategic provisions of

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1 Paragraph 1.1 – North Northamptonshire Joint Core Strategy 2011-2031
2 Report on the Examination into the North Northamptonshire Joint Core Strategy, 22 June 2016
3 Report on the Examination of the Plan for the Borough of Wellingborough Part 2 Local Plan, 20 November 2018
the JCS will need to be made when that document is reviewed, and not through Part 2 of the Plan. This is also supported in my view by a Court of Appeal Judgment (CAJ)\(^4\), which states that, in preparing a development plan, the local authority must have regard to any other development plan document already in existence which covers the relevant local plan area.’

2.6 The parameters of the Plan are set out in the NNJCS. Therefore, it is reasonable and consistent with achieving sustainable development, with the NPPF advising that for plan making, plans should positively seek opportunities to meet the development needs of their area and be sufficiently flexible to adapt to rapid change\(^5\).

2.7 The NNJCS was a review of the earlier 2008 version of the Joint Core Spatial Strategy, which established an “urban focus for new development in the area, as well as identifying key infrastructure priorities and the broad locations of Sustainable Urban Extensions (SUEs)\(^6\), which were largely carried over to the NNJCS. The SUEs include Hanwood Park or the East Kettering SUE as it was formerly known.

2.8 The SSP2 utilises the NNJCS spatial strategy, already found sound, and seeks to meet the area’s objectively assessed needs, as identified by the NNJCS. As the Inspector on the Borough of Wellingborough Plan stated:

"As this is a subsidiary plan there is therefore no requirement for me to re-examine the strategic issues which were covered in the JCS, where they were found to be sound"\(^7\).

2.9 In general, therefore, Hanwood Park LLP consider the Plan is positively prepared.

**Justified**

\(^4\) Court of Appeal Judgment (CAJ): Oxted Residential Ltd v Tandridge District Council; 29 April 2016 (Ref 2016 EWCA Civ 414) [Examination Document APP1].
\(^5\) Paragraph 11a - National Planning Policy Framework (February 2019)
\(^7\) Paragraph 11 - Report on the Examination of the Plan for the Borough of Wellingborough Part 2 Local Plan, 20 November 2018
2.10 Hanwood Park LLP consider the spatial strategy is the most appropriate strategy. The strategy of locating the majority of growth within Sustainable Urban Extensions (SUEs), especially committed SUEs is a well-established strategy across North Northamptonshire.

2.11 It was considered by Inspector Nigel Payne, in Paragraph 19 of his Report on the NNJCS\(^8\) that:

‘... taking into account what has been achieved through the 2008 plan, the urban focus of the strategy, including on large SUEs around the main towns, is sound and suitable, in principle, to deliver the vision and outcomes. It is also consistent with national policies in the NPPF, including in terms of the promotion of sustainable development, as reflected in policy 1 of the Plan, which is sound. Furthermore, the supporting evidence base relating to the strategy, vision and outcomes provides the necessary clear and robust justification for the choices made by the JPU, including in respect of the reasonable alternatives considered at the various stages of the plan preparation process, and in the accompanying SA/SEA (SUB 11), which considered initially four and then five, including dispersal, strategic options for accommodating the necessary growth.’

2.12 In addition to the evidence that supported the JCS, the SSP2 itself is supported by proportionate evidence, in the form of the Sustainability Appraisal.

2.13 As Paragraph 9.1 of the Site-Specific Part 2 Local Plan states, ‘the majority’ of the growth over the plan period within Kettering Borough will be provided through Hanwood Park. This strategy being taken from the JCS, found sound by Inspector Nigel Payne is considered by HPL to be "justified" in relation to the scale and distribution of development proposed.

\(^8\) Report on the Examination into the North Northamptonshire Joint Core Strategy, 22 June 2016
2.14 An important consideration for the Inspector to assess, is the effectiveness of the SSP2 in the delivery of the strategy of the NNJCS.

2.15 As outlined above, the Plan is reliant upon the delivery of Hanwood Park for "the majority" of growth within Kettering borough. As EXAM 2G details, Hanwood Park LLP are committed to continuing the delivery of the site and have a close working relationship with Kettering Borough Council.

2.16 Hanwood Park LLP anticipate being able to submit the new outline application in the autumn 2020. Nevertheless, Hanwood Park LLP has submitted a large number of reserved matters applications, for both enabling infrastructure, open space and housing development, which should be determined within the examination timescale of the SSP2. This will ensure that housing delivery can continue on site whilst the new outline application is being determined by the Council.

2.17 It should also be noted that the Business & Planning Act 2020 allows Hanwood Park LLP to continue to submit reserved matters pursuant to the existing outline consent until 1st May 2021. This will allow sufficient flexibility should Hanwood Park LLP receive market interest in other parcels within Phase 1 of the development that do not already have or await reserved matters approval.

2.18 Good progress is also being made with Highways England, the Department for Transport and Homes England surrounding the funding for Junction 10a of the A14, which is currently required for development beyond 2,700 dwellings. In line with the NNJCS, Hanwood Park LLP is confident that sufficient funding will be available to deliver the junction, to continue housing delivery on site and meet JCS housing requirements.

2.19 Therefore, Hanwood Park LLP consider the Plan to be effective, in relation to the scale and distribution of development.

**Consistent with national policy & JCS**

2.20 Hanwood Park LLP consider the scale and distribution of development within the Plan to be consistent with national policy and the Joint Core Strategy.

2.21 The scale and distribution of growth is consistent with the NPPF and will enable the delivery of sustainable development. The proposed distribution of
new housing in the Plan focuses on Kettering as the Growth Town, which minimises growth in the less sustainable rural areas elsewhere in the borough. Inspector Nigel Payne found the urban focus of the JCS spatial strategy sound and consistent with the NPPF, in Paragraph 19 of his Inspector’s Report\(^9\). Nothing has materially changed since this conclusion.

2.22 The scale of growth in the SSP2 Plan is consistent with the JCS, which requires Kettering Borough to supply 10,400 dwellings between 2011-2031. The SSP2 plan commits to 11,355 dwellings, through completions and existing commitments. Therefore, the housing supply proposed by KBC exceeds its requirement from the JCS, which allows for some flexibility.

2.23 The distribution of growth is outlined in Policy 29 of the NNJCS, with new housing to be accommodated in line with the NNJCS spatial strategy, with a strong focus on Growth Towns as the most sustainable locations for development. In addition, Policy 29 outlines that the Sustainable Urban Extensions will provide the focus of further development requirements. Kettering’s SSP2 follows the spatial strategy set by the JCS with a strong focus on sites within Kettering and the Sustainable Urban Extensions, such as Hanwood Park.

2.24 Therefore, Hanwood Park LLP consider the Plan to be consistent with both national policy and the adopted North Northamptonshire Joint Core Strategy.

\(^9\) Report on the Examination into the North Northamptonshire Joint Core Strategy, 22 June 2016
3.0 CONCLUSION

3.1 For all these reasons, on Matter 2, Hanwood Park LLP conclude that the spatial strategy of directing the majority of growth in Kettering borough towards the Growth Town of Kettering, including the Sustainable Urban Extension at Hanwood Park, is soundly based as it has been positively prepared, is justified, effective and consistent with national policy and the Joint Core Strategy.