Kettering Site Specific Part 2 Local Plan (SSP2)

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

**Matter 10 – Town Centres**

Week 2 - Day 3 – 15th 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 ('the Plan' or 'SSP2') states, 'the majority' of the growth over the plan period within Kettering Borough will be provided through the Hanwood Park development. The Hanwood Park development comprises up to 5,500 dwellings, schools, district and local centres, healthcare, employment, formal and informal open space including playing facilities, roads and associated infrastructure.

1.2 Hanwood Park is also included in “Emerging Local Centres” in Policy TCE7 of the Plan, which seeks to protect local centres (existing and emerging) to help safeguard these facilities for local communities.

1.3 This Statement responds to the Inspector’s Matters, Issues and Questions relating to Matter 10 – Town Centres but does not respond on each and every question just those having a bearing upon Hanwood Park and its "Emerging Local Centres”.

1.4 This Statement should be considered and read in conjunction with previous representations made on behalf of Hanwood Park LLP, including Statements made to respond to other Matters raised by the Inspector as part of the Examination of the Plan.
2.0 CONTEXT

2.1 Hanwood Park has an extant outline planning permission (KET/2015/0967) granted in 2018 for a large-scale urban extension, comprising 5,500 residential units, 119,300sq m of non-residential accommodation and related development. Within the approved development there is an allowance for the provision of one new district centre and three local centres. In total, the district centre has permission for up to 28,000sq m of non-residential floorspace, with up to 3,100sq m for the three local centres.

2.2 In terms of Class A floorspace, the district centre has permission for the following:
   - 2,100sq m of convenience goods (A1) floorspace
   - 3,000sq m of comparison goods (A1) floorspace
   - 250sq m of specialist A1 floorspace
   - 2,000sq m of Class A2 floorspace
   - 800sq m of Class A3/4/5 floorspace

2.3 For the local centres, the Class A floorspace is as follows:
   - 400sq m of convenience goods A1 floorspace
   - 700sq m of Class A3/4/5 floorspace
   - No allowance for Class A1 comparison goods floorspace

2.4 The original outline planning permission for Hanwood Park dates back to April 2010 (KET/2008/0274); this and the subsequent s73 permission (KET/2015/0967) required all reserved matters to be submitted before 1st April 2020; this has subsequently been extended to 1st May 2021 by the Business and Planning Act, 2020. The development is well underway with primary infrastructure in place, reserved matter approvals for 1,222 dwellings, pending reserved matter applications for a further 925 dwellings and well over 355 occupations.

2.5 HPL are preparing a new outline planning application and Environmental Impact Assessment for the remainder of Phase 1 and Phase 2 of the

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1 At the time of preparing this Statement based upon 22nd January 2020 figures
development, including the district centre in the “heart” of the development and local centres, including a Retail Assessment and commercial capacity advice from Avison Young. This is to be submitted in the Autumn 2020.
3.0 MATTERS, ISSUES & QUESTIONS

General

**Question 1 - The JCS identifies a minimum net increase of 12,500 square metres of net comparison shopping floorspace in Kettering which I understand will be provided in the TCAAP and its intended review. What progress has been made on the North Northamptonshire Retail Capacity Update? Is it likely to have any implications for approach to retail provision in the Plan?**

3.1 It should be noted that the existing permission for the Hanwood Park development includes provision for up to 3,000sq m of comparison floorspace in the district centre. This is not referenced in the North Northamptonshire Joint Core Strategy 2011-2031 (JCS) adopted in 2016. Hanwood Park (or Kettering East as it is referred to in the JCS) is indicated as a “committed” sustainable urban extension on the Key Diagram, subject to Policies 23 and 29 (Distribution of New Jobs and New Homes respectively) of the JCS. Otherwise, there is little if any reference to other elements of the urban extension, including retail provision, in the JCS.

3.2 The North Northamptonshire Retail Capacity Study (2014) ignores Hanwood Park / East Kettering. It should therefore be noted that Hanwood Park features as: (a) part of the committed retail floorspace capacity in Kettering; and (b) will soak up part of the net additional retail floorspace capacity with the Plan’s timeframe.

**TCE1 – Town Centre Boundaries**

**Question 2 - Does this policy provide a clear indication of how a decision maker should react to a development proposal? Would the boundaries be better referred to in Policies BLA1, DES1 and ROT1?**

3.3 In light of the above and in terms of soundness it would enhance the clarity of the Plan if Paragraphs 6.3 and 6.4 of the supporting text made reference to the fact that Hanwood Park’s district and local centres will also provide
additional floorspace alongside provision in the existing higher order town centre(s). HPL expect the local centres to be a formal part of the ‘town centre’ hierarchy, and, therefore, the potential impact upon these centres will be a material consideration for separate edge and out of centre proposals in the future.

**Policy TCE5 - Application of the Sequential Test**

**Question 12 - What provision is made for the local centres in the SUEs in the JCS? Is the inclusion of what appears to be policy in the supporting text at paragraph 6.20 effective? Is this approach not to require a sequential assessment in the SUEs justified?**

3.4 As indicated in Paragraph 3.1 above, there is no reference to local centres in the SUEs in the JCS, but Kettering East is shown in the JCS as a committed SUE. See extract from the JCS Key Diagram below as Figure 1.

![Figure 1 - Extract from Figure 12 North Northamptonshire Key Diagram - JCS](image)
3.5 Therefore, HPL support the content of Paragraph 6.20, which is reflected in the wording in Policy TCE5, as it ties in with national policy in the National Planning Policy Framework, 2019 (NPPF) and the retail and other facilities required to support a sustainable urban extension of up to 5,500 dwellings and related development shown in the adopted JCS. Paragraph 86 of the NPPF states that ‘Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan.’

**TCE6 - Locally Set Impact Assessment**

*Question 14 - Does Policy TCE6 accord with the advice at paragraph 89 of the Framework regarding impact assessments?*

3.6 HPL consider that in respect of Paragraph 6.21 of the Plan and Policy TCE6 if local centres in SUEs are (conditionally) exempt from the Sequential Test in the NPPF then the same should apply to Impact Assessments for development of these centres. This should be clarified in the Plan, for the avoidance of doubt, to ensure that the Plan is effective and therefore sound.

**Policy TCE7 - Protection of Local Centres**

*Question 17 - What is an emerging Local Centre? Is the inclusion of what appears to be policy in the supporting test at paragraph 6.25 effective?*

3.7 The “emerging Local Centres” are the District and Local Centres at the Hanwood Park development (see Section 2.0 of this Statement). This is shown on the approved Strategic Master Plan for the development included as Figure 2 below.

3.8 The approved Design Code for the development describes the District Centre as: 'the commercial and community heart of East Kettering. It will contain a variety of uses, including the primary food store and secondary school, health care facilities and small-scale local businesses. It will also contain a considerable amount of residential development including apartments. It will be an excellent location for specialist housing for the
elderly, given the proximity of services and facilities, public transport, open space and potentially, community allotments.’

3.9 The Design Code sees the Local Centres playing an important role within the residential areas, creating a focal point for community facilities and opportunities for local convenience shopping and small-scale employment.

Figure 2 - Approved Strategic Master Plan - District & Local Centres
3.10 Paragraph 6.25 is repeated in Policy TCE7 and provides the context and rationale for the policy. In doing this, it is considered to be effective.

3.11 The first sentence of Paragraph 6.22 of the Plan suggests that local centres are part of the retail hierarchy. However, to be consistent with national policy and sound, HPL consider the Plan should be subject to modification to clearly acknowledge that local centres are ‘town centres’ under the NPPF definition contained in Annex 2: Glossary (emphasis added).

Town centre: Area defined on the local authority’s policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.

3.12 HPL support the inclusion of Hanwood Park’s local centres in Policy TCE7. It is worth noting that there will be a district and more than one local centre at Hanwood Park, as per the permission, and that Hanwood Park will accommodate part of the identified need for additional retail and main town centre use floorspace to meet local needs.

3.13 Finally, HPL also consider that the Plan should have regard to the forthcoming changes to the Town and Country Planning (Use Classes) Order, 1987 (as amended) from 1st September 2020; there will be a need to consider the implications of the change from some Class A and B1 and D1/2 uses to the new Class E and how this should be addressed in the Plan in relation to “town centre uses”. We note however that this is the subject of a legal challenge in the High Court.
4.0 CONCLUSION

4.1 Overall, Hanwood Park LLP consider Chapter 6 – Town Centres of the Plan to be sound subject to modifications as set out in this Statement.

4.2 Hanwood Park is listed as being one of the Borough’s local centres, which reflects the existing outline planning permission, large number of approvals and the emerging sustainable urban extension, which is identified as a committed SUE in the adopted JCS. The local centre or centres at Hanwood Park should be recognised as part of the formal ‘town centre’ hierarchy and identified as accommodating part of the new retail and main town centre use floorspace to support the principal housing and employment growth in Kettering.