Kettering Site Specific Part 2 Local Plan (SSP2) (2011-2031) Examination

Matter 5 – Housing Allocations in Kettering and Barton Seagrave

Matter Statement by Kettering Borough Council

September 2020
## Contents

<table>
<thead>
<tr>
<th>Introduction</th>
<th>Page No</th>
</tr>
</thead>
<tbody>
<tr>
<td>KET1 – Scott Road Garages</td>
<td>1</td>
</tr>
<tr>
<td>KET2 – Former Kettering Town Football Club, Rockingham Road</td>
<td>5</td>
</tr>
<tr>
<td>KET3 – Kettering Fire Station, Headlands</td>
<td>9</td>
</tr>
<tr>
<td>KET4 – Land west of Kettering, Gipsy Lane</td>
<td>13</td>
</tr>
<tr>
<td>KET5 – Glendon Ironworks, Sackville Street</td>
<td>17</td>
</tr>
<tr>
<td>KET6 – Ise Garden Centre, Warkton Lane</td>
<td>21</td>
</tr>
<tr>
<td>KET7 – Factory adjacent to 52 Lawson Street</td>
<td>24</td>
</tr>
<tr>
<td>KET8 – Land to the rear of Cranford Road</td>
<td>28</td>
</tr>
<tr>
<td>KET9 – McAlpine’s Yard, Pytchley Lodge Road</td>
<td>32</td>
</tr>
<tr>
<td>KET10 – Land at Wicksteed Park, east of Sussex Road and Kent Place</td>
<td>36</td>
</tr>
</tbody>
</table>

**KET9 - Question 12:** Does the objection from the Environment Agency with regard to reservoir breach flooding remain? What progress has been made on this matter and has a Statement of Common Ground been agreed? Can an indication of the implications of a continued objection to the proposed allocation from the Environment Agency and what contingencies the Council would need to be made in these circumstances be provided? **Page 41**

**KET10 - Question 13:** Is the additional text proposed by MM21 in relation to aspirations for a larger area of land justified and effective? Does this area of land need to be included in the site for the provisions of Policy KET10 to be applied as suggested? Has the SA recommendation for mitigation and enhancement in relation to cultural heritage been taken forward in the policy wording? What does ‘strategically located’ mean? **Page 42**

| Conclusion | 43 |
| Appendices | 44 |
| Appendix 1: List of Reference Documents | 44 |
1. Introduction

1.1. This statement sets out the Council’s response to Matter 5: Housing Allocations in Kettering and Barton Seagrave, questions 1 - 12, in respect of the following issues:

Whether the following housing allocations are soundly based.

- KET1 Scott Road Garages (22 dwellings)
- KET2 Former Kettering Town Football Club, Rockingham Road (49)
- KET3 Kettering Fire Station, Headlands (13)
- KET4 Land West of Kettering, Gipsy Lane (350)
- KET5 Glendon Ironworks, Sackville Street (33)
- KET6 Ise Garden Centre, Warkton Lane (15)
- KET7 Factory adjacent to 52 Lawson Street (25)
- KET8 Land to the rear of Cranford Road (60)
- KET9 Mc Alpine’s Yard, Pytchley Lodge Road, Kettering (217) and 1 ha of employment land (see below)
- KET10 Land at Wicksteed Park, east of Sussex Road and Kent Place (30-35)

1.2. The statement also addresses any representations which the Council considers are of particular significance or concern, where this is the case the relevant respondent number and comment id are provided.

1.3. All documents referred to in this statement are listed in Appendix 1, submission document numbers are provided throughout where applicable.

2. KET1 – Scott Road Garages, Kettering

Question 1 - Are the housing allocations appropriate and justified in light of the potential constraints, infrastructure requirements and adverse impacts?

2.1. This site has been subject to a site assessment using a consistent methodology throughout the preparation of the SSP2. This methodology was first set out in the Housing Allocations Background Paper (2012). This process sought to ensure the sites that are identified as allocations in PKB1 would be most suitable and appropriate to meet the residual housing requirement as set out in Table 4.3 of PKB1 and HOU1. Whilst simultaneously identifying potential constraints, infrastructure requirements and any requirements for the mitigation of any adverse impacts.

2.2. Appendix 3 of the Housing Allocations Background Paper – 2018 (HOU6) provides a summary assessment sheet for this site. The information included in this is sourced from more detailed assessments undertaken by the Council. A summary of all the scores for this site can be found within Appendix 2 of HOU6.
2.3 The site assessment for this identified a number of constraints following consultation with statutory consultees and the assessment of other criteria which were assessed solely by the Council. The first constraint identified was the potential for unstable land and contamination, the other significant constraint was the risk of ground water flooding. However, it was considered that these constraints can be overcome through mitigation and therefore criterion c) and h), respectively, has been included in Policy KET1. In addition, criterion a) has been included in Policy KET1 to ensure that access can be maintained to the allotments and PROW adjacent to the site. This is all shown within Appendix 3 of HOU6.

Question 2 - Are there any significant factors that indicate that any sites/parts of sites should not have been allocated?

2.4. The Council is confident that there are no significant factors, identified through the site assessment process that would indicate that this site or any part of the site should not have been allocated.

Question 3 - Are the sites viable and deliverable? Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery?

2.5. The Viability Assessment of the SSP2 (VIA1) sought to assess the viability of the site. However, the approach taken for the assessment, as guided by PPG, was not to individually assess each site but to identify typologies based on ‘location, whether brownfield or greenfield, size of site and current and proposed use or type development’ as set out in paragraph 5.5 of VIA1 and in response to question 4 of Matter 3 (Infrastructure and Viability). As a result, Aspinall Verdi, identified 15 different typologies, across the three value zones, and split by their brownfield/greenfield status and site yield.

2.6. Through the assessment of policies in PKB1, VIA1 found that Policy KET1 had ‘Low’ impact on viability as shown in Appendix 2 of VIA1. This is reflected in the results of the testing of the typologies identified for residential development, which found that most of the typologies can provide their affordable housing target, set out in paragraph 9.18 of VIA1. This is despite the site being within the mid-value zone, where two of the four scenarios tested found to be unviable with 30%, as shown in paragraph 9.11 in VIA1. However, given that the approved application (KET/2018/0799) proposes the whole site for affordable dwellings, the Council consider that this demonstrates that this percentage is viable on this site.

2.7. As set out in response to question 4 of Matter 3 the Council consider the methodology used to assess the viability of Policy KET1 is robust and is confident in the viability assessment results, associated with this site.

2.8. This site has been included within Appendix 1 (SSP2 Housing Site Schedule) Housing Land Supply Background Paper – 2019 (HOU1). The justification for its inclusion is set out in the schedule. In accordance with the NPPF and PPG,
this site is considered ‘deliverable’, given that it is considered a suitable location for development. As set out above, the timescale of anticipated delivery shown in the aforementioned Site Schedule (HOU1) has been informed by site promoters. Therefore, and as further emphasised in the response to Question 9, although the site has an unimplemented planning permission, the Council is confident that the site is deliverable within the plan period.

2.9 The justification for the entry for this site within Appendix 1 HOU1, states that ‘Site has detailed planning permission, therefore considered deliverable until permission expires. Council led development. Deliverable within five years’.

Question 4 - How were the site capacities determined? What assumptions have been made? Are these justified?

2.10. The capacity of this site has been determined through the yield of the planning application (KET/2018/0799), as 22 dwellings. The Council recognises that Table 3 of the Housing Background Paper – 2018 (HOU6) states the indicative yield was 25 dwellings. At this stage the work was being undertaken to prepare the planning application for this site, to determine its capacity, the current capacity has been reduced to reflect the figure granted planning permission as set out above.

Question 5 - What is the current planning status of the site?

2.11. A full planning application for this site was approved for 22 dwellings on 22/03/2019. Monitoring of housing sites for the year 19/20 indicated that construction on the site is yet to commence.

Question 6 - What benefits would the proposed development bring?

2.12. Planning permission has been granted for 22 dwellings all of which will be affordable units under the application reference KET/2018/0799. This will provide additional affordable units above that required (30%) of a site of this size in this location by Policy 30 of the JCS. This site is owned by the Council and will be developed by them, to enhance their level of affordable stock to meet demand in the town. However, if this application is not built out, further applications on the site would only be required to meet the 30% requirement in accordance with Policy 30 of the JCS.

2.13. Development of the site likely to make a visual improvement to the character of the area, as set out in Appendix 3 of HOU6, which shows the detailed assessment of the site. Criterion f) of Policy KET1 requires a high quality landscape scheme, this will ensure the appearance of the site will be enhanced.

2.14. Developer contributions have been secured through the granting of planning permission.
Question 7 - What are the potential adverse impacts of developing the site and how might they be mitigated?

2.15. The Council considers that there are no potential adverse impacts associated with the development of this site.

Question 8 - Would the Modifications proposed by the Council address any shortcomings?

2.16. MM8 and MM9 of EXAM2D seek to address comments made by Anglian Water (comment ID 83) and Environment Agency (comment ID 242), respectively.

2.17. MM8 acknowledges that Anglian Water has an existing sewer within the boundary of the site and the site layout should be designed to take this into account and that an additional criterion (l) should be inserted into Policy KET1 to ensure that proposals for this site take this into account. The Council considers that this modification does not seek to address any shortcomings on this site, but rather provide clarity and acknowledge the presence of existing infrastructure within the site boundary, ensuring that the policy accounts for this.

2.18. In addition, MM9 responds to representations made by the Environment Agency who addressed concerns relating to criterion c) which required the addition of the following wording, ‘and the natural environment’. The Council consider this necessary to ensure that there is no risk on the natural environment, from any contamination which may be present on the site. Again, this modification does not seek to address any shortcomings of the site, but rather ensure the contamination assessment considers the natural environment, although it would be a reasonable assumption for this to be taken into account anyway, this just provides additional certainty for both the Council and the Environmental Agency that this matter is appropriately dealt with.

Question 9 - What is the expected timescale and rate of development and is it realistic?

2.19. The estimated timescales for delivery are set out in the Housing Site Schedule from HOU1. However, given the site is Council owned, a more recent update (August 2020) on this can be provided. This is shown below. This site is expected to be delivered by the Council in the shorter term.

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Question 10: Is the boundary of the site appropriate? Is there any justification for amending the boundary?

2.20. The site boundary for this site is the same as that reflected in the planning permission. This boundary has remained constant throughout the site assessment process.

Question 11: Are the detailed policy requirements for each site, effective, justified and consistent with national policy? Are they needed when some of the sites already have planning permission?

2.21 The policy requirements for the site have been collated following the findings of the site assessment, where the various criteria have been assessed through consultation with statutory consultees as well as based on the Council’s informed judgement. The assessments required by criteria b, g, h and i have all been based on advice from relevant statutory consultees in relation to heritage, surface water drainage and flood risk. The other criteria are considered important in this policy to ensure that development of the site reflects and is sympathetic to its local context as well simultaneously seeking to achieve a high quality development which benefits the local community.

2.22 The Council considers the policy requirements included within Policy KET1 to be effective, justified and consistent policy. These have been included on this site, despite it benefiting from full planning permission. This is because construction on the site is yet to commence and therefore to ensure greater certainty that this site will be delivered Policy KET1 has been included within PKB1.

3. KET2 – Former Kettering Town Football Club, Rockingham Road, Kettering

Question 1 - Are the housing allocations appropriate and justified in light of the potential constraints, infrastructure requirements and adverse impacts?

3.1. This site has been subject to a site assessment using a consistent methodology throughout the preparation of the SSP2. This methodology was first set out in the Housing Allocations Background Paper (2012). This process sought to ensure that the sites identified as allocations in PKB1 would be most suitable and appropriate to meet the residual housing requirement as set out in Table 4.3 of PKB1 and HOU1. Whilst simultaneously identifying potential constraints, infrastructure requirements and any requirements for the mitigation of any adverse impacts.
3.2. Appendix 3 of the Housing Allocations Background Paper – 2018 (HOU6) provides a summary assessment sheet for this site. The information included in these is sourced from more detailed assessments undertaken by the Council. A summary of all the scores for this site can be found within Appendix 2 of HOU6.

3.3. The site assessment for this identified a number of constraints following consultation with statutory consultees and the assessment of other criteria which were assessed solely by the Council. The first constraint identified was the potential for unstable land. However, it was considered that the constraints could be overcome through mitigation and therefore criterion a) has been included in Policy KET2. In addition, given that the former use of the site was a football stadium, it was considered that mitigation of its loss was required, hence the inclusion of criterion d). Although not specifically identified as a constraint, a flood risk assessment has been required through criterion f) based on the size of the site.

Question 2: Are there any significant factors that indicate that any sites/parts of sites should not have been allocated?

3.4. The Council is confident that there are no significant factors, identified through the site assessment process that would indicate that this site or any part of the site should not have been allocated.

Question 3 - Are the sites viable and deliverable? Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery?

3.5. The Viability Assessment of the SSP2 (VIA1) sought to assess the viability of the site. However, the approach taken for the assessment, as guided by PPG, was not to individually assess each site but to identify typologies based on ‘location, whether brownfield or greenfield, size of site and current and proposed use or type development’ as set out in paragraph 5.5 of VIA1 and in response to question 4 of Matter 3 (Infrastructure and Viability). As a result, Aspinall Verdi, identified 15 different typologies, across the three value zones, and split by their brownfield/greenfield status and site yield.

3.6. Through the assessment of policies in PKB1, VIA1 found that Policy KET2 had ‘Low’ impact on viability as shown in Appendix 2 of VIA1. This is reflected in the results of the testing of the typologies identified for residential development, which found that most of the typologies can provide their affordable housing target, set out in paragraph 9.18 of VIA1. This is despite the site being within the low-value zone, all scenarios tested found to be unviable with 30%, are shown in paragraph 9.10 in VIA1.

3.7. As set out in response to question 4 of Matter 3 the Council considers the methodology used to assess the viability of Policy KET2 is robust and is confident in the viability assessment results, associated with this site.
3.8. This site has been included within Appendix 1 (SSP2 Housing Site Schedule) Housing Land Supply Background Paper – 2019 (HOU1). The justification for its inclusion is set out in the schedule. In accordance with the NPPF and PPG, this site is considered ‘deliverable’, given that it is considered a suitable location for development. As set out above, the timescale of anticipated delivery shown in the aforementioned Site Schedule (HOU1) has been informed by site promoters.

3.9. The justification for the entry for this this site within Appendix 1 HOU1, states that ‘This site is identified on the Council's Brownfield register. It is also an emerging plan allocation with a pending full planning application (KET/2018/0519), the application has a resolution to grant planning permission subject to S106. Demolition and site clearance undertaken. Agent has advised that start on site is expected April 2020 with completion 18-24 months after start. Site is considered deliverable as there is clear evidence, through progress with the application, that housing completions will begin within five years’.

**Question 4: How were the site capacities determined? What assumptions have been made? Are these justified?**

3.10. The capacity of this site has been determined through the yield of the planning application (KET/2018/0519), as 49 dwellings. Although this planning application has been refused, a subsequent application has been received and is currently under consideration and has yet to be determined, for the same number. The capacity therefore has remained at 49 dwellings.

**Question 5: What is the current planning status of the site?**

3.11. A full planning application for this site was refused for 49 dwellings on 23/02/2020. An appeal on this decision has been received and subsequently decided. This appeal was dismissed. A new application (KET/2020/0101) on the site is currently under consideration by the Council. This application was taken to Planning Committee on 25th August, although a decision has yet to be issued.

**Question 6: What benefits would the proposed development bring?**

3.12. This site currently has an active planning application (KET/2020/0101) for 49 dwellings, which was submitted following the refusal of previous application for the same proposal (KET/2018/0519). Although the site has been demolished already, the development of residential units on the site would significantly improve the unsightly frontages that were previously present on the site when the vacant football stadium was located on the site.

3.13. As well as this, criterion b) of Policy KET2 allows for modifications to the current roundabout on Rockingham Road, whilst it is recognised this is required because of the additional traffic associated with the development of the site,
this enhancement could potentially improve overall traffic flow in this part of Kettering.

3.14. Given that the site was previously in use as a football stadium, through the planning application process it was agreed that the development of the site could contribute to off-site contributions to existing football facilities in the Borough, more specifically North Park, Weekley Glebe Road, or an appropriate alternative facility as required in criterion d) of Policy KET2 in PKB1.

3.15. Criterion g) also requires the provision of 30% of dwellings on the site to be affordable units, in accordance with Policy 30 of the JCS and therefore contributes to meeting the demand for this type of accommodation in Kettering.

3.16. A development of this scale could also require developer contributions, through a s.106 agreement which has the potential to provide both on-site and off-site contributions.

**Question 7: What are the potential adverse impacts of developing the site and how might they be mitigated?**

3.17. The Council considers that there are no potential adverse impacts associated with the development of this site.

**Question 8: Would the Modifications proposed by the Council address any shortcomings?**

3.18. There are no Main Modifications proposed for Policy KET2.

**Question 9: What is the expected timescale and rate of development and is it realistic?**

3.19. The table below indicates the estimated timescales for delivery as set out in the Housing Site Schedule from HOU1. This is based on the most up to date information from the site promoter and is therefore considered realistic. This is expected to be delivered in the short term, given there is a pending application on this site.

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Question 10: Is the boundary of the site appropriate? Is there any justification for amending the boundary?

3.20. The site boundary for this site is the same as that reflected in the planning permission. This boundary has remained constant throughout the site assessment process.

Question 11: Are the detailed policy requirements for each site, effective, justified and consistent with national policy? Are they needed when some of the sites already have planning permission?

3.21. The policy requirements for the site have been collated following the findings of the site assessment, where the various criteria have been assessed through consultation with statutory consultees as well as based on solely the Council’s informed judgement.

3.22. The assessments required by criteria e and f have all been based on advice from relevant statutory consultees in relation to surface water drainage and flood risk. The other criteria are considered important in this policy to ensure that development of the site reflects and is sympathetic to its local context as well simultaneously seeking to achieve a high quality development which benefits the local community.

3.23. Given the site’s location criterion b) has been included to ensure safe and adequate access can be made onto Rockingham Road, through improvements to the highway here, through potential modifications to the roundabout, in accordance with Policy 8 of the JCS.

4. KET3 – Kettering Fire Station, Headlands, Kettering

Question 1: Are the housing allocations appropriate and justified in light of the potential constraints, infrastructure requirements and adverse impacts?

4.1. This site has been subject to a site assessment using a consistent methodology throughout the preparation of the SSP2. This methodology was first set out in the Housing Allocations Background Paper (2012). This process sought to ensure that the sites identified as allocations in PKB1 would be most suitable and appropriate to meet the residual housing requirement as set out in Table 4.3 of PKB1 and HOU1. Whilst simultaneously identifying potential constraints, infrastructure requirements and any requirements for the mitigation of any adverse impacts.

4.2. Appendix 3 of the Housing Allocations Background Paper – 2018 (HOU6) provides a summary assessment sheet for this site. The information included in these is sourced from more detailed assessments undertaken by the Council. A summary of all the scores for this site can be found within Appendix 2 of HOU6.

4.3. The site assessment did not identify any significant constraints that would preclude development of the site. Those constraints that were identified were
considered to be capable of being overcome through the inclusion of criteria within the policy allocating the site (KET3). The main issue identified was the location of the site, within an area of Kettering with a strong character regarding the architecture and design of properties, the Headlands. As mentioned above, this has been addressed through criterion c) of Policy KET3. Other constraints identified were in relation to unstable land and contamination due to the current use of the site, this is addressed through criterion a). Although not specifically identified as a constraint, a flood risk assessment has been required through criterion f) based on the size of the site.

Question 2: Are there any significant factors that indicate that any sites/parts of sites should not have been allocated?

4.4. The Council is confident that there are no significant factors, identified through the site assessment process that would indicate that this site or any part of the site should not have been allocated.

Question 3 - Are the sites viable and deliverable? Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery?

4.5. The Viability Assessment of the SSP2 (VIA1) sought to assess the viability of the site. However, the approach taken for the assessment, as guided by PPG, was not to individually assess each site but to identify typologies based on ‘location, whether brownfield or greenfield, size of site and current and proposed use or type development’ as set out in paragraph 5.5 of VIA1 and in response to question 4 of Matter 3 (Infrastructure and Viability). As a result, Aspinall Verdi, identified 15 different typologies, across the three value zones, and split by their brownfield/greenfield status and site yield.

4.6. Through the assessment of policies in PKB1, VIA1 found that Policy KET3 had ‘Low’ impact on viability as shown in Appendix 2 of VIA1. This is reflected in the results of the testing of the typologies identified for residential development, which found that most of the typologies can provide their affordable housing target, set out in paragraph 9.18 of VIA1.

4.7. This site is located within the middle value zone. As shown in VIA1, the findings for this zone for brownfield sites indicated that two of the 4 scenarios tested for this typology were unviable with 30% affordable housing.

4.8. This site has been included within Appendix 1 (SSP2 Housing Site Schedule) Housing Land Supply Background Paper – 2019 (HOU1). The justification for its inclusion is set out in the schedule. In accordance with the NPPF and PPG, this site is considered ‘deliverable’, given that it is considered a suitable location for development. As set out above, the timescale of anticipated delivery shown in the aforementioned Site Schedule (HOU1) has been informed by site promoters.
4.9. The justification for the entry for this site within Appendix 1 HOU1, states that ‘This site has been assessed as a suitable location for development, development requires the relocation of the fire station. Site could be developed viably at the point of time envisaged. Information provided by the site promoter has informed the site schedule’.

Question 4: How were the site capacities determined? What assumptions have been made? Are these justified?

4.10. The site capacity was originally based on 30dph, which was calculated at approximately 17/18 dwellings. The anticipated yield for the site when submitted as part of the SHLAA was 37 dwellings, however it was considered to be too high, hence the reduction in the figure. The further reduction of the capacity was to address comments (comment ID 392) from residents who occupy a property which was previously included within the site boundary, which has been subsequently removed, received during consultation on the Draft Plan (PKB4). This reduction was based on 30dph.

Question 5: What is the current planning status of the site?

4.11. There is currently no planning application on the site.

Question 6: What benefits would the proposed development bring?

4.12. Criterion c) of Policy KET3 requires development of this site to reflect local character and vernacular. Given that the site is currently in use as a fire station, redevelopment of the site for residential use, which is in accordance with this criterion, has the potential to enhance the quality of the built form in this area of Kettering.

4.13. Criterion e) also requires the provision of 30% of dwellings on the site to be affordable units, in accordance with Policy 30 of the JCS, and therefore contributes to meeting the demand for this type of accommodation in Kettering.

4.14. A development of this scale could also require developer contributions, through a s.106 agreement which has the potential to provide both on-site and off-site contributions.

Question 7: What are the potential adverse impacts of developing the site and how might they be mitigated?

4.15. The Council considers that there are no potential adverse impacts associated with the development of this site.

Question 8: Would the Modifications proposed by the Council address any shortcomings?

4.16. MM10 and MM11 of EXAM2D seek to address comments made by Anglian Water (comment ID 78) and Environment Agency (comment ID 242), respectively.
4.17. MM10 acknowledges that Anglian Water has an existing sewer and water main within the boundary of the site and the site layout should be designed to take this into account, and that an additional criterion (f) should be inserted into Policy KET3 to ensure that proposals for this site take this into account. The Council does not consider that this modification seeks to address any shortcomings on this site, but rather provides clarity and acknowledges the presence of existing infrastructure within the site boundary, ensuring that the policy accounts for this.

4.18. In addition, MM11 responds to representations made by the Environment Agency to address concerns relating to criterion a) which required the addition of the following wording, ‘and the natural environment’. The Council consider this necessary to ensure that there is no risk to the natural environment, from any contamination which may be present on the site. Again, this modification does not seek to address any shortcomings of the site, but rather ensure the contamination assessment considers the natural environment, although it would be a reasonable assumption for this to be taken into account anyway. This provides additional certainty for both the Council and the Environmental Agency that this matter is appropriately dealt with.

Question 9: What is the expected timescale and rate of development and is it realistic?

4.19. The table below indicates the estimated timescales for delivery as set out in the Housing Site Schedule from HOU1. This is based on the most up to date information from the site promoter and is therefore considered realistic. This site is expected to be delivered in the longer term, towards the end of the plan period, given that the development of the site requires the relocation of the currently operational fire station.

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Question 10 - Is the boundary of the site appropriate? Is there any justification for amending the boundary?

4.20. Through consultation on the Draft Plan (PKB4) a representation (comment ID 392) was received in relation to this site, raising concerns in relation to the boundary of this site. This was because the plan shown within the Draft Plan (PKB4) included a residential property that was currently occupied. This property was not intended to be included within the allocation of the site. The Council’s response as shown in Appendix 2a of the SSP2 report taken to Planning Policy
Committee on 22\textsuperscript{nd} January 2019 sought to remove the property from the site allocation boundary. The boundary shown in both \textit{PKB1} and \textit{EXAM2D} show that of the amended boundary to remove this area in the north east corner of the site. The site yield was also amended accordingly, reducing the site’s yield from 17 to 13 dwellings.

Question 11 - Are the detailed policy requirements for each site, effective, justified and consistent with national policy? Are they needed when some of the sites already have planning permission?

4.21. The policy requirements for the site have been collated following the findings of the site assessment, where the various criteria have been assessed through consultation with statutory consultees as well as based on the Council’s informed judgement.

4.22. The assessment required by criteria d) and f) have all been based on advice from the relevant statutory consultees in relation to surface water drainage. The other criteria are considered important in this policy to ensure that development of the site reflects and is sympathetic to its local context as well simultaneously seeking to achieve a high quality development which benefits the local community, especially given the location of the site.

4.23. Given the site’s location criterion b) has been included to ensure safe and adequate access can be made onto Headlands to reflect comments made by NCC Highways during the site assessment process.

5. KET4 – Land west of Gipsy Lane, Kettering

Question 1 - Are the housing allocations appropriate and justified in light of the potential constraints, infrastructure requirements and adverse impacts?

5.1. This site has been subject to a site assessment using a consistent methodology throughout the preparation of the SSP2. This methodology was first set out in the Housing Allocations Background Paper (2012). This process sought to ensure that the sites identified as allocations in \textit{PKB1} would be most suitable and appropriate to meet the residual housing requirement as set out in Table 4.3 of \textit{PKB1} and \textit{HOU1}. Whilst simultaneously identifying potential constraints, infrastructure requirements and any requirements for the mitigation of any adverse impacts.

5.2. Appendix 3 of the Housing Allocations Background Paper – 2018 (\textit{HOU6}) provides a summary assessment sheet for this site. The information included in these is sourced from more detailed assessments undertaken by the Council. A summary of all the scores for this site can be found within Appendix 2 of \textit{HOU6}.

5.3. The site assessment for this site identified a number of constraints following consultation with statutory consultees and the assessment of other criteria which were assessed solely by the Council. The first constraint identified was
Matter 5 - Housing Allocations in Kettering and Barton Seagrave
Statement by Kettering Borough Council
September 2020

in relation to noise, given the site’s close proximity to the A14, along the site’s western boundary. This has been subsequently addressed through the inclusion of criterion b) in Policy KET4. The inclusion of criteria c) to e) have been included to address comments from statutory consultees in relation to flood risk and surface water drainage. Although not identified as a constraint, there is likely to be significant impact on the highway network, this has been addressed through the planning application and has been reflected in criterion h) of Policy KET4.

Question 2 - Are there any significant factors that indicate that any sites/parts of sites should not have been allocated?

5.4. The Council is confident that there are no significant factors identified through the site assessment process that would indicate that this site or any part of the site should not have been allocated.

Question 3: Are the sites viable and deliverable? Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery?

5.5. The Viability Assessment of the SSP2 (VIA1) sought to assess the viability of the site. However, the approach taken for the assessment, as guided by PPG, was not to individually assess each site but to identify typologies based on ‘location, whether brownfield or greenfield, size of site and current and proposed use or type development’ as set out in paragraph 5.5 of VIA1 and in response to question 4 of Matter 3 (Infrastructure and Viability). As a result, Aspinall Verdi, identified 15 different typologies, across the three value zones, and split by their brownfield/greenfield status and site yield.

5.6. Through the assessment of policies in PKB1, VIA1 found that Policy KET4 had ‘Low’ impact on viability as shown in Appendix 2 of VIA1. This is reflected in the results of the testing of the typologies identified for residential development, which found that most of the typologies can provide their affordable housing target, set out in paragraph 9.18 of VIA1. This is despite the site being within the low-value zone, all scenarios tested found to be unviable with 30%, as shown in paragraph 9.10 in VIA1. However, given that the approved application (KET/2015/0551) proposes affordable dwellings in accordance with Policy 30 of the JCS, the Council considers that this demonstrates that this percentage is viable on this site.

5.7. This site is located within the middle value zone. As shown in VIA1, the findings for this zone for brownfield sites indicated that two of the 4 scenarios tested for this typology were unviable with 30% affordable housing.

5.8. This sites has been included within Appendix 1 (SSP2 Housing Site Schedule) Housing Land Supply Background Paper – 2019 (HOU1). The justification for its inclusion is set out in the schedule. In accordance with the NPPF and PPG, this site is considered ‘deliverable’, given that it is considered a suitable location for development. As set out above, the timescale of anticipated delivery shown in the aforementioned Site Schedule (HOU1) has been
informed by the site promoters. Therefore, and as further emphasised in the response to Question 9, although the site has an unimplemented planning permission, the Council is confident that the site is deliverable within the plan period.

5.9. The justification for the entry for this site within Appendix 1 HOU1, states that ‘Outline planning permission. Reserved matters anticipated early 2020. Build out rate of 50 dwellings a year based on 1 outlet. Time allowed in schedule for submission of reserved matters and start on site. Clear evidence that the site will be delivered within five years’.

Question 4 - How were the site capacities determined? What assumptions have been made? Are these justified?

5.10. The site was considered for 250 dwellings through the SHLAA process, however the planning application for 350 dwellings and the site assessment of the site has demonstrated that this capacity is justified.

Question 5 - What is the current planning status of the site?

5.11. Outline application (KET/2015/0551) for 350 dwellings allowed on appeal, following a decision of non-determination (deemed refusal) on 21/02/2018.

Question 6 - What benefits would the proposed development bring?

5.12. Criterion g) of Policy KET4 requires a net gain in biodiversity, where development of the site has potential to strengthen nearby ecological corridors.

5.13. A development of this size (350 dwellings) is likely to have a significant impact on the local highway network. Therefore, as proposed through the application and criterion h) of Policy KET4, improvements to the junction of Warren Hill and Gipsy Lane, through the provision of a roundabout are required. This has the potential not to just mitigate the impact of this development but enhance the highway network of this part of Kettering assisting to improve traffic flow and reduce congestion.

5.14. Criterion j) also requires the provision of 30% of dwellings on the site to be affordable units, in accordance with Policy 30 of the JCS and therefore contributes to meeting the demand for this type of accommodation in Kettering.

5.15. A development of this scale could also require developer contributions, through a s.106 agreement which has the potential to provide both on-site and off-site contributions.
Question 7 - What are the potential adverse impacts of developing the site and how might they be mitigated?

5.16. The Council considers that there are no potential adverse impacts associated with the development of this site.

Question 8 - Would the Modifications proposed by the Council address any shortcomings?

5.17. MM12 of EXAM2D seek to address comments made by Anglian Water (comment ID 79).

5.18. MM12 acknowledges that Anglian Water has an existing sewer and water main within the boundary of the site and the site layout should be designed to take this into account and that an additional criterion (k) should be inserted into Policy KET4 to ensure that proposals for this site take this into account. The Council does not consider that this modification seeks to address any shortcomings on this site, but rather provides clarity and acknowledges the presence of existing infrastructure within the site boundary.

Question 9 - What is the expected timescale and rate of development and is it realistic?

5.19. The table below indicates the estimated timescales for delivery as set out in the Housing Site Schedule from HOU1. This is based on the most up to date information from the site promoter and is therefore considered realistic. Support for this site has been provided through representations on PKB1 (comment ID 137). This representation also states that KET4 meets all the tests of soundness. This site is expected to be delivered between the next monitoring year and the end of the plan period, because of its scale.

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Question 10 - Is the boundary of the site appropriate? Is there any justification for amending the boundary?

5.20. The boundary of the site is considered appropriate given that it is the same associated with the planning application on this site (KET/2015/0551).

Question 11 - Are the detailed policy requirements for each site, effective, justified and consistent with national policy? Are they needed when some of the sites already have planning permission?
5.21. The policy requirements for the site have been collated following the findings of the site assessment, where the various criteria have been assessed through consultation with statutory consultees as well as based on solely the Council’s informed judgement.

5.22. The assessment required by criteria c) and e) have all been based on advice from the relevant statutory consultees in relation to surface water drainage and flood risk. The other criteria are considered important in this policy to ensure that development of the site reflects and is sympathetic to its local context as well simultaneously seeking to achieve a high quality development which benefits the local community.

5.23. Given the site’s location criterion h) has been included to ensure safe and adequate access can be made onto Gipsy Lane and Warren Hill to reflect comments made by NCC Highways during the site assessment process, in accordance with Policy 8 of the JCS.

5.24. The Council considers the policy requirements included within Policy KET4 to be effective, justified and consistent policy. These have been included on this site, despite the site benefiting from outline planning permission. This is because construction on the site is yet to commence and therefore, to ensure greater certainty that this site will be delivered, Policy KET4 has been included within PKB1.

6. KET5 – Glendon Ironworks, Sackville Street, Kettering

Question 1 - Are the housing allocations appropriate and justified in light of the potential constraints, infrastructure requirements and adverse impacts?

6.1. This site has been subject to a site assessment using a consistent methodology throughout the preparation of the SSP2. This methodology was first set out in the Housing Allocations Background Paper (2012). This process sought to ensure that the sites identified as allocations in PKB1 would be most suitable and appropriate to meet the residual housing requirement as set out in Table 4.3 of PKB1 and HOU1. Whilst simultaneously identifying potential constraints, infrastructure requirements and any requirements for the mitigation of any adverse impacts.

6.2. Appendix 3 of the Housing Allocations Background Paper – 2018 (HOU6) provides a summary assessment sheet for this site. The information included in these is sourced from more detailed assessments undertaken by the Council. A summary of all the scores for this site can be found within Appendix 2 of HOU6.

6.3. The site assessment for this identified a number of constraints following consultation with statutory consultees and the assessment of other criteria which were assessed solely by the Council. The first constraint identified was in relation to contamination as well as land stability, given the site’s current use...
as vacant steel fabrication unit. This has been subsequently addressed through the inclusion of criteria a) and b) in Policy KET5. The inclusion of criteria d) and e) has been included to address comments from a statutory consultee in relation to heritage. This is also the case in relation to criterion g) with respect to surface water drainage.

**Question 2 - Are there any significant factors that indicate that any sites/parts of sites should not have been allocated?**

6.4. The Council is confident that there are no significant factors, identified through the site assessment process that would indicate that this site or any part of the site should not have been allocated.

**Question 3 - Are the sites viable and deliverable? Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery?**

6.5. The Viability Assessment of the SSP2 (VIA1) sought to assess the viability of the site. However, the approach taken for the assessment, as guided by PPG, was not to individually assess each site but to identify typologies based on “location, whether brownfield or greenfield, size of site and current and proposed use or type development” as set out in paragraph 5.5 of VIA1 and in response to question 4 of Matter 3 (Infrastructure and Viability). As a result, Aspinall Verdi, identified 15 different typologies, across the three value zones, and split by their brownfield/greenfield status and site yield.

6.6. Through the assessment of policies in PKB1, VIA1 found that Policy KET5 had ‘Low’ impact on viability as shown in Appendix 2 of VIA1. This is reflected in the results of the testing of the typologies identified for residential development, which found that most of the typologies can provide their affordable housing target, set out in paragraph 9.18 of VIA1. This is despite the site being within the low-value zone, all scenarios tested found to be unviable with 30%, as shown in paragraph 9.10 in VIA1.

6.7. This site is located within the low value zone. As shown in VIA1, the findings for this zone for brownfield sites indicated all of the scenarios tested for this typology were unviable with 30% affordable housing.

6.8. This site has been included within Appendix 1 (SSP2 Housing Site Schedule) Housing Land Supply Background Paper – 2019 (HOU1). The justification for its inclusion is set out in the schedule. In accordance with the NPPF and PPG, this site is considered ‘deliverable’, given that it is considered a suitable location for development. As set out above, the timescale of anticipated delivery shown in the aforementioned Site Schedule (HOU1) has been informed by site promoters. Therefore, and as further emphasised in the response to Question 9, although the site has an unimplemented planning permission, the Council is confident that the site is deliverable within the plan period.

6.9. The justification for the entry for this site within Appendix 1 HOU1, states that:
Emerging plan allocation. Site is available, the previous use has moved to a new location. Through the allocation process the Council has been in discussion with site promoters regarding the availability and deliverability of sites, this has informed the assumptions made in the site schedule regarding timescale for delivery of the site.

**Question 4 - How were the site capacities determined? What assumptions have been made? Are these justified?**

6.10. The capacity for the site was determined through its submission to the SHLAA. Although it is recognised that in order to accommodate this number of dwellings a high density flatted development is required. This is because the site assessment has been based on this capacity and no significant constraints have been identified to remove the site as an allocation throughout the preparation of the SSP2. The building that currently occupies the site is large in scale and the surrounding streets contain high density terraced properties.

**Question 5 - What is the current planning status of the site?**

6.11. There is no active planning application on the site.

**Question 6 - What benefits would the proposed development bring?**

6.12. Criterion c) of Policy KET5 requires development of this site to reflect local character and vernacular. Given that the site is currently a vacant factory, redevelopment of the site for residential use, which is in accordance this criterion, has the potential to enhance the quality of the built form in this area of Kettering.

6.13. Criterion f) also requires the provision of 30% of dwellings on the site to be affordable units, in accordance with Policy 30 of the JCS and therefore contributes to meeting the demand for this type of accommodation in Kettering.

6.14. A development of this scale could also require developer contributions, through a s.106 agreement which has the potential to provide both on-site and off-site contributions.

**Question 7 - What are the potential adverse impacts of developing the site and how might they be mitigated?**

6.15. The Council considers that there are no potential adverse impacts associated with the development of this site.

**Question 8 - Would the Modifications proposed by the Council address any shortcomings?**

6.16. MM13 and MM14 of EXAM2D seek to address comments made by Anglian Water (comment ID 80) and the Environment Agency (comment ID 242), respectively.
6.17. MM13 acknowledges that Anglian Water has an existing sewer within the boundary of the site and the site layout should be designed to take this into account, and that an additional criterion (h) should be inserted into Policy KET5 to ensure that proposals for this site take this into account. The Council does not consider that this modification seeks to address any shortcomings on this site, but rather provide clarity and acknowledge the presence of existing infrastructure within the site boundary, ensuring that the policy accounts for this.

6.18. In addition, MM14 responds to representations made by the Environment Agency who addressed concerns relating to criterion a) which required the addition of the following wording, ‘and the natural environment’. The Council consider this necessary to ensure that there is no risk on the natural environment, from any contamination which may be present on the site. Again, this modification does not seek to address any shortcomings of the site, but rather ensure the contamination assessment considers the natural environment, although it would be a reasonable assumption for this to be taken into account anyway, this just provides additional certainty for both the Council and the Environmental Agency that this matter is appropriately dealt with.

**Question 9 - What is the expected timescale and rate of development and is it realistic?**

6.19. The table below indicates the estimated timescales for delivery as set out in the Housing Site Schedule from HOU1. This is based on the most up to date information from the site promoter and is therefore considered realistic. This site is expected to be delivered in the shorter term.

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**Question 10 - Is the boundary of the site appropriate? Is there any justification for amending the boundary?**

6.20. The boundary of the site has been constant throughout the preparation of the SSP2, since the site was introduced through the SHLAA process. There has not been any reason to change this boundary.

**Question 11 - Are the detailed policy requirements for each site, effective, justified and consistent with national policy? Are they needed when some of the sites already have planning permission?**

6.21. The policy requirements for the site have been collated following the findings of the site assessment, where the various criteria have been assessed through
consultation with statutory consultees as well as based on solely the Council’s informed judgement.

6.22. The assessment required by criteria c) and d) have all been based on advice from the relevant statutory consultees in relation to heritage. The same can be said for criterion g) which responds to comments from the surface water drainage statutory consultee. The other criteria are considered important in this policy to ensure that development of the site reflects and is sympathetic to its local context as well simultaneously seeking to achieve a high quality development which benefits the local community.

6.23. Given the site’s previous use, criteria a) and b) have been included to ensure the site is safe to develop.

6.24. The Council considers the policy requirements included within Policy KET5 to be effective, justified and consistent policy.

7. KET6 – Ise Garden Centre, Kettering

Question 1 - Are the housing allocations appropriate and justified in light of the potential constraints, infrastructure requirements and adverse impacts?

7.1. This site has been subject to a site assessment using a consistent methodology throughout the preparation of the SSP2. This methodology was first set out in the Housing Allocations Background Paper (2012). This process sought to ensure that the sites identified as allocations in PKB1 would be most suitable and appropriate to meet the residual housing requirement as set out in Table 4.3 of PKB1 and HOU1. Whilst simultaneously identifying potential constraints, infrastructure requirements and any requirements for the mitigation of any adverse impacts.

7.2. Appendix 3 of the Housing Allocations Background Paper – 2018 (HOU6) provides a summary assessment sheet for this site. The information included in these is sourced from more detailed assessments undertaken by the Council. A summary of all the scores for this site can be found within Appendix 2 of HOU6.

7.3. The site assessment for this site did not identify any significant constraints that would prevent the Council from progressing the site as an allocation or preclude development of the site. However, a number of criteria have been included within Policy KET6 to respond to comments received by statutory consultees. The first of which is relation to access to the highway, more specifically its location in relation to the existing service road at the junction of Deeble Road and Warkton Lane (Access D), hence the inclusion of criterion b). The second is the requirement for a Surface Water Drainage Assessment in response to address comments received from the statutory consultee for surface water, Northamptonshire County Council (NCC).
Question 2 - Are there any significant factors that indicate that any sites/parts of sites should not have been allocated?

7.4. The Council is confident that there are no significant factors, identified through the site assessment process that would indicate that this site or any part of the site should not have been allocated.

Question 3 – Are the sites viable and deliverable? Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery?

7.5. The Viability Assessment of the SSP2 (VIA1) sought to assess the viability of the site. However, the approach taken for the assessment, as guided by PPG, was not to individually assess each site but to identify typologies based on “location, whether brownfield or greenfield, size of site and current and proposed use or type development” as set out in paragraph 5.5 of VIA1 and in response to question 4 of Matter 3 (Infrastructure and Viability). As a result, Aspinall Verdi, identified 15 different typologies, across the three value zones, and split by their brownfield/greenfield status and site yield.

7.6. Through the assessment of policies in PKB1, VIA1 found that Policy KET6 had ‘Low’ impact on viability as shown in Appendix 2 of VIA1. This is reflected in the results of the testing of the typologies identified for residential development, which found that most of the typologies can provide their affordable housing target, set out in paragraph 9.18 of VIA1. This is despite the site being within the low-value zone, all scenarios tested found to be unviable with 30%, as shown in paragraph 9.10 in VIA1.

7.7. This site has been included within Appendix 1 (SSP2 Housing Site Schedule) Housing Land Supply Background Paper – 2019 (HOU1). The justification for its inclusion is set out in the schedule. In accordance with the NPPF and PPG, this site is considered ‘deliverable’, given that it is considered a suitable location for development. As set out above, the timescale of anticipated delivery shown in the aforementioned Site Schedule (HOU1) have been informed by site promoters.

7.8. The justification for the entry for this site within Appendix 1 HOU1, states that: ‘The site in an emerging allocation in the SSP2 so has been assessed as a suitable location for development. Site could be viably developed at the point of time envisaged. Information provided by the site promoter has been used to inform the site schedule’.

Question 4 - How were the site capacities determined? What assumptions have been made? Are these justified?

7.9. The capacity for this site was originally determined through the SHLAA process where the indicative yield was 15 dwellings. An alternative figure was calculated on the site, based on 30dph, giving a figure of 9 dwellings. However, through the site assessment process it was considered that the larger figure of 15 was suitable for the site to accommodate. However, Policy KET6 is for up to 15
Matter 5 - Housing Allocations in Kettering and Barton Seagrave
Statement by Kettering Borough Council
September 2020

dwellings and is therefore a maximum figure, meaning that the site potentially could be developed for a lesser yield.

Question 5 - What is the current planning status of the site?

7.10. There is currently no active planning application on the site.

Question 6 - What benefits would the proposed development bring?

7.11. Criterion e) requires the provision of 30% of dwellings on the site to be affordable units, in accordance with Policy 30 of the JCS and therefore contributes to meeting the demand for this type of accommodation in Kettering.

7.12. A development of this scale could also require developer contributions, through a s.106 agreement which has the potential to provide both on-site and off-site contributions.

Question 7 – What are the potential adverse impacts of developing the site and how might they be mitigated?

7.13. The Council considers that there are no potential adverse impacts associated with the development of this site.

Question 8 - Would the Modifications proposed by the Council address any shortcomings?

7.14. There are no Main Modifications proposed for this site.

Question 9 - What is the expected timescale and rate of development and is it realistic?

7.15. The table below indicates the estimated timescales for delivery as set out in the Housing Site Schedule from HOU1. This is based on the most up to date information from the site promoter and is therefore considered realistic. This site is expected to be delivered in the longer term, towards the end of the plan period, because it is dependent on the relocation of the currently operational garden centre.

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Question 10 - Is the boundary of the site appropriate? Is there any justification for amending the boundary?
Matter 5 - Housing Allocations in Kettering and Barton Seagrave
Statement by Kettering Borough Council
September 2020

7.16. The boundary for this site remains the same as it was when it was considered through the SHLAA process and has been confirmed by the site promoter, more recently.

Question 11 - Are the detailed policy requirements for each site, effective, justified and consistent with national policy? Are they needed when some of the sites already have planning permission?

7.17. The policy requirements for the site have been collated following the findings of the site assessment, where the various criteria have been assessed through consultation with statutory consultees as well as based on solely the Council’s informed judgement.

7.18. The assessment required by criterion d) has been based on advice from the relevant statutory consultee in relation to surface water drainage. The same can be said for criterion b) which responds to comments from NCC, the statutory highways consultee. The other criteria are considered important in this policy to ensure that development of the site reflects and is sympathetic to its local context as well simultaneously seeking to achieve a high quality development which benefits the local community.

7.19. The Council considers the policy requirements included within Policy KET6 to be effective, justified and consistent policy.

8. KET 7 – Factory adjacent to 52 Lawson Street, Kettering

Question 1 - Are the housing allocations appropriate and justified in light of the potential constraints, infrastructure requirements and adverse impacts?

8.1. This site has been subject to a site assessment using a consistent methodology throughout the preparation of the SSP2. This methodology was first set out in the Housing Allocations Background Paper (2012). This process sought to ensure that the sites identified as allocations in PKB1 would be most suitable and appropriate to meet the residual housing requirement as set out in Table 4.3 of PKB1 and HOU1. Whilst simultaneously identifying potential constraints, infrastructure requirements and any requirements for the mitigation of any adverse impacts.

8.2. Appendix 3 of the Housing Allocations Background Paper – 2018 (HOU6) provides a summary assessment sheet for this site. The information included in these is sourced from more detailed assessments undertaken by the Council. A summary of all the scores for this site can be found within Appendix 2 of HOU6.

8.3. The site assessment for this site did not identify any significant constraints that would prevent the Council from progressing the site as an allocation or preclude development of the site. However, a number of criteria have been included within Policy KET7 to respond to a number of minor constraints identified
through the site assessment process. The first of which is in relation to contamination, which was identified through consultation with the Council’s Environmental Health team. Although not a significant issue, it was advised that a criterion (a) was included within Policy KET7, given the site’s former and current uses as a derelict factory, which is now occupied by a number of vehicular type businesses. In addition, criterion d) has been included to respond to consultee comments in relation to heritage.

8.4. The same is the case for criteria e) and f) which has been included to respond to comments made by statutory consultees in relation to flood risk and surface water drainage. Also, an issue that can be mitigated through the provision of assessment which demonstrates a level of risk which would not preclude development of the site.

Question 2 - Are there any significant factors that indicate that any sites/parts of sites should not have been allocated?

8.5. The Council is confident that there are no significant factors, identified through the site assessment process that would indicate that this site or any part of the site should not have been allocated.

Question 3 - Are the sites viable and deliverable? Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery?

8.6. The Viability Assessment of the SSP2 (VIA1) sought to assess the viability of the site. However, the approach taken for the assessment, as guided by PPG, was not to individually assess each site but to identify typologies based on ‘location, whether brownfield or greenfield, size of site and current and proposed use or type development’ as set out in paragraph 5.5 of VIA1 and in response to question 4 of Matter 3 (Infrastructure and Viability). As a result, Aspinall Verdi, identified 15 different typologies, across the three value zones, and split by their brownfield/greenfield status and site yield.

8.7. Through the assessment of policies in PKB1, VIA1 found that Policy KET7 had ‘Low’ impact on viability as shown in Appendix 2 of VIA1. This is reflected in the results of the testing of the typologies identified for residential development, set out in paragraph 9.18 of VIA1. This is despite the site being within the low-value zone, all scenarios tested found to be unviable with 30%, as shown in paragraph 9.10 in VIA1.

8.8. As set out in response to question 4 of Matter 3 the Council considers the methodology used to assess the viability of Policy KET7 is robust and is confident in the viability assessment results, associated with this site.

8.9. This sites has been included within Appendix 1 (SSP2 Housing Site Schedule) Housing Land Supply Background Paper – 2019 (HOU1). The justification for its inclusion is set out in the schedule. In accordance with the NPPF and PPG,
this site is considered ‘deliverable’, given that it is considered a suitable location for development. As set out above, the timescale of anticipated delivery shown in the aforementioned Site Schedule (HOU1) has been informed by site promoters.

8.10. The justification for the entry for this this site within Appendix 1 HOU1, states that ‘The site is an emerging allocation in the SSP2 so has been assessed as a suitable location for development. Site could be viably developed at the point of time envisaged’.

Question 4 - How were the site capacities determined? What assumptions have been made? Are these justified?

8.11. The site was originally identified to have a capacity of 32 dwellings through the SHLAA process and through the site assessment process. However, through further consideration by the Council this was reduced to 25 dwellings as this is considered a more suitable capacity for this site to accommodate.

Question 5 - What is the current planning status of the site?

8.12. There is currently no active planning application on this site.

Question 6 - What benefits would the proposed development bring?

8.13. Criterion b) of Policy KET7 requires development of this site to reflect local character and vernacular. Given that the site is currently a derelict factory with a number of business uses located on it, redevelopment of the site for residential use, which is in accordance with this criterion has the potential to enhance the quality of the built form in this area of Kettering.

8.14. Criterion g) also requires the provision of 30% of dwellings on the site to be affordable units, in accordance with Policy 30 of the JCS and therefore contributes to meeting the demand for this type of accommodation in Kettering.

8.15. A development of this scale could also require developer contributions, through a s.106 agreement which has the potential to provide both on-site and off-site contributions.

Question 7 - What are the potential adverse impacts of developing the site and how might they be mitigated?

8.16. The Council considers that there are no potential adverse impacts associated with the development of this site.

Question 8 - Would the Modifications proposed by the Council address any shortcomings?

8.17. The Council consider that there are no potential adverse impacts associated with the development of this site.
8.18. MM15 and MM16 of EXAM2D seek to address comments made by Anglian Water (comment ID 81) and the Environment Agency (comment ID 242), respectively.

8.19. MM15 acknowledges that Anglian Water has an existing water main within the boundary of the site and the site layout should be designed to take this into account and that an additional criterion (h) should be inserted into Policy KET7 to ensure that proposals for this site take this into account. The Council does not consider that this modification seeks to address any shortcomings on this site, but rather provide clarity and acknowledge the presence of existing infrastructure within the site boundary, ensuring that the policy accounts for this.

8.20. In addition, MM16 responds to representations made by the Environment Agency who expressed concerns relating to criterion a) which required the addition of the following wording, ‘and the natural environment’. The Council considers this necessary to ensure that there is no risk on the natural environment, from any contamination which may be present on the site. Again, this modification does not seek to address any shortcomings of the site, but rather ensure the contamination assessment considers the natural environment, although it would be a reasonable assumption for this to be taken into account anyway, this just provides additional certainty for both the Council and the Environmental Agency that this matter is appropriately dealt with.

Question 9 - What is the expected timescale and rate of development and is it realistic?

8.21. The table below indicates the estimated timescales for delivery as set out in the Housing Site Schedule from HOU1. This is based on the most up to date information from the site promoter and is therefore considered realistic. This site is expected to come forward during the middle part of the remaining plan period, although the site is currently occupied, it is likely that the business on the site is unlikely to occupy the site in the long term.

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Question 10 - Is the boundary of the site appropriate? Is there any justification for amending the boundary?

8.22. The boundary for this site remains the same as it was when it was considered through the SHLAA process and has been confirmed by the site promoter, more recently.
Question 11 - Are the detailed policy requirements for each site, effective, justified and consistent with national policy? Are they needed when some of the sites already have planning permission?

8.23. The policy requirements for the site have been collated following the findings of the site assessment, where the various criteria have been assessed through consultation with statutory consultees as well as based on solely the Council’s informed judgement.

8.24. The assessment required by criteria e) and f) has been based on advice from the relevant statutory consultees in relation to surface water drainage and flood risk, respectively. The same can be said for criterion c) which responds to comments from the NCC highways statutory consultee. The other criteria are considered important in this policy to ensure that development of the site reflects and is sympathetic to its local context as well simultaneously seeking to achieve a high quality development which benefits the local community.

8.25. The Council considers the policy requirements included within Policy KET7 to be effective, justified and consistent policy.

9. KET 8 – Land to the rear of Cranford Road, Kettering

Question 1 - Are the housing allocations appropriate and justified in light of the potential constraints, infrastructure requirements and adverse impacts?

9.1. This site has been subject to a site assessment using a consistent methodology throughout the preparation of the SSP2. This methodology was first set out in the Housing Allocations Background Paper (2012). This process sought to ensure that the sites identified as allocations in PKB1 would be most suitable and appropriate to meet the residual housing requirement as set out in Table 4.3 of PKB1 and HOU1. Whilst simultaneously identifying potential constraints, infrastructure requirements and any requirements for the mitigation of any adverse impacts.

9.2. Appendix 3 of the Housing Allocations Background Paper – 2018 (HOU6) provides a summary assessment sheet for this site. The information included in these is sourced from more detailed assessments undertaken by the Council. A summary of all the scores for this site can be found within Appendix 2 of HOU6.

9.3. The site assessment for this site did not identify any significant constraints that would prevent the Council from progressing the site as an allocation or preclude development of the site. However, a number of criteria have been included within Policy KET8 to respond to a number of minor constraints identified through the site assessment process. The first of which is in relation to contamination, which was identified through consultation with the Council’s Environmental Health team. Although not a significant issue, it was advised that a criterion (d) was included within Policy KET8.
9.4. In addition, the site was scored poorly in relation to accessibility, however after
the assessment had been undertaken, a school as part of the Hanwood Park
(East Kettering) SUE development was built easing these concerns. Concerns
were also raised in relation to noise, given its close proximity to the A14, this
has been addressed in Policy KET8, through the inclusion of criterion g).

Question 2 - Are there any significant factors that indicate that any sites/parts of
sites should not have been allocated?

9.5. The Council is confident that there are no significant factors, identified through
the site assessment process that would indicate that this site or any part of the
site should not have been allocated.

Question 3 - Are the sites viable and deliverable? Is there any risk that site
conditions and constraints might prevent development or adversely affect viability
and delivery?

9.6. The Viability Assessment of the SSP2 (VIA1) sought to assess the viability of
the site. However, the approach taken for the assessment, as guided by PPG,
was not to individually assess each site but to identify typologies based on
‘location, whether brownfield or greenfield, size of site and current and
proposed use or type development’ as set out in paragraph 5.5 of VIA1 and in
response to question 4 of Matter 3 (Infrastructure and Viability). As a result,
Aspinall Verdi, identified 15 different typologies, across the three value zones,
and split by their brownfield/greenfield status and site yield.

9.7. Through the assessment of policies in PKB1, VIA1 found that Policy KET8 had
‘Low’ impact on viability as shown in Appendix 2 of VIA1. This is reflected in the
results of the testing of the typologies identified for residential development,
which found that most of the typologies can provide their affordable housing
target, set out in paragraph 9.18 of VIA1. This is despite the site being within
the mid-value zone, where two of the four scenarios tested found to be unviable
with 30%, as shown in paragraph 9.11 in VIA1. However, given that the
approved application (KET/2016/0048) proposes affordable dwellings in
accordance with Policy 30 of the JCS, the Council considers that this
demonstrates that this percentage is viable on this site.

9.8. As set out in response to question 4 of Matter 3 the Council considers the
methodology used to assess the viability of Policy KET8 is robust and is
confident in the viability assessment results associated with this site.

9.9. This site has been included within Appendix 1 (SSP2 Housing Site Schedule)
Housing Land Supply Background Paper – 2019 (HOU1). The justification for
its inclusion is set out in the schedule. In accordance the NPPF and PPG, this
site is considered ‘deliverable’, given that it is considered a suitable location for
development. As set out above, the timescale of anticipated delivery shown in
the aforementioned Site Schedule (HOU1) have been informed by site
promoters.
9.10. The justification for the entry for this this site within Appendix 1 HOU1, states that ‘Outline application. Reserved matters anticipated shortly. Delivery timescale provided by agent. Allowance made for time to gain reserve matters approval and to start on site. Clear evidence that the site could be delivered within five years’.

Question 4 - How were the site capacities determined? What assumptions have been made? Are these justified?

9.11. The site capacity for this site reflects the number of dwellings which benefit from planning permission on this site.

Question 5 - What is the current planning status of the site?

9.12. The site currently benefits from outline planning permission for 60 dwellings (KET/2016/0048).

Question 6 - What benefits would the proposed development bring?

9.13. Criterion i) also requires the provision of 30% of dwellings on the site to be affordable units, in accordance with Policy 30 of the JCS and therefore contributes to meeting the demand for this type of accommodation in Kettering.

9.14. A development of this scale could also require developer contributions, through a s.106 agreement which has the potential to provide both on-site and off-site contributions.

Question 7 - What are the potential adverse impacts of developing the site and how might they be mitigated?

9.15. The Council consider that there are no potential adverse impacts associated with the development of this site.

Question 8 - Would the Modifications proposed by the Council address any shortcomings?

9.16. MM17 and MM18 of EXAM2D seek to address comments made by Anglian Water (comment ID 84) and the Environment Agency (comment ID 242), respectively.

9.17. MM17 acknowledges that Anglian Water has an existing sewer within the boundary of the site and the site layout should be designed to take this into account and that an additional criterion (j) should be inserted into Policy KET8 to ensure that proposals for this site take this into account. The Council does not consider that this modification seeks to address any shortcomings on this site, but rather provide clarity and acknowledge the presence of existing infrastructure within the site boundary, ensuring that the policy accounts for this.
9.18. In addition, MM18 responds to representations made by the Environment Agency who addressed concerns relating to criterion d) which required the addition of the following wording, ‘and the natural environment’. The Council considers this necessary to ensure that there is no risk on the natural environment, from any contamination which may be present on the site. Again, this modification does not seek to address any shortcomings of the site, but rather ensure the contamination assessment considers the natural environment, although it would be a reasonable assumption for this to be taken into account anyway, this just provides additional certainty for both the Council and the Environment Agency that this matter is appropriately dealt with.

Question 9 - What is the expected timescale and rate of development and is it realistic?

9.19. The table below indicates the estimated timescales for delivery as set out in the Housing Site Schedule from HOU1. This is based on the most up to date information from the site promoter and is therefore considered realistic. This site is likely to come forward within the short term, given that the site currently benefits from planning permission.

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Question 10 - Question 10 - Is the boundary of the site appropriate? Is there any justification for amending the boundary?

9.20. The boundary of the site reflects the same area which benefits from outline planning permission (KET/2016/0048). The Council considers this to be sufficient justification.

Question 11 - Are the detailed policy requirements for each site, effective, justified and consistent with national policy? Are they needed when some of the sites already have planning permission?

9.21. The policy requirements for the site have been collated following the findings of the site assessment, where the various criteria have been assessed through consultation with statutory consultees as well as based on solely the Council’s informed judgement.

9.22. The assessment required by criterion f) has been based on advice from the relevant statutory consultees in relation to surface water drainage and flood risk, respectively. The same can be said for criterion a) which responds to comments from the surface highways statutory consultee. This is also the case for criteria c), d) and h) which seek to address concerns raised through consultees during the site assessment process, in relation to ecology, contaminated land and archaeology. The other criteria are considered
important in this policy to ensure that development of the site reflects and is
sympathetic to its local context as well simultaneously seeking to achieve a high
quality development which benefits the local community.

9.23. The Council considers the policy requirements included within Policy KET8 to
be effective, justified and consistent policy.

10. KET9 – McAlpine’s Yard, Kettering

Question 1 - Are the housing allocations appropriate and justified in light of the
potential constraints, infrastructure requirements and adverse impacts?

10.1. This site has been subject to a site assessment using a consistent methodology
throughout the preparation of the SSP2. This methodology was first set out in
the Housing Allocations Background Paper (2012). This process sought to
ensure that the sites identified as allocations in PKB1 would be most suitable
and appropriate to meet the residual housing requirement as set out in Table
4.3 of PKB1 and HOU1. Whilst simultaneously identifying potential constraints,
infrastructure requirements and any requirements for the mitigation of any
adverse impacts.

10.2. Appendix 3 of the Housing Allocations Background Paper – 2018 (HOU6)
provides a summary assessment sheet for this site. The information included in
these is sourced from more detailed assessments undertaken by the Council.
A summary of all the scores for this site can be found within Appendix 2 of
HOU6.

10.3. The site assessment for this site did not identify any significant constraints that
would prevent the Council from progressing the site as an allocation or preclude
development of the site. However, a number of criteria have been included
within Policy KET9 to respond to a number of minor constraints identified
through the site assessment process. The first of which is in relation to
contamination, which was identified through consultation with the Council’s
Environmental Health team. Although not a significant issue, it was advised that
given the site’s current use, that a criterion (b) was included within Policy KET9.

10.4. Given the size of the site, criterion d) was included to assess the impact of the
development on the local highway network, and require mitigation as
determined by a transport assessment. In relation to highways, the most
significant constraint identified through the site assessment was the existence
of only one visible access point, given the size of the site and the need for
emergency vehicle access, criterion f) has been included to address this.

10.5. Further to the site assessment process, through the SFRA (ENV14) and
consultation on the Publication Plan (PKB1) the issue of reservoir breach
flooding became apparent. The Council is working to address this issue to
overcome objections received by the Environment Agency, to allow this site to
be allocated. This is discussed further, below.
Question 2 - Are there any significant factors that indicate that any sites/parts of sites should not have been allocated?

10.6. The Council wishes to clarify its position on this particular issue. The Level 1 Strategic Flood Risk Assessment (ENV14) identified that the southern part of the site was located in Flood Zone 2 (page 49). However, this area was the proposed area for the employment element of this mixed-use allocation. As a ‘less vulnerable’ development class, employment use on this part of the site was considered acceptable. As a result of this comment, criterion k) of Policy KET9 was included to ensure that residential development would only be located on areas of the site located in Flood Zone 1.

10.7. In addition, through representations on the Publication Plan (PKB1) the Environment Agency raised concerns regarding reservoir breach flooding, indicating that the site could not be allocated without overcoming this issue. The Council still seeks to allocate this site for mixed-use, however as stated in the Housing Allocations Background Paper – 2019 (HOU5) in response to the findings of ENV14, the Council set out that any flooding risk which cannot be mitigated will result in the site being withdrawn as an allocation.

Question 3 - Are the sites viable and deliverable? Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery?

10.8. The Viability Assessment of the SSP2 (VIA1) sought to assess the viability of the site. However, the approach taken for the assessment, as guided by PPG, was not to individually assess each site but to identify typologies based on “location, whether brownfield or greenfield, size of site and current and proposed use or type development” as set out in paragraph 5.5 of VIA1 and in response to question 4 of Matter 3 (Infrastructure and Viability). As a result, Aspinall Verdi, identified 15 different typologies, across the three value zones, and split by their brownfield/greenfield status and site yield.

10.9. Through the assessment of policies in PKB1, VIA1 found that Policy KET8 had ‘Low’ impact on viability as shown in Appendix 2 of VIA1. This is reflected in the results of the testing of the typologies identified for residential development, which found that most of the typologies can provide their affordable housing target, set out in paragraph 9.18 of VIA1. This is despite the site being within the mid-value zone, where two of the four scenarios tested found to be unviable with 30%, as shown in paragraph 9.11 in VIA1.

10.10. With regards to the employment element of the site, VIA1 considers this use in this location to be both viable and deliverable as set out in paragraph 7.2 of VIA1.

10.11. As set out in response to question 4 of Matter 3 the Council considers the methodology used to assess the viability of Policy KET9 is robust and is confident in the viability assessment results associated with this site.
10.12. This site has been included within Appendix 1 (SSP2 Housing Site Schedule) Housing Land Supply Background Paper – 2019 (HOU1). The justification for its inclusion is set out in the schedule. In accordance with the NPPF and PPG, this site is considered ‘deliverable’, given that it is considered a suitable location for development. As set out above, the timescale of anticipated delivery shown in the aforementioned Site Schedule (HOU1) have been informed by site promoters.

10.13. The justification for the entry for this site within Appendix 1 HOU1, states that ‘Further information required in relation to flood risk, however subject to this the site is identified as an emerging allocation in the SSP2 so has been assessed as a suitable location for development. Site could be viably developed at the point of time envisaged’

**Question 4 - How were the site capacities determined? What assumptions have been made? Are these justified?**

10.14. The Council received a site plan to indicate the capacity and developable area of the site, considering uses. The housing capacity was based on 30dph, which the Council recognises as a suitable density in the urban area. The capacity of 217 dwellings has therefore been used throughout the site assessment process.

**Question 5 - What is the current planning status of the site?**

10.15. There is currently no active planning application on the site.

**Question 6 - What benefits would the proposed development bring?**

10.16. As a mixed use allocation, both the proposed housing and employment uses on the site can provide benefits. The development of the housing element of the site has the potential to enhance connectivity in the site’s local proximity, with regards to public transport and pedestrian links through criterion e) and h) of Policy KET9, respectively.

10.17. Also given the sites location, as required by criterion i) of Policy KET9, development of the site has the potential to enhance the biodiversity value of Slade Brook as an existing green corridor.

10.18. Whilst this site seeks to reduce the size of the employment area of the site, the redevelopment of the site seeks to provide an employment use on the southern part of the site which could largely replace the jobs lost, as stated in 13.4 of EMP2, whilst also providing residential units, contributing to the housing supply for Kettering and additional employment opportunities in an established employment area. The Council considers this to be an efficient use of land with significant benefits to the local area.

**Question 7 - What are the potential adverse impacts of developing the site and how might they be mitigated?**
10.19. Although it is evident that there remains an outstanding issue of reservoir breach flooding to overcome. It is considered that there are no other adverse impacts associated with developing this site.

Question 8 - Would the Modifications proposed by the Council address any shortcomings?

10.20. MM19 of EXAM2D seek to address comments made by the Environment Agency (comment ID 242).

10.21. MM19 responds to representations made by the Environment Agency who expressed concerns relating to criterion b) which required the addition of the following wording, ‘and the natural environment’. The Council consider this necessary to ensure that there is no risk on the natural environment, from any contamination which may be present on the site. Again, this modification does not seek to address any shortcomings of the site, but rather ensure the contamination assessment considers the natural environment, although it would be a reasonable assumption for this to be taken into account anyway, this just provides additional certainty for both the Council and the Environmental Agency that this matter is appropriately dealt with.

Question 9 - What is the expected timescale and rate of development and is it realistic?

10.22. The table below indicates the estimated timescales for delivery as set out in the Housing Site Schedule from HOU1. This is based on the most up to date information from the site promoter and is therefore considered realistic. Paragraph 7.2 of VIA1 considers that this site will be delivered in the short to medium term.

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Question 10 - Is the boundary of the site appropriate? Is there any justification for amending the boundary?

10.23. The boundary of the site includes land all within the ownership of McAlpine, including a smaller area land, which is currently accessed of Abbot’s Way. The larger area to the south of this includes the entire McAlpine yard site. The Council considers this border to be appropriate, given that it was provided by the site promoter.

Question 11 - Are the detailed policy requirements for each site, effective, justified and consistent with national policy? Are they needed when some of the sites already have planning permission?
10.24. The policy requirements for the site have been collated following the findings of the site assessment, where the various criteria have been assessed through consultation with statutory consultees as well as based on solely the Council's informed judgement.

10.25. The assessment required by criteria j) to m) has been based on advice from the relevant statutory consultees in relation to surface water drainage and flood risk respectively, as well the findings of the SFRA (ENV14). The other issue of significance that has mitigated through criteria in Policy KET9 is access and highway capacity, hence the inclusion of criteria d) and f). The other criteria are considered important in this policy to ensure that development of the site reflects and is sympathetic to its local context as well simultaneously seeking to achieve a high quality development which benefits the local community.

10.26. The Council considers the policy requirements included within Policy KET9 to be effective, justified and consistent policy.

11. KET10 – Land at Wicksteed Park, east of Sussex Road and Kent Place, Kettering

Question 1 - Are the housing allocations appropriate and justified in light of the potential constraints, infrastructure requirements and adverse impacts?

11.1. This site has been subject to a site assessment using a consistent methodology throughout the preparation of the SSP2. This methodology was first set out in the Housing Allocations Background Paper (2012) (HOU9). The assessment can be found in Appendix 1 of the Housing Allocations Background Paper Update (2019) (HOU5).

11.2. The assessment process sought to ensure that the sites identified as allocations in SSP2 (PKB1) would be both suitable and appropriate to meet the residual housing requirement as set out in Table 4.3 of PKB1 and found in the Housing Land Supply: Background Paper (2019) HOU1. The assessment also identified potential constraints and infrastructure requirements so mitigation measures could be determined to avoid any adverse impacts.

11.3. The assessment of this site identified a number of constraints through the Council's own inhouse review and following consultation with statutory consultees. All constraints have been successfully overcome through mitigation set out in the policy. Three of particular note are: (1) the site is located within the Nature Improvement Area for Northamptonshire – it will result in a loss of 1.07ha of open space and may lead to tree loss. This will be compensated by the new provision of 4.4 hectares of farm-land which is subject to criterion (k). (2) there are existing foul and surface water sewers in Anglian Water's ownership within the boundary of the site which will be addressed through the inclusion of criterion (q) and (3) Minor access issues have been identified which will be address by criterion (f).

Question 2 - Are there any significant factors that indicate that any sites/parts of sites should not have been allocated?
11.4. Given the site assessment the Council are confident that there are no significant factors that indicate this site, or any part of the site should not have been allocated.

**Question 3 - Are the sites viable and deliverable? Is there any risk that site conditions and constraints might prevent development or adversely affect viability and delivery?**

11.5. The site was subject to viability testing through the Site Specific Part 2 Local Plan Viability Study (2019) (VIA1). The assessment was a typology approach to the testing of viability. Consideration was given to ‘shared characteristics such as location, whether brownfield or greenfield, size of site and current and proposed use or type of development.’ This approach is explained further in paragraph 5.5 of VIA1 and in response to question 4 of Matter 3 (Infrastructure and Viability). In total 15 different typologies were applied across the three value zones and split by their brownfield/greenfield status and site yield.

11.6. The viability testing found that KET10 had ‘Low’ impact on viability as shown in Appendix 2 of VIA1. This is reflected in the results from testing the typologies identified for residential development. Paragraph 9.18 states that most of the sites in the Borough can viably provide their affordable housing target. This is despite the site being within the mid-value zone, where two of the four scenarios tested are unviable with 30% affordable housing (paragraph 9.11). Where development density drops to 32 dph viability becomes more marginal but still supports 20% affordable housing.

11.7. This site is included within Appendix 1 of the Housing Land Supply Background Paper (2019) (HOU1). The justification within the schedule identifies the site as being in a suitable location and it can be viably developed. It is therefore considered as deliverable in accordance with the NPPF and PPG.

11.8. The Council perceives no risk that site conditions and constraints might prevent development or adversely affect viability and delivery as those identified have been subject to suitable mitigation requirements.

**Question 4 - How were the site capacities determined? What assumptions have been made? Are these justified?**

11.9. This site was originally identified through the SHLAA process. The site size was much larger than and accordingly, so was the site capacity. However, the site was not progressed following the site assessment set out in the Housing Allocations Background Paper (2012). It was discounted on the basis it was a loss of open space that formed part of Wicksteed Park. The loss was considered unacceptable as there would be no re-provision.

11.10. The site promoters approached the Council during the SSP2 Draft Plan Consultation with a smaller site allocation. They proposed to compensate the open space loss through the acquisition of 4.4ha of strategically located
farmland. As a consequence, the allocation was taken forward through the SSP2 Publication Plan Consultation.

11.11. The capacity for the smaller site, 30 – 35 dwellings, has been proposed by the site promoter themselves. The Council considers this an acceptable density on the newly proposed plot of 1.07ha.

Question 5 - What is the current planning status of the site?

11.12. There is currently no active planning application on the site.

Question 6 - What benefits would the proposed development bring?

11.13. As noted above, the site promoters have acquired 4.4ha of strategically located farmland to off-set the loss of 1.07ha for this allocation. Criterion K requires that any proposal will be supported by a scheme to deliver improved access, habitat restoration and educational and recreational opportunities to the 4.4ha farmland extension. Furthermore, should a larger scheme be proposed, additional enhancement measures will be required for underused landscape areas;

11.14. The site is currently an underutilised boundary to the park offering little ecological value. The residential neighbourhood beyond offers little natural surveillance and access into the park is restricted. Through criterion (d) any proposed scheme will require enhanced connectivity between the proposed development, the surrounding residential areas and through the parkland to create safe and direct pedestrian and cycle routes leading into Kettering Town Centre and through Wicksteed Park.

11.15. In addition, through criterion (j), it will provide a connected network of high-quality landscaping and green infrastructure to enhance the character of the development and provide amenity and ecological benefit.

11.16. Criterion (p) requires the provision of 30% of dwellings on the site to be affordable units, in accordance with Policy 30 of the JCS and therefore contributes to meeting the demand for this type of accommodation in Kettering.

11.17. A development of this scale could also require developer contributions, through a s.106 agreement which has the potential to provide both on-site and off-site contributions

Question 7 - What are the potential adverse impacts of developing the site and how might they be mitigated?

11.18. The Council considers that there are no potential adverse impacts associated with the development of this site.

Question 8 - Would the Modifications proposed by the Council address any shortcomings?
11.19. MM20, MM21 and MM22 set out in the Schedule of Proposed Changes to the Publication Draft Site Specific Part 2 Local Plan (2020) (EXAM2D) seek to address comments made by Anglian Water (User ID: 47; Comment No. 85), the Wicksteed Charitable Trust (Trust) (User ID: 92; Comment No. 218) and the Environment Agency (EA) (User ID: 112; Comment No. 242) respectively.

11.20. MM20 is in acknowledgment that Anglian Water has an existing sewer within the boundary of the site and the site layout should be designed to take this into account. This is addressed through the addition of paragraph 9.38 and criterion (q) which will ensure any proposal for this site will safeguard the provision of suitable access for maintenance of the infrastructure. The Council does not consider the modification as intended to address any shortcomings on this site, but rather to provide clarity and an acknowledgment of the presence of existing infrastructure within the site boundary.

11.21. MM21 responds to representations made by the Wicksteed Charitable Trust. In the first instance the representation asked that there be more flexibility in the policy to offer an opportunity for a larger allocation with a higher site capacity. This, the representation stated, was important to ensure all the objectives of the policy could be met particularly with respect to criterion (k). It went on to note that there would be additional environmental improvements as a consequence to other existing parts of the Park. The representation asked that there be due consideration given to a development proposal on a larger site (c. 3 to 3.5ha) to provide between 100 and 110 dwellings.

11.22. The Council reached the view that given the Trust have acquired an additional 4.4ha of Farmland which is strategically located so as to offer a greatly enhanced natural environment (criterion k), an application could be made. This was based on the knowledge that even with a 3 – 3.5ha allocation the Park would still achieve an increase in open space provision with biodiversity and recreational gain on a landscape level and an opportunity to make further enhancements to the Park.

11.23. It was not considered appropriate to include the larger site size in the Publication Plan. To do so would require additional work to assess the site in accordance with the Plan strategy. It would have caused a delay to the Plans progression which was considered unacceptable.

11.24. The preferred approach was to add paragraph 9.39 and amend criterion (k) to enable a greater flexibility within the policy. This is explicit in the statement ‘that any planning applications for an area larger than the allocation will be dealt with on its own merits’ which will enable the Council to review the appropriateness of a larger allocation with the needs of the Borough at the required time. The Council does not consider the modification as intended to address any shortcomings on this site, simply to added flexibility to the policy in response to the representation.

11.25. The representation also sought an amendment to criterion (f). There are two existing highways that could be used to provide access to the allocated site. The amendment proposed is not considered to address any shortcomings on
Matter 5 - Housing Allocations in Kettering and Barton Seagrave  
Statement by Kettering Borough Council  
September 2020

this site, simply to add flexibility with respect to the proposed layout and function of a future scheme.

11.26. MM22 responds to representations made by the EA. In noting that criterion (m) required development proposals to ‘be supported by a contaminated land and land stability investigation… ensuring that there are no unacceptable risks to human health’ the EA requested an amendment to the wording so it read ‘human health and the natural environment’.

11.27. This is to ensure that the potential risk posed to controlled waters (surface waters and groundwater) are also appropriately assessed. The Council does not consider the modification as intended to address any shortcomings on this site, but rather ensure the contamination assessment considers the natural environment. It is a reasonable assumption this would be the case, but the MM provides additional certainty for both the Council and the EA.

Question 9 - What is the expected timescale and rate of development and is it realistic?

11.28. The table below indicates the estimated timescales for delivery as set out in the Housing Land Supply: Background Paper (2019) (HOU1). This is based on the most up to date information from the site promoter and is therefore considered realistic. This site is likely to come forward towards the end of the plan period, in the longer term.

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Question 10 - Is the boundary of the site appropriate? Is there any justification for amending the boundary?

11.29. The boundary of the site is deemed to be appropriate as this has been subject to a full site assessment as per the methodology set out in the Housing Allocations Background Paper (2012) (HOU9). In addition, as set out in paragraph 11.7 above, the site is considered to be achievable and deliverable.

11.30. The site promoter has made the Council aware of aspirations to increase the size and capacity of the site. As set out in paragraphs 11.21 to 11.24 above the Council’s views is that any application received to such effect will be determined through the decision making process on its own merit. It would not be possible at this stage of the Plan’s preparation to include a new allocation as it would not have been subject to a thorough site assessment or public consultation.
Question 11 - Are the detailed policy requirements for each site, effective, justified and consistent with national policy? Are they needed when some of the sites already have planning permission?

11.31. The policy requirements for the site have been identified through the Council’s own in-house assessment and following consultation with statutory consultees.

11.32. Criteria (l), (m), (n), (o) and (q) have all been developed based on advice from the relevant statutory consultees in relation to sewer and water mains infrastructure, contaminated land, surface water drainage and flood risk. The other criteria are considered important in this policy to ensure that development of the site reflects and is sympathetic to its local context as well simultaneously seeking to achieve a high quality development which benefits the local community.

11.33. Given the site’s location criterion (f) has been included to ensure traffic flows, especially at peak hours, are assessed on the Pytchley Road in response to comments made by NCC Highways during the site assessment process. Given the loss of open space which will have an impact on the natural environment, criterion (g) has been added in response to comments made by NCC’s Ecologist.

11.34. The Council considers the policy requirements included within Policy KET10 to be effective, justified and consistent policy.

KET9 Mc Alpine’s Yard, Pytchley Lodge Road, Kettering (217) and 1 ha of employment land

12. Question 12 – Does the objection from the Environment Agency with regard to reservoir breach flooding remain? What progress has been made on this matter and has a Statement of Common Ground been agreed? Can an indication of the implications of a continued objection to the proposed allocation from the Environment Agency and what contingencies the Council would need to be make in these circumstances be provided?

12.1. The objection from the Environment Agency with regards to reservoir breach flooding remains on this site. Discussions with the site promoter have been ongoing since the consultation on the Publication Plan (PKB1). The Council provided an update on this matter through a response to question 26 of EXAM2. In this response the Council set out that a Statement of Common Ground could be requested from the Environment Agency. To date, no further progress has been made on this. As mentioned above, discussions with the site promoter have been ongoing, however no further progress has been made to address this issue, since the response provided by the Council in EXAM2, given that they are not able to fund the further work required, as requested by the Environment Agency in relation to reservoir breach flooding.

12.2. The Council wish for this site to be allocated and have actively liaised with the site promoter for this site to address the outstanding issue of reservoir breach flooding to enable this to be included with the adopted SSP2. However, the
evident lack of progress being made is a concern of the Council. It is acknowledged that a Statement of Common Ground may provide clarity on this matter and the likelihood of this issue being overcome without the required assessment work being undertaken. Although, the Council accept that if the level of progress that has been made to address this issue at the time of examination is not considered sufficient, there is potential that this site could be withdrawn as an allocation. However, the Council will continue to seek to address this issue in co-operation with the Environment Agency and the site promoter to enable this site to remain as an allocation in the SSP2.

KET10 Land at Wicksteed Park, east of Sussex Road and Kent Place (30-35)

13. Question 13 - Is the additional text proposed by MM21 in relation to aspirations for a larger area of land justified and effective? Does this area of land need to be included in the site for the provisions of Policy KET10 to be applied as suggested? Has the SA recommendation for mitigation and enhancement in relation to cultural heritage been taken forward in the policy wording? What does ‘strategically located’ mean?

13.1. To avoid repetition please see the response to Q8 (paragraphs 11.21 to 11.24) which provides an explanation as to the origins of MM21 and the Council’s supportive view. The original drafting of Policy KET10 provides a clear direction to decision making with respect to the acceptable site size and capacity of the allocation. Without the inclusion of paragraph 9.39 decision making for a larger site would be fettered.

13.2. Should a larger scheme be acceptable in planning terms there would be a greater loss of open space and a larger gain in profitability. In recognition of this criterion (k) has been amended to ensure that the compensatory measures required to mitigate such loss are commensurate to the scale of development.

13.3. Paragraph 80 of the NPPF sets out the provision that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. The Wicksteed Charitable Trust are the site promoters and landowners of the allocation in Policy KET10 and of any potential larger allocation.

13.4. The Trust is a non-profit making organisation which reinvests all profits back into Wicksteed Park in order to continue to maintain and improve its function as a recreational, heritage, educational and ecological destination. The additional text added through MM21 provides the Trust with an opportunity to maximise income in the interests of business investment, expansion and adaptation.

13.5. Paragraph 81(d) of the Framework requires planning policy to be flexible enough to accommodate needs not anticipated in the plan… and enable a rapid response to changes in economic circumstances. The additional text added through MM21 ensures that the policy is flexible enough to accommodate unforeseen needs of the Trust and will enable them to respond to changes in economic circumstances.
13.6. Taking account of the above narrative, the Council considers the additional text proposed by MM21 to be both justified and effective.

13.7. It is not possible for the area of land to be included in the site as it would be a larger area of land than the current provision. However, Paragraph 9.39 recognises that the aspiration is for a larger area of land ‘in this location’. Therefore, for the provisions of policy KET10 to apply, the expectation would be for an application proposing a scheme in this location.

13.8. The SA Report (SA1) recommends that screening should form part of any proposed development to ensure that key historic views are not affected by additional modern development. In addition, it states that the minor negative effect of development affecting the character of a Historic Park could be mitigated with good design. Both these provisions have been taken forward into the policy wording of KET10 through criteria (a) and (i).

13.9. ‘Strategically located’ refers to the fact that the 4.4ha of newly acquired farm-land by the Trust is located in the Park and it reconnects the LWS and the SSSI. Its inclusion in the estate will help deliver improved access, habitat restoration, educational and recreational opportunities. Essentially, the acquisition has provided a missing piece of the Park’s landscape where fragmentation between the natural and semi natural environment had previously existed.

14. Conclusions

14.1. The suitability of these sites has been assessed using a consistent, robust methodology and therefore these sites are deemed suitable to meeting the housing requirement set out in the Policy 30 of the JCS.

14.2. The site assessment process has identified a number of constraints, although through consultation with statutory consultees. These constraints are not considered significant and where necessary mitigation has been provided through criteria in the policies which allocated these sites for housing. These sites are considered both viable and deliverable as shown in VIA1 and HOU1. The delivery of these sites also has the potential to deliver significant benefits to Kettering and Barton Seagrave.

14.3. The housing allocations identified in Kettering and Barton Seagrave are considered to be soundly based.

14.4. The additional text proposed in MM21 is considered to be justified and effective. There is an expectation that any proposal for a larger scheme would need to be observed in this location for the provisions of Policy KET10 to be applied. The SA recommendations for mitigation and enhancement in relation to cultural heritage have been forward in the policy wording. Strategically located refers to the reconnection of landscape within the Parkland.
Appendix 1 – List of reference documents

- EXAM2D - Schedule of Proposed Changes to the Publication Plan (2020)
- PKB1 – SSP2 Publication Plan (2020)
- HOU1 – Housing Land Supply: Background Paper (2019)
- HOU5 - Housing Allocations Background Paper – Update (2019)
- HOU6 – Housing Allocations: Background Paper (2018)
- VIA1 – Site Specific Part 2 Local Plan Viability Study (2019)
- ENV14 – Kettering Strategic Flood Risk Assessment Level 1 (2019)
- SA1 - Sustainability Appraisal (SA) for the Kettering Site Specific Part 2 Local Plan: SA Report (2019)