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

Matter 6 – Housing Allocations in Burton Latimer, Desborough and Rothwell

Matter Statement by Kettering Borough Council

September 2020
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1. Introduction

1.1. This statement sets out the Council’s response to Matter 6: Housing Allocations in Burton Latimer, Desborough and Rothwell, questions 1 - 12, in respect of the following issues:

Whether the following housing allocations are soundly based:
- Policy BLA4 - Land to the West of Kettering Road, Burton Latimer
- Policy BLA5 - Land adjacent to the Bungalow, Higham Road, Burton Latimer
- Policy BLA6 - Bosworth Nurseries and Garden Centre, Finedon Road, Burton Latimer
- Policy DES4 - Land off Buxton Drive and Eyam Close, Desborough
- Policy DES5 - Land to the south of Desborough
- Policy ROT3 - Land to the West of Rothwell

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. Policy BLA4 – Land to the West of Kettering Road, Burton Latimer

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 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 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 in relation to the impact on heritage assets in Burton Latimer, hence the inclusion of criterion a) in Policy BLA4, which requires a heritage assessment to be undertaken.
2.4. Further to this, another constraint identified through this process was the potential for contamination on the site given its current agricultural yard use, criterion c) has been included to provide sufficient mitigation to address this issue.

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

2.5. 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?

2.6. 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 in paragraph 5.5, as referenced on page 21 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.

2.7. Through the assessment of policies in PKB1, VIA1 found that Policy BLA4 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.

2.8. 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. However, the Council is confident that when delivered, this site will deliver 30% affordable housing, unless a viability assessment submitted alongside the planning application, indicates otherwise. In any case the Council will maintain a flexible approach to the provision of affordable housing.

2.9. 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 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.
2.10. The justification for the entry for 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. 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?

2.11. A yield of between 40 and 50 dwellings was considered through the SHLAA process for this site at 30 dph. However, the Council considered that a lower density scheme would be more appropriate due to site constraints, which include impact on heritage assets. It was determined that 22 dwellings would be appropriate following concerns raised through the Options Consultation in 2012 (**PKB6**) and stated in the Assessment of Additional Sites (**PKB5**). This has been the capacity of the site that has been used during the site assessment process to determine the site's suitability as a housing allocation for inclusion in **PKB1**.

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

2.12. There is currently no planning application on the site, the current use is of the land and buildings is a farmhouse and agricultural yard and buildings as well as some associated farmland.

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

2.13. Criterion e) of Policy BLA4 requires development of this site to reflect local character and vernacular. Given that the site is currently in use as an agricultural holding, 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 Burton Latimer.

2.14. Criterion h) 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 Burton Latimer.

2.15. 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. Development of the site also has the potential to contribute to improvements and projects in Burton Latimer, such as those identified in policies BLA2 and BLA3.

**Question 7** - What are the potential adverse impacts of developing the site and how might they be mitigated?
2.16. 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?**

2.17. MM68 does not seek to address any shortcomings but to add a reference in the policy text to the policies map, to provide clarity on the geographic location of the site. The other MM (23) addresses comments by a representation made by the Environment Agency (comment 242) whereby criterion e) is proposed to be amended to provide consistency with related policy requirement in other site allocations in the Plan.

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

2.18. 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 deliver housing in the middle of the remaining plan period.

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

2.19. The site was identified through the Urban Capacity Study with the same boundary that has been included for the site in PKB1. There has been no scope for this to be amended.

**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?**

2.20. 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.

2.21. The assessment required by criterion b) has been based on advice from the relevant statutory consultees in relation to flood risk through the site assessment process. 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 as simultaneously seeking to achieve a high quality development which benefits the local community, including criteria e) and g). More specifically criterion a) has been included to ensure that heritage assets close to the site are protected and enhanced.

2.22. The Council consider the policy requirements included within Policy BLA4 to be effective, justified and consistent with national policy.

3. Policy BLA5 – Land adjacent The Bungalow, Higham Road, Burton Latimer

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. 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 in relation to contamination, as a result criterion b) has been included in Policy BLA5. The other constraint was in relation to surface water drainage, identified by the SFRA (ENV14), criterion e) has been included to address this.

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

3.3. 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?

3.4. 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 of development” as set in paragraph 5.5, as referenced on page 21 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.

3.5. Through the assessment of policies in PKB1, VIA1 found that Policy BLA5 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.

3.6. 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.

3.7. 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 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.

3.8. 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?

3.9. The capacity for this site reflects a previous planning permission on the site for 7 dwellings (KET/2011/0596). However, this site hasn’t been built out.

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

3.10. Outline planning permission was previously granted for 7 dwellings on this site. However, this permission was not implemented and therefore the permission has expired.

Question 6 - What benefits would the proposed development bring?

3.11. Criterion d) of Policy BLA5 requires development of this site to reflect local character and vernacular. Given that the site is currently unused scrub land, 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 Burton Latimer. Development of the site also has the potential to contribute towards improvements and projects in Burton Latimer, such as those identified in policies BLA2 and BLA3.
Question 7 - What are the potential adverse impacts of developing the site and how might they be mitigated?

3.12. 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?

3.13. MM24 and MM25 of EXAM2D seek to address comments made by Anglian Water (comment ID 83) and Environment Agency (comment ID 242), respectively.

3.14. MM24 acknowledges that Anglian Water have an existing sewer within the boundary of the site and the site layout should be designed to 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.

3.15. In addition, MM25 responds to representations made by the Environment Agency who addressed 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?

3.16. 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 deliver housing in the middle of the remaining plan period.

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

3.17. The site boundary reflects that of the previously approved planning application KET/2011/0596 and is considered appropriate by the Council.

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?

3.18. 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.

3.19. The assessment required by criterion e) has been based on advice from the relevant statutory consultees in relation to surface water drainage through the SFRA (ENV14). 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, including criteria a), c) and d). Criterion a) is supported by Historic England (comment ID 94).

3.20. The Council considers the policy requirements included within Policy BLA5 to be effective, justified and consistent with national policy.

4. Policy BLA6 - Bosworth Nurseries and Garden Centre, Finedon Road, Burton Latimer

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 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. 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 in relation to archaeology, as a result criterion e) has been included in Policy BLA6. The other constraint was in relation to surface water drainage, identified by the SFRA (ENV14), criteria b) and c) have been included to address this.
Question 2 - Are there any significant factors that indicate that any sites/parts of sites should not have been allocated?

4.3. The Council are 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?

4.4. 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 of development” as set in paragraph 5.5, as referenced on page 21 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.

4.5. Through the assessment of policies in PKB1, VIA1 found that Policy BLA5 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.

4.6. 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. However, given that the approved application (KET/2016/0883) proposes 21 affordable dwellings, the Council consider that this demonstrates that this percentage is viable on this site.

4.7. This site benefits from planning permission for 69 dwellings as set out in paragraph 10.15 of PKB1 and is considered to be deliverable given that it is already counted as a commitment for this reason. This is further emphasised in the Council’s response to Question 9, which shows that based on information received from the site promoter, the delivery of this site is expected to be within the plan period.

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

4.8. The capacity for the site reflects the yield which benefits from planning permission on the site (KET/2013/0750) and (KET/2016/0883).

Question 5 - What is the current planning status of the site?
4.9. The site benefits from planning permission for 69 dwellings (KET/2013/0750) and (KET/2016/0883).

Question 6 - What benefits would the proposed development bring?

4.10. Criterion f) of Policy BLA5 requires development of this site to protect and enhance biodiversity in the adjacent Burton Latimer Meadow Local Wildlife Site. In addition, criterion g) has the potential for development of the site to result in enhancements of PROW UA19 (footpath).

4.11. Criterion h) 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 Burton Latimer.

4.12. 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. Development of the site also has the potential to contribute to improvements and projects in Burton Latimer, such as those identified in policies BLA2 and BLA3.

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

4.13. 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?

4.14. MM26 and MM25 of EXAM2D seek to address comments made by Anglian Water (comment ID 87) and the House Builders Federation (comment ID 152), respectively.

4.15. MM26 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. 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.

4.16. In addition, MM70 does not seek to address any shortcomings but to add a reference in the policy text to the policies map, to provide clarity on the geographic location of the site.

Question 9 - What is the expected timescale and rate of development and is it realistic?
4.17. 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. The site is expected to come forward in the shorter term, given that it benefits from full planning permission.

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

4.18. The site boundary reflects that of the previously approved planning application (KET/2013/0750) and (KET/2016/0883) and is considered appropriate by the Council.

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?

4.19. 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.

4.20. The assessments required by criteria b) and c) have been based on advice from the relevant statutory consultees in relation to surface water drainage and flooding through the SFRA (ENV14) and the site assessment process, respectively. Criteria f) and g) seek to enhance and preserve existing biodiversity and public facilities such as PROW UA19 (footpath).

4.21. The Council consider the policy requirements included within Policy BLA6 to be effective, justified and consistent with national policy.

5. DES4 – Land off Buxton Drive and Eyam Close, Desborough

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 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. Representations have been received to contest the selection of these sites for allocation in Desborough (comment ID 262). However, the Council consider the approach to housing allocations is thorough and robust and therefore this site is considered suitable to contribute to the housing requirement for Desborough.

5.2. Appendix 3 of the Housing Allocations Background Paper – 2018 (HOU6) provides a summary assessment sheet 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.

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 in relation to archaeology, where there’s a further assessment to identify any features and identify any mitigation, as required in criterion a) of Policy DES4. In addition, criterion c) has been included to ensure that there are no adverse impacts on the highway network in the western part of Desborough.

5.4. Further to this, another constraint identified through this process was the potential for contamination on the site, criterion b) has been included to provide sufficient mitigation to address this issue.

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

5.5. 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?

5.6. Through the assessment of policies in PKB1, VIA1 found that Policy DES4 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, where all scenarios tested were found to be unviable with 30% affordable housing, as shown in paragraph 9.10 in VIA1.

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. However, given that the approved application (KET/2017/1019) proposes affordable dwellings in accordance with Policy 30 of the JCS, the Council consider that this demonstrates that this percentage is viable on this site.
5.8. 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) have been informed by site promoters. The site benefits from planning permission, the Council consider this site to be deliverable, given there a willing landowner, within the plan period, as emphasised in response to Question 10.

5.9. The justification for the entry for this site within Appendix 1 HOU1, states that ‘Emerging allocation with Outline Planning Application for 135 dwellings pending with a resolution to grant subject to S106. Agent anticipates that a reserved matters application will be submitted in Autumn 2019 with building starting in Summer 2020. Build out rates provided by the agent’. Outline Planning permission has since been granted.

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

5.10. The capacity for the site reflects the yield which benefits from planning permission on the site (KET/2017/1019).

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

5.11. The site benefits from planning permission for 135 dwellings (KET/2017/1019).

Question 6 - What benefits would the proposed development bring?

5.12. Criterion f) of Policy DES4 requires development of this site to provide an area of Local Green Space. Criterion h) 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 Desborough.

5.13. 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. Development of the site also has the potential to contribute to improvements and projects in Desborough, such as those identified in policies DES2 and DES3.

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

5.14. 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?

5.15. MM72 does not seek to address any shortcomings but to add a reference in the policy text to the policies map, to provide clarity on the geographic location of the site. The other MM (28) addresses comments by a representation made by the Environment Agency (comment 242) whereby criterion e) is proposed to be amended to provide consistency with related policy requirement in other site allocations in the Plan.

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

5.16. 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 in the shorter term given that site benefits from planning permission.

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

5.17. The site boundary reflects that of the approved planning application (KET/2017/1019) and is considered appropriate by the Council.

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?

5.18. 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.

5.19. The assessment required by criteria i) and j) has been based on advice from the relevant statutory consultees in relation to surface water drainage and flood through the SFRA (ENV14) and the site assessment process, respectively. Criterion c) seeks to respond to comments provided by NCC Highways through the site assessment process to improve traffic flow through the site, benefiting the local highway network. Both criteria d) and f) seek to provide benefits for
Desborough, through the provision of an attractive development and the provision of Open Space which can be used by local residents.

5.20. The Council consider the policy requirements included within Policy DES4 to be effective, justified and consistent with national policy.

6. DES5 - Land to the south of Desborough

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 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. Representations have been received to contest the selection of these sites for allocation in Desborough (comment ID 262). However, the Council consider the approach to housing allocations is thorough and robust and therefore this site is considered suitable to contribute to the housing requirement for Desborough.

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 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 the impact on the neighbouring Tailby Meadow Nature Reserve, as a result criterion c) has been included in Policy DES5. In addition, constraints identified that relate to contamination, noise and heritage assets are considered not to be significant have been sought through the inclusion of criteria a), b) and h) in Policy DES5.

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. Through the assessment of policies in PKB1, VIA1 found that Policy DES5 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.

6.6. 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. However, given that the approved application (KET/2016/0044) proposes affordable dwellings in accordance with Policy 30 of the JCS, the Council consider that this demonstrates that this percentage is viable on this site.

6.7. 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) has been informed by site promoters. Although the site benefits from an unimplemented planning permission, the Council consider this site to be deliverable, given there a willing landowner, within the plan period, as emphasised in response to Question 10.

6.8. The justification for the entry for this site within Appendix 1 HOU1, states that ‘Outline permission. KBC is part landowner of the site, Pre-reserved matters conditions going through process of being discharged. Reserved matters expected September, with start on site early 2020. Delivery schedule provided by developer but put back a year to allow time for submission of reserved matters and start on site. Clear evidence site is progressing through the application process and that dwellings will be delivered on the site within five years. Due to the scale of the site, development will build beyond the five year period’. The Council can update on the latest position with the site, and can confirm that the developer the landowners had on board has now withdrawn its interest in the site. The site will be further marketed.

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

6.9. The capacity for the site reflects the yield which benefits from planning permission on the site (KET/2016/0044).

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

6.10. The site benefits from outline planning permission for up to 304 dwellings (KET/2016/0044).
Question 6 - What benefits would the proposed development bring?

6.11. Criterion c) of Policy DES5 requires development of this site to provide protection and the enhancement of Tailby Meadow Nature Reserve. Criterion h) 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 Desborough. In addition, this development has the potential to contribute to a footpath along the Ise Valley.

6.12. 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. Development of the site also has the potential to contribute to improvements and projects in Desborough, such as those identified in policies DES2 and DES3.

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

6.13. 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?

6.14. MM73 does not seek to address any shortcomings but to add a reference in the policy text to the policies map, to provide clarity on the geographic location of the site. The other MM (29) addresses comments by a representation made by the Environment Agency (comment 242) whereby criterion b) is proposed to be amended to provide consistency with related policy requirement in other site allocations in the Plan.

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

6.15. 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 come forward in the shorter term, given that the site benefits from planning permission.

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

6.16. The site boundary reflects that of the approved planning application (KET/2016/0044) and is considered appropriate by the Council.

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?

6.17. 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 the Council’s informed judgement.

6.18. The assessment required by criteria e), f) and g) has been based on advice from the relevant statutory consultees in relation to surface water drainage and flood risk through the SFRA (ENV14) and the site assessment process, respectively. Criteria j) and k) seek to respond to comments provided by NCC Highways through the site assessment process to improve traffic flow through the site, and to assess the impact of the development on the local highway network. Both criteria n) and o) seek to provide benefits for Desborough, through the enhancements of existing footpaths between the site and the centre of Desborough. Criterion l) has been included to ensure that no development is located on the designated area of Historically and Visually Important Local Green Space (LGS) as proposed in PKB1.

6.19. Natural England provided representations on this policy (comment ID 120), raising concerns that there was a lack of a mention of a Construction Management Plan within the criteria. However, it is considered that this matter will be addressed through the planning application process and that criterion i) sufficiently addresses the issue of biodiversity and ecology at this stage.

6.20. The Council considers the policy requirements included within Policy DES5 to be effective, justified and consistent with national policy.

7. ROT3 – Land to the West of Rothwell

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) (HOU9). This process sought to ensure the sites that are identified as allocations in PKB1 would be the 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. The Council’s response to Matter 2: Spatial Strategy, question 4, provides more detail on the methodology for assessing housing allocations, and provides a justification for the approach taken to allocating sites.

7.2. Appendix 3 of the Housing Allocations Background Paper – 2018 (HOU6) provides a summary assessment sheet for this site. The information included in the summary sheet 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 constraints identified in the site assessment for this site included the need for access to be provided through the Rothwell North development, landscape impact, impact on junction 3 of the A14 and the A6, noise and archaeology.

7.4. The criteria set out in Policy ROT3 address the constraints identified and ensure that the allocation is appropriate, paragraphs 12.8 to 12.15 and the site assessments justify the criteria included in the policy. Infrastructure requirements associated with the site are appropriate given the scale of development and it is not considered there would be any adverse impacts of the allocation.

7.5. An objection to the site was received from respondent id 87 (comment no 211) which promotes another site as an alternative. The comment contends that Land to the West of Rothwell is not deliverable due to its reliance on the delivery of Rothwell North, the Council’s response to these representations is set out in the ‘Regulation 20 Representations with Council’s response’. The identification of the housing allocations is supported by a robust assessment process and the Council considers the allocation to be appropriate and justified. Rothwell North is now under construction and the Council considers the site allocation to be appropriate in the timeframe set out in the housing trajectory.

7.6. A representation was received from Rothwell Town Council (respondent id 122, comment no 260) and a representation from respondent id 44 (comment no 74) which request any proposed additional housing to be deleted until Rothwell North is complete and that no further allocations are allowed until the town has absorbed the planned growth. The Council’s response to these representations is set out in the ‘Regulation 20 Representations with Council’s response’. As set out in HOU1, additional housing is required in Rothwell to meet the JCS requirements, paragraphs 2.15 to 2.23 set out the approach to site allocations in each settlement. Further detail on the Council’s approach to housing requirements is set out in the Council’s Matter 4 statement.

Question 2 - Are there any significant factors that indicate that any sites/parts of sites should not have been allocated?
7.7. There are no significant factors that indicate that the 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?**

6.4. The viability of sites has been considered through the Whole Plan Viability Assessment (VIA1). The Council’s response to Matter 3: Infrastructure and Viability provides further detail on the viability assessment undertaken. The results of the viability testing in paragraph ES 15 of VIA1 sets out that the analysis showed that greenfield development is viable across all housing scenarios tested. Appendix 2 of VIA1 assessed the impact on viability of Policy ROT3 as low.

7.8. The representation received from Persimmon, the site promoter (representor id 25, comment no 46) confirms that there are no fundamental constraints to developing the site and that the site is viable.

7.9. The timescale for delivery of the site factors in the need for the development to be accessed through the Rothwell North SUE.

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

7.10. The site capacity of up to 300 dwellings was the capacity put forward by the site promoter through the site promoter consultation, this is based on a density of 42 dwellings per hectare and the provision of 30% affordable housing. The Delivery Statement submitted by Persimmon indicates that at least 250 dwellings, with 30% affordable housing, could be accommodated with the layout shown on the Indicative Masterplan.

7.11. The site capacity of up to 300 dwellings is therefore considered to be appropriate.

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

7.12. The site does not have planning permission.

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

7.13. The site will contribute towards the provision of affordable housing and provides the opportunity to enhance Green Infrastructure. The site also provides the opportunity to improve connections between the Rothwell North SUE and the western end of Rothwell, improving links between the western extent to the SUE and the town.

**Question 7 - What are the potential adverse impacts of developing the site and how might they be mitigated?**
7.14. The Council considers that the impacts associated with the development are adequately addressed by the requirements of Policy ROT3 and therefore there would be no adverse impacts associated with the development of this site.

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

7.15. MM31 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. 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 proposals for the site account for this.

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

7.16. The site is expected to be delivered later in the plan period due to the need for the site to be accessed through the Rothwell North SUE. The housing trajectory takes this into account. The site schedule contained in HOU1 sets out the following housing trajectory for this site. This site is expected to be delivered in the longer term, towards the end of the plan period, given that is dependent on the delivery of the Rothwell North SUE.

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7.17. The representation received from Persimmon Homes confirms that the projected completions are realistic.

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

7.18. The boundary for the site is considered to be appropriate. The boundary follows field boundaries with the exception of where it joins the Rothwell North SUE. It is not considered that there is any justification to amend the 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?
7.19. The policy requirements for the site are considered to be effective, justified and consistent with planning policy. The supporting text to Policy ROT3, paragraphs 12.8 to 12.15, and the site assessment contained in HOU6 identified the constraints identified in relation to this site and provide a justification for the criteria contained in the policy.

7.20. This site does not have planning permission.

8. **Question 12 - ROT3 Land to the West of Rothwell - What relationship does this site have to the adjacent SUE? Is criterion h) relating to the strategic link road justified by evidence? What role does the site play in terms of Green Infrastructure?**

8.1. The site has been promoted by the developer who is delivering the Rothwell North SUE. Vehicular access to the site can only be provided through the Rothwell North development.

8.2. Criterion h) relating to the strategic link road is justified. Through the assessment of sites in Rothwell an assessment was undertaken by NCC Highways, this assessment is set out in the Rothwell and Desborough Site Assessments (INF4) and the Rothwell and Desborough Site Assessments: Ranking of Possible Growth Options (INF3) this assessment considered the impacts of different site options. The strategic link road was included within this assessment. These assessments were used, alongside the site assessments to determine which sites should be progressed in the SSP2. The requirement set out in the policy is therefore considered to be reasonable as development of the site without the strategic link road in place would not be appropriate.

8.3. The Green Infrastructure Local Corridor 10a – Rothwell (Triangular Lodge) – Wicksteed Park runs to the west of this site; this corridor runs through part of Rothwell North to the north of the site. The site provides the opportunity to extend the Green Infrastructure provision within Rothwell North into the area of this site to create an extended Green Infrastructure corridor through the site and therefore contributing to the enhancement of Green Infrastructure in the area.

9. **Conclusion**

9.1. 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 Policy 30 of the JCS.

9.2. The site assessment process has identified a number of constraints, although through consultation with statutory consultees these constraints are not considered to prevent development of the sites 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 the Market Towns.

9.3. The housing allocations identified in Burton Latimer, Desborough and Rothwell are considered to be soundly based.
Appendix 1 – List of Reference Documents

EXAM2D - Schedule of Proposed Changes to the Publication Plan
PKB1 – SSP2 Publication Plan
PKB5 – Housing Allocations – Assessment of Additional Sites and Update consultation
PKB6 - Site Specific Proposals Local Development Document – Options Paper
HOU1 – Housing Land Supply: Background Paper
HOU6 – Housing Allocations: Background Paper
Housing Allocations Background Paper 2012
VIA1 – Site Specific Part 2 Local Plan Viability Study
ENV14 – Kettering Strategic Flood Risk Assessment