Ms Elaine Worthington
C/O Ian Kemp – Programme Officer
PO Box 241, Droitwich, Worcestershire
WR9 1DW

E-mail idkemp@icloud.com

Direct Line: 01536 534316
E-mail: planningpolicy@kettering.gov.uk
Date: 3 July 2020

Dear Ms Worthington,

Kettering Site Specific Part 2 Local Plan - Response to Inspector’s Initial Questions

Thank you for your initial questions which were received by the Council on 19 June 2020.

The answers to the questions are set out in this letter in the order in which they were made. Where documents are referenced which were not included in the list of submission documents, these documents have been added to the list. Weblinks to the documents referenced are also provided.

1. Following the submission of the Kettering Site Specific Part 2 Local Plan (the Plan) I have begun my initial preparation and identified a number of initial questions that would benefit from early clarification. In answering these questions it would be helpful if the Council could consider whether it might be necessary to advance any potential Main Modifications to the Plan.

The Council would like to formally request that the Inspector recommends Main Modifications to the Plan where necessary to make the Plan sound and legally compliant.

Procedural and Legal Compliance Matters

2. The Publication version of the Plan has been submitted alongside a schedule of proposed changes to it, and a Submission version of the Plan which takes the form of the Publication Plan with the proposed changes from the schedule shown as track changes. The proposed changes have not been consulted on. On this basis, and in the interests of clarity, I confirm that the Publication version of the Plan (which was published for consultation in December 2019) should be the basis of the examination and I will consider the proposed changes as proposed modifications to the Publication version of the Plan.
The Council notes the approach which will be taken.

3. Any such proposed changes that materially affect the Plan’s policies can only be included in the Plan if I consider them to be necessary for soundness or legal compliance and recommend them as Main Modifications (MMs). I note that these proposed changes have been categorised into Main Modifications and Additional Modifications and ask that these schedules are kept up to date throughout the examination with any further proposed changes being similarly categorised.

The Council notes the approach and will ensure that the Main Modifications and Additional Modifications schedules are kept up to date throughout the examination.

4. S33A of the Planning and Compulsory Purchase Act 2004 (as amended) sets out the duty to co-operate (DtC). This applies to the preparation of Local Plans so far as relating to a strategic matter. The Plan confirms at paragraph 1.14 that strategic matters are dealt with through the North Northamptonshire Joint Core Strategy (JCS). However, it also refers to ‘any cross boundary issues relevant to the SSP2’ in the final sentence. Can the Council confirm whether the Plan relates to any strategic matters and whether it considers the DtC to be engaged in this case?

The Council does not consider that the Plan relates to any strategic matters, these are dealt with through the North Northamptonshire Joint Core Strategy (JCS). Therefore, the Council does not consider the Duty to Cooperate on strategic matters that cross administrative boundaries to be engaged by the Plan.

The North Northamptonshire Joint Core Strategy 2011-2031 Pre-Submission Plan Statement of Consultation (January 2015) and the Statement of Consultation Addendum (July 2015) were prepared to demonstrate that the Duty to Cooperate was complied with through the preparation of the JCS. Paragraphs 5 to 8 of the Inspector’s Report for the JCS confirmed that the Inspector was satisfied that the Duty to Cooperate had been complied with.

Through the preparation of the Site Specific Part 2 Local Plan (SSP2) the Council has continued to engage with neighbouring authorities and other relevant organisations in the context of the adopted Joint Core Strategy that addressed the strategic cross boundary issues. The Regulation 22 Consultation Statement (May 2020) (Submission document CON1) sets out the on-going consultation which has taken place through the preparation of the SSP2.

The JCS Statements of consultation listed above have been added to the list of submission documents with reference numbers JCS3 and JCS4.

5. Regulation 8 (4) of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires policies to be consistent with any adopted
development plan. Can the Council confirm whether the Plan in accordance with the JCS? Policy DES6 and proposed MM30 indicates that an employment site in excess of 5 hectares is allocated. Can the Council provide a local justification for this approach if it is contrary to the JCS? Can the Council also advise of any other such areas of inconsistency with the JCS and provide the background and justification for any departures?

The Council considers that the plan is in accordance with the JCS. The Plan has been prepared in the context of the strategy set out in the JCS. The Plan provides allocations which conform with the spatial strategy for growth set out in the JCS and provides detailed local policies which provide further guidance and policy which supports the delivery of the JCS. Section 2 of the Plan sets out how the policies in the plan will contribute towards the delivery of the JCS vision and outcomes.

The North Northamptonshire Joint Planning and Delivery Unit (JPDU) submitted a representation on the Plan, respondent number 120, which confirms that the JPDU considers that the Plan is in conformity with the JCS.

Land adjacent to Magnetic Park, Harborough Road, Desborough identified in Policy DES6 is approximately 8.1 hectares in area, which is larger than the 5 hectare threshold to be considered through the SSP2. However, there is a local justification for the approach to inclusion of this site and the Council considers that the allocation of this site is in conformity with the spatial strategy set out in the JCS.

While the site is above the 5 hectare threshold it is only marginally above and the purpose of the allocation is to meet local needs for employment provision and to provide choice and opportunity. This approach will enable businesses wishing to expand or relocate to remain in the town. Both of the sites which were considered through the site assessment process in Desborough were over the 5ha threshold. The assessment of sites is set out in the Employment Allocations Background Paper (August 2019), document reference EMP1. Paragraphs 13.8 to 13.12 provide a summary of the assessment for this site and provide a justification for the inclusion of the site in the Plan.

The Employment Land Review (2018), document reference EMP2, undertaken by Aspinall Verdi informed the preparation of the Employment Allocations Background Paper (August 2019). The first element of the Employment Land Review provided an assessment of the property market for employment space, this covered offices, general industrial space and strategic distribution. The conclusions for the general industrial market set out in paragraphs 4.44 to 4.53 of the Employment Land Review found a demand for small and medium size industrial units. This was taken into consideration when assessing sites through the Employment Allocations Background Paper.

The Sustainability Appraisal, document reference SA1, considered reasonable alternatives in relation to employment provision in paragraphs 5.2.19 to 5.2.21 and unreasonable alternatives in paragraphs 5.3.10 to 5.3.16. Section 8 of the
Sustainability Appraisal sets out the assessment of options for employment sites. Paragraph 11.3.95 of the Sustainability Appraisal recognises the role the site would play in providing local employment opportunities.

There has been support through the preparation of the Plan for the identification of employment land in Desborough, including to allow for the expansion or relocation of existing businesses. A comment was received at draft plan stage which supported the proposed allocation and set out the requirements for additional employment land for one business which is located adjacent to the allocation. A copy of this consultation response is attached at Appendix 5.

There are no strategic employment sites identified in the JCS in Desborough, therefore without this allocation there would be no opportunity for employment growth in the town.

Desborough is identified as a Market Town in table 5 of the JCS, Policy 11 of the JCS sets out the role of market towns as providing a strong service role for their local communities and surrounding rural areas with growth in homes and jobs to support regeneration and local services, at a scale appropriate to the character and infrastructure of the town. The Council considers that the allocation of this site through Policy DES6 conforms with Policy 11.

The Council considers that there are no other areas of the document where there are inconsistencies with the JCS.

6. Do the timetable and milestones for the relevant documents in the Local Development Scheme (LDS) reflect what has happened? If not, the LDS should be updated prior to the hearings (I note for example the table on page 11 indicates the submission of the Plan in April 2020 and the timelines for the other intended DPDs may also require review).

The timescales and milestones in the LDS need to be updated. The Council intends to update the Local Development Scheme (LDS) at its Planning Policy Committee meeting on 1st September 2020. The LDS will subsequently be presented to Full Council on 23rd September 2020 for adoption. The updated timetable for the SSP2 which will be included in the updated LDS is set out below:

<table>
<thead>
<tr>
<th>Stage</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Submission</td>
<td>May 2020</td>
</tr>
<tr>
<td>Examination</td>
<td>October 2020</td>
</tr>
<tr>
<td>Inspectors Report</td>
<td>January 2021</td>
</tr>
<tr>
<td>Adoption</td>
<td>February 2021</td>
</tr>
</tbody>
</table>

7. Thank you for the work you have done in terms of providing and presenting the representations to the Plan. On a minor point, can the Council clarify the number of representations that were received at Regulation 19 stage? The
Regulation 22 statement at paragraph 2.46 refers to a total of 260 comments, but there are 262 comment IDs.

The Council can confirm that 260 comments were received at Regulation 19 stage. During the process of entering the comments received during the consultation period on to our online consultation portal, two empty comments were removed from the system. The specific comment IDs that do not exist within our comment database are IDs 136 and 240. This is the reason it appears that there are 262 comments rather than 260.

The Scope of the Plan

8. It is necessary for me to be clear about the role and purpose of the Plan and it is not for me to re-examine issues that were covered in the examination of the JCS or other examinations. I must establish the true scope of the Plan and what it is setting out to do and its relationship with other existing plans. Paragraph 1.4 of the Plan indicates that it will not address issues covered in the JCS, Kettering Town Centre Area Action Plan (TCAAP), or Broughton Neighbourhood Plan (NP). I have not been provided copies of the TCAAP or the Broughton NP and request that these are included in the list of submission documents on the Council’s examination and given an appropriate reference.

The Kettering Town Centre Area Action Plan and Broughton Neighbourhood Plan have been added to the list of submission documents, document reference numbers AAP1 and NPL1 respectively. An updated list of submission documents is attached at Appendix 1.

9. In terms of the Kettering TCAAP, whilst I do not have a copy of the policies map associated with that document, I note that the policies map relating to Kettering in Appendix 3 of the Plan (figure 18.4) covers Kettering town centre and includes open space and green infrastructure designations in that general area (and possibly the HOU1 designation). Can you confirm that the Plan is not seeking to alter or supersede the designations in the TCAAP area?

The Council can confirm that the Plan is not seeking to alter or supersede the designations in the Kettering TCAAP. The illustration of open space and green infrastructure on the Policies map is purely to provide comprehensive information. Through Policy NEH2 (Green Infrastructure) and Policy NEH4 (Open Spaces) the Plan seeks to affirm and complement TCAAP Policy 13 (Open Space, Green Infrastructure and Biodiversity).

10. I understand that the allocation of gypsy and traveller accommodation is intended to be progressed through a standalone Development Plan Document (DPD). What are the reasons for the deferral of this important provision? Please can an update on the progress of that DPD be provided? I note that the LDS indicates that consultation took place between December 2019 and January 2020.
with submission anticipated in July 2020. Paragraph 9.52 of the JCS identifies a need for 13 residential pitches and 1 transit pitch in Kettering (2011-2022) based on the 2011 Northamptonshire Gypsy and Traveller Accommodation Assessment (GTAA). The LDS refers to an updated GTAA in March 2019. Please can the Council confirm what the updated requirements for Kettering are, and provide a copy of that document?

The preparation of a standalone Development Plan Document (DPD) for gypsy and traveller accommodation was agreed by the Council’s Planning Policy Committee at its meeting on 5th July 2017. The report for this meeting is available [here](#), agenda item 6.

The reasons this element of the document was separated was because the GTAA needed to be updated to provide an up to date evidence base for this area of work. The last full GTAA had been undertaken in 2008 and updated in 2011. It was considered that by resolving to prepare a separate document this would enable the other areas of policy included in the SSP2 to progress without delay while the GTAA was updated.

The updated GTAA was completed in March 2019, this document sets out need for North Northamptonshire (Corby, Kettering, Wellingborough and East Northamptonshire), the need for Kettering Borough is set out in the table below.

<table>
<thead>
<tr>
<th>Gypsies and Travellers</th>
<th>Total need 2018-2033</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meet Planning Definition</td>
<td>23</td>
</tr>
<tr>
<td>Undetermined</td>
<td>4</td>
</tr>
<tr>
<td>Do not meet Planning Definition</td>
<td>21</td>
</tr>
<tr>
<td>Sub Total</td>
<td>48</td>
</tr>
<tr>
<td>Travelling Showpeople</td>
<td></td>
</tr>
<tr>
<td>Meet Planning Definition</td>
<td>0</td>
</tr>
<tr>
<td>Undetermined</td>
<td>0</td>
</tr>
<tr>
<td>Do not meet Planning Definition</td>
<td>0</td>
</tr>
<tr>
<td>Sub Total</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>48</strong></td>
</tr>
</tbody>
</table>

The GTAA has been added to the updated list of submission documents at Appendix 1, document reference number HOU12.

In September 2019 a report was presented to Planning Policy Committee which set out the findings of the GTAA alongside a set of initiatives being explored by the Council to meet the needs identified. A copy of this report is attached at Appendix 2. The Council is continuing to explore the initiatives set out in this report and is in the process of appointing consultants to undertake a follow up piece of work to the GTAA to gain a better understanding of individual needs and appropriate mechanisms for meeting this need, this will include a feasibility assessment of options such as extending or
reconfiguring existing sites to meet need. The mechanisms currently being explored will form part of the Gypsy and Traveller Site Allocation Policy DPD. The updated timetable for preparing this document is set out below.

<table>
<thead>
<tr>
<th>Stage</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stakeholder and Community Engagement</td>
<td>January/ March 2021</td>
</tr>
<tr>
<td>Publication Plan consultation</td>
<td>April/ May 2021</td>
</tr>
<tr>
<td>Submission to Secretary of State</td>
<td>July 2021</td>
</tr>
<tr>
<td>Examination</td>
<td>October 2021</td>
</tr>
<tr>
<td>Inspectors Report</td>
<td>January 2022</td>
</tr>
<tr>
<td>Adoption</td>
<td>April 2022</td>
</tr>
</tbody>
</table>

11. Aside from the Broughton NP, are there any emerging Neighbourhood Plans in the borough, and if so please can you provide details? Paragraph 4.7 of the Plan indicates that there are 6 parishes with NP designations, however 9 NP Groups are listed at paragraph 3.8 of the LDS. Please can this be clarified and a full and up to date list provided?

The reference in paragraph 4.3 of the Plan only relates to rural parishes, two of the Neighbourhood Plan groups listed in the LDS cover the market towns of Rothwell and Desborough and one covers an area of Kettering know as South West Kettering. However, one additional rural parish has been designated since the Publication Plan was published, the Braybrooke Neighbourhood Plan Area, therefore this would now be seven rural parishes.

The following table provides a full list of neighbourhood plan groups in the Borough.

<table>
<thead>
<tr>
<th>Neighbourhood Plan Area</th>
<th>Stage in preparation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rothwell Neighbourhood Plan</td>
<td>Neighbourhood Plan Area designated 10/04/13</td>
</tr>
<tr>
<td>Desborough Neighbourhood Plan Area</td>
<td>Neighbourhood Plan Area designated 16/10/13, Regulation 14 completed 21/03/16</td>
</tr>
<tr>
<td>Broughton Neighbourhood Plan</td>
<td>Made 17/10/18</td>
</tr>
<tr>
<td>Mawsley Neighbourhood Plan</td>
<td>Neighbourhood Plan Area designated 15/04/15</td>
</tr>
<tr>
<td>Great Cransley Neighbourhood Plan</td>
<td>Neighbourhood Plan Area designated 27/05/15</td>
</tr>
<tr>
<td>South West Kettering (Headlands Community) Neighbourhood Plan Area</td>
<td>Regulation 14 completed 19/02/20</td>
</tr>
<tr>
<td>Pytchley Neighbourhood Plan</td>
<td>Neighbourhood Plan Area designated 07/12/15</td>
</tr>
<tr>
<td>Grafton Underwood Neighbourhood Plan Area</td>
<td>Neighbourhood Plan Area designated 03/06/19</td>
</tr>
</tbody>
</table>
Housing

12. In line with the Oxted Residential judgment, I am mindful that the Plan is not required to rectify any shortcomings in the Core Strategy’s approach to housing land supply. The Plan does not need to re-consider objectively assessed need since its scope is clearly limited to allocating sites to meet the need established in the Core Strategy. This principle also applies to the provision of a five year housing land supply which does not arise. As such, whilst I will need to satisfy myself that the proposals in the Plan are such that the aims of the parent plan (JCS) will be met and development delivered in accordance with it, it is not necessary for me to consider whether the Council has a five year housing supply as part of this examination (since that would require consideration of sites already allocated in other plans that are not before me). However, paragraphs 4.8 to 4.10 of the Plan refer to five year housing land supply matters. With paragraph 74 of the National Planning Policy Framework (the Framework) and the associated advice in the Planning Practice Guidance in mind, please can the Council clarify whether it is intending to ‘confirm’ its 5 year housing land supply through the Plan?

The Council can confirm that it is not intending to ‘confirm’ its 5 year housing land supply through the Plan.

The Council updates it’s five-year land supply on an annual basis as required by paragraph 73 of the NPPF. The Housing Land Supply Background Paper (October 2019), document reference HOU1, sets out the Council’s five year land supply position with the Site Specific Part 2 Local Plan and provides details of the land supply for the period to 2031. This document demonstrates that the Plan will provide allocations to enable the housing requirements set out in the JCS to be achieved.

The Council’s five year land supply was tested at public inquiry in September 2019 for appeal reference APP/L2820/W/18/3215362, the Inspector for this appeal concluded that the Council is currently able to demonstrate a five year supply of deliverable housing land.

13. Paragraphs 68 and 69 of the Framework refer to the need to identify land to accommodate at least 10% of housing requirements on sites no larger than one hectare. Can the Council confirm whether this is the case and where evidence of it can be found?
The Council can confirm that the requirement to accommodate at least 10% of housing requirements on sites no larger than one hectare, as set out in NPPF paragraph 68, has been met. The evidence to support this is set out in Section 4 of the Housing Land Supply Background Paper (October 2019), document reference number HOU1.

**Evidence Base/Documents**

14. I note that the Habitats Regulations Assessment (HRA) has been updated following consultations to address the concerns raised by Natural England (update dated May 2020). Please can written confirmation from Natural England that this update addresses their concerns in relation to the HRA be provided?

Natural England were consulted on the updated HRA and their response is attached at Appendix 3. This letter recognises the additional work which has been undertaken but does not support the process undertaken for screening functionally linked land in the update and therefore Natural England do not agree the conclusion of no Likely Significant Effects to the Upper Nene Valley Gravel Pits SPA/ RAMSAR. The reasons for this are set out in the letter.

The Council has carried out some further work to address the concerns raised in the letter and has written to Natural England to provide them with additional information, this includes additional local evidence and reference to bird records for the sites screened. The Council is awaiting a response from Natural England and will provide a copy of the response when it is received.

15. Are the findings of the auditing and assessment of the Borough’s playing pitches and indoor and outdoor sports provision referred to in MMS available? Were they available at the time of consultation of the Plan? What are the timelines for the production of the Playing Pitch Strategy and Sports Facility Strategy?

The Borough’s Audit and Needs Assessment findings were published on:

- playing pitches - 02/03/2020;
- sports facilities - 25/06/2020

The Sports Facilities Audit and Needs Assessment has been added to the list of Submission documents as document reference HWB3.

They were not published at the time of the Plan consultation as they were in the final stages of drafting. The Council did make information from these reports available upon the request of consultees. Both the Playing Pitch Strategy and the Sports Facilities Strategy are in their final draft and scheduled into the work programme for review and sign off. It is anticipated that the Sports Facilities Strategy will be ready for publication on 06/07/20 and the Playing Pitch Strategy on 13/07/20.

Accepting that these documents have been published post Publication Plan consultation the Council would be interested to understand the Inspectors views on
consultation on these documents through a Main Modifications consultation ahead of the publication of the Inspectors report.

16. An Open Space Audit and Needs Assessment Report was published in March 2020. Was this consulted upon? This and MM6 refers to the formulation of an Open Space Standards Paper to support Policy NEH4? Is this available, and if not what are the timelines for its production? Additionally, what is the timetable for the production of the Open Space Provision in Kettering Borough SPD also referred to here?

The Open Space Audit and Needs Assessment was not consulted on as part of the Publication Plan consultation as it is a technical document developed to inform the Plan development; in itself it does not provide any policy direction. It is worth noting that the Open Space Audit and Needs Assessment along with the Open Space Standards Paper and the audit and assessments and strategies for playing pitches and sports facilities were subject to consultation throughout their preparation.

The Open Space Standards Paper is in its final draft and scheduled into the work programme for review and sign off. It is anticipated that it will be ready for publication by 13/07/20.

Accepting that these documents have been published post Publication Plan consultation the Council would be interested to understand the Inspectors views on consultation on these documents through a Main Modifications consultation ahead of the publication of the Inspectors report.

The timetable for the preparation of the SPD is set out in response to question 19.

17. I have identified a number of documents which are referred to in the Plan and which I cannot on first inspection find as submission documents (although some are provided via links in the document itself). In addition to the TCAAP, the Broughton NP and the GTAA mentioned above, please can the following documents be provided and added to the list of documents and referenced:

- North Northamptonshire Authorities Monitoring Report (annual) – Added to list of submission documents, document reference number AMR1.

- Kettering TCAAP monitoring update report (annual) – Added to the list of submission documents, document reference number AMR2.

- Annual Monitoring Report for the Borough – This is the North Northamptonshire Authorities Monitoring Report, document reference number AMR1.

• **The North Northamptonshire Strategic Housing Market Assessment Update 2015** – Added to list of submission documents, document reference number HOU14.

• **Housing and Support Needs of Older People Across Northamptonshire (para 4.25 of the Plan – also referred to a para 4.30 under a slightly different name)** – Added to the list of submission documents, document reference number HOU15, the correct title of the document is ‘Study of Housing and Support Needs of Older People Across Northamptonshire’, an additional modification has been added to the schedule to ensure the document title is correctly referenced, this is AM43.

• **Employment Background Paper (referred to in para 5.10, but maybe Employment Allocations Background Paper referred to in para 5.12 which is in the submission doc list? See also paras 5.21 and 5.22 for another title)** – The Employment Background Paper referred to in para 5.10 is the North Northamptonshire Joint Core Strategy – Employment Background Paper (January 2015) also referred to in para 5.21, this has been added to the list of submission documents as document reference EMP4. An additional modification has been added to the schedule to provide the full title, this is AM44. The Employment Allocations Background Paper (2019) referred to in para 5.12 is a separate document, this is document reference number EMP1. Two additional modification have also been added to clarify the documents referred to 5.21 and 5.22, these are AM46 and AM47.

• **Property Market Review and Assessment of Employment Sites (2018) (referred to at para 5.12, is this the Employment Land Review (Aspinall Verdi) in the documents list?)** – This is the Employment Land Review, document reference number EMP2. An additional modification has been added to the schedule to clarify this, this is AM45.

• **North Northamptonshire JCS Employment Background Paper Jan 2015** – This is the document referred to above which has been added to the list of submission documents as document reference number EMP4.

• **Northamptonshire Health and Wellbeing Strategy** – Added to the list of submission documents, document reference number HWB1.

• **North Northamptonshire Strategic Sports Facilities Framework 2014** – Added to the list of submission documents, document reference number HWB2.
• **NCC Local Flood Risk Management Strategy** – Added to the list of submission documents, document reference number ENV18.

• **Northamptonshire Flood Toolkit** – Added to the list of submission documents, document reference number ENV19

• **Northamptonshire Biodiversity Action Plan** – Added to the list of submission documents, document reference number ENV20

An updated version of the list of submission documents is attached at Appendix 1.

18. Where it is just that documents have been mis-titled please can these be amended in the Plan to ensure consistency and for the sake of clarity.

Where documents have been mis-titled additional modifications have been added to the schedule as set out in the response to question 17. These are additional modification numbers AM43, AM44, M45, AM46 and AM47. An updated Schedule of Proposed Changes to the Publication Plan is attached at Appendix 4.

**Supplementary Planning Documents (SPDs)**

19. Is it clear from the Plan which SPDs are to be prepared? Can a comprehensive list be provided showing their status and purpose and their programme for preparation?

**Sports and Physical Activity Provision in Kettering Borough SPD**

The Sports and Physical Activity Provision in Kettering Borough: Supplementary Planning Document will provide guidance to inform development management practices. Read together with the Playing Pitch and Sports Facilities Strategies this SPD will support the delivery of Policy HWC3, including how to determine appropriate developer contributions. Preparation of this SPD has not yet begun. The programme for preparation is set out below.

<table>
<thead>
<tr>
<th>Stage</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stakeholder and Community Engagement</td>
<td>March 2021</td>
</tr>
<tr>
<td>Adoption</td>
<td>September 2021</td>
</tr>
</tbody>
</table>

**Open Space Developer Contribution SPD**

The Open Space Developer Contribution Supplementary Planning Document will provide guidance on the application of the open space standards set out in the Open Space Standards Paper. Read together these documents will guide development management practices and support the delivery of Policy NEH 4 (Open Spaces)
including how to determine appropriate developer contributions. Preparation of this SPD has not yet begun. The programme for preparation is set out below.

<table>
<thead>
<tr>
<th>Stage</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stakeholder and Community Engagement</td>
<td>March 2021</td>
</tr>
<tr>
<td>Adoption</td>
<td>September 2021</td>
</tr>
</tbody>
</table>

**Rural Exceptions Sites SPD**

The Rural Exception Sites Supplementary Planning Document will provide guidance on the delivery of self-build or custom build affordable housing on rural exception sites in Kettering Borough through Policy HOU5 of the Plan. It will explain the roles of key partners and emphasises that the delivery of exception sites in villages is to meet the needs of local people. The initial preparation of this document has commenced. The programme for preparation is set out below.

<table>
<thead>
<tr>
<th>Stage</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stakeholder and Community Engagement</td>
<td>March 2021</td>
</tr>
<tr>
<td>Adoption</td>
<td>September 2021</td>
</tr>
</tbody>
</table>

These are the timescales that will be set out through the updated LDS which will be presented to Members of the Planning Policy Committee on 1st September 2020, and then to Full Council for adoption on 23rd September 2020.

**The Policies Maps**

20. The role of the adopted policies map is to illustrate geographically the applications of the policies in the development plan. Where necessary do the policies in the Plan make it clear that their geographic application is illustrated on the policies map? From what I can see, the Housing and Employment Site Policies do not refer to the maps and nor do the Town Centre Policies. Additionally, I note that throughout the Plan reference is made at times to proposals maps rather than policies maps (see for example at para 6.6, TCE1, TCE3, TCE7 and in the LDS although these instances are not exhaustive). The correct terminology needs to be applied in the interests of accuracy and consistency.

Where policies do not make it clear that their geographic application is illustrated on the policies map proposed main modifications have been added to the schedule. The Council has reviewed each policy and considers an amendment is necessary for the following policies: HOU1 (MM52), TCE5 (MM53), TCE6 (MM54), NEH2 (MM55), KET1 (MM56), KET2 (MM57), KET3 (MM58), KET4 (MM59), KET5 (MM60), KET6 (MM61), KET7 (MM62), KET8 (MM63), KET9 (MM64), KET10 (MM65), BLA2 (MM66), BLA3 (MM67), BLA4 (MM68), BLA5 (MM69), BLA6 (MM70), DES2 (MM71), DES4 (MM72),
DES5 (MM73), DES6 (MM74), ROT2 (MM75), ROT3 (MM76), BRA2 (MM77), CRA2 (MM78), CRA3 (MM79), GED2 (MM80), GED3 (MM81), GED4 (MM82), GED5 (MM83), GRC2 (MM84), MAW2 (MM85), PYT2 (MM86), STA2 (MM87), WES2 (MM88).

The Council has included additional modifications in the schedule to amend all references from ‘proposals maps’ to ‘policies maps’. The relevant additional modifications are AM48, AM49, AM50, AM51, AM52, AM53, AM54, AM55, AM56, AM57, AM58, AM59, AM60.

The updated Schedule of Proposed Changes to the Publication Plan is attached at Appendix 4.

21. Additionally some of the MMs (see MM48, MM49, MM50, and MM51 for example) propose changes to the policies maps. The policies map is not a development plan document and I cannot recommend MMs to the policies map. The role of the policies map is to illustrate geographically the application of the policies in the development plan and as such, the MMs need to relate the relevant policy (and its geographic illustration) rather than to the policies map. (although to ensure fairness, changes to the geographic illustration of the policies which are necessary to achieve soundness should be consulted upon, along with the MMs to which they relate). This should be rectified prior to the hearings.

The Council has deleted the Main Modifications from the schedule which related to the policies maps, MM48, MM49, MM50 and MM51. A new section has been created after the Additional Modifications Table titled ‘Policies Maps Proposed Changes’, the alterations to the policies map have been added to this section. If the Inspector agrees that this approach is acceptable this table would be consulted on alongside a consultation on Main Modifications.

The Statement of Community Involvement (SCI)

22. Further to the government’s recent Written Ministerial Statement on virtual working and planning – responding to the Covid 19 restrictions, the recent planning update and changes to the Planning Practice Guidance encourages local planning authorities to immediately review and update their Statement of Community Involvement (SCI) where necessary so that plan-making can continue. It would be helpful if this matter could be considered by the Council now in the context of the North Northamptonshire SCI so that any work on this document that may be necessary can be undertaken expediently.

The purpose of the SCI is to help set out how the Council will consult in the preparation of plans and in determining planning applications. The SCI sits alongside other agreed Council policies and the Council’s constitution.
The Council reviewed its SCI against Covid-19 lockdown restrictions which came about a short period after completion of the consultation on the Publication Plan stage, no consultations have therefore been affected by the lockdown. Officers have reviewed the collated responses to the Publication Plan consultation and recommended how the responses should be addressed, before Members agreed to all recommendations at a meeting of the Planning Policy Committee on 21st May 2020. In reporting these to the Planning Policy Committee, the SCI does set out at SCI para. 4.22 that the report will be considered by the appropriate committee of the Council, and that Members of the public can speak for a set time provided they request to do so in advance of the meeting. The proposals for the remote committees will still allow for the public to participate in meetings, so no change is required by changing the format of committees. To be clear on the arrangements around remote committees, the approach will be posted on the Council’s website, along with a protocol to guide involvement in future committees. To help manage speakers under the Right to Speak policy, until further notice those wishing to use the Council’s Right to Speak Policy for Regulatory Committees (Planning and Licencing) and Planning Policy must register with Legal & Democratic Services by midday the working day before the committee meeting either by telephone, email or via a website request form. This will allow the Council time to establish with the individual how their involvement can best be achieved. A link to make such a request is provided below: https://www.kettering.gov.uk/forms/form/390/en/planning_-right_to_speak

However, the Council will undertake a further review of the SCI, with its legal team, to assess whether any updates are required to the SCI to ensure that plan-making can continue. If any updates are required these will be reported to the Planning Policy Committee meeting on 1st September 2020.

**Sustainable Urban Extensions (SUEs)**

23. A position statement to provide an update on the status of the SUEs in Kettering would be helpful. Paragraph 2.4 of the Plan refers to the East Kettering SUE, and two smaller SUEs at Rothwell and Desborough. However, the Plan’s Glossary indicates that the JCS identifies two SUEs in the borough at Hanwood Park and Rothwell North. Please can this inconsistency be clarified? Additionally, whilst the policies maps show Rothwell North (Fig 18.10) and Desborough North (Fig 18.8) as a yellow annotation (which I take to be the SUEs) no such annotation is shown in Kettering for a SUE. Please can this also be clarified? Additionally, the separate maps (x3) for Kettering are hard to navigate and interpret, as such, would it be possible to produce a comprehensive map showing the whole of Kettering on a single sheet (with the SUE annotated)?

There are three SUE’s in the Borough, namely the East Kettering SUE, the Rothwell North SUE and the Desborough North SUE, the Council has added an Additional Modification to the schedule correcting the text in the glossary, this is AM61.
The Council has added the East Kettering SUE to the policies map for Kettering and produced this on a single sheet, this map is attached at Appendix 6.

The Council has prepared two position statements, one for the East Kettering SUE, this is attached at Appendix 7a, and one for the Rothwell North and Desborough North SUE’s, this is attached at Appendix 7b.

24. How will the minimum net increase of 12,500 square metres of net comparison shopping floorspace in Kettering identified in the JCS be provided for in the Plan?

The minimum net increase of 12,500 square metres of net comparison shopping floorspace identified in Policy 12 of the JCS is to be provided within Kettering Town Centre. Policies for Kettering Town Centre are set out in the Kettering Town Centre Area Action Plan. This Plan currently provides policies to deliver a net increase of 20,500 square metres of net comparison floor space by 2021, this was the requirement set out in the North Northamptonshire Core Spatial Strategy (2011) which has since been replaced by the North Northamptonshire Joint Core Strategy (2016). The Council intends to review the Kettering Town Centre Area Action Plan, this review is set out in the Local Development Scheme, this document will make provision for the minimum net increase of 12,500 square metres of net comparison shopping floorspace in Kettering.

Earlier this year the North Northamptonshire Joint Planning & Delivery Unit went to tender for consultants to prepare a North Northamptonshire Retail Capacity Update. It was intended that this would provide evidence for the North Northamptonshire Strategic Plan, (a review of the JCS) and also a review of the Kettering Town Centre Area Action Plan. Due to lockdown restrictions it was decided to delay issuing the tender until restrictions are lifted and town centres return to some form of normality and economic stability.

Other Matters

25. The Framework establishes that Local Plans should set out clear policies on what will and will not be permitted and where. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included. They should be effective and clearly expressed so that they can be applied to day to day decision making (and not simply statements of intent or support). I am concerned that a number of the policies in the Plan, or parts of them, (for example HOU3, TCE1, HWC1, HWC3, NEH2, and NEH4) do not meet these requirements and it would be helpful if the Council could consider this matter in advance of the hearings.

The Council will give further consideration to this matter in advance of the hearings; however, at this point it is worth noting that these policies should not be read in isolation and should be considered alongside the JCS policies and other policies in the SSP2.
For example, Policy TCE1 defines the extent of the town centre boundaries and other policies in the plan, for example, Policy DES1 set out how decisions on proposals within this area should be made.

26. There are objections from the Environment Agency to KET9 housing allocation in terms of flood risk associated with reservoir breach. Can an update be provided on the ongoing work with the site promoter and the Environment Agency to confirm that an agreement has been reached? A Statement of Common Ground with the Environment Agency would be helpful in this regard.

Discussions with the site promoter have been ongoing since receiving the representation from the Environment Agency, stating an objection to Policy KET9 at Regulation 19 consultation stage, on the basis that further information was required to address concerns in relation to reservoir breach flooding. Initially the Council were aware of a Flood Risk Assessment that had already been undertaken by the site promoter. On receipt of this, it was sent onto the Environment Agency for comment, for them to determine as to whether this assessment sufficiently overcame their concerns.

It was subsequently determined that this assessment did not sufficiently address the issue of reservoir breach flooding and that further work was required by the site promoter to overcome this to enable the site to remain in the Plan as an allocation, a copy of the response received from the Environment Agency is attached at Appendix 8a. More recently, an alternative proposal has been put forward by the site owner, which seeks to overcome the issue by removing the employment element of the allocation, this would remove that part of the allocation which is currently within Flood Zone 2.

This proposal was then put forward by the Council to the Environment Agency, again, asking for comment. The correspondence received back from the Environment Agency on this matter, is clear in its conclusions, that this new proposal would not overcome the aforementioned concerns in relation to reservoir breach flooding and that the need for further work to be undertaken to overcome the objection remained. A copy of the response from the Environment Agency is attached at Appendix 8b. This has been made clear to the site owner and promoter, although at present no further correspondence on this matter has been received from them.

The Council will continue to work with the site promoter and owner to seek to overcome this issue prior to the hearing sessions, to enable the site to be maintained as an allocation in the Plan. A Statement of Common Ground can also be requested from the Environment Agency on this matter.

Subsequent updates on this matter will therefore be provided in due course.
27. Finally, it would be helpful to know if it is the Council’s intention to have any further discussions with representors or to prepare any Statements of Common ground in advance of the hearing sessions?

The Council intends to continue discussions with Natural England to seek to address the concerns they have raised in relation to the HRA, as set out under question 14, the Council is awaiting a response from Natural England and will provide this as soon as possible.

The Council has had further correspondence with Armstrong Rigg Planning, acting on behalf of Weetabix, respondent no 59, who indicated in their consultation response that they would like to agree a Statement of Ground with the Council in advance of the hearing sessions. They have prepared a draft development brief for the site and have provided it to the Council for review. They would like to agree this with the Council ahead of the hearing sessions.

Anglian Water have also been in touch with the Council and suggested preparing a Statement of Common Ground, the Council intend to progress this with Anglian Water.

The Council will continue discussions with the Environment Agency and the site promoter for KET9 as set out under question 27.

The Council is prepared to draft statements of common ground with other parties if it would be helpful ahead of the hearing sessions.

We hope these responses answers your questions clearly, however if you have further questions please do not hesitate to contact me.

Yours sincerely

J Baish

Julia Baish
Development Team Leader – Planning Policy