Kettering Site Specific Part 2 Local Plan
Examination Hearings

Agenda – Week 2 Day 2

Wednesday 14 October 2020 at 9.30 am

Opening
Matter 8 Meeting Housing Needs
Matter 9 Employment

Please note that Q1 Gypsies and Travellers in Matter 8 will be dealt with at the end of the Matter 8 session.

Please also note the additional question in Matter 9 relating to whether any parts of the Plan need to be modified to reflect the recent changes to the Use Classes Order.

9.30 Matter 8 – Meeting Housing Needs
(Gypsies and Travellers, and Policies HOU1, HOU2, HOU3, HOU4, HOU5)

Issue
Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy and the JCS in relation to the provision of housing and whether it adequately address the needs for all types of housing and the needs of different groups in the community (as set out in paragraph 61 of the Framework)

Gypsies and Travellers (to be dealt with at the end of this session)

1. The updated Gypsy and Traveller Accommodation Assessment (March 2019) identifies a need for 48 pitches between 2018 and 2033 for Kettering Borough. Is the approach to meeting this requirement through a further Development Plan Document (DPD) to the timetable indicated justified and effective and consistent with national policy? How can the production of this DPD be ensured?

(See Initial Question 10 and the Council’s response)

HOU1 Windfall and Infill Development Principles of Delivery

2. What is the intention of the Policy? Is it clear that it seeks to protect residential gardens in three areas in line with paragraph 70 of the Framework? Does it also seek to retain family housing? What is the justification for this in these three areas only?

3. What is ‘infill development’ or ‘infilling’ defined as in the context of this policy? Are the provisions of criterion a and b covered by other general
policies in the JCS or elsewhere in the Plan? Does resisting the division of a curtilage in criterion c go beyond the provisions of paragraph 70 of the Framework?

4. Are the areas listed within the area covered by the TCAAP? If so, are they appropriate for inclusion in the Plan?

(See Initial Question 9 and the Council’s response)

HOU2 Older Persons Housing

5. Is the approach to older persons housing justified, effective and consistent with national policy and the JCS? Is there any overlap with JCS Policy 30?

6. Is the threshold of 50 dwellings/1.6 hectares justified? Does it relate to an identified need?

7. What is a ‘proportion’ and should this be specified? Is the desired mix clear and does it take account of local considerations? In determining the proportion, type and tenure, how will local need be evidenced? Does the Policy as drafted provide certainty and is it effective?

8. Is there any evidence that the requirements of the policy would affect the viability or deliverability of housing sites?

HOU3 Retirement Housing and Care Homes

9. Is the approach to retirement housing and care homes justified, effective and consistent with national policy and the JCS? Does this policy provide a clear indication of how a decision maker should react to a development proposal for retirement housing and care homes? How in practice will support be achieved?

(See Initial Question 25 and the Council’s response)

HOU4 Self Build and Custom Build Housing

10. Is the approach to self build and custom building housing justified, effective and consistent with national policy and the JCS? Where is the need for this type of housing established and is this a sound basis from which to seek provision?

11. Is the 50 dwellings/1.6 hectare threshold justified? Is the requirement for 5% of plots to be made available for self-build or custom build serviced plots reasonable? How will local need be evidenced?

12. What does ‘appropriately marketed’ mean in practice and how will prevailing market value be assessed? Why has a 6 months marketing period been chosen and is this justified?

13. Is there any evidence that the requirements of the policy would affect the viability or deliverability of housing sites?
**HOU5 Single Plot Exception Sites for Self-build**

14. Is the approach to single plot exception sites for self-build justified, effective and consistent with national policy and the JCS? Does it add anything to Policy 13 of the JCS which deals with Rural Exceptions more generally?

15. Is it justified to stipulate that the applicant is the prospective owner of the proposed dwelling and how will this be enforced? How will applicants demonstrate a strong local connection to the village? What if the house is not in a village? How can it be demonstrated that the applicant has a need that is not met in the market?

16. Is it appropriate to require such property to be built to the minimum nationally described space standards? What is the evidence for this, does it apply to self-build exception sites only, and does it accord with national guidance in terms of need and viability testing? What if the property is proposed to be bigger than the minimum space standards?

17. What are the ‘exceptional circumstances’ to justify blanket removal of permitted development rights?

18. What progress has been made on the Rural Exceptions Sites SPD which will provide guidance on the delivery of self-build or custom build affordable housing on rural exception sites?

(See Initial Question 19 and the Council’s response)

**Affordable Housing**

19. Is the Plan effective in delivery the affordable housing requirements of the JCS and does it meet national policy? Where is this evident?

**14.00 Matter 9 – Employment**  
(Policies EMP1, EMP2, EMP3)

**Issue**

Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the approach towards the building a strong, competitive economy.

*The JCS sets out the job creation target for Kettering of 8,100 net job growth (in all sectors). The JCS allocates strategic employment sites (5+ hectares) and the Plan allocates additional smaller scale sites to meet employment requirements.*
Questions

EMP1 Safeguarding Employment Land

1. Is the approach to safeguarding employment land justified, effective and consistent with national policy and the JCS?

2. Is Policy EMP1 in accordance with JCS Policy 22 which seeks to safeguard employment sites, unless a number of circumstances apply?

3. Is proposed MM1 justified and necessary in terms of soundness? What does it seek to achieve?

EMP2 Local Employment Areas

4. Is the approach to local employment areas justified, effective and consistent with national policy and the JCS? Is Policy EMP2 accordance with JCS Policy 22? What does it seek to achieve over and above EMP1 in local areas?

EMP3 Non Employment Uses (non B Class Use) in Safeguarded Employment Areas

5. Is the approach to non-employment uses in safeguarded employment areas justified, effective and consistent with national policy and the JCS?

6. Are MM2 and MM3 justified and required in terms of soundness? How will ‘support’ be given to ancillary proposals?

7. With regard to criterion a, how will a ‘reasonable price’ be determined and is a period of 12 months proposed in MM3 justified and appropriate? How can it be demonstrated that there is no reasonable prospect of the site being viably used for employment? What is an ‘over concentration’ referred to in criterion d? How will this be measured? Do all the criteria apply? Is an ‘and’ required after criterion e?

EMP4 Live Work Units

8. Is the approach to live work units justified, effective and consistent with national policy and the JCS? How will they be ‘encouraged’?

9. Are the other criteria effective and logically set out and do they all apply? Are some of the criteria covered by other more general development management policies in the JCS or elsewhere in the Plan? Can ‘inappropriate’ local air quality be defined in criterion e? In terms of criterion h, where are the primary, secondary and core shopping areas of the town and local centres defined and set out?


**Employment Allocations**

10. Are the employment land allocations set out in the Plan (below) justified by appropriate available evidence, having regard to national policy and local context, including meeting the requirements of the JCS?

11. Do they show how they will contribute to the achievement of the employment requirement in the JCS and its timescale for delivery?

    DES6 Land adjacent to Magnetic Park, Harborough Road, Desborough (1.8ha) (See Initial Question 5 and the Council’s response and MM30)

    KET9 Mc Alpine’s Yard, Pytchley Lodge Road, Kettering (217) and 1 ha of employment land = mixed use
    (See Initial Question 26 and the Council’s response and update in EXAM 9)

    GED5 Geddington South West, New Road (0.28 ha)

**Additional Question originally raised under Matter 1:**
Do any parts of the Plan need to be modified to reflect the recent changes to the Use Classes Order?