

Appendix 2

Northamptonshire County Council's Analysis of Kettering Borough Council's representations to the Draft Plan consultation (reported to NCC Cabinet on 10th May 2016)

Representation Type from Kettering Borough Council	Part Of Plan	Comment from Kettering Borough Council	Planning Authority Comment	Comment Proposed Amendment
Support	Para 4.11	Kettering Borough Council supports insertion of additional text which seeks to secure additional mineral land banks.	Noted	
Support	Para 4.38	Kettering Borough Council endorse the inclusion of text to support the maintenance of land banks	Noted	
Support	Para 4.41	Kettering Borough Council endorse the inclusion of text to support the maintenance of land banks, together with maintaining a watching brief of allocated sites in accordance question 4E of the Issues and Options Consultation	Noted	
Observation	Policy 4	No comment in line with previous comments from Kettering Borough	Noted	
Observation	Policy 4	No comment	Noted	
Support	Para 4.45	Kettering Borough Council supports maintaining a watching brief of allocated sites in accordance question 4E of the Issues and Options Consultation.	Noted	
Support	Para 4.46	Kettering Borough Council supports maintaining a watching brief of allocated sites in accordance question 4E of the Issues and Options Consultation.	Noted	
Support	Para 4.47	Kettering Borough Council supports maintaining a watching brief of allocated sites in accordance question 4E of the Issues and Options Consultation.	Noted	
Observation	Policy 5	No comment in line with previous comments from Kettering Borough	Noted	
Observation	Policy 5	No Comment	Noted	

Observation	Policy 7	No comment in line with previous comments from Kettering Borough	Noted	
Observation	Policy 7	No comment	Noted	
Support	Para 5.35	Kettering Borough Council acknowledge the flexibility being sought through a reduction in site specific allocations, retention of industrial area designations, and market led supply within the central spine in accordance with the proximity principle. Whilst the Council supported site specific allocations, it is considered that this approach should maintain an adequate supply of waste sites.	Noted	
Observation	Para 5.51	No comment	Noted	
Support	Policy 12	The Council endorse the inserted statement which seeks to focus waste development within the Central Spine and does not result in unacceptable cumulative impacts or adversely affect the local area. This will go some way to protecting residential amenity against inappropriately located waste treatment development. However, it is recommended to include wording within Policy 12 which makes reference to Policy 18, which sets out specific criteria for assessing proposals located within the Central Spine. As a separate observation, the exact extent of the Central Spine cannot be identified from Plan 5 (page 49), and a clearer Ordnance Survey map would be recommended.	Noted. The spatial strategy is a high level strategic policy approach and refers to town / urban areas in a broad sense. Identifying the exact extent on an OS base map would not be appropriate and is not necessary.	
	Para 5.57	This paragraph highlights a reliance on proposals coming forward through the planning process. As set out in comment to para 5.61, it is considered that some allocations should	Lessons learnt from implementation of the NCC MWDF, which included many site specific	

		<p>be considered for advanced treatments in rural area to provide low cost solutions for the processing of non-inert waste.</p>	<p>allocations, demonstrate that the waste industry is very fluid in terms of its interest in sites as it is not tied geographically in the same manner as minerals are. Proposals coming forward in areas not identified in Policy 13 of the plan will be assessed on a merits basis in line with relevant plan policies.</p>	
Observation	Para 5.61	<p>Para 5.61 (removed) relating to Policy 13 - This paragraph is removed, and relates to the provision of rural allocations for composting and anaerobic digestion. None of the new site allocations and industrial site designations makes provision for new open windrow composting facilities which are in particular shortage. Appendix 4 of the draft plan indicates the limited number of existing commitments for open window row composting facilities in the area. This was an issue highlighted in Kettering Borough Council's comments to the Issues and Options Consultation in June 2015. As a result, the Council would reiterate a need for the draft plan to include provision for suitable sites for advanced treatment of waste (i.e. open air windrow composting).</p>	<p>There is no requirement to identify sites for composting as the permitted capacity is sufficient to address forecast arisings during the plan period. In general the approach is to move away from site specific allocations as implementation of previous plans has demonstrated other avenues to be more practical given the fluid state of investment in the waste industry. However proposals that come forward for such development will be assessed on a merits basis in line with relevant plan policies.</p>	
Observation	Para 5.61	<p>This paragraph highlights that other unidentified general industrial areas</p>	<p>Proposals that come forward for waste related</p>	

		<p>may be suitable for waste uses but are not given 'in-principle' support. The Council accept this basic premise, subject to stringent assessment criteria being applied to safeguard against inappropriate development particularly at sites of strategic importance such as at new strategic industrial site allocations set out in the emerging Joint Core Strategy which emphasises a focus on renewable, green and high performance technologies</p>	<p>development within such areas will be assessed on a merits basis in line with relevant plan policies and the wider statutory development plan.</p>	
<p>Observation / Objection</p>	<p>Para 5.64</p>	<p>Para 5.70 states that additional facilities for integrated waste management uses, which lead to an over provision would not be supported. This supporting policy text does not appear to be incorporated elsewhere within the plan. As a result, where there is an over-provision of facilities which does not result in cumulative impacts, under the current policy provision, there may well be oversupply and continued early closure of sites as demand fluctuates. This will have a detrimental impact on employment and the environmental quality of the area. It is suggested that this text is incorporated into Policy 18, so that emerging sites which come forward through the planning process are fully justified through a demonstrable need to avoid this adverse impact.</p>	<p>Para 5.70 has been deleted – this matter is addressed in para 5.31.</p>	
<p>Observation</p>	<p>Policy 13</p>	<p>Kettering Borough Council endorses the allocation of Northampton East and Corby South East for future waste sites, together with inclusion of specified industrial area allocations for waste uses compatible within urban</p>	<p>Noted Please refer to council comments regarding Kettering Borough Council response to para 5.61.</p>	

		<p>area. This includes two sites located within the Borough of Kettering; namely WL13: Telford Way, and WL14: Kettering: Pytchley Lodge. The Council acknowledges that only designated industrial areas are considered acceptable in principle for waste uses, and that similar proposals for nondesignated industrial areas will be subject to full assessment in accordance with criteria set out within Policy 18 of the Draft Plan. Enlargement of industrial sites within Corby (WL16 – WL18) will provide some additional potential capacity for waste uses compatible within an urban area, but a greater use of site specific allocations is preferred, so that more certainty can be given to the location of new waste sites and new industrial sites identified within the emerging Joint Core Strategy which emphasises a focus on renewable, green and high performance technologies are safeguarded. The identified and designated sites are unlikely to provide additional capacity for windrow composting due to the nature of this technology.</p>		
Object	Para 6.4	<p>This supporting text highlights the need to address potential impacts of waste development. Ideally, the newly inserted paragraph to Policy 12 would signpost to criteria set out within Policy 18 which itself, remains unchanged. Subject to this, it is considered that new development proposed outside of industrial site designations and site allocations should be adequately assessed. Notwithstanding this</p>	<p>The plan should be read as a whole and so cross referencing is not usually Considered necessary. The purpose of the new para 6.4 is to highlight the specific need for proposals within industrial areas neighbouring more sensitive</p>	

	<p>endorsement, the Council would object to waste treatment facilities in areas of significant residential development, where sensitive receptors may be affected by the negative consequences of co-located waste treatment facilities. Para 5.60 to 5.61 of the proposed supporting text to policy 13 of the draft plan states: 5.60 'Within the central spine and subregional centre the spatial strategy for waste management states that the preferred locations for urban-located waste management uses will be general industrial areas or areas of significant residential and commercial development. General industrial areas within which waste management uses would be acceptable in principle are identified in Policy 13.' 5.61 'Industrial areas, or parts thereof, not identified (as well as other industrial areas in the central spine, subregional centre and rural service centre locations) are not ruled out through this policy but do not have the same 'in principle' support. This is because they are not predominantly general industrial areas (i.e. they also comprise such uses as B1 offices, retail or large distribution warehouses), or the extent of the industrial area is small in comparison with other industrial areas in the urban area.' The Council's comments to the Issues and Options Consultation stated in comment to issue 4 that waste sites should be located away from existing and planned housing. Whilst the Council advocates the application of the proximity principle</p>	<p>land uses to have regard to potentially adverse impacts on these. This is already sufficiently addressed in Policy 18 however consultation responses indicated that there was a need to highlight this issue.</p>	
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		with respect of waste treatment and disposal, sufficient separation distance needs to be applied between residential areas and waste treatment/disposal sites in order to protect amenity. As a result, it is recommended that the wording of para 5.60 is amended to make this clear so that it more closely accords with Policy 12 and 18 of the draft plan.		
Support	Para 6.4	The insertion of this paragraph to protect residential amenity is endorsed. However, it is also recommended that the wording is clarified further, to also protect sensitive industrial area neighbours, such as those which may be attracted to new strategic industrial areas set out within the Joint Core Strategy (e.g. offices, renewable, green and high performance technologies).	The policy states “more sensitive land uses” with residential development included as an example – it is not limiting consideration to only residential.	
Support	Para 6.9	The reference to the Nene Valley Nature Improvement Area is endorsed	Noted	
Observation	Policy 23	The final bullet point makes reference to ‘regard to relevant guidance’ in terms of reducing fire risk on waste management and disposal sites. The relevant guidance is referred to by inserted para 6.36 and footnote 18. It is recommended that the policy or footnote to current best practice guidance includes a reference also to ‘any subsequent versions which replace it’ so that the policy can remain relevant even when current ‘relevant guidance’ is superseded	The reference to relevant guidance does not specify a title or date as to do so would date the plan as such the additional wording suggested for the policy is not necessary. The footnote however does specify a title and date for the reference document and so a note could be added to the footnote to prevent the plan from dating.	Para 6.36 – footnote 18 to read: “Such as the Environment Agency guidance on Fire Prevention Plans and “Reducing Fire Risk on Waste Management Sites” issued by the Waste Industry Safety and Health Forum in October 2014 (or relevant documents

				superseding this reference), which provides advice and standards on good and acceptable practice to reduce the risk of fire on waste sites.”
Observation	Table 8	Policy 13 refers to Policy 134 and should be corrected to read 'Policy 13'. It may also be appropriate to include a trigger to monitor sites which are subsequently closed (indicating excess supply). No other comments.	The text actually reads policy 13 but due to the use of tracked changes to enable readers to see what amendments are proposed the 4 has been crossed through but it is difficult to see the cross-through. Permitted capacity is monitored and where the council is notified of closure this is taken into account .	