

Kettering Borough Council

Draft
Local Development Scheme
(LDS)
2019 - 2022

*Draft Version – recommended to the Planning
Policy Committee, for adoption by Full
Council
10 September 2019*

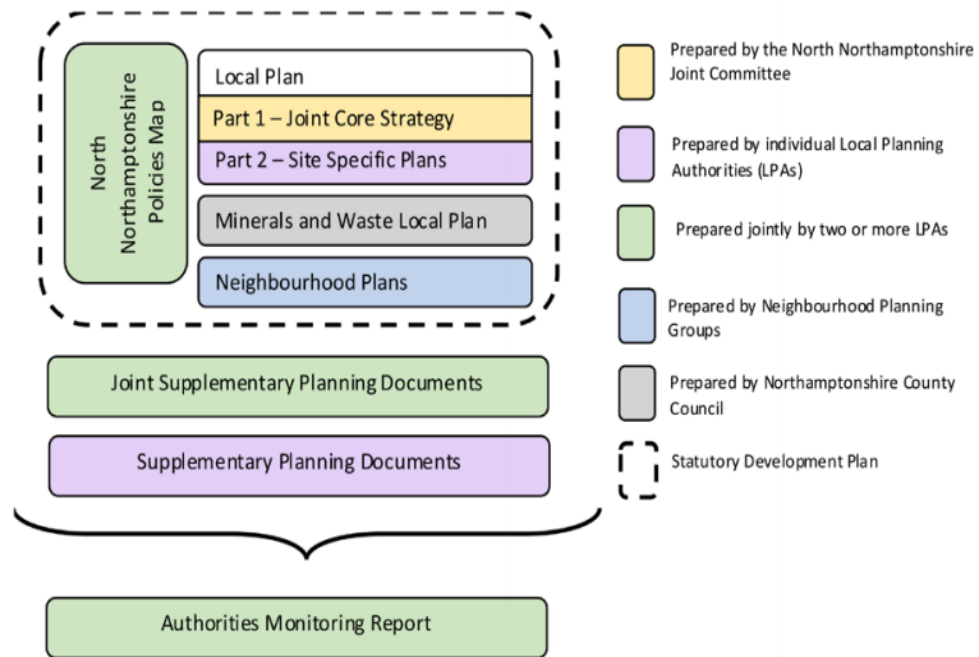
Kettering
Borough Council

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1 Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) requires local planning authorities to prepare, maintain and publish a Local Development Scheme (LDS). The purpose of the LDS is to enable the local community to identify the timetable for the preparation of planning documents prepared in their area. This updates any previous LDS and reflects changes in guidance and adoption of the North Northamptonshire Joint Core Strategy (JCS).
- 1.2 Kettering Borough is an administrative area within North Northamptonshire. The four North Northamptonshire district/borough authorities created a Joint Planning Unit in 2004 and established a Joint Planning Committee under Section 29 of the Planning and Compulsory Purchase Act 2004. This consists of elected Members from each of the four district/borough councils and Northamptonshire County Council. The diagram below shows the relationship between the authorities in terms of plan making in North Northamptonshire.



- 1.3 This LDS covers a three-year period and sets out details of the Development Plan Documents (DPDs) that Kettering Borough Council intends to produce, and the timetable for their production. It also includes an assessment of the roles and responsibilities of those involved in their production; a reflection on the relationship with Neighbourhood Plans and other documents; and an assessment of risks and contingencies as part of the programme to adoption.
- 1.4 The LDS will be kept up-to-date on the Council's website to allow local communities and other interested parties to keep track of the Council's progress, aware of critical phases of plan preparation, and alert to when the key stages will occur.

2 Kettering Borough Development Framework – Current Position

2.1 The Kettering Borough Development Framework currently comprises the following:

Development Plan Documents

- North Northamptonshire Joint Core Strategy (JCS) (Part 1 Local Plan) - adopted July 2016
- Kettering Town Centre Area Action Plan - adopted July 2011
- Saved policies from the Local Plan for Kettering Borough - adopted January 1995
- Northamptonshire Minerals and Waste Local Plan Update – adopted July 2017

Other Development Framework Documents

- Statement of Community Involvement – (elsewhere on this agenda) with the potential to be adopted 25th September 2019
- North Northamptonshire Authorities Monitoring Report – published annually
- Kettering Town Centre Area Action Plan Monitoring Update Report – published annually
- Local Development Scheme (this document)

2.2 Kettering Borough benefits from a North Northamptonshire Joint Core Strategy, adopted July 2016, and the Kettering Town Centre Area Action Plan (AAP), which was adopted in July 2011. There also remain a small number of saved policies from the Local Plan for Kettering Borough (adopted 1995).

2.3 The preparation of new documents will bring with it the need to review and update the content of this Local Development Scheme (LDS) however, changes to the content of documents or minor alterations to supporting mechanisms will not necessarily demand a review of the LDS.

Related Strategies

2.4 Working with the Local Strategic Partnership (the Kettering Partnership) will be at the heart of preparing the Development Framework documents. The Kettering Partnership consists of numerous groups and panels and is responsible for driving and developing partnership, promoting joint working, and leading on the implementation, monitoring and review of the Community Plan. The Community Plan and Town Centre Strategy for Kettering, plus other work streams will be influential in guiding the preparation of the Development Plan Documents.

3 Development Plan Documents – Future Position

North Northamptonshire Joint Core Strategy

- 3.1 The first North Northamptonshire Core Spatial Strategy was adopted in 2008, for the period 2001-2021. The document has since been superseded in its entirety, and replaced by the North Northamptonshire Joint Core Strategy (JCS). The JCS was adopted in July 2016, and will cover the period 2011-2031. It was prepared by the North Northamptonshire Joint Planning Unit, and adopted by the North Northamptonshire Joint Planning Committee. The JCS is the strategic Part 1 Local Plan for the area, providing strategic planning policy and outlining the big picture for the wider North Northamptonshire area.

Kettering Borough Site Specific Part 2 Local Plan

- 3.2 The Site Specific Part 2 Local Plan (SSP2) will be prepared by Kettering Borough Council. It will provide local planning policies and more detail, where necessary, to those policies contained within the Part 1 Local Plan. The Part 2 and Part 1 plans should be intrinsically linked, to read as one Local Plan.
- 3.3 The emerging SSP2 will allocate non-strategic housing and employment sites throughout the Borough, and provide town centre policies for the three Market Towns, at Burton Latimer, Desborough and Rothwell. The Plan will also provide open space, Local Green Space, and Green Infrastructure policies to protect and provide for formal and informal leisure provision throughout the Borough.

Gypsy and Traveller Site Allocation Policy

- 3.4 This standalone policy document will be prepared by Kettering Borough Council. It will explore projected need for gypsy and traveller accommodation throughout Kettering Borough, and will seek to allocate land to provide sufficient pitch numbers to meet the identified need. The North Northamptonshire Gypsy and Traveller Accommodation Assessment (GTAA) was published in March 2019 and identifies need for each of the four authority areas.

Rothwell and Desborough Urban Extension Area Action Plan (AAP)

- 3.5 Progress with the Rothwell and Desborough Urban Extension AAP was put on hold several years ago. The AAP for the urban extensions had been agreed by the Council's Planning Policy Committee for Submission to the Secretary of State. However, following the submission of planning applications for both preferred sites, and that the applications broadly reflected the emerging AAP, it was decided to delay submitting the Plan. Both applications have since been approved, with Reserved Matters Applications and clear timetables for delivery on site from the developers. It is proposed to retain the AAP within the LDS, disposing of it once both sites are commenced.

Kettering Town Centre Area Action Plan (AAP)

- 3.6 Kettering Town Centre benefits from policies adopted through the Kettering Town Centre AAP. The AAP was adopted in July 2011. The major out-of-town shopping proposal at Rushden Lakes in East Northamptonshire opened in July 2017. It is clear this has provided a challenge to the offer and vitality and viability of Kettering town centre, along with changes in shopping habits in general. As such, once the Site Specific Part 2 Local Plan (SSP2) has been adopted, resources can be directed towards undertaking a comprehensive review of the Kettering Town Centre AAP. In the meantime, work is progressing in implementing the Council's Kettering Town Centre Delivery Plan, this is providing a focus for the delivery of a series of projects to support the town centre.

Neighbourhood Plans

- 3.7 The Localism Act 2011 introduced new rights and powers to enable communities to get directly involved in planning for their area. Neighbourhood planning allows communities to come together through a parish council or formal neighbourhood forum and produce a neighbourhood plan. Neighbourhoods can decide what they want to cover in their neighbourhood plan. They may allocate land for development or influence the type and design of development that comes forward. Neighbourhood plans must however be in general conformity with National Policy and the strategic planning policies already adopted by the Borough Council. They should not promote less development than set out in the Local Plan or undermine its strategic policies. They are also subject to an independent Examination and need to be approved by a majority vote in a local Referendum, before they can be Made (adopted).
- 3.8 To date, Kettering Borough Council has formally designated 8 neighbourhood areas, all bar one being prepared by a Town or Parish Council covering the whole of the parished area. A list of the Neighbourhood Plans and their current status is provided below. The first of the Neighbourhood Plans to be "made" was for Broughton, the Neighbourhood Plan group also "made" a Neighbourhood Development Order at the same time. Further information can be found at the following link:

https://www.kettering.gov.uk/info/20058/planning_strategies_and_policies/29/neighbourhood_planning

Neighbourhood Plan Group	Date Area Designated	Status
Rothwell	10 th April 2013	Work in progress
Desborough	16 th October 2013	Work in progress
Broughton	15 th January 2014	Made 17 th October 2018
Mawsley	15 th April 2015	Work in progress
Great Cransley	27 th May 2015	Work in progress

South West Kettering (Headlands Community)	14 th October 2015	Work in progress
Pytchley	7 th December 2015	Work in progress
Grafton Underwood	3 rd June 2019	Work in progress

- 3.9 Any further “made” Neighbourhood Plans will also form a part of the Development Plan and will be used to assess and determine planning applications within the Plan’s designated area.

4. Other Documents

Statement of Community Involvement

- 4.1 The North Northamptonshire Statement of Community Involvement (SCI) was last adopted in November 2013, this document has however since been reviewed and is proposed to be adopted by this Council on 25th September 2019. The SCI sets out the programme of community engagement in the preparation of local planning documents and in considering planning applications for the area. It sets out how the community can become involved in influencing Local Plans and planning applications ranging from minor development proposals such as house extensions, to major housing, employment and retail schemes.

Community Infrastructure Levy and Planning Obligations

- 4.2 The Community Infrastructure Levy (CIL) is a standard pre-set charge which local planning authorities are empowered, but not required, to charge on all new developments over a minimum size. However, planning obligations through S106 Agreements remain a key means for ensuring that developments pay for infrastructure to make a development proposal acceptable in planning terms. At a meeting of the Council's Planning Policy Committee on 28th January 2015, Members resolved to put preparing a CIL levy for the Borough on hold and review the implications of this decision in light of further changes in regulations; the results of any case law on pooling; or following adoption of the Joint Core Strategy. The other North Northamptonshire authorities decided to also put preparation of their CIL on hold. Earlier this year the Government resolved to remove pooling restrictions previously imposed limiting 5 planning obligations towards a single piece of infrastructure. Further guidance on these topic areas was published by the Government on 2nd September 2019.

Supplementary Planning Documents

- 4.3 Supplementary Planning Documents are not required to be identified in the Local Development Scheme. It is however worth noting that Supplementary Planning Documents have already been adopted for the following:

- Open Space SPD
- Sustainable Design SPD
- East Kettering Strategic Design SPD
- Kettering Town Centre Urban Codes SPD
- Kettering Public Realm SPD
- Kettering Borough Shopfront Design Guidance SPD
- Biodiversity SPD

An additional SPD currently in preparation is a North Northamptonshire Place-Shaping SPD, a suite of SPDs is also being considered in relation to Open Space, Playing Pitches and Sports Facilities. It may be necessary to review the above SPDs in the future. Further information on the Councils SPDs can be viewed by selecting the following link:

https://www.kettering.gov.uk/downloads/download/64/supplementary_planning_documents

North Northamptonshire Authorities Monitoring Report

- 4.4 The North Northamptonshire Joint Planning Unit compiles an Authorities Monitoring Report to measure progress made in delivering the policies contained within the Joint Core Strategy. Kettering Borough Council publishes an Annual Monitoring Report on its Kettering Town Centre Area Action Plan. It measures the effectiveness of the adopted policies within that Development Plan Document.

Strategic Environmental Assessment and Sustainability Appraisal

- 4.5 Achieving sustainable development is at the heart of the National Planning Policy Framework (NPPF) and planning system in general. Development Plans must be in general conformity with the NPPF. Therefore, the proposed Development Plan Documents will have to be subject to a Sustainability Appraisal (incorporating a Strategic Environmental Assessment). This will ensure that the social, economic and environmental effects of policies and allocations are understood, and fully taken into consideration. This is particularly important in the appraisal of reasonable options.
- 4.6 Development Plan Documents must also comply with the requirements of the European Community's Habitats Regulations on the conservation of natural habitats and of wild fauna and flora (Directive 92/43/EEC, May 1992). An Appropriate Assessment will be prepared for each Development Plan Document, and along with the Sustainability Appraisal, will be subject to testing at the Examination into the Plans.

5 Delivery and Implementation

Joint Working

- 5.1 A Joint Planning Unit (JPU) was set up to co-ordinate the production of strategic plan making, in the form of the Joint Core Strategy, through staff secondment and pooling of resources. The JPU is also responsible for producing the Statement of Community Involvement, and Annual Authorities Monitoring Reports. It may also be involved in coordinating other joint work and supporting the preparation of Part 2 Local Plans by each of the partner authorities.

Resources

- 5.2 In preparing the Development Plan Documents, the Council's Planning Policy Team will lead in the production of each of the Development Plan Documents. It also recognises the need to use consultant expertise to assist in producing various elements of the technical background work. The Council has budgeted for the work necessary to prepare the Development Plan Documents and has incorporated a reserve within the budgets to account for the higher costs necessary to progress Plans through Examination.

Risk Assessment

- 5.3 Production of the Development Plan Documents requires consideration of the potential risks involved in their preparation. In preparing this LDS, it was found that the main areas of risk relate to the following aspects:
- **Staff turnover and retention** – The Council officers will continue to work flexibly within the teams to ensure that resources are directed towards areas where the greatest priorities require them. Plan preparation is a priority within the work programme. This will help to ensure that any loss of staff whilst positions are filled do not have a significant impact on timetables.
 - **Joint working** – The Council will continue to work positively with its North Northamptonshire partner authorities, and the Joint Planning Unit. It will also continue to engage with other authorities and organisations to ensure it satisfies the Duty to Cooperate and prepares a Statement of Common Ground.
 - **Public Service Reform** – Kettering Borough Council will cease to exist on 1st April 2021, and as an area will become a part of a new unitary authority. Ahead of that date, elections will be held to appoint councillors to the shadow authority. Efforts will be made to ensure that these new Members are informed of the Plans in preparation, and that the transition of existing and emerging Plans between Kettering Borough Council to new a unitary authority is as smooth as possible.

- **Budget pressures** – The budget is regularly monitored to plan and project for any extra costs potentially incurred in producing the Development Plan Documents.
- **Capacity of the Planning Inspectorate (PINS)** – Advanced notification of timetables are being provided to the Planning Inspectorate to assist them in ensuring a suitable Inspector is available.
- **Agreeing the Plans through Committees** – Officers work closely with all Members, but in particular the Chair, Portfolio Holder and Members of the Planning Policy Committee, to inform them of progress in preparing the Development Plan Documents, and Background Documents, to develop understanding and foster a spirit of ownership of the content of each Plan.
- **Soundness of the Plans** – The Council will seek to minimise any risk to the assessment of “soundness” by informing PINS of the on-going process and working alongside the Council’s designated planning solicitor throughout the process.
- **Legal Challenge** – As above, the Council will work closely with its designated planning solicitor to reduce the risk of a successful legal challenge.
- **Programme Slippage** – The timetables set are considered challenging but also achievable. To seek to reduce the risk of slippage, the programme will be regularly monitored, and contingencies explored to keep the timetables on track.

Monitoring and Review

- 5.4 The North Northamptonshire Authorities’ Annual Monitoring Report will monitor the progress of the LDS on an annual basis, reporting by December each year. An annual monitoring report will be prepared to report on the delivery of policies for each of the Development Plan Documents once each document is adopted.
- 5.5 The LDS will be reviewed within a minimum of three years from the adoption of this document.

Schedule of proposed Development Plan Documents to be prepared and agreed by Kettering Borough Council

Document title	Status	Responsible authority	Brief description	Chain of conformity	Early stakeholder + community involvement	Consultation on Publication Plan	Date for submission to S. of S.	Proposed date for adoption
Site Specific Part 2 Local Plan	DPD	KBC	Policy framework containing land allocations and site-specific proposals in Kettering Borough	To conform with the Joint Core Strategy	Draft Plan for consultation June-July 2018	December 2019-January 2020	April 2020	December 2020
Gypsy and Traveller Site Allocation Policy	DPD	KBC	Identify projected need for gypsy and traveller accommodation, and will seek to allocate land to provide sufficient pitch numbers to meet the identified need.	To conform with the Joint Core Strategy	Draft Plan for consultation December 2019-January 2020	April 2020	July 2020	April 2021
Kettering BC Proposals Maps	DPD	KBC	Illustration of policies and proposals on ordnance survey base.	To conform with the Joint Core Strategy and Site Specific Part 2 Local Plan	Continuously updated			
Rothwell & Desborough Urban Extension Area Action Plan	DPD	KBC	Address the planned expansion of Rothwell & Desborough, setting out detailed requirements of new development.	To conform with the Joint Core Strategy and Site Specific Part 2 Local Plan	2007-2010	December 2009- February 2010	No timetable to progress	
Kettering Town Centre Area Action Plan Review	DPD	KBC	Review of the existing document, to continue to provide a framework to set the policy framework and deliver a vision for Kettering town centre.	To conform with the Joint Core Strategy and Site Specific Part 2 Local Plan	October 2020 to April 2021	Not yet established		

Title: Site Specific Part 2 Local Plan		
Document details	<p>Role and subject The Site Specific Part 2 Local Plan, when adopted, will form part of the statutory North Northamptonshire Development Plan. The document will cover the whole Borough with the exception of issues addressed in the Joint Core Strategy and the Kettering Town Centre Area Action Plan. The allocation of land for gypsy and traveller accommodation will also be addressed through a separate Development Plan Document. The Part 2 Local Plan will include the identification of sites for housing, employment, recreation, green infrastructure and other land uses. In addition, it will contain policies relating to specific areas such as Rothwell, Desborough and Burton Latimer town centres. The plan may also contain policies relating to topics of design, affordable housing and protection of the open countryside.</p> <p>Geographical coverage The administrative District of Kettering Borough</p> <p>Status Development Plan Document</p> <p>Chain of conformity North Northamptonshire Joint Core Strategy</p>	
Timetable	<ul style="list-style-type: none"> - Early stakeholder and community engagement - Draft Plan for consultation - Publication consultation - Submission to S of S - Examination - Adoption 	<p>Ongoing</p> <p>June - July 2018</p> <p>December 2019 – January 2020</p> <p>April 2020</p> <p>July 2020</p> <p>December 2020</p>
Arrangements for production	<p>Organisation leading the process Kettering Borough Council</p> <p>Management arrangements The Site Specific Part 2 Local Plan will be prepared, consulted upon, and managed by the Planning Policy Committee. Adoption of the Plan will be considered by KBC Full Council.</p> <p>Resources required to produce the DPD Planning Policy Team, Development Services Planning Policy budget</p> <p>Approach to involving stakeholders and the community Refer to the adopted Statement of Community Involvement.</p>	

Title: Gypsy and Traveller Site Allocation Policy		
Document details	<p>Role and subject The Gypsy and Traveller Site Allocation Policy, when adopted, will form part of the statutory North Northamptonshire Development Plan. This document will explore projected need for gypsy and traveller accommodation throughout Kettering Borough. It will seek to allocate land to provide sufficient pitch numbers to meet the identified need. A Gypsy and Traveller Accommodation Assessment (GTAA) for North Northamptonshire identifying needs for the area was published in March 2019.</p> <p>Geographical coverage The administrative District of Kettering Borough</p> <p>Status Development Plan Document</p> <p>Chain of conformity North Northamptonshire Joint Core Strategy</p>	
Timetable	<ul style="list-style-type: none"> - Early stakeholder and community engagement - Draft Plan for consultation - Publication consultation - Submission to S of S - Examination - Adoption 	<p>Ongoing</p> <p>December 2019 – January 2020</p> <p>April 2020</p> <p>July 2020</p> <p>September 2020</p> <p>April 2021</p>
Arrangements for production	<p>Organisation leading the process Kettering Borough Council</p> <p>Management arrangements The Gypsy and Traveller Site Allocation Policy will be prepared, consulted upon, and managed by the Planning Policy Committee. Adoption of the Plan will be considered by KBC Full Council.</p> <p>Resources required to produce the DPD Planning Policy Team, Development Services Planning Policy budget</p> <p>Approach to involving stakeholders and the community Refer to the adopted Statement of Community Involvement.</p>	

Title: Kettering Borough Proposals Maps	
Document details	<p>Role and subject The proposals maps will illustrate on an Ordnance Survey base map all the policies and proposals contained in development plan documents and saved policies. It will reflect the Key Diagram in the Joint Core Strategy, and it will contain Insets showing the proposals within specific areas (e.g. sites subject to development allocation; Area Action Plans; or sites to which policies apply for protection and/or enhancement).</p> <p>Geographical coverage The maps will cover the administrative district of Kettering Borough.</p> <p>Status Development Plan Document</p> <p>Chain of conformity North Northamptonshire Joint Core Strategy</p>
Timetable	The Proposals Maps will be revised, where necessary, to reflect the up-to-date plan for the area whenever a Development Plan Document is adopted or a 'saved' policy ceases to be part of the Local Plan.
Arrangements for production	<p>Organisation leading the process Kettering Borough Council</p> <p>Management arrangements The Proposals Maps will be prepared, consulted upon, and managed by the Planning Policy Committee. Adoption of policies that appear on the Proposals Maps will be considered by KBC Full Council or the Joint Planning Committee, dependent upon the relative powers.</p> <p>Resources required to produce the DPD Planning Policy Team, Development Services Plus external resources to be procured from companies providing cartographic, printing and online information, through funds allocated in the Planning Policy budget</p> <p>Approach to involving stakeholders and the community Refer to the adopted Statement of Community Involvement.</p>

Title: Rothwell & Desborough Urban Extension Area Action Plan		
Document details	<p>Role and subject This Development Plan Document has been prepared for Submission to the Secretary of State, and subsequently put on hold whilst planning applications related to the two preferred sites are determined. No timetable to progress the AAP is set out, it is likely the Plan will be disposed of when the Part 2 Local Plan is Submitted to the Secretary of State for Examination or the developments start on site.</p> <p>Geographical coverage Rothwell & Desborough parishes</p> <p>Status Development Plan Document</p> <p>Chain of conformity North Northamptonshire Joint Core Strategy</p>	
Timetable	<ul style="list-style-type: none"> - No timetable currently set out - AAP to be disposed of 	April 2020
Arrangements for production	<p>Organisation leading the process Kettering Borough Council</p> <p>Management arrangements Resolving disposal of the Rothwell and Desborough Urban Extension AAP will be managed by the Planning Policy Committee.</p> <p>Resources required to produce the LDD Planning Policy Team, Development Services</p> <p>Approach to involving stakeholders and the community Refer to the adopted Statement of Community Involvement.</p>	

Title: Kettering Town Centre Area Action Plan Review		
Document details	<p>Role and subject This AAP will review the existing Kettering Town Centre AAP, setting out policies and proposals for Kettering Town Centre. The aim of the Development Plan Document will be to enhance the vitality and viability of the town centre by considering issues of growth, distribution of land uses, access, and improvements to the public realm. It will require reference to AAP Annual Monitoring Reports and subsequent reports on the health of the town centre as a result of the major out-of-town development at Rushden Lakes, changes on shopping habits, and development at neighbouring town centres.</p> <p>Geographical coverage Kettering Town Centre</p> <p>Status Development Plan Document</p> <p>Chain of conformity North Northamptonshire Joint Core Strategy.</p>	
Timetable	<ul style="list-style-type: none"> - Early stakeholder and community engagement - No other timetable has yet been set 	October 2020 to April 2021
Arrangements for production	<p>Organisation leading the process Kettering Borough Council</p> <p>Management arrangements The Kettering Town Centre AAP will be prepared, consulted upon, and managed by the Planning Policy Committee. Adoption of the Plan will be considered by KBC Full Council.</p> <p>Resources required to produce the LDD Planning Policy Team, Development Services Planning Policy budget</p> <p>Approach to involving stakeholders and the community Refer to the adopted Statement of Community Involvement.</p>	