## Consistency with National Planning Policy (June 2012)

### Consultee
- 533602 Autumn Park Limited

### Agent
- Mr Nick Grace
  - Partner
  - Grace Machin Planning & Property

### Consultation Point
- Grantham Area Action Plan
  - EM1 & EEP8

### Summary of Comment
**CommentID: NPPF3**

**Summary of Comment**
The GAAP document would be more robust if extracts were included in the document rather than simply acknowledging that the guidance has been published and the GAAP is in ‘general’ conformity with it.

**SKDC Response**
Comments noted. However, it is not necessary or appropriate to repeat higher level planning policy in development plan documents where they are considered to be compatible with that higher level policy.

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### Consultee
- 534219 Mr A Edwards

### Agent
- Mr Nick Grace
  - Partner
  - Grace Machin Planning & Property

### Consultation Point
- Grantham Area Action Plan
  - Figure 1 GAAP

### Summary of Comment
**CommentID: NPPF4**

**Summary of Comment**
From the latest modifications proposed, we do not consider that SKDC are taking into account ‘market signals’. The land within the ownership of Mr. Edwards could by virtue of its location achieve a sustainable development. A creative solution to the development of the site would benefit the people of Grantham. A simple re-alignment of the GAAP boundary with the town boundary would actually reflect the land’s true long term association with Grantham.

**SKDC Response**
Comments noted, however, the Council considers that the publication of the NPPF does not change its response to the original representation to the Submission Plan regarding this specific site.
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Consultee: Robert J Batchelor  
Agent: Grantham Area Action Plan  
Consultation Point: GRAH 3  
CommentID: NPPF10

Summary of Comment:  
The presence of GRAH3 in the GAAP is inconsistent with it's adopted evidence base and the NPPF in the context of it's value, further making the plan unsound.

SKDC Response:  
The identification of site GRAH3 as an allocation involved assessment of all the constraints associated with the site, including those in the NPPF referred to by the respondent. These issues were set out in the GAAP Evidence document published in October 2011.

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Consultee: HPC Homes, Namulas Trustees & Pask  
Agent: Antony Aspbury Associates  
Consultation Point: Grantham Area Action Plan  
CommentID: NPPF15

Summary of Comment:  
The GAAP will not fulfil the purposes adduced for it in Paragraph 1.0.1 and will not deliver the outcomes bulleted at Paragraph 1.0.8. Nor will it meet the specific aspirations set out in the Vision and Objectives (Chapter 2). In particular it will not achieve the five bulleted outcomes listed at the end of the Vision, or, specifically Objectives 1 and 2. It is inadequate as a delivery document for the development provided for in the Core Strategy DPD. The Plan lacks substance, is ineffective for its stated purpose and still suffers from a crucial policy deficit.

SKDC Response:  
The representation reiterates many of the matters raised by the representors at the pre-submission consultation stage. However, the Council's view is that the Plan (as proposed to be modified) is compliant with the NPPF.

The Council has also prepared a five year land supply paper which demonstrates a 5.2 year supply of deliverable sites. In addition a buffer of up to 320 homes (almost 10%) can be identified on proposed allocations in later phases of the plan period which could be brought forward to
provide choice and competition in the market, as required by the NPPF.

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**Summary of Comment**
No robust and credible evidence exists to demonstrate that the NWQ can realistically deliver 3,500 dwellings over the plan period. No clear timeline and phasing for this important development is set out in the Plan itself, which is essential given the importance of the allocation for the success of the GAAP and Core Strategy. As a result of these shortcomings Policy HS1 is not consistent with the policies of the NFFP.

**SKDC Response**
The latest housing trajectory, which updates that in the Core Strategy, is contained in the Annual Monitoring Report 2011 and this will be updated and published annually through the AMR. The Council are confident regarding delivery of the NWQ: in addition to the two reserved matters applications for the first phases of the NWQ(E) a planning application for the NWQ(W) is due to be submitted this autumn, as confirmed in the representation from GVA Grimley to the proposed modifications to the GAAP (on behalf of Linden Homes Ltd and Jelsons Ltd) (rep number GPMOD36).

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**Summary of Comment**
The safeguarding of our client’s land, shown in Appendix A, by Policy AT1 and the accompanying Figure 11 is already the subject of an

**SKDC Response**
See Response to NPPF21
Consistency with National Planning Policy (June 2012)

objection to the GAAP. This safeguarding is inconsistent with the policies of the NPPF. Despite the benefits that our client’s land could bring to the NWQ – ensuring a comprehensive development, increasing prospects of delivery and providing the essential pedestrian and cycle linkages to the north, consistent with the Green Infrastructure Strategies (2009 and 2011) (Policy GI 1 and Figure 3 of the GAAP) – the GAAP continues to adopt a distinctly negative approach to Plan-making in this respect.

Objection to the GAAP.

This safeguarding is inconsistent with the policies of the NPPF. Despite the benefits that our client’s land could bring to the NWQ - ensuring a comprehensive development, increasing prospects of delivery and providing the essential pedestrian and cycle linkages to the north, consistent with the Green Infrastructure Strategies (2009 and 2011) (Policy GI 1 and Figure 3 of the GAAP) – the GAAP continues to adopt a distinctly negative approach to Plan-making in this respect.

Summary of Comment

A net minimum dwelling requirement of 439 (assuming full delivery of the assumed rates on the SUEs [which is now questionable]) (see Para 3.6.1 of the Modified Plan [6143/14 = 439]), the draft Plan provides a mere 819 units on five sites proposed for allocation, two of which are medium sized sites and three of which small. Of these 819 units, 309 are proposed to be brought forward on two of the five sites in the remaining 3.5 years of the 5-year period (2011 to 2016), with the remaining 510 on three sites being delivered in the period 2016 to 2021. The 390 surplus of provision over the minimum requirement of 429 dwellings represents just 7% of the minimum 5529 dwellings required by the Core Strategy.

Consultee: HPC Homes, Namulas Trustees & Pask

Agent: Antony Aspbury Associates

Consultation Point: Grantham Area Action Plan

CommentID: NPPF18

SKDC Response

Provision is made for sufficient housing to meet requirements over 15 years to 2026. The NPPF requires an LPA to demonstrate that there is a five year supply of deliverable housing land with an additional 5% buffer (20% if there has been persistent under-delivery). The Council believes it has consistently achieved a high level of housing development (demonstrated in the Statement of Five Year Housing Land Supply 2012-2017 submitted to the Examination), and is confident that the provision of a 5% buffer is appropriate for the District.
**Consistency with National Planning Policy (June 2012)**

**Consultee**
26605 HPC Homes, Namulas Trustees & Pask
HPC Homes

**Agent**
Antony Asbury Associates

**Consultation Point**
Grantham Area Action Plan
Policy HS1: New Housing Development

**CommentID:** NPPF16

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**Summary of Comment**
The Representors contend that the Submission GAAP, as Modified, is inconsistent with/does not fulfil its declared function as set out in Paragraph 1.0.1, will not achieve the outcomes listed in 1.0.8 and will not fulfil the Vision and Objectives set out in Chapter 2.

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**Consultee**
527735 P & B Lely

**Agent**
Mr Dan Mitchell
Barton Willmore

**Consultation Point**
Grantham Area Action Plan
Policy NWQ1

**SummaryID:** NPPF21

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**SKDC Response**
Comments noted.

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**Summary of Comment**
The decision of the Council to exclude our client's land from the NWQ is inconsistent with the NPPF as it runs contrary to the presumption in favour of sustainable development.

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**SKDC Response**
This representation largely reiterates comments made at the pre-submission consultation stage on the GAAP (the Council's response to which is set out in the summary schedule of representations), but sets them in the context of the NPPF. The Council's position has not changed both in terms of safeguarding allotments and the identified physical constraints of this site. Policy AT1 includes criteria requiring a proposal demonstrates that the site is not required to meet the local standard defined in the Policy. This standard has been set using the evidence provided by the study of Open...
Space, Sport and Recreation in South Kesteven (2009). This study makes an objective assessment of need and current supply of open space based on local circumstances. Together the policy and the evidence prepared to inform that policy meets all the requirements of the NPPF for plan making.

**Summary of Comment**
Natural England believes that the Grantham Area Action Plan PD is in conformity with the key environmental aspects of the NPPF and supports the modification to the document. Natural England has concerns that the Plan does not have any policies specifically identifying 'areas of tranquility', as required by paragraph 123 of the NPPF paragraph, and is, therefore, not compliant with it.

**SKDC Response**
The wording of paragraph 123 only states that LPAs should 'aim to' identify areas, not that it is an absolute requirement. Even if this were not the case, the Council would contend that the Core Strategy, as the overarching framework for development within the District, would be the more appropriate document in which to identify such areas. Notwithstanding this, Policy EN1 of the Core Strategy provides the criteria against which all proposals for development are assessed. These criteria include an assessment against "remoteness and tranquility" and "noise and light pollution". It is considered, therefore, that an additional policy is not required.
Model policy relating to the presumption in favour of sustainable development should be included within the SAP DPD, including how it should be applied locally, as advocated by paragraph 15 of the NPPF.

It is considered that the Inclusion of the model policy on sustainable development would be more appropriate in the Core Strategy, which is the overarching policy document for the whole district.

Modification does not provide for flexibility in housing numbers to adapt to rapid change and ensure that the plan is deliverable within the plan period. SKDC has not acted on its Duty to Co-operate to fully recognise the sustainability merits of land in Rutland (at Quarry Farm, Stamford) to assist in meeting unexpected development needs within the plan period.

The modification referred to is a factual correction and is not meant to give higher housing requirement figures to provide flexibility. The housing requirement for Stamford for the plan period was established by the adopted Core Strategy, following examination of evidence of need, demand and supply considered as part of the RSS EiP. There is no intention of increasing these requirements through the preparation of the SAP DPD. The Council is confident that it has fully satisfied the Duty to cooperate throughout the preparation of this plan, and has worked together with Rutland CC to consider the relative merits of the land at Quarry Farm in relation to the other suggested sites within and on the edge of Stamford. The two authorities have been open to the potential to prepare a joint DPD to allocate land within Rutland to meet Stamford's need should it be necessary to do so (in accordance with para 179 of NPPF). However the site selection process identified that sufficient sites where available and
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<td>Mr John Allen</td>
<td>Mr Mike Newton</td>
<td>Site Allocation and Policies DPD</td>
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<td>Commercial Estates Group</td>
<td>Boyer Planning</td>
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**Summary of Comment**
The method by which the Council has calculated its 5 year land supply within the supply paper (1st April 2012 - 31st March 2017) is considered to be fundamentally flawed. Clarification is required within the DPD and the housing land supply paper that the 5% is not a contingency and should be seen as an overall housing requirement rather than a 'reserve pot' of housing sites should supply fall below 5 years.

**SKDC Response**
NPPF does not define or provide any guidance about how the buffer should be derived. The wording of para 47 has been interpreted by the Council as ensuring that a five year supply of deliverable sites are identified and that an additional buffer of sites, which can be moved forward from a later phase in the plan period, should also be identified. The NPPF does not specify that this buffer should be added into the annual requirement for each year.

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<td>Mr S P Hearn</td>
<td>Concept Town Planning Ltd</td>
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**Summary of Comment**
Consider that allocations should have been re-assessed after NPPF issued, and that client's site [land to rear of Royal Oak PH, Long

**SKDC Response**
The suggested site was assessed as not being suitable for development because of highway and environmental impact constraints: the Highway
Consistency with National Planning Policy (June 2012)

Bennington] would provide a more sustainable and robust option, more accurately reflecting the sustainable development principles and requirements of the NPPF.

Authority stated that it was unlikely to support development as there is no suitable access, and the site encroaches onto an open area of land backing on the river which is considered to be important locally. In addition, the Water Cycle Study identifies that there are constraints to the sewer network in Long Bennington which do not affect the allocated site, but which are likely to affect this site. It is not, therefore, considered that the site offers a suitable location for development.

In the Council's view the publication of the NPPF would not alter this technical assessment of a site's suitability for development.

Consultee
662021 Mr R Machin

Agent
Mr Nick Grace
Partner
Grace Machin Planning & Property

Consultation Point
Site Allocation and Policies DPD
Monitoring and Implementation Framework

Summary of Comment
From the latest modifications proposed, we do not consider that SKDC are taking into account 'market signals'.
The market signals identify that almost all major urban extensions in the local area either identified in Core Strategies or with Planning Permission (Newark and Gainsborough) are not being delivered in the time frames anticipated.
The NPPF has made it quite clear that planning should support sustainable economic development, be flexible in accommodating needs not anticipated in the plan and take into account market signals.
These key issues should be highlighted in the DPD. However, we see no explicit referencing of them and object to these omissions.

SKDC Response
Policy SAP6 allows for employment development at Gonerby Moor. The Implementation and Monitoring Table includes a trigger date of 2021.
The trigger dates within this table are for the Council's use to ensure that it's monitoring leads to effective identification and resolution of issues which may be preventing delivery of development. These dates are not for phasing and would not restrict development of land at Gonerby Moor in the early part of the plan period. However, if no development has occurred by the trigger date, the reasons for this would be investigated and, if necessary, the policy reviewed.
Consistency with National Planning Policy (June 2012)  

We consider the trigger point of 2021 associated with Policy SAP6 to be 'inflexible' and not consistent with the NPPF.

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**Consultee** 527735 P & B Lely  
**Agent** Mr Dan Mitchell Barton Willmore  
**Consultation Point** Site Allocation and Policies DPD Policy SAP10

**Summary of Comment**  
We have objected to policy SAP10 which we consider places a blanket protection on existing allotment provision. A policy that approaches allotment protection without an objective assessment of the existing provision and a proactive approach to seeking alternative uses for unused or lower quality allotments runs contrary to the NPPF’s key theme of positive plan making.

**SKDC Response**  
SAP10 provides a number of criteria against which proposals for the development of open space (including allotments) will be considered, including that the proposal demonstrates that the site is not required to meet the local standard defined in the Policy. This standard has been set using the evidence provided by the study of Open Space, Sport and Recreation in South Kesteven (2009). This study makes an objective assessment of need and current supply of open space based on local circumstances. Together the policy and the evidence prepared to inform that policy meets all the requirements of the NPPF for plan making.

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**Consultee** 26104 Mr M Herbert Brown & Co  
**Agent**  
**Consultation Point** Site Allocation and Policies DPD Policy SAP2

**Summary of Comment**  
The policy does not reflect adequately paragraph 54 of the NPPF re the

**SKDC Response**  
Policy SAP2 is consistent with and in conformity with Policy H3 of the
Consistency with National Planning Policy (June 2012)

provision of market housing to supplement affordable housing to facilitate a scheme. It also needs to be more enabling and facilitate paragraph 55 of the NPPF.

adopted Core Strategy. It is also considered to be consistent with paragraphs 54 and 55 of the NPPF in that it allows the Council to be responsive to local circumstances and takes a positive approach to meeting local needs for affordable housing. The spatial approach set out in the Core Strategy promotes sustainable patterns of development, ensuring that housing development can take place in those settlements where it can support existing community facilities and thereby help enhance and maintain the vitality of rural communities.

Para 54 of the NPPF does not require LPAs to include a policy which allow for market housing to supplement affordable housing schemes. It does imply that this can be considered where significant amounts of affordable housing would be delivered to meet a local need. Significant amounts of affordable housing in small rural communities would be inappropriately and largely unsustainable, and it is unlikely that the level of need for significant numbers of affordable homes could be demonstrated in smaller villages either. However the provision of affordable housing within the towns and larger settlements, which is covered by the CS policy H3 can use market housing to facilitate affordable housing development, in fact the policy recognises that most affordable housing within the towns and larger villages will be delivered in this way.

Consultee: 661831 Ms Jo Lavis

Agent: Site Allocation and Policies DPD

Consultation Point: SAPMM001, Ref 1.3 Paragraph 1.3.1.1: All section 3.4; Section 4.3

CommentID: NPPF8

Summary of Comment: The Sites and Allocations DPD is not in conformity with the NPPF as

SKDC Response: The SAP DPD allocates sufficient suitable and deliverable sites to meet
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regards development in rural communities in particular the provision of housing including affordable housing and economic activity. The level of development proposed for rural communities falls well short of the need identified in the updated Strategic Housing Market Assessment - Peterbrough Partial Updated SHMAA 2010

The modifications to the DPD do not change the underlying approach or the policies that will shape development in the rural communities of the District. As such the DPD does not offer the positive plan led approach for rural communities as required under the NPPF. In particular it is not in conformity with the following elements of the NPPF: Paragraphs 14, 17, 28, 29, 47, 54, 55

The housing requirements established in the Adopted Core Strategy (CS). The CS also establishes a clear and consistent spatial strategy, which concentrates the majority of new housing and employment development within the towns and more sustainable villages. The CS does however recognise the need to allow for affordable housing and other appropriate rural uses and developments within the smaller villages and countryside of the district. This approach is entirely consistent with the objectives of the NPPF to promote sustainable patterns of development, and in particular is consistent with para 55.

Consultee
260968 Mr Tim Lee
President
Stamford Chamber of Trade and Commerce

Consultation Point
Site Allocation and Policies DPD
Whole Document

CommentID: NPPF9

Summary of Comment
Our Chamber fully expected SKDC's Planning Policy Team to claim that the SAP is compliant and consistent with the NPPF. Our Chamber does not accept these contentions. It is our view that the SAP is not consistent with the NPPF for the following reasons, and thus is 'unsound'.

SKDC's choice of site upon which to develop a Sustainable Urban Extension ('SUE') at Stamford offends the primary principle of the NPPF in that it fails to achieve sustainable development. It neither promotes sustainable transport (NPPF Section 4), nor conserves and enhances the

SKDC Response
The Council believes that the SAP is compliant with the NPPF. In light of all the background evidence available, including those which consider landscape impact and traffic and highway matters, the Council believes that the site referred to is the best one to provide housing and employment for Stamford.
The Council's choice of site upon which to locate a Sustainable Urban Extension ('SUE') at Stamford was made on the basis of a defective selection methodology informed variously by inaccurate, incomplete and misleading assessments. The choice of this greenfield site, selected via a flawed assessment methodology, and the known availability of a mainly brownfield site in a sustainable location elsewhere in the town, not only contravenes the guidance contained in Paragraph 111 of the NPPF, but also conflicts with SKDC's Core Strategy Vision.

Summary of Comment
Natural England believes that the Site Allocation and Policies DPD is in conformity with the key environmental aspects of the NPPF and supports the modification to the document.
Natural England has concerns that the SAP does not have any policies specifically identifying 'areas of tranquility', as required by paragraph 123 of the NPPF paragraph, and is, therefore, not compliant with it.

SKDC Response
The wording of paragraph 123 only states that LPAs should 'aim to' identify areas, not that it is an absolute requirement. Even if this were not the case, the Council would contend that the Core Strategy, as the overarching framework for development within the District, would be the more appropriate document in which to identify such areas. Notwithstanding this, Policy EN1 of the Core Strategy provides the criteria against which all proposals for development are assessed. These criteria include an assessment against "remoteness and tranquility" and "noise and light pollution". It is considered, therefore, that an additional policy is not required.