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24 April 2024

Planning Policy Team
South Kesteven District Council
Council Offices
St. Catherine's Road
Grantham
NG31 6TT

Dear Planning Policy

Representations to the Regulation 18 Consultation on the South Kesteven Draft Local Plan

Aldi Stores Limited

Avison Young is instructed by Aldi Stores Limited ('Aldi') to provide town planning advice and to submit, on Aldi's behalf, representations to the Regulation 18 consultation on the emerging South Kesteven Local Plan Review.

The representations relate to the proposed changes to Policy SP4, which itself relates to "*Development on the Edge of Settlements.*"

The adopted version of policy SP4 relates to all types of 'Development on the Edge of Settlements.' However the consultation document proposes to amend the policy so that it relates only to new residential development. Whilst some further changes are proposed to the policy, Aldi's comments relate to this principal concern.

Our reasons for commenting are set out below.

1. The adopted South Kesteven Local Plan (2011-2036) (SKLP) explains the Spatial Strategy and Settlement Hierarchy on pages 25-31.
2. **Policy SP1: Spatial Strategy** explains that "*The focus for the majority of growth is in and around the four market towns, with Grantham being a particular focal point*" (emphasis added).
3. Draft Policy SP1: Spatial Strategy retains precisely the same wording as the adopted version of Policy SP1.
4. The 'Summary of Proposed Changes' box explains the proposed updates to Policy SP1.
5. The Settlement Hierarchy is explained on pages 27-28 of the adopted Local Plan. **Policy SP2: Settlement Hierarchy** says that the majority of growth will be in Grantham and that "*priority will be given to the delivery of sustainable sites within the built-up part of the town and appropriate edge of settlement extensions*" (emphasis added). This is clearly to be read as giving priority to locations within the built-up area and in appropriate edge of settlement locations.
6. Draft Policy SP2: Spatial Strategy retains precisely the same wording as the adopted version of Policy SP2. The only difference is the addition of an asterisk at the end of the sentence that we have quoted

above. The asterisk refers to a note at the foot of the policy statement which says that *“*Proposals for new residential development in these settlements will be assessed against Policies SP3 and SP4.”*

7. The ‘Summary of Proposed Changes’ box explains the proposed updates to Policy SP2, but does not refer to the addition of the asterisk. This is unsurprising as the addition of the asterisk does not make any substantive change to Policy SP2; it simply sign-posts Policies SP4 and SP5.
8. In short, we have looked at the adopted and draft versions of Policies SP1 and SP2 and have noted that:
 - there is no change to the Spatial Strategy and the preferred locations for growth; and
 - there is no change either to the Settlement Hierarchy; and
 - development in edge of settlement locations remains acceptable, in principle.
9. It is in this context that we go on to consider the proposed changes to draft Policy SP4.
10. The adopted version of **Policy SP4** relates to *“Development on the Edge of Settlements”* whereas the draft version relates only to *“New Residential Development on the Edge of Settlements.”* There is a consequential amendment to the first paragraph of draft SP4 to read that *“Proposals for new residential development”* (currently *“Proposals for development”* in adopted SP4) *“on the edge of a settlement...”*
11. The ‘Summary of Proposed Changes’ box says only that the policy has been amended to relate to new residential development on the edge of settlements. It does not provide any justification for the proposed change, or any explanation why non-residential development is no longer intended to be supported, as a matter of principle, in edge of settlement locations. As we have noted, there is no change to the Spatial Strategy, or to the Settlement Hierarchy, and so it is not clear on what basis the local planning authority thinks it necessary to distinguish and differentiate between residential and non-residential development in edge of settlement locations. It is, presumably, not related to the principle of development per se in such locations, as new residential development remains appropriate.
12. We note also that no amendments are proposed to the supporting text (para 2.13 in the adopted Local Plan and para 6.14 in the draft Local Plan) that would explain the change in approach.
13. Whilst we recognise that the draft Local Plan proposes allocations that are expected to meet identified need, that was the case also with adopted Local Plan, and so the justification for taking a different approach is not set out.
14. We consider the current wording of SP4 to be appropriate, particularly given that the Local Plan should be planning for all development needs, so that it is appropriate to set out the circumstances in which any form of development may be permitted, if that is not on an allocated site. This may be necessary, for example (i) where allocated sites do not come forward in the timescales anticipated; or (ii) where development needs or market conditions change.
15. The current wording of Policy SP4 allows the LPA to respond to such circumstances should they arise, and where the relevant criteria (which are retained in draft Policy SP4) are met. All criteria must be met in order for development to satisfy the policy and the criteria are drafted in such a way that they prevent development that could raise inappropriate landscape, environmental and heritage harm.
16. The current wording also allows for development proposals that respond to local needs, which is notable in the context of criterion a. which requires applicants to demonstrate clear evidence of substantial support from the local community (so that if a proposal does generate substantial support,

and meets the criteria in the policy, that may allow for development that isn't planned, but is recognised as needed by the local community).

17. With the above in mind, we propose that draft Policy SP4 is amended as follows, so that it remains relevant to all types of development:

SP4: ~~New Residential~~ Development on the Edge of Settlements

Proposals for ~~new residential~~ development on the edge of a settlement, as defined in Policy SP2, which are in accordance with all other relevant Local Plan policies, will be supported provided that the essential criteria a – ~~e~~ below are met. The proposal must:

- a. demonstrate clear evidence of substantial support from the local community* through an appropriate, thorough, and proportionate pre-application community consultation exercise. Where this cannot be determined, support (or otherwise) should be sought from the Town or Parish Council or Neighbourhood Plan Group or Forum, based upon material planning considerations;*
- b. ~~a~~ be well designed and appropriate in size / scale, layout and character to the setting and area;*
- c. ~~b~~ be adjacent to the existing pattern of development for the area, or adjacent to developed site allocations as identified in the development plan;*
- d. ~~c~~ not extend obtrusively into the open countryside and be appropriate to the landscape, environmental and heritage characteristics of the area; and*
- e. ~~d~~ in the case of housing development, meet a proven local need for housing and seeks to address a specific targeted need for local market housing.*

** the term 'demonstration of clear local community support' means that at the point of submitting a planning application to the local planning authority, there should be clear evidence of local community support for the scheme, with such support generated via a thorough, but proportionate, pre-application consultation exercise, where demonstratable evidence of local community support or objection cannot be determined, then there will be a requirement for support from the applicable Parish or Town Council or Neighbourhood Plan Group. If an application is in doubt as to what would constitute a 'thorough but proportionate', preapplication consultation exercise, then the applicant should contact the applicable local planning authority.*

18. For the avoidance of doubt, Aldi does not have any concerns with separating out the rural exception scheme policy so that it has its own new policy, 'New Policy 1: Rural Exception Schemes'.
19. If you would like to discuss the representations further, please do not hesitate to contact [REDACTED].

Yours faithfully

Avison Young (UK) Limited