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## Rutland County Council Local Plan 2018- 2036

Summary of Duty to Cooperate  
Engagement and emerging Statements  
of Common Ground

January 2020



**Rutland**  
County Council

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## 1. Introduction

- 1.1 The Localism Act 2011<sup>1</sup> introduced a Duty to Cooperate (DtC) in relation to planning and sustainable development<sup>2</sup>. The National Planning Policy Framework (NPPF) confirms the duty on Local Planning Authorities to address 'strategic matters' with their partners when developing a Local Plan.
- 1.2 In order to meet the 'Tests of Soundness' at Examination, plans must be considered 'Effective'. In order to be effective, paragraph 35 of the NPPF (2019) indicates that local plans should be:
- “.....based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.”*
- 1.3 The Council will be submitting its Local Plan for examination in the summer of 2020 and this will be accompanied by a full Duty to Cooperate 'Statement of Compliance'.
- 1.4 This statement is an interim report that accompanies consultation on the 'Publication' version of the plan. The interim report seeks to demonstrate the Duty to Co-operate work to date. It identifies the 'strategic planning matters' that have been identified, the 'Partners' that have been engaged (including 'Prescribed Bodies') and the 'Statements of Common Ground' that are being pursued in order to demonstrate that the Duty to Cooperate has been met.
- 1.5 Several 'Statements of Common Ground' are being prepared concerning a variety of Strategic Matters.

## 2. Key relationships and bodies

- 2.3.1 In developing the Local Plan, the Council has engaged with a number of key organisations on an ongoing basis in the context of the Duty to Cooperate. Some of the key partners are:
- Local Planning Authorities in the Peterborough Sub-Regional Housing Market Area (HMA) ;
  - Adjoining Local Authorities that are not in the Housing Market Area (including Melton Borough, Harborough District, East Northamptonshire

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<sup>1</sup> Through an amendment to the Planning and Compulsory Purchase Act 2004

<sup>2</sup> Section 33A(4) of the Planning and Compulsory Purchase Act 2004 defines these as “...sustainable development or use of land that has or would have a significant impact on at least two planning areas...”

District, Corby Borough and North Northamptonshire Joint Planning Unit);

- The Environment Agency;
- Historic England;
- Natural England;
- Highways England;
- Homes England;
- East Leicestershire & Rutland and South West Lincolnshire Clinical Commissioning Groups;
- Greater Cambridge & Greater Peterborough Local Enterprise Partnership (LLEP)<sup>3</sup>.

2.3.2 Rutland County Council is the Local Planning Authority but is also the Local Education, Transport, Minerals & Waste and Public Health Authority. Strong engagement within Departments has been carried out.

2.3.3 Engagement with other key partners who are not prescribed bodies include: Power supply companies; Water supply and disposal companies; Leicestershire & Rutland Wildlife Trust; Sport England and Police Authority. In addition, Rutland County Council has sought to engage with Neighbourhood Plan groups where there have been implications for housing and employment site allocations, most notably the Uppingham Neighbourhood Plan Group.

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<sup>3</sup> LEPs are not defined by statute, they are not covered by the 'duty to cooperate'. However, LEPs are identified in the regulations as bodies that those covered by duty 'should have regard to' when preparing local plans and other related activities.

### 3. Strategic planning matters

- 3.1 The 'strategic planning matters' identified include:
1. Identifying the appropriate Housing Market Area;
  2. Identifying the appropriate Functional Economic Market Area;
  3. Meeting the objectively assessed housing needs;
  4. Provision of a New Garden Community at St George's Barracks;
  5. Delivering sites and developing policies to meet employment land requirements;
  6. Delivering the social infrastructure required to support growth – including health and education provision;
  7. Delivering the transport infrastructure required to support growth, prioritising more sustainable modes of transport and mitigating adverse transport impacts;
  8. Protecting bio-diversity and important natural environment features including species, habitats, ecological networks, geo-diversity and landscape. In particular seeking to protect Rutland Water an internationally important site for nature conservation with a major role as a recreational facility; and
  9. Protecting and enhancing the built and historic environment.
- 3.4 Engagement with Duty to Cooperate Partners has been based around these strategic matters which have helped to focus discussions and the issues contained in Statements of Common Ground.
- 3.5 The summary table in **Appendix 2** summarises how the Council has sought to engage with its partners on these strategic matters to date. The table sets out:
- 1) The Strategic Planning Matter;
  - 2) Evidence Base used;
  - 3) Strategic Partners involved;
  - 4) Actions and outcomes to date; and,
  - 5) Ongoing cooperation.

## 4. Key Strategic Matters for Partners

- 4.1 The 'Strategic Matters' where cooperation has taken place are summarised below. More detail on the 'actions', 'outcomes' and 'governance' with each of the Prescribed Bodies will be identified in the full 'Duty to Cooperate Statement of Compliance'.
- 4.2 The final 'Duty to Cooperate Statement of Compliance' will include evidence of the discussions including meeting notes, e-mail exchanges, letters and other correspondence.
- 4.3 The main Strategic Matters for each of the DtC partners include:

### Housing Market Area / Functional Economic Market Area Partners

The Strategic Matters discussed included:

- Defining the Housing Market Area and Functional Economic Market Area
- The Quantity and distribution of housing and employment land and identifying any unmet need
- The impact of the proposed St George's Barracks New Garden Community
- Cross boundary transport issues

### South Kesteven District Council

The Strategic Matters discussed included:

- The cross-boundary 'Strategic Development Area' at 'Stamford North';
- Meeting unmet housing need and distribution of Housing between Rutland CC and South Kesteven DC and;
- Transport implications for the A1.

### Neighbouring LPAs (not in HMA)

Duty to cooperate discussions have taken place with Melton Borough, Harborough District, Corby Borough, East Northamptonshire District Councils and North Northamptonshire Joint Planning Unit. The Strategic Matters discussed included:

- Housing requirements and unmet need;
- Provision of employment land;
- Housing and Employment site allocations;
- Cross boundary transport issues;
- Cross-boundary flood risk issues, and;
- Cross-boundary infrastructure (Including social and utilities infrastructure).

### Natural England

The strategic planning matters in relation to Natural England are:

- Whether St George's Barracks could be developed without significant adverse impacts on Rutland Water and that this is supported by evidence and robust policy wording.
- Impacts on Rutland water any other designations protected for their bio-diversity or geo-diversity merits that are potentially affected by site allocations and whether any impacts are capable of mitigation;
- Whether the submitted Habitats Regulation Assessment is acceptable.

### Historic England

The strategic planning matters in relation to Historic England are:

- Emerging policies that seek to protect designated and non-designated heritage assets;
- Impacts associated with proposed allocations on designated and non-designated heritage assets, in particular the potential impact of a new garden community on heritage assets at St George's Barracks.

## Highways England

The strategic planning matters in relation to Highways England (HE) are:

- Impact on the Strategic Road Network (mainly the A1) arising from proposed development sites.

## Environment Agency;

The strategic planning matters in relation to the Environment Agency (EA) were:

- Proposed site allocations and whether these satisfactorily consider and mitigate potential flooding and water quality impacts, based on evidence.
- The wording of policies related to water quality, water efficiency and the direct and indirect impacts of flooding.
- The proposed allocation of a Garden community at St George's Barracks, Edith Weston, and how the plan seeks to mitigate potential impacts on water quality and effective disposal of waste water.

## Homes England

The strategic planning matters in relation to the Homes England (HoE) were:

- The proposed garden community at St Georges, including an associated HIF bid;
- Emerging policies relating to the delivery of affordable housing.

## East Leicestershire and Rutland Clinical Commissioning Group

The strategic planning matters in relation to the East Leicestershire and Rutland Clinical Commissioning Group (CCG) were:

- The requirements for primary health care arising from the proposed growth;
- The provision of health care associated with a proposed garden community at St George's Barracks, Edith Weston;
- Financial contributions required to deliver the necessary infrastructure.



Discussions were also held with South-West Lincolnshire CCG in relation to health infrastructure needs arising from cross-boundary development at Stamford North.

### Local Enterprise Partnership

The strategic planning matters in relation to the Greater Cambridge & Greater Peterborough Local Enterprise Partnership (LEP) were:

- The identified Functional Economic Market Area;
- The policies and allocations in relation to 'Economy and Employment' (including at St George's Barracks).

### Rutland County Council (Local Highway, Education, Minerals & waste and Public Health Authority)

The Strategic Matters discussed included:

- Provision of education infrastructure arising from proposed growth;
- Evidence of the impact of proposed growth on transport matters arising from growth and provision of transport infrastructure and mitigation measures to address any adverse impacts;
- Consideration of public health matters;
- Provision of minerals and waste infrastructure to mitigate any adverse impacts arising from proposed growth.

## 5. Statements of Common Ground

- 5.1 The purpose of Statements of Common Ground are to inform the Planning Inspector and other interested parties about the areas of agreement between Rutland County Council and its Partners in relation to key strategic matters.
- 5.2 Statements of Common Ground (SoCG) provide a framework for demonstrating that the Duty to Co-operate has been effectively carried out in accordance with Section 110 of the Localism Act 2011 and paragraphs 24 to 27 of the National Planning Policy Framework (2019).
- 5.3 The previous sections in this report identify the 'Partners' who Rutland County Council have engaged with in developing the Local Plan along with the 'Strategic Matters' that they have discussed. The majority of these partners have agreed that a 'Statement of Common Ground' would be the most effective way of demonstrating that the Duty has been complied with. The table below indicates whether a Statement of Common Ground is being prepared. Statements of Common Ground will be Appended to the final 'Duty to Cooperate Statement of Compliance' and submitted to the examination.

Organisation	Status
Historic England (HE)	SoCG being prepared
Natural England (NE)	SoCG being prepared
Highways England (HiE)	SoCG being prepared
Homes England (HoE)	Discussions on need for SoCG ongoing
Environment Agency (EA)	SoCG being prepared
Local Education Authority (LEA)	Statement of Engagement being prepared
Local Highway Authority (LHA)	Statement of Engagement being prepared
Clinical Commissioning Group	SoCG being prepared
HMA partners	SoCG being prepared
Other neighbouring LPAs	No SoCG considered necessary DtC to be Confirmed by e-mail.
South Kesteven District Council	SoCG being prepared
Greater Cambridge & Peterborough LEP	Discussions on need for SoCG ongoing

## Appendices

### Appendix 1 - Map of Rutland County Council and HMA Strategic planning

Area



## Appendix 2 - Strategic Planning Issues Summary Table

Strategic Planning Matter	Evidence Base	Strategic Partners	Actions	Outcomes to date	Ongoing cooperation
1. Identify the appropriate Housing Market Area	<ul style="list-style-type: none"> <li>•Strategic Housing Market Assessment (July 2014)</li> <li>•Strategic Housing Market Assessment update and addendum (February 2020)</li> <li>• Standard Method</li> </ul>	HMA partners: Peterborough City, South Holland District and South Kesteven District Councils	<p>Joint production of SHMA to identify the appropriate housing market area;</p> <p>Discussions regarding the implications of the Standard methodology at a HMA wide level.</p>	<p>Production of an MoU which sets out the quantity and distribution of housing need in the HMA</p> <p>Agreement on the need for a Statement of Common Ground and Strategic Matters</p>	<p>Cooperation regarding Local Plan Reviews</p> <p>Preparation of a Statement of Common Ground</p>
2. Identify the appropriate Functional Economic Market Area	<p>Rutland Employment Land Assessment Updates</p> <p>Rutland Employment Review</p>	<p>FEMA Partners: (Peterborough, South Kesteven, South Holland)</p> <p>Neighbouring LPAs Harborough, Melton, East Northants &amp; Corby);</p> <p>Greater Cambridge &amp; Greater Peterborough Local Enterprise Partnership (GC&amp;GPLEP).</p>	Discussions with FEMA partners, Neighbouring LPAs and LEP regarding defined FEMA, quantity and distribution of employment land.	Agreement on the need for a Statement of Common Ground and Strategic Matters	<p>Cooperation regarding Local Plan Reviews</p> <p>Preparation of a Statement of Common Ground</p>
3. Meeting the objectively assessed housing needs	<p>Housing Supply background paper (October 2015)</p> <p>Direction of Growth Appraisal (July 2010);</p>	<p>HMA partners: Peterborough, Rutland, South Holland and South Kesteven Councils;</p> <p>Non-HMA neighbouring LPAs;</p>	Discussions regarding housing need and proposed site allocations. Meetings and correspondence to address the Strategic Matters.	<p>A Memorandum of Understanding was signed by the HMA partners in 2017 setting out the agreed position on delivering housing.</p> <p>Cross boundary site at Stamford partly in</p>	<p>Monitoring of housing completions for Rutland County.</p> <p>Monitoring of housing completions for the wider HMA.</p>

	<p>Local Plan Review Site Appraisals (2017 and Dec 2019);</p> <p>Strategic Housing &amp; Employment Land Availability Assessment;</p> <p>SA Report Technical Annex</p> <p>NPPF and Planning Practice Guidance (Standard methodology)</p>	<p>In relation to specific sites engagement with: Historic England; Environment Agency; Natural England; Highways England; East Leicestershire &amp; Rutland Clinical Commissioning Group; and Homes England.</p>		<p>Rutland County identified in South Kesteven Local Plan</p>	<p>Preparation of a Statement of Common Ground</p>
<p>4. Provision of a New Garden Community at St George's Barracks</p>	<p>Local Plan Review Site Appraisals (2017 and 2019);</p> <p>Strategic Site Comparison Report 2019</p> <p>Sustainability Appraisal (SA)</p> <p>SA Technical Annex</p> <p>Habitat Regulations Assessment HRA</p> <p>Specific Environmental evidence gathered in relation to potential impacts of St George's – Transport, heritage, landscape, bio-diversity etc.</p> <p>Strategic Housing &amp; Employment Land Availability Assessment;</p>	<p>Peterborough, Rutland, South Holland and South Kesteven Councils;</p> <p>In relation to specific issues engagement with: Historic England; Environment Agency; Natural England; Highways England / LHA; East Leicestershire &amp; Rutland Clinical Commissioning Group; Local Education Authority.</p>	<p>Discussions about potential environmental, infrastructure and transport impacts of the proposed New Garden Community;</p> <p>Development of a Draft Infrastructure Delivery Plan.</p>	<p>A new Garden Community is proposed as a potential site allocation;</p> <p>Draft policies and Draft Infrastructure Delivery Plan (IDP) has identified Infrastructure requirements and potential mitigation.</p> <p>Policy wording developed to address environmental and infrastructure requirements.</p>	<p>Preparation of a Statement of Common Ground with key partners relating to relevant issues</p>

	NPPF and Planning Practice Guidance (Standard methodology)				
5. Delivering sites and developing policies to meet employment land requirements	Local Plan Review Site Appraisals (2017 and 2019);  Employment Land Assessment 2016  Strategic Housing & Employment Land Availability Assessment;	FEMA Partners (Peterborough, South Kesteven, South Holland) Neighbouring LPAs Harborough, Melton, East Northants & Corby);  Greater Cambridge & Greater Peterborough Local Enterprise Partnership (GC&GPLEP).	A systematic assessment of potential employment sites;  Discussions with FEMA partners to establish if there were any unmet Employment Land requirements.	Agreement on the need for a Statement of Common Ground and Strategic Matters A signed SoCG confirms this position (see appendix 5.1).	Preparation of a Statement of Common Ground
6. Delivering the social infrastructure required to support growth – including health and education provision;	Infrastructure Delivery Plan (2020)	'East Leicestershire & Rutland' and South-west Lincolnshire Clinical Commissioning Groups;  Rutland County Council (Local Education Authority (LEA)).	RCC had multiple meetings with the CCG and LEA to discuss the infrastructure requirements arising from proposed development.	Draft Infrastructure Delivery Plan (IDP) identified Infrastructure requirements and potential mitigation.	Ongoing discussions with CCG and LEA in order to develop a SoCG.
7. Delivering the transport infrastructure required to support growth, prioritising more sustainable modes of transport and mitigating adverse transport impacts;	Oakham & Uppingham Strategic Transport Assessment (2010);  Oakham and Uppingham parking sufficiency study (2010);  St George's Barracks Transport Assessment	Rutland County Council (Local Highway Authority); Lincolnshire County Council highways  Highways England;  HMA and neighbouring LPA partners;	RCC commissioned a Strategic Transport Assessment in order to assess the impacts of proposed growth.  Discussions were held with Highways England and LHA.  DtC discussions were held with HMA partners and adjoining LPAs.	Draft policies and Draft Infrastructure Delivery Plan (IDP) has identified Infrastructure requirements and potential mitigation.	A Statement of Common Ground is being developed with Highways England.

<p>8. Protecting bio-diversity important natural environment features including species, habitats and landscape. In particular Rutland Water</p>	<p>Phase 1 Habitat Surveys (Oakham / Stamford / Uppingham);</p> <p>Landscape Character Assessment (2003);</p> <p>Landscape sensitivity and capacity study of land North &amp; West of Uppingham (June 2017);</p> <p>Landscape sensitivity and capacity study (2010);</p> <p>Landscape sensitivity and capacity study – Land around the Local Service Centres (July 2012 &amp; Addendum 2017);</p> <p>Habitat Regulation Assessment</p>	<p>Natural England;</p> <p>Leicestershire County Council Ecology Officers (as agents for Rutland County Council)</p>	<p>RCC commissioned 'Habitat Surveys' and 'Landscape Character, Sensitivity and Capacity Studies' in order to assess the impacts of proposed growth on habitats, species and landscape. Discussions were held with Natural England.</p> <p>Detailed landscape and ecology evidence was sought on relation to the St George's Barracks New Settlement option.</p>	<p>The proposed allocations and associated policies contain a requirement to mitigate any adverse impacts on habitats and to require a 'bio-diversity net gain'.</p>	<p>Ongoing liaison with Natural England in respect of preparing a Statement of Common Ground</p>
<p>9. Protecting and enhancing the built and historic environment.</p>	<p>St George's 'Heritage – Statement of Significance'</p>	<p>Historic England;</p>	<p>Workshops and discussions were held with Historic England regarding the potential impacts of site allocations on designated and non-designated assets including the grade II* listed Thor missile site.</p>	<p>The proposed allocations and associated policies contain a requirement to mitigate any adverse impacts.</p>	<p>Ongoing engagement with Historic England regarding a Statement of Common Ground has been undertaken.</p>