

CABINET

23rd December 2019

RUTLAND LOCAL PLAN

Report of the Strategic Director of Places

Strategic Aim:	Sustainable Growth	
Key Decision: Yes	Forward Plan Reference: FP/081119	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr G Brown Deputy Leader and Portfolio Holder for Environment, Finance, Planning and Property.	
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Ward Councillors	N/A	

DECISION RECOMMENDATIONS

1. That Cabinet considers the assessment of the scale of development to meet identified needs as set out in Appendix 1 and determines the growth objectives for the Local Plan in terms of housing and employment land requirements.
2. That Cabinet considers the assessment of proposals set out in Appendix 2 regarding the distribution of development including the principle of establishing a garden community in Rutland as an appropriate amendment to the Spatial Strategy.
3. That Cabinet considers, subject to 1 above, the assessment of proposals to establish a garden community in Rutland as set out in Appendix 2 and agrees that: (a) the evidence available regarding the proposals to create a new community at Woolfox does not demonstrate that these are viable and deliverable; and (b) the evidence available regarding the proposals to create a new community at St. George's demonstrates that these are viable and deliverable on the basis that Housing Investment Fund support is now confirmed.
4. That Cabinet considers and, subject to the above considerations, approves the Local Development Scheme as set out in Appendix 3 which establishes the timetable for the production of the Local Plan and associated development plan documents.

1. PURPOSE OF THE REPORT

- 1.1 This report aims to update Cabinet on progress with the preparation of the Local Plan and seeks the views of Cabinet on key issues set out below, prior to producing the Pre-Submission Local Plan for its statutory consultation in line with Regulation 19 of the Local Plan Regulations. That version of the Local Plan will need to be approved by full Council in due course. The recommendations are intended to ensure that the plan is sound by being positively prepared, justified, and effective, as well as being consistent with national policy and being legally compliant.
- 1.2 In line with the proposed next steps, a draft revised Local Development Scheme, setting out the timetable for the production of the Local Plan and associated development plan documents, is proposed for Cabinet to consider and approve.
- 1.3 The issues raised in this report is due to be considered by the Growth, Infrastructure and Resources Scrutiny Committee at its meeting on 19th December 2019 and any comments from that committee will be made available to Cabinet.

2. BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Local Planning Authorities must prepare a Local Plan that sets out the local planning policies for their authority area. Once adopted, the Local Plan will form part of the Development Plan for Rutland. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.
- 2.2 Government guidance requires that Local Plans must be positively prepared, justified, effective and consistent with national policy, in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended), the National Planning Policy Framework (NPPF) 2019 and relevant national Planning Policy Guidance.
- 2.3 Considerable consultation, as set out in Section 3 of this report, has been undertaken to date in accordance with the Council's Statement of Community Involvement (as required by Section 19(3) of the Planning and Compulsory Purchase Act 2004) to date in helping to produce the Local Plan and the details of all responses made will be taken into consideration in finalising the wording of the next version of the Local Plan – the Pre-Submission Local Plan which itself will be subject to statutory consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 2.4 In advance of producing the Pre-Submission Local Plan, there are some key issues for Cabinet to consider. These are set out below and are supported by appropriate assessments and a robust evidence base, particularly ongoing work regarding the Sustainability Appraisal to the Local Plan. The Sustainability Appraisal has been ongoing through the preparation of the Local Plan and will be finalised and published for the Pre-Submission Local Plan.

Quantum of housing development

- 2.5 Appendix 1 to this report sets out the assessment of the scale of development required to meet identified needs. This concludes that the application of the Government's assessment of Local Housing Need (LHN), as set out in the NPPF, gives a minimum housing requirement for Rutland to provide an average of 127 dwellings per annum over the Plan period. The Local Plan must therefore provide for a minimum requirement to meet this assessed need of 127 dwellings per annum, rounded to 130 dwellings per annum over the period 1st April 2018 to 31st March 2036 (18 years); i.e 2,340 dwellings over the plan period. However, it should be noted that Paragraph 60 of the NPPF (2019) states that "to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals".
- 2.6 There is considerable concern that limiting the housing supply to deliver just the minimum requirement will significantly restrict the housing supply and therefore raise house prices to levels which create cost barriers to local residents and workers. This approach is supported by the Strategic Housing Market Assessment (SHMA) Update 2019 which assesses a need for Rutland of 3,200 dwellings from 2016 to 2036, equating to 160 new homes per annum over this period. This evidence analyses the additional housing needs of the County's growing population over the whole plan period in more detail than the LHN. The Council considers that the Strategic Housing Market Assessment a more detailed analysis of local housing needs, taking account of market signals and affordability. Such an approach would respond to market demand as evidenced by recent rates of housebuilding in Rutland. In terms of housing supply, it is recommended that the Council proposes in this plan to provide for a buffer of around 25% to the above minimum requirement. Applying a 25% buffer to the housing requirement would lead to the Local Plan providing for 2,925 dwellings over the lifetime of the plan, equating to an average of about 162 dwellings per annum. This is recommended in order to provide choice and contingency to the market, help address affordability issues and demographic trends as identified in the SHMA, to reflect current housing market signals in Rutland and, in particular, to address the issue of affordability.

Quantum of employment development

- 2.7 An update of the employment land assessment for the Local Plan was undertaken in 2018 and is published on the Council's website. This report sets out two scenarios for assessing future employment land requirements, with widely differing results. The short term take up scenario indicates an existing over-supply of employment land in Rutland. The alternative long term take up scenario shows that there is a requirement to provide up to an additional 25 hectares of employment land. The consultants conclude that: "Rutland County Council maintain a flexible employment land supply, which can meet the full range of needs to 2036, provide choice and flexibility in supply, allowing for likely further losses". It is considered that the alternative long term take up scenario put forward by the Council's consultants giving a requirement for the Local Plan to provide up to an additional 25 ha of employment land should be adopted. This would ensure that the Council maintains a flexible employment land

supply, which can meet the full range of needs to 2036, provide choice and flexibility in supply, allowing for likely further losses.

2.8 It is recommended that Cabinet considers the assessment of the scale of development to meet identified needs to be set out in the Pre-Submission Local Plan, including the quantum of development as set out in Appendix 1 and determines the following strategic growth objectives for inclusion in the Local Plan:

- **Plan period to cover the period 2018-2036**
- **A housing requirement of minimum of 130 dwellings per annum (rounded figure) with a 25% buffer to this in order to provide choice and contingency to the market, to reflect current housing market signals in Rutland and, in particular, to address the issue of affordability across the County as evidenced by the Strategic Housing Market assessment.**
- **An employment land requirement of up to 25 ha for the plan period.**

Distribution of development

2.9 Appendix 2 to this report sets out the assessment of proposals regarding the distribution of development including the principle of establishing a garden village in Rutland together with a robust assessment of proposals put forward for the establishment of a new settlement in Rutland. Current national Planning Policy Guidance states that all reasonable alternatives assessed for consideration within the Local Plan must be realistic and deliverable within the plan period; this is a significant consideration in the assessments of both proposals. As set out in Appendix 2 and its accompanying reports, the available evidence does not demonstrate that the proposals for Woolfox are viable and deliverable at this time. The available evidence regarding the assessment of proposals for St George's demonstrates that these would be viable and deliverable with the benefit of the Housing Investment Fund (HIF). A decision was announced by the Government to award £29.4million of HIF support to the proposed development at St. George's. In the light of this decision, the evidence available demonstrates that proposals to establish a new community of 2,215 dwellings with 14 hectares of employment land and associated public and community facilities on the St. George's site is viable and deliverable.

2.10 Cabinet is requested to consider and agree to the principle of establishing a garden community in Rutland as an appropriate amendment to the Spatial Strategy in order that the plan can deliver the level of growth required to meet needs identified in paragraph 2.8 above

2.11 On this basis then it is recommended that the proposals for Woolfox are not taken forward for consideration within the review of the Local Plan as the evidence available does not demonstrate that the proposals for this site are deliverable and viable.

2.12 The evidence available for the St George's proposal does demonstrate that, with the benefit of the now confirmed HIF funding, this would be viable and deliverable. Appendix 2 provides an overview of the assessment of all of the evidence provided to support both options alongside the site assessments from the sustainability appraisal. Together the evidence provides the justification for inclusion of the option for a new garden community on the St. George's site within the Local Plan and that this presents an appropriate strategy, taking

account of reasonable alternatives. It is important to note that on its closure for operational use, the proposals for development at St George's site would take place on land which constitutes previously developed land (a brownfield site) as defined in the NPPF. It would therefore make a significant contribution to meeting the NPPF objective set out in Paragraph 117 of the NPPF that: "Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land". Any allocation here would therefore ease pressure to release through the Local Plan further greenfield land for development elsewhere within the County.

Local Plan timetable: Local Development scheme

- 2.13 A revised timetable for the production of the Local Plan is attached as the Rutland Local Development Scheme (LDS) – Appendix 3. It is recommended that Cabinet considers and, subject to the above considerations, approves the Local Development Scheme as set out in Appendix 3 which establishes the timetable for the production of the Local Plan and associated development plan documents.

3 CONSULTATION

- 3.1 Three stages of consultation have already taken place on the Local Plan through the Issues and Options in 2015, the Consultation Draft in 2017 and the focussed consultations in 2018 regarding additional sites promoted for development as well a tailored consultation regarding the implications of incorporating the proposed garden village at St. George's into the Local Plan. The objective is to ensure that the Local Plan is found sound at examination. In addition to ensuring that the evidence base, particularly the Sustainability Appraisal and Habitat Regulations Assessment work which underpins the Local Plan process is undertaken
- 3.2 A summary of the consultation responses received through each of these previous consultations is provided in pdf form on the [website](#) and these will be reported to Cabinet as part of the process for considering the final Pre-Submission Local Plan text.
- 3.3 There will be a further opportunity for consultation on a full version of the Local Plan (the "Pre-Submission Local Plan") when it is published prior to its submission to the Secretary of State.

4 ALTERNATIVE OPTIONS

- 4.1 The consideration by Cabinet of the above key issues in preparing the Local Plan will help shape the production of the Pre-Submission version which will be subject to statutory consultation. The only other option would be for the Council not to undertake the production of the Local Plan. This would not be in line with Government expectations and would be very likely to lead to direct Government intervention in the local planning process and could also lead to development proposals coming forward in an uncoordinated way with no long term strategic direction to guide growth. This is not considered to be in the best interests of the County, its communities, residents and businesses.

5 FINANCIAL IMPLICATIONS

- 5.1 The estimated cost of the production of the Local Plan was included in the existing budget for 2019/20. Costs associated with the independent examination of plan will now fall in 2020/21 and additional budget will be required in that financial year to accommodate this expenditure. An estimate of additional funding needed will be made as part of the 2020/21 budget setting process. In addition, growth from proposed sites will inevitably impact upon the level of Council Tax collected by the authority, and this is already built into the Council's Medium Term Financial Plan (MTFP).

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 The Local Plan is required by statute and the Council's constitution to be adopted by Full Council. Preparation of the plan is however a responsibility of the Cabinet. Before the draft Local Plan can be considered for adoption, the process for preparing the Local Plan must follow is set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations). Local Plans are required to be reviewed on a regular basis and recognising that the Core Strategy was adopted in 2011, prior to the introduction of the first National Planning Policy Framework.
- 6.2 In addition, the Council must comply with any commitments it has made in the adopted Statement of Community Involvement (SCI). The Council must also publicise its intended timetable for producing the Local Plan. This information is contained in the proposed Local Development Scheme (LDS) which authorities should publish on their web site and must keep up to date. An updated LDS will be published following Cabinet consideration of this report and the Council's website updated accordingly.

7. DATA PROTECTION IMPLICATIONS

- 7.1 A data protection impact assessment has not been completed as there are no data protection implications.

8. EQUALITY IMPACT ASSESSMENT

- 8.1 An Equality Impact Assessment (EqIA) screening was prepared for the Consultation Draft Local Plan (2017) and will be updated as the Local Plan progresses to adoption by the Council. The screening report is available as a pdf alongside other evidence documents published with the Consultation Draft Local Plan at [Local Plan Review | Rutland County Council](#)

9. COMMUNITY SAFETY IMPLICATIONS

- 9.1 Strategic Objective 6 of the Consultation Draft Rutland Local Plan is: "To develop a stronger and safer community by designing out opportunities for crime and implementing measures to improve road safety to ensure that people can live, work

and relax where they feel safe and enjoy a better quality of life.” This is promoted through the policies to be finalised in the Pre-Submission Local Plan.

10. HEALTH AND WELLBEING IMPLICATIONS

10.1 Strategic Objective 5 of the Consultation Draft Rutland Local Plan is: “To support healthy and thriving communities by protecting existing and providing new, high quality local and accessible access to health, leisure, recreation, sport, green infrastructure and cultural activities.” This is promoted through the policies to be finalised in the Pre-Submission Local Plan.

11. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

11.1 This report sets out the implications for the Local Plan regarding:

- The new National Planning Policy Framework;
- The quantum of new development to be proposed in the Local Plan; and
- The distribution of development including an assessment of proposals for the creation of a potential new community in Rutland.

11.2 Consideration of the above issues will assist in the next stage in the process of preparing the Local Plan, which will be the publication of Pre-Submission Local Plan. It is intended that this will be published in line with the timetable set out in this report. The clear intention is to ensure that the plan is sound, positively prepared, justified, and effective, as well as being consistent with national policy and legally compliant. In this regard, it should be noted that the revised NPPF includes the tests of soundness so that the Local Plan should be 'an appropriate strategy', and not 'the most appropriate strategy' as set out in the previous NPPF.

12. BACKGROUND PAPERS

All background papers will be available to view/download by clicking on the Spatial Strategy Background papers link on the left hand side of the [Local plan webpage](#)

- Strategic Housing Market Assessment 2019 – Justin Gardner
- Employment Land Take-Up Update and Objectively Assessed Needs Review May 2018 – BE Group
- Site comparison report – PTPP Consulting
- St. George’s Advice – Bayou Bluenvironmental
- Woolfox Advice – Bayou Bluenvironmental
- St. George’s initial transport review - Amey
- Woolfox initial transport review – Amey
- Minerals advice note from Northamptonshire County Council
- Viability note for strategic sites – HDH Consulting
- Sustainability Appraisal – AECOM :
- Cost assessment of St. George’s and Woolfox – AECOM (Exempt report - not on website)

13. APPENDICES

- 13.1 Appendix 1 – Spatial strategy background paper
- 13.2 Appendix 2 – Distribution of development background paper
- 13.3 Appendix 3 – Proposed Local Development Scheme

Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.