



Rutland
County Council



**Environment
Agency**

**Rutland Local Plan
Statement of Common Ground
Rutland County Council & the Environment Agency
December 2020**

1. Introduction

- 1.1 This Statement of Common Ground (SoCG) has been developed in order to address Strategic Planning issues between the parties consisting of Rutland County Council (RCC) and the Environment Agency (EA).
- 1.2 The parties have identified the shared 'Strategic Planning Matters' that need to be addressed and the approach of the respective parties in addressing these. This Statement sets out the confirmed points of agreement between the parties with regard to:
- 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 New Garden Village at St George's Barracks, Edith Weston, and how the plan seeks to mitigate potential adverse impacts including surface water drainage and effective waste water management.
- 1.3 The purpose of the Statement of Common Ground is to inform the Inspector of the Rutland Local Plan and other interested parties about the areas of agreement between Rutland County Council and the Environment Agency in relation to key strategic matters contained in the Rutland Local Plan (2016-2036). The Statement demonstrates the discussions that have been a consideration in the development of the proposed allocations, policy wording and supporting explanatory text within the plan.
- 1.4 The Statement of Common Ground (SoCG) addresses strategic matters and shared issues between the parties. It provides a framework for the delivery of the Duty to Co-operate duties and obligations arising from Section 110 of the Localism Act 2011 and paragraphs 24 to 27 of the National Planning Policy Framework (2019). The statement is prepared in accordance with the Planning Practice Guidance.

2. Background

- 2.1 Rutland County Council is a public body which is the Local Planning Authority (LPA) for its administrative area. The Environment Agency is a public body that

seeks to protect and improve the environment, including treatment of contaminated land, water quality and resources, managing the risk of flooding and conservation and ecology. Both are 'Prescribed Bodies' for the purposes of the Duty to Cooperate.

- 2.2 During development of the Rutland Local Plan, the Environment Agency has made representations which have informed the proposed allocations and policies. The development of the plan has been enhanced by engagement with the EA which helped to ensure that strategic issues and matters are appropriately addressed.
- 2.3 This Statement of Common Ground reflects the agreed position between Rutland Council and the Environment Agency for submission to the Inspector for the Local Plan Examination of the Rutland Local Plan.

3. Areas of Common Ground

3.1 Proposed site allocations and whether these satisfactorily consider and mitigate potential flooding and water quality impacts, based on evidence.

- 3.1.1 The Council engaged with the Environment Agency via discussions and e-mail exchanges in terms of potential impacts arising from the proposed scale of growth and proposed allocations. The Environment Agency's advice was sought primarily in relation to flooding and water quality.
- 3.1.2 Engagement during the 'Issues & Options' stage of Local Plan preparation identified that the scale of proposed growth at Oakham and Uppingham had the potential to result in a lack of capacity at the waste water treatment works at these settlements. This could result in potential impacts on compliance with the 'Water Framework Directive' and associated impact on Rutland Water (SPA and Ramsar Site) in terms of impact on flood risk.
- 3.1.3 Early engagement also identified that two proposed allocations at 'land south of Brooke Road (Oakham)' and 'River Gwash Trout Farm, Belmesthorpe Lane (Ryhall)' had the potential to result in adverse impacts on flooding and water quality.
- 3.1.4 The EA initially advised that a revised Water Cycle Study be undertaken. Subsequent discussions have identified that a revised water cycle study is not necessary and that the 2011 study offers a sufficiently robust evidence base.

- 3.1.5 The EA have identified that some additional work is needed on the Council's Strategic Flood Risk Assessment but that this can be satisfactorily resolved.
- 3.1.6 The parties agree that:
- 3.1.7 The confirmed upgrading of the Oakham Water Recycling Centre (WRC) (as identified in the Council's Infrastructure Delivery Plan (IDP) and Anglian Water's Investment Programme 2020 to 2025) will provide sufficient increased capacity and improved performance to mitigate potential adverse impacts on water quality resulting from the committed and proposed levels of growth in Oakham identified in the emerging Local Plan. The WRC is currently flow compliant with its permit but the improvements are essential to address existing performance issues impacting on water quality, which would otherwise become more severe with increased demand. The measures aim to reduce storm spills and secure compliance with Water Framework Directive requirements (ammonia and BOD – no deterioration). The reduction in proposed growth in the Local Plan between early iterations and the Publication version will also help to maintain adequate capacity.
- 3.1.8 The proposed housing and employment allocations in the emerging Local Plan are appropriate and, subject to the associated policy wording requiring mitigation measures, can be delivered without unacceptable harm in terms of water quality and flooding.
- 3.1.9 The Strategic Flood Risk Assessment (SFRA) (2009) is out of date in parts but this can be addressed through the production of an update or addendum document to accompany the SFRA. The update published with the pre-submission Local Plan needs some additional work but minor deficiencies can be overcome. A modified SFRA and Water Cycle Study (2011) offer a sufficiently robust evidence base to inform the policies and allocations in the Local Plan.
- 3.2 The wording of policies related to water quality, water efficiency and the direct and indirect impacts of flooding.
- 3.2.1 Early engagement with the Environment Agency identified concerns regarding the wording of policies in the emerging plan. These included: Draft Policy RL2 'Sustainable development principles' – in relation to seeking 'adequate waste water treatment'; RLP33 (Good design) – in seeking 'Sustainable urban Drainage' and 'Specific Water Efficiency Standards'; RLP38 'The natural environment' and RLP42 (Green infrastructure, sport and recreation). In addition, changes to the wording of paragraph 7.30 are proposed.

3.2.2 Discussions in relation to the 'Publication Version' of the Local Plan (2020) suggested some minor wording to policy for clarification which are supported by both parties. These will be provided to the Inspector.

3.2.3 The parties have agreed that:

3.2.4 The revised wording of the 'Sustainable development principles' (policy SD1), 'Delivering good design' (policy EN3), 'Surface water management, water supply, foul drainage and sustainable drainage systems' (policy EN5), 'the natural environment' (policy EN9), and 'Blue and Green infrastructure' (policy EN10) are supported by the Environment Agency and are consistent with the National Planning Policy Framework and Water Framework Objective requirements. Some minor re-wording to policy EN5 is agreed to improve clarity.

3.3 The proposed allocation of a New Garden Community at St George's Barracks, Edith Weston, and how the plan seeks to mitigate potential impacts.

3.3.1 The Environment Agency's advice was sought via workshops, meetings, discussions and e-mail exchanges regarding the impacts of a proposed New Garden Community at St George's Barracks on water quality, water efficiency and flooding.

3.3.2 In particular cooperation between the Council and EA sought to address the impacts of development on water quality in relation to Rutland Water (A Special Area of Conservation and RAMSAR site). A key issue was identified in relation to the capacity of waste water treatment facilities at St George's Barracks and North Luffenham.

3.3.3 No issues were identified in terms of flooding.

3.3.4 The parties have agreed that:

3.3.5 The proposed allocation of a mixed-use development including some 2,215 houses and 14 hectares of employment land at St George's Barracks, Edith Weston is 'acceptable' in principle. Subject to the mitigation measures identified in policies H2 and H3 of the emerging Local Plan the site is capable of being satisfactorily developed without unacceptable impacts on water quality (including impacts on Rutland Water SAC) and flooding.

3.3.6 Policy H2 (n) is supported. This seeks to provide improvements to the treatment of waste water that meets the requirements of the Water Framework Directive. In addition it provides a satisfactory basis to secure improvements in water quality and surface water management.

3.3.7 Some minor re-wording to policy H3 is agreed to improve clarity.

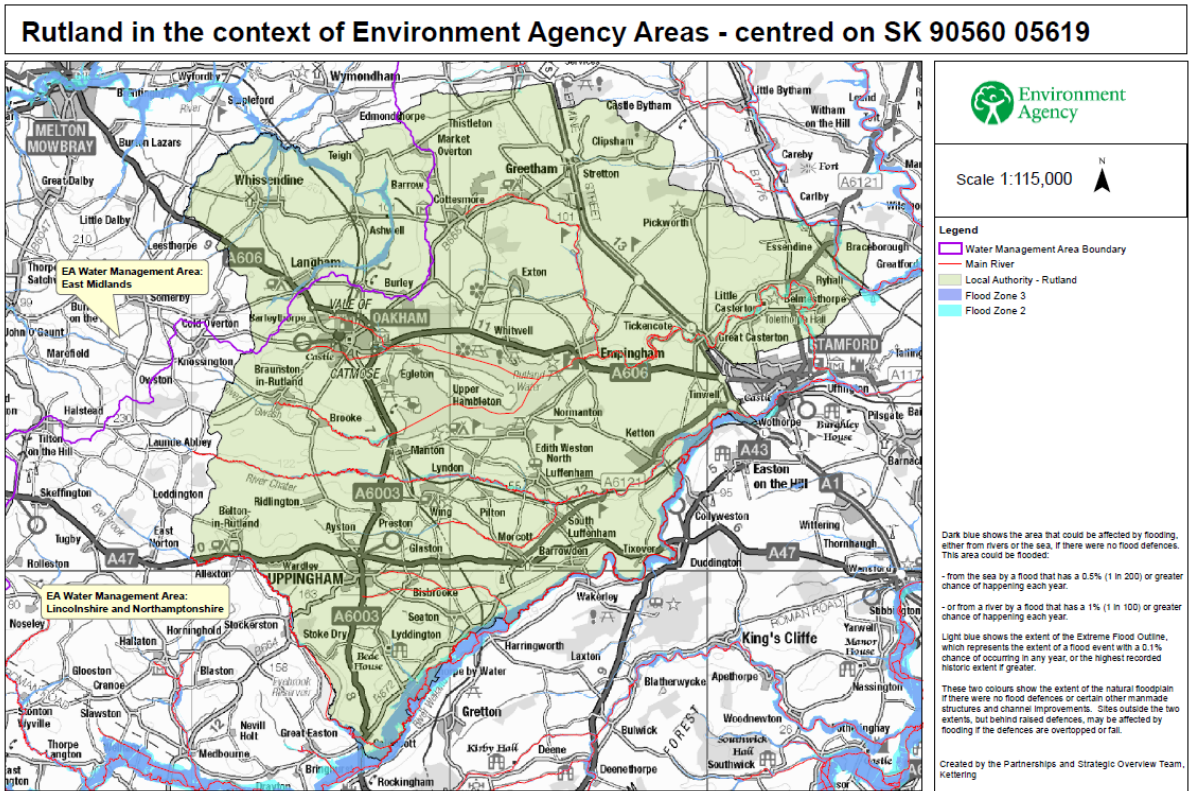
4.0 Governance

4.1 This SoCG commits the bodies to continue working together on planning matters that have impacts on water quality, water efficiency and the direct and indirect impacts of flooding.

4.2 In terms of governance arrangements the two parties agree to:

- Keep a dialogue open on matters arising which are likely to have significant impacts and implications for heritage assets;
- To work together to achieve identified outcomes in relation to strategic matters;
- To review and update this Statement in light of any material change in circumstance such as: major changes to legislation or guidance; material changes to policy and strategy in the emerging plans;
- To adopt positive principles of cooperation.

5.0 Map of Strategic Area (Environment Agency East Midlands)



Agreement

Signed on behalf of Rutland County Council

Mark Andrews



Chief Executive

Signed on behalf of the Environment Agency

Nicola Farr



Sustainable Places - Planning Specialist