



**THE COTTESMORE NEIGHBOURHOOD
DEVELOPMENT PLAN**

**INDEPENDENT EXAMINERS REPORT TO RUTLAND COUNTY
COUNCIL**

Dr. ANGUS KENNEDY OBE, MA, MRTPI, MCIH

11 NOVEMBER 2015

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1.0 Introduction: Preparation of plan, legislative background and summary of findings

1.1 Neighbourhood Planning is a relatively new process. It was introduced in the Localism Act 2011. It allows local communities to prepare plans and allocate sites for housing and other uses in their own neighbourhood. The Plan once approved will guide future development and become part of the Development framework and will be taken into account when considering future development proposals.

1.2 The Neighbourhood Development Plan (the Plan) has been developed by the Cottesmore Parish Council.

1.3 The Plan has been prepared by a steering group of interested residents and parish councillors, assisted by the County Council.

1.4 The Plan explains that there are two principal reasons for promoting the Neighbourhood Plan for Cottesmore. Firstly, concerns about housing and future housing development and secondly traffic and transportation issues.

1.5 The Plan is located in the north of Rutland four miles north east of Oakham. The Plan supports the policies and land use proposals that are included within the Rutland Core strategy. It identifies that in addition to the key issues of housing and transport the Plan also seeks to protect and enhance the environment and support energy efficiency measure, the local economy and community. The Plan provides Policies that relate to land use planning matters but also outlines Parish proposals that while not land use planning matters would serve to help achieve the Plan's overall objectives.

1.6 Having carried out the examination, for the reasons set out below and subject to all of the modifications indicated in the following sections of this examination report being accepted, I consider that the Plan meets the basic conditions in terms of:

- having appropriate regard to national planning policy

- contributing to the achievement of sustainable development
- being in general conformity with the strategic policies in the development plan for the local area
- being compatible with human rights requirements
- being compatible with European Union obligations

1.7 If the Plan becomes subject of a referendum and achieves more than 50% of votes in favour, then the Plan would be “made”. The Plan would then be used to guide and determine planning decisions in Cottesmore Parish by Rutland County Council.

2.0 Role of the Independent Examiner

2.1 I was appointed by Rutland County Council in October 2015, with the agreement of the Cottesmore Parish Council to conduct this examination. The role is known as Independent Examiner. My selection has been facilitated by the Neighbourhood Planning Independent Examiner Referral Service. I am required to consider whether the Plan is legally compliant and has met the Basic Conditions required of a Neighbourhood Plan.

2.2 Under the terms of the NP legislation I am required to make one of three determinations:

- The Plan should go forward to referendum because it meets all the legal requirements, “the Basic Conditions”
- The Plan should proceed to Referendum if modified
- The Plan should not proceed to Referendum because it does not meet all the legal requirements

2.3 In making my recommendation I must also determine whether the referendum should involve a wider area than the boundary of the Cottesmore Neighbourhood Plan boundary.

2.4 I am a Chartered Town Planner with nearly 40 years experience working in senior roles in Local Government, regeneration agencies and the private sector. I am independent of Rutland County Council and the Cottesmore Parish Council. I am an experienced Independent Examiner of Neighbourhood Plans, having completed two examinations that have subsequently been approved through referenda and have a further two close to completion. I am independent of residents and stakeholders in the area and have no interest in any of the land within the Neighbourhood Plan area.

The Examination Process

2.5 Rutland County Council has indicated that in their opinion that the Cottesmore NP is a less complex NP and that no public hearing will be necessary for the Neighbourhood Plan and that the examination should consider written evidence only. An Examiner can ask for a public hearing if it is considered that certain aspects need to be more fully explored or to allow individuals to outline their case more fully. In view of the straight forward nature of the plan proposals and the fact that there have been limited representations through the consultation period I consider that no public hearing is required. I consider that I am able to make a recommendation based on the extensive evidence that has been provided. ***Where modifications are recommended in this document they are highlighted in bold and italics.***

3.0 The Neighbourhood Plan Area

3.1 Cottesmore parish is located four miles north east of Oakham, the principal town in Rutland. The Plan covers the entire parish. The parish is rural. Rutland Landscape Sensitivity and Capacity Study identifies Cottesmore as being in the northern half of central Rutland and wholly within the Cottesmore Plateau landscape character sub-area, part of the wider Rutland

Plateau Landscape Character Type (LCT). It was originally a linear village but this has been diluted through developments in the south–west and north-east of the village in the 1960s and 1970s.

3.2 Cottesmore has been identified as one of the Local Service centres by RCC. This reflects the extensive range of facilities in the village.

3.3 Cottesmore village has a population of 2062 according to the 2011 census. The historic core of the village has conservation area status and there are also a number of listed buildings. The village experienced housing growth during the latter part of the last century with small new housing developments in the south west of the village at Wenton Close and Westland Road in the north east. There has been recent pressure for further housing development with four applications for housing outside the Planned Limits for Development (PLD) either being refused or in one case withdrawn. The location and importance of maintaining the PLD has been a major factor in determining these planning applications and has generated a number of objections in the most recent consultation on the Plan.

3.4 The NP area is identified in Figure 1 at the end of the report.

4.0 Consideration of the Basic Conditions

4.1 There are a number of basic conditions that the Cottesmore Neighbourhood Plan has to meet in order for it to go forward to a Referendum. These are set out in the Neighbourhood Planning (General) Regulations 2012 and paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended by the Localism Act 2011).

4.2 Paragraph 8 sets out the requirements for Neighbourhood Plans to meet these “**Basic conditions**”, before they may come into force.

“Neighbourhood Plans must:

- have appropriate regard for national policy
- contribute towards the achievement of sustainable development
- be in general conformity with the strategic policies of the development plan for the local area
- be compatible with human rights requirements and
- be compatible with EU obligations.”

A Neighbourhood Plan Basic Conditions Statement has been prepared by the Cottesmore Parish Council Steering group which consisted of 17 active residents including a Parish Councillor. This was published in June 2015.

4.3 The Cottesmore NP Final Consultation document was published in June 2015. The report is generally well written and presented making good use of photographs to illustrate the character and quality of the parish. ***The report has page numbers and main heading numbers only. It would benefit greatly from having paragraph numbers. I recommend the inclusion of paragraph numbers throughout the document.*** There are a number of minor amendments needed to improve clarity and reflect the fact that this is now the proposed Plan. ***On the Contents page section 7 the title should be Vision, Aims and Objectives. On Page 4 Line 1, add the word “are” after Plans. On line 4 add “an approved” after where. Paragraph 2 delete “present consultation document” replace with “Plan” and delete “there is further consultation to follow”. Delete the last sentence. In paragraph 3 delete “at this stage” in line 2. On page 6 2nd paragraph delete 2026 and replace with 2031. In paragraph 5 after Plan add “subject to confirmation in a referendum”. In designated area 2nd paragraph delete page 34 and replace with page 35. On page 7 change “this” to “the” in section 4 heading and delete “and continue to seek” in 2nd paragraph. On page 8 final paragraph of section 5 insert “ subject to confirmation by an Independent Examiner that the Plan meets the Basic Conditions” after the plan. In Policy COT MR 1 on Page 9 delete “continuously” and replace with “every 3-5 years in line with Local Plan reviews.”*** There are also a number of minor grammatical inconsistencies in the Plan that I will cover in a separate letter.

4.4 Section 7 contains a useful overview of the history of the village that identifies that development on this site dates back to the Domesday Book. The introduction of ironstone quarrying in the 1880's had an influence on the landscape. The section also outlines the significant role the MOD has had in the area through the development and use of RAF Cottesmore, now called Kendrew Barracks. ***The MOD have provided a helpful clarification of the historical and current use of the site and I recommend that MOD amendments in their letter of September 2 2015 are incorporated into the Plan.***

4.5 Section 8 outlines the Vision and the Aims and Objectives of the Plan. Sections 9 to 14 relate to the key Policies and Proposals of the Plan. It will be important to distinguish between those Policies that could be used once the Plan has been adopted to influence land use planning decisions from the Proposals that the Parish might wish to have implemented that will not be covered by the land use planning system. The Plan attempts to differentiate the Policies and Proposals by colour coding with the Parish proposals being in blue. This is helpful but it would be clearer if the Proposals are identified separately. ***For that reason I recommend that the contents page and the sections should be amended and re ordered to separate the Planning Policies from the Parish Proposals.***

Qualifying Body and Neighbourhood Area designation

4.6 Cottesmore Parish Council applied to Rutland County Council in February 2014 to be designated the **Qualifying Body** to prepare a NP for the Cottesmore parish. The Local Planning Authority publicised the application for designation as a Neighbourhood Area for a six week consultation period. ***The application was published on the Council's website and was available at various locations throughout the parish. The application received no objections.***

4.7 Cottesmore Parish Council submitted an application for the designation of the Cottesmore parish as a **Neighbourhood Planning Area** to Rutland County Council as the relevant Planning Authority.

4.8 The Cottesmore NP Area was designated in April 2014. It includes all of the land within the parish boundary and the part of the parish which is on MOD land, inside the perimeter of Kendrew Barracks.

4.9 The Council assessed that there was no overlap with any other proposed neighbourhood plan area and that the proposed boundary did not overlap with any adjoining parish or designated area.

4.10 The Council considered that the Parish Council satisfied the conditions required for a Qualifying Body and Neighbourhood Forum.

4.11 I am satisfied that the Cottesmore Neighbourhood Development Plan meets the basic condition of having a suitable Qualifying Body, a relevant body in accordance with section 61F (5) of the 1990 Town and Country Planning Act, the Cottesmore Parish Council.

Basic condition: Neighbourhood Plan Area

4.12 I am satisfied that the Cottesmore Neighbourhood Plan meets the basic condition of having a suitable **Neighbourhood Plan Area** designated as outlined in Section 5 of the Neighbourhood Planning (General) Regulations 2012.

4.13 I am also satisfied that the Cottesmore Neighbourhood Plan does not relate to more than one neighbourhood area and that there is no other Neighbourhood Development Plan in place within this neighbourhood area.

4.14 The Cottesmore Plan covers the period from 2015 to 2031. The Plan therefore covers a longer timeframe than the Rutland County Council Core

Strategy adopted in July 2011, which relates to the period 2011 to 2026. The Local Plan Review is due to be reviewed. This will combine the Core Strategy and the Site Allocations & Policies Development Plan Document (DPD) into one single plan. It will relate to the period up to 2036. The Cottesmore NP will therefore need to be reviewed once the Local Plan has been adopted and subsequently reviewed every three to five years in accordance with the Local Plan reviews. Section 6 recognises that the Plan will need to be reviewed once the Local Plan is adopted. The Parish Council have recognised the importance of this by asking the NP Working Group to continue to operate and liaise closely with RCC.

4.15 I am, therefore, satisfied that the Plan meets the Basic Condition relating to the timeframe of the Plan period.

4.16 The Basic Conditions Statement prepared by the Cottesmore NP group on behalf of the Parish Council confirms that the Plan does not deal with County matters, any nationally significant infrastructure or any other matters set out in S61K of the Town and Country Planning Act 1990.

5.0 Regard to the National Planning Policy Framework

5.1 As outlined in paragraph 4.2 Neighbourhood Plans need to meet the basic condition of having regard to national and local planning policies.

5.2 I have, therefore, considered the Cottesmore Neighbourhood Plan in line with National Guidance, the Rutland County Council Core Strategy Development Plan and the Site Allocations and Policies DPD October 2014.

5.3 Should the Neighbourhood Plan be confirmed after a referendum it will achieve a status in the Development Plan hierarchy.

5.4 Rutland County Council has confirmed that the NP appears to be generally supportive of the current planning policy framework in Rutland set out in the National Planning Policy Framework, National Planning Policy Guidance, Core Strategy Development Plan Development (DPD) (July 2011) and the Site Allocations and Policies DPD (October 2014).

National Planning Policy Framework (NPPF) (2012)

5.5 Paragraphs 183 -185 of the National Planning Policy Framework (NPPF) outline the Governments view on Neighbourhood Plans. Government consider that neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need and ...neighbourhood forums can use neighbourhood planning to set planning policies through neighbourhood plans to determine decisions on planning applications.

5.6 Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. Provided that neighbourhood plans do not promote less development than set out in the relevant Development Plans or undermine the strategic policies, neighbourhood plans may shape and direct sustainable development in their area.

5.7 I have considered whether the Plan has adequate regard to the policies in the NPPF. In reaching this opinion I have been assisted by the Conditions Statement prepared in support of the draft Plan by the Cottesmore Parish Council Neighbourhood Plan Steering group.

5.8 The brief Basic Conditions statement outlines how the Cottesmore Neighbourhood Plan contributes positively to the planning principles that

underpin the framework. It does not, however, identify specifically how the Plan supports the 12 core planning principles outlined in paragraph 17 of the NPPF. Having considered all of the documentary evidence submitted I consider that the Plan can demonstrate that it supports the core planning principles. ***I therefore recommend that a table is produced for the Conditions Statement that identifies each core principle and how the Plan contributes to it.***

5.9 Having considered the Plan and supporting documentation as a whole, it is clear that it has evolved through extensive consultation with residents and relevant organisations and agencies. I consider that it will provide a framework for future development and support sustainable economic development through encouraging local employment and small scale businesses, strengthening the leisure and amenities and the promotion of highway improvements. One objection to the Plan related to the fact that it was being prepared in advance of the adoption of the Rutland County Council Local Plan. This is acknowledged but it is no reason for the delay in consideration of the NP. It is recognised that once the Local Plan has been adopted it will be have greater significance and changes may be needed to the NP to ensure that it is in line with eth Local plan. As outlined above once the Local plan is adopted the NP will need to be reviewed at regular intervals.

5.10 I consider that the Plan provides a series of policies aimed at maintaining and enhancing the local character and amenities. It provides a framework for promoting environmental and traffic improvements and protecting valuable countryside views.

6.0 Contribution to Sustainable Development

6.1 The United Nations General assembly defined sustainable development as “meeting the needs of the present without compromising the ability of future generations to meet their own needs” (Resolution 42/187).

6.2 The NPPF outlines the Government view in paragraphs 6 and 7. The purpose of the Planning system is to contribute to the achievement of sustainable development. There are three aspects of sustainability, namely economic, social and environmental.

6.3 Rutland County Council has adopted a positive approach in seeking to meet objectively assessed development needs of the District. The policies in the emerging plan provide a clear framework to guide sustainable growth and the management of change, thereby following the Government's presumption in favour of sustainable development.

6.4 Although the Council has confirmed that the Neighbourhood Plan is in general conformity with these principles the Neighbourhood Plan Basic Conditions Statement provides little detail of the policies contained in the Cottesmore NP that support these principles. ***A section should be included in the Basic conditions statement that outlines how the plan demonstrates that it meets the basic condition of providing sustainable development.***

6.5 Having considered the documentation as a whole and subject to inclusion of the additional sections outlined above I consider the development that will be delivered through the proposals in the Plan should deliver sustainable development within the parish of Cottesmore.

7.0 Conformity with the Strategic Policies of the Local Area

7.1 RCC in its adopted Core Strategy has an extensive vision for the future of the County. By 2026 "Rutland will have become a more sustainable, safer, healthier and more inclusive place to live, work and visit. The attractiveness, vitality and prosperity of Rutland's towns, villages and Countryside would have been enhanced."

7.2 The County Council vision for villages like Cottesmore is to have diverse and thriving communities where planned and carefully managed development will have taken place to ensure that sufficient jobs and homes are provided for local people.

7.3 The vision for the Neighbourhood Plan of conserving the historic character, enhancing employment and social amenities is consistent to that of the adopted Core Strategy.

7.4 *The Neighbourhood Plan Basic Conditions statement should have a section that confirms and demonstrates how that the Plan has been prepared in general conformity with RCC's strategic policies.*

7.5 I am satisfied that subject to the changes outlined above the Cottesmore Neighbourhood Plan is in general conformity with the strategic local planning policies.

8.0 European Union (EU) obligations, Habitat and Human Rights requirements

8.1 A Neighbourhood Plan must be compatible with EU regulations in order to be legally compliant. The Strategic Environmental Assessment (SEA) Directive seeks to provide high level protection of the environment by integrating environmental considerations into the processing of plans.

8.2 It is the responsibility of the local authority to decide whether or not any of the proposals of the Plan are significant enough for the Plan to require an SEA. Rutland County Council undertook an SEA and Habitat Regulation Act screening exercise to establish whether a full SEA was required. This was published in February 2015. I note that one representation from a developer asserted that a full SEA was required for the Plan. I have considered the

Council's report that concluded that it is unlikely that there will be any significant environmental effects arising from the Cottesmore NP that had not already been covered in the Sustainability Appraisal of the Core Strategy. As such the Council determined that a full SEA was not required. I agree with the view that a full SEA is not required.

8.3 Rutland County Council carried out a full Habitat Regulation Assessment Screening report as part of the Core Strategy and concluded that it was unlikely to have an adverse impact on any of the Natura 2000 sites within c25km of the district boundary. The proposals in the NP have also been considered and the Council in the report published in February 2015 has concluded that the Plan is unlikely to have adverse effects. I agree with this.

8.4 As part of this process the Council consulted Natural England, English Heritage and the Environment Agency and each confirmed that no SEA was required.

8.5 The Council have indicated that an Equalities Impact Assessment has not been undertaken since this not a requirement for the NP.

8.6 I am satisfied that the Neighbourhood Plan meets the European Union, Habitat and Human Rights Basic condition requirements.

9.0 Background documents and Information considered

9.1 In order to examine and reach conclusions on the Neighbourhood Plan Proposals of Cottesmore Parish Council I have considered the following documents:

- Cottesmore Neighbourhood Plan as submitted to Rutland County Council by Cottesmore Parish Council in June 2015
- Cottesmore NP Basic Conditions Statement

- Cottesmore Consultation Statement
- Cottesmore NP Strategic Environmental Assessment Screening report
- Cottesmore NP Summary of Regulation 17 representations
- Cottesmore NP Report of Evidence 2015
- Rutland County Council Local Plan 2011 – 2031 Draft options Consultation paper
- Rutland Local Plan Site Allocations and Policies Development Plan Document October 2014
- Rutland County Council Landscape Sensitivity and Capacity Study, Land around Service Centres July 2012
- Town and Country Planning Act 1990 (as amended)
- National Planning Policy Framework (NPPF) (2011)
- The Localism Act (2012)
- The Neighbourhood Planning Regulations (2012)
- Planning Practice Guidance
- The detailed consultation responses to the Examination Proposal

9.2 I have also considered the written responses of the statutory consultees. I note that Natural England have welcomed the NP and consider it to be acceptable.

9.3 There were a total of 14 representations made during the formal consultation period. A number of these were by or on behalf of landowners or potential developers. My observations and responses to these and other representations are included in the appropriate sections of my report.

9.4 In addition, I visited the area unaccompanied for one day in October 2015.

10.0 Evidence base and Consultation

10.1 One of the most important principles in the Neighbourhood Planning Regulations 2012 is that local communities must be given ample opportunity to help to shape the future of their area. Section 15 (1) (b) of the Neighbourhood Planning Regulations 2012 requires a Consultation Statement to be produced and submitted with the Neighbourhood Plan.

10.2 Section 15 (2) specifies that this must contain: details of the persons or bodies that were consulted about the proposed Neighbourhood Plan. It must explain how they were consulted and summarise the main issues and concerns raised by the persons consulted. Furthermore it must describe how these issues have been considered and, where relevant, addressed in the proposed Neighbourhood Development Plan.

10.3 Cottesmore Parish Council has provided information regarding the public consultation that took place in preparation of the Plan in a document entitled Consultation Notes 2014-2015. ***This document should be re-titled Cottesmore NP Consultation Statement and the date published stated.*** The document confirms that as the designated Neighbourhood Forum they carried out extensive consultation with residents, community groups, schools, businesses and stakeholders at the key stages of Plan development.

10.4 The document provides a timeline and description of the consultation that took place. Initial discussions with RCC about the possibility of a NP took place in July 2013. The first resident consultation took place in October 2013 with 50-60 people attending an initial meeting agreeing that a NP should be developed. A committee was formed in November including active residents and a Parish Councillor. 600 questionnaires were distributed with a nearly 50% return rate which is an outstanding result.

10.5 The Cottesmore NP First Consultative Document was published in October 2014 and views were sought over six weeks from November 1 2014.

This included an exhibition in the village hall and community centre. As part of this process five potential housing development sites were identified. A second draft Plan was produced in February 2015 that reflected a number of the comments made. This included making a small amendment to the boundary to include the entire Parish on the advice of RCC and deleting the potential new housing development sites. An exhibition took place at the end of February after which the final version of the Plan was produced.

10.6 The Consultation Statement indicates that there was extensive publicity for the meetings exhibitions, information on the Parish and RCC website, and an internet blog site.

10.7 The consultation received generally supportive comments from the Rutland County Council, Natural England, the Environment Agency and neighbouring parishes. A small number of observations and objections were received as part of the final round of consultation, the pre submission consultation on the final Plan between August and September 2015. These were from the MOD, neighbouring Parish, Statutory consultees and landowners or potential developers. These are addressed later in my report.

10.8 It is clear that considerable consultation has taken place throughout the various phases of the Plan development. High levels of responses have been generated and the proposals have received support from respondents. Where concerns have been raised steps have been taken to respond positively to the comments.

10.9 I am satisfied, therefore, that the Neighbourhood Plan Consultation statement, with the additions that I have recommended, complies with Section 15 (2) of part 5 of the 2012 Neighbourhood Planning Regulations.

11.0 The Cottesmore Neighbourhood Plan Policies and Proposals

11.1 Section 8 outlines the Aims and Objectives of the Plan. It is important for the aims and objectives to relate to the overall vision for the neighbourhood. ***The section should, therefore, be titled Vision, Aims and Objectives. Delete the word “emerging” from the first sentence and insert in line one after for Cottesmore “by 2031”.*** In order to complete the Vision it would be beneficial to add at the end the extra sentence that was included in the Basic Conditions Statement:

“Cottesmore will be a thriving community delivering greater access to local facilities for a growing population while maintaining its rural village character.”

11.2 There is an understandable emphasis in the vision on protecting and enhancing the historic character of the village, much of which has conservation area status.

11.3 RCC has confirmed that the Plan generally conforms to the policies of the adopted Core Strategy.

11.4 The Cottesmore Neighbourhood Plan has identified that there are two major issues that are of concern to the community. These relate to housing and traffic. The provision and allocation of sites for housing is a land use planning matter that can be considered in a Neighbourhood plan. Traffic and transport issues are not land use planning matters. They can be considered within a Neighbourhood Plan but need to be considered as Parish Policies and aspirations, not Proposals. The Plan seeks to differentiate the land use Policies from the Parish proposals by colour coding, with the Parish proposals highlighted in blue. ***To avoid possible confusion and improve clarity I recommend that the Policies and Parish Proposals are in separate sections.***

11.5 The Plan identifies the proposals and policies that will help deliver the vision. It confirms how and where the Parish Council would like future

development to be undertaken. It is clear that the Parish Council will need to work with other agencies, principally Rutland County Council, to realise the vision for the area by 2031 since a number of the proposals are not land use matters. The Parish Council will, therefore, need to use its best endeavours to influence the priorities of the key delivery agencies.

12.0 Environment and Character

12.1 Section 9 of the Plan provides a clear description of the character of Cottesmore and the surrounding area. It outlines the historical development and the particular characteristics and qualities of the village that are worth protecting. It also acknowledges that the surrounding area is pleasant without being exceptional in landscape terms. The section identifies that there are important views worth protecting and enhancing.

12.2 COT E and C 1 – Built Form

12.3 The Policy recommends that all developments should reflect the layout and character of the village and should use local materials. ***The design criteria outlined are appropriate for the conservation area which covers the majority of the village. The more recent developments are not particularly in keeping with the original village and it would be more appropriate to use the Councils overall planning design criteria for developments outside the Conservation area and in the Kendrew Barracks. I recommend therefore that the first line of this Policy should read “All developments within the conservation area...”*** The Policy also seeks to protect for two important views on the approach to the village from the west and the village church spire. I agree that these views have merit and should be protected.

12.4 **Recommendation:** Subject to the above amendment being included I do not recommend any changes to this policy.

12.5 COT E and C 2 Landscape

The Plan identifies the key characteristics of the landscape of Cottesmore and the surrounding area. It seeks to protect the landscape setting of the historic core of the village including key views. From my site visit it is clear that Cottesmore is an attractive village within an attractive setting. I also noted the programme of tree planting along the approaches to the village that has enhanced the environmental quality of the area. The policy of protecting the landscape and key views is a sensible and appropriate Policy.

12.6 Recommendation: I do not recommend any changes to this policy.

12.7 Parish Proposal COT E and C 1 Landscape

12.8 As outlined above the Plan differentiates its Policies from its Proposals by means of colour coding. This is helpful but could still lead to confusion since the heading has both the Policy and Proposal in buff colour. I recommend that the Parish proposals should be identified separately and the Parish aspiration that the feasibility of additional tree planting should be investigated should be set out and separated from Policy E and C 2.

12.9 Recommendation: Subject to the above amendment I do not recommend any changes to this Parish proposal.

12.10 COT E and C 3 Biodiversity and Nature Conservation

12.11 The Plan acknowledges that there are no nationally designated sites of nature conservation within the village or surrounding countryside. It considers, however, that the mature trees, parkland and grounds of Cottesmore Grange off Rogues Lane are worth protecting and enhancing. ***Rogues Lane, which***

leads from the village to Kendrew Barracks, is not identified on any of the Plans and it would be helpful for this to be added to the Plans. The Plan proposes new developments should maintain and enhance biodiversity and seeks to preserve habitats.

12.12 Recommendation: I do not recommend any changes to this policy.

13.0 Energy Efficiency and New Developments

13.1 Section 10 of the Plan seeks new developments to achieve high standards of energy efficiency. ***Paragraph 3 includes reference to the Code for Sustainable Homes. This was abolished in March 2015 so this reference should be deleted.***

13.2 Policy COT EN 1 Energy Efficiency and New Developments

13.3 The policy proposes that new developments should seek higher standards of efficiency. There is no description or definition of what the higher standard would be. The Policy is, however, in line with the RCC Core Strategy CS20 that promotes and encourages higher levels of energy efficiency and renewable energy technologies in new development. ***I recommend that (i) therefore concludes..."higher standards of energy efficiency in line with Core Strategy Policy CS20."***

13.4 Recommendation: Subject to the above amendment I do not recommend any changes to this policy.

14.0 Parish Proposal Transport and Road Safety

14.1 Section 11 of the Plan deals with transport and road safety. Traffic, transport and road safety along with housing issues were the main interests of the community in the preparation of the Plan. Although traffic and transportation issues are not appropriate as Policies within the Plan it is appropriate to include a series of Parish proposals.

14.2 Parish Proposal COT TRS 1 Controls on traffic speed to improve road safety

14.3 This proposal lists a number of actions that should be considered that could improve road safety. These are not land use planning matters and will need the Parish Council to liaise closely with the County Council Highway Department and Rutland Police if any, or all of them, are to be implemented. The proposals relate to the need for a review of speed reduction and traffic calming measures. The village does not benefit from the traffic calming measures implemented on the northern approach to nearby Greetham. Greetham Parish Council in their response to the consultation indicated that a 20mph speed limit is likely to be implemented in late 2015. This will set a precedent that Cottesmore may wish to follow up. Concern about traffic speeds was expressed during the consultation with the proposal to lobby for greater enforcement. It was apparent from my visit that this has been at least partially successful already since a mobile speed camera was in operation. ***I recommend that the word “lobbying” in proposal (vi) should be replaced with “Discussions should take place to encourage”.***

14.4 Recommendation: Subject to this amendment I do not recommend any changes to this Parish proposal.

14.5 Parish Proposal COT TRS 2 – Traffic Signage

14.6 This proposal seeks a comprehensive review of signage. ***There is a buff coloured section at the bottom of page 21 with no text that should be removed.***

14.7 Recommendation: Subject to the above amendment I do not recommend any changes to this Parish proposal.

14.8 Parish Proposal COT TRS 3 Junction Improvements

14.9 This proposal seeks a review of traffic priorities and the potential introduction of new signage.

14.10 Recommendation: I do not recommend any changes to this Parish proposal.

14.11 Parish Proposal COT TRS 4 Car Parking

14.12 This proposal identifies that a Parish priority is to seek improvements to car parking on Main Street and other parking improvements in the heart of the village. Considerable on street parking was evident during my site visit and it is clear that further car parking would be beneficial.

14.13 Recommendation: I do not recommend any changes to this Parish proposal.

14.14 Parish Proposal COT TRS5 – Pedestrian Routeings

14.15 This proposal seeks to find a location for a safe pedestrian route across Main Street at the heart of the village and a pedestrian crossing in Rogues Lane. ***I recommend that the word “Routeings” is replaced with “Routes”.***

14.16 Recommendation: Subject to the above amendment I do not recommend any changes to this Parish proposal.

14.17 Parish Proposal COT TRS 6 Public Transport

14.18 This proposal recognises the importance of good public transport and recommends lobbying the County Council regarding improvements to the frequency and range of bus services. ***I recommend removing the word “lobbying” and replace with the phrase “Undertaking discussions with RCC to encourage improvements ...”***

14.19 Recommendation: Subject to the above amendments I do not recommend any changes to this policy.

15.0 Housing

15.1 This section covers the second main issue that concerned the community throughout the consultation process. The Core Strategy has identified that up to 2026 the majority of new housing development will take place in the two largest centres Oakham and Uppingham with only very limited development in villages like Cottesmore.

15.2 During the consultation process consideration was given to the Planned Limits of Development (PLD) for Cottesmore. At an early stage of Plan development it appears from the documentation that five potential housing sites were identified, most of which were outside the PLD. A number of objections to these sites were raised. RCC also indicated that justification for any development outside the PLD would be needed. It appears that this option was not pursued further and the existing PLD confirmed in subsequent iterations of the Plan. However, in the most recent consultation one of the respondents pointed out that the plan of the PLD in Figure 3 on Page 36 is not in accordance with the Core Strategy boundaries. Having considered both plans it is clear that they are not consistent. ***The PLD boundary in Figure 3 needs to be amended to reflect the Core strategy and the RCC Site Allocations and Policy document.***

15.3 Policy COT H1 Housing Provision and Distribution.

15.4 This seeks to limit new development to within the PLD. It also proposes that all new housing development should seek to enhance the character of the village and be in accordance with RCC Core strategy policies. It proposes that new development should be in line with the Design Policies in Policy COT H5. I make recommendations regarding Policy COT H5 later.

15.5 Recommendation: I do not recommend any changes to this policy

15.6 Policy COT H2 Housing Density and Mix

15.7 This policy considers the appropriate density and mix of new housing with the Plan area. It seeks to respond to the needs of the increasing numbers of older people. This is in line with RCC Policy CS10 Housing Density and Mix.

15.8 Recommendation: I do not recommend any changes to this policy.

15.9 Policy COT H3 Affordable Housing

15.10 This policy outlines the benefits of developing much needed affordable housing in the Plan area.

15.11 I understand that detailed discussions have taken place between the Steering group and the Council and the revised form of wording outlined below agreed:

Affordable Housing

Any future development in Cottesmore would be required to include a proportion of affordable houses, or if the development is too small, to pay a contribution by way of a commuted sum payment to an affordable housing fund. Rutland, as a whole, suffers acute affordable housing problems, as set out in its Core Strategy. This is in part because it has high average house prices and a high proportion of large houses.

Policy COT H3 – Affordable Housing (Subject to Emerging National and Rutland Policy Guidance)

(i) A minimum of 35% affordable housing provision will be sought from all developments that include self-contained dwellings, in line with RCC Policy CS11 (Affordable housing) and SP9 (Affordable housing) and subject to any relevant Supplementary Planning Documents.

(ii) On all rural exception sites and for other sites of more than 5 dwellings the affordable housing should be provided on site. Where affordable housing is not provided on site an equivalent commuted sum payment should be made towards the provision of affordable housing as a first priority elsewhere within the Cottesmore parish, or if not as a pooled contribution to provide affordable housing located as close as possible.

Affordable housing is seen as essential in helping to provide a range of housing to facilitate access to market housing. There may be exceptional circumstances where the development may not be economically viable with an affordable housing contribution, but it would fall upon the developer to provide at their expense evidence to support this position. In these circumstances, the on site affordable housing requirement may need to be modified to improve viability or alternatively a commuted sum payment would need to be made depending on the merits of the application.

Affordable housing could be for rent or intermediate (for example shared ownership). The Rutland Core Strategy sets out 80% for rent / 20% intermediate housing across the county; acknowledging that local circumstances and national economic conditions could lead this to be varied. In Cottesmore, a similar split may be appropriate subject to these factors.

It is accepted by RCC that small sites for affordable housing could be located outside the PLD boundary if they satisfy the criteria set out in the RCC Policies CS 11 (Affordable housing) & SP10 (Market housing within rural exception sites).

15.12 Recommendation: Subject to the above amendments I do not recommend any changes to this policy.

15.13 Policy COT H4 Conservation Area and Listed Buildings

15.14 This policy reflects the priority of the community regarding the need to protect the conservation area. It seeks to keep the current Conservation area boundary and ensure new developments should protect or enhance the area.

15.15 I do not recommend any changes to this policy.

15.16 Policy COT H5 Design Guidance

15.17 This policy seeks to provide guidance on the design criteria that are appropriate for any new development within the Plan area. It is a local interpretation of RCC – CS L19. The fourth design criterion proposes that developments should be designed to “enhance social cohesion”. ***It is not clear how this could be achieved through design and I recommend that this is removed.***

15.18. Subject to the above amendment I do not recommend any changes to this policy.

15.19 Policy COT H6 Housing Development Principles

15.20 This policy confirms that the Parish Council is seeking that new housing developments should meet the principles of the RCC Core Strategy policies CS1 and CS2. ***In paragraph 2 on Page 28 the phrase in brackets should read “(as opposed to imposed)”***. It proposes that any new development should be located within 800 metres of the centre of the village but provides no justification for that figure. ***I recommend that a justification of “to encourage less use of the car and more sustainable transport” should be included in recommendation COT H6 (ii).***

15.21 Recommendation: Subject to the above amendments I do not recommend any changes to this policy.

15.22 Policy COT H7 Areas Safeguarded from Development.

15.23 This section considers areas that should be protected from further development. It lists seven areas but these have not been identified on any of the plans. ***I recommend that an additional plan is produced that identifies the location and boundaries of the areas to be safeguarded.***

15.24 Recommendation: Subject to the above amendments I do not recommend any changes to this policy.

15.25 Policy COT H8 Guidance to Potential Housing Development

15.26 This policy confirms support for new development to take place within the existing PLD and should be designed to follow sustainable development principles and encourage walking and cycling. *In recommendation (v) for consistency purposes the bullet points should start “using”, “respecting” and “minimising”. Policy (vi) should be headed Proposal COT H8.*

15.27 Recommendation: Subject to the above amendments I do not recommend any changes to this policy.

15.28 COT H9 Defence Land

15.29 This policy confirms the fact that land within Kendrew Barracks is exempt from development policies as long as it remains operational land.

15.30 Recommendation: I do not recommend any changes to this policy.

16.0 Parish Proposal: Economy

16.1 This section considers employment generation and protection. There is little appetite for sites to be allocated to provide new employment though there is support for enhancing the tourist, visitor facilities and improving the speed of broadband.

16.2 Parish Proposal COT EC1 Employment Generation and protection.

16.3 This sets out the objectives for protection and generation of employment and is in general keeping with RCC policy C13.

16.4 Recommendation: I do not recommend any changes to this parish proposal.

17.0 Parish Proposal: Community

17.1 This section heading is Community but the section considers village signs and potential footpath routes. *The section on village signs should be*

placed in Section 11 Traffic and Safety. It is possible that the introduction of additional footpaths could benefit the community and it is appropriate to include this under the Community heading. This initiative is consistent with RCC's policy on Green infrastructure CS23 which encourages the improvement of green spaces, footpaths and cycle ways around villages.

17.2 The Plan outlines three footpaths priorities. Two of the recommendations are included in Figure 5. ***It would be helpful to identify them clearly and to indicate the safer route from Rogues Lane to the school.*** It is understood that the proposal for a footpath link to the National footpath at Exton is likely to be implemented shortly.

17.3 Recommendation: Subject to the above amendments I do not recommend any changes to this parish proposal.

18.0 Summary and Recommendation

18.1 I would like to congratulate the Cottesmore Parish Council Neighbourhood Plan steering group for the considerable amount of work that they have undertaken to produce the Cottesmore Neighbourhood Plan. The Parish Council recognise that the Neighbourhood Plan will not solve all of the problems that face the residents in the area and that it will be necessary to use its best endeavours to support and influence the policies of key organisations such as Rutland County Council. The Plan demonstrates, however, the clear vision and aspiration of the community to protect and maintain the physical environment and improve amenities.

18.2 It is evident that the Council have supported the process.

18.3 I have recommended a number of modifications to the Plan as part of its consideration against the Basic Conditions but in accordance with Schedule 4B to the Town and Country Planning Act 1990, outlined below is a summary of my findings.

18.4 I am satisfied that the Cottesmore Parish Council is an appropriate Qualifying Body and is therefore able to produce and submit a Neighbourhood Development Plan for the Cottesmore Parish. I am satisfied that the area included in the Cottesmore Neighbourhood Plan is appropriate and was designated accordingly by Rutland County Council. I am also satisfied that the Cottesmore Neighbourhood Plan does not relate to more than one neighbourhood area and that there is no other Neighbourhood Development Plan in place within this neighbourhood area. I am required to consider whether the Referendum area should be extended beyond Cottesmore Parish Neighbourhood Plan Area. There is no evidence to support this.

18.5 The Plan covers the period from 2015 to 2031. ***This is aligned with the Rutland County Council Local Plan which covers the period 2010 to 2026.***

18.6 I am satisfied that the Cottesmore Neighbourhood Plan takes sufficient regard to the policies in the National Planning Policy Framework and that the Plan does not make any provision for any excluded development.

18.7 I consider that the Cottesmore Neighbourhood Plan policies, subject to minor modification, will make a positive contribution to sustainable development. The policies could promote economic growth and serve to improve the physical appearance and image of the area. The production of the Plan should provide confidence to the community.

18.8 I understand that Rutland County Council undertook an SEA and Habitat Regulation Act screening exercise to establish whether a full SEA was required. It concluded that there were no policies included in the Neighbourhood Plan that had not already been tested by the emerging Local Plan and Core strategy. I consider therefore that the legal requirements of the EU's SEA Directive have been met. The Neighbourhood Plan proposals will have no significant effects on the environment or any European sites.

18.9 I consider that the Plan complies with the rights outlined in the Human Rights Act.

18.10 I consider that extensive public consultation has taken place, led by the NP Steering group but supported by the Local Authority. I am satisfied that the public consultation meets the requirements of Section 15 (2) of Part 5 of the Neighbourhood Planning Regulations 2012.

18.11 I conclude that the Plan meets the basic conditions as defined in the Localism Act 2011, Schedule 10 and Schedule 4B, 8 (2) of the Town and Country Planning Act 1990.

18.12 In accordance with the Town and Country Planning Act 1990, Schedule 10 (2) (b) I recommend the modifications specified in this report are made and that the draft Neighbourhood Plan for Cottesmore is submitted for a Referendum.

Dr Angus Kennedy OBE
Chief Executive
Community Regeneration Partnership
angusk@crp-ltd.co.uk

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