

# Rutland County Council Local Plan 2016 – 2036

## Land off Burley Road – Policy H1.3

### Statement of Common Ground between:

Rutland County Council (RCC) and Pigeon Investment  
Management Ltd

24<sup>th</sup> February 2021

## EXECUTIVE SUMMARY

This 'Statement of Common Ground' (SoCG) has been prepared jointly by Rutland County Council (RCC) and Pigeon Investment Management Ltd on behalf of Burley Estate Farms Partnership (the Landowner) in respect of the proposed allocation of residential development at land off Burley Road, Oakham (Site H1.3 in Policy H1 of the emerging Pre-submission Draft Rutland Local Plan).

Policy H1 proposes residential development at the site to comprise around 200 homes, which will be delivered within the plan period, by 2036.

The policy and allocation have been informed by evidence which considers the on and off-site implications of growth and whether the development and supporting infrastructure is deliverable.

Consideration has also been given to the site's housing trajectory.

The proposed allocation, policy wording, evidence and trajectory reflect, and are supported by the evidence that has been collected to date. The conclusions of the evidence support the allocation of the site for residential development.

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 site promoter (Pigeon Investment Management Ltd) contained in the Rutland Local Plan (2016-2036). The Statement demonstrates that all parties are supportive of the proposed allocation, policy wording and supporting explanatory text within the plan.

The main areas that this Statement of Common Ground seeks to address are:

- Indicative dwelling numbers
- Trajectory for delivery (lead in times, first delivery and ongoing delivery)
- Agreement that it is viable and deliverable
- That the Council's policy for 30% affordable housing is deliverable
- Policy wording in the emerging plan
- That the evidence underpinning the allocation is robust
- The draft masterplan

## 1. INTRODUCTION

- 1.1. Land off Burley Road, Oakham (identified as site H1.3 in Policy H1) is a greenfield site of 14.21 hectares located adjacent to the built up area of Oakham.
- 1.2. Pigeon Investment Management Ltd has been the main promoter of site H1.3 ('the Site Promoter') and is the signatory to this Statement of Common Ground.
- 1.3. Pigeon Investment Management Ltd promoted the site during the Regulation 18 and Regulation 19 stages of the Rutland Local Plan production and is fully committed to the delivery of housing on the site. The site is in the sole ownership of the Burley Estate Farms Partnership which has an agreement with Pigeon Investment Management Ltd to promote the site for development. It has therefore been confirmed that the site is available for development and that there are no legal or other impediments which would prevent its development.
- 1.4. Policy H1 of the Publication version of the Rutland Local Plan allocates the site for the delivery of around 200 dwellings.
- 1.5. The site's allocation has been informed by a wide range of evidence that has considered the environmental, social and economic implications of the proposed allocation and whether it is deliverable (including its viability).
- 1.6. The proposed allocation and associated policy wording are attached as Appendix A. The current illustrative masterplan for the site is attached as Appendix B.

## 2. EVIDENCE

- 2.1. Rutland County Council has developed an evidence base to underpin and justify the emerging Local Plan. The impact of the proposed allocation at land off Burley Road, Oakham has been thoroughly assessed as part of the evidence base. This includes an assessment of the environmental, social and economic impacts of the proposed development through the Strategic Housing and Economic Land Availability Assessment Report (SHELAA) (December 2019) and the Site Allocation Assessment Report (December 2019). Through the site assessment process, constraints were identified and technical consultees were engaged to establish any potential issues in relation to the site that may require mitigation.
- 2.2. The site was also assessed through the Sustainability Appraisal / Strategic Environmental Assessment (2020) and Habitat Regulations Assessment (January 2020) in order to ensure the Local Plan contributes to the achievement of sustainable development.
- 2.3. The key findings from the site assessment process were that:

- The site is capable of being satisfactorily developed without unacceptable impacts on water quality, water efficiency and flooding. It is identified that there are limited areas of medium flood risk within the site that need to be mitigated as part of any scheme put forward.
- The impact on the landscape is a key consideration in the development of an appropriate scheme, along with landscaping and planting, particularly but not limited to the northern and north western boundaries. It is identified through the Site Specific Policy in Chapter 10 that this can be appropriately mitigated through sensitive design and landscaping.
- Safe, connected and direct pedestrian and cycle routes through the site, and to the town centre are required, however there are no objections on access or highway safety grounds if an access from Burley Road is provided (rather than Ashwell Road).
- Subject to surveys, the proposal would not result in unsatisfactory harm to habitats and species.
- Appropriate green infrastructure and landscaping incorporating different types of open space, play and recreation facilities, including an onsite LEAP and allotments are required to create a good quality development scheme.

2.4. An illustrative masterplan has been submitted with the Site Promoter's Regulation 19 representation. The masterplan is attached as Appendix B. This seeks to demonstrate how the site can be developed taking account of the above considerations and is supported by a range of further evidence which were submitted with the Promoters Regulation 19 representation. This evidence further demonstrates the deliverability of the Site.

2.5. No insurmountable objection has been received in response to site H1.3. Full copies of formal representations made at Regulation 19 stage will be forwarded to the Inspector as part of the examination process.

### 3. MASTERPLAN

3.1. Based on technical evidence submitted with the Regulation 19 representation, an illustrative masterplan has been prepared by the Site Promoters and submitted. This masterplan identifies the delivery of around 200 dwellings.

3.2. The illustrative masterplan sets out the design principles for the site, including development areas, open spaces, SUDs features, landscaping, siting of the LEAP and allotments and green infrastructure links. It also identifies the vehicular access, road layout and pedestrian routes and links.

3.3. The latest iteration of the illustrative Masterplan is attached as Appendix B.

#### 4. DELIVERY - NATIONAL POLICY & GUIDANCE

- 4.1. In the context of the National Guidance concerning the ability of sites to deliver, the proposed allocation at land off Burley Road, Oakham is 'suitable, available, achievable and deliverable'.
- 4.2. Detailed consideration has been given to the housing delivery trajectory for the site. This has been informed by discussions with the site promoter. In addition, the annual provision is considered realistic and achievable in terms of the ability of the development industry to deliver and local market absorption rates. This approach therefore meets the criteria of being Justified and Effective set out in paragraph 35 of the National Planning Policy Framework 2019. The site is able to deliver housing development in accordance with the aims of the Local Plan.
- 4.3. The Regulation 19 representation submitted by the Site Promoter identifies the timescales for delivery as previously discussed, identifying the delivery of housing completions from quarter 1 of 2024 onwards, completing the site in 2027/28.

#### 5. AREAS OF COMMON GROUND

- 5.1. Engagement between Rutland County Council (The Local Planning Authority) and Pigeon Investment Management Ltd (the site promoter) has taken place on an ongoing basis via meetings, discussions and e-mail exchanges. The following areas of agreement are confirmed:

##### Development potential

- 5.2. Rutland County Council and Pigeon Investment Management Ltd agree that the proposed allocation can accommodate around 200 homes along with an effective landscaping and green infrastructure scheme incorporating open space, play and recreation facilities including a LEAP and allotments, an appropriate surface water management system and safe, direct and convenient footway and cycleway connections through the site and enhancement of linkages to the town centre.

##### Housing Trajectory

- 5.3. Rutland County Council and Pigeon Investment Management Ltd agree that the delivery timescales for development (including lead-in times, first delivery and ongoing delivery) as set out in the trajectory in Chapter 10 (Implementation and Monitoring Framework) is realistic and achievable. Both parties agree that the

site will come forward with housing completions commencing in 2023/24 and continuing until the site is built out in 2027/28.

#### Viability and deliverability

- 5.4. Rutland County Council and Pigeon Investment Management Ltd agree that a thorough assessment of the viability of the proposed development has been undertaken by both parties. The results of the assessments demonstrate that the proposal of around 200 new homes, supporting infrastructure and policy requirements can be delivered whilst remaining viable.

#### Affordable housing

- 5.5. Rutland County Council and Pigeon Investment Management Ltd agree that a thorough assessment of the viability of the proposed development has been undertaken. The results of the assessments demonstrate that the proposal is able to deliver 30% affordable housing whilst remaining viable. Based on a scheme of 200 dwellings, 60 affordable homes are identified to be delivered as part of the development of the site in Policy H1.3 of Chapter 10.

#### Policy wording

- 5.6. Rutland County Council and Pigeon Investment Management Ltd agree that the proposed policy wording of policies H1 in Chapter 5 and H1.3 in Chapter 10 provide a realistic, deliverable and appropriate policy framework for the delivery of a residential development at land off Burley Road, Oakham.
- 5.7. It is recognised that it is proposed through the site promoter's Regulation 19 representation that a wider area should be allocated in order to provide the allotments and associated green infrastructure as part of the wider more comprehensive development scheme. It is agreed by RCC that this would be an appropriate modification in order to achieve a well balanced development scheme. A plan submitted by Pigeon Investment Management Ltd is included at Appendix C, identifying the additional area that should form part of the allocation in order to achieve this, in blue. In order to ensure this additional area of land is adequately considered and covered in the site specific policy set out in H1.3 in Chapter 10 it is proposed that an additional bullet point is added to state:

*'provide a landscape-led design solution which includes significant areas of open space and ensures that the development integrates into the existing landscape*

*and with the existing built up area to the south and west'.*

- 5.8. This will be proposed as a modification and both parties would support this change if the Inspector is minded to agree.
- 5.9. Also raised through the Regulation 19 consultation, was a point about the policy text in Chapter 10, specifically about the requirement for a badger survey in relation to site H1.3. This is raised, due to Pigeon Investment Management Ltd undertaking a Preliminary Ecological Appraisal which confirms that there is no evidence of badgers on site.
- 5.10. Rutland County Council has agreed to forward this report onto the technical consultee, Leicestershire Environment Record Centre, for further consideration.
- 5.11. A further point was raised by Pigeon Investment Management Ltd in their Regulation 19 representation about the policy wording of E11 in relation to the site for retail development, which is located adjacent to site H1.3.
- 5.12. Both parties agree that it would be beneficial to add the following requirements into Policy E11 below the identification of site R1 – The Co-op site, Burley Road 0.15ha:
- '- Any town centre uses that are provided shall first demonstrate that no adverse amenity impacts will result in the context of the adjacent residential allocation H1.3.*
- The detailed development shall demonstrate how connectivity into and out of the site R1 has been provided to facilitate connectivity to the existing and future built up area of Oakham.'*
- 5.13. This will be proposed as a modification and both parties would support this change if the Inspector is minded to agree.

#### Evidence base

- 5.14. The evidence base used to inform policies H1 in Chapter 5 and H1.3 in Chapter 10 (as set out in paragraph 2.1 of this statement) offers a sufficiently robust basis to underpin the proposed policies and residential allocation. The Promoter has submitted further information in support of their Regulation 19 submissions which further demonstrates the Site's deliverability.

## The illustrative masterplan

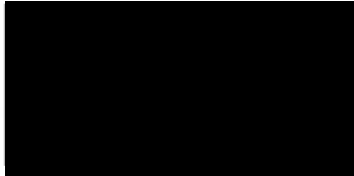
- 5.15. The illustrative masterplan prepared in order to support the site through the Regulation 19 process is draft at this stage but has been prepared to demonstrate that the site can physically accommodate around 200 new homes along with the other detailed requirements within Policy H1.3. It does recognise the importance of landscaping and planting, along with a surface water management system, pedestrian links, LEAP and allotments as required by Policy H1.3 in Chapter 10. It should also be noted that as a planning application is yet to be submitted, it is expected that there will be further evolution and development of the scheme as it progresses through to a more detailed proposal.



**Agreement**

**Signed on behalf of Rutland County Council**

**Penny Sharp**



**Strategic Director – Places**

**Signed on behalf of Pigeon Investment Management Ltd**



**Neil Waterson**

**Senior Planning Manager**

**Date: 24/02/2021**

## **Appendix A**

### Chapter 5: Delivering Quality New Homes

## Policy H1 - Sites for residential development

The following sites are proposed for residential development over the plan period. Sites are also shown on the Policies Map and detailed development principles for each site are set out in the Site Specific Policies in chapter 10:

| Policy Reference                  | Site Location                                       | Site reference number                 | Site area (Ha) | Indicative number of dwellings to 2036 (net) |
|-----------------------------------|---|---------------------------------------|----------------|--|
| <b>Oakham with Barleythorpe</b>   |   |                                       |                |  |
| H1.1                              | Land south of Brooke Road (former allotments)       | OAK/12                                | 1.90           | 40   |
| H1.2                              | Land off Uppingham Road                             | OAK/05                                | 4.13           | 73   |
| H1.3                              | Land off Burley Road                                | OAK/13 a&c                            | 14.21          | 200  |
| H1.4                              | Land south of Braunston Road                        | OAK/16                                | 3.40           | 61   |
| H1.5                              | Land off Main Street Barleythorpe                   | BAE/04                                | 0.55           | 8  |
| <b>Total for Oakham</b>           |   |                                       |                | <b>382</b>                                   |
| H1.6                              | Uppingham*  | To be allocated in Neighbourhood plan |                | 200  |
| H2                                | St George's Garden community                        | EDI/04                                |                | 1000   |
| <b>Local Service Centres</b>      |   |                                       |                |  |
| H1.7                              | Land off Main Street, Cottesmore                    | COT/01                                | 1.21           | 8  |
| H1.8                              | Officers Mess, Edith Weston                         | EDI/03                                | 3.95           | 70   |
| H1.9                              | West of 17 Whitwell Road, Empingham                 | EMP/01                                | 0.17           | 5  |
| H1.10                             | Southview Farm, Empingham                           | EMP/05                                | 0.28           | 6  |
| H1.11                             | Adjacent to Chater House, High Street Ketton        | KET/06                                | 1.23           | 15   |
| H1.12                             | The Crescent, High Street, Ketton                   | KET/07                                | 1.31           | 35   |
| H1.13                             | Home Farm, Ketton                                   | KET/08                                | 1.11           | 10   |
| H1.14                             | Main Street, Market Overton                         | MAR/04a                               | 0.91           | 27   |
| H1.15                             | River Gwash Trout Farm, Belmesthorpe Lane, Ryhall   | RYH/04 & RHY/08                       | 0.84           | 24   |
| H1.16                             | Land to the South-West of Belmesthorpe Lane, Ryhall | RYH/09                                | 0.42           | 12   |
| H1.17                             | Land off Melton Road, Whissendine                   | WHI/06b                               | 0.48           | 12   |
| H1.18                             | South Lodge Farm, Whissendine                       | WHI/09a                               | 1.03           | 25   |
| <b>Local Service Centre Total</b> |   |                                       |                | <b>249</b>                                   |
| <b>County Total</b>               |   |                                       |                | <b>1831</b>                                  |

\*It is expected that the Neighbourhood Plan body will work in partnership with the Council to identify suitable, sustainable locations for a minimum of 200 new additional homes over the Local Plan period. Should the Neighbourhood Plan not do this within the first three years of the Local Plan being adopted, the Local Plan will make any required allocations through its first review.

**Indicative capacity 200****60 affordable homes / 140 market homes**

A single comprehensive proposal will be expected for the whole site.

The proposed development should be designed to incorporate all of the following key principles within the layout:

- a) strengthen existing boundary features and provide significant structural landscaping and planting as well as open space to the northern boundary and north western part of the site to reduce the impact of this part of the site on the landscape;
- b) design and orientate new buildings on the site in a way which retains and responds positively to key views out of the town and up towards Burley;
- c) make appropriate provision for surface water management systems, including SUDs which will ensure that greenfield run-off rates are maintained once the site is developed;
- d) provide safe, direct and convenient footway and cycleway connections through the site, and to the town centre;
- e) ensure safe and direct pedestrian and cycle routes which follow desire lines, between existing residential areas to the west, the town centre, to existing cycle routes and crossings along Burley Park Way and Burley Road and other key destinations;
- f) improve the pedestrian and cycle environment around the Co-op site, ensuring direct and safe routes to this retail site;
- g) align development with prominent views, including views to the church and key navigational features within the site;
- h) provide safe and convenient access to the site utilising Burley Road. Ashwell Road should not be used for vehicular access other than for emergency vehicles;
- i) provides an appropriate mix of housing choices which reflect the mix set out in most up to date SHMA including 30% of the site capacity as affordable homes (a target of 60 homes);
- j) provides appropriate green infrastructure and landscaping incorporating different types of open space, play and recreation facilities;
- k) provision of an onsite LEAP and allotments; and
- l) demonstrate how the development will contribute towards delivering net biodiversity gain.

**For information:**

An application for this site should be accompanied by the following evidence/surveys which include, where appropriate, evidence that the necessary mitigation measures have been planned into the design and layout of the development:

- hedgerow, badger and phase 1 habitat surveys;
- archaeological survey (desk based and field assessment);
- consultation with Natural England to consider the potential impact of development on the Rutland Water RAMSAR site;
- archaeological survey (desk based and field assessment);
- heritage impact assessment;
- traffic assessment.

Appendix B – Illustrative Masterplan

# 12.0 ILLUSTRATIVE MASTERPLAN



Appendix C – Plan of additional area proposed to be included in allocation H1.3

