

CABINET

17th April 2018

RUTLAND LOCAL PLAN – PRE-SUBMISSION

Report of the Chief Executive

Strategic Aim:	Sustainable Growth	
Key Decision: Yes	Forward Plan Reference:	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr N Begy Deputy Chair and Portfolio Holder for Planning Policy & Planning Operations, Highways & Transportation and Communications	
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Ward Councillors	N/A	

DECISION RECOMMENDATIONS

1. That Cabinet approves the updated Local Development Scheme appended to this report.

1. PURPOSE OF THE REPORT

- 1.1 This report sets out a revised timetable for the delivery of the Local Plan. It is recommended that the timetable is amended in order to fully incorporate the implications of potential development of St Georges barracks into the Local Plan. This will entail undertaking an additional round of non-statutory public consultation and commissioning of appropriate evidence, prior to producing the next version of the Local Plan. This additional consultation, which will be specifically focussed on considering the implications of any potential development at St.Georges, will help to appropriately shape the form and content of the new Local Plan for Rutland.
- 1.2 This new Local Plan will help to guide proposals for growth and investment in Rutland up to 2036. It will provide greater certainty to all parties regarding the local development process and proposed planning policies for Rutland. The preparation of a new Local Plan provides the opportunity for all our communities to help shape what the County will look like over the next 15-20 years, thereby creating the policy framework that will help guide all investment and development decisions over the plan

period. It also allows the Council to set out its ambitions for the future growth and prosperity of Rutland.

- 1.3 The updated recommended timetable for the production of the new Local Plan is set out in this report and the accompanying revised Local Development Scheme (LDS).

2. BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Local Planning Authorities must prepare a Local Plan that sets out the local planning policies for their local planning authority area. These policies are very important material considerations when deciding planning applications, as all decisions must be made in accordance with the policies unless there are very strong reasons not to do so. 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) and the National Planning Policy Framework (NPPF). The NPPF states that every local planning authority in England should seek to have in place a clear, up to date Local Plan that conforms to the Framework, meets local development needs and reflects local people's views about how they wish their community to develop. The plan preparation process should fully involve everyone with an interest in the document or area, and they should have had the chance to comment.
- 2.2 The County Council currently has three key adopted Planning Policy documents in place - the Core Strategy (July 2011); the Minerals Core Strategy and Development Control Policies Development Plan Document (October 2010) and the Site Allocations and Policies Development Plan Document (October 2014) - as well as a number of other supplementary planning policy documents. These generally cover the period up to 2026, and in some cases pre-date the production of the NPPF. As such some of these policies are considered to be no longer fully in line with Government policy. We are therefore reviewing all our current policies and looking into current issues in order to produce a new, up-to-date Local Plan for Rutland that will cover the period up to 2036.
- 2.3 In June 2017, Cabinet approved a Consultative Draft Local Plan for the purposes of public consultation, in line with Regulation 18 of the Local Plan Regulations. This document proposed both draft policy wording and provisional site allocations, based on evidence reports. The Council has received a considerable response through the consultation which will be considered in drafting the next version of the Local Plan.

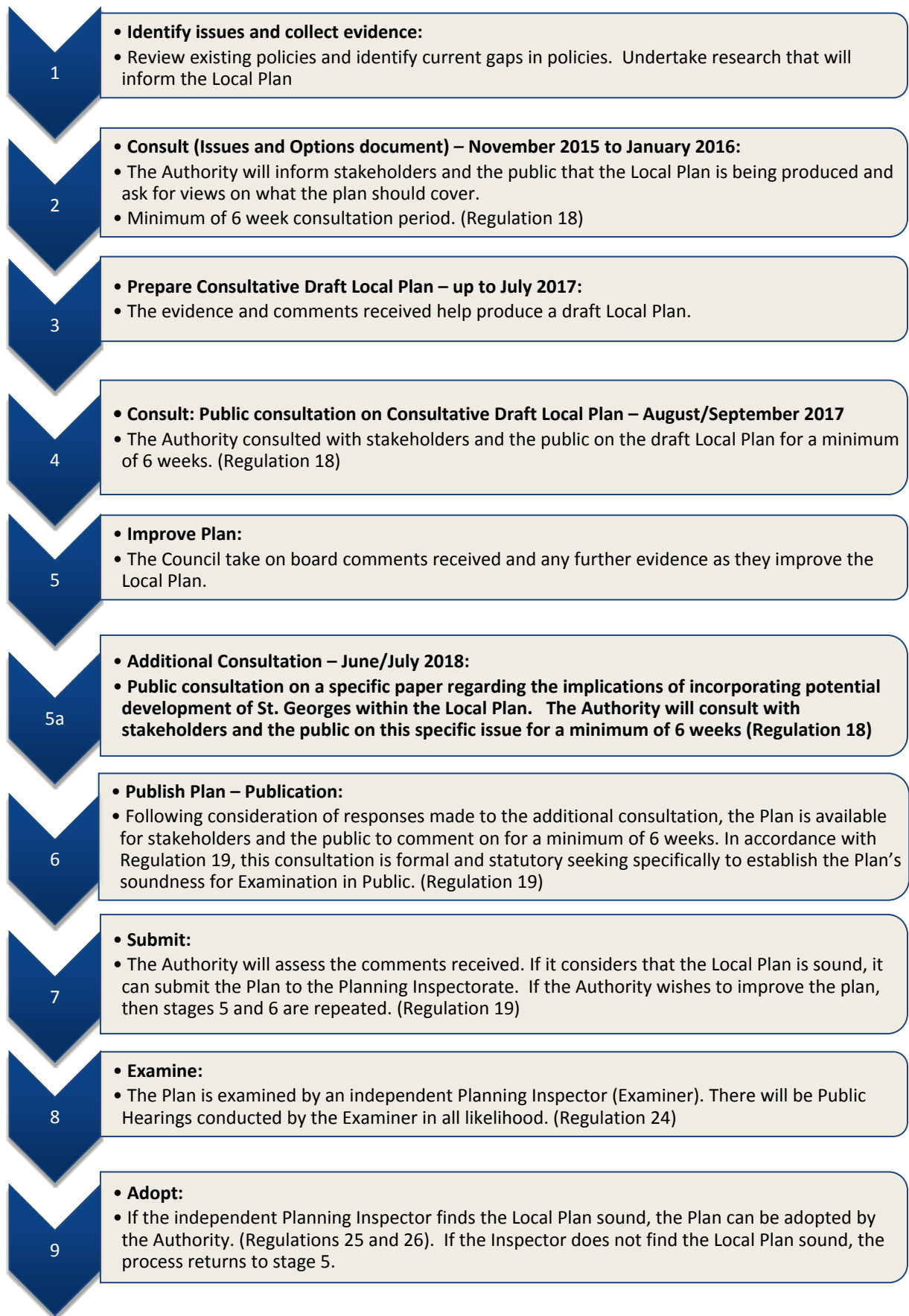
Consideration of potential development at St Georges

- 2.4 Separately from the Local Plan, the Council have been working in partnership with the Ministry of Defence to examine the scope for the potential development of the St Georges Barracks site, following the decision that the site would close from 2021. A high level masterplan has been commissioned to provide an overview of the constraints and opportunities for this brownfield site and to provide an indication of the potential scale, nature and timing of potential development. At the time of the Consultative Draft Local Plan, there was no robust evidence available to enable detailed consideration of St Georges within the Local Plan. A number of responses to

the consultation have highlighted that it would be desirable if the Local Plan could articulate more in relation to this potential development.

- 2.5 Officers have considered options for how any potential development could be considered within the statutory development plan system. The original view has been to consider a separate Development Plan Document (DPD) which would be produced as further clarification as to the potential development of St. Georges became known. This was proposed to follow on from the production of the Local Plan. However, there is a significant risk that the Local Plan may be considered unsound at examination if there is no full consideration of the potential development at St. Georges within the Local Plan itself. The recommended option therefore is to review the timetable for the production of the Local Plan in order that the implications of St Georges can be fully incorporated into a single statutory strategic planning document setting out the vision for growth and development in the County up to 2036.
- 2.6 In order to take this recommended approach forward then the following additional steps are required to be undertaken to produce the Local Plan:
 1. A further non-statutory targeted consultation focussed on a specific paper setting out the implications for incorporating any potential development of St. Georges into the Local Plan. This would take place following the production of the high level masterplan; and
 2. The commissioning of additional relevant evidence related to the implications for incorporating any potential development of St. Georges into the Local Plan. Depending on the potential development, this is likely to include additional work to the Sustainability Appraisal, Habitat Regulations Assessment, Infrastructure Delivery Plan, market assessments, whole plan viability, and possible Strategic Flood Risk Assessment and Water cycle study.
- 2.7 The following table shows the implications of this recommended approach to the preparation, submission and adoption of the Local Plan in Rutland, with reference to the Local Plan Regulations where appropriate. The proposed additional targeted consultation is highlighted in both as step 5a.

Table 1: Local Plan Process



- 2.8 This revised timetable is reflected in revised Local Development Scheme which is appended to this report and is recommended to Cabinet for approval.

Joint working on Local Plans

- 2.9 The revised Local Development Scheme also sets out in paragraph 3.9 details any proposed joint working arrangements for the production of development plans in the County. The Scheme has been amended to take account of the potential development of land to the north of Stamford which has been provisionally allocated in both the Rutland and South Kesteven Consultative Draft Local Plans. This reflects that a draft document has been produced setting out a Memorandum of Co-Operation (MoC) between Lincolnshire County Council (LCC), Rutland County Council (RCC) and South Kesteven District Council (SKDC). The purpose of this MoC is to facilitate co-ordination and co-operation between the three Councils as they seek to jointly plan land to the north of Stamford extending across both Rutland and South Kesteven's area identified as potentially suitable for an urban extension.
- 2.10 The key objective of the joint planning process is to ensure the development of the land north of Stamford in a collaborative, co-operative and holistic way, phased appropriately, and in accordance with relevant policies of the emerging South Kesteven and Rutland Local Plans. This will entail ensuring the appropriate, high quality provision of new homes across a range of sizes and tenures, alongside self-build opportunities; supporting infrastructure; appropriate social and community facilities.
- 2.11 A secondary objective is for the joint planning process, of which this draft MoC is the first step, to contribute towards fulfilling the Duty to Co-Operate for both local planning authorities, a necessary requirement if both of their emerging Local Plans are to be found sound at examination.
- 2.12 In terms of housing need only, the draft MoC provides for housing that results from the joint planning process across the proposed development on the north side of Stamford will specifically contribute to the assessed housing need of South Kesteven. This approach has been based on the relationship of the proposed development to the existing services and facilities provided within the built-up area of Stamford, and also takes account of the potential impact of the Government's proposed standardised methodology for assessing housing need. The agreement does not impact on other existing statutory arrangements regarding aspects, such as the collection of Council tax or the operation of Community Infrastructure Levy. Any potential development on the Quarry Farm site as part of the Stamford North proposed development would still contribute towards meeting the 5 year housing supply in Rutland.
- 2.13 The proposed MoC cannot override the statutory duties and powers of the three signatory authorities.

Design Supplementary Planning Document (SPD)

- 2.14 Paragraph 3.6 of the Local Development Scheme sets out other proposed documents that may be produced as part of the development plan system for Rutland. Members will be aware that a joint bid submitted by the Council with South Kesteven District Council to the Design Quality Planning Delivery Fund has been successful with the award of £185,000 over two years. This funding will be used to support the production of a Design Supplementary Planning Document (SPD) to provide

additional advice guidance to developers, aligned to the respective Local Plan policies.

3. CONSULTATION

- 3.1 As stated above, two stages of consultation have taken place on the Local Plan through the Issues and Options and the Consultative Draft documents. In order to take forward the implications of incorporating St Georges into the Local Plan a further consultation on this specific issue is recommended. There will be a subsequent opportunity for consultation when a published version of the Local Plan is produced prior to its submission to the Secretary of State. It is intended to bring the additional targeted consultation paper to Cabinet in June for consultation then to take place after this. The revised timetable set out in the accompanying LDS proposes that the Regulation 19 consultation will take place towards the end of this calendar year.

4. ALTERNATIVE OPTIONS

- 4.1 Alternative options of preparing a separate Development Plan Document (DPD) or incorporating St Georges at a late stage through a first review of the new Local Plan have been considered. These have been rejected as there is a risk that the Local Plan may be found to be unsound through examination if the prospect of potential development at St. Georges is not appropriately considered within the plan.
- 4.2 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 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 costs of the production of the Local Plan included in the existing budget for 2018/19 are based on the Local Plan proceeding to submission and examination without the requirement for the additional steps as outlined in paragraph 2.6 above. These budgeted costs include provision of £100,000 in 2018/19 to cover the costs associated with the examination of the Local Plan. The recommended approach and timetable will mean that the examination into the Local Plan will be re-programmed, resulting in a likely significant proportion of these budgeted costs possibly falling in 2019/20. This will depend on the exact time of the examination and will need to be monitored during the 2018/19 financial year.

- 5.2 Paragraph 2.6 sets out additional costs resulting from the work to be undertaken in considering the implications of St. Georges within the Local Plan. Estimates for these costs are based on the additional work required with respect to:

Enhancements to the Sustainability Appraisal -	£5,000
Enhancements to the Habitat Regulations Assessment -	£15,000
Additional work on the Infrastructure Delivery Plan -	£35,000
Possible additional work related to flood risk and water cycle -	£20,000
LIKELY TOTAL -	£75,000

These costs are estimates and will be reviewed following relevant procurement. They will be incurred in 2018/19 and are directly attributable to the St. Georges project.

6. LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1 The Local Plan is required by statute to be adopted by full Council. Before the draft Local Plan can be considered for adoption, the process for preparing the Local Plan must follow as 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). Section 18 of the Regulations sets out the requirements for consultation - there is a requirement to consult with:
- such of the specific consultation bodies as the authority consider may have an interest in the subject of the proposed local plan;
 - such of the general consultation bodies as the authority consider appropriate; and
 - such residents or other persons carrying on business in the authority's area from which the authority consider it appropriate to invite representations.
- 6.2 In addition, the Council must comply with any commitments it has made in the adopted statement of community involvement.
- 6.3 The Council must also publicise its intended timetable for producing the Local Plan. This information is contained in the proposed Local Development Scheme which authorities should publish on their web site and must keep up to date.

7. EQUALITY IMPACT ASSESSMENT

- 7.1 An Equality Impact Assessment (EqIA) screening has been prepared and will be updated as the Local Plan progresses to adoption by the Council.

8. COMMUNITY SAFETY IMPLICATIONS

- 8.1 Strategic Objective 6 of the Consultative 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 in the draft document.

9. HEALTH AND WELLBEING IMPLICATIONS

- 9.1 Strategic Objective 5 of the Consultative 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 in the draft document.

10. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

- 10.1 This report sets out a revised timetable for the production of the Local Plan in order to fully incorporate the implications of any potential development at St. Georges into the document. A further stage of specific consultation regarding this is proposed to help shape the form and content of the new Local Plan. Revisions to the Local Development Scheme are recommended to reflect this timetable as well as the joint

working arrangements in relation to the proposed development of land on the north of Stamford and the intention to produce a Design SPD.

11. BACKGROUND PAPERS

11.1 None

12. APPENDICES

12.1 Appendix 1 –Local Development Scheme

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