

PD12597/JWB
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27 April 2023

Rutland County Council
Planning Department
Catmose House
Catmose Street
Oakham
LE15 6HP**FAO: Mr R Ranson***By email only: RRanson@rutland.gov.uk
/ localplan@rutland.gov.uk*

Dear Mr Ranson,

**NORTH LUFFENHAM NEIGHBOURHOOD PLAN
THE NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 (AS AMENDED)
REGULATION 16 – SUBMISSION DRAFT
REPRESENTATIONS ON BEHALF OF THE DEFENCE INFRASTRUCTURE ORGANISATION**

On behalf of our client, the Defence Infrastructure Organisation (“DIO”), we write to you to submit representations on the North Luffenham Neighbourhood Plan (“the Plan”). The DIO welcomes the work undertaken by the local community on producing a plan that proactively tackles the issues surrounding new development in the Plan area.

The comments provided herein are intended to help ensure that when adopted the Plan is robust in both its production and application, and we would be happy to meet with the Parish and Rutland County Council to discuss further if it would be of benefit.

POLICY NL6: LOCAL GREEN SPACE / DESIGNATION LGS2 – BUTT LANE

It is acknowledged that the Plan continues to designate Butt Lane as a Local Green Space, to be secured via Policy NL6 and designation LGS2. As per previous representations to the Plan, the DIO objects to this designation on the basis that it is unnecessary and prohibits any future ability for the DIO to improve this access point to St Georges Barracks.

It is understood that Butt Lane is used by dog walkers, with the Plan stating that:

“With a limited number of walking options within the parish, it is vital to protect longstanding corridors that have been used on a regular basis by residents of the parish.”

The plan goes on to state that:

“The area of North Luffenham, accessed via Butt Lane on the east side of Edith Weston Road, is currently used by residents and offers one of the highest viewing points across the valley. Importantly, it fulfils a need for more general walking, rambling and dog walking. Strong opinion has been expressed, particularly by dog walkers, that without this facility there would be a large gap in the opportunity for residents to walk and allow their dogs off their leads without having to drive anywhere.”

It is unclear whether this text is making reference to Butt Lane as an area used for dog walking or the “area of North Luffenham” that is accessed via Butt Lane as being of value to dog walkers. However, what is clear from the supporting text in the Plan, the rationale for designating Butt Lane as Local Green Space is to ensure that access remains to a longstanding corridor used by residents of the parish.

National Planning Practice Guidance provides a useful commentary on the areas of land that are suitable for designation as Local Green Spaces. Paragraph 018 reference ID: 37-018-20140306 states the following:

“Areas that may be considered for designation as Local Green Space may be crossed by public rights of way. There is no need to designate linear corridors as Local Green Space simply to protect rights of way, which are already protected under other legislation.”

Butt Lane is adopted highway through to the area of open storage, equating to approximately 300m of its 400m length. Accordingly there is a right of way available to the general public over the majority of this line corridor and is protected by highway legislation. As per the National Planning Practice Guidance therefore, there is no need to designate this linear corridor as Local Green Space to protect the ability for dog walkers to use the Lane.

If RCC are minded to support this designation, then it is respectfully requested that further justification is provided on the suitability of this designation, clearly demonstrating that due regard has been had of NPPF paragraph 101, how the designation meets all of the criteria of NPPF Paragraph 102, why the adopted highway status offers insufficient protection.

Without further justification, the DIO continues to object to the designation of Butt Lane as Local Green Space.

NL8: PLACEMAKING AND SUSTAINABLE DESIGN

The DIO are supportive of the core principles put forward for good quality design and placemaking for all new developments within the Parish. The DIO acknowledge and support the work that has gone in to the Parish Analysis and the design code to support future development at St George's Barracks.

The DIO notes the status of these documents and wider commentary on St Georges Barracks, noting that the emphasis of future development is to come through the RCC Local Plan Process. The DIO are supportive of the plan in this regard, and welcomes the work undertaken on the design codes and parish analysis which will be useful in the future.

POLICY NL3: RESIDENTIAL DEVELOPMENT

The supporting text under 5.2 notes NPPF paragraph 68 for identifying land for homes, but falls short if noting parts a) and b) of this paragraph which states that *inter alia* planning policies should plan for growth and identify a supply of housing sites for every 5 year period of the plan. Paragraph 70 makes specific reference to the need for Neighbourhood Planning groups to consider sites under paragraph 68a.

This part of the Plan also omits reference to NPPF paragraph 119 which looks to ensure policies promote an effective use of land in meeting the need for homes – whilst safeguarding the environment – by ensuring that as much use as possible is made of previously developed land. This is to be pursued through approaches including redevelopment opportunities, but also making the best use of existing space through upward extensions (NPPF paragraph 120).

Policy NL3 seeks to limit development to the defined planned limits of the village, albeit the supporting text does note that residential homes anywhere in the Parish boundary brings value to the community.

Whilst the rationale behind Policy NL3 is understood, we believe that the wording should be more reflective of the NPPF objectives for housing delivery and prioritising the reuse of brownfield land.

Part 1 of the policy also duplicates and potentially conflicts itself with regard to repeated reference to the planned limits of development.

It is therefore suggested that NL3.1 is reworded as follows:

In addition to any allocated housing sites and the defined North Luffenham Planned Limits of Development (see Figure 5.2.1), residential development will be supported in the following scenarios and subject to according with the other policies of the Neighbourhood and Local Plans:

- a. Conversion of existing buildings.
- b. Infill development of gaps within existing built frontages.
- c. On areas of previously developed land as defined in NPPF Annex 2: Glossary.
- d. The replacement of existing dwellings

This approach would ensure that brownfield land is best used for the delivery of housing within the Parish, noting the high-level acceptance that such land is suitable for development over other opportunities and the Plan commentary on replacement dwellings. This would not conflict with the adopted policies of the Rutland Local Plan in regard to development outwith the settlement boundaries and ensure adherence with the NPPF.

CLOSING

As noted at the outset, the DIO are supportive of the work undertaken by the Neighbourhood Plan Forum and welcome the opportunity to engage with the community at the appropriate time on the future of the St Georges Barracks site. The comments and suggestions noted above are meant to ensure that the plan is appropriately drafted and, importantly, effective in its application.



We trust that these comments are of use to the Neighbourhood Plan process, and as per Regulation 19 we would welcome being notified of Rutland County Council's decision in relation to the neighbourhood development plan.

We would be grateful if Rutland Council could confirm that this letter has been received, and please contact Jon Bradburn (jon.bradburn@montagu-evans.co.uk) or Lauren Hawksworth (lauren.hawksworth@montagu-evans.co.uk) of this office in the first instance.

Yours faithfully,

Montagu Evans

Montagu Evans LLP