



Ketton & Tinwell Neighbourhood Development Plan

Decision Statement: 11 May 2023

Published pursuant to Section 38A(9) of the Planning and Compulsory Purchase Act 2004 and Regulation 18 of the Neighbourhood Planning (General) Regulations 2012

1. Introduction

- 1.1 Under the Town and Country Planning Act 1990 (as amended), Rutland County Council (RCC) has a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take plans through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Local Planning Authority's responsibilities under Neighbourhood Planning.
- 1.2 This statement confirms that the modifications proposed by the examiner's report have been accepted, the draft Ketton & Tinwell Neighbourhood Development Plan Review has been altered as a result of it; and that this plan may now proceed to referendum.

2. Background

- 2.1 Ketton & Tinwell Neighbourhood Development Plan relates to the area that was designated by Rutland County Council as a neighbourhood area in Ketton & Tinwell. This designated the whole of the Ketton & Tinwell Parishes as the Ketton & Tinwell Neighbourhood Area.
- 2.2 Following the submission of the Ketton & Tinwell Neighbourhood Development Plan to the Council, the plan was publicised and representations were invited. The publicity period ran between 11 November 2022 until 23 December 2022
- 2.3 Mr Andrew Ashcroft BA (Hons) MA, DMS, MRTPI was appointed by Rutland County Council with the agreement of Ketton Parish Council and Tinwell Parish Meeting, to undertake the examination of the Ketton & Tinwell Neighbourhood Development Plan and to prepare a report of the independent examination.
- 2.4 The examiner's report concludes that subject to making the modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.

3. Recommendations, Decision and Reasons

- 3.1 The Neighbourhood Planning (General) Regulations 2012 requires the local planning authority to outline what action to take in response to the recommendations of an examiner made in a report under paragraph 10 of Schedule 4A to the 1990 Act (as applied by Section 38A of the 2004 Act) in relation to a neighbourhood development plan.

- 3.2 Having considered each of the recommendations made by the examiner's report, and the reasons for them, Rutland County Council in consultation with Ketton Parish Council have decided to accept the modifications to the draft plan. Table 1 below outlines the alterations made to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the Examiner's recommendations. The reasons set out have in some cases been paraphrased from the Examiners report for conciseness. This statement should be read alongside the Examiner's Report on the Ketton & Tinwell Neighbourhood Plan webpage - <https://www.rutland.gov.uk/neighbourhoodplans>
- 3.3 Under agreed delegation arrangements, the Council's Strategic Director of Places, in conjunction with the Council's Portfolio holder for Places (Planning, Highways and Transport) has determined that the modifications set out in Table 1 are in accordance with the Examiner's recommendations and ensure that the Plan meets the Basic Conditions.

Signed by:



Strategic Director of Places

Date: 11 May 2023

The paragraph numbering refers to the submission version of the Ketton & Tinwell Neighbourhood Plan:

Modifications are recommended to policies are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

Examiner's Recommended Modifications		Justification	Decision
Policy/Paragraph	Modification		
Policy KT1: Overall Sustainable Development and Localism Principles	<p>Delete part B of the policy</p> <p><i>Reposition part B of the policy at the end of the Explanation.</i></p>	The second part of the policy expresses the community's wish to be involved in the early stages of the preparation of development proposals. It describes a process rather than a land use policy.	Accept
Policy KT 2: Landscape character and important views	<p>In a) replace 'Development shall' with 'Development proposals should'</p> <p>In b) replace 'if possible' with 'where practicable'</p> <p>Delete the final element of the policy (beginning with 'The following eight maps')</p> <p><i>At the end of the Preamble insert the deleted final part of the policy.</i></p>	Modifications to the wording of the policy have been recommended for clarity required by the NPPF and can be applied clearly and consistently through the development management process. The final components of the policy are repositioned into the supporting text given that they explain the relationship between the policies and the various maps.	Accept
Policy KT 3: Trees, hedges, and watercourses	<p>In c) replace 'where possible enhancements committed' with 'where practicable any necessary enhancements are included within the proposal'</p>	Modifications to the wording of the policy have been recommended for clarity required by the NPPF.	Accept

<p>Policy KT 4: Local Green Infrastructure Corridors</p>	<p>Replace the policy with:</p> <p>‘Development proposals either within or adjacent to any Local Green Infrastructure Corridor (“LGIC”) (as shown on Map A below), should:</p> <ul style="list-style-type: none"> • respect the existing integrity of that LGIC and not cause unacceptable harm to its function or character; and • include suitable measures to maintain and enhance the landscape, biodiversity, and where appropriate increase the recreational values of, and public access into, the LGIC concerned.’ 	<p>Modifications to the policy recast it so that it has a positive approach and sets out requirements for development proposals. Modification to include wording which was not included in the submitted policy in error.</p>	<p>Accept</p>
<p>Policy KT 5: Designated Heritage Assets in and around Ketton</p>	<p>In the opening part of the policy replace ‘will only be supported where they’ with ‘should’</p> <p>In the fourth part of the policy delete ‘in the 2012 RCC Important Open Space/Frontage Review,’</p>	<p>Modifications to the policy recast it so that it has a positive approach and sets out requirements for development proposals.</p>	<p>Accept</p>
<p>Policy KT 6: Designated Heritage Assets in and around Tinwell</p>	<p>In the opening part of the policy replace ‘will only be supported where they’ with ‘should’</p> <p>In the fourth part of the policy delete ‘in the 2012 RCC Important Open Space/Frontage Review,’</p>	<p>Modifications to the policy recast it so that it has a positive approach and sets out requirements for development proposals</p>	<p>Accept</p>
<p>Policy KT 7: Protecting and enhancing archaeological sites</p>	<p>Delete the policy.</p> <p><i>Delete the Explanation</i></p>	<p>The policy largely restates national and local policies. In addition, it does not identify any specific matters against which planning applications in the</p>	<p>Accept</p>

		neighbourhood area affecting this matter would be assessed.	
Policy KT 8: Existing open space and recreation facilities	<p>In Ketton delete e), g) and i)</p> <p>In Tinwell delete e)</p> <p>In iv) delete '(and are consistent with the requirements of policy KT 9 below)'</p>	Modifications to the wording of the policy have been recommended for clarity required by the NPPF.	Accept
Policy KT 9: Open space provision within new housing developments	<p>Delete the policy</p> <p><i>Replace the Explanation with:</i></p> <p><i>'Open Spaces associated with new housing development</i></p> <p><i>Policy SP22 of the SAP Plan in the Local Plan addresses the issue of the provision of open space associated with new housing developments. In general terms Ketton and the surrounding area is already well-provided with facilities via the Ketton Sports and Community Centre.</i></p> <p><i>However, given the likelihood of several development proposals being brought forward in the absence of a Local Plan, the provision of new open spaces and recreational facilities could be fragmented and limited to small/incidental spaces within the individual housing sites. Whilst incidental open space and landscaping should be provided as part of good design in new housing schemes, there is also a need for investment in the larger spaces/facilities which serve the whole community</i></p> <p><i>In the context of the Local Plan policy the local community has two related ambitions. The first is that new open space should be made within or adjoining the development unless it has been clearly demonstrated not to be practical or viable to do so and agreement has been reached on that point between the County Council and the Parish Council and Parish Meeting. In such</i></p>	The policy does not bring any added local value to the policy SP22 of the Site Allocations Development Plan. Whilst criteria b, c and d set out the community's aspirations they are general rather than specific to the neighbourhood area.	Accept

	<p><i>circumstances, land and/or a commuted sum should be made available to those authorities to enable appropriate provision to be made. The second is that the investment and type of facility at any alternative site should be proportionate and appropriate for the character of the location</i></p> <p><i>It will be important for consideration of new facilities to start at source with the development proposals themselves and their design. Moreover, whilst there is already good provision of facilities within the neighbourhood area, it is insufficient merely to count on those existing facilities coping with expansion. For example, Hall Close and Ketton Sports and Community Centre are important and well-used existing facilities but there may be constraints on expansion. They should therefore not be seen automatically as ‘easy options’ for the location of new areas.</i></p> <p><i>It is important that long-term ownership and maintenance arrangements are put in place, including initial and ongoing financial contributions related to the development. The discussions on this should involve the developer, the County Council, the Parish Council/Parish Meeting, and any interested third parties.’</i></p>		
Policy KT 10: Proposed Local Green Spaces	<p>At the end of part a) of the policy add ‘as described and mapped below’</p> <p>Delete the final sentence of part b) of the policy.</p> <p><i>Correct the geographic extent of LGS6 (Ketton/Aldgate Fields).</i></p>	Modifications to the wording of the policy have been recommended for clarity required by the NPPF.	Accept
Policy KT 11: Other Important Open Spaces	<p>Replace the opening component of part a) of the policy with:</p> <p>‘Development proposals will not be supported where they would have an unacceptable impact on an Important Open Space or Frontage shown on Rutland County Council Local Plan-related maps, or as shown on the Conservation Area Appraisal for Ketton, or as listed below:’</p>	Matters relating to minerals are excluded matters for neighbourhood plans	Accept

	<p>In a) delete ‘Any development proposals will be considered in relation to the criteria (a to g) set out in Policy SP21 of the Site Allocations DPD.’</p> <p>Delete part b) of the policy.</p>		
Policy KT 12: Allotments	<p>Replace the policy with: ‘Proposals for the provision of an allotment site, within or adjoining Ketton and with adequate parking and water supply will be supported where they meet the requirements of any other relevant policies of this Plan.’</p>	Modifications to the wording of the policy have been recommended for clarity required by the NPPF.	Accept
Policy KT 13: Location and scale of new housing (Ketton)	<p>Replace part (a) ii with:</p> <p>‘In order to provide proportionate and controlled growth for Ketton in line with government and local housing targets, the neighbourhood area will provide a minimum of 52 dwellings within the Plan period’</p> <p>Delete part (b)</p> <p><i>In the Explanation add: ‘Planning permission has recently been granted on appeal for land off Park Road, Ketton for 75 homes (2020/0942/OUT)’</i></p>	To refine the approach taken in the first part of the policy and provide a direct policy reference to the minimum number of dwellings to be delivered in Ketton. The deletion of the unnecessary second part of the policy (which largely restates the policy approach already included in the adopted Core Strategy).	Accept
Policy KT 14: Location and scale of new housing (Tinwell)	<p>In (a) (ii) replace ‘smaller village’ with ‘smaller service centre’</p> <p>Delete part (a) (iii)</p> <p>Delete part (b)</p>	Refine the description of the village in the first part of the policy. Delete the third element of the first part of the policy as its explanation of this policy reiterates the reason for the principles of this policy. The deletion of the unnecessary second part of the policy.	Accept

<p>Policy KT 15: Infrastructure requirements associated with new development</p>	<p>Replace the policy with:</p> <p>‘In addition to meeting the Plan policy requirements in terms of location, scale, design and mix (as set out in Policies KT 13, KT 14, KT 16, KT 17, KT 18 and KT 19), new housing and other development proposals should provide appropriate infrastructure or contribute proportionately to the delivery of new or enhanced infrastructure to enable it to be accommodated satisfactorily within its immediate locality.’</p> <p><i>Replace the fourth paragraph of the explanation with:</i></p> <p><i>“For the purpose of this policy infrastructure includes but is not restricted to surface water drainage and foul water drainage and open space (in relation to new housing development). The consolidation of existing community facilities/services (schools, health, library, social care, and community buildings) and the services which they offer will, subject to local discretion, be delivered through either to County-wide or the local delivery of the Rutland Community Infrastructure Levy (CIL). The Parish Council will work with the County Council to determine the extent to which existing community facilities need to be enhanced to respond to the growth in the number of homes in Ketton. In addition, the Parish Council will consider how best to apply its local element of CIL funding which will be received in the Plan period.’</i></p>	<p>The policy has been simplified so that it draws attention to the need for individual proposals to provide (or contribute towards the provision of) the specific infrastructure needs of that development.</p>	<p>Accept</p>
<p>Policy KT 16: Design requirements for new housing</p>	<p>At the beginning of the policy add: ‘As appropriate to their scale, nature and location’</p> <p>In the supporting text replace ‘The Rutland and South Kesteven Design Code’ with ‘The Rutland Design Guide SPD (May 2022)’</p>	<p>Modification to the policy so that it can be applied in a proportionate way.</p>	<p>Accept</p>

<p>Policy KT 17: Housing mix for new developments</p>	<p>In the first part of the policy replace ‘be prioritised’ with ‘the primary focus’</p> <p>Delete the second part of the policy.</p> <p><i>Reposition the deleted second part of the policy to sit at the end of the third paragraph of the Explanation</i></p> <p><i>In the seventh paragraph of the supporting text before the policy relace ‘in the NPPF’ with ‘in Annex 2 of the NPPF’</i></p>	<p>A detailed modification to the wording of the first part of the policy as clarified by KPC.</p> <p>The second part of the policy is relocated into the supporting text. It consolidates the way in which the first part of the policy would be applied and is a process rather than a policy matter.</p> <p>RCC technical comments about the definitions used in the policy are incorporated in the modifications.</p>	<p>Accept</p>
<p>Policy KT 18: Extensions and conversions</p>	<p>In the Explanation replace ‘Rutland and South Kesteven Design Code SPD’ with ‘Rutland Design Guide SPD (May 2022)’</p>	<p>Reference to the Design Guide in the supporting text is corrected.</p>	<p>Accept</p>
<p>Policy KT 19: Commercial development, including agricultural</p>	<p>Delete d)</p> <p>In g) replace ‘Signage’ with ‘Any associated signage’</p>	<p>Policy raises issues which are beyond the land use planning system.</p> <p>Modification suggested in response to KPC’s response to clarification note.</p>	<p>Accept</p>
<p>Policy KT 21: Impact of development on the Strategic Road Network,</p>	<p>Replace the policy with:</p> <p>‘Developments proposals relating to the upgrading of the A1 and its junction with the A6121 should maintain safe highway and pedestrian connections and ensure that associated noise, visual intrusion, or general disturbance does not unacceptably detract from the amenity of</p>	<p>The first element of the policy is deleted as the broader issue of Traffic Assessments is addressed in the NPPF (paragraphs 110 to 113).</p>	<p>Accept</p>

and development of the A1	<p>local residents. Any new road lighting should be carefully designed to avoid intrusion into the landscape and associated impacts on wildlife.'</p> <p><i>Delete the penultimate paragraph of the Explanation.</i></p>	The second part of the policy is modified to make a clearer connection with land use matters and the potential effects of any improvements to the A1 and the local highway network.	
Policy KT 22: Encouraging new businesses	<p>Replace the opening element of the policy with: 'Proposals for the development of new businesses will be supported, provided'</p> <p>Delete g)</p>	Modifications bring the clarity required by the NPPF.	Accept
Policy KT 23: Working from home	<p>In part a of the policy insert 'or' before 'extensions'</p> <p>In part a of the policy (i) replace 'significant' with 'unacceptable'</p> <p>In part a of the policy (ii) replace 'substantially' with 'unacceptably'</p> <p>Delete part b of the policy</p> <p><i>Relocation part b) of the policy to the end of the Explanation</i></p>	<p>Modifications bring the clarity required by the NPPF.</p> <p>Second part of the policy is repositioned into the supporting text. It describes a process rather than being a land use policy.</p>	Accept
Policy KT 24: Fibre Broadband	<p>Delete the policy</p> <p><i>Delete the associated subject heading, Preamble and Explanation</i></p>	Since the Plan was prepared and submitted the Building Regulations have been updated (Part R December 2022) to determine the provision of Broadband to new homes. In these circumstances the policy is no longer required and deleted.	
Policy KT 26: The provision of	In the opening part of the policy delete 'only'	The fifth criterion is deleted because it adds little value to the	Accepted

new community facilities

Delete criterion v.

fourth criterion (satisfying a clear local need). By their nature different facilities will cater for different needs, and the criterion would be difficult to apply with clarity and consistency throughout the Plan period. It would be impractical to attempt to control by way of a planning condition.