

# Rutland County Council Officer response to North Luffenham NP Regulation 16 Consultation



Reference	Comment on Reg 16 Submission NP
	<b>Policies</b>
	<b>5.1 Employment and Community Facilities</b>
NL2: Broadband	<ul style="list-style-type: none"> <li>• New building Regs came into effect in Dec 2022 which require new homes to be fitted with infrastructure and connections capable of delivering gigabit broadband.</li> <li>• Therefore this policy may have been superseded by Building Regs for housing. Not clear whether policy is supposed to be applied to all new development (including extensions)? Recommend that policy includes 'where the supporting infrastructure is available' within the policy?</li> <li>• Explanatory text should reference the building regs so that developers are clear what is mandatory</li> </ul>
	<b>5.2 Residential Development</b>
NL3: Residential Development	<ul style="list-style-type: none"> <li>• Proviso 3, use of 'must', can this be required?</li> <li>• The policy should acknowledge that rural exception sites may be permitted for affordable housing without the need for the site to be allocated, in accordance with Policies CS11 and SP9 of the Local Plan. (It is accepted that the 'Interpretation' text seeks to address this, but it would be better if it were also in the Policy.)</li> <li>• The 'Interpretation' for NL3 also states: "Construction of housing that meets Lifetime Homes standards or any equivalent is encouraged." Reference to 'Lifetime Homes' in planning policy has been replaced nationally by the similar optional Building Regulation M4(2). This is dependent on need and viability. It is noted that the only reference in the Neighbourhood Plan is in the supporting/interpretative text.</li> <li>• The Council's Local Plan Viability Update Report 2020 only demonstrated viability for: "Development proposals for all specialist housing for older people and people with disabilities and at least 50% of all new residential development on sites of 10 dwellings or</li> </ul>

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	<p>more is required to be adaptable and accessible as defined in part M4(2) Category 2 Accessible and adaptable dwellings of the Building Regulations.</p> <ul style="list-style-type: none"> <li>• "On sites totalling 100 or more dwellings, a minimum of 3% of affordable rented dwellings is required to meet part M4(3) of the Building Regulations."</li> </ul>
	<p><b>5.3 Natural Environment and River Chater</b></p> <ul style="list-style-type: none"> <li>• The Environment Act sets out BNG requirements will be introduced in November 2023</li> </ul>
NL4: Natural Environment	<ul style="list-style-type: none"> <li>• Does this apply to all planning applications, and/or inside/outside the planned limits of development?</li> <li>• How will this 10% net gain be required as part of a planning application? How would a proposal demonstrate the gain? What if the development doesn't take the opportunities to enhance? May not be enough to justify a refusal on this policy.</li> </ul>
NL5: River Chater	<ul style="list-style-type: none"> <li>• The use of 'must', can this be required?</li> <li>• How will a development proposal demonstrate/justify this?</li> </ul>
	<p><b>5.5 The Water Environment</b></p>
NL7: Watercourse s and Surface Water	<ul style="list-style-type: none"> <li>• What is considered adverse/significant?</li> </ul>
	<p><b>5.6 Placemaking and Sustainable Design</b></p>

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NL8: Placemaking and Sustainable Design	<ul style="list-style-type: none"> <li>• Use of 'must', can this be required?</li> </ul>
	<b>5.7 Historic Environment and Landscape Setting</b>
NL10: Landscape Setting and Separation	<ul style="list-style-type: none"> <li>• This policy doesn't preclude development. Development may still come forward if it's in accordance with policy SP6 and SP7</li> <li>• Use of 'must', can this be required?</li> </ul>
	<b>5.8 Transport and Movement</b>
NL11: Transport and Movement	<ul style="list-style-type: none"> <li>• The use of 'must', can this be required?</li> <li>• How will this be implemented? Will this be for each dwelling?</li> <li>• Is this referring to the layout of the development?</li> <li>• How will this be considered as part of a planning application?</li> </ul>