

# Rutland County Council Officer response to Wing NP Regulation 16 Consultation



Reference	Comment on Pre Submission NP
	<p><b>General comments</b></p> <ul style="list-style-type: none"> <li>Paragraph numbering would be helpful and would assist future users and decision makers in referencing the plan when considering planning applications in the future. Also numbering of bullet points within policies will assist decision making</li> </ul>
	<ul style="list-style-type: none"> <li>In general, a very thorough and comprehensive document with substantial appendices.</li> <li>Navigation to the appropriate sections and policies could be made easier – a more detailed contents page (ideally hyperlinked) for example.</li> </ul>
CIL	<ul style="list-style-type: none"> <li>The Neighbourhood Plan states <i>“In the community survey, 48% of respondents welcomed a mobile shop and 47% would like to see the provision of countryside activities such as fishing and shooting. Enhancements to the village hall would enable a wider range of activities to take pace”</i></li> <li>As part of the neighbourhood plan process when consulting the community, it would be beneficial to identify the key infrastructure priorities to assist the Parish Council in the decision-making process for spending of any Community Infrastructure Levy collected from planning applications for residential dwellings that have been granted planning permission where the development has commenced.</li> </ul>
Design Guide	<p>Comments from Design Officer</p> <ul style="list-style-type: none"> <li>This gives a comprehensive history and helpful information on topics such as materials and architecture.</li> <li>The key part of the document – the design principles p9-12 are a little hidden – these should stand out more and be more prominent. They would also benefit from titles or bold or underlined text that states what the general topic of each principle or group of principles are – such as ‘Driveways’ ‘Roofs’ or ‘new roads or streets’.</li> </ul>

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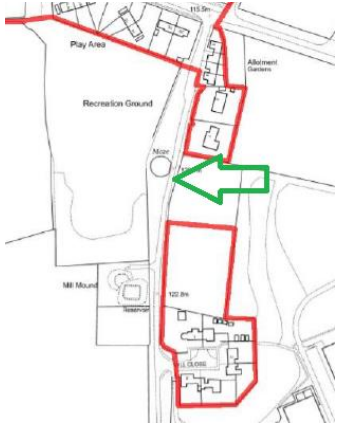
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	<ul style="list-style-type: none"> <li>There are also pieces of design guidance in the other sections – but this is lost in the text – if there is any specific guidance outside of the design principles section then this needs to be clearer – in coloured boxes for example.</li> </ul>
<b>Introduction, Vision &amp; Objectives</b>	
4. Vision & Objectives Page 8	<ul style="list-style-type: none"> <li>Would it be useful to state here that a review will be undertaken when the new Local plan is adopted?</li> </ul>
2011 Census Data Page 12	Reference to the 2021 census might be helpful it includes parish level information which could be used to update the 2011 data
Paragraph 3 Page 13	<p><i>“The latest (March 2022) calculation of the Local Housing Need (LHN) for Rutland is 142 dwellings per annum, which normally would be rounded to 140 dwellings per annum.”</i></p> <p>The latest LHN is now available as at March 2023 this gives Rutland an LHN of 123 per annum.</p>
Paragraph 5 Page 13	<ul style="list-style-type: none"> <li>Please remove references to the withdrawn local plan as this is no longer relevant policy and in accordance with legislation has been removed from publication.</li> </ul>
<b>Housing and the Built Environment</b>	
Settlement Boundary Page 14	<ul style="list-style-type: none"> <li>Settlement boundaries are referred to in RCC as Planned Limits of Development. It would be helpful to use the same terminology in the NP or cross reference that settlement boundaries are called PLDs in the adopted local plan.</li> <li>Planned limits of Development (PLD) are considered to be a strategic policy by RCC, this helps to ensure that they are drawn on the basis of clear and consistent criteria.</li> <li>RCC is reviewing PLDs as part of preparing a new local plan. Evidence provided by the NP group has been shared with the consultants preparing the PLD review on behalf of RCC.</li> </ul>

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<p>Policy HBE 1: Settlement Boundary</p>	<ul style="list-style-type: none"> <li>• The allocations within the NP should remain outside of the PLD until such time that they are reviewed by RCC, through the Local Plan.</li> <li>• The Wing NP proposes extending the PLD south of its current boundary along Glaston Road to incorporate a small outlying number of homes and the proposed NP allocation and area of open space between the proposed allocation and the existing PLD. It is RCCs view that the PLD should not be amended in the Neighbourhood Plan as it will be reviewed in line with the PLD Review criteria, thorough the emerging Local Plan.</li> <li>• As such it is considered this policy conflicts with paragraph 5.1 to 5.3 and Policy SP5 of the adopted Local Plan</li> </ul>
<p>Policy HBE 2: Residential Site Allocation</p>	<ul style="list-style-type: none"> <li>• The allocated site location looks logical however as it doesn't adjoin the PLD, RCC's previous site assessment methodology would exclude it from further consideration. The Neighbourhood Plan Group will therefore need to be clear of their own assessment methodology and able to clearly justify the sites inclusion in the policy.</li> <li>• The policy makes provision for 8 new dwellings met by the land allocated. The plan needs to evidence/demonstrate how this number has been decided on for the site area. The plan also needs to evidence why the specified mix of bungalows, affordable and 2 and 3 bed homes are appropriate.</li> <li>• Is there evidence that the suggested site is available for development and deliverable?</li> <li>• It would be helpful to have a set of development principles within this policy to ensure the development comes forward as the NPG intended.</li> </ul>
<p>Policy HBE 2: Residential Site Allocation</p>	<p><b>Comments from Highways officer</b></p>

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	<p>The proposed allocation is off Glaston Road Wing. This road is wide enough for 2 vehicles to pass at its junction with Morcott Road but significantly narrows to single carriageway where I have highlighted the with the green arrow.</p>  <p>It has been suggested in the neighbourhood plan that the unallocated field is classed as open countryside and will be open space with seating to view the maze. Due to how narrow Glaston Road is between the open space and site A allocation, highways would want this section of road widened to be able to accommodate additional traffic.</p> <p>The parish will also need to consider vehicles parking near Wing Maze and walks towards the proposed woodland if this is to become a feature of the village.</p> <ul style="list-style-type: none"><li>• These Highway requirements should be added as development principles to policy HBE2</li></ul> <p><b>Comments from Design officer</b></p> <ul style="list-style-type: none"><li>• HBE2 site allocation – a helpful plan is included, suggesting areas of open space and suitable locations for housing. This spatial element is very helpful. In following the guidance in terms of density, layout and design, policy HBE2 directs the reader to The Design Guide in policy HBE 7</li></ul>

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	<p>(although the design guide is a separate appendix) – Policy HBE 7 then directs the reader to The Design Guide, in particular the design principles on pages 9-12. Applying these principles to the site allocation, the second principle says that density should be comparable with the immediate nearest parts of the village – this being Mill Close adjacent to the allocation to the south. It looks possible the site allocation is slightly smaller than the area taken up by the 6 dwellings on Mill Close – but is proposing 8 dwellings – two of which being bungalows which require a large footprint. This could potentially create conflicts within the advice being given – as the site allocation would require higher densities than ‘the immediate nearest parts of the village’. It may also lead to higher densities than envisaged? (if not done already – some thought about how 8 dwellings including two bungalows could be laid out in the allocated site should be given).</p> <ul style="list-style-type: none"><li data-bbox="479 754 1809 1038">• A further potential conflict would relate to design principle number 6. – in terms of ‘design harmonisation with existing neighbouring properties’ – and 7. New elevations should match or complement those in close proximity. And 15. For ‘new development the preference is for simulation of the surrounding existing buildings with regard to fenestration’. Mill Close is the adjacent reference point but not necessarily the most positive or characteristic of Wing – it may be worth adding in reference to following only positive examples nearby rather than any examples that are adjacent / closest.</li><li data-bbox="479 1091 1809 1377">• Interface between the residential allocations (or indeed any new residential development) and the proposed open space to the north (site A) or South (site B) (or any open countryside or green spaces adjacent) – a specific policy on this interface between urban and rural or between built environment and green open space/countryside should be included – for example to avoid close boarded fencing of rear gardens backing on to the open space with seating to view maze for example. There are options to front this space or have soft rear gardens with soft landscaped boundaries – the guidance could cover this issue.</li></ul>

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	<ul style="list-style-type: none"> <li>• In terms of the reserve site B – the above applies too – in terms of fitting 6 units on this land (inc 2 bungalows) and also to plots 1-4 Glaston Road adjacent not necessarily being something to use as a design reference.</li> <li>• In terms of the above and density – garden sizes would be very small and there may need to be thought on preferences for garden sizes – if there are any.</li> </ul>
<p>Policy HBE 3: Reserve Site</p>	<ul style="list-style-type: none"> <li>• This policy would benefit from providing further clarification on how long, or in what situation the preferred site fails to be developed which would allow the reserve site to be developed.</li> <li>• Need to evidence how 6 dwellings has been decided on as the ideal number of dwellings for this site and why the specified mix of bungalows, affordable and 3 bed homes are appropriate.</li> <li>• Will need to demonstrate that it is an efficient use of land.</li> </ul>
<p>HBE4: Housing Mix</p>	<ul style="list-style-type: none"> <li>• No comment</li> </ul>
<p>Affordable housing Page 19</p>	<ul style="list-style-type: none"> <li>• <u>Note</u> that the definition of affordable housing is shortened from that in the NPPF (2021), although NPPF definition is referenced</li> <li>• The SHMA should be referenced to provide evidence for the affordable need reference to evidence in the SHMA of affordable need. Note a new SHMA has been prepared for the new Local Plan</li> </ul>
<p>HBE5: Affordable Housing</p>	<ul style="list-style-type: none"> <li>• It would be better if HBE 5 were entitled ‘Rural exception sites’, as we would still expect AH from any relevant developments inside the PLD.</li> </ul>

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	<ul style="list-style-type: none"> <li>• C) What would happen if the affordable dwellings could not be occupied by anyone with a local connection to the plan area during their lifetime? How is expected that this would be achieved and monitored?</li> <li>• Self build should not be included within the affordable housing policy, unless it is explicitly affordable self build.</li> <li>• exception sites must also conform to CS11, SP9 and SP10 of the Local Plan (or relevant Local Plan policies).</li> <li>• <i>“First Homes and self-build proposals are welcome.”</i> This is not necessary in this policy. First homes are national policy anyway.</li> </ul>
HBE6 Windfall sites	<ul style="list-style-type: none"> <li>• Paragraph 1 of supporting text, add “or small infill sites”</li> <li>• Part a) should this be “development proposal” rather than “the site”?</li> <li>• Part d) “negative impact” – how is this to be defined or interpreted by the decision maker? It is usually phrased as “protect or enhance .....”</li> </ul>
Design Page 21	<ul style="list-style-type: none"> <li>• It would be helpful to refer to the “The Rutland Design guide SPD (May 2022)” in the explanation.</li> </ul>
HBE7: Design	<ul style="list-style-type: none"> <li>• The policy is underpinned by the design guide in appendix 3 however to give the criteria weight in decision making the Wing specific design criteria from the Appendix 3 should be included within the policy. This will also make this easier for Development Management Officers and decision makers to use when assessing planning applications.</li> </ul>
<b>The Natural, Historical and Built Environment</b>	
ENV1: Local Green Spaces Page 25	<ul style="list-style-type: none"> <li>• The table in appendix 5 is detailed and sets out the evidence they meet the qualities to match the requirements for LGS as set out in the NPPF.</li> <li>• The Churchyard and allotments are already safeguarded by policy CS23 as they fall under the definition of green infrastructure on page 57 Para. 5.18) and as such it is difficult to see what added</li> </ul>

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	<p>protections designation of the land as local green space (LGS) would bring even if the site would match the requirements of the NPPF.</p> <ul style="list-style-type: none"> <li>Supporting text in refers to 2 sites meeting essential requirements however the policy includes 3 sites.</li> </ul>
ENV2: Important Open Spaces	<ul style="list-style-type: none"> <li>We question the purpose of this policy when important open space and frontages within the planned limits of development are protected by the Local Plan policies and these “other important open spaces” haven’t been considered special enough to designate as Local Green Space. Is there a need to have two policies?</li> <li>Spaces outside of the PLD are defined as open countryside and so development is limited here, therefore the spaces should not need further protect.</li> <li>It is noted that the new open space proposed opposite Wing Maze is not included in this policy</li> </ul>
ENV3: Sites and Features of Natural Environment Significance	<ul style="list-style-type: none"> <li><u>Does this policy add additional protection to the protection given by national policy and policies CS21 and SP19 in the Local Plan?</u></li> <li>The Environment Act 2021 Schedule 14 will be implemented from November 2023 this requires Biodiversity gain as a condition of planning permission. This requires the use of DEFRA’s biodiversity metric and sets the gain at a minimum of 10% and stipulates the use of a biodiversity gain plan.</li> <li>Policy ENV3 would need to be in accordance with the Environment Act.</li> <li>Is there ecologist evidence to support the local significance of the sites identified?</li> </ul>
ENV4: Woodland Notable Trees and Hedges	<ul style="list-style-type: none"> <li>Policy ENV4 sets out “Development proposals should be accompanied by a tree survey”. The policy needs to provide clarity on the kind of development that would require this. Would a house extension require a tree survey?</li> </ul>



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	<ul style="list-style-type: none"> <li>The last part of the policy requires “...replacement trees of at least equivalent quantity, type and/or scale to ensure a net gain in biodiversity ...” It might be difficult to replace a very large mature tree with like for like and policy may need some caveat like ‘wherever feasible.</li> </ul>
ENV5: Biodiversity, Bat Conservation and Habitat Connectivity	<ul style="list-style-type: none"> <li>Please see comments on ENV3 re: Environment Act. At this stage, it is not clear as the Regulations haven’t been published by the Govt how this requirement will be implemented. However much of the first paragraph of this policy repeats national policy and is considered unnecessary.</li> </ul>
ENV6: Biodiversity protection in new development	<ul style="list-style-type: none"> <li>Bullets 3,4 and 5 might not stand test of reasonableness on planning condition and would be difficult to monitor and enforce.</li> </ul>
ENV7: Sites of Historical Environment Significance	<p><b>Conservation officer comments:</b></p> <ul style="list-style-type: none"> <li>This policy appears to identify archaeological sites of interest or industrial archaeology (railway earthworks), this policy seeks to protect those features listed. These features are already referenced on the HER. Furthermore, if this policy duplicates SP20 then it might be reworded to identify any local distinctiveness that makes the policy more succinct to the immediate Historic Environment at Wing and include the list of features in the appendices.</li> </ul>
ENV8: Ridge and Furrow	<ul style="list-style-type: none"> <li>Need to provide justification for identifying Ridge and Furrow as non-designated historical assets.</li> <li>Seek comments from Leicestershire HERC- we can provide contact details if required.</li> </ul> <p><b>Conservation officer comments:</b></p>

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	<ul style="list-style-type: none"> <li>The Leicestershire, Leicester and Rutland Historic Landscape Characterisation Project recognises Ridge and Furrow earthworks as remains of former field systems, that exist across Rutland and form an important part of the landscape character. The pressure for land for development and changes in agriculture in the second half of the 20th century has meant that inevitably some of these earthworks have been lost. However, there are remains of Ridge and Furrow within Rutland, clearly the Wing Neighbourhood Plan has identified these as having importance such that the plan has considered their status as a non-designated heritage asset, which is feasible and would also be included on the HER. Reference to ridge and furrow within Rutland in the relevant documents accessed by the link below, which may well provide the evidence for their status as non-designated heritage assets, though the archaeological service is likely to be able to provide more information, please see the link below:</li> <li><a href="http://archaeologydataservice.ac.uk">The Leicestershire, Leicester, and Rutland Historic Landscape Characterisation Project: Introduction (archaeologydataservice.ac.uk)</a></li> </ul>
ENV9: Non-Designated Heritage Assets	<ul style="list-style-type: none"> <li>Most of the structures and buildings listed in this policy are located within the Wing conservation area. Policy SP20 states “Development <i>in conservation areas will only be acceptable where the scale, form, siting and design of the development and the materials proposed would preserve or enhance the character or appearance of the area...</i>” Does this policy add any extra protection to these buildings?</li> </ul> <p><b>Conservation Officer Comments</b></p> <ul style="list-style-type: none"> <li>Non – designated Heritage Assets would be regarded as buildings, monuments, sites, features, or landscapes identified as having a degree of significance, as per the guidance provided by Historic England’s criteria for evaluation and justification, they do not meet the criteria for designation on the National List. The non-designated heritage assets identified in the Wing Neighbourhood Plan, could be placed on a local list, (though we do not currently hold a local list) however, non-designated heritage assets would have some protection from demolition through their siting in the Conservation Area in any case. Hence conserving the heritage interest of these non-designated heritage assets is a material consideration <b>in assessing planning</b></li> </ul>

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	<p><b>applications. The level of consideration and weight given to the preservation of non -designated heritage assets should be proportionate to their significance.</b></p> <ul style="list-style-type: none"> <li>The recognition in the Neighbourhood plan of the importance of the local historic environment and the need to retain and enhance non - designated heritage assets and therefore preserving Wing’s local distinctiveness.</li> </ul>
ENV10: Important Views	<ul style="list-style-type: none"> <li>Please note that a new Landscape Character Assessment (LCA) has been prepared as part of the evidence for the new local plan.</li> <li>There are no changes to the area within Wing however there is a proposed change to the name of the Area Aii. <b>LCA area Aii. Ridges and Valleys</b> proposed to be renamed <b>Undulating Mixed Farmlands</b> landscape character area to better describe the varied landform of broad rolling ridges, steep sided valleys, rounded hills and undulating lowlands, and to distinguish it from the more dramatic ridges and valleys of Ai. Leighfield Forest. Slight amendment to its boundaries with LCT B. Vale of Catmose to the east of Whissendine and west of Oakham, and LCT E. Welland Valley.</li> <li>It is suggested that this change is made to ensure the Neighbourhood Plan does not become out of date straight away.</li> <li></li> <li>Is there sufficient justification and evidence to support the identification and protection of these views?</li> </ul>
ENV11: Footpaths and other walking routes	<ul style="list-style-type: none"> <li>No comment</li> </ul>
ENV12 Local Landscape	<ul style="list-style-type: none"> <li>As already mentioned, we will provide the new LCA that is about to be published.</li> <li>It is considered that this policy does not add anything further to Local Plan Policy SP23</li> </ul>

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Character Areas	<ul style="list-style-type: none"> <li>• This policy would be more effective if it included criteria reflecting the characteristics which the NPG are seeking to protect. These might this also form part of the design guide and policy on design</li> </ul>
Page 46 Paragraph 2	<ul style="list-style-type: none"> <li>• Paragraph refers to “Limits of Development” It would be helpful to use the same terminology in the NP or cross reference that settlement boundaries are called PLDs in the adopted local plan. They are referred to as Settlement boundaries earlier in the NP.</li> </ul>
ENV13 Flood Risk Resilience	<ul style="list-style-type: none"> <li>• Policy should clarify which climate change targets it is referring to and flood mitigation strategies and infrastructure.</li> <li>• Please note paragraph 2 of policy can only be implemented where proposals form part of a planning application.</li> </ul>
ENV13 Flood Risk Resilience Bullet point 2	<ul style="list-style-type: none"> <li>• National policy states that a flood risk assessment is required in any of the following circumstances –             <ul style="list-style-type: none"> <li>• <i>in flood zone 2 or 3 including minor development and change of use</i></li> <li>• <i>more than 1 hectare (ha) in flood zone 1</i></li> <li>• <i>less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (for example from commercial to residential), where they could be affected by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs)</i></li> <li>• <i>in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency</i></li> </ul> </li> <li>• Policy ENV13 requires a hydrological study for any development however this is not essential for development that does not fall into the above criteria.</li> </ul>

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ENV14: Renewable Energy Generation Infrastructure Proviso B)	<ul style="list-style-type: none"> <li>Proviso B contrary to Paragraph 158 proviso a) of the NPPF states “When determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions;”</li> </ul>
ENV14: Renewable Energy Generation Infrastructure	<ul style="list-style-type: none"> <li>Provisos c- g of ENV 14 are covered by national policy - Paragraph 158, proviso B and footnote 54 of the NPPF.</li> </ul>
ENV14: Renewable Energy Generation Infrastructure	<ul style="list-style-type: none"> <li>The Plan cannot state that medium and large scale proposals will not be supported, without robust evidence. RCC are preparing evidence to consider which areas are most suitable to accommodate large scale renewable energy schemes.</li> <li>Requirement for proposals for new agricultural development to include integrated solar generation in their roofing will only apply to development requiring planning permission. Requires a proviso about where technically feasible and viable</li> </ul>
	<b>Community Sustainability</b>
CF1: Community Facilities and Amenities (Second part of the policy)	<ul style="list-style-type: none"> <li>The first part of this policy does not add anything to adopted Local Plan Policy CS7 or Policy CS23</li> <li>e) should be reworded to “take account of the needs of all those in the community” (to include other needs than just those with a disability).</li> </ul>
Employment chapter	<ul style="list-style-type: none"> <li>Numbered as 2 – but there is another chapter 2 early in the plan – should it be D to follow C Sustainability chapter?</li> </ul>

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<p>Chapter 2 (Employment) page 56.</p> <p>“LONGHURST HOUSING</p>	<ul style="list-style-type: none"> <li>“Longhurst Housing welcomed the opportunity to negotiate a local lettings policy for Wing with set criteria for existing housing stock. In the absence of major development planned for Wing, they also suggested that it is possible that rural exception sites may be supported to offer affordable housing ringfenced for Wing residents or those with an identified connection to Wing.”</li> </ul> <p>Under the County Council’s statutory housing allocation policy, the Council’s agreement is needed for a Local Lettings Policy. The Council has to meet housing need from throughout Rutland and whilst local lettings policies may be appropriate for new build affordable housing stock, it should not be applied to existing properties.</p>
<p>E1: Employment and Business Development Second part of the policy</p>	<ul style="list-style-type: none"> <li>Section C of policy SP15 in Site allocations and policies DPD (amenity) also protects the amenity of the wider environment surrounding planning proposals.</li> <li>It is considered that this policy does not add anything extra to policy SP15 to help determine a planning application</li> </ul>
<p>E2: Working from home</p>	<ul style="list-style-type: none"> <li>Section L) of policy SP15 in Site allocations and policies (SAP) DPD requires adequate parking facilities.</li> <li>Section C of policy SP15 in SAP DPD (amenity) also protects the amenity of the wider environment surrounding planning proposals.</li> <li>Section D) of SP15 in SAP DPD requires that the density, scale, form, massing and height of the development must be appropriate to the local context of the site and surrounding landscape and/or streetscape character.</li> <li>This policy does not add anything extra to policy SP15 to help determine a planning application</li> </ul>
<p>E4: Farm Diversification</p>	<ul style="list-style-type: none"> <li>This policy does not add anything extra to Policy CS16, SP7 to determine a planning application</li> </ul>
<p>E5: Tourism</p>	<ul style="list-style-type: none"> <li>Reference the Settlement Boundary (should be consistent across the plan – RCC preference is to use Planned limits of development) in A)</li> <li>This falls outside the scope of determining a planning application.</li> </ul>

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	<ul style="list-style-type: none"> <li>• Planning cannot implement the final sentence about covenants preventing the acquisition of dwellings for holiday lets.</li> <li>• This policy does not add anything further to Policy CS15 and SP25 to determine a planning application. The Local Plan tourism policy supports tourism development for overnight accommodation in line with the locational strategy in CS4.</li> </ul>
E6: Broadband Infrastructure	<ul style="list-style-type: none"> <li>• Should be noted that changes to Building Regulations now requires new housing development to install broadband connections to the dwelling</li> </ul>
T1: Traffic Management	<ul style="list-style-type: none"> <li>• This policy does not add anything extra to policy SP15 Sections L) and M) to help determine a planning application</li> </ul>
T2: Car Parking	<ul style="list-style-type: none"> <li>• This policy is not necessary as SP15 requires new development to provide adequate parking facilities.</li> <li>• The Council has a parking policy which is applied to all new development – this is accessed on the web site here <a href="#">Parking Policy   Rutland County Council</a></li> </ul>
T4: Electric Vehicles	<ul style="list-style-type: none"> <li>• No comments</li> </ul>