

Chapter 8 - Sustainable Communities

This chapter covers the things which help to make Rutland a special place and vibrant rural county. Sustainable communities are places where people want to live, work and visit, now and in the future. They meet the diverse needs of existing and future residents and contribute to a high quality of life. Sustainable communities should be active, inclusive, and safe, well run, environmentally sensitive, well designed and built, well connected, thriving, well served and fair to everyone.

It is important that the factors which make Rutland a county of vibrant sustainable communities - where people want to, and can, live and work - are protected and enhanced. The plan recognises that the County also needs to continue to change and accommodate new development to ensure that it maintains communities and meets its housing and employment needs. It is important that new development reflects the character of the landscape and promotes high standards of design which meet our needs now and in the future.

Protecting Rutland's distinctive landscape

What will the policy do?

Policy SC1 requires new development to reflect the local landscape character which has been identified in the Rutland Landscape Character Assessment 2022, be designed for its local context and to be developed in locations which are less sensitive reflecting the measures outlined in the Landscape Sensitivity Study 2023.

Policy SC1 – Landscape character

New development is expected to reflect and respond to Rutland's varied landscape character and contribute to the distinctive qualities of the landscape character type in which it is located. This includes the distinctive elements, features and other spatial characteristics identified in the updated Rutland Landscape Character Assessment (2022).

Development proposals which meet criteria a) – f) below for the conservation and enhancement of Rutland's local landscape character and distinctiveness will be supported. All applications will be assessed using these criteria:

- a) the landscape setting of settlements, particularly in visually prominent locations;**
- b) siting buildings sympathetically with the natural landform, generally away from ridgelines and watercourses and making optimal use of existing screening features;**
- c) on the edge of settlements, new development should reflect local identity, including the consideration of historic settlement pattern and separation, the historic form of a settlement and how it relates to landform and landscape features;**

- d) protecting distinctive settlement gateways and approaches to towns and villages, and creating new ones where the existing settlement edge or gateway is abrupt or has a weak relationship to landscape character and setting;**
- e) ensuring new development is sympathetic to the scale of its landscape setting and context; and**
- f) conserve and enhance landscape heritage assets such as parks, avenues, other treescapes and heritage features in the landscape.**

Why is this policy needed?

The government's overarching environmental objective within the National Planning Policy Framework (NPPF), July 2021, is to protect and enhance our natural, built, and historic environment, including making effective use of land and improving biodiversity.

The NPPF requires plans and decisions to apply a presumption in favour of sustainable development. To ensure that the new Local Plan can promote a sustainable pattern of development that meets the County's development needs and infrastructure, improve the environment, mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects whilst protecting Rutland's distinctive landscape, a set of landscape evidence documents have been prepared to support the policies in this plan and decision making in the future.

Rutland is an attractive place to live and work with varied and distinct landscapes. The County needs to continue to change and accommodate new development to ensure that it maintains communities and meets its housing and employment needs. The market towns of Oakham and Uppingham and the villages throughout the County, and in particular their undeveloped fringes, are under pressure to accommodate new housing and employment.

The Local Plan must, however, balance the development needs of the County with conserving, enhancing, restoring, and re-creating landscape and settlement character. The landscape assessment work has been used to inform decisions about the amount, location, and type of development, informing the choice of suitable site allocations, and the policy approach to protecting the landscape character of the County. It will also provide comprehensive and up to date information to inform landscape management and development management decisions.

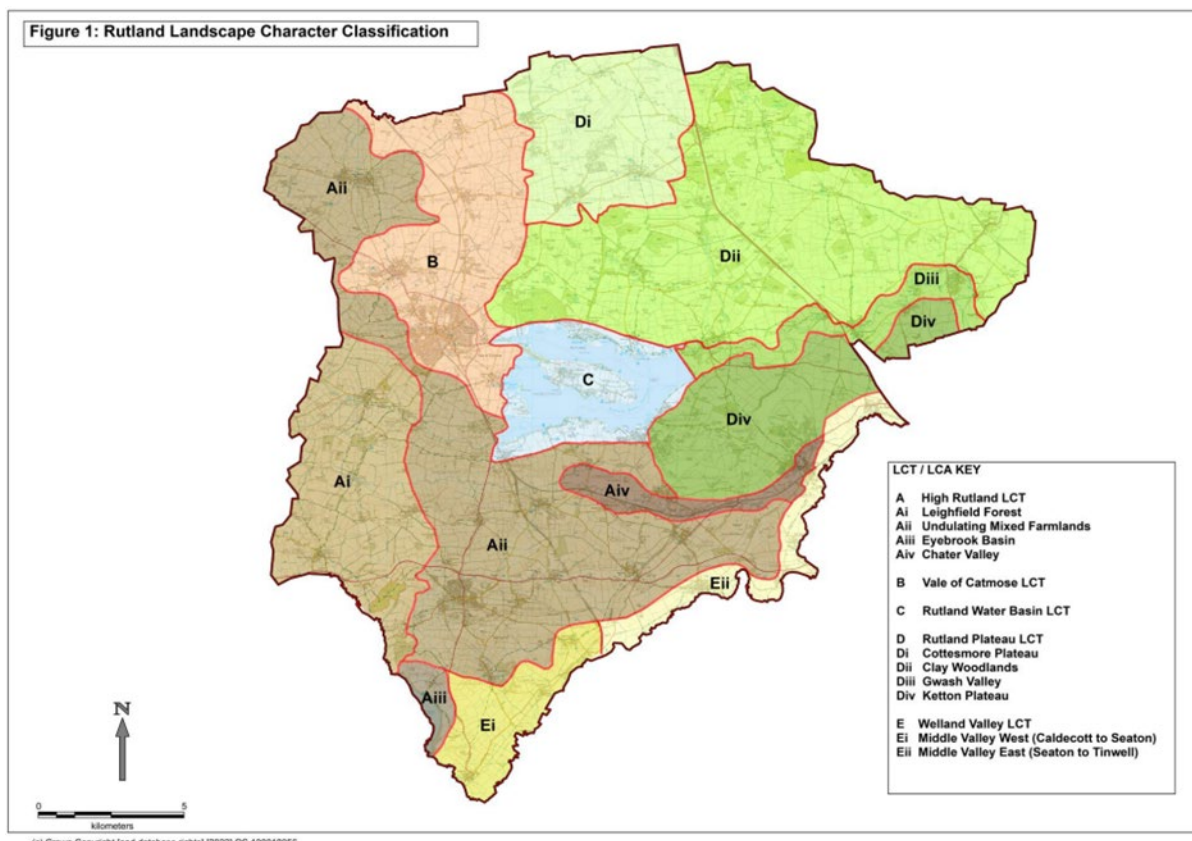
The new Local Plan apportions housing and employment growth between the towns of Oakham and Uppingham (and Stamford) and the larger villages. This inevitably leads to the loss of greenfield land and change to the character of the landscape around these settlements. Change may not necessarily be harmful though; development that is carefully designed for its local context has the potential to bring about environmental enhancement and strengthen local landscape character.

Our landscapes vary because of, amongst other variables, their underlying geology, soils, topography, land cover, hydrology, historic and cultural development, and climatic considerations. The combination of characteristics arising from these physical and socio-economic influences, and their often-complex interrelationships, makes one landscape different from another.

Landscape character may be defined as a distinct and recognisable pattern of elements, or characteristics, in the landscape that make one landscape different from another, rather than better or worse. Landscape character assessment is the process of identifying and describing variation in the character of the landscape. It seeks to identify and explain the unique combination of elements and features (characteristics) that make landscapes distinctive. This process results in the production of a Landscape Character Assessment (LCA).

An update of the 2003 Landscape Character Assessment was prepared for Rutland in 2022. This document highlights the characteristics, special qualities and sense of place which contribute to the distinctiveness of Rutland's landscapes and replaces the 2003 Landscape Character Assessment.

Appropriate landscape management objectives for each landscape type are set out to help conserve, enhance, restore, and re-create landscape and settlement character. Areas and landscape features with significant landscape sensitivity to new developments, including renewable energy proposals, are identified, together with those considered to have the ability to absorb new developments. The new landscape classifications are shown in Figure 3 below and are described in Part 1 of the 2022 LCA.



This shows that the five landscape character types (LCTs) A to E identified within the 2003 LCA are still valid, although some of the boundaries have been refined and re-mapped. These are distinct types of landscape that are relatively homogeneous in character, sharing broadly similar combinations of geology, topography, drainage patterns, vegetation, historical land use, settlement pattern, and perceptual and aesthetic attributes.

Part 2 of the LCA identifies and describes the updated landscape character types (LCTs) and landscape character areas (LCAs) and provides guidance for the conservation, enhancement, and restoration of landscape character. Part 2 provides information to those who live, work, or visit the County, and to the general public and others with an interest in the County's rich and diverse landscape; it provides advice to applicants seeking to develop land within the County; and it provides a day-to-day working reference document to guide officers and members of the council when considering the implications of planning applications on the environment. Both parts 1 and 2 of the LCA form an important part of the Local Plan evidence base. Part 2 includes landscape management strategies for each character area, and it is intended that Part 2 will be adopted as SPD to enable it to be used in the determination of planning applications.

In addition to the updated LCA, a strategic county-wide Settlement Landscape Sensitivity Assessment, July 2023 (LSA) has been prepared, which looks at the sensitivity of the landscape around Rutland's towns and villages to development. The purpose of this study is to assist the Council in making informed choices about the

suitability of site allocations in landscape terms. The LSA study may also provide support to development management and decision making in the County and may be adopted as SPD.

The LSA considers the sensitivity of settlement fringes around the two towns of Oakham and Uppingham, together with the fringes of the 21 Larger Villages where allocations and larger development proposals are most likely to be located. The LSA has been used in the assessment of sites for allocation, and where appropriate helps to identify mitigation measures which will be applied to allocations as Development Principles.

What you told us about the topic

Strategic Objective 6 in the Issues and Options consultation established the objective of protecting and enhancing Rutland's landscapes. 79% of respondents to question 2 about the Objectives said they agreed with the Objectives suggested. Other than a few detailed comments supporting this objective no specific comments were made about Landscape Character or sensitivity.

What alternatives have we considered?

No other options are considered appropriate in light of national policy and guidance.

Supporting Evidence

[Rutland Landscape Character Assessment December 2022](#)

[Rutland Settlement Landscape Sensitivity Assessment July 2023](#)

Which existing policies will be replaced by this policy?

SP23 - Landscape character in the countryside

Place shaping and delivering good design

Planning plays a critical role in creating a sense of place and cohesive communities, ensuring that development proposals create connected, characterful, healthy, and sustainable places that people will enjoy for years to come.

Sustainability, health, wellbeing, communities, local pride, tourism, and economic prosperity can all flourish in well designed, people-friendly places. Poorly designed places can, and often do, lead to social, economic, and environmental decline. Good design brings together and improves many of the Council's key services, aspirations, and statutory responsibilities, addressing large scale issues such as protecting and enhancing the unique character of Rutland for residents and visitors, attracting new investment, tackling health inequalities, crime, anti-social behavior, road safety and social exclusion, improving health and wellbeing, strengthening communities and connecting them together. Smaller scale, but equally important, issues include designing out potential problems with parking and bin collections.

What will the policy do?

All development will be assessed against the overarching place shaping principles set out in Policy SC2 which should be used to guide the preparation of development proposals these principles should be used to help structure discussions between local communities, the local planning authority, the developer, and other stakeholders.

Policy SC3 sets out the detailed design criteria which will be used in the assessment of planning applications. These covers:

- local context, identity, and character
- built form, streets, spaces, and movement
- green and blue infrastructure and nature
- mixed and integrated uses
- amenity and easy use homes and buildings
- sustainable, healthy, resource efficient and built to last.

Policy SC2 – Place shaping principles

All new development must be appropriate in scale and design to the location, character and features of the setting and landscape within which it is situated.

All development proposals will be assessed in relation to:

- a) **statutory, national, and local designations and their settings;**
- b) **local distinctiveness and sense of place including having regards to the Rutland Landscape Character Assessment 2022 and the Settlement Landscape Sensitivity Assessment 2023;**
- c) **character, pattern and quality of the built fabric and its setting;**
- d) **the layout, design and scale of proposed buildings and spaces;**
- e) **biodiversity and ecological networks within the landscape;**
- f) **public access to and community value of the landscape and open spaces;**

- g) visual intrusion and impact on remoteness and tranquility; and**
- h) Neighbourhood Plan policies, Conservation Area Appraisals, the Rutland Design Guidelines SPD, Landscape Sensitivity SPD and site-specific design guides and design codes where the Council has adopted these.**

Policy SC3 – Promoting good quality design

In order to ensure that new development, including the refurbishment of existing buildings to include renewable energy, is of a high-quality design and locally distinctive, a formal Design and Access Statement should accompany planning applications setting out the design principles to be adopted.

Proposals will only be permitted where they are well designed and reflect the design principles below, together with the Design Guidelines for Rutland SPD (2022) and future codes and guides.

1. Local context, identity and character – proposals must demonstrate how:

- a) the site and its context have been fully assessed and understood and have been comprehensively and positively responded to through the design process;**
- b) the proposal will be visually attractive and make a positive contribution to local distinctiveness, vernacular, townscape, streetscape, and landscape character of the area. Proposals should use typical characteristics and positive local examples as design cues to create places with a clear and coherent identity; and**
- c) the proposal will be integrated into the wider surroundings, being sensitive to edges of settlements, views, landscape character, history, built form and street character and should be of an appropriate scale, density, massing, height, and material, given the context of the area.**

2. Built form, streets, spaces and movement – proposals must demonstrate how:

- a) the proposal has been designed to prioritise and encourage sustainable and active travel modes such as walking, wheeling, cycling and the use of public transport. Proposals should provide compact, well designed, walkable layouts that are easy to navigate and are well connected routes which are attractive, green, safe, and accessible to all;**
- b) a coherent built form will be created with a strong landscape structure and a clear hierarchy of streets and spaces along with recognisable and memorable destinations, landmarks, groupings of buildings, streets, spaces and for larger sites, character areas; and**
- c) streets and spaces have been designed to be high quality and attractive, have a clear function, encourage healthy lifestyles, active travel, and social interaction, include trees and other natural elements such as water. They should be well defined, their edges should be enclosed with**

strong boundary treatments, and feel safe, being overlooked by active frontages.

3. Mixed and integrated uses – proposals should demonstrate:

- a) providing and connecting to a range of conveniently located and accessible local services and community facilities and high-quality public spaces to create vibrant communities and places (see also policy SC6;**
- b) ensuring an appropriate mix of home tenures, types, and sizes (as needed locally) which includes affordable housing (to meet requirements of Policy H4 and H7 which are socially inclusive, sensitively located, in clusters of no more than 15* (except on wholly affordable housing schemes) and not easily identifiable by design quality (including materials), style (including house types and architectural details) or location in terms of not placing affordable units in inferior locations; and**
- c) taking a comprehensive and co-ordinated approach to development including respecting existing site constraints including utilities situated within sites.**

* this requirement does not apply to wholly affordable housing sites

4. Amenity and easy to use homes and buildings – proposals should:

- a) ensure that homes and buildings are designed, both internally and externally, to ensure a good quality of life for occupants and be easy to use for all;**
- b) external private or shared amenity spaces should be high quality, convenient, function well and feel safe and secure, with sufficient space, suitable to the type and amount of development proposed;**
- c) ensure that there are no adverse impacts on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light;**
- d) attention should be paid to important day-to-day elements of design, such as waste storage and collection arrangements, cycle storage and utilities that are convenient and easy to use for all and with minimal visual impact and clutter;**
- e) car parking provision should be sufficient for the location and type of development, (see Appendix 5 - Parking Standards);**
- f) spaces should be easy to use, fit for purpose and large enough to cater for a wide range of users and make provision for EV charging points in accordance with Policy CC13; and**
- g) parking should be well ordered and integrated into the street and not have a negative impact on character.**

5. Sustainable, resource efficient and built to last – proposals should:

- a) be designed to last and stand the test of time, using quality materials and architectural details, being durable, adaptable, resilient to climate**

- change, evolving technologies, and lifestyle changes, easy to look after and well-managed and maintained with a clear sense of ownership;**
- b) ensure compatibility with evolving technologies, lifestyle changes and ways of working; and**
- c) include measures to secure the management of waste in accordance with the waste hierarchy (reduce, reuse, recycle, recovery, disposal) both during the construction and operational phases.**

6. All major development (as defined in the Glossary) must demonstrate compliance with:

- a) Manual for Streets guidance; and**
- b) for new residential proposals, development should perform positively against Building for Healthy Life and Streets for a Healthy Life (Homes England). This should be demonstrated within a Health Impact Assessment where thresholds in Policy SC5 are met.**

Why is this policy needed?

The NPPF (2021) requires Local Plans to contribute to and enable the delivery of sustainable development, it requires strategic policies to set out the overall pattern, scale, and design quality of places. It also strengthens national policy and approach to design taking account of the findings of the Building Better, Building Beautiful Commission. The NPPF makes it clear that the creation of high quality, beautiful and sustainable buildings and places is fundamental to the planning and development process. The Framework also clearly states that Plans should set out a clear design vision and expectations. The NPPF (2021) goes further, by stating that poor or mediocre design that is not well designed should be refused, in particular, where it fails to reflect local design policy (RCC Design guides and codes) and government guidance on design (National Design Guide and National Model Design Code).

In preparing these policy documents the Government has, in part, been advised by independent bodies that have undertaken extensive research and made recommendations about how to improve the design quality of new development. In particular the recommendations of the Building Better, Building Beautiful Commission within Living with Beauty; promoting health, wellbeing, and sustainable growth (2020) have been reflected in the revised NPPF (2021) and may be further reflected in future revisions, as set out in the Levelling-up and Regeneration Bill: reforms to national planning policy (December 2022).

The Place Alliance undertook a study of housing design quality within A Housing Design Audit for England (2020), discovering that the majority of new residential developments were 'mediocre' or 'poor', that potential existed in all areas of the country for improved design quality and that the East Midlands fell significantly below the English average. There is therefore a greater need, based on this evidence, to improve design quality in the East Midlands.

To meet these requirements the Local Plan policy SC3, supplemented by the Design Guidelines for Rutland SPD make a clear commitment to delivering high quality,

beautiful and sustainable buildings, and places by providing maximum clarity about what is considered appropriate design in Rutland.

Design Guidelines for Rutland has been adopted as SPD (2021). This included public engagement which helped to evidence the contents of the Design SPD, define key local characteristics and materials, and also support the development of this Local Plan policy.

This Local Plan policy has been written to reflect changes and improvements to national design policy and guidance. The National Design Guide’s 10 characteristics of well-designed places have been used to create 6 local design principles.

Table 6 : Local design principles

	National Design Guide		Local Design Principles
1	Context	1	Local context, identity, and character
2	Identity		
3	Built Form	2	Built form, streets, spaces, and movement
4	Movement		
5	Nature	3	Green and blue infrastructure and nature
6	Public spaces		
7	Uses	4	Mixed and integrated uses
8	Homes and Buildings	5	Amenity and easy use homes and buildings
9	Resources		
10	Lifespan	6	Sustainable, healthy, resource efficient and built to last

As local highway authority and the Lead Local Flood Authority, Rutland County Council is key to developing and aligning local policy and national policy and guidance, advising developers on highway design and sustainable drainage systems, taking account of the place making agenda and the need to encourage walking, cycling and the use of public transport.

Place shaping encompasses the design of spaces and buildings, the use of space, buildings, and environment and how we experience a place and the impact that a development has on the built and natural environment.

The design of a place has a direct impact on people’s health and well-being, safety, access and travel choices, inclusion, and general quality of life. Design can influence the impact development has on the environment through its location, method and quality of construction, integration with the local area, and the way spaces and buildings address both immediate and future demands of the climate emergency.

Whilst good design is often associated with the physical appearance or functionality of buildings, it is also fundamental to achieving sustainability, climate change and energy efficient objectives. These aspects of design are considered in detail under the Climate Change chapter (chapter 4). Every development provides an opportunity for good design and many of our policies contain a design element.

New development should create a high standard of amenity for existing and future users. The quality of a home is a determining factor in health outcomes and the need for accommodation which is of a suitable size and layout to meet the needs of the occupier/s is key to this. The Government's nationally described space standard (NDSS) sets minimum standards for the size of new dwellings, based upon the number of bedrooms, storeys, and occupancy. The NDSS provide a common standard that local planning authorities may choose to adopt through local plan policies, subject to evidence of need and viability. There is no evidence to suggest that the NDSS are required in Rutland at the current time, however the Council will keep this under review.

In order to create well-designed places, it is important to ensure that new development sits comfortably within, and is sensitive to, the built and landscape characteristics of the County. A thorough and comprehensive understanding of a development site and its local and wider context is required in order to achieve this, followed by a clear response to this context. Development proposals are often submitted with inadequate site and contextual analysis and/or no specific response to the site and context, leading to schemes that are, for example, often nationally generic, ignore local character and materials, fail to take opportunities for connections and that remove or harm natural features and wildlife habitats. The first design principle of the above policy addresses this issue and The National Design Guide and the Rutland Design Guidance SPD provide further guidance on how to undertake this required design process and what factors to consider.

The design process works much more effectively when applicants engage in pre-application discussions, allowing sufficient time to discuss, negotiate, understand, explore, amend, and improve development proposals with the Local Planning Authority and other statutory consultees. The NPPF (2021) also encourages applicants to undertake early, proactive, and effective engagement with the community and rewards this process by advising that such proposals should be looked on more favourably. This process helps to speed up decision making once a planning application is submitted and is also more likely to result in the creation of well-designed places that are more accepted by local communities.

Rutland County Council have design advice and review services in place with a regional design review panel where necessary. The Council use Building for a Healthy Life (and any subsequent versions) as a tool for assessing the design quality of new development and expects all residential development proposals of 10 dwellings or more to perform positively when assessed against this. Building for a Healthy Life is a tool that is referenced in the NPPF and that aligns with policy SC3 and the Council's Design Guidelines SPD.

Applicants are strongly encouraged to use the Council's pre-application advice services and to proactively and effectively engage with local communities in order receive early feedback on proposals and to evolve design proposals.

To ensure high quality design is achieved throughout the County, all development proposals will be expected to reflect the Design Guidelines for Rutland SPD (2022), and any relevant Supplementary Planning Documents (SPDs). Design Codes,

whether produced by the Council or externally, should take in to account the guidance contained in the National Design Guide and the National Model Design Code.

Applicants of major development proposals of 50+ homes and or 10,000 m² industrial, commercial, or retail floor space, and developments of strategic significance are encouraged to enter into a Planning Performance Agreement (PPA). A PPA is an agreement between the applicant(s) and the local Planning Authority on timescales, actions, and resources to be employed for a specific planning application. They are a project management tool which set out the process for reaching a decision on a planning application. PPAs are usually entered into before submitting an application and can cover all stages of the planning application process, including the pre-application stage.

What you told us about the topic

The Issues and Options consultation asked how we can achieve high standards of design and building quality. The majority of respondents supported using the adopted Rutland Design Guidance. Comments were also made supporting the aspiration to achieve high standards of design and suggestions made about applying specific design requirements for larger developments and allocated sites through development Principles. Support was also indicated for the development of a Design SPD, however some commentators also set out that policy should not be too prescriptive that it prevents flexibility and innovation.

What alternatives have we considered?

Rather than have a local design policy and SPD the Council could rely on the national design policy and design codes.

Supporting Evidence

- [Design Guidelines for Rutland – SPD \(2022\)](#)
- [Living with Beauty; promoting health, wellbeing, and sustainable growth \(Building Better, Building Beautiful Commission, 2020\)](#)
- [A Housing Design Audit for England \(Place Alliance, 2020\)](#)
- [Building for a Healthy Life \(Birkbeck D and Kruczkowski S et al, 2020\)](#)
- [National Design Guide \(MHCLG, 2021\)](#)
- [National Model Design Code \(MHCLG, 2021\)](#)
- [Gear Change; a bold vision for cycling and walking \(Department for Transport, 2020\)](#)
- [Local Transport Note 1/20 \(Department for Transport, 2020\)](#)

Which existing policies will be replaced by this policy?

CS1 – Sustainable Development Principles

CS19 – Promoting Good Design

SP1 – Presumption in favour of Sustainable Development

SP15 – Design and Amenity

Pollution Control

What will the policy do?

This policy sets out the ways in which new development should minimise pollution and where possible contribute to the protection and improvement of the quality of air, land, and water.

Policy SC4– Pollution control

Development should seek to minimise pollution and where possible contribute to the protection and improvement of the quality of air, land, and water. In achieving this, development should be designed from the outset to improve air, land and water quality and promote environmental benefits.

Development that, on its own or cumulatively, would result in significant air, light, noise, dust, land, water or other environmental pollution or harm to amenity, health well-being or safety will only be permitted if the potential adverse effects can be mitigated to an acceptable level by other environmental controls, or by measures included in the proposals. It should also be ensured that new development proposals do not have an adverse impact on existing operations.

Development that would lead to deterioration or may compromise the ability of a water body or underlying groundwater to meet good status standards required by the Water Framework Directive will not be permitted.

Development on Land affected by Contamination

Where development is situated on a site with known or a high likelihood of contamination, remediation strategies to manage this contamination will be required.

Subject to the Policies in this Plan, planning permission will be granted for development on land affected by contamination where it can be established by the proposed developer that the site can be safely and viably developed with no significant impact on either future users or on ground and surface waters.

Why is this policy needed?

The NPPF sets out the need for local authorities to consider the impact of new development on noise, air, light and dust pollution. The aim of the NPPF is to ensure that new developments do not harm existing residents, future residents, or the natural environment. This includes minimising air, noise, light pollution, managing odour and maintaining or improving water quality to ensure that new developments are not harmful to other land uses, human health, tranquillity or the natural and built environment. The NPPF states that the local plan should seek to avoid and mitigate the impacts of pollution associated with development.

Pollution, noise, and nuisance impacts on residential amenity, and each can potentially have significant implications for people's health and quality of life. The possible effects from proposed development can be a material consideration in

determining planning applications in so far as they affect development and the use of land.

Pollution can arise in a number of forms including from contaminated land, light pollution or emissions, odour, noise, and other forms of disturbance include overlooking, loss of privacy and loss of light. Where a development proposal may raise potential pollution outcomes the relevant statutory pollution control authority will be consulted at an early stage. Within the powers available to it the Council will control and reduce pollution in the environment.

Light pollution refers to the effect of excessive or intrusive lighting arising from poor or insensitive design. The Council will seek to reduce light pollution by encouraging the installation of appropriate lighting and only permitting lighting proposals which would not adversely affect amenity or public safety, however a planning application for lighting proposals can only be required where it is considered that the installation materially affects the character of the building. Lights should be appropriately shielded, directed to the ground, and sited to minimise any impact on adjoining areas, and of a height and illumination level of the minimum required to serve their purpose.

Where external lighting is required as part of a development proposal full details of the proposed lighting scheme will be required to demonstrate that it is the minimum needed for security and working purposes and that it is designed to minimise light pollution from glare and spillage (particularly in areas of open countryside) and that it will not detract from residential amenity or highway safety.

Pollution or nuisance caused by new developments can have significant implications for the health and quality of life of residents. Decision on planning applications will seek to control and reduce environmental impacts or detriment to health or amenity. In particular:

- a) existing developments must not be put at risk from unacceptable levels of soil, air, water, or noise pollution arising from a new development.
- b) an increase in noise level shall not give rise to significant adverse impacts on health, quality of life, or, where appropriate, tranquillity.
- c) the cumulative impacts on air quality shall be taken into account.
- d) the impact of pollution from artificial light on local amenity, landscape character and nature conservation shall be minimised.

Potentially noisy development will be expected to be accompanied by an appropriate noise assessment. Developers will be required to demonstrate the potential impact of proposals on the environment and on residential amenity and the ability to mitigate to an acceptable level.

There are no Air Quality Management Areas (AQMAs) within the County of Rutland. However, air quality will be considered when assessing development proposals, where appropriate. The Council is committed to improving air quality in Rutland and, where relevant, will follow the guidance in the East Midlands Air Quality Network Air

Quality and Emissions Mitigation Guidance for Developers June 2017 (or other relevant guidance).

Contaminated Land

Contamination in or on land can present risks to human health and the wider environment. Contamination can originate from polluting industrial processes, landfill, some agricultural activities or naturally occurring sources (e.g., radon gas from underlying rock).

Where pollution issues or risks from landfill gas are likely to arise or where land contamination may be reasonably suspected, developers should hold pre-application discussions with the Council and the relevant pollution control authority and any stakeholders with a legitimate interest.

All investigations and remediation should be carried out in accordance with 'Land Contamination Risk Management' (LCRM) which was published by Government in October 2020, or any subsequent updated advice.

What alternatives have we considered?

No alternatives have been considered

Supporting Evidence

None

Which existing policies will be replaced by this policy?

N/A

Creating safe, healthy, and inclusive places

What will the policy do?

Policy SC5 requires new development to promote and support physical and mental health and well-being through the design and layout of development. The policy also sets out when a Health Impact Assessment (HIA) will be required and how it should be developed alongside the development proposal.

Policy SC6 seeks to protect, retain, and improve the provision of community facilities. It supports the development of new community facilities and sets out the limited circumstances in which the loss of existing facilities might be considered acceptable.

Policy SC5 - Designing safer and healthier communities

The Council expects development proposals to promote, support and enhance physical and mental health and wellbeing, and thus contribute to reducing health inequalities.

Development proposals which meet the following criteria will be supported:

- a) identify the potential health impacts and demonstrate how these have been enhanced (positive and neutral impacts) and mitigated (negative impacts);**
- b) ensure that people feel comfortable and safe by using design and layout to preclude antisocial behaviour and crime and reduce the fear of crime by including good natural surveillance, defensible spaces, and other security measures;**
- c) ensure that design and layout promote inclusive and accessible places, walkable neighbourhoods, social interaction, active travel, physical activity, contact with nature, sports facilities, play facilities and access to space for growing food which promote health and wellbeing; and**
- d) ensure the design and use of the place allows for safe and easy access for emergency vehicles.**

Major development proposals of 50 or more dwellings or of 0.5ha or more for other types of development, and all mineral extraction proposals should be accompanied by a Health Impact Assessment (HIA) to show the impacts of the proposal on the criteria set out above. The HIA must also show how the conclusions of the HIA have been taken into account in the design of the scheme. The HIA should be commensurate with the size of the development. Health Impact Assessments must be:

- a) developed at an early stage of proposals to allow for any enhancements and mitigations to be implemented;**
- b) completed using the Council's agreed template for HIA (Unless otherwise agreed between the Council and developer).**

Policy SC6 – Community facilities

Community facilities such as, but not limited to, community halls, village shops, post offices, public houses, places of worship, leisure facilities, libraries, schools, registered asset of community value, or a community facility identified in a neighbourhood plan, are key to achieving and maintaining sustainable, well integrated, and inclusive communities.

Development proposals and activities that protect, retain, or enhance the provision, quality or accessibility of existing community, education, leisure, and cultural facilities will be supported.

Proposals resulting in the loss of existing community facilities will only be supported where the applicant demonstrates that:

- a) an alternative facility to meet local needs is available that is both equally accessible and of equal benefit to the community; or**

- b) all options for continued use have been fully explored and none remain which would be financially viable. Including evidence that an appropriate marketing exercise has been undertaken for at least 12 months.**

Proposals for new community facilities will be supported in principle and should:

- c) be accessible for all members of society;**
- d) be designed so that they are adaptable and can be easily altered to respond to future demands if necessary;**
- e) promote access by walking, cycling and public transport and where appropriate, make appropriate provision for safe and convenient vehicular access and parking arrangements;**
- f) be operated without detriment to the amenity of local residents: this particularly applies to facilities which are open in the evening, such as leisure and recreation facilities.**

New community facilities which are considered necessary as part of a larger development proposal (such as a residential development scheme which generates demand for new facilities) should meet criteria (c) – (f) above and the following criteria:

- g) be provided on-site or adjacent to the development site unless it would be more appropriate to contribute (in whole or part) to the establishment or expansion of a facility elsewhere in order to meet the needs of the proposed development (and combined needs of multiple developments) for those facilities;**
- h) be implemented at an early stage of the phasing of development as agreed with the Council;**
- i) have a robust business plan and governance arrangements in place including any funding arrangement, to ensure the facility is financially sustainable in the longer term.**

All development of community facilities should take account of the needs and requirements of all people in the community, including people with disabilities or special needs, elderly people, and young people. Appropriate measures or adaptations should be included where necessary.

Why are these policies needed?

Supporting strong, vibrant, and healthy communities forms a key part of delivering the “social objective” of Sustainable Development. The NPPF requires strategic policies to make sufficient provision for community facilities such as health, education, and cultural infrastructure. (Paragraph 20) and Chapter 8 of the NPPF provides detailed guidance on achieving healthy, inclusive, and safe places. Locally, the Rutland Joint Health and Wellbeing Strategy 2022 – 2027 has a vision to ‘nurture

safe, healthy, and caring communities in which people start well and thrive together throughout their lives’.

Communities should be designed to be safe and accessible, promote social interaction, community cohesion and health equity and support healthy lifestyles. Providing easy local access to community, education, health leisure and cultural facilities is important in terms of supporting sustainable settlements and communities, meeting the diverse needs of all members of the community. New and existing developments play a key role in determining the conditions in which people live. All developments should provide conditions to support residents to have healthy lives.

As a rural community, many of Rutland’s residents rely on the private car to access services and facilities available within the towns and larger villages. It is also important that existing community facilities, particularly those in rural areas, are retained and proposals to add to or to improve existing facilities within the towns and villages, through new build, sharing facilities or mobile services will be encouraged.

The way that new development is designed has a major opportunity to influence behaviour, social circumstances, health and well-being and environmental factors such as air quality, noise and nuisance can significantly impact on the health and well-being of communities.

Sport England have acknowledged that there is a close relationship between the design and layout of where we live and people’s health with a detailed report: Active Design: Planning for health and wellbeing through sport and physical activity (2015) Development should ensure that new places are designed to be safe and healthy, responding to the needs of people of all ages, both within the proposed site, and in surrounding existing places.

Designing places where people can be active, have places to meet, socialise and play, seeking to design out crime and ensuring that appropriate community and fire safety design considerations are incorporated within new development schemes will contribute towards the long-term sustainability and resilience of developments as well as ensuring community safety and cohesion.

Protecting community facilities supports social cohesion and a more sustainable way of living, providing residents with an opportunity to do normal day to day activities locally.

The Council recognises the important role that local community facilities play in a rural county and will resist the loss of existing facilities and support the development of new opportunities. To implement the policy the Council will rigorously test proposals which result in the loss of a community facility, requiring evidence that an appropriate marketing exercise has taken place for a minimum of 12 months. Other evidence such as evidence of demand from commercial property agents may also be required to support applications for change of use.

What you told us about the topic

Question 41 of the Issues and Options consultation asked about incorporating health and wellbeing principles into policies. Both options suggested were well supported, therefore the policy includes both approaches.

Comments were made that "health" is one element of creating a place and therefore should not be considered in isolation but as part of the overall design of a scheme. There were lots of different views regarding the scale of development which would require a HIA. One view is that only larger developments should require a HIA as it is not necessary or viable on small developments. The other view held by respondents was that new developments should be required to demonstrate how health and wellbeing principles are incorporated.

Question 36 of the Issues and Options consultation asked if the Local Plan should protect community facilities and support the provision of new services and facilities – this received overwhelming support (97 % of respondents). Many comments and suggestions were made about what should be considered as community facilities and how they could be provided and supported.

What alternatives have we considered?

To have no local policy and rely on national policies.

Supporting Evidence

Parish Council surveys of services and facilities

Which existing policies will be replaced by this policy?

CS7 - Delivering socially inclusive communities

CS19 - Promoting good design

Protecting Open Space for healthy and sustainable communities

Open, accessible space is important because of its valuable contribution to quality of life, health, and the economy. Open spaces also provide green infrastructure (GI) benefits such as mitigating climate change, flood alleviation, and ecosystem services. The provision of these facilities in our towns and villages is of high importance to a sustainable future and is embedded in national planning policy.

What will the policy do?

This policy seeks to create new high quality open spaces to meet the new needs of the current and future population of Rutland.

Policy SC7 - Creation of New Open Space

New Open Space

All new residential developments of 10 dwellings or more will be required to provide new or enhanced publicly accessible open space, to meet the needs of their occupiers in accordance with this policy and the standards set out in Appendix 3 and in any subsequently prepared Supplementary Planning Document (SPD).

Residential development proposals of 300 or more dwellings will also be expected to make provision on-site for outdoor sports facilities in accordance with the standard in Appendix 3.

On-site Provision

The precise type of on-site provision that is required will depend on the nature and location of the proposal and the quantity and type of open space needed in the local area. This should ideally be the subject of discussion and negotiation with the Council at the pre-application stage and where relevant with the input of the Town or Parish Council.

New open space, sports and leisure provision created on-site as part of the development and is expected to:

- a) be of an appropriate size and quality in accordance with the standards in Appendix 3;**
- b) be well integrated into the design and layout of the development;**
- c) be multi-functional and where appropriate, address the requirement for different types of open space within the same area;**
- d) be designed to be safe and accessible to all potential users, including all ages and disabilities;**
- e) be designed to maximise green infrastructure benefits and functions, and in particular, take opportunities to link into the wider green and blue infrastructure network and deliver a biodiversity net gain (see Policy EN7- Green and Blue Infrastructure Network and EN3- Biodiversity Net Gain);**

- f) consider the context of any existing provision and maximise any opportunities for improvement within the wider area where these are relevant to the development of the site;**
- g) be supported by an Open Space Scheme setting out materials and equipment to be provided and the arrangements for RoSPA accredited inspection, risk assessment and securing a Practical Completion Certificate; and**
- h) be supported by a Landscape Management Plan setting out a clear funding strategy and appropriate mechanisms for satisfactory long-term maintenance and management of the open space, sports, and leisure facilities in perpetuity.**

Off-Site Provision

In certain circumstances, as directed by Appendix 3, and subject to legislation, it may be acceptable for a developer to make a financial or in-kind contribution towards open space provision off-site. Such proposals, which should be agreed at pre-application stage, and will only be considered if:

- a) the provision of open space on-site is not feasible or suitable due to the nature of the proposed development, by virtue of its size and/or other site-specific constraints; and/or**
- b) the open space needs of the proposed residential development can be met more appropriately by providing either new or enhanced provision off-site.**

The scale of development and the site-specific context will inform whether provision should be based on site or would be more appropriate to deliver through contributions to improvements existing sites or other sites elsewhere.

Why is this policy needed?

The NPPF defines 'open space' as:

"All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity".

Paragraph 98 of the NPPF (2021) states that *"Planning policies should be based on robust and up-to-date assessments of the need for open space and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision."*

The Open Space Assessment OSA (2023) provides this evidence concerning the demand and use of open space throughout the County, irrespective of ownership up to the Local Plan end date of 2041. This informs the creation of new open space, sports, and leisure facilities policy.

Evidence included in the Open Space Assessment has been used to define an Open Space Standard for Rutland (Appendix 3) and develop a policy which ensure the long-term management of open spaces and increases the multifunctionality of

open spaces, where possible including green travel routes, improving aesthetic, increasing habitat for wildlife and the cultural offering.

Other than for very large development sites, sports pitches and indoor sports facilities are considered to be strategic infrastructure and as such are covered by Community Infrastructure Levy (CIL) payments. The exception to this would be for development proposals of 300 or more homes where on-site indoor and outdoor sports facilities and pitches would be required on site as part of a comprehensive development.

Adopting the Recommended Standards

The NPPF (2021) recognises the opportunities that appropriately located and well-designed open spaces can provide for health and wellbeing of communities, nature and supporting efforts to address climate change. Paragraph 92 states that planning policies and decisions should aim to achieve healthy, inclusive, safe, and accessible places which promote social interaction and enable and support healthy lifestyles.

Paragraph 99 of the NPPF states that existing open space, including sports and recreational buildings and playing fields, should not be built on unless an assessment has been undertaken which has clearly shown the open space is surplus to requirements; or the loss would be replaced by equivalent or better provision in a suitable location; or the development is for alternative sports and recreational provision.

The planning practice guidance (PPG)¹ provides advice on open space, sports, and recreation facilities. The guidance states that it is for local planning authorities to assess the need for open space and opportunities for new provision in their areas.

The OSA (2023) reviewed local open space provision within the County, including the quantity, accessibility, quality, and value resulting in recommendations for standards which are robust and can form a basis for addressing any deficiencies resulting from proposed development and population increase.

Standards and New Development

There is a growing emphasis on open space to help tackle climate change, create flood risk resilience, reverse biodiversity decline, and provide many health and wellbeing benefits for the immediate and wider community. Furthermore, new development is required to provide measurable net gain for biodiversity under the NPPF (paragraph 179) and the Natural Environment PPG. All new development of more than 10 dwellings should continue to provide new open space, regardless of deficiencies.

¹ Open Space, Sports, and Recreation Facilities; Public Rights of Way; and Local Green Space (March 2014)

The Climate Change PPG² states that when preparing Local Plans and taking planning decisions, Local Planning Authorities should pay particular attention to integrating adaptation and mitigation approaches and looking for 'win-win' solutions. For example, the provision of multi-functional GI can reduce urban heat islands, manage flooding, and help species adapt to climate change whilst also contributing to a pleasant environment that encourages people to walk and cycle. The Flood Risk and Coastal Change PPG³ highlights that open space provide opportunities to reduce overall flood risk in a development area and beyond. Sustainable drainage systems provide opportunities such as combining water management with green space with associated benefits for amenity, recreation, and wildlife.

The 25 Year Environment Plan⁴ sets out government actions to help the natural world regain and retain good health. It aims to deliver cleaner air and water in our cities and rural landscapes, protect threatened species and provide richer wildlife habitats.

The results of the OSA (2023) should be used to identify which typology(ies) should be included as part of new development. Feedback from key stakeholders, identifies that Allotments, Outdoor Sports Facilities and Natural and Semi-Natural Greenspace are the most in demand open spaces. Allotments and Community Gardens, Outdoor Sports Facilities and Natural and Semi-Natural typologies all have current and future surplus county-wide and are currently an average of Fair or Good quality, which should be maintained and where possible improved.

Provision for Children and Young People is the only typology which has a current and future deficiency County wide as of 2020 (-0.11 ha per 1,000 population), with all sub-areas deficient at present and in the future apart from Cottesmore and Barleythorpe. The average quality of the Provision for Children and Young People is Very Good, which should be retained where possible. It is important to note that a surplus in any typology does not mean sites are surplus to requirement, rather the current provision exceeds the minimum standard.

The OSA (2023) provides key information on quantity, quality, accessibility, and value of open space across Rutland and locally by sub-area. This information will ensure that open space provision is maintained in existing communities and also identify open space need for in key growth areas, ensuring that residents continue to have access to good quality, accessible open space, to lead active and healthy lifestyles.

Management of Open space

Once development has been granted planning permission, implemented on the site and practical completion has been achieved, the open space on site is usually

² [Climate change - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

³ [Flood risk and coastal change - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

⁴ [25-year-environment-plan.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

either transferred to the Council, Parish Council or managing organisation (e.g., third party Management Company, or resident led Management Company). More detailed criteria relating to the future management of open space, particularly on Management Companies, will be detailed in a forthcoming SPD

What you told us about the policy

In the Issues and Options consultation, three options regarding the approach to open space were considered. We asked whether we should continue with the existing approach which includes a standard for open space provision and update the evidence base or set no specific standards in the policy. A third option was suggested which was to set out additional development criteria for new green infrastructure provision. 48% of respondents supported the first option and 43% supported the third option to include additional development criteria.

Comments were also received that supported these views as long as it was backed up by robust evidence and viability evidence as it provides certainty. We also received comments regarding the importance of the quality of open space and responding to site specific circumstances.

What alternatives have we considered?

The Open Space Assessment 2023 identifies the local needs and assesses the quantity, quality, and accessibility of the current provision of open spaces in order to review the future provision. It then provides recommendations and strategy-based findings. This ensures that the standards set in the policy are based on robust evidence.

The OSA will be supported by a Playing Pitch Strategy which is due to be completed in the autumn of 2023. This strategy will help guide decision about funding for improvements to pitch provision in the future.

Which existing policies will be replaced by this policy?

SP22 – Provision of new open space

CS23 – Green infrastructure, open space, sport, and recreation