

Town and Parish Council Planning Service

Andrew Ashcroft
Independent Examiner
C/O Rutland County Council

29th July 2024

Dear Andrew Ashcroft,

**Town and Country Planning Act 1990
Planning and Compulsory Purchase Act 2004
Edith Weston Neighbourhood Development Plan, Examiners Clarification Response**

We have been asked to respond on behalf of Edith Weston Parish Council (the qualifying body) to your recent clarification note. The following comments are structured around the headings and questions in your note (shown in italics).

Policy GE01

The first part of the policy addresses a series of issues and would apply to all development proposals irrespective of their scale, nature, and location.

In this context, I am minded to recommend that the policy is recast to address these matters and to allow County Council to apply its provisions in a proportionate way. Does the Parish Council have any comments on this proposition?

Response: The Parish Council is keen that policy applies at all scales of development, but appreciates that it should be applied according to the nature of the development. A possible solution could be to amend the wording as follows:

- 1. Development should cause no overall harm to, and should take opportunities to enhance, the area's habitats and ecology and should achieve biodiversity net gain, in a way proportionate to the scale and nature of the development.**

In the fourth part of the policy what is meant by 'further deterioration'?

Response: We would suggest the following amended wording.

4. Development within or adjacent to Rutland Water should not cause any significant deterioration in water quality and should take opportunities to improve water quality.

Policy GE02

Has the Parish Council assessed each of the proposed Local Green Spaces against the criteria in paragraphs 105 and 106 of the NPPF?

Response: All of the LGS were rigorously assessed against criteria in Paragraphs 105-106 of the NPPF. Here is a link to the evidence base document relating to the Local Green Space designations:

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extension://efaidnbmnnnibpcajpcgiclfndmkaj/https://www.edithweston.org/media/Neighbourhood%20Plan/Neighbourhood%20Plan%202023/Edith%20Weston%20LGS%20Assessment.pdf

All the evidence base that underpins the Neighbourhood Plan can be found at:

<https://www.edithweston.org/ewpc-neighbourhood-plan-archive>

Policy DH04

Has the Parish Council undertaken (or commissioned) an assessment of the historic significance of each of the proposed non-designated heritage assets either using the guidance in the Historic England publication 'Local Heritage Listing: Identifying and Conserving Local Heritage Advice Note 7 (Second Edition)' or another similar format?

Response: The methodology did include an assessment of the features mentioned. This had regard to Historic England Guidance including that relating specifically to Cold War heritage and Advice Note 7 (second Addition). We also took account of Planning Practice Guidance on non-designated heritage assets. It should be noted that the policy relates to three specific heritage assets relating to the Cold War, rather than an area wide local list.

The three named heritage assets were identified in the North Luffenham Parish Council St George's Barracks Masterplan Guidance and Design Code, AR Urbanism, December 2021 (prepared under the national neighbourhood planning programme). In addition, the listing description for the Thor Missile site was considered in terms of group value.

In response to the Regulation 14 consultation, the rationale to the policy was updated for clarity.

Monitoring and Review of the Plan

Section 1.3 of the Plan positively addresses this important matter in a positive way.

I note that this part of the Plan acknowledges that national and local planning policies may change within the Plan period. In this context, I am minded to recommend the inclusion of an additional sentence on this point to indicate that the Parish Council would consider the need or otherwise for a partial or full review of the Plan within six months after the adoption of the emerging Local Plan. Does the Parish Council have any comments on this proposition?

Response: This would be a decision for the elected Parish Councillors in office at that time. We are unsure where the 6-month time period has come from, but it may not be realistic. Perhaps wording could be added omitting the mention of 6-months and also referring to revision of national policy. The Parish Council has maintained a good dialogue throughout the Plan preparation with RCC to avoid disparities with the emerging Local Plan.

Representations

Does the Parish Council have any comments on the representations made to the Plan?

It would be helpful if the Parish Council responded to the Defence Infrastructure Organisation's comments on Policies GE02 (Local Green Spaces) and DH04 (non-designated heritage assets).

The County Council makes a series of detailed suggestions about the way some of the Plan's policies should be modified to ensure that the Plan meets the basic conditions and the way in which the proposed policies complement policies in the existing development plan. I would also find it helpful to have the Parish Council's comments on these matters.

Response to DIO:

We note that the Defence Infrastructure Organisation's comments were submitted after the closure of the Regulation 16 consultation.

See previous comments on GE04. We also understand that the MOD intends to dispose of the site by 2026 (we understand that it is being sold incrementally).

See previous comments on DH04. We note that the structures were found not to be suitable for statutory listing. However, the reports do recognise that there is some significance so would appear to further support recognition as non-designated heritage assets.

Response to Rutland County Council (RCC):

Policy EW-SG01 supports growth within the PLDs. RCC's comment appears to disregard national policy and guidance on design.

Policy EW-SG02 comment noted on materials. These are dealt with in Policy EW-DH01 clause 6 and the interpretation.

Policy EW-GE01 'ridge and furrow' refers to an aspect of historic landscape character, rather than a formal designation. The extent of this is mapped in the interpretation to policy. National policy refers to valued landscapes and landscape character and is not confined to designated landscapes.

Policy EW-GE02 – See previous comments on LGS.

Design and Heritage: The planning rationale refers to the Rutland Landscape Character Assessment, December 2022, which is the most recent document. We could include references to earlier documents if considered appropriate in the planning rationale.

Design Guidelines: The references suggested to Local Plan policy are already included in the planning rationales.

Policy EW-DH01 should be read in conjunction with policy EW-DH02 and EW-DH03. Together the policies deal with general design principles (EW-DH01) and also locally specific elements of character (EW-DH02 and EW-DH03). The policies have also taken account of the Design Guidelines mentioned, the National Design Guide 2021, and the Edith Weston design code document. So, the RCC comments appear to suggest merging EW-DH02 and EW-DH03 into EW-DH01. We think this would result in an overcomplicated and very long policy and make this very difficult to use.

However, the interpretation to EW-DH01 could include an additional paragraph pointing out that it should be applied closely with EW-DH02 and EW-DH03.

In respect of Clause 5(b), we consider amenity for apartments to be very important, particularly after the experiences of Covid.

We think it would over complicate the Plan to add definitions to the various kinds of green energy schemes mentioned in the interpretation.

Policy EW-DH02 – RCC's comments appear to relate mainly to the Local Green Space policy. See previous comments on Local Green Space.

Policy EW-DH03: Note RCC's comments supporting the policies relating to heritage.

Policy EW-DH04: We don't understand the first comment about using the word 'retained'. The wording in the policy is clearer.

See previous comments on justification for naming the non-designated heritage assets. We note the Conservation Officer comment about affording weight to those important non-designated heritage assets.

Policy EW-TM01 – The purpose of clause 3 is not to amend car parking standards, but to highlight the need to consider problems of on-street parking and also to consider storage space for cycles and personal vehicles (for clarity, this could include mobility scooters).

The question relating to whether the garage counts as secure cycle parking is already dealt with in the interpretation.

Regarding clause 4, Local Plan Policy SP15(L) is more generalised and does not place the same emphasis on safety, amenity and accessibility.

In relation to the comment on clause 6 of EW-DHTM01, the highways works themselves would not need permission. However, where the granting of planning permission would necessitate such works, then the impacts of granting that planning permission would need to be considered.

We hope that this is helpful.

Yours faithfully

A handwritten signature in black ink, appearing to read 'HLB'.

Hannah Barter
BA (Hons), DIP T&CP, MAUD, MRTPI
Director/Partner