



Rutland
County Council

Edith Weston Neighbourhood Development Plan

Decision Statement: 4th December 2024

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

1. Introduction

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

2. Background

- 2.1 Edith Weston Neighbourhood Development Plan relates to the area that was designated by Rutland County Council as a neighbourhood area on 21st May 2021 which designated the whole of the Edith Weston Parish as the Edith Weston Neighbourhood Area.
- 2.2 Following the submission of the Edith Weston Neighbourhood Development Plan to the Council, the plan was publicised, and representations were invited. The publicity period ran between Monday 29th April and Monday 10th June 2024.
- 2.3 Mr Andrew Ashcroft BA (Hons) MA, DMS, MRTPI was appointed by Rutland County Council with the agreement of Edith Weston Parish Council, to undertake the examination of the Edith Weston Neighbourhood Development Plan and to prepare a report of the independent examination.
- 2.4 The examiner's report concludes that subject to making the modifications recommended by the examiner, the Plan meets the basic conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.

3. Recommendations, Decision and Reasons

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

3.2 Having considered each of the recommendations made by the examiner's report, and the reasons for them, Rutland County Council in consultation with Edith Weston Parish Council have decided to accept the modifications to the draft plan.

3.3 Table 1 below outlines the alterations made to the draft plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the Examiner's recommendations. The reasons set out have in some cases been paraphrased from the Examiners report for conciseness. This statement should be read alongside the Examiner's Report on the Edith Weston Neighbourhood Plan Review webpage - <https://www.rutland.gov.uk/planning-building-control/local-plan/neighbourhood-plans>

3.4 Under agreed delegation arrangements, the Council's Director of Places, in conjunction with the Council's Portfolio holder for Places (Planning, Property and Economic Development) has determined that the modifications set out in Table 1 are in accordance with the Examiner's recommendations and ensure that the Plan meets the Basic Conditions.

Signed by:

A handwritten signature in black ink, appearing to read 'R. Rap' or similar, written in a cursive style.

Director of Places

Date: 4th December 2024

The paragraph numbering refers to the submission version of the Edith Weston Neighbourhood Plan:

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

Examiner's Recommended Modifications		Justification	Decision
Policy/Paragraph	Modification		
Policy EW-SG01: Development within the Settlement Policy	<p>In the first part of the policy replace '(see figure 2)' with '(as shown on Figure 2)'</p> <p>In the second part of the policy after 'Development' add '(as shown on Figure 2)'</p> <p>Replace the opening element of the third part of the policy with: 'Proposed infill development and redevelopment within the Planned Limits of Development, should meet the following requirements:' In c replace 'must' with 'should'</p> <p>At the beginning of d add 'Wherever practicable'</p> <p>In the fourth part of the policy replace 'the applicant demonstrates' with 'it can be demonstrated'</p> <p>In b include the final sentence in brackets immediately after the first sentence.</p>	To ensure that the intentions of the policy are clearly expressed and to bring the clarity required by the NPPF.	Accept
Policy EW-GE01: Natural	<p>Replace the first part of the policy with:</p>	To recast the policy to address a series of issues and would apply to all development proposals irrespective of their scale, nature, and location and to allow RCC to apply its	Accept

<p>and Green Environments</p>	<p>‘Development proposals should respond positively to the area’s habitats and ecology and, as appropriate to their scale, nature and location, should take opportunities to enhance habitats and ecology within and adjacent to the site.’</p> <p>In the second part of the policy replace ‘significant and adverse’ with ‘unacceptable’</p> <p>Replace the fourth part of the policy with:</p> <p>‘Development proposals adjacent to Rutland Water should not cause any unacceptable deterioration in the water quality of Rutland Water and, where practicable, should take opportunities to improve its quality.’</p> <p><i>At the beginning of the Interpretation add:</i></p> <p><i>‘Policy EW-GE01 has been designed to protect natural and green environments including identified significant sensitive and designated landscapes. It complements the national approach towards biodiversity net gain as set out in the Environment Act 2021.’</i></p>	<p>provisions in a proportionate way. EWPC responded positively to this this approach in its response to the clarification note.</p> <p>To bring the clarity required by the NPPF.</p> <p>So that biodiversity net gain is addressed in the Interpretation rather than in the policy. This will avoid the submitted Plan repeating national policy.</p>	
<p>Policy EW-GE02: Local Green Space</p>	<p>Replace the second part of the policy with:</p>	<p>To have regard to the matter-of-fact approach to LGSs as set out in paragraph 107 of the NPPF.</p>	<p>Accept</p>

	<p>‘Development proposals within designated local green spaces will only be supported in very special circumstances.’</p> <p><i>Replace the Interpretation with:</i></p> <p><i>‘Policy EW-GE02 follows the matter-of-fact approach towards local green spaces as set out in paragraph 107 of the NPPF.’</i></p>		
<p>Policy EW-DH01: Sustainable Design</p>	<p>‘Development proposals should respond positively to the contents of the National Design Guide (2021) and the Village Assessment and Design Guidance (2022) or any updates of those documents. As appropriate to their scale, nature and location, development proposals should:</p> <ul style="list-style-type: none"> • complement local characteristics in terms of scale, massing, height, setback from the road, and pattern of buildings and gardens; • take opportunities to enhance pedestrian and cycle permeability and connectivity, including by providing links to existing public paths; • provide active frontages to streets and spaces, and provide overlooking and natural surveillance; 	<p>To allow RCC to be able to apply the details of the policy in a consistent way through the development management process.</p>	<p>Accept but amend the policy to align with the rest of the Neighbourhood Plan so that this reads:</p> <p>1. Development proposals should respond positively to the site and context, as appropriate to their scale, nature and location, and should:</p> <ul style="list-style-type: none"> a. complement local characteristics in terms of scale, massing, height, setback from the road, and pattern of buildings and gardens; b. take opportunities to enhance pedestrian and cycle permeability and connectivity, including by providing links to existing public paths; c. provide active frontages to streets and spaces, and provide overlooking and natural surveillance; d. incorporate landscape and public realm as an integral part of the design and

	<ul style="list-style-type: none"> • incorporate landscape and public realm as an integral part of the design and layout of development, including both garden spaces and public spaces; • use high quality, durable and sustainable materials; including the use of local materials, recycled materials and green materials that complement the local context; • incorporate boundary treatments (including the use of hedges and low stone walls) that complement the historic and rural character of the area; • include positive design features to reduce carbon use; and • avoid harmful impacts on night skies by using well-designed and sensitive lighting where lighting is required for security purposes. <p>In addition, and where practicable, residential development proposals should include:</p> <ul style="list-style-type: none"> • private gardens or shared amenity space; or balconies and/or shared amenity space for apartments; and • discretely located and screened storage for bins and recycling. 		<p>layout of development, including both garden spaces and public spaces;</p> <ul style="list-style-type: none"> e. use high quality, durable and sustainable materials; including the use of local materials, recycled materials and green materials that complement the local context; f. incorporate boundary treatments (including the use of hedges and low stone walls) that complement the historic and rural character of the area; g. include positive design features to reduce carbon use; and h. avoid harmful impacts on night skies by using well-designed and sensitive lighting where lighting is required for security purposes. <p>2. In addition, and where practicable, residential development proposals should include:</p> <ul style="list-style-type: none"> a. private gardens or shared amenity space; or balconies and/or shared amenity space for apartments; and b. discretely located and screened storage for bins and recycling.
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	<p><i>At the beginning of the Interpretation add:</i></p> <p><i>'Policy EW-DH01 provides an overarching approach towards sustainable design. It takes account of the National Design Guide (2021) and the Village Assessment and Design Guidance (2022). It acknowledges that individual proposals will have different implications for the policy based on their scale, nature, and location.'</i></p>		
<p>Policy EW-DH03: Edith Weston Conservation Area</p>	<p>Replace the opening element of the policy with:</p> <p>'Development proposals in and around the Edith Weston Conservation Area (as shown on Figure 9) should preserve or enhance its character or appearance, including the following key elements of its character:'</p>	<p>So that the policy addresses both the character and appearance of the conservation area so that it has regard to national policy.</p>	<p>Accept</p>
<p>Policy EW-DH04: Non-Designated Heritage</p>	<p>Replace 'war heritage' with 'military'</p> <p>Replace the policy's title with: 'Military Structures in St George's Barracks.'</p> <p><i>Replace the first part of the Interpretation with:</i></p> <p><i>'The policy identifies seeks to retain three twentieth structures within the St George's Barracks site should redevelopment</i></p>	<p>So that it comments more generally about the military structures.</p>	<p>Accept</p>

	<p><i>proposals for the Barracks site come forward in the Plan period.'</i></p> <p><i>In the second part of the Interpretation delete 'already'</i></p>		
<p>Policy EW-TM01: Transport and Movement</p>	<p>Replace the policy with:</p> <p>'1. Development proposals that would generate additional journeys should incorporate or facilitate a balanced range of transport choices, including sustainable options and active travel, proportionate to the scale and character of the scheme.</p> <p>2. Where appropriate, development proposals should take opportunities to enhance facilities for pedestrians, including people with different levels of mobility, and cycle infrastructure and connections.</p> <p>3. Where appropriate, development proposals should take opportunities to establish link to footpaths, including those which connect to Rutland Water.'</p> <p><i>Replace the Interpretation with:</i></p> <p><i>'The policy has been prepared to ensure that facilities for cycling and walking are incorporated within new residential developments and that they connect into the existing network.</i></p>	<p>So that it avoids the repetition of existing policies in the Local Plan.</p> <p>Also to introduce appropriate wording to acknowledge that the provisions of the policy should only be applied where it is appropriate to do so. This applies specifically to the second and third parts of the recast policy.</p>	<p>Accept</p>

	<i>The first part of the policy acknowledges that the delivery of sustainable transport measures will be proportionate to the scale and character of the proposed development. The second and third parts of the policy acknowledge that their provisions will only be applied where it is appropriate to do so.'</i>		
Monitoring and Review	<p><i>At the end of Section 1.3 add:</i></p> <p><i>'The Parish Council acknowledges that the County Council is currently preparing a new Local Plan. It will revise the strategic planning context for the County. In these circumstances the Parish Council will assesses the need or otherwise for a further review of the Plan within six months of the adoption of the emerging Rutland Local Plan.'</i></p>	To acknowledge that the adoption of the emerging Local Plan will be a significant stage in the development of planning policy in the County.	Accept
Other matters – General	<i>Modification of general text (where necessary) to achieve consistency with the modified policies</i>	For RCC and EWPC to have the flexibility to make any necessary consequential changes to the general text.	Accept