

PLACES SCRUTINY PANEL

26 March 2015

DRAFT COTTESMORE NEIGHBOURHOOD PLAN

Report of the Director for Places (Development and Economy)

STRATEGIC AIM:	Creating A Sustained Environment Building Our Infrastructure
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1. PURPOSE OF THE REPORT

- 1.1 To consider the draft Cottesmore Neighbourhood Plan consultation document and the issues identified.

2. RECOMMENDATIONS

- 2.1 That the contents of the draft Cottesmore Neighbourhood Plan in Appendix A to this report is considered by the Places Scrutiny Panel and any comments be reported back to Cottesmore Parish Council , as appropriate.**

3. BACKGROUND

- 3.1 Following adoption of the provisions for neighbourhood planning outlined in the Localism Act 2011, Cottesmore Parish Council (CPC) applied to Rutland County Council (RCC) to designate and prepare a Cottesmore Neighbourhood Plan (CNP) in 2014 in order to provide more detailed guidance on the community views on what needs to be considered when determining planning applications in the plan area.
- 3.2 The CNP area was designated in April 2014 and includes all of the land within the parish boundary, including the part of the parish which is on MOD land, inside the perimeter of Kendrew Barracks.
- 3.3 Consultation on the first draft CNP was undertaken from 31st October to 12th December 2014 and was circulated to the local community and key stakeholders.
- 3.4 Consultation on the second draft CNP was undertaken from 1st February to 15th March 2015. The draft plan has been circulated to the local community and key stakeholders and copies have been made available in the Council's offices, on the CPC and the RCC websites. A copy of the draft CNP is attached at Appendix A.

4. DRAFT CONSULTATION DOCUMENT

- 4.1 The second draft CNP appears to be generally supportive of the current planning policy framework in Rutland set out in the National Planning Policy Framework, National Planning Policy Guidance, Core Strategy Development Plan Development (DPD) (July 2011) and the Site Allocations and Policies DPD (October 2014).
- 4.2 The second draft CNP has been amended to take into account responses from the local community, stakeholders and from the Council to the consultation from October to December last year including:

- (i) No longer extending the planned limits of development (PLD) to accommodate additional residential sites but instead setting out in Policy COT H7 the areas to be safeguarded from further development based on evidence from the RCC Landscape Study of Cottesmore (2012) prepared to support the Council's Site Allocations & Policies DPD. The policy is clear that any new development should be within the PLD.
- (ii) The CNP has taken into account the need for operational MOD developments and the planning framework for small scale alternative land uses associated with Kendrew Barracks to be undertaken in accordance with the Core Strategy and Site Allocations & Policies DPDs.
- (iii) The CNP supports the Core Strategy tenure split for the provision of affordable housing on any residential developments in the village.
- (iv) The Council has undertaken a Strategic Environmental Assessment (SEA) /Habitats Regulations Assessment (/HRA) Screening of the draft CNP and the findings recommend that a full SEA or HRA on the plan is not required.

4.3 When the neighbourhood plan is formally submitted to the Council, it will need to be accompanied by robust evidence to support and justify the planning policies within the document. In addition, it will need to be accompanied by a Consultation Statement which sets who were consulted, how they were consulted, summarises the main issues and concerns raised and how they were considered and where relevant addressed in the CNP.

4.4 Some other key issues that need to be addressed in the plan include recognising:

- (i) The need to clarify that the draft plan covers the period up to 2026 and beyond and that the plan will need to be reviewed every 3-5 years in accordance with the Local Plan reviews. These reviews will be dependent on a range of issues including changes in national policy and new information (e.g. Census). It would be helpful to have a paragraph explaining this within Section 6 'Monitoring & Review'
- (ii) The need to have supporting evidence of the following:
 - Sustainability Assessment referred to in Section 3
 - The views to be protected in Policy COT E&C1
 - The type of housing needed in Policy COT H2
- (iii) The need to explain in the supporting text preceding Policy COT H6 proviso ii) the rationale for development to be within 800 metres of the centre of the village
- (iv) There are a number of proposals in the plan shaded in blue in order to distinguish them from the land-use policies shaded in pink. It would be helpful to have a paragraph explaining this distinction between the policies and proposals in the plan after Section 8 'Aims & Objectives'. It would be also helpful if the proposals shaded in blue in the plan are clearly labelled as 'proposals' rather than 'policies' (e.g. Policy COT. TRS 1 would read Proposal COT. TRS1)
- (v) Policies COT TRS 2 – 6 and Policy COT H6 proviso iii) are not policies that could be used to guide decision-making on planning applications. Accordingly, these should be referred to as 'proposals' and be shaded blue in the plan.
- (vi) That the proposals for highway/traffic improvements referred to in the plan are not land use planning issues that can be covered by the statutory development plan and there is need for close liaison with RCC about the potential resourcing implications.

(vii) It would be helpful if the views identified in Policy COT E&C1 'Built Form' and the 'Areas Safeguarded from Development' in Policy COT H7 are illustrated on a map in the plan for clarity.

4.5 Following this consultation, the Council will have no further opportunity to comment on the content of the draft plan other than how it meets the basic conditions and the NP regulatory process.

5. THE NEXT STEPS

5.1 Subject to any observations or comments received from the Places Scrutiny Panel, the Council, in its capacity as a statutory consultee and service provider will respond to the Draft plan content as well as the Parish Council's adherence to the NP regulatory process.

5.2 The Parish Council will then need to review the responses received to the CNP, before either carrying out a further period of consultation on the draft plan or formally submitting the plan to RCC.

5.3 In accordance with the Neighbourhood Plans Regulations, the following supporting material will need to be submitted;

- Copy of the Neighbourhood Plan area to which the CNP refers;
- Statement of Consultation; and
- A statement of how the plan meets the 'basic conditions' prescribed in the regulations including SA/HRA compliance and conformity with the national and strategic local planning policies applying across the plan area.

5.4 Once formally submitted by CPC, it will then be RCC's responsibility to assess how it meets the basic conditions and the NP regulatory process, before publicising the Plan for a further 6 week period and taking it forward through to Examination by an Independent Examiner. If supported by an examiner through the examination process and the local community through the local referendum process, RCC would then need to take a decision to formally make the CNP as part of the Statutory Development Plan for Rutland.

6. RISK MANAGEMENT

RISK	IMPACT	COMMENTS
Time	Medium	The production of a neighbourhood plan for Cottesmore requires the support of the County Council. As the local planning authority, the plan becomes a statutory document on adoption by the Council. It also demonstrates the process for other potential Parish Councils/neighbourhood forums to choose such a way of drawing up a community led planning policy document and will supports the efficient provision of planning services in future.
Viability	Medium	An adopted neighbourhood plan establishes a statutory Development Plan Document that development requiring planning consent will have to comply with. It will assist in the delivery of the Council's sustainable development objectives, its Core Strategy, Site Allocations and Policies DPD and other supplementary planning documents.

RISK	IMPACT	COMMENTS
Finance	Low	The cost of the County Council engagement in the delivery of an adopted neighbourhood plan can be contained within existing budgets supplemented by DCLG grants being drawn down during the plans preparation.
Profile	Medium	The draft CNP is subject to public consultation. The submission draft plan will also be subject to further public consultation, if considered by the Council to have met the basic conditions as prescribed in the Neighbourhood Planning Regulations. The plan is likely to be of particular interest to the local community in Cottesmore.
Equality and Diversity	Low	DCLG guidance on the application of Equality Impact Assessment (EIA) indicates that RCC is not required to undertake such an assessment of the CNP. An EIA is not required to satisfy that the 'basic conditions' have been met in drawing up the draft plan or submission draft plan.

Background Papers:

Localism Act 2011
 Neighbourhood Planning Regulations
 National Planning Policy Framework (2012)
 National Planning Policy Guidance (2014)
 Core Strategy DPD (July 2011)
 Site Allocations and Policies DPD (October 2014).
 Draft CNP October 2014
 CNP SEA/HRA Screening Report (February 2015)

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A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.