



Rutland County Council

Catmose Oakham Rutland LE15 6HP.

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Minutes of the **MEETING of the GROWTH, INFRASTRUCTURE AND RESOURCES SCRUTINY COMMITTEE** held in the Council Chamber, Catmose, Oakham on Thursday, 16th January, 2020 at 7.00 pm

PRESENT: Miss G Waller (Chair)
Mr R Coleman
Mrs J Fox
Mr M Oxley
Ms K Payne
Mr N Woodley

OFFICERS PRESENT:	Mrs H Briggs	Chief Executive
	Mrs P Sharp	Deputy Director for Places
	Mr R Ransom	Planning Policy Manager
	Mrs R Armstrong	Principal Planning Policy Officer
	Mrs J Morley	Governance Officer

IN ATTENDANCE:

Mr O Hemsley	Leader and Portfolio Holder for Rutland One Public Estate & Growth, Tourism & Economic Development, Communications and Resources (other than finance)
Mr G Brown	Deputy Leader and Portfolio Holder for Environment, Planning, Property and Finance
Mr P Ainsley	Councillor
Mr A Brown	Councillor
Mr K Bool	Councillor
Mrs J Burrows	Councillor
Mr W Cross	Councillor
Mr J Dale	Councillor

442 APOLOGIES

Apologies were received from Councillor Jones. Councillor Oxley attended on her behalf.

443 DECLARATIONS OF INTEREST

Councillor Payne declared an interest as her husband was an employer of 120 people in Rutland. The Monitoring Officer had advised Councillor Payne that this was not a pecuniary interest but that it would be wise to declare it for the purposes of transparency.

444 PETITIONS, DEPUTATIONS AND QUESTIONS

The following questions and deputations were presented to the Committee.

Question with notice

Mr Richard Drabble, resident of Whissendine, asked a question about the historical landscape at Whissendine. The Chair read out a reply prepared by officers and asked that Mr Drabble email officers with any questions of clarification he might have. The text of the question and the response is appended to the minutes.

Deputations

1. Mr Gareth Jones presented a deputation (appended to the minutes) on behalf of himself and Julie Grey, residents of Edith Weston. The Committee did not have any questions for Mr Jones.
2. Mr Tim Smith presented a deputation (appended to the minutes) on behalf of himself and Neil Newton, residents of Edith Weston and North Luffenham. The Committee did not have any questions for Mr Smith.

Questions with short notice

3. A question with short notice (appended to the minutes) was asked by Mr Norman Milne, Edith Weston Parish Councillor

As the question was one of process, the Chair asked the Chief Executive to respond to the question. Mrs Briggs, Chief Executive, responded that Scrutiny papers had been published in line with the statutory requirements of five clear working days. The decision to adopt regulation 19 of the Local Plan was a decision of Council, not an Executive decision and therefore the Constitution did not require it to go through the Scrutiny process. The Council meeting to debate the Local Plan was being held on the 27 January and the same supporting papers would form the Council agenda pack. Therefore Councillors would have had 18 days to read the papers including 12 clear working days and three weekends which was more than double the statutory requirement.

445 QUESTIONS WITH NOTICE FROM MEMBERS

No questions with notice from Members had been received.

446 RUTLAND LOCAL PLAN

Report No.17/2020 was received from the Strategic Director for Places. Mr Gordon Brown, Deputy Leader and Portfolio Holder for Environment, Finance, Planning and Property introduced the report the purpose of which was to update the Scrutiny Committee on progress with the preparation of the Local Plan, and provide an opportunity for the Committee to make comments prior to consideration of the Pre-Submission version of the Local Plan by Cabinet and full Council.

During discussion the following points were noted:

- The Local Plan had been a document long in the making. Three stages of consultation had already taken place on the Local Plan through the Issues and Options in 2015, the Consultation Draft in 2017 and the focussed consultations in 2018 regarding additional sites promoted for development, as well as a tailored consultation regarding the implications of incorporating the proposed garden community at St. George's into the Local Plan.
- In August 2018, 45 minutes before the consultation was due to close, the Woolfox proposal was received which meant that in order to give the proposal due consideration the Council carried on with its work on the Local Plan until the end of 2019.
- Councillor Brown pointed out to Members that the Plan was not just about the allocation of sites for housing but also about the policies which looked at the design of houses, the use of materials and other aspects that would affect climate change.
- Councillor Begy had a number of questions which he asked in the meeting and to which Councillor Brown, the Portfolio Holder responded. Councillor Begy's questions and the responses, prepared by officers, are appended to the minutes.
- In response to a question on whether the St George's Barracks site would significantly increase traffic if it just became a commuter village with residents driving outside the County to work, the Leader of the Council made clear that there would be new employment opportunities, facilities and design strategies to encourage working from home. One of the advantages of the HIF monies was that it could be used to subsidise public transport and a traffic sub-group would be looking at ways to encourage people to use public transport more.
- Section 10 of the Plan, the monitoring framework, would be looking at the implications for the Council if the MOD adjusted its 'moving out' dates.
- Councillor Coleman asked what the repercussions were for Rutland if the Council did not deliver the St George's Barracks site. Councillor Brown, in response, handed the committee copies of a letter (appended to the minutes) from Gavin Williamson the then Secretary of State for Defence. The letter highlighted that when the MOD vacated a site of this sort there was a presumption in favour of housing development which, in normal circumstances, would lead to the sale of land to a developer whose only constraints would be broader planning and building control rules and would therefore lead to a higher number of homes being built.
- A map of the proposed Woolfox site is appended to the minutes.
- The Woolfox proposal would not be eligible for HIF monies as the funding application process closed in March 2019 and additionally, could only be applied for through a local Council. The Woolfox team had not made an approach to RCC for HIF funding.
- The Executive were comfortable that should a legal challenge be mounted by Woolfox they would be able to defend their position.
- In a response to a question from Councillor Fox on how the figures for the Strategic Needs Assessment were arrived at, Councillor Brown and Planning officers confirmed that they would offer more explanation on this at the briefing session arranged for Councillors prior to the Council meeting on 20 January.
- If all the affordable housing was delivered at the beginning of the project then it would not be financially viable for developers. Usually there were clauses in the legal agreement that specified building a certain amount of houses which would then trigger a requirement to build a percentage of the affordable houses.
- Planning regulations did not allow the Council to specify the type of tenure of the required affordable housing. The NPPF (National Planning Policy Framework)

required that there was a split between shared ownership and affordable rented homes and that 10% of the 30% could be rented.

- The Council could only consider developing its own social housing if there were affordable areas of land to buy on which they could build houses. This was unlikely in Rutland.
- The benefits for Rutland of the Stamford North development would include CIL (Community Infrastructure Levy) monies and Council Tax payments.
- Stamford North was on the Forward Plan for consideration by Cabinet at its meeting on 17 March but expectations were that this date would shift. Scrutiny would have an opportunity to see the documents once the developers and SKDC had responded to a number of changes requested by RCC. These documents would include the development brief for the whole of the site, the agreement of working process between SKDC, RCC, Lincolnshire County Council and other bodies, and a document on phasing and how the developers would proceed with the project.
- The Council had a statutory duty to co-operate and consult with neighbouring Councils and other bodies such as Highways and Natural England.
- Large housing developments in neighbouring counties did not offset Rutland's assessed housing needs and these developments were already approved and in neighbouring Councils' adopted Plans.
- Councillor Woodley commented that he had received some extremely positive comments about the Plan from Oakham groups.
- The Strategy for Towns and their commercial areas (Policy E9) stated that support would be given for suitable residential planning applications in order to diversify the mix. Support in this instance meant favourable consideration rather than any financial support.
- Councillor Waller, the Chair of the Committee, asked whether the Portfolio Holder felt that the Local Plan embraced the aims of the climate action motion that the Council had recently passed.
- Councillor Brown stated that in comparison to the draft 2017 plan, this Plan would bring forward homes that were better designed and much more energy efficient. Ultimately however energy savings were balanced against the viability of the project.
- The Government had been promising new building regulations and a new home standard to improve energy efficiencies. Once this became a requirement nationwide then the viability of the project would not be affected.
- One Government objective that had been put forward was to stop the installation of gas boilers in any new homes by 2025. Councillor Brown would continue to ask questions around this proposal and how this might impact the installation of new gas infrastructure.
- Policies EN9 and EN10 dealt with biodiversity and any new Council biodiversity policy would need to dovetail with what was detailed in them.
- Light pollution was covered specifically by policy BN18 but should also be considered in house design and place shaping.
- The Plan was accompanied by an infrastructure delivery plan which had come directly from the service providers. Improvement and upgrade of the Oakham waste treatment plant was included in the current Anglian Water works plan and the plant that currently served St George's Barracks would also be improved as stated in the development plan.
- Councillor Oxley would like to have seen more emphasis in the Plan on developing sustainable transport links.

- When the Local Plan came into force any new neighbourhood plans would have to take account of its policies. A judgement would be taken with existing plans to see if they were in general conformity or whether there was any conflict. Parish Councils would be encouraged to come and talk to RCC if they felt there was a conflict.

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At 21.23pm the Chair proposed that the meeting be extended, if needed, by 15 minutes, in accordance with Procedure Rule 58, and this was agreed by the Committee.

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- The Chair invited non-committee Members to ask any questions.
- Councillor Andrew Brown asked about the road infrastructure for St George's Barracks and was happy that officers would respond to his specific concerns outside of the meeting.

RESOLVED

The Committee voted in favour of formally requesting that the Local Plan document be changed to state 'climate *crisis*' rather than 'climate change'.

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Chairman closed the meeting at 9.29pm

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Question regarding Rutland County Council's latest draft Local Plan (Scrutiny Committee, Growth, Infrastructure and Resources – Special Meeting Thursday 16th January, 2020 7.00 pm)

All national and local policies seek to preserve and conserve landscapes with historical and heritage value, including the National Planning Policy Framework (NPPF), Rutland County Council's policies, Natural England's policies and the draft Local Plan itself, especially when other sites are available.

Why has Rutland County Council proposed to develop and thereby to destroy a historical landscape at Whissendine (WHI 09A) where well preserved and high quality Medieval ridge and furrow landscape is a prominent heritage feature, when there are other sites available?

The Historic Environment Records Office confirms that this is a site of Selected Heritage Inventory for Natural England (ref SHINE LE7796) with 'high' significance, because of its heritage value with well preserved Medieval ridge and furrow landscape.

Contributory to this, why has RCC failed to correct mistakes within their 'Landscape Sensitivity and Capacity Study', after they have been advised in writing, since corrected inputs show that this site is 'low to medium capacity' and this leads to a different ranking of sites for allocation?

Further contributory to this, why does RCC's Sustainability Assessment fail to recognise or describe and account for the historic/heritage nature of this site's landscape?

A photograph of WHI 09A is attached.

Note

Regrettably and considering the written consultation responses, which appear to have been overlooked, the above will form the basis of a further consultation response and, if necessary, the basis of an Appeal against the Local Plan to the Secretary of State. As custodians, we must do everything possible to preserve and conserve increasingly rare heritage landscapes for the enjoyment and education of present and future generations.

Richard A.W. Drabble
Whissendine, Rutland
11th January, 2020

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Response to Mr Drabble's question

As chairman of the Growth, Infrastructure and Resources Scrutiny Committee I must advise the questioner that I was not involved in the production of the papers before us tonight. However, I have asked that the officers who were responsible provide a response which I will read out.

The Planning Policy team replied to Mr Drabble on 19th August 2019 regarding his comments as follows:

"Your concerns were forwarded to the consultant, subsequently, they re-visited the preparatory work undertaken during the preparation of the landscape sensitivity and capacity study of land around Whissendine.

The consultant responded they were happy with their assessment of Zone W2 in the report, of which site WHI/09A in the Draft Local Plan forms a part, is accurate and robust. The area that the Council has identified as WHI/09A is similar in character, landscape sensitivity and capacity as the majority of Zone W2 which is relatively extensive, extending along the western edge of the village. The report acknowledges the different characteristics of the southern parts of the zone, but in general Zone W2 consists of a number of small scale, relatively flat, regular, rectilinear paddocks separated by mostly tall dense hedgerows with hedgerow trees, where ridge and furrow is a distinctive feature.

The landscape character approach is used to assess landscape sensitivity and capacity to accommodate development. This considers the often complex interrelationships of natural, cultural, social, perceptual and aesthetic influences, together with consideration of settlement form and pattern, and landscape value.

The consultants when making their recommendation to the Council, have assessed landscape sensitivity and the capacity to accommodate development by using the landscape approach which considers often complex interrelationships of natural, cultural, social, perceptual and aesthetic influences, together with taking into consideration the settlement form and pattern as well as landscape value. All these factors were taken into account when prioritising land for potential development.

The report does acknowledge the presence of the well preserved ridge and furrow system around most of the village. In accordance with the Village Design Statement this should be preserved where possible – however, any new development on the edge of the village is likely to affect ridge and furrow to some extent which must be balanced with all other potential effects. For example, the report also acknowledges the main focal points within the village, being the windmill and Church tower, views to which should not be affected by new development.

A judgement has to be made in prioritising areas for potential development on the order that these could be brought forward for development, in landscape and visual terms. There is often little to choose between some zones in terms of overall landscape sensitivity and capacity, although the assessments may differ on the impact on specific criteria.

Zone W8 was assigned a slightly lower capacity due to its more open, exposed nature where new development would be on land above 125m AOD (the approximate height of land within WIN/09A) likely to create a new harsh built edge that would break the skyline, have an adverse impact on the setting of the village in the countryside and impact on sensitive views to the windmill and Church tower.

The assessment of overall landscape sensitivity and landscape value is similar for Zone W2 and Zone W8 (which incorporates WIN/02 in the Draft Local Plan) but on balance a slightly higher capacity is allocated for Zone W2 recognising the presence of mature trees and hedgerows (as referred to by yourself) which provide enclosure and would help to assimilate new development into the countryside limiting impact on the setting of the village. Mitigation should ensure that visual intrusion of new development within WIN/09A into the countryside is acceptable and key views are retained.

I hope you find this explanation helpful in understanding how the landscape capacity was considered and the landscape areas prioritised for development",

Assuming that the Local Plan proceeds to its statutory consultation and examination then Mr Drabble will be able to make representations as to the soundness of the Local Plan through the statutory consultation and, if valid, these will then be forwarded to the independent Inspector to consider.

RCC Scrutiny Committee - Deputation: Gareth Jones - 1 Tyler Close, Edith Weston, Oakham, Rutland, LE158EX. Julie Gray - 59 Weston Road, Edith Weston, LE158HQ

This deputation is about scrutiny related to the Local Plan.

At the last Scrutiny Committee we reflected our concerns on the risk of lack of trust in the Council. We feel that this Local Plan leads to an increase in magnitude and probability. This is because the Cabinet continues to follow a course of action for which there is not public support.

The Local Plan is being transformed from a successful and supported plan to a 'go large' strategy with major risks to the County budget and delivery of effective services for no apparent benefit to Rutlanders. To properly scrutinize the proposed plan there must be 'tests' applied. The Committee must have the resources (time, expertise and consultation with stakeholders etc) in order to meet the Committee's remit. To help you, here is a suggested checklist, where you need **YES** answers to provide effective scrutiny to the Cabinet.

1. **Are you able to do your job?** Is scrutiny conducted in a strong and supportive political and organisational culture, one in which **forensic and robust scrutiny** can take place? YES/NO. If NO what resource do you need?
2. **I am comfortable that there is no 'negative behaviour' impacting scrutiny?** There is no bullying, inappropriate pressure, conflict of interest or corruption in the system influencing production or voting on this plan. YES/NO
3. **Have we amplified the voices and concerns of public accurately?** Do we understand the **depth of negative public feeling** against the major change in policy from a successful and supported policy to a major larger developments in Rutland stance? What is the evidence? **Is the need proven?** YES/NO
4. **Risks attendant adopting this plan are understood?** Do we fully understand the risks (irreversible impacts, reputational, financial etc) and attendant resource requirements we are taking on with this plan? YES/NO
5. **Are the Benefits clear and are the risks worth it?** Have the benefits been identified and articulated in the Plan for this **radical change of policy? Does this plan enhance Rutland, improve our Services and live up to the values that drive our County?** Will you be proud of this County changing plan for Rutland? YES/NO

So what:

- **If you cannot answer YES then you must take action.** if you have any doubts at all you must make recommendations to Cabinet before this meeting is closed. Or if you need more time, you must secure that and ensure that there is proper activity designed and scheduled to ensure you can do the job." You need to be secure if the 'lookback' test is applied.

We also suggest that you take time out to read the Good Scrutiny Guide. Good luck we are counting on you and **thank you** for doing this difficult role. If question 2 applies we expect robust action/resignation.

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Scrutiny Panel Deputation: Tim Smith. 16th January 2020

The definition of scrutiny is: **‘the careful and detailed examination of something in order to get information about it’**.

The Pre-Submission Local Plan was published towards the end of last week, all 966 pages of it. I have a Bible at home and the Old Testament therein has less pages than that. (I might add that after 2000 years it's still being scrutinised).

I don't think I'm alone in being sceptical about how anyone can make a **‘careful and detailed examination’** of this document in the time given.

I have attempted to read through this document as best I can in the time available but I am sure I have missed many important details. I have not been able to cross reference all the evidence base that apparently backs up the recommendations made.

One example is ‘The Sustainability Appraisal for the Rutland Local Plan 2018-2036’ beginning p349. This document alone requires detailed examination to appreciate its significance. For instance, it doesn't quite dismiss Woolfox as the Pre-Submission Local Plan suggests.

This Pre-Submission Local Plan has a great deal of useful detail within it, and credit to the officers of RCC for its production. It is also about **the whole of Rutland** and both deserve fulsome scrutiny. However it is heavily biased towards St George's Barracks

‘The Spatial Strategy for Development’, p39 paragraph 4.8 states:

‘The new garden community (SGB) will deliver a significant portion of the County's housing and employment development and provide supporting services including local shopping, education, and community and employment opportunities to meet the needs of the residents of the new community’.

2016 Government guidance on Locally-Led Garden Villages, Towns and Cities; states;

‘We expect expressions of interest to demonstrate a strong local commitment to delivery’.

Cross reference that with Question 9 p75 of Appendix 5 on Consultation Responses to the Local Plan: ‘ Do you support the proposed changes to the housing requirements set out’?

It states; ‘A high proportion of respondents **(95%)** do not support the proposed changes’.

And the response of RCC; **‘noted’**

One would have thought it needed more recognition than that. This significant negative response should be subjected to significant scrutiny as to reasons why, and this will take time.

In the Local Government Association guide ‘A councillor’s workbook on scrutiny’ it states:

‘Fundamentally, all scrutiny work must add value: it must make a positive contribution to the lives of local people and scrutiny committee members must be very clear about how their work will do this’.

To make a positive contribution you, The Scrutiny Panel, need sufficient time.

I end with the following hope:

‘Scrutiny works well when the council’s executive views it in a positive light and as an opportunity to improve council performance. Scrutiny’s effectiveness will be reduced if the executive sees it as aggressively critical, which will lead to defensive behaviour and make it difficult for scrutiny to influence change’

Question from Norman Milne on behalf of Julie Gray and Cathie Gwilliam

Roger Ranson, in his presentation to the Parish Council Forum on 13th January, repeatedly emphasised that we should count this time prior to the consultation period of 10th February to 24th March as additional time to read and digest the 1000+pages of the Local Plan so we can come to informed opinions/decisions.

With this in mind I would like to ask if the members of the Scrutiny committee can honestly say with hand on heart that they have been given adequate time to come to the same informed conclusions considering the fact they can only have had approx. 11 days to complete what has been suggested by Mr Ranson would take more than 8 weeks.

If the answer to that question is anywhere near no, then can I respectfully ask that this committee make the following two fold recommendation to the Cabinet:

- 1) an extension be given to this scrutiny process.
- 2) an extension be given the public consultation period to bring it in line with the 11 week period that was suggested the process would take.

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Questions from Cllr Begy:

1. How can the portfolio holder demonstrate to me that the full local plan process has been adhered to and any legal challenge will not find fault? Has legal advice been taken on the plan process?

The evidence base which underpins the Local Plan has been commissioned by the Council using technical specialists who are recognized as experts in their fields. The plan has been written by a professional planning team comprising experienced and dedicated officers who have considered the implications and recommendations of all of the technical evidence to prepare a plan which is considered to be sound in accordance with the tests set out in the NPPF.

The development of the Local Plan has included appropriate legal advice at each step including the process followed to date and are confident that the legal compliance stage has been fully complied with.

The potential for legal challenge is always a possibility and not something we can prevent. We can however, mitigate and reduce the risk of a successful challenge. The legal challenge process looks at procedural issues in terms of how decisions are made and whether the decision made is reasonable and proportionate. It is important therefore that we put the Council in the best position to defend any such challenge by demonstrating that both the process it has followed is in accordance with the law and that the decisions it has made are reasonable and proportionate in light of all evidence before us. The Examination in Public process is designed to consider these issues as part of the process. The Statutory process does however also includes a 6 week legal challenge period after the decision to adopt a plan, following Examination in Public. This period provides the opportunity for people to challenge the Examination process and the Inspectors decisions – again on the same basis (procedural and reasonableness and proportionate decisions in light of evidence available). It is possible therefore that the decision to adopt the plan could be challenged. Any challenger would however have to demonstrate they have an arguable case in order to have the case heard.

2. A recent letter from the Woolfox bid quotes from EXEMPT papers which are commercially sensitive. How has this happened and what steps are being taken to seek redress?

The paper is not exempt and is on the St George's web site.

3. If the HIF fund does not cover the total cost of the infrastructure how will the short fall be met?

The HIF is not designed to fund all of the infrastructure required to deliver development – it is to fund the gap in normal development costs, S106 and CIL funding. The Local plan has been subject to a whole plan viability study. This includes assumptions for normal development costs (so site preparation and construction costs, fees, developers return etc plus CIL and S106 costs) (Covered by Chapter 7 of the Viability Update Report Dec 2019) This has assumed a S106 contribution of £26,000 per unit for S106 contributions in addition to full CIL payment estimated to be in region of £16 mil. This is in addition to HIF funding.

4. Why are we so confident that SGB has no impact on the Rutland Water RAMSAR?

The HRA appropriate Assessment has been prepared on behalf of the Council by Wood Environment and Infrastructure Solutions who are technical experts within this field. They have followed the statutory process for undertaking an AA and have liaised with Natural England on both the screening and Appropriate Assessment stages of this work. The conclusions of both the Wood work and the correspondence with NE have influenced the wording included within the policies in the Local Plan. The work provided by Wood demonstrates that the plan is sound and legally compliant. Wood will provide their technical experts to support the Local Plan team at examination.

5. Why is Woolfox not viable? I have read their viability statement which suggest otherwise? What difference will the promised new submission on 18/2 have? Has their viability study taken in to account things such as the minerals/limestone underlying the site, and the fact only a % is brownfield, and the rest open countryside with many landscape considerations?

The viability work provided by the Woolfox site promoters is not new information – this was included with the evidence submitted in April 2019. This viability work was shared with our consultants at AECOM (who prepared the Infrastructure Costs Assessment paper which was the EXEMPT item on the agenda in December) and HDH who have prepared our viability evidence. Both have commented that this statement did not include costs for a number of critical infrastructure (such as sufficient school places) and were light in terms of estimated costs. As a result AECOM had to prepare their own costings (using their model) to determine what these costs were likely to be. This work then fed into the viability note – Strategic Sites Oct 2019 . The additional work promised for 18th February is unlikely to make a difference to this work as it only concerns a funding mechanism for the new bridge for the new junction onto the A1. It is

interesting that they suggest that this new junction which is estimated to cost £20 million will be funded 50% by a new Trunk Road Service Area (located where? adjacent to Exton Park Registered Park and Gardens or the proposed Garden village or both sides of the A1) and 50% by the development of 500 homes - this scale of development is unlikely to deliver sufficient funding for a £10 million pound junction contribution plus the need to provide new school and other community facilities on site to enable a sustainable new community to be developed.

The critical gaps in evidence remain – notably Mineral Resources report; robust landscape assessment; satisfactory traffic assessment which meets the requirements of both Highways England and RCC Highways.

Officers have sought to work with the site promoters over the last 18 months to ensure that the correct and robust evidence has been available – most recently we met with their whole team in October (25th October) 2019 and outlined the shortcomings in their current proposal offering to enable discussion with the Council’s Landscape and transport consultants to rectify the shortcomings with the landscape and traffic evidence – however no contact has since been made. It is important to note that officers initially provided the site promoters with a clear list of the evidence required to enable them to assess the proposal in a fair and comparable way to the St George’s proposal in October 2018. They were provided with an extend deadline to deliver this evidence by February 2019. When an evidence folder was presented to the Council in April 2019 it lacked the critical evidence relating to minerals and the evidence relating to landscape, viability and transport was found to be unsubstantial. These concerns have still not been addressed.

6. Why do you feel the SGB employment land is attractive to potential employers? What is being undertaken to secure the employment opportunities?

Our own independent market research demonstrates there is positive market sentiment for employment provision and business accommodation. Plans for the employment land remain at an early concept stage and will continue to be refined and develop in response to the market.

7. What is the financial risk to RCC of a legal challenge and has any contingency been formed? Would this put a strain on our 5 year land supply?

The local plan budget already includes provision for legal cost to cover both the Examination and any potential legal challenge. It is important to note that a legal challenge could be lodged about any element of the plan and is therefore a normal risk in the plan making process

8. What are implications of SGB dates moving? I.e. move out a year later, or not at all?

Housing delivery for the first 7 years of the local plan period is provided by other sites and the housing trajectory shows that there are at least 9 years before the development at St George's will be relied upon for the 5 year housing land supply. There is a national requirement to review local plans every five years, however policy IMP2 commits us ongoing monitoring and indicates when an early review is necessary. Should it become apparent that a delay is expected the provisions of policies IMP1 and IMP2 of the Local Plan will apply.

9. IF, and I say IF, SGB goes ahead, can I confirm infrastructure such as schools, doctors, roads etc. will go in upfront and how is this viable at the early stages of development?

Policy H2 requires a detailed masterplan to be prepared and approved by the local planning authority prior to the consideration of a planning application, this requires the provision of a range of community facilities H3 3) and a phasing plan H3 10) which ensures that the on and off site infrastructure is provided ahead of or in tandem with the development it supports. In addition Policy H3 set out that planning applications must be in accordance with the masterplan approved under policy H2 and must meet 18 criteria which includes the need for these community facilities H3 c) and d) and the need for all on and off site infrastructure to be delivered in a timely manner H3 r) as set out in a phasing plan. The proposed policies and approach to the St. George's development in the Local Plan is considered sound. The existing school at Edith Weston has the capacity to accommodate additional pupils arising from initial phase of housing development and this will be considered as part of determining a phasing plan required by these policies.

The award of HIF funding covers initial infrastructure and site works which in itself will unlock development funding to deliver the key community facilities in the first phase of development – it is not expected that the community facilities will be the only things built in the first phase – as with the employment land there is a need to ensure that some homes are also built in the same first phase to ensure that there are some children to go to the school and patients for the health centre and people to make the shops viable. If there are no homes these facilities will not function.

10. It has been suggested we roll back to the 2017 plan? Why can we not do this?

Having reviewed and reassessed all potential site options there are no longer sufficient suitable sites available – particularly within Oakham. In particular one large site (south of Burley Road has been withdrawn by the land owner and another large site (land south of Brooke Road) is significantly constrained by highway constraints at the level crossing.

Many of the sites allocated in the 2017 draft plan were large sites (70 + houses) on the edge of the Local Service Centres – these sites are sensitive in landscape terms and objection to the scale and location of them were made at 2017 consultation

11.9.100 mentions economic development as a potential desired outcome of regeneration, but it is not listed in M10. Is therefore development in terms of having employment not a desired outcome?

Economic development is mentioned in the last sentence of Policy MIN10

12. IMP1 states a min housing requirement of 110. Is this simply a typo?

Yes, this is to be corrected to read 130.

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26th February 2019

Thank you very much for your letter of 19 February 2019 about the plans to build over 2,000 houses on the vacated St George's Barracks in Rutland.

You are right to make reference to the various areas of government policy which point towards the requirement to build houses on this site. The cost of vacating the Barracks and maintaining it while any development takes place runs into the many millions and the Ministry of Defence (MOD), under Treasury rules, is required to optimise its return on the use of the land in addition to the obvious need to recoup the costs of any transition to its different use.

Only this week we have issued a public policy statement on seven other MOD sites which in many ways are similar to St George's Barracks. That statement covers Claro and Deverell Barracks in Ripon, North Yorkshire, RAF Henlow in Bedfordshire; MOD Site 4 in Stafford; MDPGA Wethersfield in Braintree, Essex; Swynnerton Training Camp in Stone, Staffordshire; Prince William of Gloucester Barracks in Grantham, Lincolnshire and Chetwynd Barracks in Chilwell, Nottinghamshire. We plan to build over 10,000 houses on these sites in partnership with Homes England.

It is undoubtedly fortunate for Rutland that the initiative of the Council in working with the MOD had already reached an advanced state of understanding based on the MOU dated September 2017. Uniquely in such circumstances, by engaging with the MOD at an early stage, Rutland Council has been able to both reduce the number of houses that might be built from about 5,000 to 2,000 and has also secured detailed control over the design of anything that might be constructed.

When the MOD vacates a site of this sort, given that it is brownfield site, there is a presumption in favour of housing development which in normal circumstances would lead to the sale of the land in whole or in parts to a developer whose only constraint would be broader planning and building control rules. It is therefore not at all true for anyone to argue that if there were no MOU and no negotiation with the MOD, the County Council would be able to block development on such a scale.

The Rt Hon Sir Alan Duncan KCMG MP
House of Commons
London
SW1A 0AA

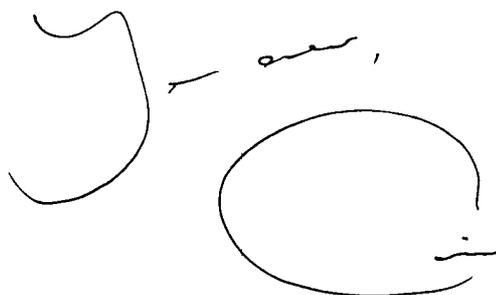
The cooperation between the Council and the MOD has reduced the number of houses that will be built to the barest minimum that is acceptable in terms of policy and economic return. If it were to be abandoned, then the County would face the prospect once again on seeing many thousands of houses built on the site.

In respect of alternative uses for the site other than housing, whereas there will be some quarrying on the eastern site of the development footprint, this is a separate issue from housing and all our studies have concluded that the sort of mixed use some of your constituents have proposed would not offer the economic returns we require. Indeed, going down that path would probably need to be accompanied by the construction of a greater number of houses in addition.

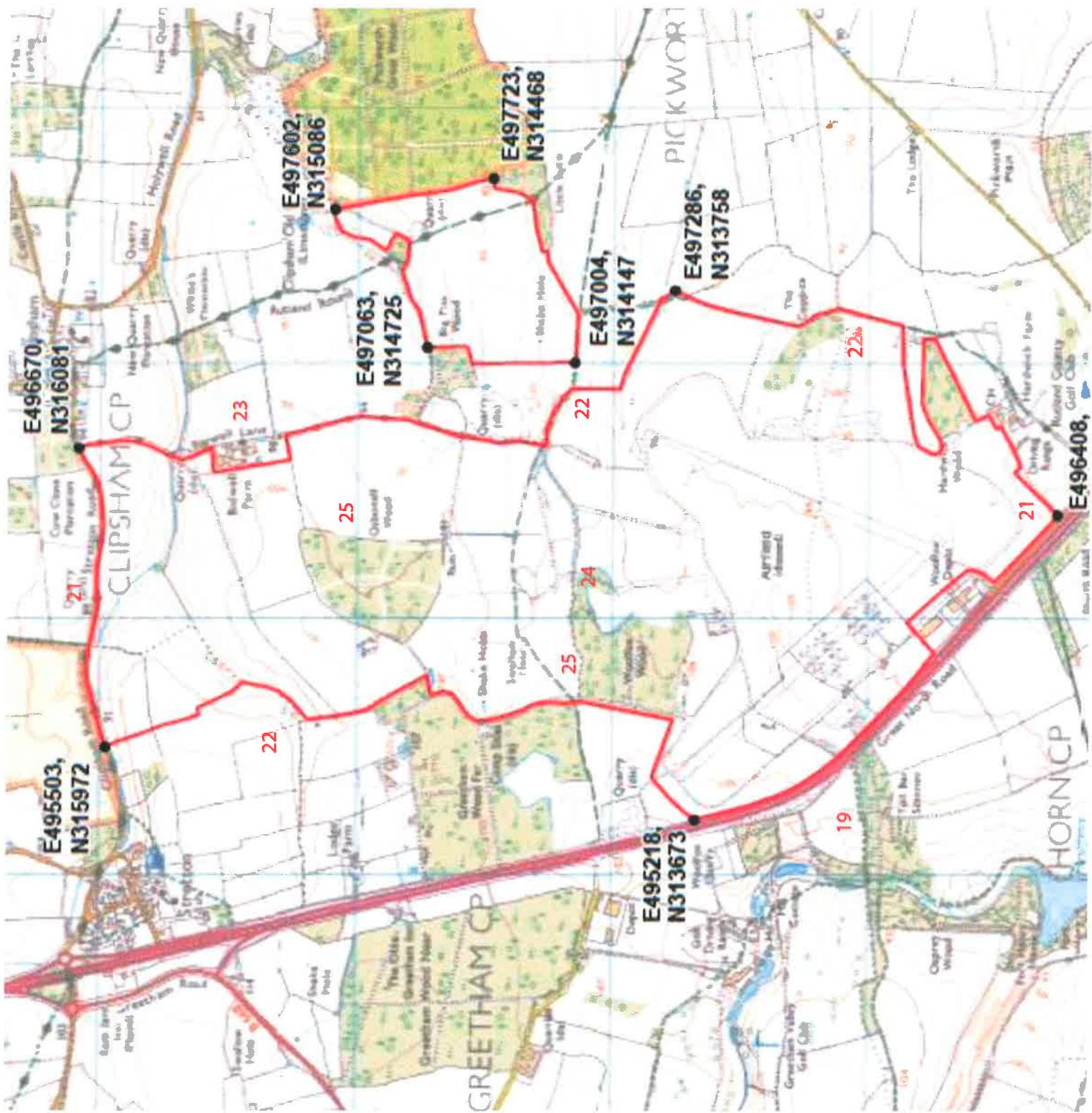
I am confident that my officials have approached the redevelopment of St George's Barracks with a high degree of professional responsibility and a genuine understanding of what is appropriate in the county of Rutland along with what is practical under government policy.

I hope the residents of Rutland will appreciate that by working with you and the Council, the MOD have discharged their responsibilities in a proper and constructive manner.

The 2,215 houses for the site, identified in the draft masterplan, will be built over a number of years. The final number of new homes will be determined through a detailed town planning process with the Council leading as the Local Planning Authority, which will include extensive public consultation. The planning application process will look at all aspects of the new development and consider local and national planning policies, but in particular the viability of the development as a new sustainable community. Through this process you can be assured that Rutland Council will only approve a development which is appropriate for Rutland.

A handwritten signature in black ink, appearing to read 'Gavin Williamson', written over a large, hand-drawn oval shape.

THE RT HON GAVIN WILLIAMSON CBE MP



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