

## CABINET

31<sup>st</sup> July 2018

### RUTLAND LOCAL PLAN – ADDITIONAL CONSULTATION

#### Report of the Interim Director of Places

Strategic Aim:	Sustainable Growth	
Key Decision: Yes	Forward Plan Reference: FP/200418	
Exempt Information	No	
Cabinet Member(s) Responsible:	Mr G Brown Deputy Leader and Portfolio Holder for Planning Policy and Planning Operational, Regulatory Services, Waste Management, Property Services, Finance including Revenues and Benefits and Internal Audit	
Contact Officer(s):	Steve Ingram, Interim Director of Places	Tel: 01572 758868 singram@rutland.gov.uk
	Roger Ranson, Planning Policy Manager	Tel: 01572 758238 rranson@rutland.gov.uk
Ward Councillors	N/A	

#### DECISION RECOMMENDATIONS

1. That Cabinet approves the attached documents for the purposes of public consultation with respect to the preparation of the Rutland Local Plan 2016-36

#### 1. PURPOSE OF THE REPORT

- 1.1 Following the report presented to Cabinet in April setting out a revised timetable for the delivery of the Local Plan, this report seeks approval from Cabinet for further specific consultation to be undertaken with respect to the formulation of the new Rutland Local Plan. This consultation is being undertaken in order to fully consider the implications of incorporating the potential development of St. George's Barracks into the Local Plan. This constitutes an additional round of non-statutory public consultation, which is focussed on considering the implications of any potential development at St. George's, in order to help inform and shape the form and content of the new Local Plan for Rutland.
- 1.2 As set out below and in the consultation documents, the incorporation of potential development on the brownfield site of St. George's into the Local Plan provides an opportunity to reduce the scale of housing allocations in locations across the County, from those proposed in the Consultation Draft Local Plan published in July 2017. An

additional consultation document sets out details of the additional sites promoted for development by landowners and/or potential developers (Appendix 2). These additional sites are still to be assessed as to their suitability for consideration within the Rutland Local Plan. However, they are set out so that views from the public and stakeholders can be garnered to assist in determining appropriate land use allocations in the next version of the Local Plan. At present, as the work to re-assess the suitability of all sites is still ongoing, no recommendations are set out as to proposed site allocations. These will be included in the next version of the Local Plan – the Pre-Submission Local Plan – which will be the subject of a separate public consultation process.

- 1.3 The new Local Plan will help to guide proposals for growth and investment in Rutland up to 2036. It will also provide greater certainty to all parties regarding the local development process and proposed planning policies for Rutland. The preparation of a new Local Plan provides the opportunity for all our communities to help shape what the County will look like over the next 15-20 years, thereby creating the policy framework that will help guide all investment and development decisions over the plan period. It also allows the Council to set out its ambitions for the future growth and prosperity to meet the needs of the residents of Rutland.

## **2. BACKGROUND AND MAIN CONSIDERATIONS**

- 2.1 Local Planning Authorities must prepare a Local Plan that sets out the local planning policies for their authority area. These policies are important material considerations when deciding planning applications, as all decisions must be made in accordance with the policies unless there are very strong reasons not to do so.
- 2.2 Government guidance requires that Local Plans must be positively prepared, justified, effective and consistent with national policy, in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework (NPPF). The NPPF states that every local planning authority in England should seek to have in place a clear, up to date Local Plan that conforms to the Framework, meets local development needs and reflects local people's views about how they wish their community to develop. The plan preparation process should fully involve everyone with an interest in the document or area, they should have had the chance to comment and the Council should consider these comments in preparing the Local Plan. It should be noted that the Government has recently undertaken a consultation exercise setting out proposals to revise the NPPF, which closed on 10<sup>th</sup> May 2018. The Government has indicated that a revised NPPF is expected to be published in the summer of this year, and so it is likely that, following submission, the new Local Plan for Rutland will be examined against this revised and updated NPPF.

### Consideration of potential development at St. George's

- 2.3 Separately from the Local Plan, the Council reached an agreement with the Ministry of Defence through a Memorandum of Understanding (MoU) to examine the scope for the potential development of the St. George's Barracks site, following the Government's decision that the site would close from 2021. An initial high level masterplan was commissioned in order to provide an overview of the constraints and opportunities for this brownfield site and to provide an indication of the potential scale, nature and timing of potential development. This has been the subject of considerable public consultation over the last two months. At the time of the 2017 Consultation Draft Local Plan, there

was no robust evidence available to enable detailed consideration of St. George's within the Local Plan. A number of responses to that consultation highlighted that it would be highly desirable if the Local Plan could articulate more in relation to the potential reuse and development of this site. For information a summary of the Draft Plan consultation responses will be published alongside the consultation papers relating to the St George's development.

- 2.4 St. George's has been declared redundant by the Ministry of Defence and it is currently scheduled to close in 2021. On closure, it represents previously developed land ("brownfield land") as defined by the current NPPF. This definition applies to the whole curtilage of the site. The current NPPF includes a core principle to "*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value*". Similarly, the revised NPPF issued for consultation by Government states that "*strategic plans should contain a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land*".
- 2.5 It is planned that revisions will be made to the initial high level masterplan for St. George's following the consultation which took place in May/June 2018. The MoU proposes a potential new "garden village" of between 1,500 and 3,000 dwellings, employment land together with associated education, health and community facilities alongside extensive areas of open space. The concept of the new settlement is based on the principles for Garden Villages as set out by the Town and Country Planning Association (<https://www.tcpa.org.uk/garden-city-principles>). These principles have been analysed to set out the framework for the design, development and delivery through the long term stewardship of the proposed new community at St. George's as follows:
- Ensure that the potential development funds the delivery of appropriate services and facilities to support and benefit the wellbeing of both the new and existing, neighbouring community.
  - RCC commits to ensuring the best possible outcome for the County from the redevelopment of the site through a MoU setting out a clear vision for the development of the new community and to establish and facilitate a programme of community engagement from the beginning.
  - Establishment of a Community Trust (which will be transferred to the new community with residents/Parish Councils as Trustees) to ensure the creation of a flourishing and vibrant community, making it a place where people want to live and work in the future.
  - Provide a genuinely mixed community with new homes of various types and tenures which meet the needs of residents in terms of size, affordability and choice of ownership, including appropriate provision for local people to enter onto the housing market.
  - Provide a range of work choices to allow residents to choose to live and work at home, within the new community and the County, and act as a focal point for new enterprise.
  - Ensure that the new settlement is developed within a set of high quality design principles concerning the use of appropriate styles and materials which ensures that the development respects both its immediate context and reflects its location within Rutland.
  - Protect and where possible enhance the natural environment within the site through the creation of significant areas of public open space, a network of green corridors and the creation of new habitat to support an overall increase in biodiversity across the whole site and its relationship to the wider County

- Promote the incorporation of sustainably designed “future proof” homes and workplaces.
- As part of the first phase, develop a new local centre which will become the heart of the new community and the potential primary focus for cultural, recreational, education, health, shopping and leisure activities.
- Ensure that the layout of the development looks to facilitate extensive safe routes for walking and cycling, particularly to the local centre, the related employment areas and provide linkages to the existing neighbouring community.
- Ensure that as far as possible public transport opportunities are established and enhanced in order to provide convenient and accessible choices to the new community.

2.6 The initial masterplan recognises that there are a number of key issues which impact upon the scope for development of the St. George’s site. These include:

- location of minerals deposits - the majority of the site sits within a minerals safeguarding area;
- a need to understand the market to examine the feasibility and demand for the intended scale and nature of development;
- the location of listed structures and their setting on the site;
- a transport assessment to assess impact and identify necessary infrastructure requirements;
- landscape and visual appraisals; and
- the need for an ecological appraisal including Habitat Regulation Assessment with respect to the Rutland Water Special Protection Area and RAMSAR site.

2.7 These issues will need to be fully assessed in advance of the Pre-Submission Local Plan. Some are considered and addressed within the initial masterplan and others will require further evidence which is being commissioned through the process of producing Local Plan. The redevelopment of this site is, however, considered to provide the opportunity to make a positive contribution to the future vision for Rutland should it be possible to deal with the challenges facing this location. Proposals will need to address a wide range of environmental and infrastructure issues, ranging from mitigating the impact on Rutland Water and waste water disposal to potential health, education and sustainable transport. **The Council will ensure that the MOD and any potential future promoters of the site appropriately resolve these issues in order to secure a sustainable and viable re-use of the site.**

2.8 Appendix 1 to this report sets out a consultation paper on the implications for incorporating any potential development of St. George’s into the Local Plan. This deals with the following specific issues should the St. George’s site be taken forward for development:

1. Implications for the Local Plan spatial portrait, vision and objectives;
2. Implications for the Local Plan spatial strategy and settlement hierarchy;
3. Implications for Housing Requirements across Rutland;
4. Implications for minerals and waste issues; and
5. Proposed New Policy for St. George’s.

A commentary on the key issue of housing need assessment and the spatial distribution of new housing is set out below and explored in some more detail in Appendix 1. Cabinet is requested to approve the consultation paper set out in Appendix 1 for the purposes of public consultation only.

- 2.9 **Housing need assessment and spatial distribution:** The Strategic Housing Market Assessment (SHMA) Update 2017 (<https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/planning-policy/local-plan-evidence-base/housing/>) establishes an Objectively Assessed Need (OAN) for the County of 3,200 dwellings from 2011 to 2036 which equates to 160 new homes per annum. This evidence assesses the needs of the County's population for additional housing over the whole plan period. The Government is proposing its own standardised method for calculating housing requirements for local authorities. This proposed standardised calculation gives a minimum housing requirement for Rutland of an average of 130 dwellings per annum for the 10 year period 2016 to 2026. No figure has been proposed for the period 2026-36. The Council is seeking to continue to use the calculation of assessed housing need evidenced by the SHMA to plan for the housing needs of the county for the 20 remaining years of the plan period. Appendix 3 sets out recent rates of development in Rutland and provides evidence of the market demand to support a rate of development of at least 160 dwellings per annum. (Please note the figures in Appendix 3 have not yet been published as they have just been finalised; they will be included in the Authority Monitoring Report which is published annually in October).
- 2.10 A recent consultation by the Government has proposed that *“Plan makers may put forward proposals that lead to a local housing need above that given by our proposed approach.....Planning Inspectors are advised to work on the assumption that the approach adopted is sound unless there are compelling reasons to indicate otherwise. We will also look to use the Housing Infrastructure Fund to support local planning authorities to step up their plans for growth, releasing more land for housing and getting homes built at pace and scale”* (Paragraph 46, Planning for the Right Homes in the Right Places).
- 2.11 Given the Government's proposal that *“strategic plans should contain a clear strategy for accommodating objectively assessed housing need, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land”*, the proposed consultation document sets out an approach whereby an effective use of the brownfield site at St. George's is utilised. Whilst the proposal as set out in the initial masterplan is for a new settlement of between 1,500 and 3,000 dwellings to be built on this brownfield site, the consultation paper assumes that approximately 1,200 dwellings will be built on this site in the period 2024-36 (based on 100 completions per annum for 12 years following industry standards for rate of development on major sites) the remaining development area is expected to be delivered beyond this plan period. A new settlement of this size provides for the critical mass required to deliver a “garden village” with appropriate economic, social and transport infrastructure. It is recognised that further evidence is required to consider the environmental implications of the proposed development at St. George's in order to fully assess the sustainability of this potential development. The assumed development trajectory for St. George's takes account of industry standard rates of development on large scale sites – see for example:

<http://www.barrattdevelopments.co.uk/~media/Files/B/Barratt-Developments/materials-and-downloads/savills-delivery-rates-urban-extensions-report.pdf>

2.12 In order to maintain the sustainability of the two main towns and the Local Service Centres in the County, the consultation paper proposes to distribute the remainder of the minimum housing requirement on the basis of 75% (1500 homes) to the two towns (1200 in Oakham and 300 in Uppingham) and 25% (500 homes) in the Local Service Centres – this compares to distributing the whole requirement of 3,200 homes on the basis of 70%/30% split as set out in the current Core Strategy and also on the 2017 Consultation Draft Local Plan. **This represents a significant reduction in the amount of new homes which will be proposed in the towns and villages.** The proposed distribution of the 1500 homes between the two main towns remains at 80% in Oakham and 20% in Uppingham. Both main towns have been designated Neighbourhood Plan Areas and are developing/reviewing their neighbourhood plan which could provide for additional growth proposals if deemed appropriate and supported by relevant evidence.

2.13 The implications of this approach for the spatial distribution of future housing development across the County are shown in Table 1 below (taking account of housing completions, commitments):

**Table 1: Proposed Spatial Distribution across the County**

	Minimum Requirement*	Proposed Spatial distribution**		Completions (2016-18)	Commitments (as at 2017/18)	Remaining requirement as a minimum
St. George's brownfield site**		1,200		0	0	<b>1,200</b>
Oakham		60%	1,200	366	499	<b>335</b>
Uppingham		15%	300	4	112	<b>184</b>
Local Service Centres		25%	500	53	90	<b>187</b>
Other Villages				76	94	<b>0</b>
<b>County Total</b>	<b>3,200</b>		<b>3,200</b>	<b>499</b>	<b>795</b>	<b>1,906</b>

\* Based on 160 dwellings per annum, 2016-36 and assumes Quarry Farm capacity will contribute to South Kesteven's assessed requirement as part of the NPPF Duty to Co-operate, (although any CIL and S106 monies, Council Tax and New homes Bonus will be collected for use by RCC).

\*\* Assumes 1,200 dwellings built in the plan period to 2036 on the St. George's Site (assumed rate of 100 per annum, 2024-36, with any remaining development occurring beyond the plan period).

2.14 Table 2 below sets out a comparison between the remaining minimum requirement to be identified through allocations to be made in the Pre-Submission Local Plan and the level of proposed allocations which were set out in the 2017 Consultation Draft Local

Plan. It helps to explain the scale of change across the settlement hierarchy that will need to be addressed to incorporate the proposed revisions to the spatial strategy as set out above. **Therefore if the redevelopment of St George's is accommodated within the spatial strategy, as proposed in this consultation paper, significant reductions will need to be made to proposed allocations in Oakham, Uppingham and Local Service Centres.** This consultation paper does not set out the revised site allocations which would arise from this approach as **all sites promoted for development are being re-appraised** following a review of the site appraisal process used for the Consultation Draft Local Plan. This will also include appraising new sites promoted for development since last summer. These new sites are the subject of a separate but concurrent consultation (see Appendix 2). Comments made about all sites through this and previous consultations will be taken into account in preparing the next version of the Pre-Submission Local Plan.

**Table 2: Comparison of the Revised Housing Requirement proposed in this paper and the Consultation Draft Plan (2017) requirements**

	Remaining minimum requirement 2018-36 as set out in the consultation paper	Provisional allocations as previously set out in the Consultation Draft Local Plan issued in July 2017 (2016-36)	Difference
Oakham	335	757	- 422
Uppingham	184	365	- 181
St. George's	1,200	0	+ 1,200
Local Service Centres	187	554	- 367
Other Villages	0	0	0
<b>County Total</b>	<b>1,906</b>	<b>1,676</b>	<b>+230</b>

Consultation regarding additional sites promoted for development

2.15 Since the consultation in summer 2017 on the Consultation Draft Local Plan, a number of additional and revised sites have been promoted for development by landowners and/or developer interests. These are in the process of being fully appraised for consideration within the new Local Plan but it would be timely to publicise these and seek public views on the appropriateness for site allocation, taking account of all aspects of sustainability. A separate consultation document (Appendix 2) has been produced to enable this necessary non-statutory additional consultation to take place and Cabinet is requested to approve this for the purposes of public consultation only.

**3 CONSULTATION**

3.1 Two stages of consultation have already taken place on the Local Plan through the Issues and Options in 2015 and the Consultation Draft in 2017. In order to take forward the implications of incorporating St. George's into the Local Plan a further consultation on this specific issue is now proposed. The objective is to ensure that Local Plan is found sound at examination. A key element of this is to ensure appropriate and timely community engagement in the evolution of the policies and proposals within the plan.

There will be a subsequent opportunity for consultation on a full version of the Local Plan when it is published prior to its submission (the “Pre-Submission Local Plan”) to the Secretary of State. This is currently intended to take place at the start of 2019.

#### **4 ALTERNATIVE OPTIONS**

- 4.1 Alternative options of preparing a separate Development Plan Document (DPD) or incorporating St. George’s at a later stage through a first review of the new Local Plan, possibly in 2022 have been considered. These have been rejected as there is a risk that the Local Plan may be found to be unsound at examination in 2019 if the prospect of potential development at St. George’s is not appropriately considered and consulted upon within the plan. If the Local Plan is not found sound it will leave the County vulnerable to inappropriate unwarranted development proposals coming forward in an uncoordinated way.
- 4.2 The only other option would be for the Council not to undertake the production of the Local Plan. This would not be in line with Government expectations and would inevitably lead to direct Government intervention in the local planning process and also lead to development proposals coming forward in an uncoordinated way with no long term strategic direction to guide growth. This is not considered to be in the best interests of the County, its communities, residents and businesses.

#### **5 FINANCIAL IMPLICATIONS**

- 5.1 The cost of the production of the Local Plan is included in the existing budget for 2018/19 and were prepared on the basis that the Local Plan would proceed to submission and examination without the requirement for the additional steps as outlined in paragraph 2.8 above. These current additional costs can be covered by the agreed 2018/19 budget allocation associated with the examination of the Local Plan. Apart from officer time, the financial implications arising from the St. George’s project are included within the Rutland One Public Estate budget. The recommended approach and timetable agreed by cabinet in April 2018 will mean that the examination into the Local Plan will be re-programmed, resulting in a significant proportion of these budgeted costs possibly falling in 2019/20. This will depend on the exact time of the examination and will need to be monitored during the 2018/19 financial year.

#### **6 LEGAL AND GOVERNANCE CONSIDERATIONS**

- 6.1 The Local Plan is required by statute and the Council’s constitution to be adopted by Full Council. Before the draft Local Plan can be considered for adoption, the process for preparing the Local Plan must follow is set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations). Section 18 of the Regulations sets out the requirements for consultation - there is are requirement to consult with:
- specific consultation bodies which the Council considers have an interest in proposed local plan;
  - general consultation bodies which the Council consider appropriate;
  - and
  - residents or other persons carrying on business in the authority’s area which the Council considers it appropriate to invite representations.



- 6.2 In addition, the Council must comply with any commitments it has made in the adopted Statement of Community Involvement (SCI). The Council must also publicise its intended timetable for producing the Local Plan. This information is contained in the proposed Local Development Scheme (LDS) which authorities should publish on their web site and must keep up to date. The latest version of the LDS is on the Council's website [Local Development Scheme | Rutland County Council](#)

## **7. EQUALITY IMPACT ASSESSMENT**

- 7.1 An Equality Impact Assessment (EqIA) screening was prepared for the Consultation Draft Local Plan (2017) and will be updated as the Local Plan progresses to adoption by the Council. The screening report is available as a pdf alongside other evidence documents published with the Consultation Draft Local Plan at [Local Plan Review | Rutland County Council](#)

## **8. COMMUNITY SAFETY IMPLICATIONS**

- 8.1 Strategic Objective 6 of the Consultation Draft Rutland Local Plan is: "To develop a stronger and safer community by designing out opportunities for crime and implementing measures to improve road safety to ensure that people can live, work and relax where they feel safe and enjoy a better quality of life." This is promoted through the policies to be finalised in the Pre-Submission Local Plan.

## **9. HEALTH AND WELLBEING IMPLICATIONS**

- 9.1 Strategic Objective 5 of the Consultation Draft Rutland Local Plan is: "To support healthy and thriving communities by protecting existing and providing new, high quality local and accessible access to health, leisure, recreation, sport, green infrastructure and cultural activities." This is promoted through the policies to be finalised in the Pre-Submission Local Plan

## **10. CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

- 10.1 This report sets out proposals for :
- Public consultation regarding the incorporation of redevelopment of the St. George's Barracks site into the Local Plan,
  - Public consultation on additional sites promoted for development by landowners and/or potential developers.
  - how comments made during about these documents will help shape the form and content of the new Local Plan
- 10.2 The next stage in the process of preparing the Local Plan will be the publication of Pre-Submission Local Plan. This is currently scheduled to come to Cabinet for consideration by October this year for approval by full Council In November. A further period of public consultation at the start of 2019 will follow once the Pre-Submission Local Plan is approved by Council, prior to submission to the Secretary of State.

## **11. BACKGROUND PAPERS**

- 11.1 None

## **12. APPENDICES**

- 12.1 Appendix 1 – Specific Consultation with respect to considering the implications of potential development of St. George’s within the Local Plan
- 12.2 Appendix 2 - Specific Consultation on additional sites promoted for development for consideration within the Local Plan.
- 12.3 Appendix 3 – rates of housing development in Rutland

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