

CABINET

5th April 2022

RUTLAND LOCAL PLAN ISSUES AND OPTIONS

Report of the Portfolio Holder for Planning, Highways and Transport

Strategic Aim:	Delivering Sustainable Development	
Key Decision: Yes	Forward Plan Reference: FP/280122	
Exempt Information	No	
Cabinet Member(s) Responsible:	Councillor I Razzell, Portfolio Holder for Planning, Highways and Transport	
Contact Officer(s):	Penny Sharp, Strategic Director of Places	Tel: 01572 758160 psharp@rutland.gov.uk
	Roger Ranson, Planning Policy Manager	Tel: 01572 758238 rranson@rutland.gov.uk
Ward Councillors	All	

DECISION RECOMMENDATIONS

That Cabinet agrees:

1. To approve the Issues and Options report (Appendix 1) for the purposes of public consultation;
2. That delegated authority is granted to the Strategic Director of Places, in consultation with the Portfolio Holder with responsibility for Planning, to make any minor changes to finalise the consultation document and facilitate the requirements of consultation software as well as to make any changes agreed at Cabinet;
3. To approve the Statement of Community Involvement (Appendix 2) including minor revisions to the text; and
4. To approve the Local Development Scheme (Appendix 3) setting out the timetable for the preparation of the Local Plan.

1 PURPOSE OF THE REPORT

- 1.1 This report seeks approval for public consultation to be undertaken on the Local Plan Issues and Options report. The proposed document for consultation is appended to this report (Appendix 1).

- 1.2 The Issues and Options report does not seek to set out defined solutions for a new local plan, rather it raises key issues to be addressed in the preparation of the Local Plan and seeks feedback on the options presented with respect to these issues.
- 1.3 It is intended that consultation will take place over a 6-week period during May and June 2022, once the consultation material is finalised. The feedback received from the consultation will be used to inform emerging and developing thinking on the form, structure and content of the Local Plan.
- 1.4 This report also provides further detail, some background material and other considerations relevant to the overall preparation of the Local Plan.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 The Council meeting held on 1st September 2021 resolved to positively prepare and submit a new Local Plan informed by an updated evidence base for the benefit of the County of Rutland, its residents and businesses that will:
- i. Deliver the corporate plan vision and themes for the County;
 - ii. Provide for sustainable growth to meet its objectively assessed housing and employment needs, utilising and promoting sustainable transport wherever possible, which will combine to contribute towards achieving the Government's net zero carbon emissions 2050 target;
 - iii. Protect and enhance the County's heritage, character and natural capital (including air quality, water resource management and biodiversity);
 - iv. Ensure the timely delivery of all necessary infrastructure.
- 2.2 Additionally, Council approved the development of robust and effective strategic partnerships to support plan-making through the duty to cooperate and required for a viable, deliverable and sound plan. Council also approved the establishment of a cross-party group to provide oversight of the process of making a new Local Plan.
- 2.3 The legal context for producing a new local plan is set out in the Planning and Compulsory Purchase Act 2004 (as amended) and also in The Town and Country Planning (Local Planning) (England) Regulations 2012. In the latter, at Regulation 18, it advises that at the start of plan making a local planning authority must notify interested parties of the intent to produce a local plan and also invite them to make comment about potential content.
- 2.4 A programme of Member training on the Local Plan has commenced, with further sessions to be scheduled.
- 2.5 Consultation on the Issues and Options report
- 2.6 The consultation on the Issues and Options report will formally start the process of producing a new Local Plan for Rutland. At this stage, the report is intended to cover key policy matters and strategic considerations that need to be taken into account in preparing the plan, and so – when adopted - determining planning applications in Rutland.
- 2.7 The Local Plan, once adopted, will replace the Council's currently adopted planning

policies set out in the Core Strategy DPD (2011), the Site Allocations & Policies DPD (2014) and the Minerals Core Strategy and Development Control Policies DPD (2010).

- 2.8 The Issues and Options report seeks to identify the key issues that could be relevant to address through the Local Plan and for these issues, where bigger scale alternative policy choices or approaches may exist, sets these out in questions. At this stage of consultation specific possible development sites options are **not** being consulted on. This Issues and Options consultation is, therefore, about matters in principle; more detailed matters and specific possible development sites will be addressed at a later stage in plan making.
- 2.9 A “Call for Sites” is underway, whereby individuals, landowners and developers are asked to suggest areas of land which they think may be suitable for future development like new housing or space for businesses, depending on the county’s needs. Submitting land as part of the Call for Sites only places that land in front of the County Council for consideration, ahead of a site appraisal process and any subsequent public consultation. Submitting land for inclusion in the Call for Sites does not mean it will automatically become part of the Local Plan or receive planning permission.
- 2.10 Consultants have now been appointed to undertake the required reports on Sustainability Appraisal (SA) and Habitat Regulations Assessment (HRA) which will be ongoing processes in the production of the Local Plan. A SA scoping report will accompany the Issues and Options report.
- 2.11 There will frequently be a tension in any consultation document at this stage between keeping it short and simple, which should typically encourage greater levels of response or making it complex and longer as may be seen appropriate for what can be a technically complex planning document or matter. The drafting of the Issues and Options report seeks to strike an appropriate balance between the two.
- 2.12 The consultation will be undertaken in line with the Council’s Statement of Community Involvement (SCI). Some minor changes are proposed to the text to this document, without amending the minimum requirements set out for consultation on development plan documents included in the appendices to the SCI. The minor amendments are identified by means of tracked changes, see Appendix 2.
- 2.13 The focus to the consultation will be by means of an online survey. It is intended to make the Issues and Options report as widely available as possible to anyone to comment on, whether individuals or private, public or voluntary sector organisations or bodies. There will be no limits placed on who can comment. Alternative arrangements will be made for anyone unable to access or use the on-line survey by contacting the Council by telephone, although it is intended to strenuously and actively encourage people to complete an on-line questionnaire survey where they can.
- 2.14 Local Development Scheme
- 2.15 A revised Local Development Scheme is attached as Appendix 3 to this report. This sets out the latest timetable for the production of the Local Plan.
- 2.16 Additional consultations

- 2.17 To support the local plan production there are additional work streams that are and will be ongoing as the Issues and Options report is consulted on and after its consultation is concluded. Alongside consulting in this Issues and Options report, it is also intending to consult on the following:
- the current Site Appraisal methodology; and
 - the current Settlement Hierarchy methodology.
- 2.18 Work is also underway to build the evidence base for the production of the Local Plan. Relevant updated evidence will be published on the Council’s website when finalised and notified to all on the Local Plan consultation database.

3 CONSULTATION

- 3.1 The report outlines above the consultation process to be followed for the Issues and Options report.
- 3.2 Following this, there will be at least two further stages of consultation as the Local Plan is prepared. These will be related to the “Preferred Option” Local Plan (under Regulation 18) and a “Pre-Submission” Local Plan (Regulation 19).

4 ALTERNATIVE OPTIONS

- 4.1 An alternative option would be not to undertake the Issues and Options report, but to go straight forward to a “Preferred Option” Local Plan (under Regulation 18) and/or a “Pre-Submission” Local Plan (Regulation 19) consultation.
- 4.2 As set out in the report to Council in September 2021, reverting to the Issues and Options stage of the process enables an early and full discussion on an appropriate development strategy for Rutland, particularly in terms of the scale and future location of housing development.
- 4.3 It also enables a new ‘Call for Sites’ to be considered for allocation in a new local plan for both housing and employment to be undertaken.
- 4.4 Finally, there is a need to review the evidence base that has informed the Local Plan and determine where that evidence needs to be updated, added to or replaced. These reasons are still pertinent and so the preferred approach is to start a new plan from the beginning with an Issues and Options report.

5 FINANCIAL IMPLICATIONS

- 5.1 Council at its meeting in September 2021 approved a budget for the preparation of a new local plan. Expenditure on this stage of the preparation of the plan is in line with budget estimates.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

- 6.1.1 The National Planning Policy Framework sets out the tests that Local Plans and Spatial Strategies should meet to be considered ‘sound’. Plans are ‘sound’ if they are:
- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated

where it is practical to do so and is consistent with achieving sustainable development;

- b) b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and;
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

6.2 The Local Plan needs to comply with planning legislation that requires procedural fairness and the need to meet the Equality Act. The regulatory framework is provided by the Planning and Compulsory Purchase Act 2004 (as amended) and related statutory instruments. Once adopted, it will form part of the statutory development plan.

7 DATA PROTECTION IMPLICATIONS

7.1 Consultation will be undertaken in line with data protection requirements.

8 EQUALITY IMPACT ASSESSMENT

8.1 An Equality Impact Assessment has not been undertaken but will form part of later stages of the Local Plan preparation.

9 COMMUNITY SAFETY IMPLICATIONS

9.1 There are no direct community safety implications arising from this report although the issues raised in Appendix 1 cover community safety matters with respect to planning policy.

10 HEALTH AND WELLBEING IMPLICATIONS

10.1 There are no direct health and wellbeing implications arising from this report although the issues raised in Appendix 1 cover health and well-being matters with respect to planning policy.

11 ORGANISATIONAL IMPLICATIONS

11.1 Environmental implications – There are no environmental implications arising from this report although the issues raised in Appendix 1 cover environmental protection and enhancement with respect to planning policy.

11.2 Human Resource implications – none.

11.3 Procurement Implications – the Council is responsible for procuring the services associated with preparing a new Local Plan following financial regulations and procedures.

12 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

12.1 It is important for the Council to prepare a new Local Plan in a timely fashion, particularly to enable as many people and businesses in Rutland as possible to be engaged in shaping its future.

12.2 The Issues and Options report is the first stage in this process and the preparation of the Local Plan will benefit enormously through all responses made to the public consultation on this report.

13 BACKGROUND PAPERS

13.1 National Planning Policy Framework:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

13.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended):

<https://www.legislation.gov.uk/uksi/2012/767/contents>

13.3 National planning guidance on plan-making:

<https://www.gov.uk/guidance/plan-making>

14 APPENDICES

14.1 Appendix 1 – Issues and Options report.

14.2 Appendix 2 – revised Statement of Community Involvement.

14.3 Appendix 3 – updated Local Development Scheme.

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