



# Rutland County Council

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## RECORD OF OFFICER DECISIONS

In accordance with The Openness of Local Government Bodies Regulations 2014, this document records decisions that would otherwise have been taken by the relevant local government body, or a committee, sub-committee of that body or joint committee in which that body participates but have been delegated to an officer of that body.

<b>DECISION TAKER (name and title)</b>
Name: Penny Sharpe Title: Director of Places
<b>DELEGATION GIVEN UNDER</b>
<input checked="" type="checkbox"/> A specific express authorisation (at a meeting, include date and name of meeting): <b>Cabinet decision 05-04-2022 in relation to report number 68.2022</b> <b>DELEGATED</b> authority 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.
<input type="checkbox"/> Under general authorisation (in the constitution or other document stating what section applies):
<b>THE EFFECT OF THE DECISION</b>
<input type="checkbox"/> Grant a permission or Licence <input type="checkbox"/> Affect the rights of an individual <input type="checkbox"/> Award a contract or incur expenditure which materially affects the council's financial position <b>N/A</b>
<b>ARE YOU FOLLOWING A PROCESS TO COME TO THE RESULTED ACTION OR ARE YOU MAKING A CHOICE BETWEEN TWO OR MORE ALTERNATIVES?</b>
<input checked="" type="checkbox"/> Following a process – No further action required <input type="checkbox"/> Choosing between alternatives
<b>IS THE RECORD OF THE DECISION, INCLUDING THE DATE, DECISION AND REASONS ALREADY PUBLISHED IN ACCORDANCE WITH ANY OTHER STATUTORY REQUIREMENT?</b>
<input type="checkbox"/> Yes (state where) – No further action required

No

Continued...

**TITLE OF DECISION:**

Minor changes to the new Rutland Local Plan - Issues and options consultation document

**PURPOSE OF THE DECISION**

To approve the minor changes made to the new Rutland Local Plan - Issues and Options document prior to publication for consultation. All changes are set out in the schedule attached at Appendix 1.

**DECISION DETAIL**

The Cabinet approved the Issues and Options document for consultation subject to the need for a number of minor changes and clarifications being added to the documents before it is published for consultation.  
These changes have been made and each change is set out in the schedule at Appendix 1 of this delegated decision report.

Approval of the minor changes has been made by the Director of Places through powers delegated by the Cabinet decision on 5<sup>th</sup> April 2022 in relation to report number 68.2022

**REASON FOR THE DECISION**

To ensure that the Issues and Options report is accurate and up to date

**OTHER OPTIONS CONSIDERED AND REJECTED**

No other options have been considered

**LOCAL GOVERNMENT BODY DECLARATION OF CONFLICT OF INTEREST OF MEMBERS GIVEN IF AUTHORISATION WAS GIVEN AT A MEETING**

N/A

**SUMMARY OF EXEMPT OR CONFIDENTIAL INFORMATION NOT DISCLOSED**

N/A

Signed:



Penny Sharp  
Strategic Director - Places

Date: 17/06/22

## Appendix 1

### Schedule of changes to the Local Plan - Issues and Options consultation paper following Cabinet approval 05.04.2022

Paragraph/question number	Change proposed	Reason for change
1.1.4	<p>Reword paragraph :</p> <p><del>Following the Council decision to withdraw the previously submitted Local Plan for Rutland 2018-36, it is important not to delay the preparation of a new plan.</del> The current adopted development plan documents (Core Strategy Development Plan Document, Site Allocations and Policies Development Plan Document and Minerals Core Strategy and Development Control Policies Development Plan Document) are becoming increasingly out of date over time. <u>It is important to have a five year housing land supply at all times so that</u> <del>The Council currently cannot demonstrate a 5-year housing supply following the withdrawal of the submitted Local Plan, and so there is an imperative to address this policy position as soon as possible, otherwise the Council and communities in Rutland have less</del> <u>can</u> influence <del>over</del> planning decisions, <del>potentially resulting in development to ensure that development is less sustainable and of lower-high quality. being permitted.</del></p>	Delete reference to withdrawn plan and make sentence positive (Cllr Waller change)
1.1.7	<p>Delete final sentence</p> <p><del>This approach is in line with Government advice which is to continue with plan making.</del></p>	Unnecessary text (Cllr Waller change)
1.2.2	<p>Reword paragraph :</p> <p>Following <del>receipt of sites promoted for development</del> <u>the Call for Sites</u>, the Council will <del>undertake a technical assessment of</del></p>	Clarify (Cllr Waller change)

	<p><del>all the suggested sites in</del> <u>prepare a Strategic Housing and Employment Land Availability Assessment (SHELAA) listing all sites suggested for development.</u> <del>Inclusions of a site in the SHELAA does not mean that the site will be allocated for development. The SHELAA provides the “long list” of sites which will be subject to a detailed site assessment and technical appraisal</del> <u>This technical assessment does not itself recommend sites for development.</u> When account is taken of the <u>technical information and site assessment</u> <del>all views at this stage and in response to the SHELAA,</del> the Council will propose preferred sites to be allocated and consult on these in a draft Plan.</p>	
1.3	Structure of the <u>consultation</u> document	Clarify (Cllr Waller change)
1.7.1	<p>Reword and update paragraph:  <del>In October 2019</del> <u>January 2021</u>, the Council <del>approved a formally acknowledged the</del> climate crisis and set out a series of actions which it would take to ensure that the Council’s own activities were net zero by 2050. <del>motion with respect to climate change. Among the measures put forward as part of Rutland County Council’s Climate Change Action Motion are commitments to:</del></p> <ul style="list-style-type: none"> <li><del>• Make sure the Council’s activities achieve a net-zero carbon footprint before 2050</del></li> <li><del>• Achieve 100% clean energy across all council functions by 2050 or earlier</del></li> <li><del>• Provide a climate change impact assessment on all relevant council decisions</del></li> <li><del>• Request that scrutiny panels consider the impact of climate change and the environment when reviewing council policies and strategies</del></li> </ul>	Update (Cllr Stevenson change)

	<ul style="list-style-type: none"> <li>• <del>Review council activities to take account of production and consumption emissions</del></li> <li>• <del>Set up a Climate Change Partnership Group involving councillors, residents, young people, climate experts, businesses, and other relevant groups</del></li> <li>• <del>Encourage the UK government to provide the powers, resources and funding needed to help tackle climate change</del></li> </ul>	
1.7.2	<p>Reword and update paragraph:  The Local Plan <u>provides an opportunity to roll out measure aimed at carbon reduction and ensuring resilience to the effects of climate change, to all new development to support the Councils wider climate crisis objectives.</u> <del>will contribute land use policies and proposals towards achieving these objectives.</del></p> <p>Add net zero info-graphic</p>	Update (Cllr Stevenson change)
1.8.3 and 1.8.4	Delete paragraphs	Unnecessary text (Cllr Waller change)
1.8..5	<p>Renumber paragraph and make subsequent changes arising from deletion of paragraphs above:</p> <p>This Issues and Options report has <del>therefore</del> been prepared in the context of the current legislation, policy and guidance which <del>still</del> provides the legal basis for plan making. In progressing the preparation of the Local Plan, the Council will carefully follow national developments and <u>ensure any new national requirements are incorporated into the Plan making process.</u> <del>may well need to adapt and change approaches as the review progresses.</del> All of the proposed options must therefore be accompanied by a clear caveat that they are proposed in the context of the current situation and may need to be significantly amended as the Local Plan Review progresses should national planning reforms be brought forward.</p>	Consequential change

Paragraph 1.9.1	Amend and add new text about explaining the four stages in the plan making process	Clarity and to reflect communication strategy
After paragraph 1.9.1	Add Local plan timetable graphic	clarity
Paragraph 1.11.2	Delete paragraph	Not required
Strategic Objective 5 (and all subsequent reference to this objective)	Amend wording: Enabling Rutland’s market towns, and, their centres in particular, <del>are to be</del> places for economic and cultural activity with good access to services; seeking to sustain a network of larger villages that serve local needs; and enabling the viability and sustainability of smaller villages and countryside – in ways which protect the County’s heritage, character and identity	Grammatical error
Strategic objective 6 (and all subsequent reference to this objective)	Reword to: Supporting all communities across the County to make them safer, <u>more resilient to change and enhance community cohesion</u>	Rutland Public Health comment
Strategic objective 8 (and all subsequent reference to this objective)	Ensuring new development and open spaces support health and wellbeing <u>for all, reduce health inequalities</u> and encourage active and healthy lifestyles	Rutland Public Health comment
2.4.5 and Q4	Add “minimum of 20 years” and “20 year” plan period to text and question and add supplementary question <b><u>If not please suggest the timeframe you think the plan should cover?</u></b>  Add info-graphic showing plan period timeline	Clarify
Issue 7	Promoting sustainable <u>and active</u> modes of travel	Rutland Public Health comment

Issue 8	Ensuring new development is well designed <del>and</del> to encourage active and healthy lifestyles <u>and address health inequalities</u>	Rutland Public Health comment
New paragraph following 3.2.2	<u>The impact of climate change on health is also significant, caused by extreme heat, severe weather, air pollution, increased allergens and environmental degradation. The different aspects of climate change can impact negatively on health in many ways including heat-related illness, mental health impacts, respiratory disease, asthma and cardiovascular disease.</u>	Rutland Public Health comment
3.2.3	Add <u>and any other relevant technology which might be introduced;</u> to 4 <sup>th</sup> bullet point	Clarify (Cllr Waller change)
Q8	Add <u>"turbines", "farms" "plants"</u> to Option A	Clarify (Cllr Waller change)
Before Q9	Add SUDS info-graphic	clarity
3.3.1	Add sentence and population change info-graphic The NPPF states that: "To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals". <u>The standard methodology uses population projections as the base for its calculation. Over the period 2021-2041 the population of the County is expected to change by xxxxxxx</u>	For clarity
3.3.2	Amend	Clarify (Cllr Waller change)

	<p>The latest (March 2022) calculation of the Local Housing Need (LHN) for Rutland is 14229 dwellings per annum, which normally would be round to 140 dwellings per annum. This is the minimum number of houses the Council can use as the basis of preparing the Local Plan. On top of this, it is expected that Local Plans provide a “contingency buffer” to the minimum requirement. This “buffer” is different from that which is prescribed in the NPPF for the calculation of the five-year housing supply. Inspectors will generally expect a buffer of <del>around</del> <u>at least</u> 10%. A figure less than this would require exceptional circumstances for its justification. Buffers in examined Local Plans have been as high as 69%.</p>	
3.3.3	<p>Reword:  <del>The submitted and withdrawn Local Plan for the period up to 2036 included a buffer around 25% to address contingency, market choice and concerns about the deliverability of affordable housing in Rutland. The 2019 Strategic Housing Market Assessment (SHMA) for Rutland could provide an alternative approach to determining the minimum number of homes needed. This would take account of current and future demographic trends as well as market signals and provides a detailed assessment of affordable housing need. The Council will undertake an update to the SHMA to support the preparation of the next stage of the Local Plan.</del></p>	Reflect option changes set out in Addendum paper
3.3.5	<p>Reword:  The SHMA (2019) <u>therefore</u> indicates <del>that</del> a higher annual requirement is necessary to help to address issues of affordability and recommends a minimum requirement of 190 dwellings per annum. An alternative option would be to set the</p>	Consequential change



	<p>minimum requirement at 160 dwellings per annum as indicated in the SHMA as being a reasonable requirement taking account of the uncertainty given that the market analysis is linked to forecast economic growth. This is the rate which was proposed in the now withdrawn Local Plan. It is closer to the requirement of the adopted Core Strategy (150 per annum) and reflects the average delivery rates over its plan period. It will also help to deliver more affordable homes than Options A below. <u>The Council will undertake an update to the SHMA to support the preparation of the next stage of the Local Plan.</u></p>	
After paragraph 3.3.6	Add housing option info-graphic	Aid clarity
Table following paragraph 3.4.16	Row 4 column 3 figure for Larger villages in Core Strategy distribution should read <u>616</u>	Typo (Cabinet)
After paragraph 3.4.71	Add distribution option info-graphic	Aid clarity
After paragraph 3.5.1	Add affordability info-graphic	Aid clarity
3.5.10	<p>Add to paragraph :</p> <p>Rutland has a significantly older population than regionally and nationally; looking to the future the population of the County will continue to age at a faster rate. <u>A growing older population will likely lead to an increase in those living alone, living in care homes, having a fall and provision of unpaid care.</u> It is important that suitable housing is provided to meet the needs of older people. This could be general market housing such as bungalows or housing that is accessible and easily adaptable, or specialist forms of housing, ranging from retirement apartments to extra care housing, to residential care homes.</p>	Rutland Public Health comment
Q19	<p>Add:</p> <p><u>Option C – both of the above requirements</u></p>	Cllr Waller

Q24	<p>Add sites to question as tick boxes: Do you have any comments on the viability and deliverability of the employment sites <u>listed</u> below, which are currently allocated that would prevent them from being allocated within the new Local Plan?</p> <ul style="list-style-type: none"> <li>• <u>Land at Uppingham Gate, Uppingham;</u></li> <li>• <u>Land off Hackamore Way &amp; Panniers Way, Oakham;</u></li> <li>• <u>and Land at Pit Lane, Ketton.</u></li> </ul>	Clarity (Cllr Waller)
3.7.8	<p>Add paragraph: <u>The Council could develop a policy that encourages Class E uses to be located within a defined Primary Shopping Area (with the inclusion of residential on upper floors if considered acceptable), with a requirement to provide active street frontages. Outside of the Primary Shopping Area, the Council could consider a greater level of flexibility in terms of uses, including residential at ground floor where appropriate, subject to securing the necessary prior approval or change of use.</u></p>	Clarity what the Council can control with changes to the UCO (Cllr Waller)
3.7.11	<p>Amend paragraph: The government has also included a criterion within the prior approval where the building is located in a Conservation Area and would involve a change of use of the whole or part of the ground floor which is to consider the impact on the character or sustainability of the Conservation Area. This could be considered on an individual basis, although it might provide more clarity to identify those Conservation Areas which are traditionally commercial. <u>Alternatively <del>Or</del> the Council could seek to focus upon Class E uses and ensure that proposals meet</u></p>	Clarity what the Council can control with changes to the UCO (Cllr Waller)

	<p><u>a series of qualitative criteria to maintain and enhance town centre health within the Conservation Area where:</u></p> <ul style="list-style-type: none"> <li>• <u>there is a justifiable case that the proposed use(s) will make a positive contribution to town centre health;</u></li> <li>• <u>the proposed use(s) will make a positive contribution to levels of vitality in the town centre;</u></li> <li>• <u>the proposed use(s) provide active and attractive ground floor frontages; and</u></li> <li>• <u>the proposal is able to meet amenity criteria</u></li> </ul>	
3.7.11	Delete paragraph	Unnecessary reference to withdrawn plan (Cllr Waller)
Q30	<p>Rewrite question:  <b><u>Should the Council seek to develop a policy that encourages Class E uses to be located within a defined town centre or primary shopping area (with the inclusion of residential on upper floors if considered acceptable), with a requirement to provide active street frontages ?</u></b></p> <p><del>Which option do you consider to be most appropriate to include in the Rutland Local Plan?</del></p> <p><del>Option A – Retain the existing primary and secondary areas to protect from change of use to non-retail uses.</del></p> <p><del>Option B – Allow flexibility for more non-retail uses in the defined town centre.</del></p>	Clarify what the Council can control with changes to the UCO (Cllr Waller)
3.8.10	<p>Add sentence :  To be sustainable, suitable good quality facilities must be provided locally whilst those that attract large numbers of</p>	Rutland Public Health comment

	<p>visitors should be accessible by walking, cycling and public transport. <u>Accessibility should also be equitable, ensuring adaptability to the specific needs of different disabilities.</u> This particularly ....</p>	
Q39	<p>Delete reference to <del>(Core Strategy policy CS18)</del>  Add wording to Option C and Option E</p> <p>Option C- Include policies which actively promote sustainable travel (this might include requiring new developments to connect to existing centres and services by high quality walking and cycling network and where practical public transport services or establishing maximum walking distances from new homes to a range of identified services (including <u>stops on operational bus routes bus stops</u>).</p> <p>Option E- Revise parking standards for new developments to reduce the availability of car parking spaces, increase the availability of racks and <del>safe</del> <u>secure</u> storage for bicycles and increase the availability of electric vehicle charging points. This would also include requirements for electric charging for both vehicles and bicycles.</p>	<p>To be consistent with other options</p> <p>For clarity (Cllr Waller)</p>
New paragraph to follow paragraph 3.10.3	<p>Add new paragraph  <u>Locally, there is a role the Local Plan can play to support delivery of the strategic priorities outlined within the Rutland Joint Health &amp; Wellbeing Strategy: The Rutland Place based Plan 2022 - 2027. The overall vision is to nurture 'safe, healthy and caring communities in which people start well and thrive together throughout their lives', with the essence of the</u></p>	Rutland Public Health comment

	<p><u>strategy's goal being 'people living well in active communities'.</u>  <u>It is therefore crucial the Local Plan aligns and contributes towards achieving the strategic priorities by maximising the opportunity to develop physical environments enabling and encouraging healthy living.</u></p>	
3.10.6	<p>Add text:  Health and wellbeing should be considered at the earliest opportunity in the design of new development proposals <u>to ensure health improvement recommendations can be implemented.</u> <del>and so t</del> The Council will need to consider how the new Local Plan can best integrate this to increase the range of long-term benefits to residents. The Local Plan will need to ensure that these principles are integrated into the design policy and promote the use of the Rutland Design Guidelines SPD</p>	Rutland Public Health comment
3.10.7	<p>Add text:  Undertaking a Health Impact Assessment (HIA) as part of the plan making process will ensure this. A HIA is a practical way to identify and assess the effects a proposal may have on the health and wellbeing of different groups of people. Undertaking a HIA in relation to the development plan can help judge the likely health impacts of that proposal <del>and</del>, <u>covering healthcare, health behaviours, social, economic and environment factors.</u> <u>Social, economic and environmental factors contribute approximately 50% of what makes us healthy. The completion of a HIA will help ensure any positive health impacts are achieved and negative health impacts minimised.</u></p>	Rutland Public Health comment
Q42	<p>Amend text:</p>	Rutland Public Health comment

	What <u>factors (including scale and type of development) <del>could</del> should be considered when deciding whether to require a Health Impact Assessment is required?</u>	
3.12.1	Add reference to NPPF in second sentence  Paragraph 179 <u>of the NPPF</u> sets out to protect and enhance biodiversity and geodiversity, plans should:	Clarity (Cllr Waller)
After paragraph 3.12.8	Add potential blue/green infrastructure info-graphic	Aid clarity
3.14.16	Amend wording: <del>Waste arising from</del> <u>Because Rutland is a small area, the overall waste arising is</u> <del>are</del> relatively low when compared to other authorities, <u>although evidence in preparing the municipal Waste Strategy indicates that Rutland is higher than the national average and many of our near neighbours for generation of municipal residual waste. Household waste makes up over 95% of Rutland’s municipal waste.</u> Previous estimates indicate that Rutland produces around 0.120 Mt of waste, comprised of the principal waste streams: municipal; commercial and industrial; construction, demolition, and excavation; and hazardous. The level of arisings and land use context may impact on the appropriateness and viability of some forms of waste management, and their scale. Most of the waste produced in Rutland is exported to surrounding authorities where it undergoes processing in preparation for recycling and reuse (including composting and inert recycling), is otherwise treated, or disposed of to landfill. Previous estimates indicate a total recovery rate of around 80%.	Clarify waste arising in relation to Waste Strategy evidence (Cabinet)
3.15.11	Change uppercase W for lower case for “withdrawn”	typo
4.1.4	Add email and telephone contact details	Information missing in draft

4.1.5	Add web links and details of social media, local press etc	Information missing in draft
Consequential paragraph renumbering as necessary	Renumber paragraphs as necessary	Consequential corrections
Appendix – glossary of terms	<p>Add definition of Biodiversity net gain  <u>Biodiversity net gain is an approach which aims to leave the natural environment in a measurably better state than beforehand.</u>  <u>Biodiversity net gain requirement for new development seeking planning permission, has been introduced by the Environment Act 2021</u></p>	clarification
Appendix – glossary of terms	<p>Add definition for “municipal waste” arising from changes to paragraph 3.14.16</p> <p><u>Municipal waste is also referred to as Local Authority Collected Waste (LACW), and generally consists of household waste and any other wastes collected from Household Waste Recycling Centres (HWRCs) [1], commercial or industrial premises, and waste resulting from the clearance of fly-tipped materials and litter. Household waste makes up the majority of municipal waste; this is over 95% for Rutland.</u></p> <hr/> <p>[1] Also referred to as Civic Amenity (CA) sites.</p>	Consequential change