

Rutland Local Plan – Preferred Options Consultation November 2023

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Chapter 1 – Introduction

What is the Local Plan?

This Local Plan is a statutory planning document prepared by Rutland County Council. It sets out the strategic vision, objectives and spatial strategy for the County, as well as the planning policies which will help to determine the future location, scale, type and design of new development in Rutland. It seeks to ensure local development is built in accordance with the principles of sustainable development as set out in the National Planning Policy Framework (NPPF). The Plan also includes site allocations to meet the vision and objectives of the Plan.

The Local Plan, together with any Neighbourhood Plans prepared by town and parish Councils or other appropriate bodies, make up the “Statutory Development Plan” which has important status in determining future planning applications in the area.

The Local Plan in Rutland currently comprises three separate “Development Plan Documents”.

Why is the Local Plan important?

An up-to-date Local Plan is the main way that councils set their planning policies. Without an up-to-date Local Plan, councils can lack the policies they need to prevent inappropriate or damaging development in their area.

The Government requires all local planning authorities to provide a long-term Local Plan to meet our needs for the future. If the Council does not have an up-to-date plan, development will still take place. However, the Council will be less able to use its own planning policies to help decide where development should go.

It is also important that local people are given the means to have their say in the future development of their communities, and this is best done through the Local Plan consultation process.

Why is the Local Plan being reviewed?

Rutland County Council is reviewing its Local Plan in order to:

- reflect changes to national planning policy and guidance, particularly the National Planning Policy Framework (NPPF) published in March 2012 and revised in 2021
- produce a single Local Plan document as recommended by government planning policy in the NPPF
- extend the Plan period to 2041 to ensure that there will be a 15-year time horizon from adoption for strategic policies as recommended in the NPPF. This will allow the Council to anticipate and respond to long term requirements and opportunities, such as those arising from major improvements in infrastructure
- provide for additional new housing, employment and other development that will be required to meet future needs over the extended Plan period

Which documents are being reviewed?

The following Development Plan Documents (DPDs) are being reviewed and it is intended that they will be replaced by this single Local Plan:

- Minerals Core Strategy and Development Control Policies DPD (October 2010)
- Core Strategy DPD (July 2011)
- Site Allocations and Policies DPD (October 2014)

A list of the existing policies that will be replaced and the policies that it is intended will replace them is shown in Appendix 2.

A glossary of the terms used in this document is shown at the end of the document.

Withdrawal of the Rutland Local Plan 2018-2036

Work had previously been undertaken to prepare a new Local Plan covering 2018-2036. However, in accordance with Regulation 27 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended, the Rutland Local Plan 2018-2026 was withdrawn in 2020.

What is the Plan period?

This Local Plan covers the period from 2021 until 2041. This will ensure that it will cover at least the required 15-year time-period after the Plan has been adopted by the Council.

What are we now consulting on?

This 'Preferred Options' Plan is part of the Plan Preparation (Regulation 18) stage and will include a consultation period, taking place in autumn 2023. Consultation will be undertaken in accordance with the requirements of the Local Plan Regulations and the Council's Statement of Community Involvement.

Indicative Timescales

This stage in the plan making process is the publication of a draft version of Rutland's Local Plan indicating the preferred options for growth, supported by evidence. It follows previous community engagement under the Call for Sites and Issues and Options consultation.

- Call for Sites – spring 2022
- Issues and Options consultation – summer 2022
- Preferred Options Plan (Regulation 18) consultation– autumn 2023
- Submission Draft Plan (Regulation 19) consultation – autumn 2024
- Submission to the Secretary of State for independent examination – January 2025
- Examination of the Local Plan - 2025

- Main modifications, as recommended by the Independent Planning Inspector – date to be determined
- Adoption and publication – date to be determined

How do Neighbourhood Plans fit in?

Neighbourhood plans are community-led and provide a powerful spatial planning tool for local communities to shape and influence where development will go and what it will look like in their local area. Introduced by government through the Localism Act 2011, the process provides the opportunity for local communities to exercise greater influence through plans, policies and orders that meet the needs of the local community.

Local Planning Authorities have a general duty to support communities producing neighbourhood plans. The Council has developed a step-by-step Neighbourhood Planning Toolkit to provide support and guidance throughout the process from scoping the plan and building the evidence base, to ensuring the plan is in general conformity with strategic planning policy. A successful plan also depends on local participation, leadership and ownership, empowering communities and supporting local capacity building. The Council therefore recognises the importance of good governance, inclusion and wide engagement in the process of developing neighbourhood plans.

When adopted by the Council, neighbourhood plans form part of the Statutory Development Plan which forms the basis for determining planning applications. Neighbourhood plans provide policies on issues of a non-strategic, local nature. They should look to add locally specific detail to the strategic policies included in the Local Plan and should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area.

Neighbourhood planning activity in Rutland

Where we have parish or town Councils and they wish to prepare a neighbourhood plan, they will be required to take the lead in neighbourhood planning on behalf of their communities. Outside such areas, then it is possible to establish a “Neighbourhood Plan Forum” to undertake this role.

Neighbourhood plans are adopted or ‘made’ following a public referendum. Policies in these plans are used alongside the Local Plan and national policies to determine planning applications in these areas.

Within Rutland, Uppingham was a National ‘frontrunner’ in the development of a neighbourhood plan following the Localism Act 2011, starting work on their plan in 2012.

Table 1: Adopted Neighbourhood Plans (as at August 2023)¹

Neighbourhood Plan Area	Adoption
Barrowden & Wakerley	October 2019
Cottesmore	December 2016
Edith Weston*	June 2014
Greetham	October 2017
Ketton & Tinwell	August 2023
Langham	December 2022
Market Overton	February 2023
Oakham & Barleythorpe	December 2021
Uppingham*	January 2016

The latest information on current neighbourhood plan designations in Rutland can be viewed on the Rutland County Council website:

<https://www.rutland.gov.uk/Planning-building-control/local-Plan/neighbourhood-Plans>

Table 2: New Neighbourhood Plans which are being prepared (as at August 2023)²

Neighbourhood Plan Area	Area Designated
North Luffenham	February 2020
Whissendine	July 2020
Wing	June 2017

Review of Neighbourhood Plans

The Local Plan review establishes the strategic policies setting out how much housing and employment and retail development is needed to meet the needs of the County over the Plan period and the broad locations where this should be developed.

Neighbourhood plans must be in “general conformity” with the strategic policies contained in the Local Plan. The strategic policies are those which are essential to delivering the overall planning and development strategy for Rutland, such as those that set out the number of homes that should be built and where. Paragraph 65 of the NPPF requires that strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their housing need (and any needs that cannot be met within neighbouring areas) can be met over the Plan period. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations.

¹ Plans marked with an asterisk (*) are currently being reviewed.

² This table shows new plans in preparation where the area does not currently have an adopted Neighbourhood Plan.

Neighbourhood plans which are being prepared or reviewed after the Local Plan is adopted can allocate additional sites for development within their town or village. However, they cannot propose less development within their town or village than that set out in this Local Plan. When the new Local Plan is adopted, all neighbourhood plans will need to be reviewed by the relevant parish and town Councils to ensure that they will be (or remain) consistent with the Local Plan.

Sustainability Appraisal/ Strategic Environmental Assessment (SA/SEA) and Habitats Regulation Assessment (HRA)

A Sustainability Appraisal (SA/SEA) is being undertaken as part of the Plan making process. The SA is an iterative document which appraises the economic, social, and environmental sustainability of the Plan's proposals. It is used to inform the preparation of the Preferred Options (Regulation 18) Plan and development of the preferred strategy and policy direction following the issues and options consultation stage. An essay report will be published at each stage when the Local Plan is consulted upon. We have now published 2 Interim SA/SEA reports, one in October 2022 and October 2023.

A Habitat Regulations Assessment (HRA) is also being undertaken as part of the Plan making process. The HRA is also an iterative document which assesses the potential impacts of the Plan's proposals on the conservation of European Designated sites. The HRA 'Issues and Options Consultation' document was received by the Council in May 2022 and is used to inform the preferred policy strategy. Further iterations of the HRA will be received during the Plan process.

How to use the Plan

The policies of the Plan should not be read in isolation from each other as more than one policy may apply to a particular site or issue. For this reason, the Plan does not normally include cross referencing between policies.

The preparation of the Plan has been supported by a number of evidence-based studies that have been prepared or commissioned by the Council. These can be found at <https://www.rutland.gov.uk/planning-building-control/local-plan/new-local-plan/local-plan-evidence-base> .

How and when do comments need to be made?

Comments on this Preferred Options (Regulation 18) Plan should be submitted to the Council by 8th January 2024, using where possible the online consultation platform available on the Council's website.

What happens next?

The Council will assess the comments received from the Preferred Options (Regulation 18) consultation and the Local Plan will be further developed, taking into account both feedback received and the evidence base.

This work will culminate in the production of a Final Submission Draft (Regulation 19) which will be subject to a formal six-week pre-submission consultation period. Consultation at Regulation 19 is on the basis of whether the Local Plan is “sound” and “legally compliant” prior to its submission to the Secretary of State. If the Council proposes to amend the Local Plan, then further statutory consultation under Regulation 19 will need to be undertaken on the proposed changes.

When adopted, the Local Plan will become part of the Statutory Development Plan which provides the framework for the Council’s decisions on future development proposals in Rutland.

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Chapter 2 – Spatial Portrait

Spatial Portrait

The spatial portrait provides context for the spatial vision and strategic objectives. It sets out the main characteristics of Rutland in terms of geography, environment, demographics, economy and infrastructure as well as social and cultural matters.

Spatial Characteristics

The area of Rutland is approximately 382 km² and latest data indicates that in 2021 the population was 41,381¹. This is projected to rise to 45,038 by 2036 and to 46,100 by 2041². The density of population is low with 108 people per km²³. Rutland has been classed as the most rural county or unitary authority in England and Wales with a high proportion of land in agricultural use.

Rutland is home to two market towns – Oakham and Uppingham - of which Oakham is the larger with a population of approximately 11,227.⁴ Oakham has a range of education, community, health and leisure facilities. It is also a centre for employment and shopping, including a twice-weekly market and a mix of independent and country wide retailers. Uppingham has a population of about 5001⁵ with a more limited range of facilities, employment and shopping, and a weekly market.

Rutland also has 52 villages ranging in size from small hamlets with a few houses and no facilities to larger villages with facilities such as a school, a convenience store, a post office, general medical practice, employment opportunities, community and leisure facilities and bus links to the towns and neighbouring villages. The six largest villages account for around a quarter of Rutland's population.

Beyond Rutland's borders, Stamford lies just outside the county boundary to the east. It provides a range of community and leisure facilities, shopping, education, health services and acts as a service centre to some of the villages on the eastern side of Rutland. Stamford is tightly constrained by the county boundary and has limited space to grow. Corby lies approximately three miles south of Rutland and Melton Mowbray lies approximately five miles north-west.

Environment

Rutland has a rich built and historic environment with many attractive stone-built villages and two historic town centres that provide a distinctive local character to the area. There are 34 designated conservation areas and approximately 1,650 listed buildings that are afforded statutory protection. The county has approximately 30 scheduled ancient monuments and two registered historic parks and gardens (Exton and Burley).

¹ [Office for National Statistics](#) (2023) *Mid-2021 Estimates of the population for the UK, England, Wales, Scotland and Northern Ireland*, Accessed: April 2023

² [Office for National Statistics](#) (2023) *Population projections for local authorities: Table 2*, Accessed: April 2023

³ [Office for National Statistics](#) (2023) *Mid-2021 Estimates of the population for the UK, England, Wales, Scotland and Northern Ireland*, Accessed: April 2023

⁴ [Office for National Statistics](#) (2023) *Population Estimates for 2020 Wards in England and Wales by Single Year of Age and Sex - Experimental Statistics*, Accessed: April 2023

⁵ Ibid.

The environmental quality of Rutland's landscape is high, and the character of the landscape is varied with five different landscape character types. These range from high plateau landscapes across large areas of the north-east and south-west to lowland valleys in the centre and north-west and on the county's southern border along Welland Valley.

Rutland has 19 sites of special scientific interest (SSSIs) including Rutland Water which is an internationally designated wetland site with importance for wintering and passage wildfowl. There are 359 local wildlife sites (LWS) and important areas of calcareous grassland and ancient and broadleaved woodland in the county.

The limestone geology has importance for local quarrying and wildlife. Soils are largely loamy in the east and clayey in the west⁶. Agricultural land is largely grade 3 with some grade 2 centred on the south and pockets of grade 1 in the north.

Sustainable and Vibrant Communities

Rutland is a relatively affluent area with very low levels of deprivation, the lowest in the East Midlands and 303 out of 326 nationally, where 1 is the most deprived⁷. There are low levels of unemployment (1.6% on out of work benefits in February 2023)⁸ and very low levels of crime.

Educational attainment within Rutland is higher than the country as a whole with 72.9% of pupils attaining grade 5 or above in English and mathematics GCSEs compared to 54.4% in England.⁹ Rutland has 17 primary schools located in the towns and larger villages and three secondary schools located in Oakham, Uppingham and Great Casterton. There are also large independent schools in Oakham and Uppingham.

The 2021 Census found that 86.2% of people in Rutland were in good or very good health. Rutland has a higher proportion than the East Midlands regional average of people in good health and lower levels of limiting long-term illness¹⁰. The county has a hospital in Oakham which provides inpatient and outpatient services. Rutland is also served by larger hospitals in Leicester, Peterborough, Grantham and Kettering. GP and dentists' practices are located in Oakham and Uppingham and some of the villages.

There are below average numbers of people in the 0-9 and 20-24 age groups (particularly females) and above average in the 15-19 and 55-90 compared with the East Midlands regional and national averages. The numbers of 15-19 are increased within Rutland due to the presence of 2 boarding schools within the county. 36.1% of the population of Rutland is retired, compared with 16.2% within the East Midlands and 14.1% nationally¹¹. By 2041 it is anticipated that approximately 39% of our

⁶ [The Leicestershire, Leicester and Rutland Historic Landscape Characterisation Project \(2010\)](#)

⁷ [Ministry of Housing, Communities and Local Government \(2019\), English Indices of Deprivation 2019 – File 10 Local Authority district summaries](#), Accessed: April 2023

⁸ [Office for National Statistics via NOMIS \(2023\) Claimant count by sex - not seasonally adjusted](#). Accessed: April 2023

⁹ [Ofqual \(2022\) Map of GCSE \(9-1\) grade outcomes by County in England](#). Accessed April 2023

¹⁰ [Office for National Statistics \(2021\) Census: How general health \(age-standardised\) varied across local authorities in England and Wales, 2021](#), Accessed: April 2023

¹¹ [Office For National Statistics via NOMIS \(2023\). Nomis Economic Inactivity in Rutland Oct 21- Sep 22](#). Accessed: April 2023

residents will be 60 or over, with the percentage of residents aged 80 or over rising by a third during the life of the plan from 7.5% to 11.3%¹². The 2021 Census found the proportion of non-white ethnic groups is low at 5%, but that this has risen by around 2% since 2011¹³.

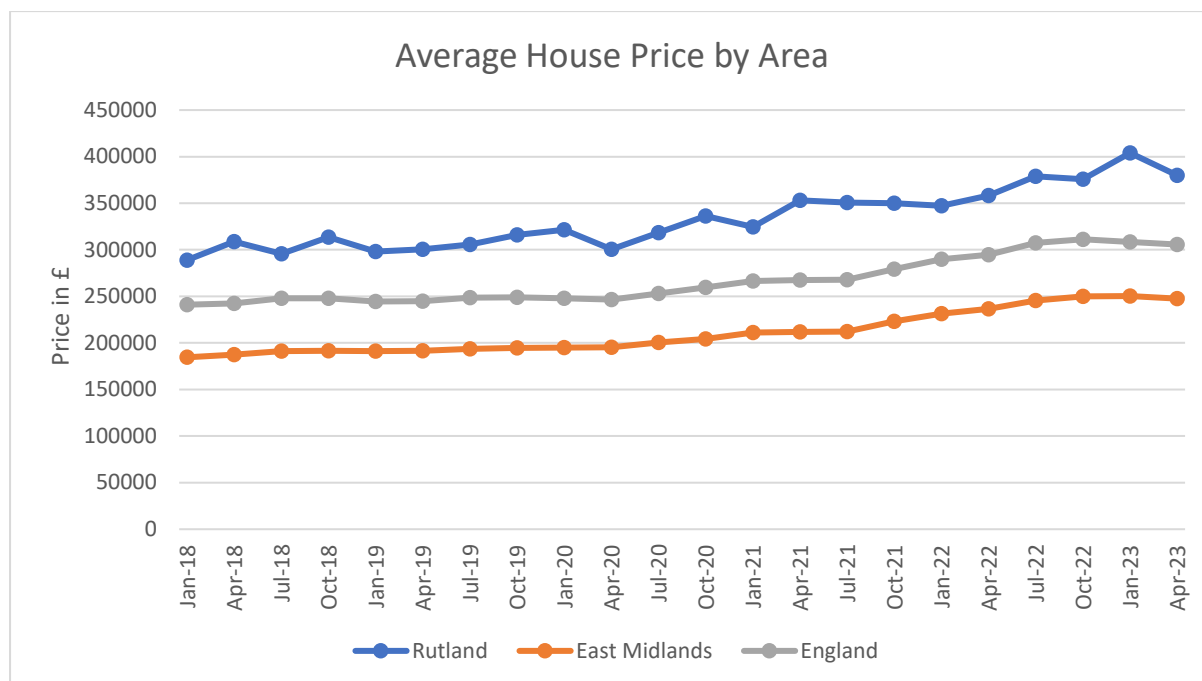


Figure 1 Average House Price by Area
(Source: UK House Price Index April 2023)

Rutland has a high proportion of detached and very large houses and properties owned outright compared with the rest of the region and a lower proportion of mortgaged properties and rented properties.

The average house price in Rutland in April 2023 was £380,047 compared with the East Midlands regional average of £247,634 and £305,731 for the whole of England.¹⁴ This is partly a reflection of the number of large houses within Rutland. It is one of the least affordable areas in the region with median house price to median workplace earnings ratio of 9.12 in 2022 compared with 7.45 across the East Midlands¹⁵.

Economy

The largest employment sectors in Rutland are education (12.2%), public administration & defence (12%) and wholesale & retail (11.6%). Agriculture, the traditional employer, is a minority employer and still declining.

¹² [Office of National Statistics \(2023\)](#), 2018-based Subnational Population Projections for Local Authorities and Higher Administrative Areas in England. Accessed: April 2023

¹³ [Office for National Statistics \(2023\)](#) How life has changed in Rutland: Census 2021 Accessed April 2023.

¹⁴ [UK House Price Index \(2023\)](#) Average price of property in Rutland Accessed: April 2023

¹⁵ [Office for National Statistics via NOMIS \(2023\)](#) Ratio of median house price to median workplace-based earnings by Local Authority District (1997 to 2022). Accessed: April 2023

Major employers with importance to the local economy include the Ministry of Defence establishments at Cottesmore and North Luffenham (although this site is due to close by 2026) and HM Prison at Stocken, independent schools at Oakham and Uppingham, Hanson Cement at Ketton and Rutland County Council in Oakham. Small businesses also have a key role. Oakham Enterprise Park provides office, storage, light industrial and amenity/leisure accommodation on the 25-acre site formerly occupied by HM Prison Ashwell. The King Centre at Barleythorpe, formerly Rutland County College, provides serviced accommodation to around 30 businesses.

Rutland compares well within the region on a range of economic activity indicators as shown in Table 1. Economic activity rates for both men and women are around 5% above the East Midlands and national averages with very low levels of unemployment. Self-employment levels are slightly higher than the regional and national averages. A high proportion of the resident work force is managerial or professional (52.4%). Average resident earnings are higher than both regionally and nationally and this is replicated in the percentages for average male earnings. However, female average earnings fall below both regional and national averages.¹⁶

Table 3: Economic Activity indicator statistics (16–64-year-olds)¹⁷

Indicator	Rutland	East Midlands	Great Britain
Economic activity levels (Oct 2021- Sep 2022)	83.2%	77.8%	78.4
Unemployment levels (Oct 2021- Sep 2022)	2.1%	3.0%	3.7%
Self-employment for men and women (Oct 2021 – Sep 2022)	10.1%	8.3%	9.2%
Average Resident Earnings 2022 (Gross weekly pay of full-time workers)	£683.00	£603.70	642.20
Average Male Resident Earnings 2022 (Gross weekly pay of full-time workers)	£792.10	£648.90	£687.50
Average Female Resident Earnings 2022 (Gross weekly pay of full-time workers)	£517.10	£536.60	£584.50

Infrastructure and Travel

The A1 passes through the eastern part of Rutland providing north-south road links. East-west connections are less good, although the A47, which traverses the southern part of Rutland, and the A606 Stamford-Nottingham Road including the Oakham bypass, provide east-west road links. The A6003 connects Oakham to Corby.

¹⁶ [Office for National Statistics via NOMIS](#) (2023) *Nomis Labour Market Profile – Rutland 2021-2022*. Accessed: April 2023

¹⁷ Ibid

Oakham has a railway station which serves the Birmingham to Peterborough line with direct rail links to the east coast main line and Stansted airport to the east and Birmingham to the west. It also has a direct once-daily return rail link to London via Corby. Oakham also has a bus station with scheduled services to the surrounding area as well as a CallConnect on-demand bus service.

As a rural community, many of Rutland's residents rely on a private car to access services and facilities available within the towns and larger villages. Car ownership within Rutland is higher than the regional average – with only 10.3% of Rutland households not having access to a car or van, compared to 19.1% of households in the East Midlands.¹⁸

Rutland is served by a network of public footpaths, but these do not provide links between all the rural communities within the county. There are also a number of long-distance footpaths which pass through Rutland including the Viking Way to the east, the Leicestershire Border Walk to the west and the 65-mile Rutland Round which takes a circular route around the county boundaries.

Waste Management

All forms of development and activities produce waste, this includes residential, commercial, industrial, agricultural, and construction. It is estimated that Rutland currently produces around 90,000 tonnes of waste per annum. This includes municipal (24%), commercial and industrial (23%), construction, demolition and excavation (53%) and hazardous (1%) wastes.

The majority of Rutland's waste is exported to surrounding counties where it is recycled, composted, treated, or disposed of to landfill. Since 2014, around 40% of municipal waste has been diverted from landfill to an advanced treatment facility in Nottingham for recovery. Rutland is served by two civic amenity sites located just outside Cottesmore and North Luffenham.

Geology and Minerals

The particular geology of the area has given its name to the Rutland Formation which was formed from muds and sand carried down by rivers and occurring as bands of different colours, each with many fossil shells at the bottom. At the bottom of the Rutland Formation is a bed of dirty white sandy silt. Under the Rutland Formation is a formation called the Lincolnshire Limestone. The best exposure of this limestone (and also the Rutland Formation) is the area near to Ketton.

Mineral resources are concentrated almost exclusively in the eastern half of the county and consist mainly of limestone and clay. Some isolated pockets of sand and gravel deposits exist around the edge of the county particularly in the Welland Valley to the south and east of the county. Smaller pockets are found around the River Eye and Whissendine Brook in the north-west, Eye Brook in the west and River Gwash in the north-east.

¹⁸ [Office for National Statistics via NOMIS](#) (2021) *Car and van ownership*. Accessed April 2023

Within Rutland, both aggregate and non-aggregate minerals are produced. Specific to Rutland this includes limestone as crushed rock (aggregate minerals) and limestone for the purpose of cement manufacture, building / roofing stone and agricultural lime as well as clay for the purpose of brick making and cement manufacture (non-aggregate minerals). Limestone and clay have historically been the main minerals worked in Rutland; this is likely to continue. Ironstone was extracted in the past, but operations ceased in the 1970's and there is no evidence that sand and gravel reserves have ever been worked.

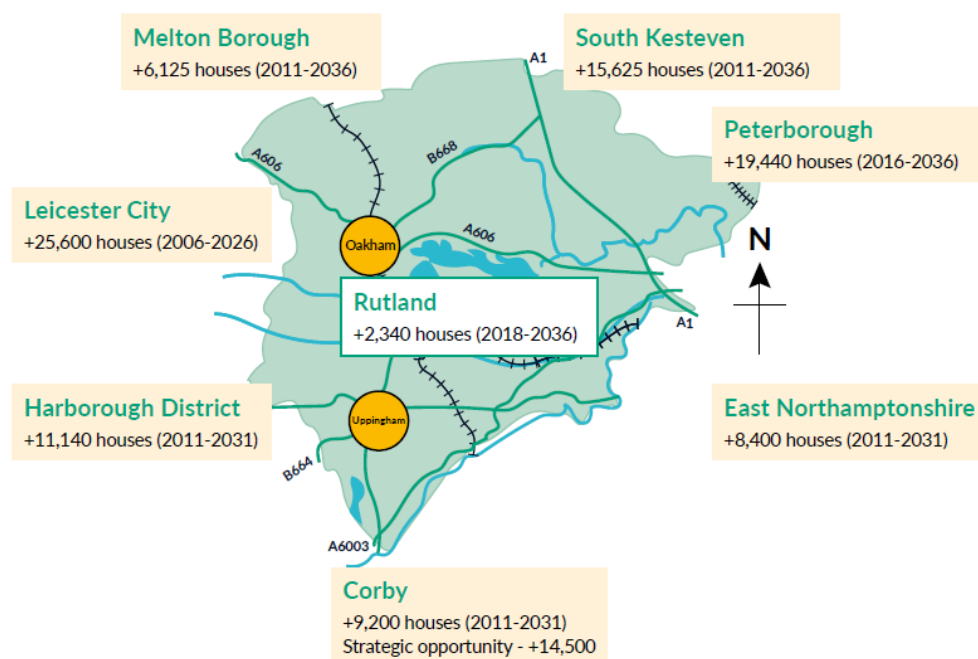
A limited amount of recycled aggregate (from construction, demolition and excavation waste) is currently produced in Rutland within Woolfox quarry. There are currently no facilities within the county for the production of secondary aggregates.

Development in Neighbouring Areas

Proposals for new housing and employment growth in neighbouring areas may impact on the demand for housing, employment and recreation facilities in Rutland. Of particular relevance are proposals for housing growth in Leicestershire (in Melton Borough and Harborough Borough); South Kesteven District; Peterborough City; Corby and East Northamptonshire (see Figure 2 below). The effects of development in neighbouring areas can be difficult to predict and will depend on:

- the success of surrounding areas in creating the required number of jobs and the type of jobs that are created
- the price of market housing in neighbouring areas other expansion areas; and
- the policy of housing authorities in neighbouring areas towards affordable housing in general and, in particular, social housing for people of working age because this will affect labour supply.

Figure 2: Scale of proposed new housing in local plans for neighbouring areas



Source: Local Plans and Local Development Documents of neighbouring authorities

Duty to Co-operate

The Rutland Local Plan considers the implications of planning policies of neighbouring authorities as spatial planning should not be constrained by local authority administrative boundaries. The County Council has engaged with neighbouring authorities at all stages in the preparation of the Plan and will continue to do so as necessary and in particular on strategic cross boundary matters.

As a local planning authority, the Council has a statutory “duty to co-operate” with neighbouring authorities. We will continue to work together to ensure that all strategic and cross boundary issues arising from this Local Plan review are appropriately considered. The NPPF (paragraph 27) sets out that: “in order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.”

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Chapter 3 – Vision and Objectives

Local Plan Vision and Objectives

The Local Plan establishes a clear vision for the future and should set out objectives for delivering that vision during the plan period. This establishes the framework upon which the policies and proposals of the plan are built. Local plans provide a mechanism to deliver the strategic aspirations of an area over an extended period of time. Strategic Objectives explain what is trying to be achieved through the strategy and policies included in the Local Plan to deliver the vision.

Vision

By 2041, the Local Plan will have helped Rutland to make the most of its location, natural features and historic assets to become a leading example of a modern rural county.

The Local Plan will have supported the delivery of:

- **changes that improve people's quality of life, address the impacts of climate change and the need to become carbon net zero**
- **a strong, competitive, and knowledge-based local economy that provides opportunity for indigenous and inward investment and where businesses and entrepreneurs flourish**
- **a range of high-quality housing that meet the county's minimum housing need and which meets the needs of all sections of the community, including affordable homes, space for Gypsies and Travellers and Travelling Show people and homes which meet specialist needs**
- **healthy, sustainable, mixed communities with easy access to services and facilities by cycling, walking, public transport as well as by private vehicle**
- **development and change which also respects Rutland's rural character and has enhanced the county's sense of community and its unique rural identity**
- **protection and preservation of heritage assets and natural environment**
- **appropriate infrastructure (particularly education, health, roads, and community facilities) to mitigate the impact of new development**

The market towns of Oakham and Uppingham will continue to thrive as vibrant destinations to shop, socialise and enjoy life – both for those who live locally and those who visit. They will continue to be the main focus for additional housing and employment growth, while their role as business locations, service and cultural centres for the county will have been enhanced.

Beyond the towns, some planned development will have occurred in the 21 Larger Villages. Small scale, local, development will also have been permitted in the smaller settlements ensuring that our rural communities remain vibrant.

The quintessential rural character of the countryside will have been protected and support given to rural diversification and adapting rural activities to meet the challenges of climate change, digitalisation and changing travel patterns.

The development needs of communities, businesses and visitors will have been enabled taking particular account of:

- **climate change and the drive towards carbon net zero**
- **addressing health inequalities and improving the wellbeing of our communities**
- **addressing social and economic inequalities and promoting active travel routes**
- **the area's internationally recognised natural, built, and historic environment**
- **the provision of adequate supporting infrastructure**

Strategic Objectives

Strategic Objective 1: Climate change - taking positive action to achieve net-zero and reduce our carbon footprint, whilst mitigating and adapting to reduce the impact of climate change and reduce the risk of harm to people, communities, the environment, and the economy.

This will be achieved through:

- the design of new development
- minimising energy usage
- promoting low carbon and renewable energy generation in the right locations
- reducing dependency on fossil fuels, and reduce greenhouse gas emissions
- requiring water sustainability and efficiency measures
- using nature-based solutions to climate change
- increasing biodiversity, nature recovery and exploring the role of carbon capture, whole life carbon and carbon sequestration
- reducing and managing the risk of flooding from all sources
- protecting and enhancing water resources, including water quality and habitat resilience

Strategic Objective 2: Delivering sustainable development - delivering development which meets today's needs in a way which ensures the needs of future generations are not compromised.

Supporting an appropriate level of growth which is proportionate in scale and sited in locations that promote sustainability in local communities, especially those where there are good public transport and active mode connections, and where people can access: homes which are affordable; jobs; services; health, education, social and community facilities; open space; and infrastructure.

Supporting growth which delivers wider social and economic outcomes, whilst protecting and enhancing the natural and built environment taking a natural capital approach and in consideration of the rural nature of the county.

Strategic Objective 3: Meeting housing needs

Meeting Rutland's identified current and future diverse housing needs, including the affordability and adaptability of housing, through the provision of well-designed, energy efficient and low/zero carbon new homes.

Strategic Objective 4: A prosperous and resilient local economy

Supporting business investment and job creation in ways which are compatible with environmental considerations, food security, rural development and supporting visitor attractions to maintain a prosperous and resilient economy in Rutland.

Strategic Objective 5: Supporting strong and vibrant communities

Promoting health and wellbeing for people of all ages and reduce health inequalities by:

- enabling Rutland's market towns, and their centres in particular, to thrive as attractive and vibrant places for economic, social and cultural activity with good access to services and infrastructure
- developing a diverse and thriving network of villages and communities that serve local needs; maintaining and improving their viability and sustainability for future generations to enjoy
- ensuring new development and open spaces support physical and mental health and wellbeing for all, encourage active and healthy lifestyles, supports active modes of travel, and enhances connectivity between people and places and people and nature
- protecting the county's heritage assets, landscape character, and identity

Strategic Objective 6: Creating safe, inclusive, and resilient communities

Supporting all communities across the county to make them safe, inclusive, resilient to change with enhanced community cohesion.

Strategic Objective 7: Promoting high standards of design

Promoting high standard of design in all new development which is:

- innovative
- low carbon
- climate resilient
- low cost

- responds to its local character
- locally distinctiveness
- uses nature-based solutions
- cleaner, greener and creates safer places

Strategic Objective 8: Protect and enhance the built and natural environment

To provide, protect and enhance Rutland's varied and high-quality built and natural environment, which includes:

- natural landscapes
- multifunctional blue and green infrastructure
- biodiversity and geodiversity
- trees and hedgerows
- heritage assets and their settings
- cultural assets

Seek initiative-taking and creative solutions to securing endangered assets in perpetuity and improving landscape connectivity for people and wildlife.

Promote the multifunctional role of green and blue infrastructure in combating the effects of climate change and supporting health and wellbeing.

Deliver biodiversity net gain (BNG) on new developments.

Strategic Objective 9: Make effective use of land and natural resources

Encouraging the effective and prudent use of previously developed land and natural resources, including:

- the re-use and refurbishment of existing buildings
- the efficient use of land and buildings
- the use of sustainable construction techniques
- efficient use of water resources, protecting water quality and flood management
- remediating and mitigating degraded, derelict, contaminated, and unstable land
- providing for waste management and disposal towards net self-sufficiency in waste management

Strategic Objective 10: Ensure development is supported by essential infrastructure and services

Ensuring development is supported by essential infrastructure and services, this includes (but is not limited to):

- blue and green infrastructure
- digital infrastructure and utilities
- health care facilities
- roads and active travel routes
- schools
- sport and recreation
- waste management
- water supply and wastewater management
- Safe movement around the county for all
- sustainable modes of travel by enhancing greener travel networks for walking, cycling and public transport.

Strategic objective 11: Minerals

Ensuring a steady and adequate supply of minerals to meet national, regional, and local needs whilst taking account of impacts on the environment and local communities.

Why are the Vision and Strategic Objectives needed?

The NPPF says that local plans should provide a positive vision for the future of their area which provides a framework for addressing housing need and other economic, social and environmental priorities. It also says that strategic policies should look ahead over a minimum of 15 years from the adoption of the plan. This Local Plan is expected to cover the 20-year period from 2021 (when work began on the new plan) through to 2041.

In general terms, Rutland is recognised as having a high quality of life, with an attractive and high-quality environment, low levels of deprivation, unemployment and crime, high levels of life expectancy, health, and educational attainment.

Nevertheless, it is not a universal picture of affluence, and the attractive rural nature of the area gives rise to its own problems such as the high cost of housing and difficulties accessing services due to the dispersed pattern of settlement making it harder to deliver transport provisions.

In 2021 the Council led on a “Future Rutland Conversation” which sought to find out what really mattered to local people and businesses. Having listened carefully, a shared vision named the Future Rutland Vision, was agreed in 2022, which provides a set of long-term goals and aspirations based on the things that local people said are most important:

- Rutland 's character, its homeliness and community spirit
- peace and well-being, nature, wildlife, rurality, and the freedom to enjoy life

Rutland is seen by many as a truly special place – somewhere that you can live your best life. The Future Rutland Vision recognises that Rutland has something unique which needs to be preserved, enhanced, and built upon.

The Future Rutland Vision is split into four sections that cover all aspects of life in Rutland:

1. **A special place:** Sustaining a vibrant rural county that harnesses the enterprise of its businesses, the ambition and creativity of its residents, and the passion of its local communities.
2. **Sustainable lives:** Living sustainably and combatting the climate crisis through the power of choice, the removal of barriers, and collective action.
3. **Healthy and well:** Promoting health, happiness and well-being for people of all ages and backgrounds.
4. **A county for everyone:** Celebrating diversity and ensuring everyone has the opportunity to live well, be heard and overcome any challenges they may face.

The Future Rutland Vision aspires to ensure a thriving and sustainable county creating the right conditions for businesses to succeed and grow with places that are healthy, safe, connected and affordable to live in and which accommodate future population growth. This should be achieved in a way that protects and enhances the things that are unique and special to Rutland.

This vision is not meant to be a detailed plan. It sets out big, long-term goals for Rutland, based on the things that local people have said really matter. More detailed plans and policies will stem from the vision and serve as the catalyst for change.

The Local Plan is one of these more detailed plans. The Local Plan provides an opportunity to protect the things which are important and special about Rutland whilst shaping new development and managing change in a positive way which benefits residents, businesses, and visitors.

The Local Plan provides a mechanism to deliver the strategic aspirations and “vision” of an area over an extended period of time. Strategic Objectives explain what is trying to be achieved through the strategy and policies included in the Local Plan to deliver the vision.

The Council’s Corporate Strategy 2022 - 2027 sets out how the Council will contribute to and deliver this shared Future Rutland Vision and aspiration for the county, detailing commitments under the four main themes identified as well as a fifth priority: to deliver a Modern and Effective Council.

Under the each of the five priorities, the Council has developed a clear set of actions which identify what we are trying to achieve, and specific performance measures to ensure the Council delivers against our priorities. Development of a new Local Plan for Rutland falls under priority 1.

The County Council does not deliver development, growth and change directly but through its planning function it has a key role in shaping development and change to ensure that it meets the County’s long-term vision.

Not all aspects of the Future Rutland Vision are directly relevant to the Local Plan therefore the Local Plan vision uses those parts which are relevant to develop a Local Plan specific, vision.

What you told us about the topic

In the Issues and Options consultation, we asked whether the Local Plan vision should be based on the Future Rutland Vision. 73% of those responding agreed that it should.

A number of comments and suggestions were also made. It was considered that the vision needed to be simpler than the Future Rutland Vision, ambitious but realistic, sustainable, and measurable. The vision above reflects this.

79% of respondents said that they agreed with 12 strategic objectives identified in the Issues and Options consultation. These objectives have been updated with evidence and amended to reflect some of the suggestions and comments made through consultation. Objectives 5 and 8 in the Issues and Options have now been combined to form a single health and wellbeing objective (Objective 5).

The Issues and Options consultation also asked whether you supported a 20-year plan period from 2021-2041 and two thirds of respondents supported this approach.

What alternatives have we considered?

The council has considered developing a wholly new Local Plan vision or using the vision from the previous Local Plan, however creating a Local Plan vision from the Future Rutland Vision should ensure that the plan addresses the aspirations of the wider community and reflects the wide-ranging inputs into that process.

Alternative words and approaches for the objectives have been considered following the suggestions and comments received. The final objectives listed above are considered to deliver the vision and meet the requirements of key evidence reports.

Supporting Evidence

Future Rutland visioning

All evidence for the Local Plan is relevant to the objectives.

Chapter 4 - Climate Change

The Council recognises the need for urgent action to address climate change and has declared a Climate Crisis and Ecological Emergency. The Corporate Strategy 2022-27 recognises the objective of making Rutland a truly green county that is net zero carbon, with the challenge of reducing high levels of waste and our carbon footprint.

The Rutland Local Plan sets out both a strategic approach and relevant policies, supported by robust evidence, to address climate change, carbon reduction, as well as seeking to mitigate against the impact of climate change and supporting adaptation to such changing circumstances.

This draft plan sets out bold policies to go beyond expected national policy changes, whilst seeking to ensure that new development is viable.

Whilst this Local Plan cannot do everything (it especially has very limited influence over existing buildings, for example), it can ensure that new development is appropriate for a zero-carbon future, contributes to the transition to a net-zero carbon society, and is responsive to a changing climate.

Circular economy

A circular economy is one where materials are retained in use at their highest value for as long as possible and are then reused or recycled, leaving a minimum of residual waste. Application of circular economy principles to the built environment creates places where buildings are designed for adaptation, reconstruction, and deconstruction, extending the useful life of buildings, and allowing for the salvage of building components and materials for reuse or recycling, known as design for disassembly.

What will the policy do?

Policy CC1 aims to support development proposals that will contribute to the delivery of circular economy principles requiring proposals to demonstrate the approach to site waste management and how construction waste will be addressed following the waste hierarchy together with 5 Rs of waste management: Refuse, Reduce, Reuse, Repurpose, Recycle.

Policy CC1 - Supporting a Circular Economy

The Council is fully supportive of the principles of a circular economy. Accordingly, and to complement any policies set out in the Minerals and Waste chapter of this plan, proposals will be supported, in principle, which demonstrate their compatibility with, or the furthering of, a strong circular

economy in the local area (which could include cross-border activity elsewhere).

All developments (with the exception of householder applications for extensions and alterations) should set within submitted Design and Access Statements - the approach to site waste management and how construction waste will be addressed following the waste hierarchy together with 5 Rs of waste management: Refuse, Reduce, Reuse, Repurpose, Recycle.

Why is this policy needed?

Addressing climate change is one of the core land use planning principles within the National Planning Policy Framework (NPPF). Section 14 of the NPPF considers the role of planning in dealing with climate change and flood risk, noting the role of planning in supporting the transition to a low carbon future in a changing climate.

Planning should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, with footnote 53 of paragraph 153 of the NPPF noting that planning policies should take a proactive approach that is in line with the objectives and provisions of the Climate Change Act 2008. The Climate Change Act 2008 was amended in August 2019 to set a legally binding target for the UK to become net zero by 2050.

Section 182 of the Planning Act (2008) places a legal duty on local planning authorities to ensure that their development plan documents include policy to secure the contribution of development and the use of land in the mitigation of climate change.

Policies to extend the useful life of buildings as well as ensuring that, at the end of a buildings life, its constituent parts are easily reused and retain maximum value, are also an important element of reducing the environmental impact of construction. Taking such an approach reduces the need to extract raw materials and the manufacture of new building components, further reducing global carbon emissions and assisting with the achievement of net zero carbon.

The Government's Resources and Waste Strategy (2018) aims to eliminate avoidable wastes of all types by 2050 in England. This includes waste from the construction sector, which is the largest user of materials in the UK and produces the biggest waste stream in terms of tonnage.

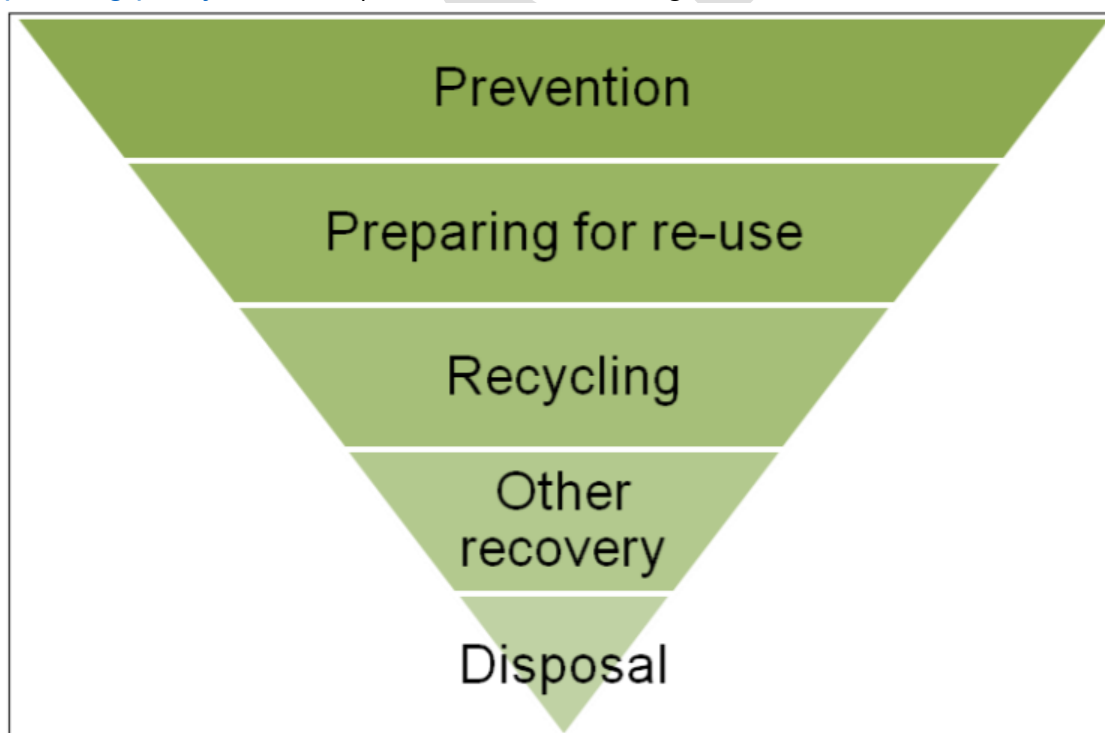
Avoiding waste and re-using waste products reduces the need for the manufacture and transport of new materials, which is an important element in achieving net zero carbon. Furthermore, efficient recycling of waste places less demands on natural and virgin resources, thereby conserving environments.

A circular economy can also be positive for the local economy, as it can create jobs in a local area to serve the circular economy, rather than support a consumption economy which relies on imports from outside the area (including international imports).

A circular economy is based on three fundamental principles: designing out waste and pollution; keeping products and materials in use; and regenerating natural systems.

The first principle requires businesses and organisations to rethink their supply chain and identify ways that they can avoid creating waste and pollution through their operations. The second principle centres around maximising the recycling, reusing, refurbishing, repairing, sharing, and leasing of resources. The third principle requires businesses and organisations to consider how they can not only protect the natural environment but also improve it. The circular economy principles can be applied at all scales- globally, locally, individual business level.

The policy approach above follows the waste hierarchy set out in the National Planning Policy for Waste (<https://www.gov.uk/government/publications/national-planning-policy-for-waste>). This is shown in diagrammatic form below:



Prevention: The most effective environmental solution is often to reduce the generation of waste, including the re-use of products.

Preparing for re-use: Products that have become waste can be checked, cleaned or repaired so that they can be re-used

Recycling: Waste materials can be reprocessed into products, materials, or substances.

Other recovery: Waste can serve a useful purpose by replacing other materials that would otherwise have been used.

Disposal: The least desirable solution where none of the above options is appropriate.

Policy CC1 aims to support development proposals that will contribute to the delivery of circular economy principles. Examples of such proposals include:

- Proposals that conserve and reuse any existing buildings, structures, or materials on site to the greatest possible extent, rather than demolishing and disposing or 'downcycling' these resources;
- Proposals that will reuse unwanted materials from the local area or region;
- Proposals which have been designed to reduce material demands and enable building materials, components, and products to be disassembled and re-used at the end of their useful life;
- Proposals that incorporate sustainable waste management on-site;
- Proposals which make specific provision for the storage and collection of materials for recycling and/ or re-use; and
- Proposals for the co-location of two or more businesses/services for the purpose of sharing resources or maximising use of waste products or waste energy.

What you told us about this topic

The Issues and Options consultation highlighted a need to ensure that a positive strategy for the delivery of low carbon and renewable energy is brought forward to ensure this approach is achieved. Many respondents said that delivering net zero carbon was an important issue for them.

What alternatives have we considered?

The evidence base on climate change has considered a number of options that the Council could consider.

Supporting Evidence

Climate change evidence base.

Which existing policies will be replaced by this policy?

No current adopted planning policies in place with respect to the Circular economy.

Design Principles for Energy Efficient Buildings

What will the policy do?

The policy establishes energy efficient design principles for new development aimed at ensuring the highest possible thermal efficiency and lowest possible expected energy use for new buildings.

The Council has adopted planning guidance on the design of new development as set out in the Rutland Design Guide SPD. In addition, the National Design Guide (January 2021) provides further guidance on design principles related to climate change and carbon reduction. A separate policy on design is set out in the Sustainable Communities chapter of this plan (Policy SC3). Policy CC2 sets out design principles to specifically address energy efficiency in new developments. This is in addition to the requirements of policy SC3 of the Sustainable Communities chapter.

Policy CC2 - Design Principles for Energy Efficient Buildings

Development proposals are expected to meet the highest possible energy efficiency standards.

Planning applications should demonstrate within the Design and Access statement how the following principles have influenced the development proposed:

- a) orientation of buildings to optimise opportunities for solar gain and to minimise winter cold wind heat loss;**
- b) creating buildings that are more efficient to heat and stay warm in colder conditions and stay cool in warmer conditions because of their shape and size;**
- c) using materials and building techniques that reduce heat and energy needs, with reference to the 'U-value' (insulation value) of each building element, thermal bridging, and the airtightness of the building as a whole.**
- d) choosing the most efficient available technologies for heating, lighting, ventilation, and (where appropriate) heat recovery from outgoing air and/or wastewater.**
- e) net zero carbon content of heat supply (for example, this means no connection to the gas network or use of oil or bottled gas);**
- f) maximising the generation of energy from renewable sources on-site.**

Why is this policy needed?

Analysis by the Committee on Climate Change has shown that energy use minimisation in new and existing buildings is a necessary part of the achievement of the UK's legislated carbon budgets, and has defined very low heat demand targets, for new homes in particular, to be achieved from 2025 onwards

New development must be of the highest possible thermal efficiency. The expected energy use of new buildings must be as low as possible, as this has been shown to be a necessary part of the UK's achievement of its legislated net zero carbon

targets. It is a false economy and unfair on future generations not to provide the highest possible thermal efficiency now. Any building that does not meet the required performance now, will require expensive and destructive retrofitting measures later at the occupier's expense. As Government itself stated in January 2021 "it is significantly cheaper and easier to install energy efficiency and low carbon heating measures when homes are built, rather than retrofitting them afterwards." (Future Homes Standard: Government Response, January 2021: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/956094/Government_response_to_Future_Homes_Standard_consultation.pdf).

Specifically, analysis produced for the Committee on Climate Change in 2019 found that to retrofit a home to the required standards (for compatibility with the UK's net zero carbon future) costs three to five times as much as it would cost to simply build to these standards in the first place (<https://www.theccc.org.uk/wp-content/uploads/2019/07/The-costs-and-benefits-of-tighter-standards-for-new-buildings-Currie-Brown-and-AECOM.pdf>). Beyond cost, this would also be highly disruptive to the occupants, which disincentivises these improvements ever occurring.

Buildings with high thermal efficiency are also more compatible with renewable and low-carbon energy systems, such as heat pumps (which typically deliver heat more slowly than conventional gas) and a renewable-heavy grid (as a home that holds onto its heat for longer can 'charge up' with heat when there's lots of renewable energy available in the grid, and doesn't need to place sudden heavy demands on the grid for heating energy at morning and evening peaks).

It is widely evidenced that extreme heat and extreme cold can have significant negative impacts on health, particularly for vulnerable people and risk of respiratory disease (<https://apps.who.int/iris/bitstream/handle/10665/275839/WHO-CED-PHE-18.03-eng.pdf>). Increasing energy efficiency of developments would contribute a mitigation to the negative impacts of extreme temperatures, enabling households to have healthier conditions to live.

What you told us about this topic

The Issues and Options consultation highlighted a need to ensure that a positive strategy for the delivery of low carbon and renewable energy is brought forward to ensure this approach is achieved. Many respondents said that delivering net zero carbon was an important issue for them.

What alternatives have we considered?

The evidence base on climate change has considered a number of options that the Council could consider.

Supporting Evidence

Climate change evidence base.

Which existing policies will be replaced by this policy?

No current adopted planning policies in place with respect to the Design Principles for Energy Efficient Buildings.

DRAFT

Climate-resilient and adaptable design

Overheating is also an area of growing concern. The Government published alongside the Future Homes Standard consultation in October 2019 research on home overheating which demonstrated that during warm years, overheating will occur in most new homes in most locations in England.

This is becoming an increasingly pressing and prevalent issue, given that climate change is already making 'hot' summers (like those of 2018 and 2022) increasingly frequent. Projections from the Met Office show that the probability of such hot summers is currently 12-25% but will reach 50-60% by the middle of the 21st Century

(https://www.metoffice.gov.uk/binaries/content/assets/metofficegovuk/pdf/research/ukcp/ukcp18_headline_findings_v4_aug22.pdf).

What will the policy do?

Policy CC3 requires new development to be future proofed by being designed and constructed to be resilient to overheating and to be flexible in structure to adapt to future social, economic, environmental and technological changes.

Policy CC3 - Resilient and Flexible Design

In order to ensure new development is resilient and flexible to future change proposals should consider the following in their design:

- a) How the design of the development minimises and prevents overheating and avoids the need for air conditioning systems;**
- b) How the design of the development has assessed flood risk and integrated mitigation measures in line with Policy CC14;**
- c) How the design of the development has assessed and responded to any identified need to mitigate risks related to wind exposure (including risks to occupant safety, occupant amenity, building integrity, and safety in the immediate surroundings).**
- d) How the proposal is flexible to future social, economic, technological, and environmental requirements in order to make buildings both fit for purpose in the long term and to minimise future resource consumption in the adaptation and redevelopment of buildings in response to future needs.**

Why is this policy needed?

Research has shown that overheating mitigation techniques, such as solar shading and increased ventilation, are highly effective at reducing indoor temperatures, which in turn reduces the risk of morbidity, mortality and the impact on productivity associated with sleep loss. Accordingly, as of 2022 Government has introduced a new section of Building Regulations that sets certain minimum requirements for overheating risk mitigation, in new-build homes. This new 'Part O' of Building Regulations should be read in conjunction with the above policy requirements.

Adaptations could include:

- Allow for future adaptation or extension by means of the building's internal arrangement internal height, detailed design, and construction, including the use of internal stud walls rather than solid walls to allow easier reconfiguration of internal layout;
- Provision of internal space that could successfully accommodate 'home working';
- Infrastructure that could support car free development and lifestyles;
- Having multiple well-placed entrances on larger non-residential buildings to allow for easier subdivision; and
- Is resilient to flood risk, from all forms of flooding.

What you told us about this topic

The Issues and Options consultation highlighted a need to ensure that a positive strategy for the delivery of low carbon and renewable energy is brought forward to ensure this approach is achieved. Many respondents said that delivering net zero carbon was an important issue for them.

What alternatives have we considered?

The evidence base on climate change has considered a number of options that the Council could consider.

Supporting Evidence

Climate change evidence base.

Which existing policies will be replaced by this policy?

No current adopted planning policies in place with respect to resilient and adoptable design.

Net zero carbon (operational)

What will the policy do?

Policy CC4 requires new development to be built with 'the capacity to generate its own, low – or zero - carbon, energy. For residential development, this means that as well as the high standards for space heating demands and, energy use intensity set out in policy CC2 development should include the installation of renewable energy technology such as solar photovoltaics (PV) to meet the developments own energy need.

Policy CC4 - Net zero carbon (operational)

All major development proposals and all residential development proposals should provide for the maximum generation of renewable electricity as practically and viably possible on-site (and preferably on-plot).

Proposals supported by an Energy Statement should cover:

- a) **The submission of design stage estimates of energy performance; and**
- b) **Prior to any property being occupied, the submission of updated, accurate and independently verified 'as built' calculations of energy performance.**

Why is this policy needed?

The Government is committed to improving the energy efficiency of new homes through the Building Regulations system, under the Future Homes Standard (FHS). The introduction of the FHS will ensure, it is proposed, that an average home will produce at least 75% lower CO₂ emissions than one built to Part L 2013 standards (this is approximately equivalent to 63% reduction on today's standard, Part L 2021). This is done through improvements to the minimum standards for insulation, glazing, and efficiency of the heating system (using a heat pump as the new benchmark, instead of gas). The Government intends that homes built under the FHS will therefore be 'zero carbon ready', meaning that in the longer term, no further retrofit work for energy efficiency will be necessary to enable them to become zero-carbon homes as the electricity grid continues to decarbonise.

Working alongside the FHS, Policy CC4 sets out how new residential development in Rutland will ensure energy efficiency to the degree necessary within the UK's carbon trajectory, and also ensure that this is matched with renewable energy as the new homes come forward, so that the new growth does not add to the already huge challenge of rapidly reducing Rutland's existing emissions and reaching net zero by 2050.

What you told us about this topic

The Issues and Options consultation highlighted a need to ensure that a positive strategy for the delivery of low carbon and renewable energy is brought forward to

ensure this approach is achieved. Many respondents said that delivering net zero carbon was an important issue for them.

What alternatives have we considered?

The evidence base on climate change has considered a number of options that the Council could consider.

Supporting Evidence

Climate change evidence base.

Which existing policies will be replaced by this policy?

No current adopted planning policies in place with respect to reducing energy consumption in new residential development.

DRAFT

Embodied Carbon

A significant proportion of a building's lifetime carbon impact is locked into its fabric and systems. This is known as Embodied Carbon means all the carbon dioxide (and other greenhouse gases) emitted in producing, transporting, constructing, using, and disposing of materials. In the case of buildings this means all the emissions from the sourcing and transportation of building materials, the construction of the building itself, its fixtures, and fittings and, finally, the deconstruction and disposal at the end of a building's lifetime. The vast majority of this embodied carbon is 'up-front,' that is, it is associated with all stages up to the completion of the building. A smaller share of the whole-life embodied carbon comes from maintenance and refurbishment across the building's lifetime, and the eventual demolition and disposal.

What will the policy do?

Policy CC5 supports measures to reduce embodied carbon through encouraging developers to demonstrate how their proposals have avoided the wastage of embodied carbon in existing buildings and avoided and reduced the creation of new embodied carbon.

Policy CC5 - Embodied Carbon

All development should, where practical and viable, take opportunities to reduce the development's embodied carbon content, through the careful choice, use and sourcing of materials.

To avoid the wastage of embodied carbon in existing buildings and avoid the creation of new embodied carbon for replacement buildings, there is a presumption in favour of repairing, refurbishing, re-using, and re-purposing existing buildings over their demolition. Proposals that result in the demolition of a building (in whole or a significant part) should be accompanied by a full justification for the demolition.

Why is this policy needed?

The embodied carbon of a building typically makes up a majority share of the total carbon impact across that building's lifetime, for example the UK Green Building Council (UKGBC) has found that embodied carbon made up between 67% and 76% of buildings' total carbon emissions depending on the type of building. Clearly this must be addressed in order to fully respond to the climate emergency (especially as the share of embodied emissions that occur within the UK must be reduced in line with the UK's carbon reduction targets). Yet currently, embodied carbon is not addressed by any part of Building Regulations – there is currently no regulatory incentive for new development to reduce its embodied carbon whether through material selection, product sourcing, material-efficient design, or other means. There is therefore a need for local plan policy to respond specifically to this issue in order to fulfil the local plan's duty to mitigate climate change.

Addressing embodied carbon can provide cost-effective potential for carbon savings and cost savings over and above those traditionally targeted through operational

savings. There is a significant opportunity to reduce the carbon impact of new development.

Reductions in embodied carbon are also not subject to ongoing building user behaviour in the way that operational carbon savings are. As a result, embodied carbon benefits can be more accurate, certain, and identifiable than predicted operational carbon reductions, particularly when the final occupant of the building is not known at the time.

Embodied carbon savings made during the design and construction stage are also delivered immediately. This contrasts with operational emissions savings which are delivered over time in the future. Given the long lifetime of CO₂ in the atmosphere over which period its climate warming effect builds up and given the risk of reaching 'climate tipping points' or feedback loops triggering runaway climate change, the environmental value of a kg of CO₂ saved today may well have a greater environmental value than a kg saved in say 10 or more 20 years' time.

Embodied carbon reduction can also contribute to other sustainability targets and priorities. For example, use of recycled content, recyclability of building materials, and reduced waste materials to landfill can all result from a focus on reducing embodied carbon and also contribute to waste reduction targets.

Similarly, benefits to the local community can accrue from cleaner fabrication processes which mitigate the impact of the development site on the local area; the use of more local sourcing and local supply chains can also support jobs; and the economy in the local area (or if not local, then at regional or national level).

What alternatives have we considered?

The evidence base on climate change has considered a number of options that the Council could consider.

Supporting Evidence

Climate change evidence base.

Which existing policies will be replaced by this policy?

No current adopted planning policies in place with respect to reducing energy consumption in new non-residential development.

Water Efficiency

The supply and disposal of water has a significant carbon impact, as well as being a crucial issue for climate change adaptation given the increasing frequency of hotter, drier summers. Whilst the bulk (90%) of water-related carbon emissions come from the heating of water, the process of treating and pumping water to homes also has an impact (10%). Reducing water use (supply and disposal) therefore can have a significant carbon impact, even more so if that water is heated.

What will the policy do?

In recognition of the impact of domestic water usage and that Rutland is a water scarcity area, policy CC6 implements reduced water usage standards for all new homes. It also establishes principles for the sustainable management of surface water and for the provision of rainwater harvesting water butts to address issues associated with hosepipe usage.

Policy CC6 - Water Efficiency and Sustainable Water Management

To minimise impact on the water environment all new dwellings should achieve the Optional Technical Housing Standard of 110 litres per day per person for water efficiency as described by Building Regulation G2. Proposals that go further than this (to, for example, 85 litres per day per person or other relevant best practice target set by the building industry such as the RIBA Climate Challenge) will be particularly encouraged.

Water Management

In addition to the wider flood and water related policy requirements (Policy CC14), all development comprising new buildings:

- **with outside hard surfacing, must ensure such surfacing is permeable (unless there are technical and unavoidable reasons for not doing so in certain areas);**
- **with outside soft landscaping, must ensure that drought tolerant planting schemes are employed in private gardens, communal areas, and any proposed public green spaces;**
- **with any flat-roofed area, should be a green roof (for biodiversity, flood risk and water network benefits), unless such roof space is being utilised for photovoltaic or thermal solar panels; and**
- **which is residential, and which includes a garden area, must include a rain harvesting water butt(s) of minimum capacity of 200l, connected to a downpipe.**

Why is this policy needed?

The 2023 climate adaptation progress report from the Parliamentary Committee on Climate Change has shown that although plans are in motion in the water supply sector to improve resilience to drought, there has been insufficient progress in reducing water demand and leakage, relative to targets. The same report shows that drought is already affecting water supplies and this risk is likely to worsen due to

future climate projections for more frequent and intense dry periods combined with expected population growth.

Even small measures, such as a water butt, can make a difference – each time a 100l water butt is filled with rainwater, and used to water garden plants instead of using mains water, it saves 79g/CO₂ (Source: Water UK, which estimates the carbon footprint of 1 litre of domestic water is 0.79g/CO₂/l).

Building Regulations require all new residential developments to achieve a mandatory standard of 125 litres per person per day. The optional technical standards for housing allows local authorities to apply a more stringent standard of 110 litres per person per day where there is a clear local need. Rutland is identified as being within an area of serious water stress and Anglian Water Services and Severn Trent Water have provided evidence that this optional standard is required in this area. (Water Stressed Areas – 2021 Final Classification - <https://www.gov.uk/government/publications/water-stressed-areas-2021-classification>).

Harvesting of rainwater for garden use provides benefits both in terms of water consumption and the associated reduction in carbon impact derived from not using mains water.

What you told us about this topic

The Issues and Options consultation highlighted a need to ensure that a positive strategy for the delivery of low carbon and renewable energy is brought forward to ensure this approach is achieved. Many respondents said that delivering net zero carbon was an important issue for them.

What alternatives have we considered?

The evidence base on climate change has considered a number of options that the Council could consider. The proposed standard in the policy is the most appropriate with regard to Rutland's position as a water stressed area.

Supporting Evidence

Climate change evidence base and classification of water stressed areas.

Which existing policies will be replaced by this policy?

CS 19 Promoting good design proviso d).

Existing Development – reducing energy consumption

What will the policy do?

The policy aims to assist in improving the energy efficiency of existing buildings, complementing the wider policies of this Local Plan which are primarily aimed at new buildings.

Policy CC7 - Reducing Energy Consumption in Existing Buildings

For all development proposals that involve the change of use or redevelopment of a building, or an extension to an existing building, proposals are expected where possible to improve the energy efficiency of that building (including the original building, if it is being extended) through a submitted Energy Statement.

Proposals relating to an existing building that demonstrate that they will result in significant improvements to that building's operational energy efficiency and/or operational carbon emissions through on-site measures, will be expected .

The sensitive retrofitting of energy efficiency measures and the appropriate use of micro-renewables in historic buildings will be expected , including the retrofitting of listed buildings, buildings of solid wall or traditional construction and buildings within in conservation areas, whilst safeguarding the special characteristics of these heritage assets for the future.

Why is this policy needed?

Whilst there is significant new development planned for Rutland, the vast majority of buildings that will be occupied over the coming decades will be those built in earlier times when energy and performance standards were much lower than at present.

An Energy Performance Certificate (EPC) provides details of the energy performance of a property and is required for properties when constructed, sold, or let.

The Minimum Energy Efficiency Standards (MEES) Regulations require all applicable properties to achieve an Energy Performance Certificate (EPC) rating of E or better. Separately, the Clean Growth Strategy (2017) has set a target for as many buildings as possible to achieve an EPC of C by 2030/35 and commits to keep energy efficiency standards under review.

The Council intends to bring forward supplementary guidance regarding a Carbon Zero Toolkit, already promoted by other local planning authorities. It encourages the use of the Carbon Zero Toolkit that the Council shall promote for the time being alongside the PAS 2035:2019 Retrofitting Dwellings for Improved Energy Efficiency: Specifications and Guidance. This offers an end-to-end framework for the application of energy retrofit measures to existing buildings in the UK and provides best practices for their implementation. It is a key document in a framework of new and existing standards on how to conduct effective energy retrofits of existing buildings. It covers how to assess dwellings for retrofit, identify improvement options, design, and

specify Energy Efficiency Measures (EEM) and monitor retrofit projects. A related standard, BS40101, expresses best practice in evaluating the performance of buildings (including energy as well as other factors such as air quality) and can be very helpful to identify building energy performance issues before targeting these through energy retrofit interventions.

What you told us about this topic

The Issues and Options consultation highlighted a need to ensure that a positive strategy for the delivery of low carbon and renewable energy is brought forward to ensure this approach is achieved. Many respondents said that delivering net zero carbon was an important issue for them.

What alternatives have we considered?

The evidence base on climate change has considered a number of options that the Council could consider.

Supporting Evidence

Climate change evidence base.

Which existing policies will be replaced by this policy?

CS 19 Promoting good design proviso c) and SP15 Design and Amenity

Renewable Energy Generation

The generation and use of renewable energy reduces demand for fossil fuels, thus reducing harmful greenhouse gas emissions. Renewable energy technologies include:

- Photovoltaic solar panels - for electricity generation
- Thermal solar panels- for heating
- Wind turbines - for electricity generation
- Ground source heat pumps – for heating
- Air source heat pumps – for heating

The use of renewable energy not only reduces carbon emissions – and so help address climate change - but it also has other benefits such as:

- it is sustainable - renewable energy will not run out, unlike fossil fuels which are finite;
- the renewable energy sector creates jobs in the short and long term, for example, project planning, installation, operation and maintenance;
- onshore wind offers the most cost-effective choice for electricity in the UK and these cost savings can be passed onto the consumer;
- onshore wind technology is getting more efficient whilst maintaining the same footprint, and land between wind turbines can be used for other productive purposes, such as food production
- generating energy locally for local consumption reduces the local exposure to volatile prices or supply interruptions caused by disruptions elsewhere, enhancing the degree of control Rutland has over its own decisions and ability to thrive (energy sovereignty).

What will the policy do?

Policy CC8 seeks to maximise appropriately located renewable energy generated in Rutland by establishing the areas of the county where different types of large-scale renewable energy proposals may be acceptable and setting out the criteria against which proposals will be assessed. The policy also sets out provisions for the decommissioning of renewable energy sites.

Policy CC8 - Renewable Energy

The Council is committed to supporting the transition to a net zero carbon future and will seek to maximise appropriately located renewable energy generated in Rutland.

Proposals for renewable energy schemes, including ancillary development, will be supported where the direct, indirect, individual, and cumulative impacts on the following considerations are, or will be made, acceptable. To determine whether it is acceptable, the following tests will have to be met:

- a) **The impacts are acceptable having considered the scale, siting and design, and the consequent impacts on landscape character; visual**

amenity; biodiversity; geodiversity; flood risk; townscape; heritage assets, their settings, and the historic landscape; and highway safety; and

- b) The impacts are acceptable on aviation and defence navigation system/communications; and**
- c) The impacts are acceptable on the amenity of sensitive neighbouring uses (including local residents) by virtue of matters such as noise, dust, odour, shadow flicker, air quality and traffic.**

Compliance with part (a) above will be via applicable policies elsewhere in a development plan document for the area (i.e., this Local Plan or a Neighbourhood Plan, if one exists); and any further guidance set out in a Supplementary Planning Document.

Compliance with part (b) above will require, for relevant proposals, the submission by the applicant of robust evidence of the potential impact on any aviation defence navigation system/communication, including documented areas of agreement or disagreement reached with appropriate bodies and organisations responsible for such infrastructure.

Compliance with part (c) above will require, for relevant proposals, the primary obligation would be for the Applicant to present a robust assessment that would be considered in the context of all other submissions made , and the mitigation measures proposed to minimise any identified harm.

For meeting the above criteria (a)-(c), the County Council may commission its own independent assessment of the proposals, to ensure it is satisfied what the degree of harm may be and whether reasonable mitigation opportunities are being taken.

In areas that have been designated for their national importance, as identified in the National Planning Policy Framework, renewable energy infrastructure will only be permitted where it can be demonstrated that it would be appropriate in scale, located in areas that do not contribute positively to the objectives of the designation, is sympathetically designed and includes any necessary mitigation measures.

Community renewable energy proposals

Weight in favour will be afforded to renewable energy proposals where community ownership or significant benefits to local communities are demonstrated.

Additional considerations for solar based energy proposals

Proposals for the installation of solar thermal or photovoltaics panels and associated infrastructure on an existing building will be under a presumption

in favour of permission unless there is clear and demonstrable significant harm arising.

Proposals for ground based solar thermal or photovoltaics and associated infrastructure, including commercial large-scale proposals, will be supported where they are within an area identified as a “ground mounted solar PV opportunity area” as identified on the Policies Map and address all matters in (a) – (c) above, as well as the additional requirements of national planning policy, unless:

- **there is clear and demonstrable significant harm arising; or**
- **the proposal is (following a site specific soil assessment) to take place on Best and Most Versatile (BMV) agricultural land, the proposal is part of a wider scheme to protect or enhance a carbon sink of such land or unless the agricultural production can continue during the operation of the energy generation or can recommence after the end of life of the energy generation equipment without significant impact on the quality of that agricultural land ; or**
- **the land is allocated for another purpose in this Local Plan or other statutory based document (such as a Nature Recovery Strategy or a Local Transport Plan), and the proposal is not compatible with such other allocation.**

Additional matters for wind-based energy proposals

Proposals for a small to medium single wind turbine, which is defined as a turbine up to a maximum of 40m from ground to tip of blade, are, in principle, supported throughout Rutland. Such proposals will be tested against criteria (i)-(iii) and the additional requirements of national planning policy.

Proposals for medium (over 40m from ground to tip of blade) to large scale wind turbines (including groups of turbines) will, in principle, be supported only where they are within an area identified as a “broad area suitable for Larger Scale Wind Energy Turbines” as identified on the Policies Map and address all matters in (a) – (c) above, as well as the additional requirements of national planning policy.

Medium to large scale wind turbines should not be within 500m of any settlement or individual residential property. Any proposal for a medium to large scale wind turbine located between 500-2000m of residential property will need clear evidence of no significant harm arising. This would include assessment of:

- **noise**
- **flicker**
- **overbearing nature of the turbines (established by visual effects from within commonly used habitable rooms)**
- **any other amenity which is presently enjoyed by the occupier**

Decommissioning renewable energy infrastructure

Where permitted, proposals will be subject to a condition that will require the submission of an End-of-Life Removal Scheme within six months of the facility becoming non-operational, and the implementation of such a scheme within one year of the scheme being approved. Such a scheme should demonstrate how the biodiversity net gain that has arisen on the site will be protected or enhanced further, and how the materials to be removed would, to a practical degree, be re-used or recycled in line with Policy CC1.

Why is this policy needed?

In June 2015 Government issued a Written Statement on wind energy development (<https://www.parliament.uk/globalassets/documents/commons-vote-office/June-2015/18-June/1-DCLG-Planning.pdf>) stating that, when determining planning applications for wind energy development involving one or more wind turbines, local planning authorities should only grant planning permission if:

- the development site is in an area identified as suitable for wind energy development in a local or neighbourhood plan; and
- following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.

This has recently been updated in a Written Statement issued on 5th September 2023 (<https://questions-statements.parliament.uk/written-statements/detail/2023-09-05/hcws1005>). These are currently reflected in the National Planning Policy Framework (NPPF) up to the 2021 edition of the NPPF. At the time of drafting this local plan policy wording, the Government recently proposed to update the NPPF in 2023 to specify instead that the community's identified impacts must be "satisfactorily" or "appropriately" addressed (rather than 'fully') and that wind energy development should have "community support" rather than "their backing". Although subtle, these changes would recognise that there can be diversity of opinion within the community on the acceptability of wind energy development, and therefore that there may be situations where wind energy development can be deemed permissible without it being practical to 'fully' address every concern that each community member may hold.

The proposed NPPF changes also include that wind energy development could also be granted through Local Development Orders, Neighbourhood Development Orders or Community Right to Build Orders. Rutland Council will monitor the outcome of these proposed NPPF changes and will make any necessary or appropriate adjustments to the emerging local plan policies to reflect these changes should they be confirmed by Government before the Local Plan goes to examination.

This Local Plan identifies potentially suitable areas for wind turbine development. Not identifying potentially suitable areas for wind turbine development would potentially make the goal of net zero carbon, whether by 2050 (UK legal requirement) or earlier

(and the UK's legislated carbon budgets before 2050) harder to achieve, and result in greater pressure to adopt more revolutionary measures elsewhere. In principle, therefore, this Local Plan supports and helps facilitate the delivery of wind turbines, in addition to other forms of renewable energy generation, storage, and distribution.

Policy CC8 differentiates between small to medium scale turbines and medium to large turbines.

This Local Plan establishes that the whole of the Rutland area is potentially suitable for small to medium wind turbine development, while only the limited areas as defined on the Policies Map are potentially suitable for the development of medium to large scale turbines.

It is important to stress that the areas on Map and the Policies Map are only 'potentially suitable' for medium-large scale wind turbines: being within these locations does not mean that an application for a wind turbine or turbines would automatically be approved. It is not possible to map qualitative considerations easily and comprehensively, so such matters are considered at the point of application: all applications for wind turbines will be assessed against the detailed policy criteria set out in Policy CC8, and all other relevant policies in this Local Plan, as well as policies in any relevant Neighbourhood Plan.

Sites that are potentially suitable for solar renewable energy are also identified on the Policies Map.

In addition, applicants will also have to demonstrate that any planning impacts identified by affected local communities have been appropriately addressed, in order to satisfy national policy (See NPPF (2021) paragraph 158 and footnote 54). Whether a proposal has the backing or support of the local community is a judgement the Council will make on a case-by-case basis.

Beyond the specific issue of wind to consider renewable energy generation as a whole, it is clear that further action (beyond existing national policy) is needed based on evidence from the Committee on Climate Change Progress Report (2023) which flags that although some progress has been made recently on reducing the carbon intensity of electricity, "The Government is still lacking a credible overall strategy for delivering its objective of decarbonising the sector by 2035" and "credible plans are in place for [only] around 30% of the emissions reduction required [in this sector] by the Sixth Carbon Budget" .

The CCC 2023 report also notes that although renewable energy generation capacity grew in the past year, this is still behind the levels needed to hit government targets. The growth that occurred was primarily through offshore wind, while "both onshore wind and solar deployment are progressing more slowly ... in part due to barriers in the planning system."

What you told us about this topic

The Issues and Options consultation highlighted a need to ensure that a positive strategy for the delivery of low carbon and renewable energy is brought forward to

ensure this approach is achieved. Many respondents said that delivering net zero carbon was an important issue for them.

What alternatives have we considered?

The evidence base on climate change has considered a number of options that the Council could consider.

Supporting Evidence

Climate change evidence base;
Renewable energy evidence base.

Which existing policies will be replaced by this policy?

CS20 – Energy efficiency and low carbon generation
SP18 Wind turbines and low carbon energy developments
Wind Turbines SPD.

There are no current adopted planning policies in place with respect to other forms of renewable energy.

DRAFT

Protecting Renewable Energy Infrastructure

What will the policy do?

Policy CC9 safeguards existing renewable energy schemes and installations, to ensure that their benefits to the environment and users continue into the future.

Policy CC9 - Protecting Renewable Energy Infrastructure

Development should not significantly harm:

- a) the technical performance of any existing or approved renewable energy generation facility;**
- b) the potential for optimisation of strategic renewable energy installations; and**
- c) the availability of the resource, where the operation is dependent on uninterrupted flow of energy to the installation.**

Why is this policy needed?

In order to support the transition to a zero carbon Rutland, there is a need to move away from fossil fuels towards low carbon alternatives and this transition needs to take place with increasing momentum in order to stay within identified carbon saving targets.

The evidence of need for greater action on renewable energy generation from the Committee on Climate Change 2023 progress report, previously cited under the rationale for Policy CC8 (Renewable Energy), also applies to this policy CC9 as both relate to the need for an acceleration in the total amount of renewable energy generation in order to hit nationally legislated carbon budgets and national commitments around decarbonisation of the energy sector.

What you told us about this topic

The Issues and Options consultation highlighted a need to ensure that a positive strategy for the delivery of low carbon and renewable energy is brought forward to ensure this approach is achieved. Many respondents said that delivering net zero carbon was an important issue for them.

What alternatives have we considered?

The evidence base on climate change has considered a number of options that the Council could consider.

Supporting Evidence

Climate change evidence base.

Renewable energy evidence base.

Which existing policies will be replaced by this policy?

There are no current adopted planning policies in place with respect to renewable energy infrastructure.

DRAFT

Energy Infrastructure

What will the policy do?

The Council is committed to supporting the transition to net zero carbon future and, in doing so, recognises and supports, in principle, the need for significant investment in new and upgraded energy infrastructure.

Policy CC10 - Wider Energy Infrastructure

Where planning permission is needed, support will be given to proposals that are necessary for, or form part of, the transition to a net zero carbon sub-region, which could include: energy storage facilities (such as battery storage or thermal storage); and upgraded or new electricity facilities (such as transmission facilities, sub-stations or other electricity infrastructure).

However, any such proposals should take all reasonable opportunities to mitigate any harm arising from such development and take care not only to select appropriate locations for such facilities, but also to design solutions which minimise harm arising.

Why is this policy needed?

In order to support the transition to a zero carbon Rutland, there is a need to move away from fossil fuels towards low carbon alternatives and this transition needs to take place with increasing momentum in order to stay within identified carbon saving targets.

There may also be a need arising in future to consider future forms of potentially low-carbon energy, such as hydrogen (noting that hydrogen's role in the UK's net zero carbon transition is anticipated to be mainly in heavy industry, transport, and storage of excess renewable electricity, rather than becoming a direct replacement for natural gas in homes and other heated buildings).

The key implication of the move towards low carbon energy will be the increasing demand for electricity. Meanwhile, the latest calculations of the UK's optimal pathway to net zero carbon, including the necessary transition of buildings and transport to electricity (instead of gas and petrol/diesel), should result in an electricity demand increase from 2020 levels of 53% by 2035 and doubling by 2050.

In addition to the increase in demand, the electricity grid will also need to become more able to respond to greater peaks and troughs in energy generation as the generation mix becomes more renewable-heavy, as renewable energy generation such as wind and solar can be more intermittent (compared to conventional fossil fuels which can be increased or decreased in rapid response to the demands being placed on the grid). This means our future grid, to be fit for net zero carbon future, needs to become able to store energy for later use, smartly direct energy from where it is generated to where it is needed, and be able to maintain frequency throughout rapid fluctuations in the generation and demand. The Royal Town Planning Institute states that in addition to bringing forward renewable energy generation, the planning system will also need to "play a key role in aiding a transmission strategy by helping

deliver the next generation of energy connections, storage and smart grid infrastructure.”

As a result, the infrastructure around energy will need to adapt and change to accommodate the increased need for the management and storage of electricity. Consideration of existing and new electricity sub-stations, storage and energy strategies for large developments will be required to help support the future energy infrastructure needs for Rutland.

What you told us about this topic

The Issues and Options consultation highlighted a need to ensure that a positive strategy for the delivery of low carbon and renewable energy is brought forward to ensure this approach is achieved. Many respondents said that delivering net zero carbon was an important issue for them.

What alternatives have we considered?

The evidence base on climate change has considered a number of options that the Council could consider.

Supporting Evidence

Climate change evidence base.

Which existing policies will be replaced by this policy?

There are no current adopted planning policies in place with respect to renewable energy infrastructure.

Carbon Sinks and Sequestration

Carbon sequestration is the capture, removal, and long-term storage of carbon dioxide from the atmosphere and is recognised as a key component in mitigating (or if at sufficient scale, potentially reversing) climate change. Carbon dioxide is naturally captured from the atmosphere through biological, chemical, and physical processes and is stored in vegetation, soils, and oceans. These are often referred to as carbon sinks. On land (and wetland), the main process by which this occurs is through the conversion of carbon dioxide into plant tissue through plants' growth processes, where it can be locked up for the plant's lifetime or longer if the plant tissue carbon is eventually trapped in soils or under water. The way in which we manage these carbon sinks can have a significant impact on carbon sequestration.

These processes can be accelerated or decelerated through changes in land use. For example, land currently used for non-crop purposes (such as trees or grasslands) which is lost to other uses (such as development or intensive agriculture) can reduce or even stop carbon sequestration from happening on that land. Drainage of wetlands (especially peat) can cause large releases of carbon as the formerly submerged soil is exposed to air. Vice versa, land which has no material carbon sequestration currently occurring can be converted, via alternative land use, to one which commences carbon sequestration. Overall, we need to protect land which has a role of positive carbon sequestration, and where possible create additional land fulfilling that function. To indicate the scale of action needed, the 2023 progress report on the UK's climate mitigation efforts shows that to hit the UK's committed carbon targets, the current tree-planting rate is too low (needing to double by 2025) and so does the rate of peatland restoration (currently less than one-fifth of the rate it should be). Afforestation in particular is expected to play a key role in the UK's carbon targets, needing to increase the UK's forested area from 13% in 2020, to reach 15% in 2035 and 18% in 2050.

What will the policy do?

Policy CC11 seeks to protect existing carbon sinks from development and promotes opportunities to enhance the function of existing carbon sinks

Policy CC12 covers carbon sequestration, providing support to proposal where the net outcome is demonstrated to be a significant gain in nature-based carbon sequestration as a consequence of the proposal.

Policy CC11 - Carbon Sinks

Existing carbon sinks should be protected, and where opportunities exist, they should be enhanced in order to continue to function as a carbon sink. Where development is proposed on land containing peat soils or other identified carbon sinks, including woodland, trees, hedges, orchards, and scrub; open habitats and farmland and rivers, lakes, reservoirs and wetland habitats, the applicant must submit a proportionate evaluation of the impact of the proposal on any form of identified carbon sink as relevant. In all cases an appropriate management plan must be submitted.

There will be a presumption in favour of preservation of carbon sinks in-situ. Proposals that will result in unavoidable harm to, or loss of identified carbon sinks will only be permitted if it is demonstrated that:

- a) the site is allocated for development; or**
- b) there is not a less harmful viable option for development of that site.**

In any such case, the harm caused must be shown to have been reduced to the minimum possible and appropriate, satisfactory provision will be made for the evaluation, recording and interpretation of the peat soils or other form of carbon sink before commencement of development. Proposals to help strengthen existing, or create new, carbon sinks will be supported.

Policy CC12 - Carbon Sequestration

The demonstration of meaningful carbon sequestration through nature-based solutions within a proposal will be a material consideration in the decision-making process. Material weight in favour of a proposal will be given where the net outcome is demonstrated to be a significant gain in nature-based carbon sequestration as a consequence of the proposal. Where a proposal will cause harm to an existing nature-based carbon sequestration process, weight against such a proposal will be given as a consequence of the harm, with the degree of weight dependent on the scale of net loss.

Why these policies are needed

Land plays a significant role in climate objectives, acting as both a source of greenhouse gas emissions and a carbon sink in the achievement of local and national carbon reduction commitments. Habitats such as woodlands and grasslands have a role to play in this regard. Alongside many other negative impacts, loss and degradation of natural habitats results in the direct loss of carbon stored within them.

Land based carbon sequestration, alongside technological means for removing carbon from the atmosphere, will have a role to play. While the role of planning in supporting the development of land for carbon sequestration is limited, planning policies already exist to protect nature sites, which almost without exception will function as a carbon sink, and further policies exist to require new development to provide new open space and deliver biodiversity net gain. However, in the absence of Policy CC12 there would be no requirement for the carbon sink function of land to be specifically considered at all in development decisions. Promotion of nature-based solutions, where natural systems are protected, restored, and managed can assist with the protection of carbon sinks while at the same time providing benefits for biodiversity and health and wellbeing. See also policies EN1- EN11 in the Chapter 9 Environment

What you told us about this topic

The Issues and Options consultation highlighted a need to ensure that a positive strategy for the delivery of low carbon and renewable energy is brought forward to

ensure this approach is achieved. Many respondents said that delivering net zero carbon was an important issue for them.

What alternatives have we considered?

The evidence base on climate change has considered a number of options that the Council could consider.

Supporting Evidence

Climate change evidence base.

Which existing policies will be replaced by these policies?

There are no current adopted planning policies in place with respect to carbon sinks and carbon sequestration.

DRAFT

Facilitating a Transition to Net-zero Carbon Lifestyles

Rutland's emissions come from a variety of sectors and activities. The Local Plan can influence many of these to a varying extent, but not to the full extent that would ensure a transition to net zero carbon across the whole plan area. National policy, sectoral practices, technological advance, and individual behaviours will also shape the carbon outcomes.

What will the policy do?

Nationally prescribed building regulations establish requirements for electric vehicle charging points for specific development proposals, Policy CC13 establishes local requirement for the location and implementation of the national requirements relating to EV charging. It also sets out requirement for secure and covered bicycle parking suitable for e-bikes which are large and heavy to bring into premises.

Policy CC13 - Sustainable Travel

All applications that include provision of parking spaces will be required to meet the requirements set out in the Building Regulations Part S (or successor). The location of charging points in development proposals should be appropriately located to allow for easy and convenient access from the charge point to the parking space/s, and be designed and located in a way which:

- a) minimises the intrusion of the charge point on the wider use and access of the land;**
- b) minimises the risk of vehicle collision with the charge point; and**
- c) has ease of access for maintenance and replacement of electric vehicle charging infrastructure.**

Proposals that include electric vehicle parking provision that exceeds or improves on the requirements set by Building Regulations will be supported. Examples of how these might be exceeded include:

- proposing a higher ratio of charging points to parking spaces than the ratio required by Building Regulations, especially in non-residential development**
- proposing active charging points in types of parking that are currently not required by Building Regulations to have a charge point**
- proposing to provide or fund electric charging points for existing public parking expected to be used by the development's occupants or visitors**
- proposing chargers that have vehicle-to-grid capacity**
- proposing some points that provide a faster charge than the standard set by Building Regulations, especially in any parking spaces expected to be used for short visits such as retail, medical, leisure, or similar.**

In addition, appropriate provision should be made for secure and covered bicycle parking suitable for e-bikes which are large and heavy to bring into premises.

Why is this policy needed??

Transport is the largest source of CO₂ emissions in the UK. This is mostly due to road transport, where small increases in fuel efficiency have been cancelled out by an increase in mileage. Transport emissions have remained fairly similar in recent years, in contrast to other sectors where emissions have decreased. A switch to electric vehicles is underway but has been slow. The national ban on new diesel and petrol cars from 2030 will help, but existing cars will remain in use long after that. Nevertheless, it is beyond doubt that we are at the start of the transition away from fossil fuel combustion engines to electric vehicles, a process which may have almost come to its conclusion by the end date of this Local Plan.

With such monumental change on the horizon, it is imperative that the built environment be ready. In December 2021, the Building Regulations were updated with a new Part S being added which addresses Infrastructure for charging electric vehicles. These regulations came into effect in June 2022 and require the provision of charging points in both residential and non-residential developments, with specific levels of requirements set out for uses, not for every parking space to be provided with a charging point.

As a result of these new Building Regulations, Policy CC13 does not seek the basic provision of electric vehicle charging points, but, given that we will all be expected to drive electric vehicles in the not-too-distant future, it seeks to ensure that the location of electric vehicle charging points to be well situated to ensure that they will be readily accessible to future users.

It also seeks to acknowledge the benefits brought by any development proposals that include an enhanced electric vehicle charging provision (beyond the minimum standard required by Building Regulations Part S) to strategically facilitate wider uptake of electric vehicles. For example, Part S only requires chargers of a minimum 7kW; although this meets the industry definition of 'fast' charging (7 – 23kW) this typically would take 3-4 hours to charge a small electric car. As an improvement on this, 'rapid' chargers (43kW supply or more) enable a meaningful amount of battery charge to be achieved at short-stay parking, forming a potentially vital steppingstone for long-distance electric vehicle trips and a lifeline for drivers who do not have guaranteed access to charging at home or at work.

Vehicle-to-grid capacity is also noted as an optional enhancement in charger provision because this function is thought to have potential to support the transition to a smarter and more flexible electrical grid needed by the UK's future renewable-heavy energy system. This function could enable electric vehicles to play an 'energy storage' role in the grid, with potential additional benefits for the EV owner in the ability to sell energy back to the grid at times of peak grid demand (having previously charged the car at a time of low grid demand and excess renewable generation).

What you told us about this topic

The Issues and Options consultation highlighted a need to ensure that a positive strategy for the delivery of low carbon and renewable energy is brought forward to

ensure this approach is achieved. Many respondents said that delivering net zero carbon was an important issue for them.

What alternatives have we considered?

The evidence base on climate change has considered a number of options that the Council could consider.

Supporting Evidence

Climate change evidence base.

Which existing policies will be replaced by this policy?

There are no current adopted planning policies in place with respect to facilitating a transition to net-zero lifestyle.

DRAFT

Adapting to Climate Change

This section acknowledges that climate change is happening and, even if we meet our legal obligations set by the Paris Agreement and the Climate Change Act 2008, there will be consequences that society will have to prepare for and learn to adapt to. It is important that new development enables society to respond to that change and adapt our built environment to accommodate those changes.

What will the policy do?

Policy CC14 seeks to ensure that development does not place itself or others at increased risk of flooding. making sure that new development takes full account of flood risk, both current risk and future forecast risk, applying both the sequential test for flood risk and the surface water hierarchy for addressing issues of surface water management.

Policy CC14 - Flood Risk

To reduce the risk of flooding, all major development proposals will be considered against the NPPF, including application of the sequential test and, if necessary, the exception test.

Where appropriate development proposals should demonstrate:

- a) that the development does not place itself or other land or buildings at increased risk of flooding;
- b) that the development will be resilient to flood risk from all forms of flooding such that in the event of a flood the development could be quickly brought back into use without significant refurbishment;
- c) that the development does not affect the integrity of existing flood defences and any necessary flood mitigation measures have been agreed with the relevant bodies, where adoption, ongoing maintenance and management have been considered and any necessary agreements are in place;
- d) how proposals have taken a positive approach to reducing overall flood risk and have considered the potential to contribute towards solutions for the wider area; and
- e) that they have incorporated Sustainable Drainage Systems (SuDS)/ Integrated Water Management into the proposals unless it is shown to be inappropriate for that specific proposal.
- f) that they have followed the surface water hierarchy for all proposals:
 - i. surface water runoff is collected for use;
 - ii. discharge into the ground via infiltration;
 - iii. discharge to a watercourse or other surface water body;
 - iv. discharge to a surface water sewer, highway drain or other drainage system,
 - v. discharge to a combined sewer;
- g) that surface water connections are acceptable to the relevant agency;
- h) that development contributes positively to the water environment and its ecology where possible and does not adversely affect surface and

ground water quality in line with the requirements of the Water Framework Directive;

In order to allow access for the maintenance of watercourses, development proposals that include or abut a watercourse should ensure no building, structure or immovable landscaping feature is included that will impede access within 8m of a watercourse. Conditions may be included where relevant to ensure this access is maintained in perpetuity and may seek to ensure responsibility for maintenance of the watercourse including land ownership details up to and of the watercourse is clear and included in maintenance arrangements for future occupants.

Why is this policy needed?

Rutland's rivers and water resources are a valuable asset, supporting wildlife, recreation, and tourism, as well as providing water for businesses, households, and agriculture. Water resources require careful management to conserve their quality and value and to address drainage and flooding issues.

Flood Risk

In accordance with the NPPF and supporting technical guidance, Policy CC14 seeks to ensure that development does not place itself or others at increased risk of flooding. All development will be required to demonstrate that regard has been given to existing and future flood patterns from all flooding sources and that the need for effective protection and flood risk management measures, where appropriate, have been considered as early on in the development process as possible.

A sequential risk-based approach to the location of development, known as a 'sequential test,' will be applied to steer new development to areas with the lowest probability of flooding. If, following the application of the sequential test, it is not possible, consistent with wider sustainability objectives, for development to be located in areas with a lower probability of flooding, the exception test may be applied. The exception test, in line with NPPF, requires development to show that it will provide wider sustainability benefits to the community that outweigh flood risk, that it would be safe for its lifetime taking account of the vulnerability of its users, without increasing risk elsewhere and, where possible, will reduce flood risk overall.

Rutland contains areas of low-lying land for which a number of organisations are responsible for managing flood risk and drainage, including the Environment Agency (EA), Rutland County Council as Lead Local Flood Authority (LLFA), Anglian Water and Severn Trent Water Companies, the Canal and River Trust, and a number of Internal Drainage Boards (IDBs).

Many of Rutland's settlements were originally established adjacent to rivers or other water bodies. Over time these same settlements have grown and now represent, in terms of wider sustainability criteria, the most sustainable locations for future development. A careful balance therefore needs to be struck between further growth in these areas to ensure their communities continue to thrive and the risk of flooding.

With the increased likelihood of more intense rainfall combined with further development in Rutland, there will be an increase in the incidence of surface water runoff, placing greater pressure on existing drainage infrastructure. The discharge of surface water to combined sewer systems should be on an exceptional basis only. This will ensure that capacity constraints of existing systems are not put under severe pressure by placing unnecessary demands on existing sewage works and sewerage systems which in turn could compromise the requirements of the Water Framework Directive. The discharge of surface water to combined sewer systems can also contribute to surface water flooding elsewhere.

Sustainable Drainage Systems (SuDS) are used to replicate, as closely as possible, the natural drainage from a site before development takes place without transferring pollution to groundwater. Developers should ensure that good SuDS principles consistent with national standards such as The SuDS Manual (C753 – CIRIA) are considered and incorporated into schemes as early in the development process as possible. A multi-functional approach to SuDS is encouraged that should take every opportunity to incorporate features that enhance and maintain biodiversity as part of a coherent green and blue infrastructure approach. The use of Integrated Water Management is encouraged for larger scale developments.

Protecting the Water Environment

The Council works closely with water companies, the Environment Agency, and other relevant bodies to ensure that infrastructure improvements to manage increased wastewater and sewage effluent produced by new development are delivered in a timely manner, and to ensure that, as required by the Water Framework Directive, there is no deterioration to water quality and the environment.

All relevant development proposals, where appropriate, should be discussed with the Local Planning Authority in liaison with the EA, Water Services Provider, IDBs and the LLFA at the earliest opportunity, preferably at pre-application stage. This should ensure flood risk and drainage solutions, particularly where required on site, can be factored into the development process as early as possible.

What you told us about this topic

The Issues and Options consultation highlighted a need to ensure that a positive strategy for the delivery of low carbon and renewable energy is brought forward to ensure this approach is achieved. Many respondents said that delivering net zero carbon was an important issue for them.

What alternatives have we considered?

The evidence base on strategic flood risk assessment has considered a number of options that the Council could consider.

Supporting Evidence

Water cycle strategy update July 2023

Strategic Flood Risk Assessment update 2023.

Which existing policies will be replaced by this policy?

Flood risk and surface water management are covered within policy CS19 – Promoting good design and SP15 Design and Amenity

DRAFT

Chapter 5 – Spatial Strategy

The Spatial Strategy provides the overall framework for the quantity of development that should be planned for, and where this development is to be directed, linked to the roles of the towns and villages in Rutland. It identifies settlements that are suitable locations for sustainable development and is a key factor underpinning the distribution of development.

The Spatial Strategy seeks to reflect the long-term Future Rutland Vision which states that:

Rutland's market towns of Oakham and Uppingham will thrive as vibrant destinations to shop, socialise and enjoy life – both for those who live locally and the many thousands of people who come to the county every year.

Towns and villages will promote inclusion, retain their sense of identity, and encourage even greater community spirit – all things that help to give Rutland its distinctive feeling of closeness, familiarity, and security.

Wherever new homes are needed, they will be built in a way that protects and enhances the things that matter most to everyone – Rutland's sense of community and its unique rural identity.

What will this policy do?

A number of factors contribute to quality of life and help make Rutland a good place to live, work and study. For the success of the county to continue, it is important to make sure the Local Plan provides for the appropriate levels of growth in a way that will deliver sustainable development.

Policy SS1 establishes the levels of employment and housing needed for the plan period and sets out where this development should be located to support the local economy and provide for housing needs. It must do this whilst maintaining the quality of life for residents as well as the quality of the natural and built environment.

Policy SS2 establishes the information and evidence which will be required to support planning applications submitted in Rutland over the plan period.

Policy SS1 - Spatial strategy for new development

Sufficient land will be allocated in the Local Plan, which, together with existing commitments and development built since 2021, will deliver:

- **at least 123 dwellings per annum (2460 over the 20-year period 2021-2041) and**
- **about 27 ha for new employment generating uses, (with the aim of generating additional jobs) over the Plan period 2021-2041 to address the objectives of the Economic Strategy.**

- a) The majority of new development will be focussed within the Planned Limits of Development (PLDs) of Oakham (and Barleythorpe) and Uppingham, and on land adjacent to Stamford (which lies within South Kesteven District adjoining the county boundary). This will be met by allocated sites and through windfall sites within the planned limits of Development.
- b) In the defined Larger Villages listed below, development of allocated sites and windfall sites within the Planned Limits of Development will be permitted:

- Barrowden
- Belton
- Braunston in Rutland
- Cottesmore
- Edith Weston
- Empingham
- Essendine
- Exton
- Great Casterton
- Greetham
- Ketton
- Langham
- Lyddington
- Manton
- Market Overton
- Morcott
- North Luffenham
- Ryhall
- South Luffenham
- Whissendine
- Wing

Proposals for housing development on greenfield sites adjoining the Planned Limits of Development of Oakham and Barleythorpe, Uppingham and the Larger Villages will only be released in exceptional circumstances where it is demonstrated that they are needed to maintain a sufficient supply of deliverable and developable land. This will normally be undertaken through a review of the Local Plan.

- c) Development will be limited to small scale redevelopment and infill opportunities only, in the following smaller villages and hamlets listed below:

- Ashwell
- Ayston
- Barrow
- Belmesthorpe
- Bisbrooke
- Brooke
- Burley
- Caldecott
- Clipsham
- Egleton
- Glaston
- Gunthorpe
- Hambleton
- Little Casterton
- Lyndon
- Pickworth
- Pilton
- Preston
- Ridlington
- Seaton
- Stoke Dry
- Stretton
- Teigh
- Thistleton
- Thorpe by Water
- Tickencote
- Tinwell
- Tixover
- Wardley
- Whitwell

Places not identified above are considered to be part of the wider countryside where development will only be appropriate if permitted by other policies of this plan, a neighbourhood plan or national policy.

Policy SS2 - Requirements for planning applications

Planning applications must be supported by sufficient information and evidence to demonstrate compliance with all relevant policies included in this plan. The level of detail provided should be proportionate to the nature of the development proposed, its scale, the sustainability of the settlement, and the sensitivity and constraints of the site and its setting.

Planning applications for new development should be accompanied by a Design and Access Statement setting out how the proposal has been developed to respond to local policy and guidance including adopted SPD, Neighbourhood Plans, Design Guides, Design Briefs, and Design Codes.

Why is this policy needed?

The NPPF requires the Local Plan to provide a spatial framework for addressing housing needs and other economic, social, and environmental priorities. It states that strategic policies should set out an overall strategy for the pattern, scale, and design quality of places, and make sufficient provision housing, employment, retail and leisure and other commercial development. Establishing a clear spatial strategy directs development to those locations which are suitable for sustainable development and economic growth. Defining the spatial strategy underpins the scale and distribution of development which will meet the identified needs for the county for the plan period.

The above approach is intended to meet the minimum housing requirement set out in the Government's calculation of Rutland's Local Housing Need (LHN). However, it is recognised that there are limits to the continued development being added on to the edges of existing settlements. Equally, the Future Rutland Vision looks to a longer time period than the proposed plan period for the Local Plan.

The spatial strategy included in the adopted Core Strategy 2011 has been reviewed to assess whether it remains appropriate. The new spatial strategy recognises the following key roles and relationships of the county's towns and villages:

Oakham is the main town of the county, with range of job opportunities, higher order services including retail, leisure and health facilities for the surrounding rural area and has good public transport links. Existing commitments and new allocations for housing and employment development will seek to sustain its prominence as the main service centre serving the villages in Rutland for shopping, employment, and local services.

Uppingham is the second largest settlement in the county and also serves a rural hinterland through the provision of a wide range of services and facilities within the town. Despite a positive approach to allocating land for housing and employment development in the made Uppingham Neighbourhood Plan, past rates of development in Uppingham have been lower than envisaged through the Core Strategy DPD plan period to date.

Uppingham Town Council are reviewing this made Neighbourhood Plan and propose additional housing and employment land to be allocated to meet the needs of the town for the new Local Plan period. The Local Plan seeks to provide the strategic context to enable locally determined, appropriate additional allocations to be made through the Uppingham Neighbourhood Plan.

Oakham and Uppingham are the most sustainable locations for new development and therefore allocations for the majority of new houses and job opportunities will be located in the towns.

The Rutland county boundary with Lincolnshire is close to the town of Stamford in South Kesteven. Evidence has shown that the most appropriate location for the future growth of the town of Stamford is to the north of the town. This development needs some land located in Rutland in order to achieve a comprehensive and sustainable development. This plan therefore includes a proposal for land to form the western end of a larger urban extension to the north of Stamford.

The county's larger villages are defined as those which may have a number of key local services such as a shop, public house, community centre, school and/or recreation and leisure spaces. However, some of these facilities are commercial operations and may close (or open) during the plan period without the need for planning permission. The background paper identifies that villages with more than 150 homes and a population of more than 300 people can sustain a local shop or public house and a community centre and recreation spaces. Therefore, these villages are identified as the Larger Villages where a limited amount of development may help to maintain or enhance their vitality, support existing community facilities, and meet local needs. The spatial strategy lists the larger villages and allocations for small and medium scale housing development are made in some of these villages. (see Chapter 6 Housing).

There are also a large number of smaller villages and hamlets spread across the county. The small villages and hamlets are defined as those with less than 150 houses and a population of less than 300 people. These villages have few or no local facilities and the scale of development required to bring such facilities to the village is likely to be much larger than the existing settlement pattern would accommodate. Promoting development in these villages would not encourage sustainable patterns of growth. In these locations development will, therefore, be limited to small scale infill and redevelopment opportunities.

What you told us about this topic

The Issues and Options consultation asked about the spatial strategy for housing growth under Issue 2. Most of those responding to the Issues and Options consultation responded to this question with the majority of respondents (41%) opting for the option to continue with the Core Strategy apportionment of growth between the towns and the villages.

As a result of the consultation responses the Council committed to reviewing and updating the settlement hierarchy which underpins the spatial strategy.

What alternatives have we considered?

The background paper considers the merits of retaining the existing settlement hierarchy of towns, Local Service Centres, Small Service Centres and Restraint Villages

Supporting Evidence

Background paper on Spatial Strategy for New Development (2023)

Which existing policies will be replaced by this policy?

- CS2 - The spatial strategy
- CS3 - The settlement hierarchy
- CS4 - The location of development

Location of Development

What will these policies do?

Planned Limits of Development (PLDs) have been drawn around the two towns and the 21 Larger Villages identified in the development strategy at SS1. The PLDs define the area within which development will generally be considered acceptable in principle and policy SS3 establishes that development proposals within the PLD will be supported in principle.

PLDs have not been defined for the small villages and hamlets. Instead, Policy SS4 allows for some very limited development in and around these settlements as infill, rounding off and appropriate redevelopment of previously development land. This approach will help to protect small settlements and the open countryside from inappropriate development in terms of sustainable development and landscape and townscape character, whilst also allowing some flexibility to allow for limited growth through the application of policy criteria.

Policy SS3 – Development within Planned Limits of Development

Within the Planned Limits of Development (PLDs) indicated on the Policies Maps, planning applications for development will be supported in principle, in accordance with the presumption in favour of sustainable development, where impacts on settlement form, built heritage, character and important open space are considered acceptable.

It should be noted that not all development will be acceptable within the PLDs as proposals will be considered on their own merits with regard to the policies of this plan and any made Neighbourhood plan.

This is a strategic policy and significant changes to PLDs defined through the neighbourhood planning process will be incompatible with it. This does not however prevent Neighbourhood Plans from proposing small scale adjustments to PLDs to allow for additional development which meets their community's needs. Where such allocations are made in a neighbourhood plan the PLD will be reviewed and amended by the subsequent Local Plan review.

Policy SS4 – Infill and rounding off development in smaller villages and hamlets

In the small settlements (listed in Policy SS1c)) which do not have a Planned Limit of Development, small-scale infill, redevelopment and rounding off development (defined as 5 or less dwellings) may be permitted, provided that it is demonstrated that the proposal:

- a) Is for the redevelopment of a previously developed site; an infill plot within a substantially built-up frontage; or a site where development will complement or enhance the existing settlement edge;**

- b) Is of a proportionate scale and density and reflects the existing pattern of development;**
- c) Does not harm erode or harm the public amenity of open spaces or gaps that contribute to the character of the village, including sites identified in the Important Open Spaces and Frontages;**
- d) Supports or enhances the vitality of the local community;**
- e) Maintains and/or complements the form and character of the settlement;**
- f) Does not have an adverse cumulative impact on the settlement with regard to other developments permitted during the plan period; and**
- g) Is designed to be sensitive to its landscape character and setting with specific reference to the Rutland Landscape Character Assessment 2022.**

Why is this policy needed?

To promote sustainable development in the countryside, the NPPF expects housing to be located where it will enhance or maintain the vitality of rural communities. The NPPF also says that planning policies should be responsive to local circumstances and support housing developments that reflect local needs and policies should identify opportunities for villages to grow and thrive, especially where this will support local services.

Development within Planned Limits of Development

Planned Limits of Developments (PLDs) define the extent of existing built-up areas of the main towns and larger villages in the county. Development within PLDs is considered to be acceptable in principle, subject to compliance with detailed policies in this plan. It should not, however, be assumed that all land within the PLDs has potential for future development. PLDs have the following functions:

- define where development will be acceptable in principle because it meets the objectives of delivering sustainable development;
- prevent inappropriate development (or encroachment) across into the countryside and open areas;
- control the scale and location of development by establishing the limit for the outward expansion of settlements;
- encourages sustainable redevelopment within settlements

The PLDs defined in the Local Plan have been reviewed and updated in accordance with new criteria set out in the Rutland Planned Limits of Development Review report 2023. In addition to the criteria and methodology set out in the review the PLDs have also been amended to include within the boundaries:

- site which are under construction or where planning permission has been granted.
- sites which are allocated for development in this Local Plan or made Neighbourhood Plans to 31.03.23

Defining PLDs help to maintain a sustainable development strategy by focusing the majority of new development in the county's most sustainable settlements, where there is better access to services facilities and job opportunities and better transport links.

Development in small villages and hamlets without a Planned Limit of Development

Rutland has a large number of very small villages and hamlets which have few or no services, facilities, or job opportunities. Many of these settlements have a rural character that often merges into the surrounding countryside. These settlements are not sustainable locations for housing growth. Therefore, Planned Limits of Development have not been defined around them and no land has been allocated for development.

Despite this, there may be opportunities for local, very small-scale development to take place to support the viability and vitality of the village in accordance with the NPPF. Such development will be limited to infill sites, rounding off and through re-use and redevelopment. Any housing development that is permitted in these locations will be 'windfalls' to the housing land supply.

Very small-scale development means that which is proportionate in scale and density, and complementary with, the size and character of the settlement and its surroundings. It is expected that housing development on such sites will usually be 1-2 new dwellings, although exceptionally there may be sites which yield up to a maximum of 5 dwellings.

Any development provided through this policy also needs to be in keeping with the rural character of the locality. Care should be taken that such development, does not harm open spaces or gaps that make a positive contribution to the character of the village, including views and vistas, particularly sites identified as Important Open Spaces. Careful consideration also needs to be given to the cumulative impact of new development which can, over time, erode the character of rural settlements and/or lead to the coalescence of groups of buildings to produce a more 'urban' form.

Development of isolated sites outside the existing pattern and form of a settlements will not be considered acceptable.

Definitions

Previously developed land is defined in the National Planning Framework.

Infill development is defined as a small gap within a continuously built-up frontage.

small scale (for the purpose of this policy) means development of 5 dwellings or fewer)

What you told us about this topic

In Issue 6 of the Issues and Options consultation we asked whether the PLDs should be reviewed. 65% of those responding to this question agreed that they should be

reviewed. You also told us that reviewing the PLDs should provide some flexibility to allow for some organic growth and to include new allocations.

We have commissioned a review of the methodology and criteria for establishing and reviewing PLDs and a full review of PLDs for the two towns and the 21 Larger Villages. This is reported in a format which allows comments to be made on each proposed boundary change.

What alternatives have we considered?

To remove all PLDs and rely on criteria-based policies; to review all PLDs including those for the small villages and hamlets.

The preferred approach which has resulted in policies which provide a combination of PLDs for the towns and larger villages and criteria-based policy to help determine applications for small infill, windfall, and redevelopment proposals on a site-by-site basis in the smaller villages without a PLD. This approach allows for some flexibility to allow for very small-scale growth in appropriate locations.

Supporting Evidence

Landscape Sensitivity Report 2023
Planned Limits of Development (PLD) Review 2023

Which existing policies will be replaced by this policy?

CS3 - The settlement hierarchy
CS4 - The Location of Development
SP5 - Built development in towns and villages

Large scale development and new settlements

What will this policy do?

This policy establishes the parameters for developing a separate Development Plan Document to consider the reuse or redevelopment of the St George's Barracks site once it is vacated by the Ministry of Defence. with no allocation being made in this Local Plan. Instead, the site is identified as a Future Opportunity Area and the policy below provides a framework to help ensure any redevelopment is sustainable and holistically planned.

It is expected that the site will be vacated by 2026; at that time, it would constitute "previously developed land" (a brownfield site).

It is likely that the site may be appropriate for meeting some future development needs either for this plan period and/or beyond, and in so doing could ease the pressure for future development on greenfield land. However, there are considerable complexities in considering the future use of this site, and it is proposed to explore these matters through a separate Development Plan Document (DPD),

Policy SS5 – St. George's Barracks Opportunity Area

St. George's Barracks is identified as an opportunity area and is defined on the Policies Map as SS5.

This policy provides a framework to help ensure any redevelopment is sustainable and holistically planned and is aligned to the spatial strategy set out in this plan.

The preparation of a masterplan with the status of a Development Plan Document, will be required prior to a planning application being submitted. Major development proposals on the site not detailed in a masterplan, or any proposals that will result in a conflict between uses will not be supported.

Redevelopment proposals are not expected to deliver more than between 350 and 500 dwellings as part of a mixed-use development.

The site masterplan will be expected to:

- a) set out the layout, mix and scale of uses, including the relationship with existing uses**
- b) a balanced and inclusive community, providing a mix of the type and tenure of uses. Where this includes housing, it will be expected to meet the needs of all sections of the community (including provision for gypsy and traveller accommodation) alongside the provision and promotion of opportunities for employment;**

- c) establish design parameters covering building heights, materials, landscaping, circulation, key features, and views, creating a distinctive environment respecting the site's designated and non-designated heritage assets;**
- d) be accompanied and influenced by a Heritage Impact Assessment identifying the potential impact of development on heritage assets and an evaluation of the known and potential archaeological significance of the area. In particular, the masterplan should demonstrate that the Thor Missile site (a grade II* listed building) and the setting provided by the former airfield runways are satisfactorily protected;**
- e) assess impacts on the landscape, views into and out of the site and proposed mitigation to make any impacts acceptable;**
- f) demonstrate how the scheme will protect and enhance the natural environment and ecological networks, including the presence of any significant or protected habitat and or species, ensuring a minimum 10% biodiversity net gain and an assessment of likely impacts on ecology generally and on Rutland Water with proposed mitigation measures;**
- g) detail the delivery of an adequate amount and range of infrastructure to support the uses and community on the site which must be delivered in tandem with or ahead of development;**
- h) provide a detailed transport assessment including proposals for the delivery of sustainable transport and active travel linking the development with other key settlements in Rutland to ensure that reliance on the private car is minimised on the site;**
- i) be supported by a site-specific energy and embodied carbon strategy for the site which investigates the opportunities on the site to deliver net zero carbon development including the potential to offset the energy use of existing homes on the site;**
- j) detail the engagement that has taken place with the community and necessary infrastructure providers and how any necessary mitigation identified has been incorporated in the masterplan;**
- k) demonstrate that adequate utilities provision can be achieved to support the scale of development proposed;**
- l) identify how the scheme will integrate with the existing community;**
- m) set out details of phasing of development and infrastructure and construction management plans including assessment of the impact on the community;**
- n) address issues related to impact on safeguarded mineral reserves;**
- o) provide a clear demonstration that the proposed scheme will be deliverable and viable; and**
- p) detail how the scheme will satisfy the policies of the Local Plan and relevant Neighbourhood Plans.**
- q) development proposals on the site that are consistent with the approved masterplan will be supported.**

Why is this policy needed?

The NPPF advises plan makers that the supply of a large number of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided that they are well located and designed, and supported by the necessary infrastructure and facilities.

In November 2016, the Ministry of Defence announced that the St George's Barracks site located between the villages of Edith Weston and North Luffenham would close. The timetable for the site to close has been extended and it is now expected that it will be vacated in 2026.

The site is significant in size, extending to about 265 hectares. About a third of the site in the northwestern corner comprises military housing, a community shop, workshops, aircraft hangers, open space and sports and recreational facilities and infrastructure associated with its current and former military uses. This area of the site would be suitable for re-use and or redevelopment once the site is vacated. The remaining site is subject to ecological, geological and heritage constraints which would significantly restrict opportunities for re-use or redevelopment.

This site includes extensive areas of airfield land, technical buildings, and housing and community and leisure facilities for use by service personnel. With the expected closure of the barracks, there is an imperative to plan for the future use and development of the site which also accommodates a Grade 2* listed structure (Thor Missile site) and a significant area identified as a mineral safeguarded area.

Development proposals for the re-development of the sites remain uncertain at the point of preparing the Local Plan, therefore no specific proposal is included for the site. However, the plan needs to ensure that a policy framework is in place to guide the development of proposals and to help ensure any redevelopment is sustainable and holistically planned and aligned to the spatial strategy set out in this plan. The site is therefore identified as a future opportunity area which would be the subject of a separate development plan (DPD).

Once vacated the site will become a major brownfield site. National planning policy requires councils to make the most effective and efficient use of brownfield land and it is expected that the Ministry of Defence will want to explore all opportunities for the re-use and reclamation of the site.

The barracks were established on the site of the former RAF North Luffenham airfield in 1998. They became the home of the Royal Regiment of Fusiliers in 1999, of the King's Own Royal Border Regiment in 2003 and of the 16th Regiment Royal Artillery in 2007. In April 2013 16th Regiment Royal Artillery received the Freedom of Oakham on behalf of the barracks. In July 2014 16th Regiment Royal Artillery moved to Baker Barracks, Thorney Island. 2 Medical Regiment, Royal Army Medical Corps

and 1 Military Working Dogs Regiment, Royal Army Veterinary Corps moved into St George's Barracks later that year.

Prior to the Army taking over the site in 1998, it was used by the RAF. The station was built as a training airfield, opening in 1940. It was later taken over by 5 Group of RAF Bomber Command as a heavy bomber base and was expanded by the building of concrete runways later in the war.

From 1959 to 1963, North Luffenham was the base for PGM-17 Thor intermediate range ballistic missiles, operated by No. 144 Squadron RAF. The Thor missile site was listed as a Grade II* building in 2011.

When the RAF vacated the base, the gates from the main entrance were donated to the village of North Luffenham. The gates which bear the station badge were later erected at the entrance to the village's recreation ground.

The site includes a number of military buildings on the edge of Edith Weston and is also close to North Luffenham. The military heritage is deeply ingrained in the site including listed buildings related to the Thor missile site, current operational buildings, streets, spaces, trees, and landscaping and therefore what remains when the operational use of the site ceases will continue to be influenced by its military past.

There is already a community at St. George's and this will continue to be the case once operational use ceases. It is vital that the future of the community is well managed to ensure a sustainable future for current and future residents. Therefore, this Local Plan will look to ensure that the impacts of this change are well managed to deliver the best possible outcomes for the community through future joint working between the County Council, Ministry of Defence, and other involved partners in terms of planning for its future sustainable development in line with the spatial strategy set out in this plan.

Key issues include:

- the unique and important site is of national significance in its heritage.
- the specific nature of the site and challenges in relation to integration and improved access both across the site itself and to other settlements, supporting connectivity and future sustainability.
- the risk of fragmented nature of current infrastructure across the site and challenges around infrastructure specification and standard affecting opportunities for future public authority adoption.
- the relationship of new development to neighbouring communities.
- the scope for the retention and development of existing employment opportunities.

The St. George's site offers the opportunity to provide for appropriate employment as part of a comprehensive development proposal.

What you told us about this topic

Q13 Option E of the Issues and Options consultation asked about meeting growth through a new settlement, although St George's was not specifically referenced. 18% of those responding supported this option.

What alternatives have we considered?

Alternative options are to not consider St George's specifically but to rely on policy SS7. However, this approach does not enable the council to be proactive in the development of a positive planning approach for the site which engages the local communities and other stakeholders.

The Council has also received proposals for the development of a new community at Woolfox, adjacent to the A1 near Stretton. The proposal submitted through the Call for Sites has an expected capacity of at least 4,000 houses together with over 100 hectares of employment land. The scale and nature of the proposal is not considered to be deliverable within the context of the assessed employment and housing needs for Rutland for this plan period. Allocating a development of the scale and nature proposed for Woolfox would compromise the delivery of the proposed spatial strategy set out in this plan and potentially the plans of neighbouring areas.

A proposal of the scale and nature envisaged by the Woolfox proposal could only be considered on a sub-regional basis and justified as contributing to the needs of neighbouring authorities. At present, there is no opportunity to take such a proposal forward.

Like St George's the Woolfox site is also subject to environmental and geological constraints and similarly there are uncertainties and complexities to a development in this location. Unlike St George's, the Woolfox site is not considered to meet the definition of previously developed land.

This Local Plan does not, therefore, allocate the Woolfox site. It is recognised, however, that the site may contribute to meeting future development needs of Rutland, particularly if it is possible to develop a sub-regional basis for its consideration. Future proposals for this site would need to be assessed and considered either through the review of this plan or potentially beyond the current plan period.

Supporting Evidence

Whilst large amount of evidence was prepared to support the previous proposal for the site it is expected that a new evidence base will be required as part of the preparation of the separate plan for St Georges

Which existing policies will be replaced by this policy?

CS6 – Reuse of redundant military bases and prisons

Military Sites and Prisons

What will these policies do?

Operational facilities in Rutland currently include Kendrew Barracks at Cottesmore (formerly RAF Cottesmore), St George's Barracks at North Luffenham and HMP Stocken. It is expected that the use of these facilities will change and may need to expand during the plan period. A separate policy (SS5) is included for St George's Barracks which is expected to close in 2026. Policies SS6 and SS7 will not apply to the redevelopment of St Georges Barracks.

The following two policies will enable the Council to plan positively for the continuing operational use and potential change of use which may arise from these sites during the plan period.

Policy SS6 – Use of military bases and prisons for operational or other purposes

Development required for the continued operation of military bases or prisons will be acceptable within the areas shown on the policies map, provided that, wherever possible, it would:

- a) re-use previously developed land and buildings;**
- b) keep the use of undeveloped land to a minimum and is justified on the basis of national prison or defence requirements;**
- c) not lead to undue disturbance to nearby local communities through traffic, noise, military, or prison activity;**
- d) protect and enhance the countryside and character of the landscape, natural and cultural heritage;**
- e) provide satisfactory access arrangements and not generate unacceptable levels of traffic on the surrounding highway network;**
- f) incorporate high quality design which makes provision for energy efficiency, renewable energy, and waste management;**
- g) incorporate satisfactory water and wastewater arrangements ensuring there is no increased risk of flooding and pollution;**

- h) ensure that potential risks from former uses of the sites are assessed and that soil and groundwater are cleaned up where necessary.**

The small-scale development of an individual building, or part of a military base or prison for alternative uses which are not required for the operation of the establishment, will be given favourable consideration provided that it complies with the key requirements set out in Policy SD6 (Re-use of redundant military bases and prisons) and that it would not adversely affect the operational use of the establishment.

Policy SS7 – Re-use of redundant military bases and prisons

Any proposal for the re-use or redevelopment of redundant military bases and prisons should be planned and developed in a comprehensive and co-ordinated manner.

Proposals must be in accordance with an agreed development brief or masterplan setting out the main requirements of the scheme. This could form part of a supplementary planning document or a development plan document to be prepared in consultation with the landowner, prospective developers, the Council and local communities.

The key requirements for any proposals are that they should:

- a) re-use existing land and suitable buildings and where appropriate minimise any built development on undeveloped land within the curtilage; and**
- b) minimise disturbance to nearby local communities through traffic, noise, other activities or uses;**
- c) protect and where possible, enhance the countryside and character of the landscape, natural and cultural heritage;**
- d) be subject to a transport assessment demonstrating that the proposal can be accessed satisfactorily, or mitigate unacceptable traffic impact on the surrounding road network and will be accessible or could improve access by public transport and include measures to encourage walking and cycling;**
- e) incorporate high quality design and construction including the need for energy efficiency, renewable energy, and waste management;**
- f) Ensure appropriate new and/or improved physical, social and community infrastructure is provided to serve the needs arising from the proposed development and during construction;**
- g) Be subject to a contamination and site condition survey**

Why are these policies needed?

Operational facilities in Rutland form an important part of the local economy and community. Sites generally include extensive areas of land and buildings including ex-airfields, technical buildings, community, and leisure facilities for use by service personnel, as well as military housing.

Development in connection with the use of military bases and prisons will normally need planning permission with the exception of some special arrangements concerned with national security and defence urgency and enforcement.

Sites are often located in remote countryside locations where new development would normally be restricted; it is recognised however that some flexibility may be needed where development is needed for operational purposes. Policy SS6 for operational uses of military and prison sites recognises the need to be flexible in considering proposals which are necessary for the continuing operation of such sites. Site boundaries within which the policy applies are shown on the Policies Map. Operation uses will not be expected to extend beyond these boundaries. The policy also allows for the alternative use of an individual building or part of a military base or prison where it is small in scale and would not adversely affect the use of the area for operational purposes.

Proposals for the re-use of a redundant military base or prison other than St George's (which is covered by a separate policy) are likely to be significant and may need to be considered via a review of the local plan or through the development of a separate Development Plan Document. Policy SS7 sets out the key requirements that need to be considered for any alternative uses of the remaining military base or prison setting out criteria relating to the re-use of existing land and buildings, disturbance to local communities, protecting the countryside, landscape and ecology, accessibility, design and construction, renewable energy, and energy efficiency. The detailed requirements of any alternative uses would need to be the subject of a master plan or development brief or through a development plan document and must be based on robust evidence. Proposal will be subject to publicity and consultation. Major proposals, beyond those proposed within this plan, would need to be considered in the context of the spatial strategy and are likely to trigger the review of this local plan.

What you told us about this topic

No questions were included on this topic in the Issues and Options consultation.

What alternatives have we considered?

No alternatives have been considered.

Supporting Evidence

None

Which existing policies will be replaced by this policy?

CS6 - Reuse of redundant military bases and prisons

SP11 - Use of Military Bases and prisons for operational and other purposes

Development in the open Countryside

What will these policies do?

Rutland is a largely rural county. This rurality together with the attractive open landscapes, mean that non-essential development in the rural countryside of the county is inappropriate and will be restricted. However, there are certain types of development which are considered essential to maintain a thriving and active rural community and economy. Policies SS8 and SS9 set out the types of development which are considered acceptable subject to the specific criteria included within policies and policy SS10 provides criteria against which proposals for the conversion of existing buildings in the countryside will be considered.

Policy SS8 - Residential development in the open countryside

New-build open market housing will only be permitted in the open countryside where the proposal is for the following uses and which specifically meet the requirements of NPPF and subject to the relevant policies of this plan:

- **Affordable housing on rural exceptions sites (Policy H8)**
- **Housing to meet a proven essential need for rural workers**
- **Re-use, adaptation, and conversion of rural buildings (Policy SS10)**
- **Gypsy, Traveller and Travelling Show People sites (Policy H10) to help meet identified accommodation needs**

Policy SS9 – Non-residential development in the countryside

Non-residential development in the countryside will only be supported where it is for one of the following purposes:

- a) **essential for the efficient operation of a rural use (such as agriculture, horticulture, equestrian or forestry uses); or**
- b) **essential for the provision of sport, recreation, and visitor facilities where the countryside is the only appropriate location;**
- c) **essential investment in infrastructure including utilities, renewable energy and roadside services required for public safety purposes;**
- d) **a rural enterprise comprising small scale alterations, extensions, or other development ancillary to an existing established use which is appropriate in the countryside;**
- e) **new employment growth comprising sustainable rural tourism, leisure, or rural enterprise that creates local employment opportunities and supports the local economy and communities and where no acceptable alternative can be identified within existing permitted or allocated sites, or within or through redevelopment of existing commercial premises;**

- f) an appropriately sized extension of an existing employment site, which will not intensify uses at the site to the detriment of existing public access routes and highways;**
- g) Economic projects which have a functional need to be located in the countryside and where the economic benefit to the county demonstrably and significantly outweighs any harm and there are no unacceptable adverse environmental impacts**
- h) farm diversification that supports waste management development; or**
- i) mineral development that supports the provision of minerals for aggregate purpose, cement production, locally sourced building materials or processing of recycled aggregate; or**
- j) involves the conversion of existing rural buildings for business and employment generating uses in accordance with policy SS10.**

All proposal will be expected to demonstrate that:

- a) the development cannot reasonably be accommodated within or adjoining the Planned Limits of Development of towns and villages;**
- b) the amount of new build or alteration is kept to a minimum and the local planning authority is satisfied that existing buildings available elsewhere in the county are not suitable for the purpose;**
- c) the development itself, or cumulatively with other development, would not be detrimental to the character and appearance of the landscape, visual amenity, and the setting of towns and villages and is of a scale, design, and layout appropriate to the context;**
- d) the development would not generate an unacceptable increase in the amount of traffic movements, and it is capable of being served by public transport or otherwise is readily accessible by means other than by private car to a significant residential workforce if employment intensive uses are proposed;**
- e) Access arrangements and parking facilities will be provided in accordance with the Council's adopted standards;**
- f) A sympathetic relationship and scale to the surrounding areas that shows consideration of the landscape, habitat, built and historic environment contexts, the opportunities to deliver on-site habitats and protect key species.**
- g) A satisfactory relationship with neighbouring uses in order that the amenities of nearby residents, in particular, are protected; and**
- h) Where appropriate, crime prevention measures are incorporated.**

Policy SS10 - Conversion of buildings outside PLDs

Proposals for the conversion of existing buildings in the countryside outside the Planned Limits of Development will only be permitted provided that:

- a) The building is structurally sound, of permanent construction, and capable of conversion without rebuilding or significant alteration or extension;**

- b) The resultant building use will not have an adverse effect on the rural character of the area in respect of the nature and level of activity likely to be generated, including the resultant traffic level;**
- c) The resultant building and ancillary areas are sympathetic to its setting in terms of form, bulk and visual design;**
- d) Where the building is of historic or architectural importance, there is no adverse effect on the character and appearance or features of architectural or historic interest, internally and externally, which the building possesses, or its setting; and**
- e) The traffic to be generated by the new use can be safely accommodated by the site access and the local road system.**

A structural survey may be required to demonstrate that the building is capable of conversion. Provision for accommodating protected species identified by survey will be incorporated into the scheme. Where necessary, planning conditions will be imposed removing relevant Permitted Development Rights under the General Permitted Development Order.

Policy SS11 - New agricultural buildings

Agricultural buildings will be permitted in the countryside provided that:

- a) Their scale, siting, design, materials and use of landscaping minimise the visual impact on the landscape and ensure they are not prominent on the skyline; and**
- b) New buildings are grouped with any existing buildings. Isolated buildings will only be permitted where their location is essential to the agricultural activity being undertaken and where they are not situated in a prominent location; and**
- c) They will not have an adverse effect on residential amenity in terms of noise, dust, smell or disturbance from vehicular movements**
- d) If housing livestock, they are not within 75 metres of a watercourse unless the Council is satisfied that all biological run offs of waste can be contained.**

Why are these policies needed?

Housing

To promote sustainable development in the countryside, the NPPF expects housing to be located where it will enhance or maintain the vitality of rural communities. In the absence of special circumstances, local planning authorities should avoid permitting new isolated homes in the countryside. Exemptions to this are made within NPPF for specific types of housing.

Policy SS8 above is intended to preclude the development of new-build open market housing which, for strategic reasons, is not needed in the countryside. The policy does not, however, preclude the development of specific types of open market

housing in rural locations; for example, dwellings resulting from the conversion of rural buildings. It would also not prevent alterations to, or extensions of, existing buildings. There is a significant lack of Gypsy, Traveller and Travelling Showpeople sites across the county which is the reason for the inclusion within this policy.

Policy SS8 applies to any land that falls outside PLDs and small settlements covered by policy SS1, is referred to as countryside, even if it is technically previously developed land.

Non- Residential uses

The NPPF supports the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well-designed new buildings.

The Local Plan makes provision for development that is essential for the efficient operation of agriculture, horticulture, equestrian or forestry and that which has an essential need to be located in the countryside.

The Council will generally encourage the change of use of suitable existing buildings for agricultural purposes to related uses supporting rural growth such as small craft workshops, rural diversification and Agri-tech uses. The Council will also permit additional, small-scale extensions or ancillary new development where it can be achieved in accordance with the criteria set out in the Policy.

To be ancillary, the scale of new development would not be expected, either individually or cumulatively, to exceed 50% of both the volume and the footprint of the existing building unless it is clearly demonstrated that a larger development necessary and appropriate in the location.

Policy SS9 also recognises that there are forms of outdoor recreational and sports development, including the expansion of existing facilities, which are of a land extensive nature such that the countryside is the only appropriate location. A critical requirement for this type of activity will be avoiding development that is visually intrusive to the form and character of the wider countryside setting.

The policy also recognises that there is scope for agricultural diversification to provide waste related development (such as facilities for anaerobic digestion and other forms of composting) and mineral development, provided that essential criteria are met to ensure mitigation to acceptable levels of impact can be achieved.

It should be noted that certain changes of use of agricultural buildings to dwelling houses and to commercial uses do not require planning permission, subject to prior approval of the local authority in respect of certain matters. Further details are set out in the Town and Country Planning (General Permitted Development) (England) Order 2015.

What you told us about this topic

This matter was not considered at Issues and Options consultation.

What alternatives have we considered?

To have no local policy covering these matters and rely instead on National Planning Policy Framework

Supporting Evidence

None

Which existing policies will be replaced by this policy?

CS4 -The location of development,

CS16 - The rural economy,

SP6 - Housing in the countryside,

SP7 - Non-residential development in the countryside,

SP13 - Agricultural, horticultural, equestrian and forestry development

ⁱ Population based on the parish population (using 2021 census data) It is recognized that some parishes include more than 1 village and therefore the population may not be the village population. However Rutland has an average household size of 2.3 people per house therefore the number of houses in a village multiplied by the average household size would indicate that a population size of more that 300 is appropriate.

Chapter 6 - Housing

Housing Allocations

It is important that a sufficient amount and variety of land can come forward for the development of new homes in the locations where it is needed, that meet needs of groups with specific housing requirements and that land with permission is developed without unnecessary delay.

We have used the government's standard method in national planning guidance to determine the minimum number of homes needed in Rutland for the plan period. This means that the Local Plan needs to identify sufficient land to deliver at least 123 new homes each year.

What will the policy do?

The policy identifies the sites which the Council has assessed as being suitable for housing development and provides an indication of how many houses might be built on the site. This is calculated using a net developable area and a standard density of 30 dwellings to the hectare. The actual number of homes delivered on a site may be different as the development would be expected to take account of the character and context of the site in accordance with Policy H3 - Housing density.

Policy H1 – Sites proposed for residential development

The following sites are proposed for residential development over the plan period. Sites are also shown on the Policies Map:

Site capacity for sites is calculated on the basis of 30 dwellings per hectare, based on a net developable area and are therefore potential figures.

Oakham	Total: 225	dwellings
H1.1 Tim Norton site	19	dwellings (brownfield)
H1.2 Land south of Brooke Road	140	dwellings (greenfield)
H1.3 Land south of Stamford Road	66	dwellings (greenfield)
Uppingham	Total: 316	dwellings
To be allocated through the Uppingham Neighbourhood Plan		
Larger Villages	Total: 184	dwellings
H1.4 Officer Mess, Edith Weston	90	dwellings (brownfield)
H1.5 Easson's garage, Cottesmore within PLD)	8	dwellings (brownfield)
H1.6 Main Street, Empingham within PLD)	6	dwellings (brownfield)
H1.7 Land South West of Belmesthorpe Lane, Ryhall within PLD)	12	dwellings (brownfield)
H1.8 Land at Main Street, Cottesmore	8	dwellings (greenfield)
H1.9 Land east of Stamford Road, Exton	15	dwellings (greenfield)

H1.10 Land at the Workshops, Exton	15	dwellings (brownfield)
H1.11 Land off cemetery Road, Manton	10	dwellings (greenfield)
H1.12 Land off Main Street, Market Overton	20	dwellings (greenfield)

Stamford	Total: 650	 dwellings
Part of Stamford North (Quarry Farm/Monarch Park)	650	dwellings (greenfield urban extension)
Total Supply	1,375	 dwellings

In addition the following sites are identified as Reserve Sites which may be required if the housing requirement increases or any of the preferred sites listed above become unavailable.

Reserve Sites	Total: 657	 dwellings
H1.a Land North of Mill Lane Cottesmore	90	dwellings (greenfield)
H1.b Land North of Pennine Drive, Edith Weston	84	dwellings (greenfield)
H1.c Whitwell Road South, Empingham	40	dwellings (greenfield)
H1.d Land at Manor Farm, Essendine	39	dwellings (greenfield)
H1.e Land south of Oakham Road, Greetham	28	dwellings (greenfield)
H1.f Land between Meadow Lane and Belmesthorpe Road, Ryhall	80	dwellings (greenfield)
H1.g Land West of Ashwell Road, Oakham	286	dwellings (greenfield)
H1.h South of Glebe Road, North Luffenham	10	dwellings (greenfield)

Why is this policy needed?

The government's standard method for calculating housing requirements for local authorities - called the local housing need (LHN) - gives a minimum housing requirement for Rutland of an average of 123 dwellings per annum (as at March 2023). The Local Plan will therefore make provision to meet this minimum requirement of 123 dwellings, over the period 1st April 2021 to 31st March 2041 (20 years); i.e., 2,460 dwellings over the plan period. This figure will be used as the basis for calculating the Five-Year Housing Land supply during the plan period.

The proposed supply of housing for this Local Plan is set out below. It is proposed to apply a contingency buffer of 10% to ensure delivery of the minimum housing requirement. This will also provide for a level of market choice.

The council is committed to delivering its LHN as a minimum through the allocation of suitable, available, and deliverable sites in this Local Plan. Taking account of commitments and completions since April 2018, the preferred site allocations proposed in Policy H1 meet the overall requirements for the amount and distribution of development set out in the Spatial Strategy.

Table 4

	Requirement 2021-41 (123* dpa + 10% buffer)	Proposed target spatial distribution	Commitments at 31 st March 2023*	Completions from April 2021 to March 2023*	Minimum indicative target housing supply to deliver the requirement
Stamford North**		650 leaving 2,056			650
Oakham		45% = 925	605	137	183
Uppingham		25%= 514	195	3	316
Larger Village with PLD		25% = 514	310	51	153
Small villages/ hamlets (without a PLD)		5% = 102	55	2	Indicative provision of an additional 45-dwellings assumed to be delivered through infill/windfall in these villages without proposing allocations in these settlements
County Total	2706	2705	1,165	193	1347

* These figures will be reviewed and updated on a regular basis during the preparation of the Local Plan.

** It is intended now that any development on the Rutland part of a comprehensive Sustainable Urban Extension to Stamford should count towards Rutland's housing needs and so reduce the requirement for new housing elsewhere in Rutland.

The NPPF states that the overall strategic housing requirement policy in the Local Plan should set out a housing requirement for designated neighbourhood plan areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Therefore, this Local Plan establishes the strategy for the pattern and scale of development (in Policy SD2) and has allocated suitable and deliverable sites in

settlements across the county (excluding Uppingham) and the proposed allocations included in this Plan are considered to meet that requirement.

It is expected that allocations in Uppingham will come forward through their Neighbourhood Plan. This is expected to cover the period up to 2041 and will align with the scale of development proposed for Uppingham set out above.

Neighbourhood plans can, however, make provision for more housing development than that required in the strategic policy and the Council supports groups that wish to provide site allocations for housing development within their neighbourhood plans that go beyond the minimum requirement contained in the strategic policy, particularly those who assess their local housing needs through an appropriate assessment and plan to meet it. As a general guide, additional housing development should not exceed 5% of the number of existing dwellings in the neighbourhood plan area or be no more than 20% greater than the minimum requirement already allocated in this Local Plan.

In making site allocations, neighbourhood plan groups should demonstrate how the selected site(s) meet the site appraisal methodology, including the Sustainability Appraisal which has been used to determine site allocations in this Local Plan and clearly set out how any additional local assessment criteria has been applied. In making additional allocations consideration should be given to delivering a proportion of this requirement as small/medium sites (of less than 1 hectare (ha)) for development by small scale local builders and as custom and self-build homes in accordance with Policy H8).

Annual monitoring of housing supply will be used to help monitor the rate of housing delivery on the allocated sites during the plan period in accordance with the housing trajectory set out in the Council's Authority Monitoring Report.

The sites that are allocated have been identified as a result of an extensive site appraisals process, which included appraisal against the Sustainability Objectives from the Sustainability Appraisal. All sites put forward to the Council through the Call for Sites in 2022 and subsequent site submissions and outstanding Local Plan and neighbourhood plan allocations have been appraised where they are within and immediately adjacent to the towns and those villages identified as Larger Villages.

The site appraisal process has considered each site against a consistent set of criteria which cover environmental, social, and economic factors. In order to ensure that sufficient land is identified which is deliverable and in a suitable location to meet the housing needs of the county, the site appraisal process considers the likelihood of suitable sites being delivered during the plan period. This includes land ownership, and the site promoters' intentions in terms of planning permission and releasing land; the involvement of developers and predicted build out rates. This is to try to ensure (as much as the Council can) that the sites which are allocated in the plan will be delivered.

Development principles to guide the form, layout, dwelling mix, and infrastructure needs of each allocated site will be set out in the next stage of the Local Plan.

What you told us about this topic

60% of respondents to the Issues and Options consultation indicated a preference to apply the Government's calculation of housing need with a contingency of 10% citing concerns about the impact of development on infrastructure and the environment as reasons for supporting this option. Making the best use of brownfield sites to minimise greenfield development was also suggested as a solution for delivering homes.

Of the 22% supporting the highest growth option of 190 dwellings per annum, concerns for addressing housing affordability and providing homes alongside employment growth were cited.

What alternatives have we considered?

The Council could allocate just a few very large sites on the edges of the towns or villages rather than spread development over a larger number of smaller sites. This approach might not make the best use of brownfield land and could have a significant impact on the landscape and setting of those settlements where sites would need to be allocated.

All or some of the reserve sites listed above could be allocated to meet this alternative approach.

The preferred approach is designed to minimise the overall impact of new development on the landscape and setting of settlements in the county, make the best use of brownfield sites and to provide a wider spread of development across more communities to help support them as vibrant places where people want to live. It is important to understand that some or all of the reserve sites may still need to be allocated in the final version of the plan if the minimum housing need increases or if any of the preferred sites become unavailable or undeliverable.

Supporting Evidence

Strategic Housing and Employment Land Availability Assessment
Site Appraisal Report 2023
Sustainability Appraisal Technical Appendix 2023

Which existing policies will be replaced by this policy?

CS9 – Provision and Distribution of new housing
SP2 – Sites for Residential Development

Stamford North urban extension

The Rutland county boundary with Lincolnshire is close to the town of Stamford in South Kesteven. Evidence has shown that the most appropriate location for the future growth of the town of Stamford is to the north of the town. This development needs some land located in Rutland in order to achieve a comprehensive and sustainable development. This plan therefore includes a proposal for land to form the western end of a larger urban extension to the north of Stamford.

What will the policy do?

The policy allocates the site, in Rutland for housing development as part of the Stamford north development. The policy restricts the scale of development to 650 homes and requires the inclusion of a country park, local centre, and a road access from the Old Great North Road to Little Casterton Road to connect through to Ryhall Road in the east. This road connection is critical to the delivery of the whole Stamford north development. It is essential that the part of the site within Rutland is developed as part of a comprehensive proposal alongside the development in Lincolnshire.

Policy H2 – Cross-boundary development opportunity – Stamford North

Land at Quarry Farm (also known as Monarch Park), Little Casterton, is allocated for development as part of a larger development opportunity extending eastwards known as Stamford North. The majority of this development site is allocated in South Kesteven District.

The portion of land within Rutland will only be brought forward for development in conjunction with the land in South Kesteven as part of a comprehensive mixed-use scheme known as Stamford North.

A proposal for the development of the Quarry Farm site will only be supported where it is in accordance with an agreed Masterplan or Development Brief or as part of a comprehensive planning application for the whole of the Stamford North development area.

The masterplan and planning application is expected to include:

- a) appropriate full transport assessment and phasing plan for the entire site, based on the latest Stamford Traffic Model; and**
- b) residential development of no more than 650 homes (on the site within Rutland) of a mix of type, size and tenure as evidenced in the latest Housing Market Assessment (HMA) and in accordance with Policy H4 and to include:**
 - i. 30% of the site capacity as affordable housing to meet the need arising in Rutland;**
 - ii. the requirements of Policy H5 (Accessibility Standards) for accessible and adaptable homes;**
 - iii. 2% of site capacity to be provided as serviced self-build/custom build plots;**

- c) country park incorporating the appropriate mitigation of potential harm to biodiversity and wildlife assets, including the appropriate translocation of notable species;**
- d) a distributor road facilitating the connection of the Old Great North Road, Little Casterton Road and Ryhall Road and any associated junction improvements arising from this new road, including increasing capacity at the A1/A606 junction;**
- e) localised traffic and highway safety measures in accordance with the requirements of an agreed Traffic Impact Assessment and a travel plan; and**
- f) appropriate community infrastructure to support the scale of development included on the site, through the payment of CIL and either by direct on-site provision or as a site-specific financial contribution to off-site provision serving the wider Stamford North development;**
- g) safe and convenient highway, footway, cycleway connections shall be provided throughout the site connecting it to local schools, community facilities and into the wider town;**
- h) the development should positively respond to green infrastructure opportunities and provide sensitive landscaping to the northern and western edges of the site and provide at least 15% biodiversity net gain on site; and**
- i) an appropriate buffer for the protection and enhancement of the setting of the Scheduled Monument at Great Casterton, the area of this buffer should be determined through a Heritage Impact Assessment;**

***The entire Stamford North proposal can accommodate 2000 homes, including land within South Kesteven, however only the 650 homes delivered at Quarry Farm (Monarch Park) will contribute towards Rutland housing need.**

Why is this policy needed?

The NPPF advises plan makers that the supply of a large number of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided that they are well located and designed, and supported by the necessary infrastructure and facilities.

The Local Plan process also requires Local Authorities to work together to ensure effective delivery across county boundaries, through the duty to co-operate. Rutland County Council has been working with South Kesteven and Lincolnshire County Council over a number of years to ensure that future development of Stamford is carefully planned.

The parish boundary for Little Casterton adjoins the edge of Stamford, a market town within South Kesteven District, making this a sustainable location albeit outside the administrative boundary for Rutland. As such there is scope for development within this area to support a comprehensive scheme and to overcome infrastructure constraints, and it is proposed that Rutland County Council will continue to work jointly

with South Kesteven District Council. It is expected that development on the Rutland part of this comprehensive scheme would contribute to Rutland's housing needs.

In developing new Local Plans for both South Kesteven District Council and Rutland County Council, the two authorities have worked jointly to assess the need for, and suitability of land which spans the county boundary to the north of Stamford. This work has concluded that some land within Rutland will be needed as part of a larger urban extension to support the sustainable growth of the town and to facilitate an appropriate road connection and necessary infrastructure improvements to support the amount of growth proposed.

The portion of the development area known as Stamford North lies within Rutland is known as Quarry Farm (or Monarch Park). This site will only be brought forward for development in conjunction with the land in South Kesteven as a comprehensive mixed-use scheme which delivers a new road connection between Ryhall Road in the east and the Great North Road to the west. Any housing developed on the Quarry Farm site will contribute towards Rutland's housing supply and CIL monies and any specific S106 or onsite infrastructure provision directly related to Quarry Farm will be made to Rutland County Council.

A part of the Quarry Farm site is identified as a candidate wildlife site and would not normally be considered appropriate for development. However, the wider economic and social benefits arising from a comprehensive development in this location which delivers this new road connection is considered to outweigh the potential impact of development on wildlife in this instance. The candidate status of the site is due to the identification of important flora on site. The Leicestershire County ecologist service has worked with Rutland County Council to assess the potential impact of development on the wildlife interest and how this could be mitigated. The development proposal therefore requires the creation of a new wildlife site and the translocation of the notable species.

The developers and landowners of the sites which comprise "Stamford North" within RCC and SKDC have jointly prepared a Stamford North Delivery Statement which sets out a proposed means of delivering the scheme in an appropriate and coordinated manner to the benefit of the communities in both council areas. Together they have prepared a draft masterplan which sets out how the requirements of both councils can be met on site. Alongside this a Traffic Assessment has been prepared which proposes improvements to relevant junctions and highways safely measures in the town. Both Local Planning Authorities will need to approve the details of the masterplan and the relevant highway authorities, including Highways England will need to be satisfied that the proposed highway improvements are appropriate.

What you told us about this topic

The Issues and Options consultation highlighted that the majority of responded (82%) agreed that the portion of the Stamford north proposal within Rutland should contribute towards meeting Rutland's housing need.

Those who disagreed with this option highlighted that growth on the edge of Stamford is likely to be meeting needs in Stamford, which is in SKDC and the SKDC Local Plan had been adopted on the basis of this site contributing to their housing needs.

What alternatives have we considered?

The Council could have decided not to allocate the sites listed; however, this would prevent the delivery of the wider Stamford north proposal and therefore stifle future growth and development of Stamford. It would also adversely impact the five-year housing supply for South Kesteven and impact on the Duty to co-operate requirement for both SKDC and RCC. Failure to meet the duty to co-operate will result in the Local Plan being found unsound at examination.

Supporting Evidence

Capacity and Limits to Growth Study for Stamford 2015
South Kesteven Local Plan

Which existing policies will be replaced by this policy?

None in the adopted Local Plan

DRAFT

Housing Density

What will the policy do?

The policy sets a minimum housing density for the county whilst encouraging development to make the most effective use of land. Density of new development is required to consider the character and setting of the area in which it is located and the importance of securing well designed attractive and healthy places. This will result in a mix of high- and low-density development in different parts of the county.

Policy H3- Housing density

New residential development is required to make the most efficient use of land whilst responding to local character, context, and distinctiveness. Residential densities will vary dependent upon the local area context and character and the sustainability of the location, but generally should be no less than 25 dph (dwellings per hectare).

Why is this policy needed?

The NPPF states that local planning authorities should promote an effective use of land taking account of the need for housing and development within their area together with the local housing market and viability, the character and setting of an area and the importance of securing well designed attractive and healthy places.

The evidence on density requirements for new development has been reviewed and shows that the previous policy requirements for density has not generally been met. The Council has decided that a better approach is to promote the efficient use of land in a way which responds to and reflects the local character and the opportunities presented by the site. This will result in a mix of high- and low-density development in different parts of the county.

Neighbourhood plans may establish locally appropriate density standards where they have evidence that the standard(s) meets the requirements of national and strategic policies in terms of making the most effective use of land and delivering housing and other development needs; and that the density or densities are appropriate for the locality.

What you told us about this topic

The Issues and Options consultation highlighted dwelling mix rather than density. However, there was one comment that density could be up to 30 dwellings per hectare on village sites and another suggesting that PLDs had been applied in a way that led to excessive density in villages. Another comment was that the Objectives should, "...Allow Sites to increase density to make the best use of the land."

What alternatives have we considered?

The 'Why the policy is needed section' sets out why the preferred approach has been chosen and the alternatives – selecting a higher or lower density that were not taken.

Supporting Evidence

Strategic Housing Land Availability Assessment SHELAA
Whole Plan Viability Assessment 2023.

Which existing policies will be replaced by this policy?

CS10 - Housing density and mix

DRAFT

Housing Mix

What will the policy do?

The policy sets out the requirements for housing development of ten or more homes to provide a mix of dwelling types, sizes and tenures to meet the housing needs of the county as evidenced in the Housing Market Assessment. This will ensure that an appropriate balance of new homes is delivered.

Policy H4 - Meeting all housing needs

Development proposals for sites of 10 or more dwellings should provide a range of house types, sizes, and tenures to meet the general and specialist needs for housing in Rutland as identified in the latest Housing Market Assessment or other up-to-date evidence of local housing need.

New housing proposals shall also:

- a) Enable older people to promote, secure and sustain their independence in a home appropriate to their circumstances, through the provision of specialist housing (as defined in the Glossary) across all tenures in sustainable locations. New housing proposals shall take account of meeting identified needs for a growing ageing population by providing appropriate accommodation, including extra care and other forms of supported housing; and**
- b) Enable the provision of high-quality family housing that meets changing household needs and responds to market demand; and**
- c) Enable the provision of high quality and affordable housing for all and accommodation that considers specialist needs and ensures that people can chose to live close to their families and work opportunities within the county; and**
- d) Increase choice in the housing market, including new build private sector rented accommodation (Build to Rent) across both rural and urban parts of the county.**

Why is this policy needed?

As well as clearly defining the number of new homes needed within the county, it is also important that there is a clear understanding of the size, type and tenure of housing needed for different groups in the community so that an appropriate range of housing is required in particular locations, reflecting local demand can be planned for.

The Housing Market Assessment (HMA) 2023 (Figure 5.5) shows that Rutland has an existing housing stock which is biased towards larger housing within both owner-occupied and private rented tenures. Affordable housing for rent is spread more evenly across one-, two- and three-bedroom properties, although many of these are dedicated for older or physically disabled people which reduces drastically the number of one-bedroom dwellings available for younger single adults or childless couples. Modelling of household projections provides evidence about the mix of size and type of housing which will be required to meet the identified need. Housing provision in

Rutland should be monitored against the following broad mix of market and affordable housing provision:

Table 5: Housing mix

Figure 4: Suggested size mix of housing by tenure – Rutland				
	Market	Affordable home ownership	Affordable housing (rented)	
			General needs	Older persons
1-bedroom	5-10%	15-20%	20-25%	55-60%
2-bedrooms	30-35%	40-45%	40-45%	40-45%
3-bedrooms	35-40%	30-35%	25-30%	
4+-bedrooms	20-25%	5-10%	5-10%	

Source: HMA 2023 (Chapter 5: Key Messages)

The HMA 2023 (paragraph 41) identifies that the number of people in Rutland aged 65+ is expected to increase by 24% during the period 2023 to 2033, leading to a need for specialist housing for older people. (However, as discussed below, there is not a clear need for more care bedspaces.) Given that the number of older people is expected to increase in the future and that the number of older single person households is expected to increase this would suggest (if occupancy patterns remain the same) that there will be a notable demand for smaller housing from the ageing population. In addition to homes for an ageing population, the Council's [Older People's Accommodation Market Position Statement 2021](#) projects that existing residential and nursing care beds, taking account of vacant beds and a recently opened home, will be sufficient until around 2043 (paragraph 4.6). These figures will be revised as and when the Market Position Statement is updated.

The specific requirements for dwelling mix on sites proposed for allocation will be determined at the next stage of the Local Plan. This will include provision for an appropriate mix of housing size, type, tenure, and design to meet the different needs arising from population and household changes demonstrated in the HMA. The development principles included in these policies will guide the form, layout, dwelling mix, and infrastructure needs of each site.

It may not always be feasible to provide a mix of housing types, particularly on smaller sites but larger sites (of 10 or more dwellings) will be expected to include a range of housing types, sizes and tenures to ensure that the needs of all sectors of the community are met, including newly forming households, young couples and expanding households, as well as more specialist needs such as the elderly, learning disability and care leavers and those with physical disabilities.

Neighbourhood plans can also play an important role in identifying where there is a particular need for a specific type, size, or tenure of housing development. Where they have evidence to support such needs, they may choose to include a specific housing

mix policy or allocate site or sites for specific types of development within their neighbourhood plan.

What you told us about this topic

The Issues and Options consultation highlighted two options for housing mix in Question 16:

Option A - Maintain the current flexibility on the different house types/sizes that should be provided by developers and encourage the mix to reflect local needs;

Option B - Set specific requirements for the types and mix of homes that should be provided on development sites, to ensure that new housing more closely matches need.

37% of responses supported Option A and 63% supported Option B. However, the general view from developers and agents was to support Option A whilst taking account of up-to-date evidence.

What alternatives have we considered?

Requiring or allocating care homes – however the projected need and existing bedspaces do not necessitate this.

Supporting Evidence

Housing Market Assessment 2023.

[Older Person's Accommodation Market Position Statement 2021](#)
[Market Sustainability Plan 2023](#)

Which existing policies will be replaced by this policy?

CS10 - Housing density and mix

Adaptable and accessible homes

What will the policy do?

The policy requires all new homes to be adaptable and accessible and meet the M4(2) accessibility standards which are additional to the standard Building Regulation Part M requirements. Large developments of 100 or more homes will be expected to provide 1% of the site capacity to meet the higher M4(3) standards.

Policy H5 – Accessibility standards

All new dwellings are required to be adaptable and accessible as defined in part M4(2) Category 2 Accessible and adaptable dwellings of the Building Regulations, unless, by exception only, where M4(2) is impractical and unachievable.

(Exceptions may be due to issues such as topography, or flats that are first floor or above and which are not specialist accommodation for older people. Viability will not be an acceptable reason for failure to provide M4(2) where there are no such exceptional reasons, nor will any absence of compliant standard property types.)

On sites totalling 100 or more dwellings, a minimum of 1% of all dwellings is required to meet part M4(3) of the Building Regulations.

Why is this policy needed?

New homes should be high quality, accessible and sustainable. To achieve this, the Government has created new technical standards. These standards include optional additional standards for water, accessibility, and space. Local Planning Authorities can choose to include these optional standards in the local plan - if included, these accessibility standards are additional to the standard Building Regulation Part M requirements. The Council is mindful of the fact (detailed below) that the Government has announced that the M4(2) standard will become mandatory.

The Nationally Described Space Standard deals with the internal space within new dwellings. It sets out requirements for gross internal floor area at defined levels of occupancy as well as floor areas for key parts of the home, such as bedrooms, storage, and floor to ceiling heights. These standards are not part of the Building Regulations. In considering whether to impose the standards regard should be given to need for the standards in the area and the effect on viability.

Whilst there is evidence that current housing stock in the county, particularly properties of 3 bedrooms or less, does not meet these standards, due to the impact on the lower end of the housing market and the relatively low bedroom occupation levels in Rutland it is not considered appropriate to include the Nationally Described Space Standards in local policy at this time.

The introduction of optional accessibility standards may in practice help with dwelling space standards indirectly. The Building Regulation M4 is in 3 parts.

- M4(1) – Category 1 Visitable Dwellings (all dwellings) (required)
- M4(2) – Category 2 Accessible and adaptable dwellings (currently optional)
- M4(3) – Category 3 Wheelchair user dwellings (optional)

In July 2022, the Government [announced the outcome of the 2020 consultation](#) on raising accessibility standards of new homes saying:

“Government proposes that the most appropriate way forward is to mandate the current M4(2) (Category 2: Accessible and adaptable dwellings) requirement in Building Regulations as a minimum standard for all new homes – option 2 in the consultation. M4(1) will apply by exception only, where M4(2) is impractical and unachievable (as detailed below). Subject to a further consultation on the draft technical details, we will implement this change in due course with a change to building regulations.”

The Government will now consult further on the technical changes to the Building Regulations to mandate the higher M4(2) accessibility standard. No timescale has been announced.

This policy is needed:

- to secure the provision of M4(2) dwellings before the proposed introduction of the revised Building Regulations
- to ensure that provision is made for M4(3) dwellings on large sites.

The number of residents with mobility needs is set to increase substantially. Whilst not every person with mobility needs will need a property to the higher M4(2) accessibility standard, people’s needs may change over time and properties built to M4(2) provide greater flexibility compared with M4(1) which is the normal minimum required by the Building Regulations at the time of writing. The Government has announced that the normal minimum accessibility requirement will be M4(2). In the meantime, before the Government has phased it in, the Local Plan policy will reflect this, backed up by the findings of the HMA 2023. Given the increased number of people with disabilities forecast in Rutland in the period to 2033 by the HMA, the M4(2) accessibility standard will be required where practicable. The HMA 2023 also highlighted a smaller need for M4(3) dwellings. Paragraph 41 estimates that the need is for up to 190 homes designed to accommodate wheelchair users (M4(3)) in Rutland for the ten-year period 2023-33. The HMA 2023 states in paragraph 6.67: “Nationally, around 3.4% of households contain a wheelchair user – with around 1% using a wheelchair indoors.” The Council has taken a viable approach towards meeting this need. This is by requiring, on sites totalling 100 or more dwellings, 1% of all dwellings to meet the M4(3) standard.

Chapter 8 of the Whole Plan Viability Assessment makes allowance for the higher access standards proposed.

Research by the Council indicates that there is little or no overall need for additional care home beds during the lifetime of the Local Plan. Further information is included under Policy H4 - Meeting All Housing Needs.

What you told us about this topic

The Issues and Options consultation (question 19) highlighted that 81% of respondents felt that higher Building Regulations for accessibility should be required for some or all of new homes.

In response to question 19, 88% of respondents were in favour of identifying sites specifically for specialist housing for older people.

What alternatives have we considered

We have considered allocating sites specifically for older person's housing. We feel that this may be too much of an intervention in the market and that such sites may come forward on suitable brownfield sites, or as part of large allocations, without allocations being required solely for older people or people with disabilities being required. This was the case with the previous Local Plan. Allocating sites may lead to more provision than is required.

Supporting Evidence

Housing Market Assessment 2023.

Whole Plan Viability Assessment 2023

[Older Person's Accommodation Market Position Statement 2021](#)

[Market Sustainability Plan 2023](#)

Which existing policies will be replaced by this policy

CS19 – Promoting good design (this will replace the “Lifetime Homes” elements of Policy CS19 although these have already passed into abeyance following the introduction of the [optional Building Regulations in 2015.](#))

Self-Build and Custom Housebuilding

What will the policy do?

The policy supports the Government's intention to significantly increase self-build and custom-build housing by supporting proposals for individual plots and small sites for self and custom build homes which are located and designed in a way which meets the requirements of other policies in the plan.

Policy H6 – Self-build and custom housebuilding

Proposals for self and custom build housing, to be occupied as homes by those individuals, will be supported by the Council where they are in conformity with all other relevant local and national policies.

Larger development sites will be encouraged to make serviced plots available for self and custom build homes.

Where evidence is provided demonstrating that a plot has been appropriately marketed for a minimum period of 12 months but has failed to be sold for self-build development the Council will consider whether the plot(s) may be built out by the developer in a way that is neither self-build nor custom-build.

Why is this policy needed?

In 2016 the Government introduced a requirement for local planning authorities to maintain registers of people and organisations wishing to acquire plots of land for self-build and custom housebuilding projects. The Government's intention is that there should be a significant increase in self-build and custom housebuilding (see Glossary for definition).

The Council is required to grant planning permission for enough plots to meet the demand, as evidenced by the numbers of people on Part 1 of its Self-build and Custom Housebuilding Register. There were 27 people on the Council's Self build Register at 31st October 2022. The quantified demand identified in the base periods has been met through a number of planning permissions granted. However there remains a shortfall in suitable plots and the demand for self-build plots is reflected in in the HMA 2023 which identifies a continuing demand for plots in the county and emphasises the need for a specific policy.

Communities preparing neighbourhood plans will also be encouraged to consider the identification of sites specifically for self and custom-build projects within their neighbourhood plan area.

The Council will encourage the provision of serviced self-build plots as part of larger development sites. In deciding the location and scale of serviced plots on larger development sites developers are encouraged to consider the practicalities, attractiveness and deliverability of the self-build plots in relation to the market development and the impact that self-build development can have on health and safety compliance during site construction and the impact of self-build construction on

the construction of market development phases; in particular regard will need to be given to the impact of development where occupants have already moved in.

It is important that the policy approach is flexible and accounts for challenges associated with self-build and custom housebuilding. Consideration must be given to viability around delivering self and custom build plots on larger private schemes and the impact that self-build development can have on health and safety and compliance issues during site construction, or the potential negative impacts of significantly extending the construction phase on large sites; particularly where occupants have already moved in. The policy therefore provides a degree of flexibility to recognise these constraints and where it is evidenced, that the plots have been made available and marketed and priced appropriately for at least 12 months, serviced plots may be built out as conventional market housing or for affordable housing by the developer. It is important that it is evidenced that plots have been appropriately marketed in local estate agents and through specialist custom build agents such as Buildstore and Plotsearch.

What you told us about this topic

The Issues and Options consultation (question 18) highlighted two options for self-build (and custom-build) housing:

- Option A: Encourage self-build development by setting out where it will be supported in principle.
- Option B: Consider allocating sites specifically for self-build housing or requiring a proportion of large housing sites to be available for self-builders.

49% of responses supported Option A and 51% supported Option B.

There were concerns expressed about the practicality and demand for self-build plots within large market allocations. It was suggested by some that demand could be monitored and allowed for over time, possibly with the aid of a Supplementary Planning Document.

Monitoring shows that Rutland has delivered sufficient Self build dwellings to meet the need shown through its Self-Build register, however it is important that proposals for such development continue to come forward to address demand. A requirement for self-build plots to be made available on very large development will be applied to specific allocations and policy H6 above sets out where self-build homes will be supported in principle.

What alternatives have we considered?

The Council could allocate sites specifically for Self and Custom Build homes. This is not considered appropriate or necessary at this time.

Supporting Evidence

Self- and custom-build housing register (individual entries are confidential).

Number of self- and custom-build planning consents per annum (Using CIL Self-build exemption monitoring).

Housing Market Assessment 2023.

[House - How putting customers in charge can change everything, Richard Bacon, MP, 2021.](#)

Which existing policies will be replaced by this policy?

This is a new policy.

DRAFT

Affordable Housing

What will the policy do?

The policy sets out a requirement for a minimum of 30% affordable homes to be provided as part of developments of 10 or more homes in the parishes of Oakham and Uppingham, and on sites of 6-9 homes in all other parts of the county. The policy prescribes how affordable homes should be incorporated into a development scheme and what they are expected to include.

Policy H7 - Affordable housing

All major residential developments comprising 10 or more dwellings (or with a site area of 0.5 hectares or more) will be required to make provision, onsite, for a minimum of 30% of the scheme's total capacity as affordable housing. On brownfield sites, consideration will be given to the application of vacant building credit.

This includes development incorporating Use Class C2 supported housing, where these meet the Council Tax definition of a dwelling.

In the [Designated Rural Areas](#) (all parishes outside Oakham and Uppingham parishes) developments of between 6 and 9 dwellings inclusive will also be required to make affordable housing provision for 30% of the scheme's total capacity. In Designated Rural Areas, developments of between 6 and 9 dwellings inclusive may make contributions in the form of off-site contributions unless a relevant neighbourhood plan requires provision to be onsite.

Otherwise, in accordance with the [NPPF](#), the Council will only accept affordable housing provision off site; or as a commuted sum in lieu of onsite provision, where it is robustly justified and where the agreed approach contributes towards creating mixed and balanced communities.

The affordable housing requirement together with all other policy requirements in this plan have been assessed as being viable for the development types and sites allocated in this plan, therefore it is assumed that all development proposals will be viable. In exceptional circumstances, where robust evidence demonstrates that the specifics of an individual site and scheme justify the need for a viability assessment, consideration may be given to the viability assessment at the planning application stage. The Council will follow national guidance (set out in [national PPG](#)) to determine the exceptional circumstances where a site-specific viability appraisal might be accepted. In such cases the viability assessment should be prepared in accordance with the approach set out in national planning guidance and will be made publicly available. Independent verification of the viability assessment will be sought by the Local Planning Authority and the cost of this work will be borne by the applicant. The Council will determine how much weight it gives to the viability assessment in each case.

Affordable housing must:

- a) be of a combination of sizes and affordable tenure which meets the proven local and affordability housing need, including the number of bedrooms, property type and floor space;
- b) at least two-thirds of affordable housing will normally be affordable housing for rent and the remainder will be affordable home ownership, both within the definition in [Annex 2 of the NPPF](#), with the exception of First Homes Exception Sites where a more flexible approach can be taken through Policy H9 (First Homes Exception Sites);
- c) normally where major development is proposed, as part of the overall affordable housing provision, planning decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless a contrary approach is justified by the relevant paragraph of the NPPF;
- d) achieve a minimum of 25% of all affordable homes secured through developer contributions as First Homes (with the exception of Oakham and Barleythorpe whilst they are covered by [their Neighbourhood Development Plan](#) which was 'made' on 24 June 2022);
- e) where affordable home ownership is included, as part of the overall affordable housing provision, ensure the properties meet a range of relevant local demand and local affordability;
- f) be equivalent in standard and siting to typical open market properties of the same floorspace/number of bedrooms/general type;
- g) be well integrated with the open market housing through layout, siting, design, and style (to promote sustainable communities, the size and location of groups of affordable homes should be discussed and agreed with the Council);
- h) on very large sites (of 100 or more homes) affordable homes should be in groups of no more than 10 homes in different locations around the site;
- i) homes for ownership, other than flats and shared ownership, should be available on a freehold basis and not subject to leasehold arrangements; and
- j) be supported by appropriate nomination agreements to be agreed with the Council.

The Council may refuse development proposals which, in its opinion, seek to under-develop or split sites in a way that is likely to reduce the affordable housing contribution and/or promote off-site provision.

Why is this policy needed?

An adequate supply of housing which is affordable for local incomes is an essential part of creating sustainable communities and helps to support a thriving local economy and promote social inclusion. The planning system plays a central role in increasing the supply of affordable housing by creating mixed and balanced communities.

Rutland suffers particular problems regarding affordable housing, having some of the very highest average house prices in the region and a high proportion of large houses. The main method by which the planning system can help is by requiring developers to

provide or contribute towards affordable housing as part of their developments and by allowing small developments solely for affordable housing as an exception to normal planning policies. The Council is required by the NPPF to meet the need for both market and affordable housing in its housing market area and policies for affordable housing should specify the type of affordable housing required. Other than in prescribed circumstances it is expected that affordable housing will be delivered on site.

Affordable housing is defined in the NPPF (2021) as housing for sale or rent for those whose needs are not met by the market (including housing which provides a subsidised route to home ownership and/or is for essential local workers). The NPPF goes on to define the following groups which meet this:

- affordable housing for rent
- starter homes (now replaced by First Homes through [Written Ministerial Statement of 24 May 2021](#))
- discounted market sales housing
- other affordable routes to home ownership

The NPPF provides a definition of each of these categories and should be consulted for clarity.

The Housing Market Assessment (HMA) (2023) for Rutland analyses the need for affordable homes in all categories of the definition and has split this analysis between a 'traditional' need (which is mainly for social/affordable rented accommodation and is based on households unable to buy or rent in the market) and the 'additional' category of need introduced by the revised NPPF/PPG (which includes housing for those who can afford to rent privately but cannot afford to buy a home). The HMA concludes that there is an annual need for an additional 78 "traditional" affordable housing units per year. There are many households in Rutland who are being excluded from the owner-occupied sector. It is also clear that there are a number of households likely to be able to afford to rent privately but who cannot afford to buy a suitable home. The analysis would therefore suggest that a key issue in the county is about access to capital (e.g., for deposits, stamp duty, legal costs) as well as potentially mortgage restrictions (e.g., where employment is temporary) rather than simply the cost of housing to buy. The HMA is inconclusive about the scale of the need for affordable home ownership but carries out further analysis based on an assumption of 36 additional affordable homeownership properties being needed per year.

Delivery

Under Policy H7, one-third of affordable housing will normally be affordable home ownership and the remaining two-thirds will be affordable housing for rent, both within the definition in Annex 2 of the NPPF. Policy H7 allows two over-lapping requirements in national planning policy to be met. Under paragraph 65 of the NPPF, 10% of the total homes on a major housing development (sites of 10 or more homes or of 0.5 hectares or more) should normally be available for affordable home ownership. Under the Written Ministerial Statement on First Homes, 25% of the affordable homes on a site should normally be First Homes.

In order to meet this need, Policy H7 sets out a requirement for 30% affordable housing on new housing developments which meet the thresholds established by national planning policy. Onsite affordable housing is therefore normally required on all major housing proposals with a capacity for 10 dwellings or more, or where the site has an area of 0.5 hectares or more. With the exception of the parishes of Oakham and Uppingham, all parishes in Rutland are 'Designated Rural Areas' under Statutory Instrument 2004/418. In these locations, housing proposals for six to nine dwellings will also be required to make provision for affordable housing which will normally be in the form of a commuted sum for off-site affordable housing provision.

Affordable housing is required from development incorporating Use Class C2 supported housing, where these meet the Council Tax definition of a dwelling. Paragraph 6.60 of the HMA states, "...it should be noted that in July 2020 the High Court rejected claims that 'extra care' housing should not contribute affordable homes because it falls outside C3 use ([CO/4682/2019](#))."

In accordance with NPPF affordable housing provision should be made on-site unless the off-site provision or an appropriate financial contribution can be robustly justified, and the agreed approach contributes to the objective of creating mixed and balanced communities. Where commuted sum payments in lieu of onsite provision are robustly justified, these will normally be used for providing affordable housing within the vicinity of the development site. Otherwise, they will be pooled towards providing affordable housing elsewhere in Rutland. The sum payable will be calculated where practicable on the basis of the requirements set out in high level viability modelling and will vary according to the locality and circumstances of each site.

The Council's policy – and the calculation method used – is based on the commuted sum being broadly equivalent to the cost of on-site provision and may therefore contain elements of the construction and services cost as well as the land cost.

Demonstrating viability

The Whole Plan Viability Assessment (2023) assesses the viability of this requirement for a range of site types and locations in the county. The report concludes that this level of affordable housing should be viable across most site typologies. It is therefore assumed that the affordable housing requirement is viable and deliverable on all sites unless exceptional circumstances are demonstrated. The Council will use the guidelines set out in the national PPG to determine whether exceptional circumstances apply to a specific proposal. Only in such circumstances will a site viability assessment be considered. The Council may have a viability assessment independently appraised. Where this occurs the cost of the appraisal will be borne by the applicant. In accordance with the NPPF, affordable housing should be provided on site on major development proposals. The general presumption will be that the cost of providing affordable housing will be offset in the negotiation of the land purchase or option. The land value should include all costs including planning gain requirements. On larger sites affordable housing delivery may be phased over the lifetime of the development.

What you told us about this topic

The Issues and Options consultation highlighted the need for a breakdown of affordable housing types, including First Homes. It also highlighted the need for delivery of affordable housing to be viable.

Question 17 of the Issues and Options consultation regarded housing tenure mix within affordable provision. 34% of respondents wished to retain the current split of 67% affordable housing to rent and 33% affordable home ownership (Option A). Increasing the provision of affordable home ownership was supported by 16% (Option B), whilst increasing the proportion of affordable rent was supported by 50% (Option C).

What alternatives have we considered?

Increasing the proportion of affordable rented housing (and/or social rented housing) was considered, but any significant change would have impacted severely on viability.

Increasing the amount of affordable home ownership was considered, but this would not have met the needs identified in the Housing Market Assessment.

Supporting Evidence

Whole Plan Viability Assessment (2023)

Housing Market Assessment (2023)

Which existing policies will be replaced by this policy?

CS11 - Affordable housing

SP9 - Affordable housing

Rural Exceptions Housing

What will the policy do?

The Policy numbers beginning 'SS' establish the spatial strategy for the county. This allows for larger scale housing development within the towns and larger villages through allocated sites and by small scale infill development. Local housing need, including some of the need for affordable housing in these locations, will generally be delivered through the application of Policy H7 Affordable Housing. However, in the smaller villages and hamlets, housing will primarily be delivered through small scale infill sites and rural exception sites. This policy sets out the circumstances and requirements for the delivery of affordable homes in the smaller villages and hamlets.

Policy H8 - Rural exception housing

1. Small sites for affordable housing (which meets the NPPF definition of affordable housing) may be permitted within or adjoining villages as an exception to normal policies of restraint provided that they:

- a) are justified by evidence of need from a local housing needs survey;
- b) meet the needs for affordable housing of households who are currently resident, or have a local connection as defined in the Council's [published housing allocations policy](#);
- c) should have access to a basic range of services appropriate to the form of housing proposed;
- d) have appropriate safeguards in place to ensure that the housing will remain affordable to successive occupiers in perpetuity; and
- e) are supported by appropriate nomination agreements to be agreed with the Council.

2. Exceptionally, the Council will consider provision of market housing as a means of cross subsidising affordable housing as part of a rural exception sites where:

- a) the provision of market housing to cross-subsidise the affordable housing is essential and proportionate; and
- b) the development meets the identified affordable housing requirement on site and not additional needs from elsewhere; and
- c) the land value for the affordable homes does not exceed the level that would have normally been paid for a rural exception site (to be confirmed by an independent valuer commissioned by the Council at the applicant's expense); and
- d) the land value for the market homes is not (adjusting for the size of the plot) 50% or more greater than the level that would normally have been paid for land on a rural exceptions site (to be confirmed by an independent valuer commissioned by the Council at the applicant's expense); and
- e) the proposal has not and will not receive any public subsidy for its development; and

- f) the site must be within, or immediately adjacent to, the Planned Limits of Development of a Larger Village as defined in Policy SS1 or adjacent to existing built form of a Smaller Village, and the number of market homes must in no circumstances exceed 30% of the overall homes on the site and that the total internal floor area of the market homes does not exceed the total internal floor area of the affordable housing for rent**
- g) all sites must include affordable housing for rent; and**
- h) the number of market homes must not exceed the number of affordable housing for rent; and**
- i) they are supported by appropriate nomination agreements to be agreed with the Council.**

Why is this policy needed?

National policy encourages Local Planning Authorities in rural areas to be responsive to, and plan for, housing development to reflect local needs, including where appropriate rural exceptions sites. In all cases rural exceptions sites should be small in scale and located within or immediately adjacent to villages and will be an exception to normal policies of restraint.

Policy H8 (Rural Exception Housing) also allows for small sites for affordable housing within or immediately adjacent to villages as an exception to normal policies of restraint, provided that they meet certain requirements in terms of meeting affordable housing needs and local affordability. This should be evidenced by a local housing need survey for the village, parish, or group of villages, and could be carried out as part of preparing a neighbourhood plan. Homes provided through this policy should remain affordable in perpetuity.

Market housing within rural exception sites

In normal circumstances a rural exception site will be solely for affordable housing. However, in exceptional circumstances, the Council will consider an element of market housing within a rural exception site in order to cross-subsidise affordable housing. For the purposes of this policy a 'market' dwelling is any dwelling which is not affordable housing as defined in the NPPF.

The number of affordable homes provided on a site should not exceed the proven need and the number of market houses proposed must be determined by submission of a robust viability assessment which shows the minimum number of market houses that would be required to make the scheme viable and therefore guarantee successful delivery of the affordable housing component. Viability assessment should meet the requirements set out in national Planning Policy Guidance (PPG), including ensuring that land values reflect the nature of an exception site and are robustly evidenced. In no circumstances should the proportion of market dwellings exceed 30% of the overall dwellings on site. The Council will have any such viability assessment independently verified at the applicant's cost.

Where exception sites include market housing, the combined gross internal floor area of those market homes must not exceed the combined gross internal floor area of the

affordable housing for rent. It is envisaged that the average gross internal floor area of the market homes is unlikely to be less than that of the affordable housing for rent, but in any case, the number of market homes must not exceed the number of affordable housing for rent.

The requirement for a viability assessment will help to maximise the delivery of affordable homes in relation to market homes. Exception sites which contain market homes but no affordable housing for rent will not be permitted.

Exception sites which contain market housing must meet all their affordable housing provision on the development site, to demonstrate their viability and promote sustainable communities. Similarly, an exception site containing market housing must not be subsidised by another development seeking to make off site provision on the exception site, either through commuted sum or off-site provision in kind.

Successful delivery of these exceptional schemes will require Section 106 agreements including trigger points linking the delivery of market homes to the delivery of affordable homes. These will not restrict the price or include residency restrictions for open market homes but will require the home to be occupied as the sole or principal residence of an owner-occupier or tenant. It may also restrict the future increase in floor area, directly or indirectly, where this would not be in line with the policy.

What you told us about this topic

The Issues and Options consultation highlighted that there was scope for some sustainable development in villages. 50% of respondents (question 17) wished there to be more than 67% affordable rented housing within affordable housing provision.

What alternatives have we considered?

A higher proportion of affordable rented housing could be taken into account for grant-aided sites for potential viability but would not be viable for grant-less developments.

Not allowing a small amount of market dwellings in rural exception sites, but this is permitted in the NPPF.

Allowing exception sites in towns. However, this is not in line with the NPPF where the focus is on rural exception sites. Appropriate provision for First Homes Exception Sites in towns is made in Policy H9.

Social rented dwellings could be required instead of affordable rented dwellings, but in most cases, this is not justified due to viability issues.

Supporting Evidence

Review of the Planned Limits of Development 2023
Housing Market Assessment (2023)
Whole Plan Viability Assessment (2023)

Which existing policies will be replaced by this policy

CS11 - Affordable housing

SP10 - Market housing within rural exception sites

DRAFT

First Homes Exceptions Sites

What will the policy do?

The policy sets out where first home exceptions sites will be acceptable, why they are needed and how proposals for these will be assessed.

Policy H9 – First Homes Exception Sites

1. Small exception sites for First Homes may be permitted within or adjoining Oakham and Uppingham on land not allocated for housing provided that they:

- a) are within the Parishes of Oakham and Uppingham; and
- b) meet a need for First Homes that is not already being met in Rutland; and
- c) do not compromise the protection given to areas or assets of particular importance in the NPPF; and
- d) may include a small proportion of other affordable homes (and may be required by the Council) due to significant identified local need; and
- e) do not compromise land needed for employment purposes.

2. Exceptionally the Council will consider provision of market housing as a means of cross-subsidising affordable housing as part of a First Homes exception site where:

- a) the provision of market housing to cross-subsidise the affordable housing is essential and proportionate and evidenced by an open book viability assessment at the applicant's expense (including an independent review of the assessment commissioned by the Council also at the applicant's expense); and
- b) the development meets the identified affordable housing requirement on site and not additional needs from elsewhere; and
- c) the proposal has not and will not receive any public subsidy for its development; and
- d) the number of market homes must in no circumstances exceed 20% of the overall homes on the site and that the total gross internal floor area of the market homes does not exceed the total gross internal floor area of the affordable homes.

Why is this policy needed?

First Homes are a specific kind of discounted market sale housing considered to meet the definition of 'affordable housing' for planning purposes. They are new homes that are built for first time buyers and must be discounted by at least 30% against market value. First Homes are the government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations. As part of the First Homes concept the Government has introduced First Homes exception sites.

First Homes are generally covered by the Affordable Housing Policy H7. Rural exception sites (Policy H8) can only be allowed in Designated Rural Areas in Rutland, whereas First Homes exception sites are the opposite and can only be allowed outside Designated Rural Areas. As Rutland has both areas Designated Rural Areas and those which are not (parishes of Oakham and Uppingham) a separate policy for First Home Exceptions Sites is needed to cover Oakham and Uppingham.

What you told us about this topic

The Issues and Options consultation (question 17) highlighted First Homes as a Government policy. There were references to viability and the perceived need for the Council to sub-divide needs by specific types of Affordable Home Ownership. Comments were made that First Homes need to be taken into account for any policies with respect to affordable housing.

What alternatives have we considered?

We could have not adopted a local policy and relied solely on national policy. However, this would not have enabled the Council to set locally important parameters, such as specifying the parishes the Government has determined to be Designated Rural Areas and the requirements regarding the cross-subsidy by a small amount of market housing in some cases.

We have also retained a requirement for these sites to be 'small' and not merely the 'proportionate' requirement in national policy.

Supporting Evidence

Under the Planning Policy Statement for First Homes and the associated Written Ministerial Statement, First Homes Exception sites that are proportionate in size may be permitted in areas that are not Designated Rural Areas. In Rutland, the only parishes which are not designated rural areas are the parishes of Oakham and Uppingham.

Chapter 4 of the Housing Market Assessment for Rutland provides information on the need for Affordable Home Ownership Products, including First Homes.

The Council introduced First Homes Informal Planning Guidance in May 2022.

Which existing policies will be replaced by this policy?

This is a new policy which does not replace any Local Plan policy. It takes account of national guidance on First Homes and First Homes exception sites.

Gypsies, Travellers and Travelling Showpeople

Government [Planning Policy for Traveller Sites \(2015\)](#) (PPTS) states that local planning authorities should make their own assessment of the need for sites and that Local Plans should include fair, realistic and inclusive policies. They should set pitch targets for Gypsies and Travellers and plot targets for Travelling Showpeople, setting a 5-year supply of deliverable sites and identifying a longer-term supply of developable sites or broad locations for growth.

What will the policy do?

The policy sets out the level of need for Gypsies and Traveller sites and for Travelling Show People sites, as evidenced in the GTTSAA and allocates specific sites to help meet the need. As these sites will not meet the full level of known need the policy also provides criteria against which planning applications for new sites or new plots and pitches to be assessed.

As part of the consultation process for this draft Local Plan, we are calling for the submission of further suitable sites for Gypsies, Travellers or Travelling Showpeople for consideration for allocation due to limited choice and potential suitability of sites submitted to date.

Policy H10 – Meeting the needs of Gypsies, Travellers and Travelling Showpeople

The Council will seek to meet the need identified in the latest Gypsy, Traveller, and Travelling Showpeople Accommodation Assessment (GTTSAA) for the period 2022-2041:

- 16 pitches for Gypsies and Travellers
- 33 plots for Travelling Showpeople (of which there is already a consent granted for 5 plots)

Specific allocations to meet the identified need are proposed below and shown on the Policies Map:

Gypsy and Traveller Accommodation:

H10.1 The Paddocks site at Langham – modest-scale use of land at or adjacent to the existing site, of a size to be confirmed through the Local Plan and/or development management process, aimed at the families of existing residents;

H10.2 Stocken Hall Road, Stretton – submitted site of 0.9ha with potential suitability for up to 8 pitches; and

H10.3 Seaton Road, Uppingham – submitted site of 0.33ha, with potential suitability for up to 3 pitches.

Travelling Showpeople Accommodation:

- **Five Counties extension, Greetham – 28 plots, to be safeguarded for Travelling Showpeople for the plan period, with the allocation of Area (1) (already partly consented) confirmed and with Areas (2) and (3) to be allocated as reserve sites, preferred in that order.**

H10.4 Area 1 Five Counties Extension

H10.5 Area 2 Five Counties Extension

H10.6 Area 3 Five Counties Extension

Additional provision will be delivered through safeguarding authorised sites and policy compliant extensions to existing sites.

Proposals for sites for Gypsy and Traveller and/or Travelling Showpeople which meet identified need within the county will be permitted provided that:

- a) in the case of permanent sites, there is reasonable and convenient access to schools, medical services, shops, and other community facilities; and**
- b) the site is well located and provides safe and convenient vehicular, pedestrian and cycle access and adequate parking, and will not result in a level of traffic generation which is inappropriate for roads in the area;**
- c) the impact on heritage assets, landscape character and/or sites/areas of nature conservation value including the internationally designated nature conservation site of Rutland Water is minimised;**
- d) the site provides adequate on-site facilities for parking, storage, play and residential amenity (including basic essential services);**
- e) the site is not visually intrusive and will not have a detrimental effect on the amenities of adjacent occupiers;**
- f) adequate levels of privacy and residential amenity for occupiers will be provided;**
- g) site shall normally only be occupied by households who meet the planning definition of Gypsies, Travellers or Travelling Showpeople, or those who met the definition when they first moved onto the site and who still remain within the definition afterwards, except that subsequently they may give up travelling permanently for welfare reasons;**
- h) no significant barriers to development exist in terms of flooding, poor drainage, poor ground stability or proximity to other hazardous land or installation where other forms of housing would not be suitable;**

Further future provision is proposed to be made through a separate Action Plan Development Plan Document relating to a masterplan for the St. George's Barracks site (Policy SS5).

Why is this policy needed?

The Council has published (in 2023) a new assessment of the accommodation needs of Gypsy, Traveller and Travelling Showpeople (GTTSA) in its area. There are families within the study area who would like to increase the number of pitches and

plots and/or number of caravans allowed per pitch or plot on existing site/yards and consider that the expansion of sites with adequate space would contribute towards meeting existing need. The report concluded that there is an overall shortfall in Rutland over the next 20 years of some 16 residential pitches for Gypsies and Travellers and 33 plots for Travelling Showpeople. The need for 33 plots does not take account of 5 additional plots allowed in 2023 as an extension to an existing site to meet their need.

Given the future need in Rutland arises from the growth of existing families that are already resident in the county, the Council's approach will be to respond to those needs where they arise through proposed allocation, the extension of existing sites together with any suitable policy compliant application should be considered before new sites are allocated. The Council will work with stakeholders to ensure that this need is met. Therefore, the broad locations for future residential Gypsy and Traveller sites in Rutland should reflect the existing location of sites and the nearest most sustainable settlements.

The proposals set out in the plan to undertake a separate Development Plan Document for the St. George's Barracks Site will potentially provide an opportunity to address future need for Gypsy and Traveller pitches and plots for Travelling Showpeople.

The Council has previously adopted a criteria-based policy towards sites for Gypsies and Travellers and this had been successful in ensuring that sufficient sites have come forward to meet the previous need for sites for Gypsies and Travellers that had been identified. The Council works with the Multi-Agency Traveller Unit (MATU) in Leicester to support the travelling communities within the county. Evidence from MATU suggests that much of the current need for pitches and plots in Rutland arises from the need to accommodate existing families and may be better met through extension to existing sites or on new sites of sufficient size to accommodate the whole family. MATU, from interaction with families, are of the view that much of the identified need for plots for Showpeople are from family members who are not intending to join the family business. MATU's canvassing of residents regarding an appetite for an expansion of further plots found that they were not currently in a position to bring forward a further significant extension of the site, beyond the 5 plots already authorised in 2023. As such, it is likely that the some of the need for Gypsies and Travellers and Travelling Showpeople will be met through planning applications in due course.

The purpose of Policy H10 is to set out proposed allocations and a criteria-based policy for use in the assessment of other potential sites to address identified accommodation needs.

What you told us about this topic

The Issues and Options consultation (question 20) highlighted that 72% of respondents agreed with the Council reviewing the findings of the GTTSAA and then, if necessary, setting a new pitch requirement and identifying sites to meet need identified in the study.

What alternatives have we considered?

We have considered the provision of a transit site, but the GTTSAA did not find the need for such a site. We have concentrated on allocating sites for Gypsies, Travellers and Showpeople that meet the planning definition in PPTS. The need from households that do not meet the planning definition is relatively small, as evidenced by the GTTSAA and has been addressed through changes to criterion (g) of the criteria-based policy.

There is a shortage of sites to meet the identified need for Gypsies and Travellers, and so it is intended to undertake a further Call for Sites to address this requirement alongside the Preferred Options consultation.

Supporting Evidence

Rutland County Council Gypsy, Traveller, and Travelling Showpeople Accommodation Assessment (GTTSAA), 2023

Which existing policies will be replaced by this policy?

CS12 - Gypsies and Travellers

Chapter 7 - Economy

The Local Plan aims to meet the objectives of the Council’s emerging Economic Strategy to deliver strong and sustainable local economic growth in Rutland.

The Local Plan seeks to ensure that there is sufficient employment land available in the right places, provide support to the rural economy, the visitor economy and the town centres to ensure that they remain vibrant. Each of these strands contribute to a strong and growing economy. The plan also aims to provide flexibility and choice to the market, capitalising on the strengths and opportunities in Rutland.

The Local Plan provides a key role in supporting a sustainable local economy, setting criteria and identifying sites for local and inward investment to match the long-term objectives and priorities of the Economic Strategy for Rutland (2023) and to meet anticipated needs over the plan period.

This Local Plan is both aspirational and realistic in supporting job creation and prosperity by taking a positive approach to sustainable local economic growth.

Sites for Employment

What will these policies do?

The Local Plan should ensure that a sufficient quantity of land is available for employment generating uses and development in Rutland throughout the plan period.

Policy E1 shows the strategic employment land allocations and their gross areas. The actual floorspace and employment capacity of each site will need to be determined as development proposals are worked up in detail. Local environmental constraints, the eventual use class of occupiers and design issues will be important determinants for each site.

St George’s Barracks is proposed as an Opportunity Area (policy SS5) within this Local Plan. This site may deliver new employment premises and uses in the future; however, the site is not included within the employment land allocations below.

Policy E1 – Strategic employment land allocations

The following sites are proposed as strategic employment development sites. The employment generating use(s) considered most appropriate for each site is indicated, together with the gross site area. Sites areas are also shown on the Policies Map

Car Park 3 Rutland Showground, Oakham	High Quality office and Employment	3.0ha
Uppingham Gate, Uppingham	Range of employment uses	6.8ha
Land North East of Pit Lane, North of Forest Park Industrial Estate, Ketton	Light Industrial and warehousing	3.7ha
Land North East of Pit Lane- East of Chater Business Estate, Ketton	Employment Industrial	4.3ha

Burley Appliances Ltd, Oakham	Industrial	1.0ha
Land at Pit Lane Ketton	Light industrial uses	0.9ha
Land at Home Farm, Tickencote	Suitable for B8	19.4ha
Land off Glaston Rd, Morcott	Employment light industrial and small-scale logistics	1.8ha

Permission may also be granted for other employment generating uses on these sites where the following criteria are satisfied:

- 1) The proposed use will generate new employment opportunities and will achieve economic investment and growth of the county;
- 2) It is demonstrated that the proposed scheme will make a significant contribution to the local economy through the generation of a range of additional jobs;
- 3) The alternative use would not have a detrimental impact on the overall supply and quality of employment land within the county;
- 4) An end user for the proposed development has been positively identified; and/or
- 5) It is demonstrated that the proposed scheme will create significant employment requiring NVQ level 4 or above and/or apprenticeships leading to NVQ level 5 and above.

Policy E2 – Employment development on unallocated sites

In addition to the sites allocated in Policy E1, support will be given to proposals for:

- a) new office development within the defined town centres where it is appropriate to the scale and role of the centres;
- b) new employment development proposals within the planned limits of development defined for the towns and Larger Villages, which are of a scale, use and nature appropriate to their location;
- c) work-live units will be acceptable within defined settlements and as conversion and re-use of existing buildings outside Planned Limits of Development, where they are managed by an organisation committed to their use primarily for employment, as evidenced by a management plan and subject to them remaining in employment use in perpetuity. Loss of work-live units to residential will be resisted; and
- d) the redevelopment and intensification of existing low density, underused or poor-quality employment sites for higher value employment uses, particularly in the towns and local services centres.

Why are these policies needed?

National planning policy aims to ensure that the planning system does everything it can to support sustainable economic growth, and build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in

the right places and at the right time to support growth, innovation and improved productivity. Planning policies should help create conditions in which businesses can invest, expand and adapt and which enable sustainable rural tourism and leisure developments which respect the character of the countryside.

Employment is important for people's health and well-being and is an essential element of sustainable development. The creation of new, higher skilled jobs is central to this Plan and the Council with its partners will support employment land brought forward on a scale and in locations consistent with these policies.

The Rutland Economic Strategy (2023) establishes a framework with long-term objectives and priorities and offers a robust economic rationale to underpin future investment and delivery from now to 2040. It also seeks to take account of the aims of national guidance by ensuring that well located, good quality employment land which is attractive to businesses is allocated in appropriate, accessible and sustainable locations.

The central vision for the Council's Economic Growth Strategy is to harness the characteristics of the area to build the modern rural economy, with a productive, sustainable, and diverse business base.

To achieve this vision, four objectives form the basis of the Council's strategy:

- 1) New technologies and market industries
 - clusters of technology driven service sectors
 - green industry & agriculture
 - creating high value jobs
- 2) Productive local businesses
 - resilient businesses growing across the county, benefiting from regional supply chains and collaboration, offering good quality local work
- 3) Skilled workers in quality local jobs
 - a highly skilled workforce to meet current and future employer needs
- 4) Thriving places and communities.
 - diverse towns power local economy with successful high streets, employment centres and rural areas

In order to ensure sustainable growth of the local economy there is a need for the county to succeed in retaining, growing and attracting new jobs and securing inward investment. The Rutland Employment Needs & Economic Development Evidence (July 2023) assesses the economic outlook for Rutland and translates that into suitable recommendations on employment land demand and supply. It provides an evidence base and platform for allocations and plan policy making.

When considering the scale of future needs the Planning Practice Guidance (PPG, 2019) requires consideration of:

- sectoral and employment forecasts and projections (labour demand)
- demographically derived assessments of future employment needs (labour supply techniques)

- analysis based on the past take-up of employment land and property and/or future property market requirements

The Employment Needs & Economic Development Study recommends the following:

- office requirement for 7,450 sqm or 1.5Ha
- industrial and warehousing need for between 18.2 ha and 34.9 ha. With an acceptable mid-point of 26.6 ha be planned for in the Local Plan
- need to acknowledge the wider 'roaming' demand on the A1 corridor that could support a large development with a logistics focus

The study identifies the total jobs that can be supported in the county based on the identified need range from 3,335 to 4,378 additional jobs. For completion, it is recommended that the mid-point of 26.6 ha is reasonable to plan for and this would result in 3,860 additional jobs based on the assumptions used in the Study. However, it concludes that while a range of job creation is possible with the recommended level of need, the link between floorspace growth and jobs growth cannot be wholly reconciled. This is particularly the case for industrial jobs which comprises the greater percentage of the need.

The Employment Needs & Economic Development Report (2023) also considered the suitability of existing employment allocations and new sites which had been proposed to the Council for employment uses to meet future needs. Site allocations have also been assessed against the Council's site assessment criteria to ensure that they are suitable for development.

Rutland is a partner of the Greater Lincolnshire Local Enterprise Partnership (LEP), reflecting the close alignment of Rutland with other Greater Lincolnshire partners in terms of its rural economy, its market towns and the importance of sectors such as agriculture, tourism and food and drink. This partnership is considered to be a boost for businesses in Rutland, which can now access services and resources offered by the Greater Lincolnshire LEP and its Business Lincolnshire Growth Hub.

Rutland is primarily a rural area. Reflecting its settlement morphology and the fact that its largest settlement, Oakham, has a population of under 12,000 people. By definition therefore, Rutland has a largely rural economy and Rutland is rightly regarded as a rural county. However, it is important to acknowledge that Rutland, and particularly the east of the county, is well-connected through its proximity to the A1. This gives the county direct access to London but also other major employment centre

In relation to land-based activities, this means a policy framework that is supportive of both diversification (linked to the re-use of, for example, redundant farm buildings) and intensification/movement along the value chain (e.g., through the provision of small manufacturing/production sites). This Local Plan provides policy support for such developments in Policies SS9 and E2.

Policy E1 proposes strategic allocations in the county to ensure that there is sufficient employment land available in the right places to support a strong and growing economy.

The spatial strategy for new employment development focuses economic development on the towns and larger villages. In doing so, The Local Plan seeks to maintain high levels of employment and a thriving local economy that would be consistent with the Council's vision and the objectives and priorities of the Economic Strategy (2023) to identify sufficient employment land and explore opportunities for growth in areas along the A1 corridor and in town centres.

What you have told us

There was overall support (47% respondents) to adopt a longer-term approach and allocate land for employment development to maintain a flexible employment land supply in the Issues and Options consultation. This would allow the Local Plan to meet the full range of needs, provide choice and flexibility in supply, and help support the recovery of the local economy following the impact of the Covid 19 pandemic.

Over a quarter of responses supported the allocation of new sites for employment alongside the county's main transport corridor adjacent to the A1. Along with a quarter supporting sites for employment uses within Rutland to be included as part of any major housing proposal or new settlement.

What alternatives have we considered?

To make no additional allocations of employment land on the basis of previous evidence of an existing over-supply of employment land in Rutland. However, this will not address the identified need to promote economic growth and allocate additional sites shown in new evidence for the county.

Plan for greater growth and inward investment by allocating land up to the higher land requirements indicated in the Employment Needs & Economic Development Evidence (2023), in locations which would attract large employers, business park proposals, and maximise the potential of locations adjacent to the A1 to attract new employment to Rutland to enhance the prosperity and resilience of the local economy.

Supporting Evidence

Rutland's Economic Strategy (May 2023)

Rutland Employment Needs & Economic Development Evidence (2023)

Which existing policies will this policy replace?

CS13 – Employment and economic development

CS14 – New provision for industrial and office development and related uses

Employment Development within the Planned Limits of Development

What will this policy do?

In addition to the provision of new sites and allocations it is also important that the stock of existing employment land and premises is maintained across Rutland (not just within the Key Employment Areas).

The policy seeks to provide flexibility for employment uses of land and the needs of enterprise. It sets out the Council's requirements applications for a change of use from employment to other uses including housing. The policy will offer a range of employment opportunities across the county within the built-up areas to accommodate the expansion of local businesses and to ensure that there are opportunities for companies to move into the area.

Policy E3 - Protecting existing employment land and premises

1. Enhancement of employment premises and sites

The Council will seek to protect and enhance existing employment sites and premises in order to maintain a supply of good quality commercial sites and premises to meet the needs of businesses and the local economy.

The Council will promote and support positive measures to upgrade existing employment areas through supporting appropriate proposals for development/re-development of employment floorspace, upgrading or modernisation of existing premises and/or proposals which make more efficient use of under-used employment sites and premises, where:

- a) **the expansion is in keeping with the existing scale of provision and local area, and**
- b) **it can be demonstrated that any adverse impacts would not significantly outweigh the benefits**

2. Protection of existing employment premises and sites

Existing employment sites and premises will be protected where there remains a reasonable prospect of employment use. Excepting Permitted Development Rights or Local/Neighbourhood Development Orders, change of use from Class E or similar sui generis uses will not be permitted unless:

- a) **it is demonstrated that the site is no longer required and is unlikely to be re-used or re-developed for industrial/commercial purposes. This should include clear demonstration of marketing, viability appraisal and the suitability of the site to accommodate the proposed use - using a methodology to be agreed by the County Council at pre-application advice stage; or**
- b) **the proposed use will generate new employment opportunities and will achieve economic enhancement of the county and an alternative use**

would not be detrimental to the overall supply and quality of employment land within the county or

- c) the existing location poses insurmountable environmental harm or amenity which cannot be satisfactorily resolved. The Council will require evidence that the site has not been made deliberately unviable, that marketing has been actively conducted for a reasonable period of time and that alternative employment uses have been fully explored.

3. Relocation and expansion of existing businesses

The Council will positively encourage the relocation of existing firms wishing to expand within Rutland provided that the development:

- a) will improve their economic and environmental sustainability
- b) will improve the environment for local residents
- c) will enhance the sustainable development potential of the location and /or adjoining sites and
- d) is sensitive to its surroundings in terms of scale and design; and
- e) does not have an unacceptable impact on local roads

4. Office development

The Council will seek to direct office development to the town centres.

5) Range of unit sizes

Where appropriate the Council will require the provision of a range of unit sizes including small and medium sized business units and live-work units in new economic development and mixed-use sites to ensure the needs of businesses are met.

Why is this policy needed?

Protecting and enhancing existing employment sites and premises can make an important contribution to ensure that there is sufficient available floorspace and the opportunity for good quality modern workspace providing employment opportunities in the county. A flexible supply of employment land and premises to meet business needs includes the protection and upgrading of existing sites where these are accessible and there is a good prospect of continued employment use.

The Council's Employment Study (2023) provide strong economic justification for the retention and protection of the county's supply of existing employment sites and buildings where they are well located, in order to continue to be available to meet the needs of existing and expanding/modernising businesses. This applies to a range of business uses and types of employment, including office use, light manufacturing, workshops, storage use, and smaller business enterprises in the rural areas. The study concludes that there is a need to protect its employment sites from non-employment uses, such as housing or retail.

The Council recognises that employment generation does not only relate to the B Use Classes, and therefore proposes that a range of employment generating uses

may be appropriate on existing and proposed employment sites. Employment uses are traditionally defined in the Use Classes Order as B2, General Industry, B8, Storage and Distribution and E, Commercial, Business and Service. The diversification of the economy and the decline in traditional manufacturing means that employment opportunities now emanate from a wider range of uses. Not all Class E Uses are appropriate for location on designated employment sites, however it is recognised that there are opportunities for some employment generating, non-B class uses to co-exist alongside the traditional B-class uses on employment sites. There is a balancing act here: the cumulative impact of non-B class uses can have an impact upon the functionality of more traditional B class uses.

The policy allows for mixed use developments to reflect the level of flexibility set out within the NPPF. Mixed use developments may include elements of development that do not fall within the B2 and B8 Use Classes such as trade counters and potentially care/nursing homes, all of which create job opportunity. Proposals for Main Town Centre Uses (as defined in the glossary of the NPPF) will not be supported on designated employment land unless it is first demonstrated that no suitable Town Centre, or edge of centre, sites are available through an appropriate and proportionate sequential test.

Any development proposals for a change of use from an employment use to a non-employment use will need to be justified. These employment sites are important for the economy and any proposal resulting in the loss of jobs will have to demonstrate that the site is no longer viable for employment uses and/or that the loss of the employment would not have a detrimental impact upon the local economy.

What you have told us

Consultation responses at Issues and Options showed a high level of support for retaining existing employment sites and allocations, although some responses acknowledged that a review of existing allocations would be necessary. It also showed that your thought allocating a mix of sites and uses to deliver a long-term approach was appropriate with sites which had good connectivity and established business being supported. Reference was also made to the need to consider impact on local communities and road networks and the current high levels of out commuting from Rutland for work.

What alternatives have we considered?

No alternatives have been considered.

Supporting Evidence

Rutland's Economic Strategy (May 2023)

Rutland Employment Needs & Economic Development Evidence (2023)

Which existing policies will be replaced by this policy?

CS13 – Employment and economic development

CS14 – New provision for industrial and office development and related uses

DRAFT

The Rural Economy

What will these policies do?

The policies will support development which contributes to the rural economy provided it is in the right location and at an appropriate scale and nature. In many cases rural business uses can be the best alternative use for existing buildings in the countryside and villages. They recognise that businesses are important to the rural economy, providing local opportunities for rural communities to live and work in close proximity. The policies set out the requirements for determining development proposals for new and existing businesses located outside the towns and larger villages, and for farm diversification proposals.

Policy E4 - Rural Economy

Outside Oakham, Uppingham and the larger villages, developments which:

- a) provide opportunities for local rural employment development that supports the vitality of rural settlements;**
- b) create or extend rural based tourist attractions, visitor facilities and recreational uses;**
- c) encourage the retention and expansion of existing businesses, particularly through the conversion of existing buildings and farm diversification;**
- d) encourage the creation of start-ups and scale ups to innovation support and rural diversification;**
- e) encourage the creation and expansion of sustainable farming and food production businesses and allow for the adaption of modern agricultural practices;**
- f) are considered essential to the wider strategic interest of the economic development of Rutland, as determined by the County Council; or**
- g) support the retention and delivery of community services such as shop and public houses and village halls.**

will be supported where the development:

- i. meets the Strategic Objectives as set out in Policy SS9 of the Local Plan Spatial Strategy;**
- ii. supports the rural economy, and could not reasonably be expected to locate within the planned limits of development;**
- iii. would not undermine the delivery of strategic employment allocations;**
- iv. is supported by adequate infrastructure;**
- v. is consistent in scale with its location and does not adversely affect nearby buildings and the surrounding area or detract from residential amenity;**
- vi. is well sited and designed in order to conserve and where possible enhance the character and quality of the landscape and built form; and**
- vii. does not conflict with all other policies of the Local Plan.**

Policy E5 - Sustainable farm diversification

Proposals for new rural enterprises within established agricultural holdings will be permitted provided that:

- a) the scheme benefits the economy of the rural area of which it is part;**
- b) wherever possible appropriately located existing buildings are re-used;**
- c) new and replacement buildings are appropriate in scale, form, impact, character and siting to their rural location;**
- d) wherever possible new or replacement buildings should be located within or adjoining an existing group of buildings;**
- e) the diversification scheme would not harm the countryside's rural character, landscape, historical landscape features and wildlife by the nature and level of activity (or other effects such as noise or pollution);**
- f) the proposal does not generate traffic of a type or amount inappropriate for the rural roads affected by the proposal or require improvements to these roads which would be detrimental to their character. Proposals must set out how the scheme will assist in retaining the viability of the farm and its agricultural enterprise, and how it links with any other short- or long-term business plans for the farm.**

Development proposals are expected to aim to meet the highest possible energy efficiency standards.

Why are these policies needed?

Planning has a key role to play in ensuring that the rural economy is viable, meets the needs of existing residents of rural areas and that growth and development is appropriate to the scale of each area and that it has a positive impact upon biodiversity, geodiversity, the landscape and the historic environment.

National Planning Policy supports sustainable growth and expansion of all types of businesses in rural areas, in order to create jobs and prosperity by taking a positive approach to sustainable new development.

The rural economy provides a wide range of important goods and services, including clean water, biodiversity, recreational space and opportunities, food energy and carbon management. Rural land is a vital resource for mitigating and adapting to the various challenges of climate change, such as drought and flooding. The countryside is also home to settlements and communities, where economic activities include agriculture and other farm-based industries, as well as businesses associated with countryside pursuits, including rural tourism and leisure.

The NPPF advises that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make

a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

The Economic Strategy seeks to build a modern rural economy which responds to local businesses, from start-ups and scale ups to innovation support and rural diversification, to reduce rural inequalities, boost entrepreneurialism and innovative business growth. The policies in this local plan need to support this objective by providing the framework against which proposals for new and existing business will be considered. An early action from the Economic Strategy was to review the rural diversification policy to provide support and guidance to those considering diversification.

Traditional rural employment in agriculture, forestry and horticulture has declined over the last few decades and now accounts for less than 1% of employment in the county. It is important that rural economic development is focused on the needs of existing rural businesses and the networks which support them, but also that this rural economic growth does not have a detrimental impact on the countryside which makes Rutland a special place.

The Local Plan seeks to build on the healthy rate of business formations and the number of small firms in the county. Small firms and the highly skilled, knowledge-based businesses, which tend to have a low environmental impact, are likely to be most appropriate for the market towns and larger villages where they can take advantage of existing buildings and previously developed land. Sites identified for general employment development will help to meet the needs of local businesses, business start-up and relocations of businesses.

The Plan generally supports the principle of development which contributes to the rural economy provided it is in the right location and at an appropriate scale and nature. In many cases rural business uses can be the best alternative use for existing buildings in the countryside and villages.

Agricultural development and rural diversification proposals provide important opportunities to support and expand employment opportunities in the county and will generally be supported.

The policy ensures support for the rural economy outside the main towns.

What you have told us

Growth is desperately needed within the county, especially in rural areas. Rural enterprises should be supported provided that they are sustainable with 72% of respondents at Issues and Options supporting the option to support and encourage genuine proposals for rural enterprise (such as conversions of existing buildings and limited new build where required).

While the rural economy exists at a low concentration it is highly mixed and because of its nature the Council should look to support appropriate proposals throughout the whole county where it will make a positive contribution. Economic growth will help ease house affordability issues and will leave more money to be invested on becoming net zero.

What alternatives have we considered?

No alternatives have been considered.

Supporting Evidence

Rutland's Economic Strategy (May 2023)

Rutland Employment Needs & Economic Development Evidence (2023)

Which existing policies will be replaced by these policies?

CS13 – Employment and economic development

CS14 - New provision for industrial and office development and related uses

CS16 – The rural economy

SP7 - Non-residential development in the countryside

Employment and Skills

What will this policy do?

The policy will help to meet county-wide requirements for skill enhancement. by introducing the requirement for Employment and Skills Plans for major developments within the county in order to use the opportunities presented by development to improve local employment and training.

Policy E6 - Employment and skills

The Council will encourage development proposals that support the following:

- a) raise skills levels and increase employability;**
- b) tackle skills shortages in existing and potential business sector clusters that are, or have the potential to be, strengths in the local economy;**
- c) promote skills on strategic housing and employment sites particularly with regard to construction skills;**
- d) address barriers to employment for economically inactive people (including those who have a disability, long term sickness or leaving education); and**
- e) provide for the development of childcare facilities within or close proximity to employment sites.**

Employment and Skills plans will be required for:

- the construction phases of residential development of more than 50 homes and commercial schemes of more than 1000 sq. m.; and**
- the occupancy phase of commercial schemes that provide more than 50 jobs.**

Why is this policy needed?

The Council recognises that the skills and education of the labour force is crucial to the economic viability, flexibility and competitiveness of the local economy. The Council's Economic Strategy recognises the transition to net zero means changes for how we live and work. National issues, particularly the high cost of living and inflation, compound local challenges and accentuate the need for us to take a new approach to sustainable, inclusive economic growth.

This will help address skills shortages in Rutland particularly in hospitality, finance, data science and analysis. The lack of available workers locally intensifies competition for labour. Housing can be expensive which creates a challenge finding young professionals and people to fill junior role and acts as a barrier to people accessing work and support local enterprise.

Rutland County Council, as the local planning authority, can request contributions, either financial or in kind, through planning obligations for measures directly related

to a development. This arrangement derives from Section 106 of the Town and Country Planning Act 1990.

Employment and Skills Plans in the county will set out site-specific measures delivering jobs and training for local people. These measures will be negotiated on a site-by-site basis and will not be unduly onerous while still delivering real benefits on the ground. This is in line with the National Planning Policy Framework (NPPF) (25), which states that developments should not be subjected to a scale of obligations that would threaten their ability to be developed viably.

These plans will be required for the construction phases of residential development of more than 50 homes and all commercial schemes of more than 100 sq. m.

The main evidence to support the need for Employment and Skills Plans in Rutland are:

- skills shortages within the county;
- the changing demographic and inactivity have increased over the last 5 years. Of the economically inactive, there are higher proportions of retirees and those looking after family/home
- workplace earnings are lower than resident earnings, indicating that higher paid residents likely commute elsewhere for jobs

This policy can be applied to new developments where there are opportunities to provide apprenticeships or training thus raising skills and attainment and supporting people into higher paid employment, potentially connecting employers and employment opportunities to local schools, colleges, training organisations and voluntary services. This will encourage local skills and employment development.

The Council's Economic Strategy recognises the transition to net zero means changes for how we live and work. National issues, particularly the high cost of living and inflation, compound local challenges and accentuate the need for us to take a new approach to sustainable, inclusive economic growth.

What you have told us

This issue was not specifically raised in the previous consultation.

What alternatives have we considered?

To not apply Employment and Skills Plans to new development.

Supporting Evidence

Rutland's Economic Strategy (May 2023)

Rutland Employment Needs & Economic Development Evidence (2023)

Which existing policies will be replaced by this policy?

No current adopted planning policies in place with respect to employment and skills

DRAFT

Fibre to the Premises (FTTP)

What will this policy do?

The policy will try to improve the provision and quality of digital communications including broadband across Rutland to ensure that all new workplaces are connected by fibre or are able to be connected in the future.

Policy E7 - Fibre to the Premises (FTTP)

All new commercial proposals of 100sqm or over shall be provided with FTTP connections to an approved industry standard within the building together with suitable ducting/cabling to the public highway to allow connections to be made.

Where it can be demonstrated that FTTP is not cost effective, then alternative technological options, for example Superfast Fibre to the Cabinet or Fixed Wireless Access, should be provided. For such schemes, provision in the form of ducting and other necessary infrastructure for the future delivery of FTTP should be provided.

The Council will require applicants to demonstrate evidence of discussions with service providers and documentary evidence in relation to the cost effectiveness of providing connections via the submission of a Digital Infrastructure Delivery Plan.

Why is this policy needed?

High quality digital infrastructure is crucial to the success of businesses and also plays a vital role in enhancing the provision of local community facilities, services, and employment. Well-connected places attract modern businesses and can create the conditions for new clusters of digital and creative businesses to emerge.

Access to high quality digital infrastructure can also facilitate social inclusion, enable home working, diversify the rural economy, enhance educational and social opportunities, as well as improve access to a wide range of services that are increasingly provided online. Consequently, high quality digital infrastructure will make a significant contribution towards the delivery of sustainable development.

New development should ensure that it has considered any need and demand resulting from the development and taken proactive steps in engaging with service and infrastructure providers to ensure that there is high-speed fibre broadband connectivity or mobile internet coverage in the development.

What you have told us

This issue was not specifically raised in the Issues and Options consultation.

What alternatives have we considered?

To not include a policy on this matter and leave it for the market to provide.

Supporting Evidence

Rutland's Economic Strategy (May 2023)

Rutland Employment Needs & Economic Development Evidence (2023)

Which existing policies will be replaced by this policy?

SP14 – Telecommunications and high-speed broadband

DRAFT

The Visitor Economy and Tourism

What will this policy do?

The Policy supports the visitor economy and encourages high quality, tourism development in Rutland where it is proposed in sustainable locations which optimise and respect the benefits of Rutland's heritage and the character of its building and landscape.

Policy E8 - Local Visitor Economy

Proposals which support the local visitor economy, which are in accordance with the Spatial Strategy of Policy SS9, will be supported where they:

- a) make provision for visitors which is appropriate in use and character to Rutland's settlements and countryside; or**
- b) support or enhance existing tourist and visitor facilities; or**
- c) support the retention and enhancement of existing overnight accommodation and the provision of new overnight accommodation; or**
- d) provide new tourism provision and initiatives in Oakham and Uppingham and the larger villages which would also benefit local communities and support the local economy.**

Sustainable rural tourism development of an appropriate scale and use which utilises the conversion of existing buildings and well-designed new buildings in the countryside will also be supported where they are located adjacent to or closely related to the towns and villages which respect the setting and character of the location.

Why is this policy needed?

An integral part of a thriving local economy in Rutland is a sustainable visitor economy and rural tourism. National Policy requires local policies to support and enable rural tourism and leisure developments. Promoting a year-round visitor economy is an objective within the Councils Economic Strategy (2023) which includes support to enhance tourism sectors.

The market towns of Oakham and Uppingham, the stone-built villages, attractive countryside and Rutland Water combine to make Rutland a desirable destination to visitors. The visitor economy is an important sector of Rutland's local economy, attracting over 1.8 million visitors a year, generating over £141 million and supporting 1,700 jobs.

In addition to major attractions, the rural parts of the county provide appealing walking and cycling routes, waterways, and other varied attractions. The agricultural landscape has encouraged a range of agri-tourism businesses which are

complimented by the county's marketing focus on quality food and drink and the strapline, *The County of Good Taste*.

Employment related to tourism in Rutland includes a wide range of activities catering for visitors including overnight accommodation (e.g., hotels, bed and breakfast, self-catering establishments and camping and caravan sites), cafes, pubs and restaurants, visitor attractions and Rutland Water which provides a diverse range of leisure activities in addition to sailing, fishing, walking, cycling and bird watching facilities. Oakham and Uppingham with their historic character, weekly markets and retail assets contribute to the local tourism economy in addition to the growth in out-of-town garden centres.

The Council has adopted Discover Rutland's Tourism Strategy 2020-2025 ^[1] which identifies tourism as a sector of the local economy which is capable of increasing economic growth all year round by attracting different types of visitors throughout the year. It acknowledges the need to increase the number of permanently employed staff in tourism jobs and to raise the profile of jobs in tourism.

The Council supports high quality tourism development in Rutland in the most sustainable locations which optimise and respect the benefits of Rutland's heritage and the character of its building and landscape. Tourism development that meets these requirements and encourages the extension of the tourist season throughout the year will be particularly supported. Recreation and tourism development in the vicinity of Rutland Water is addressed in Policy EN10

Rutland Employment Needs & Economic Development Evidence (2023) identifies that the issues for the visitor economy are more complex, particularly given the links to the housing market. However, the intention ought to be to support sustainable forms of tourism (particularly where there are (or could be) strong local supply chains) and to plan for an appropriate local infrastructure for the visitor economy (linking to Oakham and Uppingham Town Centres in particular, but also recognising the significance of heritage attractions).

The policy reflects evidence and the Councils desire to encourage the sustainable growth in the county's visitor economy and to support sustainable rural tourism and leisure developments where these will benefit rural businesses, communities and visitors and enrich the character of the local area.

The policy supports the tourism role of Oakham and Uppingham through the retention and improvement of existing visitor facilities and attractions and the provision of new facilities and services in sustainable locations.

What you have told us

[Discover Rutland's Tourism Strategy 2020-2025](#)

Over 66% of respondents supported the development of new tourist attractions and for the Council to seek and encourage new tourist attractions into Rutland. Comments related to focusing growth around existing attractions, to enable a holistic approach to visitor management, and improved co-ordination of issues such as highways, car parking, sustainable transport and events.

There was support for considering creating a new asset/attraction for the county to encourage new business, tourism, etc. This could perhaps be to do with renewable energy, leisure, sport, or academic.

There were suggestions also to look beyond just Rutland Water – by developing the history, museum and archaeological resources in the area to attract visitors to the region.

Not to just focus on specific locations or tourism in certain areas, as Covid has clearly demonstrated that this would represent a terribly weak local economic base.

What alternatives have we considered?

To concentrate solely on existing tourist sectors and look to retain and expand existing tourist facilities in Rutland.

Supporting Evidence

Rutland's Economic Strategy (May 2023)
Rutland Employment Needs & Economic Development Evidence (2023)
Discover Rutland's Tourism Strategy 2020-2025

Which existing policies will be replaced by this policy?

CS15 - Tourism

Caravan and Camping Sites, Lodges, Log Cabins, Chalets and similar forms of Self-Serviced Holiday Accommodation

What will this policy do?

The policy requires proposals for new caravan and camping Sites, lodges, log cabins, chalets and similar forms of self-serviced holiday accommodation to be located in appropriate locations with flexibility to allow existing businesses within the countryside the opportunity to expand where appropriate.

The preferred location for caravan and camping sites, lodges, log cabins, chalets and similar forms of self-serviced holiday accommodation is within or adjoining the planned limits of development of a sustainable settlement. This is to enable visitors to access a range of services by a choice of travel modes (including on foot). Such development will not normally be permitted in the Countryside in order to protect the area. This would not prevent the expansion of existing businesses to an appropriate scale, or the re-use of existing buildings subject to other relevant local plan policies.

Policy E9 – Caravans, camping, lodges, log cabins, chalets and similar forms of self-serviced holiday accommodation

In areas outside the Rutland Water Area and the Eyebrook Reservoir Area, Caravans, Camping, Lodges, Log Cabins, Chalets and other similar forms of self-serviced holiday accommodation will only be acceptable where all of the following criteria are met:

- a) they are well related to an existing settlement and/or tourism attraction or recreation facility;
- b) provision is made to minimise disruption and prevent pollution;
- c) they are located with convenient access to supporting facilities;
- d) they would not result in an unacceptable increase in the amount of car travel;
- e) they are not of a scale and design which would be detrimental to environmental, amenity and highway considerations; and
- f) they are not detrimental to visual amenity and the appearance of the landscape.

Where planning permission is granted for this type of development, planning conditions and/or legal agreement will be used to prevent the accommodation being used as a permanent residence.

Why is this policy needed?

There continues to be considerable demand for camping, glamping and caravanning facilities in Rutland, as evidenced by enquiries to Rutland Tourism, particularly in locations well related to Rutland Water. Whilst such development can provide a welcome form of accommodation for tourists and other visitors to the area, it can

have a major impact on the local environment, visual amenity and on levels of car usage in the local area.

Policy EN10 (Rutland Water Area) makes it clear that caravan and camping sites will not be acceptable within the defined Rutland Water Area except in the three defined recreation areas of Sykes Lane, Normanton and Gibbet Lane subject to such development being appropriate to the area in terms of its scale, location and impact on the surrounding area.

Policy EN11 (Eyebrook Reservoir Area) makes it clear that caravan and camping sites will not be acceptable within the defined Eyebrook Reservoir Area.

In the countryside there is evidence of increased demand for self-catering accommodation in static holiday caravans, camping, glamping and holiday lodges, cabins, chalets or similar buildings or structures not designed as appropriate for use as permanent residences. The siting, scale and intensity of use of sites for such uses must be carefully considered in order that a proposal minimises its impact on the landscape, the environment and surrounding uses.

What you have told us

This subject was not included in the Issues and Options consultation.

What alternatives have we considered?

We have not considered any alternatives to this policy.

Supporting Evidence

Rutland's Economic Strategy (May 2023)

Rutland Employment Needs & Economic Development Evidence (2023)

Discover Rutland's Tourism Strategy 2020-2025

Which existing policies will be replaced by this policy?

SP24 – Caravan and camping sites

SP25 - Lodges, log cabins, chalets and similar forms of self-serviced holiday accommodation

Town Centres and Retailing

What will this policy do?

The NPPF directs the development of retail and other town centre uses towards town centres in the first instance, and for development outside town centres compliance with the sequential and impact ‘tests’ needs to be demonstrated. The main town centre uses considered suitable for Oakham and Uppingham town centres based on the NPPF definition include retail and leisure development.

The policy sets out the retail hierarchy in line with government guidance in order to promote the town centres’ long-term vitality and viability and develop vibrant and prosperous market towns and villages and support sustainable communities with locally accessible services. The policy also sets out the criteria which will be used to determine planning applications for town centre and retail uses.

Policy E10 – Town Centres and Retailing

Main Town Centre uses* will be supported where they are located in accordance the following retail hierarchy:

- **Oakham: Main Town Centre – serving the whole of Rutland**
- **Uppingham: Town centre – serving Uppingham and the surrounding rural catchment and tourists**

The Town centres are defined on the policies map. Where proposals for main town centre use developments are not located within the defined town centres a sequential approach will be followed with preference given first to sites on the edge of the defined town centres prior to the consideration of out-of-centre sites.

Proposals for all town centre and retail uses should:

- a) **support the vitality and viability of the defined town centres;**
- b) **support the ‘evening economy’ and complementary leisure uses outside the primary shopping frontage;**
- c) **demonstrate they will not have an adverse impact on the town centre through an Impact Assessment (for retail and leisure proposals of 500m² gross or more and for town centre uses outside of the defined town centres). Where the Council requires an independent review of this work the cost will be borne by the applicant;**
- d) **consider the use of upper floors above shops and commercial premises for residential or office purposes where appropriate; and**
- e) **demonstrate good shop front design in accordance with the Council’s adopted Shop Front Design Guide.**

* **main town centre uses are defined in Annex 2 of the [NPPF](#)**

Why is this policy needed?

The NPPF includes the principles of retail and town centre development set out in the 'Ensuring the vitality of town centres' section. Paragraph 86 continues the 'town centre first' principle which recognises centres as being at the heart of communities. It requires planning policies to positively promote competitive town centre environment. The main town centre uses considered suitable for Oakham and Uppingham town centres based on the NPPF definition include retail and leisure development.

The NPPF directs the development of retail and other town centre uses towards town centres in the first instance, and for development outside town centres compliance with the sequential and impact 'tests' needs to be demonstrated. Any new applications for retail or other town centre uses on the edge of, or outside of, the defined town centres in the county should therefore demonstrate that there are no sequentially preferable sites available, and that no 'significant adverse' impacts will arise on existing defined centres.

The NPPF requires local planning authorities to identify a range of suitable sites to meet the scale and type of retail (and leisure, commercial, office, tourism, cultural, community and residential development) needed in town centres. Where town centre sites are not available, then appropriate edge of centre sites should be identified for main town centre uses.

The Economic Strategy (2023) recognises the importance of vibrant town centres and high streets in supporting the retail and visitor economy and as an important part of the character and sense of place of the county.

A Retail, Leisure and Town Centres Study 2023 was undertaken for Rutland. The report updated the previous retail capacity evidence base undertaken in 2016 and provides an updated assessment of the vitality and viability of the two main centres of Oakham and Uppingham and the quantitative and qualitative 'need' for additional floorspace in the county over the period to 2041.

Convenience Goods Floorspace Requirement

There is very limited quantitative 'need' for new convenience goods floorspace, with a requirement up to 2041 of 1000sqm net additional convenience floorspace over the new Local Plan period. There is only one supermarket in Uppingham, as such, there is scope to improve choice in the town with need directed towards improving convenience shopping provision in Uppingham, to reduce the amount of convenience goods expenditure which is spent outside the town and facilitate more sustainable patterns of shopping.

Any applications for new convenience goods provision would need to demonstrate compliance with the sequential and retail impact policy tests. As part of the impact assessment, consideration should be given to the impact on any loss of spend/turnover of the Co-Op store on the overall vitality and viability of the town centre in Uppingham and consider the impact on linked shopping trips between this store and other uses in the town centre.

Town Centre Strategy for Rutland

The town centre strategy for Rutland aims to provide a high-quality shopping 'experience', maximising the benefits of tourist trade, and improving the mix of retail and non-retail outlets to increase length of stay and spend.

The towns of Oakham and Uppingham should promote unique attractions such as their heritage assets, historic buildings and cultural features which can differentiate a centre and improve its attractiveness. To ensure that the town centres have a viable function moving forward they must provide an attractive shopping and leisure experience.

Both Oakham and Uppingham town centres are well-positioned to take advantage of this trend (particularly Oakham with its proximity to Rutland Water). The growth of the café/restaurant sector is important to the future vitality and viability of the town centre, but this should not come at the expense of its core shopping function. A wider strategy must deliver a mix of town centre uses to enhance the attraction of a centre and increase frequency of visit and dwell time. A vital component of this will be making town centres as accessible as possible, with sufficient and affordable car parking, as well as investment in public realm and place marketing initiatives.

This strategy allows for the retail needs to be met on sites in or close to the edge of the existing retail centre of Oakham town centre, through the identification of sites on the edge of the town centre to accommodate additional comparison goods development of an appropriate scale along with a bulky goods-format allocation in an out-of-centre location.

The strategy does not preclude development opportunities from coming forward in Uppingham, but any schemes will be expected to be relatively small-scale appropriate to the role and function of the town and should not detract from the focus of the strategy being on Oakham as the higher-order centre.

Ensuring that the market towns remain vibrant and attractive to both residents and visitors is a Council priority. Oakham is, for the most part, an attractive town centre and the historic quality of the centre should be preserved and enhanced where possible.

Commercial leisure uses, particularly cafes and restaurants, are making an increasingly important contribution to the vitality and viability of Oakham and

Uppingham town centres, and applications which seek to further enhance provision should be supported in principle.

Support will be given for suitable planning applications for residential or office purposes above ground floor retail level and for the development of an 'evening economy' including complementary leisure uses such as cafés and restaurants in order to diversify the offer of the centres and support the vitality and viability outside of retail trading hours.

In assessing development that will impact on the shop fronts in Rutland, the Council will have regard to the Council's SPD (March 2015) on shops fronts including signs and shop security, the Uppingham Neighbourhood Plan and any subsequent updated guidance on this issue.

Policy E10 will ensure new retail development will be directed to the Oakham town centre area allowing it to develop and strengthen its role as the principal comparison-shopping destination in the county. A variety of town centre uses will be encouraged, including food and drink, leisure, and cultural uses that add to the liveliness, attractiveness, and economic resilience of the centre.

Given the relatively small size of the town centres in the county and their more limited role and function compared to larger/higher order centres, they are more vulnerable to potential impacts of new development outside their town centres. On this basis the threshold of 500 sq. (gross) is retained. This threshold is applicable to applications for all types of main town centre uses which are proposed to come forward outside of a policy-defined town centre. The assessment will be in accordance with the NPPF and examine the impacts of the proposal on the existing town centre.

The policy will ensure all applications for development of main town centre uses outside a defined town centre are required to demonstrate compliance with the sequential test, irrespective of the quantum of floorspace proposed.

The policy should, in principle, support proposals which introduce residential uses or appropriate 'main town centre uses' on upper floors, in other to support additional town centre residential populations or diversify the range of uses in a centre.

What you have told us

The majority of those responding to this issue in the Issues and Options consultation supported going beyond the current approach to adopt a wider strategy to support a range of activities in town centres and to take account of the changes in their use.

Suggestions were made that this strategy should include greater flexibility in encouraging vital uses within town centres and move towards thinking that town

centres will be more about social interaction in the future otherwise accepting a move away from the selling of goods, to include some services on our High Streets

The suite of policies proposed have sought to develop such an approach. There was support new and local business encourage and make it easy for people to come into their local town.

What alternatives have we considered?

To carry on as before and not develop a wider strategy for Rutland.

Supporting Evidence

Rutland Retail, Leisure and Town Centres Study 2023

Which existing policies will be replaced by this policy?

CS17 – Town centres and retailing

DRAFT

Town centre areas and primary shopping areas

What will this policy do?

Local Planning Authorities should pro-actively promote competitive town centre environments that provide customer choice and a diverse retail offer. To do this it is advised that Local Plans define the extent of the town centres and primary shopping areas and set policies that make clear the range of uses which will be permitted in such locations, as part of a positive strategy for the future of town centres. This policy addresses this requirement.

Policy E11 - Primary shopping areas

A1 retail uses will be supported within the Primary Shopping Area shown on the policies map. Proposals for non-retail uses in the primary shopping frontages will only be permitted where it is demonstrated that the proposal:

- a) will not result in an adverse cluster of non-retail A1 uses in the primary shopping area;**
- b) will retain a 'shop-like' appearance with an active frontage;**
- c) will not harm the predominantly retail character of the primary shopping areas; and**
- d) will provide a direct service to the public.**

Why is this policy needed?

The Policy is needed to provide guidance on the extent to which non-retail uses may be permitted in the primary shopping areas. Proposals involving a change of use of ground floor premises in the primary shopping areas must complement the retail offer and should not lead to an over dominance of non-retail uses, which would detract from the overall retail experience in the central part of the town centres.

It is important the proportion of non-A1 uses in the primary shopping areas are managed to ensure that they support, and do not come to dominate, the predominantly A1 retail function of this area.

In line with the recommendations of the Rutland Retail, Leisure and Town Centres Study 2023 the Main Town centre uses should be maintained and enhanced through the primary shopping area policy and as such no further changes are warranted to the primary areas in Oakham.

The Policies Map defines the extent of the Oakham and Uppingham town centre areas and identifies primary shopping areas where loss of retail floor space for other purposes would be opposed where it would contribute to damaging the vitality and viability of the town centre.

The implications of changes to permitted development

The Town and Country Planning (General Permitted Development) (England) Order 2015 has introduced greater flexibility to enable a more straightforward change of use within shopping frontages. Of particular relevance, the amendments allow permitted change from retail premises (A1) to financial services (A2), and restaurants and cafes (A3) without a time limit on that change of use. The move is designed to reduce vacancies on high streets.

The Council's policy framework has effectively protected and enhanced the primary shopping area in recent years. If it is considered the permitted development changes of use are having a detrimental impact on the primary shopping areas i.e., the dilution of A1 uses underpinning footfall and connectivity across the town centres, then the Council may consider the use of Article 4 directions necessary to assist in the protection of primary shopping areas for Oakham and Uppingham town centres. The use of an Article 4 direction would prevent such a change of use where considered inappropriate and harmful to the vitality and viability of the shopping frontage.

Non-retail A1 uses (see Glossary) which may be appropriate in the primary shopping areas are banks, building societies and other financial services covered by A2 Use class, A3 uses such as restaurants and cafés, some A4 and A5 uses such as public houses and hot food takeaways which complement the function of the area and do not compromise the amenity of surrounding residents. In addition, public sector services such as Council, health and community hub services should be encouraged to locate within the primary shopping area. Outside of A Use Class, other main town centre uses will usually be more appropriate elsewhere within the town centre boundaries where a more diverse mix of uses is encouraged.

In assessing development that will impact on the shop fronts in Rutland, the Council will have regard to the Council's SPD (March 2015) on shop fronts including signs and shop security¹ and any subsequent updated guidance on this issue. This SPD may be updated following the adoption of the Local Plan.

What you have told us

In the Issues and Options consultation, we asked if we should 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. The majority of those responding agreed with this approach, suggesting that it is desirable to retain some identified area which can be seen as retail/social interaction within the centre of the two towns and not just have retail converted to houses or offices.

What alternatives have we considered?

Not to define a primary shopping area in the two towns

Supporting Evidence

Rutland Retail, Leisure and Town Centres Study 2023

Which existing policies will be replaced by this policy?

SP12 – Town centre area, primary and secondary shopping frontages

DRAFT

Sites for retail development

What will this policy do?

The provision of an allocation for non-food retail uses in Oakham may assist in reducing expenditure leakage and supporting more sustainable patterns of shopping. However no suitable sites have been suggested for retail development in the town centre. As part of this consultation, landowners are encouraged to propose sites within Oakham for consideration for retail development.

Policy E12 - Sites for retail development

The Council will actively work with landowners to identify a suitable site (s) which meets the identified need in Oakham for new retail development proposals for non-food retail - Use Class A1 at ground floor level with other appropriate town centre or residential uses at upper floors. This search for a site will follow the sequential approach to location.

Why is this policy needed?

Rutland Retail, Leisure and Town Centres Study 2023 updated the retail capacity figures for Rutland with respect to convenience goods, comparison goods and bulky goods. Evidence shows that there remains a qualitative deficiency of 'bulky' comparison goods retail to serve Rutland. There is a need to retain an allocation for 'bulky goods' comparison goods floorspace within Oakham, however the availability of suitable sites which meet the sequential approach set out in national policy remains an issue. The site which has previously been allocated for this purpose in Oakham has not been delivered and in reviewing sites for allocation the site is now considered more suitable for housing development.

As part of this consultation, landowners are encouraged to propose sites within Oakham for consideration for retail development.

Comparison goods floorspace requirement

Oakham town centre should continue to perform a role and function as the highest-order centre in Rutland. Whilst there is no identified quantitative need for additional comparison goods floorspace for Rutland over the new Local Plan period, any applications seeking provision of this nature should be directed towards Oakham in the first instance and should, where necessary, demonstrate compliance with the sequential and impact retail policy tests. It is important that any new development is of a scale appropriate to the role and function of Oakham as a small market town.

Due to a lack of suitable land within the town centre and the format of this type of retail uses (which often require larger retail floorspace with on-site car parking) means that it is more likely to be appropriate on the edge of the town centre.

What you have told us

This issue was not specifically covered by the Issues and Options consultation.

What alternatives have we considered?

It is possible not to allocate a specific site for retail development to meet the identified need, instead have a criteria-based policy upon which any proposals for new retail development would be considered. If no suitable site is forthcoming the Council will include a policy which would provide the framework against which speculative proposals can be assessed.

Supporting Evidence

Rutland Retail, Leisure and Town Centres Study 2023

Which existing policies will this policy replace?

SP3 – Sites for retail development

Retail in the Neighbourhood Centres and Larger Villages

What will this policy do?

The policy recognises that local neighbourhood and village shops are important to rural communities and contribute to sustainable development and the health and wellbeing of communities. The policy therefore provides support to small scale proposals for new and expanded local shops within villages and neighbourhood centres. The protection of community facilities, including local shops is also covered by policy SC6 .

Policy E12 - Retail in the neighbourhood centres and larger villages

Local shops form an important resource for businesses, visitors and residents.

The expansion and additional provision of local shops of a scale appropriate to the existing settlement or the planned expansion of that settlement (typically this is expected to be under 300 sq.m net floorspace) will be supported by the Council provided that the proposal adds to the range and accessibility of goods and services within the location, or it is demonstrated that the proposal will improve the viability of the existing business.

New retail facilities within neighbourhood centres and the larger villages should take account of the existing population and their needs as well as the strategic needs of any new development.

Policy SC6 will be used to considered proposals which would result in the loss of existing shops.

Why is this policy needed?

It is important to support and protect the role of neighbourhood centres and community shops in the larger villages and the Council will support proposals for the conversion or extension of shops that are designed to improve their viability, and will actively seek to restrict the loss of such services, to preserve and enhance the settlement's vitality and viability.

Whilst it is considered that other centres in the county are unsuitable locations for new retail and town centre uses, applications which seek to deliver local-scale enhancements to shopping provision (typically expect this to be under 300 sq.m net floorspace) may be acceptable and should be considered on individual merits.

Local neighbourhood shops are important in providing for the day-to-day needs of local communities in both the towns and the villages. Typically, these include a small range of shops of a localised nature such as a small convenience store and newsagent. These existing uses will be protected and where a need is established, new shops to meet day to day needs within communities will be supported.

What you have told us

This issue was not specifically covered by the Issues and Options consultation; however, we did ask about protecting and supporting the provision of new community facilities (which includes shops) which was supported by 97% of respondents and a quarter of respondents identified a local shop as being important for a community.

Suggestions were also made that travelling post offices, community run "online" grocery ordering service for those without broadband /internet, community owned shops and pubs and multi-functional facilities (such as a shop in a pub) should be supported.

What alternatives have we considered?

To have no policy relating to local shops

Supporting Evidence

Rutland Retail, Leisure and Town Centres Study 2023

Which existing policies will be replaced by this policy?

No current adopted planning policies in place with respect to retail in neighbourhood centres and larger villages

Chapter 8 - Sustainable Communities

This chapter covers the things which help to make Rutland a special place and vibrant rural county. Sustainable communities are places where people want to live, work and visit, now and in the future. They meet the diverse needs of existing and future residents and contribute to a high quality of life. Sustainable communities should be active, inclusive, and safe, well run, environmentally sensitive, well designed and built, well connected, thriving, well served and fair to everyone.

It is important that the factors which make Rutland a county of vibrant sustainable communities - where people want to, and can, live and work - are protected and enhanced. The plan recognises that the county also needs to continue to change and accommodate new development to ensure that it maintains communities and meets its housing and employment needs. It is important that new development reflects the character of the landscape, promotes high standards of design which meet our needs now and in the future.

Protecting Rutland's distinctive landscape

What will the policy do?

Policy SC1 requires new development to reflect the local landscape character which has been identified in the Rutland Landscape Character Assessment 2022, be designed for its local context and to be developed in locations which are less sensitive reflecting the measures outlined in the Landscape Sensitivity Study 2023.

Policy SC1 – Landscape character

New development is expected to reflect and respond to Rutland's varied landscape character and contribute to the distinctive qualities of the landscape character type in which it is located. This includes the distinctive elements, features and other spatial characteristics identified in the updated Rutland Landscape Character Assessment (2022).

Development proposals which meet criteria a) – f) below for the conservation and enhancement of Rutland's local landscape character and distinctiveness will be supported. All applications will be assessed using these criteria:

- a) The landscape setting of settlements, particularly in visually prominent locations;**
- b) Siting buildings sympathetically with the natural landform, generally away from ridgelines and watercourses and making optimal use of existing screening features;**
- c) On the edge of settlements, new development should reflect local identity, including the consideration of historic settlement pattern and separation, the historic form of a settlement and how it relates to landform and landscape features;**

- d) Protecting distinctive settlement gateways and approaches to towns and villages, and creating new ones where the existing settlement edge or gateway is abrupt or has a weak relationship to landscape character and setting;**
- e) Ensuring new development is sympathetic to the scale of its landscape setting and context; and**
- f) Conserve and enhance landscape heritage assets such as parks, avenues, other treescapes and heritage features in the landscape.**

Why is this policy needed?

The government's overarching environmental objective within the National Planning Policy Framework (NPPF), July 2021, is to protect and enhance our natural, built, and historic environment, including making effective use of land and improving biodiversity.

The NPPF requires plans and decisions to apply a presumption in favour of sustainable development. To ensure that the new Local Plan can promote a sustainable pattern of development that meets the county's development needs and infrastructure, improve the environment, mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects whilst protecting Rutland's distinctive landscape, a set of landscape evidence documents have been prepared to support the policies in this plan and decision making in the future.

Rutland is an attractive place to live and work with varied and distinct landscapes. The county needs to continue to change and accommodate new development to ensure that it maintains communities and meets its housing and employment needs. The market towns of Oakham and Uppingham and the villages throughout the County, and in particular their undeveloped fringes, are under pressure to accommodate new housing and employment.

The Local Plan must, however, balance the development needs of the county with conserving, enhancing, restoring, and re-creating landscape and settlement character. The landscape assessment work has been used to inform decisions about the amount, location, and type of development, informing the choice of suitable site allocations, and the policy approach to protecting the landscape character of the County. It will also provide comprehensive and up to date information to inform landscape management and development management decisions.

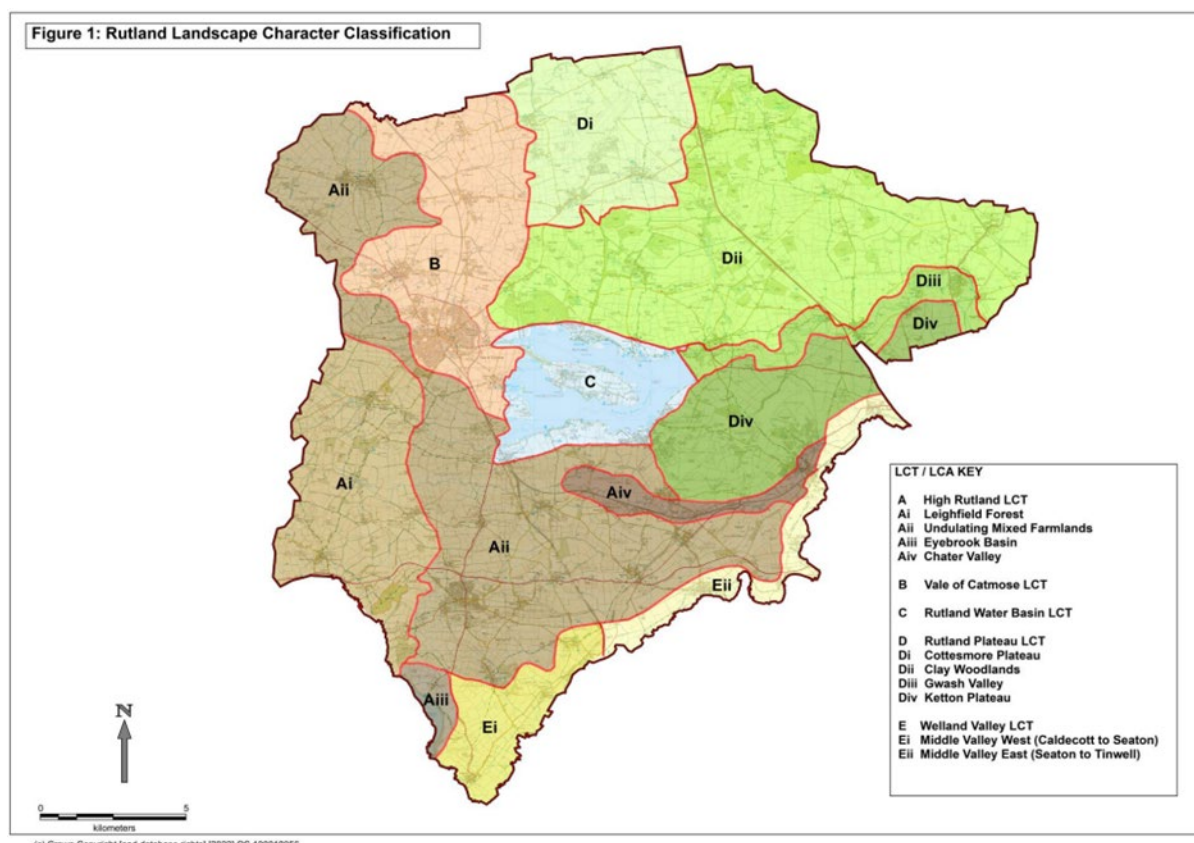
The new Local Plan apportions housing and employment growth between the towns of Oakham and Uppingham (and Stamford) and the larger villages. This inevitably leads to the loss of greenfield land and change to the character of the landscape around these settlements. Change may not necessarily be harmful though; development that is carefully designed for its local context has the potential to bring about environmental enhancement and strengthen local landscape character.

Our landscapes vary because of, amongst other variables, their underlying geology, soils, topography, land cover, hydrology, historic and cultural development, and climatic considerations. The combination of characteristics arising from these physical and socio-economic influences, and their often-complex interrelationships, makes one landscape different from another.

Landscape character may be defined as a distinct and recognisable pattern of elements, or characteristics, in the landscape that make one landscape different from another, rather than better or worse. Landscape character assessment is the process of identifying and describing variation in the character of the landscape. It seeks to identify and explain the unique combination of elements and features (characteristics) that make landscapes distinctive. This process results in the production of a Landscape Character Assessment (LCA).

An update of the 2003 Landscape Character Assessment was prepared for Rutland in 2022. This document highlights the characteristics, special qualities and sense of place which contribute to the distinctiveness of Rutland's landscapes and replaces the 2003 Landscape Character Assessment.

Appropriate landscape management objectives for each landscape type are set out to help conserve, enhance, restore, and re-create landscape and settlement character. Areas and landscape features with significant landscape sensitivity to new developments, including renewable energy proposals, are identified, together with those considered to have the ability to absorb new developments. The new landscape classifications are shown in Figure 3 below and are described in Part 1 of the 2022 LCA.



This shows that the five landscape character types (LCTs) A to E identified within the 2003 LCA are still valid, although some of the boundaries have been refined and re-mapped. These are distinct types of landscape that are relatively homogeneous in character, sharing broadly similar combinations of geology, topography, drainage patterns, vegetation, historical land use, settlement pattern, and perceptual and aesthetic attributes.

Part 2 of the LCA identifies and describes the updated landscape character types (LCTs) and landscape character areas (LCAs) and provides guidance for the conservation, enhancement, and restoration of landscape character. Part 2 provides information to those who live, work, or visit the County, and to the general public and others with an interest in the County's rich and diverse landscape; it provides advice to applicants seeking to develop land within the County; and it provides a day-to-day working reference document to guide officers and members of the council when considering the implications of planning applications on the environment. Both parts 1 and 2 of the LCA form an important part of the Local Plan evidence base. Part 2 includes landscape management strategies for each character area, and it is intended that Part 2 will be adopted as SPD to enable it to be used in the determination of planning applications.

In addition to the updated LCA, a strategic county-wide Settlement Landscape Sensitivity Assessment, July 2023 (LSA) has been prepared, which looks at the sensitivity of the landscape around Rutland's towns and villages to development. The purpose of this study is to assist the Council in making informed choices about the

suitability of site allocations in landscape terms. The LSA study may also provide support to development management and decision making in the County and may be adopted as SPD.

The LSA considers the sensitivity of settlement fringes around the two towns of Oakham and Uppingham, together with the fringes of the 21 Larger Villages where allocations and larger development proposals are most likely to be located. The LSA has been used in the assessment of sites for allocation, and where appropriate helps to identify mitigation measures which will be applied to allocations as Development Principles.

What you told us about the topic

Strategic Objective 6 in the Issues and Options consultation established the objective of protecting and enhancing Rutland's landscapes. 79% of respondents to question 2 about the Objectives said they agreed with the Objectives suggested. Other than a few detailed comments supporting this objective no specific comments were made about Landscape Character or sensitivity.

What alternatives have we considered?

No other options are considered appropriate in light of national policy and guidance.

Supporting Evidence

Rutland Landscape Character Assessment December 2022
Rutland Settlement Landscape Sensitivity Assessment July 2023

Which existing policies will be replaced by this policy?

SP23 - Landscape character in the countryside

Place shaping and delivering good design

Planning plays a critical role in creating a sense of place and cohesive communities, ensuring that development proposals create connected, characterful, healthy, and sustainable places that people will enjoy for years to come.

Sustainability, health, wellbeing, communities, local pride, tourism, and economic prosperity can all flourish in well designed, people-friendly places. Poorly designed places can, and often do, lead to social, economic, and environmental decline. Good design brings together and improves many of the Council's key services, aspirations, and statutory responsibilities, addressing large scale issues such as protecting and enhancing the unique character of Rutland for residents and visitors, attracting new investment, tackling health inequalities, crime, anti-social behavior, road safety and social exclusion, improving health and wellbeing, strengthening communities and connecting them together. Smaller scale, but equally important, issues include designing out potential problems with parking and bin collections.

What will the policy do?

All development will be assessed against the overarching place shaping principles set out in Policy SC2 which should be used to guide the preparation of development proposals these principles should be used to help structure discussions between local communities, the local planning authority, the developer, and other stakeholders.

Policy SC3 sets out the detailed design criteria which will be used in the assessment of planning applications. These covers:

- local context, identity, and character
- Built Form, Streets, spaces, and movement
- Green and Blue Infrastructure and Nature
- Mixed and integrated uses
- Amenity and easy use homes and buildings
- Sustainable, healthy, resource efficient and built to last

Policy SC2 – Place shaping principles

All new development must be appropriate in scale and design to the location, character and features of the setting and landscape within which it is situated.

All development proposals will be assessed in relation to:

- a) **statutory, national, and local designations and their settings;**
- b) **local distinctiveness and sense of place including having regards to the Rutland Landscape Character Assessment 2022 and the Settlement Landscape Sensitivity Assessment 2023;**
- c) **character, pattern and quality of the built fabric and its setting;**
- d) **the layout, design and scale of proposed buildings and spaces;**
- e) **biodiversity and ecological networks within the landscape;**
- f) **public access to and community value of the landscape and open spaces;**

- g) visual intrusion and impact on remoteness and tranquility; and**
- h) Neighbourhood Plan policies, Conservation Area Appraisals, the Rutland Design Guidelines SPD, Landscape Sensitivity SPD and site-specific design guides and design codes where the Council has adopted these.**

Policy SC3 – Promoting good quality design

In order to ensure that new development, including the refurbishment of existing buildings to include renewable energy, is of a high-quality design and locally distinctive, a formal Design and Access Statement should accompany planning applications setting out the design principles to be adopted.

Proposals will only be permitted where they are well designed and reflect the design principles below, together with the Design Guidelines for Rutland SPD (2022) and future codes and guides.

1. Local context, identity and character – proposals must demonstrate how:

- a) the site and its context have been fully assessed and understood and have been comprehensively and positively responded to through the design process;**
- b) the proposal will be visually attractive and make a positive contribution to local distinctiveness, vernacular, townscape, streetscape, and landscape character of the area. Proposals should use typical characteristics and positive local examples as design cues to create places with a clear and coherent identity; and**
- c) the proposal will be integrated into the wider surroundings, being sensitive to edges of settlements, views, landscape character, history, built form and street character and should be of an appropriate scale, density, massing, height, and material, given the context of the area.**

2. Built form, streets, spaces and movement – proposals must demonstrate how:

- a) The proposal has been designed to prioritise and encourage sustainable and active travel modes such as walking, wheeling, cycling and the use of public transport. Proposals should provide compact, well designed, walkable layouts that are easy to navigate and are well connected routes which are attractive, green, safe, and accessible to all;**
- b) A coherent built form will be created with a strong landscape structure and a clear hierarchy of streets and spaces along with recognisable and memorable destinations, landmarks, groupings of buildings, streets, spaces and for larger sites, character areas; and**
- c) Streets and spaces have been designed to be high quality and attractive, have a clear function, encourage healthy lifestyles, active travel, and social interaction, include trees and other natural elements such as water. They should be well defined, their edges should be enclosed with**

strong boundary treatments, and feel safe, being overlooked by active frontages.

3. Mixed and integrated uses – proposals should demonstrate:

- a) Providing and connecting to a range of conveniently located and accessible local services and community facilities and high-quality public spaces to create vibrant communities and places (see also policy SC6; and**
- b) Ensuring an appropriate mix of home tenures, types, and sizes (as needed locally) which includes affordable housing (to meet requirements of Policy H4 and H7 which are socially inclusive, sensitively located, in clusters of no more than 15* (except on wholly affordable housing schemes) and not easily identifiable by design quality (including materials), style (including house types and architectural details) or location in terms of not placing affordable units in inferior locations.**
- c) taking a comprehensive and co-ordinated approach to development including respecting existing site constraints including utilities situated within sites**

* this requirement does not apply to wholly affordable housing sites

4. Amenity and easy to use homes and buildings – proposals should:

- a) ensure that homes and buildings are designed, both internally and externally, to ensure a good quality of life for occupants and be easy to use for all;**
- b) External private or shared amenity spaces should be high quality, convenient, function well and feel safe and secure, with sufficient space, suitable to the type and amount of development proposed;**
- c) ensure that there are no adverse impacts on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light;**
- d) Attention should be paid to important day-to-day elements of design, such as waste storage and collection arrangements, cycle storage and utilities that are convenient and easy to use for all and with minimal visual impact and clutter;**
- e) Car parking provision should be sufficient for the location and type of development, (see Appendix 5 - Parking Standards);**
- f) Spaces should be easy to use, fit for purpose and large enough to cater for a wide range of users and make provision for EV charging points in accordance with Policy CC13; and**
- g) Parking should be well ordered and integrated into the street and not have a negative impact on character.**

5. Sustainable, resource efficient and built to last – proposals should:

- a) be designed to last and stand the test of time, using quality materials and architectural details, being durable, adaptable, resilient to climate**

- change, evolving technologies, and lifestyle changes, easy to look after and well-managed and maintained with a clear sense of ownership;**
- b) ensure compatibility with evolving technologies, lifestyle changes and ways of working; and**
- c) Include measures to secure the management of waste in accordance with the waste hierarchy (reduce, reuse, recycle, recovery, disposal) both during the construction and operational phases.**

6. All major development (as defined in the Glossary) must demonstrate compliance with:

- a) Manual for Streets guidance; and**
- b) For new residential proposals, development should perform positively against Building for Healthy Life and Streets for a Healthy Life (Homes England). This should be demonstrated within a Health Impact Assessment where thresholds in Policy SC5 are met.**

Why is this policy needed?

The NPPF (2021) requires Local Plans to contribute to and enable the delivery of sustainable development, it requires strategic policies to set out the overall pattern, scale, and design quality of places. It also strengthens national policy and approach to design taking account of the findings of the Building Better, Building Beautiful Commission. The NPPF makes it clear that the creation of high quality, beautiful and sustainable buildings and places is fundamental to the planning and development process. The Framework also clearly states that Plans should set out a clear design vision and expectations. The NPPF (2021) goes further, by stating that poor or mediocre design that is not well designed should be refused, in particular, where it fails to reflect local design policy (RCC Design guides and codes) and government guidance on design (National Design Guide and National Model Design Code).

In preparing these policy documents the Government has, in part, been advised by independent bodies that have undertaken extensive research and made recommendations about how to improve the design quality of new development. In particular the recommendations of the Building Better, Building Beautiful Commission within Living with Beauty; promoting health, wellbeing, and sustainable growth (2020) have been reflected in the revised NPPF (2021) and may be further reflected in future revisions, as set out in the Levelling-up and Regeneration Bill: reforms to national planning policy (December 2022).

The Place Alliance undertook a study of housing design quality within A Housing Design Audit for England (2020), discovering that the majority of new residential developments were 'mediocre' or 'poor', that potential existed in all areas of the country for improved design quality and that the East Midlands fell significantly below the English average. There is therefore a greater need, based on this evidence, to improve design quality in the East Midlands.

To meet these requirements the Local Plan policy SC3, supplemented by the Design Guidelines for Rutland SPD make a clear commitment to delivering high quality,

beautiful and sustainable buildings, and places by providing maximum clarity about what is considered appropriate design in Rutland.

Design Guidelines for Rutland has been adopted as SPD (2021). This included public engagement which helped to evidence the contents of the Design SPD, define key local characteristics and materials, and also support the development of this Local Plan policy.

This Local Plan policy has been written to reflect changes and improvements to national design policy and guidance. The National Design Guide's 10 characteristics of well-designed places have been used to create 6 local design principles.

Table 6 : Local design principles

	National Design Guide		Local Design Principles
1	Context	1	Local context, identity, and character
2	Identity		
3	Built Form	2	Built Form, Streets, spaces, and movement
4	Movement		
5	Nature	3	Green and Blue Infrastructure and Nature
6	Public spaces		
7	Uses	4	Mixed and integrated uses
8	Homes and Buildings	5	Amenity and easy use homes and buildings
9	Resources		
10	Lifespan	6	Sustainable, healthy, resource efficient and built to last

As local highway authority and the Lead Local Flood Authority, Rutland County Council are key to developing and aligning local policy and national policy and guidance, advising developers on highway design and sustainable drainage systems, taking account of the place making agenda and the need to encourage walking, cycling and the use of public transport.

Place shaping encompasses the design of spaces and buildings, the use of space, buildings, and environment and how we experience a place and the impact that a development has on the built and natural environment.

The design of a place has a direct impact on peoples' health and well-being, safety, access and travel choices, inclusion, and general quality of life. Design can influence the impact development has on the environment through its location, method and quality of construction, integration with the local area, and the way spaces and buildings address both immediate and future demands of the climate emergency.

Whilst good design is often associated with the physical appearance or functionality of buildings, it is also fundamental to achieving sustainability, climate change and energy efficient objectives. These aspects of design are considered in detail under the Climate Change chapter (chapter 4). Every development provides an opportunity for good design and many of our policies contain a design element.

New development should create a high standard of amenity for existing and future users. The quality of a home is a determining factor in health outcomes and the need for accommodation which is of a suitable size and layout to meet the needs of the occupier/s is key to this. The Government's nationally described space standard (NDSS) sets minimum standards for the size of new dwellings, based upon the number of bedrooms, storeys, and occupancy. The NDSS provide a common standard that local planning authorities may choose to adopt through local plan policies, subject to evidence of need and viability. There is no evidence to suggest that the NDSS are required in Rutland at the current time, however the Council will keep this under review.

In order to create well-designed places, it is important to ensure that new development sits comfortably within, and is sensitive to, the built and landscape characteristics of the County. A thorough and comprehensive understanding of a development site and its local and wider context is required in order to achieve this, followed by a clear response to this context. Development proposals are often submitted with inadequate site and contextual analysis and/or no specific response to the site and context, leading to schemes that are, for example, often nationally generic, ignore local character and materials, fail to take opportunities for connections and that remove or harm natural features and wildlife habitats. The first design principle of the above policy addresses this issue and The National Design Guide and the Rutland Design Guidance SPD provide further guidance on how to undertake this required design process and what factors to consider.

The design process works much more effectively when applicants engage in pre-application discussions, allowing sufficient time to discuss, negotiate, understand, explore, amend, and improve development proposals with the Local Planning Authority and other statutory consultees. The NPPF (2021) also encourages applicants to undertake early, proactive, and effective engagement with the community and rewards this process by advising that such proposals should be looked on more favourably. This process helps to speed up decision making once a planning application is submitted and is also more likely to result in the creation of well-designed places that are more accepted by local communities.

Rutland County Council have design advice and review services in place with a regional design review panel where necessary. The Council use Building for a Healthy Life (and any subsequent versions) as a tool for assessing the design quality of new development and expects all residential development proposals of 10 dwellings or more to perform positively when assessed against this. Building for a Healthy Life is a tool that is referenced in the NPPF and that aligns with policy SC3 and the Council's Design Guidelines SPD.

Applicants are strongly encouraged to use the Council's pre-application advice services and to proactively and effectively engage with local communities in order receive early feedback on proposals and to evolve design proposals.

To ensure high quality design is achieved throughout the County, all development proposals will be expected to reflect the Design Guidelines for Rutland SPD (2022), and any relevant Supplementary Planning Documents (SPDs). Design Codes,

whether produced by the Council or externally, should take in to account the guidance contained in the National Design Guide and the National Model Design Code.

Applicants of major development proposals of 50+ homes and or 10,000 m² industrial, commercial, or retail floor space, and developments of strategic significance are encouraged to enter into a Planning Performance Agreement (PPA). A PPA is an agreement between the applicant(s) and the local Planning Authority on timescales, actions, and resources to be employed for a specific planning application. They are a project management tool which set out the process for reaching a decision on a planning application. PPAs are usually entered into before submitting an application and can cover all stages of the planning application process, including the pre-application stage.

What you told us about the topic

The Issues and Options consultation asked how we can achieve high standards of design and building quality. The majority of respondents supported using the adopted Rutland Design Guidance. Comments were also made supporting the aspiration to achieve high standards of design and suggestions made about applying specific design requirements for larger developments and allocated sites through development Principles. Support was also indicated for the development of a Design SPD, however some commentators also set out that policy should not be too prescriptive that it prevents flexibility and innovation.

What alternatives have we considered?

Rather than have a local design policy and SPD the Council could rely on the national design policy and design codes.

Supporting Evidence

- Design Guidelines for Rutland – SPD (2022)
- Living with Beauty; promoting health, wellbeing, and sustainable growth (Building Better, Building Beautiful Commission, 2020)
- A Housing Design Audit for England (Place Alliance, 2020)
- Building for a Healthy Life (Birkbeck D and Kruczkowski S et al, 2020)
- National Design Guide (MHCLG, 2021)
- National Model Design Code (MHCLG, 2021)
- Gear Change; a bold vision for cycling and walking (Department for Transport, 2020)
- Local Transport Note 1/20 (Department for Transport, 2020)

Which existing policies will be replaced by this policy?

CS1 – Sustainable Development Principles

CS19 – Promoting Good Design

SP1 – Presumption in favour of sustainable Development

SP15 – Design and Amenity

Pollution Control

What will the policy do?

This policy sets out the ways in which new development should minimise pollution and where possible contribute to the protection and improvement of the quality of air, land, and water.

Policy SC4– Pollution control

Development should seek to minimise pollution and where possible contribute to the protection and improvement of the quality of air, land, and water. In achieving this, development should be designed from the outset to improve air, land and water quality and promote environmental benefits.

Development that, on its own or cumulatively, would result in significant air, light, noise, dust, land, water or other environmental pollution or harm to amenity, health well-being or safety will only be permitted if the potential adverse effects can be mitigated to an acceptable level by other environmental controls, or by measures included in the proposals. It should also be ensured that new development proposals do should not have an adverse impact on existing operations.

Development that would lead to deterioration or may compromise the ability of a water body or underlying groundwater to meet good status standards required by the Water Framework Directive will not be permitted.

Development on Land affected by Contamination

Where development is situated on a site with known or a high likelihood of contamination, remediation strategies to manage this contamination will be required.

Subject to the Policies in this Plan, planning permission will be granted for development on land affected by contamination where it can be established by the proposed developer that the site can be safely and viably developed with no significant impact on either future users or on ground and surface waters.

Why is this policy needed?

The NPPF sets out the need for local authorities to consider the impact of new development on noise, air, light and dust pollution. The aim of the NPPF is to ensure that new developments do not harm existing residents, future residents, or the natural environment. This includes minimising air, noise, light pollution, managing odour and maintaining or improving water quality to ensure that new developments are not harmful to other land uses, human health, tranquillity or the natural and built environment. The NPPF states that the local plan should seek to avoid and mitigate the impacts of pollution associated with development.

Pollution, noise, and nuisance impacts on residential amenity, and each can potentially have significant implications for people's health and quality of life. The possible effects from proposed development can be a material consideration in

determining planning applications in so far as they affect development and the use of land.

Pollution can arise in a number of forms including from contaminated land, light pollution or emissions, odour, noise, and other forms of disturbance include overlooking, loss of privacy and loss of light. Where a development proposal may raise potential pollution outcomes the relevant statutory pollution control authority will be consulted at an early stage. Within the powers available to it the Council will control and reduce pollution in the environment.

Light pollution refers to the effect of excessive or intrusive lighting arising from poor or insensitive design. The Council will seek to reduce light pollution by encouraging the installation of appropriate lighting and only permitting lighting proposals which would not adversely affect amenity or public safety, however a planning application for lighting proposals can only be required where it is considered that the installation materially affects the character of the building. Lights should be appropriately shielded, directed to the ground, and sited to minimise any impact on adjoining areas, and of a height and illumination level of the minimum required to serve their purpose.

Where external lighting is required as part of a development proposal full details of the proposed lighting scheme will be required to demonstrate that it is the minimum needed for security and working purposes and that it is designed to minimise light pollution from glare and spillage (particularly in areas of open countryside) and that it will not detract from residential amenity or highway safety.

Pollution or nuisance caused by new developments can have significant implications for the health and quality of life of residents. Decision on planning applications will seek to control and reduce environmental impacts or detriment to health or amenity. In particular:

- a) existing developments must not be put at risk from unacceptable levels of soil, air, water, or noise pollution arising from a new development.
- b) an increase in noise level shall not give rise to significant adverse impacts on health, quality of life, or, where appropriate, tranquillity.
- c) the cumulative impacts on air quality shall be taken into account.
- d) the impact of pollution from artificial light on local amenity, landscape character and nature conservation shall be minimised

Potentially noisy development will be expected to be accompanied by an appropriate noise assessment. Developers will be required to demonstrate the potential impact of proposals on the environment and on residential amenity and the ability to mitigate to an acceptable level.

There are no Air Quality Management Areas (AQMAs) within the County of Rutland. However, air quality will be considered when assessing development proposals, where appropriate. The Council is committed to improving air quality in Rutland and, where relevant, will follow the guidance in the East Midlands Air Quality Network Air

Quality and Emissions Mitigation Guidance for Developers June 2017 (or other relevant guidance).

Contaminated Land

Contamination in or on land can present risks to human health and the wider environment. Contamination can originate from polluting industrial processes, landfill, some agricultural activities or naturally occurring sources (e.g., radon gas from underlying rock).

Where pollution issues or risks from landfill gas are likely to arise or where land contamination may be reasonably suspected, developers should hold pre-application discussions with the Council and the relevant pollution control authority and any stakeholders with a legitimate interest.

All investigations and remediation should be carried out in accordance with 'Land Contamination Risk Management' (LCRM) which was published by Government in October 2020, or any subsequent updated advice.

What alternatives have we considered?

No alternatives have been considered

Supporting Evidence

None

Which existing policies will be replaced by this policy?

N/A

Creating safe, healthy, and inclusive places

What will the policy do?

Policy SC5 requires new development to promote and support physical and mental health and well-being through the design and layout of development. The policy also sets out when a Health Impact Assessment (HIA) will be required and how it should be developed alongside the development proposal.

Policy SC6 seeks to protect, retain, and improve the provision of community facilities. It supports the development of new community facilities and sets out the limited circumstances in which the loss of existing facilities might be considered acceptable.

Policy SC5 - Designing safer and healthier communities

The Council expects development proposals to promote, support and enhance physical and mental health and wellbeing, and thus contribute to reducing health inequalities.

Development proposals which meet the following criteria will be supported:

- a) identify the potential health impacts and demonstrate how these have been enhanced (positive and neutral impacts) and mitigated (negative impacts);**
- b) ensure that people feel comfortable and safe by using design and layout to preclude antisocial behaviour and crime and reduce the fear of crime by including good natural surveillance, defensible spaces, and other security measures;**
- c) ensure that design and layout promote inclusive and accessible places, walkable neighbourhoods, social interaction, active travel, physical activity, contact with nature, sports facilities, play facilities and access to space for growing food which promote health and wellbeing, and access to space for growing food; and**
- d) ensure the design and use of the place allows for safe and easy access for emergency vehicles.**

Major development proposals of 50 or more dwellings or of 0.5ha or more for other types of development, and all mineral extraction proposals should be accompanied by a Health Impact Assessment (HIA) to show the impacts of the proposal on the criteria set out above. The HIA must also show how the conclusions of the HIA have been taken into account in the design of the scheme. The HIA should be commensurate with the size of the development. Health Impact Assessments must be:

- a) Developed at an early stage of proposals to allow for any enhancements and mitigations to be implemented;**
- b) Completed using the Council's agreed template for HIA (Unless otherwise agreed between the Council and developer).**

Policy SC6 – Community facilities

Community facilities such as, but not limited to, community halls, village shops, post offices, public houses, places of worship, leisure facilities, libraries, schools, registered asset of community value, or a community facility identified in a neighbourhood plan, are key to achieving and maintaining sustainable, well integrated, and inclusive communities.

Development proposals and activities that protect, retain, or enhance the provision, quality or accessibility of existing community, education, leisure, and cultural facilities will be supported.

Proposals resulting in the loss of existing community facilities will only be supported where the applicant demonstrates that:

- a) an alternative facility to meet local needs is available that is both equally accessible and of equal benefit to the community; or**

- b) all options for continued use have been fully explored and none remain which would be financially viable. Including evidence that an appropriate marketing exercise has been undertaken for at least 12 months.**

Proposals for new community facilities will be supported in principle and should:

- c) be accessible for all members of society;**
- d) be designed so that they are adaptable and can be easily altered to respond to future demands if necessary;**
- e) promote access by walking, cycling and public transport and where appropriate, make appropriate provision for safe and convenient vehicular access and parking arrangements;**
- f) be operated without detriment to the amenity of local residents: this particularly applies to facilities which are open in the evening, such as leisure and recreation facilities.**

New community facilities which are considered necessary as part of a larger development proposal (such as a residential development scheme which generates demand for new facilities) should meet criteria (c) – (f) above and the following criteria:

- g) be provided on-site or adjacent to the development site unless it would be more appropriate to contribute (in whole or part) to the establishment or expansion of a facility elsewhere in order to meet the needs of the proposed development (and combined needs of multiple developments) for those facilities;**
- h) be implemented at an early stage of the phasing of development as agreed with the Council;**
- i) have a robust business plan and governance arrangements in place including any funding arrangement, to ensure the facility is financially sustainable in the longer term.**

All development of community facilities should take account of the needs and requirements of all people in the community, including people with disabilities or special needs, elderly people, and young people. Appropriate measures or adaptations should be included where necessary.

Why are these policies needed?

Supporting strong, vibrant, and healthy communities forms a key part of delivering the “social objective” of Sustainable Development. The NPPF requires strategic policies to make sufficient provision for community facilities such as health, education, and cultural infrastructure. (Paragraph 20) and Chapter 8 of the NPPF provides detailed guidance on achieving healthy, inclusive, and safe places. Locally, the Rutland Joint Health and Wellbeing Strategy 2022 – 2027 has a vision to ‘nurture

safe, healthy, and caring communities in which people start well and thrive together throughout their lives’.

Communities should be designed to be safe and accessible, promote social interaction, community cohesion and health equity and support healthy lifestyles. Providing easy local access to community, education, health leisure and cultural facilities is important in terms of supporting sustainable settlements and communities, meeting the diverse needs of all members of the community. New and existing developments play a key role in determining the conditions in which people live. All developments should provide conditions to support residents to have healthy lives.

As a rural community, many of Rutland’s residents rely on the private car to access services and facilities available within the towns and larger villages. It is also important that existing community facilities, particularly those in rural areas, are retained and proposals to add to or to improve existing facilities within the towns and villages, through new build, sharing facilities or mobile services will be encouraged.

The way that new development is designed has a major opportunity to influence behaviour, social circumstances, health and well-being and environmental factors such as air quality, noise and nuisance can significantly impact on the health and well-being of communities.

Sport England have acknowledged that there is a close relationship between the design and layout of where we live and people’s health with a detailed report: Active Design: Planning for health and wellbeing through sport and physical activity (2015) Development should ensure that new places are designed to be safe and healthy, responding to the needs of people of all ages, both within the proposed site, and in surrounding existing places.

Designing places where people can be active, have places to meet, socialise and play, seeking to design out crime and ensuring that appropriate community and fire safety design considerations are incorporated within new development schemes will contribute towards the long-term sustainability and resilience of developments as well as ensuring community safety and cohesion.

Protecting community facilities supports social cohesion and a more sustainable way of living, providing residents with an opportunity to do normal day to day activities locally.

The Council recognizes the important role that local community facilities play in a rural county and will resist the loss of existing facilities and support the development of new opportunities. To implement the policy the Council will rigorously test proposals which result in the loss of a community facility, requiring evidence that an appropriate marketing exercise has taken place for a minimum of 12 months. Other evidence such as evidence of demand from commercial property agents may also be required to support applications for change of use.

What you told us about the topic

Question 41 of the Issues and Options consultation asked about incorporating health and wellbeing principles into policies. Both options suggested were well supported, therefore the policy includes both approaches.

Comments were made that "health" is one element of creating a place and therefore should not be considered in isolation but as part of the overall design of a scheme. There were lots of different views regarding the scale of development which would require a HIA. One view is that only larger developments should require a HIA as it is not necessary or viable on small developments. The other view held by respondents was that new developments should be required to demonstrate how health and wellbeing principles are incorporated.

Question 36 of the Issues and Options consultation asked if the Local Plan should protect community facilities and support the provision of new services and facilities – this received overwhelming support (97 % of respondents). Many comments and suggestions were made about what should be considered as community facilities and how they could be provided and supported.

What alternatives have we considered?

To have no local policy and rely on national policies.

Supporting Evidence

Parish Council surveys of services and facilities

Which existing policies will be replaced by this policy?

CS7 - Delivering socially inclusive communities

CS19 - Promoting good design

Protecting Open Space for healthy and sustainable communities

Open, accessible space is important because of its valuable contribution to quality of life, health, and the economy. Open spaces also provide green infrastructure (GI) benefits such as mitigating climate change, flood alleviation, and ecosystem services. The provision of these facilities in our towns and villages is of high importance to a sustainable future and is embedded in national planning policy.

What will the policy do?

This policy seeks to create new high quality open spaces to meet the new needs of the current and future population of Rutland.

Policy SC7 - Creation of New Open Space

New Open Space

All new residential developments of 10 dwellings or more will be required to provide new or enhanced publicly accessible open space, to meet the needs of their occupiers in accordance with this policy and the standards set out in Appendix 3 and in any subsequently prepared Supplementary Planning Document (SPD).

Residential development proposals of 300 or more dwellings will also be expected to make provision on-site for outdoor sports facilities in accordance with the standard in Appendix 3.

On-site Provision

The precise type of on-site provision that is required will depend on the nature and location of the proposal and the quantity and type of open space needed in the local area. This should ideally be the subject of discussion and negotiation with the Council at the pre-application stage and where relevant with the input of the Town or Parish Council.

New open space, sports and leisure provision created on-site as part of the development and is expected to:

- a) be of an appropriate size and quality in accordance with the standards in Appendix 3;**
- b) be well integrated into the design and layout of the development;**
- c) be multi-functional and where appropriate, address the requirement for different types of open space within the same area;**
- d) be designed to be safe and accessible to all potential users, including all ages and disabilities;**
- e) be designed to maximise green infrastructure benefits and functions, and in particular, take opportunities to link into the wider green and blue infrastructure network and deliver a biodiversity net gain (see Policy EN7- Green and Blue Infrastructure Network and EN3- Biodiversity Net Gain);**

- f) consider the context of any existing provision and maximise any opportunities for improvement within the wider area where these are relevant to the development of the site;**
- g) be supported by an Open Space Scheme setting out materials and equipment to be provided and the arrangements for RoSPA accredited inspection, risk assessment and securing a Practical Completion Certificate; and**
- h) be supported by a Landscape Management Plan setting out a clear funding strategy and appropriate mechanisms for satisfactory long-term maintenance and management of the open space, sports, and leisure facilities in perpetuity.**

Off-Site Provision

In certain circumstances, as directed by Appendix 3, and subject to legislation, it may be acceptable for a developer to make a financial or in-kind contribution towards open space provision off-site. Such proposals, which should be agreed at pre-application stage, and will only be considered if:

- a) the provision of open space on-site is not feasible or suitable due to the nature of the proposed development, by virtue of its size and/or other site-specific constraints; and/or**
- b) the open space needs of the proposed residential development can be met more appropriately by providing either new or enhanced provision off-site.**

The scale of development and the site-specific context will inform whether provision should be based on site or would be more appropriate to deliver through contributions to improvements existing sites or other sites elsewhere.

Why is this policy needed?

The NPPF defines 'open space' as:

"All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity".

Paragraph 98 of the NPPF (2021) states that *"Planning policies should be based on robust and up-to-date assessments of the need for open space and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision."*

The Open Space Assessment OSA (2023) provides this evidence concerning the demand and use of open space throughout the County, irrespective of ownership up to the Local Plan end date of 2041. This informs the creation of new open space, sports, and leisure facilities policy.

Evidence included in the Open Space Assessment has been used to define an Open Space Standard for Rutland (Appendix 3) and develop a policy which ensure the long-term management of open spaces and increases the multifunctionality of

open spaces, where possible including green travel routes, improving aesthetic, increasing habitat for wildlife and the cultural offering.

Other than for very large development sites, sports pitches and indoor sports facilities are considered to be strategic infrastructure and as such are covered by Community Infrastructure Levy (CIL) payments. The exception to this would be for development proposals of 300 or more homes where on-site indoor and outdoor sports facilities and pitches would be required on site as part of a comprehensive development.

Adopting the Recommended Standards

The NPPF (2021) recognises the opportunities that appropriately located and well-designed open spaces can provide for health and wellbeing of communities, nature and supporting efforts to address climate change. Paragraph 92 states that planning policies and decisions should aim to achieve healthy, inclusive, safe, and accessible places which promote social interaction and enable and support healthy lifestyles.

Paragraph 99 of the NPPF states that existing open space, including sports and recreational buildings and playing fields, should not be built on unless an assessment has been undertaken which has clearly shown the open space is surplus to requirements; or the loss would be replaced by equivalent or better provision in a suitable location; or the development is for alternative sports and recreational provision.

The planning practice guidance (PPG)¹ provides advice on open space, sports, and recreation facilities. The guidance states that it is for local planning authorities to assess the need for open space and opportunities for new provision in their areas.

The OSA (2023) reviewed local open space provision within the County, including the quantity, accessibility, quality, and value resulting in recommendations for standards which are robust and can form a basis for addressing any deficiencies resulting from proposed development and population increase.

Standards and New Development

There is a growing emphasis on open space to help tackle climate change, create flood risk resilience, reverse biodiversity decline, and provide many health and wellbeing benefits for the immediate and wider community. Furthermore, new development is required to provide measurable net gain for biodiversity under the NPPF (paragraph 179) and the Natural Environment PPG. All new development of more than 10 dwellings should continue to provide new open space, regardless of deficiencies.

¹ Open Space, Sports, and Recreation Facilities; Public Rights of Way; and Local Green Space (March 2014)

The Climate Change PPG² states that when preparing Local Plans and taking planning decisions, Local Planning Authorities should pay particular attention to integrating adaptation and mitigation approaches and looking for 'win-win' solutions. For example, the provision of multi-functional GI can reduce urban heat islands, manage flooding, and help species adapt to climate change whilst also contributing to a pleasant environment that encourages people to walk and cycle. The Flood Risk and Coastal Change PPG³ highlights that open space provide opportunities to reduce overall flood risk in a development area and beyond. Sustainable drainage systems provide opportunities such as combining water management with green space with associated benefits for amenity, recreation, and wildlife.

The 25 Year Environment Plan⁴ sets out government actions to help the natural world regain and retain good health. It aims to deliver cleaner air and water in our cities and rural landscapes, protect threatened species and provide richer wildlife habitats.

The results of the OSA (2023) should be used to identify which typology(ies) should be included as part of new development. Feedback from key stakeholders, identifies that Allotments, Outdoor Sports Facilities and Natural and Semi-Natural Greenspace are the most in demand open spaces. Allotments and Community Gardens, Outdoor Sports Facilities and Natural and Semi-Natural typologies all have current and future surplus County wide and are currently an average of Fair or Good quality, which should be maintained and where possible improved.

Provision for Children and Young People is the only typology which has a current and future deficiency County wide as of 2020 (-0.11 ha per 1,000 population), with all sub-areas deficient at present and in the future apart from Cottesmore and Barleythorpe. The average quality of the Provision for Children and Young People is Very Good, which should be retained where possible. It is important to note that a surplus in any typology does not mean sites are surplus to requirement, rather the current provision exceeds the minimum standard.

The OSA (2023) provides key information on quantity, quality, accessibility, and value of open space across Rutland and locally by sub-area. This information will ensure that open space provision is maintained in existing communities and also identify open space need for in key growth areas, ensuring that residents continue to have access to good quality, accessible open space, to lead active and healthy lifestyles.

Management of Open space

Once development has been granted planning permission, implemented on the site and practical completion has been achieved, the open space on site is usually

² [Climate change - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

³ [Flood risk and coastal change - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

⁴ [25-year-environment-plan.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

either transferred to the Council, Parish Council or managing organisation (e.g., third party Management Company, or resident led Management Company). More detailed criteria relating to the future management of open space, particularly on Management Companies, will be detailed in a forthcoming SPD

What you told us about the policy

In the Issues and Options consultation, three options regarding the approach to open space were considered. We asked whether we should continue with the existing approach which includes a standard for open space provision and update the evidence base or set no specific standards in the policy. A third option was suggested which was to set out additional development criteria for new green infrastructure provision. 48% of respondents supported the first option and 43% supported the third option to include additional development criteria.

Comments were also received that supported these views as long as it was backed up by robust evidence and viability evidence as it provides certainty. We also received comments regarding the importance of the quality of open space and responding to site specific circumstances.

What alternatives have we considered?

The Open Space Assessment 2023 identifies the local needs and assesses the quantity, quality, and accessibility of the current provision of open spaces in order to review the future provision. It then provides recommendations and strategy-based findings. This ensures that the standards set in the policy are based on robust evidence.

The OSA will be supported by a Playing Pitch Strategy which is due to be completed in the autumn of 2023. This strategy will help guide decision about funding for improvements to pitch provision in the future.

Which existing policies will be replaced by this policy?

SP22 – Provision of new open space

CS23 – Green infrastructure, open space, sport, and recreation

Chapter 9 – Environment

The natural and historic environment of Rutland is fundamental to its character and appearance. The environment also makes a significant contribution to the economic and social well-being of the county and its communities. The Local Plan can play an important role in protecting and enhancing nature and heritage assets and in encouraging appropriate restoration and replacement. The policies included in the draft Local Plan take proactive and positive approach to ensuring that these assets and features will continue to flourish for future generations to enjoy, making a positive impact on community health and wellbeing and visually on the appearance and character of the County.

Protection of Sites, Habitats and Species

What will the policy do?

This Policy will ensure that new development in Rutland will contribute to and enhance the natural and local environment including the landscape and sites of biodiversity importance at an international, national, and local level. Where appropriate, new development should promote conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and should secure opportunities for a net gain for biodiversity.

Policy EN1 - Protection of Sites, Habitats and Species

Development resulting in significant harm to biodiversity will not be permitted. Harm to biodiversity must always first be avoided and minimised. Where avoidance of harm is not possible, mitigation, and as a last resort, compensation must be provided, to at least equivalent ecological value.

For designated sites and other important habitat, this means:

1. Development that would adversely affect, directly or indirectly, internationally designated sites (such as RAMSAR) and sites within the National Sites Network (including new and existing SPAs) will not be permitted other than in exceptional circumstances where:

- a) there are no feasible alternative solutions that would be less damaging or avoid damage to the site;**
- b) the proposal needs to be carried out for imperative reasons of overriding public interest;**
- c) the necessary compensatory measures can be secured.**

2. Development that would adversely affect, directly or indirectly nationally designated sites including SSSIs and Internationally Important Sites will not be permitted except in exceptional circumstances where:

- a) the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of**

special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;

- b) mitigation measures can be secured to prevent any significant adverse effect on the site, including retention of existing habitat and vegetation in situ; and**
- c) provision of replacement habitat creation and bespoke measures can be secured.**

3. Development that would adversely affect, directly or indirectly other habitats or features of biodiversity/geodiversity importance or value will only be permitted in the following cases:

- a) for Local Wildlife Sites, Local Nature Reserves, Regionally Important Geological/ Geomorphological Sites, and other sites of equivalent nature conservation value, where material considerations are sufficient to outweigh the local biological, geological/ geomorphological and community/ amenity value of the site; where impacts have been minimised; and where there are opportunities to replace and/or offset the loss to at least equivalent or greater ecological value.**
- b) for UK Priority Habitats where the importance of the development and its need for that particular location is sufficient to override the value of the species or habitat; and where impacts have been minimised; and where it can be demonstrated that it is possible to replace and/or offset the loss to at least equivalent or greater ecological value.**
- c) for locally important habitats, where the importance of the development and its need for that particular location is sufficient to override the value of the habitat.**
- d) for features of the landscape such as trees, copses, woodlands, grasslands, ponds, roadside verges, veteran trees, hedgerows, and watercourses and their corridors if they are of amenity, wildlife, or landscape value, or if they contribute to a wider network of habitats, where such features are retained and enhanced unless the loss of such features is unavoidable and material considerations outweigh the need to retain the features.**

4. Development is expected to protect and enhance irreplaceable habitats (within Rutland including (but not confined to) ancient woodlands; ancient and veteran trees; and priority grasslands). Development negatively impacting irreplaceable habitat will not be permitted unless there are wholly exceptional circumstances, and a suitable mitigation and compensation strategy is provided.

5. In all cases:

- a) firstly, any harm to the nature conservation value of the site should be avoided where possible before mitigation and as a last resort compensation are considered, and**
- b) secondly, compensatory provision of at least equal nature conservation value is made for any outstanding harm, and**

- c) thirdly, Biodiversity Net Gain will be delivered (in accordance with policy EN3) and managed in perpetuity (minimum of 30 years) through the appropriate means e.g., a legal agreement.**
- d) then, as appropriate:**
 - i. Measures for the protection and recovery of priority species are made.**
 - ii. Provision is made for the management of retained and created habitat features.**
 - iii. Site lighting details are designed to avoid harm to nature conservation interests; including habitat connectivity and function as part of an ecological corridor.**

Why is the Policy needed?

The national policy guidance on conserving and enhancing the natural environment and the criteria that apply to sites of national and international importance for biodiversity and geological conservation is set out in the NPPF. Paragraph 179 of the NPPF sets out to protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national, and locally designated sites of importance for biodiversity; wildlife corridors and steppingstones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration, or creation; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

The Council has a legal duty to conserve biodiversity. The Local Plan has a key role in ensuring that future growth, especially in terms of housing and the economy, can take place without damaging the high-quality environment. If impacts are unavoidable then the Council must make sure mitigation is put in place to reduce any harm. This is particularly important in relation to the internationally protected habitats and species designations.

Protection of Sites, Habitats and Species

Green (vegetation) and blue (water) assets together form a network which brings a wide range of benefits in addition to the habitats they provide. Rutland has 19 Sites of Special Scientific Interest (SSSIs) including Rutland Water which, as an internationally important wetland for wintering and passage wildfowl, is also designated as a Special Protection Area (SPA) and Ramsar site. There are 284 local wildlife sites and important areas of calcareous grassland and ancient and broadleaved woodland in the county.

Irreplaceable habitats include heathland, ancient parkland, veteran trees, ancient semi-natural woodland and mature broadleaved plantation woodland, species rich and ancient hedgerows, species-rich grasslands, significant wetland systems and floodplains and natural watercourses.

Minerals extraction in particular has the potential to cause adverse impacts on the environment due to the nature of operations. It is essential therefore that due regard is given to the potential adverse impacts on the natural environment and appropriate avoidance and/or mitigation measures identified, or as a last resort, compensatory mitigation measures identified. Nevertheless, mineral extraction has the potential to also bring significant environmental benefits through site restoration. In all cases restoration should be sought in line with Policy MIN9 - Restoration and aftercare.

What you told us about the policy

The issues and Options consultation showed that there was overall support (65% of respondents) for undertaking a mapping exercise to record a biodiversity baseline for Rutland and to identify locations for providing opportunities to improve biodiversity.

A biodiversity assessment for the whole of Rutland was completed in May 2023.

What alternatives we have considered

To retain existing policies from the adopted Local Plan (updated where needed) and rely on national policy.

Supporting Evidence

Rutland County Biodiversity Assessment (May 2023)

Which existing policies will this policy replace?

CS21 – The Natural Environment
SP19 – Biodiversity and Geodiversity Conservation

Local Nature Recovery Strategies (LNRS)

What will this Policy do?

This policy will ensure that development proposals that are not subject to mandatory Biodiversity Net Gain requirement will still be expected to make a positive contribution to the Local Nature Recovery Strategy.

Policy EN2 - Local Nature Recovery Strategy

Development proposals will be expected to demonstrate that a positive contribution will be made to regional Nature Recovery Networks and the Local Nature Recovery Strategy and for maintaining or creating local ecological networks through habitat creation, protection, enhancement, restoration and/or management.

Why is this policy needed?

The Environment Act 2021 establishes a new mandatory system of spatial strategies for nature. Biodiversity Net Gain is likely to play a large part in ensuring strategies are delivered within local authority areas.

What you told us about the policy

This issue was not specifically raised in the Issues and Options consultation.

What alternatives we considered

No alternatives were considered; preparing a Local Nature Recovery Strategy is a requirement of the Environment Act 2021.

Supporting Evidence

Rutland County Biodiversity Assessment (May 2023)

Which existing policies will this policy replace?

This is a new policy. No current adopted planning policies in place with respect to local nature recovery.

Biodiversity Net Gain

What will this Policy do?

This Policy will ensure that all major development will contribute towards delivering measurable net gains for nature so that biodiversity across the county as a whole is improved by the end of the Local Plan period, and the existing network of sites and habitats is protected and strengthened with the retention and creation of robust, well managed green infrastructure.

Biodiversity Net Gain will apply to all applications, except for householder and advertisements applications, and other minor developments where biodiversity considerations are not appropriate, e.g., a change of use from A1 (retail) to A3 (restaurants and cafes).

Policy EN3 - Biodiversity Net Gain

Development will only be permitted for qualifying developments where a Biodiversity Net Gain of at least 15% is demonstrated and secured in perpetuity (for at least 30 years) subject to the following requirements:

- a) the latest DEFRA metric or agreed equivalent is used to quantify the biodiversity value of the site pre- development, post-development after application of the mitigation hierarchy and for any off-site areas**

proposed for habitat creation or enhancement both pre- and post-development.

- b) that the assessment be undertaken by a suitably qualified and/or experienced ecologist and is submitted together with baseline and proposed habitat mapping in a digital format with the application.**
- c) a Biodiversity Gain Plan will be required, detailing how the post-development biodiversity values of the site and any supporting off-site provision will be secured, managed, and monitored in perpetuity.**
- d) any off-site habitats created or enhanced are well located to maximise opportunities for local nature recovery.**
- e) the proposed mitigation, compensation, and/or enhancement measures required to secure net gain for biodiversity are acceptable to the Council in terms of design and location, and are secured, on-site, for the lifetime of the development, or off-site for a minimum of 30 years, with appropriate funding mechanisms that are capable of being secured by condition and/or legal agreement.**

Funding for both on-site and off-site measures shall include a payment to the Council to cover the costs of independent review of Biodiversity Gain Plans and long-term monitoring.

For minor developments, development will only be permitted where no net loss and appropriate net gain of biodiversity is secured using the latest DEFRA Small Sites metric or agreed equivalent.

Opportunities to secure Biodiversity Net Gain on householder developments and exempted brownfield sites will be supported.

* the Local Plan Viability evidence suggests that up to 20% biodiversity New Gain is viable and deliverable on sites in Rutland.

Policy Guidance on the requirements and processes for planning applications

The Council will expect developers to provide mitigation, compensation, and enhancement measures for biodiversity on, or immediately adjacent to, a site for all major development proposals (10 dwellings plus, 0.5ha or 1,000 sqm plus of floorspace, new build, or conversion or outline proposals capable of accommodating either), and where necessary and appropriate and in the interests of biodiversity, 'off-site' proposals will be considered acceptable. For such development on-site, mitigation, compensation, and enhancement measures will be the preferred option, but off-site will be considered where it offers the best outcome for biodiversity, is in reasonably close proximity to the application site, and follows the mitigation hierarchy.

Only that which cannot be mitigated or compensated for on-site will be permitted off-site, so even where off-site is agreed, on-site measures will still be required. Subject to forthcoming legislation provisions, a similar approach applies to non-major development, in a proportionate manner, also having regard to the most recent Metric and supporting Defra/Natural England Guidance. Prior to the adoption of an SPD, applicants are required to demonstrate a net gain in biodiversity through the

application of the Defra Biodiversity Metric (or any subsequent replacement) and shall provide to the Council in support of an application a Biodiversity Gain Plan that includes:

- appropriate and up-to-date ecological surveys;
- an accurate, measurable plan of existing habitats as referenced in the metric;
- an accurate, measurable plan of proposed habitats as referenced in the metric;
- the metric calculations in their original form.

Where off-site is proposed through a scheme of biodiversity credits and/or land banking, that scheme and the location for the off-site measures will need to be approved by the Council, and evidence submitted to the Council to demonstrate compliance with Policy EN3 and any subsequent SPD.

All development proposals will be expected to demonstrate, through survey, assessment, and interpretation carried out by a suitably qualified professional, a comprehensive understanding of habitats and species associated with their site and adjacent land, and to provide an assessment of the likely effects. The assessment should be proportionate to the interests of the site and the likely effects of the proposal, and seek relevant information from the Rutland County Biodiversity Assessment (May 2023) and the Leicestershire, Leicester & Rutland Records Centre. It must be recognised that the DEFRA Biodiversity Metric is a proxy for biodiversity and does not cover all likely effects, and that professional judgment will be required to take account of issues outside the metric, including disturbance and connectivity.

Proposals for biodiversity and landscaping should be informed by national and local guidance, and strategies including Nature Recovery Plans. Current relevant guidance and information includes Rutland County Biodiversity Assessment (May 2023) and Biodiversity Action Plans. As part of net gains for nature, development will be expected to provide, protect, and reinforce green and blue infrastructure in accordance with Policy EN7 Green and Blue Infrastructure and to provide enhancements for biodiversity, to include where possible, but not limited to:

- bird and bat boxes selected and located in accordance with the advice of an ecologist, integrated into new buildings, and focused on garden and urban species, including crevice dwelling bats, swifts, house sparrows, and starlings
- wildlife friendly sustainable urban drainage (SuDs) features
- ponds and scrapes specifically designed for wildlife
- holes in fences for hedgehogs
- amphibian friendly kerbs/drains
- culverts under paths and roads for small mammals, reptiles, and amphibians
- wildlife friendly show gardens
- a scheme of wildlife talks and events for new residents
- bug boxes and bug hotels
- on-site interpretation panels of ecological features and habitats

Until such time as a SPD is adopted, reference will be made to the latest government guidance, Biodiversity Net Gain – Principles and Guidance for UK Construction and Developments (CIEEM, CIRIA, IEMA, 2016), British Standard BS42020 Biodiversity - Code of Practice for Planning and Development, and BS8683 - Biodiversity Net Gain or subsequent revisions.

Harm to irreplaceable habitats, including ancient woodland, should be avoided and they cannot be included in metric calculations for any gain or loss.

Any effects, either positive or negative, on ancient woodland will be considered in accordance with the Policy EN5 - Ancient woodland.

Why is this policy needed?

The Council has a legal duty to conserve biodiversity. A key role for the Local Plan is to ensure that future growth, especially in terms of housing and the economy, can take place without damaging the high-quality environment. If impacts are unavoidable then the Council must make sure mitigation is put in place to reduce any harm. This is particularly important in relation to the internationally protected habitats and species designations.

Government policy requires biodiversity net gain to be sought through planning policies and decisions. Biodiversity net gain should deliver measurable improvements for biodiversity by creating or enhancing habitats in association with development and can be achieved on or off site. One of provisions of the Environment Act (2021) is the mandatory requirement for new developments to provide 10% biodiversity net gain.

New evidence on biodiversity and wildlife for the county has been prepared. This evidence will provide the baseline against which Biodiversity Gain Plans for development proposals and the metric will be assessed. The biodiversity evidence covers the whole county and provides detailed information on existing habitat and species. The biodiversity study indicates that there is a paucity of biodiverse rich habitat in the county and opportunities to increase it should be identified. It recommends that the council seeks to achieve more than 10% net-gain wherever possible, however it does recognise that this might be difficult to achieve on-site in some cases where the sites is biodiverse rich. The Whole Plan Viability evidence considers the impact of requiring 20% biodiversity net-gain (as well as the national 10% requirement) and this demonstrates that the impact this higher requirement will have on viability is limited and should therefore be deliverable on all site typologies. The preferred policy approach is to require 15% net gain on site for all qualifying development proposals.

The Council will, consider providing further detailed guidance on this policy in the form of a Supplementary Planning Document which will set out the requirements for on-site and off-site net gain for:

- conservation objectives;
- long term management and monitoring;

- funding arrangements and costs for any local or strategic offsetting schemes. Requirements and processes for planning applications

What you told us

The Issues and Options consultation highlighted a need to ensure existing opportunities for biodiversity net gain and ecological enhancements are optimised. The consultation showed considerable support with 65% of respondents supporting a mapping exercise to record a biodiversity baseline for Rutland and to identify locations where there are opportunities to improve or restore existing wildlife habitat and create new habitat to strengthen the ecological network across the plan area.

What alternatives have we considered?

To review and update existing Local Plan policies to take full account of national planning policy and guidance, and the Environment Act.

Supporting Evidence

Rutland County Biodiversity Assessment (May 2023)

This provides a robust evidence base for the preparation of biodiversity and natural environment policies and proposals in the new Local Plan as well as informing a diverse range of other policy requirements such as Biodiversity Net Gain (BNG) Local Nature Recovery Strategies (LNRS), Green and Blue Infrastructure and climate change.

Which existing policies will be replaced by this policy?

This is a new policy. No current adopted planning policies in place with respect to local nature recovery.

Trees, Woodland, and hedgerows

What will these policies do?

The following policies will promote the retention and enhancement of existing trees, woodland, and hedgerow cover and encourage the exploration of opportunities for new tree planting as part of all development proposals.

Policy EN4 – Trees, woodland, and hedgerows

Planning permission will only be permitted where the proposal does not adversely affect important trees, woodlands, and hedgerows, especially those that are:

- 1. Protected by a Tree Preservation Order; and/or**
- 2. In a conservation area; and/or**
- 3. Ancient woodlands or ancient and veteran trees; and/or**
- 4. In historic parks and gardens; and/or**
- 5. Within a recognised Nature Conservation Site; and/or**
- 6. Important landscape or townscape trees; and/or**

7. Making an important contribution to green infrastructure or other important ecological networks.

Improving Tree Cover

Major development will generally be expected to increase tree cover, and there will be a presumption in favour of the retention and enhancement of existing trees, woodland, and hedgerow cover on-site, unless:

- a) the removal of any trees would be in the interests of good arboricultural practice; or
- b) the need and/or public benefit of the proposed development outweighs the amenity value of any trees or hedges removed.

Planning permission will only be granted if the proposal provides evidence that it has been subject to adequate consideration of the impact of the development on any existing trees and woodland found on-site and on any trees off site which are visible from the site.

If any trees exist on or are visible from the development site, 'adequate consideration' is likely to include the submission of an Arboricultural Impact Assessment (AIA) and tree survey information in accordance with the current recommendations of BS 5837: Trees in Relation to Design, Demolition and Construction (or subsequent revision) The tree survey information should include protection, mitigation, and management measures, including arboricultural site supervision where required.

Mitigating for loss of Trees and Woodland

The Loss of existing trees will only be allowed where there is clear evidence that its removal is unavoidable. In such cases the council will require at least 3 replacement trees for each tree lost. Replacement trees should be of a similar size and species to that which is being lost and will be required to be planted on-site. This does not necessarily replace the requirements of other policies with regard to biodiversity net gain or green and blue infrastructure but may contribute to those objectives.

New Trees and Woodland

Where appropriate and practical, opportunities for new tree planting should be explored as part of all development proposals (in addition to, if applicable, any necessary compensatory tree provision).

Planting schemes should:

- a) include provision to replace any plant failures within five years after the date of planting.
- b) consider the context of wider plans for nature recovery which seeks to increase biodiversity and green and blue infrastructure generally.

- c) Try to connect areas of new planting with existing areas of tree cover to create wildlife corridors and increase biodiversity.**
- d) only be carried out in appropriate locations that will not impact on existing ecology or opportunities to create alternative habitats that could deliver better enhancements for people and wildlife, including carbon storage.**
- e) use a diverse range of species which are suitable for the location, using both native and non-native tree species.**

Where woodland habitat creation is appropriate, consideration should be given to the economic and ecological benefits that can be achieved through natural regeneration.

Management and Maintenance

Appropriate management measures will be required to protect newly planted trees, woodlands, and/or hedgerows.

Deadwood within trees and woodland is important to biodiversity and ecology and should be retained wherever it is safe to do so.

Hedgerows

Proposals for new development will be expected to retain existing hedgerows where appropriate and integrate them fully into the design having regard to their management requirements.

Proposals for new development will not be supported that would result in the loss of hedges of high landscape, heritage, amenity, or biodiversity value unless the need for, and benefits of, the development clearly outweigh the loss and this loss can be clearly demonstrated to be unavoidable.

Where any hedges are lost, suitable replacement planting or restoration of existing hedges, will be required within the site or the locality, including appropriate provision for maintenance and management.

Policy EN5- Ancient Woodland and Veteran Trees

New development is expected to protect and enhance irreplaceable habitats including ancient woodlands and ancient and veteran trees. Proposals which avoid or prevent the loss or deterioration of:

- 1. ancient woodland; and/or**

2. the loss of aged, ancient or veteran trees found outside ancient woodland

will be supported, unless there are wholly exceptional circumstances, and a suitable mitigation and compensation strategy is provided.

Where historic parkland is identified, it shall receive the same consideration as other forms of ancient woodland.

Where development proposals may affect ancient woodlands, including translocated woodlands (translocated ancient woodlands will be treated the same as if they are ancient woodland), veteran trees, and their immediate surroundings, the following principles shall be used to guide both site selection and the design of development:

- 1. Avoidance of harm;**
- 2. Provision of unequivocal evidence of need and benefits of the proposed development, and for the design of development;**
- 3. Establishment of the likelihood and type of any impacts;**
- 4. Implementation of appropriate and adequate mitigation, compensation, and management measures that respect the features and characteristics of the veteran trees and/or ancient woodland;**
- 5. Provision of adequate buffers;**
- 6. Provision of adequate evidence to support development proposals.**

Why are these policies needed?

Rutland County Council has a statutory duty (s197 of the Town and Country Planning Act 1990) to consider the protection and planting of trees when granting planning permission for proposed development.

There are various ways that trees may be protected, the most well-known being Tree Preservation Orders (TPOs). Protection is also afforded to trees in conservation areas, and trees may be protected in the short term by planning conditions. TPOs are made to ensure retention of individual trees, groups of trees, or woodland considered to be of amenity value, and any person who cuts down or damages a tree protected by a TPO is guilty of an offence for which they may be prosecuted and fined. In more rural areas, the felling of trees in woodlands is controlled by Forestry Commission Felling Licences, while the removal of certain agricultural hedges is controlled by the Hedgerows Act.

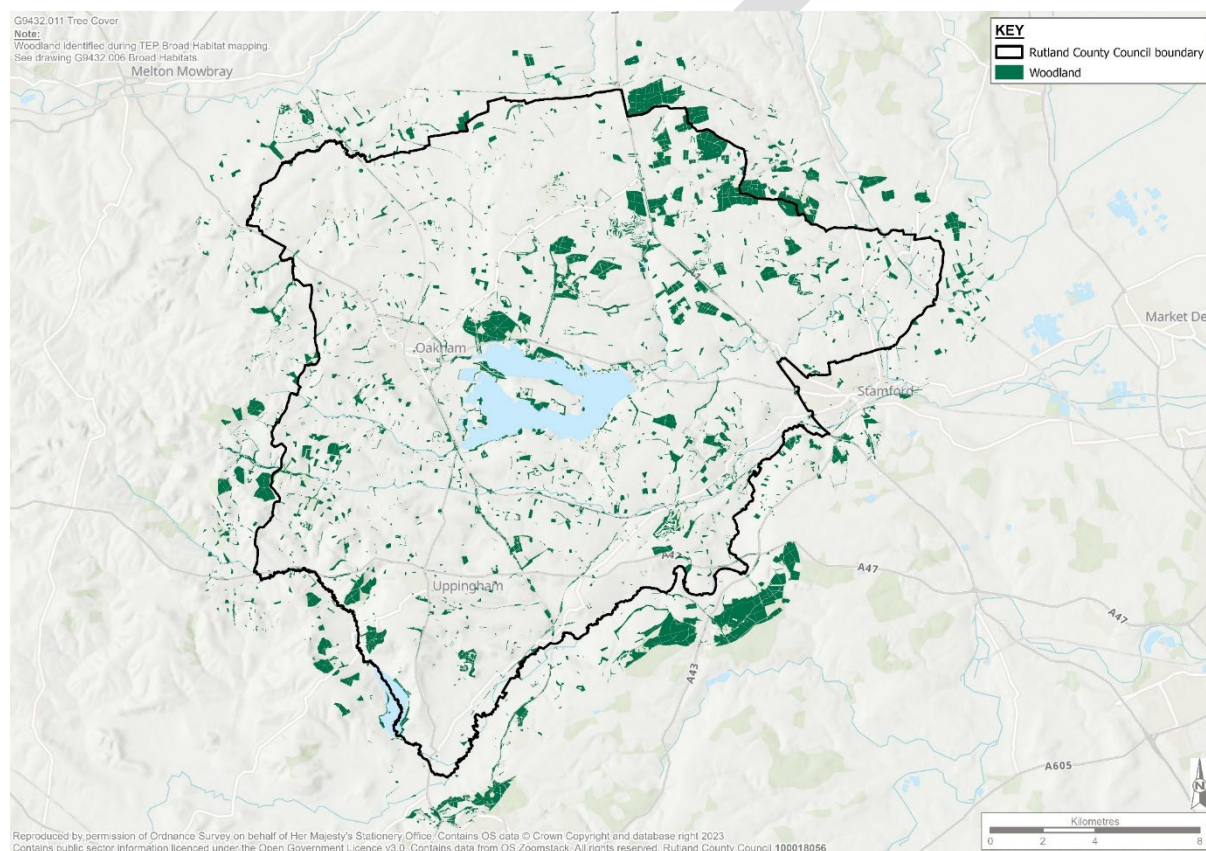
The NPPF (2023) promotes the need to contribute to and enhance the natural environment and recognise the wider benefits from natural capital and ecosystem services of trees and woodland¹. Paragraph 131 states that trees make an important

¹ NPPF (2021) Paragraph 174 - <https://www.gov.uk/guidance/national-planning-policy-framework/15-conserving-and-enhancing-the-natural-environment>

contribution to the character and quality of urban environments. Planning policies and decisions should ensure that new streets are tree-lined and that opportunities are taken to incorporate trees elsewhere in development.

Whilst green and blue infrastructure accounts for 95% of our land cover in Rutland, our tree cover is low. Semi-natural broadleaved woodland accounts for only 2.09% of the land within the county, (822.23 ha), although plantation woodland covers a larger area (4.26% or 1,673.82 ha). The diagram below shows the woodland cover in Rutland (diagram from GBI report).

Figure 4



Trees have many benefits to landscape, wildlife, and the economy, so planting more trees is an important aspect of creating resilient and climate positive places and is a priority for Rutland.

Modest increases in tree canopy can make a significant contribution to climate change adaptation by reducing the urban heat island effect and improving air quality which often declines with higher temperatures. They also contribute to good water management and an increasingly important effect of trees is their ability to slow the flow of rainwater and reduce the risk of flooding. They contribute to other less tangible benefits; they absorb CO₂ and help create a significant carbon sink by sequestering carbon through photosynthesis.

Trees absorb nitrates and phosphates² which are present in the soils of agricultural land and can have significant consequences to water quality. This overlaps with another priority for Rutland highlighted in the GBI study which is to enhance Rutland’s water and soil quality³.

The figure below summarises the wide-ranging benefits trees provide.

Figure 5

Climate change contributions	Countering climate change	<ul style="list-style-type: none"> Trees remove CO₂ to create a carbon sink Trees provide significant low-carbon options for building and energy
	Tempering severe weather	<ul style="list-style-type: none"> The capacity of trees to attenuate heavy rains and floodwater slows run-off and renders Sustainable Urban Drainage Systems more effective
	Moderating temperatures	<ul style="list-style-type: none"> The ability of trees to evaporate water, reflect sunlight and provide shade combine to cut the ‘urban heat-island’ effect
Environment advantages	Valuable aesthetic contributions	<ul style="list-style-type: none"> More attractive landscape Eye-sores hidden Greener more natural Linking town to country
	Cutting soil erosion	<ul style="list-style-type: none"> Preserves the valuable soil resource and keeps carbon locked in
	Positive impact on water quality	<ul style="list-style-type: none"> Trees act as natural filters
	Contributing to wildlife	<ul style="list-style-type: none"> Increased biodiversity as countryside becomes more porous with extra links Brings wildlife closer to people
Economic dividends	Providing profitable by-products	<ul style="list-style-type: none"> Firewood/woodchip Compost/leaf litter mulch Renewable fuel – via coppicing Timber Fruit – community orchards
	Reducing greenspace maintenance costs	<ul style="list-style-type: none"> Trees are much less maintenance intensive
	Contributing indirectly to local economies	<ul style="list-style-type: none"> People more productive Job satisfaction increased Jobs created Inward investment encouraged Retail areas with trees perform better Increased property values Adds tourism and recreational revenue
Social benefits	Delivering a range of health benefits	<ul style="list-style-type: none"> Cleaner air means less asthma Lower risk of skin cancer Quicker patient recovery times Reduced stress Positive impact on mental health and wellbeing Encourages exercise that can counteract heart disease and Type 2 Diabetes
	Assisting urban living	<ul style="list-style-type: none"> Improves buildings’ energy efficiency and can help alleviate fuel poverty Improved protection in winter Increased pedestrian safety Baffles noise Moderated micro-climate Increased CO₂ absorption Reduced crime levels
	Adding to social values	<ul style="list-style-type: none"> More harmonious environments Heightened sense of pride in place Greater community cohesion
	Offering spiritual value	<ul style="list-style-type: none"> Heightened self esteem Puts people more in touch with Nature and the seasons Symptoms of anxiety, depression and insomnia alleviated
	Benefiting education	<ul style="list-style-type: none"> Concentration increases in ‘natural’ classrooms Better learning outcomes

Planting more trees in Rutland is essential to provide these lasting benefits however it is also very important to consider how to protect existing trees. Consultation conducted in the production of the Green and Blue Infrastructure study concluded that the importance of tree retention over tree replacement was of significant importance.

Ancient Woodland

Ancient woods are areas of woodland that have persisted since 1600 in England, Wales, and Northern Ireland. They are relatively undisturbed by human development and as a result, they are unique and complex communities of plants, fungi, insects and other microorganisms⁴

² [Trees – A natural way to help our waterways - Forestry Commission \(blog.gov.uk\)](https://www.blog.gov.uk/2015/05/27/trees-a-natural-way-to-help-our-waterways/)

³ [GreenInfrastructurepositionstatement13May09.pdf \(windows.net\)](https://www.greeninfrastructurepositionstatement13may09.pdf)

⁴ <https://www.woodlandtrust.org.uk/trees-woods-and-wildlife/habitats/ancient-woodland/>

The NPG⁵ states that ancient woodland takes hundreds of years to establish and is defined as an irreplaceable habitat. It is a valuable natural asset important for:

- wildlife (which include rare and threatened species) - there is also [standing advice for protected species](#)
- soils
- carbon capture and storage
- contributing to the seed bank and genetic diversity
- recreation, health, and wellbeing
- cultural, historical and landscape value

Aged and veteran trees are those which, because of their great age, size or condition are of exceptional wildlife, landscape, or cultural value. Mature trees, woodlands and hedgerows are sensitive to the impacts of development, either directly through their removal or indirectly through the impacts of construction or the future use of the site. Due to the length of time and the cost taken to replace mature features, and the contribution they can make to the quality of development, they should be retained and protected wherever possible.

What you told us about the policy

Responses to the Issues and Options consultation highlighted the importance of tree planting as part of nature-based solutions to carbon saving measures through carbon capture and sequestration, as well as contributing to planted buffers, flood management, water efficiency, soil and water quality and health and well-being benefits.

65% of the responses to the consultation question on the options for the protection of Green and Blue Infrastructure (GBI) showed support for development of a GBI strategy for the protection, enhancement, and management of the Green and Blue Infrastructure network. This has been developed and identifies and maps the GBI assets of Rutland which includes tree cover. This evidence has strengthened the existing policy approach by developing a strategy to establish potential opportunities to protect and improve the management of green and blue infrastructure assets such as trees. This strategy has provided evidence for the development of this policy.

What alternatives have we considered?

The Green and Blue infrastructure (2023) highlights the strengths, weaknesses, opportunities, and challenges of Green and Blue Infrastructure in Rutland especially in relation to the low tree cover in Rutland. It makes several suggestions for how to improve the tree cover and the multi-functional benefits of doing this. The biodiversity report also evidences the low tree cover in Rutland and makes a policy suggestion from the evidence to combat this.

⁵ <https://www.gov.uk/guidance/ancient-woodland-ancient-trees-and-veteran-trees-advice-for-making-planning-decisions#ancient-woodland>

Supporting Evidence

Green and Blue Infrastructure Study. The Environment Partnership, 2023
Rutland County Biodiversity Assessment (May 2023)

Which existing policies will these policies replace?

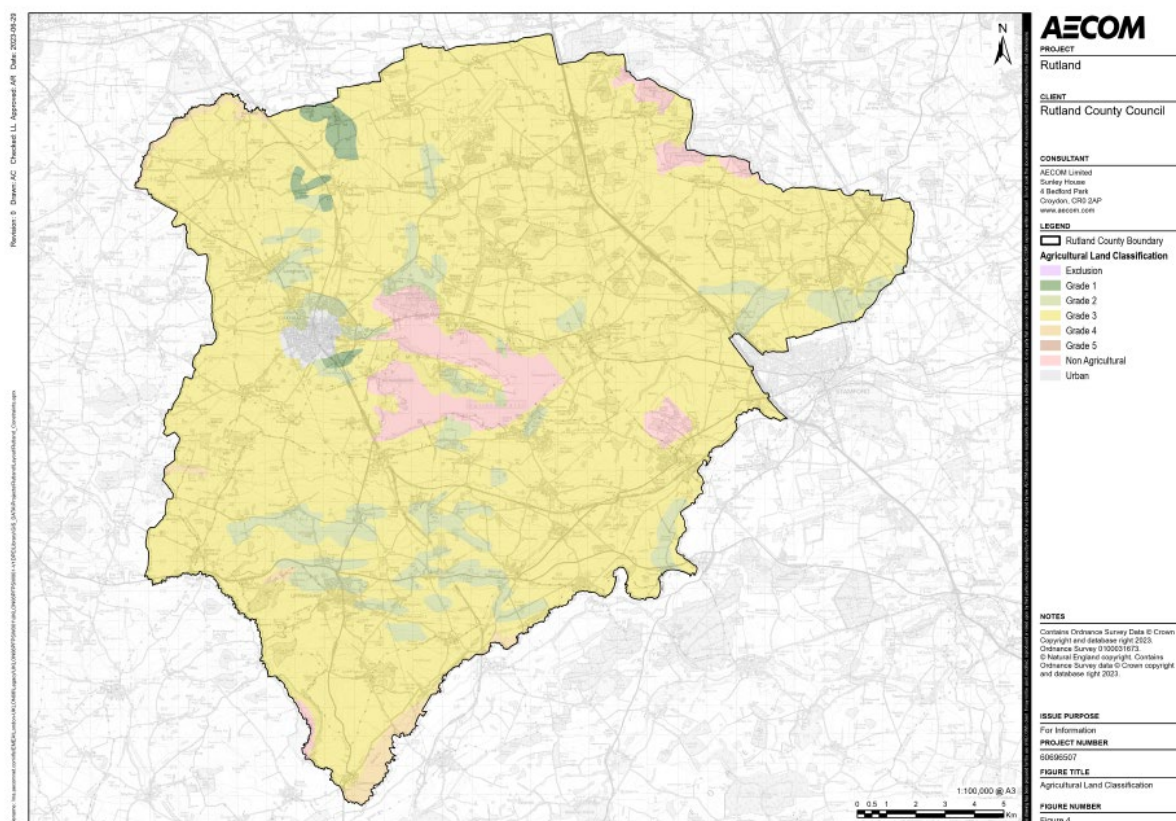
CS21 – The natural environment
CS23 - Green Infrastructure, open space, sport, and recreation
SP19 - Biodiversity and geodiversity conservation

Best and Most Versatile Agricultural Land

What will this policy do?

Agriculture is the predominant land use in Rutland, comprising over 75% of Rutland with specialist arable and pastoral farms, the primary function of which is food production. To sustain long-term food security and healthy soils in a changing climate, the protection of the best and most versatile (BMV) land is key to ensure that food production is not negatively impacted by development. Figure 6 shows the agricultural classification (ALC) within Rutland. Agricultural land classification maps are available on Natural England's web site [Agricultural Land Classification Map East Midlands Region - ALC005 \(naturalengland.org.uk\)](https://www.naturalengland.org.uk/Information-and-data/Maps-and-data/Agricultural-land-classification/Agricultural-land-classification-map-east-midlands-region-alc005) and on the [Magic Map Application \(defra.gov.uk\)](https://www.defra.gov.uk/magic-map/)

Figure 6



Policy EN6 - Protecting agricultural land

Planning permission for development which would lead to the loss of Grade 1, 2 and 3a agricultural land will only be permitted where:

- a) the land is allocated for development in the Local Plan; or
- b) it has been clearly demonstrated that there are no other more suitable and sustainably located sites available and that the needs for development are sufficient to override the need to protect Best and Most Versatile agricultural land.
- c) Grade 3 land may be permitted for Solar PV where the proposal meets the requirements of Policy CC8 - Renewable energy, however grade 1 and 2 will be ruled out for renewable energy use.

Why is this policy needed?

The NPPF requires Local plans to consider the economic and other benefits of the best and most versatile agricultural land (BMV). Where significant development of agricultural land is considered, the Council should seek to use areas of poorer quality land in preference to higher quality, subject to other sustainability considerations. 'A Green Future: Our 25-year plan to improve the Environment' sets out the government's 25-year plan to improve the health of the environment by using natural resources more sustainably and efficiently. It plans to protect the best

agricultural land and put value on soils as part of our natural capital. They have set a target to manage soils in a sustainable way by 2030.

BMV Agricultural land is graded from 1 to 3a. The highest grade of land is that which:

- gives a gives a high yield or output
- has the widest range and versatility of use
- produces the most consistent yield
- requires less input

Development of the best and most versatile agricultural land will only be supported where it can be demonstrated that the need for the development, its benefits and/or sustainability considerations outweigh the need to protect such land taking into account the economic and other benefits of the best and most versatile agricultural land.

The need to identify and maintain an appropriate supply of land for development creates some pressure for development of agricultural land despite a focus on bringing forward brownfield sites where possible.

Only a small part of the county is graded as Best and Most Versatile, however some of that land is located around the County town of Oakham and some Larger Villages, this makes identifying land for development challenging in this location and it may be that some BMV land is necessary to ensure that the need for homes and jobs can be met in a sustainable manner.

What alternatives have we considered?

No alternatives have been considered

Supporting Evidence

Rutland Renewable Energy Study
Green and Blue Infrastructure Strategy

Which existing policies will this plan replace?

This is a new policy.

Green & Blue Infrastructure

What the policy will do?

Green and Blue Infrastructure (GBI) is a network of green spaces and water environments that sustains the ecosystems needed for a good quality of life.

Green and Blue Infrastructure (GBI) is critical to high quality environments and streetscapes, and it is important that new developments have well-designed GBI to enable Rutland to develop sustainably. GBI should be considered at the outset (pre-application stages) of new development proposals and green infrastructure principles should be incorporated into a scheme from the earliest stages of the design process. Developers should appraise the site context for green infrastructure functions and take opportunities to achieve multi-functionality by bringing green infrastructure functions together. New development should be capable of delivering a wide range of environmental, health and quality of life benefits for local communities.

The Green and Blue Infrastructure Network policy will conserve the existing GBI in Rutland and promote the opportunities for the creation of new high quality GBI.

Policy EN7: Green and Blue Infrastructure Network

New development proposals should ensure that existing and new Green and Blue Infrastructure (GBI) is considered and integrated into the scheme design from the outset. The functionality, accessibility and quality of existing open spaces should be reviewed and increased wherever this is possible.

Proposals that cause loss or harm to this network will not be permitted unless the need for, and benefits of the development demonstrably outweigh any adverse impacts. Where adverse impacts on GBI are unavoidable, development will only be permitted if suitable mitigation measures for the network are provided.

If damage or loss of existing green infrastructure is unavoidable, the creation of new or replacement GBI equal to or above its current value and quality, that maintains the integrity and functionality of the green infrastructure network will be required.

Where development is permitted, developers will be required to:

- **retain and enhance existing on-site green and blue infrastructure (including water courses and ditches);**
- **put measures in place to ensure appropriate long-term management of any green and blue infrastructure directly related to the development (normally 30 years); and**
- **identify and provide opportunities to enhance and improve linkages between the natural and historical landscapes of Rutland.**

Proposals for major development should be accompanied by an audit of the existing GBI within and around the site and a statement demonstrating how this will be retained and enhanced through the development process.

GBI projects and initiatives that contribute to the delivery of high quality and highly valued multi-functional GBI will be supported. The design and layout of new GBI projects should take opportunities to:

- a) incorporate a range of types and sizes of green and blue spaces, green routes and environmental features that are appropriate to the development and the wider green and blue infrastructure network to maximise the delivery of multi-functionality;**
- b) deliver biodiversity net gain and support ecosystem services;**
- c) support climate change adaptation and drought resilience including through use of appropriate habitats and drought resilient species; and**
- d) encourage healthy and active lifestyles.**

Development proposals must protect the linear features of the GBI network that provide connectivity between GBI assets, including public rights of way, bridleways, cycleways, and waterways, and take opportunities to improve and expand such features.

Contributions (financial or other) to support such projects and initiatives will be required where appropriate from developers towards the establishment, enhancement, and on-going management of green and/or blue infrastructure.

Why is this policy needed?

The NPPF requires local authorities to make every effort to promote healthy communities, meet the challenges of climate change and flooding and conserve and enhance the natural and historic environment through the planning process⁶.

Planning Practice Guidance (PPG) sets out the value and benefits of open space, sports and recreation and the need to protect and enhance Public Rights of Way (PRoW)⁷. Green infrastructure helps absorb pollutants, including emissions from farmland, enabling better air quality. The PPG considers climate change and how a comprehensive approach to green infrastructure can promote better water efficiency and water quality. Green infrastructure can also reduce overall flood risk on development through sustainable drainage systems (SuDS), which can also deliver benefits for amenity, recreation, and wildlife.

The 25 Year Environment Plan sets out government action to help the natural world regain and retain good health. It aims to deliver cleaner air and water in the UK,

⁶https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

⁷ <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>

protect threatened species and provide richer wildlife habitats. It calls for an approach to agriculture, forestry, land use and fishing that puts the environment first.

The National Planning Policy Framework⁸ (NPPF, 2023) defines GBI as “*A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.*”

The types of GBI assets that make up the GBI network in Rutland, comprising both public and private green and blue spaces are:

- agricultural land
- allotments
- amenity open space
- grounds to public buildings
- grounds to religious buildings
- parks and gardens
- private gardens
- sport facilities
- vegetation along transport corridors
- semi-natural habitats
- water: watercourses, canals, and reservoirs
- trees and woodland

People and nature benefit from a multitude of natural resources and processes that are dependent on ecosystem health. Benefits to people provided by nature have been termed 'ecosystem services' which are grouped into four broad categories:

- provisioning services, such as the production of food and clean water
- regulating services, such as managing the climate
- supporting services, such as nutrient cycles and crop pollination
- cultural services, such as recreational benefits

⁸ [National Planning Policy Framework - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/national-planning-policy-framework)

Figure 7

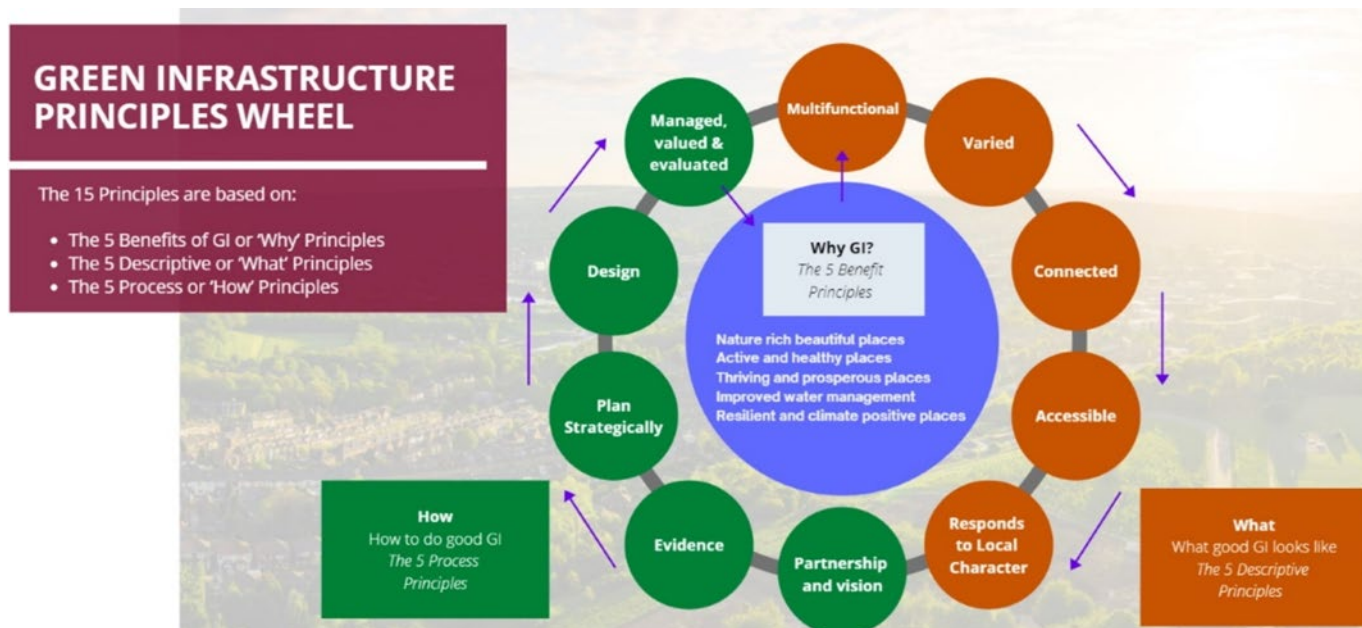


Figure 7 is taken from Natural England’s Green Infrastructure Framework which provides a structure to analyse where greenspace in urban environments is needed most. The Green Infrastructure principles wheel outlines what good GBI looks like and the principles that should be followed to achieve this.

The Rutland Green and Blue Infrastructure Study sets out the green and blue infrastructure network and strategy for Rutland. It sets out the Rutland Green and Blue Infrastructure vision which is “...host a well-connected, accessible and resilient network of green and blue infrastructure which brings multiple benefits to the environment whilst providing people with the opportunity to come into contact with diverse and nature-rich open spaces.” Rutland County Council will work in partnership with landowners, businesses, and communities to deliver the GBI vision.

Rutland’s top five GBI priorities in achieving this vision and the first step in making green and blue infrastructure at the core of our decision making are:

1. Restoring biodiversity and ecosystem integrity;
2. Protecting and enhancing tree cover;
3. Enhancing water and soil quality;
4. Incorporating GBI into new developments; and
5. Enabling active lifestyles and accessibility to GBI

The Green and Blue Infrastructure Study maps the distribution of broad habitat types: agricultural, greenspace (or grassland), semi natural, water, woodland and non-GBI, Designated sites and opportunities for ecological connections. The Green and Blue infrastructure network can be viewed on the Rutland interactive map and within the Rutland GBI Study.

An Open Space Assessment was undertaken as part of the GBI study. It comprises of an assessment of the quantity, accessibility, quality, and value of open spaces within Rutland County and for each of the 15 sub-areas. The typologies of open spaces in Rutland are mapped. Local needs are identified, and the current and future provision of each sub area was reviewed. Local standards for open space provision and recommendations and based on the findings of this assessment were developed as part of this study. Policy SP7- Creation of New Open Space sets out how the requirements of new residential development of 10 dwellings or more to create new open space.

New Development

Green infrastructure is integral to developing new places, significantly contributing towards places where people want to live, work, and invest. The population of Rutland is projected to grow over the plan period, so creating thriving and prosperous places for Rutland's current and future residents is a key aspect of sustainable development. Development brings opportunities to enhance the network and deliver new green infrastructure of all types and sizes.

The NPPF recognises the opportunities that appropriately located and well-designed open spaces can provide. Paragraph 98 states *“Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and can deliver wider benefits for nature and supports efforts to address climate change.”*

New development should contribute to the extension of the green and blue infrastructure network, helping to address deficiencies in provision and providing good quality connections to the network and throughout the development. Open space should be provided on-site where possible. If the provision cannot be made on the application site an off-site location should be considered. In cases where the provision of open space cannot be met on-site the developer cannot provide an offsite location either, the council will seek developer contributions towards the costs of providing necessary facilities though developer contributions or the community infrastructure levy.

What you told us about the policy

The Issues and Options consultation asked the public's opinion on options for the protection of Green and Blue Infrastructure. 65% of respondents supported the option to develop a GBI strategy for the protection, enhancement, and management of the GBI network in Rutland. This work was commissioned and is the evidence for the development of this policy.

Other comments highlighted the importance of the encouraging multifunctional GBI and the consideration of other benefits of GBI such as landscape value, health, heritage, climate mitigation and play. It is important to consider the various ecosystem services to ensure that new development supports the opportunities

nature can provide. Many respondents stressed the importance of biodiversity conservation and expansion when discussing the GBI network of Rutland.

The theme of health and wellbeing came up many times in comments received in the consultation discussing ensuring that the community has access to leisure and recreational uses that are also sensitive to habitats and their management.

Comments recognised that when planned and delivered well GBI can provide benefits to everyone for the long term and play a vital role in placemaking.

What alternatives have we considered?

The Issues and Options consultation considered the alternative of continuing with the current policy approach however there was significant support for strengthening this approach with the development of a GBI strategy and discussed the many multifunctional benefits that well designed and managed GBI can provide.

Supporting Evidence

Green and Blue Infrastructure Study.
Rutland County Biodiversity Assessment (May 2023)

Which existing policies will be replaced by this policy?

CS21 – The natural environment
CS23 - Green infrastructure, open space, sport, and recreation
CS24 – Rutland Water
SP15 – Design and amenity
SP19 - Biodiversity and geodiversity conservation

Important Open Spaces and Frontages

What will this policy do?

The policy prevents adverse impacts on designated Important Open Spaces and/or Frontages which contribute to the character of settlements in Rutland.

Policy EN8 Important open space and frontages

Development will only be acceptable where it does not have an adverse impact on an Important Open Space and/or Important Frontage as shown on the policies map having regards to:

- a) **its intrinsic environmental value by virtue of its landform, vegetation or tree cover, or the presence of any special features such as streams, ponds, important wildlife habitats or walls;**
- b) **its contribution to enhancing the attractiveness of the town or village setting when viewed from surrounding land, particularly the approaches to the built-up area;**

- c) the views and/or vistas out of and within the town or village that contribute to the character and attractiveness of the settlement;**
- d) its peripheral or transitional open character in contributing to preserving the form and character of the settlement including heritage assets;**
- e) its contribution, possibly in conjunction with other areas, to creating the overall character and attractiveness of the settlement;**
- f) its contribution to the form and character of the settlement in terms of the relationship of buildings and structures one to another, to other open spaces or natural features; and**
- g) its contribution to the setting of a building or group of buildings or important natural features.**

Some areas of Important Open Space are protected by their type and are not shown in the Policies Map. These Important Open Spaces are:

- Sports Centres/Recreation Grounds;**
- Cemeteries;**
- Churchyards;**
- School Playing Fields;**
- Local Authority owned allotments;**

They will be safeguarded from development, and any proposal for their loss will be considered against the criteria above and against national policy.

Why is this policy needed?

Open spaces and frontages are an integral part of the built environment of settlements and add to the rural character of the market towns and villages by affording views into the countryside, providing the setting and relationship between buildings, and providing openness to the settlement. These open spaces also add to the distinct character of a settlement and their removal could dramatically alter the character and setting of buildings of a village or town. It is therefore important that the value of these open spaces is safeguarded. This Local Plan protects existing Important Open Spaces and Frontages (IOSF) which have been identified by Rutland County Council as important to the settlement in which they are located.

The NPPF advises that access to high quality open spaces can make an important contribution to the health and well-being of communities and should not be built on unless they are surplus to requirements, the loss would be replaced by better provision, or the development is for alternative sports and recreation provision.

Important frontages can include stone walls, high hedges, and a belt of trees or other features of significance to the character of an area or settlement. Their disruption would often adversely affect this character and their retention is therefore important.

Sites were identified in the Review of Important Frontages and Open Spaces (2012 and 2017) and are mapped on the policies maps.

A number of settlements in Rutland have prepared Neighbourhood Plans, some of these contain designations for Important Open Space or an equivalent. These open spaces have not been duplicated as part of this policy, as they have their own protection through the Neighbourhood Plan in which they are designated.

What alternatives have we considered?

No alternatives have been considered for this policy.

Supporting Evidence

Review of Important Frontages and Open Spaces (2012 and 2017)

Which existing policies will this policy replace?

SP21- Important open space and frontages

Local Green Space

What will this policy do?

A local green space is a designated area of green or open space that is demonstrably special to the local community that it serves. This policy will protect areas with a Local Green Space designation from development apart from in very special circumstances. These exceptions are set out in the NPPF and align with Green Belt status. The Local plan does not identify any Local Green Spaces, however a number of Neighbourhood Plans to designate LGS and the policy will protect these sites accordingly.

Policy EN9 –Local Green Spaces

An area identified as a Local Green Space within an adopted Neighbourhood Plan will be protected from development in line with the NPPF, which rules out development on these sites other than in the very special circumstances set out in the NPPF.

Why is this policy needed?

Local Green Space (LGS) is a national designation, as referenced in the NPPF⁹, which aims to protect green areas or spaces which are demonstrably special to a local community and hold a particular local significance. Parish and Town Councils,

⁹ Para, 100, NPPF (2021) <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-and-safe-communities#para100>

through Neighbourhood Plans, can identify green areas of particular importance to them for special protection as Local Green Spaces. LGS designation can be used where there is evidence which demonstrates the green space meets the following criteria:

- it is in reasonably close proximity to the community it serves
- it is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including playing fields), tranquillity or richness of its wildlife
- it is local in character and scale and not an extensive tract of land

Additionally, the green space should-

- not already subject to a planning permission or an adopted local plan allocation
- not already protected by another designation or strategic planning policy
- be physically or visually accessible in some form

Planning permission will only be granted for development proposals on LGS in very special circumstances. These exceptions are set out in the NPPF and align with Green Belt status.

When Neighbourhood Plans are being prepared or reviewed, consideration may be given to the designation of green space which are of particular importance to the community for special protection as Local Green Spaces. Proposals for the designation of a site as an LGS must meet the criteria set out above.

What alternatives have we considered?

No alternatives have been considered for this policy.

Supporting Evidence

National Planning Policy Framework

Which existing policies will this policy replace?

This is a new policy.

Rutland Water

What will this policy do?

The Rutland Water Area designation provides special protection for Rutland Water and Policy EN10 sets out the overall approach to development around Rutland

Water. This permits small scale development within the five defined recreation areas and the wider Rutland Water area for certain specified uses related to the enjoyment of Rutland Water or for operational uses.

A wider “Rutland Water Area” is also defined comprising the reservoir and its immediate surroundings where small-scale new recreation, sport and tourist facilities developments are limited to those essential for nature conservation or fishing or essential for operational requirements of existing facilities and subject to requirements in terms of location, scale, design, and landscape impact.

Camping and caravanning activities are seen to be potentially damaging to the character and setting of Rutland Water and are not permitted in the wider Rutland Water Area nor in the defined Barnsdale or Whitwell Recreation Areas.

Policy EN10 - Rutland Water Area

Development in the area defined on the Policies Map as the Rutland Water Area should be carefully designed and located to ensure that it respects the nature conservation features of this internationally important site and does not have an adverse impact on the landscape and wildlife interests and the general tranquil and undisturbed environment of Rutland Water.

The Council will support proposals which involve the function and operation of Rutland Water Reservoir, its treatment works, associated networks and supporting infrastructure within the defined Rutland Water Area subject to the criteria below.

New development will be limited to small scale recreation, sport and tourist uses or essential for Anglian Water operational requirements within the five defined Recreation Areas only. These areas are defined on the Policies Map.

In all cases the applicant must demonstrate that the development within the designated Recreation Areas would:

- a) be in keeping with its surroundings in terms of its location, scale, form, and design and would not detract from the appearance of the shoreline and setting of Rutland Water;**
- b) be compatible with other uses of land and leisure activities;**
- c) not be detrimental to the special nature conservation interests of Rutland Water (including the conservation objectives for the RAMSAR site, Special Protection Area and Site of Special Scientific Interest and the requirements of the Habitats Regulations);**
- d) not be detrimental to local amenity including the level of traffic movements and, parking in the Rutland Water Area not having a severe adverse impact on road safety or amenity; and**
- e) not be detrimental to highway considerations.**

New construction should be modest in scale and existing buildings utilised wherever possible and appropriate, particularly those of architectural or historic interest or of environmental value.

Outside the five defined recreation areas, new development will only be acceptable where it is demonstrated that it is essential for nature conservation or fishing or essential to the operational requirements of existing facilities, subject to it being appropriate in terms of location, scale, design, and impact on the landscape, SSSI/SPA/ Ramsar designations and biodiversity.

Caravan and camping sites will only be acceptable within the defined recreation areas of Sykes Lane, Normanton, and Gibbet Lane where appropriate to the area in terms of its scale, location, and impact on the surrounding area.

Minerals development, which is likely to have an unacceptable adverse impact on the environmental and recreational value of Rutland Water and its setting and the supply of water from the reservoir, will not be permitted unless the reasons for development outweigh the likely adverse impact, taking into account the requirements of relevant legislation and guidance.

Why is this policy needed?

Rutland Water is an important reservoir providing water supplies to the East Midlands and areas to the south and east. It is an internationally important site for nature conservation with a major role as a recreational facility with importance for tourism and the local economy.

The reservoir and its immediate surrounds have been designated a Site of Special Scientific Interest, a RAMSAR site and Special Protection Area with national and international importance for passage and breeding waterfowl. As such, it receives statutory protection, and any development will be subject to strict controls to ensure that it does not adversely affect the integrity of the site.

It also plays a major role in providing recreational activities, of both a passive and active nature, such as sailing and water sports, walking, cycling, bird watching, fishing, and picnicking and it is recognised that some limited development may be needed to support this role.

The NPPF requires that planning policies should recognise the hierarchy of international, national, and locally designated sites of importance for nature conservation. It also seeks to promote a strong rural economy by supporting the sustainable growth and expansion of rural business. This includes supporting rural tourism and leisure developments that benefit businesses in rural areas, communities, and visitors and which respect the character of the countryside.

The policy approach to the area around Rutland Water has been largely successful since the 1970's in protecting nature conservation interests of the reservoir and retaining the unspoilt and tranquil nature of the area, while accommodating recreation and tourism needs.

A Landscape Review of the Rutland Water Area (2019) was undertaken to provide robust up-to-date evidence to underpin the identification of the Rutland Water Area and its boundaries, and the Recreation Areas inset within it, as required by the NPPF. The study provides the evidence and reasoned justification to support the identification of the Rutland Water Area in the Local Plan as a ‘valued landscape’.

The Rutland Water Area designation provides special protection for Rutland Water. Within the defined Rutland Water Area (RWA) around the reservoir and its immediate environs, strategic policy allows for carefully managed limited development of certain specified uses carefully designed and located to ensure that it respects the nature conservation features of this internationally important site and does not have an adverse impact on the landscape and wildlife interests and the general tranquil and undisturbed environment of Rutland Water. Small scale recreation, sport and tourist uses are permitted within five defined Recreation Areas (RAs) around the shores of the reservoir within the RWA where this is directly related to the use and enjoyment of Rutland Water or for operational uses (by Anglian Water) and appropriate in scale, form, and design to its location.

The whole of the Rutland Water Area including the defined Recreation Areas is also within the countryside as defined in the Local Plan and will be subject to policies relating to development in the countryside.

What you told us about the policy

This issue was not specifically raised in the previous consultation.

What alternatives have we considered?

No alternatives were considered

Supporting Evidence

Landscape Review of the Rutland Water Area (2019)
Rutland County Biodiversity Assessment (May 2023)

Which existing policies will this policy replace?

CS24 – Rutland Water
SP26 – Rutland Water Recreation Area

Eyebrook Reservoir

What will this policy do?

Policy EN11 sets out the criteria that will apply to help protect the nature conservation interests and the setting and the shoreline of the reservoir and other considerations. The Council also recognises the need to co-ordinate policy and site management with Harborough District Council in Leicestershire to ensure a complementary approach is secured for the wider Eyebrook Reservoir Area.

Policy EN11 - Eyebrook Reservoir Area

Only small-scale recreation, sport and tourist facilities will be acceptable at Eyebrook Reservoir subject to them being closely associated with the existing leisure activities of the area and not detracting from the setting and shoreline of the reservoir and environmental, amenity and highway considerations.

Development must not be detrimental to the special nature conservation interests of Eyebrook Reservoir (including the conservation objectives for the Site of Special Scientific Interest and Regionally Important Geological Site).

Caravan and camping sites will not be permitted.

Why is this policy needed?

Eyebrook Reservoir lies on Rutland's southern border and straddles the boundary with Leicestershire County and Harborough District Councils. It is designated as a Site of Special Scientific Interest and therefore has statutory protection.

What you told us about the policy

This issue was not specifically raised in the previous consultation.

What alternatives have we considered?

No alternatives were considered.

Supporting Evidence

Rutland County Biodiversity Assessment (May 2023)

Which existing policies will this policy replace?

SP27 – Eyebrook Reservoir Area

Historic and Cultural Environment

What will this policy do?

Heritage assets play an important part in the local character and identity of the county. National policy for heritage is prescriptive and requires the protection and enhancement of heritage assets and their settings. There is no need to repeat national policy in the Local Plan so policy EN12 sets out how national policy will be implemented in Rutland, it establishes what supporting evidence will be required and how development proposals are expected to be designed and developed to take heritage assets into account and sets out support for appropriate renewable energy proposals involving heritage assets.

Policy EN12 - The historic and cultural environment

All development proposals, projects and activities will be expected to protect, conserve and where possible, seek opportunities to enhance historic assets and their settings, maintain local distinctiveness and the character of identified features.

Development should also respect the historic landscape character and contribute to its conservation, enhancement or restoration, or the creation of appropriate new features.

Development proposals affecting or likely to affect any heritage assets or its setting will be expected to demonstrate an understanding of the significance of the asset and/or its setting by describing it in sufficient detail to determine its historic, archaeological, or architectural interest to a level proportionate with its importance. A Historic Impact Assessment may be required to support proposals which affect historic assets and their setting.

As a minimum this should be through reference to the Historic Environment record or by a desk-top analysis and reference to other relevant sources of information, which may include landscape character and historic landscape character appraisals, conservation area appraisals and management plans.

Desk based and/or field evaluations may be required to identify and determine the nature of the asset, describe the significance of the asset and its setting and any potential impacts resulting from the proposed development, as well as to inform the identification of appropriate avoidance and/or mitigation measures required to minimise impacts to an acceptable level (appropriate to their significance).

Locally sourced, sustainable, building and roofing materials will be used in the repair and maintenance of historic buildings and structures where appropriate.

The adaptive re-use of redundant or functionally obsolete listed buildings or important buildings will be supported where this does not harm their essential character.

Appropriate proposals for energy efficient and renewable energy measures for historic buildings, which adequately safeguard their heritage significance, will be permitted.

Why is this policy needed?

One of the core land use principles established in the NPPF is that planning should conserve heritage assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations. The guidance is set out in the NPPF (paragraphs 188-208). Heritage assets include designated assets that are protected under relevant legislation and other non-designated features that have been identified locally, as set out below:

Designated features:

- Listed buildings;
- Scheduled Monuments;
- Registered Parks and Gardens;
- Conservation areas.

Non-designated features:

- areas of archaeological interest;
- buildings of local importance;
- open spaces;
- parkland;
- other features of importance to the historic environment identified in the Historic Environment Record

These heritage assets play an important part in the local character and identity of the county.

Rutland has a rich built and historic environment with many attractive stone-built villages and two historic town centres that provide a distinctive local character to the area. There are 34 designated Conservation Areas, 16 Article 4 Directions and approximately 1,650 listed buildings that are afforded statutory protection and two Registered Parks and Gardens at Burley Park and Exton Park.

It is important that both designated and non-designated heritage assets are recognised and protected and wherever practical enhanced by development. A list of designated heritage assets in Rutland is shown in Appendix 4. There is an online register of all listed buildings on the Historic England website:

<https://historicengland.org.uk/listing/the-list/>

Scheduled monuments, Registered Parks and Gardens and Conservation Areas are shown on the Policies Map, they are also available online on our Environmental Constraints interactive map.

The Historic Environment Record is a comprehensive database of historic buildings and areas of archaeological interest in Rutland that is maintained on behalf of the Council by Leicestershire County Council, and this should be consulted in order to establish whether development proposals are likely to affect heritage assets.

There is also a range of other information including the [Leicestershire, Leicester and Rutland Historic Landscape Characterisation Project](#) that should be consulted as appropriate in order to establish any potential impacts on the historic environment.

What you told us about this topic

Strategic Objective 9 in the Issues and Options consultation established the objective of protecting and enhancing Rutland's environment, inclusive of the rich historic built environment. 46% of respondents said they agreed with refreshing and updating local policy to be in line with the NPPF. The Issues and Options consultation also highlighted a need to ensure that the support for sympathetic upgrading of Listed Buildings and historic assets to become more energy efficient and sustainable.

What alternatives have we considered?

One alternative was to resource the updating of the historic environment evidence base including conservation area management plans and appraisals and identified assets of local historic importance.

Supporting Evidence

[NPPF](#)

Conservation Areas Appraisals

Historic England Guide – The Historic Environment in Local Plans

Which existing policies will be replaced by this policy?

CS22 – The historic and cultural environment

Protecting Heritage Assets

What will this policy do?

Rutland is a unique place with a wide variety of important historical features, this policy sets out the means of achieving the overarching objective of conserving the historic and heritage assets within Rutland. Through identifying the different types of assets and the requirements in which they are approached through any proposed development.

Policy EN13: Protecting heritage assets

1. Designated heritage assets

The Council will apply national policy to development proposals which affect designated heritage assets. This includes Listed Buildings, Conservation Areas, and Scheduled Monuments. National policy for designated assets will also be used to consider development proposals which affect the setting of designated assets.

2. Conservation Areas

Significant weight will be given to the protection and enhancement of Conservation Areas (as defined on the Policies Map). Development within, affecting the setting of, or affecting views into or out of, a Conservation Area should conserve, or where appropriate enhance, features that contribute positively to the area's special character, appearance and setting, including as identified in any adopted Conservation Area appraisal. Proposals should:

- a) retain buildings/groups of buildings, existing street patterns, historic building lines and ground surfaces and architectural details that contribute to the character and appearance of the area;
- b) where relevant and practical, remove features which have a negative impact on the character and appearance of the Conservation Area;
- c) retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials, and plot widths of the existing built environment;
- d) assess, and mitigate against, any negative impact the proposal might have on the townscape, roofscape, skyline and landscape; and
- e) aim to protect trees, or where losses are proposed, demonstrate how such losses are appropriately mitigated against.

3. Archaeology

Development affecting archaeological remains, whether known or potential, designated, or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance. Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them. If initial assessment does not provide sufficient information, developers will be required to

undertake field evaluation in advance of determination of the application. This may include a range of techniques for both intrusive and non-intrusive evaluation, as appropriate to the site.

Wherever possible and appropriate, mitigation strategies should ensure the preservation of archaeological remains in-situ. Where this is either not possible or not desirable, provision must be made for preservation by record according to an agreed written scheme of investigation submitted by the developer and approved by the planning authority. Any work undertaken as part of the planning process must be appropriately archived in a way agreed with the local planning authority.

Development proposals that would result in the removal or destruction of remains of archaeological interest that are considered to be of equal significance to a scheduled monument will not normally be permitted.

Development that would adversely affect other important archaeological remains will only be acceptable where:

- a) the benefits of the development outweigh the harm to the remains and the value of retaining the remains in situ; and**
- b) the degree of disturbance has been minimised; and**
- c) satisfactory provision is made for the evaluation, excavation, recording and interpretation of the remains before the commencement of development.**

Where development can take place and still preserve important features in situ, planning conditions will be sought to secure the implementation of effective management plans that ensure the continued protection of those features.

4. Buildings of local importance/non-designated heritage assets

Development that has the potential to affect a non-designated heritage asset (for example Ridge and Furrow landscape) will be considered having regard to the scale of any harm or loss and the particular significance of the heritage asset and its setting.

Where planning permission is required, which would involve the demolition of, or substantial alteration to, the external appearance of any building designated as being of local importance will only be allowed where it is demonstrated that:

- a) all reasonable steps have been taken to retain the building, including examination of alternative uses compatible with its local importance; and**
- b) retention of the building, even with alterations, would be demonstrably impracticable; and**
- c) the public benefits of the scheme outweigh the loss of, or substantial alteration to, the building.**

5. Re-use of historic buildings

The conversion or change of use of a statutorily protected or locally listed building or structure which makes a significant historical, cultural, or architectural contribution to the character of the area will only be acceptable where:

- a) a structural survey demonstrates that the conversion or change of use can be undertaken without extensive building works, alterations or extensions that would have a significant detrimental effect on the structure's character and appearance;**
- b) the proposal can be achieved in a way that preserves the structure's historic, cultural, and architectural features and its character;**
- c) the nature, scale and intensity of the proposed use are compatible with, and would not prejudice, surrounding uses or the character of the locality; and**
- d) it would not adversely affect protected species or habitat.**

Wherever possible, the building or structure should remain in the use for which it was originally designed. Where this is not possible, employment, recreation or tourism uses (including holiday accommodation for short stay occupation on a rented basis) will be the next preference.

Conversion to residential uses will only be acceptable where employment, recreation or tourism uses of the building are shown to be unviable.

Why is this policy needed?

The Council has carried out conservation area appraisals for a number of villages in Rutland. These identify and explain how the special interest of such areas will be preserved and enhanced and identify buildings of local importance in these villages. Appraisals will be undertaken and reviewed over time, and management plans prepared for the remainder of the conservation areas to monitor change and identify opportunities for enhancement.

Sixteen Article 4 Directions have been made within Rutland these introduce tighter controls within conservation areas and other sites or areas of heritage importance to control certain types of permitted development which, if unchecked, would cause harm to the special character and appearance of such areas. Neighbourhood Plans offer a further opportunity for local communities to identify the unique historic character of their settlements; identify key local building styles and characteristics which can inform and guide new development proposals and include the identification of locally important non designated heritage assets.

Other measures for preserving or enhancing heritage assets may include:

- actions to ensure the proper conservation of all heritage features that are at risk
- the maintenance and repair of heritage assets

In 2019 the following features were identified by Historic England as being at risk in Rutland and the Council will consider measures to ensure that these are protected and enhanced as appropriate:

- a) Old Hall Ruins (Exton)
- b) Oakham Castle Walls (n.b. works to restore the walls have now been completed)
- c) Church of St Mary, Greetham
- d) Church of St Mary, Cottesmore Road, Ashwell

Historic England's Register only covers Grade I and Grade II* Listed Buildings, Grade II listed places of worship across England. Authorities are expected to maintain their own register for Grade II listed buildings.

The Council will support the supply of locally sourced building materials where necessary for conservation purposes such as the repair and maintenance of historic buildings and structures in Rutland.

The NPPF provides national policy for considering proposals which affect a heritage asset. This includes the need to assess the effect of a proposal on the significance of an asset and the need for a balanced judgment about the scale of any harm or loss and the significance of the heritage asset.

What you told us about this topic

Strategic Objective 9 in the Issues and Options consultation established the objective of protecting and enhancing Rutland's environment, inclusive of the rich historic built environment. 46% of respondents agreed with refreshing and updating local policy to be further in line with the NPPF. The Issues and Options consultation also highlighted a need to ensure that the support for; sympathetic upgrading of Listed Buildings and historic assets to become more energy efficient and sustainable.

What alternatives have we considered?

One alternative option to this strategic policy was to consider the wider use of Article 4 Directions (which can be used to remove some development rights) to help control the erosion of an area's heritage and character, however this was a less favoured option through Issues and Options.

Supporting Evidence

[NPPF](#)

Conservation Areas Appraisals

Historic England Guide – The Historic Environment in Local Plans

Which existing policies will be replaced by this policy?

SP20 – The historic environment

Chapter 10 - Minerals and Waste

Minerals

As the Minerals Planning Authority (MPA), Rutland is responsible for setting out the spatial strategy for mineral extraction in the County, defining Mineral Safeguarding Areas, identifying the provision of minerals to be met in Rutland over the plan period; planning for this provision by identifying sufficient opportunities for extraction; and setting out development criteria against which planning applications will be assessed.

Spatial Strategy for Minerals Development

What will the policy do?

The Mineral Spatial Strategy will set out where new minerals development should be located, including both mineral extraction and facilities for the processing of recycled aggregates. This is necessary to guide future mineral development and investment.

Policy MIN1 - Spatial strategy for minerals development

Extraction of mineral resources, in particular limestone for aggregate purposes and limestone and clay for cement purposes, will be focussed within the:

- **Limestone for aggregates and building stone Area of Search (AoS), and**
- **Cement primary and secondary materials AoS.**

Small-scale extraction of non-aggregate minerals for building/roofing stone and clay, where linked to historic environment conservation outcomes, will be supported in rural areas or within settlements.

Recycled aggregate facilities should be in general conformity with the spatial strategy and development principles for waste management and disposal (Policy WST1).

Why is this policy needed?

National policy recognises that minerals are essential to support sustainable economic growth and our quality of life. However, as minerals are finite natural resources and can only be worked where they are found, it is important to make best use of them to secure their long-term conservation.

The NPPF states that Minerals Planning Authorities (MPAs) should plan for a steady and adequate supply of minerals of economic importance by identifying in their Local Plans, sites and/or areas for minerals extraction in appropriate locations. The Government also encourages MPAs to take account of the contribution that

secondary and recycled materials can make to the supply of materials in preference to the extraction of primary materials as part of a circular economy.

It is important to note that minerals can only be worked where they are found, however where possible the Plan seeks to relate minerals development with growth or market areas and to reflect local circumstance such as features of significance, in particular Rutland Water and Ketton Cement Works. Within Rutland, minerals considered to be of economic importance for aggregate purposes include limestone and for non-aggregate purposes include limestone and clay. Recycled aggregates (inert CD&E waste) are also produced within Rutland.

Geology of Rutland

The particular geology of the area has given its name to the Rutland Formation which was formed from muds and sand carried down by rivers and occurring as bands of different colours, each with many fossil shells at the bottom. At the bottom of the Rutland Formation is a bed of dirty white sandy silt. Under the Rutland Formation is a formation called the Lincolnshire Limestone. The best exposure of this limestone (and also the Rutland Formation) is the area near to Ketton. Mineral resources are concentrated almost exclusively in the eastern half of the county and consist mainly of limestone and clay. Some isolated pockets of sand and gravel deposits exist around the edge of the county particularly in the Welland Valley to the south and east of the county. Smaller pockets are found around the River Eye and Whissendine Brook in the north-west, Eye Brook in the west and River Gwash in the north-east, as shown Figure 7.

Minerals development within the county

Within Rutland, both aggregate and non-aggregate minerals are produced. Specific to Rutland this includes limestone as crushed rock (aggregate minerals) and limestone for the purpose of cement manufacture, building / roofing stone and agricultural lime as well as clay for the purpose of brick making and cement manufacture (non-aggregate minerals). Limestone and clay have historically been the main minerals worked in Rutland; this is likely to continue. Ironstone was extracted in the past, but operations ceased in the 1970's and there is no evidence that sand and gravel reserves have ever been worked.

Recycled aggregates are also produced within Rutland; such material can be used to replace the use of primary aggregates (for low specification applications). Other forms of minerals-related development are also found within the county (e.g., associated storage, handling and processing facilities).

Aggregate minerals - Crushed rock (limestone) extraction

Rutland is relatively small in terms of mineral production; in 2022 there were only two active sites for the extraction of crushed rock: Woolfox and Clipsham Quarries¹. Crushed rock extraction is also permitted at Greetham Quarry North-Western extension and Thistleton Quarry, but operations at these sites have yet to commence. The operation at Thistleton Quarry is pending the construction of a dedicated quarry haul road. The site is an old ironstone permission which, as part of a requirement of the Environment Act 1995, underwent a review to update the old permission with modern planning conditions. As a consequence of the new planning conditions, extraction is now formally for limestone and not ironstone. All four crushed rock quarries are concentrated in an area either side of the A1 within the north-eastern part of the county, near to the Lincolnshire border. Permitted sites are detailed in Appendix 6 with their location and associated geology shown in Figure 7

The combined permitted reserves of the four sites are 16.2 million tonnes (Mt). This figure relates to when permission was granted and due to subsequent extraction from Woolfox and Clipsham Quarries, this figure is now reduced.

Historically ironstone was extracted to supply the steel works in Corby; however, operations ceased in the 1970's. Three sites have dormant permissions, but these would have to be subject to modern planning conditions before they could operate again. Ironstone is no longer considered to be of economic significance (as a source of iron), although such sites could be worked as a source low quality aggregate or building stone.

Non-aggregate minerals - Limestone and clay extraction

The largest minerals operation in the county is the Castle Cement works at Ketton, located in the south-east of the county, close to the Northamptonshire border. It is both a locally and nationally important cement manufacturing plant and relies mainly on locally quarried limestone from the adjacent Grange Top Quarry in conjunction with on-site clays to manufacture around 1.4Mt of cement each year. When the site was granted permission for an extension in 2002 the permitted reserves of limestone and clay were 16.6Mt and 6.2Mt respectively; remaining reserves are now considerably less². Clay extraction is also permitted at Little Casterton (also referred to as Williamson Cliff) located near to the eastern boundary of the county. Operations are currently active and of a small scale with the site worked only a few times a year. Fireclays from the site are exported and used in the making of a specialist brick - Little Casterton facing brick - that is used to repair listed buildings. Rutland also produces limestone used as building / roofing stone and agricultural lime. In 2022 three quarries in Rutland produced limestone for non-aggregate building stone purposes; Clipsham, Woolfox and Hooby Lane (Stretton). Clipsham and Woolfox quarries also produce limestone for use as agricultural lime in addition

¹ A southern extension to Clipsham Quarry was permitted in 2020 however both the original quarry and southern extension are classified as one site due to both sites being worked simultaneously by the same operator and combined reporting of reserve and sales figures.

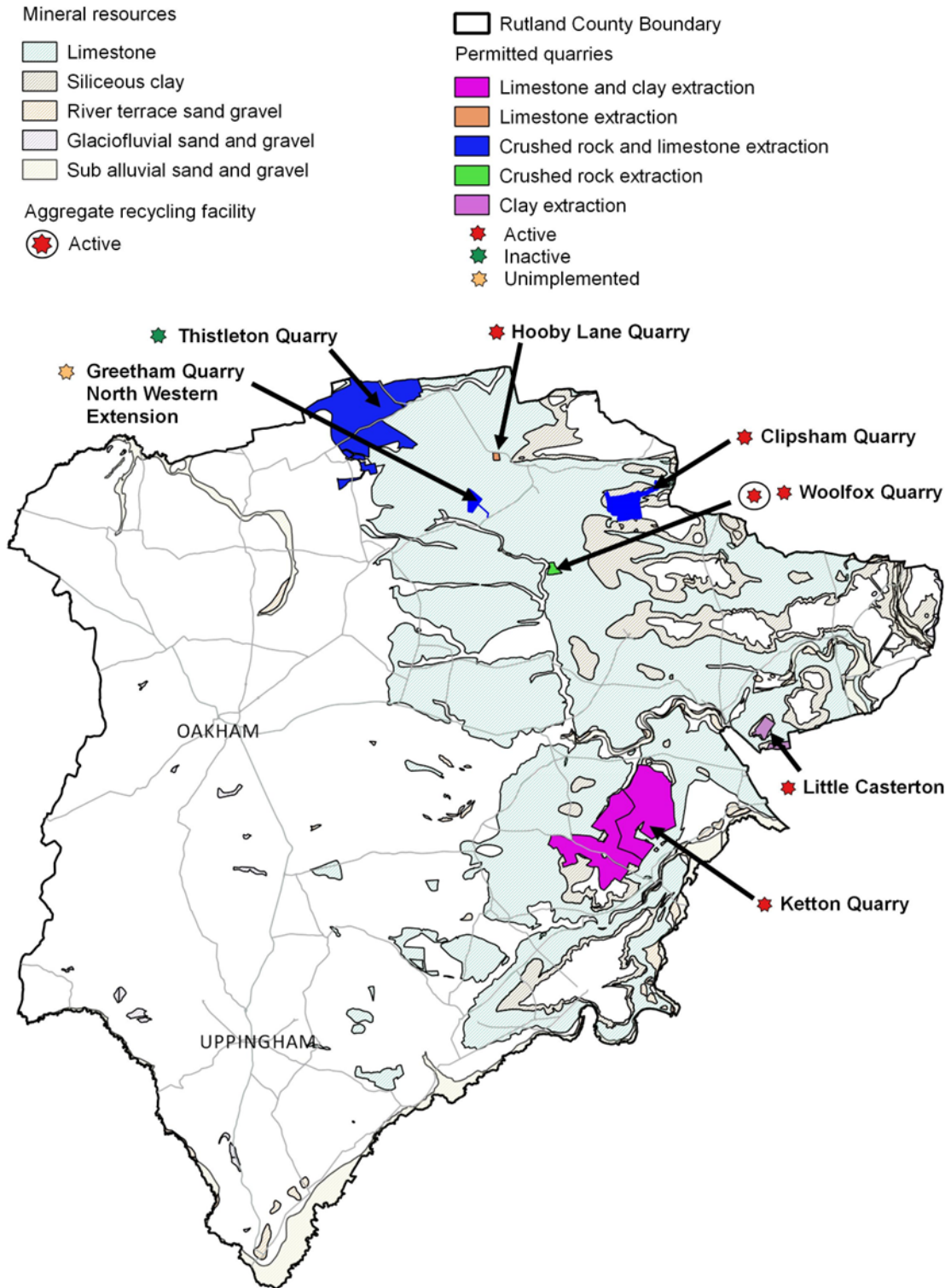
² Figures cannot be published for confidentiality reasons.

to crushed rock. Further, Greetham North-Western extension quarry is permitted for non-aggregate extraction and includes a proportion of limestone for building stone in addition to crushed rock. The extraction of building stone is typically a small-scale operation and on average the three active sites combined produce approximately 9,700 tonnes a year. It is understood that there is also building stone suitable for building purposes at Thistleton Quarry, in addition Ketton Quarry has small reserves of freestone. Permitted sites are detailed in Appendix 9 with their location and associated geology shown in Figure 5.

Secondary and recycled aggregates

Currently, a limited amount of recycled aggregates is produced and processed in the county. Rutland has only one permitted site for recycling of inert Construction, Demolition and Excavation (CD&E) waste to produce recycled aggregates. This facility, located within Woolfox Quarry, was operational in 2022. Site details are included in Appendix 6 with the location and associated geology shown in Figure 7. There are currently no secondary aggregates produced or processed in the county.

Figure 7: Geology of Rutland with location of permitted sites



Spatial Strategy for Minerals Development in Rutland

The spatial strategy focuses on the eastern part of the county where viable limestone and clay resources are located and have historically been worked. Within the eastern part of the county, the north-east has seen a concentration of sites extracting limestone primarily for aggregate purposes whereas the south-east is dominated by the Ketton Cement Works. Maintaining this distinction between extractive activities will assist in avoiding and/or exacerbating cumulative impacts. Given the variable nature and quality of the resource, it is not possible to specify potential locations for locally sourced building and roofing stone. However, the identification of areas of focus for limestone is considered to provide sufficient guidance regarding building and roofing stone. Historically minerals have not been worked in the western half of the county due to the scarcity of workable mineral deposits.

Aggregate minerals

In order to facilitate delivery of the identified provision rate for crushed rock an Area of Search (AoS) for limestone for aggregate and building stone (LABS) purposes has been identified within the north-east of the county (referred to as the LABS AoS). The LABS AoS focuses on areas of inferred mineral resources (Lincolnshire Limestone) from which extraction has previously, and currently, occurs and so is known to be viable (though it is acknowledged that economic viability may vary within the resource area). The LABS AoS takes in: the area along the county's northern boundary (north of Thistleton); west of Morkery Wood/A1/Stocken Park; south-east of Stretton; south of Clipsham; north-east of Hardwick Wood; north of Exton Park/Westland Wood; and east of Cottesmore and Market Overton. Although the LABS AoS covers a large area, it is not intended that the whole area would be extracted, and it is important to note that the identification of sites within the LABS AoS does not equate to planning permission. The LABS AoS should be viewed as a mechanism to guide industry investment. Any proposal coming forward within the LABS AoS during the plan period would be subject to the planning application process and would need to be compliant with relevant Local Plan policies.

Cement production

Specifically relating to securing adequate provision of mineral resources to maintain cement production at the Ketton cement work, an Area of Search (AoS) for cement primary and secondary materials (limestone and clay) has been identified (referred to as the cement AoS). The cement AoS covers a large area. In order to manufacture good quality cement product, it is essential that the correct balance or "recipe" between the various ingredients is secured and maintained. The recipe is constrained by a number of factors such as quality, location, depth and accessibility. Thus, a large area is required to take account of all these aspects as well as covering both limestone and clay reserves.

The cement AoS takes in the area south of Stamford Road (A606), west of Steadfold Lane, north-west and west of Ketton, north of Ketton Road, north-east of North Luffenham (Edith Weston and Ketton Roads), east of North Luffenham Gold Club (including the eastern section of the disused North Luffenham Airfield) and east of

Woodside Farm/south-east of Coach Road Farm. Whilst the whole of the cement AoS is shown for exploration purposes, any detailed working proposals to extract minerals need to be sufficient to maintain a stock of permitted reserves of at least 15 years. This does not mean that the whole area will be extracted. Given the current reserve position at the Ketton site, it is likely that a planning application will come forward within the cement AoS during the plan period to secure additional reserves for the cement works. Industry has confirmed that the cement AoS is sufficient to secure 15 years stock.

Recycled aggregates

Primary aggregates should be put to the highest quality end use, where possible recycled and secondary aggregates should be used in place of primary aggregates in order to conserve resources, minimise waste and contribute to the move to a low carbon economy. An increase in the consumption, and production, of recycled and secondary aggregates is supported through the Local Plan.

Facilities for the recycling of aggregates are not linked to geological conditions and so can be directed to more appropriate locations. The location of such development should be in line with the spatial strategy for waste management which sets a preference for development within industrial areas, existing waste sites and where associated with the re-use of previously development land (Policy MIN1), including as an ancillary activity on existing mineral extraction sites or disused railheads and wharves.

The spatial strategy does not take into consideration potential adverse impacts and other parameters that may affect the built and natural environment or communities; such matters are addressed at an appropriate level through relevant Local Plan policy. Land ownership constraints are also not taken into account and are the proponent's responsibility to address. It should be noted that the identification of areas within the spatial strategy does not imply grant of planning permission, any proposal would be required to be assessed through the Development Assessment process and comply with the Local Plan policies.

What you told us about the topic

The Issues and Options consultation asked about efficient and sustainable use of, and supply and demand for, minerals under Issue 11. You told us you supported the use of recycled aggregate as alternatives to primary aggregates, being the more sustainable option, and the production of cement an essential product. Respondents also highlighted the potential for cumulative impacts with a concentration of extraction in the east of Rutland and raised concerns over the impact of cement production on climate change.

As a result of the consultation, the plan supports the use of recycled and secondary aggregates in place of primary aggregates where possible and identifies a cement AoS. The approach of maintaining the distinction between extractive activities in the north-east and south-east, will assist in avoiding and/or exacerbating cumulative impacts, and is reported in the Spatial Strategy report. Until/if there is a change in

national regulations/guidance in relation to cement production and decarbonisation, then the plan preparation will continue in line with the current national guidance.

What alternatives have we considered?

Identifying specific sites for mineral extraction and secondary or recycled aggregate production.

Supporting evidence

Developing a Spatial Strategy for Minerals 2023 report

Which existing policies will be replaced by this policy?

- MCS3 - General Locational Criteria
- MCS4 - Ketton Quarry Area of Search
- MCS11 - Recycled and Secondary Aggregates
- MDC9 - Recycled and Substitute materials
- MCS6 - Building and Roofing Stone
- MCS7 - Residential and Sensitive Land Uses

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Mineral provision

What will the policy do?

The Plan will seek to secure a provision of 0.28 million tonnes per annum (Mtpa) of crushed rock (limestone) and maintain a sufficient stock of permitted reserves for limestone and clay in order to supply the Cement Works at Ketton at an output of around 1.4 million tonnes (Mt).

Annual provision figures for building / roofing stone and clay are not identified in the Plan given the relatively low level of output and that there is no requirement to identify a rate. However, such resources, particularly relating to Ketton Stone and Clipsham Stone, are recognised as being of importance for the repair and maintenance of heritage sites and in protecting designated sites.

A landbank is a stock of planning permissions for mineral extraction and is calculated by dividing the permitted reserves by the provision rate. A landbank of at least 10 years for crushed rock, and a stock of permitted reserves of at least 15 years for cement primary and secondary materials (limestone and clay), will be sought.

The provision of minerals has been taken forward in the Plan through the identification of an annual aggregate provision rate, an aggregate landbank target, seeking to provide a stock of permitted reserves to maintain cement production, spatial strategy and locational criteria for minerals related development, site-specific allocations, development management policies, as well as safeguarding mechanisms.

Policy MIN2 - Mineral provision

In providing a steady and adequate supply of minerals over the plan period 2021 to 2041 the plan will seek to:

- a) Make provision for the extraction of 5.6 million tonnes of crushed rock (limestone), equivalent to an annual average of 0.28 million tonnes.**
- b) Maintain a sufficient stock of permitted reserves for limestone and clay in order to supply the Cement Works at Ketton at an output of around 1.4 million tonnes of cement production per annum.**
- c) Support the supply of minerals where necessary for conservation purpose and / or maintaining the local distinctiveness of the built environment within Rutland.**

The maintenance of a landbank of at least 10 years for crushed rock will be sought.

A stock of permitted reserves of at least 15 years for cement primary and secondary materials (limestone and clay) will be sought.

This will be delivered through existing sites and new sites (including allocated and unallocated sites where in compliance with relevant local plan policies) as well as the identification of the cement primary and secondary materials Area of Search.

Why is this policy needed?

MPAs are required by national policy to make provision for a steady and adequate supply of minerals. In line with government requirements, the Council prepares an annual Local Aggregates Assessment (LAA) - this involves participation in and taking account of advice of Aggregate Working Parties (AWP). Through these mechanisms the Council has also co-operated with other MPAs with respect to minerals planning for cement production to ensure adequate provision is made. Advice of the National Aggregate Co-ordinating Group (NACG) and published National and sub-national Guidelines on future provision are also taken into account as appropriate.

Aggregate provision

MPAs are required to calculate their own provision rates on the basis of average aggregate sales over a ten-year rolling period and other relevant information. This method of calculation replaces the previous sub-regional approach to apportionment where a nationally prescribed regional apportionment figure was sub-divided within each region. Historically, Rutland and Leicestershire had a joint sub-regional apportionment figure, however this is not prescribed.

The LAA reports on the rolling average of ten years sales data, other relevant local information and an assessment of all supply options. The 2023 LAA informed the Plans aggregate provision rate.

The Plan will seek to secure a provision of 0.28 million tonnes per annum (Mtpa) of crushed rock (limestone). This provision rate is calculated on the basis of average aggregate sales over a 10-year rolling period (2013 – 2022) and consideration of local circumstance. Further detail is set out in the 2023, and subsequent LAAs.

It is not likely that the demand for crushed rock in Rutland will be any greater than that experienced previously and as such it is not necessary to factor in any additional growth to a provision rate. In addition, there are no major infrastructure projects planned in the county that would result in a significant increase in demand for mineral resources. The level of aggregate demand/supply and landbanks will be monitored through the Local Plan monitoring framework and LAA.

To ensure a steady and adequate supply of minerals, and not inflate annual extraction rates above those which have been allowed for in sales projections, annual sales can be limited by limiting the number of HGV movements at certain sites. Where this doesn't apply, there is an expectation that operators will complete extraction over the timescale specified in the planning application and not sooner.

Movement of Aggregates

Imports and exports of aggregates are reported through the national Aggregate Monitoring Survey (AMS). The latest survey (2019) reports export data for Rutland separately, however imports are combined with Leicestershire as one sub-region.

Crushed rock produced within the sub-region in 2019 totalled 14.1Mt of which just under a half (around 6.1Mt) remained within the sub-region. Specific to Rutland, information on mineral movements in 2019 is limited. 42% of crushed rock produced was exported to the East Midlands region however the remainder was sold to either an unknown destination or not allocated a destination. Mineral movements data is more complete for the previous survey in 2014 and of the crushed rock produced, the majority was used within the sub-region (28%) or exported to Northamptonshire (26%). The remaining crushed rock was exported to other sub-regions within the East Midlands or to the East of England. This reflects the proximity of Rutland to these areas.

Overall movements of crushed rock into and out of the sub-region are not self-balancing and the sub-region is a (major) net exporter of crushed rock. This reflects the strategic location of the sub-region and the fact that Leicestershire has traditionally been a large supplier of crushed rock (igneous rock). Leicestershire has several nationally important quarries that are significant producers of igneous rock. There is limited demand in Rutland for such aggregate to supply major construction projects, this is reflected in the amount of exports and indicates that demand for aggregate is from further afield.

Through the identification of a crushed rock provision rate the Plan seeks to encourage the continued supply of crushed rock to support growth both within and outside the county.

The sub-region imported 0.36Mt of crushed rock in 2019 from a range of areas including the West Midlands and East Midlands.

Sand and gravel are not produced within Rutland and as such the county is a net importer. The 2019 AMS identifies that 0.687Mt of sand and gravel was imported into the sub-region. As Rutland has limited sand and gravel resources and the mineral has not historically been quarried, the county will continue to rely on imports from other areas. Further detail on movements of aggregates is set out the Local Aggregates Assessment (LAA).

Non-aggregate provision

Regarding cement production, national policy requires the plan to provide a stock of permitted reserves to support the maintenance of cement production of at least 15 years. Ketton Cement Works has an annual output of around 1.4Mt of cement. Recent production levels have been around 1.4Mt or just below which indicates there is no need to increase the output further.

Landbanks

The Government requires MPAs to have landbanks for aggregates and raw industrial minerals such as limestone and clay for cement manufacture. Landbanks are

principally a monitoring tool to provide an early indication of possible disruption to the provision of an adequate and steady supply of mineral in the county and indicate when new permissions are likely to be needed. Government policy requires provision to be made for the maintenance of landbanks of at least 10 years for crushed rock and provision of a stock of permitted reserves to support maintenance of cement production of at least 15 years for cement primary and secondary materials to maintain an existing plant.

Based on the 0.28 Mtpa provision rate for crushed rock, the maintenance of crushed rock landbanks at the end of the plan period equates to an additional 2.8Mt. At the commencement of the plan period the crushed rock landbank for Rutland is approximately 39 years. Rutland therefore has sufficient reserves to provide a 10-year landbank.

Ketton Cement Works has an annual output of around 1.4Mt of cement and at this rate there are sufficient permitted reserves to carry operations through to around the middle of the plan period but not up to 15 years. It is likely therefore that the cement works will need to secure additional reserves before the plan period ends. The need to secure additional reserves is recognised and encouraged in the Plan through Policy MIN2.

What you told us about the topic

The Issues and Options consultation asked about the supply and demand for minerals under Issue 11. Respondents suggested the Plan should: support the supply of building stone for use in historic and new buildings and cement production at Ketton and be sufficiently flexible to enable any unforeseen demand for minerals to be met. You also told us that the amount of extraction should be proportionate to the size of the county, for extraction to primarily meet local and regional demand, and to set limits on aggregate sales.

As a result of the consultation responses, Policy MIN2 supports the provision of minerals where linked to historic conservation/maintaining the local distinctiveness of the built environment and cement production at Ketton at an output of around 1.4 Mtpa. There is sufficient flexibility built into the plan to enable demand to be met from existing sites and new sites (including allocated and unallocated sites). Any proposal for extraction will be required to take into account the current reserve and supply position, provision rate (where relevant) and landbanks, which are monitored and reported annually in the LAA. Included in the supporting policy text is reference to limits on annual sales to ensure quarries are not overworked, with more mineral extracted annually than originally planned.

What alternatives have we considered?

Crushed rock provision rate based on 3-year average sales

Supporting evidence

Rutland Local Aggregates Assessment 2023
Briefing Note: Minerals Provision 2023

Which existing policies will be replaced by this policy?

MCS2 - The Supply of Minerals in Rutland

Safeguarding Rutland's Mineral Resources

What will the policy do?

Minerals Safeguarding Areas (MSAs) have been defined to protect mineral resources of local and national importance including limestone, clay and river terrace sand and gravel resources, from unnecessary sterilisation.

Policy MIN3 Safeguarding Rutland's mineral resources

Mineral Safeguarding Areas (MSAs) have been designated to safeguard mineral resources of local and national importance from unnecessary sterilisation by other development; these include:

- **limestone and ooidal freestones resources from the Lincolnshire limestone formation;**
- **siliceous clay resources from the Rutland formation and fireclay; and**
- **river terrace sand and gravel resources associated with the River Gwash and River Welland as well as the West Glen River, River Chater, Eye Brook, a tributary of the River Eye and Rutland Water.**

Planning permission will not be granted for non-mineral development that would lead to the unnecessary sterilisation of mineral resources within a Minerals Safeguarding Area unless it can be demonstrated that:

- a) **the mineral concerned is not of economic value or evidence confirms the absence of mineral resources, or**
- b) **the proposed development is temporary or of a nature that would not sterilise the mineral resource or hinder future extraction, or**
- c) **prior extraction can occur where practicable, environmentally feasible and within a reasonable timescale, or**
- d) **there is an over-riding need for the development, or**
- e) **the development is exempt.**

In determining the need for prior extraction an assessment of the following factors will be required to inform the decision-making process:

- i. **site-specific geological survey data (in addition to the Councils MSA and British Geological Survey mapping data) to establish the existence or otherwise of mineral resources setting out the type, quality, quantity, extent of the resource, overburden to reserve ratio, the proportion of the mineral to be used on-site and estimated saleable mineral;**

- ii. **economic viability and practicability of prior extraction, this should also take account of the size, nature and need for the (non-minerals) development as well as the proposed phasing of operations and construction of the non-mineral development; and**
- iii. **potential environmental impacts resulting from prior extraction.**

Where the non-mineral development is delayed or not implemented the site must be restored to a stable landform and appropriate after-use that would not hinder future extraction.

Why is this policy needed?

National policy requires identification of MSAs and complementary policies to prevent the needless sterilisation of minerals resources of local and national importance (by non-mineral development). Minerals are an important finite natural resource that can only be extracted where they naturally occur. This means that it is necessary to consider protecting minerals from non-minerals development to ensure that future generations are able to access such resources.

Limestone resources from the Lincolnshire limestone formation are used for both aggregate as crushed rock and non-aggregate purposes as cement primary materials and building / roofing stone. Resources for building stone identified as being of local and national importance in accordance with Historic England's Strategic Stone Study (2011) include Ketton Stone and Clipsham Stone (ooidal freestones from the Upper Lincolnshire limestone member). Clay resources around Ketton are used in cement production with a small amount at Little Casterton used in the production of bricks to repair listed buildings. Clay resources identified as being of local importance include siliceous clays from the Rutland formation and fireclay.

The identification of MSAs does not necessarily mean that these areas will be worked in the future. MSAs, and corresponding Minerals Consultation Areas³ (MCAs), should be viewed as a signpost to indicate the presence of mineral resources and as a trigger for such issues to be considered in the decision-making processes for land-use planning, including consultation where non-minerals development is proposed.

It is important to bear in mind that just because there may be no interest in particular resources now, this may not continue to be the case in the future. There are limited river terrace sand and gravel resources identified within Rutland that, although not currently of interest or previously worked, are typically recognised in other areas to be of importance. Future generations may find a requirement for such materials and so it is reasonable for these to be included in the MSAs. River terrace sand and gravel resources identified within Rutland are associated with the River Gwash and River Welland as well as the West Glen River, River Chater, Eye Brook, a tributary of the River Eye and Rutland Water.

³ MCAs are co-terminus with MSAs, upon which they were defined.

Glacial sand and gravel and ironstone resources within the county are not currently worked and are not considered to be viable; it is unlikely that this will change in the long term. As such these resources are not included in the MSAs as they are not considered to be of local or national importance.

As a unitary authority, Rutland County Council is responsible for undertaking consultation with regards to proposals for non-mineral development within identified MCAs, consultation will occur: (i) within Council; (ii) between Council and developers; and (iii) between Council and other authorities (for example where a proposal within an adjoining authority's boundary may impact mineral interests within Rutland, or vice versa). The purpose of which is to ensure that mineral interests are taken into account early in the decision-making process and to discuss the economic viability of the mineral resource and whether prior extraction of the resource is appropriate in order to avoid sterilisation.

The MSAs (and MCAs) are shown on the Policies Map.

It is not necessary to consult on every development proposal; this is because some development represents a lower potential for sterilisation or would not present the opportunity for prior extraction. Accordingly, the following surface development is exempt from consultation and developer requirements relating to MSA/MCAs:

- a) extensions to existing dwelling houses and other householder planning applications (except for new dwellings),
- b) provision of dwelling house(s): (i) within the built-up area - less than 10 dwelling houses, or a site area of less than 0.5 ha; or (iii) elsewhere - one dwelling house within the recognised Planned Limits of Development boundary,
- c) minor extension or alteration to an existing building,
- d) development (other than the provision of dwelling houses) on a site having an area of 1 ha or more within the built-up area;
- e) changes of use, advertisement consent, amendments to previously approved applications/current permissions (with no additional land take involved), reserved matters, prior notifications, certificates of lawfulness of existing use or development, certificate of lawfulness of proposed use or development, works to trees and other miscellaneous minor works/applications (e.g., fences, gates, access, etc.).

Prior extraction of minerals is encouraged, where practicable and environmentally feasible, if it is necessary for non-mineral development to take place. A realistic judgment about the resource viability, practicability and potential environmental impacts will be made; the MPA will not seek to prevent development where it is unlikely that prior extraction is feasible.

Assessment should include the following: (i) site-specific geological survey data; (ii) practicability of prior extraction; and (iii) potential environmental impacts resulting from prior extraction. Preparation of the assessment is the responsibility of the developer and is to accompany the planning application for the non-mineral development. The Council will make a judgement on the need for prior extraction

before determination of the application for non-minerals development. A separate planning application (to the non-minerals development) will be required for the prior extraction of mineral resources, which will be determined in accordance with Policy MIN4 Development criteria for mineral extraction, as well as all other relevant Local Plan policies. The non-minerals development should not proceed before the mineral is extracted or steps taken to avoid sterilisation.

What you told us about the topic

The Issues and Options consultation asked about the safeguarding of mineral resources and infrastructure under Issue 11. Respondents suggested that limestone aggregate, building stone, clay and limestone (for use in cement manufacture), and sand and gravel be safeguarded. The majority (70%) of respondents who commented on the extent of the defined MSAs, agreed the MSAs should exclude built up areas. Most of the respondents who commented on MSA buffer zones wanted buffers around MSAs, and it was suggested a 250m buffer be applied to all mineral resources.

The methodology for identifying MSAs includes minerals resources in Rutland of local and/or national importance, i.e., limestone, clay and river terrace sand and gravel, and urban, built-up, areas to reflect mineral resources are present, possibly allowing for future extraction, where associated with large redevelopments. Buffers will be applied around all mineral resources in creating the MSAs. This will help to account for encroachment of non-minerals development that could potentially result in sterilisation of the resource. The proposed buffers are: 500 metres (m) for limestone; 250m for clay; and 250m for sand and gravel. Further detail for establishing these buffers is set out in the methodology.

What alternatives have we considered?

Identified resource areas without buffers
Including built-up areas in MSAs

Supporting evidence

Mineral Safeguarding Areas Methodology 2023
Historic England's Strategic Stone Study 2011

Which existing policies will be replaced by this policy?

MCS10 - Minerals Safeguarding
MDC10 - Development in Mineral Safeguarding Areas

Minerals Development

What will the policy do?

The policy provides a range of development and assessment criteria which proposals for minerals development must satisfy before planning permission is granted. These are required because the identification of areas through the spatial strategy for minerals development does not mean that planning permission will automatically be granted for proposals that come forward in these areas; this applies equally to allocated sites.

Policy MIN4 - Development criteria for mineral extraction

Proposals for extraction of minerals will be permitted where it can be demonstrated that the development:

- a) Complies with the spatial strategy for minerals set out in Policy MIN1 and relevant Local Plan policies;**
- b) Is required to maintain a sufficient supply of material with respect to:**
 - i. The adopted aggregate provision rate and/or the maintenance of a landbank, or**
 - ii. The adopted cement production rate and/or maintaining a stock of permitted reserves for cement materials, or**
 - iii. Supporting conservation of the historic environment or maintaining the local distinctiveness of the built environment within Rutland;**
- c) Maximises the recovery of the reserve whilst minimising waste;**
- d) Promotes the most appropriate end-use of materials; and**
- e) Is environmentally acceptable and avoids and/or minimises potentially adverse impacts (including cumulative impacts) to acceptable levels.**

Proposals for the extraction of minerals to support conservation of the historic environment or maintaining local distinctiveness must demonstrate that this is the main purpose of the proposal.

Preference will be given to proposals for mineral extraction at allocated sites. Proposals on unallocated sites or outside of the areas identified in the spatial strategy will be considered where:

- a) The proposal relates to extraction of aggregates or cement materials (limestone and clay) and cannot reasonably or would not otherwise be met from committed or allocated reserves, or from within the cement primary and secondary materials Area of Search; or**
- b) Extraction of the mineral can be clearly demonstrated to be ancillary to the proposed development (e.g., agricultural reservoirs); or**
- c) The proposal is for the prior extraction within a Mineral Safeguarding Area.**

Proposals for minerals development must be expected to: identify and determine the nature and extent of potentially adverse impacts likely to result from the development and demonstrate how the proposal will protect local amenity, particularly in relation to dust, noise and vibration; secure safe and appropriate site access; and make provision to secure highway safety.

Where potentially adverse impacts are likely to occur appropriate mitigation measures must be identified to avoid and/or minimise impacts to an acceptable level. Where applicable a site-specific management plan should be developed to ensure the implementation and maintenance of such measures throughout construction, operation, decommissioning and restoration works.

Why is this policy needed?

National policy requires proposals for mineral extraction to be environmentally acceptable and avoid and/or minimise potentially adverse impacts to acceptable levels. This includes impacts on the natural and historic environment and on human health, including from noise, dust, visual intrusion, traffic, tip and quarry slope stability, differential settlement of quarry backfill, mining subsidence, increased flood risk, impacts on the flow and quantity of surface and groundwater and migration of contamination from the site. Any assessment of potential adverse impacts should also take into account cumulative effects. It is expected that monitoring of planning conditions related to adverse impacts will be undertaken to the highest possible standards to address the risk to health of nearby residents and the neighbouring environment generally.

In line with government requirements, MPAs are required to make provision for a steady and adequate supply of minerals, therefore any proposal for extraction of aggregates or cement primary and secondary materials (limestone and clay) will be required to take into account the current reserve and supply position, identified provision rate or requirement to maintain a sufficient stock of cement production materials (as appropriate), maintenance of landbanks or stock of permitted reserves for cement production materials (as appropriate) and where the proposal is for an unallocated site why the need cannot reasonably or would not otherwise be met from committed or allocated reserves. Proposals that come forward that would result in supply exceeding the identified provision rate or cement production rate will need to demonstrate that the proposed over-supply is supported by the latest LAA (for crushed rock); or is supported by the cement plant and that the current landbank is below 15 years (for cement production materials).

Specifically, regarding the Ketton cement works, the location of the cement works and associated extraction areas is within an area of intensive quarrying which has already significantly altered the landscape. Any proposals for extending mineral extraction in relation to cement manufacture will need to address what measures can reasonably be taken to improve the general visual amenity and landscape of the area within the operator's ownership and/or control and to ensure that potentially adverse impacts affecting people and local communities are avoided and/or minimised to acceptable levels.

Any proposal for mineral extraction associated with the Ketton cement works will need to include, in addition to other requirements set out through the Local Plan policies:

- Appropriate archaeological investigation at a pre-determination stage.
- Provision for the retention or suitable temporary diversion of the Hereward Way, Macmillan Way and the Rutland Round and any public right of way that would be affected.
- The provision of suitable measures to ensure the conservation and enhancement of the special features of interest of Shacklewell Hollow and North Luffenham Quarry Sites of Special Scientific Interest.
- The provision of suitable measures to protect and where appropriate enhance: trees, woodland and other landscape features within and adjoining the site; watercourses crossing the site; and groundwater abstractions present in the locality. Unless the need for, and benefits of, the development in that location outweigh the likely loss or damage, in which case appropriate mitigation or compensation measure should be provided.
- The provision of suitable measures to protect the Windmill, off Empingham Road, Ketton and its setting.

What you told us about the topic

In Issue 11 of the Issues and Options consultation we asked about how best to manage the impact of mineral development. 54% of those responding to this question agreed that the Plan should include specific policies for managing the impacts of mineral development on the wider environment and restoration/after-use of mineral workings. You told us how it is important for the plan to seek to prevent any unacceptable impacts from mineral extraction and how there should be buffer zones preventing quarries coming too close to residential areas and community facilities.

As a result of the consultation responses, Policy MIN4 is tailored specific to minerals development to ensure sites for mineral extraction are developed in the most sustainable and appropriate locations and manage the impacts of mineral development, including the requirement for appropriate mitigation measures to be identified to avoid and/or minimise impacts to an acceptable level. Separation distances between a quarry and residential areas are not prescribed in the plan as are determined on a site-by-site basis, it is not a case of one size fits all. Further, including a figure in policy would not pass the independent examination of the Plan. See Government guidance on minerals for further details (<https://www.gov.uk/guidance/minerals> Para 018).

What alternatives have we considered?

Include general policies in the Plan for managing the impacts of all forms of development, including minerals development, with separate policies to address matters specific to minerals development.

Rely on higher-level national planning policy to manage the impacts of mineral development and the restoration/after-use of mineral workings.

Supporting evidence

Rutland Local Aggregates Assessment 2023
Developing a Spatial Strategy for Minerals 2023 report

Which existing policies will be replaced by this policy?

- MDC1 - Impacts of mineral development
- MDC2 - Pollution, health, quality of life and amenity
- MDC3 - Sites with National Designations
- MCS5 - Extensions to Aggregates Sites
- MCS6 - Building and Roofing Stone
- MCS7 - Residential and Sensitive Land Uses
- MCS8 - Rutland Water
- MDC6 - Biodiversity and Geological Conservation Interests
- MDC7 - Water Resources
- MDC8 - Flooding

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Sites for Minerals Development

What will the policy do?

The existing commitments for crushed rock provide crushed rock surplus to requirements over the plan period and therefore no sites have been identified. Further, no sites for the supply of limestone and clay, required to support Ketton Cement Works, have been identified - the identification of the cement AoS and Policy MIN4 enables sites to come forward which are in line with relevant Local Plan policies.

To support a continued supply of building stone, a site for building stone extraction at New Road, Hooby Lane is identified in Policy MIN5, with its location shown in Figure 7.

Policy MIN5 - Site-specific allocations for the extraction of building stone

Proposals for the extraction of building stone at the following site will be permitted in accordance with other relevant Local Plan policies:

- **M1 New Road, Hooby Lane (yield unknown)**

Why is this policy needed?

Crushed rock (limestone)

The NPPF requires a steady and adequate supply of minerals. Regarding crushed rock (limestone), the total provision to be met for crushed rock during the plan period (from 1 January 2021 to 31 December 2041) is 5.66Mt. Permitted reserves as of 1 February 2023 total 16.2Mt, of which most remains⁴. Thistleton Quarry makes up 6.4Mt of the permitted reserves and is currently inactive, however the site is considered by industry and part landowner British Steel Pension Fund (BSPF), to be undeliverable on the basis the site is not economically viable due to the costs involved of developing the associated haul road and annual limit on sales. BSPF are willing to exchange Thistleton Quarry for an alternative, deliverable and viable site, at New Road, Hooby Lane (also in their ownership) which would primarily be for building stone extraction⁵. The surrender of the Thistleton permission will remove the uncertainty surrounding the Thistleton resource in the plan and is supported in principle subject to the planning application process and compliance with relevant Local Plan policies. The Local Plan has therefore gone down this route and allocated the New Road site and not taken the Thistleton quarry site as a commitment in its provision figures for crushed rock, although it accepts that formal extinguishment of the Thistleton permission would not be possible until New Road is granted

⁴ Actual figures cannot be published for confidentiality reasons.

⁵ On grant of planning permission for mineral extraction at New Road, Hooby Lane, BSPF will enter a binding agreement preventing it from granting rights of access and mineral rights to any operator which prevents access to the land and Church Commissioners minerals (the joint landowners of Thistleton Quarry with BSPF).

permission. Extraction at New Road would support the supply of building stone in Rutland.

The existing commitments, excluding the 6.4 Mt reserve at Thistleton, will still provide crushed rock surplus to requirements over the plan period; and as such there is no need to allocate any sites for the extraction of crushed rock.

Due to the limited number of current crushed rock permissions, the total aggregate output may be affected if a site ceases operations or significantly reduces production. For these reasons, the situation at all sites will be monitored to ensure that a sufficient supply of minerals is maintained. The possible need for additional sites is accounted for through Policy MIN4 Development criteria for mineral extraction, which allows unallocated sites to come forward where in line with relevant Local Plan policies and where it can be demonstrated that site is required to secure provision or maintain landbanks and cannot reasonably, or would not otherwise be met from, committed or allocated reserves.

Limestone and clay

To support a continued supply of building stone, a site for building stone extraction is allocated. Located within the LABS AoS, it is in line with the mineral's spatial strategy. Limestone for building stone purposes is currently produced from three quarries: Clipsham, Woolfox and Hooby Lane. Clipsham and Woolfox quarries also produce limestone for use as agricultural lime in addition to crushed rock. Overall, output of limestone for these end uses (i.e., building stone) is limited and therefore the Plan does not identify a specific provision rate.

A sufficient supply of limestone and clay is required to support Ketton Cement Works and meet its annual cement production rate of approximately 1.4Mt. Permitted limestone and clay reserves used in the manufacture of the cement at Ketton are sufficient to last until around the middle of the plan period⁶. The need for additional reserves is accounted for with the identification of the cement AoS, as it is understood to contain appropriate reserves to maintain a landbank of at least 15 years over the plan period. In the event that a supply cannot be reasonably met from within the cement AoS or committed reserves; Policy MIN4 Development Criteria for Mineral Extraction enables sites to come forward where in line with relevant Local Plan policies.

A specific provision figure for brickclay is not identified. The existing permission for brickclay extraction at Little Casterton expires around the beginning of the plan period and hence additional reserves may be required. Any new proposals for brickclay extraction will need to demonstrate they are in compliance with relevant Local Plan policies.

What you told us about the topic

The Issues and Options consultation asked about the supply and demand for minerals under Issue 11. Respondents suggested the Plan should support the

⁶ Figures cannot be published for confidentiality reasons.

supply of building stone and cement production at Ketton and be sufficiently flexible to enable any unforeseen demand for minerals to be met.

As a result of the consultation responses, Policy MIN4 supports the provision of building stone, and limestone and clay to support cement production at Ketton. There is sufficient flexibility built into the plan to enable demand to be met from existing sites and new sites (including allocated and unallocated sites). Any proposal for extraction will be required to take into account the current reserve and supply position, provision rate (where relevant) and landbanks, which are monitored and reported on annually in the LAA.

What alternatives have we considered?

Identify specific sites for crushed rock extraction and recycled aggregate production. Not including a specific site/s for building stone in the plan and instead relying on general mineral plan policies to develop sites.

Supporting evidence

Rutland Local Aggregates Assessment 2023
Minerals and Waste Site Selection Methodology and Assessment 2023

Which existing policies will be replaced by this policy?

N/A

Safeguarding minerals development

What will the policy do?

Existing sites and facilities for the storage, handling and processing of minerals and materials for concrete production as well as associated facilities for the transport of such materials form part of the infrastructure network that supports minerals development. Some sites can be of a relatively low value land use and may be vulnerable to redevelopment for other uses and so should be safeguarded from proposals for non-minerals development where appropriate.

Policy MIN6 - Safeguarding of minerals development

To safeguard the provision to be delivered by the allocated and committed mineral extraction sites, proposals for non-minerals development:

- a) within an allocated site must demonstrate that the site is no longer required to support the delivery of the adopted provision rate and/or to maintain landbanks (with reference to the most recent Local Aggregate Assessment); or**
- b) adjacent to an allocated or permitted site must demonstrate that the proposed development would not prevent or unreasonably restrict the future extraction of minerals from the allocated site.**

In order to ensure that there is a sufficient supply of material to support current community and businesses and planned growth the following minerals development will be safeguarded unless proposals for non-minerals development can demonstrate that alternative provision in the vicinity can be made, or there is no longer a need for the facility at that location.

Minerals development to be safeguarded includes:

- c) existing, planned and potential rail heads, rail links to quarries, wharfage and associated storage, handling and processing facilities for the bulk transport by rail or inland waterways of minerals, including recycled, secondary and marine-dredged materials; and**
- d) existing, planned and potential sites for concrete batching, the manufacture of coated materials, other concrete products and the handling, processing and distribution of substitute, recycled and secondary aggregate material.**

Why is this policy needed?

National policy requires MPAs to safeguard existing, planned and potential facilities and sites for the storage, handling and transport of minerals to ensure that sites for these purposes are available should they be needed; and prevent sensitive or inappropriate development that would conflict with the use of sites identified for these purposes. MPAs are also required to safeguard allocated and committed mineral

extraction sites from non-minerals development, to facilitate the steady and adequate supply of minerals.

What you told us about the topic

The Issues and Options consultation asked about safeguarding mineral resources and infrastructure under Issue 11. Respondents recommended the cement processing plant at Ketton is safeguarded to enable continuation of cement production.

As a result of the consultation responses, Policy MIN6 safeguards those sites with planning permission for minerals related development/supporting infrastructure, which includes Ketton Cement Works.

What alternatives have we considered?

Rely on higher-level national planning policy to safeguard minerals development and infrastructure.

Supporting evidence

Rutland Local Aggregates Assessment 2023
Mineral Safeguarding Areas Methodology 2023

Which existing policies will be replaced by this policy

MCS10 - Minerals Safeguarding
MDC10 - Development in Mineral Safeguarding Areas

Borrow pits

What will the policy do?

Large quantities of aggregates or clay may be needed in association with major construction and engineering works, where the mineral resource exists within the local area it may be preferable to supply this need from a borrow pit rather than import the materials from further afield. The timeframe for extraction from the borrow pit should not exceed that of the associated construction or engineering works.

Policy MIN7 - Borrow pits

Permission will be granted for borrow pits where it can be demonstrated that:

- a) Extraction of mineral from the borrow pit constitutes the most appropriate supply option with reference to the type and quality of the mineral and proximity to other mineral extraction sites;**
- b) The estimated size of the resource, and proposed extractive operations, is commensurate to the estimated needs of the associated construction or engineering works;**
- c) The borrow pit is within close proximity to the associated works that it is intended to supply and minimises the use of public highways in transporting the mineral;**
- d) The proposal avoids and/or mitigates potentially adverse impacts to acceptable levels and is environmentally feasible;**
- e) The site will be progressively restored to an acceptable condition and after use and completed as soon as possible following cessation of the associated works; and**
- f) Inert waste arising from the associated works should be used in restoration of the borrow pit where appropriate. The site will be progressively restoration to an acceptable condition and after use and completed as soon as possible following cessation of the associated works.**

Why is this policy needed?

The NPPF requires a steady and adequate supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Borrow pits promote sustainable development by helping conserve mineral resources that might otherwise be lost. Minerals extracted from borrow pits contribute to the county's aggregate requirements and may help to avoid the use of higher-quality reserves elsewhere.

What you told us about the topic

In the Issues and Options consultation no specific points were raised about borrow pits.

What alternatives have we considered?

A policy allowing borrow pits which are tied to a named scheme and scheme duration

Not including a specific borrow pit policy in the plan and instead relying on general plan policies

The preferred approach is to have a criteria-based policy to ensure borrow pits are developed in the most sustainable and appropriate locations and manage the impacts of mineral development on the wider environment.

Supporting evidence

Rutland Local Aggregates Assessment 2023

Which existing policies will be replaced by this policy?

N/A

Other forms of minerals development

What will the policy do?

The policy reinforces that proposals for other forms of minerals development⁷ will be required to be in compliance with relevant Local Plan policies and demonstrate that they are environmentally feasible with any potentially adverse impacts able to be avoided and/or mitigated to acceptable levels.

Policy MIN8 - Development criteria for other forms of minerals development

Permission will be granted for other forms of minerals development where it can be demonstrated that the development complies with relevant Local Plan policies and avoids and/or mitigates potentially adverse impacts to acceptable levels.

Why is this policy needed?

National policy requires proposals for minerals development to be environmentally acceptable and avoid and/or minimise potentially adverse impacts to acceptable levels.

What you told us about the topic

⁷ Other forms of minerals development include: facilities for the bulk transport (by rail, sea or inland waterways), handling and processing of minerals - including recycled, secondary and marine-dredged materials; facilities for the manufacture of concrete and concrete products; and the handling, processing and distribution of substitute, recycled and secondary aggregate material.

In Issue 11 of the Issues and Options consultation we asked about how best to manage the impact of mineral development. 54% of those responding to this question agreed that the Plan should include specific policies for managing the impacts of mineral development on the wider environment.

As a result of the consultation responses, Policy MIN8 is tailored specific to minerals development to ensure sites for mineral development are developed in the most sustainable and appropriate locations and manage the impacts of mineral development, including the requirement for appropriate mitigation measures to be identified to avoid and/or minimise impacts to an acceptable level.

What alternatives have we considered?

Include general policies in the Plan for managing the impacts of all forms of development, including minerals development.
Rely on higher-level national planning policy to manage the impacts of mineral development.

Supporting evidence

Rutland Local Aggregates Assessment 2023
Developing a Spatial Strategy for Minerals 2023 report

Which existing policies will be replaced by this policy?

MDC1 - Impacts of mineral development

Waste

Capacity Requirements and Spatial Strategy for Waste Development

What will the policy do?

Rutland is the Waste Planning Authority (WPA) for the administrative area of Rutland. In line with national policy, the policy identifies the level of need for the management of waste streams throughout the plan period and plans for the provision of new capacity by identifying sufficient opportunities to meet the identified needs of Rutland. The Local Plan also sets out development criteria against which planning applications will be assessed.

Policy WST1 - Capacity requirements and spatial strategy for waste development

Waste management capacity requirements

The development of a sustainable waste management network for Rutland will be supported through the recognition of waste as a resource and will involve the provision of facilities to meet the indicative waste management capacities. Waste development within the county will focus on the provision of preliminary and supporting facilities. Rutland is not considered an appropriate location for large-scale advanced treatment facilities unless the facility would form an ancillary activity to industrial operations where the waste would be utilised as an alternative fuel source.

The indicative waste management capacity requirements up to 2041 include:

- a) Preparing for reuse and recycling capacity of 27,000 tonnes per annum (tpa), plus an additional 1,000tpa for civic amenity facilities,
- b) Biological processing capacity of 9,000tpa,
- c) Inert recycling and/or soil treatment of <1,000tpa,
- d) Advanced treatment of 26,000tpa and
- e) Inert recovery 43,000tpa.

Waste management spatial strategy

Within Rutland facilities to meet the indicative waste management capacity requirements should be focussed at Oakham, Uppingham and the Larger Villages. Within these areas waste development should be located within industrial areas or integrated with new residential and commercial development and be of an appropriate scale. Co-location of facilities for advanced treatment with industrial operations where the output(s) are able to be utilised as an alternative fuel or for energy generation is supported.

In other areas, including the countryside, the development of preliminary treatment facilities should be linked to the management of agricultural wastes, or where a rural location is more appropriate due to the nature of operations or the relationship with rural activities. Within these areas, preference would be for the use of redundant agricultural and forestry buildings and their curtilages.

Industrial sites and brownfield land including existing minerals and waste sites, disused railheads and wharves are appropriate, in principle, to accommodate inert recycling facilities. At locations that are only temporarily in use, only temporary facilities will be permitted.

Development on the edge of Stamford, large redevelopments and other similar proposals would be considered where consistent with their role and relevant Local Plan policies.

The current role of the Ketton cement works, being a nationally significant facility for the use of alternative fuels, is to be maintained.

The deposit of inert waste to land should be directed towards permitted mineral extraction sites to facilitate restoration (as inert recovery); however inert fill could be permitted for agricultural improvement or other purposes as long as it could be demonstrated that it would not prejudice restoration of any mineral extraction sites (existing and allocated).

Waste disposal capacity requirements and strategy

Rutland is not considered an appropriate location for non-hazardous disposal facilities. Although disposal forms the least desirable solution, it is important to note that there will still be a requirement for disposal. The estimated non-hazardous disposal capacity requirement up to 2041 includes 1,000tpa for non-hazardous waste, as well as an additional 12,000tpa of residual waste materials.

Hazardous waste

Rutland is not considered an appropriate location for hazardous waste management and disposal facilities. The estimated requirement for hazardous waste management up to 2041 includes: recovery and treatment capacity of approximately 1,000tpa.

Radioactive waste management and disposal

Rutland is not considered an appropriate location for radioactive waste management or disposal facilities. Proposals for facilities for the management or disposal of radioactive waste should demonstrate how the proposal forms

the most appropriate management option and enables waste to be managed or disposed of in the nearest appropriate installation, in addition to addressing the development criteria set out in Policy WST2

Why is this policy needed?

The NPPF does not specifically address waste matters. Detailed waste planning policies are set out in the National Planning Policy for Waste (NPPW). The NPPW is to be read in conjunction with the NPPF, the Waste Management Plan for England and National Policy Statements (NPS) for wastewater and hazardous waste.

All forms of development and activities produce waste. It is important in creating sustainable communities that waste management is incorporated into new development and that there is a social change towards recognising waste as a resource and where communities and businesses take more responsibility for the waste they produce.

It is estimated that Rutland produces just under 90,000 tonnes per annum (tpa) of various types of waste, including municipal (24%), commercial and industrial (23%), construction, demolition and excavation (53%) and hazardous (1%) as set out in Appendix 10. Rutland does not produce low-level radioactive waste (LLW) from the nuclear industry however a very small amount of LLW from the non-nuclear industry is produced from the Leicestershire and Rutland County areas.

The majority of Rutland's waste is exported to surrounding counties where it is recycled, composted, treated, or disposed of to landfill. Since 2014 a significant proportion (around 40%) of municipal waste, previously disposed of to landfill, has been diverted to an advanced treatment facility in Nottingham for recovery; this continues to occur. Limited advanced treatment of other waste streams has been reported.

The amount of waste generated in Rutland is likely to increase over the plan period, estimated at 118,000 tonnes (t) by 2041, resulting in a capacity gap between current operational capacity and future requirements.

An assessment of the potential future requirements for facilities has demonstrated that there are opportunities in Rutland for increasing the current waste management capacity, particularly in relation to preparing for reuse and recycling, anaerobic digestion and composting.

There is a potential requirement for the following preliminary treatment facilities:

- a) one to two small-scale materials recycling facilities, plus either additional capacity at the existing civic amenity sites or additional site(s) as required, and
- b) one small scale composting or anaerobic digestion facility.

Given the number and scale of facilities, it is estimated that around three hectares of land is needed to accommodate this requirement.

The two existing civic amenity sites in Cottesmore and North Luffenham will be retained. Additional capacity for civic amenity sites will be provided either through an extension to existing sites or where required new site(s) associated with areas of significant development.

The operational capacity for large preliminary and advanced treatment facilities cannot be sustained from waste arisings from within Rutland alone. Over the mid to long-term of the plan period the development of a small-scale advanced treatment facility may become viable. Such development is likely to be more viable within Rutland where the treatment capacity forms an ancillary activity to industrial operations. As such co-location of facilities for advanced treatment with industrial operations where the output(s) are able to be utilised as an alternative fuel or for energy generation is supported. There may be the potential for treatment capacity to be increased through the use of alternative fuels at the nationally significant Ketton Cement Works⁸.

Until such a facility is provided, it is likely that the exporting of waste to surrounding counties for treatment will continue and that amounts will increase in line with meeting waste management targets.

Regional self-sufficiency will be promoted through sustainable patterns of waste movements in relation to urban areas in neighbouring counties. In line with government policy, the need for additional waste management capacity of more than local significance has been taken into account. This involved strategic waste movements being identified and the Council engaging with WPAs accommodating facilities that receive such wastes (originating from Rutland) in line with the Duty to Co-operate. As a result, no strategic matters were identified regarding continuation of such waste movements. The county recognises the importance of cross-boundary movements and will continue to co-operate with relevant WPAs to address strategic matters and facilitate the continuation of such arrangements.

Waste related development will be predominantly focused in Oakham, Uppingham, and the Larger Villages in line with the spatial strategy. This will maximise the use of existing infrastructure networks and facilitate communities and businesses taking greater responsibility for their waste. Waste developments should be co-located together and with complementary activities, for example within industrial areas or integrated with new residential and commercial development.

Development on the edge of Stamford, large redevelopments, or other similar proposals would be considered where consistent with the role of the locale in

⁸ Ketton cement works (Hanson) is permitted to utilise alternative fuels, which includes waste materials. The cement industry had previously agreed to a target of 30% replacement of fossil fuels by alternatives by 2015 under the Environment Agency Cement Sector Plan.

accordance with spatial strategy and hierarchy. Facilities in these areas should deal with the waste generated from identified urban areas or the redevelopment and on-going use of such establishments. The co-location of waste management facilities together and with complementary activities is supported.

In other areas, including the countryside, redundant agricultural and forestry buildings and their curtilages may also provide suitable opportunities for preliminary treatment - in particular for the management of agricultural wastes or where a rural location is more appropriate due to the nature of operations or the relationship with rural activities, for example composting and anaerobic digestion.

Facilities for inert recycling should be directed towards industrial sites and where associated with the re-use of previously development land such as existing waste sites, as an ancillary activity on existing mineral extraction sites or disused railheads and wharves. Where a site is subject to redevelopment, there may be an opportunity to accommodate temporary plant: however, the operational life would be limited to that of the redevelopment.

The deposit of inert waste to land should be directed towards permitted mineral extraction sites in order to facilitate restoration. The deposit of inert waste to land for the purpose of engineering works, agricultural improvement or land reclamation should demonstrate that the proposal would not divert significant amounts of inert waste material from mineral sites and would not prejudice restoration of mineral extraction sites. The deposition of inert waste to land may also constitute recovery in some cases (where in compliance with Environmental Permitting Regulations), in particular where associated with the restoration of permitted mineral extraction sites.

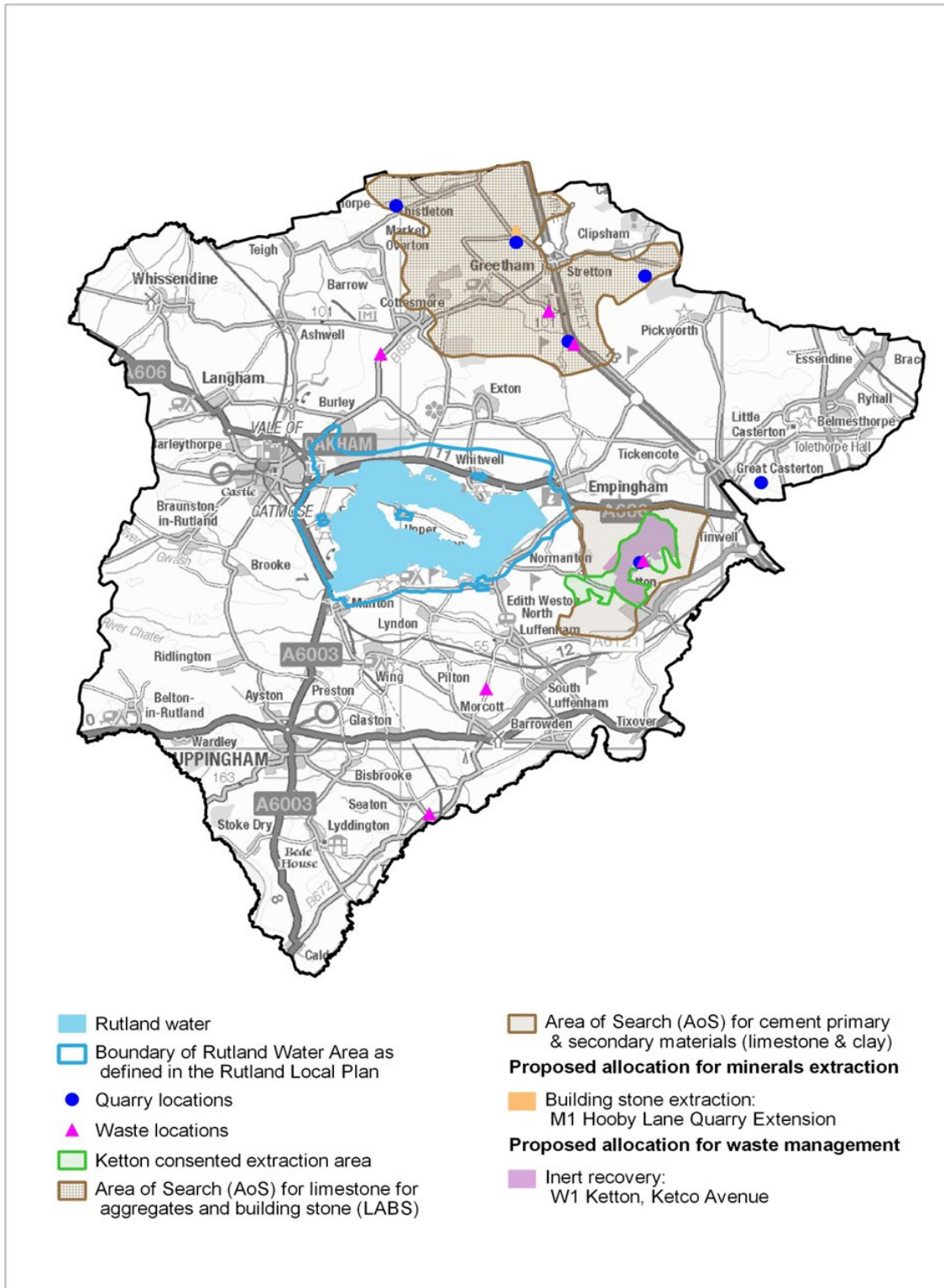
There are currently no operational non-hazardous landfill⁹ sites within Rutland. The county is not considered appropriate as an area to accommodate a new landfill site. The exporting of waste to surrounding counties for disposal to landfill will continue but the amount of waste requiring disposal is anticipated to reduce as the capacity of other forms of waste management increases.

There are currently no facilities for the management or disposal of hazardous and radioactive wastes within Rutland. The county does not produce substantial quantities of these waste materials and is not considered an appropriate location for such facilities.

The location of waste related development should be in accordance with the spatial strategy (Policy WST1) and with allocations (identified in Policy WST3) and set out in Figure 8.

Figure 8 - Proposed allocations for minerals extraction and waste management

⁹ Non-hazardous landfill does not include inert landfill/recovery operations or hazardous landfill (i.e., Grange Top Quarry landfill site, used to dispose of cement kiln bypass dust produced from the Ketton cement works).



What you told us about the topic

In Issue 11 of the Issues and Options consultation we asked you to consider the most appropriate option for identifying sites for waste management. Most respondents (59%) wanted the plan to include criteria-based policies to ensure that sustainable waste management facilities are developed in the most sustainable and

appropriate locations. You told us that the Plan should encourage, and facilitate, net self-sufficiency in waste management and not rely on surrounding authorities to deal with the counties waste, and that waste is managed as close to the source as possible. You welcomed the approach to carry out an evidence base study to understand waste needs, and recommend the plan includes waste targets and recognises the benefits of the co-location of mineral extraction sites and aggregate recycling facilities.

As a result of the consultation responses, Policy WST1 will focus on provision of preliminary and supporting facilities whilst recognising waste as a resource. Highlighting the indicative waste management capacity requirements up to 2041 and sets a spatial strategy that directs facilities to Oakham, Uppingham and Larger Villages. Deposit of inert waste is to be directed to mineral extraction sites to facilitate restoration. Co-location of facilities for advanced treatment with industrial operations where the output(s) are able to be utilised as an alternative fuel or for energy generation is supported.

What alternatives have we considered?

Identify specific sites or locations in the Local Plan for sustainable waste management facilities.

Use criteria-based policies to ensure that sustainable waste management facilities are developed in the most sustainable and appropriate locations

Do not include any specific sites/locations or criteria-based policies and rely on national policy

Supporting evidence

Local Waste Needs Assessment 2023

Developing a Spatial Strategy for Waste Management report 2023

Which existing policies will be replaced by this policy?

CS25 - Waste management and disposal

MCS11 - Recycled and Secondary Aggregates

Waste-related development

What will the policy do?

The Policy gives development criteria to provide clear guidance on how applications for waste-related development will be decided including planning considerations and requirements. In this manner the development criteria provide clarity for both the community and industry. The development criteria for waste-related development are applicable to both allocated and unallocated sites.

Policy WST2 - Waste-related development

Waste-related development will be acceptable in principle where it:

- a) **Is located on an allocated site**
- b) **Supports the spatial strategy for waste management and disposal, facilitates the delivery of Rutland’s capacity requirements and, in doing so, identifies the type(s) and origin of waste intended to be received on-site as well as the destination of outputs;**
- c) **Enables communities and businesses to take more responsibility for their own waste and supports the management and disposal of waste in line with the proximity principle;**
- d) **Supports the move towards a circular economy where possible and is compatible with the waste hierarchy, including the re-use of energy, heat and residues where appropriate;**
- e) **Will not result in unacceptable adverse impacts in relation to water quality and resources, flood risk, land instability, landscape and visual impacts, nature conservation, historic environment, traffic and access, air emissions (including dust), odours, bio aerosols, vermin and birds, noise, light, vibration, litter, potential land use conflict, amenity and cumulative impact(s);**
- f) **Ensures restoration of sites (in particular temporary facilities) as soon as possible after cessation of operations to an acceptable condition and to a stable landform.**
- g) **Specific to proposals for extensions to existing sewage treatment works (STWs) or new STWs, the increased capacity is required to support sustainable development, operations do not have unacceptable impacts and the scale of development reflects the role of the location with respect to the settlement hierarchy.**

Proposals for waste-related development must identify and determine the nature and extent of potentially adverse impacts likely to result from the development. Where potentially adverse impacts are likely to occur appropriate mitigation measures are to be identified in order to avoid and/or minimise impacts to an acceptable level. Where applicable a site-specific management plan should be developed to ensure the implementation and maintenance of such measures throughout construction, operation, decommissioning and restoration works.

Why is this policy needed?

The overall approach, including the spatial strategy, for waste management and disposal is set out through Policy WST1 (Capacity requirements and spatial strategy for waste development). A specific site for waste management is allocated in this Plan, whilst unallocated sites for waste management and disposal are able to come forward where in line with the spatial strategy and development criteria. Although a site may be allocated for waste development, it will still require a planning application to be submitted and assessed against the development plan and other relevant policies.

Waste-related development has the potential to have an adverse impact on the receiving environment. Although some impacts may be similar to those resulting from other forms of development, such as industrial land use, others are specific to waste-related development (and vary dependant on the type of facility). It is important that potentially adverse impacts are identified, and appropriate measures put in place in order to avoid and/or minimise such impacts to an acceptable level, for example air filtration systems, separation areas, bunding, acoustic screening and strategic site layout (including site access and roads)¹⁰.

Waste-related development should support the move towards a circular economy where possible; helping to keep resources in use for as long as possible, extracting maximum value from them, minimising waste, and promoting resource efficiency, and facilitate driving waste up the waste management hierarchy; giving priority to preparing for re-use, recycling and recovery over disposal

What you told us about the topic

In Issue 11 of the Issues and Options consultation we asked you to consider the most appropriate option for identifying sites for waste management. The majority of respondents (59%) wanted the plan to include criteria-based policies to ensure that sustainable waste management facilities are developed in the most sustainable and appropriate locations. We also asked you how best to manage the impact of waste development on the wider environment, and the vast majority (91%) of respondents wanted specific policies in the Plan for this rather than relying on higher-level national planning policy. You welcome the waste hierarchy approach to waste management in the plan and recommend the plan refer to the circular economy.

As a result of the consultation responses, Policy WST2 sets out the criteria where waste related development will be acceptable in principle including where sites enable communities and businesses to take more responsibility for their own wastes and support the management of wastes in line with the proximity principle. The

¹⁰ This is not an exhaustive list of mitigation measures; each site will need to be looked at on a site-by-site basis to judge what mitigation measures will be required.

criteria also support a move to a circular economy and allows sites that support the waste hierarchy.

What alternatives have we considered?

Do not include any specific sites/locations or criteria-based policies and rely on national policy

Do not include specific policies on managing the impacts of waste development on the wider environment and rely on higher-level national planning policy.

Supporting evidence

Developing a Spatial Strategy for Waste Management 2023 report
Local Waste Needs Assessment 2023

Which existing policies will be replaced by this policy?

SP28 - Waste-related development
MDC9 - Recycled and Substitute materials

DRAFT

Sites for waste management

What will the policy do?

The plan allocates one site for waste inert recovery at Ketton, required to meet Rutland's need up to 2041. The allocation of the site W1, outlined in Policy WST3 (Sites for waste management), has been identified based on the form of the proposed development, an assessment of environmental, social and economic constraints, planning policy considerations and consultation responses, in accordance with the site appraisal process. This approach has the advantage of providing a degree of certainty to the waste industry and public.

Policy WST3 - Sites for waste management

For proposals for waste development on unallocated sites, preference will be given to industrial and employment sites and the re-use of previously developed land in line with the spatial strategy for waste management as set out in Policy WST1 (Capacity requirements and spatial strategy for waste development).

Proposals for waste development on both allocated and unallocated sites must address the development criteria set out in WST2 (Waste-related development).

The following site in Rutland is allocated for the deposit of inert waste to land (inert recovery) as shown on the policies map:

- **W1 - Ketton, Ketco Avenue**

Preference will be given to proposals for inert recovery in accordance with the location set out above.

To safeguard the capacity to be delivered by the allocated site, proposals for non-waste development adjacent to an allocated site must demonstrate that the proposed development would not prevent or unreasonably restrict the use of that site for inert recovery purposes.

Why is this policy needed?

Waste forecasts indicate that around three additional facilities (depending on scale) could be required by the end of the plan period to deliver the additional capacity requirements in Rutland for preparing for reuse and recycling, anaerobic digestion and composting. The plan does not identify specific sites for these facilities however Policy WST2 (Waste related development) allows unallocated sites to come forward, where in line with relevant Local Plan policies, and where it can be demonstrated that the site is required to deliver additional capacity requirements.

The waste management industry is becoming more flexible and therefore identifying specific sites required throughout the plan period may be seen as too rigid and may not reflect advancements in waste management technologies and changes in industry interest and could result in viable unallocated sites being rejected (which may in fact be more suitable to accommodate such a use).

The additional capacity for preparing for reuse and recycling, anaerobic digestion and composting, could be met through (where appropriate) development of new sites, extensions to existing sites, or multiple (complementary) facilities located on one site. Regarding advanced treatment, there is a preference for co-location with industrial operations where the waste use forms an ancillary activity.

Allocation site W1 is for the deposit of inert waste to land for the purpose of infilling voids resulting from mineral extraction (such operations may be classed as inert recovery). This supports the long-term restoration outcomes of the existing site and potential extension(s) to the site during the plan period. The deposit of inert waste to land should be of a scale that is in accordance with the estimated inert recovery capacity requirement set out through Policy WST1 (Capacity requirements and spatial strategy for waste development), being 43,000tpa, but will, in any event, depend upon a more detailed assessment of its impacts and benefits of restoration, when a planning application is made. The south-western section of the site is within the Ketton Quarries SSSI. A geology trail is associated with the SSSI and shows some of the exposures in parts of the old quarry workings. In line with maximising beneficial outcomes, development of the site should protect the interests for which the SSSI was designated, preserve the geology trail and seek to enhance these where possible through the restoration objectives and outcomes. A

What you told us about the topic

In Issue 11 of the Issues and Options consultation we asked you to consider the most appropriate option for identifying sites for waste management. The majority of respondents (59%) wanted the plan to include criteria-based policies to ensure that sustainable waste management facilities are developed in the most sustainable and appropriate locations.

As a result of the consultation responses, Policy WST3 allocates one site for the deposit of inert waste to land. The policy also includes safeguarding of the allocated site from non waste development adjacent to an allocated site.

What alternatives have we considered?

Do not include any specific sites/locations or criteria-based policies and rely on national policy

Supporting evidence

Developing a Spatial Strategy for Waste Management 2023 report
Local Waste Needs Assessment 2023

Which existing policies will be replaced by this policy?

SP4 - Sites for waste management and disposal

Restoration and aftercare

What will the policy do?

The restoration and aftercare policy outlines a number of requirements for temporary minerals and waste development to ensure high quality restoration and aftercare once the development has ceased. It provides a guide to those types of after-uses that are supported, and also outlines a number of planning objectives which the restoration and aftercare of mineral sites should seek to meet.

Policy MIN9 - Restoration and aftercare

All temporary minerals and waste development must include a restoration scheme to secure delivery of high-quality restoration and aftercare, including provisions for ongoing management and maintenance where necessary. Restoration should be undertaken in a progressive manner, provide a net-gain in biodiversity, integrate where possible, into the forthcoming Nature Recovery Networks and be sympathetic to the local landscape character and wider setting of the site (having regard to the Rutland Landscape Character Assessment). After-use will be determined in relation to the existing characteristics of the site, land-use context, surrounding environment and requirements of the local community.

Where appropriate, the following after-uses should be supported through the restoration scheme:

- a) Agriculture or another form that supports the safeguarding the long-term potential of best and most versatile agricultural land and conserving soil resources.**
- b) Geodiversity, biodiversity and nature conservation (including native woodland) with regards to the forthcoming Local Nature Recovery Strategies, Leicester, Leicestershire and Rutland BAP and / or objectives of the Lincolnshire and Rutland Limestone Strategy.**
- c) Water conservation and flood management.**
- d) Historic environment conservation and/or enhancement.**
- e) Recreation.**

Where relevant, the restoration and aftercare of mineral sites should also seek to meet the following planning objectives:

- g) Create community benefits such as improving public access to the countryside, recreational facilities, blue and green infrastructure, and environmental education.**

- h) Ensuring that sites within aerodrome safeguarding zones take account of aviation safety.**
- i) Provision of climate change mitigation measures and / or facilitate adaptation to its effects.**

Where fully in accordance with relevant Local Plan policies the restoration of sites for economic purposes will be supported where coupled with a secondary after-use.

Why is this policy needed?

The NPPF requires worked land to be reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place. It states that in considering proposals for mineral extraction, MPAs should provide for restoration and aftercare at the earliest opportunity, to be carried out to high environmental standards, through the application of appropriate conditions.

Minerals are finite resources and as such mineral extraction is of a temporary nature. Restoration schemes should seek to provide high quality restoration outcomes and aftercare, including provisions for on-going management and maintenance where necessary, with restoration being undertaken in a progressive manner to ensure that land is reclaimed at the earliest opportunity to an acceptable and stable landform.

Historically, the emphasis in Rutland was to restore quarries to agricultural use however today there are a wide range of other beneficial restoration after-uses that can be achieved and that should be considered including:

- agriculture, or another form that supports the safeguarding the long-term potential of best and most versatile agricultural land and conserving soil resources,
- geodiversity,
- biodiversity and nature conservation,
- native woodland,
- forestry,
- water conservation and flood management measures¹¹ (e.g., flood attenuation),
- blue and green infrastructure and recreation uses,
- historic environment conservation and/or enhancement,
- environmental educational, and
- economic development.

The after-use(s) must not take precedent over the need to protect the environment or maintain existing environmental assets (including heritage assets).

¹¹ Pre-extraction run-off rates should not be increased through restoration schemes and where possible run-off levels should be reduced.

Sites should be restored in a sensitive manner that is sympathetic to the landscape character of the area and will enhance the site. The existing characteristics of the site (such as the agricultural value of the land prior to extraction, underlying geology, hydrology, topography), ecological linkages, blue and green infrastructure networks, setting within the local and wider landscape and built environment, together with the needs and requirements of the local community, will need to be taken into account when considering the most appropriate restoration after-use(s). Sites that sit within an area subject to a masterplan should be restored in a manner that reflects the desired outcomes of the masterplan.

Where mineral extraction occurs on land identified as best and most versatile agricultural land, it is not necessarily predetermined that the site be restored back to agricultural use, but it is important that the land is restored (and as part of the long-term aftercare) to a condition where it retains its longer-term capability and retains a high-quality resource for the future.

Mixed-use restoration schemes can maximise beneficial outcomes and are encouraged. For example, where sites are restored to agricultural use opportunities for increasing the biodiversity value of the land should be incorporated, for example field margins, hedgerows, ponds, beetle banks and small woodlands. Careful management and monitoring may be required where there is potential for conflict arising from the proposed uses e.g., recreational and nature conservation uses.

The restoration of mineral extraction sites should provide a net-gain in biodiversity of at least 10%, as required by the Environment Act (2021) and, where possible, integrate into the forthcoming Nature Recovery Network, a national network of wildlife-rich places. Where appropriate, restoration should contribute towards the aims of the Leicester, Leicestershire and Rutland Biodiversity Action Plan (LLRBAP), creation and management of BAP priority habitats, priority species conservation, and objectives of the Lincolnshire and Rutland Limestone Strategy and forthcoming Local Nature Recovery Strategies (LNRS)

Restoration of mineral extraction sites may also provide opportunities to create features that can facilitate adaptation to the effects of climate change and/or help mitigate the impacts such as flood management measures (e.g., sustainable drainage systems and flood attenuation), creation of carbon sinks, enhancing ecological networks to facilitate species adaptation and movement, etc.

Restoration schemes incorporating large areas of open water or types of wetland habitat have the potential to attract large and flocking bird species increasing the potential threat of bird strike to air traffic. Ministry of Defence (MoD) aerodromes are protected against heightened bird strike risk within statutory bird strike safeguarding zones. These identify a circular consultation zone radiating eight miles around aerodromes in which the MoD is consulted upon the development of mineral works and other forms of development that may create an attractant to birds. Rutland is

covered by the statutory bird strike safeguarding zones that protect the main operational bases of Kendrew Barracks (previously RAF Cottesmore) and RAF Wittering. Restoration schemes within these zones should be designed to ensure that take account of aviation safety.

Planning applications for mineral extraction must include a restoration scheme that demonstrates that the overall objectives of the scheme are practically achievable, including: identification of restoration outcomes and afteruse(s); evidence to layout and design plans as necessary; details of how restoration is to be achieved; key stages / phasing and timeframes of the restoration works; where the land is agricultural land, an assessment of the agricultural land classification grade; a landscape strategy; and an aftercare programme including where appropriate measures for long-term management, including monitoring. Site-specific assessments (such as landscape character, environmental capacity, ecological networks, flood risk, etc.) may also be required to accompany the restoration scheme. In order to achieve beneficial ecological outcomes landowners and operators may be required to enter into a legal agreement to undertake prescribed aftercare beyond the 5-year statutory period where necessary.

Temporary waste development is also expected to comply with Policy MIN9 (Restoration and Aftercare), in particular land raising or landfill sites are to be restored to a beneficial after-use and stable landform at the earliest opportunity and to high environmental standards.

What you told us about the topic

In Issue 11 of the Issues and Options consultation we asked you about managing the impact of mineral development. Most respondents (54%) wanted the plan to set out specific policies to guide the restoration/after-use of mineral workings. Respondents suggested restoration and after-use policies are aspirational and set a positive, proactive approach to meet high environmental standards and support opportunities for: green and blue infrastructure, integration into the nature recovery network, biodiversity net gain, reducing flood risk, safeguarding soil resources, mitigating, and adapting to climate change, and also leisure and recreation use. As a result of the consultation responses, Policy MIN9 sets out specific policies to guide the restoration/after-use of mineral workings that support high quality restoration outcomes and aftercare.

What alternatives have we considered?

Relying on higher-level national planning policy to guide the restoration/after-use of mineral workings.

Supporting evidence

Rutland Landscape Character Assessment 2003

Leicester, Leicestershire and Rutland Biodiversity Action Plan 2016
Lincolnshire and Rutland Limestone Strategy
Local Nature Recovery Strategy 2023

Which existing policies will be replaced by this policy?

MCS12 - Restoration

MDC12 - Restoration and aftercare

DRAFT

Chapter 11 – Infrastructure and Delivery

It is important that growth proposals are supported by appropriate new and upgraded infrastructure to ensure the best possible impact on the social, economic and environmental well-being of the county. The effectiveness of the growth strategy in this Local Plan is dependent on the delivery of the necessary infrastructure in the right location and at the right time.

Infrastructure can be separated into three main categories:

- physical infrastructure (such as highways, utilities and digital connectivity and public realm improvements)
- community infrastructure (such as schools, healthcare, adult social services, and cultural facilities); and
- green and blue infrastructure (such as play spaces, natural and semi-natural open space, and sports pitches, as well as other essential infrastructure such as flood mitigation).

Rutland County Council has adopted a Community Infrastructure Levy (CIL) which will be used to fund critical infrastructure improvements. Where appropriate, on-site Section 106 contributions for specific on-site infrastructure may also be required. Contributions payable by CIL and Section 106 are in addition to any normal development costs payable by developers to any utility company or other statutory authority. Utility companies and some service providers have their own funding mechanisms to improve services to address increased need from development. The Council will continue to work with partners to ensure that infrastructure is in place at the right time to support the growth set out in this Local Plan.

What will the policy do?

Policy INF1 provides clarity about when the Council will collect Community Infrastructure levy and /or use S106 obligations to secure infrastructure improvements for development proposals. The policy also reflects the national policy approach that development viability will only be considered in exceptional circumstances.

Policy INF1 - Infrastructure and connectivity

It is essential that all new development will be supported by the provision of the necessary infrastructure, services, utilities and facilities identified to meet the needs arising from new development in a timely way.

1. Planning applications for the following types of development will be subject to the application of Community Infrastructure Levy (CIL) in accordance with the adopted CIL Charging Schedule:

- **Residential development**
- **Storage and Distribution (B8)**

- **Food Retail (Supermarkets)**
 - **Retail Warehouses**
2. **The detailed site-specific mitigation schemes/contributions included in the development principles to be included in individual site allocation policies are required and expected to be included as part of the site development costs. Development proposals should make provision for all the land required to accommodate any additional infrastructure arising from the development on site;**
 3. **In exceptional circumstances development may be of a scale or nature which creates a requirement for additional new or improved on-site infrastructure. In such cases, developers will be required to provide the additional requirement, to the agreement of the Council in collaboration with the relevant service provider. This will be secured through Section 106 in accordance with the relevant national tests.**
 4. **New residential and commercial development will be supported if sufficient infrastructure capacity is either available, or can be provided in time to serve the development;**
 5. **Consideration will be given to the likely timing of infrastructure provision for large allocated sites which require the provision of a range of significant infrastructure projects to mitigate the impact of development. As such, the delivery of development may need to be phased, either in time or geographically, to ensure the related provision of infrastructure in a timely manner. Conditions or a planning obligation may be used to secure this phasing arrangement.**
 6. **Where a S106 agreement is required, the Council will require the payment of a monitoring fee, which will be secured through Section 106 and agreed between the Council and developers.**

Infrastructure schemes that are brought forward by service providers will be encouraged and supported where they are in accordance with other policies in the Local Plan.

CIL, together with the policy requirements in this plan and assumed S106 contributions have been assessed as being viable for the development types and sites allocated in this plan, therefore it is assumed that all development proposals will be viable.

The Council will follow national guidance (set out in NPPG) to determine the exceptional circumstances where a site-specific viability appraisal might be accepted. Where this is accepted the viability assessment should be prepared in accordance with the approach set out in national planning guidance and will be made publicly available. Independent verification of the viability assessment will be sought by the Local Planning Authority and the cost of this

work will be borne by the applicant. The Council will determine how much weight it gives to the viability assessment in each case.

Green and Blue Infrastructure and waste management infrastructure are covered by separate policies within this plan.

Rutland's Infrastructure Priorities

The Council has identified the following strategic priorities for infrastructure provision or improvements within the county to deliver and support the growth set out in this Local Plan:

- **Priority One: A Special Place**
Investment in highways, heritage and Culture and public realm. Community grant scheme to support community proposals
- **Priority Two: Sustainable Lives**
Investment in waste and recycling services and facilities and the implementation of the Bus Services Improvement Plan
- **Priority Three: Healthy and Well**
Investment in improvements and increased health provision and in adult social care to support the care and independence of county's residents
- **Priority Four: A county for everyone**
Investment in the provision of services for early years, children, and young people and promoting the delivery of affordable housing. Work with Police and Fire and Rescue services to invest in ensuring Rutland remains safe and welcoming.
- **Priority Five: A Modern and Effective Council**
Investment in optimising the use of assets to provide value for money and support future service delivery and the county's strategic priorities

These priorities will be used by the Council to determine how CIL funds are spent. It is important to recognise that developer contributions alone will not meet the full costs of necessary infrastructure improvements. Therefore, additional funding sources and mechanisms will need to be identified.

Why is this policy needed?

One of the core planning principles set out in paragraph 16 of the National Planning Policy Framework (NPPF) is that planning should drive and support sustainable economic development, and this includes the delivery of infrastructure. Paragraph 20 requires that Local Plans should include strategic policies for the provision of transport infrastructure, telecommunications, waste management, water supply, wastewater, and flood risk. The council should work with other authorities and infrastructure and service providers to assess the quality and capacity of this infrastructure and take account of the need for strategic infrastructure within their areas.

The policies and proposals in the Local Plan are key to the delivery of the local plan vision. However, it is important to recognise that other factors and processes will also influence this, including other organisation's plans and strategies and investment by

the public, private and voluntary sectors, individuals, and businesses. Ultimately, it is the investment of individuals, developers, businesses, residents, and other organisations which deliver new development, economic growth and implement many of the Local Plan's policies. It is therefore important that the Local Plan provides clarity about what is required to deliver growth in a way which benefits the wider community.

The term 'infrastructure' in its broadest sense means any service or facility that supports Rutland and its population. It includes, but is not restricted to the following:

- Transport: highways, rail, bus, cycling, and pedestrian,
- Education: nursery and pre-school, primary, secondary, further, higher, and adult education.
- Energy: gas and electricity generation and provision.
- Water: supply, wastewater and surface water drainage, flood defences and flood risk management.
- Information and communications technology: telecommunications, broadband and cable television.
- Health: hospitals, health centres/GP surgeries, dental practices, pharmacies and hospices.
- Green/blue Infrastructure and open space: amenity green space; children's play areas, outdoor sports playing pitches; parks and gardens; natural and semi natural green space; and allotments,
- Emergency services: police, fire service and ambulance.
- Community services: libraries and community centres,
- Waste management: refuse collection and disposal, recycling.

The draft Local Plan has been prepared alongside a draft Infrastructure Delivery Plan (IDP). The Draft IDP is the first stage in the process of planning for infrastructure and identifies the infrastructure required to sustainably meet the overall level of growth proposed in the Local Plan over the plan period. The draft IDP gives a broad overview of the way certain infrastructure is planned and the agencies involved in its delivery. The draft IDP provides a baseline for a more detailed IDP to be prepared to support the next version of the Local Plan. This will identify specific infrastructure projects together with costings and likely funding mechanisms, in particular those that are critical to delivering the growth proposed in the Local Plan.

The detailed IDP will include an infrastructure list identifying the key infrastructure needed to support individual sites and growth proposals. This will be used by the Council to consider the prioritisation of funding from CIL towards critical and essential infrastructure.

The council is commissioning technical experts to meet an agreed programme to develop the detailed IDP following consultation on this draft version of the plan and through the early part of 2024 to ensure that it considers the final scale of housing and employment and the specific site allocations. The detailed IDP will be published alongside the Regulation 19 submission Local Plan.

The infrastructure list identifies infrastructure requirements and the timescales for delivery, together with an indication of the estimated costs, sources of funding and delivery partners. The Council recognises that resources are limited and there may be a need to prioritise funding and delivery of infrastructure over the plan period. By prioritising infrastructure requirements, it is possible to identify where fundamental constraints to growth and viability are, which may require early “pump priming”, therefore preventing development being unduly stifled.

A variety of agencies are responsible for delivering infrastructure, and work is underway by service providers to identify future requirements and deliver infrastructure requirements to enable development over the plan period. The Local Plan policy and the IDP focus on infrastructure provision, which is critical to delivering the new Local Plan, in particular those which may require public funding or developer contribution.

Consultation with utility and service providers responsible for the delivery of infrastructure and other services has been ongoing through the preparation of the Local Plan. Service providers usually have their own future plans and in general these are for different timeframes to the Local Plan, often only covering 3 to 5 years ahead. Where they are available these plans have provided information on currently known planned infrastructure improvements and likely new infrastructure needed to support the delivery of level of growth proposed. The Council will continue to engage with service providers to update the evidence base on infrastructure and additional requirements as they become known.

The IDP provides the opportunity to appropriately align the work of partner organisations and service providers such as water and energy provision by utility companies, the County Council’s own highways, education, and social services and healthcare provision by NHS Integrated Care Board (ICB) for Leicester, Leicestershire and Rutland and for Lincolnshire. The Council and partners will work with Local Enterprise Partnerships and Homes England to secure both direct funding and recoverable finance for infrastructure projects where appropriate. We will also work with infrastructure and service providers to align their strategies and investment plans to the Local Plan.

The Council will continue to work with all its partners involved in the delivery of development and infrastructure to establish a shared understanding of investment priorities and ensure that the risk to delivery is mitigated or addressed at an early stage.

The overall context for public funding in recent years has been one of reducing budgets and an increased reliance on competitive funding and the private sector to deliver services and new infrastructure. At the same time, the ability of development to contribute to infrastructure can be limited by viability constraints. The viability of development types has been considered in light of all of the policy requirements included in the draft Local Plan, through a Whole Plan Viability Study 2023.

The Whole Plan Viability Study considers the viability of a range of types of development proposals included in the plan alongside the cumulative impact of the

policies requirements included in the Local Plan together with CIL. Its purpose is to ensure that cumulatively, the policy requirements together with CIL do not jeopardise the viability of development and therefore put the strategy at risk of being delivered.

Green and blue infrastructure and waste management infrastructure are covered by separate policies within this plan. The Council has prepared a Blue and Green Infrastructure Strategy (2023), which deals with the provision of these types of infrastructure in more detail.

The provision of infrastructure, particularly that which involves the movement of people, vehicles, or water across the county and its administrative boundaries, have been discussed through the duty to cooperate with neighbouring and county authorities. These discussions will actively continue to ensure that the impact of growth is appropriately mitigated.

The capacity of existing infrastructure and the ability of that infrastructure either with or without new or expanded facilities to accommodate development has formed a fundamental part of developing the spatial strategy and distribution of development in this Local Plan.

Community Infrastructure Levy and Developer Contributions

In March 2016 the Council adopted a Community Infrastructure Levy (CIL) to help meet the needs for additional community infrastructure.

CIL payments are required for the four categories of development for which it is deemed viable in Rutland, as listed below. The Council will calculate the amount of CIL payable (“chargeable amount”) in respect of a chargeable development in accordance with Schedule 1 of the CIL regulations 2010 (as amended). This means that payments are determined by the net increase in floor space multiplied by the CIL rate which is index linked from the base rate set on 1st March 2016 as follows: The CIL Charging schedule came into force on 1st March 2016.

Table 7

Type of Development	2016 CIL rate	CIL rate 2023 (based on 2016 rate plus indexation* m²)
Residential development**	£100 per m ²	£130.51
Storage and Distribution (B8)	£10 per m ²	£13.05
Food Retail (Supermarkets)	£150 per m ²	£195.77
Retail Warehouses	£75 per m ²	£97.89

* The index used is the National All-in Tender Price published by the Build Cost Information Service (BCIS) on 1 November for the preceding calendar year. From 1 January 2020, the index is the RICS CIL Index published on or around 1 November

each year to apply 1 January the following year. The CIL rates will be index linked from the base year (March 2016) to the date when permission is granted.

** Residential development includes new dwellings and annexes of any size and domestic extensions with a floorspace of 100m² or greater.

Other developments are not deemed viable to pay CIL. The CIL regulations determine that development which is self-build (including housing, residential annexes and house extensions) may be eligible for exemption from CIL subject to the required forms being submitted and the conditional criteria being met. The CIL regulations also determine that most forms of social housing/affordable homes are also able to claim relief from CIL. There are other forms of residential development that the County Council has determined to be not sufficiently viable in Rutland to pay CIL. This means that residential care homes and other residential institutions do not pay CIL.

Full details of the Council's CIL Charging Schedule can be viewed on the Council's website.

In addition to CIL, the Council has a need to secure affordable housing. Developer contributions are required to help deliver the need in Rutland for affordable housing. The Council's affordable housing policy and supporting text is set out in Policy H7. Further supporting detail is set out in a Planning Obligations Supplementary Planning Document (SPD) adopted in January 2016.

The Planning Obligations SPD also addresses the need for site specific infrastructure or other planning obligations to be applied where such a requirement accords with national policy tests on necessity (for example, without which planning permission should not be granted). The SPD will need to be reviewed once the Local Plan has been adopted.

Site specific development principles will be included in the Regulation 19 Local Plan for each allocated site. These requirements will be derived from the site assessment process, input for specialist advisers and where applicable from this consultation. It is assumed that the development principles for allocated sites will be provided on site as part of the normal development costs.

What you told us about the topic

In the Issues and Options consultation, we asked you about funding options for infrastructure improvements (Question 59) and 42% of respondents said we should develop a priority plan for new and improved infrastructure based on an assessment of need (critical, necessary, and desirable) and timing. The IDP will do this.

You also told us that the overall prioritisation of infrastructure should be as follows:

1. Healthcare
2. Affordable Housing
3. Schools
4. Public transport
5. Open space

6. Leisure facilities
7. Cultural facilities
8. Road improvements

You also largely agreed (88% of respondents) that the new Local Plan should include development requirements for each allocated site.

What alternatives we have considered?

The following locational strategies have been considered:

- focus new growth in a single location where infrastructure investment can be concentrated, such as in a new settlement or a major urban extension and
- focusing new development on areas where there is existing capacity or certainty about the delivery of infrastructure improvements, although in reality there is capacity for different facilities in different places.

Supporting Evidence

Infrastructure Delivery Plan (Draft) 2023
Waste Management Needs assessment
Water Cycle Study 2023
Whole Plan Viability Assessment 2023
Green and Blue Infrastructure Strategy 2023
Rutland health inequalities plan
Staying healthy partnership plan

Which existing policies will be replaced by this policy?

CS7 – Delivering socially inclusive communities
CS8 – Developer contributions
CS23 - Green Infrastructure, open space, and recreation
CS25 - Waste management and disposal
SP14 - Telecommunications and high-speed broadband
SP28 - Waste-related development

Sustainable Travel

The Council's challenge is to take a co-ordinated approach across all modes of transport, whilst recognising the individual access requirements of specific development proposals. Better use of existing transport infrastructure and the provision of new infrastructure will be required which is safe and well designed for multiple transport modes. In some cases, this will need to be provided across the county boundary, which will require joint working with the surrounding local highway authorities, National Highways and the transport providers.

It is recognised that improving accessibility and providing realistic alternatives to car travel in a rural area like Rutland is particularly challenging. Residents without access to a private car can be isolated and have significant issues in accessing employment, education and training as well as other services and facilities. Therefore, the location of new development can have significant impact on achieving sustainable patterns of travel and accessibility.

Walking and cycling can have wide ranging benefits, from reducing congestion and pollution from exhaust emissions, to contributing to the improved health and physical fitness of the population. Walking and cycling can also play an important role in multimodal journeys in combination with other sustainable travel modes, such as bus and rail services. Rutland is an attractive place to walk and cycle and has a network of safe and accessible routes.

What will the policy do?

Policy INF2 provides the highways authorities requirements for achieving sustainable, safe and accessible development proposals and cover the full range of modes of travel. The policy also set out the requirements for parking, ensuring that the needs of future travel technologies can be met and promoting Active Travel choices through improvements to the cycling and walking network.

Policy INF2 sets out where a Travel Plan, Transport Assessment or Transport Statement will be required.

Policy INF2 – Securing sustainable transport

New development which will have an impact upon the county's transport network will be expected to meet the following criteria:

- a) meet the requirements of Rutland's latest Local Transport Plan and its supporting documents;**
- b) give priority to a range of transport choices for the movement of people and goods;**
- c) minimise the distance people need to travel to shops, services and employment opportunities;**

- d) include a range of appropriate mitigating transport measures, including travel plans, aimed at improving transport choice and encouraging travel to work and school safely by public transport, cycling and walking;**
- e) give priority to active travel solutions through the delivery of an integrated walking and cycling network, connecting new developments to essential services and neighbouring communities.**
- f) make adequate provision (where appropriate) to put in place or improve bus routes, services and passenger facilities serving the county, and to put in place or improve rail facilities in Oakham including bus, pedestrian and cycle links to the rail station. Developers should refer to the county Council’s Passenger Transport Strategy when considering such provisions;**
- g) enable opportunities to respond to changing transport technology and usage, through the lifetime of the proposal; and**
- h) provide adequate levels of car parking in line with Council’s published car parking standards at Appendix 5**
- i) proposals for all non-residential development will be required to submit a Travel Plan to show how the developer will minimise the impact of the development on the road network.**
- j) Commercial, mineral extraction and waste proposals will also be expected to demonstrate how they:**
- k) support opportunities for sustainable freight movement by rail where possible and other alternatives to road-based transport; and**
- l) support sustainable transport movements and minimise the potentially adverse impacts associated with heavy goods vehicle movements on the community, environment and road network including the need for significant minerals and waste development proposals to prepare a transport assessment and site transport plan.**

Major development proposals and proposals for non-residential development must be supported by a Transport Assessment or Transport Statement, which includes a travel plan, setting out how the proposal addresses all of the criteria above.

Active Travel

What will the policy do?

The policy requires sustainable forms of transport to be integrated into the design of new developments and connectivity to and from development and existing built-up areas to be a key component for the layout of development. Consideration must be given to the quality of the walking and cycling environments to ensure routes are safe, legible and attractive, connecting well into the existing public rights of way network and to facilities such as bus stops. Development layouts must be fully accessible and be designed to encourage walking and cycling by providing direct routes following future and existing desire lines. Details of how these requirements complement principles of design are covered in policy SC3

Proposals should take account of points of conflict with vehicular traffic, severance issues and the need for other pedestrian and cyclist accessibility improvements, providing end to end consideration of journeys for all users.

Policy INF3 - Walking and Cycling

Development proposals should facilitate active travel by incorporating appropriate measures within the design and layout of proposals which give priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of high-quality pedestrian and cycle routes and green corridors, linking to existing routes and public rights of way, wherever opportunities exist. Developers should refer the County Council's Local Cycling and Walking Infrastructure Plan, once adopted (anticipated to be September 2023);

Applications should demonstrate how they will:

- a) create well designed, safe and convenient access for all both into and through the site, giving easy access and permeability to adjacent areas;**
- b) protect, maintain and improve existing infrastructure, including closing gaps or deficiencies in the network;**
- c) provide high quality attractive routes that are safe, direct, legible and pleasant and are integrated into the wider network;**
- d) ensure the provision of appropriate information, including signposting and wayfinding to encourage the safe use of the network;**
- e) encourage the use of supporting facilities, especially along principal cycle routes;**
- f) make provision for secure cycle parking facilities in new developments and in areas with high visitor numbers;**
- g) consider the needs of all users through inclusive design.**

Why are these policies needed?

The NPPF sets out the importance of sustainability in relation to transport, in particular the need to ensure developments that generate significant movements are located where the need for travel will be minimised and the use of sustainable travel can be maximised. It also requires that transport issues should be considered from the earliest stages of plan making, the planning system should actively manage patterns of growth in support of the transport objectives in the NPPF, and it sets out transport requirements to be taken into account in the development of planning policies.

The Council will use Government publication 'Manual for Streets'¹ and the Design Manual for Roads and Bridges (DMRB) which contain guidance on highway design and traffic management issues encouraging the shift away from motorists towards pedestrians, cyclists and public transport and controlling vehicle speeds through the layout of the development.

¹ [Government Guidance – Designing and modifying residential streets 'Manual for Streets'](#)

The Government's policy on car parking standards requires local authorities to set standards for their area, taking account of local circumstances. Policy INF2 Criterion h) sets out that new development should provide an adequate level of car parking in line with the Council's published car parking standards which are on the Council's website.

The Council's role as the highway and planning authority is central to meeting the Council's strategic objectives. This is primarily guided by the Council's Local Transport Plan (LTP4) and other strategies which will include a Local Cycling and Walking Improvement Plan (LCWIP) and a Sustainable Modes of Travel Strategy (SMOTS) which are expected to be approved later this year. The Spatial Strategy is designed to reduce need to travel by car through locating development proposals in the most accessible locations. This includes allocating sufficient land to meet the majority of the county's housing and economic development need in and around the towns.

The Council's challenge is to take a co-ordinated approach across all modes of transport, whilst recognising the individual access requirements of specific development proposals. Better use of existing transport infrastructure and the provision of new infrastructure will be required which is safe and well designed for multiple transport modes. In some cases, this will need to be provided across the county boundary, which will require joint working with the surrounding local highway authorities, National Highways and the transport providers.

It is recognised that improving accessibility and providing realistic alternatives to car travel in a rural area like Rutland is particularly challenging. Residents without access to a private car can be isolated and have significant issues in accessing employment, education and training as well as other services and facilities. Therefore, the location of new development can have significant impact on achieving sustainable patterns of travel and accessibility.

Rutland's fourth Local Transport Plan (LTP4) 2019. This runs through to 2036 and sets out the overall strategy and some of the delivery arrangements for transport across the county. The vision of LTP4 is to deliver a transport network and services that:

- facilitate delivery of sustainable population and economic growth;
- meet the needs of our most vulnerable residents; and
- support a high level of health and wellbeing (including combating rural isolation).

To help deliver this vision and provide access to services, the County Council as local highway authority will utilise the contributions arising from new development and supplement, where possible, through other funds, improvements to:

- the local highway network,

- walking and cycling infrastructure (including those identified within the County Council's Local Cycling and Walking Infrastructure Plan – once developed),
- public transport infrastructure and services; and
- voluntary and community transport initiatives.

The Council will continue to work in partnership with Network Rail and the Department of Transport to improve passenger rail provisions and facilities serving Rutland.

Active travel is a government initiative focussed on getting more people to walk and cycle for short journeys instead of relying on cars and public transport. This is a way of improving the health and fitness of communities across the country and improving air quality by reducing congestion and carbon emissions in urban areas.

Opportunities to promote active travel are limited by the rural nature of Rutland. However, active travel solutions may be the answer to some issues of isolation and rurality for parts of Rutland. The focus on promoting walking, cycling, and public transport use will apply within the towns and surrounding settlements and within new development: the allocated sites represent significant opportunities in this respect. In turn, such a focus contributes to the management of levels of traffic generated by new development, creating safer road spaces, good air quality and physical activity. It is important that active travel solutions are considered as part of the early design stage of development proposals to ensure that routes are appropriately located, enhance connectivity and are properly designed and constructed.

Active Travel routes for cycling and walking have a key role to play in connecting new development to the wider transport network, accessing services and facilities, and promoting low-cost sustainable, healthy travel in the county. Furthermore, Rutland is ideally placed to take advantage of the increase in popularity of walking and cycling holidays. The continued development of an accessible green-blue infrastructure network of footways, cycleways, public rights of ways (PROW) and green spaces in the county will support tourism, promote healthy living and encourage walking and cycling.

There is also recognition that technology, and the most appropriate ways to take advantage of it, is rapidly developing and is likely to start to impact on transport over the plan period (for example, driverless technology, etc.). The Council will therefore encourage technological development in transport to meet the needs of effective transportation methods, and to improve the wellbeing of residents and businesses. This will include seeking to 'future proof' access networks and using innovative smart solutions.

The Council will work with industry to promote sustainable transport movements of minerals and waste and encourage alternatives to road-based transport in order to reduce adverse impacts on communities and the environment. Planning applications for mineral and waste development will be expected to show that alternatives to

road-based options for transporting minerals and waste have been considered, for example rail, conveyor, pipeline and water.

However, it is acknowledged that the majority of mineral and waste produced in Rutland is transported over relatively short distances, with alternatives to road transport being limited apart from those relating to Ketton cement works. Potential adverse effects of traffic generated by mineral developments should be minimised, particularly in relation to effects on local communities, the environment and the local road network. The Council may also seek mitigation measures to control the impact of road haulage by controlling the operation of minerals sites through routing agreements, output limits, hours of operation, etc. as appropriate. All significant proposals will be expected to prepare a transport assessment and a site transport plan. The transport plan will act to supplement and underpin transport related conditions attached to the planning consent. Such a requirement would, however, only apply to new sites or extensions or where there is a proposal to increase lorry movements at existing sites.

What you told us about the topic

The Issues and Options consultation explored a number of options for promoting sustainable travel in Rutland. These options recognized that as rural county, a reliance on private car journeys is inevitable. 21% of the respondents supported an approach which continued a dispersed pattern of development which direct development to the most sustainable locations or the option to focus new development on areas where there is existing capacity or certainty about the delivery of infrastructure improvements (26% of respondents). Support was also shown for developing a priority plan for new and improved infrastructure based on an assessment of need and timing. The IDP will provide this.

Comments were also made about encouraging the use of a range of sustainable travel options and the inclusion of policies to actively promote sustainable travel, and policies to improve walking and cycling connections.

What alternatives have we considered?

To include policies which actively discourage the use of private cars.

Focus development in a single location where the benefits of infrastructure investment can be concentrated.

Supporting Evidence

Local Transport Plan 4 (2019)

Local Cycling and Walking Improvement Plan (2023)

Which existing policies will be replaced by this policy?

CS18 – Sustainable transport and accessibility