

## **PRE-SUBMISSION LOCAL PLAN REGULATION 19 REPRESENTATION RESPONSE BOOKLET**

### **Guidance Note**

These notes are intended to assist you in making representations to Rutland County Council's Pre-Submission Local Plan. At this stage of consultation, the Council is seeking views on whether the Local Plan is legally compliant and meets the tests of 'soundness', as set out in the National Planning Policy Framework (NPPF), and summarised in the boxes below.

#### **Legal Compliance**

- The Local Plan should have been prepared in accordance with the Council's latest Local Development Scheme.
- The Local Plan should be accompanied by a Sustainability Appraisal and Habitat Regulations Assessment.
- Consultation on the Local Plan should have been carried out in accordance with the Council's Statement of Community Involvement.
- The Council should have worked collaboratively with neighbouring authorities and prescribed bodies on strategic and cross boundary matters, known as the Duty to Cooperate.
- The Local Plan should comply with all relevant laws including the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012.

#### **Soundness**

- **Positively prepared** - provides a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.
- **Justified** - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
- **Effective** - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.
- **Consistent with national policy** - enabling the delivery of sustainable development in accordance with the policies including the National Planning Policy Framework.

#### **General Advice**

- This booklet has four parts:
  - Part A – Contact Details
  - Part B – Your Representation
  - Part C – Future Notifications and Privacy Notice
  - Part D – Other Monitoring Information
- You must provide your contact details within Part A of this booklet. We are unable to accept anonymous representations. The name of respondents and the representations made will be made available on the Council's website. Personal information such as telephone numbers, addresses, and email addresses will not be published. By submitting a representation you confirm your agreement to the publication of your name and consultation response.
- Please do not include any personal information within Part B of this booklet. All comments submitted as part of this consultation will be made publically available in reports and online.

- Comments which are deemed to be unlawful or discriminatory will be inadmissible and will not be accepted. We would ask that you avoid the use of such comments when making your representations.
- You will need to fill in a separate Part B for **each representation** that relates to a different part or issue of the Local Plan. This booklet contains five sets of questions in Part B for you to make five separate representations. Should you wish to make more than five separate representations please use additional booklets.
- You should be as concise as possible when making your comments.
- Where there are members of a group who share a common view on the Local Plan, a single representation will be sufficient. In such cases the group should indicate how many people it is representing and how the representation has been authorised.
- Responses must be received by the Council no later than 4.15pm on Friday 9th October 2020.

## **Part A – Contact Details**

**Please tick as appropriate:**

- Responding as an individual (complete section 1)
- Agent responding on behalf of a client (complete sections 1 and 2)
- Responding on behalf of an organisation (complete section 2)

<b>1. Individual/Client Details (Please complete in block capitals)</b>	<b>2. Organisation/Agent Details (Please complete in block capitals)</b>
Title <input type="text"/>	Title <input type="text" value="MR"/>
First Name <input type="text"/>	First Name <input type="text" value="KEN"/>
Last Name <input type="text"/>	Last Name <input type="text" value="SIDDLÉ"/>
Address Line 1 <input type="text"/>	Job Title/Dept <input type="text" value="CHAIRMAN"/>
Line 2 <input type="text"/>	Organisation <input type="text" value="WING PARISH COUNCIL"/>
Line 3 <input type="text"/>	Address Line 1 <input type="text" value="VILLAGE HALL"/>
Line 4 <input type="text"/>	Line 2 <input type="text" value="MORCOTT ROAD"/>
Postcode <input type="text"/>	Line 3 <input type="text" value="WING"/>
Tel. No (Daytime) <input type="text"/>	Line 4 <input type="text" value="OAKHAM RUTLAND"/>
Email <input type="text"/>	Postcode <input type="text" value="LE15"/>
	Tel. No (Daytime) <input type="text" value="01572 737675"/>
	Email <input type="text" value="ks14@cam.ac.uk"/>

## **Part B – Your Representation**

Important note: You must complete a separate Part B for **each representation** that relates to a different part or issue of the Local Plan. Part B contains five sets of questions for you to make five separate representations. Should you wish to make more than five separate representations please use additional booklets.

### **Representation 1**

#### **1. To which part of the Pre-Submission Local Plan does this representation relate?**

Paragraph Number	
Policy Number	<b>SD2 Spatial Strategy for Development</b>
Table Number	
Figure Number	
Appendix	
Policies Map Reference	

#### **2a. Do you consider the Pre-Submission Local Plan to be legally compliant?**

Yes

No

#### **2b. If you responded no, please provide an explanation below (See Guidance on Page 1)**

*(Continue on a separate sheet if necessary)*

##### **Not Proven**

In making these representations Wing PC believes that RCC have not followed the legal requirements at a number of junctures but since the burden of proving illegality would require either professional advice or a substantial number of Freedom of Information Requests and possibly a legal challenge to the concept of RCC withholding information related to such requests on grounds of 'commercially sensitive information', the more realistic response is Not Proven.'

**3a. Do you consider the Pre-Submission Local Plan to be sound?**

Yes

No

**3b. If you consider the Pre-Submission Local Plan to not be sound, please select which test(s) of soundness this relates to? (See Guidance on Page 1)**

- |   |   |
|---|---|
| <input type="checkbox"/> Positively prepared  | <input checked="" type="checkbox"/> Justified                       |
| <input checked="" type="checkbox"/> Effective | <input checked="" type="checkbox"/> Consistent with national policy |

**3c. Please provide an explanation below.**

**Policy No. SD2 Spatial Strategy for development**

The Spatial Strategy is unsound for three reasons. It is not appropriate when taking account of clear alternatives and is therefore **not justified**; it is **not effective** given the questions over the deliverability of SGB and lastly it does not achieve sustainable development in accordance **with national policy (NPPF)**

1.1 WPC believe that by entering into a Memorandum of Understanding (MOU) with the Ministry of Defence (MOD) RCC committed the Council to promote the development of St George's Barracks (SGB) in 2017 and thereby went on to promote it through the Regulation 18 consultation in 2018 without the required sustainability appraisal. This order of process is contrary to national planning guidance that evidence needs to inform the plan rather than be collected retrospectively ([Paragraph: 037 Reference ID: 61-037-20190315](#)). This was not the case with the previous Regulation 18 consultation in 2017, which was broadly supported by the community as it maintained the long standing spatial strategy of expanding the main towns (Uppingham and Oakham) and allowed the Local Service Centres and Small Service Centres (such as Wing see below) to continue to grow. This spatial strategy had been fully supported by a sustainability appraisal.

1.2 Wing Parish Council had strongly supported the principle that Wing should be designated as a Small Service Centre in the existing Local Plan and this policy has since been reinforced by the consultation of residents in the process of developing a Neighbourhood Plan for the parish. Wing Parish Council's Draft Neighbourhood Plan Housing Policy Statement (reflecting views expressed in a questionnaire to which more than 50% of residents responded) states:

"New housing development will be supported if:

- It constitutes gradual expansion over the next five to fifteen years of around no more than 13 homes in total,
- Such developments are generated in small sites of no more than 11 homes, preferably smaller scale infill sites within the existing areas of settlement, or sites contiguous with the present development boundary,
- Such homes meet the expressed needs: affordable to rent, part buy, or purchase outright; are of 1,2,3 and 4 bedrooms; and cater for the young family, the elderly (including downsizing), and those with more specific/special needs through flexibility/adaptation,
- Such new homes meet the locational 'settings' reference check and design criteria set out within the Wing Design Guide as a means of protecting existing architectural character, heritage settings, defined green and communal spaces, together with rural outlooks,
- Such new or materially changed homes generated through the conversion/extension of existing buildings (residential and non-residential) also meet the locational 'settings' reference check and design criteria set out within the Wing Design Guide,

- All such developments help to improve existing facilities through the application of capital contributions (Section 106 Agreements/Development Levies etc.) being applied to defined Wing Parish facilities agreed through the Neighbourhood Plan/Parish Council processes,
- In the absence of capital contributions to improve existing local facilities all such developments provide validated evidence of there being no detriment to existing facilities infrastructure and services.”

1.3 The parish believes strongly that maintaining a healthy and socio-economically balanced community requires affordable housing for the young and downsizing alternatives for the elderly, both to address current shortages and to meet future needs. The move away from the ‘Small Service Centre’ designation in the current draft plan without any justification can only be explained by the overarching desire by the RCC (in liaison with the MoD) to promote the unsustainable allocation of housing to SGB above all other alternatives. Clearly the strategy has not been “shaped by early, proportionate and effective engagement between plan makers and communities etc.” as required in the NPPF, para 16. Furthermore, there were over 1500 responses to the 2018 consultation on SGB, the vast majority objecting to the scale of the proposed allocation to SGB. The Council has thus chosen to promote a new settlement without the support of their local community, **contrary to national policy** (NPPF, para 72)

1.4 The move away from the 2017 spatial strategy, in the manner pursued by RCC, clearly runs counter to the principles of sustainable development. The current Sustainability Appraisal (SA) acknowledges that development on the edge of existing settlements is more sustainable and is consistent with national policy in that placing a higher level of growth adjacent to existing larger settlements is more sustainable and effective. The bias of promoting SGB when sustainable alternatives exist is **not justified** when this strategic development is not in an accessible, suitable location; not located where need is identified; too small to be self-contained and will undermine the viability of existing town centres. The only justification offered is the re-use of previously developed land which is primarily driven by the MoD’s declared objective to maximise its financial return on disposing of an imminently redundant former airbase in open countryside. While the NPPF does state that policies should maximize the use of brownfield land in meeting development needs (para 117) it qualifies this in footnote 44 by stating “except where this would conflict with other policies in the NPPF”. The SGB proposal falls short on many of the factors needed to support a sustainable development; that is in limiting the need to travel, providing genuine alternatives to the car, meeting housing needs sustainably and supporting the viability of existing town centres (NPPF para 85 refers).

1.5 The NPPF is clear that significant development should be focused in locations which are or can be made sustainable, by limiting travel requirements and offering a genuine choice for alternative modes of transport to the private car (NPPF para. 103). The Local Plan proposes that over half of the total housing allocations are to be located at SGB and this will create a more unsustainable spatial pattern of development within the County than exists today. The current SA notes that higher growth in the larger towns of Oakham and Uppingham is more likely to support the use of sustainable transport modes.

1.6 A review of the two Transport Assessments - Aecom produced in April 2018 and Campbell Reith November 2018 - was commissioned from Bancroft Consulting Ltd, Highway and Transportation Consultants, by Fight 4 Rutland and financially supported by Wing and Empingham Parish Councils. This study found that little had been done in either study to substantiate any meaningful sustainable transport proposals contrary to the requirements of para 108 of the NPPF. Bancroft states in para 3.2.7 ... *this is a rural site that is remote from any real choice of employment and leisure opportunities. Beyond the current settlements, the existing infrastructure offers little or no suitable provision for journeys to be made by walking, cycling, or public transport. Both assessments make it clear that the existing infrastructure does not offer a reasonable choice of non-car transport modes for the proposed development and a comprehensive overhaul of facilities must be demonstrated to support delivery of the site...* This study goes on to conclude in para 4.3

*...The technical submissions presented in support of this major site allocation adopt an overly simplistic approach to sustainable travel, .... The suggestion is that this will be a self-contained scheme where people will walk or cycle to local villages, yet no provision is identified for supporting infrastructure improvements. This is vital as not only will the delivery of this infrastructure have significant cost implications (and obvious viability concerns) but, perhaps more importantly, the provision of footways and street lighting etc necessary to make conditions safe will have a major environmental impact on this sensitive rural area. To support this allocation, significant further evidence must also be provided to demonstrate how the likely demand for commuting to areas much further afield will be addressed, with a strategy for serving the site by both local and strategic public transport services that offer true options and choice of transport modes.*

1.7 Bancrofts' detailed assessment of likely traffic flows out of SGB using the Nomis 2011 Census data clearly demonstrates that the majority of traffic movements for employment, shopping and entertainment will be to destinations outside of the SGB development. This mirrors the consensus of evidence found in the recent study published by Garden Villages and Garden Towns: Visions and Reality (Transport for New Homes, June 2020), which examined many examples of this type of development and concluded that the majority became large scale commuter housing estates with little or no sustainable transport infrastructure.

1.8 Furthermore the detailed review undertaken by Highgate Land Development of HDH's Viability Assessment, also commissioned by F4R and supported by Wing PC, seriously questions the financial viability of the SGB proposals (see H2 St Georges Barracks representation).

1.9 It is Wing PC's concern that the imposition of a new town one and half times greater in size than Rutland's second town Uppingham will have overwhelming consequences in terms of environmental impact on the local rural landscape and will generate excessive amounts of traffic movements which will inevitably spill out onto the network of narrow country lanes as commuters seek out short cuts to destinations across the sub region. The adequacy of these key SGB proposals within the proposed Local Plan therefore fails in terms of **Justification, Effectiveness, and Compliance with the National Planning Policy Framework.**

**4. Please set out the modification(s) you consider necessary to make the Pre-Submission Local Plan legally compliant and/or sound, including any revised wording.**

*(Continue on a separate sheet if necessary)*

To make the spatial strategy truly sustainable SGB should be removed from the allocation and growth directed towards Oakham and Uppingham and the Local and Small Service Centres as proposed in the 2017 Draft Plan Local Plan. The estimation for windfalls could be increased by at least 200 dwellings over the plan period (see representation to H1). The 650 'gifted' dwellings to South Kesteven District Council, at Quarry Farm, Stamford North, should also be brought back into the Rutland County Council allocation count as they represent a far more sustainable development than SGB, such development land straddling the RCC/South Kesteven boundaries, and being an extension to an existing urban area and a town (Stamford), enjoyed by the Rutland population for services, facilities and employment. (see representation to H4).

**5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?**

- No, I do not wish to participate at the oral examination  
 Yes, I wish to participate at the oral examination

**6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

*(Continue on a separate sheet if necessary)*

**Please note:** It is the Inspector that will determine the most appropriate way to hear those who have indicated that they wish to participate at the oral examination.

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## Representation 2

### 1. To which part of the Pre-Submission Local Plan does this representation relate?

Paragraph Number	
Policy Number	<b>H1 - Sites for Residential Development (Housing Supply – Overall Buffer)</b>
Table Number	
Figure Number	
Appendix	
Policies Map Reference	

### 2a. Do you consider the Pre-Submission Local Plan to be legally compliant?

Yes

No

### 2b. If you responded no, please provide an explanation below (See Guidance on Page 1)

*(Continue on a separate sheet if necessary)*

#### **Not Proven**

In making these representations Wing PC believes that RCC have not followed the legal requirements at a number of junctures but since the burden of proving illegality would require either professional advice or a substantial number of Freedom of Information Requests and possibly a legal challenge to the concept of RCC withholding information related to such requests on grounds of 'commercially sensitive information', the more realistic response is Not Proven.'

**3a. Do you consider the Pre-Submission Local Plan to be sound?**

Yes

No

**3b. If you consider the Pre-Submission Local Plan to not be sound, please select which test(s) of soundness this relates to? (See Guidance on Page 1)**

- Positively prepared  Justified
- Effective  Consistent with national policy

**3c. Please provide an explanation below.**

**H1 - Sites for Residential Development (Housing Supply – Overall Buffer)**

2.1 The Plan proposes a housing requirement of 2,340 and total supply of 2,942 – an over provision of 602 units (see table 2 of the Plan) This represents an oversupply of 25% which is not justified or consistent with national policy

2.2 This practice is evidenced by the unsupported argument and lack of transparency. It leads to an oversupply figure of 25% which is not argued as a special case and therefore sits outside of both the accepted norms of reasonable 'buffer' (5 – 10%), and a transparent case of 'exceptional circumstance' as might be permitted by NPPF (para 60) in validating deviation from the standard method of assessment.

2.3 The attempted obfuscation related to seeking to improve 'affordability' through oversupply is an argument that is not substantiated by evidencing an exceptional case and is not therefore supported by current data.

2.4 Furthermore, it is not clear on what basis the plan assumes a windfall allowance of 20 units per annum from 2021 onwards (a total of 300 units for the plan period). The Council's draft Windfall Study (2017) considered likely sources of supply for windfalls until 2036. In this document, historical trends identify an average of 46 units per annum, yet the Council has cautiously concluded 34 dwellings per annum (dpa) is reasonable. Even at 34 dpa this would result in over 200 units more to the supply in the plan period than is now anticipated. It is clear from the background papers, that a combination of 'windfall development' and 'overall buffer' have been used as a form of reconciliation to shoe-horn the late entry of the St. George's Barracks proposed scheme residential housing figures into the housing requirement target figures.

**4. Please set out the modification(s) you consider necessary to make the Pre-Submission Local Plan legally compliant and/or sound, including any revised wording.**

*(Continue on a separate sheet if necessary)*

The housing land supply against the housing requirement should be reduced to a more appropriate buffer through the partial or full removal (in combination with other proposed modifications) of St Georges' Barracks

**5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?**

- X No, I do not wish to participate at the oral examination  
 Yes, I wish to participate at the oral examination

**6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

*(Continue on a separate sheet if necessary)*

**Please note:** It is the Inspector that will determine the most appropriate way to hear those who have indicated that they wish to participate at the oral examination.

## Representation 3

### 1. To which part of the Pre-Submission Local Plan does this representation relate?

Paragraph Number	
Policy Number	<b>Policy H2 - St George's Barracks</b>
Table Number	
Figure Number	
Appendix	
Policies Map Reference	

### 2a. Do you consider the Pre-Submission Local Plan to be legally compliant?

Yes

No

### 2b. If you responded no, please provide an explanation below (See Guidance on Page 1)

*(Continue on a separate sheet if necessary)*

#### **Not Proven**

In making these representations Wing PC believes that RCC have not followed the legal requirements at a number of junctures but since the burden of proving illegality would require either professional advice or a substantial number of Freedom of Information Requests and possibly a legal challenge to the concept of RCC withholding information related to such requests on grounds of 'commercially sensitive information', the more realistic response is Not Proven.'

**3a. Do you consider the Pre-Submission Local Plan to be sound?**

Yes

No

**3b. If you consider the Pre-Submission Local Plan to not be sound, please select which test(s) of soundness this relates to? (See Guidance on Page 1)**

- |   |   |
|---|---|
| <input type="checkbox"/> Positively prepared  | <input checked="" type="checkbox"/> Justified                       |
| <input checked="" type="checkbox"/> Effective | <input checked="" type="checkbox"/> Consistent with national policy |

**3c. Please provide an explanation below.**

The proposed allocation of St George's Barracks is **not justified** because it does not take account of reasonable alternatives, **not effective** because there are serious questions on the viability of development and **not consistent with national policy** because it does not achieve sustainable development. (See representations SC2 made in relation to the spatial strategy).

3.1 The failure of the plan to take account of reasonable alternatives, demonstrating that the allocation of SGB is **not justified**, has been covered in the representations in SD2 Spatial Strategy but it is clear from the two studies commissioned by Fight 4 Rutland and supported by Wing PC to review both the Viability Appraisal and the Transport Assessments that there is a serious lack of evidence to justify SGB.

3.2 The review of the two TA's (April 2017 and November 2017) by Bancroft Consulting shows that there is little evidence in those TA's to support the delivery of sustainable transport opportunities. The TA's rely on only one traffic survey carried out in the week 5th to 11th October 2017 and a further survey done on 15th November 2018. Both surveys fail to pick up the tourist season and the five busiest months of the year. The evidence is further weakened as Bancroft points out (para 3.8) ... *the proposed trip rates presented within the Transport Assessment are drawn from sites that have well established infrastructure and, in many cases, are within established major towns or cities. If these are to be relied upon within the assessment then the Transport Assessment must demonstrate a clear and comprehensive strategy for delivering adequate levels of bus services and other supporting infrastructure to ensure car travel is not the 'go-to' mode for any journey to or from the site.*

Bancroft goes on to state ... *The Transport Assessment appears to rely on the limited network of existing footways and footpaths to accommodate pedestrian trips throughout the surrounding area. This is overly simplistic and shows no consideration of any journeys that need to be made during inclement weather conditions or through periods of the year when darkness occurs for much of the morning and evening periods. Ensuring the needs of these users is met will be vital to delivering a sustainable development.*

3.3 SGB is envisaged as being a 'garden village' but given the total quantum of development proposed it is unlikely to be of sufficient size to have a reasonable level of self-containment; other larger garden settlements expect to be in the range of 5 to 7000 dwellings and recent research has shown they are failing to achieve self-containment and end up becoming commuter estates. The recent study Garden Villages and Garden Towns: Visions and Reality (Transport for New Homes, June 2020), undertook detailed analysis of 20 new garden communities. This research showed that there was an enormous gap between garden community visions and reality. The study concluded that the problems were primarily building in the wrong location and around the wrong kind of transport. The document concludes that, rather than being supported by sustainable transport, garden communities will become car-based commuter estates.

3.4 Indeed, no evidence provided to date suggests the SGB development will be anything other than a car based commuter estate. What particularly concerns Wing Parish is that none of the TA's consider in any detail the impact and effect on the wider road network, a network comprising many minor single carriage-way lanes and country roads.

3.5 Bancroft's report as highlighted above questions the validity of the trip rates used in the TAs and they do not appear to consider a commuting scenario. Specifically, the network of roads radiating out from the SGB site are predominantly minor roads with the majority single track country lanes. The single track lane from Wing up through Lyndon to join the Edith Weston to Manton road is already increasingly used as a short cut for those wishing to access Uppingham and the A6003 to Corby and Kettering together with the A47 to Leicester. This single track route is used by all types of vehicles and the winter damage to the road verges is evident in the photographs taken in winter 2019-2020. (See Appendix 1 at the end of this booklet) The minor road from Manton through Wing to Morcott is already heavily used as a cut-through between Oakham and the east-bound A47, including by heavy vehicles accessing the Manton Station industrial site.

3.6 The impact of SGB traffic will be considerable and the added damage to the network of minor roads will increase proportionally. The safety of these country lanes, used by many walkers and cyclists, will be greatly reduced and their recreational enjoyment greatly diminished. The increased traffic flows will also have serious detrimental impact on the quality of life in the all the adjacent villages, given their road configurations, including Wing and Lyndon.

3.7 The Plan is **not effective** because SGB is not deliverable. The Viability Appraisal prepared for RCC by HDH confirms that the SGB site is not viable without a very large injection of HIF funding (29.4m) which to date has not been approved by Council. Fight 4 Rutland with the support of Wing Parish Council has commissioned Highgate Land Development to review the Viability Appraisal and their initial report finds weaknesses in the supporting evidence.

3.8 The report states in para 3.14 the following:

- *There are several strategic issues with HDH's findings that cast the viability (and hence deliverability) of the SGB site, and therefore the Draft Local Plan, into doubt, as follows:*
- *The Local Plan viability documents do not allude to whether the HIF funding will make the site viable (as this is not viability tested by HDH).*
- *If the HIF funding is not secured, the viability gap for the SGB site would increase significantly, based upon HDH's Draft Local Plan viability evidence base.*
- *Even if the HIF monies are secured, there is still likely to be a significant viability gap, and if the strategic infrastructure estimate of **£55 million** increases significantly, the viability gap would increase further.*
- *The detailed evidence provided by URS (now AECOM) justifying the **£107 million** of infrastructure costs, and how HDH have arrived at a reduced figure of **£55 million**, is not detailed in the Strategic Site Note. This is a critical assumption which cannot be explored further based upon the information provided in the viability evidence base to date. This is a key shortcoming of the Draft Local Plan viability evidence base, as it will be critical to ensure that both the assessment of the **£107 million** infrastructure requirements, and HDH's adjustments to it, are robust.*

3.9 The lack of clarity in justifying the assumed £55m of infrastructure costs should also be taken in conjunction with the uncertainty as to what the HIF funding actually covers. The known fact is that £16-17m is supposed to cover the cost of clearing the site of asbestos polluted buildings. The full breakdown of the infrastructure costs has been withheld for what is said to be 'commercial reasons'. In addition there is no evidence that stakeholders and the housing industry have been consulted, and any house sale search would quickly reveal that the new settlement

will adjoin a 30m deep limestone quarry operating for 20-30 years. The financial viability of the site looks sketchy and doubtful.

3.10 HLD's review goes on to point out that HDH does not appear to have considered the viability of delivering the 14 hectares of employment land proposed within the SGB development and quotes from an Employment Strategy prepared by BBP Regeneration para 4.5 that: *This is a high level analysis which indicates on a stand alone basis there is an apparent market failure on financial viability grounds*.

3.11 The report goes on to state in para 4.7 and 4.8: *... it follows from HDH's previous findings that it is unlikely that the 14 hectares of employment land would be viable, and hence if HDH had included employment uses within their viability assessment of the SGB site, the viability of the proposed allocation would be significantly worse (and hence the viability gap would increase further). This calls into further doubt the overall viability and deliverability of the SGB (as the requirement to deliver less viable employment uses will further impact on development viability). Similarly, it is likely that a local centre would be included as part of the wider employment offer in order to serve the convenience retail and leisure needs of new residents, albeit that none of these lower value uses are viability tested (which again will paint an over-optimistic picture of development viability).*

3.12 Both of these key non viability points further reinforce the evidence that the Garden Community at SGB will not be a self-contained new town providing onsite employment, shopping, secondary education facilities and entertainment facilities but rather it will be a large commuter housing estate generating large quantities of traffic movements radiating in all directions across Rutland.

3.13 There are key shortcomings in the viability studies informing the Local Plan, as it appears to be inconsistent with the approach set out in the revised PPG (particularly after it was updated in **July 2018**) to 'front load' the assessment of viability to the plan making stage. The Plan is therefore **not effective or consistent with national planning policy**.

3.14 The greater part of St Georges Barracks site is recognised as an important wildlife site which is defined in the Leicestershire and Rutland Biodiversity Action Plan as a priority habitat as it is the largest area of Limestone grassland habitat in Leicestershire and Rutland. A recent survey confirmed it to be an increasingly important site for a wide range of migratory birds, and containing a diverse range of native mammals and flora. It is interesting to note that while the proposed Local Plan shows a large number of 'Candidate Local Wildlife Sites' this site is conveniently not included (see Local Plan Main Map and inset 64). Whilst the proposed policy provides for mitigation, as stated elsewhere in these representations there are alternative options to meet Rutland's housing needs which would not destroy important wildlife sites. The proposal is therefore **not consistent with national planning policy and not justified**.

**4. Please set out the modification(s) you consider necessary to make the Pre-Submission Local Plan legally compliant and/or sound, including any revised wording.**

*(Continue on a separate sheet if necessary)*

The existing allocation of SGB should be deleted. RCC should reconsider its options for alternative sustainable urban extensions together with alternative small scale housing development for a part of the SGB site consistent with the scale of growth for its existing surrounding villages and infrastructure.

**5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?**

- X No, I do not wish to participate at the oral examination  
 Yes, I wish to participate at the oral examination

**6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

*(Continue on a separate sheet if necessary)*

**Please note:** It is the Inspector that will determine the most appropriate way to hear those who have indicated that they wish to participate at the oral examination.

## Representation 4

### 1. To which part of the Pre-Submission Local Plan does this representation relate?

Paragraph Number	
Policy Number	<b>H4 - Cross Boundary Development Opportunity – Stamford North</b>
Table Number	
Figure Number	
Appendix	
Policies Map Reference	

### 2a. Do you consider the Pre-Submission Local Plan to be legally compliant?

Yes

No

### 2b. If you responded no, please provide an explanation below (See Guidance on Page 1)

*(Continue on a separate sheet if necessary)*

#### **Not Proven**

In making these representations Wing PC believes that RCC have not followed the legal requirements at a number of junctures but since the burden of proving illegality would require either professional advice or a substantial number of Freedom of Information Requests and possibly a legal challenge to the concept of RCC withholding information related to such requests on grounds of 'commercially sensitive information', the more realistic response is Not Proven.'

**3a. Do you consider the Pre-Submission Local Plan to be sound?**

Yes

No

**3b. If you consider the Pre-Submission Local Plan to not be sound, please select which test(s) of soundness this relates to? (See Guidance on Page 1)**

- Positively prepared  Justified
- Effective  Consistent with national policy

**3c. Please provide an explanation below.**

**H4 - Cross Boundary Development Opportunity – Stamford North**

4.1 The allocation of 650 houses at Quarry Farm is part of the development of Stamford North, which is a logical sustainable urban extension to Stamford. There is no objection to the principle of the allocation of Quarry Farm which lies in RCC's administrative area, however, WPC strongly object to the Plan's proposal that the allocation would solely meet the housing requirement of neighbouring South Kesteven District Council (SKDC).

4.2 It is clear from the background papers, or in this case the lack of them within the public consultative domain, that the proposed scheme at Quarry Farm, Stamford North, whilst potentially an acceptable site for the sustainable urban extension of Stamford within the previously defined Housing Market Area, it did not feature within that HMA assessment as necessary in terms of a 'gift' under the 'Duty to Co-operate' of unit allocation from Rutland County Council to SKDC in order to enable them to achieve such a scheme.

4.3 Nor did such 'gifting' transparently appear, within Rutland County Council public consultation documents on its earlier Local Plan iterations, as a joint venture urban extension of Stamford, involving both land and allocations straddling the respective authorities' borders. SKDC has a recently adopted Local Plan which fully meets its own needs and includes an over provision of 18% it is therefore not justified nor in accordance with national policy to gift these housing units to SKDC when its needs are already met.

4.4 Both positions suggest that the objective in so far as Rutland County Council is concerned was more about juggling allocations in the interests of St. George's Barracks, the option of 650 sustainable houses at Quarry Farm has been excluded from the spatial strategy assessments in order to facilitate the proposal of the unsustainable development at SGB .

4.5 Furthermore, RCC in allocating units of development to Quarry Farm in addition to their default in that regard (they were unneeded by SKDC and there was no duty thereby to cooperate), they had also defaulted in not posing and consulting on the option to allocate some of those 650 units to those villages (Small Service Centres- SSC) that in the 2017 Local Plan were considered to warrant some development. The result was that they then moved those villages into the 'no development category' (Small Villages) within a revised 'Settlement Hierarchy' in an opaque manner and without explicit transparent consultation. This directly affects Wing a previously designated Small Service Centre and a village through its emerging Neighbourhood Plan process that has stated its desire to continue a process of limited natural growth. ( see representation SD2 para 1.2)

**4. Please set out the modification(s) you consider necessary to make the Pre-Submission Local Plan legally compliant and/or sound, including any revised wording.**

*(Continue on a separate sheet if necessary)*

Quarry Farm should contribute towards meeting the housing needs of Rutland rather than South Kesteven and those Small Service Centres which wish to maintain the principle of limited natural growth in order to maintain a balanced social and demographic structure should be reinstated as SSC's.

**5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?**

- X No, I do not wish to participate at the oral examination  
 Yes, I wish to participate at the oral examination

**6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

*(Continue on a separate sheet if necessary)*

**Please note:** It is the Inspector that will determine the most appropriate way to hear those who have indicated that they wish to participate at the oral examination.

## Representation 5

### 1. To which part of the Pre-Submission Local Plan does this representation relate?

Paragraph Number	
Policy Number	
Table Number	
Figure Number	
Appendix	
Policies Map Reference	

### 2a. Do you consider the Pre-Submission Local Plan to be legally compliant?

Yes

No

### 2b. If you responded no, please provide an explanation below (See Guidance on Page 1)

*(Continue on a separate sheet if necessary)*

**3a. Do you consider the Pre-Submission Local Plan to be sound?**

Yes

No

**3b. If you consider the Pre-Submission Local Plan to not be sound, please select which test(s) of soundness this relates to? (See Guidance on Page 1)**

Positively prepared

Justified

Effective

Consistent with national policy

**3c. Please provide an explanation below.**

*(Continue on a separate sheet if necessary)*

**4. Please set out the modification(s) you consider necessary to make the Pre-Submission Local Plan legally compliant and/or sound, including any revised wording.**

*(Continue on a separate sheet if necessary)*

**5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?**

- No, I do not wish to participate at the oral examination
- Yes, I wish to participate at the oral examination

**6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:**

*(Continue on a separate sheet if necessary)*

**Please note:** It is the Inspector that will determine the most appropriate way to hear those who have indicated that they wish to participate at the oral examination.

## **Part C – Future Notifications and Privacy Notice**

### **Future Notifications**

Please let us know if you would like us to use your details to notify you of any future stages of the Local Plan by ticking the relevant box(es):

- X Submission of the Local Plan to the Secretary of State for independent examination under Section 20 of the Planning and Compulsory Purchase Act 2004
- X Publication of the recommendations of the Planning Inspector appointed by the Secretary of State to carry out the independent examination
- X Adoption of the Local Plan by the Council
- X Future revisions to the Local Plan, new planning policies and guidance

### **How we will use your information**

We will use your details to contact you regarding your comments on the Local Plan consultation.

In submitting comments to this consultation we are also required, under The Town and Country Planning (Local Planning) (England) Regulations 2012, to notify you of when the independent examination will take place. We will use the contact details you have provided to do this.

**Please note:** At the end of the consultation period, all comments will be made public and will be submitted to the Secretary of State, who will pass them to a Planning Inspector, along with the Local Plan and other relevant supporting documents. Your comments and name will be published, but other personal information will remain confidential.

Your comments will be reviewed by the independent Planning Inspector appointed by the Secretary of State to carry out the independent examination for the Local Plan. You may be invited to discuss your comments at the oral examination if you have expressed a wish to do so.

If you chose not to provide your data for this purpose, or ask us to erase your data, you will be unable to participate in the Local Plan process.

If you would like to find out more about how the Local Plan Team at Rutland County Council use your personal data please go to <https://www.rutland.gov.uk/my-council/data-protection/privacy-notices/planning-policy/local-plan>.

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## **Part D – Other Monitoring Information**

We are asking for the following information so that we can ensure that the consultation has been accessible to everyone. We are required to do this by the Equality Act 2010. This is however an **optional** part of the form. Any personal data provided will not be published alongside your representation.

### **1. What best describes your gender?**

- Male  Female  
 Transgender  Prefer not to say

Prefer to self-describe:

### **2. What age group do you belong to?**

- Under 16 years  16-24 years  25-34 years  35-44 years  
 45-54 years  55-64 years  65-74 years  75+ years

### **3. Do you consider yourself to be a disabled person?**

- Yes  No

### **4. What is your sexual orientation?**

- Bi-sexual  Heterosexual  Gay  Lesbian  
 Prefer not to say

### **5. What is your religion?**

- None  Christianity  Judaism  Islam  
 Buddhism  Sikhism  Hinduism  Other  
 Prefer not to say

If other, please state:

### **6. What is your ethnicity?**

- White British  White Irish  
 Gypsy or Traveller  Travelling Showperson  
 Any other White background  Asian or Asian British: Bangladeshi  
 Asian or Asian British: Chinese  Asian or Asian British: Pakistani  
 Any other Asian or Asian British background  Black or Black British: African  
 Black or Black British: Caribbean  Any other Black or Black British background  
 Mixed: White and Black African  Mixed: White and Black Caribbean  
 Mixed: White and Asian  Any other background  
 Prefer not to say

If other, please state:

**Signature:**

**Date:**

Please return this form to Rutland County Council no later than **4.15pm** on **Friday 6th November 2020**:

**By Email:** localplan@rutland.gov.uk

**By Post:** Local Plan Team, Rutland County Council, Catmose House, Catmose Street,  
Oakham, LE15 6HP