**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.

# 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.

# 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.

**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 Councils 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 6th November 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)

☐

Title

First Name

Last Name

Job Title/Dept

Organisation

Address Line 1

Line 2

Line 3

Line 4

Postcode

Tel. No (Daytime)

Email

Title

First Name

Last Name

Address Line 1

Line 2

Line 3

Line 4

Postcode

Tel. No (Daytime)

Email

**2. Organisation/Agent Details (Please complete in block capitals)**

**1. Individual/Client Details**

**(Please complete in block capitals)**

**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.

**Chapter 8 Sustainable Communities**

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

|  |  |
| --- | --- |
| Paragraph Number |  |
| Policy Number | Policy SC1 – Delivering healthy, safe and inclusive communities |
| Table Number |  |
| Figure Number |  |
| Appendix |  |
| Policies Map Reference |  |

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

 Yes No

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X☐

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

*Under this policy, North Luffenham has been downgraded from a “local service centre” in the current, adopted LP to a Smaller Village in the LP Reg 19.*

*There was no consultation or notification on this change until it appeared in the S19 LP.*

*It is not clear as to why it was deemed necessary by RCC and believe that this will have a negative impact on the villages ability to influence or support the enhancement of local facilities for the benefit of local residents and limit the opportunity for natural development of the community*

**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)**

☐

X☐

 Positively prepared Justified

x☐

x☐

 Effective Consistent with national policy

x☐

☐x

*For North Luffenham at least this policy may not be sufficiently deliverable as a result of this change.*

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

**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.**

*RCC should fully consult on any revisions to the status of communities within the Local Plan, with an appropriate, full, evidence base for the decisions*

**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

x☐x

 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.

**Chapter 8 Sustainable Communities**

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

|  |  |
| --- | --- |
| Paragraph Number |  |
| Policy Number | Policy SC4 – Promoting Fibre to the Premise Broadband (FTTP) |
| Table Number |  |
| Figure Number |  |
| Appendix |  |
| Policies Map Reference |  |

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

 Yes No

x☐

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

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**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)**

☐

x☐xx

 Positively prepared Justified

☐

 Effective Consistent with national policy

x☐x

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*Policy SC3 - Promoting fibre to the premises broadband (FTTP):*

*This policy sets out an expectation that new development will be connected to FTTP. This is a potentially costly policy, particularly for developments away from the main residential centres in the County and has been modelled at a cost of £1,000/unit on sites adjacent to Oakham and Stamford and £4,000/unit elsewhere.*

*There is no evidence that it is deliverable in relation to developments in predominantly rural locations. This is particularly relevant in relation to the proposed SGB development. One recommendation relating to the evolving SGB Masterplan states that “It is recommended there be clarification that high-speed broadband Fibre to the Premises (FTTP) and 4G/5G will be in place from the start and will be future-proofed.” (https://www.stgeorgesrutland.co.uk/the-masterplan/recommendations/)*

*Additionally, this policy further states that “in exceptional cases, where it is demonstrated that FTTP is not practical, viable or feasible to deliver, the Council will consider the delivery of non-Next Generation Access technologies that can provide speeds in excess of 24Mbps as an alternative”. If this cost is to be borne by prospective developers, “exceptional circumstance” might include the financial viability of developing a site such as, but not exclusively, SGB. This would effectively locking rural communities into substandard, “old generation”, connectivity, reducing the ability of rural dwellers to work from home and reducing the viability of new and existing rurally based businesses. This is of particular relevance in relation to the long-term impacts of Covid-19 on working practices and the environmental benefits to be gained from reducing the need to travel.*

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

**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.**

*Policy SC3 should be amended to include reference to the fact that the financial viability of a particular site will not be regarded as “exceptional circumstances” to ensure that more isolated communities can benefit from the latest FTTP technology.*

*Greater emphasis should also be placed on improving 3G to 5G coverage across the County. In many villages like North Luffenham the signal is poor and unreliable yet can equally play a part in building sustainable communities and supporting businesses in those areas.*

**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

x☐x

 Yes, I wish to participate at the oral examination

x☐

**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.

**Chapter 8 Sustainable Communities**

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

|  |  |
| --- | --- |
| Paragraph Number |  |
| Policy Number | Policy SC4 – Developer Contributions |
| Table Number |  |
| Figure Number |  |
| Appendix |  |
| Policies Map Reference |  |

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

 Yes No

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x☐

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

*The Infrastructure Delivery Plan forming part of the Evidence Base for the Draft Local Plan outlines the items of Infrastructure that will be funded from Developer Contributions (CiL and Section 106)*

*There is no allowance or acknowledgement in the costings for the fact that Edith Weston has a Made Neighbourhood Plan, and North Luffenham has notified RCC of their intention to develop a Neighbourhood Plan.*

**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)**

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x☐xxx

 Positively prepared Justified

x☐

x☐

 Effective Consistent with national policy

x☐

x☐x

*Neighbourhood Plans entitle the local Parish Council to 25% of CiL developer contributions (uncapped)*

*RCC in their Infrastructure Delivery Plan have not allowed for the Parish Councils potentially differing priorities and spending and have seemingly allocated the entire CiL funding solely on their specific requirements.*

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

**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.**

*The Infrastructure Delivery Plan and Viability studies should acknowledge, and make allowances for, local Parish Councils potentially differing priorities and requirements.*

*The IDP and Viability studies be revisited to take this into account*

**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

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 Yes, I wish to participate at the oral examination

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**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.

**Chapter 9 Minerals and Waste**

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

|  |  |
| --- | --- |
| Paragraph Number |  |
| Policy Number | Policy MIN1 – Spatial Strategy for minerals development |
| Table Number |  |
| Figure Number |  |
| Appendix |  |
| Policies Map Reference |  |

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

 Yes No

x☐x

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

**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)**

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x☐

 Positively prepared Justified

x☐

x☐

 Effective Consistent with national policy

x☐

x☐

*Policy MIN1 - Spatial strategy for minerals development…*

*For Policies MN1 and MN2 industry has confirmed that the cement Area of Search (AoS) is sufficient to secure 15 years stock. It is noted that preference would be given to proposals for extraction from that part of the cement AoS identified in the SGB Masterplan.*

*There should be more certainty established regarding the viability and, therefore, deliverability of the proposed SGB development along with clarity regarding the time frame for the development of the adjacent proposed quarry. The latter is likely to blight the site for many years as it will appear in local searches for prospective property and land purchases.*

*This blight will have a significant impact on the viability of the entire project as financial modelling has not, in our view, taken this negative impact on house prices into account.*

*There is also concern around the impact of the proposed quarry on the Grade 2 listed Thor Missile complex which is scheduled to become a local visitor attraction. The quarry is not compatible with the need to conserve these listed structures in their ‘original military context’ as set out in the evolving SGB Master Plan*

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

**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.**

*RCC should revisit the viability study on the SGB development to model the potential impact of the blight of the proposed quarry on the likely developer return*

**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

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 Yes, I wish to participate at the oral examination

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**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.

# 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

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

**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)**

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x☐

 Positively prepared Justified

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 Effective Consistent with national policy

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

**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.**

**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

☐x

 Yes, I wish to participate at the oral examination

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**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):

 Submission of the Local Plan to the Secretary of State for independent examination under Section 20 of the Planning and Compulsory Purchase Act 2004

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 Publication of the recommendations of the Planning Inspector appointed by the Secretary of State to carry out the independent examination

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 Adoption of the Local Plan by the Council

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 Future revisions to the Local Plan, new planning policies and guidance

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# 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/>.

**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

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 Transgender Prefer not to say

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Prefer to self-describe:

# 2. What age group do you belong to?

 Under 16 years 16-24 years 25-34 years 35-44 years

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 45-54 years 55-64 years 65-74 years 75+ years

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

 Yes No

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# 4. What is your sexual orientation?

 Bi-sexual Heterosexual Gay Lesbian

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 Prefer not to say

☐

# 5. What is your religion?

 None Christianity Judaism Islam

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 Buddhism Sikhism Hinduism Other

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☐

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☐

 Prefer not to say

☐

If other, please state:

# 6. What is your ethnicity?

 White British White Irish

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 Gypsy or Traveller Travelling Showperson

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 Any other White background Asian or Asian British: Bangladeshi

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 Asian or Asian British: Chinese Asian or Asian British: Pakistani

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 Any other Asian or Asian British Black or Black British: African
background

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☐

 Black or Black British: Caribbean Any other Black or Black British background

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☐

 Mixed: White and Black African Mixed: White and Black Caribbean

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☐

 Mixed: White and Asian Any other background

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 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