

RUTLAND REGULATION 19 - TAYLOR WIMPEY STRATEGIC LAND

Policy SS1 - Spatial Strategy

As is discussed further below, Taylor Wimpey object to policy SS1 on the basis that it is not positively prepared, it is unjustified and unlikely to be effective in meeting the housing need of the area.

Minimum Housing Figure

Policy SS1 as currently drafted sets out a requirement for 123 dwellings per annum (dpa) is delivered over the plan period from 2021-204, which is the minimum Local Housing Need (LHN) figure generated by application of the Standard Method. This is informed by a Strategic Housing Market Assessment (August 2023), as required by paragraph 61 of the NNPF, which considers whether there are exceptional circumstances to move away from the Standard Method figure. This analyses demographic trends and Census data and concludes (page 113) that:

*Overall, taking all of the evidence in the round, it is concluded the Standard Method housing need should be considered by the Council as **very much a minimum figure with a range of different projections typically (but not universally) pointing to a higher figure. The Council should therefore consider if it is reasonable and possible to exceed the Standard Method**, in doing so consideration will need to be given to factors other than just need (such as relating to land supply and infrastructure requirements).*

Despite this clear steer that a higher figure could be needed to, amongst other consideration address affordability issues in the area, the Council do not appear to have any given any proper consideration to the recommendations of their own evidence base, simply sticking to the minimum LHN figure. This is a particular concern given the Council are aware that there is an increase in the minimum requirement likely to be introduced by the revision to the Standard Method which will need to be factored into future iterations of the Local Plan. Therefore, by seeking only to provide the minimum LHN figure, Taylor Wimpey do not believe that the housing requirement in the Local Plan is justified and more work needs to be undertaken by Rutland County Council to establish whether a higher target should be incorporated into the Local Plan.

Setting this point aside, it should be noted that although the minimum housing figure of 123 dpa is consistent with the figure generated by application of the current Standard Method, it cannot be used to inform a housing requirement from 2021. The policy wording fails to reflect national policy by expressing 123 dpa as the requirement from 2021 – despite the figure being calculated using the latest affordability ratio, last published in March 2024. Prior to this point, the Standard Method figure was higher than 123 dpa, as noted in previous consultation material.

The Planning Practice Guidance (reference: Paragraph: 008 Reference ID: 2a-008-20190220) sets out that the housing figure should be kept under review and revised where appropriate, and is only fixed on submission for examination, where it can be relied on for two years.

This is important, as the Standard Method and the use of an up-to-date affordability ratio means that the housing requirement generated is forward looking, taking into account the impact of any under or over performance against previous housing requirements. By expressing the housing target from 2021, the Local Plan introduces an element of confusion by applying a forward projecting housing requirement to a period when it did not apply. This needs to be amended to make the plan consistent with national policy.

Settlement Hierarchy

Paragraph 11 of the National Planning Policy Framework states that “Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that: a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects.

As currently drafted Policy SS1 does not promote a sustainable pattern of development that seeks to meet the development needs of its area. Unlike the previous adopted Core Strategy, there is no defined settlement hierarchy in the Draft Local Plan. As stated in Rutland’s adopted Core Strategy ‘a settlement hierarchy is a useful approach to locating new development in a sustainable way, where local services will be available and the need to travel is reduced’. However, such an approach has not been used to inform the proposed strategy set out under Policy SS1 of the Draft Local Plan.

Currently the distribution and scale of development between the towns and villages is not based on a robust assessment of the accessibility of each settlement to facilities and service and where the need for housing is most acute. For example, Policy SS1 directs a quarter of the plans future housing growth to Quarry Farm, north of Stamford, a settlement which lies over the county boundary within South Kesteven and is not even identified with the current settlement hierarchy of the adopted Core Strategy.

Taylor Wimpey have significant concerns with the overall justification for the inclusion of Stamford North (Quarry Farm) as a site to help deliver the minimum housing need of Rutland.

As was expressed in our Regulation 18 representation, the implication of including Quarry Farm as a site to meet Rutland’s housing need is that the role of two main centres in Rutland, where the majority of the population live and the services and facilities are located, is downplayed.

Quarry Farm forms part of the wider Stamford North allocation, allocated in the South Kesteven Local Plan, adopted in 2019. The South Kesteven Local Plan sets out in table 2.16 that delivery of the housing requirement of the District assumes 650 capacity from the Quarry Farm to be considered within the Rutland Local Plan, in line with a Memorandum of Co-operation between South Kesteven District Council, Rutland County Council and Lincolnshire County Council.

The South Kesteven Local Plan was found sound on this basis with the Inspector clearly considering this issue in their report, setting out:

*17. A **key** strategic cross-boundary matter is the significant degree to which Stamford is encircled by neighbouring authorities (Rutland, East Northamptonshire and Peterborough). Reasonable options to sustainably expand the town to any appreciable degree within South Kesteven’s administrative boundaries are focused to the north. Delivering land to the north of Stamford would require adjoining land in Rutland’s administrative area to enable access and a comprehensive development as part of any wider ‘Stamford North’ urban extension. **Consequently, a development of 650 homes at Quarry Farm in Rutland is seen as part of meeting South Kesteven’s housing need through a sustainable strategic urban extension to Stamford.***

*18. Rutland County Council has included land at Quarry Farm as part of the wider Stamford North proposals in two initial consultations on the emerging Rutland Local Plan (RLP). Emerging Policies RLP3 and RLP13 are **unambiguous that development in this part of Rutland is a response to meeting South Kesteven’s housing needs through a comprehensive strategic extension to the town.** (our emphasis underlined).*

The Statement of Common Ground between South Kesteven and Rutland at January 2021 stated:

No more than 650 houses at Stamford North within the administrative area of Rutland County will contribute to South Kesteven’s housing requirements and not Rutland County’s’.

It is therefore clear that a key part of the South Kesteven strategy to meet their minimum housing need, was the allocation of land to at Quarry Farm in Rutland – and that this position was agreed with Rutland County Council upon the basis of justified and properly examined evidence.

Despite the South Kesteven Local Plan being examined (and found sound) on this basis, the two Councils have now sought to effect a change in position with a revised Statement of Common Ground (October 2023) (a copy of which was found on the internet as it does not form part of the Council's published evidence base - see later point) stating:

With regard to housing requirements and distribution, the development within each local authority area will contribute to each authority's housing needs (i.e., the proposed development of 1,350 dwellings within South Kesteven District Council would contribute to South Kesteven's housing needs and the proposed development of 650 dwellings with Rutland County Council would contribute to Rutland's housing needs).

No report or study is cited to support this dramatically changed position. It is unclear how this position can be justified given that it fundamentally conflicts the adopted strategy set out in the South Kesteven Local Plan and the product of the examination of that Plan. Whilst it may be expedient and ostensibly convenient for Rutland to seek to account for its housing number requirements in this way, this unwarranted change in position materially undermines the overall intentions set out in the South Kesteven Local Plan and its examined evidence base, as well the agreements that were in place when the Local Plan was examined.

The basis for the agreement is further questioned given that the latest five-year land supply report published by South Kesteven District Council, in the form of an Annual Position Statement (APS), examined by the Planning Inspectorate, was published in October 2023 (the same month as the Statement of Common Ground), lists Quarry Farm as part of South Kesteven's land supply. This APS remains the latest land supply position published by South Kesteven District Council, contradicting the position set out in the Statement of Common Ground.

The fact that South Kesteven District Council are objecting to the live application for 650 dwellings under consideration by Rutland Council for the site (Planning Committee Papers 5th December) on the basis that they want to see allocation /nomination rights within the legal agreement which ensure that the affordable housing provision within the site is allocated toward meeting the needs of Stamford in the first instance highlights that although they are signatories to the Statement of Common Ground, in practice, they recognise that any homes delivered at Quarry Farm will be meeting the needs of South Kesteven, reinforcing the points made above.

Moreover, South Kesteven are now in a position where they are likely to have to pause work on their new Local Plan given the significant uplift in the Local Housing Need (LHN) figure generated by the proposed revisions to the Standard Method (which increases to 912 from 697 dpa). This additional 215 dpa equates to 3,225 dwellings over a 15-year plan period, which will put additional pressure on them to find additional housing land. Given this position, and the fact that Stamford is one of the most sustainable settlements in South Kesteven where development should be focused, it could lead to a position where the new agreement between the authorities is required to change again (post adoption of the Rutland Plan). This has a clear prospect of occurring due to the logic of the needs of South Kesteven being significantly met by completions at Quarry Farm and the position taken by South Kesteven District Council on the live application, as noted above. It is also a realistic prospect given the alternative for South Kesteven would be to direct significant levels of additional development to less sustainable locations. If this were to happen, it would simply serve to reinforce the inconsistency in the Plan making process.

As noted above, the rationale behind the change in position is not set out anywhere in the Regulation 19 version of the Local Plan nor is it within any of the evidence base. We have had to search the internet to find a version of the Statement of Common Ground from October 2023, which should not be necessary, in any event. The NPPF (paragraph 27) sets out that:

*In order to demonstrate effective and on-going joint working, strategic policymaking 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. **These should be produced using the approach set out in national***

planning guidance, and be made publicly available throughout the plan-making process to provide transparency. (our emphasis underlined).

Taylor Wimpey's position is that the approach is far from transparent, and this undermines the Plan making process.

It should also be noted that the Planning Practice Guidance (PPG) (reference Paragraph: 020 Reference ID: 61-020-20190315) states that:

Authorities should have made a statement of common ground available on their website by the time they publish their draft plan, in order to provide communities and other stakeholders with a transparent picture of how they have collaborated. (our emphasis underlined).

Despite this position being clear, the Duty to Co-operate Statement makes no reference to the October 2023 Statement of Common Ground. The Duty to Co-operate Compliance Statement sets out that (paragraph 6.3 and 6.4)

Statements of Common Ground **will be prepared** with prescribed bodies and other stakeholders, where considered necessary by the Council, to support the examination of the Local Plan.

These will be published in due course as part of the library of evidence to underpin the Local as it proceeds through Examination. The Council will continue to jointly work with other neighbouring Authorities and prescribed bodies to ensure that it's duty to cooperate is met.

This statement confirms that the Council has not published the Statement of Common Ground with South Kesteven District Council as part of the evidence base at Regulation 19 stage, as would be required to satisfy the requirements of the NPPF nor the PPG, making the Local Plan unsound.

Notwithstanding concerns with the 'agreement' with South Kesteven, Taylor Wimpey also have a fundamental concern that no alternatives to including Quarry Farm as an integral part of the Local Plan have been considered. The Sustainability Appraisal shows that Quarry Farm is a 'constant' in all options with no alternatives considered in terms of either other sites around the town or in terms of directing the 650 dwellings to an alternative settlement(s). This is a particular concern when it is considered that the Council's evidence base does not include a full assessment of the Site or a comparison with any other alternatives (see comments on policy H1).

Without such an assessment, the Spatial Strategy fails the soundness test of being justified and having taken into account reasonable alternatives and a proportionate evidence base. It is also not positively prepared or effective given it will not deliver the housing needs of Rutland.

Change required

- Additional evidence and analysis is required to respond to the Strategic Housing Market Assessment conclusion that the Council should analyse whether it is reasonable and appropriate to exceed the housing standard method figure.
- Reset the housing requirement with a base date of March 2024 to reflect the latest affordability ratio data.
- Revisit references to the allocation of land at Quarry Farm contributing to meet Rutland's housing need, which contradicts the adopted South Kesteven Local Plan and undermines the examination of that Local Plan.
- Revisit the options for the spatial strategy and provide robust evidence as to why it is the most appropriate strategy when considered against reasonable alternatives.
- Provide clear and transparent evidence as to how Rutland and South Kesteven have worked together to address the issue of cross boundary growth at Quarry Farm.