

RUTLAND REGULATION 19 - TAYLOR WIMPEY STRATEGIC LAND

Policy H1 - Sites Proposed for Residential Development

We have made separate comments in relation to the overall Spatial Strategy which have addressed some matters which overlap with policy H1, particularly around Quarry Farm Stamford North) and the level of development that the Local Plan directs to Oakham (and Uppingham).

However, in terms of the sites proposed for residential development, Taylor Wimpey have a number of specific concerns and believe the approach of the Council is not justified.

Proposed Spatial Distribution of Development

Taylor Wimpey do not consider that the Council's evidence base justifies the distribution of development set out in policy H1.

In a similar vein to comments made in relation to the Spatial Strategy and the lack of consideration of alternative spatial strategies, at no point in the evidence base is any consideration given to setting out how the 'minimum requirement' is established for each settlement.

Historically, the matter was touched upon at Issues and Options stage, where question 13 set out a range of options from continuing the distribution of growth from the Core Strategy through to new communities. However, despite consulting on these options, at no point does it appear that the implications of the different options has been assessed, through the Sustainability Appraisal or otherwise.

At Regulation 18 stage, the preferred position appeared to be continuation of the adopted Core Strategy approach (i.e. 70% of all residential focused on Oakham/Uppingham), albeit only after the contribution from Quarry Farm has been taken into account, which significantly affects the level of need to be directed to the main towns. This approach, as opposed to alternatives, has not been considered, nor at any point has the implication of the decision to bring completions at Quarry Farm into Rutland's figures. This should have been a consideration given the significant impact it has on the overall spatial distribution.

At Regulation 19 stage, the proposed spatial distribution target for Oakham – the main town – has been reduced from that at Regulation 18 stage. This appears to coincide with an increase in the minimum requirements for Larger Villages, lower down the Settlement Hierarchy. This change is shown in the table below

LOCATION	PROPOSED TARGET SPATIAL DISTRIBUTION (REG 18)	MINIMUM REQUIRMENT (REG 19)
Oakham with Barleythorpe	925	820
Uppingham	514	514
Stamford North (Quarry Farm)	650	650
Larger Villages	514	620
Smaller Villages	102	100
Total	2705	2705

At no point is the decision to reduce the level of development directed to Oakham explained in the evidence base. The decision is therefore unjustified particularly as there is no indication in the evidence base that there are any material constraints to the level of housing that could be directed to the town. It is also not explained why the knock-on implication is a reduction in housing numbers directed to Oakham – for example why is the figure for Uppingham not reduced? It appears the distribution of development has been informed by an unjustified selection of sites for allocation, rather than any actual analysis of an appropriate distribution of development (as is discussed further below).

Overall, Taylor Wimpey consider that there is no obvious evidential basis for the approach adopted by the Council to the spatial distribution of residential development and that changes need to be made to ensure that the strategy can be found sound. These changes include removing reference to Quarry Farm meeting Rutland’s need and a redistribution of the 650 homes across the settlement hierarchy, with a focus on Oakham, the role of which has been significantly affected by the proposed approach of the Council.

Site Selection Process

A key concern is that the evidence base does not contain any explanation as to how the Council have selected the sites proposed for allocation. Whilst the evidence base contains a Site Allocation Assessment Report (2024) this does not provide any clarity as to how the allocations have been selected from those sites that have been assessed as being suitable for development, particularly around Oakham.

Taylor Wimpey have been promoting land South of Brooke Road, Oakham, referenced as OAK04 in the Site Allocation Assessment Report. In this report (Table 1 – Potential Housing Allocations) under the column ‘Reason Site Selected (or not) for allocation’, it is simply stated ‘large greenfield site. Site suitable for allocation’. This is the same conclusion for site OAK08 (Land at Stamford Road) which is selected for allocation (site reference H1.3 in policy H1) (see further analysis below).

Despite the sites having the same conclusion, at no point in the evidence base is it explained how a choice has been made between the sites as to which is to be allocated. This is a fundamental flaw in the Council’s evidence base and undermines the whole Local Plan, which cannot be found sound on the basis there is a complete lack of justification for the selection of sites for allocation.

Related to points made above, Taylor Wimpey consider that the Council’s unexplained decisions on site allocations has led the distribution of development, rather than the other way around.

The inclusion of site H1.3 (Whitwell Road South, Empingham) as a greenfield site at a larger village instead of maintaining a higher level of growth at the main town of Oakham is an example of this position. Instead of maintaining the 'proposed spatial distribution of development' for Oakham set out at Regulation 18 stage, the Council have chosen to uplift the level of development at the less sustainable larger villages – which appears to be simply because of the desire to allocate a site that would otherwise be outside the spatial strategy. This position is typical of the lack of justification and analysis of decisions made by the Council which undermine the soundness of the Local Plan. To be found sound, such decisions need to be assessed and the implications for the Local Plan fully understood.

The Housing and Employment Site Assessment Report (July 2024) suggests this was the intended process, setting out at paragraph 2.18:

The final stage in the site assessment process is to consider the scale of housing and employment land needed and to compare the sites considered suitable for allocation against one another in each particular settlement to establish which of those sites would be the best option to carry forward to allocation. The Local Plan will only allocate sufficient sites to meet the residual housing and employment need. For housing sites, the site assessment conclusion will specify whether the site is considered to be small (10 dwellings or less); medium (10 – 49 dwellings), large (50-250 dwellings) or Strategic (more than 250 dwellings) in scale.

The report goes on to state at paragraph 5.2:

If further sites are required to meet the number of new dwellings required, the remaining greenfield sites on the edge of settlements found suitable for allocation will be assessed against one another to establish which are the most suitable options on a comparative basis.

On review of this document, it does not appear to include any such analysis meaning that the decisions on allocations are unjustified, making the Local Plan unsound.

Further to this, and as addressed in more detail in our comments on the Sustainability Appraisal, it is unclear how the SA process has informed the selection of sites. Whilst there is analysis of each site, set out in Technical Appendix 2, there is no comparison of sites with the report. Indeed, as noted earlier in relation to the Spatial Strategy, all of the options considered in the Sustainability Appraisal assume certain sites and 'constants'. This includes site OAK04 promoted by Taylor Wimpey. Despite the last section of the Sustainability Report assessing the detail of the Regulation 19 plan, at no point is the decision to move away from the 'constants' explained or considered within the sustainability appraisal process. This is another fundamental issue with the Local Plan, with a lack of justification for the choices made.

The Sites

As already noted in relation to the Spatial Strategy, Taylor Wimpey have a fundamental issue with the allocation of Stamford North (Quarry Farm) as an allocation to meet Rutland's housing need. However, there are also a number of issues with the process the Council have undertaken to assess the suitability of the site for inclusion in the Local Plan.

Within the Sustainability Appraisal, the site is assumed to be a constant in all options. The decision to see the site as a constant in the Sustainability Appraisal is not justified other than to say that the site is needed to facilitate the comprehensive and sustainable development of the wider Stamford North allocation, which lies in South Kesteven.

Whilst this position is understood, it reinforces the points made earlier about the site being integral to meeting the needs of South Kesteven, rather than Rutland as is now proposed.

Setting this point aside, it is still important that the site is fully assessed on a comparative basis against the other sites that are reasonable alternatives for allocation in the Local Plan. Without such an analysis, the allocation of the site cannot be justified.

Whilst the Council have assessed the site, the assessment process reinforces the position that the site is only suitable because it forms part of the wider Stamford North allocation, with the part 2b) conclusion stating:

Allocation of this site would only be suitable if a comprehensive development comprising the wider area of land in SKDC as part of a comprehensive Stamford north is to be brought forward.

Whilst two concurrent applications are currently under consideration by the Local Authorities, the objection of South Kesteven District Council to the Quarry Farm application within Rutland's area, which raises issues with infrastructure provision and transport impacts amongst other points, demonstrates that, the site has not been progressed on a comprehensive basis to the satisfaction of both Local Authorities. The comments, and specifically the objection on the basis of South Kesteven District Council request allocation and nomination rights for the affordable housing, reinforces the intrinsic link between the site and the South Kesteven Local Plan which allocates the wider Stamford North site.

Despite the requirement for evidence to justify the allocation of sites, it is noted that there appear to be several holes in the assessment process. For example, the stage 2a) assessment sets out in relation to Landscape Sensitivity that the site is not covered by the assessment work. It is unclear how the suitability of a key site in the Local Plan land supply can be properly assessed if it is not covered by such an integral part of the evidence base.

The Stage 2a) conclusion also notes a number of other constraints that would normally rule the site out of consideration, including 50% coverage of a Local Wildlife Site and on-site priority habitat. However, the conclusion sets out that wider public benefit of access to unlock land in SKDC outweigh potential harm. Again, this reinforces the fact that the site is only being brought forward as an integral part of meeting the housing need of South Kesteven.

Overall, irrespective of wider concerns about the transparency of the process that has led to Rutland proposing homes delivered at Quarry Farm meeting their own need, Taylor Wimpey are of the view that the assessment process undertaken does not justify the inclusion of the site as an allocation if it were to be compared to other alternatives available.

H1.1 – Stamford Road, Oakham

As noted earlier, there is no evidence to suggest that the Council have undertaken any form of assessment that justifies including the Stamford Road site as an allocation in the Local Plan instead of the other alternatives, including Taylor Wimpey's site at Brooke Road, which was one of the other 'constant sites' in the Sustainability Appraisal report.

On review of the detailed site assessment work, it is noted that the site has a number of constraints including landscape (impact on important gateway into the town), heritage (setting of the adjacent conservation area), areas of surface water and fluvial flood risk and topography (slope down to ancient woodland to the south).

Whilst these constraints may, individually, not necessarily rule out development of the site, collectively, at the very least, they will have an impact on the capacity of the site. It is therefore unclear how the Council have jumped from a position where the site capacity is noted as 66 dwellings at the earlier stages of the consultation process (including Regulation 18 stage and throughout the Sustainability Appraisal process) to the site capacity being 94 at Regulation 19 stage – conveniently above the revised residual requirements for Oakham of 91 dwellings.

This point is reinforced by the fact that the site will need to deliver a 10% net gain in biodiversity on site. As a grassland site, this is likely to make it more difficult to deliver a 10% net gain on site, which will further limit the capacity of the site. No assessment of BNG appears to have been provided as part of the evidence base. Hence, it is unclear how this will be delivered on a site by site basis. For Stamford Road, Taylor Wimpey consider that its newly increased housing capacity cannot be justified until a BNG assessment has been undertaken to inform it. Without this, it is not considered that the policy will be effective in meeting the housing need of the area.

Notwithstanding the fact that Taylor Wimpey do not believe that there is any (or adequate) justification for the proposed distribution of development, this is a pertinent point as without the increase site capacity, which Taylor Wimpey consider

is unlikely to be deliverable, there will be insufficient development directed to Oakham to deliver the already watered down requirement for the town.

If it were to be retained in the Local Plan as an allocation, Taylor Wimpey are of the view that this should only be with a site capacity of 66 dwellings – a capacity which realistically reflects the constraints of the site. We do not consider that the higher capacity can be justified and if retained, will lead to an ineffective plan which is unable to deliver the spatial distribution of development expected in Oakham, making the Local Plan unsound. This could only be resolved by identifying additional housing sites for allocation in Oakham.

In addition to this point, as noted above in terms of the site assessment process, Taylor Wimpey would reiterate that they have seen no assessment as to how the Stamford Road site has been selected as opposed to alternative sites around Oakham, including their site at Brooke Road. Taylor Wimpey are aware a decision was made by the Rutland County Council Cabinet on 13th August 2024 when members considered that simply the level of objections raised in relation to the site at Regulation 18 stage justified the removal of the site OAK04 from the Local Plan. This was despite Officers setting out their recommendation to carry forward the allocations from the Regulation 18 version of the Local Plan and clarifying that removal of the site would impact on the spatial distribution of development and put the Local Plan at risk of challenge.

What Members or the Officers failed to consider in the process was the nature of any objections made to the Brooke Road site by members of the public. Comments primarily related to highway concerns – but the Local Highway Authority did not object to the allocation of the site, with the Council's own evidence base concluding that the site should be allocated. What members and officers should have done as part of a robust decision-making process would be to have been to analyse the comments received, take a view as to whether they made pertinent points that justified non-allocation of a site and taken this into account as part of a comprehensive and comparative assessment of alternative sites. This process should also have taken into account the benefits that could be delivered by the allocation of particular sites, which in the case of OAK04 would include onsite BNG of +10%, improvements to offsite car parking and a new school drop off car park. This process hasn't happened and therefore Taylor Wimpey do not believe the decision-making process justifies the approach taken by the Council, making the Local Plan unsound.

H1.3 – Whitwell Road South, Empingham

As noted above, this site was introduced as an allocation after the Regulation 18 consultation to partly offset the removal of the Brooke Road site. This is despite the site falling outside of the preferred spatial strategy.

At no point has the decision to introduce this site as an allocation been assessed against alternatives as part of the Council's evidence base, specifically between the Regulation 18 consultation and the 13th August 2024 Cabinet meeting when it was identified as an allocation. The only rationale now advanced for the site being included is that it would help deliver a new medical centre for the village. However, Taylor Wimpey would question how a development of 28 homes can facilitate the delivery of a Doctors' surgery, with no analysis of how this will be achieved set out in the Local Plan.

The decision to allocate any site within the Local Plan should be subject to assessment and that clearly has not been the case here, with the allocation appearing to simply be a convenient addition to the land supply which, along with the with the increased capacity of the Stamford Road site, means supply is in place to meet the minimum housing need set out in the Local Plan. There has been no consideration of alternatives meaning the plan is unsound.

Changes Sought

- Provide appropriate evidence which justifies the quantum and distribution of development, with further analysis of alternatives likely to be necessary before the Local Plan can be assessed as sound.
- Remove Quarry Farm from the housing supply of Rutland and redistribute the figure of 650 dwellings to Rutland, with a likely focus on Oakham, where there are suitable and deliverable sites, such as OAK04, South of Brooke Road.

- Revisit the evidence base to provide a proper comparative analysis of sites to justify their allocation (including their deliverability), in line with the Spatial Strategy.
- Properly assess Quarry Farm and its suitability for allocation, addressing existing gaps in the evidence base.
- Properly compare the allocation of Quarry Farm to other reasonable alternatives.
- Revisit the capacity of the Stamford Road allocation, with the presently asserted capacity of 94 not considered to be justifiable.
- Allocate additional land in Oakham to meet the shortfall in housing directed to the main town to satisfy the spatial strategy and current spatial distribution of development.
- Provide a proper justification, as part of the evidence base, for the selection of the Stamford Road sites as opposed to other reasonable alternatives.
- Explain the process of assessing the Whitwell Road site against other potential sites for allocation, and the justification for the allocation. It is suggested that the allocation of the site cannot be justified when given the availability and suitability of alternative sites around Oakham, a more sustainable location for development.