

2 December 2024

Delivered by email

Rutland County Council
Catmose House
Catmose Street
Oakham
Rutland
LE15 6HP

Ref: SILC30202

Dear Sir/Madam,

RUTLAND COUNTY COUNCIL LOCAL PLAN – REGULATION 19 DRAFT LOCAL PLAN CONSULTATION

This representation has been prepared by Turley on behalf of Silverley Properties ('Silverley') in response to the Regulation 19 Consultation on the Draft Rutland Local Plan. Silverley have interests within the Local Plan area at Land to the rear of Hilltop Cottage, Essendine Road, Ryhall. In February 2022, Silverley submitted representations to the Call for Sites to promote the above site (SHLAA RYH10). The following representations expand upon Silverley's previous submissions and those made more recently to the Regulation 18 Consultation on the Preferred Options Consultation in January 2024 at Appendix 1.

Full details of the site were provided as part of the Call for Sites submission, so these are not repeated here. However, for ease of reference, some brief commentary on the site is provided along with a Site Plan at Appendix 2.

The Site is located on the western side of Essendine Road, on land to the north-west of Hill Top Cottage. The Site is currently in agricultural use with countryside to the north and west. To the south of the Site is a small cul-de-sac of detached residential properties, while to the east is a row of semi-detached two storey dwellings, in St Eabba's Close, whose rear gardens back onto the Site. Beyond them, and to the north east of the Site is a bungalow with a commercial use immediately adjacent, formerly a petrol station and now a hand car wash, with further commercial units behind.

The Site proposes 23 dwellings, with a centrally located open space set within the site whilst retaining and improving the large area of planting around the perimeter of the site to retain the rural landscape of the area.

In accordance with Paragraph 11a of the National Planning Policy Framework (NPPF), Local Planning Authorities should positively seek opportunities to meet the development needs of their area. The recommendations set out in these representations will ensure that the Local Plan has the flexibility and resilience to adapt to changes both in the local market and the wider economy.

Silverley considers that the primary Duty to Cooperate has been met by Rutland in preparing the Local Plan and that it is therefore legally and procedurally compliant.

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However, at present, Silverley do not consider the Plan to be sound for the reasons set out in the policy commentary set out below. In addition, Silverley request the right to further articulate their objections at the relevant matter hearings, at the forthcoming Local Plan Examination.

Policy SS1: Spatial Strategy for new development

As has been set out by Silverley previously, the proposed development strategy for Rutland directs the vast majority of growth to the Planned Limits of Development (PLDs) of Oakham (and Barleythorpe), Uppingham and land adjacent to Stamford. Only a small level of growth in comparison is directed to the Larger Villages, smaller villages and hamlets.

The Council's Five Year Land Supply & Developable Housing Land Supply Report (June 2024) identifies that Rutland currently has a 7.7 year supply of housing equating to a total five year supply of 946 dwellings against a five year requirement of 615 dwellings. This results in the District being able to provide around 189 dwellings per annum (dpa) against a current minimum requirement of 123 dpa.

The number of new homes that the Council will be required to deliver is however likely to change significantly once the new National Planning Policy Framework is published later this year, based upon the recent consultation on the new Framework and the proposed revisions to the standard method. The new standard method will result in the district needing to deliver 264 new homes each year, which equates to an additional **141** dpa, over and above the current requirement. This represents an increase in the number of homes that should be delivered in Rutland from 2025 of around **115%**. The five year housing land supply would also be affected, falling from 7.7 years currently to just **3.59** years, based on a current supply of 946 dwellings against an increased five year requirement of 1,320 new homes. This strongly suggests that in order to ensure there is sufficient capacity in the market to deliver these additional homes, additional suitable sites will need to be allocated in the Plan in anticipation of the standard method being adopted, prior to the submission of the Local Plan for Examination.

Silverley therefore suggest that in order to ensure this requirement can be met, the number of homes planned for will need to exceed the current requirements by significantly more than 10%, particularly should some of those sites already being allocated not come forward as anticipated.

Furthermore, the proposed change to the standard method would result in the East Midlands sub-region needing to plan for an additional 22,889 homes per year. Across the wider district a number of local authorities are being required to assist with the unmet needs of Leicestershire with Leicester's housing need set to increase by 1,014 homes per year. While it is acknowledged that Rutland is not currently one of those authorities, Silverley consider that this significant increase could result in neighbouring authorities looking to Rutland to take on some of their additional unmet need as they are required to increase their housing supply to support Leicestershire. This will require the Council to work closely with those neighbouring authorities to plan strategically for the increase in housing delivery that is likely to be expected and look to allocate an even greater number of sites than that currently being proposed.

Policy SS2 – Development within Planned Limits of Development

Silverley are supportive of the approach adopted by the Council in relation to this policy and consider that the scope set out through criteria 1-3 could enable sites adjacent to the Planned Development Limits to come forward in the Larger Villages where very few allocations are currently being proposed.

Policy H1 – Sites proposed for residential development

Silverley consider that the policy as drafted results in there being a disproportionate allocation of sites across the District. Out of the twenty-one Larger Villages there are only three sites allocated for residential development in three villages for the duration of the plan period. A proportion of the Larger Villages are in close proximity to the main settlements of the District and have a range of services themselves while benefiting from close proximity to employment and other facilities offered by the larger settlements. Ryhall is a good example of such a settlement, located only 1.8 miles from Stamford where there is a range of shops and services alongside employment and with good transport links.

Furthermore, the current allocation at Ryhall results in the provision of only 4 additional affordable homes for the village, which is exceptionally few given the size of Ryhall. Further allocations in this location would ensure that the proportion of affordable housing for local people would be increased and ensure that those living in the village can afford to remain, whilst supporting the vitality of the local community.

Conclusion

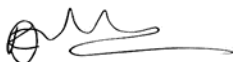
In conclusion, we find the Local Plan to not be sound as it has not been positively prepared. This however is capable of remedy via the allocation of additional sites for residential development in sustainable locations. As has been set out in previous representations for the site, development at Land to the rear of Hilltop Cottage, Essendine Road, Ryhall is sustainable, deliverable and developable in accordance with the requirements of the NPPF. The site is available now and would provide a medium sized development that could be built out relatively quickly and early in the new Local Plan period.

The following public benefits would arise from the development of the site, and outweigh any minimal harm:

- Provides a supply of housing in a village identified by the Council for growth;
- Provides housing in a sustainable location in close proximity to the town of Stamford where there is a wide range of shops, services and employment;
- Will include a mix of both market and affordable housing to meet local needs;
- Provision of public open space for both new and existing residents; and
- Opportunities for landscaping and biodiversity improvements throughout the site.

We trust that this representation will be given full consideration by the Council as part of the Draft Local Plan and that further consideration be given to the allocation of the above site. If any further information is required to assist with the consideration of Land to the rear of Hilltop Cottage, Essendine Road, Ryhall then please do not hesitate to contact me.

Yours sincerely



Rebecca Flood
Senior Planner

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Enc.

Appendix 1 – Regulation 18 Consultation representations

Appendix 2 – Site Plan

8 January 2024
Delivered by email

Rutland County Council
Catmose House
Catmose Street
Oakham
Rutland
LE15 6HP

Ref: SILC3020

Dear Sir / Madam

RUTLAND COUNTY COUNCIL LOCAL PLAN - REGULATION 18 PREFERRED OPTIONS DRAFT LOCAL PLAN CONSULTATION

This representation has been prepared by Turley on behalf of Silverley Properties in respect of the Rutland County Council Preferred Options draft Local Plan Consultation (Regulation 18) 2023. Silverley have interests within the Local Plan area at Essendine Road, Ryhall. In February 2022, Silverley submitted representations to the Call for Sites to promote their site (SHLAA RYH10).

Aloongside the Call for Sites submission, Silverley have undertaken extensive technical work to inform and evidence the development of this site. The table below provides a timeline of that work and the outcomes.

Date	Actions	Outcome
May – June 2022	Architect instructed to provide a draft layout plan for the site	Green – Layout produced taking into account the characteristics of the site and surrounding area – 13 dwellings proposed.
June 2022	Highways - Assessment of access by Highway consultant	Green – Access to site confirmed as achievable and accord with the Highway Authority's design standards.
June 2022	Heritage – Desk based heritage assessment undertaken.	Green – Development of the site confirmed as not having an impact on the significance of the conservation area.
30 June 2022	Submission to Rutland Call for Sites for 13 dwellings including open space and possible community orchard.	-

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February 2023	Landscape and Visual Appraisal undertaken by landscape consultant.	Green – Assessment confirmed that through the sensitive design of the dwellings along with the proposed green open space would ensure that the development would be in keeping with the edge of village character.
March 2023	Submission of a pre-application to the Council for 13 dwellings including open space and possible community orchard.	-
28 June 2023	Pre-application meeting held with Nick Thrower RCC.	Advised that site outside the defined planned limits of development in relation to current Local Plan but view expressed that site should have a greater density than proposed. Up to 25 would be a more acceptable range. Welcomed public open space but wanted to see it more centrally placed along with water attenuation feature. Car parking to front of properties and amenity spaces to comply with standards.
July 2023	Review of site layout and numbers of dwellings following pre-application advice.	-
July 2023	Ecological advice provided in relation to the development of the site.	Green – Site considered to be of low ecological value. The proposed development, as shown on the Indicative Layout Plan, offers the opportunity for biodiversity enhancements through improvements to the hedgerows, the creation of a tree belt along the northern boundary, and landscaping within the scheme.
July 2023	Further Landscape advice provided on revised layout.	Green – Not considered to be any adverse effects to the landscape assessment as a result of the revised layout.
25 July 2023	Submission of revised layout to Council – 23 dwellings.	-
22 November 2023	Response received from Nick Thrower, RCC.	View given that the revised layout presented was an improvement over the originally submitted scheme but could not be supported at this stage due to the site being outside the defined planned limits of development.

This current representation to the Preferred Options Consultation Document focuses on issues particularly affecting this site and should be read in conjunction with the documentation referenced above that has been previously submitted in relation to Land to the rear of Hilltop Cottage, Essendine Road, Ryhall.

Land to the rear of Hilltop Cottage, Essendine Road, Ryhall

Full details of the site were provided as part of the Call for Sites submission, so these are not repeated here. However, for ease of reference, some brief commentary on the site is provided along with a Site Plan in Appendix 1.

The Site is located on the western side of Essendine Road, on land to the north-west of Hill Top Cottage. The Site is currently in agricultural use with countryside to the north and west. To the south of the Site is a small cul-de-sac of detached residential properties, two storey and one a half storeys in height. While to the east is a row of semi-detached two storey dwellings, set back from the road, in St Eabba's Close, whose rear gardens back onto the Site. Beyond them, and to the north east of the Site is a bungalow with a commercial use immediately adjacent, formerly a petrol station and now a hand car wash, with further commercial units behind.

The Site itself is currently unmanaged grassland, with a hedgerow along the western boundary and areas of planting along the other boundaries. There is a particularly dense area of planting which separates the properties along St Eabba's Close. Access to the Site is currently along the eastern boundary, via a gate located at the end of St Eabba's Close.

The Illustrative layout submitted with the Call for Sites proposes the site for residential development comprising 13 dwellings along with an area of public open space, landscaping and planting. It also included the possibility of incorporating a children's play area and a community orchard.

Since the Call for Sites submission, pre-application discussions have taken place with officers who considered that the site should provide a greater number of dwellings along with the re-location of the public open space to a more central position within the site. The revised layout is attached at Appendix 2 and shows 23 dwellings, with the open space located more centrally within the site whilst retaining and improving the large area of planting around the perimeter of the site to retain the rural landscape of the area.

Response to Housing Site Assessment Report

The evidence base for the new Local Plan for Rutland includes the Rutland Housing Site Assessment Report (HSSA) (October 2023).

Within this, Land to the rear of Hilltop Cottage, Ryhall is identified as site reference RYH10 (Site ID76) with a potential capacity for 32 dwellings. The document provides an assessment of the suitability of the site through a 'traffic light' colour coding covering a range of factors. The use of previously developed land is encouraged and as the site is Greenfield it understandably receives a red rating in this regard.

Nevertheless, this is just one aspect for consideration in assessing the suitability of a site for allocation. The site has been scored 'red' as Logical Extension to Settlement. However, the logical extension assessment states that if the site is edged on 1 or 2 sides then it is assessed as being 'amber'. Furthermore, development has taken place to the south of the Site which has incrementally resulted in the village extending northwards. Moreover, the presence of the existing commercial premises, which is flanked by two residential properties, to the north, whilst separated from the Site by a wedged shaped field does mean there is a not inconsiderable built up area beyond the Site. The proposal Site would neatly 'fill in' the next logical northern extension of the village.

The suitability assessment contains a number of criteria that the Council have considered. These are set out within the below table, with comments provided in response to this on behalf of Silverley.

Issue	Council Assessment	Comments
Relationship to Settlement	-	While the site is outside of the development framework, it is adjacent to and this does not prohibit the allocation of sites through an emerging Local Plan.

		The site is within walking distance of the village centre and there is an existing footway along the eastern side of Essendine Road to facilitate this.
Topography	Amber	The surrounding area is undulating, however the site itself is relatively flat and can be accommodated through its layout.
Green Infrastructure	Green	It is considered that the possible inclusion of a community orchard and/or public open space would provide a significant enhancement in terms of open space and green infrastructure provision on site.
Important Open Space	Green	The site is currently an arable agricultural field.
Rights of Way	Green	There are no rights of way across the site.
National Ecology Designations	Green	There are no ecological designations affecting the site.
Local Ecology Designations	Amber	Initial ecological assessments have confirmed that the site has low ecological value. The existing trees and hedgerows on site are proposed to be retained. The assessment criteria makes it clear that where sites are not designated and do not contain protected species then they are rated 'green'. As such, the site should be scored 'green'.
Tree Preservation Order	Green	There are no TPO's affecting the site.
Agricultural Land Classification	Amber	At Grade 3, the land is low grade agricultural land. Further, the site is not currently arable but unmanaged grassland.
Heritage	Green	Agreed. The site is not located in the conservation area which is approximately 300m to the south nor are there any listed buildings or scheduled ancient monuments within the vicinity of the Site.
Archaeology	Amber	Whilst it is noted that there could be archaeological interest in the area, this would not prevent the development of the site, and could be dealt with through the submission of supporting archaeological work as part of a planning application.
Landscape	Amber	A Landscape Visual Impact Assessment has been undertaken for the Site (see Appendix 3). The conclusions of the assessment accept that the existing character of the Site will change by virtue of being developed. However, through the sensitive design of any dwellings and the provision of green open space, the development would be in keeping with the edge of village character while also providing opportunities for existing and future residents to have access to nature and views of the wider countryside.
Lead Flood Risk Authority Flood Risk	Amber	The site is entirely within Flood Zone 1 and therefore the assessment is factually incorrect.

		As such this should be classified as 'green'.
Highways Authority Access	Amber	An access drawing accompanied the initial Call for Sites submission and is appended again at Appendix 3. This demonstrates that the site can be accessed via St Eabba's Close in accordance with the Highway Authority's design standards. When the St Eabba's Close development was built, the access road was extended at the same time to facilitate access to the land the subject of this proposal. The extended access road can be seen 'on the ground' and on the enclosed Waldeck Section 38 Layout Plan – Option 3 (10-2236/339 P5), which was discussed with Planning and Highways at the time (see Appendix 4). As such, there is no issue regarding access to the site and therefore the site should be scored 'green'.
Highways Authority Wider Road Network	Green	Agreed that there would be little or no impact. The existing road and footway within St Eabba's Close and its junction with Essendine Road, is considered to be able to serve the additional traffic movements associated with the development of this site.

The Site Allocations Assessment uses the SHELAA methodology to calculate an indicative capacity of 32 dwellings on the site. However, our submission to the Call for Sites and a subsequent pre-application discussion with the Council has concluded that the site would only be capable of accommodating between 13 and 23 dwellings. This is a result of having fully assessed the site and its characteristics. This site is located adjacent to the village boundary, adjoining the Countryside where there is a need to be sensitive to and enhance the landscape setting. In addition, Silverley wish to provide a high-quality development with enhanced landscaping and public open space, all of which would contribute to the quality of the area.

It is therefore considered that the issues identified by the Council in their assessment as being 'amber' would not prohibit the allocation and eventual development of the site. Indeed, as set out above it is considered that the scoring needs to be adjusted to take into account factors which the Council have overlooked, and factual errors. All of these issues can be dealt with through the provision of additional information to a planning application or through mitigation as part of the development of the site as would be standard practice. As such, the site is considered to be suitable for the development proposed, and the Council are therefore urged to reconsider the site for allocation as part of the Rutland Local Plan.

Response to Regulation 18 Preferred Options for the new Local Plan

Within this section, responses are provided on behalf of Silverley to the Regulation 18 Preferred Options for the new Local Plan. These comments are provided in the context of the land interest at Land to the rear of Hilltop Cottage, Essendine Road, Ryhall.

Policy SS1: Spatial Strategy for new development

The proposed development strategy for Rutland directs the vast majority of growth to the Planned Limits of Development (PLDs) of Oakham (and Barleythorpe), Uppingham and land adjacent to Stamford. Only a small level

of growth in comparison is directed to the Larger Villages and smaller villages and hamlets. Some villages are in close proximity to the main settlements of the District and have a range of services themselves while benefiting from close proximity to employment and other facilities offered by the larger settlements. Ryhall is one such settlement.

Such housing delivery would help meet the needs of the smaller settlements over the plan period, providing greater variety in the types and location of development delivered. It is important to highlight that the National Planning Policy Framework 2023 (NPPF) is clear in paragraph 70 that ‘small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly’ and that local planning authorities should ‘promote the development of a good mix of sites’. It is considered that the Council strategy focuses mainly on the delivery of larger sites with a much lesser number of smaller allocations. Silverley are therefore of the view that the Council should look to deliver a greater number of smaller allocations to ensure that there is a supply of housing that can be built out sooner within the plan period while ensuring that by bringing forward smaller sites, the character of the village is retained. The site in Ryhall is one such site which would deliver a small number of dwellings, and could be built out relatively quickly, particularly as there are no undue physical constraints on development.

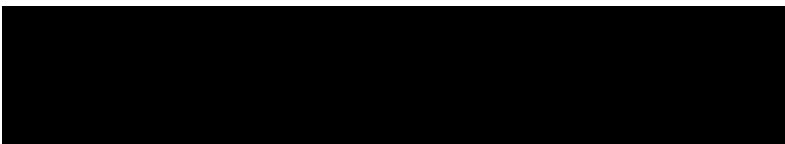
Furthermore paragraph 83 of the NPPF is clear that in order to promote sustainable development, ‘planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services’. By delivering more small-scale housing in settlements such as Ryhall, development will continue to support local services and facilities while preserving the character of the village rather than through the allocation of larger sites which have the potential to change the character of both the village and the surrounding countryside.

Policy SS3 – Development within Planned Limits of Development

In line with their promotion of Land to the rear of Hilltop Cottage, Essendine Road, Ryhall, Silverley advocate that the site should be included within the settlement boundary of Ryhall as part of the allocation of the site for small scale residential development and public open space.

We trust that this representation will be given full consideration by the Council as part of the preparation of the Draft Local Plan. Should any further information be helpful to the Council in their assessment of Land to the rear of Hilltop Cottage, Essendine Road, Ryhall then please do not hesitate to contact me.

Yours sincerely



Rebecca Flood

Senior Planner

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Enc.

Appendix 1 – Site Plan

Appendix 2 – Revised Illustrative Layout Plan – 23 dwellings

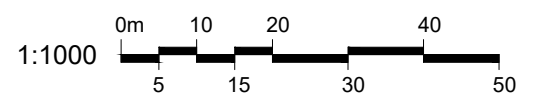
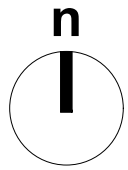
Appendix 3 – Landscape and Visual Appraisal

Appendix 4 – Access Layout Plan



RED LINE AREA = 1.34ha

A6121 ESSENDINE ROAD



rev.	date	description	dm	chk'd

NOTES
 Do not scale from this drawing, use figured dimensions only.
 All dimensions to be checked on site.
 All drawings to be read in conjunction with other contract documentation.
 Any discrepancies to be reported to the Contract Administrator before any work commences.
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client: Silverley Properties		drawn: gm		date: 25/05/22		scale @ A3: 1:1000	
project: Ryhall		chk'd: --		rev: P6		status: PRELIMINARY	
discipline: ARCHITECTURE		dwg no: DR-A-0100		project no: --			

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