

7 September 2026

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The Savills logo consists of the word "savills" in a red, lowercase, sans-serif font, positioned within a yellow rectangular box.

Joseph Cramphorn

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Dear Roger

Emerging Rutland Local Plan Main Modifications Consultation Response

These representations are prepared by Savills on behalf of the Defence Infrastructure Organisation (DIO) (Respondent ID: 139). They have been submitted via a letter due to the online system being unable to correctly display proposed track changes.

The representations are structured to consider each relevant main modification we wish to respond to in turn:

MM1

OBJECT

DIO object to this modification as it is not effective in line with the soundness test of NPPF paragraph 35. The text now notes that the Council is "expected" to begin work on a new plan under the new plan making system. However, the text does not note the stricter requirements of the new local plan making system transitional arrangements which specifically note Rutland as an authority which was required to publish notice of intention to commence plan making by 30th June 2026¹. The inclusion of the word "expected" conflicts with The Town and Country Planning (Local Planning) (England) Regulations 2026 transitional provisions schedule which is clear that there is a requirement for RCC to begin plan-making, not merely an expectation.

This requirement is in place because the Submitted Local Plan 2021 to 2041 does not come close to providing for the objectively assessed need of Rutland calculated by the standard method. The modification text acknowledges the Council's housing shortfall but does not put in place any provisions to ensure that a new Local Plan is progressed in order to provide for it.

Whilst the transitional arrangements require RCC to commence plan making and undertake Gateway 1, there is no requirement beyond that. It is considered that a Local Plan Review policy which would require the Council to have a new Local Plan in place by 2029 would be effective in ensuring that a new Local Plan is progressed and the shortfall is provided for.

We would suggest that this modification should be part of a policy rather than simply supporting text in order for the modification to be considered sound under the test of NPPF paragraph 35 (the modification text is now a policy below with added text in bold and removed text struck through):

New Policy: New Local Plan

~~However, Under the transitional arrangements provisions schedule of The Town and Country Planning (Local Planning) (England) Regulations 2026 for plan making set out in paragraph 236 of the National Planning Policy Framework (December 2024), the Council is expected~~ **required** to begin work on a new plan under the new plan making system. ~~provided for by the Levelling Up and Regeneration Act 2023 (LURA). This must be as soon as the relevant provisions of LURA are brought into force and is required to address a shortfall~~

¹ Rollout of the new local plan-making system, MHCLG, 6 March 2026

in meeting housing needs when calculated using the latest national standard method calculation. The Council has set out its intention to start work on this new Local Plan in its Local Development Scheme 2025 – 2028. The programme reflects the implementation of the new regulatory framework introduced by the Town and Country Planning (Local Planning) (England) Regulations 2026 and in line with the timescales required by the framework, the Council must adopt the New Local Plan by 2029.

MM4

OBJECT

DIO object to this policy as written as it is not effective in line with the soundness test of NPPF paragraph 35. It is considered that the clarification that the highest possible thermal efficiency is in the context of the Future Homes Standard is not clear enough and results in a policy requirement which is not defined in the policy. The modification makes reference to the Future Homes Standard however this can change and the requirement is not specific enough to be deemed effective.

In order for the policy to be considered effective, a footnote should be inserted after “Standard” to clarify that the policy refers to the Future Homes Standard 2026. This will ensure clarity in the future, should the standard be updated.

MM5

OBJECT

DIO object to this modification as it is not justified in line with the soundness test of NPPF paragraph 35. The modification proposes to add a requirement for development proposals to submit design stage estimates of carbon dioxide emissions, going beyond the previous requirement in Policy CC4 for the submission of estimates and calculations of energy performance. The reason stated for this modification is to “clarify the intended scope of the policy”.

It is considered that this reason attempts to understate the effect of this modification. This is not simply a clarification but introduces an entirely new requirement for carbon dioxide emission calculations and modelling at such an early stage in the planning process (for example where an application is submitted by a landowner/promoter). The introduction of an additional requirement must be supported by proportionate evidence demonstrating why it is necessary that these calculations be provided. However, no further evidence base documents have been submitted by RCC which would justify this requirement.

It is considered that in the absence of any further evidence base documents, in order for the Local Plan to be considered sound, this modification should be deleted.

MM6

SUPPORT

DIO support this modification as it provides the necessary clarification to ensure that Policy CC4 is effective in line with the soundness test of NPPF paragraph 35. The explanation that the level of detail expected will be proportionate to the size of the scheme and that Energy Statements will not be required at outline application stage are both welcomed and necessary to make the policy effective.

MM13

OBJECT

DIO object to the proposed modification to remove part (d) on the basis that it seeks to remove reference in the policy to the delivery of development on one of the largest brownfield sites available in the county².

The suitability of St George's Barracks for development is confirmed in the examination document RCC51: Housing and Employment Site Assessment Report. Appendix B sets out the site assessment conclusion reviewing all technical assessments and concluding that the development of the site would be acceptable subject to appropriate mitigation measures. It goes on to say that the site has been "found suitable for allocation".

The spatial strategy should therefore reflect the ability for this large brownfield site on the edge of the Planned Limits of Development to come forward within the plan period.

MM14

SUPPORT

DIO support the inclusion of the wording ***"2) the redevelopment of previously developed land which is physically well related to the existing built form."*** in policy SS2. This is important recognition of the ability for brownfield sites, which are sustainably located within walking distance of key shops and services of existing settlements, are recognised for their ability to contribute to the housing supply.

MM20

SUPPORT

DIO support the inclusion of wording which acknowledge the ability for St George's Barracks to come forward for development and therefore contribute to Rutland's housing land supply.

The principle of the acceptability of development on the Site is established by the amended policy SS2 – Development Within Planned Limits of Development. There is therefore no reason why the site cannot come forward for development, pending consideration of detailed technical considerations through the development management process.

MM22

OBJECT

DIO disagree with the inclusion of the following text in policy SS6 – Re-use of redundant Military Bases and Prisons. The modification states:

"Where such sites are large-scale or operational at the time of plan adoption, and proposals would result in significant redevelopment or a change of use, this is likely to require consideration through a Local Plan review, depending on the nature and scale of the proposal."

DIO objects to this wording on the basis of it not being necessary to ensure that the plan can be made sound, as required by paragraph 35 of the NPPF.

² St George's Barracks is included on the Rutland Brownfield Land Register – see: <https://www.rutland.gov.uk/planning-building-control/planning/brownfield-land-register>

This is on the basis of terms such as “large-scale” are subjective and have not been readily defined. There is also no evidence base to suggest that whether sites are “large scale or operational” is material for inclusion within the policy wording, or how the status of a Site at the point of plan adoption would influence how the plan deals with the Site.

It is also unclear why “significant redevelopment or a change of use” would require consideration through a Local Plan review. Like any windfall application, each site should be considered on its merits. In respect of St George’s barracks it is relevant that NPPF paragraph 125 which states: ***“Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them...”***

The NPPF is clear at paragraph 127 that:

“Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs...”

This does not require a plan review, in fact the NPPF makes clear provision for such sites to come forward when not allocated for a particular purpose in plans.

MM29

OBJECT

MM29 proposes the inclusion of Table 5: “Sources of Housing Supply for the Plan Period 2021 – 2041”. This includes 325 dwellings of windfall allowance over the plan period. We note that the windfall allowance proposed broadly aligns with historic delivery. Rather than relying on windfall, there is an opportunity for RCC to rely on development of a brownfield site, which has been assessed as “suitable for allocation”³

St George’s Barracks is included on the Brownfield Land Register⁴, and has been assessed by RCC through the examination document “The suitability of St George’s Barracks for development is confirmed in the examination document RCC51: Housing and Employment Site Assessment Report. Appendix B sets out the site assessment conclusion reviewing all technical assessments and concluding that the development of the site would be acceptable subject to appropriate mitigation measures. It goes on to say that the site has been “found suitable for allocation”.

This should be considered when planning for windfall, that a suitable site already exists to be allocated to meet this need.

MM71

OBJECT

DIO object to this modification on the basis that it seeks to render the purchasing of statutory credits impossible which is not in accordance with the Biodiversity Gain Regulations 2024. The burden for it to be demonstrated that offsite gain could not be achieved “Elsewhere in England” is in effect impossible for a developer to prove. This is therefore in conflict with The Biodiversity Gain Regulations 2024 37A(a) (iv) which explicitly allows the purchase of biodiversity credits.

It is considered that in order for the policy to be made compliant with the Regulations, that the purchase of statutory credits be added as part 5 of the proposed hierarchy, making it clear that this is within the hierarchy

³ See examination document RCC51: Housing and Employment Site Assessment Report

⁴ St George’s Barracks is included on the Rutland Brownfield Land Register – see: <https://www.rutland.gov.uk/planning-building-control/planning/brownfield-land-register>

rather than introducing an impossible burden for developers to prove, effectively removing this from the hierarchy.

MM75

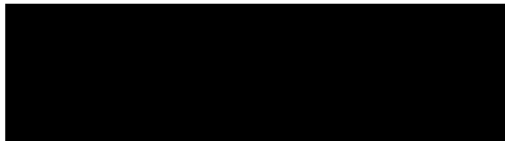
OBJECT

DIO object to this modification on the basis that it is not effective in accordance with the soundness test of NPPF Paragraph 36c. The modification text notes the designation of the Rutland Water Area as a 'valued landscape' and provides guidelines for development within the designated area. However, it does not provide any guidance for how the designation of the 'valued landscape' affects development within the proximity of the area. This guidance is necessary for the policy to be deemed effective and the following amendment to the supporting text would achieve this:

"...the requirements of this policy relate solely to development within the identified Rutland Water Area boundary".

We trust that the above and overleaf is helpful. Please do get in contact should you wish to discuss the submission in further detail.

Yours sincerely

A large black rectangular redaction box covering the signature area.

Joseph Cramphorn
Associate