



Planning Statement

P23156 Main Street Thistleton

EVALUATION

Policy

1. The Rutland County Council (RCC) development plan comprises the Core Strategy Development Plan Document (2011) (CS) and the Site Allocations and Policies Development Plan Document (2014) (SAP). Those plans are 13 and 10 years old respectively, both not having undergone formal review.
2. Policy CS4 of the CS seeks to direct development towards the most sustainable locations in accordance with the settlement hierarchy and to limit development in the countryside to that which has an essential need to be located there. Development in the countryside is restricted to particular types of development to support the rural economy and meet affordable housing needs.
3. Policy SP6 of the SAP states that housing development will not be permitted in the countryside except where it can be demonstrated to be essential to the operational needs of agriculture, forestry or an established enterprise requiring a rural worker; or for affordable housing to meet an identified local need.
4. Insofar as policies CS4 and SP6 seeks to safeguard the countryside and direct growth to areas with good access to services and facilities, they have a broad level of consistency with the requirements of the Framework. Nonetheless, the Framework does not impose a blanket restriction on development outside defined settlements. Instead, a balanced, cost/benefit approach is advocated where all material considerations have to be weighed in the balance.
5. This balancing of harm against benefit is a defining characteristic of the Framework's overall approach embodied in the presumption in favour of sustainable development. Moreover, the "Planning Practice Guidance" (the PPG) specifically makes the point that all settlements can play a role in delivering sustainable development in rural areas and that blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.
6. Because of this, where policies CS4 and SP6 are used to restrict housing outside settlement boundaries, they cannot be seen to be consistent with the language of the Framework. In light of the above, being outside a settlement boundary is not a decisive matter and other material considerations have to be weighed in the balance.
7. In these circumstances and irrespective of the Council's housing land supply position, the relevant policies for the supply of housing are out of date and inconsistent with the provisions of the Framework. This is sufficient to engage the Framework's 'tilted balance' at paragraph 11(d).
8. Rutland County Council have consistently acknowledged that, in the context of Restraint Villages, policies CS4 and SP6 are out of date due to their inconsistency with the Framework.
9. 2022/1236/FUL concerned the erection of a dwelling outside the Planned Limits to Development for Ridlington, a restraint village. The delegated officer's report provides at paragraphs 6–9:

"The site is outside the PLD and hence technically in open countryside. Policies CS4 and SP6 would ordinarily rule out this development where the local authority can demonstrate a 5-year housing land supply (5YHLS).

The Restraint Village Policy of the Core Strategy Policy CS4 is now out of date as it does not comply with the NPPF."

10. There are numerous other examples where this has been found to be the case.
11. Whilst not shared by the applicant, it has also been the Council's view that dwellings in restraint villages are only acceptable where they represent infilling. The CS defines residential as an individual development of up to 2 dwellings within a gap in an otherwise built-up frontage to an existing road, provided that it is not sufficiently large to accommodate up to 2 dwellings on similar curtilages to those adjoining. The proposal would represent residential infilling.