



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2019/1082/MAF	ITEM 1	
Proposal:	The Demolition of existing dwelling and associated outbuildings. The erection of a 1 no. new build private dwelling.		
Address:	The Garden House, Ketton Road, Hambleton, Rutland, LE15 8TH		
Applicant:	c/o The Agent	Parish	Hambleton
Agent:	Ross Thain Architects	Ward	Hambleton
Reason for presenting to Committee:	At the request of the Chairman		
Date of Committee:	22nd September 2020		

EXECUTIVE SUMMARY

This is a replacement dwelling considered to conform to both local and national policy which is not outweighed by other material considerations.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The development shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, Drawing Numbers:

Drawing Number: 1351-01P Rev D
Drawing Number: 1351-02 Rev B
Drawing Number: 1351-04P
Drawing Number: 1351-08P Rev A
Drawing Number: 1351-09P Rev A
Drawing Number: 1351-10P Rev A
Drawing Number: 1351-11P Rev A
Drawing Number: 1351-12P Rev A
Drawing Number: 1351-21
Drawing Number: 1351-22
Drawing Number: 1351-29
Drawing Number 1351-31

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
Reason: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

4. The development hereby approved shall be carried out strictly in accordance with the details contained within the Arboricultural Assessment by Eden Arboriculture Professional Tree Care Ref: EA-2019- 088 (AIA) Rev D dated 2nd July 2020 and Tree Protection Plan Ref: EA - 2019-088 (TPP) Rev D. Each tree shall be protected in the agreed manner in accordance with BS 5387: 2012 for the duration of building operations on the application site. Within the areas agreed to be protected, the existing ground

level shall be neither raised nor lowered, and no materials or temporary building or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the protected areas, they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cm or more shall be left unsevered.

Reason: The trees are important features in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site.

5. All tree protective measures required for works to be carried out along Route B, of which the route location is shown in the Construction Management Plan document, shall be removed and the ground made good within 2 months from first occupation of the dwelling hereby approved.
Reason: To protect important trees and maintain the character of the area.
6. Before the development hereby approved is commenced final details of the foundation design for parts of the annexe building and proposed dwelling that are within the root protection areas of all retained trees as specified within the Arboricultural Assessment by Eden Arboriculture Professional Tree Care Ref: EA-2019- 088 (AIA) Rev D dated 2nd July 2020 shall be submitted to and approved in writing by the local authority. The development shall be carried out strictly in accordance with the approved details.
Reason: Trees make an important contribution to the existing landscape and protective measures are required.
7. In accordance with the Arboricultural Assessment by Eden Arboriculture Professional Tree Care Ref: EA-2019- 088 (AIA) Rev D dated 2nd July 2020, no service trenches, soak-aways or other drainage features shall be positioned within the root protection areas (RPA'S) of any of the retained trees on or directly adjacent to the site.
Reason: To protect important trees that contribute positively to the landscape.
8. The landscaping scheme shall be fully completed, in accordance with the details shown on Drawing Number: 1351-31, in the first planting and seeding seasons following the first occupation of any part of the development or in accordance with a programme previously agreed in writing by the Local Planning Authority. Any trees or plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by trees or plants of a size and species similar to those originally required to be planted.
Reason: Landscaping is an important part of the development and will assimilate the proposal with its surroundings.
9. Before the development hereby approved commences final details of all hard surfaces and supporting Arboricultural Method Statement shall be submitted to and approved in writing by the local authority. The development shall be carried out strictly in accordance with the approved details.
Reason: To protect important trees that contribute positively to the landscape.
10. The development shall be completed in accordance with the finished floor levels as shown on Drawing Number:MD1904(A)02_G before the first dwelling is occupied.
Reason: To ensure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings
11. The materials used in the development hereby approved shall be in accordance with the details shown on the following drawing numbers:

Drawing Number: 1351-08P Rev A

Drawing Number: 1351-09P Rev A

Drawing Number: 1351-10P Rev A

Drawing Number: 1351-11P Rev A

Reason: To ensure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings.

12. No development above ground level shall be commenced until precise details, including samples, of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

Reason: To ensure that the materials are compatible with the surroundings in the interests of visual amenity and because no details have been submitted with the application.

13. The works to demolish and re-build the existing wall that is on the site shall be carried out strictly in accordance with the details shown on Drawing Number: 1351-29.

Reason: The wall is an important historical feature on the site and its re-use will integrate the development with its surroundings.

14. The development hereby approved shall be carried out in accordance with the bat mitigation contained within Section 6 of the Bat Survey (BJ Collins, July 2019).

Reason: In the interests of the protection of wildlife and their habitat.

15. Before the dwelling or annexe hereby approved is occupied the location of the bat tube shall be submitted to and approved in writing by the local authority. The Bat Tube shall be erected in accordance with the approved details and shall be retained thereafter.

Reason: In the interests of the protection of wildlife and their habitat.

16. Before the dwelling or annexe hereby approved is occupied the type and location of 3 No. Swift boxes shall be submitted to and approved in writing by the local authority. The Swift boxes shall be erected in accordance with the approved details and shall be retained thereafter.

Reason: In the interests of the protection of wildlife and their habitat.

17. The development hereby approved shall be carried out strictly in accordance with the Great Crested Newt Mitigation Proposal (BJ Collins, November 2019).

Reason: In the interests of the protection of wildlife and their habitat.

18. The development hereby approved shall be carried out in accordance with the sustainability statement and all measures contained within shall be implemented and maintained and shall remain as such in perpetuity.

Reason: In the interests of securing a sustainable form of development.

19. The annexe shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling hereby approved.

Reason - The site of the permission is outside any area where planning permission would normally be forthcoming for residential development not directly related to a clearly and specifically identified exceptional need related to a recognised countryside activity.

20. Before occupation of any of the dwellings hereby approved the boundary treatments shall be erected in accordance with the details shown on Drawing Number: MD1904 (A) 02_G and shall remain as such in perpetuity unless otherwise agreed in writing with the local authority.

Reason: To ensure that the appearance of the completed development is satisfactory, to help assimilate the development into its surroundings.

21. Before the development hereby permitted is commenced, plans showing the existing and proposed land levels of the site including [site sections, spot heights, contours and

finished floor levels of all buildings] with reference to [neighbouring properties/an off-site datum point] shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area.

22. Before any building/dwelling hereby permitted is occupied/brought into use, the finished floor levels for that building shall have been constructed in accordance with the approved land level details.

Reason: In the interests of the visual amenities of the area.

23. No floodlighting shall be installed until details of the illumination scheme have been submitted to and approved in writing by the Local Planning Authority. Development shall only be carried out in accordance with the approved details.

Reason: In the interests of amenity to reduce the impact of night time illumination on the character of the area.

24. The development hereby approved shall be carried out in accordance with the submitted Construction Management Plan document.

Reason: In the interests of highway safety and protection of residential amenity.

25. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A to D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling shall be erected or carried out except with prior planning permission.

Reason: To enable the local authority to control future development of the site.

26. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), within the curtilage of the dwellinghouse no building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or a container used for domestic heating purposes for the storage of oil or liquid petroleum gas shall be erected or carried out except with prior planning permission.

Reason: To enable the local authority to control future development of the site.

Notes to Applicant

1. Rutland County Council became a Community Infrastructure Levy (CIL) Charging Authority on 1st March 2016. Full details of CIL are available on the Council's website www.rutland.gov.uk. The approved development may be subject to a Community Infrastructure Levy (CIL) liability.

IMPORTANT NOTE: The required CIL forms must be submitted to cil@rutland.gov.uk and acknowledged prior to commencing the development. Failure to do so could result in additional financial penalties. If you have not received an acknowledgement by the time you intend to commence development then it is imperative that you contact cil@rutland.gov.uk.

If the development hereby approved is for a self- build dwelling, residential extension or residential annexe you may be able to apply for relief from CIL. Further details can be found on the Planning Portal:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/2

2. An application for a European Protected Species Licence will be required before undertaking Protected Species mitigation works.

Site & Surroundings

1. The site comprises of a detached property and associated outbuilding in a prominent location on higher ground within Upper Hambleton.
2. The Hambleton Hall Hotel (Listed Grade II) accessed from the centre of the village is located to the west of the application site with the Grade II Hambleton Hall stables to the north. The site extends southwards down the slope towards the southern arm of Rutland Water. The northern most part of the site, including the existing dwelling, is within the Planned Limits of Development (PLD) of Hambleton, which is a restraint village in accordance with our local policy of which I will touch on later. The site frontage is also within the village Conservation Area.
3. The applicants land ownership extends beyond the Planned Limits of Development for Hambleton. This southern slope of Hambleton village is visible from across Rutland Water. It has the appearance of a collection of individual dwellings in a woodland setting.

Proposal

4. The application proposes a replacement dwelling including an associated annexe building, the dwelling and annexe are sited within the PLD with a terrace and swimming pool being sited outside of it.
5. The existing house, including outbuildings amounts to a size of around 550 sq metres.
6. The new property is larger in footprint and, including all outbuildings, amounts to circa 1150 sq metres.
7. The low profile, flat roof dwelling will run horizontally across the site creating a linear effect across the full length which sits below the ridge height of the existing structure.
8. Areas of the new dwelling include overhangs, cantilevered elements and large glazed openings.
9. The façade of the new dwelling was originally to be constructed from three main materials these being; natural stone, Corten steel cladding and smooth through coloured render – the colour of which is indicated as an off white.
10. During the planning process and, more specifically, in response to the design midland's appraisal, the render was removed from the facade and replaced with a darker textured zinc cladding. The building also incorporates Larch cladding.
11. The main bedrooms (5no.) are situated on the ground floor level. These all feature South facing views and direct access to the external terraced areas. Also situated at this level are the various support and utility spaces.
12. The circulation space providing access to these areas has been situated to the North including wc's, storage areas and the cinema room.

13. The first floor accommodates the main living and social areas. A large open plan kitchen, dining and family space incorporating an enclosed external terrace area. This area also accommodates a home office/study, utility room, kitchen support spaces and a separate staircase providing access from the west side of the dwelling.
14. To the east is a secondary social space which has lightweight demountable internal partitions to create smaller spaces within this main space. The master bedroom suite is situated at first floor level to the south-east corner of the dwelling.
15. The lower ground floor provides a small cellar incorporating a tasting room and wine storage area centrally located beneath the main entrance and circulation space.
16. Externally there will be terraced areas and a reflection pool to the rear, constructed below ground level and therefore concealed from view.
17. There is a new single storey garage structure is situated to the east of the application site. The garage will provide secure storage for up to four vehicles as well as providing space for a dedicated plant room and cycle storage area.
18. The small self-contained annexe to the west of the site will provide additional accommodation separate from the main dwelling. Its use is intended to be ancillary to the main dwelling and not to act as a separate independent residence.
19. The existing house is not considered to be of any significant architectural merit and has a limited value within the context of the Conservation Area. The Local Authority does not object to the demolition of the existing house and outbuildings.

Key design issues for consideration

- Views towards the site –
 - a) lakeside looking up the hill and
 - b) longer distance across Rutland Water from golf course;
- Relationship within these views with the adjacent Hambleton Hall and associated buildings, including the clock tower and buildings that sit behind and adjacent to the site;
- Proximity to Hambleton Hall –the clock tower sits close to the site and is visible;
- Old wall within the site;
- Mature trees within site;
- Adjacent paddock with open views in to site;

Architectural response to the context

- Local character and materials;
- Views and relationships with surrounding context (above);
- External material choices;
- Response to the brick wall on site;
- Response to the clock tower;
- Response to building in the root protection zones of some trees – special foundation design (trees T2 and T5);

Landscape response to the context

- Residential curtilage and extent of the garden – and how this sits within the landscape setting;
 - Character and materials of the landscape proposals, including hard and soft (steps, pools, planting etc);
 - Adjacent Paddock Land;
20. The OPUN (Design Midlands now) Panel is made up of wide range of experts from the built environment field i.e. architects, urban designers, landscape architects, surveyors, sustainability experts etc. who provide expert, independent, impartial advice.
21. The design review forms an important part of the assessment of this planning application. The review if it supports an application will also help to justify the scheme and if not may offer recommendations of how it can be improved to be deemed acceptable.
22. The Design Midlands review and the submission of all supportive information assists the local authority's determination if an application could be considered to accord with Paragraph 131 of the NPPF.
23. Para 131 states:
1. *“In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”*
24. The application has had a full review with Design East Midlands who within their summary stated that opportunity to pursue a contemporary design approach which relates more strongly to the site context was welcomed

Relevant Planning History

None

Planning Guidance and Policy

National Planning Policy Framework (NPPF)

Chapter 7 - Ensuring the vitality of town centres

Chapter 10 - Supporting high quality communications

Chapter 11 - Making effective use of land

Chapter 12 - Achieving well-designed places

Site Allocations and Policies DPD

SP1 - Presumption in Favour of Sustainable Development

SP5 - Built Development in the Towns and Villages

SP15 - Design and Amenity

SP19 - Biodiversity and Geodiversity Conservation

SP20 - The Historic Environment

SP23 - Landscape Character in the Countryside

Core Strategy DPD

CS01 - Sustainable Development Principles

CS03 - The Settlement Hierarchy

CS04 - The Location of Development

CS09 - Provision and Distribution of New Housing

CS21 - The Natural Environment

CS22 - The Historic and Cultural Environment

Consultations

25. Highway Department

No objections. The construction traffic management plan is appropriate for the development

26. Conservation Officer

No objection. Requests conditions removing permitted development rights for extensions and for garden structures, a sample panel of the principal materials on-site for inspection and a lighting strategy

27. Ecology

No objections. The GCN Mitigation Proposal (BJ Collins, November 2019) is satisfactory. As a Condition of the development:

- The location of the bat tube should be submitted for approval.
- Type and location of swift boxes to be submitted for approval
- All works to be in accordance with Section 6 of the Bat Survey (BJ Collins, July 2019). Bat tube to be incorporated.
- Three Swift boxes to be incorporated.
- All works to be in accordance with Section 6 of the Great Crested Newt Mitigation Proposal (BJ Collins, November 2019).

28. Archeology

No objections. The proposal will result in a significant direct or indirect impact upon the archaeological interest or setting of any known or potential heritage assets.

Neighbour Representations

29. Eight responses received; one supported the development in principle, with most of these concerned at the impact of construction traffic on either road safety, road maintenance, or the amenity of roadside dwellings.
30. The comment supporting the proposal stated that the building of a new modern designed eco-friendly property has to be encouraged and I believe will only enhance our village.
31. Other detailed comments are offered

proposed design show no sensitivity at all to the local heritage or reflect the historical architectural language of Hambleton.

It would set a dangerous precedent to allow such a development to take place.

The proposal is for 2 detached houses, not one as stated in the application.

The proposed floor area is double that of the existing.

The proposed buildings occupy 83% of the back of the site, with no or minimal gaps to the boundaries either side and form a barrier on the ridge.

The over-development necessitates the removal of a large number of trees, including T6 a Persian Ironwood and T7 an Oak Area for Narrow Route B under risk

Concerned about condition of Ketton Road during and after completion of the construction

Location of the compound should be outside of the village

Design, Massing and layout of the building,

Another very large house spoiling the village

One respondent does not comment on the development itself, but raises concern about the impact of construction traffic, particularly if directed southwards and along the water's edge. The final respondent suggests that the dwelling is too large for the village and that it would be preferable to retain three separate dwellings

Planning Assessment

32. The main issues are:

Principle of Development

Heritage Impact

Impact on the Character of the Area

Impact on the neighbours' residential amenities

Highway Issues

Trees and Landscaping

Ecology

Principle of Development

33. The proposal is acceptable in principle within the PLD of a Restraint Village, given that it involves the replacement of existing housing without any net increase in the number of dwellings.
34. The application includes a smaller building at the west of the site, identified as annexe accommodation. This is acceptable in principle as it is within the PLD and can have a condition attached limiting it to ancillary accommodation only.
35. The applicant has submitted a sustainability statement. The south facing house is designed according to 'Passivhaus' principles: sustainable insulation, air tightness, heat recovery, and maximisation of passive solar gain.

36. Other measures includes, triple glazed windows, solar water heating, installation of rainwater collection tank and the use of non-toxic building materials.

Heritage Impact

37. The boundary of the Hambleton Conservation Area includes the frontage of this site.
38. The proposal would therefore impact on views from and into the Conservation Area, particularly longer distance views from the south.
39. The Hambleton Hall Hotel (Listed Grade II) accessed from the centre of the village is located to the west of the application site with the Grade II Hambleton Hall stables to the north.
40. The proposed house and annexe are sited within the Hambleton Conservation Area.
41. It is considered that the removal of the existing house and outbuildings will be an overall enhancement of the setting of both Hambleton Hall and Hambleton Hall Stables when viewed from the opposite side of Rutland Water.
42. The Local Planning Authority is required to ensure that special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.
43. Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (NPPF 2019). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.
44. In addition to this, Policies CS22 of the adopted Core Strategy and policy SP20 of the Site Allocations and Development Plan Document require that all new developments protect and where possible enhance the historic assets and their settings, maintain local distinctiveness and the character of identified features.
45. This all carries significant weight in considering planning applications.
46. The Conservation Officer has been consulted, taking in account the submitted drawings, Design and Access Statement, Heritage Impact Assessment and all supporting information, and does not object to the proposal.
47. The design concept set out in the submitted Design and Access Statement is for the creation of modern dwelling .The choice of materials for the new building, a dark limestone as its core element, dark coloured zinc above, with dark windows and corten steel that has an almost ironstone texture will ensure that the building sits comfortably within its setting.

48. This would replace a dwelling of limited architectural merit.
49. The low profile and design of the new dwelling and annexe, their distance from neighbouring properties and retention of most of the existing trees on that boundary all ensure an acceptable impact on Hambleton House Hotel to the west and Hambleton Hall Stables to the north.
50. The ridge height of the main house is lower than the existing dwelling and the majority of the mature trees surrounding are being retained. Given this, it will have a lesser impact on views from within the Conservation Area.
51. Photomontages submitted in support of the application indicate a series of long distance views of the application site, taken from the opposite side of Rutland Water.
52. These compare the existing dwellings with the current proposal. They indicate that the impact of the current proposal on views into the Conservation Area would be that of a low profile building set within a wooded landscape which visually blends into its surroundings. The lower ridge height also allows views of the clock tower to the north of the site.
53. The only remains of any historical structures on the site is a brick wall which runs along the north east corner boundary between the existing site and the tennis court. The return, which now sits within the land of The Garden House, may have been the remnants of a building that might have stood in that corner post-dating the construction of Hambleton Hall.
54. The section of wall that sits within The Garden House site is to be demolished with the bricks being re-used within the construction of the proposed annexe.
55. Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Section 16), Policy CS22 of the Rutland Core Strategy (2011) and Policy SP20 of the Site Allocations and Policies Development Plan Document (2014). There are no material considerations that indicate otherwise although conditions have been attached.

Impact on the character and appearance of the area

56. The design takes the form of a low profile two-storey linear form that spans across the site from east to west, positioned in a similar location to the existing dwelling.
57. The north, east and west facing elevations have been designed to be quite minimalist in appearance and apart from the main entrance and stairwells there are minimal glazed openings on these façades.
58. There is a two-storey high and full width picture window forming the extent of the South elevation. This glazed wall is designed to allow an extensive view over Rutland Water. The ground floor layout has been designed to provide occupants with these south facing views.
59. The lower levels of the dwelling has been designed to have the load bearing capacity and utilises heavyweight materials. In this case the scheme uses traditional local stone to anchor it into the landscape and is an acknowledgement of materials that are used in properties within the village.
60. Corten steel and larch will be used for the lightweight cladding materials. The gradual weathering of the Corten steel and larch will provide an organic looking surface finish with

the Corten steel creating a reddish-brown colour combination with the wood allowing these parts of the dwelling to merge into the natural surroundings.

61. The site is well screened from within the village, by a mature tree planting to the east and western boundary and Hambleton Stables to the north. The existence of the mature tree band together with the retention of the paddock land to the south, it is considered that the development would not in itself have a major significant visual impact on this side of the village. It is well related to the PLD with the majority of the development being within the boundary.
62. The close relationship of this site to the existing buildings on this part of the Hambleton is of considerable importance. Immediately to the west of the site there is the large built form of Hambleton Hall and further to the west is The Hermitage, the recently constructed large residential property. Upon viewing the village from the opposite side of Rutland Water the site, and the buildings thereon, appear as being within this band of properties within this part of the village and not part of the surrounding countryside. The existing buildings on the site mark the extent of the built-up part of the village along the south side of the peninsula. Beyond these properties there are open fields and further tree coverage. Consequently the proposed scheme would not intrude into the surrounding attractive countryside or harm the rural setting of the village.
63. The current non-descript appearance of the existing house does not contribute positively on view towards Hambleton peninsula from across Rutland Water or enhance the character of the local area. Given its location in proximity to other large buildings in this part of Hambleton, the sites re-development with this sensitively designed scheme would enhance the character and appearance of this part of the village. The proposal, therefore, would not harm the rural setting of the village and would enhance the character and appearance of this part of Hambleton.
64. By virtue of the design, scale and materials to be used, the proposal would be in keeping with the host dwelling, streetscene and surrounding context in accordance with Section 12 of the NPPF (2019), Policy CS19 of the Rutland Core Strategy (2011) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Impact on the neighbours' residential amenities

65. There is no detriment to the residential amenity of neighbouring dwellings arising from any overbearing impact, overlooking or loss of light. There would not be any harm given the distance from neighbouring dwellings and the reduced height of the proposed dwelling.
66. Taking into account the nature of the proposal, appropriate scale, and adequate separation distances, it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with Section 12 of the NPPF (2019), Policy CS19 of the Rutland Core Strategy (2011) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Highway issues

67. The application includes a Construction Management Plan.
68. There are two rights of way from Ketton Road onto the site, Access Route A through the main entrance to Hambleton Hall, and a second, Access Route B leaving Ketton Road via the track immediately to the East of Dove Cottage and proceeding South to the site. The Construction Management Plan proposes that use of Access Route A will be limited to vehicles below 5 tonnes laden weight.

69. Access Route B will take all major deliveries to an on-site compound at the South end. This will provide space for parking of all vehicles and for vehicles, including large vehicles, to turn around and thus be able to exit onto Ketton Road in a forward gear.
70. The proposal, though larger than the existing house, is still a single residential property and the traffic that it will generate will not be considered excessive.
71. The Highway Department has no objection to the development in terms of access and parking and are satisfied with the Construction Management Plan.
72. The proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with Section 9 of the NPPF (2019) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Trees and Landscaping

73. Demolition of the existing buildings and construction of the new dwelling will pose some threat to existing trees within the site. However, the Arboricultural Impact Assessment and Tree Protection Plan, submitted with the application, have identified relevant trees for retention and protection. This has been assessed on site by the Council's Arboriculture Consultant, then amended in accordance with his guidance. This is now acceptable subject to the recommended condition on tree protection and implementation of the submitted method statements.
74. The proposal involves the removal of some trees and shrubs, these are fully identified and detailed within the application tree report and tree protection plan. The vast majority of these are small insignificant shrubs (graded C). There are however three category B trees that do require removal. It is considered that they are not particularly high-quality specimens and their loss will have no detrimental effect on the locality when considering the amount of trees that are to be retained.
75. The installation of foundations for the new buildings will sit within the Root Protection Areas (RPAs) of T2 and T5. The use of conventional strip footings in these areas would result in root severance which would be damaging to the trees.
76. In order to mitigate the impact, it is suggested that the building should be installed using a Housedeck foundation system. This information should be secured through a pre-commencement planning condition.
77. Paving exterior to the buildings is likely to pass through the RPAs of T2 and T5. Any paving in these areas should be installed using a no dig surface and a porous wearing course. The detail on hard surfaces and supporting arboricultural method statement is to be secured through a pre-commencement planning condition.
78. Materials for the construction of the development will be transported in along the farm track to the east of the site known as Route B. Tree protection barriers and temporary ground protection will be installed along the route.
79. As the access drive is not suitable for HGV vehicles beyond the north section, delivery vehicles will be brought carefully into site and unloaded onto a specified area. From here the materials will be brought into a further storage area using a single 4-wheel drive forklift built onto a tractor type machine. The weight of the incoming vehicle will be no more than 7.5t fully laden. The maximum width of the access track with ground protection will be 2.5m.

80. In offering these comments, your Officers are again mindful of the special duty imposed on the Local Planning Authority regarding heritage assets. The landscaping proposals will maintain the character of this part of the southern edge of Hambleton Conservation Area, including the quality of views into and out of the Area.
81. Regarding landscaping, there is no proposal to alter the landscape outside the proposed domestic residential curtilage.
82. Within the extended residential curtilage the area of former paddock land is to remain as grazed meadow.
83. A stone ha-ha will provide a perfect visual break between the formality of the upper areas and the return to agricultural use below.
84. It is considered that the proposed landscaping scheme conforms with the 2003 Assessment of Landscape Character for Rutland.

Ecology

85. The local authority consultant Ecologist has no objections to the proposal. The applicant has submitted a Great Crested Newt Mitigation Proposal and a Bat Survey which are considered satisfactory. Conditions are attached which require the submission of details in relation to the location of the bat tube, type and location of 3 No. Swift boxes.
86. An advisory note is also recommended regarding the need to apply for a European Protected Species Licence before undertaking mitigation works.

Crime and Disorder

87. It is considered that the proposal would not result in any significant crime and disorder implications.

Human Rights Implications

88. Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

Conclusion

89. The proposal is acceptable in principle being mostly sited within the PLD of a Restraint Village and given that it involves the replacement of existing housing without any net increase in the number of dwellings.
90. The proposal having a low profile, appropriate landscaping and being constructed from sympathetic materials would not harm the rural setting of the village and would enhance the character and appearance of this part of Hambleton. Furthermore, the proposal constitutes sustainable development which would have no adverse impact on highway safety. It is considered that the scheme, as proposed, would not have significantly detrimental impact upon residential amenity. It is also considered that the scheme would also not have a detrimental impact upon the setting of the Grade II Hambleton Hall Hotel and the Grade II Hambleton Hall stables.
91. These material considerations have been accorded significant weight and when added together, outweigh any perceived harm from the development. These factors constitute compelling grounds for approving the application subject to conditions.

92. Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 2, 9, 16), Policies CS3, CS4, CS 19 and CS22 of the Rutland Core Strategy (2011) and Policies SP1, SP5, SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014). There are no material considerations that indicate otherwise although conditions have been attached.