



Rutland County Council

Catmose,
Oakham,
Rutland
LE15 6HP

Application:	2022/0254/FUL	ITEM 1	
Proposal:	Conversion of the former White Horse Inn public house to residential use including demolition of existing single storey elements and the erection of a two-storey rear extension, demolition of the existing outbuildings and the erection of 4 no. new dwellings with associated infrastructure.		
Address:	White Horse Inn, 1 Stamford Road, Morcott		
Applicant	Mr Simon Boon	Parish	Morcott
Agent:		Ward	Braunston & Martinthorpe
Reason for presenting to Committee:	Called in by Cllr Brown		
Date of Committee:	18 July 23		
Determination Date:	20.04.22		
Agreed Extension of Time Date:	21.07.23		

EXECUTIVE SUMMARY

The proposal is considered acceptable in principle, would be visually acceptable and have no undue impact on the residential amenities of occupiers of neighbouring properties. The development would provide a high standard of amenity for future occupants, would be acceptable in terms of highway safety and ecology. The recommendation to approve is on balance, and is considered in accordance with local and national planning policies and guidance.

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:

21-973 (08)002 C Location Plan and Block Plan
21-973 (08)010 A Pub Conversion Floor Plans and Sections
21-973 (08)011 A Pub Conversion Elevations
21-973 (08)012 A Plot 1 Floor Plans, Elevations and Sections
21-973 (08)013 A Plot 2 Floor Plans, Elevations and Sections
21-973 (08)014 A Plot 3 Floor Plans, Elevations and Sections
21-973 (08)015 A Plot 3 Floor Plans, Elevations and Sections

Reason: For the avoidance of doubt and in accordance with Policies CS19 and CS22 of the Core Strategy, Policies SP15 and SP20 of the Site Allocations and Policies DPD.

3. Prior to the commencement of any above ground development, details/samples of all external materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall take place in accordance with these approved plans.

Reason: To ensure that materials of an acceptable quality appropriate to the area are used and to accord with policies CS19 and CS22 of the Core Strategy and Policies SP15 and SP20 of the Site Allocations and Policies DPD.

4. Prior to the commencement of any above ground development, the following shall be submitted to and be approved in writing by the Local Planning Authority. Development shall be carried out in accordance with these approved details.

- plans/sections of all doors and windows to a scale of not less than 1:20
- details of the reveal for all windows
- details of the conservation rooflights
- details of the stone boundary walls within the site to include coursing and coping
- details of the close boarded boundary fencing
- details of all boundary treatment including maintenance, repair and management of any retained boundaries.

Reason: To ensure that detailing, materials and finishes are of an acceptable quality and in accordance with Policy CS19 of the Core Strategy and Policy SP15 of the Site Allocations and Policies DPD.

5. Prior to the commencement of any above ground development a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, details of construction techniques within root protection areas, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication BS 5837: 2012 Trees in Relation to Construction shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the landscaping is designed in a manner appropriate to the locality and to enhance the appearance of the development and in accordance with Policy CS19 of the Core Strategy and Policy SP15 of the Site Allocations and Policies DPD.

6. All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the

commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that the landscaping is carried out at the appropriate time and is properly maintained and in accordance with Policy CS19 of the Core Strategy and Policy SP15 of the Site Allocations and Policies DPD.

7. No demolition or development shall take place until a Method Statement for bat mitigation has been submitted to and approved in writing by the Local Planning Authority. All works are to proceed strictly in accordance with the approved Method Statement to a timetable to be agreed.

Reason: To safeguard protected species within the site and in accordance with Policy SP19 of the Site Allocations and Policies DPD.

8. Car parking including garages and turning shall be provided in accordance with the approved layout plan prior to the first occupation of the dwelling to which it relates. It shall thereafter be retained and not used for any other purpose other than the parking and turning of vehicles.

Reason: In order to ensure that sufficient car parking and turning remains available on site in accordance with Policy SP15 of the Rutland Local Plan Site Allocations and Policies DPD 2014.

9. No unbound material shall be used in the surface treatment of either vehicular access within 5 metres of the highway boundary and it must be designed to ensure that no private surface water flows on to the public highway.

Reason: To avoid displacement of loose material and private surface water onto the highway in the interests of highway safety in accordance with Policy SP15 of the Rutland Local Plan Site Allocations and Policies DPD 2014.

10. The accesses hereby approved shall be provided in accordance with the details shown on the approved layout plan prior to first occupation of the dwellings to be served by it. It shall thereafter be retained in accordance with the approved plans.

Reason: In the interests of highway safety in accordance with Policy SP15 of the Rutland Local Plan Site Allocations and Policies DPD 2014.

11. The existing access on High Street directly north-west of the White Horse Inn building shall be permanently closed to vehicular traffic before occupation of plots 1, 2 and 4. Suitable temporary barriers shall be placed near but off the public highway as an interim measure if required.

Reason: In the interests of highway safety in accordance with Policy SP15 of the Rutland Local Plan Site Allocations and Policies DPD 2014.

12. Prior to commencement of the development, the High Street access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic including construction vehicles and retained free of any obstruction in perpetuity.

Reason: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with Policy SP15 of the Rutland Local Plan Site Allocations and Policies DPD 2014.

13. Prior to first occupation of the dwellings pedestrian visibility splays shall be provided on both sides of the accesses. The splays shall measure 2.0 metre by 2.0 metre measured along each side of the access and along the back edge of the highway. The splays shall thereafter be maintained and retained free from any obstructions over 600mm in height above ground level.

Reason: In the interest of highway safety in accordance with Policy SP15 of the Rutland Local Plan Site Allocations and Policies DPD 2014.

14. Off-site highway works shall include the provision of a footway from the High Street vehicular access to the north-west for a minimum distance of 2m together with a dropped pedestrian crossing place either side of High Street and replacement of the gravelled area along the north-east boundary of the White Horse Inn building with grass, details to be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in full prior to first occupation of Plots 1, 2 and 4.

Reason: In the interest of highway safety in accordance with Policy in accordance with Policy SP15 of the Rutland Local Plan Site Allocations and Policies DPD 2014.

15. Any lighting of private roads, driveways or parking areas shall be arranged so that no danger or inconvenience is caused to users of the adjoining public highway.

Reason: To avoid glare/dazzle which could lead to danger to highway users, in accordance with Policy SP15 of the Rutland Local Plan Site Allocations and Policies DPD 2014.

16. The accesses shall be designed to ensure that no private surface water flows on to the public highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety in accordance with Policy SP15 of the Rutland Local Plan Site Allocations and Policies DPD 2014.

17. No development shall take place, including any demolition work, until a Construction and Demolition Management Plan has been submitted and approved in writing by the Local Planning Authority, which will include the following:-

- a) A scheme for monitoring, reporting and control of construction noise and vibration including hours of working and scope for remedial action.
- b) A scheme for the control of dust and scope for remedial action in the event that dust is identified as an issue or any complaints are received.
- c) A scheme of chassis and wheel cleaning for all construction vehicles to include the details of location and specification of a wheel wash system together with hard surfacing laid between the apparatus and public highway in either concrete or tarmac, to be maintained free of mud, slurry and any other form of contamination during the period of construction with all exiting vehicles passing through. A contingency plan including, if necessary, the temporary cessation of all construction operations and movements to be implemented and any affected public highway thoroughly cleaned immediately with mechanical sweepers in the event that the approved vehicle cleaning scheme fails to be effective for any reason.
- d) Haul routes to the site and hours of delivery
- e) Measures to ensure that vehicles can access the site immediately upon arrival to ensure there is no park, waiting, loading/unloading or queuing on the public highway.
- f) Details of site compounds, storage area and contractor/visitor parking/turning.
- g) Details of the site enclosure or part thereof and gated site security.
- h) Confirmation of any tree protection measures.
- i) Confirmation that any demolition will be carried out in accordance with the ecological assessment.
- j) Details of site notice with contact details and a scheme for dealing with complaints.
- k) Details of any temporary lighting which must not directly light the public highway.
- l) Phasing plans where necessary.
- m) A scheme for recycling/disposing of waste resulting from the demolition and construction works.
- n) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.

The development shall thereafter be carried out in accordance with the approved Construction Management Plan.

Reason: In the interests of residential amenity and highway safety. in accordance with Policy SP15 of the Rutland Local Plan Site Allocations and Policies DPD 2014.

18. Temporary facilities shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the construction period.

Reason: In the interests of highway safety in accordance with Policy SP15 of the Rutland Local Plan Site Allocations and Policies DPD 2014.

19. No demolition/development shall take place/commence until the necessary programme of archaeological work has been completed. The programme will commence with a historic building survey and an initial phase of trial trenching to inform a final archaeological mitigation scheme. Each stage will be completed in accordance with a written scheme of investigation (WSI), which has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed mitigation WSI, which shall include the statement of significance and research objectives, and The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure satisfactory archaeological investigation, recording, dissemination and archiving and in accordance with Policy SP20 of the Site Allocations and Policies DPD.

20. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A-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), no enlargement, improvement or other alteration to the dwelling shall be erected or carried out and no outbuildings erected except with prior planning permission.

Reason: In the interests of visual and residential amenity and in accordance with Policy SP15 of the Site Allocations and Policies DPD.

21. No development shall take place within the buffer zone and the post and rail fence shall be erected prior to the first occupation of any dwelling adjacent to the buffer zone and shall thereafter be so retained.

Reason: In the interests of ecology and in accordance with Policy SP19 of the Site Allocations and Policies DPD.

Site & Surroundings

1. The site comprises the former White Horse Inn public house, an imposing two-storey stone and slate building separated from Stamford Road by a grass verge. The original building has been extended significantly with a range of outbuildings to the side and rear. There is an access point off Stamford Road which leads to a small area of hardstanding with the main access off High Street leading to the parking area. There is a belt of mature landscaping to the north on the site of the

former railway line, a grass paddock to the west and highways to the south and east. The site is on the southern tip of the village.

Proposal

2. The application comprises the conversion of the former White Horse Inn public house to residential use including the demolition of the existing single storey elements and the erection of a two-storey rear extension, demolition of the existing outbuildings and the erection of four new dwellings with associated infrastructure. Revised plans have been submitted to try and address visual amenity and highway safety issues raised by Officers.

Relevant Planning History

F/1995/0373 approved extensions and alterations to provide new kitchen and toilet facilities. FUL/2010/0924 approved the conversion of roof space to create first floor extension with new external staircase.

Planning Guidance and Policy

National Planning Policy Framework 9NPPF) 2019

Chapter 2 – Achieving Sustainable Development

Chapter 9 – Promoting Sustainable Transport

Chapter 12 – Achieving Well-Designed Places

Chapter 15 - Conserving and enhancing the natural environment

Chapter 16 - Conserving and Enhancing the Historic Environment

Site Allocations and Policies DPD (2014)

SP1 - Presumption in Favour of Sustainable Development

SP5 - Built Development in the Towns and Villages

SP6 - Housing in the Countryside

SP15 - Design and Amenity

SP20 - The Historic Environment

Core Strategy DPD (2011)

CS01 - Sustainable Development Principles

CS02 - The Spatial Strategy

CS03 - The Settlement Hierarchy

CS04 - The Location of Development

CS07 - Delivering Socially Inclusive Communities

CS19 - Promoting Good Design

CS22 - The Historic and Cultural Environment

CS21 - The Natural Environment

Neighbourhood Plan

None

Officer Evaluation

Principle of Development

3. The proposal comprises several elements; the first relates to the conversion of the pub into a dwelling. The submitted Design and Access Statement states the pub has been vacant for "a number of years". At paragraph 93 the NPPF states that planning decisions should guard against the unnecessary loss of valued facilities and services. Policy CS7 states proposals involving the loss of facilities, such as public houses, will not be supported unless an alternative facility to meet local needs is available that is both equally accessible and of benefit to the community or all options for continued use have been fully explored and none remain that would be financially viable.
4. Following an Officer request, the Agent has provided additional information which stated the public house has been vacant for 9 years, since October 2013, and is in a state of serious disrepair. Previous tenancies were as follows:
 - Punch Taverns - 24th June 1989 to 28th March 2010
 - Private landlord - 29th March 2010 to 31st August 2011
 - Private landlord- 1st September 2011 to 3rd October 2013.
5. The Agent also stated that given the physical condition of the building in 2013 at the end of the last tenancy and the operating market context there was no further commercial interest. Furthermore, the estimated refurbishment cost is £800,000 to £1,000,000 which is uneconomic given the potential return on investment for what is a modest building. Morcott is a small village and does not have the population necessary to support this level of investment in terms of patronage. There is no prospect of the public house use recommencing.
6. The submission is somewhat light on the justification for the loss of the pub, which is a community facility, other than to state it has been vacant for several years and the costs of refurbishment. For example, no evidence has been provided to demonstrate the pub has been vacant due to being financially unviable over a significant period, no evidence of marketing at a price that reflects the business has been provided together with an assessment of the interest, or lack of, and reasons for no purchaser coming forward, or that with effective management the pub could not thrive.
7. However, the pub has now been vacant since October 2013 and the potential refurbishment costs are high. The village is of a limited size and custom from elsewhere would be required to sustain an ongoing business. Given the period of vacancy it does not appear the pub is viable in the future and therefore regrettably it is concluded that a sufficient case has been made to demonstrate a new use for the site is required.

8. Policy CS7 also requires an alternative facility to meet local needs that is both equally accessible and of benefit to the community or all options for continued use have been fully explored and none remain that would be financially viable. The premises has not been operating for the benefit of the community for several years and during this time no alternative facility has been available. It is therefore considered unreasonable in this case to require an alternative facility. It is also considered that during the period the pub has not been operating there has been adequate time to explore other options and the fact that no alternative options have come forward heavily suggests no feasible options exist. As such, the proposal is considered to accord with Policy CS7.
9. The proposal also comprises the erection of four dwellings following the demolition of outbuildings and elements of the pub. Although it would be preferable to retain the outbuildings on the site and to convert/adapt them for residential development should the principle of land use be supported, it is not considered that the application could reasonably be refused on the grounds of the loss of the outbuildings.
10. In terms of the proposed new four dwellings the principle of development is subject to several policies. Policy CS1 establishes the sustainable development principles of Rutland. Policy CS2 establishes the spatial strategy and Policy CS3 the settlement hierarchy; this identifies Morcott as a Smaller Service Centre, a smaller village with a more limited range of facilities than the Local Service Centres. Policy CS4 then states the Smaller Service Centres can accommodate a minor scale of development mainly on previously developed land on a limited scale appropriate to the character and needs of the village, comprising the conversion or re-use of redundant suitable rural buildings. Policy SP1 reinforces the presumption in favour of sustainable development and Policy SP5 supports built development in towns subject to criteria being met.
11. As part of the site is on land classed as countryside, Policy CS4 states development in the countryside will be strictly limited and Policy SP6 sets out the limited circumstances where housing would be supported in the countryside. The Planned Limits of Development for Morcott is irregularly shaped in relation to the site where Plots 3 and 4 are proposed along with the parking to serve Plot 1 which are outside of the designation. It is acknowledged that the line of the Planned Limits of Development does not easily translate into the actual site as it excludes part of the existing outbuildings adjacent to the pub.
12. Nonetheless, a clear strip of land to the west of the existing outbuildings is clearly outside of the boundary. Whilst no objection would be raised to utilising land outside of the boundary where the outbuildings are located to offset the irregular boundary, the use of a strip of land clearly outside of the pub site is harder to support.
13. However, part of the land beyond the settlement boundary would be retained as garden and the extent of built development beyond the Planned Limits of Development would be limited. Taking the site and proposals overall, it is considered difficult to identify harm with the proposals marginally encroaching

land beyond the settlement boundary. A significant proportion of the application site constitutes previously developed land including the public house, its car park, the range of outbuildings and the associated beer garden.

14. The Council can demonstrate a five-year housing land supply and therefore this strand of the justification put forward in support of the proposal now carries little weight. However, given the support for the conversion of the disused pub, the re-use of previously used land and the limited development within the countryside, overall it is not considered there are reasonable grounds on which to resist the proposal in terms of principle.

Visual Impact including Heritage Assets

15. The Local Planning Authority is required to ensure that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72.
16. The NPPF refers to the importance of considering the impact of development on the significance of designated heritage assets and advises that development and alterations to designated assets and their settings can cause harm.
17. Policy CS22 of the Rutland Core Strategy (2011) and Policy SP20 of the Site Allocations and Policies Development Plan Document (2014) both seek to protect historic assets and their settings and their character and special features.
18. In terms of the impact on heritage assets, the White Horse is a nineteenth century Inn prominently located at the southern end of High Street. It is not listed but is identified in the Conservation Area Appraisal (2014) as a building which contributes to the character of the village. It can therefore be considered a Non-Statutory Heritage Asset as defined in Annex 2 of the NPPF.
19. The principal part of the building and some of its extensive range of outbuildings are located within the Morcott Conservation Area. The proposals involve the conversion of the original Inn to a dwelling, the demolition of the outbuildings and replacement with four dwellings, three served by a private drive off High Street and the other and the converted Inn by the existing drive off Stamford Road.
20. The retention of the historic Inn is welcomed; however, it would have been preferred to retain the single storey outbuildings as retention and conversion would have maintained the historic character of the site. The removal of these buildings and the replacement with more prominent structures would affect the overall group of buildings in terms of historic integrity. In response to this the Agent stated the existing, rather utilitarian, outbuildings have been significantly altered and are not of a scale and nature suitable for conversion to independent residential use. However, of the 210 square metres of these existing outbuildings only 40 square metres would be lost with the majority retained and adapted to provide ancillary car parking and storage for the proposed dwellings.

21. The proposed replacement buildings are to be either two-storey or 1.5 storey. The two houses on the eastern High Street frontage, either side of the entrance to the private drive, would be detached and of a neo-vernacular style. The house at the end of this drive (Plot 4) would be of a pseudo-barn style. The 1.5 storey dwelling would be approximately in-line with the converted Inn. Materials specified are appropriate to the context.
22. Given that this development is at the entrance to Morcott from the south, it is particularly important that any development does not have a detrimental impact on the setting of the existing building and is suitable for this part of the Conservation Area. The proposed new dwellings would have a greater prominence in the street scene and whilst the Conservation Officer raised some concerns over the proposed pseudo-barn and the height of the houses on plots 1,2 and 4, the development would, on balance, preserve the character and appearance of the Conservation Area.
23. The Council's Design Officer has commented, stating the submission is lacking in site analysis, raising some concerns over the proximity of building to the root protection area, that the High Street character needs to be taken into account including the existing hedge, and consideration of site boundaries. In response revised plans have been received replacing proposed timber fencing along the internal driveway with stone walls and an agreement that all boundary treatment could be subject of a condition.
24. Overall, it is considered that when viewed externally, the proposals are visually acceptable. The proposed plots either side of the access onto High Street frame the access and have some symmetry but with subtle differences to add interest. Plot 4 also would not compete with the Inn as the primary building and the barn would be the least visible from outside the site. The proposals would however develop a small part of the currently green open space to the west of the Inn which provides an open and undeveloped approach into the village. Within the site itself, the scheme being outward facing is less successful. Although Plot 4 would provide a focal point on the access road, the dwellings at Plots 1 and 2 generally provide blank walls which would then be read with boundary walls and parking. However, views into the site would be limited and with enhanced boundary treatment would be beneficial.
25. On balance, it is considered the scheme can be supported on visual grounds and the tests of the above policies and guidance have been met through the revised plans. Subject to the imposition of the relevant conditions, the scheme is not considered to result in any harm to surrounding heritage assets, including that of the surrounding Conservation Area and the proposal is not considered to result in any visual harm to the street scene, or the character of the area.
26. Taking the above into account, the proposal is in accordance Sections 12 and 16 of the NPPF (2021), Policies CS19 and CS22 of the Rutland Core Strategy (2011) and Policies SP15 and SP20 of the Site Allocations and Policies Development Plan Document (2014).

Impact on Trees

27. A key feature of this part of the village and conservation area is the mature belt of trees adjacent to the former railway line, to the north of the application site. These are within the conservation area and make a positive contribution to the designation.
28. An arboricultural report has been submitted in support of the application and noted that in terms of Tree G1, there is a slight incursion into the root protection areas at Plots 1 and 4 (including the garage). It notes Plot 1 root protection area is already under hardstanding so there should be no significant impact. The report states the incursion at Plot 1 is very minor and as such there should be no adverse impact. Equally, due to the size of the incursion, specialist construction techniques would be considered to be disproportionate although the path around Plot 1 within the root protection area would need to be of no-dig design.
29. Plot 1 would be close to the trees; however, the northern boundary does not propose habitable openings and the main part of the garden would be to the west of the dwelling. Plot 4 is also sited close to these trees with the northern elevation having double doors opening onto the trees.
30. The Ash (T1) has been assessed on site by the Council's Tree Officer who confirms the tree has *Perenniporia fraxinea*, a decay fungi which attacks the base of the tree. It also has a large, albeit occluding, wound at the base on the north side of the tree and no objection is raised to the removal of the tree.
31. On balance, it is considered the proposals would protect the long-term health of the trees and not be harmful to the amenities of future occupants.

Residential Amenity

32. The site is somewhat self-contained with no immediate neighbours; the closest neighbours are separated by highways. Within the site, the proposals broadly avoid undue overlooking or loss of privacy. In terms of garden areas, the plot sizes are as follows:

Plot 1 - (122 square metres excluding front garden and driveway)
Plot 2 - (110 square metres excluding front garden and driveway)
Plot 3 - (180 square metres excluding front garden and driveway)
Plot 4 - (220 square metres excluding front garden and driveway) Inn - (210 square metres excluding front garden and driveway).
33. The proposals, given their location, scale, and when having regard to the positioning of proposed openings, would not have any adverse impact on residential amenities of the neighbouring properties or amenity areas by way of overbearing, overshadowing, or overlooking impacts. There are no properties immediately adjacent to the proposed rear extension and the other works are alterations to existing elements.

34. The proposal is therefore acceptable in this respect, in accordance with Section 12 of the NPPF (2021), Policy CS19 of the Rutland Core Strategy (2011) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Highway Safety

35. Plots 1, 2 and 4 would be served off the existing access onto High Street. Plot 3 and the Inn would be served off the existing access off Stamford Road. Two parking spaces per dwelling would be provided. The Highway Officer initially raised several issues with the proposal which required revisions; the Highway Officer raised no objection to the amended proposals subject to conditions. It is considered the proposal would be acceptable in terms of highway safety. The previous use of the premises as a pub would have generated a potentially significant level of traffic and the likely traffic generation from the five dwellings would not be harmful to the local highway network. Subject to conditions, the proposed accesses, parking and turning would be acceptable.
36. Therefore, the proposal would not have an unacceptable adverse impact on highway safety in accordance with Section 9 of the NPPF (2021) and Policy SP15 of the Site Allocations and Policies Development Plan Document (2014).

Ecology

37. The Preliminary Ecological Appraisal and Roost Assessment report (Hillier Ecology, January 2022) confirmed evidence of bats using the building to roost and the buildings on site had suitable roosting features for bats. Therefore, further bat surveys were required.
38. With regard to badger, the report confirmed that "no Badger setts were identified on the site and there was no evidence of Badger activity". However, the adjacent dismantled railway and woodland provides suitable habitat for badger and this adjacent land wasn't surveyed. Badger tunnels can extend to 20 metres or more, therefore the development could impact a badger sett within this area and a badger survey was required. Furthermore, LCC Ecology stated the original layout was not acceptable as a minimum 5 metre buffer to include natural vegetation would be needed between the woodland/dismantled railway and the development and that this should not form garden boundaries.
39. The arboriculture report states that "There is no sound arboricultural justification to remove T4, T5, T6, T7, T8. However, within the context of development, they will need to be felled in order to achieve the layout, replacement planting is to be provided in mitigation". It is accepted that if there were no way to avoid removing these trees compensatory planting will be required.
40. In light of the above, an updated badger survey took place and found no evidence of badger; no further survey is required.
41. The follow up bat survey has been carried out and two species of bat were found to be using the former pub building for roosting. A mitigation scheme and alternative roosting opportunities will be required, of which no details were provided in the report. There is scope for a bat loft to be provided within the

building once converted. This is sufficient at this stage and conditions can be imposed.

42. An amended plan has been submitted to provide a delineated buffer with a minimum depth of 5 metres other than for a small length adjacent to Plot 4, which will be compensated for by an increased width adjacent to Plot 1. This buffer would be excluded from domestic curtilages and demarked by a post and rail fence with native species hedging. Gated access from High Street can be provided. These details and future maintenance/management of the buffer can be secured by planning condition.
43. As such, the biodiversity issues have been addressed, in accordance with Policy CS21 of the Core Strategy and Policy SP19 of the Site Allocations and Policies DPD.

Other Matters

44. A resident commented that reinstating the pub in consultation with the Burghley Estate was well supported and not acted upon which was a missed opportunity. Officers acknowledge it would be preferable for the building to be re-used as a pub; however, there is sufficient evidence to demonstrate this is unlikely to be a realistic prospect and as such the conversion of the pub to residential is considered a suitable option.
45. A resident stated no objection to converting the pub into habitable dwelling space but objected to Plots 3 and 4 as they would be outside the Planned Limit of Development. Officer acknowledges that part of the site projects beyond the settlement boundary; however, this is discussed in detail above and on balance it is considered acceptable in this case.
46. A resident stated a development more in keeping with village needs such as 2 pairs of 3 bed and the refurbishment of the pub to include a modest licensed area for the villagers and residential use could be proposed. The pub closed not for lack of trade and the reinstatement of the pub would in principle receive the support of the village. The outbuildings should be retained.
47. Officers acknowledge that the proposals relate to four-bedroom dwellings; however, the number of residential units proposed as part of the scheme is small and on a scheme of this scale it is not considered there are reasonable grounds to resist on housing mix. Furthermore, no plans for retention of the pub have been forthcoming. The issue of the outbuildings has been discussed above.
48. The Parish Council noted a significant portion of the proposed development is outside the existing PLD, in particular, the houses and gardens of Plots 3 and 4. There is great concern that the proposed vehicular access for Plot 3 and for the converted White Horse would allow direct vehicle access onto the A6121 Stamford Road. This proposed access is directly into a 40 mph speed limit and is only a few metres away from a busy junction with traffic entering the A6121 at speed from a 50 mph speed limit on a major trunk road. Objection is raised to the potentially unnecessary removal of the large and significant Ash Tree in front

of the White Horse Inn which is an essential component of the street scene on entering the village and seek a TPO. They also seek a children's playground and repair of the perimeter wall around the paddock fronting onto the A47 and A6121.

49. Officers acknowledge that part of the development would encroach into land beyond the settlement boundary; this is discussed above. The Highway Authority has been consulted on the application and have no objections, subject to conditions. In terms of the Ash tree the submitted report states the tree is infected with *Perenniporia fraxinea* which causes 'butt-rot' affecting the buttress zone and principal roots and it is suggested that the tree is felled. The Council's Forestry Officer raised no objection.
50. The Parish Council has also submitted a document for the attention of the Planning Committee. This states there is no community benefit in the proposed development, it was always envisaged that a children's playground should be included in any development on the White Horse site for the benefit of the community and we request that this is a condition of any planning permission should it be granted.
51. They also state that should planning permission be granted, for this or any similar development on the site, then the developer should be responsible for rebuilding the stone perimeter wall around the paddock fronting onto the A47 and A6121, and for keeping it in good repair.
52. Officers are of the view that given the limited scale of the proposal, a children's play area cannot be insisted upon and a condition requiring this would not meet the tests of imposing conditions. A condition regarding boundary treatment, including existing boundaries, is recommended.
53. The Parish Council also raised queries relating to highway safety as set out below:
 - I. The visibility splays from the development's new junction onto the Stamford Road is perplexing. In a 40mph limit as Stamford Road is, the minimum visibility splay should be 65m. The highways officer says as much in item 9 of their review dated 14 December 2022. However the same item mentions subsequent communication from the developer that isn't uploaded so it can't be checked. The officer also goes on to say in comment 9 that a further review has been carried out using 'highway records' and that '...it would appear that adequate splays are achievable within the public highway..'
 - II. This should be clarified since if the distance to the A47 junction is 54m or thereabouts, it doesn't meet the requirement of 65m. There is nothing special about the design proposal or the existing give-way junction from the A47 identified that should allow a less onerous requirement of the developer, and if there are they should be made public for further review.
 - III. Looking at the developer's block plan 08-002-rev c, it is considered the block plan in this instance isn't the correct drawing to show visibility splays, particularly if the required visibility distances aren't achieved in the design

proposal. A separate drawing would be appropriate and one that includes all mitigating information that may support a less onerous design. Additionally the block plan has been orientated directly northwards and in doing so leaves insufficient space on the drawing to show the full extent of the visibility splays. The drawing stops at 43m and it's not clear whether that is the maximum achievable or whether more can be or whether the developer believes it is sufficient. Had the drawing been rotated 45 degrees left or right, there would be sufficient space to show the A47 junction. There's no requirement to orient a drawing northwards and is perhaps intentionally shown this way. A separate drawing would remove any doubt. Approving this rev-c drawing in its current arrangement is not acceptable because the information required is just not shown.

- IV. Views looking to the right when exiting the new development junction towards the A47 can be restricted by the existing field boundary wall, lampposts or pedestrians on the footpath to such a degree that only the very final part of the A47's filter / give-way zone onto the Stamford Road is visible. This must be a negative for any consideration on reducing the visibility splay from 65m.
- V. As for MPC, the planning office should take into account MPC's local knowledge of the A47 junction, the speeds the five-way turn is taken at, with cars often seen straying onto the oncoming lane when turning. If 65m is not achievable and MPC and residents' concern with speed exists here already, without supporting information from highways showing recent speed capture data or say a provision for traffic calming at the A47 give-way approach to Stamford Road, any approval of a new junction as currently proposed by the developer appears irresponsible.
- VI. Finally, in the conditions set by the highways officer on 14 December 2023, there is nothing re: visibility splays onto the Stamford Road, only onto the High Street. This is again perplexing as on face value of the documents uploaded, the design doesn't meet the requirement.

54. In response, the Highway Authority made the following comments:

- I. The accesses being proposed are existing but modified to meet current standards.
- II. The access on to the A6121 has available vehicle to vehicle visibility in both directions of above 2.4 x 65m, 77m towards the southwest (A47) and significantly more to the northeast (along the A6121).
- III. The access off High Street now only requires a 25m Y distance due to the installation of the 20mph speed limit. That said, a Y distance of 43m was achievable within the existing public highway, but as mentioned before would require some removal of the existing hedgerow. In terms of the visibility splay to the southeast of the access, it includes both a 20mph directly outside of the site access and a change from 20 to 40mph some 23m to the southeast. The actual available Y distance to the south east of

the access is 54m to the nearside channel line of the A6121. This is measured along the nearside channel line of High Street, not as the crow flies. Furthermore, as the link between the A6121 and High Street has giveaways either end, visibility is not measured to these from the High Street access. Taking all into account, the access off High Street is considered acceptable, even more so now following the introduction of the 20mph speed limit.

- IV. In summary, the LHA are satisfied that the upgraded accesses and the vehicle to vehicle visibility requirements are adequately met within the extent of the public highway and do not pose a highway safety concern, subject to trimming back of the existing overgrown hedgerow and planting.
- V. Lastly, the reason why a visibility splay condition was not recommended for the A6121 access is that they are wholly within the public highway and do not suffer from overgrown planting. A condition was recommended for the High Street access to ensure the site boundary vegetation, of which is the developers responsibility, would be cut-back accordingly.

Crime and Disorder

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

Human Rights Implications

- 56. 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.
- 57. It is considered that no relevant Article of that act will be breached.

Consultations

- 58. **Morcott Parish Council** objects to this planning application on the following grounds:
 - I. A significant portion of the proposed development is outside the existing PLD: In particular, the houses and gardens of Plots 3 and 4 are completely outside the PLD;
 - II. There is great concern that the proposed vehicular access, both for plot 3 and for the converted White Horse, would allow direct vehicle access onto the A 6121 Stamford Road. This proposed access is directly into a 40 mph speed limit and is only a few metres away from a busy junction with traffic entering the A6121 at speed from a 50 mph speed limit on a major trunk road. This would represent a high risk. It is an unnecessary risk which could easily be mitigated by repositioning the access away from the A6121;
 - III. We object to the potentially unnecessary removal of the large and significant Ash Tree in front of the White Horse Inn which is an essential component of the street scene on entering the village. We request that a Tree preservation order be put on this tree by RCC to preserve the street scene. In any case a second opinion concerning preservation of this tree

- should be obtained from an arborist;
- IV. Due to the impact that this development will have on the village, we request that this application be reviewed by Rutland County Council's planning committee following assessment by the Planning Officer;

Additionally:

- There is no Community benefit in the proposed development. It was always envisaged that a children's playground should be included in any development on the White Horse site for the benefit of the community and we request that this is a condition of any planning permission should it be granted;
- Similarly: Should planning permission be granted, for this or any similar development on the site, then the developer should be responsible for rebuilding the stone perimeter wall around the paddock fronting onto the A47 and A6121, and for keeping it in good repair.

59. **Leicestershire Council Council Archaeology** stated the Leicestershire and Rutland Historic Environment Record (HER) notes that the White Horse Inn is a 18th century coaching inn made from stone with a slate roof (HER ref: MLE21524). It is also located within the Historic Settlement Core of Morcott (MLE16884).

Appraisal of the Leicestershire and Rutland Historic Environment Record (HER) indicates the building is, or has the potential to constitute a heritage asset (or assets) with an archaeological and heritage interest (National Planning Policy Framework (NPPF) Section 16, paragraph 189 and Annex 2).

We therefore, recommend that the planning authority require the applicant to complete an appropriate level of building recording prior to alteration, to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance (NPPF Section 16, paragraph 199). This should be secured by condition on any approved planning application.

This will require provision by the applicant for a level of building recording, to equate with a Level 2 'Descriptive Survey', as specified in Historic England's Understanding Historic Buildings. A Guide to Good Recording Practice, HE 2016). With reference to the development impact, both the exterior and interior of the building will be investigated, described and photographed. The examination of the building will produce an analysis of its development and use and the record will include the conclusions reached. The survey will result in the preparation of accurate plans, elevations and/or sections, where applicable utilising available survey data or plan records.

Further to this based upon the available information, it is anticipated that below ground archaeological remains may be impacted by this application. These remains whilst significant and warranting further archaeological mitigation prior to the impact of development, are not of such importance to represent an obstacle to the determination of the application (NPPF paragraph 195).

In that context it is recommended that the current application is approved subject to conditions for an appropriate programme of archaeological mitigation, including an initial phase of exploratory trial trenching and historic building recording, followed, as necessary by intrusive and non-intrusive investigation and recording. The Historic & Natural Environment Team (HNET) will provide a formal Brief for the latter work at the applicant's request.

If planning permission is granted the applicant must obtain a suitable written scheme of Investigation (WSI) for both phases of archaeological investigation from an organisation acceptable to the planning authority. The WSI must be submitted to the planning authority and HNET, as archaeological advisors to your authority, for approval before the start of development. They should comply with the above mentioned Brief, and with relevant Chartered Institute for Archaeologists 'Standards' and 'Code of Practice'. It should include a suitable indication of arrangements for the implementation of the archaeological work, and the proposed timetable for the development.

We therefore recommend that any planning permission be granted subject to planning conditions (informed by paragraph 37 of Historic England's Managing Significance in Decision-Taking in the Historic Environment GPA 2), to safeguard any important archaeological remains potentially present.

The Written Scheme of Investigation/s (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.

60. **The Historic and Natural Environment Team**, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.
61. **Forestry Officer** had no comments to make.
62. **Highway Authority** raise no objection subject to conditions and informatives.
63. **Conservation Officer** The White Horse is a C19 Inn prominently located at the southern end of Main Street, Morcott. It is not Listed but is identified in the Conservation Area Appraisal (2014) as a building which contributes to the character of the village. It can therefore be considered a Non-Statutory Heritage Asset as defined in Annex 2 of the NPPF.

The principal part of the building and some of its extensive range of outbuildings are located within the Morcott Conservation Area.

The proposals involve the conversion of the original Inn to a dwellings, the demolition of the outbuildings and their replacement with four dwellings, three served by a private drive off High Street and the other and the converted Inn by an existing drive off Stamford Road.

It is pleasing to see that the main building of this historic Inn is to be retained and converted. However, it is a pity that the existing single storey outbuildings are to

be removed as this will erode the historic character of the site and increase its prominence as the replacement buildings are to be either two storey or 1½ storey. The two houses on the eastern, High Street frontage, either side of the entrance to the private drive, would be detached and of a neo-vernacular style. The house at the end of this drive (Plot 4) would be of a pseudo-barn style. The 1½ house would be roughly in-line with the converted Inn. Materials specified are appropriate to the context.

Given that this development is at the entrance to Morcott from the south, it is particularly important that any development does not have a detrimental impact on the setting of the existing building and this part of the Conservation Area. The proposed new dwellings will have a greater prominence in the scene and whilst I have reservations about the proposed pseudo-barn and the height of the houses on plots 1,2 & 4, the development will, balance, preserve the character and appearance of the Conservation Area.

I would only suggest that consideration needs to be given to ensuring that the western boundary, the rear boundary to Plot 4 and side boundary to Plot 3 remains as "Estate Fencing", as specified on the submitted drawings and is not replaced or supplemented by timber fencing as this would erode the character and appearance of the development when viewed from the west. If occupiers have security concerns about these boundaries, then they should be reinforced with Hawthorn hedging to provide a more secure boundary.

Also, the fencing shown to be boundaries of Plots 1 & 2, either side of the private drive, should be more appropriately defined by stone walls. The view along the drive from High Street, towards the house on Plot 4 is framed by the houses and the boundary treatments to their rear gardens and fencing does not have the appropriate aesthetic qualities of a stone wall.

64. **Leicestershire County Council Ecology** The Preliminary Ecological Appraisal and Roost Assessment report (Hillier Ecology, January 2022) confirms evidence of bats using the building to roost was found and the buildings on site have suitable roosting features for bats. Therefore further bat surveys will be required. The follow up surveys are acceptable and no further surveys are now required. The updated badger survey was satisfactory and no further surveys are required.

Neighbour Representations

65. Three representations received objecting on the grounds that part of the site lies outside of the limits of development, the Council previously stated under no circumstances would development be permitted outside of the village boundary, the absence of the five-year housing land supply is irrelevant, the reinstatement of the pub would be supported by the village, the single storey outbuildings associated with the historic pub should be retained and converted, the pub did not close due to lack of trade.

Conclusion

66. Taking the above into account, the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9, 12 and 16), Policies CS1-4, CS7, CS19, CS21 and CS22 of the Rutland Core Strategy (2011), Policies SP1, SP5, SP7, SP15, SP19 and SP20 of the Site Allocations and Policies Development Plan Document (2014) and the above-mentioned Act. There are no material considerations that indicate otherwise although conditions have been attached.

67. The Council as Local Planning Authority has had regard to the relevant policies of the development plan and considers that subject to compliance with the conditions attached to the permission, the proposed development would be in accordance with the development plan as set out above, would not materially harm the living conditions of neighbouring occupiers, result in any unacceptable highway safety impacts, harm the special interest of the surrounding Conservation Area and would be acceptable in all other planning considerations. The Council has taken into account all other matters, none of which outweigh the considerations that have led to its decision.