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| Application : | 2023/0822/OUT | ITEM 2 | |
| Proposal: | Demolition and site clearance and redevelopment of the site for residential use (Use Class C3) and 168 sqm (GIA) of Use Class E floorspace, open spaces, access, landscaping, infrastructure and associated works (Outline Application with all matters reserved save for main points of access). | | |
| Address: | Officers Mess 16 Regiment Royal Artillery, St George's Barracks, Welland Road, Edith Weston | | |
| Applicant | Secretary of State for Defence | Parish | Edith Weston |
| Agent: | Montagu Evans | Ward | Normanton |
| Reason for presenting to Committee: | Public opposition to the proposal | | |
| Date of Committee: | 19 th March 2024 | | |
| Determination Date: | 06 November 2023 | | |
| Agreed Extension of Time Date: | 22/3/2024 | | |

EXECUTIVE SUMMARY

The application site lies outside but adjacent to the Planned Limits of Development of the settlement of Edith Weston.

The proposal is for the redevelopment of the existing Officer's Mess site associated with St George's Barracks, and the site is therefore classified as previously developed land.

General location policies of the Development Plan would not support development in such a location however the scheme is considered to represent sustainable development as defined in the National Planning Policy Framework due to its previously developed nature, and the emerging Neighbourhood Plan does support the principle of the development of the site.

The demolition and removal of the existing buildings from the site would allow the opportunity for a new development to provide a material uplift in the quality of the built environment in the vicinity of the application site, also allowing for improvement in the setting of an existing listed building and the Edith Weston Conservation Area.

None of the key issues for consideration in respect of the proposal as set out in detail in the following report are considered to outweigh the benefits of the scheme.

RECOMMENDATION

APPROVAL subject to the completion of a Section 106 agreement in respect of the proposal, and the following conditions

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| 1 | <p>Outline Planning Permission - Time limit for commencement The development shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason – To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> |
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| 2 | <p>Time limit for submission of reserved matters Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.</p> <p>Reason – To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> |
| 3 | <p>Reserved Matters No development shall be commenced until plans and particulars of the reserved matters referred to in the above conditions relating to the appearance, landscaping, layout and scale have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason - The application as submitted does not provide sufficient particulars for consideration of these details.</p> |
| 4 | <p>Details – compliance with all plans The development hereby permitted shall not be carried out except in complete accordance with the access details shown on the submitted plan, reference 65201348-202-SWE-XX-XX-D-H-0001 P03.</p> <p>Reason - For the avoidance of doubt and in the interests of proper planning.</p> |
| 5 | <p>Limit to the number of dwellings to be provided on the site The applications for the approval of the reserved matters shall provide for no more than 85 dwellings on the site. The application seeking approval for layout reserved matters shall be accompanied by information to demonstrate how the existing constraints on the land have been taken into account in developing the final layout, as well as accounting for any subsequent reductions in the developable area of land/number of dwellings within the site should subsequent investigations show that the developable area is less than detailed at this outline stage.</p> <p>Reason - To demonstrate that the proposed number of dwellings can be accommodated within the site whilst maintaining space available for relevant open space, sustainable drainage, tree protection and ecological interests in accordance with Policy SP15.</p> |
| 6 | <p>Design Code Prior to the submission of any application for Reserved Matters approval, a detailed Design Code shall have been prepared for the application site, submitted to and agreed in writing by the Local Planning Authority. The Design Code shall be prepared in accordance with the Design Guidelines for Rutland (2021) and the principles contained therein. All applications for Reserved Matters approval shall be accompanied by a Design Statement which shall explain how the proposal conforms to the requirements of the approved Design Code.</p> <p>Reason – To ensure that the development of the site is undertaken in such a way that conforms with the relevant policies of the development plan, the Design Guidelines for Rutland (2021) and chapter 12 of the National Planning Policy Framework, relating to design quality and enhancement of the character of the area within which a site is located</p> |
| 7 | Archaeological investigation |

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| | <p>No development shall take place within the application site until the applicant or developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.</p> <p>Reason - To allow proper investigation and recording of the site, which is potentially of archaeological and historic significance.</p> |
| 8 | <p>Contamination</p> <p>1. Site Characterisation</p> <p>No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person as defined by annex 2 of the National Planning Framework. The assessment shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:</p> <p>(i) a survey of the extent, scale and nature of contamination;</p> <p>(ii) develop the conceptual site model to assess and evaluate the potential risks to:</p> <p>human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems archaeological sites and ancient monuments.</p> <p>This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management' Guidance.</p> <p>2. Submission of Remediation Scheme</p> <p>No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.</p> <p>This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management' Guidance.</p> <p>3. Implementation of Approved Remediation Scheme</p> |

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| | <p>The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report must be submitted to the Local Planning Authority. The validation report must clearly demonstrate through the provision of clear and unambiguous evidence that the approved remediation scheme has been completed as stated.</p> <p>This must be conducted in accordance with the Environment Agency's 'Land Contamination Risk Management' Guidance.</p> <p>4. Reporting of Unexpected Contamination</p> <p>In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing within 5 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.</p> <p>An assessment must be undertaken in accordance with the requirements of part 1 of this condition, and where remediation is necessary, a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of part 2 of this condition. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following the completion of measures identified in the approved remediation scheme, a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with part 3 of this condition.</p> <p>Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.</p> |
| 9 | <p>Foul drainage works</p> <p>Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any dwelling on the site, the foul water drainage works relating to that dwelling must have been carried out in complete accordance with the approved scheme.</p> <p>Reason - To prevent environmental and amenity problems arising from flooding.</p> |
| 10 | <p>Sustainable Drainage</p> <p>The development hereby permitted shall not commence until details of the design, implementation, maintenance and management of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include:</p> <p>a) Information about the design storm period and intensity (1 in 30 & 1 in 100 (+40% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the</p> |

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| | <p>measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;</p> <p>b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);</p> <p>c) Flood water exceedance routes, both on and off site;</p> <p>d) A timetable for implementation;</p> <p>e) Site investigation and test results to confirm infiltrations rates; and</p> <p>f) A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.</p> <p>Reasons - To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off the site resulting from the proposed development.</p> |
| 11 | <p>Hard standings</p> <p>All driveways and parking areas shall be constructed of porous materials, or provision shall be made to direct run-off water to a permeable or porous area or surface within the curtilage of the property.</p> <p>Reason – In the interests of sustainable development and to ensure that run-off water is avoided to minimise the risk of surface water flooding.</p> |
| 12 | <p>Proposed levels</p> <p>The reserved matters layout application shall provide details of existing and proposed levels of the site, finished floor levels and identifying all areas of cut or fill. The layout of the dwellings shall take account of the levels change across the site and demonstrate that it will have a satisfactory relationship with the landform, wider visual amenity and adjacent residents.</p> <p>Reason - To ensure that the relationship of the proposed dwellings to each other and to adjacent dwellings is acceptable, in the interests of residential amenity.</p> |
| 13 | <p>Noise Impact Assessment</p> <p>Prior to the commencement of development a Noise Impact Assessment shall be submitted to and approved in writing by the Local Planning Authority. The Noise Impact Assessment shall be completed by a competent person in line with the methodology in BS4142:2014 considering daytime and nighttime background levels and shall include the assessment of any equipment to be provided with the dwellings that would affect the noise environment of the scheme (such as but not limited to air-source heat pumps). The development shall be implemented in accordance with the approved details, including any necessary mitigation, and shall thereafter be retained and maintained as such in perpetuity.</p> <p>Reason – To ensure that the development does not result in any noise generation that would adversely affect the amenity of the nearby and adjoining properties in accordance with the requirements of policy SP15 of the Site Allocations and Policies DPD (2014).</p> |

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| 14 | <p>Construction Method Statement</p> <p>No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> o strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction. o the parking of vehicles of site operatives and visitors o construction traffic routes to and from the site, including deliveries o restrictions on timings of deliveries to and from the site to avoid conflict with the nearby school at morning drop-off and afternoon pickup times o loading and unloading of plant and materials o storage of plant and materials used in constructing the development o the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate o wheel washing facilities o measures to control the emission of dust and dirt during construction o a scheme for recycling/disposing of waste resulting from demolition and construction works o Hours of working on site <p>Reason - To ensure that the development is carried out in a manner that minimises disruption to the highway network and that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction, in the interests of highway safety and in accordance with Policy SP15.</p> |
| 15 | <p>Bat Mitigation</p> <p>No building demolition 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.</p> <p>Reason – To ensure that any bats present on the site, which are legally protected under the Wildlife and Countryside Act 1981, are not compromised by the work hereby approved.</p> |
| 16 | <p>Construction Environment Management Plan</p> <p>No development shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the LPA. The CEMP shall include the following details:</p> <ul style="list-style-type: none"> A. Identification of potentially damaging construction activities B. identification of biodiversity protection zones C. practical measures and sensitive working practices to avoid or reduce impacts during construction D. timing of works to avoid harm to nesting birds E. responsible persons for overseeing sensitive works F. use of protective fencing where required <p>The approved CEMP shall be adhered to and implemented throughout the construction</p> |

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| | <p>period strictly in accordance with the approved details, unless otherwise agreed in writing by the LPA.</p> <p>Reason - In order to protect the protected wildlife species and their habitats that are known to exist on site.</p> |
| 17 | <p>Drainage during Construction No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority. The construction of the development must be carried out in accordance with these approved details.</p> <p>Reason - To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase</p> |
| 18 | <p>Off-site Highway Improvements Notwithstanding the layout shown on the approved plans, a detailed plan showing a zebra crossing over Manton Road to the west of the main site access together with a fully iterative Stage 1 Safety Audit and Designers Response shall be submitted to the Local Planning Authority for approval in writing. Once approved, this together with all other off-site highway improvement works as shown on the Proposed Access Arrangements plan, 65201348-202-SWE-XX-XX-D-H-0001 Rev P03, will be fully implemented prior to first occupation.</p> <p>Reason - To ensure that appropriate loading/unloading facilities are available in the interest of highway safety in accordance with Policy SP15 in the Adopted Rutland Local Plan Site Allocations & Policies DPD 2014, Design Guidelines for Rutland (SPD), The National Design Guide (2021) and Paragraph 112(d) of the National Planning Policy Framework (2021).</p> |
| 19 | <p>Removal of Redundant Highway Features Any redundant parts of existing accesses, dropped kerbs, pram crossings or footway around the frontages of the site shall be removed and the areas repurposed and remediated to suit the off-site highway improvement works.</p> <p>Reason - To ensure that appropriate loading/unloading facilities are available in the interest of highway safety in accordance with Policy SP15 in the Adopted Rutland Local Plan Site Allocations & Policies DPD 2014, Design Guidelines for Rutland (SPD), The National Design Guide (2021) and Paragraph 112(d) of the National Planning Policy Framework (2021).</p> |
| 20 | <p>Construction Management Plan Condition No development shall take place, including any demolition work, until a Construction Management Plan has been submitted and approved in writing by the Local Planning Authority, which will include the following:-</p> <ul style="list-style-type: none"> 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 fully working jetted drive-thru bath type wheel wash system together with hard surfacing laid between the apparatus and public highway |

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| | <p>in either concrete or tarmacadam, 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.</p> <p>d) Haul routes to the site and hours of delivery</p> <p>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.</p> <p>f) Details of site compounds, storage area and contractor/visitor parking/turning.</p> <p>g) Details of the site enclosure or part thereof and gated site security.</p> <p>h) Confirmation of any tree protection measures.</p> <p>i) Confirmation that any demolition will be carried out in accordance with the ecological assessment.</p> <p>j) Details of site notice with contact details and a scheme for dealing with complaints.</p> <p>k) Details of any temporary lighting which must not directly light the public highway.</p> <p>l) Phasing plans where necessary.</p> <p>m) A scheme for recycling/disposing of waste resulting from the demolition and construction works.</p> <p>n) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.</p> <p>o) The development shall thereafter be carried out in accordance with the approved Construction Management Plan.</p> <p>Reason: To ensure that appropriate loading/unloading facilities are available in the interest of highway safety in accordance with Policy SP15 in the Adopted Rutland Local Plan Site Allocations & Policies DPD 2014, Design Guidelines for Rutland (SPD), The National Design Guide (2021) and Paragraph 112(d) of the National Planning Policy Framework (2021).</p> |
| 21 | <p>Biodiversity Net Gain</p> <p>An application for approval of reserved matters which includes "layout" shall include a Biodiversity Gain Plan and Management Plan to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development. The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity metric as applied in the area in which the site is situated at the relevant time. The Biodiversity Management Plan shall include 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports.</p> <p>Reason - In the interests of ensuring measurable net gains to biodiversity and in accordance with Policy CS21 of the Core Strategy (2011) and SP19 of the Site Allocations and Policies DPD (2014) and chapter 15 of the National Planning Policy Framework.</p> |

Site & Surroundings

1. The application site is comprised of the existing Officer's Mess and associated buildings at St George's Barracks in Edith Weston.
2. The site is a self-contained part of the wider base, separated from the majority of the complex by North Luffenham Road to the east of the site. The land is currently completely enclosed by an existing security fence topped with barbed wire. Two accesses lead into the site, one from North Luffenham Road and one from Manton Road to the north.

3. The site contains a number of buildings, including the main Officer's Mess itself and original accommodation blocks, newer accommodation blocks, garages, and a language school.
4. The site also incorporates open space to the south, and a disused tennis court to the southwest corner of the site.
5. Adjacent to the site to the northwest is a grade II listed property known as 'School House' and identified in its listing description as a former school, dated 1864. The main village of Edith Weston lies to the north of the site, and with the nearest structures on the north of Manton Road including residential dwellings, The Wheatsheaf public house and an agricultural yard. An avenue of mature trees runs along the north boundary of the site inside the security fence, which are noted as being retained within the proposal documents.
6. In the wider vicinity, agricultural land is located to the west and south of the site, with the main St George's Barracks to the east. Rutland Water lies immediately to the north of Edith Weston.

Proposal

7. The proposal is an application in outline for the construction of residential dwellings and a small amount of commercial floorspace on the site. The application documents indicate a figure of up to 85 dwellings are proposed, although this is not specified in the application description and would therefore need to be included as a condition should permission be granted for the scheme. Open space provision is to be on-site in the southwest corner where the topography of the site also indicates is the best location for provision of a surface water retention basin as part of the drainage proposals.
8. The application form indicates 11 flats with a mix of one and two bedrooms are proposed, alongside 74 dwellings ranging from two to four bedrooms.
9. In total, the scheme represents a density of 21.9 dwellings per hectare, and the housing mix proposed is as follows:

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| 1-bed | 2 flats | 2% |
| 2-bed | 9 flats 23 dwellings | 11% 27% |
| 3-bed | 38 dwellings | 45% |
| 4-bed | 13 dwellings | 15% |

10. The scheme includes provision of 168m² of commercial floorspace with dedicated parking, shown on the illustrative masterplan as being located near the entrance to the site off Manton Road.

Relevant Planning History

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| G/93/0498 | Erection of security fence around Officers' Mess. | Approve |
| This notification proposed the erection of a security fence around the Officer's Mess. Notice was provided that the Local Planning Authority did not object to the proposal on 26 th October 1993. | | |

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| GOV/2001/0679 | Erection of 2.9m high perimeter security fence | Does not object |
| This notification proposed the erection of a security fence around the Officer's Mess. Notice was provided that the Local Planning Authority did not object to the proposal on the 16 th October 2001 but requested additional tree planting was carried out within the grounds of the site to compensate for trees lost in carrying out the operations. | | |
| FUL/2007/0277 | Reconstruction of existing hangar 2 and construction of DET training facility and covered hardstanding for vehicles. | Approve |
| This scheme proposed works to the main base to the east of the site and did not include any alterations to the Officer's Mess site, it is therefore not considered relevant to the current proposal. | | |
| FUL/2007/0665 | Conversion of building 63B to provide office accommodation and parking bays. | Approve |
| This scheme involved the refurbishment of the most easterly building on the Officer's Mess site for office use. No external additions were proposed and the application is not considered to be relevant to the current proposal. | | |

Planning Guidance and Policy

National Planning Policy Framework (NPPF)

Chapter 2 – Achieving Sustainable Development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 6 – Building a strong, competitive economy

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed and beautiful places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 – Conserving and enhancing the historic environment

Core Strategy DPD (2011)

CS1 – Sustainable Development Principles

CS2 – The Spatial Strategy

- CS3 – The Settlement Hierarchy
- CS4 – The Location of Development
- CS6 – Re-use of redundant military bases and prisons
- CS8 – Developer Contributions
- CS9 – Provision and distribution of new housing
- CS10 – Housing density and mix
- CS11 – Affordable housing
- CS13 – Employment and economic development
- CS16 – The rural economy
- CS18 – Sustainable transport and accessibility
- CS19 – Promoting good design
- CS20 – Energy efficiency and low carbon energy generation
- CS21 – The natural environment
- CS22 – The historic and cultural environment
- CS23 – Green infrastructure, open space, sport and recreation

Site Allocations and Policies DPD (2014)

- SP1 – Presumption in favour of sustainable development
- SP6 – Housing in the countryside
- SP7 – Non residential development in the countryside
- SP9 – Affordable housing
- SP11 – Use of military bases and prisons for operational or other purposes
- SP15 – Design and amenity
- SP19 – Biodiversity and geodiversity conservation
- SP20 – The historic environment
- SP22 – Provision of new open space
- SP23 – Landscape character in the countryside

Neighbourhood Plan

The application site lies within an area specified as being **excluded** from the current Edith Weston Neighbourhood Plan. The emerging Edith Weston Neighbourhood Plan can be given limited weight due to its progression through the preparation process.

EW-SG02: St George's Barracks Officers' Mess

EW-GE01: Natural and Green Environments

EW-DH01: Sustainable Design

EW-DH03: Edith Weston Conservation Area

EW-TM01: Transport and Movement

Officer Evaluation

11. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that *"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*
12. What follows therefore is an assessment of the proposal in relation to the policies of the development plan and consideration of any material considerations relevant to the scheme.
13. It should be noted that some elements of the evaluation of this application relate to the details that will need to be considered should outline planning permission be granted and reserved matters submissions made. This in no way implies that outline planning permission will be granted and is undertaken without prejudice to the decision to be taken in respect of the outline application.

Principle of the use

14. The application is made in outline with only matters of access for approval at this stage. Should consent be granted therefore further 'reserved matters' applications will be required to be submitted dealing with layout, appearance, scale and landscaping of the development. Some indicative details have been provided at this stage to facilitate consideration of the application.
15. There are a number of considerations that combine in relation to the acceptability or otherwise of the scheme with regard to the principle of the proposed use on the land, each of which is considered separately below, with a conclusion on this specific issue immediately following prior to consideration of the overall planning balance later in the report.

Location policies

16. The key policies of the Development Plan in relation to the location principle of the proposal are CS4 and SP6.
17. Policy CS4 states that *"Development in the Countryside will be strictly limited to that which has an essential need to be located in the countryside and will be restricted to particular types of development to support the rural economy and meet affordable housing needs."* This policy goes on to state however that *"New development will be prioritised in favour of the allocation and release of previously developed land within or adjoining the planned limits of*

- development where it can support sustainable patterns of development and provides access to services by foot, public transport and cycling.”*
18. Policy CS6 states that *“The Council will seek to ensure that any re-use or redevelopment of former military bases or prisons is planned and developed in a comprehensive and co-ordinated manner. Proposals will be subject to a development brief or masterplan setting out the main requirements. This will form part of a supplementary planning document or development plan document to be prepared in consultation with the prospective developers and local communities.”* This policy goes on to list a number of key requirements of any proposals, including that they
- *re-use existing land and buildings, minimising built development on undeveloped airfield land*
 - *not lead to undue disturbance to nearby communities through traffic, noise, aircraft activity or other uses*
 - *protect and where possible enhance the countryside and character of the landscape, natural and cultural heritage*
 - *be accessed satisfactorily and not generate unacceptable traffic on the surrounding road network*
 - *be accessible by public transport and include measures to encourage walking and cycling*
 - *incorporate high quality design and construction including the need for energy efficiency, renewable energy and waste management*
19. The proposal is not in accordance with the provisions of policy CS4 although it is of a type and location that would be prioritised in terms of allocation and release should further sites be required (see also The Emerging Plan below).
20. Policy SP6 of the Site Allocations and Policies DPD (2014) states:
- “New housing development will not be permitted in the countryside except where:*
- a) *It can be demonstrated to be essential to the operational needs of agriculture, forestry or an established enterprise requiring a rural worker to live permanently at or near to their place of work in the countryside; or*
 - b) *Affordable housing would meet an identified local housing need as set out in Core Strategy Policy CS11 (Affordable Housing); (these sites may also include small numbers of market homes where exceptionally permitted by policy SP10 (Market Housing within rural exception sites)).*
- The development itself, or cumulatively with other development, should not adversely affect any nature conservation sites, or the character and landscape of the area, or cultural heritage.”*
21. The proposal does not meet any of the exceptions to the general presumption against development in the countryside set out in policy SP6 and is therefore contrary to this policy.
22. Policy CS9 allows for the release of greenfield sites within or adjoining the planned limits of development of Local Service Centres, but states that this will occur only *“where needed to maintain a sufficient and phased supply of*

deliverable and developable land.” Given the point below regarding the confirmed five-year housing supply, it is therefore concluded that policy CS9 is not a key policy for determining the current application, although as previously developed land adjoining the Planned Limits of Development CS9 would support the allocation and release of the site if it were needed to maintain the five-year housing land supply position.

Policies relating to development/redevelopment of military bases and prisons

23. Policy CS6 considers the wholesale redevelopment of such facilities in terms of setting out the need for a masterplan or development brief to form part of a supplementary planning document, but it is not considered that this application falls within this requirement due to its more limited scale and impact as a discrete, separate parcel of land that is capable of redevelopment without reference to the wider St George’s Barracks site (see Site Allocations consideration of this point later).
24. Policy SP11 considers the matter of development on or of military bases and prisons for operational or other purposes.
25. The policy states that *“The small-scale development of an individual building or part of a military base or prison for alternative uses not required for the operation of the establishment will be given favourable consideration provided that it complies with the key requirements set out in Core Strategy Policy CS6 (Re-use of redundant military bases and prisons) and that it would not adversely affect the operational use of the establishment.”* The explanatory text of the policy does not define the term small-scale but paragraph 7.5 notes that any larger scale reuse or redevelopment will be considered under policy CS6. The current application does not propose the wholesale redevelopment of the entire St George’s Barracks, but given the nature of the scheme is considered to be more than small-scale.

Neighbourhood Plan

26. The existing Edith Weston Neighbourhood Plan was made in 2014 and contains a number of policies that would be relevant to the proposed development, however the plan specifically excludes the Officer’s Mess site and the wider St George’s Barracks land.
27. The emerging plan has reached Reg 16 stage but has not yet been out for the consultation required at that stage. The policies of the plan can be given some limited weight at this stage.
28. The Neighbourhood plan does not undertake specific housing site allocations, but does have a policy (EW-SG02) regarding the Officer’s Mess site, which states the following:

Redevelopment of the St George’s Barracks Officers’ Mess for residential purposes will be supported, subject to:

- a. *The scheme should complement the existing Edith Weston Village, meeting the requirements of Policy EW-DH01;*

- b. The mature trees and hedges to the north and east edges, flanking Manton Road and Edith Weston Road, should be retained as a landscape buffer and protected during construction;*
 - c. Other mature trees within the site should be retained where possible and be protected during development, meeting the requirements of Policy EW-GE01;*
 - d. The scheme should maximise pedestrian and cycle connectivity to the existing village centre, meeting the requirements of Policy EW-TM01;*
 - e. The form and layout of development should take account of the site topography and allow for long views through the site towards Lyndon Valley;*
 - f. The layout, landscaping and boundary treatment of the scheme should create a soft transition between the built development and surrounding landscape.*
29. This policy is clear that subject to the detailed development proposals for the site meeting the required standards as set out above, the principle of its development is considered by the Neighbourhood Plan to be acceptable. This policy should be attributed limited weight in the planning balance in favour of the approval of the scheme.

Five-year housing land supply.

30. The Local Planning Authority is able to demonstrate a five-year housing land supply, which is confirmed at paragraph 37 of appeal decision APP/A2470/W/22/3312763. This appeal decision also concluded that policies CS4 and SP6 of the Core Strategy (2011) and Site Allocations and Policies DPD (2014) respectively were not considered to be out of date (paragraphs 44 and 48). See appeal analysis below for further detail in this regard. On this basis it is considered that the tilted balance set out in paragraph 11 of the National Planning Policy Framework is not engaged, and the proposal falls to be determined under the relevant policies of the development plan unless material considerations indicate otherwise.
31. The latest position statement of the Local Planning Authority notes that it considers it is able to demonstrate a 7.4 year housing land supply.
32. Changes to the National Planning Policy Framework in December 2023 mean that due to the emerging plan (see later) having reached regulation 18 stage and containing a policies map and proposed allocations the Local Planning Authority is only now required to demonstrate a four-year housing land supply.
33. Whilst the provision of housing is noted and the land supply provision is a minimum and not a maximum, the housing land supply situation within Rutland is not considered to be marginal and therefore the benefits of housing provision above this requirement can only be given limited weight.

Appeals

34. The Local Planning Authority has now received a number of planning appeal decisions relating to development beyond the identified Planned Limits of Development of the settlements within the county and the following consideration sets out the details and the findings of those decisions with

specific reference to the current planning application. Elements of this assessment may be relevant to other applications but it is intended to be specific to the current proposal only.

Until the 31st December 2022 the Local Planning Authority accepted that it was unable to demonstrate a five-year housing land supply, and that the tilted balance set out in paragraph 11(d) of the National Planning Policy Framework (2021) was activated. After the 31st December, the Local Planning Authority produced a 9-month update to the Five-Year Land Supply & Developable Housing Land Supply Report, which concluded that it could demonstrate a 6-year housing land supply, and therefore the tilted balance was no longer engaged.

Appeal decision 3301737 (March 2023 - allowed) noted at paragraphs 21-26 that the Inspector considered some of the housing provision set out in the 9-month update could not be relied upon, concluding (at the time) as a result that the demonstration of a five-year housing land supply was brought into considerable doubt and therefore reverting back to the position that the Local Planning Authority cannot demonstrate a five-year housing land supply. The Planning Inspector then further considered the matter of policies CS4, CS9 and SP6, with these policies identified in the Statement of Common Ground at that appeal as being out of date. The Inspector noted that in the absence of any further evidence on the matter (RCC Planning Officer emphasis added) from the Local Planning Authority regarding this position changing, the key policies remained out of date and did not serve to boost housing supply and therefore considered the tilted balance to be engaged in this respect.

Appeal decision 3299719 (August 2023 - allowed) also noted that the Local Planning Authority could not demonstrate a five-year housing land supply, however it is noted that the statements for this appeal were exchanged during the time when the Local Planning Authority accepted it could not demonstrate such a supply, whilst the decision was issued 11 months later without the Planning Inspectorate seeking an update on this matter.

Appeal 3312763 (August 2023 - dismissed) considered the matter of the five-year housing land supply and the datedness of the policies as set out in the Inspector's decision on appeal 3301737 in detail and concluded that the Local Planning Authority could now demonstrate a five-year housing land supply, and that policies CS4 and SP6 were not out of date and were compliant with the National Planning Policy Framework.

Appeal 3314473 (July 2023 - dismissed) noted that the Local Planning Authority could not demonstrate a five-year housing land supply, however it is again noted that the statements for this appeal were exchanged following appeal 3301737 but prior to the updated five-year housing land supply report of 2023. The appeal was nonetheless dismissed.

Appeal 3318651 (October 2023 - dismissed) was considered at a time when the LPA accepted it could not demonstrate a five-year housing land supply. The appeal was considered by the Inspector to be compliant with policy SP6 and was dismissed on other grounds.

Appeal 3320461 – (December 2023 – dismissed). This appeal related to the construction of two dwellings in the countryside outside Empingham. The Inspector noted the decision made in respect of appeal 3301737, and also that of 3312763 along with the Five-Year Land Supply and Developable Housing Land Supply Report (May 2023) and concluded that the Local Planning Authority was

able to demonstrate a 5-year housing land supply. No comment was made regarding the datedness of policies in the plan.

Appeal 3321470 – (January 2024 – dismissed). The appeal concerned the proposal for the construction of eight new dwellings in the countryside near to the village boundary of Market Overton. The location of development was identified as one of the main issues for the appeal. The Inspector noted that CS4 does not provide specific justification for market housing beyond the planned limits of development and that the proposal was thereby contrary to this policy. The Inspector also noted that any support for the dwelling types proposed was to be considered in the context of the spatial strategy in the Local Plan, which the Neighbourhood Plan supported and therefore the scheme was also contrary to that plan. The Inspector noted that the development plan policies most relevant to the determination of the appeal were not out of date and were consistent with the National Planning Policy Framework. The Inspector noted that a challenge to appeal decision 3323586 (see below) had been made but confirmed that given the early stage of the challenge with no judgement having been made only limited weight could be attached to it. The challenge has not progressed any further at the time of writing.

Appeal 3323586 – (November 2023 - dismissed – the appellant has submitted an application for a statutory challenge to the appeal inspector’s decision). This application considered an outline proposal for the construction of up to 62 dwellings in the countryside outside the settlement of Edith Weston, to the east of the village and the north-east of the application site for the proposal being considered here. The location of the site in the countryside was identified as one of the main issues to be considered during the appeal. The Inspector concluded that policies CS4 and SP6 were in accordance with the National Planning Policy Framework to the extent that they should not be considered to be out-of-date. The Inspector concluded however that the harm arising as a result of the proposal in the matter of safeguarding the countryside and ensuring a viable and sustainable pattern of settlements outweighed the benefits of the proposal in respect of contribution to housing supply, affordable housing and general economic and social benefits along with a lack of harm in respect of affordable housing, open space and biodiversity net gain provision.

Appeal 3325242 – (January 2024 – dismissed). The appeal was against the refusal of permission for the construction of four new units on land adjacent to the village of Empingham. The Inspector noted that arguments had been raised around whether the Local Planning Authority was able to demonstrate a five-year housing land supply, however they did not consider this point in detail, instead considering that even were that the case (a point they did not pronounce on) the harm arising from the development would outweigh its benefits.

Appeal 3328643 – (February 2024 – dismissed). The appeal considered a scheme for the erection of 41 dwellings, and the location of development was identified as the main issue. The Inspector found conflict with policies CS4 and SP6 as well as the related Neighbourhood Plan policies, confirmed that the Local Planning Authority was able to demonstrate a five-year housing land supply (but due to changes in the NPPF in December 2023 was only now required to demonstrate four years of such supply) and that this supply was **not marginal** (RCC Planning Officer emphasis added). They noted that the lack of evidenced need for further market housing limited the weight that could be given to the delivery of housing in this regard. Finally, the Inspector also noted that the most important policies for the determination of the appeal (CS4 and SP6 of the Local Plan along with policies in the Neighbourhood Plan) are consistent with the National Planning

Policy Framework and that conflict with these policies weighs significantly against the proposal.

35. As can be seen therefore, in the 12 months prior to the date of the committee only 2 out of 10 appeals where location of development was considered a main issue have been allowed.
36. Of these, one was made on the basis that the Local Planning Authority initially accepted it could not demonstrate a five-year housing land supply and as a result its policies were out-of-date, and the Inspector in that instance did not re-convene the hearing sessions to allow further consideration of this point following a supplementary evidence statement provided by the Local Planning Authority.
37. The second was also initially considered at a time when the LPA accepted it could not demonstrate a five-year housing land supply and the Inspectorate did not issue its decision until 11 months later when the position in this respect had changed significantly.
38. A further two appeals were considered during the time period when a five-year housing land supply could not be demonstrated but were both dismissed on other grounds.
39. Six appeals have been considered following the publication of the Local Planning Authority's Five-Year Land Supply and Developable Housing Land Supply Report (May 2023). None of these have been allowed with the Inspectors in question confirming on three occasions that the LPA is able to demonstrate a five-year supply (now required to be a four-year supply due to changes to the NPPF), and on four occasions that policies CS4 and SP6 are compliant with the National Planning Policy Framework. None of these six appeals found the Local Planning Authority could not demonstrate a five-year housing land supply or that policies CS4 and SP6 were not compliant with the National Planning Policy Framework with respect to sites outside the planned limits of development.
40. In conclusion therefore there is no evidence from an analysis of recent appeal decisions to indicate that the Local Planning Authority cannot demonstrate the requisite housing land supply, or that its policies with regard to development in the countryside are to be considered out-of-date.

Emerging Plan

41. The application site is allocated for housing (noted as 90 units) in the regulation 18 draft of the emerging Local Plan, with the planned limits of Edith Weston being proposed to be re-drawn around the site so that it is incorporated within the village boundary. Allocation through the emerging plan in this manner would be the preferred method for identifying the application site for residential development, however it is acknowledged that the application has come forward on the basis that the site is no longer required for operational purposes in relation to St George's Barracks and the MoD is under an obligation therefore to explore alternatives its disposal.
42. Given the Regulation 18 stage of preparation of the emerging plan, it currently carries **no material weight** in the determination of specific planning applications.

Material Considerations

43. National Planning Policy Framework
44. Paragraph 12 of the National Planning Policy Framework states that “*where a planning application conflicts with an up-to-date development plan, permission should not usually be granted.*” It goes on to say however that “*Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.*”
45. Paragraph 124 of the National Planning Policy Framework states that “*Planning policies and decision should:*
46. *d) promote and support the development of under-utilised land and buildings...*”
47. Paragraph 125 states that “*Local Planning Authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them.*”
48. Paragraph 127 states that “*Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs.*”
49. With specific regard to the application site, the following are also deemed to be material considerations that should be taken into account in the determination of the application.
 - The proposal is for the re-use of previously developed land. The Development Plan (including the Neighbourhood Plan) did not foresee that the site would no longer be required for its current purpose at the time of its preparation and therefore the need for the Ministry of Defence to dispose of the land is not specifically accounted for within the policies of the Development Plan.
 - Appeal decision 222210 adjacent to the village of Greetham considered the matter of the redevelopment of previously developed land outside but adjacent to the planned limits of development of that village in May 2015. Two matters considered in that appeal are of relevance to the current application.
 - First, the Inspector considered the rural setting of the village and the relationship between the appeal site and the village itself, concluding that the buildings in that case appeared as being within the developed part of the village and not the wider countryside. The Inspector went on to note that the development of a sensitively designed housing scheme would enhance the character and appearance of that part of the village.

- Second, the Inspector concluded that due to its relationship with a local service centre (Edith Weston is also within this settlement category), the proposal would constitute sustainable development that would be supported by the National Planning Policy Framework and that this should be afforded **very significant weight** in the planning balance. Whilst it is accepted that each case must be assessed on its own merits, the similarities between the schemes in respect of their current appearance detracting from the setting of the village, their previously developed nature and the capability of the proposal to provide affordable housing and sustainable development are such that Officers consider these factors to also carry very significant weight in the determination of the current application.
- The scheme does not result in the intrusion of built development into the countryside beyond its existing extent – there would therefore be no harm arising from the scheme in terms of the safeguarding of the countryside, and the existing use of the site is residential in nature albeit atypical in specific detail.
- The development of the site would result in the removal of the existing security fence around the Officer's Mess and subject to an appropriately designed development that can be controlled through the reserved matters would result in a significant improvement in the contribution of the site to the character of the village and its setting.
- The existing buildings are in poor condition, unsuitable for conversion and will continue to deteriorate and detract from the village unless an alternative use is found for the site.

Conclusions regarding the principle of development

50. Development Plan policies relating to the location of development proposals seek to direct development to locations within the existing settlement boundaries unless for a specific set of exemptions. None of the specified exemptions apply to the current site.
51. Other policies relating to reuse or development of existing military bases (and/or prisons) however set out a number of criteria to be applied to such proposals, accepting that redevelopment of such sites will not be located within the Planned Limits of Development due to their existence beyond those limits at present and instead therefore seek to ensure that any such proposals are properly considered in a coordinated manner and not considered 'piecemeal'.
52. The Officer's Mess site is a discrete parcel of land forming part of the wider St George's Barracks and its redevelopment is neither dependant on nor has impacts in relation to any redevelopment of that wider site in the future should it also become redundant for its current purpose. On that basis it is not considered that a development plan document or wider masterplan is required to inform this current application and policy CS6 does not present a barrier to the determination of this application. The proposal is considered to comply

with the detailed requirements a) to f) of policy CS6 insofar as the outline nature of the application is able, with scope to control subsequent details in this regard through conditions imposed on any outline permission and/or details of the reserved matters submission.

53. There are a number of material considerations that are relevant to the determination of the proposal, none of which would indicate that the principle of development is unacceptable, with several indicating that redevelopment of the site (subject to detailed design considerations) would result in positive benefits to the area. The emerging Neighbourhood Plan also contains a policy supporting the principle of the development subject to detail-specific criteria.
54. When considering all of these issues, it is concluded that the balance of development plan policies and material considerations supports the approval of the application.

Highway issues (Access)

55. As the only detailed matter submitted for approval at this time, the proposed access to the site is considered next. Further consideration of the associated potential impacts of the development will follow, however these will be subject to the detailed reserved matters submissions.
56. There are two existing access points serving the existing site. The first of these is off Manton Road, whilst the second is located on Edith Weston Road to the southeast corner of the site.
57. The proposal would see the upgrading of the existing access point on Manton Road to a 5.5m wide access with 2m wide footways to either side, tying into and widening the existing footways on the south side of Manton Road.
58. The access point to the southeast of the site would be 'downgraded' to restrict access for vehicular traffic so that it functions as an access for pedestrians, cyclists and emergency vehicles only.
59. A new pedestrian access would be provided at the northeastern corner of the site to facilitate access to the footway on the eastern side of Edith Weston Road, and a new private access 5.5m in width would be provided to serve a private drive of no more than 6 properties directly off Manton Road.
60. The Local Highways Authority provided an initial response stating that the main vehicular access into the site was acceptable but requested further information regarding the downgraded access to the southeast and the private access along Manton Road.
61. Subsequent information has been provided and the updated Local Highways response notes that whilst they have some concerns regarding the internal arrangement of the site, these are not proposed for approval at this stage.
62. The LHA has confirmed that it does not consider the trip generation associated with the proposal would result in highway safety issues, subject to off-site works as proposed with slight amendments. This relates to the provision of a zebra crossing over Manton Road to the west of the main entrance to facilitate access to the local Primary School, and a safety audit of the scheme, although the LHA is confident a safe design solution can be achieved and therefore these elements are proposed as conditions.

Drainage & Flooding

63. The site assessment undertaken as part of the preparation of the emerging Local Plan indicates that the site is at low risk of fluvial flooding and rated the site as green in both fluvial and surface water flood risk categories.
64. The Lead Local Flood Authority has reviewed the Flood Risk Assessment and Drainage Strategy submitted alongside the application and has confirmed that it concurs with the principals set out in those documents, concluding that it raises no objection to the scheme in this respect subject to the imposition of conditions requiring proposals to manage the surface water on the site during construction, and approval of full details of the proposed drainage scheme.

Impact of the use on the character and appearance of the area

65. As noted above, the existing site is physically separated from the rest of the village of Edith Weston, being surrounded by security fencing topped with barbed wire and generally presenting its rear facing to any public vantage point. Its materials of construction are also notably different from the traditional materials used in the construction of dwellings within Edith Weston. The main beneficial element of the existing site to the character of the village is the line of mature trees along the northern boundary of the site, located just inside the security fence. These trees are noted within the application details as being retained, and a condition to secure their protection during construction would be appropriate and proportionate should consent be granted.
66. As an outline application it is not possible to be specific at this stage about the precise impact on character of any proposed development on the site as this would be controlled through the reserved matters submissions regarding layout, appearance and scale. It is appropriate however to consider such impacts in respect of character from the broader development proposal for the site and there are a number of key characteristics that will impact on this that are able to be considered at this stage, by means of condition requirements should consent be granted.

The significance of trees and tree planting to the character of the site.

67. As noted elsewhere in the report, a significant feature of the existing site is the mature tree avenue lining Manton Road to the north and its impact on the overall 'feel' of Edith Weston when travelling along this road. These trees would be an important feature to retain within the development proposals, and there are a number of other trees and groups of trees within the site that should also be retained to ensure landscaping proposals are as integrated as possible. The Forestry Officer at RCC has noted in this respect that there should be a requirement for a tree protection plan to be produced, and Officers consider this would be suitable for a planning condition, as well as to inform any reserved matters regarding layout of the site to ensure these key features are not adversely impacted upon wherever possible.

Density

68. The proposed number of dwellings on the site is a key factor in the consideration of the outline planning application. Should consent be granted, a condition should be imposed detailing the upper limit of dwellings considered to be acceptable within the site, although this should not be seen as a target figure and may need to be reduced subject to specific design considerations undertaken during preparation of the reserved matters. Nonetheless, the Local Planning Authority should be satisfied at this stage that the proposed density and therefore total number of dwellings to be located on the site is likely to be feasible and would be appropriate to the scheme in all other respects.
69. Consideration in this regard cannot simply be arrived at from a single source however, and a number of matters must be considered in arriving at the appropriate figure. In this instance the following matters are considered relevant.
- The density must take into consideration policies CS10 (which seeks to achieve densities of 30 dwellings per hectare in the villages), CS19 and SP15 (which seek to ensure development are appropriate to their setting).
 - The additional infrastructure required to be provided on site
 - The proposed dwelling mix
 - The number of dwellings proposed must allow the development to be viable financially for the developer.
70. In consideration of this matter, it is noted that the typical density of development within the historic core of Edith Weston (which is most closely related to the site) is low, with more recent development on the edges of the village generally higher. The proposed density of 21.9 dwellings per hectare is therefore more dense than that historic core, but significantly below the stated aim of 30dph set out in policy CS10. The emerging plan in consideration of the site at the Regulation 18 consultation stage of the plan sets out approximately 90 dwellings would be expected to be provided on the site.
71. Taking into account the existing settlement, infrastructure provision, the proposed public open space to the south west of the site and the village space noted at the entrance to the site on the masterplan, Officers consider it is reasonable to reduce the density from the CS10 levels to ensure a development that is not significantly at odds with its surroundings in this regard.
72. The proposed housing mix shows a development of predominantly 2-3 bedroomed properties, which is unusual for a scheme of this scale in not seeking a higher proportion of larger properties that tend to attract more substantial profits. The current Neighbourhood Plan does not provide commentary on the type of properties required by the village, however it is generally accepted within the county as a whole that the key requirement in this respect is for properties of a smaller scale generally in the region of 2-3 bedrooms rather than larger dwellings of 4-5 bedrooms. The application therefore proposes a scheme that makes a significant contribution in this regard, but inevitably as a consequence of that provision results in a higher dwelling density as a result. Any consideration of the number of properties

- proposed must therefore also be tempered by consideration of the types of properties proposed rather than a simplistic assessment of headline numbers.
73. Note is made that the proposal includes the provision of nine flats within the development, and a number of representations on the scheme have noted this is not typical of the existing settlement. The lack of such provision at present however does not indicate that it would be unacceptable subject to the design of such provision not detracting from the character of the settlement. The provision of flats would allow the village to widen its demographic in terms of providing residential options for those who may seek to live in such properties for reasons of personal preference or necessity.

Scale of development proposed (specifically heights of buildings)

74. The proposal documentation states that the proposed dwellings will all have private garden spaces, and are proposed to be between one and three-storeys in height (by utilising roof spaces). It is noted that the predominant scale of dwellings within Edith Weston is of two-storey, although there are some examples of both single-storey and three-storey development in some locations. As an outline application the precise distribution of development scales within the site is not presented for approval at this stage, however the principle of this range of property scales is not out of character with the existing village and therefore is not considered to justify refusal of the proposal.

Style and materials

75. The Design and Access Statement identifies the following key characteristics of the village of Edith Weston in this respect. It notes that the village is a clustered settlement with non-planned lower density properties around its Main Street with newer, higher density dwellings located to its edges. Stone dominates the period houses and boundary walls, with cottage style properties displaying irregular window sizes and locations, with most properties being two-storeys in height. Officers consider this is an accurate portrayal of the village character insofar as it goes, and would expect this to be reflected in development proposals for the site at reserved matters stage. In particular, specific examples of development types and characteristics within the historic core of the village should be used to inform design proposals and to reinforce these character types at the reserved matters stage to ensure the existing character of the settlement is enhanced by any development on the application site.

Conclusion regarding character impact

76. In conclusion with regard to the impact of the proposal on the character and appearance of the area, the scheme is considered to have the capability to be designed in such a way that would be reflective of traditional development in the Edith Weston area, and if a suitable design is proposed, would result in a positive impact on the character of the area.

Impact on the neighbouring properties

77. Only one property immediately adjoins the application site, which is 'The Old School House' to the northwest of the site. No representations have been received from this property. This property is also listed, therefore further and separate consideration is given to this matter in the following section titled 'Heritage'.
78. The indicative masterplan shows that it would be possible through detailed layout design to avoid any likely harm arising from the proposed development to the amenities of this property, in all likelihood resulting in an improvement to its amenities through removal of the existing unattractive residential block located immediately to its south. The indicative masterplan shows the dwelling adjoined by a single residential property, with the village green are located alongside its boundary to the east.
79. Further properties are located within the village on the north side of Manton Road however these dwellings are separated from the site by that road and the existing mature tree screen along the northern boundary and would not therefore be adversely affected in terms of amenity provision by the proposal. Traffic impacts are considered elsewhere in the report.

Conclusions on neighbouring property impact

80. The impact of the development on neighbouring properties is considered to be acceptable at this outline stage, given the scope for the reserved matters to control specific relationships between the site and the nearby residential uses.

Heritage

81. The Local Planning Authority is required to ensure that special regard is given to preserving Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). 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 2023). 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.
82. Policies CS22 and SP20 of the Development Plan set the Local Plan framework for consideration of the heritage impacts of the proposal.
83. In this respect there are three main strands to consideration of heritage impact, each considered separately below. The impact on the listed building and conservation area is considered to be classed as less than substantial in line with the requirements of the NPPF, and therefore that harm must be weighed against the public benefits arising from the proposal.

Listed Buildings and their setting

84. As noted above only a single listed building is directly affected by the proposals, the adjacent dwelling known as The Old School House. There are further listed buildings located to the north of the site within the core of the village off King Edward's Way and Well Cross, and a cluster at the junction of Pennine Drive with Normanton Road.
85. Given the nature and character of the existing buildings on the site Officers consider that the current Officer's Mess development has a detrimental effect on the character and setting of the listed buildings in the vicinity of the application site. Development of the site controlled through the reserved matters process in respect of the layout, appearance and scale of any proposed development on the land would be able to ensure that the development results in a positive contribution to the setting of these designated heritage assets, and therefore it is not considered to be reasonable to recommend refusal of the application on these grounds.

The Conservation Area and its setting

86. The Edith Weston Conservation Area encompasses the land and properties on the north side of Manton Road, but excludes the road itself and the application site.
87. The main relationship between the existing site and the Conservation Area is the visual connection between the two, with the site currently having a detrimental impact on that setting through the presence of the unsympathetic design of the buildings within the site, and the existing boundary security fencing and barbed wire. This is mitigated to an extent by the existing row of mature trees inside the security fence, however the net impact of the site is still negative, whilst the retention of the trees as part of the development could be secured at this stage by condition should consent be granted. This could be reviewed later should there be a need to consider if the trees would justify being subject to a Tree Preservation Order.

Archaeology

88. The heritage statement accompanying the application identifies that there is potential for archaeological remains to be present within the site, with the interest in this respect primarily within background potential for prehistoric, Anglo-Saxon, medieval and post-medieval remains. The assessment concludes that there is no suggestion any of these remains would be significant enough preclude development of the site.
89. The Local Planning Authority's advisors in respect of archaeological matters has requested trial trenching be provided to support the application within the grassed areas to the southern portion of the site.
90. The applicant has responded to this request indicating that it does not consider there is a need for such investigation to be undertaken prior to the determination of the application, particularly given the design work still required should consent be granted to reach the reserved matters submission stage, a period which could accommodate archaeological fieldwork and reporting. This could be controlled through imposition of a planning condition

requiring the work to be undertaken prior to the submission of reserved matters details regarding site layout.

91. In considering this point, Officers have noted the request of its advisors and the response of the applicant, alongside the extent of the site that would/could be subject to such investigations, and the approach of the LPA to such matters on other sites for development within the County. In this regard, Officers accept the response of the applicant indicating that fieldwork could be required by condition on the application and that such work could be undertaken in such a way that it informs the final layout of the scheme without impacting unacceptably on the potential archaeological resource. Should consent be granted therefore, conditions should be imposed to require the proposed work be undertaken subject to a suitable brief, and undertaken prior to the submission of the reserved matters layout. Any condition limiting the number of dwellings on the site should also be explicit that any such limit is dependant on the impact of other constraints on the developable area of land. Any limit imposed therefore is not a guarantee that such number will be permitted.

Other matters

92. In addition to the above matters, the contribution of the heritage of the site itself and the buildings currently located upon it is also considered as follows.
93. St George's Barracks was originally built as a training airfield and opened in 1940 (know as RAF North Luffenham), subsequently being taken over by RAF Bomber Command during the war and expanded to include the provision of concrete runways. It was transferred to the Royal Canadian Airforce in 1951 before reverting back to RAF control in 1955. It was used as a base for the PGM-17 Thor intermediate ballistic missiles from 1959 to 1963 when the RAF Aviation Medical Training Centre moved in. The Joint Services Language School was also based here from 1965 to 1997 (located on the Officers Mess site). The station was taken over by the British Army and renamed St George's Barracks in 1998.
94. The Officer's Mess was put forward for consideration as a listed building with a decision not to list the site issued on the 25th June 2019. The reasons given for not listing the site/building are given as:

Architectural interest:

- It is a building of simple design and a late example of its type
- The degree of alteration including the replacement of the windows has compromised the architectural interest

Historic interest:

- There are no events or figures of national note which are directly associated to or with the building
95. Consequently, whilst the site would be considered to be a non-designated heritage asset under the National Planning Policy Framework, that document advises that *"a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*

96. Given the assessment above in respect of the application to list the premises, the significance of the heritage asset is assessed as being low, with the existence of the buildings themselves contributing little to that significance. The removal of the buildings from the site would allow for significant benefits to the wider area to be realised through an improvement of the built environment and the contribution of the site to the character of the area, the securing of Biodiversity Net Gain on the land, and the provision of housing including affordable housing on the site. Consequently the loss of the site from as a non-designated heritage asset is not considered to outweigh the positive benefits of the proposal.

Natural Environment, Habitat Regulations Assessment & BNG

Natural Environment

97. The application is accompanied by an Ecological Impact Assessment in order to understand the baseline ecological conditions at the site, detailing any mitigation measures required as part of the development to ensure impacts on that ecological baseline lie within acceptable limits.
98. This impact assessment has been reviewed by the Ecological Advisors to Rutland County Council as the Local Planning Authority, and the response of that ecological advisor is summarised towards the end of this report.
99. The assessment undertaken identifies a number of impacts arising from the proposal as follows:
- Temporary loss of terrestrial habitat and minimised disturbance during site clearance and construction for amphibians, including Great Crested Newts, reptiles, breeding birds, bats, badgers and other notable species (brown hare, fox, rabbits and hedgehog)
 - Loss of seven summer day roosts for soprano and common pipistrelle bats
 - Permanent loss of foraging resource for breeding birds, bats and badger through an increase in built environment on site from 1.59Ha pre-development to 1.72Ha post-development and loss of approximately 41 trees
100. The Ecological Advisor indicates that these impacts can be controlled through the need for a European Protected Species Licence for bats prior to building demolition (dealt with under separate legislation to Planning), and the imposition of a Construction Environment Management Plan specifying how the development is to be carried out. This plan would detail identification of damaging construction activities, biodiversity protection zones within the site, practical measures and working practices to avoid or reduce impacts, timing of works, identification of responsible persons and the use of protective fencing where required. Such a condition would be considered to meet the six tests and could therefore be imposed should planning permission be granted for the scheme.
101. The Ecological Advisor indicates in addition to the above referenced condition, a number of informatives should be placed on any planning decision notice regarding protection granted for nesting birds and Great

Crested Newts under the Wildlife and Countryside Act 1981, and the need for an EPS licence.

Habitat Regulations Assessment

102. HRA Screening has been undertaken as part of the Neighbourhood Plan preparation process, including specific assessment of policy EW-SG02 relating to the development of the application site.
103. The screening process concluded that there would be no likely significant effect and a full HRA is not required.

Biodiversity Net Gain

104. BNG requires that developers must provide 10% net gain in biodiversity on the site after development when compared to the pre-development baseline.
105. Schedule 14 of The Environment Act 2021 made Biodiversity Net Gain mandatory under Schedule 7A of the Town and Country Planning Act 1990. This mandatory requirement however only applies to major applications (those proposing more than 10 dwellings, 1000m² of commercial floorspace or sites exceeding 1Ha) submitted on or after the 12th February 2024.
106. Notwithstanding that point, the applicant has undertaken an assessment in relation to Biodiversity Net Gain for the site, the result of which conclude that the scheme is (indicatively – subject to detailed design proposals) capable of delivering a 61% increase in area habitats and a 198% increase in linear habitats.
107. This has been assessed by the Local Planning Authority's Ecological Advisors who have raised no objection to the proposals. Conditions should be placed on the development to ensure this is carried through to the detailed design stage, with the reserved matters submission stage including detailed finalised Biodiversity Net Gain calculations.
108. There is therefore considered to be no grounds to refuse the application on this matter.

Noise, Dust and Contaminated Land

Noise

109. The design guide accompanying the application indicates that air source heat pumps are proposed to be incorporated into the design of the development as part of a suite of sustainability measures to reduce the site's reliance on fossil fuels. The design guide notes that these should be located in rear or side gardens out of site from the public and installed with acoustic dampeners.
110. RCC's Public Protection team have reviewed this information and note that there is potential for significant impact on the noise environment should all the proposed premises be equipped with devices of this type. They have therefore requested that prior to development commencing a Noise Impact Assessment be submitted for the proposals to be assessed by the Local Planning Authority in conjunction with the Public Protection team, with any approved scheme to be implemented in accordance with the approved details and thereafter maintained as such in perpetuity.

Dust

111. The Air Quality Assessment indicated that limited information was available at the time of the application to inform a construction dust risk assessment. No unusual constraints are expected to affect the site in this respect and therefore the Public Protection Team have indicated a need for the applicant to outline dust mitigation methods during construction prior to the commencement of development on the site. This would take the form of a construction management plan condition setting out a number of requirements for the construction phase and requiring the developer to comply with its requirements throughout that phase of the project.

Contaminated Land

112. The application is accompanied by a Land Quality Assessment report which sets out the investigation undertaken in respect of the potential for contamination of the land at the application site.
113. The report sets out the detailed process undertaken to inform the assessment and has been reviewed by RCC's Public Protection Team. The report identified potential sources of contamination including 'made ground', which has the potential to include asbestos containing materials and the former boiler house.
114. The Public Protection Team have recommended that should consent be granted a condition should be imposed on any consent requiring a full assessment of the nature and extent of contamination on the site. The condition would then require (if contamination is found) submission of a proposed remediation scheme for their approval, implementation of any approved remediation scheme during the course of construction and the reporting of any unexpected contamination found on the site.

Community Infrastructure Levy

115. Notwithstanding any specific requests from consultees for contributions to be paid towards infrastructure provision, should permission be granted for this development payments made towards provision of infrastructure from the Community Infrastructure Levy must be approved separately by the Council as CIL collecting authority.

Section 106 Heads of Terms

116. Officers are engaged in discussions with the applicant in respect of infrastructure provision not covered by the Community Infrastructure Levy and other matters covered under section 106 of the Town and Country Planning Act 1990.
117. These relate to the provision of affordable housing associated with the scheme, which generates a requirement for 26 affordable units on the site based on the reserved matters bringing forward a scheme for 85 dwellings. Other matters to be included in such an agreement are Biodiversity Net Gain, Open Space provision within the site and the potential for a marketing

strategy relating to the commercial floorspace on the site with an emphasis on ensuring local businesses are able to occupy the space.

118. Should Members resolve to approve the application this decision should be subject to the completion of a legal agreement in this respect.

Crime and Disorder

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

Human Rights Implications

120. 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.

121. It is considered that no relevant Article of that act will be breached.

Consultations

122. Below is a summary of the comments. Full details can be viewed on the Council's website. (https://publicaccess.rutland.gov.uk/online-applications/?_ga=2.69299920.1503643438.1693558555-1954588303.1693558555)

Parish Councils

123. Responses to the proposals have been received from eight Parish Councils/Meetings (Officer note: the site is entirely located within Edith Weston Parish)

Edith Weston:

- Supports the principle but has reservations over the details
- Density takes no account of existing village character or housing need
- Agree with Police Architectural Liaison Officer's comments
- Concerned the MoD is ignoring outcomes of earlier community engagement and policy
- Proposed open space appears to be an afterthought, should be located closer to Manton Road and the northern boundary of the site
- BNG uplift should be detailed on landscaping plan
- Note highways objection (initial comment) and would assume detailed scheme would meet required parking standards and give priority to active travel
- Impact on viability of existing services
-

Lyndon Parish Meeting:

- 85 houses is too many for the site
- Even the previous RCC assessment of 51 dwellings exacerbates the traffic problem

- The local infrastructure is inadequate
- Even 51 dwellings would not be in keeping with the appearance of Rutland villages

Manton Parish Council:

- Development could result in a sink estate or commuter housing
- Impact of additional traffic flow through Manton
- Lack of infrastructure (healthcare, education, public transport)
- Policies CS3 and CS4 don't support the size of development proposed

North Luffenham Parish Council:

- No overall masterplan therefore in conflict with policy CS6

South Luffenham Parish Council:

- Too much traffic impacting on the surrounding area

Ketton Parish Council:

- Concerned regarding the change of plans from the community engagement and the removal of a village hub from the site

Empingham Parish Council:

- Application doesn't give sufficient information
- Too many dwellings proposed
- Site is outside the PLD of Edith Weston
- Infrastructure impact
- Traffic impacts
- Contrary to CS6 regarding the whole of the barracks site

Lyddington Parish Council:

- Too many dwellings proposed, if this is allowed it could affect all the Local Service Centres in Rutland
- Healthcare provision already oversubscribed
- Plans for Highways infrastructure inadequate

Forestry Officer

124. Tree protection plan will be required

Highways Authority

125. Some concern regarding the internal layout and implications for the number of dwellings proposed on the site however acknowledge the detailed layout is not proposed for approval at this stage. Would seek to secure provision of a zebra crossing over Manton Road, and safety audit of the scheme. Recommend conditions.

LLFA

126. No objections raised

Anglian Water

- 127. The site layout should take into consideration AW's assets
- 128. The foul drainage is in the catchment of Empingham Water Recycling centre that will have available capacity for these flows.
- 129. Condition requested requiring a phasing plan and/or drainage strategy for the site.
- 130. No comments on surface water drainage.

LCC Ecology

- 131. No objections raised, conditions requested.

Police Architectural Lision

- 132. Recommend consideration of gable windows to increase natural observation, pedestrian access routes should be illuminated to British Standards (as with all lighting). An agreement to install an electrical spur to nearest lampposts would allow for installation of CCTV if required, and consideration of this including ANPR capability is recommended.
- 133. Wheelie bin & cycle storage should be in secure areas where possible, foliage recommended to be no more than 1m high and trees trimmed to allow no foliage below 2m. Perimeter enclosure recommended to a minimum of 1.2m to front and 1.8m to rear. Standard recommendations included.

Environmental Health

- 134. No objection subject to conditions regarding noise impacts of the proposals, dust management during construction, and land contamination.

LCC Archaeology

- 135. Programme of work requested. Comment indicates this should be prior to determination. Agent has responded on this point noting that as an outline application the work could be conditioned to be undertaken prior to the submission of any reserved matters applications regarding layout

Active Travel England

- 136. No comments

NHS

- 137. Healthcare contributions will be requested from CIL to support the increased population and improve primary care services in the area

Neighbour Representations

138. Below is a summary of the comments. Full details can be viewed on the Council's website. (https://publicaccess.rutland.gov.uk/online-applications/?_ga=2.69299920.1503643438.1693558555-1954588303.1693558555)
139. 53 objections have been received in relation to the proposal, 8 responses noting neither objection nor support and 1 response indicating support.
140. The objections can be summarised in relation to the following matters:
- Traffic Impacts form the development and in relation to existing traffic matters
 - Too many properties for the size of the site/density too high
 - Commercial premises is not required
 - No guarantee the commercial premises would be available to the existing shop to move into
 - Insufficient parking for the shop
 - Open space should be located adjacent to the main road
 - Main access should be on North Luffenham Road
 - There should be a pedestrian crossing provided across Manton Road
 - Mini roundabout should be moved
 - No flats in the village at present
 - Soil contamination risks
 - Tree planting in the site should be increased
 - Proposal would breach the human rights act.
 - Adjacent dwelling should be better protected
 - Site should be returned to agricultural land
 - Officer's Mess should be listed and preserved as a monument/museum
 - The land should be ringfenced and protected from future development
 - Public consultation carried out by the applicant was a "total sham"
 - Time frame of lodging the application seems designed to reduce comments and objections
 - Wildlife protection requirements
 - No detail of house types/materials
 - Insufficient green space/buffer provision from the village
 - Community space too close to Manton Road
 - Limited public transport
 - No need for the development
 - Proposal is contrary to local and national policy
 - Adverse impact on the conservation area
 - No incentives offered to villagers and military families towards purchase of any of the properties
 - Reduces the utility of the base to the military
 - The heritage report lacks detail on the historic use of the site
 - Buildings should be retained and reused not demolished
 - Application is premature as the site has not been vacated and is therefore not brownfield
 - No provision for industrial or small business units on the site

- Healthcare implications
- Lack of a design code

141. The support can be summarised in relation to the following matters:

- More housing in the village would be beneficial and make good use of the site
- Current site is an eyesore

Conclusion

142. The application is made in outline and proposes the construction of up to 85 dwellings on the land, alongside 168m² of commercial floorspace. Provision is indicated within the submission documents for open space provision within the site as well as drainage infrastructure and parking for the proposed dwellings.
143. The application site lies outside the Planned Limits of Development of the village of Edith Weston where development would normally be resisted however the site is previously developed land adjacent to a Local Service Centre and is therefore considered to be sustainable development as defined in the National Planning Policy Framework. The emerging Neighbourhood Plan anticipates the development of the site and supports this proposal subject to detailed design criteria.
144. The access to the proposed scheme utilises and upgrades the existing vehicular access point serving the Officer's Mess, whilst providing an additional private access point for part of the development proposals, and further cycle and pedestrian accesses at other points to facilitate travel by such means. The Highways Authority has not identified any harm to highway safety arising from the proposals at this time.
145. The existing site is detrimental to the general appearance and character of the settlement, and designated heritage assets in its immediate vicinity. The proposal would facilitate (subject to detailed design) a general improvement in the character and appearance of the area as well as the setting of both the adjacent listed dwelling and the Edith Weston Conservation Area.
146. The scheme has also been assessed in terms of its impact on Heritage, Amenity, Ecological Impact, Flooding as well as the potential to generate noise and dust, and the implications of contamination within the application site. None of these factors are considered to justify the refusal of the scheme and therefore after weighing all factors in the planning balance, it is considered that the proposal is acceptable.