

ITEM:		RECOMMENDATION:	REFUSAL
REF NO:	3PL/2019/1210/O	CASE OFFICER	Naomi Minto
LOCATION:	HARLING Middle Harling Farm West Harling Road Harling	APPNTYPE:	Outline
APPLICANT:	Mr Mick Seaby Ivy Lodge Farm Back Street	POLICY:	Out Settlemnt Bndry
AGENT:	Miss Y Cheung Unit 15 De Grey Square De Grey Road	CONS AREA:	N
PROPOSAL:	Demolition of existing buildings and the erection of up to 4 dwellings with associated parking, garages, access, servicing and landscaping	LB GRADE:	Adjacent Grade 2
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is referred to Planning Committee at the request of a Ward Representative.

KEY ISSUES

- Principle of development
- Impact on the character and appearance of the area
- Amenity impact
- Highway safety
- Ecological implications
- Other matters

DESCRIPTION OF DEVELOPMENT

The application seeks Outline approval, with access only as a matter for consideration at this stage, for the demolition of existing agricultural buildings and the erection of up to four dwellings with associated parking, garages, access, servicing and landscaping on land at Middle Harling Farm, Harling. Notwithstanding the fact that access only is to be considered at this stage, an indicative layout has been submitted, which shows how the proposed dwellings could fit on site, including parking provision, turning space and detached double garages for two of the plots.

The application is a re-submission of planning reference 3PL/2018/1577/O, which was refused planning permission in March 2019 and is currently under consideration by the Planning Inspectorate as part of an ongoing planning Appeal, ref: APP/F2605/W/19/3237149.

SITE AND LOCATION

The application site is located at Middle Harling Farm, south of West Harling Road, Harling. It is outside of

the defined Settlement Boundary of Harling. The site, which is approximately 0.45 hectares in size and set on relatively level ground, contains large agricultural buildings and was formally used as a riding school and for storage. The buildings are proposed to be demolished to make way for the development. Agricultural land is present to the east and south of the site, whilst to the north is existing residential development and to the west are redundant stables and an existing commercial business just beyond. Access to the site would be via the existing access off West Harling Road to the north west.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2007/2010/CU Permission 13-02-08

Use of former agricultural buildings for storage

3PL/2009/0084/F Withdrawn 07-04-09

Retention of mobile home for occupation by a groom to provide supervision of horses

3PL/2018/1577/O Refusal 20-03-19

Demolition of existing buildings and the erection of up to 4 self-build dwellings with associated parking, garages, access, servicing and landscaping

POLICY CONSIDERATIONS

The following policies of the Breckland Local Plan, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

COM01	Design
COM03	Protection of Amenity
ENV02	Biodiversity protection and enhancement
ENV05	Protection and Enhancement of the Landscape
ENV06	Trees, Hedgerows and Development
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
GEN05	Settlement Boundaries
HOU01	Development Requirements (Minimum)
HOU03	Development Outside of the Boundaries of Local Service Centres
HOU06	Principle of New Housing
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

OBLIGATIONS/CIL

Not applicable

CONSULTATIONS

HARLING PARISH COUNCIL

Objection - Harling Parish Council stand by its original comments dated 28/01/19 under application 3PL/2018/1557/O. This is an infill development on useable agricultural land. It is located on a quiet lane outside of the village envelope. Access along this road is narrow and with no footpaths or lighting. The 5 year housing supply for East Harling has been met within the emerging local plan. We concur with Breckland Planners comment that this is a "unsustainable location"

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection, subject to conditions.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objection, subject to conditions.

CONTAMINATED LAND OFFICER

No objection, subject to conditions.

HISTORIC BUILDINGS CONSULTANT

No objection.

ENVIRONMENTAL HEALTH OFFICERS

No objection, subject to conditions.

REPRESENTATIONS

A site notice was erected on 24 October 2019 and thirteen neighbours consulted. Three representations were received raising the following main points;

One Objection

- No demand
- Rural Greenfield site
- Middle Harling Hamlet consists of 12 properties, approval of this application would result in a 30% increase of housing and set a precedent for further housing on land abutting the site, also owned by the applicant
- Not in a suitable location - on a narrow country road with 60 mph speed limit and no footpaths or street lighting
- 5 year housing land supply met within emerging local plan
- Existing services and facilities in the village of East Harling are at capacity
- Infrequent public transport services available
- Adverse impact on amenity in terms of noise and light pollution and loss of privacy

One Support

- Not supportive of a large residential development, but this is a small scale proposal, which is considered acceptable
- The existing barns are an eyesore on the land. Houses will improved the character and appearance of the site
- Improved security
- In favour of more sustainable buildings

One Commenting

- Not supportive of houses being built and affecting privacy. If permission is granted, careful consideration should be given to the proposed design, including the use of local flint, net gains for biodiversity and suitable landscaping, which should include native tree and hedge planting.

ASSESSMENT NOTES

1.0 Principle of development

1.1 The application seeks Outline planning permission for the demolition of existing agricultural buildings and the erection of up to four dwellings with associated parking, garages, access, servicing and landscaping on land outside of the Harling Settlement Boundary. For this reason the proposal is contrary to Policies GEN 03, HOU 03 and HOU 06 of the Breckland Local Plan (adopted).

1.2 Policy GEN 03 of the Breckland Local Plan 2019 states that most new development needs will be met through the proposed sustainable settlement hierarchy. Within the hierarchy Harling is identified as a Local Service Centre. Local Service Centres are considered to satisfy the five qualifying criteria, including provision of public transport; community facilities; employment; a shop / post office; and a school. The assessment of a Local Service Centre has due regard to the distance of services and facilities from the designated Settlement Boundary / village core and they are only considered to be available where they are within recognised acceptable walking distance.

1.3 Policy HOU 03 of the Breckland Local Plan 2019, which relates to development outside of the boundaries of Local Service Centres, states that development outside of the boundaries of the Local Service Centres will normally be resisted where the Local Plan housing target is provided for, unless supported by other Policies within the Local Plan. Policy HOU 06 of the Breckland Local Plan 2019, which relates to principles of new housing, states that in rural locations and at the edges of settlements, proposals for lower density development will be supported where it can be demonstrated that this is justified, having regard to local character and wider sustainability issues.

1.4 Given that the site is located outside of the defined Settlement Boundary of a Local Service Centre, then the proposal needs to comply with Policy HOU 03. The site is located approximately 0.5 mile to the south west of Harling's Settlement Boundary. As already mentioned above, development outside of the boundaries of Local Service Centres will normally be resisted where the Local Plan housing target is provided for. However, Policy HOU 03 also states that where the Local Plan does not identify sufficient sites to achieve the housing target, then further development will be allowed subject to being supported by relevant policies within the Development Plan and meeting all of the following criteria;

1. It is immediately adjacent to the settlement boundary;

2. It would not lead to the number of dwellings in the settlement significantly exceeding the identified housing target;
3. The design contributes to conserving, and where possible enhancing, the historic nature and connectivity of communities; and
4. The development avoids coalescence of settlements.

1.5 Policy HOU 02 of the Local Plan (adopted) sets out the level and location of growth. The total new housing requirement for Harling is 250. It is acknowledged that as of 12 December 2019 there is a small requirement for residential development in Harling, for up to five dwellings, subject to proposals meeting all of the the criteria listed above. As already mentioned, the application site is not immediately adjacent to the defined Settlement Boundary of Harling. The proposal therefore fails to comply with Policy HOU 03 of the Local Plan (adopted) and is therefore not considered to be sustainable development. In addition, following adoption of the Breckland Local Plan, in November, it is considered that the Council now has a five year supply of deliverable housing sites, as required by paragraph 74 of the NPPF. Accordingly, the principle of residential development in this location is not accepted.

2.0 Impact on the character and appearance of the area

2.1 Policy ENV 05 of the Local Plan (adopted) states that the landscape of the District is valued for its benefit to the rural character and in the interests of biodiversity, geodiversity and historic conservation. Development proposals will be expected to contribute to and where possible enhance the local environment by recognising the intrinsic character and beauty of the countryside. Development should have particular regard to maintaining the aesthetic and biodiversity qualities of natural and man-made features within the landscape, including a consideration of individual or groups of natural features, such as trees, hedges, woodland, rivers, streams or other topographical features.

2.2 Policy GEN 02 of the Breckland Local Plan states that the Council will require high quality design in all new development within the District. New development proposals are expected to meet a number of key tests that; respect and are sensitive to the character of the surrounding area and make a positive architectural and urban design contribution to their context and location; contribute positively to the public realm and public spaces, protecting the high levels of amenity and quality of life making Breckland an attractive, successful and vibrant place for residents, workers and visitors; create high quality, safe and sustainably designed buildings, places and streets; and maximise connectivity within and through a development and to the surrounding areas, including the provision of high quality and safe pedestrian and cycle routes.

2.3 Policy COM 01 of the Breckland Local Plan is concerned with design and provides additional detailed criteria that all new development should meet. Paragraph 127 of the NPPF states that developments must be sympathetic to local character and history, including the surrounding built environment and landscape setting.

2.4 The application site is situated behind existing development along an access some distance from West Harling Road (approximately 60 metres). Therefore, views from within the public realm will be limited. In addition, the proposal will involve the removal of existing outbuildings, which could be argued as an improvement. The application has been submitted in Outline with only access as a matter for consideration. Therefore, design, layout, landscaping and scale would be considered at a later stage. Notwithstanding this, an indicative Proposed Site Plan has been submitted, which shows a spacious layout and three house types (E, F and H). Two plots are shown to benefit from a detached double garage. As stated, whilst indicative only, the proposed dwelling types and layout are considered acceptable and in keeping with the form of the limited residential development that exists in the area. In light of these factors, the proposal, at this stage, is

considered to accord with Policies ENV 05 and GEN 02 of the Local Plan (adopted).

3.0 Amenity impact

3.1 Policy COM 03 of the Local Plan (adopted) states that development will not be permitted, which causes unacceptable effects on the residential amenity of neighbouring occupants, or does not provide for adequate levels of amenity for future occupants. Consideration will be had to a number of factors including (but not limited to); the protection of adequate areas of usable and secluded private amenity space for the occupiers of existing dwellings; the provision of adequate areas of usable and secluded private amenity space for the occupiers of proposed dwellings, in keeping with the character of the immediate surrounding areas; overlooking of windows of habitable rooms and private amenity space; overbearing impact / visual dominance and overshadowing of private amenity space.

3.2 As already stated, the application seeks Outline planning permission with details of access being the only matter for consideration at this stage. The full extent of the amenity impact would be assessed at the Reserved Matters stage. Notwithstanding this, the application is supported by an indicative Proposed Site Plan (Drg. No: 1708_P03G), which shows that four dwellings could fit on site with sufficient external amenity space, parking provision and vehicle turning. The indicative layout shows that adjoining neighbour amenity can be protected when having regard to overlooking, loss of light and over dominance. The access road is existing and is a sufficient distance away from the existing dwellings either side in order to ensure that noise and disturbance is not an adverse issue.

3.3 It is noted that the plot situated to the south-western end of the site is in close proximity to an existing commercial business. Any Reserved Matters application would need to take this into consideration in terms of siting, house design, noise insulation and window positioning in order to ensure that this does not result in an unacceptable level of amenity for the occupiers of this dwelling or put undue pressure on the existing business. Notwithstanding this, it is considered that this could be addressed within a final layout/scheme should permission be forthcoming. Furthermore, no objection was raised from the Environmental Health Officer, providing the development proceeds in line with the application details.

4.0 Highway safety

4.1 Paragraph 108 of the NPPF (2019) states that applications for development should ensure that;

- appropriate opportunities to promote sustainable transport modes can be (or have been) taken up, given the type of development and its location;
- safe and suitable access to the site can be achieved for all users; and,
- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

4.2 Paragraph 109 of the NPPF (2019) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.3 Policy COM 01(m) states that new development should not compromise highway safety. In addition, it should enable safe access for vehicles and for walking and cycling. Policy COM 01(n) states that new development must provide adequate parking as outlined in TR 01 and consideration of safe storage for bicycles.

4.4 Norfolk County Council Highways advised that the site lies some distance from the services and amenities in East Harling and is served by an unlit, rural, road with no pedestrian provision or public transport. Walking and cycling would involve a degree of competency, which not all residents may possess, in particular young children or the elderly. The Highways Officer therefore considered that any future residents would have a high dependency on the use of the private car, which conflicts with the aims of sustainable development, the need to minimise travel, and the ability to encourage walking, cycling, use of public transport and reduce the reliance on the private car. With that in mind, the Local Highway Authority considered the proposal to be contrary to the aims of the NPPF and Policy 5 of Norfolk's 3rd Local Transport Plan, entitled Connecting Norfolk.

4.5 Highways also advised that transport sustainability is only one of the matters which the Local Planning Authority need to consider over all. Visibility from the access is restricted to some 17 metres when measured from a 2.4 metre set back. Whilst no speed data has been submitted, the Local Highway Authority assess the visibility requirement to be in the order of 90 metres. Consequently, the level of visibility available falls far short of the Government safety guidance contained in the Design Manual for Roads and Bridges.

4.6 However, following the refusal of the earlier application, the applicant's agents provided additional information relating to the previous use of the site as Middle Harling Riding School, which was still operational in 2016 and which utilised the existing access on a daily basis. It was confirmed that the riding school previously generated around 10-15 vehicles on a weekday with a peak of around 40-50 daily movements at the weekend and holidays. Four dwellings could be expected to generate 24 daily movements and, whilst a finely balanced decision, the Highways Officer considered it would be difficult to substantiate an objection based on the potential week day trip generation over that generated by the riding school in particular as the movements associated with the dwellings would be expected to be less than the peak weekend / holiday movements of the previous use. On that basis, the Local Highway Authority have not raised an objection to the current application, subject to the inclusion of conditions.

4.7 Whilst only indicative, the Proposed Site Plan (Drg. No: 1708_P03G) does show that sufficient parking provision could be achieved for each of the dwellings, in addition to on-site vehicle turning. Furthermore, the plot sizes and inclusion of garages indicate that safe storage of bicycles could be achieved on site. This would be looked at in greater detail at the Reserved Matters stage.

5.0 Ecological implications

5.1 Policy ENV 02 of the Breckland Local Plan (adopted) states that all development should demonstrate how net gains for biodiversity are being secured as part of the development, proportionate to the scale of development and potential impacts. This is further reiterated in paragraph 170 of the NPPF, which seeks to ensure that development provides net gains for biodiversity.

5.2 The application is supported by a Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Limited, dated November 2018). The Natural Environment Team consider it to be fit for purpose. Therefore, no objection has been raised, subject to the inclusion of conditions relating to mitigation and enhancement measures. In light of the above, the application is considered to be compliant with Policy ENV 02 of the Local Plan (adopted) and paragraph 170 of the NPPF.

6.0 Other issues

6.1 Policy ENV 07 of the Breckland Local Plan (adopted) states that the significance of designated heritage assets, including their settings, such as Listed Buildings, will be conserved or wherever possible enhanced.

The development site is located in close proximity to a Grade II Listed Building (north west of the site). Policy 16 of the NPPF and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, seek to protect the special interest and significance of heritage assets / Listed Buildings and their settings. Initially, the Historic Building Officer requested survey drawings or photographs of the existing buildings to be demolished. These were provided following the site visit and the Historic Buildings Officer re-consulted. No objection was raised in respect of the loss of the buildings. On that basis, the application accords with Policy ENV 07 of the Local Plan and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as having due regard to Policy 16 of the NPPF.

6.2 No objection was raised from the Contaminated Land Officer, subject to the inclusion of conditions with any forthcoming planning permission.

7.0 Conclusion

7.1 In consideration of the overall planning balance of the scheme, whilst it is accepted that the proposal would provide four new dwellings towards the Council's housing supply, the harm identified above in respect of the sustainability of the site, having particular regard to its location, approximately half a mile away from the defined Settlement Boundary of Harling, is considered to significantly and demonstrably outweigh the benefits of the proposal. It is concluded that the proposal is contrary to Policies HOU 03 and COM 01 (m) of the Local Plan (adopted). Accordingly, the application is recommended for refusal.

RECOMMENDATION

Refusal on the following grounds;

REASON(S) FOR REFUSAL

2

Unsustainable location

The site is situated in an unsustainable location, away from the defined Settlement Boundary of Harling, on an unlit rural road with no pedestrian provision or public transport and thus future residents would be highly reliant on the motor vehicle to access all facilities required to meet day-to-day needs. This would be contrary to Policies HOU 03 and COM 01(m) of the Local Plan (adopted) and the three dimensions of sustainable development outlined in the NPPF (2019), having particular regard to paragraphs 8 and 11.