

PLANNING COMMITTEE – 2 OCTOBER 2018

Application No:	18/01382/FUL		
Proposal:	Proposed dwelling, domestic garages and associated works.		
Location:	3 Council Houses, High Street, Harby, Notts, NG23 7EB		
Applicant:	Mr Adam Pearse		
Registered:	19.06.2018	Target Date: 13.09.2018	
		Extension of Time Agreed:	

This application is brought before Members as the Officer recommendation differs from that of Harby Parish Council and therefore under the Council's current Constitution is required to be brought to Committee for Members to determine.

The Site

The site lies to the north east of the settlement of Harby, at the junction with Clay Lane and High Street and is located within a site area of approximately 0.06ha. The site is currently amenity space associated with no.3 Council Houses located to the south of the application site. The application site is defined by a 2m high (approximate) boundary wall to the west of the site and a 1.5m high hedge to the eastern boundary. To the south of the site there is a 2m high (approximate) boundary wall.

There is an existing small domestic timber building located to the north of the site adjacent to some trees on the eastern and western boundaries.

The application site is reasonably flat throughout however the ground has a slight incline from west to east.

A designated Right of Way exists to the north of the site

The site is designated as being located within Flood Zone 1 according to the Environment Agency data mapping and within an area which is prone to surface water flooding.

Relevant Planning History

07/00052/OUT - Erection of 1 No. dwelling – Refused 28.03.2007

This was refused by Planning Committee Members for the following reasons:

01

Policy H13 of the Newark and Sherwood Local Plan allows for small scale residential development in settlements such as Harby but over the plan period to date housing completions and commitments have given rise to an increase in housing stock which is more

than can be considered small scale. Given the very limited capacity for housing that exists in the part of the district which the application site lies and the aim of Policy FS1 to direct most new development towards Newark and the main settlements, the proposal would constitute an unsustainable form of development that would be contrary to Policies H13 and FS1.

02

The application site lies in an area of no further intensification of development as identified by Policy H22 of the Newark and Sherwood Local Plan. The proposal would introduce a more intensive form of development to the area which would be harmful to its character and therefore contrary to Policy H22.

The Proposal

The applicant seeks full planning approval for the erection of 1no. market dwelling on land currently used as amenity space for no.3 Council House. There is an existing access located to the site from High Street which is proposed to be utilised for no.3 Council House and this new dwelling. The proposal would seek to provide a detached two storey 4no. bedroom dwelling with a detached double garage with one bay serving the new dwelling and the other for the use of occupiers of no.3 Council House.

The dimensions of the new dwelling are:

8.35m (ridge) x 5.0m (eaves) x 10.3m (frontage width) x 10.6 (side depth).

The dimensions of the detached garage are:

5.0 (ridge) x 2.4m (eaves) x 6.06m (width) x 6.06m (depth).

Documents/plans submitted in support of the application

DRWG no. F2859-01 Proposal drawing (July 2018);
RSP Planning Statement Reference HAR.18.01 (July 2018)

Public Advertisement Procedure

Occupiers of 7 properties have been individually notified by letter, a notice has been displayed at the site and in the local press.

Planning Policy Framework

The Development Plan

Newark and Sherwood Core Strategy DPD (adopted March 2011)

Spatial Policy 1 - Settlement Hierarchy
Spatial Policy 2 - Spatial Distribution of Growth
Spatial Policy 3 – Rural Areas
Spatial Policy 6 - Infrastructure for Growth
Spatial Policy 7 - Sustainable Transport

Core Policy 3 - Housing Mix, Type and Density
Core Policy 9 – Sustainable Design
Core Policy 10 - Climate Change
Core Policy 12 - Biodiversity and Green Infrastructure
Core Policy 13 – Landscape Character

Allocations & Development Management DPD (adopted July 2013)

DM5 – Design
DM7 - Biodiversity and Green Infrastructure
DM12 – Presumption in Favour of Sustainable Development

Other Material Planning Considerations

- National Planning Policy Framework 2018
- Planning Practice Guidance 2014

Consultations

Harby Parish Council – Support proposal. The Parish Council note that the previous application was declined in 2007, but that planning policies have changed since that was submitted. This proposal is within the policies and objectives of the Community Led Plan.

Nottinghamshire County Council Highways Authority - This proposal is for the construction of a dwelling with a garage suitable to accommodate the proposed and existing dwellings. There are no highway objections to this proposal subject to the following:

No part of the development hereby permitted shall be brought into use until the dropped vehicular footway crossing has been improved, and is available for use and constructed in accordance with the Highway Authority's specification. **Reason:** In the interests of highway safety.

Note to applicant

The development makes it necessary to improve a vehicular crossing over a footway of the public highway. These works shall be constructed to the satisfaction of the Highway Authority. You are, therefore, required to contact VIA, in partnership with NCC, tel: 0300 500 8080 to arrange for these works to be carried out.

NSDC Archaeology Consultant – No archaeological input required.

Ramblers Association - I am responding on behalf of Nottinghamshire Ramblers. As long as pedestrian access along the Clay Lane track remains unrestricted and safe during the construction process we have no objection.

NSDC Access and Equality Officer – Observations

Representations

Comments have been received from three neighbours/interested parties stating the following:

- The proposal will allow vehicle access along the Clay Lane public footpath. Therefore causing a risk to pedestrian walkers.
- Vehicles exiting from the proposed dwellings would be a risk to pedestrians children and animals;
- The development is on a sharp bend adjacent to the junction of High Street and Clay Lane with no separate access;
- Clay lane is an agricultural track and public footpath;
- Clay Lane also affords direct access to the Lodge and the Annex;
- When visitors visit the site they park on the road outside which is situated on a sharp bend, which impacts on access and egress to Clay Lane and the Lodge and is a potential road traffic obstruction and danger to road users and pedestrians.
- Developing the site will reduce the parking that is available on site and would not support the volume of parking required for two family properties;
- The current main sewerage is outdated for the volume of properties being developed;
- The geographical location of the proposed development site is deemed to be sited on land that is deemed not suitable for intensification of development;
- A 4 bedroomed property would stick out like a sore thumb next to 3no. cottages;
- Already have vehicles parked on the roadside causing a hazard to other vehicles using the highway.

Comments of the Business Manager

5 Year Housing Land Supply

With regards to the Council's current position with regards to 5 year housing land supply it is relevant to acknowledge that at the present time the LPA is well advanced in the process of a plan review with an examination which took place in February 2018. For the avoidance of doubt the Council considers that it has a 5 year housing land supply against the only objectively assessed need (OAN) available and produced independently by consultants and colleague Authorities. Therefore for the purposes of decision making, the Development Plan is considered to be up to date. This has also been confirmed by Inspectors through recent appeal decisions dated April 2018 following a Public Inquiry.

Principle of development

Spatial Policy 1 (Settlement Hierarchy) of the Council's Core Strategy sets out the settlements where the Council will focus growth throughout the District. Spatial Policy 1 and 2 does not include the settlement of Harby as one which is capable of supporting additional growth with its nearest Principal Village identified within the District as Collingham. The application site is located within a reasonably built up rural area and as such Spatial Policy 3 applies.

Spatial Policy 3 of the Adopted Core Strategy states that housing should be provided for in settlements with an identified local housing need and housing will be focussed in sustainable accessible villages. Applications for new development beyond Principal Villages as specified within Spatial Policy 2 will be considered against the 5 criteria within Spatial Policy 3. This is Location, Scale, Need, Impact and Character.

In considering this proposal I am mindful that the changes to Policy SP3 as part of the plan review. The Amended Core Strategy and evidence base documents were submitted to the Secretary of

State on 29th September 2017 for independent examination by a Planning Inspector with the examination having taken place on the 2nd February 2018. Further details have been submitted to queries which have been raised relating to Spatial Policy 3 and the Council is currently out to consultation on those amendments. Accordingly for the purposes of this proposal it is considered that weight can be attached to this emerging policy.

Location

The emerging Spatial Policy 3 of the Core Strategy, which now carries some weight in the decision making process, states within the Location criterion that *'new development should be within the main built-up areas of villages, which have sustainable access to Newark Urban Area, Service Centres or Principal Villages **and** have a range of local services themselves which address day to day needs.'*

The application site is located within the main built up area of the village although to the northern fringe of the settlement. Harby does have some limited facilities to offer new development of a Primary School, Pub, village hall and small shop however it does not have good public transport access to other Service Centres or Principal Villages. Travel Wright provide the no.67 bus service between Newark and Saxilby (Lincoln) and although there is one stop in Harby (Low Street) the earliest bus from Newark is 12:40 and Collingham at 12:58 which arrive in Harby at 13:35. There is 1 subsequent bus which stops at both Newark and Collingham which departs Newark at 14:03 and arrives in Harby at 15:05. There are 4 busses which depart from Collingham however the earliest is 12:58 and the latest is 17:35. An extract of the bus timetable is provided in Table 1 below. Harby is located approximately 4 miles from the settlement of Saxilby which is within Lincolnshire and does provide for more local facilities. However the bus service to Saxilby is inferior than from Newark or Collingham with Harby only identified as a 'Demand Responsive Area' which means the bus does not automatically stop in Harby and the stop has to be booked in advance by telephoning the bus company, much like a taxi service. However there is one scheduled route from Saxilby to Harby which leaves Saxilby at 13:50 and arrives in Harby at 14:00 and carries on to Newark. A copy of the bus timetable is provided in Table 2 below.

With regard to the level of facilities that Harby has to offer it has a primary school, pub, village hall, church, a newly opened village shop and a post office (open two afternoons a week). For a small village it does provide for a degree of servicing. However, there would still remain a need for wider services provided by more sustainable settlements which, as outlined above, would not be reasonably accessible by sustainable access means. Spatial Policy 3 is clear that both elements (i.e. local services and sustainable access) must be met in order for development to meet the locational criteria. Given that the transport links to more sustainable settlements are inferior and thus new residents would be reliant on the use of their own car to access shops and other services which are not provided for in the existing settlement, Officers consider that locationally the proposal fails to accord with Spatial Policy 3 of the Core Strategy.

A bus service operated by [Travel Wright](#)

Wednesday 15 August 2018 ▼

Newark - Collingham - Saxilby

Show all stops

Newark Bus Station (Bay A)	07:40	09:03	10:03	11:03	12:03	12:40	13:03	14:03	15:48	17:08	18:08			
Newark Bus Station (Bay AE)	06:40													
Newark, opp Kirk Gate	06:42	07:42	09:05	10:05	11:05	12:05	12:42	13:05	14:05	15:50	17:10	18:10		
Newark, opp Lincoln Street	06:45	07:45	09:08	10:08	11:08	12:08	12:45	13:08	14:08	15:53	17:13	18:13		
Newark, adj Gainsborough Drive	06:47	07:47	09:10	10:10	11:10	12:10	12:47	13:10	14:10	15:55	17:15	18:15		
Winthorpe Demand Responsive Area	06:52	07:52	09:15	10:15	11:15			14:15	16:00	17:20	18:20			
Winthorpe, opp Holme Lane						12:50								
Langford, opp Elmtree Farm	06:56	07:56	09:19	10:19	11:19	12:19	12:54	13:19	14:19	16:04	17:24	18:24		
Collingham, adj The Green	07:00	08:00	09:23	10:23	11:23	12:23	12:58	13:23	14:23	16:08	17:28	18:28		
Collingham Braemer Road (N-bound)								14:27						
Collingham, adj Queen Street	07:02	08:02	09:30	10:30	11:30	12:25	13:00	13:25	14:30	16:10	16:13	17:30	17:35	18:30
Collingham, adj The Rookery								14:32s		16:15s		17:38s		
Collingham, adj The Rookery	07:05	08:05	09:32	10:32	11:32	12:28		13:28		16:13	17:33	18:33		
South Scarle Demand Responsive Area							13:04		14:34	16:17s		17:42s		
Besthorpe, adj Trent Lane									14:38	16:21s		17:46s		
Besthorpe Demand Responsive Area							13:08							
North Scarle Demand Responsive Area							13:09		14:39	16:22s		17:47s		
Girton Lane (opp)									14:40	16:23s		17:48s		
Girton Demand Responsive Area							13:10							
Spalford Demand Responsive Area							13:15		14:45	16:25s		17:53s		
South Clifton Demand Responsive Area							13:19		14:49	16:27s		17:57s		
North Clifton Demand Responsive Area							13:21		14:51	16:29s		17:59s		
Thorney Demand Responsive Area							13:28		14:58	16:38s		18:06s		
Wigsley Top Road (SE-bound)							13:32		15:02	16:40s		18:10s		
Harby Low Street (N-bound)							13:35		15:05	16:43s		18:13s		
Saxilby Demand Responsive Area							13:45							
Saxilby, adj Thonock Drive									15:15	16:53		18:23		

Table 1: Travel Wright Bus Timetable route no.67

Saxilby - Collingham - Newark

Show all stops

Saxilby, adj Thonock Drive											13:50					
Saxilby Demand Responsive Area	07:27		09:30										16:55			
Harby Low Street (S-bound)			09:35									14:00				
Wigsley Top Road (SE-bound)			09:38									14:01				
Harby Demand Responsive Area	07:35												17:05			
Wigsley Demand Responsive Area	07:38												17:08			
Thorney Demand Responsive Area	07:41		09:43									14:05	17:10			
North Clifton Demand Responsive Area	07:45		09:47									14:09	17:12			
South Clifton Demand Responsive Area	07:47		09:49									14:12	17:14			
Spalford Demand Responsive Area	07:49		09:51									14:14	17:16			
Girton Demand Responsive Area	07:51		09:53									14:16	17:18			
North Scarle Demand Responsive Area	07:54		09:56									14:18	17:20			
Besthorpe Demand Responsive Area	07:56		09:58									14:20	17:21			
South Scarle Demand Responsive Area	07:58		10:01						then hourly until			14:22	17:23			
Collingham, opp Queen Street			10:07													
Collingham, adj Queen Street	07:02	08:02	09:30	10:25								13:25	16:10	17:30	18:30	
Collingham, adj Queen Street													17:25			
Collingham, adj The Rookery	07:04	08:04	09:32	10:27								13:27	14:28	16:12	17:32	18:32
Collingham Braemer Road (S-bound)	07:08	08:08	09:36	10:31								13:31	14:31	16:16	17:36	18:36
Collingham, opp The Green	07:12	08:12	09:40	10:09	10:35							13:35	14:35	16:20	17:40	18:40
Langford, adj Elmtree Farm	07:16	08:16	09:44	10:12	10:39							13:39	14:39	16:24	17:44	18:44
Winthorpe, opp Holme Lane				10:16									14:42			
Newark, opp Gainsborough Drive	07:21	08:21	09:49	10:23	10:44							13:44	14:48	16:29	17:49	18:49
Newark, adj Lincoln Street	07:23	08:23	09:51	10:25	10:46							13:46	14:50	16:31	17:51	18:51
Newark, adj Kirk Gate	07:26	08:26	09:54	10:30	10:49							13:49	14:53	16:34	17:54	18:54
Newark Bus Station (Bay A)	07:29	08:29	09:57	10:32	10:52							13:52	14:55	16:37	17:57	18:57

Table 2 : Travel Wright Bus Timetable route 67

Members may be aware of a recent application for 2 bungalows further north in Harby, adjacent to the primary school, which came before Members in July 2017 (17/00280/OUT). The application was recommended for refusal by officers due to lack of adequate public transport links and thus contrary to Spatial Policy 3. Members took a contrary view to Officers and felt that one or two developments was acceptable in order to provide accommodation for the community to down size and for the village to remain sustainable, regardless of the existing transport links. The transport situation has not altered in Harby since this application was granted. This application is for a 4 bedroomed family sized dwelling and does not represent a facility for residents to downsize, such as bungalows. I do not consider the application can be considered for the same reasoning as 17/00280/OUT, and it would be difficult to see the difference 1 dwelling would reasonably make to the sustainability of the village. However there are other material considerations which should also be taken in to consideration which are explained later in this report.

Scale

The proposal is sought for a four bedroomed two storey residential dwellings on a site which is approximately 0.06ha in area. At the last Census in 2011 the number of properties in Harby was 128, the Council has received notification of 11 completions to properties since 2011 and 4 commitments which haven't yet been constructed. The proposal constitutes a 3.5% increase in the total number of properties in Harby (including the committed properties) which I consider to be of low scale in comparison to the overall number of properties within the settlement.

Need

The NPPF (2018) states *“The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as **meeting the needs of the present** without compromising the ability of future generations to meet their own needs”*. (para.7 emphasis added).

SP3 provides that new housing must meet an identified proven local need. The Spatial Policy 3 Guidance Note (September 2013) states that proven local need must relate to the needs of the community rather than the applicant. Assessments should be based on factual data such as housing stock figures where the need relates to a type of housing or census data where the needs relate to a particular population group. The onus is ordinarily on the Applicant to demonstrate a local need.

In this regard I am mindful of the need criterion within the emerging Spatial Policy 3. This states that local housing need will be addressed by focusing housing in sustainable, accessible villages. New housing will be considered where it helps to support community facilities and local services and reflects **local need** in terms of both tenure and house types. Supporting text to this revised policy states that this policy requires applicants to demonstrate the services it will support and the housing need within the area. The agent has submitted information to state that the additional housing would directly support the needs of the community in addition it would support the viability of the primary school which does not currently run at full capacity. An email confirming this from the Headteacher has been submitted with the agent’s statement. Nonetheless whilst the Council would support schemes which help rural schools, one dwelling would have limited impact on the prolonged support of the primary school and it is all dependent on the occupiers of the new dwelling and the age of any associated children. I therefore attach little weight to this support in the planning balance.

The ‘Newark and Sherwood Sub-Area Report for Housing 2014’ produced on behalf of NSDC establishes the housing needs position across the District. Harby is included within the Collingham and Meering Area. According to the report there is a demand for 2, 3 and 4 bedroomed market housing, with the highest demand being for 2 bedroomed dwellings.

The settlements of Harby, Thorney and Wigsley have in 2015, published a Community Led Plan for the period of 2015-2025, which illustrates their vision for new development within the communities. This plan stated that within Harby the highest demand was for detached family homes (58% of respondents) on individual plots; however there was also a high demand for affordable/shared ownership properties (46%), bungalows (47%) and semi-detached properties (50%).

Whilst it is clear that substantial work has gone into producing the document, it only shows the preferences of those surveyed. Whilst this carries some weight as an aspiration, the results in the Community Led Plan alone do not demonstrate a proven local need as required by Policy SP3. Identified proven local need is not just a question of what the demand is but also needs to include an analysis of the current housing stock to help identify what is required. The Council’s Spatial Policy 3 Guidance Note states *‘Housing need should not be confused with the state of the housing market in a particular settlement at a particular point in time’* and that *‘Assessments should be based on factual data such as housing stock figures where the need relates to type of housing or census data where the need relates population groups.’* A Housing Needs Assessment, which is the

identified route for providing a clear needs assessment has not been produced for Harby and thus whilst the Community Led Plan is a useful document it represents a desire and aspiration for development and not a proven local need. I therefore consider that the document carries very little planning merit.

Nonetheless, the proposal provides for a market dwelling which meets a general Housing Need within the Collingham and Meering area regardless of the limited support it would have upon local services. It is accepted that a 4 bedroomed property is such which would attract families and as there is a primary school in the village it is reasonable to suggest that this would see some limited benefit from such a development. Therefore I consider that although there is no housing need survey produced, the proposal would seek to meet the 2014 Housing Need identified through the work carried out by NSDC. I therefore consider that on this basis, and in the planning balance, the proposal would have a limited contribution to sustaining community facilities (school), and the Need criterion has been met.

Impact

I consider that the proposal is for one dwelling and it would not have a detrimental impact upon nearby residents. The proposal is for 1 property, which is low scale, and the level of car-borne traffic caused by the development whilst unsustainable in locational terms is unlikely to be overly excessive in terms of impact due to the proximity to the neighbouring more sustainable settlement of Saxilby.

Character

The erection of a dwelling is considered low scale and its location on a parcel of land to the north and east of existing dwellings is not considered to be out of character with the general area. The dwellings in the area are two storey and the dwelling relates well to the street frontage. It would not appear dominating and it does not appear to cause any neighbour amenity concerns. I therefore consider the proposal would accord with the character criterion of Spatial Policy 3. I accept the comments received by residents on the impact on the character of the development adjacent to 3 cottages, however I consider that the separation distances between the two and the orientation in which the dwelling is sited would not cause harm to the character of the area.

The NPPF (2018) states *'the purpose of the planning system is to contribute to the achievement of sustainable development (para 7). 'Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area' (para 9).*

It has not been proven to the satisfaction of officers that the settlement of Harby is adequately serviced by public transport and thus the proposal is located within an unsustainable location. I note that the settlement does provide for some limited 'permanent' facilities. The Council is aware that additional facilities are provided however these are mainly mobile, such as the butchers, fish and chip van, library, newspapers, bakery van, fresh fish delivery, which I consider to be a response to provide occasional services to a village which is in an unsustainable location, rather than established uses based within the settlement that serve the residents. Such facilities could be achieved in any settlement and are not a permanent base within the village. I still consider the settlement is not wholly supportive of additional speculative development and thus the settlement of Harby fails to be adequately sustainable to support further development.

Impact on Highway Safety

Spatial Policy 7 of the Core Strategy seeks to ensure that vehicular traffic generated does not create parking or traffic problems. Policy DM5 of the DPD requires the provision of safe access to new development and appropriate parking provision and seeks to ensure no detrimental impact upon highway safety.

Whilst I note the comments raised by residents with regards to crossing the highway/footpath and the impact on the Right of Way, Nottinghamshire County Council have not raised any objections to the proposal subject to the imposition of a condition. They consider there to be sufficient room within the site and the crossing on the highway is not deemed to be unacceptable. I therefore see no reasoning otherwise to oppose this and I therefore consider the proposal to be acceptable from a highway safety perspective.

I therefore consider the proposal to be acceptable with regards to highway safety, subject to condition and concur with the Highway Authority and as such accords with Spatial Policy 7 of the Core Strategy and Policy DM5 of the ADMDPD.

Impact upon Residential Amenity

Policy DM5 of the ADMDPD states the *“layout of development within sites and separation distances from neighbouring development should be sufficient to ensure that neither suffers from an unacceptable reduction in amenity including overbearing impacts, loss of light and privacy.”*

The main impact from the proposal would be upon the amenities of no.3 Council Houses due to the proximity. I am aware of the associated annexe to the west of the site at The Lodge however I consider that this would not experience harm from the siting of the development. There is one window in the new dwelling facing The Lodge and associated annexe which serves an en-suite. The new dwelling is approximately 7m east of The Lodge annexe and I do not consider this distance coupled with the siting of windows, would cause unacceptable harm to the amenity of the occupiers from overbearing impacts, loss of light or privacy.

The principal elevation of the new dwelling is sited approximately 16m north from no.3 Council Houses. Whilst there are windows within the principal elevation of the new dwelling, it is orientated on an oblique angle whereby it does not directly face no.3 and its associated curtilage. I therefore consider that due to the orientation, scale, siting and position of windows, the proposal would not cause direct harm to the amenities of the host dwelling at no.3 Council Houses from overbearing impacts, loss of light or privacy. I therefore consider from an amenity perspective, the proposal accords with policy DM5 of the ADMDPD.

Impact on the Landscape and Ecology

The site is identified within the Council's Landscape Character Assessment SPD as being located within the East Nottinghamshire Sandlands Policy Zone ES PZ 02: Wigsley Village Farmlands with Plantations. The landscape condition is defined as being of moderate condition with a very low impact to sensitivity. As such the outcome is to create landscape features in new development such as new hedgerows and restore existing, enhance existing tree cover and landscape planting and promote biodiversity. The proposal does not include measures for landscaping only those shown indicatively on the submitted indicative layout plan. The site is currently a greenfield site and would provide a degree of biodiversity and ecological value however this has not been

demonstrated through the submission of an ecological survey. Nonetheless the site is not identified within a protected area for ecology and thus I consider it to provide a low ecological value.

Core Policy 12 of the Core strategy and policy DM7 of the ADMDPD states that new proposal should protect, promote and enhance green infrastructure. Proposals should seek to secure development that maximises the opportunities to conserve, enhance and restore biodiversity. I consider that the layout and arrangement of the site does have capacity to increase the biodiversity of the site through the planting of hedgerows and native trees which I consider would accord with Core Policy 12 and policy DM7. If Members are minded to approve the application then I consider a condition would be required, securing an appropriate enhanced landscaping scheme.

The erection of 1 dwelling (and associated infrastructure) I consider would have limited impact upon the character of the wider landscape area due to the already built up surroundings to the south and west. Therefore the proposal is considered to adhere to Core Policy 13 (Landscape Character) of the Core Strategy and the Landscape and Character Assessment SPD.

Impact on the Right of Way

The site is located adjacent to the Right of Way (ROW) which runs along Clay Lane to the west of the site. Concerns have been expressed by existing residents that the proposal may result in parking on Clay Lane and the blocking of such an access for walkers. In addition there are vehicle accesses for the application site and The Lodge Annexe off Clay Lane which are existing openings and not affected by this development. The Nottinghamshire Ramblers have not objected to the proposal but they have stated to make sure that Clay Lane remains unrestricted and safe during the construction process. Therefore I consider an informative should be added to any decision, if Members are minded to approve the proposal, ensuring the ROW is kept free for access.

Conclusion

Taking the above into account I am of the view that the proposed development would fail. The settlement of Harby has some facilities to support day to day living, however residents would still be reliant on accessing services in other more sustainable locations to which there is an inadequate public transport links in the village. Residents would therefore be reliant on the use of a private car to access such locations and services. Whilst there has been some support from the Headteacher of the primary school one dwelling would have a limited impact upon the longevity of a service or the sustainability of a location and I consider that this is the case here. Whilst the NPPF favours rural housing, in the right locations, which support local services, I do not consider, when considering the planning balance that one dwelling would substantially support the existing services. The proposal is therefore also considered to be located in an unsustainable location which fails to accord with the location criteria of Spatial Policy 3 of the Core Strategy.

The development would have an acceptable impact on the character of the area, neighbouring amenity and highway safety, subject to conditions. However, these are not considered to outweigh the principle of this development being located in an unsustainable location.

RECOMMENDATION

That full planning permission is refused for the following reason:

01

Spatial Policy 3 of the Newark and Sherwood Core Strategy DPD states that, beyond principal villages, proposals for new development will be considered against a number of criteria including location. In the opinion of the Local Planning Authority, whilst Harby has limited facilities, new residents would be reliant on the use of a car to access other essential day to day facilities due to the inadequate public transport network.

The proposal therefore fails to comply with the location criteria of Spatial Policy 3 and would thus represent the promotion of an unsustainable pattern of development, contrary to the key aims of the National Planning Policy Framework, the Newark and Sherwood Core Strategy 2011 and explicitly Spatial Policy 3.

Notes to Applicant

01

You are advised that as of 1st December 2011, the Newark and Sherwood Community Infrastructure Levy (CIL) Charging Schedule came into effect. Whilst the above application has been refused by the Local Planning Authority you are advised that CIL applies to all planning permissions granted on or after this date. Thus any successful appeal against this decision may therefore be subject to CIL (depending on the location and type of development proposed). Full details are available on the Council's website www.newark-sherwooddc.gov.uk/cil/

02

The application is clearly contrary to the Development Plan and other material planning considerations, as detailed in the above reason(s) for refusal. Working positively and proactively with the applicants would not have afforded the opportunity to overcome these problems, giving a false sense of hope and potentially incurring the applicants further unnecessary time and/or expense.

BACKGROUND PAPERS

Application case file.

For further information, please contact Lynsey Tomlin on Ext 5329.

All submission documents relating to this planning application can be found on the following website www.newark-sherwooddc.gov.uk.

Matt Lamb
Business Manager Growth and Regeneration

Committee Plan - 18/01382/FUL

