

ITEM:		RECOMMENDATION: REFUSAL
REF NO:	3PL/2021/1191/F	CASE OFFICER Matthew Blackie
LOCATION:	ATTLEBOROUGH Former Garden/Garage Driveway to Daglas House	APPNTYPE: Full POLICY: In Settlemnt Bndry CONS AREA: Y LB GRADE: N TPO: N
APPLICANT:	Mr Adrian Stasiak c/o Agent	
AGENT:	Cowen Consulting Ltd Chiara, Mere Road	
PROPOSAL:	The construction of a single storey one bedroom dwelling with car parking on site, together with a private garden and the part demolition and rebuilding of a flint wall to Eden Lane.	

REASON FOR COMMITTEE CONSIDERATION

The application is being referred to Planning Committee because the agent is a Councillor.

KEY ISSUES

Principle of Development
Design & Appearance
Impact on Amenity
Impact on Highways
Trees
Impact on Conservation Area

DESCRIPTION OF DEVELOPMENT

The application seeks the erection of a single storey one bedroom dwelling with car parking on site, together with a private garden and the part demolition and rebuilding of a flint wall to Eden Lane.

SITE AND LOCATION

The application site is on land to the north of 2 Edenside Drive in Attleborough. The site is situated within the settlement boundary of Attleborough and also falls within the designated Conservation Area. The land is surrounded by built up development consisting primarily of residential development but is in close proximity to the commercial development of the Attleborough town centre.

EIA REQUIRED

No

RELEVANT SITE HISTORY

3PL/2019/0967/F	Refusal	24-01-20
Erection of bungalow and 2 parking bays for adjacent business unit.		
3PL/2021/0279/F	Refusal	27-05-21
Erection of bungalow.		

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
ENV06	Trees, Hedgerows and Development
ENV07	Designated Heritage Assets
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
GEN05	Settlement Boundaries
HOU06	Principle of New Housing
HOU10	Technical Design Standards for New Homes
LBC	Planning(Listed Building & Conservation Areas) Act 1990
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework (Revised 2021)
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

ATTLEBOROUGH TC

No objections

TREE AND COUNTRYSIDE CONSULTANT

No objection

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection subject to conditions

HISTORIC BUILDINGS CONSULTANT

From an historic built environment perspective, no objection.

REPRESENTATIONS

Site notice expired 24/09/2021.

Neighbourhood consultation expired 15/09/2021.

Weekly list expired 18/09/2021.

Eastern Daily Press advert expired 25/10/2021.

No representations received.

ASSESSMENT NOTES

0.0 The proposed development will be assessed against key material considerations including principle of development, design & appearance, impact on amenity, impact on highways and trees.

1.0 Principle of Development

1.1 The sites lies within the defined settlement boundary of Attleborough which is defined as a Key Settlement in the settlement hierarchy. The principle for development is acceptable for a new dwelling and accords with policies GEN03 and GEN05 of the Breckland Local Plan (2019), as well as the NPPF (2021) and the Attleborough Neighbourhood Plan.

2.0 Planning History

2.1 Planning permission has previously been refused twice for the development of a bungalow on this site (3PL/2021/0279/F and 3PL/2019/0967/F). The reasons given are as follows:

3PL/2021/0279/F

It is the opinion of the Local Planning Authority that in view of the restricted dimensions of the plot, the erection of a dwelling on the site would result in an over development of the site in general detrimental to the character and visual amenities of the area contrary to Policies GEN02, COM01 and COM03 of the Breckland Local Plan (adopted) as well as having regard to paragraphs 127 and 130 of the NPPF (2019) and the Attleborough Neighbourhood Plan.

3PL/2019/0967/F

1. It is the opinion of the Local Planning Authority that in view of the restricted dimensions of the plot, the erection of a dwelling on the site would result in an over development of the site in general detrimental to the character and visual amenities of the area contrary to Policies GEN02, COM01 and COM03 of the Breckland Local Plan (adopted) as well as having regard to paragraphs 127 and 130 of the NPPF (2019).

2. The site sits within Attleborough conservation area and contains a number of trees which are protected therefore a Tree Survey and Arboricultural Impact Assessment by a suitably qualified arboriculturalist in accordance with BS5837:2012 is required in order to properly assess the application. The proposal is therefore considered to be unacceptable due the lack of a Tree Survey and Assessment having regard to Policy ENV06 of the Breckland Local Plan (Adopted).

2.2 This proposal has attempted to address the above reason(s) for refusal by submitting a Tree Survey, which has been assessed by our Tree officer, this is further explained below. Also, through a redesigned dwelling, altering the footprint and reducing the size of the dwelling from two bedrooms to one. The further assessment of the proposal is set out below.

3.0 Design & Appearance

3.1 Policies GEN02 and COM01 of the Local Plan requires all new development to achieve the highest standard of design. As part of this, all design proposals must preserve or enhance the existing character of an area. Consideration will also be given to the density of buildings in a particular area and the landscape/townscape effect of any increased density.

3.2 The application site is situated within a built up area characterised by residential development of various, sizes, scales and appearances. Previous applications on the site (3PL/2019/0967/F & 3PL/2021/0279/F) were refused on the grounds of over-development of the site. Despite the re-design of the dwelling and the reduction of the dwelling proposed from two bedrooms to one, the proposal is still considered to constitute an over-development of the site given the restricted nature of the plot. Whilst, it is accepted that the latest proposal seeks to increase the sustainability measures with the new dwelling, on balance, this is not considered sufficient to outweigh the harm on the character and appearance of the area and street scene.

3.3 The location of the bungalow and the width of the plot means that the subsequent proposal lies close to existing boundaries, this is considered to give the impression of a cramped form of development. The orientation of the plot being behind a dwelling and then adjacent to number two Edenside Drive, gives rise to a discordant pattern of development which also gives the appearance of over-development of the plot. This proposed development and lack of spacing, is not considered to be sympathetic to the character and appearance of the dwellings in the surrounding area and is not comparable to neighbouring development in terms of size and scale. This is considered to have a negative impact on the character and appearance of the surrounding area and street scene.

3.4 Overall, the proposed development is not acceptable regarding design and appearance, not according with policies COM01, HOU06 and GEN02 of the Breckland Local Plan, as well the NPPF (2021) and the Attleborough Neighbourhood Plan.

4.0 Impact on Amenities

4.1 Policy COM03 of the Local Plan seeks to protect residential amenity and that all new development must have regard to amenity considerations and states that development will not be permitted where there are unacceptable effects on the amenity of neighbouring residents and future occupants.

4.2 The positioning of all the proposed windows and doors are considered acceptable and will not result in overlooking to the surrounding neighbouring dwellings all around the site. However, the rear garden will increase risk of overlooking to neighbouring dwellings and impact on provision of amenity levels for any future occupiers. On balance, the retention of the existing hedgerow and trees at the rear help to provide

suitable natural screening to reduce the impact on amenity and allow for the rear garden to be considered acceptable.

4.3 Overall the proposal is considered acceptable in terms of amenity having regard to Policy COM03 of Breckland Local Plan (2019) and the Attleborough Neighbourhood Plan.

5.0 Impact on Highways

5.1 The highways officer was consulted as part of the application and raised no objection subject to recommended conditions. On this basis the proposal is considered acceptable with regards to highways safety and impact on the highways and sufficient car parking would be provided.

5.2 Overall the proposal is considered to accord with Policies TR01 and TR02 of the Breckland Local Plan (adopted 2019).

6.0 Trees

6.1 The tree officer was consulted as part of the application and raised no objection. A tree survey was submitted as part of the application and it concluded no detrimental impact to trees would occur subject to appropriate protection measures during construction. The proposal is therefore considered to accord with ENV06 of the Breckland Local Plan (adopted 2019).

7.0 Impact on Conservation Area

7.1 Paragraph 194 of the NPPF (2021) states that in determining applications, Local Planning Authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

7.2 Paragraph 199 of the NPPF (2021) states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

7.3 Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the development plan. National policy states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Breckland Local Plan (adopted 2019) Policy ENV7 seeks to ensure that new development preserves and enhances the character, appearance and setting of Conservation Areas and Listed Buildings.

7.4 The Historic Buildings Consultant has been consulted, and raised no objections to the proposal. Due to the set back nature of the plot and its subservient design then it is not considered that there will be a detrimental impact upon the setting or character and appearance of the Conservation Area.

7.5 This application accordingly applies with Section 72 of the Town & Country (Conservation Areas and Listed Buildings) Act 1990, as well as having regard to Policy ENV07 and the NPPF. In conclusion, the

proposal is deemed acceptable in these terms.

8.0 Conclusion

8.1 In terms of the overall planning balance the positive aspects of the proposal has been taken into account. However, it is considered that the proposal is unacceptable in planning terms due to the over-development of the site resulting in development out of character with the surrounding area and street scene. Also, taking into consideration the earlier refusals of planning permission, which are material planning considerations in the determination of this planning application. The proposal is therefore accordingly recommended for refusal.

RECOMMENDATION

On the basis of the above assessment, the application is recommended for REFUSAL for the grounds listed below.

REASON(S) FOR REFUSAL

1

Non-std reason for refusal

It is the opinion of the Local Planning Authority that in view of the restricted dimensions of the plot, the erection of a dwelling on the site would result in an over development of the site in general detrimental to the character and visual amenities of the area contrary to Policies GEN02, COM01 and COM03 of the Breckland Local Plan (adopted) as well as having regard to the NPPF (2021) and the Attleborough Neighbourhood Plan.