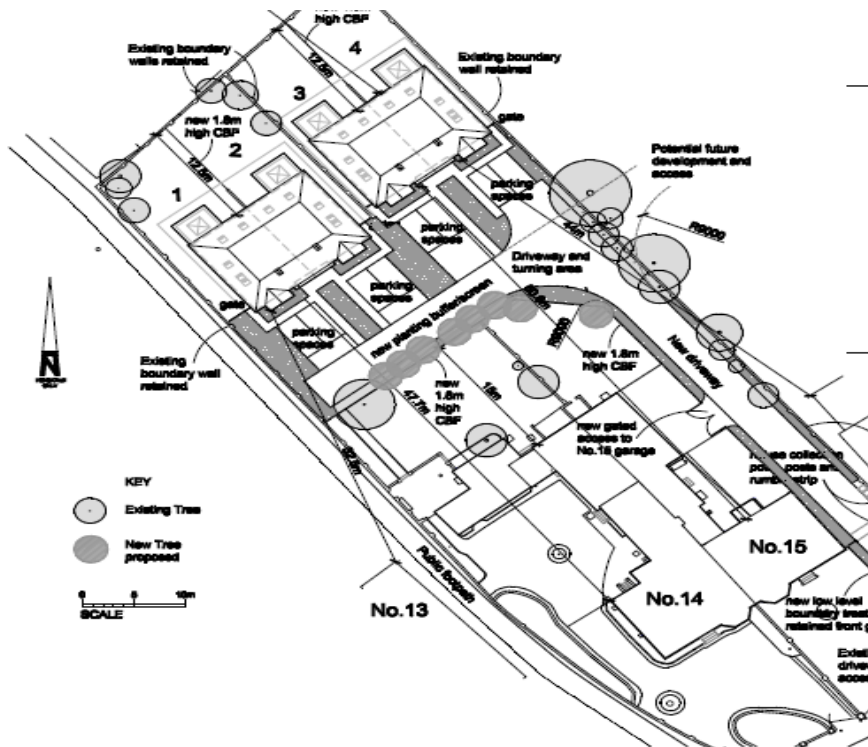
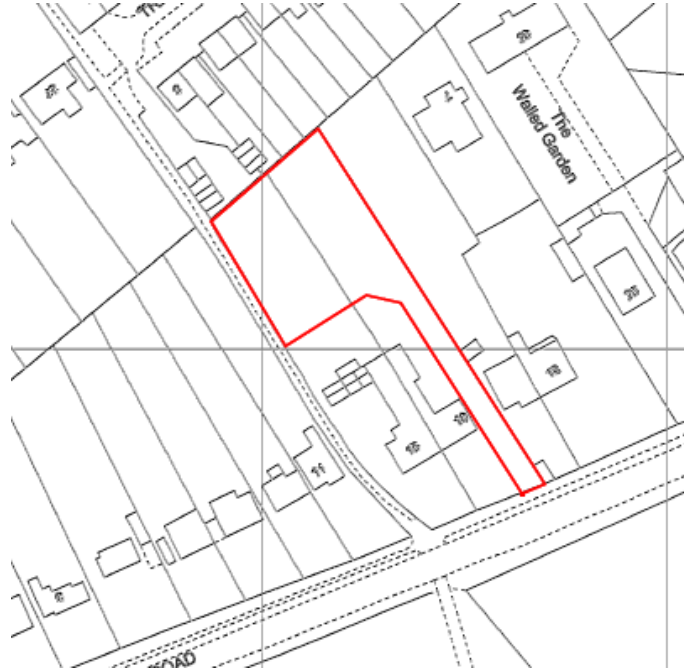


ITEM 5.04
4/01633/15/ROC - VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO
PLANNING PERMISSION 4/00024/14/FUL (CONSTRUCTION OF FOUR SEMI-
DETACHED HOUSES)
LAND AT 15 AND R/O 14, STATION ROAD, TRING, HP23 5NG



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4/01633/15/ROC - VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/00024/14/FUL (CONSTRUCTION OF FOUR SEMI-DETACHED HOUSES)

LAND AT 15 AND R/O 14, STATION ROAD, TRING, HP23 5NG

APPLICANT: BrayBeech Homes Ltd

[Case Officer - Briony Curtain]

Summary

The application is recommended for approval.

The application seeks consent to vary a condition attached to a previous permission; the approved plans. This application follows a recent refusal by Members. At their meeting on 9th April 2015, Members concluded the introduction of larger gables to the front elevation of the approved dwellings would be an 'overbearing feature'. The current scheme seeks to address these concerns and now proposes a significantly smaller gable projecting over the bay window only. Concern was expressed by residents about the insertion of a circular window within the gable. This window has also been omitted.

The gables have been reduced from 5m in width to 3m, from 4m in depth to 2.5m, and from 3.5m in height to 2m. They would now appear 1.5m below the ridge line of the dwellings and be set in from the side flank elevations. The total volume of each gable has therefore been reduced by two thirds from 18.22cubic metres as originally proposed to 5.82 cubic metres as currently proposed. With regard to the overall volume increase when compared to the approved scheme (for four dwellings), the original gables represented a 3% increase in overall volume. The current proposal amounts to a 1% increase in total volume.

With this in mind, it is difficult to conclude that the gables could represent 'an overbearing feature'.

Whilst consultation responses and concerns are noted, given the Inspectors decision, the conclusions outlined in her report, and the discussions and subsequent decision made at the last Committee, it is considered that a refusal could not be sustained.

Notwithstanding the 1% volume increase outlined above, the gables would, from most public vantage points, be viewed against the backdrop of the approved crowned roof and thus not add any additional mass or bulk at all. Given the size, scale and position of the new dwellings the gables would appear as very small additions at roof level only and would not cause any visual harm. They are not considered to appear overbearing or visually intrusive.

Some of the original conditions attached to the 2014 consent have been discharged, all outstanding ones must be replicated on this consent.

Site Description

No's 14 and 15 Station Road comprise a pair of imposing two storey Edwardian

semi-detached houses with a series of tall rear projections set on sites with very long rear gardens. A wide driveway already extends alongside the side of boundary between 15 and 17 Station Road (there is no No. 16) which opens up into a large hard-surfaced courtyard around the rear projections. The two large, flat rear gardens are each enclosed by substantial brick walls (typically found around traditional kitchen gardens) but neither of these houses or walls are listed or locally listed.

To the rear of the site is a 1970's development comprising a row of semi-detached two storey houses with shallow pitched roofs within the cul-de-sac of Treehanger and built with reasonably long, level gardens.

To the side of No. 14 is a well-used and wide public footpath which provides a direct link through from Tring secondary School to Station Road.

On the other side of the site is No 17, itself a tall Edwardian house, formerly the servants' quarters to the attached house at No. 18. The side of this house is set closely behind the high brick wall which abuts the long driveway to No. 15.

The only other developments in the vicinity are two separate bungalows built behind No's 18 and 25 Station Road with individual long driveways onto Station Road.

Proposal

In 2014 planning permission was granted at appeal for the construction of four semi-detached houses, (4/00024/14/FUL). The scheme was refused by Members, against Officers recommendation, at their meeting on 10th April 2014 but subsequently allowed at appeal.

This current application seeks amendments to the approved scheme through section 73 of the Planning Act. It is proposed to vary the approved plans under Condition 2 through the additional of small gables over the bay windows to either end of each pair of semi-detached dwellings.

A previous application to amend the approved plans was refused by Members in April. The current scheme sees the front gables being reduced significantly in size.

Referral to Committee

The application is referred to the Development Control Committee as the original scheme was refused by Members, as was a previous application to vary conditions.

Planning History

4/01632/15/ROC VARIATION OF CONDITION 5 (CILL HEIGHTS) ATTACHED TO PLANNING PERMISSION 4/00024/14/FUL (CONSTRUCTION OF FOUR SEMI-DETACHED HOUSES)
Delegated

4/01633/15/ROC VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 4/00024/14/FUL (CONSTRUCTION OF FOUR SEMI-DETACHED HOUSES)

Granted

4/01074/15/DRC DETAILS REQUIRED BY CONDITION 3 (MATERIALS) OF APPEAL REFERENCE APP/A1910/A/14/2221190 ATTACHED TO PLANNING PERMISSION 4/00024/14/FUL (CONSTRUCTION OF FOUR SEMI-DETACHED HOUSES)
Delegated

4/00714/15/DRC DETAILS AS REQUIRED BY CONDITION 4 (LANDSCAPING), 8 (ACCESS) AND 11(ENVIRONMENTAL) OF PLANNING PERMISSION 4/00024/14/FUL (CONSTRUCTION OF FOUR SEMI-DETACHED HOUSES)
Granted
20/04/2015

4/00438/15/ROC VARIATION OF CONDITION 2 (APPROVED PLANS) AND 5 (ROOFLIGHTS, CILL HEIGHTS) OF APPEAL REFERENCE APP/A1910/A/14/2221190 ATTACHED TO PLANNING PERMISSION 4/00024/14/FUL (CONSTRUCTION OF FOUR SEMI-DETACHED HOUSES)
Refused
17/04/2015

4/00024/14/FU CONSTRUCTION OF FOUR SEMI-DETACHED HOUSES
L
Refused
16/04/2014

4/01420/13/PR FOUR SEMI-DETACHED HOUSES
E
Unknown
28/08/2013

Policies

National Policy Guidance

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Adopted Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS4 - The Towns and Large Villages
CS11 - Quality of Neighbourhood Design
CS12 - Quality of Site Design

Saved Policies of the Dacorum Borough Local Plan

Policies 10, 13
Appendices 3, 5

Supplementary Planning Guidance / Documents

Environmental Guidelines (May 2004)
Area Based Policies (May 2004) - Residential Character Area TCA16 Station Road
Water Conservation & Sustainable Drainage (June 2005)

Advice Notes and Appraisals

Sustainable Development Advice Note (March 2011)

Summary of Representations

Tring Town Council

Awaiting Comments

Hertfordshire Highways

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission.

Note: the above ROC application would appear to involve only changes to the buildings and not to the access, parking and layout. Therefore, the highway authority would not wish to restrict the grant of planning permission with regards to this ROC application.

Response to Neighbour Notification / Site Notice / Newspaper Advertisement

17 Station Road

We wish to strongly object to the variation being requested by the developers on this project.

As the Council will be aware, the original application for these buildings was rejected by Dacorum District Council on account of their mass and bulk, which was deemed to be inappropriate for the area. This decision to reject was overturned on appeal to The Planning Inspectorate Appeal report APP/A1910/A/14/2221190.

Whilst granting the appeal, however, the Inspector was very specific in her conditions 'in the interests of the character and appearance of the area'. In paragraph 25.7 she specifically withdraws the rights to change 'the enlargement/alteration of any of the dwellings.

This proposal is a much more intrusive design, overlooking neighbouring homes and gardens over any possible screening, compared to the approved original which is a receding roof which blends in more appropriately with the neighbouring dwellings. A gable design was in previous development plans that were rejected at an early stage for this very reason and critically to minimise the overall bulk of the development, and they remain unacceptable.

Considerations

The main consideration in the determination of this ROC application is the visual implications of the amended elevations.

The previous application to vary the amended plans and introduce gables to the front elevations of the approved dwellings was refused by Members as it was concluded they would be 'overbearing features'. Following this the applicants have reduced the gables proposed such that they now appear over the bay windows only. The gables add an additional 1% of volume to the approved scheme.

Given their modest size, scale and set in / set down position, the gables would clearly appear subservient to the main roof and thus the overall dwellings. Whilst slightly adding to the prominence of the buildings, their overall visual impact would thus be minimal, especially as they would be viewed against the backdrop of the much larger, wider, approved crown roof. It is considered that they add an element of interest to this otherwise bland roofscape. The roofscapes within the area are extremely varied, as noted by the Inspector in her findings and as such the gables introduced would not appear incongruous, or dominant and as such would not appear as 'dominant features'.

With regard to the impact of the amended design on the residential amenities of adjacent dwellings, the circular front facing windows within the gable end have been omitted.

Other Issues

Some of the conditions of the original application have now been discharged and as such these do not appear in the list of suggested conditions. All outstanding conditions must be replicated on this approval.

RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:**

Location Plan 1:1250

H 03 13 Site Survey

BBH002/01 C - Proposed Site Plan and Street Scene Elevation

BBH002/02 C- Proposed plans and Elevations

BBH002/03 C - Proposed Longitudinal Sections Through The Site

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The development hereby permitted shall be constructed in accordance**

with the materials specified on the approved drawings and statements.

Reason: To ensure a satisfactory appearance to the development and to comply with Policy CS12 of the Core strategy.

- 4 **All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the local planning authority.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the visual character of the immediate area.

- 5 **All of the roof lights to the rear roof slopes hereby approved shall have a cill height of not less than 1.6m above the internal floor level of the second floor.**

All of the roof lights to the side roof slopes hereby approved shall have a cill height of not less than 1.2m above the internal floor level of the second floor.

Reason: To safeguard the privacy of the occupiers of neighbouring dwellings.

- 6 **Notwithstanding condition 2, prior to the first occupation of the dwellings to Plots 1 and 4 the first floor windows to their side elevations shall be of a top hung fan light opening only and fitted with obscured glass and retained in that condition thereafter.**

Reason: To safeguard the residential amenities of adjacent dwellings.

- 7 **Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending or re-enacting that Order with or without modification) no development falling within the following classes of the Order shall be carried out;**

Schedule 2 Part 1 Classes A, B, C, D, and E

Reason: To enable the local planning authority to retain control over the development in the interests of safeguarding the residential and visual amenity of the locality and to accord with Policy CS12 of the Core Strategy 2006-2031.

- 8 **Prior to the first occupation of the dwellings hereby permitted the areas shown on drawing No. BBH/002/01 Rev C for the parking of vehicles, and for vehicles to manoeuvre so that they may enter and leave the site in a forward gear, shall be laid out and those areas shall not thereafter be used for any purpose other than the parking and manoeuvring of vehicles.**

Reason: In the interests of highway safety and to accord with Policy CS12 of the Core Strategy 2006-2031..

- 9 **The refuse storage area as shown on Drawing No BBH/002/01 Rev C shall be used for collection purposes only.**

Reason: In the interests of highway safety and the residential amenity of adjacent properties.

Article 31

Planning permission/advertisement consent/listed building consent has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012.