

5c 3/11/2096/FP – Amendments to Plot 17 of planning permission reference 3/09/1370/FP; change to orientation of dwelling, changes to internal layout, cat slide roof to be replaced with gable, changes to fenestration and addition of slide down roof over porch at Land at Gravelly Lane, Braughing for Linden Homes Ltd

Date of Receipt: 16.01.2012

Type: Full – Minor

Parish: BRAUGHING

Ward: BRAUGHING

RECOMMENDATION:

That, subject to the applicant entering into a deed of variation in respect of the existing legal agreement previously agreed under LPA reference 3/09/1370/FP to include reference to this application that, planning permission be **GRANTED** subject to the following conditions:

1. Three Year Time Limit (1T121)
2. Approved plans (2E10) (insert CB28387-11-01, 61610.08 A, 17/1 C, 17/2 A)
3. Samples of Materials (2E12)
4. Construction hours of working (6N07)
5. Notwithstanding the details shown on the approved drawings, no development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include a) means of enclosure; b) hard surfacing materials; c) planting plans; d) schedules of plants noting species, planting sizes and proposed numbers/densities and e) a timetable for implementation.

Reason: To ensure the provision of amenity afforded by appropriate landscape design, in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

6. All hard and soft landscape works shall be carried out in accordance with the details approved pursuant to Condition 5. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority. Any trees or plants that, within a period of 5 years after planting are

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removed, die or become damaged or defective shall be replaced with others of the same species, size and number as originally approved unless the local planning authority has given written consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with policy ENV2 of the East Herts Local Plan Second Review April 2007.

7. Tree/hedge retention and protection (4P05)
8. Levels (2E051)
9. New Doors and Windows - unlisted buildings (2E342)
10. Tree/natural feature protection fence (4P07)

Directive:

1. Other legislation (01OL1)

Summary of Reasons for Decision

The proposal has been considered with regard to the policies of the Development Plan (East of England Plan May 2008, Hertfordshire County Structure Plan, Minerals Local Plan, Waste Local Plan and the saved policies of the East Herts Local Plan Second Review April 2007 and in particular policies OSV1, ENV1, ENV2, TR7) and The National Planning Policy Framework. The balance of the considerations having regard to those policies and the planning permission that was granted for 17 dwellings under LPA reference 3/09/1370/FP is that permission should be granted.

_____ (209611FP.MP)

1.0 Background:

- 1.1 The site comprises part of a larger plot of land measuring 0.98 ha in area, located at the corner of Green End (B1386) and Gravelly Lane. The larger site is currently under construction for a development of 17 dwellings that were granted planning permission in 2010 under LPA reference 3/09/1370/FP. The site is shown on the attached OS extract.
- 1.2 The proposal involves alterations to the siting, layout and design of the

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building within plot 17. Principally, this involves a slight alteration to the siting/layout of the proposed dwelling. Also proposed is the replacement of the previously approved cat-slide roof and its replacement with a gable roof with a bedroom at first floor on the east elevation. The proposal does not involve any additional bedrooms but does involve a reorganisation of first floor accommodation to create four large bedrooms, three with en-suite bathrooms. Also proposed is an altered ground floor layout, alterations to the fenestration configuration and a porch to serve the front door.

2.0 Site History:

2.1 The relevant planning history for the site is as follows:

<u>Planning History</u>		
3/80/1533/FP	Erection of five dwellings	Refused
3/98/1370/FP	Proposed dwelling	Refused
3/07/2039/FP	Erection of 26 no. dwellings, new road junction, landscaping and associated works	Withdrawn
3/08/0763/FP	Erection of 30 no. dwellings, new road junction, landscaping and associated works	Refused
3/09/1370/FP	Erection of 17 no. dwellings, including 6 affordable dwellings, new road junction, landscaping and associated works	Granted
3/10/1731/MA	Minor amendments to 3/09/1370/FP	Granted
3/11/1548/MA	Minor amendments to 3/09/1370/FP	Refused
3/11/1727/MA	Minor amendments to 3/09/1370/FP	Refused

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3.0 Consultation Responses:

- 3.1 The Council's Conservation Officer recommends that planning permission be refused. The Conservation Officer considers that the provision of a gable on the corner and on a prominent location within the development is out of keeping with the development site as a whole as it results in a mass which is contrary to the design principle of the development. The proposal will result in a detrimental impact on the character and appearance of the wider Conservation Area.
- 3.2 County Highways do not wish to restrict the grant of planning permission. The Highways Officer comments that the alterations to the layout does not have any highway implications.
- 3.3 The Historic Environment Unit comment that the scheme is unlikely to have an impact upon significant heritage assets.

4.0 Parish Council Representations:

- 4.1 Braughing Parish Council raises no objections to the proposals

5.0 Other Representations:

- 5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.
- 5.2 No letters of representation have been received.

6.0 Policy:

- 6.1 The relevant 'saved' Local Plan policies in this application include the following:

OSV1	Development within Category 1 Villages
ENV1	Design and Environmental Quality
ENV2	Landscaping
TR7	Car Parking Standards

7.0 Considerations:

- 7.1 The main planning considerations relate to whether the amendments to the siting, layout and design of the building previously approved under LPA reference 3/09/1370/FP are acceptable in terms of character and appearance of the site and Braughing Conservation Area and in terms of neighbour amenity.

Character and appearance

- 7.2 The altered layout moves the building along a north-south axis. The building, in this location, provides a more appropriate juxtaposition with the road and other buildings than that previously granted consent, in Officers opinion. In this respect, no objections are raised with the altered siting/layout of the building on the plot or in terms of its relationship with the development site as a whole.
- 7.3 The alterations to the building involve the provision of altered fenestration and the provision of a porch over the front door. The alterations to the fenestration are fairly modest and match well with the previously approved window design and layout. The provision of a porch element over the front door is similarly modest in terms of its scale and appears to relate well to the proportions and character of the existing dwelling. No objections are raised in respect of those elements therefore.
- 7.4 The more significant element of the amended scheme is the provision of a gable with first floor accommodation to replace the cat-slide roof. It is this element that the Conservation Officer raises specific concern. The footprint of the building is not altered with this element of the proposal (other than the re-orientation of the building), and involves a gable which is set lower than the roof ridge line of the dwelling with the eaves in line with that of the dwelling. The provision of a gable on this elevation will alter the character of the building and creates a more distinct feature to the building within the street scene. The development site as a whole involves the provision of various gable appendages to the buildings. Having regard to the altered layout of the building Officers consider that the provision of a gable will provide an interesting element to the building which will provide a more characterful focal point on entrance to the site from the main road. Whilst noting the Conservation Officers specific design concerns, Officers do not consider that this element of the amended scheme will result in such significant harm to the character and appearance of the building or the development as a whole within the Conservation Area as would warrant a refusal of planning permission.

Neighbour amenity

- 7.5 With regards to the relationship of the amended building with other adjoining neighbouring buildings, Officers consider that the re-sited building will provide appropriate distances and relationships such that appropriate levels of amenity are maintained, in accordance with policy ENV1.

Legal agreement/planning conditions

- 7.6 As set out above, the previous approval under LPA reference 3/09/1370/FP was the subject of a legal agreement. This application seeks consent to vary one of the buildings included within that permission. To ensure that the building the subject of this permission is linked to that previous legal agreement and the financial contributions the applicant has committed to, it is necessary and reasonable to require a variation of the legal agreement to include reference to this permission. Officers have therefore recommended this at the beginning of the report.
- 7.7 Within the original permission under LPA reference 3/09/1370/FP a number of planning conditions were attached relating to access arrangements into the site and construction management. The amended scheme will be dependent on those conditions previously approved consent and it is unnecessary to replicate them within this permission. The plans proposed in this application do not however provide sufficient information with regards to samples of materials, hard/soft landscaping, tree/hedge retention or levels within the site. In the interests of amenity and the character of the development and Conservation Area as a whole it is considered to be necessary and reasonable to ensure that further information is submitted in respect of those areas.
- 8.0 Conclusion:**
- 8.1 The development of the site for residential dwellings has previously been considered to be acceptable under LPA reference 3/09/1370/FP. This application seeks consent for an altered siting, layout and design of plot 17 of that original permission. For the reasons set out above the amended scheme for this plot is considered to be acceptable in terms of the impact on the Conservation Area and the relationship with neighbouring residential dwellings.
- 8.2 It is however necessary for the original S106 to be varied to include reference to this application – subject to the applicant entering into such an agreement, Officers therefore recommends that planning permission is granted.