



Appeal Decision

Site Visit made on 25 January 2021

by Mr Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th February 2021

Appeal Ref: APP/A1910/W/20/3261246

72-80 Honours Building, Akeman Street, Tring HP23 6AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Akeman Business Park Limited against the decision of Dacorum Borough Council.
 - The application Ref 20/01491/FUL, dated 11 June 2020, was refused by notice dated 14 September 2020.
 - The development proposed is partial demolition of existing flat roof and proposed rooftop extension to create 2no. single-storey 2-bedroom apartments with roof terraces, parking spaces, cycle spaces.
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Decision

1. The appeal is allowed and planning permission is granted for partial demolition of existing flat roof and proposed rooftop extension to create 2no. single-storey 2-bedroom apartments with roof terraces, parking spaces, cycle spaces at 72-80 Honours Building, Akeman Street, Tring HP23 6AF in accordance with the terms of the application, Ref 20/01491/FUL, dated 11 June 2020, 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.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PL-01; PL-02A; PL-03; PL-06; PL-07.
 - 3) The development hereby permitted shall be constructed fully in accordance with the materials specified upon the approved plans.
 - 4) No apartment hereby permitted shall be occupied until space has been laid out within the site (in accordance with approved plan PL-01) for three vehicles to be parked and for vehicles to turn so that they may enter and leave the site in a forward gear, and that space shall thereafter be kept available at all times for the purposes of parking and manoeuvring vehicles.

Preliminary Matter

2. A Grade II listed townhouse at Nos 81/82 Akeman Street is referenced upon the Council's Decision Notice and elsewhere within the evidence that is before me. Nevertheless, to ensure consistency with its formal listing description, I shall refer to the designated asset as No 81 Akeman Street (No 81) for the purposes of this decision. I am content that no party with an interest in this appeal is prejudiced by me taking this approach.

Main Issues

3. The main issues are:

- Whether or not the proposal would preserve or enhance the character or appearance of the Tring Conservation Area (the TCA), including consideration of the proposal's effect upon a non-designated heritage asset; and
- The effect upon the setting of No 81, a Grade II listed building.

Reasons

The TCA

4. The significance of the TCA as a designated heritage asset is drawn, in-part, from its range of historic buildings, its varied mix of uses and its often densely built-up areas. This significance is further defined by the TCA's often open and green surroundings. The TCA's significance continues to be readily identifiable despite various modern and unsympathetic influences contained within it.
5. The appeal property incorporates a former two-storey cinema, that was known as The Gaiety Cinema and that I understand dates to the early twentieth century. It has previously been extended through the addition of a storey that includes a prominent mansard roof feature. Nevertheless, the property's well-balanced front-facing façade continues to provide visual references to the building's past cinema use and thus to the town's social history. I am satisfied that what remains of the former cinema has been correctly identified as a non-designated heritage asset.
6. The proposal that is before me is centred upon alterations and additions to the appeal property's roof. It is important to note that the proposed rooftop extensions would be setback from the building's perimeter and behind parapet walling. Indeed, not insignificant setback distances are intended to the Akeman Street frontage and to each of the appeal building's northern and southern sides. This would have the effect of significantly limiting the proposed development's prominence and visibility. This finding would particularly apply when experienced from street-level vantage points located close to the site.
7. It is indicated in the evidence before me that the appellant shall be undertaking a comprehensive overhaul of the façades of buildings contained within the wider estate. This is corroborated by planning permission¹ having previously been granted for operational works to various buildings. Indeed, these alterations, where relevant to the appeal site, are depicted upon the submitted plans for determination. To my mind there is a strong likelihood that such works shall be delivered in a comprehensive manner, which provides assurances that the materials and fenestration proposed to the rooftop extensions would integrate successfully.
8. When factoring in the intended low-scale and discreet positioning of the proposed extensions at roof level, as well as the significant alterations that have previously occurred at the site, the proposal would have a neutral effect upon the significance of the former cinema as a non-designated heritage asset.

¹ 4/00146/18/FUL

9. I accept that the rooftop extensions would be visible, at least in-part, from Akeman Street vantage points to the north of the site and thus from within the TCA. It is also the case that buildings in the site's vicinity are typically of comparatively lower scale. Nevertheless, when factoring in the existing roof features to be removed and the presence of a large building of modern composition to the site's southern side, the proposed rooftop extensions would not appear domineering nor out of place and would preserve the TCA's character and appearance accordingly.
10. The proposal accords with Policy CS27 of the Dacorum Core Strategy (September 2013) (the Core Strategy) and with the National Planning Policy Framework (February 2019) (the Framework) in so far as these policies set out that development will positively conserve and enhance the appearance and character of conservation areas.

The setting of No 81

11. The appeal site sits alongside No 81, a Grade II listed building. Listed building consent² was granted in June 2020 with respect to refurbishment, conversion and partial demolition works. It was apparent upon inspection that such works are in progress. The significance and special interest of No 81 as a designated heritage asset is drawn, in-part, from its historic origins, its consistent form, and its distinctive steep-pitched roof.
12. As already set out above, the proposed rooftop extensions would be setback from the appeal property's outer perimeter. Whilst the extensions would form part of No 81's backdrop when viewed from certain vantage points, they would not appear overbearing and would not harmfully impinge upon the way in which No 81 is experienced and enjoyed. The proposal would thus not cause harm to the heritage significance of No 81 through bringing forward development within its setting.
13. The proposal accords with Policy CS27 of the Dacorum Core Strategy (September 2013) (the Core Strategy) and with the Framework in so far as these policies set out that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced.

Planning Balance

14. It is common ground between the main parties to this appeal that the Council cannot currently demonstrate a five-year supply of deliverable housing sites. The presumption in favour of sustainable development, as set at paragraph 11 of the Framework is thus engaged. For decision making this means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework's policies taken as a whole. In the absence of identified harm, I find that the appeal should succeed. Indeed, the proposal accords with the development plan when read as a whole and material considerations do not lead me to a decision otherwise.

² 20/00954/LBC

Conditions

15. The Council has suggested conditions that the appellant has had the opportunity to comment upon and which I have considered against advice in the Framework and Planning Practice Guidance. In the interests of certainty, a condition specifying the full suite of approved plans is required. In the interests of preserving the character and appearance of the TCA, a condition is reasonable and necessary to ensure that the development is built out in accordance with the details of materials that have already been provided.
16. Furthermore, in the interests of highway safety and of ensuring an acceptable level of parking provision, a condition is reasonable and necessary to ensure that three off-street parking spaces and associated turning facilities, as depicted upon the approved Block Plan, are indeed provided and thereafter retained at all times.

Conclusion

17. For the reasons given above, the appeal is allowed subject to conditions.

Andrew Smith

INSPECTOR