

3/09/0202/FP – Subdivision of existing dwelling into 5 dwellings and new garages at Thorley Place, Thorley Lane East, Bishop’s Stortford for Mr N Thurley.

Date of Receipt: 11.02.09

Type: Full

Parish: BISHOP’S STORTFORD / THORLEY

Ward: BISHOP’S STORTFORD SOUTH

RECOMMENDATION

That planning permission be **GRANTED** subject to the following conditions:-

1. Three year time limit (1T121)
2. Samples of materials (2E123)
3. Boundary Walls and Fences (2E073)
4. Withdrawal of P.D. (Part 1 Class A) (2E203)
5. Withdrawal of P.D. (Part 2 Class A) (2E213)
6. Withdrawal of P.D. (Part 1 Class E) (2E223)
7. Withdrawal of P.D. (Part 1 Class B) (2E223)
8. Provision and retention of parking spaces (3V23)
9. Tree retention and protection (4P053)
10. Hedge retention and protection (4P063)
11. Tree Protection: excavations (4P094)
12. Landscape design proposals (4P124) c) e) i) j) k)
13. Landscape works implementation (4P133)
14. Vehicular use of garages (5U103)
15. Exiting access closure (3V051)

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16. Prior to the commencement of the development hereby permitted, detailed drawings of the bin store shall be submitted to and approved in writing by the local planning authority, and thereafter implemented in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with policy ENV1 of the East Herts Local Plan Second Review April 2007

Directives:

1. Other Legislation (01OL)
2. Highway Works (05FC2)
3. Street Numbering (19SN)
4. For the avoidance of doubt, this permission does NOT relate to the provision of the lay-by parking area originally shown to the front of the site. This element of the scheme was deleted, with the written agreement of the applicant, on 21st April 2009.
5. Date of Plans received (10DP1)
"11.02.09 and amended on 21.4.09"

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, Minerals Local Plan, Waste Local Plan and East Herts Local Plan) and in particular policies GBC1, ENV1, ENV2, ENV9, ENV11 and TR7. The balance of the considerations having regard to these policies and the grant of permission under lpa reference 3/971360/FP in this case is that planning permission should be granted.

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1.0 Background

- 1.1 The application site is shown on the attached OS extract.
- 1.2 Thorley Place, formerly Thorley Place Hotel, is a substantial Edwardian building, located at the edge of the Thorley development. The property is a single, detached 14 No. bedroom property, set in large grounds, with parking provision to the front of the dwelling which is set behind a laurel hedge. The property has a tennis court within the rear garden and has 3 No. attached garages within the north flank of the property.

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- 1.3 Immediately to the south of the site lies a 60-bed nursing home with associated car parking, which was granted planning permission in August 1995 following the subdivision of the site relating to the original hotel. Directly opposite the site, also fronting Thorley Lane, lies a range of dwellings, which are primarily detached in character. To the north there is a further detached dwelling set in its own grounds.
- 1.4 This application proposes the vertical subdivision of the building to accommodate five dwellings, comprising 2No. four bedroom and 3No. three bedroom units. Garaging to accommodate 8No. vehicles is proposed in the form of two separate blocks, one to be located adjacent to the southern boundary with the adjacent nursing home and the other at right angles to this building, approximately 17 metres from Thorley Place.
- 1.5 Each of the proposed dwellings is to be provided with an area of private amenity space, with landscaping proposed for the remainder of the site.
- 1.6 With regard to the proposed external alterations to the front of the main dwellinghouse, these would involve minor changes and would consist of replacing three existing windows at ground floor level with three doors, which would be used as front doors for three of the proposed dwellings. It is noted that the existing front door and another existing door to the front of the property will be retained for the other two dwellings. With regard to the rear of the dwelling, three existing windows at ground floor level would be replaced with three pairs of french windows. To the north flank ground floor elevation, the existing garage doors would be replaced with three windows which would match the design of the existing windows at the property.
- 1.7 With regard to the proposed garages, these would be sited beyond the rear gardens of the proposed five dwellings, with one of the garage blocks sited parallel to the main dwelling and retaining a distance of approximately 17 metres from Thorley Place. It would be 12 metres wide, 6 metres in depth and 4.6 metres in height. The second garage block would be located perpendicular to the main dwellinghouse and sited approximately 28 metres from the property. It would be 15 metres in length, 6 metres wide and 4.6 metres in height. Both garage blocks would contain 4 garages and would have 4 parking spaces to the front of these garages.
- 1.8 The proposal would also provide a new access onto Thorley Lane to the north west of Thorley Place, with a driveway through the site leading to the rear parking/garaging area. An additional 5No. parking bays were originally proposed to the front of the property, which would involve removing the existing laurel hedge. However, this element of the scheme has been deleted following discussions with officers.

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- 1.9 It should be noted that this application seeks permission for a development which is similar to that granted permission in December 1997 for the conversion of the building into 5 residential units (ref: 3/97/1360/FP)
- 1.10 This application is being reported to the Development Control Committee as it represents a departure from the Local Plan.

2.0 Site History

- 2.1 The site has an extensive planning history which can briefly be summarised as follows:

3/80/1402/FP	Extension to existing hotel of 34 bedroom units and required concourse area.	Approved with conditions
3/85/1481/OP	Extension to hotel of about 34 bedroom units and required concourse area.	Approved with conditions
3/87/2063/FP	Erection of 40 flats for retired persons attached to the existing building using facilities of Thorley Place.	Approved with conditions
3/90/1269/FP	39 No. retirement flats, 39 No. car ports and 14 No. open parking spaces.	Approved with conditions
3/94/0945/FP	Proposed 60 bed nursing home, 6 No. bungalows for the elderly with associated parking and landscape works.	Refused
3/94/1683/FP	60 bed nursing home with associated parking and landscape works.	Approved with conditions
3/96/1347/FP	Garden walls to entrance to house and name boards.	Refused
3/97/1360/FP	Conversion of former hotel to five residential units with garages.	Approved with conditions
3/98/0031/FP	Change of use of existing hotel to single residence including minor extension for garage and the formation of new accesses.	Approved with conditions
3/04/0802/FP	Erection of private residential tennis court.	Approved with conditions

3.0 Consultation Responses

- 3.1 County Highways have commented that they do not wish to restrict the grant of permission, subject to several conditions. They comment that in a highway context, the proposal is acceptable in principal, taking into account its location on the edge of the built up area of Bishops Stortford. However, Highways did raise concerns with regard to the originally proposed vehicle lay-by to the front of the property in that it would introduce conflicting braking and turning manoeuvres within the highway. As mentioned previously, however, the applicant has agreed to remove this lay-by parking area from the proposal.

4.0 Town Council Representations

- 4.1 Bishop's Stortford Town Council raises no objections to the application but comments that there are discrepancies in the applicant's design and access statement.

5.0 Other Representations

- 5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.
- 5.2 Four letters of objection have been received from neighbouring properties in Thorley Lane East and Walnut Drive, which raise the following concerns:
- Inappropriate development within the Green Belt
 - Adjacent to a dangerous road
 - New garages inappropriate development within the Green Belt
 - Removal of the laurel hedge would be out of character with the lane
 - The new parking area to the front of the site would be a danger to road users, would create extra noise and would not be safe for the users of the adjacent footpath
 - The proposed alterations to accommodate the subdivision would have a detrimental impact upon the character of the existing dwellinghouse

6.0 Policy

- 6.1 The Policies of the East Herts Local Plan Second Review April 2007 most relevant to the consideration of the application are:
- GBC1 Development within the Green Belt
 - ENV1 Design and Environmental Quality
 - ENV2 Landscaping
 - ENV9 Withdrawal of PD rights

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- ENV11 Protection of existing hedgerows and trees
- TR7 Car Parking Standards

7.0 Considerations

- 7.1 Thorley Place is sited within the Metropolitan Green Belt wherein permission will only be given for appropriate development. The main considerations in this instance are the impact the subdivision of and the alterations to the property and the associated garages, access and driveway would have upon the character, appearance and the openness of the Metropolitan Green Belt; the impact upon neighbours amenities; and highway safety.
- 7.2 It is important to note that the property was granted planning permission in 1997 for its subdivision into 5 dwellings and for alterations and associated garages similar to that proposed in this application. This grant of permission is therefore a material consideration in the determination of this application.

Alterations to the property

- 7.3 It is Officers opinion that the design of the proposed external alterations to accommodate the subdivision of Thorley Place would not involve significant alterations to the existing property and therefore, would result in no significant change to the visual impact the proposal would have upon the character and openness of the Metropolitan Green Belt, the street scene and the general locality.
- 7.4 With regard to the subdivision of the property, I note that the predominant character of the locality is that of detached properties, with a development of newer dwelling houses adjacent to the site. Whilst the density is higher than that surrounding development, the proposal is not considered to be significantly detrimental to the general grain and built form of the locality and as such is not considered to be overdevelopment of the plot.
- 7.5 With regard to the level of amenity space provided for future occupiers of the development, all five dwellings have direct access to outside garden space and will benefit from a substantial communal garden area to the north west of the property. All units have substantial sized habitable rooms with large windows and I am satisfied that the proposal would result in an acceptable degree of amenity being achieved in compliance with Policy ENV1.

Garages, parking and access

- 7.6 With regard to the proposed garage blocks to the rear of the property, it is noted that the proposed driveway for these would be sited within the centre of the rear garden of Thorley Place and to the north and rear of the proposed rear gardens for the proposed 5No. dwellings. Taking into account the siting of the proposed garage blocks adjacent to the rear southern flank boundary, and with the retention of the mature landscaping to the southern and eastern boundaries, it is considered that the proposed garages would not have a harmful impact upon the character and appearance of the street scene or the openness and character of the Metropolitan Green Belt. Furthermore, it is a material consideration that the access, driveway and garage blocks which were granted planning permission within LPA reference 3/97/1360/FP at the site were of the same size, scale, siting and design as the proposed garages within this application, and as the circumstances at the site have not changed considerably, it is considered that it would be unreasonable to refuse planning permission for the garages, access and driveway in this case.
- 7.7 With regard to the originally proposed vehicle lay-by to the front of the property, the objections from Highways and third parties were noted and as a result of further discussions with the applicant, this element of the scheme was withdrawn. Notwithstanding this, Officers consider that the 8 garages proposed and the parking area in front of these, will provide an acceptable level of off-street parking provision in this case.
- 7.8 Although the proposed access and driveway would necessitate the removal of some existing vegetation to the north east of the site, the proposal would still retain a large number of mature trees and landscape features, which are to be protected by condition.

Neighbour amenity

- 7.9 With regard to neighbour impact, the representations from the third parties have been taken into account. Several residents expressed concern regarding the lay-by parking area originally proposed to the front of the site. However, that is no longer proposed as part of this scheme and, as a result, the laurel hedge at the front of the site will also be retained. Officers do not consider therefore that the proposal would have any significant impact on the amenities of adjoining neighbours by reason of loss of privacy, noise etc.

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7.10 It is noted that County Highways have requested conditions to be attached to any grant of permission. In respect to the suggested condition regarding the parking and storage of materials associated with the construction of the development, as there is substantial space within the site for this, I do not consider that it would be reasonable to place this condition on any subsequent grant of permission.

8.0 Conclusion

8.1 In conclusion, the proposed subdivision of and minor external alterations to Thorley Place would not significantly materially affect the external appearance of the building or impact upon the character, appearance or openness of the Green Belt. Taking into account the size, scale, siting and design of the proposed garage blocks, the siting of the access and driveway and the grant of permission in 1997, it is considered that the proposed new access, driveway and garage blocks would not have a harmful impact upon the Green Belt or the surrounding locality. There have been no significant changes in policy or circumstances to warrant a different decision now being made.

8.2 Accordingly, it is recommended that the application be approved subject to the conditions set out at the commencement of this report.