

5i 3/12/0375/FN – Subdivision of existing dwelling into 5 dwellings and new garages at Thorley Place, Thorley Lane East, Bishop’s Stortford CM23 4BH for Mr N Thurley

Date of Receipt: 05.03.2012

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 (1T12)
2. Approved Plans (2E20) (001 C, 002 C, 003 C, 004 C, 005, 006, 007 A, 008, G1, G2)
3. Samples of materials (2E12)
4. Boundary Walls and Fences (2E07)
5. Withdrawal of P.D. (Part 1 Class A) (2E20)
6. Withdrawal of P.D. (Part 2 Class A) (2E21)
7. Withdrawal of P.D. (Part 1 Class E) (2E22)
8. Withdrawal of P.D. (Part 1 Class B) (2E22)
9. Provision and retention of parking spaces (3V23)
10. Tree retention and protection (4P05)
11. Hedge retention and protection (4P06)
12. Tree Protection: excavations (4P09)
13. Landscape design proposals (4P12) c) e) i) j) k)
14. Landscape works implementation (4P13)
15. Vehicular use of garages (5U10)
16. Existing access closure (3V05)

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17. 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. Groundwater Protection Zone (28GP) –insert Redricks Lane
5. For the avoidance of doubt, this permission does NOT relate to the provision of the lay-by parking area shown to the front of the site.

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 in particular policies GBC1, ENV1, ENV2, ENV9, ENV11, TR7) and the National Planning Policy Framework. The balance of the considerations having regard to these policies and the grant of LPA references 3/97/1360/FP and 3/09/0202/FP in this case is that planning permission should be granted.

_____ (037512FN.FM)

1.0 Background:

- 1.1 The application site is shown on the attached OS extract, and lies within the Metropolitan Green Belt.
- 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

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removing the existing laurel hedge. However, this element of the scheme has been deleted.

1.9 It should be noted that this application seeks the renewal of LPA reference 3/09/0202/FP. Committee Members may recall that this was approved at the Development Control Committee meeting on the 6th May 2009 for the conversion of the building into 5 residential units with associated garages. It is also important for members to note that planning permission was granted for development which is similar to that granted in 2009 and within this application in December 1997 for the conversion of the building into 5 residential units (LPA 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	Approved with

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	residential units with garages.	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
3/09/0202/FP	Planning permission granted to subdivide the existing dwelling into 5 dwellings and construct new garages.	Approved with conditions

3.0 Consultation Responses:

- 3.1 County Highways have commented that they do not wish to restrict the grant of permission for the renewal of LPA ref. 3/09/0202/FP.
- 3.2 Veolia Water have commented that the site is located within the groundwater Source Protection Zone, of Redricks Lane Pumping Station. Therefore the construction works and operation of the proposed development should be done in accordance with the relevant British Standards and Best Management Practices.

4.0 Town Council Representations:

- 4.1 Bishop's Stortford Town Council raises no objections to the application.

5.0 Other Representations:

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

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
 - ENV11 Protection of existing hedgerows and trees

- TR7 Car Parking Standards

7.0 Considerations:

Principle of Development

- 7.1 It is important for Members to firstly note that this application does not differ from that approved most recently in 2009 under LPA reference 3/09/0202/FP. No alterations are proposed in terms of design, appearance or layout of the proposed development to this previously approved permission.
- 7.2 The previous grant of permission within LPA reference 3/97/1360/FP established the principle of the development, with the conversion of the dwellinghouse to five residential units. The design, layout, and appearance of the proposed building, the proposed use, traffic generation and parking all remain the same as the development approved within LPA reference 3/09/0202/FP. As there has been no change in policy; the circumstances at the site have not changed and this application is the same as previously permitted, Officers consider that this current permission to renew LPA reference 3/09/0202/FP to be acceptable. There is nothing in the new National Planning Policy Framework (NPPF) that would lead to a different decision being made to that previously determined.

Neighbour amenity

- 7.3 With regard to neighbour impact, Officers do not consider that the proposal would have any significant impact on the amenities of adjoining neighbours by reason of loss of privacy, noise or similar.

8.0 Conclusion:

- 8.1 In conclusion, the principle, design, scale and layout of the development has already been agreed by the grant of the 1997 and 2009 applications. LPA reference 3/09/0202/FP granted permission for the subdivision of and minor external alterations to Thorley Place and also the construction of two garage blocks with new access. It is considered that the proposed development would not significantly materially affect the external appearance of the building or impact upon the character, appearance or openness of the Green Belt and would have no adverse impact upon neighbour amenity.
- 8.2 Accordingly, it is recommended that the application be approved subject to the conditions set out at the commencement of this report.