

**Item No. 16****SCHEDULE B**

<b>APPLICATION NUMBER</b>	<b>CB/09/06293/FULL</b>
<b>LOCATION</b>	<b>Apartment G57, Fairfield Hall, Hitchin Road, Stotfold</b>
<b>PROPOSAL</b>	<b>Full: re instatement of window to rectify breach of planning permission and alteration of existing elevation to create French Doors in the location of window.</b>
<b>PARISH</b>	<b>Stotfold</b>
<b>WARD</b>	<b>Stotfold &amp; Arlesey</b>
<b>WARD COUNCILLORS</b>	<b>Cllr I Dalgarno, Cllr J Saunders, Cllr J Street and Cllr C Turner</b>
<b>CASE OFFICER</b>	<b>Hannah Pattinson</b>
<b>DATE REGISTERED</b>	<b>19 October 2009</b>
<b>EXPIRY DATE</b>	<b>14 December 2009</b>
<b>APPLICANT</b>	<b>P J Livesey Country Homes (Southern) Ltd</b>
<b>REASON FOR COMMITTEE TO DETERMINE</b>	<b>Cllr C Turner request. Grounds are out of keeping and obtrusive to neighbours.</b>
<b>RECOMMENDED DECISION</b>	<b>Grant Planning Permission</b>

**Site Location:**

Fairfield Hall and Park is an allocated residential development site which lies in close proximity to the settlements of Stotfold and Arlesey.

The application site is on the western elevation of the apartment known as G57 located within Fairfield Hall.

Fairfield Hall is a Grade II Listed Building which has planning permission and Listed Building Consent for conversion into a number of residential apartments and as a health club with associated car parking and landscaping.

Listed Building Consent has been applied for separately and will be discussed as the next item on the Agenda.

**The Application:**

Planning permission has been sought for the re instatement of the window and removal of patio doors in accordance with a previous Planning Permission and Listed Building Consent as the doors are unauthorised and represent a breach of planning control. In addition consent is sought for the alteration of the existing window to French Doors providing access into the courtyard at the rear of the flat.

Retrospective planning permission is not sought for the retention of the patio doors as the purchaser of the flat was unable to buy the property with an outstanding breach of planning control. As such the window was re instated in accordance with the previous planning permission and listed building consent to allow exchange of

contracts in relation to this particular flat.

## **RELEVANT POLICIES:**

### **National Policies (PPG & PPS)**

PPS1           Delivering Sustainable Development  
PPS3           Housing  
PPG15          Planning and the Historic Environment

### **Regional Spatial Strategy**

East of England Plan (May 2008)

Milton Keynes and South Midlands Sub-Regional Strategy (March 2005)

### **Core Strategy and Development Management Policies (November 2009)**

Policy CS15: Heritage  
Policy DM3: High Quality Development  
Policy DM13: Heritage in Development

### **Supplementary Planning Guidance**

Design Guide for Residential Areas in Mid Bedfordshire (2004)

### **Planning History**

There is no specific planning history in relation to this apartment.

### **Representations: (Parish & Neighbours)**

- |                       |  |
|-----------------------|--|
| Stotfold Town Council | Object on the following grounds: <ul style="list-style-type: none"><li>• It is not in keeping with the external aspect of the building due to the physical size;</li><li>• The door is out of proportion to nearby windows;</li><li>• It is in an enclosed court yard and is intrusive to neighbouring properties;</li><li>• noise nuisance;</li><li>• it overlooks surrounding properties.</li></ul> As a Town Council we back our residents who are concerned that this will set precedence particularly in an enclosed area in a listed building setting. |
| Neighbours            | Eight letters of objection have been received. Objections have been raised for the following reasons: <ul style="list-style-type: none"><li>• granting such planning permission would be inconsistent with other planning decisions made in the context of this building;</li><li>• it is an alteration to a Grade II Listed Building;</li><li>• noise implications could arise;</li></ul>   |

- this application may set a precedent for other occupiers of Fairfield Hall which may wish to obtain a similar planning permission;
- the proposal is not in keeping with the external aspect of the building;
- the proposal may create overlooking.

## **Consultations/Publicity responses**

Fairfield Hall Residents Association (FHRA) Ask for the following points to be taken into account:

- The FHRA acknowledge that French doors already exist to apartments at the Hall. However, other examples of these doors were part of the original construction and sited where they did not impact adjacent apartments; the apartment is located in a secluded courtyard of some 30 sq m's overlooked by 10 - 12 nearby apartments on three floors.
- Concern is raised that there is an intention to use part of the communal grounds adjoining the apartment as a patio.

## **Determining Issues**

The main considerations of the application are;

1. The Principle
2. Impact upon the Character and Appearance of the Area
3. Impact upon Neighbouring Amenity
4. Other Considerations

## **Considerations**

### **1. The Principle**

This apartment is part of the overall development involving the conversion of Fairfield Hospital (now known as Fairfield Hall) into residential apartments. As such the principle of residential development is accepted.

The principle of installing the proposed doors is also accepted. In particular, there are other examples of patio doors which have been approved under a previous planning permission and listed building consent at ground floor level around Fairfield Hall.

### **2. Impact upon the Character and Appearance of the Area**

This application is for the re instatement of the window in accordance with planning permission ref: MB/05/01923/FULL and listed building consent ref: MB/05/01932/LB. The unauthorised doors have already been replaced by a window during the course of this application and the breach of planning control has now been removed.

In addition permission is sought for the removal of the window and the insertion of French Doors to provide access into the adjacent courtyard. The applicant has confirmed that the proposal is to insert a timber framed / glazed French doors which would be identical to other French Doors at ground floor level at Fairfield Hall.

It is acknowledged that Fairfield Hall is a Grade II Listed Building, but it is felt that the proposal has been designed to be in keeping with the buildings existing architecture.

As such it is considered that the proposed French Doors would not result in a detrimental impact upon the character and appearance of the area.

### **3. Impact upon Neighbouring Amenity**

The proposed French Doors are at ground floor level providing access onto a grassed area in the courtyard. It is considered that nearest neighbouring property is 23 metres across the courtyard. This is felt to be sufficient distance between the application site and neighbouring properties to ensure that no material level of overlooking would occur. Moreover it should be noted that the planting of the area next to the building and its use as an outdoor amenity area would not require planning approval.

As such it is not considered that this proposal would result in a detrimental impact upon neighbouring amenity either in terms of overlooking, loss of privacy or light pollution.

### **4. Other Considerations**

The proposal would not result in any impact upon highway arrangements. As such it is not considered that this requires further consideration.

## **Reasons for Granting**

The proposal is in accordance with Policy CS15, DM3 & DM15 of the Core Strategy and Development Management Policies (November 2009) and in accordance with the relevant guidance contained within PPS 1, PPS3 and PPG15. In addition it is not considered that the proposal would result in a detrimental impact upon the character and appearance of the area or upon neighbouring amenity.

## **Recommendation**

That Planning Permission be granted subject to the following:

- 1 Following the carrying out or completion of the alterations for which consent is hereby granted, all making good of the existing building shall be carried out in materials and finishes which closely match those used in the existing building or structure.

Reason: To ensure that the special architectural and historic interest of the building, its character and appearance is properly preserved, maintained and enhanced, in accordance with PPG 15: Planning and the Historic Environment.

**Notes to Applicant**

**DECISION**

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