

Forest Heath District Council

**DEVELOPMENT
CONTROL
COMMITTEE**

14 MAY 2014

DEV14/115

Report of the Head of Planning and Regulatory Services

PLANNING APPLICATION DC/14/0253/FUL – PADDOCK AREA, PALACE HOUSE STABLES, PALACE STREET, NEWMARKET

Synopsis:

Application under the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT OFFICER

Christine Flittner (Case Officer)

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Committee Report

App. No:	DC/14/0253/FUL	Committee Date:	14 May 2014
Date Registered:	20 February 2014	Expiry Date:	17 April 2014
Case Officer:	Christine Flittner	Recommendation:	Deemed Consent Subject to Conditions
Parish:	Newmarket	Ward:	All Saints
Proposal:	Planning Application – Change existing open paddock space into specific ménage and paddock areas (amendment to that previously approved)		
Site:	Paddock Area, Palace House Stables, Palace Street, Newmarket		
Applicant:	Mrs Liz Watts, Forest Heath District Council		

Background:

This application is referred to Development Control Committee as the applicant is Forest Heath District Council.

The application is recommended for approval subject to conditions.

Application details:

1. The proposal seeks permission for a change of use of the existing open paddock area at the rear of Palace House Stables to form a specific ménage and separate paddock area. Planning permission has been granted in the past for subdivision of this area, but in a less demarcated manner. The proposal seeks a realignment of the ménage and an increase in size to enable it to be used for a wider range of events. The previously approved viewing stand remains within the scheme, but has been moved further into the middle ground of the site. One paddock will be created and fenced in the North West corner of the site whereas previously there were plans for two smaller paddocks. The coach park is outside the application site and obtained planning permission in 2013 under application reference F/2013/0071/FU3, having first been proposed and approved as part of application F/2010/0778/FU3.

2. This proposal is to turn the ménage through 90 degrees so positioning the longer side on the boundary with the school and the shorter side adjacent the site entrance road. Previously the longer side of the ménage was positioned along the length of the access road and in close proximity to a smaller area of coach and visitor parking on the site boundary. The increase in size is modest with the previously approved ménage measuring 30m x 60m and the proposal measuring 35m x 70m. The ménage will be enclosed by two separate types of fencing consisting of 3 rail softwood fencing along the longer sides and more solid "polo" style fencing around the northern and southern ends. This more solid fencing is required for safety reasons for some of the events proposed as it allows horses to get close to the fencing at speed without crushing the legs of the rider due to the slight lean on the fence.

Amendments:

3. The application has been amended during its lifetime to address concerns relating to the enclosure of the paddocks and ménage area with the more solid "polo" style fencing. As a result this fencing has been reduced and replaced with more traditional post and rail fencing to retain as much of the open feel of the paddocks as possible. Minor amendments have also been forthcoming in relation to the demarcation of the disabled parking bays to improve their appearance. The changes remove painted disabled logos from the surface of the spaces and replace with timber posts with smaller logos which are considered more discreet.

Site details:

4. The site is located within the Newmarket Conservation Area. Palace House stables consists of two ranges of stables around two courtyards with an open paddock area to the rear. This area of paddocks is bordered by a car park and the stable yards to the West, residential properties to the North (Lisburn Road) and South (All Saints Road) and All Saints School lies to the East.
5. The older courtyard of stables lies adjacent to Palace Street and is known as Kings Yard. It consists of a range of grade II listed buildings built between 1857 and 1860 and contains the Trainers House. The eastern courtyard of stables was added in 1903 and is known as Rothschild Yard. There are some buildings beyond the yard including a muck pit and farriers workshop which along with the stable block and the central fountain are also all Grade II listed.
6. The proposed development is well removed from the complex of listed buildings so an application for listed building consent is not required in this instance.
7. Palace Street lies beyond the two stable blocks to the west and contains a mix of period properties which are considered to be the most archaeologically and architecturally significant within the town centre. Palace House is situated on the opposite side of Palace Street and is the only surviving part of Charles II royal palace. It is listed Grade II*.

Application supporting material:

8. Information submitted with the application as follows:

- Plans of the application site
- Plans of the wider Palace House Stables complex
- Section plans
- Proposed fencing plan
- Design and Access Statement
- Phase 1 Habitat Survey
- Arboricultural Method Statement

Planning history:

9. The site has an extensive planning history. Recent and relevant planning applications relating to the Home of Horse Racing project and the paddocks area in particular are as follows;

- F/2013/0071/FU3 – Amendments to extant permission F/2010/0778/FU3 to include partial demolition of, new build extension/change of use from trainers house/stable yard to new museum and associated visitor experience. Miscellaneous updates to existing stables to create coach park and object store.
Approved – 8 January 2014
- F/2012/0256/FUL – Amendments to F/2010/0683/EOT for change of use of four existing stables to be used for display purposes; change of use of existing first floor store area to function as office space; Re-positioning of roof lights to first floor one bed flat; Addition of biomass boiler and storage to existing hay barn; fenced paddocks; refurbishment of multi use box and farriers buildings; extension to house transformer and public toilets; change of use of existing store building on southern boundary to function as lunch room and public/staff toilets; renewal of existing site access from All Saints Road.
Approved – 24 June 2013
- F/2010/0683/EOT – Extension of time limit for application F/2005/0521/FU3 for change of use from racehorse training establishment to racehorse rehabilitation/assessment centre; change of use of first floor store above stables to living accommodation, create new link roadway within the site and associated parking for cars/coaches, construction of new hay/store barn; ménage, horse walker and associated facilities.
Approved – 14 December 2010

Consultations:

10. **Conservation Officer:** Initial concerns were raised over the amount of enclosure to the paddock area and the excessive use of solid “polo” style fencing as this changed the character of the area from the existing open paddock to a number of fenced, contained areas. In addition it was requested that large, obtrusive disabled symbols be removed from the

surface of the disabled parking spaces and replaced with more discreet timber posts with symbols incorporated within them.

Amended plans were submitted and discussions have taken place to understand the requirements regarding the need for some "polo" style fencing around the ménage and as a result the amended scheme can be supported from a conservation point of view.

11. **Environmental Services:** – no comments received, but any comments will be reported at the meeting.
12. **Landscape and Ecology Officer:** - no comments received, but previous comments in relation to the site request conditions requiring the recommendations of the Arboricultural Method Statement and Habitat Survey to be implemented.
13. **Environment Agency:** – no comment due to the minimal environmental impact.

Representations:

14. Newmarket Town Council – No objections.
15. One letter has been received from a resident living in All Saints Road which makes the following observations;
 - Interested in improving Newmarket for visitors and residents and delighted Palace House Stables and Paddocks being transformed to a major tourist attraction
 - Paddock area can be seen from back bedroom window and have enjoyed unspoilt views so pleased to learn that it was returning to paddock use
 - Concerns relate to vehicular access for coaches from Vicarage Road as this can be congested when children are taken to and from school; congestion already exists from lorries delivering to Spar shop; encouraging coaches to use Vicarage Road is a danger to the school children – Officer Note – the access is not part of this application and already benefits from approval under a previous consent.
 - Concern about part of paddock to be used as a coach park as don't want to view it from back bedroom window; coaches could use Palace Street to park, but this would still cause congestion in All Saints Road and lead to increased noise and congestion in the road and make parking difficult – Officer Note – the coach park is not part of this application and already benefits from approval under a previous consent.
 - Concern that toilets are being proposed along the boundary wall and not happy with this as they should be provided in the Trainers House and Museum. Object to the toilets on the boundary wall for obvious reasons – Officer Note – the toilets do not form part of this application and already benefit from approval under a previous consent.

**Policies:
Development Plan**

16. Saved policies from Forest Heath Local Plan 1995:

5.14 -Tourism and Newmarket's Racing History

12.4- Racehorse Training Establishments

17. Core Strategy 2010

CS1 – Spatial Strategy

CS3 - Landscape Character and the Historic Environment

CS5 - Design Quality and Local Distinctiveness

CS6- Sustainable Economic and Tourism Development

Other Planning Policy

18. National Planning Policy Framework

Officer comment:

19. The principle of development of Palace House Stables and Paddocks has been established through a number of previous approvals as set out above. Previous applications have allowed detailed consideration in terms of the application of policy and impacts on the listed buildings, conservation area, occupiers of neighbouring dwellings and occupiers and users of neighbouring sites.
20. This proposal relates to relatively minor changes to the previously approved paddock layout to ensure it is capable of functioning as a viable visitor attraction and does not include any alterations to the access point, coach park and existing buildings.
21. The comments of the local resident are noted, but cannot be given significant weight in the determination of the application due to the fact that they address matters which are not within the application site.
22. The main areas of concern initially expressed by the conservation officer relating to the extent of fencing and demarcation of the disabled parking bays have been addressed through the submission of amended plans which show a reduction in the amount of solid fencing and its replacement with post and rail fencing plus more discrete demarcation of the parking spaces through the use of wooden posts and logos. As a result the proposal is supported by the conservation officer.
23. Officers consider that the realignment of the ménage and the repositioning of the viewing stand (further into the site) will reduce any impact on neighbouring properties which back onto the site. As events will take place it is recommended that conditions are imposed to control the timing and/or

number of these and discussions are ongoing with regard to this. An update will be provided at the meeting.

24. Through negotiation and discussion amendments have been secured to ensure the paddock area remains as open as possible, so retaining the original character of the site, whilst still being able to offer facilities associated with the approved visitor attraction and meet safety requirements.

Conclusion:

25. In view of the above it is recommended that Deemed Consent (planning permission) is granted subject to the conditions set out below.

Recommendation:

26. That **DEEMED CONSENT** be granted subject to the following conditions –
1. Full Time Limit.
 2. Compliance with submitted plans.
 3. Restrict times for demolition/construction works to take place.
 4. Restriction on hours/numbers of events (to be confirmed)
 5. Implementation of hard and soft landscaping.
 6. Provision and retention of car parking spaces.
 7. Recommendations of Ecology report to be implemented and maintained including lighting.
 8. Recommendations of Arboricultural Method Statement to be implemented and maintained during site works.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<http://planning.stedmundsbury.gov.uk/online-applications/simpleSearchResults.do;jsessionid=DAE1BE196EBF824DAEF75719A1401194?action=firstPage>

Alternatively, hard copies are also available to view at District Offices, College Heath Road, Mildenhall, IP28 7EY

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