

Forest Heath District Council

**DEVELOPMENT
CONTROL COMMITTEE**

6 AUGUST 2014

DEV14/125

**Report of the Head of Planning and Regulatory
Services**

PLANNING APPLICATION DC/14/0786/FUL - 4 EXETER ROAD, 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

Charlotte Ballard (Case Officer)
Tel: (01284) 757349

Committee Report

Date 29 April 2014 **Expiry Date:** 28 July 2014
Registered:

Case Charlotte **Recommendation:** Approve
Officer: Ballard

Parish: Newmarket **Ward:** Severals

Proposal: Part demolition of former conservative club allowing erection of a part three-storey part four-storey building comprising 2 no. retail units at ground floor with 8 no. one-bedroom flats and 1 no. two-bedroom flat on the floors above

Site: 4 Exeter Road, Newmarket, Suffolk, CB8 8LT

Applicant: Mr Craig Johnson

Background:

This application is referred to Planning Committee because the recommendation is contrary to advice received from the Highways Authority.

Proposal:

1. Planning permission is sought for the erection of a part three storey part four storey building to provide 2 retail units on the ground floor and residential flats above. A total of 9 flats would be provided, 8 of which would be 1 bedroom flats with a single 2 bedroom flat on the third floor.
2. To facilitate the development a flat roofed extension to the Conservative Club would be demolished.
3. It is proposed that the building is constructed of red brick with stone detailing and stone coloured render with aluminium roofing and black aluminium windows and doors.

Application Supporting Material:

4. Information submitted with the application as follows:
 - Existing and Proposed plans
 - Street scene Drawing
 - Planning Statement
 - Land Contamination Assessment

- Photographs

Site Details:

5. The site is positioned on an island which is surrounded by highway with Exeter Road to the South, Archer Way to the north and the High Street to the East. The island is shared by the modern Premier Inn hotel and the Conservative Club. The site is included in the town centre and housing settlement boundary and lies adjacent to but not within the Conservation Area. Planning permission has recently been granted to convert the adjacent Conservative Club into two commercial units (A1/A3).

Planning History:

6. DC/14/0779 - Demolition of existing toilet block to South elevation of former Conservative Club allowing conversion to create 2 No. retail units (Use Class A1 - shops or A3 - restaurants / cafes) along with revised parking and access arrangements – Approved on adjacent site
7. DC/14/0786 – Part demolition of former conservative club allowing erection of a part three-storey part four-storey building comprising 2 no. retail units at ground floor with 8 no. one-bedroom flats and 1 no. two-bedroom flat on the floors above – On joining site – currently under consideration.
8. F/2012/0338 - Extension of time limit for planning application F/2009/0163/FUL - Change of use to A1, A2, A3, A4 and A5 to create two units, including partial demolition, extensions to north-east and south-east elevations, new shop front glazing, reconfiguration of car parking – Approved
9. F/2010/0107/COU - Change of use to snooker club premises – Approved
10. F/2009/0163 - Change of use to A1, A2, A3, A4 & A5 to create two units, including part demolition, extensions to North-East and South-West elevations, new shop front glazing, reconfiguration of car-parks and new pedestrian footpath – Approved

Consultations:

11. Highway Authority: The Highways Authority recommends that permission be refused. The submitted proposal does not make satisfactory provision within the curtilage of the site for the parking of vehicles which left on the public highway would cause an obstruction. Maximum standards for parking would require 10 spaces in this location. I would be willing to allow one per dwelling to equal 9 spaces. However, the scheme does not provide any parking for residents. This part of town is over subscribed for parking.
12. Conservation Officer: The proposed works would improve the site and enhance the setting of the Conservation Area. No objections.

13. Environmental Health Officer: No objection subject to conditions.

Representations:

14. Town Council: No objections.

Policy: The following policies of the Forest Heath Core Strategy (May 2010) and the saved policies of the Forest Heath Local Plan (1994) have been taken into account in the consideration of this application:

15. Forest Heath Core Strategy (May 2010):

- Policy CS1: Spatial Strategy
- Policy CS3: Landscape Character and the Historic Environment
- Policy CS5: Design Quality and Local Distinctiveness
- Policy CS6: Sustainable Economic and Tourism Development
- Policy CS13: Infrastructure and Developer Contributions

16. Forest Heath Local Plan (1995)

- Saved Policy 4.14: Windfall Sites
- Saved Policy 7.2: Town Centre Policy

Other Planning Policy:

17. National Planning Policy Framework (2012)

Officer Comment:

18. The issues to be considered in the determination of the application are:

- Principle of Development
- Impact on Visual Amenity
- Impact on residential Amenity
- Impact on Highway Safety

Principle of Development

19. The site is located within the town centre and Housing Settlement Boundary of Newmarket, which is the main town within the district and the area where focus is given to developing both new residential and new commercial units. The retail units are within a short walk from the high street where it is expected customers will make combined trips. Both national and local policy offer support for residential and commercial development in sustainable town centre locations to promote vitality and viability. As such, the principle of development is acceptable in this location, subject to compliance with other relevant policies.

Impact on Visual Amenity

20. Policy CS3 of the Core Strategy states that the quality, character, diversity and local distinctiveness of the District's landscape and historic environment shall be protected, conserved and, where possible,

enhanced. It is considered that the Conservative Club, whilst adjacent to the Conservation Area and not within it, contributes to its setting and warrants retention. The late 19th, early 20th century building has a large flat roofed extension which detracts from the property and surroundings. The removal of this area and its replacement with a separate building represents an improvement to the street scene and will enhance the setting of the Conservation Area.

21. The island site is a difficult space to develop due to the disparity in scale between the Conservative Club and the hotel which wraps around the rear and side of the site. The new building has been designed with an angled roof in stages which successfully makes the transition between the hotel and the club. Whilst the building will appear significant; due to its scale and prominent position at various road junctions, the hotel, which has a greater height, will act as a backdrop. Samples of materials will be submitted and approved via condition and this will allow the Local Authority to ensure high quality materials are used on the project. It is considered that this development will successfully reuse redundant space and in doing so, improve the appearance of the area in accordance with policy CS3 and CS5 of the Core Strategy.

Impact on residential Amenity

22. The closest residential dwellings to the application site are at Clocktower Mews which is on the corner of the High Street. Due to the distance and oblique angle of vision between the two there will be no loss of residential amenity as a result of the development.
23. It is appreciated that the proposed building is in close proximity to the hotel and as a result of the proposed scale there will be a loss of light to rear hotel bedrooms. However, as the occupants of these rooms are there on a temporary basis it is not considered that this causes a loss of amenity. Construction hours will be limited to minimise disturbance.

Impact on Highway Safety

24. The position of the building is within the town centre boundary and in close proximity to the High Street and the Guineas Shopping Centre. In addition, the constrained site has limited space available outside the building envelope. For these reasons, no vehicular parking has been identified to serve the development. A rear access is provided for deliveries and 12 enclosed cycle spaces are identified. The Highways Authority has recommended refusal of the application as it believes that parking in this part of town is over subscribed and a space per residential flat is necessary on-site.
25. Due to the minimal distance between the site and the town centre, which contains both a bus and train station, it is not considered that vehicular parking is necessary. Whilst it is not possible to guarantee who the future residents of the units will be, by reason of their size it is likely to be single occupants who work in the locality. Car owners are unlikely to purchase/rent a property when there is no opportunity for private parking.

26. The Highway Authority states that parking of vehicles on the public highway would cause obstruction. Although this is correct, parking restrictions do not allow for this and the complex and busy nature of the immediate road network make it very unlikely that there would be an opportunity for street parking in the vicinity.
27. When considering the hotel application to the rear of the application site the inspector commented that *'The appeal site lies within the town, close to public car parks, the railway station and bus routes. Due to this town centre location, I consider that the proposal would be highly accessible in terms of public transport and thus would encourage the use of other means of transport than the car in accordance with the promotion of sustainable travel choices.'*
28. In a recent appeal decision at Waterwitch House, (appeal ref: APP/H3510/A/13/2209178 dated 9th July 2014) which is opposite the application site the inspector agreed with the above perspective and commented; *'The site is located close to the centre of Newmarket and is within walking distance of the local services and facilities. There are also public transport services close by. The site is therefore in a sustainable location and the proposed occupants of the development would not be solely reliant on private transport.'*
29. It is considered that this proposal is in line with Spatial Objective T1 as stated within the Core Strategy which seeks to ensure that new development is located where there are the best opportunities for sustainable travel and the least dependency on car travel. On this basis and the above quoted appeal decisions it is considered that on-site car parking is not necessary in this position.
30. The applicant has signed and completed a S106 Unilateral Undertaking that secures a monetary contribution of £26,505 towards the provision of Open Space and Social Infrastructure, which is payable on commencement of the proposed development. This is in accordance with the Council's SPD for Open Space, Sport and Recreation Facilities (adopted October 2011).
31. It is considered that the benefits of the proposal, including the re-use of previously developed land whilst retaining a heritage asset, the contribution to the housing market, open space contribution and the improvement to the street scene are acceptable. In addition, the design, scale and indicative materials proposed are appropriate and will not have an adverse impact on residential amenity or highway safety in accordance with both local and national policy guidance.

Conclusion:

32. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

33. It is **RECOMMENDED** that planning permission be **Approved** subject to the following conditions:

1. Time limit
2. Samples of materials to be submitted and approved
3. Cycle parking to be provided prior to occupation and retained thereafter
4. Hours of demolition and construction
5. Waste material to be removed from site
6. No security lights or flood lights on site
7. Acoustic insulation of flats shall meet set levels
8. Restricted delivery times to retail units
9. Extraction and odour control measures to be installed in the ground floor commercial units where cooking takes place
10. Any odour control installed shall be operated and maintained in accordance with manufacturers instructions
11. Development in accordance with approved plans

Informative: Unilateral Undertaking, Land contamination

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/applicationDetails.do?activeTab=documents&keyVal=N4SI7HPDJFLO0>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Suffolk, IP28 7EY

Case Officer:

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