

Forest Heath District Council

**DEVELOPMENT
CONTROL COMMITTEE**

2 NOVEMBER 2016

DEV/FH/16/035

Report of the Head of Planning and Growth

**PLANNING APPLICATION DC/16/1609/VAR - 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.

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Committee Report

Date 10.08.2016 **Expiry Date:** 05.10.2016

Registered:

Case Officer: Gary Hancox **Recommendation:** Approve

Parish: Newmarket **Ward:** All Saints

Proposal: Variation of Condition 7 of DC/14/0253/FUL - to allow use of amended plans for proposed bund location and cross sections for Change of existing open paddock space into specific ménage and paddock areas

Site: Palace House Stables, Place Street, Newmarket

Applicant: Forest Heath District Council

Background:

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

Proposal:

1. Retrospective planning permission is sought under Section 73a of the Town and Country Planning Act 1990 for the Variation of Condition 7 of DC/14/0253/FUL - to allow use of amended plans for proposed bund location and cross sections for change of existing open paddock space into specific ménage and paddock areas.

Application Supporting Material:

2. Information submitted with the application as follows:
 - Application forms
 - Proposed bund location and cross-sections

Site Details:

3. 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.

4. 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.
5. 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.
6. 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*.

Planning History:

7. 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;
8. DC/14/0253/FUL - Change existing open paddock space into specific ménage and paddock areas – Approved June 2014.
9. 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 – 8th January 2014
10. 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 – 24th June 2013
11. 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 – 14th December 2010

Consultations:

12. Highway Authority: No objection.
13. Conservation Officer: No objection.
14. Environment Agency: No comments.

Representations:

15. Town Council: No objections.
16. One letter of objection received from a neighbouring resident on Lisburn Road
- The bund as built exceeds the height as set out in the application details
 - Overlooking of properties from people standing in the raised viewing areas

Policy: The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy 2010 have been taken into account in the consideration of this application:

17. Joint Development Management Policies Document:
- Policy DM1 – Sustainable development
 - Policy DM47 – Development relating to the horse racing industry
18. Forest Heath Core Strategy 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

Other Planning Policy:

19. National Planning Policy Framework (2012) core principles and paragraphs 56 – 68

Officer Comment:

20. 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.
21. The issues to be considered in the determination of the application are:
- Impact on the design and appearance of the permitted scheme
 - Impact on amenity

22. The original permission for the creation of a formal ménage and paddock area on this site included a raised and covered seated platform to provide a viewing area. This application seeks to vary this permission to allow for the retention of soil spoil from land excavation to create two supplementary bunds to the side and rear of the ménage. The bund to the rear of the site, closest to Lisburn Road, will be approx. 0.5 metres above the existing ground level height. The ménage floor level will be approx. 2 meters below the top of the bund. The raised bund to the side of the ménage will be approx. 1 meter above ground level.
23. The bund to the north of the ménage is approximately 18 metres to the rear boundaries of dwellings on Lisburn Road at its closest point (the NE corner). The distance between the bund and the rear facing elevations of dwellings on Lisburn Road at its closest point is approximately 25 metres.
24. The proposed bunds have less visual impact than the previous proposed seating stands, and even standing on top of the bunds will mean that the potential for any loss of privacy to the rear gardens and windows of properties in Lisburn Road will still be limited. The amended proposals are therefore considered acceptable.

Conclusion:

25. 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:

26. It is recommended that planning permission be **APPROVED** subject to the following conditions:
1. Retained in accordance with approved drawings (variation of condition 7)
 2. Demolition and construction hours
 3. Biodiversity enhancements
 4. Restricted use of the ménage

Documents:

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

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OAVPG4PDIK500>