



Forest Heath  
District Council

# DEV/FH/19/002

## Development Control Committee 6 February 2019

### Planning Application DC/18/2308/FUL – Palace Cottage, Palace Street, Newmarket

<b>Date Registered:</b>	18.12.2018	<b>Expiry Date:</b>	12.02.2019
<b>Case Officer:</b>	Charlotte Waugh	<b>Recommendation:</b>	Approve Application
<b>Parish:</b>	Newmarket Town Council	<b>Ward:</b>	All Saints
<b>Proposal:</b>	Planning Application - (i) Change of use of existing offices (B1) to 1no dwelling (C3) and associated internal alterations and (ii) Rear enclosure for bin storage and segregation of adjacent property.		
<b>Site:</b>	Palace Cottage, Palace Street, Newmarket		
<b>Applicant:</b>	Mr Mark Walsh		

#### **Synopsis:**

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

#### **Recommendation:**

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

#### CONTACT CASE OFFICER:

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## Background:

**The application is due to be determined by the Development Control Committee as it has been submitted by, and the site is owned by Forest Heath District Council.**

## Proposal:

1. The application seeks consent to convert Palace Cottage from B1 office use to a three bedroom residential dwelling. External alterations are limited to the rear of the property with internal alterations required to facilitate the layout of rooms.

## Application Supporting Material:

2. Existing and proposed floor plans  
Existing and Proposed elevations  
Location Plan  
Initial structural appraisal  
Bat roost Assessment  
Flood map  
Design and Access Statement  
Land contamination Assessment and questionnaire

## Site Details:

3. The site comprises a two storey building within the Housing Settlement Boundary and Conservation Area. Attached on both sides, to a convenience store and private garage respectively, the building was built as a dwelling. It benefits from a gated carriage arch to the north of the building frontage with first floor accommodation built above. The site is in Flood Zone 1 and has a low probability of flooding.

## Planning History:

4.

Reference	Proposal	Status	Decision Date
F/90/103	C/Use to offices and additional shop unit.	Approve with Conditions	28.02.1991
F/97/511	Temporary change of use from residential to office use.	Approve with Conditions	03.12.1997
F/99/493	Renewal: Temporary change of use from residential to office use.	Approve with Conditions	23.11.1999
F/2000/720	Continued use of premises as offices on a permanent basis (variation of condition 1 of planning permission F/99/493).	Approve with Conditions	13.05.2002

## Consultations:

5.

### Environment Team

Based on the submitted information for the above site, this Service is satisfied that the risk from contaminated land is low.

Also, suggests electric car charging point installed to serve on-site parking spaces. However, given that the scheme does not benefit from a parking space this condition has not been recommended.

### **Public Health and Housing**

No objections subject to the imposition of conditions regarding hours of construction works and the installation of lighting.

### **Highway Authority**

Notes that vehicular access could be provided but as no space for manoeuvring vehicles on site is available they would need to exit in reverse which is considered dangerous in this location. Therefore, whilst no vehicle parking is provided on site, acknowledges sustainable town centre location and subject to a condition controlling secure cycle storage no objections are raised.

### **Representations:**

6. Newmarket Town Council – No objection
7. No third party representations received

### **Policy:**

8. 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:
  - Policy DM1 Presumption in Favour of Sustainable Development
  - Policy DM17 Conservation Areas
  - Policy DM22 Residential Design
  - Policy DM46 Parking Standards

### **Other Planning Policy:**

9. National Planning Policy Framework (2018)
10. The National Planning Policy Framework (NPPF) was revised in July 2018 and is a material consideration in decision making from the day of its publication. Paragraph 213 is clear however that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the

policies in the plan to the policies in the Framework, the greater weight that may be given. The Policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provisions of the 2018 NPPF that full weight can be attached to them in the decision making process

**Officer Comment:**

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

- Principle of Development
- Visual Amenity
- Residential Amenity
- Parking
- Ecology
- Other

**Principle of Development**

12.Built as a dwelling, planning permission was given in 1997 to convert the building to offices as it has remained since, albeit the building is currently empty. It is sited within the Housing Settlement Boundary and as such, the principle of residential use in his location is acceptable and will return the building to its original use.

13.Change of use of this building would result in a loss of office accommodation within the town centre. However, given the layout and limited scale of such, the loss of commercial space would not be significant. Furthermore, given that the site is not within a designated employment area but within the housing settlement boundary there are no policy considerations concerning this loss.

14.Internal alterations are required and these are detailed on the submitted floor plans and structural report, however, these do not require planning permission. It is noted however, that the room sizes accord with the National space standards.

15.Consequently, the principle of conversion of the building to a three bedroom dwelling is considered acceptable.

**Visual Amenity**

16.No external changes are proposed to the front elevation and as such, there will be no impact on the character or appearance of the Conservation Area. To the rear the back door will be replaced and a bin enclosure built. This addition is modest and will have no impact on public views. As such, the development will preserve the character and appearance of the Conservation Area in accordance with policy DM17.

**Residential Amenity**

17.The site shares an access with Palace Coach House which also has a B1 office use. In addition, the commercial use to the South is an A1 retail shop which also has a rear entrance into the courtyard. As a result, hours of use of these units are likely to be daytime only. Whilst this differs to the use proposed here, it is not considered that either will cause significant disturbance to the other, in compliance with DM2 which supports development which does not adversely affect residential amenity or the amenities of adjacent areas.

## Parking

18.The site is not served by on-site car parking. Whilst vehicular access can be provided to the rear of the site via the carriage archway there is no space to manoeuvre a vehicle in the rear courtyard and given that this area also serves two other units parking would not be feasible. Secure cycle parking is shown within the building and the Highway Authority is satisfied that given the location of the site within the Town Centre and the proximity of public car parks and alternative modes of transport this is acceptable.

## Ecology

19.The application is supported by a bat survey which concludes 'There was no evidence of roosting bats, or indication that bats had used the building in the past. Further nocturnal bat surveys are not required, and the proposed works can proceed without impacting bats.' On this basis, the Local Authority is satisfied that there are no ecology concerns which need to be addressed prior to development commencing.

## Other

20.Policy DM7 states (inter alia) proposals for new residential development will be required to demonstrate that appropriate water efficiency measures will be employed. No specific reference has been made in regards to water consumption. Therefore a condition will be included to ensure that either water consumption is no more than 110 litres per day (including external water use), or no water fittings exceeds the values set out in table 1 of policy DM7.

## Conclusion:

21.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:

22.It is recommended that planning permission be **APPROVED** subject to the following conditions:

- 1 The development hereby permitted shall be begun not later than 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents:

Location Plan	30190 PA001	14.11.2018
Existing Floor Plans	30190 PA002	14.11.2018
Proposed Floor Plans	30190 PA003	14.11.2018
Existing and Proposed Elevations	30190 PA004	14.11.2018

Reason: To define the scope and extent of this permission.

3. Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:30 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

4. No external lighting other than that which forms part of the development hereby permitted and shown on plan no. 30190/PA/003 shall be provided within the application site.

Reason: To prevent light pollution and protect the amenities of occupiers of properties in the locality, in accordance with policy DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

5. The use shall not commence until the areas within the site shown on Drawing No. 30190/PA/003 for the purposes of secure cycle storage have been provided and thereafter that area shall be retained and used for no other purposes.

Reason: To ensure that sufficient space is provided for on-site secure cycle storage in the interests of sustainable travel.

6. The dwelling(s) hereby approved shall not be occupied until the optional requirement for water consumption (110 litres use per person per day) in part G of the Building Regulations has been complied with and evidence of compliance has been obtained.

Reason: To ensure that the proposal meets with the requirements of sustainability, in accordance with policy DM7 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

### **Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/2308/FUL](https://www.westsuffolk.gov.uk/DC/18/2308/FUL)