



Forest Heath
District Council

DEV/FH/19/003

Development Control Committee 6 February 2019

Planning Application DC/18/1863/OUT – Glenroyal, 141 All Saints Road, Newmarket

Date Registered: 17.10.2018 **Expiry Date:** 12.12.2018

Case Officer: Jo-Anne Rasmussen **Recommendation:** Approve Application

Parish: Newmarket Town Council **Ward:** All Saints

Proposal: Outline Planning Application (all matters reserved) - up to 8no. dwellings with off road parking within courtyard (following demolition of existing residential property and associated detached garage) - Amended plans received 21/12/19 reducing units to 8, revised block plans/ elevations.

Site: Glenroyal, 141 All Saints Road, Newmarket

Applicant: Mr K Boyle

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 has been referred to the Development Control Committee following consideration by the Delegation Panel. The application is recommended for APPROVAL and the Town Council raise no objections.

Proposal:

1. Permission is sought for the outline consent for the erection of up to eight dwellings, with all matters reserved. The proposal includes the demolition of the existing residential property and garages.

Application Supporting Material:

2.
 - Application form
 - Site location plan
 - Illustrative floor plans and elevations (Amended)
 - Land contamination questionnaire
 - Visibility splays

Site Details:

3. On the site currently stands a large, detached dwelling, with associated outbuildings/garaging to the rear.
4. Neighbouring the site to the west are modern apartments within a 3 storey building fronting onto All saints Road. To the rear of the site are a number of units forming "carhouse" style of accommodation, being built above parking areas. To the east is terrace housing. To the south is more modern housing in the form of terraces with a parking courtyard to the rear. To the north of the site is terrace housing fronting onto Nat Flatman Street.
5. The site is within the settlement boundary for Newmarket.

Planning History:

6.

Reference	Proposal	Status	Decision Date
F/2004/0315/FUL	Erection of single storey rear extension	Approve with Conditions	07.06.2004
F/97/094	Erection of a double garage and replace flat roofs with pitched roofs to existing bay windows as amended by plan received 27/03/1997	Approve with Conditions	15.04.1997

Consultations:

7. Highways: No Objections. The car port spaces require additional width when against an end wall, so that doors can be opened on both sides, in accordance with section 3.4.4.2 of Suffolk Guidance for Parking. These spaces need to be 2.8m wide. It appears from the indicative plan that the available width will not allow a total of six spaces as shown. However,

provided a minimum of eight spaces can be provided, to the correct sizes, for the currently proposed maximum of eight dwellings, and secure cycle parking of 2 spaces per dwelling are provided, we have no objection to this application. Recommend conditions relating to access, area for refuse, surface water drainage, areas for parking and manoeuvring.

8. Public Health and Housing: No Objections, raised concerns over the level of amenity space proposed. Request conditions.
9. Environmental Health: No Objections, subject to conditions.
10. Jockey Club: No Objections but commented on the potential impact upon horse walks close to the site.

Representations:

11. Town Council: No objection.
12. No letters of representation we received

Policy:

13. 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:

Development Management Policies 2015:

- Policy DM1 (Presumption in Favour of Sustainable Development)
- Policy DM2 (Creating Places – Development Principles and Local Distinctiveness)
- Policy DM7 (Sustainable Design and Construction)
- Policy DM10 (Impact of Development on Sites of Biodiversity and Geodiversity Importance)
- Policy DM11 (Protected Species)
- Policy DM12 (Mitigation, Enhancement, Management and Monitoring of Biodiversity)
- Policy DM14 (Protecting and enhancing Natural Resources, Minimising pollution and safeguarding from Hazards)
- Policy DM17 (Conservation Areas)
- Policy DM22 (Residential Design)
- Policy DM30 Appropriate Employment uses and protection of employment land and existing businesses.
- Policy DM46 (Parking Standards)

Forest Heath Core Strategy 2010 (FCS):

- Policy CS1 - Spatial Strategy
- Policy CS2 – Natural Environment
- Policy CS5 - Design Quality and Local Distinctiveness
- Policy CS10 – Sustainable Rural Communities

Other Planning Policy:

14. National Planning Policy Framework (2018)

Officer Comment:

15. The issues to be considered in the determination of the application are:
- Principle of Development
 - Parking

Principle of development

16. The 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. Where there is general alignment then full weight can be given to the relevant policy. Where there is less or even no alignment then this would diminish the weight that might otherwise be able to be attached to the relevant Policy. The policies used in the determination of this application are considered to accord with the revised NPPF and are afforded full weight in the decision making process.
17. The site falls within the defined settlement boundary for Newmarket, which is the largest town within the Forest Heath District. Policy CS1 defines Newmarket as a market town. Newmarket contains all the services necessary for day to day living, transport links to the wider area and employment. As such the site is considered to be a sustainable location suitable for residential development. The proposal would include the demolition of the large, detached, double fronted property, whilst the property has retained some of the traditional characteristics of the Edwardian era, it is not listed nor within a Conservation Area, as such its demolition is considered acceptable. It is considered the principle of residential use is already established on site and the proposal would be in line with policies CS1 and the NPPF which aim to steer development to sustainable locations.
18. The NPPF encourages the re-use of brownfield land with paragraph 117 emphasising that LPA's should promote the effective use of brownfield land and that substantial weight should be given to re-using suitable brownfield land within settlements for homes. Details of the existing property have not been provided however it would appear that the proposed layout could offer an efficient use of the site by providing 8 smaller units.

Design, Form and character

19. The application is in outline form, with all matters reserved, therefore plans provided are illustrative only.
20. Policy DM2 states that development should respect the character, scale density and massing of the locality. Policy DM22 requires that proposals for residential development maintain or create a sense of place by creating and supporting the continuity of built form.

21. The size and scale of the development proposed (albeit indicatively) is comparable to the neighbouring dwelling to the west and the density is in-keeping with the built character of the vicinity. The limited distance between the flats at the rear and front of the site is restrictive, however this relationship is not uncommon in this type of urban development. As such, whilst the plans submitted are only indicative they illustrate that 8 dwellings could be accommodated on site replicating a density and built form similar to that seen within the locality.
22. The proposed property to the front of the site would be situated adjacent to the highway which is similar to the adjacent development and a number of dwellings within the vicinity. The height, scale and massing of the proposed building is again similar to the neighbouring flats and as such in-keeping with the built vernacular. The design, specifically the proposed gables reflect the existing dwelling currently on site and are a common feature seen within the locality.
23. Plans indicate that terraces and balconies are to be provided for the flats to the south of the site, whilst the two dwellings to the rear of the site would not benefit from any amenity space. Public Health and Housing raised concerns over the level of amenity space provided for the units, specifically the smaller cottage style properties to the rear of the site. Amended plans were provided which removed the smaller houses from the rear of the site and incorporated flats over garaging accommodation, thus removing the necessity to provide separate amenity space. Given the location of the properties and style of accommodation proposed this level of amenity space is considered acceptable.
24. The original plans submitted proposed nine dwellings on site, with six to the front of the site and three smaller units to the rear. Concerns were raised about the level of private amenity space for the units to the rear and the level of parking which could be accommodated. Amended plans reduced the number of units to 8 and removed the amenity space for properties to the rear.
25. It is considered the plans adequately illustrate that the site could accommodate the 8 units proposed whilst respecting the built form of the locality, and is therefore compliant with policies DM2 and DM22.

Impact upon neighbour amenity

26. The indicative plans position a one and a half storey building immediately adjacent to the rear boundary of the site. Potential overshadowing of the amenity space to the properties fronting Nat Flatman Street will need to be fully assessed at Reserved matter stage. However, the proposed siting of the units to the rear of the site would present a similar form of development to that seen to the neighbouring development. Any potential loss of light would be reduced to some degree by the height of the proposed dwellings and the separation distance from the rear boundaries of the neighbouring properties, which are separated from the site by an access track.
27. Full details, such as design and positioning of windows would be provided at reserved matters stage when the impact upon neighbour amenity can be further assessed. However, the plans submitted indicate windows for

the property to the front of the site would be north and south facing. It is considered there would be a sufficient separation distance between the flats to the south of the site and properties on Nat Flatman Street to prevent a detrimental impact upon neighbour amenity in terms of overlooking or loss of privacy. Further the relationship would not be dissimilar to that which exists with the current property. Windows for the smaller properties to the rear of the site would be north facing and therefore overlook the internal courtyard.

Parking and Highways.

28. Policy DM2 requires that development accords with highway standards and maintains or enhances the safety of the highway network. Policy DM46 requires that proposals accord with adopted parking standards.
29. Highways have stated that the six parking places beneath the flats to the rear of the site are too narrow and do not meet required specifications. The plans show 11 parking places on site for 8 flats. Highways have stated that 8 parking places would be sufficient as bike storage is to be provided. It is feasible given that some parking from the rear of the site could be removed to allow wider spaces and still achieve the 8 spaces required by Highways. Weight is also attached to the sites sustainable location within the town and within walking distance of good transport links, services and facilities. Full parking details can be assessed at Reserved Matters stage, however, it is considered that the illustrative plans demonstrate that sufficient parking to serve the development could be accommodated within the site. It is therefore considered that the proposal would not adversely impact the highway network. The proposal is therefore considered to comply with DM2 and DM46.

Other Material Planning Considerations

30. No reference is made to biodiversity enhancement, however in accordance with policy DM12 these can be secured by condition.
31. Section 3.4.2 of the Suffolk Guidance for Parking provides that "*Access to charging points should be made available in every residential dwelling.*" Policy DM2(I) and DM46 seek to ensure compliance with the parking standards and to promote more sustainable forms of transport. The new NPPF at para 105 seeks to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles and para 110 (d) provides that 'within this context, applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.' In addition, DM14 of the Joint Development Management Planning Policies Document seeks to ensure that development proposals include measures, where relevant, to limit emissions and reduce pollution. On this basis a condition will be attached to the permission to secure an operational electric vehicle charge point is provided for each dwelling.
32. The Jockey Club have raised concerns in regards to the potential impact of the development during construction on the horse walks on All Saints Road. An informative can be attached to any consent raising the applicant's awareness of the potential impact and the Jockey Clubs suggestions.

33.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:

34.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:

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

1. Outline time limit
2. Reserved matters
3. Approved plans
4. Biodiversity enhancements.
5. Electric charging points.
6. Contaminated land
7. Verification report for contamination
8. Not previously identified contamination
9. Hours of demolition
- 10.Submission of a site construction and management programme.
- 11.Acoustic insulation.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/18/1863/OUT](#)