

## **Development Control Committee 6 November 2019**

### **Planning Application DC/19/0079/FUL & Application for Listed Building Consent DC/19/0080/LB – The Rutland Arms Hotel, 33 High Street, Newmarket**

**Date Registered:** 17.01.2019      **Expiry Date:** 18.04.2019  
**Case Officer:** Gary Hancox      **Recommendation:** Approve  
**Parish:** Newmarket Town Council      **Ward:** Newmarket East

**Proposal:** Planning Application - (i) Demolition and rebuilding of Palace Street annexe building including creation of additional guest bedrooms (ii) Refurbishment to High Street building (iii) Detached garage adjacent Nell Gwynne House; and  
Application for Listed Building Consent - (i) Demolition and rebuilding of Palace Street annexe building including creation of additional guest bedrooms (ii) Refurbishment to High Street building

**Site:** The Rutland Arms Hotel, 33 High Street, Newmarket

**Applicant:** Mr Mike Kean (Review Hotels Limited)

**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.

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## **Background:**

**The application is referred to the Development Control Committee as the Officer recommendation of APPROVAL is contrary to the view of the Town Council having regard to the objection from SCC Highways.**

## **Proposal:**

1. Planning Application - (i) Demolition and rebuilding of Palace Street annexe building including creation of additional guest bedrooms (ii) Refurbishment to High Street building (iii) Detached garage adjacent Nell Gwynne House.

In detail, the application scheme proposes:

- The refurbishment of the main hotel Grade 2 listed building to significantly improve the internal areas of this landmark building, providing an upgraded and viable hotel offer.
  - A redesigned replacement building on Palace Street with additional guest rooms. A new split level 2 1/2 and 3 storey building to replace the existing 2 1/2 storey building.
  - An improved dedicated car park.
  - The creation of a high quality courtyard landscape amenity space.
2. Application for Listed Building Consent - (i) Demolition and rebuilding of Palace Street annexe building including creation of additional guest bedrooms (ii) Refurbishment to High Street building
  3. In detail, the application proposes the following changes to the High Street Rutland Arms Hotel Building (Grade II):
    - Considered Internal alteration including removal of limited internal secondary wall structure of main building to form rationalised hotel accommodation.
    - Removal of intrusive building services from the 20th Century, and rationalisation of the plan-form that has evolved over time.
    - Conservation and enhancement of all elevations to entire building including refurbishment of all windows, brickwork, render, roofs, etc.
    - Removal of extensive steel fire escape stairs externally within Courtyard at First Floor Level.
    - Removal of various chimney breasts of limited significance generally, and infilling a limited number of windows located to the south boundary in the kitchen area.
    - Formation of access passageway through building to provide direct guest access to the new Palace Street building.

- Removal of part of existing kitchen to create additional food and beverage area including formation of new French doors out into courtyard.
  - Modification to the existing secondary timber staircase ground to first to the southern corner of the High Street Building to provide safe and easy guest access.
4. Amendments to the scheme following consultation with the Conservation Officer has resulted in the retention of the early 19<sup>th</sup> staircase and the removal of the proposed changes to the to the front (High Street) entrance.

**Application Supporting Material:**

5. The applications contains the following plans and supporting documents:
- Layout plans, elevations and key view drawings
  - Demolition and enabling works drawings
  - Design & Access Statement (DAS)
  - Transport and Parking Assessment
  - Schedule of windows and doors
  - Chimney survey
  - Heritage statement
  - Historic building report

**Site Details:**

6. Situated approx. 200m SW of the 'clock tower' roundabout, the Rutland Arms Hotel comprises two buildings occupying a prominent position fronting onto the High Street and Palace Street. The main Grade 2 listed building has two main elevations facing the High Street, and a rear elevation fronting onto Palace Street. The linked annexe building is positioned to the south east of the main building and fronts onto Palace Street.
7. Both buildings are within the Conservation Area. The main building is also located within the Primary Shopping Area.

**Planning History:**

8.

<b>Reference</b>	<b>Proposal</b>	<b>Status</b>	<b>Decision Date</b>
F/2009/0188/FUL	Conversion of outbuilding to provide guest/granny accommodation (Demolition of Kiln Enclosure)	Approve with Conditions	15.06.2009
F/2009/0177/LBC	Conversion of outbuilding to provide guest/granny accommodation (Demolition of Kiln Enclosure)	Approve with Conditions	17.06.2009
F/2007/0444/LBC	Demolition of existing glazed timber-framed conservatory and erection of new double-glazed timber-framed conservatory and partial	Approve with Conditions	24.07.2007

rebuilding of damaged  
boundary wall (Development  
Affecting the Setting of a  
Listed Building) amended by  
letter and plan received on  
the 17th July 2007

### **Consultations:**

9. Newmarket Town Council – Support the application provided that highway concerns are satisfied.
10. Environmental Team – No objection subject to hours of construction condition.
11. SCC Flood and Water – No comments.
12. SCC Fire and Rescue - Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.
13. Public Health and Housing – No objection. Recommend condition requiring electric vehicle charging points.
14. SCC Archaeology – No objection, subject to appropriate condition securing a programme of archaeological work.
15. Newmarket Horsemen's Group – Support the planning application. This significant investment in hotel accommodation and a building which is so prominent on the High Street is welcomed by all.
16. Historic England - Historic England provided initial advice on the applications in a letter of 6 February 2019. This clarified that we had no objection to the replacement of the existing annex building to the hotel but that we did have concerns about the bulk and design of the proposed replacement building. The revised application includes amended proposals for the annex building.
17. The materials have been reconsidered in line with our advice and the ashlar stone has been replaced with two tones of gault and neutral brickwork. Although this colour tone contrasts with that of the main hotel, there are other buildings in the area which use gault brick and we welcome this change of material. The roofing material has also been amended from the aluminium cladding to a grey slate. Again we welcome this use of a traditional material which responds to the local context and goes some way to helping to assimilate the building within the street scene.
18. The design of the new building remains as previously proposed and we continue to have reservations that the tall, bulky roof form, combined with the projecting window bay, make this an overly dominant building within the streetscape. We therefore recommend that your Council give careful consideration to how successfully this building would be integrated within the streetscape and wider townscape.

19. Conservation Officer - Views. The additional visuals help reduce concerns relating to impact of proposed development on long distance views from the High Street. Views from Rutland Hill looking towards Palace Street do however present a more assertive building than that which currently exist. Whilst the increased size and bulk of the development as seen from the carpark will inevitably obscure views of the original building, this is largely obscured by the existing building. The proposed development will pose a significant increase in bulk when looking from the carpark towards the town where typically buildings of a more domestic scale back onto the carpark. The site is however located adjacent to the large TKMax building which is of comparable scale, height and massing.
20. Further information has been provided with regard to the removal of chimney breast and stack 1 and 2. The engineer's report indicates it is likely that Chimney breast and stack 1 can be retained structurally and possibly used to house plant ductwork. Revised ground floor plans have been provided to illustrate this, however revised first floor plans detailing the retention of the chimney breast at first floor level have not been provided and are required.
21. Chimney breast and stack 2 - Further justification has been provided re the condition of chimney breast and stack 2 and whilst it is possible there is an engineering solution which enables their retention, I believe this fireplace particularly at ground floor level has been considerably compromised questioning the merit in insisting on its retention in this instance. I therefore no longer object to this element of the proposal.
22. New Access - The creation of the new access has been amended to address the concerns previously raised and the new partition will not appear on the line of a previous partition it will not involve separating the fireplace from a well-proportioned room and will allow the retention of the chimney breast to the south whilst providing two reasonable sized meeting rooms. This option is now considered to be a reasonable compromise, I therefore no longer object to the provision of the new access.
23. Early 19th Century Staircase. The retention of the early 19th century staircase is welcomed and has addressed conservation concerns regarding this aspect.
24. Windows and doors. Whilst the window and door repair schedule clearly identifies windows and doors to be replaced it does not provide details of the condition other than typically those to be replaced are described as being in 'very poor condition and beyond economic repair.' Whilst the replacement of the windows as proposed may well be justified, if you are minded to approve the application a condition requiring the agreement of the LPA for the replacement of individual windows is required together with drawn details of existing and proposed windows and doors at a scale of 1:10 elevation 1:2 continuous cross section both horizontal and vertical to be submitted to and approved in writing with the LPA.
25. The amended proposal removes my outstanding objections to the proposed development and the following conditions are now recommended:
  - 09D Schedule of works to existing structure to include a detailed specification of repairs
  - 0900 new and replacement windows

- 09PP new replacement doors
- 09D later approval of details - sample of external materials and surface finishes.
- 09D Later approval of details. Following the removal of later finishes, final details of the proposed works to chimney breast and stack 1 shall be submitted to and approved in writing with the LPA.
- 09Q Ornamental mouldings

26. SCC Highways – Refuse due to an unacceptable impact on highway safety resulting from a severe under-allocation of parking. While we would like to be able to support this application and the Hotel's desire for staff and guests to use more sustainable forms of transport, unfortunately there is simply not enough evidence for us to be confident this severe under-allocation of parking (based on Suffolk Guidance for Parking recommendations) will not have a negative impact on highway safety. However, if the LPA feels the benefits outweigh the dis-benefits and is minded to approve this application we recommend the following conditions are included:

- Travel plan to be submitted and agreed
- Construction and deliveries management plan to be submitted and agreed
- use of Nell Gwynnes Cottage shall not commence until the area(s) within the site shown on drawing 180101-3DR-SE-DR-D210 rev P4, for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.
- Parking to be provided in accordance with agreed plans
- Details of cycle storage to be submitted and agreed and installed prior to first use of the new building.

### **Representations:**

27. Three letters of objection received raising the following:

- the new building no way complements the existing buildings in this street. The Rutland Arms and TK Max are in red brick and along Palace Street there is white rendering and more red brick. The grey stone appears ugly against these and the large windows are also unattractive. The Council has been developing this area to enhance historic Newmarket with the installation of the Tutte memorial on Rutland Hill and the extensive work carried out on the Museum. The proposed new building would be an anachronism in this particular spot.
- The new annexe building is completely out of character with the surrounding listed buildings.
- Coherence: the annexe should use materials already present in this small street, particularly in the original hotel, rather than elsewhere in Suffolk & Cambs. Visual links between the listed building & the annexe through form, colour & material are lacking; the annexe roof does not reflect that of the listed building due to different heights & materials. This permits stronger visual links between the annexe & TK Maxx building (window & roof shape, horizontal lines - all emphasised by the buildings' juxtaposition) than with the listed building; I am sure this can be resolved

so that the annexe complements the listed building without overpowering it.

- Views: surprisingly, the annexe is visible from the High St from Queensbury Lodge. Rather than needing to hide it, this is a chance to create an attractive roofline to enhance the view & showcase the hotel. However, the current design has an intrusive horizontal roofline; if this arises from height restrictions, I would request planning officers consider some flexibility to allow gables to disrupt this. Also, the windows will reflect the sun, emphasising their size & squareness so as to intrude in the view of Warren Hill; an adjusted design could create a uniquely attractive feature. Please consider views from across the High St, from Vicarage Rd, All Saints' School & Palace House Paddock, re: materials, window shape & roofline, & also the importance of chimney stacks in views of the listed building.
- Passage to Car Park: improvements to paving, lighting & security are very welcome. Please consider simple measures to soften the effect of the very high walls of the lengthened passage & add character, e.g. naming it, planting, archways. Offsetting the lost tree with new trees is much appreciated, as is consideration for the listed building's swift nesting site; please protect this & add swift boxes to the annexe.

28. One letter of support received:

- The plans will enhance the town centre with an economic uplift, providing a premium feel that it very much requires. In addition, it will support the Newmarket Vision plans for High Street regeneration, provide more jobs for local people, and encourage more residents and visitors to shop, eat and stay within the town.

**Policy:**

29. On 1 April 2019 Forest Heath District Council merged with St Edmundsbury Borough Council to become a single Authority, West Suffolk Council. The development plans for the merged local planning authorities were carried forward to the new Council by Regulation. The Development Plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies document (which had been adopted by both Councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine these applications with reference to policies set out in the plans produced by the now dissolved Forest Heath District Council.

30. 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 these applications:

- Core Strategy Policy CS1 - Spatial Strategy
- Core Strategy Policy CS3 - Landscape character and the historic environment
- Core Strategy Policy CS4 - Reduce emissions, mitigate and adapt to future climate change

- Core Strategy Policy CS5 - Design quality and local distinctiveness
- Core Strategy Policy CS6 - Sustainable economic and tourism development
- Policy DM1 Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places Development Principles and Local Distinctiveness
- Policy DM6 Flooding and Sustainable Drainage
- Policy DM7 Sustainable Design and Construction
- Policy DM15 Listed Buildings
- Policy DM17 Conservation Areas
- Policy DM34 Tourism Development
- Policy DM35 Proposals for main town centre uses
- Policy DM46 Parking Standards

**Site Allocations Local Plan (Adopted September 2019):**

31. The Proposed Submission Single Issue Review (SIR) and Site Allocations Local Plan (SALP) (Regulation 19 consultation) were adopted by the Council on the 19th September 2019.
32. The SALP sets out the council's development sites across the former Forest Heath district up to 2031. The SALP includes a Policies Map which defines the proposed settlement boundaries, sites and other policy constraints. Now adopted and where relevant, full weight can be attached to this plan.
33. The development plan documents, together with current national planning policy, are material considerations to be taken into account when accessing the above application.

**Other Planning Policy:**

National Planning Policy Framework (2012)

34. The NPPF was revised in February 2019 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 provision of the 2019 NPPF that full weight can be attached to them in the decision making process.

## Officer Comment:

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

- Principle of Development
- Design and layout (including impact on Listed building and Conservation Area)
- Highway impact and parking
- Other matters

### Principle of Development

36. For decision making purposes, as required by Section 38(6) of the Planning & Compulsory Purchase Act 2004, the Development Plan comprises the Adopted Core Strategy and Development Control Policies Development Plan Document, together with the Site Specific Allocations DPD. Material considerations in respect of national planning policy are the NPPF and the more recently published National Planning Policy Guidance. The starting position for decision taking is therefore that development not in accordance with the development plan should be refused unless material considerations indicate otherwise. The Courts have re-affirmed the primacy of the Development Plan in Development Control decisions.

37. The application site is within the town of Newmarket where the growth of the visitor economy in the District, and in particular the diversification of the visitor economy, is supported by Spatial Objective ECO 7. Provided that the HRI is suitably protected, policy CS1 allocates growth in Newmarket across the employment, economic and housing sectors. Policy CS6 of the Core Strategy states that the town is a location for strategic employment growth both for economic and tourism development, particularly having regard to its strong links to the HRI. This approach is supported by paragraph 82 of the NPPF. Joint Development Management (JDMP) Policy DM34 also gives support to tourism related development, subject to specific criteria being met. It also states that

*"The larger urban areas, (Market Towns & Key Service Centres), will be the focus for larger scale tourism activities and overnight accommodation in accordance with the requirement to concentrate development at the most sustainable locations."*

38. The site is sustainably located with the settlement boundary having convenient access to local services and facilities and regular bus services connecting to the wider area, including Mildenhall, Thetford, and Brandon.

39. Subject to appropriate design and highway impact being acceptable the principle of the development accords with Policy DM34.

40. Policy DM35 states that the change of use of ground floor A1 units within a Primary Shopping Area, to other appropriate main town centre uses, will therefore only be permitted if the balance of retail vitality and viability is not likely to be harmed and all of the following criteria are met:

- a) the proposal will not result in three or more non-A1 units in adjoining premises within the Primary Shopping Area;

- b) the proposal will retain or provide a shop front with a display function and entrances which relate well to the design of the host building and the street scene and its setting in terms of its materials, form and proportions;
  - c) the proposal will not remove existing or potential beneficial use of upper floors; and
  - d) the proposal will not adversely affect the amenity of the surrounding area by virtue of noise, litter, congestion on pavements, or disturbance arising from late night opening.
41. In this case a small ground floor room of the existing Rutland Arms hotel building was until recently occupied by a hairdressers (class A1). The unit is now empty. It is however within the Primary Shopping Area, and therefore adherence to the above policy criteria applies. The hairdressers known as 'The Cutting Room' has now relocated to other premises at Rous Road, however, an existing retail unit will be lost as part of the proposed development is to convert this unit into hotel accommodation. Externally the unit does not have a bespoke shop front and has the appearance of forming an integral part of the hotel building.
42. Having regard to the criteria set out above, the loss of this retail unit is unlikely to impact on the retail vitality or viability of the area, and externally, the existing façade and appearance of the north elevation of the building is largely unchanged. The proposal is therefore considered to accord with Policy DM35.
43. Taking the above into account, the principle of the development is therefore considered acceptable.

#### Design and layout (Listed Building and Conservation Area impact)

44. The application proposes two main elements. The refurbishment of the main Grade 2 Listed hotel building, and the construction of a new replacement annexe building on the opposite side of Palace Street. Rutland Arms is an 18th century hotel with early 19th and 20th century alterations arranged around an irregular rectangular courtyard with elevations fronting onto High Street, Palace Street and Rutland Hill. Its red brick central pediment with modillion cornice and central carriageway entrance with elliptical head of gauged brick and 'sash windows with semi-circular heads springing from a stucco band' affords an impressive elevation both in terms of size and architectural detailing on approach to the main high street.
45. The existing annexe whilst uninspiring is befittingly unassertive in both design and detail and is of modest scale incorporating the use of similar materials resulting in an unobtrusive backdrop to the listed building. It is noted as an intrusion within the conservation area appraisal most likely due to the absence of subtle detailing and articulation and its comparatively rudimentary appearance. TKmax is similarly noted as an intrusion for reasons most likely attributed to its bulky appearance, increased scale, lack of articulation, poor design and choice of materials, all of which appear as a discordant intrusion within a predominantly historic street scene where development is typically domestic in scale, and of traditional design and detailing.

46. Section 66 of the Town and Country Planning (Conservation Areas and Listed Building) Act 1990 also requires the LPA to have special regard to the desirability of preserving the setting of listed buildings. Section 72 of the Town and Country Planning (Conservation Areas and Listed Buildings) Act 1990 requires the Local Planning Authority to have special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
47. Both of the above requirements need to be taken into account in considering the proposed replacement building, along with the criteria set out in Joint Development Management Policies DM15, DM17, DM18 and DM2, which all seek to protect heritage assets and ensure good design appropriate for the character and context of the site.
48. Furthermore, paragraph 193 of the NPPF states that

*"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."*

49. In most cases, a proposal that results in substantial harm to a heritage asset is unlikely to be supported unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. However,

*"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."*

50. **Main Listed Building** - Policy DM18 allows for the conversion of a historic building where it will not have a detrimental impact on the significance of the building. Policy DM15 sets out the more detailed requirements for development of a Listed building and/or development affecting the setting of a Listed building and the Conservation Officer has considered the detailed impacts on the Listed building having regard to this policy. The views of the Conservation Officer are set out in paragraphs 15 to 21 above and she has concluded that following the submission of amended plans, the revised proposals address a number of concerns to include the retention of the early 19th century staircase and the removal of amendments to the front entrance. On the basis the additional visuals are an accurate interpretation of the impact on key views, Officers are satisfied that the views from the High Street will not cause harm.
51. The proposed new access and its impact on the proportions of the room segregating it from its fireplace will have minimal impact on the historical fabric of the building, but this less than substantial harm needs to be carried forward and weighed up in the planning balance.
52. **Proposed replacement annexe** - The proposed replacement guest accommodation building on Palace Street is proposed to be a split level 2 1/2 and 3 storey building to replace the existing 2 1/2 storey building. Although

the rear section of the building significantly increases in height, the front part of the building fronting onto Palace Street is in keeping with the scale and mass of the existing building. The flying link or bridge that currently connects the two buildings over Palace Street would be removed. Although the link is an established feature of the Conservation Area, the quality of finish and external construction of the structure is poor. Subject to the replacement structure being of appropriate design and quality in terms of appearance, there is no objection in principle to the loss of this link.

53. The replacement building is a contemporary structure that moves away from a red brick approach, but instead utilises a combination of natural/cream brickwork, grey/gault blended brickwork, glazing and charcoal grey slate. The use of a mansard element to roof structure is reflective of the main Listed Rutland Arms building and seeks to maximise internal room space whilst ensuring that the external massing to Palace Street is in keeping.
54. The immediate context of Palace Street includes a strong presence of buff coloured masonry and rough-cut flint stonework of the church, buff brickwork of the neighbouring terrace, Palace House Museum and Nell Gwynne's House. However, the adjoining Grade 2 listed building is predominantly red brick, and therefore the new building will contrast in terms of materials. It is acknowledged however that the use of more natural colour materials is not unprecedented in the area.
55. The applicants have worked to ensure that the visual impact of the building avoids significant harm to the character of the area and the additional visualisations submitted with the application help reduce concerns relating to the impact of proposed development on long distance views from the High Street. Views from Rutland Hill looking towards Palace Street do however present a more assertive building than that which currently exist. Whilst the increased size and bulk of the development as seen from the carpark will inevitably obscure views of the original building, this is largely obscured by the existing building. The proposed development will pose a significant increase in bulk when looking from the carpark towards the town where typically buildings of a more domestic scale back onto the carpark. The site is however located adjacent to the large TKMax building which is of comparable scale height and massing.
56. The assertive nature of the building and the removal of the link will naturally make the building more evident from Rutland Hill looking towards Palace Street drawing the eye towards the new build potentially competing with the main building. However, whilst the replacement building is bulkier than the existing when viewed from the carpark this is not considered to be a key view particularly given its context alongside TKmax with a significant proportion located outside the conservation area.
57. The Conservation Officer comments that as identified as an intrusion within the conservation area, the demolition of the existing annexe is supported allowing an opportunity to better reveal the significance of the conservation area and enhance the setting of the listed building.
58. A double garage also forms part of the proposal and this would serve Nell Gwynn cottage. The building will have a pyramidal roof with a white rendered finished and slate tiles, with a timber window and a wooden finished sliding sectional door. The overall appearance of the building is considered

appropriate for its location within a conservation area and complements the traditional appearance of Nell Gwynn cottage.

59. To conclude, the proposed development is in its self a contemporary well designed building of a similar scale and mass to its immediate surroundings. However, Officers consider that the new build works would cause limited harm to a designated heritage asset largely due to the fact that the new building would not have a positive or neutral impact on the appearance of the conservation area. This harm is less than substantial, and therefore needs to be weighed against any public benefit.

#### Highway Impact and parking

60. No new vehicular access will be created by this proposal, and in fact the new building element of the scheme will result in a net loss of parking spaces where cars used to be able to park at basement level underneath the annexe building. The proposal increases the number of hotel rooms from 47 rooms to 72 rooms. Existing vehicle users of the hotel park in the car park off Palace Street, which is a one way road, often closed to traffic to host local events.
61. The applicant's own parking survey indicates that 'at present The Rutland Arms Hotel has 32 useable car parking spaces, where guests can park at their own risk. 20 spaces being located in the unevenly surfaced 'top car park' (although some of these spaces are underneath an old asbestos roofed frame where guests are advised ideally not to park), 10 spaces are located in the lower car park (some of these obscure the hotel annexe fire exit routes) and two under cover of the building.'
62. Being located in a town centre, the hotel is already heavily reliant on existing public car parks including Rous Road (short stay) and All Saints (long stay). Both of these car parks allow overnight parking and combined provide for a total of 103 parking spaces.
63. Taking into account the reliance on public parking for hotel guests, the Car Parking Team at West Suffolk Council were consulted. They comment that '*parking trends have been static across the town since the occupancy testing in 2017 (based on usage data from ticket transactions), and national and regional intelligence would suggest that this pattern is likely to continue over the short to medium term. However looking forward and considering known housing allocations, the Government computer modelling tool – the TEMPRO management system has forecasted that housing growth in Newmarket and the surrounding area (including East Cambridgeshire) will generate demand for a further 62 bays at peak times in the town by 2025. Current car parking capacity is more than sufficient to accommodate this growth.*'
64. They go on to comment that '*The reconfiguration of parking is noted on Rous Road. It is the view of the Parking Services Team that the proposed development would result in 10 fewer parking bays on Rous Road Car Park with no loss to disabled bay parking. This will still provide however a surplus of parking bays in the area - the two nearest public car parks to the Hotel are Rous Road (Short Stay, 197 total spaces) and All Saints Car Park (long stay, 162 spaces) which has average occupancy of 80% and 42% respectively (providing on average 103 car park spaces available).*'

65. It seems evident that the level of public parking in the town is sufficient to cater for the traffic generated by this proposal, as well as that likely to be generated by the forecasted growth. It is also understood that kerbside parking in the local area is restricted by Traffic Regulation Orders (TRO's) that are enforced by the police as necessary. Accordingly, there should be no increase in roadside parking as a result of the proposed development. There are also many examples of hotels with 'destination' parking in town centres where car parking is well below the guidance limits set out by the Local Highway Authority, (e.g. Premier Inn, Newmarket, which has no on-site car parking).
66. To provide some mitigation for the sub-standard car parking provision, the applicant is proposing a covered cycle area for up to 16 bicycles, the provision of shower/changing facilities for staff, and the provision of a 'guaranteed ride home' (taxi/lift) for out of hours/Sunday staff. This goes some way to reducing the reliance on car travel for regular trips by staff to the site and promotes more sustainable forms of transport in line with Policy DM46. These elements of the application can be secured through the conditional submission and agreement of a Travel Plan.
67. Whilst acknowledging the reduced level of parking provision and the comments of the Local Highway Authority, Officers are of the view that due to the sustainable town centre location, evidenced off street parking capacity and all local kerbside space controlled by enforceable TRO's, the proposed development is unlikely to result in unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network be severe (as required by NPPF para. 109).

#### Other matters

68. Air quality - Paragraph 105 of the NPPF states that 'local parking standards for residential and non-residential development, policies should take into account... e) the need to ensure an adequate provision of spaces for charging plug-in and other ultralow emission vehicles.' Paragraph 110 of the NPPF states that 'applications for development should... be designed to enable charging of plug-in and other ultralow emission vehicles in safe, accessible and convenient locations.'
69. Policy DM14 of the Joint Development Management Policies Document states that proposals for all new developments should minimise all emissions ... and ensure no deterioration to either air or water quality. The Suffolk Parking Standards (updated May 2019) state that in relation to electric vehicle charging infrastructure for a hotel "25% of all parking spaces to be fitted with a charging system,"
70. A condition of any approval is therefore recommended requiring electric vehicle charge points to enhance the local air quality through the enabling and encouraging of zero emission vehicles. In this case, 25% of the car parking within the site would be 4 spaces.
71. Archaeology - The proposed development site lies in an area of high archaeological potential and is within the Historic core of the town. There is potential for archaeological remains relating to the medieval town, and to the historic development of buildings through the 17th century onwards, with the

patronage of racing at Newmarket by the Stuart monarchy. There have been changes to the site, as shown by historic maps.

72. In accordance with the National Planning Policy Framework (Paragraph 199), SCC Archaeology have requested that any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed. This accords with the requirements of Policy CS3 of Forest Heath District Council Core Strategy Development Plan Document (2010) and the Section 16 of the NPPF 2019.

73. Energy efficiency - Policy DM7 states that;

“All proposals for new development including the re-use or conversion of existing buildings will be expected to adhere to broad principles of sustainable design and construction and optimise energy efficiency through the use of design, layout, orientation, materials, insulation and construction techniques...In particular, proposals for new residential development will be required to demonstrate that appropriate water efficiency measures will be employed... All new developments will be expected to include details in the Design and Access statement (or separate energy statement) of how it is proposed that the site will meet the energy standards set out within national Building Regulations. In particular, any areas in which the proposed energy strategy might conflict with other requirements set out in this Plan should be identified and proposals for resolving this conflict outlined.”

74. Although the applicant’s design and access statement summarises how the building aims to achieve a high level of sustainability in design and construction, there are currently insufficient details in order to ascertain whether or not the approach proposed meets the energy standards set out in national Building Regulations, (in accordance with Policy DM7 requirements).

75. Although the above lack of evidence of energy efficiency is not in itself a reason to refuse the development, the Council has an ambition to encourage the aspirations for energy efficiency levels in buildings as well as the uptake of renewable energy technologies, especially renewable heat and district heating. It is taking an active approach to encourage rather than regulate and may be able to provide technical and financial support, and is available to discuss options with the applicant to see how/if the Council may be able to support a wider aspiration for renewable energy in these buildings or in the local area.

76. It is therefore considered appropriate to condition the submission of a sustainability statement setting out how it is proposed that the site will meet the energy standards set out within national Building Regulations. It should also explain how BREEAM Excellent standard or equivalent can be met, unless it can be demonstrated that one or more of the following conditions apply:

- It is not possible to meet one or more of the mandatory credits for an Excellent rating due to constraints inherent within the site. In this case development will be expected to accrue the equivalent number of credits by targeting other issues while achieving an overall Very Good rating.

- The cost of achieving an Excellent rating can be demonstrated to compromise the viability of the development. In this case applicants will be expected to agree with the Council whether the target should be relaxed, or whether cost savings could be achieved in another aspect of the development.

## Biodiversity

77. No detail of ecological enhancement measures (for the new annexe building) have been submitted with the application. In order to comply with the requirement of Joint Development Management Policy DM12 in respect of biodiversity enhancement, it is suggested that a condition is attached to any approval requiring the details of biodiversity enhancement measures to be installed at the site, to be submitted and agreed prior to the first use of the annexe building.

## **Conclusion:**

78. The site is sustainably located with the settlement boundary having convenient access to local services and facilities and regular bus services connecting to the wider area, including Mildenhall, Thetford, and Brandon. The principle of the development accords with Policy DM34.
79. The loss of a small retail unit (former hairdressers) is unlikely to impact on the retail vitality or viability of the area, and externally, the existing façade and appearance of the north elevation of the building is largely unchanged. The proposal is therefore considered to accord with Policy DM35.
80. The proposed works (as amended) to the Listed building are considered acceptable by the Conservation Officer, and are capable of being approved in accordance with Policy DM15. The minimal harm to the fabric of the Listed building and the limited harm to the setting of the conservation area is less than substantial and must be factored into the overall planning balance. In this case, the benefits of improving environment and customer experience of a long standing hotel building of local and regional importance, thus helping to secure its future continued use and economic benefits to the town through increased spend and local employment, outweigh the limited harm to the Listed building and the conservation area identified above.
81. Due to the sustainable town centre location, evidenced off street parking capacity and all local kerbside space controlled by enforceable TRO's, the proposed development is unlikely to result in unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network be severe (as required by NPPF par 109).
82. Subject to appropriate conditions the development is acceptable in all other respects and in accordance with the development plan and the NPPF and can be approved.

## **Recommendation:**

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

1. 3 year time limit
2. Approved plans
3. Provision of at least 25% of on site parking equipped with EVCP
4. Travel Plan to be submitted, agreed and implemented
5. CDMP to be submitted and approved to control HGV and construction traffic movements and impacts
6. Hours of construction 0800 - 1800 hrs on Mondays - Fridays, and between the hours of 0800 - 1300 hrs on Saturday, and at no time on Sundays and Bank Holidays.
7. Parking and manoeuvring of vehicles in accordance with approved plan
8. Secure cycle parking details to be submitted, agreed and implemented
9. Programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.
10. Prior to first use of the annexe building details of biodiversity enhancement measures to be installed at the site, including details of the timescale for installation, shall be submitted to and approved in writing by the Local Planning Authority.
11. Use of annexe building restricted to hotel (C1 use) only
12. Submission and approval of a DM7 sustainability statement

And, Listed building Consent be **GRANTED** subject to the following conditions:

1. 3 year time limit (LB & CA Regs)
2. Approved plans
3. Schedule of works to existing structure to include a detailed specification of repairs to be submitted and agreed (09D)
4. Details of new and replacement windows to be submitted and agreed(0900)
5. Details of new replacement doors to be submitted and agreed (09PP)
6. Later approval of details - sample of external materials and surface finishes. (09D)
7. Later approval of details - Following the removal of later finishes, final details of the proposed works to chimney breast and stack 1 shall be submitted to and approved in writing with the LPA. (09D)
8. Detail of ornamental mouldings to be submitted and agreed (09Q)

## **Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/19/0079/FUL](https://www.dorset.gov.uk/DC/19/0079/FUL)