

Development Control Committee 4 May 2022

Planning Application DC/21/2118/FUL – Lady Wolverton Pavilion, Adastral Close, Newmarket

Date registered:	14 March 2022	Expiry date:	9 May 2022
Case officer:	Savannah Cobbold	Recommendation:	Approve application
Parish:	Newmarket Town Council	Ward:	Newmarket West
Proposal:	Planning application - one log cabin		
Site:	Lady Wolverton Pavilion, Adastral Close, Newmarket		
Applicant:	Ms Susan Norman		

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 referred to Development Control Committee as Lady Wolverton Pavilion is a council owned site. The application is recommended for APPROVAL and the Town Council raise no objections.

Proposal:

1. The application seeks planning permission for the construction of a log cabin within the grounds of Lady Wolverton Pavilion. The proposed log cabin is 5 metres by 11 metres and accommodates two classrooms and a cloakroom area associated with the existing nursery school on the site. The overall height is 2.4 metres.

Application supporting material:

- Existing block plan
- Location plan
- Block plan
- Proposed elevations
- Proposed floor plan
- Log cabin details
- Notice served on West Suffolk Council

Site details:

2. The application site is located within the settlement boundary for Newmarket. The building itself is located within existing playing fields at Adastral Close. The site currently accommodates a children's nursery, known as Colourbox Montessori, which promotes education by encouraging optimum intellectual, social, physical, spiritual, and economic development of children via a contemporary approach for children ages three months to five years. The site itself is well screened by boundary hedging.

Planning history:

3.

Reference	Proposal	Status	Decision date
F/88/893	C/U to day nursery		22 December 1988
F/2004/0790/FU3	Erection of extension to existing building and permanent use of extended building as a children's nursery/childcare centre. Dual use of car park for nursery/childcare centre and playing field. (Amended plans and additional information received 4/10/04 & 5/10/04)	Approve with Conditions	17 November 2004

Consultations:

Natural England

4. No comments to make on this application.

Representations:

5. Newmarket Town Council provide no objections to this application.
6. No third-party representations have been received.

Policy:

7. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous 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 this application with reference to policies set out in the plans produced by the now dissolved Forest Heath District Council.
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:
9. Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM41 Community Facilities and Services

Core Strategy Policy CS5 - Design quality and local distinctiveness

Other planning policy:

10. National Planning Policy Framework (NPPF)
11. The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 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 2021 NPPF that full weight can be attached to them in the decision making process.

Officer comment:

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

- Principle of development
- Impact on character and appearance of the area
- Impact on residential amenity
- Other matters

Principle of development

13. The application seeks planning permission for the construction of a log cabin within the grounds of Lady Wolverton Pavilion, which is a site owned by West Suffolk Council. It is clear from the planning history that the use of a nursery has been in situ for several years. The proposed log cabin incorporates additional space by creating two classrooms, noting the demand for this facility, allowing additional children to be taken on and as a result of adapting the learning experience for education due to the pandemic.

14. Policy DM41 deals with community facilities and services and states that the provision and enhancement of community facilities and services will be permitted where they contribute to the quality of community life and the maintenance of sustainable communities. In this case, the provision of a cabin will enhance the classroom facilities at Colourbox Montessori and allow them to take on extra children. Given this, the proposed development is considered to comply with the requirements of policy DM41 which supports the growth of such facilities.

Impact on character and appearance of the area

15. Policy DM2 requires that development respects the character of the area and reinforces local distinctiveness. Development should maintain a sense of place and not adversely impact the architectural value of the area.

16. The proposal is located within the grounds of an existing establishment in which there are existing outbuildings and other paraphernalia associated with its current nursery use. The provision of the log cabin will replace an existing shed on the site to provide and enhance additional classroom facilities. Whilst the open space around Lady Wolverton Pavilion is extremely open, there is boundary hedging and trees surrounding the site, along with fencing. The provision of landscaping around the site perimeter means that views into the site are limited. Furthermore, noting the nature of the surrounding area, there is no real defined character in this location.

17. Noting the existing use of the site, the proposal is not considered to adversely impact upon the character and appearance of the area.

Impact on residential amenity

18. The nursery use is existing and has been in situ for several years. Lady Wolverton Pavilion itself is located approximately 35 metres from existing dwellings at Stirling Gardens, which are located on higher ground level, approximately 55 metres from rear boundaries of properties along Edinburgh Road, approximately 100 metres from rear boundaries of

properties along Windsor Road and approximately 95 metres from the nearest neighbouring dwelling at Adastral Close.

19. The nature of the nursery building means that activities often take place outside. At the time of writing this report no representations have been received regarding any noise levels generated from this facility.

20. Noting the separation distance and minor nature of the proposal, a single storey log cabin building, it is considered that no harm upon residential amenity will arise as a result of this proposal.

Other matters

21. No objections have been raised by Natural England as a statutory consultee in relation to ecology matters.

22. No objections have been raised by the Town Council.

Conclusion:

23. 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:

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

1. Time limit

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

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

2. Compliance with plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents, unless otherwise stated below:

Plan type	Date submitted
Proposed floor plan	14 March 2022
Proposed elevation	14 March 2022
Proposed block plan	14 March 2022
Proposed elevations	14 March 2022
Proposed elevations	14 March 2022
Proposed elevations	14 March 2022
Existing block plan	14 March 2022
Illustrations	2 December 2021
Location plan	2 December 2021

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

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/2118/FUL](#)