

**Membership as from May 2020**

Councillor Appleby
Councillor Caesar - Chairman
Councillor Drummond
Councillor Fitzgerald
Councillor Hirst
Councillor Hood
Councillor Hulbert
Councillor Jeffreys
Councillor Kerby
Councillor O'Neill – Vice Chairman

The Memorial Hall, High Street, Newmarket Suffolk CB8 8JP
TEL: 01638 667227

You are hereby summoned to attend a meeting of the
DEVELOPMENT AND PLANNING COMMITTEE
Monday 17th August 2020 at 6pm on Zoom
AGENDA

The meeting is held in public and the public are encouraged to attend and participate. Just occasionally matters such as contractual or staffing matters do have to be held in the confidential part of the meeting.

Members of the public and press may not orally report or comment about a meeting as it takes place if present at a meeting of the Council, but otherwise may:

- a: film, photograph or make an audio recording of the meeting;
- b: use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
- c: report or comment on the proceedings in writing, during or after a meeting or orally after the meeting.

This meeting is being held on the online Zoom platform and is being recorded. Any member of the public in attendance who does not wish to be included in the recording can disable their video although this would prohibit their ability to participate in the meeting at the appropriate time.

1. **CHAIR TO ANNOUNCE** that proceedings are being recorded and to advise that all participants will be muted by the host of the meeting who will unmute the individual the Chairman has invited to speak
2. **APOLOGIES** To receive and accept apologies for absence
3. **REGISTER OF INTERESTS** Declaration of Members' Interests & to remind Councillors of the need to keep up to date their Register of Members' Interests and to consider any requests received for Members' Dispensation.
4. **MINUTES OF PREVIOUS MEETING** To receive and confirm the minutes of the meeting held on 3rd August 2020 and any matters arising
5. **PUBLIC PARTICIPATION** 'An invitation to members of the public to put questions or statements of not more than 3 minutes duration. Resolutions can only be made on items that are on the agenda, but Councillors are very happy for matters relating to the Town to be brought to their attention
6. **NEWMARKET NEIGHBOURHOOD PLAN POLICIES**
7. **PLANNING APPLICATIONS** – West Suffolk Council – Lists 31, 32 (Herewith)
8. **PLANNING APPLICATIONS** – Amended and Deferred Plans –
 - a. **DC/20.0819/TPO** – Prestige Place, Snailwell Road, Newmarket – re-consultation
9. **PLANNING APPLICATIONS** – East Cambs
 - a. **19/00518/FUM** – Land opposite 1-8 Dalham Road, Ashley – Notice of Appeal
10. **PLANNING DECISIONS AND PLANS WITHDRAWN** – West Suffolk Council – Lists 31, 32 (Herewith)
11. **DELEGATION PANEL DECISIONS** To discuss any decisions by Delegation Panel
12. **LICENSING** To discuss any Licensing Applications
13. **PUBLIC SPACE PROTECTION ORDERS** To consider
14. **CORRESPONDENCE:** DC/20/0134/FUL Granby Street, from West Suffolk Council
15. **DATE OF NEXT MEETING:** Monday 7th September 2020
16. **ITEMS FOR CONSIDERATION AT THE NEXT MEETING**

Signed:  Debbie Baines, Town Clerk

DATE: 11/8/2020

To: Chair & Members of D&P Committee, Other Council Members, Press & the Public



Newmarket

TOWN COUNCIL

Minutes of a Meeting of the Development & Planning Committee
Held on Monday 3rd August 2020 at 6.00pm via Zoom

Attendance:

Councillor C O'Neill (Chairman)
Councillor A Appleby
Councillor A Drummond

Councillor P Hulbert
Councillor M Jefferys

Also Present: Debbie Baines – town Clerk, Cathy Whitaker – RFO, Julie Ashton –Minute Assistant and 1 Member of the Public.

	Minute	Action by
D/20/08/1	<u>CHAIRMAN TO ANNOUNCE THAT PROCEEDINGS ARE BEING RECORDED AND TO ADVISE THAT ALL PARTICIPANTS WILL BE MUTED BY THE HOST OF THE MEETING WHO WILL UNMUTE THE INDIVIDUAL THE CHAIRMAN HAS INVITED TO SPEAK</u> The Chairman opened the meeting and announced that proceedings were being recorded. All participants would be muted and would be unmuted when the Chairman invited individuals to speak. There were no requests from others to record the meeting.	
D/20/08/2	<u>APOLOGIES</u> Apologies were received from Cllrs Caesar, Fitzgerald, Hirst and Hood. Cllr Kerby was absent.	
D/20/08/3	<u>DECLARATION OF MEMBERS INTERESTS & TO REMIND COUNCILLORS OF THE NEED TO KEEP UP TO DATE THEIR REGISTER OF MEMBER'S INTERESTS AND TO CONSIDER ANY REQUESTS RECEIVED FOR MEMBER'S DISPENSATION</u> None noted.	
D/20/08/4	<u>TO CONFIRM THE MINUTES OF THE MEETING HELD ON MONDAY 20TH JULY 2020 AND MATTERS ARISING</u> Members received the minutes of the Development & Planning Committee held on 20th July 2020 and the following amendment was made. Page 2 – D/20/07/22- title amended to read Neighbourhood Plan Policies Subject to the amendment being made, following was agreed: <u>D/20/08/4.01 Resolved</u> That the minutes of the Development & Planning Committee held on 20th July 2020 be adopted and signed as a true record by the Chairman of the Development & Planning Committee. There were no matters arising.	

Page 4 – D/20/07/28 – Planning Application DC/20/0134/FUL – it was confirmed that a letter had been sent regarding the Granby Street development and a response was awaited. Town Clerk would follow this up.

D/20/08/5 **PUBLIC PARTICIPATION ‘AN INVITATION TO MEMBERS OF THE PUBLIC TO PUT QUESTIONS/STATEMENTS OF NOT MORE THAN 3 MINUTES DURATION. NO RESOLUTIONS CAN BE MADE BUT COUNCILLORS ARE VERY HAPPY FOR MATTERS RELATING TO THE TOWN TO BE BROUGHT TO THEIR ATTENTION’**

None noted.

D/20/08/6 **NEWMARKET NEIGHBOURHOOD PLAN POLICIES**

None noted.

D/20/08/7 **PLANNING APPLICATIONS**

Week 29

D/20/08/7/1 DC/20/1054/FUL - Planning Application - (i) ground floor extension to courtyard (ii) first floor extension with flat roof dormers - Hamilton Stables Hamilton Road Newmarket.

D/20/08/7.01 Resolved

The Committee voiced no objections.

D/20/08/7/2 DC/20/1091/TPO - TPO 04 (2000) Tree Preservation Order- 1no. Beech (T1 on plan and order)- Overall crown reduction by up to 3 metres – Portland Cottage Hamilton Road Newmarket Suffolk.

D/20/08/7.02 Resolved

The Committee actively encourages responsible tree management. The Committee DOES NOT OBJECT to this application.

Week 30

D/20/08/7/3 DC/20/1189/TCA – Trees in a Conservation Area Notification – 1no. Sycamore (t1 on plan) – fell – Fairstead House School Fordham Road Newmarket Suffolk.

D/20/07/7.03 Resolved

The Committee voiced no objections.

D/20/08/8 **AMENDED AND DEFERRED PLANNING APPLICATIONS**

None noted.

D/20/08/9 **EAST CAMBS PLANNING APPLICATIONS**

None noted.

D/20/08/10 **TO RECEIVE RESULTS OF APPLICATIONS AS DETERMINED BY WEST SUFFOLK AND PLANS WITHDRAWN**

West Suffolk Planning Determinations received during weeks 29 &30.

Applications	Description	Address	WS Decision	NTC Decision
DC/20/0174/VAR	Application to vary condition 25 of DC/17/1881/FUL to enable the use of an automated sprinkler system in place of fire hydrants to allow for the creation of 69no. extra care apartments within class (C2), access, parking, landscaping and other associated works	Development Site Adj South Drive Exning Road Newmarket Suffolk	Approved	No objections
DC/20/0886/TPO	TPO 001(2014) Tree Preservation Order- 1 no. Sycamore (T1 on plan) Fell	Prestige Place Snailwell Road Newmarket Suffolk	Withdrawn	Objected
DC/20/0805/FUL	Planning Application – Raising of roof to create additional storey for 1no. dwelling	27A Old Station Road Newmarket Suffolk	Withdrawn	Objected
DC/20/0865/HH	Householder Planning Application - Householder Planning Application –(i) Two storey rear extension to North of dwelling and two story rear extension to South (part retrospective) (ii) cartlodge	Long Cottage Fordham Road Newmarket	Approved	No objections
DC/20/0936/FUL	Planning Application – Change of use from Light industrial (Class B1) to Dry food preparation (Class B2)	11 Craven Way Newmarket	Approved	No objections
DC/20/0961/TCA	Trees in a Conservation Area Notification – (i) 1no. Horse Chestnut (T1 on plan) – Crown lift upto 5 metres (ii) 1no. Yew (T2 on plan) 1no. Sycamore (T3 on plan) 1no. Prunus (T4 on plan) and 1no. Ash (T5 on plan) -fell (iii) 3no. Holly/Laurel (G1 on plan) - Fell	50 Bury Road Newmarket	Approved	Objected
DC/20/1046/TCA	Trees in a Conservation Area Notification – (i) 1no. Sycamore (sycamore on plan) reduce branch over BT line by 3 metres and extending/lower branches by up to 6 metres adjacent to cedar and wall.	Lincoln Lodge Rayes Lane Newmarket	Approved	No objections

D/20/08/11 DELEGATION PANEL DECISIONS

None noted. Members were advised that Cllr Soons had successfully requested that planning application DC/20/0817/ADV - Application for advertisement consent (1 no. internally illuminated freestanding totem sign - land adjacent to Tesco Petrol Station, Willie Snaith Road) be considered at Committee level.

D/20/08/12 TO DISCUSS ANY LICENSING APPLICATIONS

None noted.

D/20/08/13 CORRESPONDENCE

None noted, however an email regarding a consultation of public space protection orders had been received and this item would be added to the next agenda and an extension would be requested.

D/20/08/14 DATE OF NEXT MEETING

Monday 17th August 2020 at 6.00pm via Zoom.

D/20/08/15 TO NOTE ANY ITEMS FOR NEXT MEETING

Public Space Protection Order Consultation

Meeting closed at 6:16pm.

Signed _____ Date _____

LIST 31**31 August 2020****Applications Registered between 27 July – 31 July 2020****PLANNING APPLICATIONS REGISTERED**

The following applications for Planning Permission, Listed Building, Conservation Area and Advertisement Consent and relating to Tree Preservation Orders and Trees in Conservation Areas have been made to this Council. A copy of the applications and plans accompanying them may be inspected on our website www.westsuffolk.gov.uk. Representations should be made in writing, quoting the application number and emailed to planning.help@westsuffolk.gov.uk to arrive not later than 21 days from the date of this list. Note: Representations on Brownfield Permission in Principle applications and/or associated Technical Details Consent applications must arrive not later than 14 days from the date of this list.

Application No.	Proposal	Location
DC/20/1190/TPO VALID DATE: 20.07.2020 EXPIRY DATE: 14.09.2020 WARD: Newmarket North PARISH: Newmarket Town Council	TPO 032 (1960) Tree Preservation Order-3no. Silver Birch (T3 on plan within A1 on order) fell APPLICANT: Mrs Wendy Hulyer CASE OFFICER: Adam Yancy	5 Wyndham Way Newmarket Suffolk CB8 7DS GRID REF: 564255 264635
DC/20/1218/TCA VALID DATE: 23.07.2020 EXPIRY DATE: 03.09.2020 WARD: Newmarket East PARISH: Newmarket Town Council	Trees in a Conservation Area Notification - (i) 1 no. Chestnut (T1 on plan) crown reduce by 4 metres and crown lift up to 3 metres (ii) 1 no. Chestnut (T2 on plan) crown lift up to 3 metres (iii) 1 no. Hazel (T3 on plan) crown thin by 20% and remove branches over summerhouse (iv) 3 no. Prunus (T4 on plan) crown reduce height by 2 metres and reduce on roadside by 2 metres and remove diseased limb over lawn APPLICANT: Mrs Eustace AGENT: Other Barnes CASE OFFICER: Falcon Saunders	Park Lodge 10 Park Lane Newmarket CB8 8AX GRID REF: 564434 263206

LIST 32**07 August 2020****Applications Registered between 03 August to 07 August 2020****PLANNING APPLICATIONS REGISTERED**

The following applications for Planning Permission, Listed Building, Conservation Area and Advertisement Consent and relating to Tree Preservation Orders and Trees in Conservation Areas have been made to this Council. A copy of the applications and plans accompanying them may be inspected on our website www.westsuffolk.gov.uk. Representations should be made in writing, quoting the application number and emailed to planning.help@westsuffolk.gov.uk to arrive not later than 21 days from the date of this list. Note: Representations on Brownfield Permission in Principle applications and/or associated Technical Details Consent applications must arrive not later than 14 days from the date of this list.

Application No.	Proposal	Location
DC/20/1242/TPO VALID DATE: 29.07.2020 EXPIRY DATE: 23.09.2020 WARD: Newmarket East PARISH: Newmarket Town Council	TPO181(1972) Tree Preservation Order - 1no. Horse Chestnut (T1 on plan) - Fell APPLICANT: Mr Tysoe AGENT: Mr Stephen Rapin CASE OFFICER: James Morriss	2 Seymour Close Newmarket CB8 8EL GRID REF: 565211 263075
DC/20/1251/TCA VALID DATE: 03.08.2020 EXPIRY DATE: 14.09.2020 WARD: Newmarket East PARISH: Newmarket Town Council	Trees in a Conservation Area Notification - 1no. Horse Chestnut (T1 on plan) - remove overhanging branches adjacent roof line to give 3 metre clearance APPLICANT: Ms Rachel Hood, John Godsen Racing AGENT: Mr Stuart Bradnam - Bradnams Tree Services CASE OFFICER: Falcon Saunders	Clarehaven Stable 57 Bury Road Newmarket Suffolk CB8 7BY GRID REF: 565435 264744



Newmarket
Town Council

West Suffolk
Council

Planning links for list 31-32 August 2020

List 31

DC/20/1190/TPO: <https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QDM2B5PDMCQ00>

DC/20/1218/TCA: <https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QDX6BPPDMFX00>

List 32

DC/20/1242/TPO <https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QE6FLXPDMIE00>

DC/20/1251/TCA <https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=QEA50HPD07800>

Parish Re-Consultation

Newmarket Town Council
King Edward VII Memorial Hall
High Street
Newmarket
Suffolk
CB8 8JP

Please ask for: Savannah Cobbold

Direct Line: 07971 534117

Application No. DC/20/0819/TPO

Consultation Period 31 July 2020

Expires:

17 July 2020

RE-CONSULTATION IN RESPECT OF A PLANNING PROPOSAL

PROPOSAL TPO001(2014) - Tree Preservation Order - (i) 1no. Sycamore (T006 on plan and within area G3 on order) (ii) 1no. Sorbus (T1 on plan and within area G2 on order) - fell (iii) 1 no. Sycamore (tag 49) - crown raise to 5 metres over trackway

LOCATION Prestige Place, Snailwell Road, Newmarket, Suffolk, CB8 7DP

APPLICANT Mrs L Botti

AGENT Mr Parry- ATC

Dear Sir/Madam,

You have been consulted previously in respect of the application noted above. The following amendments by the applicant/agent have been received:

Amended description to include further works

The changes are available to view in the planning section of our website for your consideration.

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QAOJGAPD0DI00>

Would you please let me know in writing by 31 July 2020 if you have any observations to make regarding this proposal. Please email your response to planning.help@westsuffolk.gov.uk. Any response should include the application number, the name of the Case Officer and the site location address. All responses will be posted on our website and made available for viewing by the general public. If I do not hear from you it will be assumed that you do not



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

THE GRANGE, NUTHOLT LANE,
ELY, CAMBRIDGESHIRE CB7 4EE

Telephone: Ely (01353) 665555
DX41001 ELY Fax: (01353) 665240
www.eastcambs.gov.uk

The Owner/Occupier
The King Edward VII Memorial Hall
144 High Street
Newmarket
Suffolk
CB8 8JP

This matter is being dealt with by:

Toni Hylton

Telephone: 01353 665555,
E-mail: toni.hylton@eastcambs.gov.uk
My Ref: APP/V0510/W/20/3255481
Your ref

6th August 2020

Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990

Site Address: Land Opposite 1 To 8 Dalham Road Ashley Suffolk

Description of development: Change of use to timber lodge holiday park for up to 50 caravan plots and the development of ancillary infrastructure and landscaping

Application Reference: 19/00518/FUM

Appellants name: Lovat Parks Ltd

Appeal reference: APP/V0510/W/20/3255481

Appeal start date: 4th August 2020

I refer to the above details. An appeal has been made to the Secretary of State against the decision of East Cambridgeshire District Council to refuse to grant planning permission.

The appeal will be determined on the basis of **written representations**. The procedure to be followed is set out in Part 2 of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009, as amended.

We have forwarded all the representations made to us on the application to the Planning Inspectorate and the appellant. These will be considered by the Inspector when determining the appeal.

If you wish to make comments, or modify/withdraw your previous representation, you can do so online at <https://acp.planninginspectorate.gov.uk>. If you do not have access to the internet, you can send your comments to:

Caroline Harvey
0 Kite, 3rd Floor
Temple Quay House
2 The Square
Bristol

BS1 6PN

All representations must be received by 8th September 2020. Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference.**

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

The appeal documents are available for inspection at The Grange, Nutholt Lane, Ely, CB7 4EE between 8.45am and 5pm Monday to Thursday and 8.45am and 4.30pm Friday.

You can get a copy of one of the Planning Inspectorate's "Guide to taking part in planning appeals" booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal> or from us.

When made, the decision will be published online at <https://acp.planninginspectorate.gov.uk>.

Yours faithfully



Rebecca Saunt
Planning Manager

**PLANNING AND REGULATORY SERVICES
DECISIONS WEEK ENDING 31/07/2020**

**PLEASE NOTE THE DECISIONS LIST RUN FROM
MONDAY TO FRIDAY EACH WEEK**

<u>DC/20/0162/FUL</u> DECISION: Approve Application DECISION TYPE: Delegated ISSUED DATED: 28 Jul 2020 WARD: Newmarket West PARISH: Newmarket Town Council	Planning Application - Change of use of basement from office (B1) to Escape Room Assembly and Leisure (D2) APPLICANT: Isaac Reed	Godolphin House, Basement Office 2 The Avenue Newmarket CB8 9AA
<u>DC/20/0729/FUL</u> DECISION: Approve Application DECISION TYPE: Delegated ISSUED DATED: 30 Jul 2020 WARD: Newmarket North PARISH: Newmarket Town Council	Planning Application - 7 no. commercial use units (use class B1) and associated works (demolition of existing commercial unit) APPLICANT: Mr Graham Henderson AGENT: Mr Stephen Hart	7 Laureate Paddocks Newmarket Suffolk CB8 0AP

**PLANNING AND REGULATORY SERVICES
DECISIONS WEEK ENDING 07/08/2020**

**PLEASE NOTE THE DECISIONS LIST RUN FROM
MONDAY TO FRIDAY EACH WEEK**

<u>DC/20/0819/TPO</u> DECISION: Approve Application DECISION TYPE: Delegated ISSUED DATED: 3 Aug 2020 WARD: Newmarket East PARISH: Newmarket Town Council	TPO001(2014) - Tree Preservation Order - (i) 1no. Sycamore (T006 on plan and within area G3 on order) (ii) 1no. Sorbus (T1 on plan and within area G2 on order) - fell (iii) 1 no. Sycamore (tag 49) - crown raise to 5 metres over trackway APPLICANT: Mrs L Botti AGENT: Mr Parry- ATC	Prestige Place Snailwell Road Newmarket Suffolk CB8 7DP
<u>DC/20/0895/FUL</u> DECISION: Approve Application DECISION TYPE: Delegated ISSUED DATED: 7 Aug 2020 WARD: Newmarket West PARISH: Newmarket Town Council	Planning Application - Alterations and additions to existing boundary treatment including brick walls to packing areas and fencing to service courtyard APPLICANT: Cooler Aid AGENT: Mr Andrew Fleet MCIAT	Black Bear Harley Davidson Black Bear Lane Newmarket Suffolk CB8 0JT
<u>DC/20/0968/TPO</u> DECISION: Approve Application DECISION TYPE: Delegated ISSUED DATED: 6 Aug 2020 WARD: Newmarket East PARISH: Newmarket Town Council	TPO 06 (2006) Tree Preservation Order - 1no. Cedar (T1 on plan T15 on order) Reduce all extended lateral branches by up to 2 metres APPLICANT: Mr Ben Gleeson - Encore Estate Management AGENT: Mrs Karen Cole - Acacia Tree Surgery Ltd	20 Meridian Gardens Newmarket CB8 7FD
<u>DC/20/1035/FUL</u> DECISION: Approve Application DECISION TYPE: Delegated ISSUED DATED: 6 Aug 2020 WARD: Newmarket North PARISH: Newmarket Town Council	Planning Application - Full height curtain walling to middle bay above entrance doors (previously approved under DC/20/0542/FUL) APPLICANT: Mr Ken Jones, Iceland Foods Ltd AGENT: Mr Ray Robinson	Unit 3A Newmarket Retail Park Oaks Drive Newmarket Suffolk CB8 7SX

Officer Report - DC/20/0134/FUL

Land Ro 58 Granby Street Newmarket Suffolk

Date Registered: 22.01.2020 **Expiry Date:** 18.03.2020

Case Officer: Dave Beighton **Recommendation:** Approve Application

Parish: Newmarket Town Council **Ward:** Newmarket East

Proposal: Planning Application - 1no. dwelling and associated access

Applicant: Mr J Taylor

Background:

The application was considered by the Delegation Panel on 16/6/2020 and it was agreed that the decision would remain as delegated.

Proposal:

Planning permission is sought for the construction of a single storey, one bedroom detached dwelling to the rear of 54, 56 and 58 Granby Street and provision of vehicular access off Barley Close.

Site Details:

The site is located to the rear of a terrace of two storey dwellings which front Granby Street. Whilst originally forming part of the rear gardens serving nos. 54, 56 and 58 the site is now fenced off and unused. The rear of the site borders Barley Close, which is a modern cul-de-sac of 11 dwellings.

Planning History:

Reference	Proposal	Status	Received Date	Decision Date
DC/15/0622/FUL	Planning Application - Proposed New dwelling (2 no. bed cottage) with access from Barley Close	Application Withdrawn	13.03.2015	25.06.2015
DC/16/1040/FUL	Planning Application - 1no Dwelling	Application Refused	17.05.2016	12.07.2016
DC/17/2140/FUL	Planning Application - 1no. dwelling	Application Refused	16.10.2017	27.02.2018

Consultations:

Environment & Transport – Highways - No objections subject to conditions.

Public Health And Housing

Comments to explain why object/support the application:

I refer to the above Planning Application for the construction of a single storey dwelling on land to the rear of 58, Granby Street, Newmarket.

Whilst Public Health and Housing would not wish to object to this application in principle, we would wish to raise a concern regarding the proposed layout of the accommodation in respect of the means of escape from the premises in the event of a fire.

The submitted plans indicate that the bedroom accommodation is accessed through the open plan kitchen/living/dining area. In the event of a fire within the accommodation at night, the occupiers would need to egress through a room which presents a very high fire risk. Whilst it is accepted that an emergency escape window can be installed in the bedroom to enable emergency egress, this may be of concern depending on the age and any vulnerabilities of the occupiers, which may impact on their ability to safely escape the premises through an emergency window.

It is therefore recommended that this matter is brought to the attention of the architect and that the layout of the proposed accommodation is revised accordingly.

The proposed development is located in a residential area and, as such, there is potential for disturbance to existing residents during the site preparation and construction works.

Furthermore, the proposed site is approximately 60 metres from the Newmarket railway line. Whilst no information has been submitted with this application with regard to the impact of noise on the development from the existing railway line, as there are residential properties much closer to the track than the application site, it is assumed that any noise from the railway can be adequately controlled.

It is therefore recommended that the following conditions are included in any consent granted.

Suggested conditions or amendments:

1. The site clearance, preparation and construction works shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:30 to 13:30 Saturdays and at no time on Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.

Reason: To protect the amenity of the area.

2. Any waste material arising from the site clearance, preparation and construction

works shall not be burnt on site but shall be kept securely in containers for removal to prevent escape into the environment.

Reason: To protect the amenity of the area.

3. The acoustic insulation of the dwelling within the proposed development shall be such to ensure noise levels with windows closed do not exceed an LAeq (16hrs) of 35 dB(A) within the bedroom and living area between the hours of 07:00 to 23:00 and an LAeq (8hrs) of 30dB(A) within the bedroom between the hours of 23:00 to 07:00.

Reason: To protect the amenity of the future occupier.

Environment Team

CONTAMINATED LAND:

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

The following advice notes are recommended:

If during development, contamination is encountered which has not previously been identified then it would be in the best interest of the developer to contact the Local Planning Authority as soon as possible, as they should be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer. Failure to do so may result in the Local Authority taking appropriate action under its obligations of Part 2A of the Environmental Protection Act 1990.

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 ultra-low emission vehicles.' Paragraph 110 of the NPPF states that 'applications for development should' be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

Air Quality Planning Policy Guidance lists mitigation measures for reducing the impact of air quality and includes the provision of "infrastructure to promote modes of transport with a low impact on air quality (such as electric vehicle charging points)."

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.

Section 3.4.2 of the Suffolk Parking Standards also has requirements for electrical vehicle charging infrastructure, including the installation of a suitable consumer unit capable of providing 7.4kW charge.

We therefore recommend the below condition requesting electric vehicle charge points is attached to the planning consent, should planning be granted, to

enhance the local air quality through the enabling and encouraging of zero emission vehicles.

PROPOSED CONDITION:

Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 105 and 110 of the National Planning Policy Framework and the Suffolk Parking Standards.

Jockey Club Estates – No objections, but make advisory comments about access off Granby Street.

Representations:

Newmarket Town Council – Objects to the application on the grounds of parking, traffic and highways, plus overdevelopment, layout and density.

7no. letter of objection have been received from the following addresses and are summarised as follows:

17 Barley Close;
15 Barley Close;
12 Barley Close
11 Barley Close;
54 Granby Street;
55 Granby Street;
58 Granby Street;

- Impact on highway safety – parking issues, inappropriate access;
- Inappropriate use of land – was previously a bin and parking area;
- Overdevelopment of site
- Loss of light to properties and overlooking

Policy:

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.

Other Planning Policy:

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.

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:

Joint Development Management Policies Document:

- Policy DM1 - Presumption in Favour of Sustainable Development
- Policy DM2 Creating Places – Development Principles and Local Distinctiveness.
- Policy DM22 - Residential Design
- Policy DM46 - Parking Standards

Forest Heath Core Strategy 2010:

- Policy CS1 – Spatial Strategy
- Policy CS5 - Design Quality and Local Distinctiveness

Other Planning Policy:

National Planning Policy Framework (2019) :

- Core Principles
- Delivering a wide choice of high quality homes
- Requiring good design

Officer Comment:

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

- Principle of Development
- Impact on Visual Amenity
- Impact on Neighbouring Amenity
- Impact on Highway Safety
- Other Matters

Principle of Development

The site is located within the Housing Settlement Boundary for Newmarket which is designated a market town and suitable location for future development. As such, the principle of a new dwelling within this area is considered acceptable in principle, subject to compliance with policies concerning design, scale, layout and access.

Impact on Visual Amenity

Policy DM2 states that by reason of high quality design, development should incorporate an understanding of the local context and respect the characteristics and local distinctiveness of the area, creating a sense of place and not adversely affecting the urban form by producing designs which respect the character, scale, density and massing of a locality. Furthermore, the NPPF attaches great importance to the design of the built environment and states that *good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*

Planning Application DC/16/1040/FUL was for the construction of a single storey one bedroom dwelling, with vehicular access proposed from Granby Street. Planning Application DC/16/2729/FUL was for the construction of a two storey two bedroom dwelling, with vehicular access proposed from Barley Close. Both of these applications were refused.

Reason 1 of the two refusals outlined above stated the following:

'The proposal is considered to represent overdevelopment of the site having regard, in particular, to its proximity to boundaries as well as to the modest nature of the private amenity space to be provided. The proposal would result in a cramped and contrived form of development in a back land position which is uncharacteristic of the area, failing to create a high quality environment and a sense of place. As such, the proposal is contrary to the principles of good design and is therefore considered contrary to Policies DM2 and DM22 of the Joint Development Management Policies Document (2015), Policy CS5 of the Forest Heath Core Strategy (2010) and the National Planning Policy Framework.'

The concerns about position and scale in the previous applications were wholly warranted on a small and tightly constrained plot, however changes have been made to the proposed scheme which is considered to have both altered and improved the context of the application.

The application before us proposes the construction of a single storey one bedroom dwelling, with vehicular access proposed from Barley Close.

The proposed dwelling is positioned on a currently vacant and fenced off parcel of land to the rear of dwellings on Granby Street. Development in the area features a mixture of terraced Victorian properties and a modern cul-de-sac development behind. Whilst all dwellings in the area are two storey and benefit from a street frontage, they are not laid out in a clear linear form and views into

the site are limited and as such, the development cannot be considered harmful to the street scene. The proposal now comprises a single storey building, with the scale and general appearance of a domestic outbuilding. The previous single storey dwelling measured 9 metres in depth and 5 metres in width, as does the present scheme. This has allowed the dwelling to be set in from the site boundaries and for the dwelling to have adequate parking and amenity space for a dwelling of this size.

Therefore, it is considered that the proposed scheme addresses all of our previous concerns in relation to character, layout and design and is mitigated further with the introduction of planting along the boundary to soften the proposed development, which can be secured by condition.

The proposal includes the use of exterior brick work, plus slate for the roof and upvc windows. This is considered appropriate and the use of condition 14FP to control this is acceptable.

Impact on Neighbour Amenity

Policy DM2 states that proposed development should not adversely affect residential amenity. In this case, the dwelling would be surrounded by other residential uses and in close proximity to site boundaries of five neighbouring dwellings. For this reason, the proposal has the potential to create a degree of disturbance in this area, particularly due to comings and goings via the vehicular access. On balance, given that the dwelling is modest in scale with a limited number of future occupants, this activity is thought to be limited and as such, not significant enough to result in a refusal of development for this reason. Given the single storey nature of the design and the boundary treatment, it is not considered there will be an adverse impact on neighbouring amenity as to cause harm by virtue of loss of light, overlooking or overshadowing. Nonetheless, this conclusion is dependent upon the imposition of a condition to limit working hours, which is considered reasonable given the proximity of the site to nearby dwellings.

Public Health and Housing have raised concerns about the proximity of the site to the railway line and the potential noise impact this will have on future occupants. Whilst no information has been submitted in this regard it is considered that this concern can be overcome as other dwellings in the area are located closer to the line and currently occupied, and a condition is imposed which ensures the noise environment within the dwellings is controlled.

Impact on Highway Safety

Vehicular access to serve the development is proposed from Barley Close as it was under planning application DC/16/2729/FUL. The Highways Authority have raised no objection to the proposal subject to a conditions. One on site parking space is provided to accord with Suffolk Parking Standards. Turning is available within the site. Concerns have been raised about an additional turning area shown within the rear of No. 60, but this is outside of the red line and its provision cannot be secured through this permission and this consent stands on the basis of the parking and turning areas shown within the red line. A condition

is recommended to ensure the proposed bollards are provided, and thereafter retained, prior to first occupation, in the interests of highway safety.

Other Matters

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.

The application site is not situated within a flood zone. Therefore, there will be no impact on flooding as result of the proposed development.

There is no record of any protected species on site and the use of the site is to remain as is.

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 ultra-low emission vehicles.' Paragraph 110 of the NPPF states that 'applications for development should' be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.'

Air Quality Planning Policy Guidance lists mitigation measures for reducing the impact of air quality and includes the provision of "infrastructure to promote modes of transport with a low impact on air quality (such as electric vehicle charging points)."

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.

Section 3.4.2 of the Suffolk Parking Standards also has requirements for electrical vehicle charging infrastructure, including the installation of a suitable consumer unit capable of providing 7.4kW charge.

Officers therefore consider that it is reasonable to impose a condition requesting electric vehicle charge points in order to enhance the local air quality through the enabling and encouraging of zero emission vehicles.

Bin and cycle storage areas are shown on the submitted drawings. These can be controlled through the use of condition 14FP.

Conclusion:

The application has been amended since submission to provide the access off Granby Street and then be changed back to the original proposed access via Barley Close. In addition, following comments by Public Health and Housing regarding Fire Safety, the provision of a fire escape door has been provided to

the eastern elevation.

The application site has an extensive planning history, with proposals being submitted for a two storey dwelling, 1½ storey dwelling and single storey dwelling. All of varying scales and altering the location of the accesses. The vast majority of the applications have been refused, with application DC/17/2140/FUL also being dismissed thereafter at appeal. That proposal was for a two storey dwelling which the Inspector considered was out of character and would adversely affect residential amenity.

The proposed dwelling is positioned on a currently vacant and fenced off parcel of land to the rear of dwellings on Granby Street. Development in the area features a mixture of terraced Victorian properties and a modern cul-de-sac development behind. Whilst all dwellings in the area are two storey and benefit from a street frontage, they are not laid out in a clear linear form and views into the site are limited and as such, the development cannot be considered harmful to the street scene. The proposal now comprises a single storey building, with the scale and general appearance of a domestic outbuilding. The proposed scheme is similar to that that was proposed and recommended for approval under application DC/17/0718/FUL.

In conclusion, it is now considered that the proposed scheme will bring benefits in terms of an increase in housing stock and building services to contribute to the local economy as well as future spend from occupants. Whilst strictly not characteristic with the area, the proposed development will not result in any harm arising from a social and environmental aspect. Therefore, on balance, the proposal is considered to meet the three dimensions of sustainable development and complies with the relevant local plan policies.

Recommendation:

It is RECOMMENDED that planning permission be Approved subject to the following conditions:

1. 001A Time Limit - Detailed
2. 14FP Approved Plans
3. NS Bollards
4. NS Parking to be provided
5. NS Access laid out.
 6. Surfacing of access
7. NS Hours of work
8. NS Acoustic
9. 010J Soft Landscaping - Minor (And Trees)

- 10. 010A Details Of Boundary Treatment
- 11. 012B Limit Water Use
- 12. 012G Electric Vehicle Charging Point - Off

Informatives:

When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case working with the applicant to ensure approval.

Documents:

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

Case Officer:	Dave Beighton	Date: 16 th June 2020
Authorising Officer:	Sarah Drane	Date: 17.06.2020

Townclerk

From: Almond, Rachel <rachel.almond@westsuffolk.gov.uk>
Sent: 03 August 2020 19:47
To: Townclerk
Subject: FW: DC/20/0134/FUL Granby Street, Newmarket
Attachments: Delegated Report.pdf

Dear Ms Baines,

I refer to your email sent to Ian Gallin on 23 July raising concerns about the above referenced development, he has asked me to reply. The application was determined under Delegated Powers having first been considered by the Council's Delegation Panel, as a result of the objection from your Council. I attach a copy of the officer report which explains the rationale for approval of the application.

Since development commenced on site, we have received a number of complaints from local residents, Dave Beighton, one of our Principal Planning Officers, has inspected the site and has been corresponding with the developer and residents to update them. Below is a summary of the current situation:

Condition 2 – enforcement is discretionary. Technical breaches or those that can otherwise be resolved through the submission of a further application would not justify stopping works on site. The changes here relate to the resiting of a door and the moving of a bin and cycle store. An application has been invited and is under consideration.

Condition 7 – the applicant has been reminded of their obligations to not start work before 08:00, albeit we have had further reports of breaches. We have had strong encouragement recently from central government, in response to COVID-19, to offer flexibility in this regard and the level of harm arising from any incidental breaches of this would be unlikely to warrant formal action to stop. That being said, we have written to the developer again to remind them of their obligations.

Conditions 9 & 10 has been submitted for our consideration. It was not considered expedient to prevent works while such details were submitted. They relate quite simply to the soft landscaping of the site and it was not reasonable to prevent works continuing while these were submitted for approval.

I hope that this helps to explain the action we are taking and we will continue to monitor the site.

Finally, may I ask that if you have queries relating to individual applications that you address them, in the first instance, to the relevant case officer. I am also more than happy to become involved if necessary, thereafter.

Yours sincerely

Rachel Almond
Service Manager (Planning – Development)
Planning Development
Direct dial: 01638 719455
Email: rachel.almond@westsuffolk.gov.uk
www.westsuffolk.gov.uk
West Suffolk Council

West Suffolk Council is playing its part to support our communities and businesses during the COVID-19 outbreak. Prioritising this work may mean other services are impacted or you may get a slower response than normal.

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From: Townclerk <Townclerk@newmarket.gov.uk>

Sent: 23 July 2020 10:12

To: Gallin, Ian <lan.Gallin@westsuffolk.gov.uk>

Cc: Beighton, Dave <dave.beighton@westsuffolk.gov.uk>; Almond, Rachel <rachel.almond@westsuffolk.gov.uk>; councillors <councillors@newmarket.gov.uk>; Townclerk <Townclerk@newmarket.gov.uk>

Subject: DC/20/0134/FUL Granby Street, Newmarket

Importance: High

[THIS IS AN EXTERNAL EMAIL]

Dear Mr Gallin

DC/20/0134/FUL | Planning Application - 1no. dwelling and associated access | Land Ro 58 Granby Street Newmarket

Newmarket Town Council understands that a number of concerns have been raised with the Planning Department with regards to construction work currently underway at this site, specifically the fulfilment of planning conditions associated with the application.

The Town Council wishes to draw the following matters of concern to your attention.

Condition 2 That building works taking place do not conform with the agreed plans

The decision notice indicates that works “shall not be carried out except in complete accordance with the details shown on the following approved plans and documents”.

Whilst it is noted, that following advice from the Planning Department an application for a non-material amendment has now been submitted by the Developer, the Town Council asks why works are allowed to continue, when clearly they do not comply with this condition and what provision is now being made for the provision of waste and recycling facilities and bike storage.

Condition 7 Hours of work

To protect the amenities of nearby dwellings, the decision notice states that “site demolition, preparation and construction works shall be carried out between the hours of 08:00 to 18:00 Mondays to Fridays and between the hours of 08:00 to 13:30 Saturdays and at no time on Sundays or Bank Holidays without the prior written consent of the Local Planning Authority”.

It is noted that West Suffolk Council has given formal notice to the Developer of the requirement to abide by this condition. The Town Council requests that this matter be followed up and acted upon appropriately, should residents raise any further concerns in this respect.

Condition 9 Scheme of soft landscaping

The decision notice states that “No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200, has been submitted to and approved in writing by the Local Planning Authority” and that the reason for this requirement is to “enhance the appearance of the development and to ensure that the most vulnerable trees are adequately protected during the periods of construction” (emphasis added).

The Town Council asks for an explanation as to why construction has been allowed to proceed when this condition has not been met.

Condition 10 Treatment of boundaries

The decision notice states that “no development above ground level shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority” in order to “safeguard the residential amenity of neighbouring occupiers”.

Again, the Town Council asks for an explanation as to why construction has been allowed to proceed when this condition has not been met.

Newmarket Town Council objected to this application for reasons of overdevelopment of the site, proposed layout and density of the building, highway safety and traffic and parking issues. Whilst fully aware that approval for the works has been given by West Suffolk Council, the Town Council is concerned to hear that required conditions - which have a direct and adverse impact on local residents are not being adhered to during the construction process.

I look forward to hearing your views on this matter.

Yours sincerely
Debbie Baines

Town Clerk
Newmarket Town Council



King Edward VII Memorial Hall
High Street
Newmarket
Suffolk CB8 8JP
Tel: 01638 661777

www.newmarket.gov.uk

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