

Membership as from May 2021

Councillor Appleby
Councillor Berry
Councillor Clover
Councillor Drummond
Councillor Hall
Councillor Hood
Councillor Hulbert
Councillor Jefferys
Councillor O'Neill

Quorum = 3



Newmarket
T O W N C O U N C I L

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
to be held at

Memorial Hall, High Street, Newmarket, CB8 8JP

Monday 16th August @ 6.15pm

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.

The Council will where possible facilitate such recording unless it is being disruptive. It will also take steps to ensure that children, the vulnerable and members of the public who object to being filmed are protected without undermining the broader purpose of the meeting

- 1. Chair to read fire safety notice and announce that proceedings may be filmed or recorded.**
- 2. Apologies** - To receive and accept apologies for absence
- 3. Declaration of interests**
 - a) Councillors are invited to raise any declarations of interest concerning items on the agenda
 - b) To consider any requests for dispensation
- 4. Minutes of previous meetings held 2nd August 2021**
 - a) To consider and adopt the minutes, as a true record of the proceedings
 - b) To consider any matters arising
- 5. Public participation** – an invitation to members of the public to make representations to Councillors. Resolutions can only be made on items on the agenda
Rules of public participation: no person may speak for longer than 3 minutes in total. The maximum time permitted for this item is 15 minutes. This is the only opportunity during the meeting, for members of the public to address Councillors
- 6. To consider where Newmarket Neighbourhood Plan policies impact on planning applications for consideration**
- 7. Planning applications** – West Suffolk Council, weeks commencing 26/07/2021, 02/08/2021 (none noted for 02/08)
- 8. Planning applications** – Amended and Deferred Plans
 - a) DC/21/1242/OUT Land at Black Bear Lane, High Street, Newmarket
 - b) DC/21/1389/FUL – 326 Exning Road – following site visits by councillors
 - c) DC/21/0114/HH – 10 Doris Street
- 9. Planning applications** – East Cambs
- 10. Planning decisions and plans withdrawn** – West Suffolk Council-week commencing 26/07/2021, 02/08/2021, 09/07/2021
- 11. Delegation Panel decisions** - To discuss any decisions by Delegation Panel
- 12. Planning Appeal** – DC/20/1661/OUT - Appeal by Unex (No.3) Ltd & TAP Investments Ltd, The former Swimming Pool & Former White Lion PH, High Street, together with land at Black Bear Lane & Rowley Drive, Newmarket
- 13. Licensing**
 - a) To receive license applications
 - b) To discuss lobbying West Suffolk Council to change its licensing policy with regard to Heaven Awaits
 - c) To receive a response from West Suffolk Council in relation to the taxi drivers licensing
- 14. AIR BnB Properties** – to discuss licensing
- 15. Correspondence**
- 16. Date of next meeting** – Monday 6th September 2021
- 17. Items for consideration at the next meeting**

Signed: *CE Whitaker*

Cathy Whitaker, Town Clerk

Date: 10/08/2021

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

Material Planning Considerations

Site specific issues	- adequacy for turning, loading - availability/capacity of local infrastructure (eg public drainage or water systems) - car parking - deficiencies in community/social facilities (eg spaces in schools) - design, appearance and materials - layout and density of building(s) - road access - traffic generation
Environmental effects	- effect on street scene - hazardous materials, contaminated land - landscaping - light (including overshadowing) - loss of trees - nature conservation & biodiversity issues - noise & disturbance resulting from use - overlooking/loss of privacy - smells and fumes - visual amenity
Listed buildings/conservation areas	- The need to preserve or enhance the special character or appearance of designated conservation areas and protect listed buildings - Effect on archaeological interest
Usage	- Incompatible or unacceptable uses - Desire to retain and promote certain uses e.g. stables in Newmarket.
Previous decisions	Previous planning decisions, including appeal decisions
Policies	- Statutory provisions contained in planning acts, statutory regulations & planning case law - Central Government planning policy and advice - National Planning Policy Framework (NPPF) - Supplementary planning guidance/documents eg. Affordable Housing SPD, Master plans, development briefs - WSC Local Plan policies - Newmarket Neighbourhood Plan - Newmarket Conservation Area Appraisal (adopted September 2009)

Key principle of the NPPF – presumption in favour of sustainable development.

For decision-taking this means granting permission unless:

- the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits**

Matters which are not material planning considerations

Greater weight is attached to issues raised which are supported by evidence rather than solely by assertion.

Competition (unless in relation to adverse effects on a town centre as a whole)	Moral and religious issues
Breach of private covenants or other private property or access rights, including boundary disputes	Council interests (eg land ownership or contractual matters)
Devaluation of property	Identity or motives of an applicant or occupier
Protection of a private view	Private disputes between neighbours
Impact of construction work	



Newmarket

TOWN COUNCIL

Minutes of a Meeting of the Development & Planning Committee **Held on Monday 2nd August 2021 at 6.15pm**

Attendance:

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

Councillor D Hall
Councillor P Hulbert
Councillor M Jefferys

Also Present: C Whitaker – Town Clerk, J Ashton – Minute Assistant, 1 Member of the Press and 3 Members of the Public

Minute

D/21/08/1 Chairman to Read the Fire Safety Notice and Announce that Proceedings May be Filmed or Recorded

The Chairman opened the meeting, read out the fire safety briefing and announced that no fire alarm was planned and that the meeting may be filmed or recorded.

D/21/08/2 Apologies

Apologies were received from Cllrs Berry, Clover and Hood.

D/21/08/3 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

Cllr Appleby declared a non-pecuniary interest in application DC/21/1242/OUT.

D/21/08/4 To Confirm the Minutes of the Meeting Held on 19th July 2021 and any Matters Arising

Members received the minutes of the Development & Planning Committee held on 19th July 2021 and the following was agreed:

D/21/08/4.01 Resolved

That the minutes of the Development & Planning Committee held on 19th July 2021 be adopted and signed as a true record by the Chairman of the Development & Planning Committee.

Matters arising:

D/21/07/21 – Town Clerk confirmed that the resolution regarding the taxi drivers had been sent to West Suffolk Council.

A letter in support of disabled access taxis from a resident was received and noted.

D/21/08/5 Public Open Session

A resident spoke to item DC/21/1242/OUT and commented that it was about time something was done about Queensberry Lodge and how shabby the Town was looking. Also West Suffolk Council needs to start bringing investment to Newmarket.

D/21/08/6 Impact of Newmarket Neighbourhood Plan Policies on Applications Being Considered

The NNP Tree Policy 14 applied to the tree applications and Policy 32 relating to attractive entrances to the town applied to the application DC/21/1242/OUT.

D/21/08/7 Planning Applications

Week Commencing 12/07/2021

D/21/08/7/1 DC/21/1389/FUL - Planning Application - a. sub-division of existing residential site to create one additional semi-detached dwelling b. vehicular access and on-site parking 326 Exning Road Newmarket

D/21/08/7.01 Resolved

That an extension is requested to allow individual site visits.

D/21/08/7/2 DC/21/1371/HH- Householder planning application - timber storage shed Southview Cottage 28 Bury Road Newmarket – no objections

D/21/08/7.02 Resolved

The Committee voiced no objections.

Cllr Appleby declared a non-pecuniary interest in the following application and did not vote.

D/21/08/7/3 DC/21/1242/OUT – Outline planning application (means of appearance, landscaping, layout and scale to be considered) - a. provision of up to 123 residential dwellings (class C3) together with the part demolition; b. extension and conversion of the former White Lion public house to provide up to 562 sqm of commercial space (classes E(c)(i), E(c)(ii), E(c)(iii)); c. convenience store providing up to 371 sqm of floor space (class E(a)); with public open space, landscaping and land reserved for a dedicated horse walk - Land At Black Bear Lane High Street Newmarket Suffolk.

D/21/08/7.03 Recommendation

The Committee supported the application subject to there being no vehicular (other than emergency) access onto Rowley Drive with only pedestrian and cycle access over the horsewalk. The Committee looks forward to seeing the detailed plans to improve an important entrance to the Town.

Week commencing 19/07/2021

D/21/08/7/4 DC/21/1425/HH – Householder planning application - single story rear extension (following demolition of part of utility room) - 6 Valley Way Newmarket.

D/21/08/7.04 Resolved

The Committee voiced no objections.

D/21/08/7/5 DC/21/1408/TPO – TPO 012 (1956) tree preservation order - two Lime (T1 and T2 on plan withing A7 on order) pollard by up to four metres to previous points - 19 Collings Place Newmarket.

D/21/08/7.05 Resolved

The Committee actively encourages responsible tree management. The Committee does not object to this application subject to the tree work being carried out, outside of the bird nesting season.

D/21/08/7/6 DC/21/1417/ADV - Advertisement application - non illuminated vinyl graphic on Medpoint machine Rookery House, Office 10 40 The Rookery Newmarket.

D/21/08/7.06 Resolved

The Committee voiced no objections

D/21/08/7/7 DC/21/1416/FUL – Planning application - installation of Medpoint machine - Rookery House, Office 10 40 The Rookery Newmarket.

D/21/08/7.07 Resolved

The Committee voiced no objections.

D/21/08/7/8 DC/21/1400/TPO – TPIO 04 (1994) tree preservation order - one Copper beech (T1 on plan and T4 on order) overall crown reduction by 2.5 metres and crown thin by 15 percent - 10 Heasman Close Newmarket Suffolk.

D/21/08/7.08 Resolved

The Committee actively encourages responsible tree management. The Committee does not object to this application subject to the tree work being carried out, outside of the bird nesting season.

D/21/08/8 Amended and Deferred Planning Applications

None noted.

D/21/08/9 East Cambs Planning Applications

None noted.

D/21/08/10 To Receive Results of Applications as Determined by West Suffolk and Plans Withdrawn

West Suffolk Planning Determinations received during weeks commencing, 12/07/2021& 19/07/2021

Applications	Description	Address	WS Decision	NTC Decision
DC/21/1204/TCA	Trees in a conservation area notification - one Silver birch (T1 on plan) overall crown reduction by up to two metres to previous pruning points	6 Brookfields Close Newmarket	Approved	No objections
DC/21/1551/HH	Householder planning application - a. single storey front extension incorporating alterations to garage b. single storey rear extension c. replacement render d. replacement and alterations to windows e. replace chimney stack (following removal of existing) f. reduce two chimney stacks g. enlarged rear dormer	Barkway House 18 Bury Road Newmarket	Approved	No objections
DC/21/0913/FUL	Planning application - one dwelling	Land Rear Of 2 Park Avenue Newmarket Suffolk	Approved	No objections
DC/21/11843/FUL	Planning application - installation of shutters to veranda	The Severals Sports Pavilion Bury Road Newmarket Suffolk	Approved	No objections
DC/21/0970/HH	Householder planning application - dropped kerb	302 Exning Road Newmarket	Approved	No objections
DC/21/0945/HH	Householder planning application - dropped kerb	300 Exning Road Newmarket	Approved	No objections
DC//21/0940/HH	Householder planning application - dropped	304 Exning Road	Approved	No objections

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	kerb	Newmarket		
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D/21/08/11 Delegation Panel Decisions

None noted.

D/21/08/12 Licensing

None noted.

D/21/08/13 Air BnB Properties

Cllr Appleby advised that West Suffolk had considered his correspondence and denied that it is a change of use. The following was agreed:

D/21/08/13.01 Resolved

That a meeting with the West Suffolk Planning Officer and Cllrs O'Neill, Hall and Appleby be arranged to discuss the matter further

D/21/08/14 Correspondence

None noted.

D/21/08/15 Date of Next Meeting

Monday 16th August 2021 at 6.15pm at the Memorial Hall.

D/21/08/16 To Note any Items for Next Meeting

- Air BnB Properties
- DC/21/1389/FUL - 326 Exning Road

Meeting closed at 6:41pm.

Signed _____ Date _____

Summary of Resolutions/Recommendations

Resolution/Recommendation	Resolution/Recommendation Wording
<u>D/21/08/7.01 Resolved</u>	That an extension is requested to allow individual site visits.
<u>D/21/08/7.02 Resolved</u>	The Committee voiced no objections.
<u>D/21/08/7.03 Recommendation</u>	The Committee supported the application subject to there being no vehicle vehicular (other than emergency) access onto Rowley Drive with only pedestrian and cycle access over the horsewalk. and The Committees looks forward to seeing the detailed plans to improve an important entrance to the Town.
<u>D/21/08/7.04 Resolved</u>	The Committee voiced no objections.
<u>D/21/08/7.05 Resolved</u>	The Committee actively encourages responsible tree management. The Committee does not object to this

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	application subject to the tree work being carried out, outside of the bird nesting season.
<u>D/21/08/7.06 Resolved</u>	The Committee voiced no objections.
<u>D/21/08/7.07 Resolved</u>	The Committee voiced no objections.
<u>D/21/08/7.08 Resolved</u>	The Committee actively encourages responsible tree management. The Committee does not object to this application subject to the tree work being carried out, outside of the bird nesting season.
<u>D/21/08/13.01 Resolved</u>	That a meeting with the West Suffolk Planning Officer and Cllrs O'Neill, Hall and Appleby be arranged to discuss the matter further.

Item 7a planning applications wc 26 July 26 July 2021

Application	Constraints	Case Officer	Applicant name	Ward Member	Consultation expiry date
<u>Application for listed building consent - a. refurbishment of ground floor retail unit b. repair and re-decoration works to windows c. demolition and removal of dilapidated flat felted roof d. removal and replacement of existing rear staircase</u>  37 High Street Newmarket CB8 8NA Ref. No: DC/21/1484/LB Received: Fri 16 Jul 2021 Validated: Fri 16 Jul 2021 Status: Pending Consideration		Ed Fosker	Mr Manaf Assvadian	Councillor Rachel Hood Councillor Robert Nobbs	Thu 19 Aug 2021

Development and Planning Committee

Planning Applications – West Suffolk Council

Item 7a planning applications wc 26 July 26 July 2021

<u>Planning application - a. refurbishment of ground floor retail unit b. conversion of first and second floors from class E (commercial, business and service) to two residential flats (class C3)</u>  37 High Street Newmarket CB8 8NA Ref. No: DC/21/1483/FUL Received: Fri 16 Jul 2021 Validated: Fri 16 Jul 2021 Status: Pending Consideration	Conservation Area	Ed Fosker	Mr Manaf Assvadian	Councillor Rachel Hood Councillor Robert Nobbs	Thu 19 Aug 2021
<u>Application for advertisement consent - four internally illuminated gantry signs</u>  Unit 1, 2, 3A And 3B Newmarket Retail Park Oaks Drive Newmarket Suffolk CB8 7SX Ref. No: DC/21/1431/ADV Received: Fri 09 Jul 2021 Validated: Mon 26 Jul 2021 Status: Pending Consideration		Savannah Cobbold	Hobart Activum (Newmarket) Limited	Councillor Michael Anderson Councillor Karen Soons	Tue 17 Aug 2021

Item 7b planning applications wc 2 Aug02 August 2021

Application	Constraints	Case Officer	Applicant name	Ward Member	Consultation expiry date
NONE					



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Lavenham Suffolk CO10 9QZ
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27 July 2021

Mr Gareth Durrant
Planning Officer,
West Suffolk Council,
West Suffolk House,
Western Way,
Bury St Edmunds, IP33 3YU

Dear Mr Durrant,

DC/21/1242/OUT Outline planning application (means of appearance, landscaping, layout and scale to be considered) - a. provision of up to 123 residential dwellings (class C3) together with the part demolition; b. extension and conversion of the former White Lion public house to provide up to 562 sqm of commercial space (classes E(c)(i), E(c)(ii), E(c)(iii)); c. convenience store providing up to 371 sqm of floor space (class E(a)); with public open space, landscaping and land reserved for a dedicated horse walk. Land At Black Bear Lane High Street Newmarket Suffolk

DC/21/1237/FUL and DC/21/1238/LBC a. demolition of two stables to create access b. installation of gates and associated fencing in new opening. Queensbury Stables Queensbury Lodge High Street Newmarket Suffolk

I am writing on behalf of the Suffolk Preservation Society (SPS) regarding the above applications which are for outline consent for no.123 dwellings on Fitzroy Paddock together with commercial space at the White Lion, and full planning and listed building consent for the demolition of two stables at the grade II listed Queensbury Stables. We are aware that the development of the Fitzroy Paddock is an opportunity to bring the Queensbury buildings back into use and therefore have considered the applications in parallel.

Queensbury Stables, Lodge and Cottages

SPS objected to a 2020 application (DC/20/1161/OUT) for 123 dwellings on the Fitzroy Paddock site as the designated heritage assets of Queensbury Stables, Lodge and Cottages were excluded from the scheme. The site is allocated within the Site Allocations Local Plan 2019, but policy SA6(b) is clear that the development of the site was to include the restoration of these at-risk heritage assets which are in urgent need of repair:

*The policy states This site comprises the historic Queensbury Lodge Stables, former swimming pool, White Lion public house and Fitzroy Paddocks. The grade II listed stables, cottage and lodge are all identified as listed buildings at risk in the Suffolk Register. There are tree belts on the paddocks and around the periphery of the site and it is identified as an important open space in the Newmarket Conservation Area Appraisal. ... The site has been vacant for some time and has a complex planning history. **Any development on this site must facilitate the sympathetic restoration and viable reuse of the listed buildings** (my emphasis),*

retain a horse racing industry related use on the site, and preserve or enhance the character and appearance of the conservation area.

SPS therefore welcomes the new applications which incorporate the Queensbury buildings within the site outline. The difficult planning history of the Queensbury Lodge Stables is well-known and therefore we support efforts to bring this important gateway site back into a sustainable use. We also recognise the opportunity for enabling development at the Fitzroy Paddocks site to secure the future of these buildings at risk.

We would support the removal of two later stable box additions in order to provide access to the horse walk network, however we note that there is very little detail provided as to any further works which will be required to bring these designated buildings back into regular use as a racehorse training yard and to link to the Newmarket horse walk network. SPS urges that this detail is provided and agreed prior to any consent for demolition of part of the listed stables.

Heritage Impact

The site is located within the Newmarket Conservation Area and forms part of the wider setting of Queensbury Lodge Stables. Therefore, whilst their reuse is welcomed, any heritage benefit accrued through the restoration of the Queensbury buildings must be assessed in the context of potential harm both to their setting and the character of the Conservation Area.

The Fitzroy Paddocks are historically and culturally significant as they form part of the Queensbury Lodge Stables complex. Accordingly, it is identified within the conservation area appraisal as an *open space which must be retained*. However, the more recent site allocation policy of 2019 allocates the site for no.50 dwellings and acknowledges that *The potential uses and capacity of the site will be explored by the council and other stakeholders through the preparation of a development brief in line with Policy DM4 of the Joint Development Management Policies Document (2015)*.

It is not clear whether the development brief which has been submitted as part of this application has been developed through consultation with the local authority following an exploration of the capacity of the site. However, SPS is of the opinion that whilst an allocation of 50 units, if carefully sited, could retain the majority of the paddocks as open and undeveloped, the current proposal for 123 dwellings could not. The proposals show the entire red line site area covered in dwellings, including a block of flats 5 storeys high which will entirely change the open character of the space and will introduce an overbearing degree of built form into the area. This fails to recognise the contribution that the open nature of the site currently makes to the character and appearance of the conservation area.

Moreover, whilst there is no intervisibility between Fitzroy Paddock and Queensbury stables, the paddock forms part of their setting, contributing towards their significance and understanding. SPS therefore considers that the creation of such a large-scale housing estate across the entire site will harm the significance of the Queensbury buildings and the conservation area.

Conclusion

Due to the excessive number of dwellings proposed for this site, SPS considers that the proposals contained within DC/21/1242 are contrary to national and local policy which require development in conservation areas to pay special regard to preserving and enhancing the character and

appearance of the area (para 200 NPPF and DM17 of the Joint Development Management Policies (2015)). A reduced scheme, in line with the site allocation for 50 dwellings which will nevertheless deliver the important heritage benefits, should be sought.

With regard to the demolition of part of the Queensbury Stables as set out in DC/21/1237 and DC/21/1238/LBC, SPS welcomes proposals which will bring the at-risk Queensbury buildings back into use, and considers a limited degree of demolition to facilitate the establishment of a horse walk acceptable. However, it is vital that demolition consent forms part of fully informed plans for the future use and development of these designated heritage assets. We therefore urge that both applications as currently presented are resisted.

We trust that these representations are of assistance in the consideration of these applications and request that we are notified of any amendments.

Yours sincerely,



Bethany Philbidge
BSc (Hons) MSc (Town Planning) MRTPI
Planning Officer

Cc: Newmarket Town Council
Ward Councillor
West Suffolk Council Heritage Team



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

Please ask for: Amy Murray
Direct Line: 01284 757366
Email: planning.help@westsuffolk.gov.uk

Application no: DC/21/1389/FUL
Consultation Expiry: 6 August 2021

Today's date: 16 July 2021

Dear Sir/Madam,

Consultation on application received by West Suffolk Council Local Planning Authority

Proposal	Planning application - a. sub-division of existing residential site to create one additional semi-detached dwelling b. vehicular access and on-site parking
Location	326 Exning Road Newmarket CB8 0AN
Applicant	Mr Thomas Rogan

The above application can be viewed by downloading it from the planning section of our website.

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QVLWE5PDKDL00>

The supporting documents should be available for viewing within 2 working days of the date of this letter.

If your Council has observations to make regarding this proposal please respond online via consultee access (<https://planning.westsuffolk.gov.uk/online-applications/login.jsp>). Alternatively, please e-mail your response to planning.help@westsuffolk.gov.uk. Comments should be received in writing by 6 August 2021.

It is very important that your Council indicates very clearly whether it objects or supports the application and the reasons why. You can also indicate if the Council has no comments to make.

If the application is to be considered by the Development Control Committee, you will be notified of the meeting date where you or a nominated representative can speak to support your comments. For advice on how to speak at committee please refer to the 'Right to Speak' information guide which may be viewed on our website www.westsuffolk.gov.uk.

Yours faithfully

Amy Murray

Amy Murray
Planning Officer

PARISH COUNCIL RESPONSE FORM

Planning and Growth, West Suffolk
Council, West Suffolk House, Western
Way, Bury St Edmunds, Suffolk, IP33 3YU

The Case Officer is: Amy Murray
Direct Line: 01284 757366
Application No: DC/21/1389/FUL
Consultation
Period Expires: 6 August 2021

16 July 2021

CONSULTATION ON APPLICATION RECEIVED BY LOCAL PLANNING AUTHORITY

PROPOSAL **Planning application - a. sub-division of existing residential site to create one additional semi-detached dwelling b. vehicular access and on-site parking**

LOCATION **326 Exning Road, Newmarket, CB8 0AN**

APPLICANT **Mr Thomas Rogan**

AGENT **Mr Chris Todd**

Name of Town/Parish:

Signature of Chairman/Clerk:

Parish Council response to this application: **No Comment**

☐

Object

☐

Support

☐

Parish Council Observations:



Newmarket Neighbourhood Plan

Please ask for: Alice Maguire
Direct Line: 07904 389982
Email: planning.help@westsuffolk.gov.uk

Application no: DC/21/0114/HH
Date received: 20 January 2021
Determination date: 17 March 2021
Today's date: 3 August 2021

Dear Sir/Madam,

**RE-CONSULTATION ON APPLICATION RECEIVED BY
West Suffolk Council LOCAL PLANNING AUTHORITY**

PROPOSAL **Householder planning application - a. single storey rear extension b. first floor rear extension over existing kitchen and play room c. detached cartlodge d. associated parking and dropped kerb**

LOCATION **10 Doris Street Newmarket CB8 0LD**

APPLICANT **Ryan Bennett**

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

Amended plan recieved 03.08.2021 - to show removal of cartlodge, dropped kerb and parking area.

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=QN8QSCPDHER00>

Would you please let me know in writing by 17 August 2021 if you have any observations to make regarding this proposal. You can 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 wish to make any representations. You will be notified details of the decision electronically.

Yours faithfully

Alice Maguire

Alice Maguire
Planning Officer

Decision List

Week commencing 26th July 2021

Non-material amendment to DC/21/1201/FUL - amend the wording of condition seven to read "The area occupied by the trade counter shall be no greater than 36.80 m2 as shown on the submitted plan, drawing number 1821150/P01 Rev 2"

10 Victoria Way Newmarket CB8 7SH Ref. No: NMA(A)/21/1201 | Received: Wed 28 Jul 2021 | Validated: Wed 28 Jul 2021 | Status: Decided

APPROVED

Trees in a conservation area notification - one Acacia (T1 on plan) one Conifer (T2 on plan) two Small fruit tree (T3 and T4 on plan) fell

Tanglewood Fordham Road Newmarket CB8 7AQ Ref. No: DC/21/1289/TCA | Received: Wed 16 Jun 2021 | Validated: Wed 16 Jun 2021 | Status: Decided

APPROVED

Planning application - change of use from Class E(g) commercial, business and service and (B2) general industrial to (B8) storage or distribution 10 Victoria Way Newmarket

CB8 7SH Ref. No: DC/21/1201/FUL | Received: Wed 02 Jun 2021 | Validated: Wed 02 Jun 2021 | Status: Decided

APPROVED

Planning application - a. outbuilding (following removal of existing hut) b. two vehicular access gates and associated fencing

Tattersalls The Avenue Newmarket Suffolk CB8 9AY Ref. No: DC/21/1144/FUL | Received: Tue 25 May 2021 | Validated: Fri 11 Jun 2021 | Status: Decided

APPROVED

Householder planning application - two storey rear extension

27 Paddocks Drive Newmarket Suffolk CB8 9BE Ref. No: DC/21/1079/HH | Received: Fri 14 May 2021 | Validated: Tue 01 Jun 2021 | Status: Decided

APPROVED

Decision List

Week commencing 02nd August 2021

Householder planning application - single storey side extension

1 Durham Way Newmarket CB8 0DN

Ref. No: DC/21/1112/HH | Received: Wed 19 May 2021 | Validated: Tue 15 Jun 2021 | Status: Decided

APPROVED

Application for lawful development certificate for proposed use or development - conversion of garage into home office as amended by plans received on 02 August 2021 and 25 May 2021 respectively, and supported by email dated 02 August 2021

8 The Hamiltons Newmarket CB8 0NF

Ref. No: DC/21/1105/CLP | Received: Tue 18 May 2021 | Validated: Thu 27 May 2021 | Status: Decided





**The Planning
Inspectorate**

3J Kite Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 0303 444 5608
Customer Services:
0303 444 5000

Email:
robert.wordsworth@planninginspe
ctorate.gov.uk

www.gov.uk/planning-inspectorate

Dawn Hale
West Suffolk Council
West Suffolk House
Western Way
Bury St Edmunds
Suffolk
IP33 3YU

Your Ref: DC/20/1661/OUT
Our Ref: APP/F3545/W/21/3277771

28 July 2021

Dear D Hale,

Town and Country Planning Act 1990
Appeal by Unex (No.3) Ltd & TAP Investments Ltd
Site Address: The former Swimming Pool & Former White Lion PH, High Street,
together with land at Black Bear Lane & Rowley Drive, Newmarket, Suffolk,

I have received appeal forms and documents for this site. I am the case officer. If you have any questions, please contact me. I have checked the papers and confirm that the appeal is valid. If I later find out that this is not the case, I will write to you again.

The procedure and starting date

The appellant(s) has requested the Hearing procedure. In accordance with s319A of the Act we have applied the criteria and considered all representations received, including the appellant(s) preferred choice. We consider that the Hearing procedure is suitable and we intend to determine this appeal by this procedure.

The hearing will be held on 2 November 2021 at 10am.

In response to the Coronavirus (COVID-19) pandemic and guidance from government, the Planning Inspectorate has published guidance on site visits, hearings, inquiries and events.

<https://www.gov.uk/guidance/coronavirus-covid-19-planning-inspectorate-guidance>

From 13th September we will be reverting to the pre-pandemic approach of hearings and inquiries being arranged by local authorities.

If the LPA can meet the requirements for a face to face event one will be held but where participants (including the inspector) need to present their evidence or participate virtually or in person this will need to be facilitated by the LPA.

Virtual participation could, for example, take the form of an individual presenting their case from home or from an alternative safe environment to the event room with the rest of the

event continuing face-to-face.

Whilst live streaming the event isn't essential, it would be beneficial if the LPA is able to facilitate this.

In case pandemic restrictions change the LPA should also provide for the backup of an entirely virtual event.

If the LPA are not able to meet the requirements to host a face to face event they should make arrangements for an entirely virtual event.

Please can the LPA confirm, within the next 5 working days, they are able to make suitable arrangements for the inquiry sitting on 2 November 2021

Further information is available at the links below.

<https://www.gov.uk/government/publications/setting-up-a-venue-for-a-public-inquiry-hearing-or-examination/public-inquiries-hearings-and-examinations-venue-and-facilities-requirements>

<https://www.gov.uk/government/publications/guidance-for-local-planning-authorities-hosting-virtual-events-for-the-planning-inspectorate>

The date of this letter is the starting date for the appeal. The timetable for the appeal begins from this date.

Sending documents to us and looking at the appeal

A timetable is set out below. No reminders will be sent, and any documents sent after the deadlines will normally be returned.

You can use the Internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is <https://www.gov.uk/appeal-planning-inspectorate>.

If emailing documents, please use the email address above. If posting documents (other than the Questionnaire) please send 2 copies of everything. Whichever method you use, please make sure that all documents/emails are clearly marked with the full reference number.

Guidance on communicating with us electronically can be found at: <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>.

Keeping to the timetable

You must keep to the timetable set out below and make sure that you send us the relevant documents within these deadlines. This will mean that we can deal with the appeal promptly and fairly. If you do not send us the relevant documents in time, the Inspector will not normally look at them and we will return them to you unless there are exceptional reasons for accepting them. You must note the details of the following timetable because we will not send any reminders.

The following documents must be sent within this timetable.

By 4 August 2021

You must notify any person who was notified or consulted about the application in accordance with the Act or a development order and any other interested persons who made representations to you about the application, that the appeal has been made. You should tell them:-

i) that any comments they made at application stage will be sent to me and the appellant(s) and will be considered by the Inspector (unless they withdraw them within the 5 week deadline). If they want to make any additional comments they must submit 3 copies within 5 weeks of the starting date, by 1 September 2021. If comments are submitted after the deadline, the Inspector will not normally look at them and they will be returned;

ii) when and where the appeal documents will be available for inspection;

iii) that the Planning Inspectorate will not acknowledge representations. We will, however, ensure that letters received by the deadline are passed on to the Inspector dealing with the appeal;

iv) that they can get a copy of our booklet 'Guide to taking part in planning appeals proceeding by Hearing' either free of charge from you, or on GOV.UK <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>; and

v) that the decision will be published on GOV.UK.

You must send a copy of a completed appeal questionnaire and supporting documents, a copy of your notification letter and a list of those notified to the appellant(s) and me. You have the opportunity to state your preferred choice of procedure by answering Question 1 of the appeal questionnaire.

By 1 September 2021

Please send me 2 copies of your statement giving full details of the case which you will put forward at the hearing including copies of any documents (maps, plans etc) to which you will refer. It is best practice to provide a summary of your statement. This summary should not be more than 500 words long.

I will send a copy of your statement (and summary) to the appellant(s) and you must send a copy of your statement and (summary) to any statutory parties. I will also send you and the appellant(s) a copy of any comments received from other interested persons or organisations.

You must also submit a copy of the completed agreed statement of common ground, listing all matters agreed. Further guidance on producing statements of common ground (and a model form) is available from <https://www.gov.uk/government/publications/statement-of-common-ground>.

Planning obligations - section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land' or a legally binding undertaking signed unilaterally by a person 'interested in the land'. If you intend to submit a planning obligation, you must read the guidance provided on GOV.UK - <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>. A final draft, agreed by all parties to it, must be submitted to me no later than 10 days before the hearing opens.

Statutory parties

'Statutory parties' are owners or tenants of the application/appeal site who made comments within the time limit on the application, or who do so on appeal. You must give details of any statutory parties at application stage on the questionnaire. I will tell you about any statutory parties who write to us at appeal stage, before your statement of case is due.

Withdrawing the appeal

If you hear that the appeal is to be withdrawn, please telephone me immediately. If I receive written confirmation of this from the appellant(s), I will write to you.

Costs

The appellant(s) has been directed to GOV.UK for further information regarding costs – <http://planningguidance.communities.gov.uk/blog/guidance/appeals/>. You should also be aware that costs may be awarded to either party.

Additionally, a Planning Inspector or the Secretary of State may on their own initiative make an award of costs, in full or in part, if they judge that a party has behaved unreasonably resulting in unnecessary appeal expense.

Further information

Further information about the appeals process can be accessed at GOV.UK - <https://www.gov.uk/government/publications/planning-appeals-procedural-guide>. I recommend that you read the relevant guidance.

Yours sincerely,

Robert Wordsworth

Robert Wordsworth

Townclerk

From: Councillor O'Neill
Sent: 06 August 2021 08:54
To: Townclerk
Subject: Re: Taxi and private hire policy

Thank you!

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From: Townclerk <Townclerk@newmarket.gov.uk>
Sent: Friday, August 6, 2021 8:50:11 AM
To: Councillor O'Neill <councilloroneill@newmarket.gov.uk>
Subject: Fwd: Taxi and private hire policy

I'll put this response on next D&P.

From: Townclerk <Townclerk@newmarket.gov.uk>
Sent: Wednesday, August 4, 2021 14:19
To: Councillor Jefferys; Councillor O'Neill
Subject: FW: Taxi and private hire policy

FYI

From: Drummond, Andy [mailto:andy.drummond@westsuffolk.gov.uk]
Sent: 03 August 2021 13:23
To: Townclerk
Cc: Quinn, Fiona; Eves, Jennifer; Councillor O'Neill
Subject: RE: Taxi and private hire policy

Dear Cathy

Thank you for your email and I acknowledge your request for a review.

Firstly, the situation as you outline is not factually correct. The requirement for all new Hackney carriages to be wheelchair accessible vehicles is not a recent amendment or change to the West Suffolk Hackney Carriage and Private Hire Handbook. In 2019, in line with Single Council, a report went to Cabinet which merged the Forest Heath and St Edmundsbury taxi policies. This was subject to formal consultation (which included the trade) and an Equality Impact Assessment. In this, it outlined that all new Hackney carriages had to be wheelchair accessible. When the policy was subsequently reviewed in 2020 and was again subject to consultation, this clause remained. Although in 2020, this particular element was not consulted on specifically, clearly at the time of any consultation people can have a view and feedback views on our guidance. Moreover, pre-dating Single Council and our combined handbook, there is evidence that both previous authorities also had an overarching commitment to supporting this approach. Also, it is important to note that all taxi drivers agree to sign up to the Taxi Handbook and West Suffolk Council's operating guidelines, so while I appreciate the Town Council's

Development and Planning Committee may have been advised differently by the drivers, I hope you now appreciate that this is something of which the trade should be aware (certainly since the formation of Single Council) and have been consulted on in the past.

While we will not be agreeing to a consultation period as you have suggested for the reasons I have outlined above, for your information, in terms of amendments or updates to this policy, it is not as simple as doing a review as you have suggested because it is subject to specific governance procedures and decision making processes across the Council.

The Town Council should also note that in 2020 Cabinet commissioned a review of our zones and wheelchair accessible vehicles and this is currently underway and the findings will be shared with myself and other Cabinet members in early 2022. (This has been delayed by COVID). We also undertook a Hidden Needs assessment with our disabled communities in 2020 to look at how well taxi services are provided for members of the disabled community. I am sure you appreciate that in any decision the Council makes with regards to the provision of Hackney carriages, it is important to ensure that the priority is to deliver an accessible public transport system in which disabled people can enjoy the same opportunities to travel as other members of society. Once we have the findings from this review, Cabinet colleagues and I will consider future options and we will ensure that full consultation takes place with the trade as necessary should any changes be made.

In order to reassure you, I know the Licensing Team are working with the trade on their applications on a case by case basis and are looking into the issues raised by taxi drivers at our meeting with regards to their applications. I am not in a position to discuss these any further.

Finally, thank you for your offer of facilitating a meeting on this matter, but I am not of the opinion this will be necessary as we will not be actioning your request. I think it is disappointing that the trade have not engaged with the taxi forum to share these views and to enable them to understand the current position. However, this is something that the Licensing Team will seek to address in coming months and it would be great if the Town Council could support us in encouraging the Trade to use this network as a means to help us work together to continue deliver a safe, accessible and professional service.

I trust this clarifies our position.

Yours sincerely,

Andy

Councillor Andy Drummond
Councillor for Newmarket West Ward
Portfolio Holder for Regulatory
West Suffolk Council
Phone: 01638 751411
Mobile: 07710 027343

Email: andy.drummond@westsuffolk.gov.uk
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www.westsuffolk.gov.uk

West Suffolk Council

#TeamWestSuffolk

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: 02 August 2021 17:56

To: Drummond, Andy <andy.drummond@westsuffolk.gov.uk>

Cc: Quinn, Fiona <Fiona.Quinn@westsuffolk.gov.uk>; Eves, Jennifer <Jennifer.eves@westsuffolk.gov.uk>; Councillor O'Neill <councilloroneill@newmarket.gov.uk>

Subject: Taxi and private hire policy

[THIS IS AN EXTERNAL EMAIL]

Dear Councillor Drummond,

At the Development & Planning Committee meeting of Newmarket Town Council on 19th July 2021 taxi drivers attended the meeting en masse to express their frustration and disappointment with the new licensing regulations and requirements that had been put in place without adequate consultation, in their opinion.

They set out their concerns regarding the requirements and how impractical they were and were also angry and upset that they had not been adequately consulted. Feelings were, in fact, so strong that strike action was discussed.

Although Councillor Hood advised the drivers that there were taxi driver forum meetings, there appeared to have been some access and communication issues during the pandemic.

The town council would now like to request an explanation of the licensing changes and would request that a full re-consultation be conducted with the taxi drivers within the next calendar month (from today's date; 2nd August 2021).

Newmarket Town Council undertakes to host the meeting between the taxi drivers and West Suffolk Council.

I look forward to hearing from you regarding this matter.

Regards,

Cathy Whitaker

Clerk to Newmarket Town Council



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