

Membership as from June 2022

Councillor Berry
Councillor Clover
Councillor Drummond
Councillor Ferries
Councillor Hall
Councillor Harvey
Councillor Hood (Vice-chair)
Councillor Hulbert
Councillor Jefferys
Councillor Lay (Chair)
Quorum = 3



Newmarket

TOWN COUNCIL

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 15th August at 6.15pm

A G E N D A

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 meeting held 1st August 2022**
 - 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 25/07/2022, 01/08/2022
- 8. Planning applications** – Amended and Deferred Plans
- 9. Planning Appeals** – to discuss any notified appeals
- 10. Planning applications** – East Cambs
- 11. Planning decisions and plans withdrawn** – West Suffolk Council-week commencing 25/07/2022, 01/08/2022
- 12. Delegation Panel decisions** - To discuss any decisions by Delegation Panel
- 13. Licensing** – To discuss any Licensing Applications or other Licensing matters
- 14. Land off Fordham Road** – to receive a proposal for a school sports field
- 15. Correspondence**
- 16. Date of next meeting** – Monday 5th September

Signed: *CE Whitaker* Cathy Whitaker, Town Clerk

Date: 9th August 2022

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 • <i>any adverse impacts of doing so would significantly and demonstrably outweigh the benefits</i>	
Matters which are not material planning considerations	
<i>Greater weight is attached to issues raised which are supported by evidence rather than solely by assertion.</i>	
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	

Parking Guidance for Use Classes C3 and C4: Dwelling houses and houses in multiple occupation

Family houses, or house occupied by up to six residents living together as a single household, or Houses in Multiple Occupation (HMO)¹³, including a household where care is provided for residents.

Standard: Flats and Houses are to be treated the same.

Use	Vehicle	Cycle	PTW	Disabled
	Minimum*	Minimum	Minimum	Minimum
1 bedroom	1 space per dwelling	2 secure covered spaces per dwelling. (Satisfied if garage or secure area is provided within curtilage of dwelling to minimum dimensions)	N/A	N/A if parking is in curtilage of dwelling, otherwise as Visitor/unallocated
2 bedrooms	2 spaces per dwelling**			
3 bedrooms	2 spaces per dwelling			
4+ bedrooms	3 spaces per dwelling			
Retirement developments (e.g., warden assisted independent living accommodation)	1 space per dwelling	2 spaces per 8 units (visitors)	2 PTW spaces and 1 space per 2 dwellings for mobility scooters	
Visitor/unallocated	0.25 spaces per dwelling (unallocated)	If no garage or secure area is provided within curtilage of dwelling, then 2 covered & secure spaces per dwelling in a communal area for residents plus 2 spaces^ per 8 dwellings for visitors	1 space + 1 per 20 car spaces (for 1 st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	

¹³ Houses in multiple occupation (Class C4) are defined in The Town and Country Planning (Use Classes) Order 1987 (as amended) as 'small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom'.

Informative notes:

*Standards exclude garages under 6m x 3m (internal dimension) as a parking space but can include undercroft parking and car ports providing, they have no other current or potential use.

**Reduction in this figure may be considered with robust and agreed highway mitigation

^Mobility vehicle spaces should be secure and covered with charging facilities.

Visitor/unallocated vehicle parking can, subject to appropriate design, be located on street.

Unallocated cycle parking for residents to be secure and covered, located in easily accessible locations throughout the development. These guidelines will be applied to all development (including infill developments, extension applications and change of use).

Where grouped, unassigned parking is proposed, more flexible and efficient use of the parking may be achieved than with allocated parking. Subject to discussion with the Highway Authority this may potentially reduce the nominal on-street parking provision standards required by up to 25%.

Where an individual dwelling may require more than two spaces these additional spaces may be provided as part of unallocated on street parking, providing this is designed in.

An allowance will be required for visitor cycle and car parking, refer para 3.2 and 4.5.

Suffolk Guidance for Parking 2019 {excerpt}

Car clubs should be promoted in low provision/car free residential developments and car club spaces provided. Electric vehicle charging infrastructure should also be provided in new developments.

Research was undertaken to derive the residential parking guidance for Suffolk. The research included a questionnaire survey to approximately 9000 dwellings. The results of the survey and the 2001 and 2011 Census data for Suffolk car ownership can be found in Appendix 1.

Electric Vehicle recharging points to be provided to support the use of low emission vehicles. See EV Parking Guidance table within this document for further guidance.

Reductions to the minimum parking guidance

This advisory residential parking guidance is the minimum required; however a range of factors will be taken into account. For main urban areas a reduction to the parking guidance may be considered where a proposal has been designed to be exceptionally sustainable in transport terms and which effectively promotes an overall reduction in the use of high emission vehicles and avoids the provision of car parking adjacent or close to dwellings within the main layout.

Main urban areas are defined as those having frequent and extensive opportunities for public transport and cycling and walking links; close proximity to local services (including accessing education, healthcare, food shopping and employment); and on street parking controls at all times e.g. double yellow lines. Where there is evidence that these factors are in place, local planning authorities may, after consultation with the Highway Authority, bring forward local parking policies to limit the scale of parking in specific areas.

When making their recommendation to local planning authorities considering reduced parking proposals for residential development, the Highway Authority must be:

- able to recommend a condition for suitable cycle storage and secure parking facilities;
- satisfied that servicing vehicles would be able to operate efficiently i.e. not restricted by loading restrictions or road layout;
- able to determine how highly sustainable the location is in terms of proximity to services, shops etc. and public transport (high frequency and wide ranging) and suitable cycling and walking routes;
- made aware of the likelihood of a viable Car Club (the provision of a car club would need to be secured through a Planning Obligation on Condition);
- able to determine the possible impact that a single application may have in setting a precedent in an area;
- satisfied by the availability of visitor parking (off street public car parks may be acceptable for visitor use); and
- satisfied that the likely impact of additional road parking in the vicinity would not cause inconsiderate and unsafe obstructions to the surrounding road or footpath network or add pressure onto an already densely utilised parking network.

If all the above criteria are satisfied on a site by site basis then the Highways Authority would be more likely to approve of reduced parking proposals.

However, it is not possible to make the assumption that occupiers will be car free; although it may be possible to accept this to some degree where the units are single bed. Furthermore, if the neighbouring streets are controlled by Residents Parking then any new development is prohibited from joining the scheme.

The presumption that occupiers are required to use off road public car parks for parking of their vehicles is not generally supported. The Highways Authority will only consider any identified use of off-road public car parks as a means of resident parking in exceptionally sustainable developments that are located in main urban areas (as defined above). In such cases, the Highway Authority must first be satisfied that the car park/s in question are viable long-term parking options for affected residents and that the development has been designed to be extremely sustainable in transport terms.

To summarise, the key questions the Highways Authority will seek to address when considering proposals for reduced parking are:

- Where might residents park?
- What real harm would these vehicles cause?
- Are the roads heavily regulated in terms of prohibition of parking?
- Are the streets already under significant pressure?



Newmarket

TOWN COUNCIL

Minutes of a Meeting of the Development & Planning Committee **Held on Monday 1st August 2022 at 6.15pm**

Attendance:

Councillor J Lay (Chairman)
 Councillor J Clover
 Councillor A Drummond

Councillor J Ferries
 Councillor M Jefferys
 Councillor P Hulbert

Also Present: T Symonds – Deputy Town Clerk, J Ashton – Minute Assistant, Cllr Winter as an observer and 1 Member of the Public.

Minute	Action by
D/22/08/1 <u>Chairman to Read the Fire Safety Notice and Announce that Proceedings May be Filmed or Recorded</u> The Chairman opened the meeting and read out the Fire Notice and that the meeting may be filmed or recorded.	
D/22/08/2 <u>Apologies</u> Apologies were received from Cllrs Berry, Harvey and Hood. Cllr Hall was absent.	
D/22/08/3 <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. There were no requests for dispensations.	
D/22/08/4 <u>To Confirm the Minutes of the Meeting Held on 25th July 2022 and any Matters Arising</u> Members received the minutes of the Development & Planning Committee held on 25 th July 2022 and the following was agreed: <u>D/22/08/24.01 Resolved</u> That the minutes of the Development & Planning Committee held on 25th July 2022 be adopted and signed as a true record by the Chairman of the Development & Planning Committee. There were no matters arising.	
D/22/08/5 <u>Public Open Session</u> A member of the public raised an issue regarding speeding in Edinburgh Road and asked what could be done to prevent it. The information will be referred to the Community Services to look at placing a SID camera.	
<i>A member of the public left the meeting.</i>	
D/22/08/6 <u>Impact of Newmarket Neighbourhood Plan Policies on Applications Being</u>	

Book Number 47 2022 - 2023

Minutes of Development & Planning Committee held on Monday 1st August 2022

Considered

The following policies applied: Policy 14 – trees, Policy 16 – biodiversity and Policy 32 attractive entrances to the Town.

D/22/08/7 Planning Applications

Week Commencing 11/07/2022 and 18/07/2022

D/22/08/7/1 DCON(A)/20/0821 – Application to discharge conditions 6 (details of access) 7 (bound material) and 13 (materials) of application DC/20/0821/FUL - St Gatien Cottage Stables Vicarage Road Newmarket Suffolk.

D/22/08/7.01 Resolved

The Committee voiced no comments.

D/22/08/7/2 DCON(D)/17/1614 - Application to discharge condition 18 (biodiversity enhancements) of application DC/17/1614/FUL - Oakfields Vicarage Road Newmarket Suffolk.

D/22/08/7.02 Resolved

The Committee supports enforcement of condition 18 as in line with Newmarket Neighbourhood Plan Policy 16 - biodiversity.

D/22/08/7/3 DC/22//1236/TCA - Trees in a conservation area notification - two Scots pine (SP1 and SP2 on plan) fell - The Lodge 23 Bury Road Newmarket Suffolk.

D/22/08/7.03 Resolved

The Committee actively encourages responsible tree management and objects to the felling of healthy trees. The Committee objected to this application and requested that the application be submitted to the Tree Officer to consider. If the trees are to be felled, that they be felled outside of the bird nesting season and the Committee requests that suitable replacements be planted.

D/22/08/7/4 DC/22/1199/ADV - Application for advertisement consent - a. three internally illuminated fascia signs b. internally illuminated roof letters c. one non illuminated wall sign d. two internally illuminated built up letter signs e. internally illuminated double sided height barrier f. one internally illuminated exit sign g. one non illuminated banner frame h. internally illuminated directional signs i. two internally illuminated digital menu boards - Unit 6 Newmarket Retail Park Oaks Drive Newmarket Suffolk.

D/22/08/7.04 Resolved

The Committee are inclined to object due to the possible detrimental effect on an entrance to the town. Costa had indicated in previous talks that there would be landscaping/screening and this is not apparent from the plans and is not in line with Newmarket Neighbourhood Plan 32 - attractive entrances to the town.

D/22/07/8/5 DC/22/1248/TCA - Trees in a conservation area notification - 10 Spruce trees (G1 red on plan), six Sycamore (G2 blue on plan) crown lift to 5 metres above ground level, 10- 12 mixed species of Sycamore and Maple (G3 yellow on plan) removal of 2-3 lowest branches overhanging stable building - Somerville Lodge Fordham

Road Newmarket Suffolk.

D/20/08/7.05 Resolved

The Committee actively encourages responsible tree management and does not object to this application.

D/22/08/7/6 DC/22/1163/HH - Householder planning application - Two storey side and rear extensions - 4 Hallwyck Gardens Newmarket Suffolk.

D/20/08/7.06 Resolved

The Committee voiced no objections.

D/22/08/7/7 DC/22/1251/HH - Householder planning application - first floor side extension - 11 Paddocks Drive Newmarket Suffolk .

D/20/08/7.07 Resolved

The Committee voiced no objections.

D/22/08/7/8 DC/22/1274/TCA - Trees in a conservation area notification - six Lime (L1-L6 on plan) pollard to previous points reducing by three metres - St Philip And St Etheldredas Church Exning Road Newmarket Suffolk.

D/20/08/7.08 Resolved

The Committee actively encourages responsible tree management and does not object to this application.

D/22/08/7/9 DC/22/1172/FUL - Planning application - change of use from ancillary office / store of basement to public use area, including internal alterations - 2 Sun Lane Newmarket Suffolk.

D/20/08/7.09 Resolved

The Committee objected on the grounds of safety as there is no indication of other routes for fire evacuation in an emergency.

D/22/08/8 Amended and Deferred Planning Applications

None noted.

D/22/08/9 Planning Appeals

None noted.

D/22/08/10 East Cambs Planning Applications

None noted.

D/22/08/11 To Receive Results of Applications as Determined by West Suffolk and Plans Withdrawn

West Suffolk Planning Determinations received during weeks commencing, 11/07/2022 and 18/07/2022

Applications	Description	Address	WS Decision	NTC Decision
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DC/22/1048/TCA	Trees in a conservation area notification - four conifers and two Ash (indicated on plan) fell	Chels 51A Bury Road Newmarket	Approved	Objected	
DCON(B)/20/0624	Application to discharge condition 21 (construction method statement) of application DC/20/0624/FUL	143A All Saints Road Newmarket Suffolk	Approved	No comment	
DCON(D)/17/1614	Application to discharge condition 18 (biodiversity enhancements) of application DC/17/1614/FUL	Oakfields Vicarage Road Newmarket Suffolk	Approved	No comment	
DC/22/1110/TCA	Trees in a conservation area - one Cornus mas (1 on plan) reduce up to one metres to previous pruning points, One Cherry (2 on plan) reduce lateral growth over lawn by two metres one Cherry (3 on plan) reduce lateral growth over lawn by three metres, one Cedar (5 on plan) remove one spur	Lincoln Lodge Rayes Lane Newmarket Suffolk	Approved	No objections	
DC/22/0478/FUL	Planning application - a. drive-through cafe/restaurant unit with associated servicing, landscaping and external seating b. part reconfiguration of existing car park and associated works	Unit 6 Newmarket Retail Park Oaks Drive Newmarket Suffolk	Approved	No objections	
DC/21/2500/FUL	Trees in a conservation area notification - one Lime (T1 on plan) crown lift by five metres above ground level	Scout Hq Cardigan Street Newmarket Suffolk	Approved	No objections	
DC/21/2500/FUL	Planning Application - a. Change of use and conversion of existing Police Station and Magistrates Court (sui generis) to create 17 self-contained flats and one townhouse (C3); b. partial infill of ground floor; c. extensions and roof garden to second floor d. associated parking and vehicular access	Police Station Vicarage Road Newmarket	Withdrawn	Objected	

D/22/08/12 Delegation Panel Decisions

D/22/07/12/1 DC/22/0431/FUL – Planning application – a. conversion of existing dwelling into two flats and associated external works b. addition of rear second storey with flat roof – Fern Villa 126 Exning Road Newmarket.

It was noted that the WSC Officer was minded to grant the application.

D/22/08/13 Licensing

It was noted that the License Committee had submitted a response to the Heaven renewal application which will be emailed to Members of the Committee.

D/22/08/14 Correspondence

None noted.

D/22/08/15 Date of Next Meeting

Monday 15th August 2022 at the Memorial Hall.

Meeting closed at 6:46pm.

Book Number 50 2022 - 2023

Minutes of Development & Planning Committee held on Monday 1st August 2022

Signed _____ Date _____

Summary of Resolutions/Recommendations

Resolution/Recommendation	Resolution/Recommendation Wording
<u>D/22/08/7.01 Resolved</u>	The Committee voiced no comments.
<u>D/22/08/7.02 Resolved</u>	The Committee supports enforcement of condition 18 as in line with Newmarket Neighbourhood Plan Policy 16 - biodiversity.
<u>D/22/08/7.03 Resolved</u>	The Committee actively encourages responsible tree management and objects to the felling of healthy trees. The Committee objected to this application and requested that the application be submitted to the Tree Officer to consider. If the trees are to be felled, that they be felled outside of the bird nesting season and the Committee requests that suitable replacements be planted.
<u>D/22/08/7.04 Resolved</u>	The Committee are inclined to object due to the possible detrimental effect on an entrance to the town. Costa had indicated in previous talks that there would be landscaping/screening and this is not apparent from the plans and is not in line with Newmarket Neighbourhood Plan - 32 attractive entrances to the town.
<u>D/22/08/7.05 Resolved</u>	The Committee actively encourages responsible tree management and does not object to this application.
<u>D/22/08/7.06 Resolved</u>	The Committee voiced no objections.
<u>D/22/08/7.07 Resolved</u>	The Committee voiced no objections.
<u>D/22/08/7.08 Resolved</u>	The Committee actively encourages responsible tree management and does not object to this application.
<u>D/22/08/7.09 Resolved</u>	The Committee objected on the grounds of safety as there is no indication of other routes for fire evacuation in an emergency

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Application	Constraints	Case Officer	Applicant name	Ward Member	Consultation expiry date	Neighbour comment at time of printing
Week beginning 25 th July						
<u>Trees in a conservation area notification - one Cherry (T3 on plan) crown reduction by up to two metres and predominant leader reduced by one metre</u> Wynyard Lodge 24 Bury Road Newmarket Suffolk CB8 7BT DC/22/1336/TCA	Conservation Area	Sarah Drane	Mrs. Anne Renton	Councillor Rachel Hood Councillor Robert Nobbs	Mon 22 Aug 2022	no
<u>Householder planning application - a. single storey rear extension b. installation of two roof lights</u> 30 St Fabians Close Newmarket Suffolk CB8 0EJ DC/22/1308HH		Gregory McGarr	Mr Alexander Andreou	Councillor Andy Drummond Councillor James Lay	Mon 15 Aug 2022 (Extension requested)	no
<u>Householder planning application - a. replacement cladding on front elevation b. first floor side extension with flue</u> 15 Hamilton Road Newmarket Suffolk CB8 0NQ DC/22/1281/HH		Clare Oliver	Ms. F Hogg	Councillor Andy Drummond Councillor James Lay	Wed 17 Aug	no

Week beginning 1 st August						
<u>Householder planning application - a single storey side extension (following demolition of existing garage) b. single storey rear extension</u> 18 Derby Way Newmarket Suffolk CB8 0DD DC/22/1323/HH		Ian Opolot	Mr J Wallace	Councillor Andy Drummond Councillor James Lay	Mon 22 Aug 2022	no
<u>Planning application - installation of kiosk for water softener</u> McDonalds Willie Snaith Road Newmarket Suffolk CB8 7SU DC/22/1315/HH		Clare Oliver	McDonald's Restaurants Ltd	Councillor Michael Anderson Councillor Karen Soons	Fri 26 Aug 2022	no

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Parish Consultation

Cathy Whitaker
King Edward VII Memorial Hall
High Street
Newmarket
Suffolk
CB8 8JP

Please ask for: Dave Beighton
Direct Line: 01638 719470
Email: dave.beighton@westsuffolk.gov.uk

3rd August 2022

TOWN AND COUNTRY PLANNING ACT 1990

PROPOSAL:	Planning application - construction of one dwelling, as amended by plans received 21 October 2021
LOCATION:	Nowell Lodge Fordham Road Newmarket CB8 7AQ
APPLICATION NO:	DC/21/0604/FUL
PINS. REFERENCE	APP/F3545/W/22/3297324
APPEAL REFERENCE:	AP/22/0038/STAND
APPEAL START DATE:	2nd August 2022
APPELLANT:	Mr M Rogerson
APPEAL TYPE:	Standard Appeal
PROCEDURE:	Written Representation

I am writing to let you know that an appeal has been made to the Secretary of State in respect of the above. The procedure to be followed and the reason for the appeal are as indicated.

Any representation you made in respect of the planning application before it was determined will be sent by me to the Planning Inspectorate, copied to the appellant and will be taken into account by the Inspector in determining the appeal.

Should you wish to withdraw or modify comments made in respect of the original application in any way or if you wish to make any additional comments you should write direct to **The Planning Inspectorate, Room Temple Quay House, Temple Quay House, 2 The Square, Bristol, BS1 6PN** quoting the PINS reference number (above), in triplicate, within five weeks of the appeal start date (above), or email to **RT1@planninginspectorate.gov.uk**. The Planning Inspectorate will not acknowledge representations. Any representations received by the Planning Inspectorate after the deadline will not normally be seen by the Inspector and will be returned to you.

The planning file and appeal documents are available for inspection on our website www.westsuffolk.gov.uk. The Inspector's decision and information regarding the progress of this appeal can be accessed via GOV.UK <https://www.gov.uk/government/organisations/planning-inspectorate>

A copy of the booklet 'Guide to taking part in Planning Appeals proceeding by Written Representations' is available via GOV.UK <https://www.gov.uk/government/organisations/planning-inspectorate>, where the decision will also be published.

Dave Beighton

Dave Beighton
Principal Planning Officer

Application No: DC/21/0604/FUL

AGENT

Mr Edward Clarke
PlanSurv
76 Broad Street
Ely
CB7 4BE

APPLICANT

Rogerson
Fen Developments (Ely) Ltd
C/O Agent
76 Broad Street
Ely
CB7 4BE
Cambridgeshire

Date Registered: 20 May 2021

Date of Decision: 11 November 2021

Town And Country Planning Act 1990 (as Amended)

**Town & Country Planning (Development Management Procedure)
(England) Order 2015**

PROPOSAL **Planning application - construction of one dwelling, as
amended by plans received 21 October 2021**

LOCATION **Nowell Lodge , Fordham Road, Newmarket, CB8 7AQ**

Permission is hereby **REFUSED** by the Council as Local Planning Authority for the purpose of the above Act and Orders for development proposed in the application shown above.

The reason(s) for the Council's decision to refuse permission are/is:

- 1 Policy DM2 of the Joint Development Management Policies Document sets out general design criteria to be applied to all forms of development proposals. This is supported by similar provisions within DM22 and by the design considerations within the NPPF.

The site is situated in a residential suburb to the north of Newmarket. Fordham Road is a primary entrance into the town from the A14 and villages and countryside to the north. The greater extent of Fordham Road, both to

the north and south, is characterised strongly by the sylvan character, with trees in profile along the street giving the site a distinctive and valuable character. The application site contributes to the domestic and tree lined character of this part of the road with the general prevailing character being large, detached residential properties on generous plots (with some exceptions) and within an area where dwellings are generally set back from the road in a broadly consistent manner.

The proposed new dwelling is located along the north eastern boundary of the site, with the amenity space associated with the dwelling situated to the front. The position and size of the proposal results in the dwelling that would appear contrived, and which is sited in a way that fails to relate satisfactorily to Nowell Lodge or to the surrounding existing residential development, situated as it is behind the car parking and cycle storage areas. The outlook from and setting for the dwelling remain dominated by the car parking and cycle storage areas in a way that disrupts the cohesive layout of the Nowell Lodge development, with outlook otherwise at close quarters from the dwelling being directly onto boundary fencing in a way that further highlights the cramped and poor nature of this proposal generally. The dwelling has the impression of being 'forced' into a space which was intended to be retained as a garden or green amenity space associated with Nowell Lodge, and this is evident by the way that the structure fills the plot, and by the way that it extends close to the northern, western and eastern site boundaries in a manner that is considered cramped. The layout and position would require an occupant to drag bins a considerable distance to the highway, in a manner that, with the other points raised, highlights the degree of conflict with the specific terms of Para. 130, and in turn the similar requirements of Policies DM2 and DM22.

As well as being of intrinsically poor layout for the reasons above, the filling of the plot in this manner is also considered wholly uncharacteristic when assessed against the prevailing spacious character, leading to a development that appears materially and harmfully at odds with the wider loosely grained and spacious character.

As such, for the reasons cited above the Local Planning Authority are unable to support the proposed scheme as being contrary to the requirements of Policies DM2, DM22 of the Joint Development Management Policies Document and the design requirements of the NPPF.

This decision relates to the following document and drawing references:

Reference No:	Plan Type	Date Received
2021-010-007 A	Location & block plan	21.10.2021
2021-010-008 A	Floor plans and elevations	21.10.2021

Decision List

Week commencing 25th July 2022	NTC Comments
<u>Planning application - temporary siting of classroom block for five years</u> Fairstead House School Fordham Road Newmarket Suffolk CB8 7AA DC/22/0872/FUL	NTC no objection 
Week commencing 1st Aug 2022	
<u>TPO (1987) 04 - Tree Preservation Order - one False Acacia (T1 on plan, within A1 on order) - fell</u> Wolverton Lodge High Street Newmarket Suffolk DC/22/1035/TPO	NTC no objection 
<u>Householder planning application - two storey side extension (following removal of lobby/store)</u> 8 Exning Road Newmarket Suffolk CB8 0AB DC/22/1019/HH	NTC no objection 
<u>Householder planning application - single storey rear extension</u> Falmouth House Falmouth Avenue Newmarket Suffolk CB8 0NB DC/22/1021/HH	NTC no objection 

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Townclerk

Subject: FW: School Sports Field - Land of Fordham Road

From: R<

Sent: Sunday, July 24, 2022 11:50:33 AM

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

Cc: Councillor Andy (Andrew) Drummond <andy.drummond@westsuffolk.gov.uk>; Councillor Lay <CouncillorLay@newmarket.gov.uk>;

Subject: Re: School Sports Field - Land of Fordham Road

Good Morning Mrs Whitaker,

Thank you very much for providing us with an invitation to present our proposal to the Newmarket Development & Planning Committee, unfortunately we both have prior commitments on August 1st, but your alternate date of August 15th at 6:15pm is convenient and would request we be included on the agenda for that date.

My partner in this venture, xx who is also a resident of Balaton Place, will make the presentation on behalf of Balaton Paddocks, as I will not be in the UK during August. We will provide you with a summary of our proposal along with detailed plans prior to the meeting. Please advise the date you will require this information, so that it can be made available to those present at the meeting.

Regards

 Paddocks

> -----Original Message-----

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

> Sent: 08 July 2022 12:04

> To: R>

> Cc: Councillor Lay <CouncillorLay@newmarket.gov.uk>; Townclerk <Townclerk@newmarket.gov.uk>

> Subject: RE: School Sports Field - Land of Fordham Road

>Hi

> > Thank you for the email - I am familiar with the site and its planning history - I was on FHDC planning committee.

> > I think the best (and cheapest) option would be to present your thoughts to Newmarket Town Council's Development & Control Committee - to that end I've copied the town clerk and chair so that you can get it on an agenda. The town council cant grant planning permission but it is a statutory consultee. They should give you feedback as to whether they may or may not support your planning application.

> > You could also go to West Suffolk's planning team and ask for pre-application advise - however this is chargeable. Don't quote me but I think an hour is about £130 and more if you require a letter. If the letter is positive it can form part of your planning application as evidence.

> > I hope that sounds like a plan!

> Very best regards,

> > Andy

> >

> _____

> Councillor Andy Drummond

> Councillor for Newmarket West

> Portfolio Holder for Regulatory and Environment West Suffolk Council

> Telephone: 01638 751411

> Mobile: 07710 027343

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

>

> > -----Original Message-----

> From: > Sent: 06 July

> 2022 09:28

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

> Subject: School Sports Field - Land of Fordham Road

>

> Good Morning Mr Drummond,

>

> Further to our telephone conversation on Friday afternoon, please find below some background information and details of the proposal we are seeking your support for, and hopefully that of your fellow councillors, which would permit the use of land we recently acquired to be used as a sports field for a local Newmarket School, I believe this to be a good cause which is worthy of the support of Newmarket Town Council.

>

> In January 2022, a majority of the residents of Balaton Place agreed to purchase the Animal Health Trust land which is located between Balaton Place and the Fordham Road to ensure that it did not fall into the hands of individuals that we were advised were connected to the traveller community, which would have been detrimental not only to the residents of Balaton Place but also the Newmarket community as a whole. At the same time we ensured that we could influence any subsequent development of that land.

>

> The land in question is what remains of a much larger plot of land and buildings that was gifted to the Animal Health Trust by Lady Yule back in 1946, The Animal Health Trust by 1998 had sold off the residential properties, ie Soham House, Holly Cottage & Balaton Lodge plus two separate plots of land and buildings for residential development, those plots became the Balaton Place and Argent Place developments. On acquiring the land we simultaneously sold 2 small plots to the residents of No 7 & No 9 Balaton Place to use as extensions to their existing gardens.

>

> Since taking ownership of the land, we were approached by Fairstead House School, who were looking for a secure plot of land that they could use as a sports field, they currently use the Severals cricket pitch, which whilst being very convenient is far from ideal for their purposes in terms of security and cleanliness. We have the basis of an agreement with Fairstead on the terms for a lease of between 3 to 5 years, but unless we are able to obtain a change of use for the land to recreational, along with a new vehicular access onto land from Fordham Road, then the land would be of no use to the school.

>

> This land has not been used for any purpose since 1998 when the AHT stopped operating from Balaton Lodge, I am led to believe it has probably not been in use for a much longer period. It is an attractive piece of land and would ideally suit the purposes that Fairstead School would like to use it for.

>

> Your support and any advice you believe would be helpful to us would be much appreciated, if you believe it would be beneficial to share this information with your fellow councillors, I am very happy to email the details to them. Our architect is working with the objective of submitting an application for consideration by the West Suffolk Planning Department later this summer.

>

> I look forward to receiving any comments you care to make

>

> Kind Regards

>

>

>

>

A PROPOSAL TO ALLOW LAND AT BALATON PADDOCKS TO BE USED AS A SPORTS FIELD BY A LOCAL SCHOOL.

Background

In January 2022, a majority of the residents of Balaton Place agreed to purchase a 1.51 Ha plot of land that was advertised for sale as a Residential Development Opportunity, the land in question which is subsequently referred to as Balaton Paddocks, is located between Fordham Road and Balaton Place, having previously been owned by the Animal Health Trust and was being sold as they had been placed in Administration. The motivating factor for the resident's acquisition of Balaton Paddocks was a concern that it would be acquired by an individual or individuals whose ownership would have been detrimental to the interests of both the Balaton Place Residents and the Newmarket community as a whole.

Balaton Paddocks is what remains of a much larger parcel of land and buildings that was gifted to the Animal Health Trust by Lady Yule back in 1946, by 1998 they had sold off the residential properties, Soham House, Holly Cottage & Balaton Lodge plus two separate plots of land and buildings for residential development, those plots became the Balaton Place and Argent Place developments, what remained was paddock land that had originally contained 4 outbuilding, consisting of barns workshops and stables, only one of those structures remains and can best be described as being in a near derelict condition.

Balaton Paddocks is an attractive piece of land, located within the Newmarket Conservation Area and classified as a green open space which is to be retained.

Since acquiring the land, we have improved the security of the site, repaired or replaced the fences and have carried out some much needed maintenance to its overgrown boundaries.

Our long-term objective is to seek permission for the residential development of a part of this land, however as the original documentation that would have provided proof of AHT's ownership was missing, the land was sold with Possessory Title, a status that will remain until February 2031, when it is understood that the title can be upgraded to Absolute. In the intervening period we hope to obtain detailed planning consent and possibly commence residential development during the latter part of the 2020's

A PROPOSAL TO ALLOW LAND AT BALATON PADDOCKS TO BE USED AS A SPORTS FIELD BY A LOCAL SCHOOL.

Prior to completing the purchase of Balaton Paddocks, we became aware that Fairstead House School were looking for a secure piece of land in close proximity to the school which their pupils could use as a sports field.

The Proposal

Since taking ownership of Balaton Paddocks, we approached Fairstead to ascertain exactly what their requirements were, those requirements being a secure piece of land that could be equipped with a suitable range of equipment to enable their pupils to participate in a variety of sporting activities.

The school currently uses a part of the Severals open area to exercise their pupils, whilst the feasibility of building suitable long-term facilities in Fordham are evaluated. The Severals land being on their doorstep is very convenient but far from ideal for their purposes, both in terms of the privacy and security for their pupils and limited by the facilities the land is able to provide.

The Balaton Paddocks land is ideal for their purposes and we have reached the basis of an agreement with them on the terms for a lease initially for a period of up to 5 years, where we provide them use of the land rent free and only seek to recover over the term of the lease the direct costs of making the land secure, installing a new access road onto Fordham Road and the maintenance of the lands boundaries.

Until we can ascertain if a change of use (possibly on a temporary basis) for the land so it may be used for recreational purposes, along with the required vehicular access to the land from Fordham Road are feasible, we cannot proceed towards formalising any agreement.

We are well aware that the West Suffolk Planning department is averse to any suggestion of residential development of this land, they made that point in their communications with the developer of Balaton Place when they enquired back in 2005 as to the possibility of residential development of this land, the subsequent application by English Courtyard Developments in 2008 & 2009 along with our own request for preplanning advice in 2021.

**A PROPOSAL TO ALLOW LAND AT BALATON PADDOCKS TO BE USED AS A
SPORTS FIELD BY A LOCAL SCHOOL.**

What makes little sense is that this piece of land has not been used for any purpose since 1998 when the Animal Health Trust stopped operating from Balaton Lodge, I am led to believe it has probably not been used for a much longer period, but I am unable to quantify exactly how long that is. Unless there is a change of view this land could well stay idle for a lot longer period which makes no sense at all, we are prepared to take a long term view as to the residential development of this land, which we believe would be of more benefit to the community than it remaining as an unseen and unused open space, as this is not a piece of land that can be viewed by the community in general, it can only be seen from a limited number of homes, the majority of which are located along its north western boundary.

If it could be used by the school as a sports field, this would fulfil the criteria that it remained for at least the time being, as a green open space, a part of Newmarket's Green Wedge. In such an event Balaton Paddocks could at long last serve a useful purpose within the town.

We would welcome the support of Newmarket Town Council when we submit our planning application for the above proposal, as well any comments the council would like to make regarding our proposal.

Balaton Paddocks Ltd
08-08-2022

Attachment Photograph of Balaton Paddocks
Site Plan 917- 07B land to be leased outlined in red.

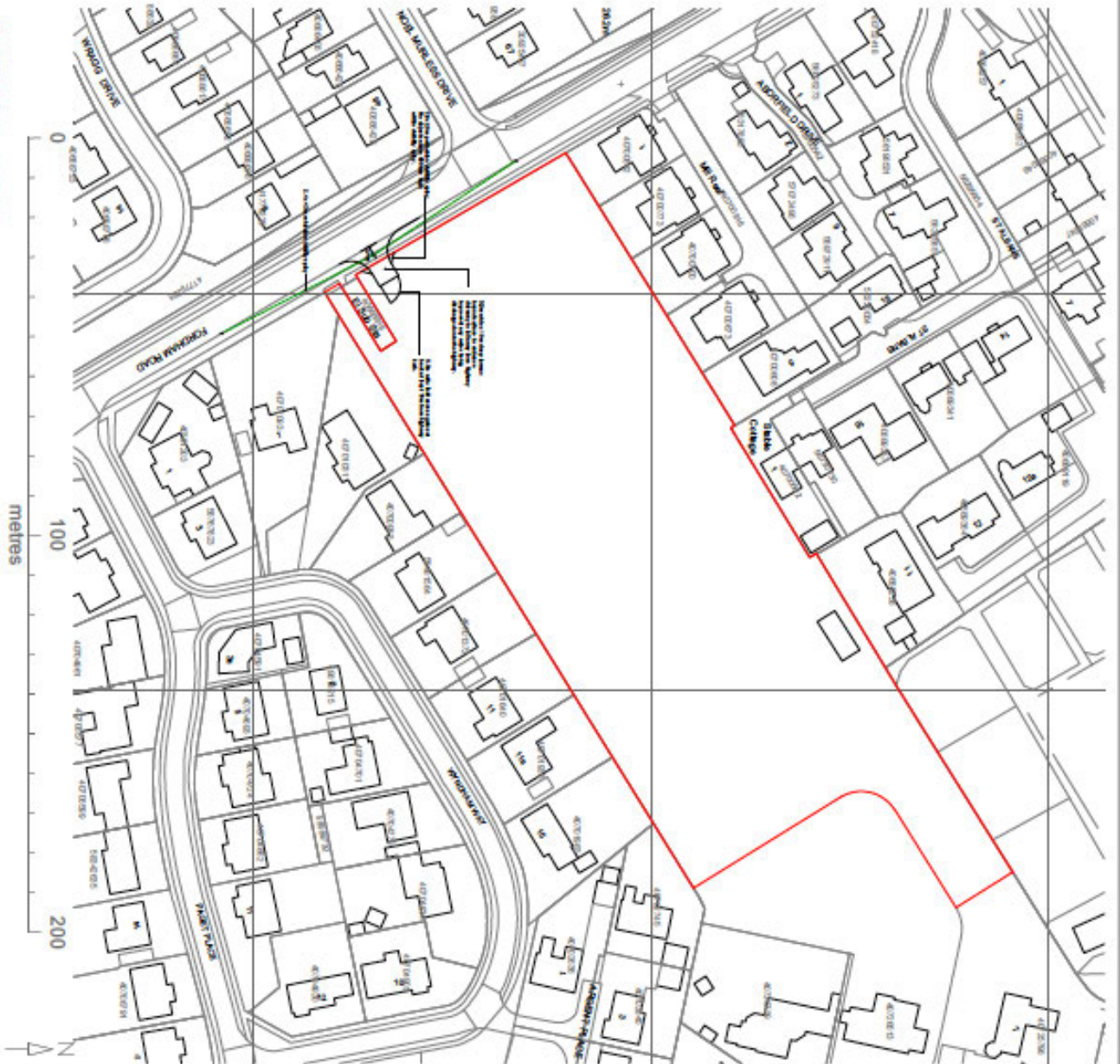
**A PROPOSAL TO ALLOW LAND AT BALATON PADDOCKS TO BE USED AS A
SPORTS FIELD BY A LOCAL SCHOOL.**



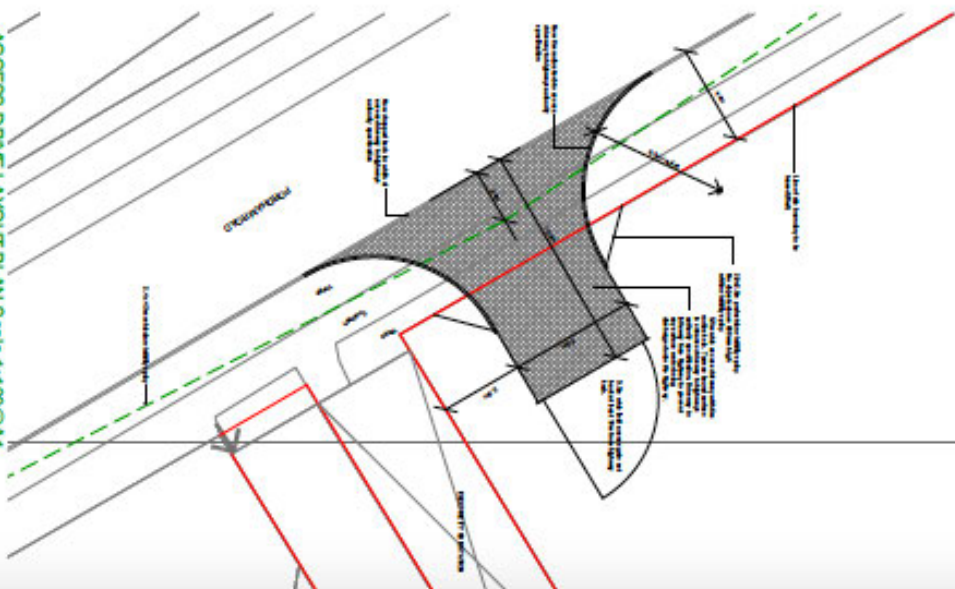
PHOTOGRAPH OF BALATON PADDOCKS PRIOR TO OUR PURCHASE IN
FEBRUARY 2022

**A PROPOSAL TO ALLOW LAND AT BALATON PADDOCKS TO BE USED AS A
SPORTS FIELD BY A LOCAL SCHOOL.**

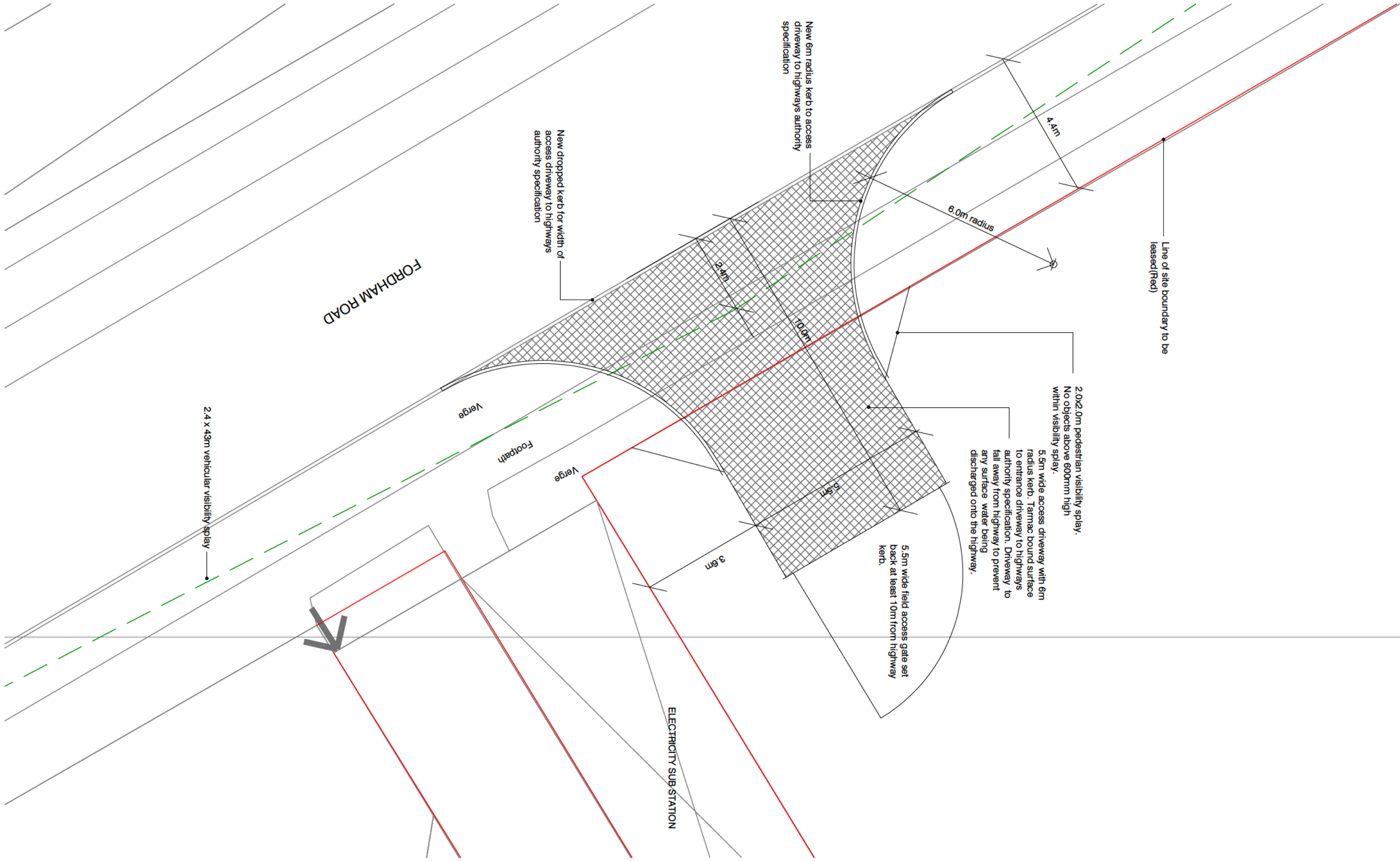
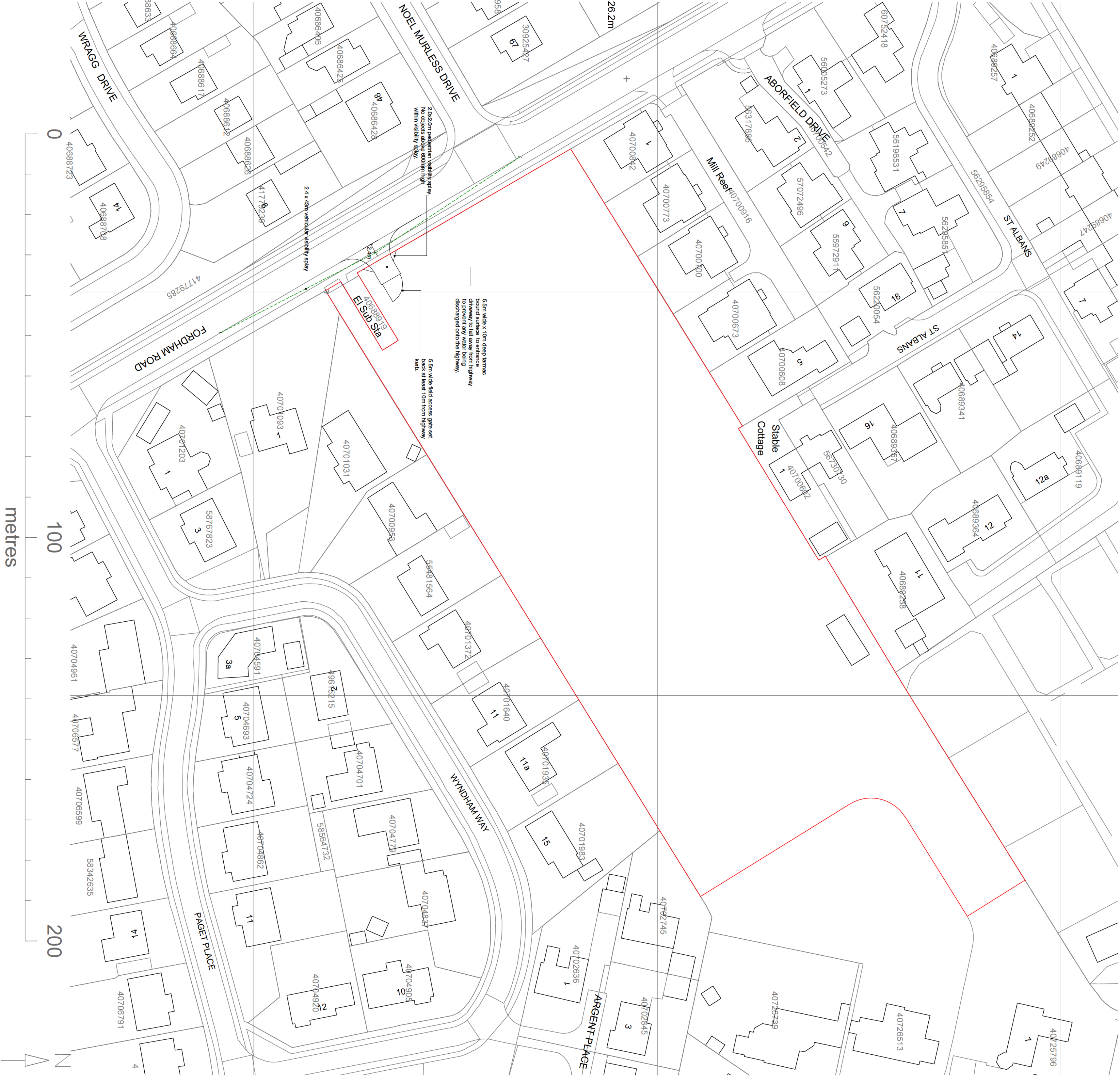
SITE PLAN Scale 1:500 @ A1



ACCESS DRIVE LAYOUT PLAN Scale 1:100 @ A1



CLIENT:
BALATON PADDOCKS LTD
DRAWING TITLE:
LAND TO BE LEASED TO FAIRFIELD HOUSE SCHOOL
AS SPORTS FIELD WITH NEW VEHICULAR ACCESS
ONTO FORDHAM ROAD, NEWMARKET
DRAWING NO.:
DRG No. 917-07B
DATE:
28-7-2022



ACCESS DRIVE LAYOUT PLAN Scale 1:100@A1

CLIENT:
BALATON PADDOCKS LTD
DRAWING TITLE:

LAND TO BE LEASED TO FAIRSTEAD HOUSE SCHOOL
AS SPORTS FIELD WITH NEW VEHICULAR ACCESS
ONTO FORDHAM ROAD, NEWMARKET

DRAWING NO.:
DRG No. 917-07B

DATE:
28-7-2022