

Membership as from June 2022

Councillor Berry
Councillor Clover
Councillor Drummond
Councillor Ferries
Councillor Hall
Councillor Harvey
Councillor Hood (Vice)
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 23rd January 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:

- film, photograph or make an audio recording of the meeting;
- use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
- 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**
 - Councillors are invited to raise any declarations of interest concerning items on the agenda
 - To consider any requests for dispensation
- 4. Minutes of previous meeting held 9th January 2023**
 - To consider and adopt the minutes, as a true record of the proceedings
 - 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 02/01/2023 & 09/01/2023
- 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 02/01/2023 & 09/01/2023
- 12. Delegation Panel decisions** - To discuss any decisions by Delegation Panel
- 13. Licensing** – To receive any reports from the NTC Licensing Working Group
- 14. Parking Matters**
 - To receive an update regarding verge parking on Exning Road (verbal)
 - To receive a request for parking restrictions on Corsican Pine Road
- 15. Tree Matters** – To discuss the lack of an Arboricultural Officer at West Suffolk Council (verbal)
- 16. Correspondence**
- 17. Date of next meeting** – Monday 6th February 2023

Signed: *CE Whitaker*

Cathy Whitaker, Town Clerk

Date: 17th January 2023

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 9th January 2023 at 6.15pm

Attendance:

Councillor J Lay (Chairman)
Councillor J Berry
Councillor A Drummond
Councillor J Ferries

Councillor J Harvey
Councillor P Hulbert
Councillor M Jefferys

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

Minute	Action by
D/23/01/1 <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/23/01/2 <u>Apologies</u> Apologies were received from Cllrs Clover & Hood. Cllr Hall was absent.	
D/23/01/3 <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/23/01/4 <u>To Confirm the Minutes of the Meeting Held on 19th December 2022 and any Matters Arising</u> Members received the minutes of the Development & Planning Committee held on 19th December 2022 and the following was agreed: <u>D/23/01/4/01 Resolved</u> That the minutes of the Development & Planning Committee held on 19th December 2022 be adopted and signed as a true record by the Chairman of the Development & Planning Committee. Matters arising: D/22/12/26 – Verge Parking on Exning Road and D/22/12/34 – Trees - to be added to the next agenda.	
<i>Cllr Berry and a member of the press joined the meeting</i> D/23/01/5 <u>Public Open Session</u> A member of the public spoke to application DC/22/1172/FUL – 2 Sun Lane and confirmed that the fire inspection report had been sent to the Town Clerk and this had been circulated to Members. The application will be reconsidered at the next meeting.	

D/23/01/6 Impact of Newmarket Neighbourhood Plan Policies on Applications Being Considered

Policy 14 applied to the tree applications.

D/23/01/7 Planning Applications

Week Commencing 12/12/2022, 19/12/2022 and 26/12/2022

D/23/01/7/1 NMA(C)/13/0408 - Non material amendment to DC/13/0408/OUT for re-wording of conditions 22, 24 and 26 - Hatchfield Farm Fordham Road Newmarket Suffolk.

D/23/01/7.01 Resolved

The Committee made no comment.

D/23/01/7/2 DC/22/2196/TPO - TPO 03 (1990) Tree preservation order - one Lime (marked red on plan within G2 of order) reduce height and spread by 4 metres to previous reduction Points - 23 Leaders Way Newmarket Suffolk.

D/23/01/7.02 Resolved

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

D/23/01/7/3 DC/22/2195/TCA - Trees in a conservation area notification – one Eucalyptus (marked on plan) Fell - 21 Leaders Way Newmarket Suffolk.

D/23/01/7.03 Resolved

The Committee actively encourages responsible tree management and objects to the felling of healthy trees. The WS Tree Officer had considered the application and approved the felling of the tree subject to a suitable replacement being planted which the Committee supported.

D/23/01/7/4 DC/22/2214/-H - Householder planning application - single storey rear extension (following demolition of existing extension) and render to side elevation - 19 Field Terrace Road Newmarket Suffolk.

D/23/01/7.04 Resolved

The Committee voiced no objections.

D/23/01/8 Amended and Deferred Planning Applications

D/23/01/8/1 DC/22/1699/FUL - Planning application - conversion and partial demolition to create a. ground floor retail unit b. courtyard garden c. seven residential units Surrey House 41 High Street Newmarket Suffolk.

D/23/01/8.01 Resolved

The Committee requested that their previous objections be re-submitted.

D/23/01/8/2 DC/22/2051/FUL - Planning application - a. roof extension with five dormer windows to second floor b. external fire escape staircase - Flat 2 Sun Lane Newmarket Suffolk.

D/23/01/8.02 Resolved

The Committee voiced no objections.

A member of the public left the meeting.

D/23/01/8/3 DC/22/2126/HPA - Householder prior approval – single storey rear extension which extends beyond the rear wall of the original house by 6 metres with a maximum height of 3.8 metres and a height of 2.7 metres to the eaves - 63 Exning Road Newmarket Suffolk.

D/23/01/8.03 Resolved

The Committee voiced no objections.

D/23/01/8/4 DC/22/1163/HH - Householder planning application – Two storey side and rear Extensions - 4 Hallwyck Gardens Newmarket Suffolk.

D/23/01/8.04 Resolved

The Committee voiced no objections.

D/23/01/9 Planning Appeals

None noted.

D/23/01/10 East Cambs Planning Applications

None noted.

D/23/01/11 To Receive Results of Applications as Determined by West Suffolk and Plans Withdrawn

West Suffolk Planning Determinations received during weeks commencing, 12/12/2022, 19/12/2022 and 26/12/2022

Applications	Description	Address	WS Decision	NTC Decision
DC/22/1967/HH	Householder planning application - pitched roof to existing side and rear extension	27 Exning Road Newmarket Suffolk	Withdrawn	
DC/22/1980/TCA	Trees in a conservation area notification - one Conifer (T1 on plan) remove	25 Exeter Road Newmarket Suffolk	Approved	Objected
DC/22/2052/TCA	Trees in a conservation area notification - one Willow (1 on plan) upper crown reduction by up to 2.5 metres and thin crown by 20% on western, eastern and southern aspects, repollard northern aspect by 2.5 metres; one Cherry plum (marked in red on plan) crown reduction in height to 3.5 metres; one Cherry plum (marked in red on plan) lateral crown reduction to northern aspect by two metres and reduce smallest sucker by one metre.	Lincoln Lodge Rayes Lane Newmarket Suffolk	Approved	No objections
DC/22/1923/P3CMA	Prior Approval Application under Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 – change of use commercial (class E) to seven dwellings (class C3)	Rutland Chambers 19 High Street Newmarket Suffolk	Refused	Objected

DC/22/1915/P3CMA	Prior Approval Application under Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 – change of use from second floor offices (class E) to five dwellings (class C3)	Second Floor 96 High Street Newmarket Suffolk	Prior approval not required	Objected	
DC/22/0714/FUL	Planning application - Change of use of dwelling to hotel accommodation, to be occupied in conjunction with Kings Hotel	87A High Street Newmarket Suffolk	Approved	No objections	

Town Clerk to look into why the Local Authority's approval is not required for application DC/22/1915/P3CMA.

D/23/01/12 Delegation Panel Decisions

None noted.

D/23/01/13 Licensing

None noted.

D/23/01/14 Correspondence

A request from a resident in Corsican Pine Close for double yellow lines to be installed was considered and an item will be added to the next agenda.

A request from a resident for dropped kerbs for the entrances and exits of Brewers Lane was considered and this will be forwarded to SCC.

D/23/01/15 Date of Next Meeting

Monday 23rd January 2023 at the Memorial Hall.

Meeting closed at 6:45 pm

Signed _____ Date _____

Summary of Resolutions/Recommendations

Resolution/Recommendation	Resolution/Recommendation Wording
<u>D/23/01/7.01 Resolved</u>	The Committee made no comment.
<u>D/23/01/7.02 Resolved</u>	The Committee actively encourages responsible tree management and does not object to this application.
<u>D/23/01/7.03 Resolved</u>	The Committee actively encourages responsible tree management and objects to the felling of healthy trees. The WS Tree Officer had considered the application and approved the felling of the tree subject to a suitable replacement being planted which the Committee supported.
<u>D/23/01/7.04 Resolved</u>	The Committee voiced no comments.
<u>D/23/01/8.01 Resolved</u>	The Committee requested that their previous objections be

	submitted.
<u>D/23/01/8.02 Resolved</u>	The Committee voiced no comments.
<u>D/23/01/8.03 Resolved</u>	The Committee voiced no comments.
<u>D/23/01/8.04 Resolved</u>	The Committee voiced no comments.

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Item 4b (matters arising)

Officer report - DC/22/1915/P3CMA

Second Floor 96 High Street Newmarket Suffolk

Date registered: 3 November 2022 **Expiry date:** 29 December 2022

Case officer: Charlotte Waugh **Recommendation:** Not required

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

Proposal: Prior Approval Application under Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 - change of use from second floor offices (class E) to five dwellings (class C3)

Applicant: Lanevo Estates Ltd

Proposal:

The Town and Country Planning (General Permitted Development) Order 2015, as amended (GPDO), permits the change of use of a building from commercial, business and service (class E) to dwellinghouses (class C3), without requiring the express permission of the local planning authority (LPA), subject to a number of criteria being met and certain conditions being satisfied. One of these conditions is the requirement of the developer to apply to the LPA for a determination as to whether the prior approval of the authority will be required in relation to nine prior approval matters detailed in Part 3, Class MA of the GPDO.

This application seeks to change the use of offices on the second floor to residential use in the form of 5 flats.

Site details:

The site is located in the settlement boundary and town centre of Newmarket. Sited on the high street the building provides a retail use on the ground floor with a dentist at first floor. The second floor offices are now empty.

Planning history: None

Consultations:

Environment Team

Thank you for consulting the Environment Team on the above application. Given that the development is for the conversion of a second floor former office space we are satisfied that the risk from contamination is low and no assessment is required.

Environment & Transport - Highways

No comments received

Parish Council

The Committee objected on the grounds of overdevelopment of the site and on scale and layout; with the space being too small for 5 dwellings for human habitation.

Ward Councillor

No comments received

Representations: None received

Officer comment:

Policy & Legislative Context

The Town and Country Planning (General Permitted Development) Order 2015, as amended (GPDO), permits the change of use of a building from commercial, business and service (class E) to dwellinghouses (class C3), without requiring the express permission of the local planning authority (LPA). This provision is set out in Schedule 2, Part 3, Class MA of the GPDO and is subject to a number of criteria being met and certain conditions being satisfied. One of these conditions is the requirement of the developer to apply to the LPA for a determination as to whether the prior approval of the authority will be required as to:

- (a) transport impacts of the development, particularly to ensure safe site access;
 - (b) contamination risks in relation to the building;
 - (c) flooding risks in relation to the building;
 - (d) impacts of noise from commercial premises on the intended occupiers of the development;
 - (e) where—
 - (i) the building is located in a conservation area, and
 - (ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;
 - (f) the provision of adequate natural light in all habitable rooms of the dwellinghouses;
 - (g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste management, storage and distribution, or a mix of such uses;
 - (h) where the development involves the loss of services provided by—
 - (i) a registered nursery, or
 - (ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006 the impact on the local provision of the type of services lost; and
 - (i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.
- (See MA.2.(2))

When assessing applications such as this, the LPA must consider the following (see Schedule 2, Part 3 of the GPDO, section W(10)):

- Representations made to them as a result of any consultation (*relevant* representations as detailed in the applicable sections of the GPDO).
- The National Planning Policy Framework (NPPF), so far as relevant to the subject matter of the prior approval, as if the application were a planning application.
- Whether the site will be contaminated land, as a result of the proposed change of use.

As stipulated in Part 3, section W(3), the LPA may refuse an application where, in the opinion of the authority the proposed development does not comply with, or the developer has provided insufficient information to enable the authority to establish whether the proposed development complies with, any conditions limitations or restrictions as being applicable to the development in question.

Limitations of Class MA

Section MA.1. of the GPDO sets out the limitations of Class MA. For example, the building must have been vacant for a period of 3 months prior to the date of application, it must have been in Class E use (or its equivalent) for at least two years, the cumulative floor space changing use cannot exceed 1500sqm and the building cannot form part of a listed building or be located in an AONB. The eligibility criteria set out in the GPDO forms part of section 4a of the application form, which has been submitted and signed by the applicant. Therefore, and in conjunction with checks made by the Planning Officer, based on the information provided, this application complies with the limitations set out in section MA.1. of the GPDO.

Prior approval matters:

The prior approval matters to be considered are detailed in section MA.2.(2)a-i of the GPDO and are discussed below.

a) Transport impacts

This proposal provides a car free development. Whilst the proposed dwellings would ordinarily require parking spaces as well as cycle parking the site is in a sustainable town centre location, close to businesses, employment, the train station and bus stops. Given the second floor location of the flats there is no opportunity for external or otherwise cycle storage. It would therefore, be the occupants decision to secure cycles externally or take them into their flat. Whilst this is not an approach preferred by officers, it is considered that given the location future occupiers may be less dependent on the private car, resulting in a reduced requirement for parking spaces.

The NPPF, at paragraph 111, states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.” This is not considered to arise in this case.

b) Contamination

The proposal is for the change of use of second floor offices to residential use. The Environment Team is satisfied that the risk from land contamination is low and do not require any contamination assessments to be provided.

c) Flood Risk

The site is in flood zone 2, however given the second floor location, the risk from flooding is low.

d) Noise Impacts

The site is located in a town centre location where other residential uses are considered acceptable and common above ground floor level. The first floor use as a dental clinic will be operational during working hours and is not considered to result in any noise impact to the proposed residential use.

e) Impact on the character or sustainability of the conservation area

The site is located in a Conservation Area, albeit no external alterations are required. On this basis, the proposal is not considered to impact the appearance of the conservation area.

f) Adequate natural light

The proposed floor plans indicate that there will be adequate natural light in all habitable rooms.

g) Impact on future occupiers if there are general or heavy industry, waste management, storage and distribution uses in the area

This is not applicable as the site is located on the high street where uses are predominantly retail/café.

h) The impact of any loss of nursery or health centre maintained under section 2 or 3 of the National Health Service Act 2006

This is not applicable.

Other Matters- Space Standards

As required under paragraph 9A of the 'Permitted Development' section of the GPDO, any new dwellinghouse permitted within the Order must comply with the Nationally Described Space Standards. In this case, the proposed dwellings comply with the space standards.

Conclusion:

In conclusion, it is considered that the proposal is in compliance with the regulations of Class MA and the information submitted is sufficient to ensure that those matters for prior approval are acceptable.

Recommendation: Prior approval is not required

Documents:

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

Case officer:	Charlotte Waugh	Date: 22.12.22
Authorising officer:	Sarah Drane	Date: 22.12.2022

Application	Constraints	Case Officer	Applicant name	Ward Member	Consultation expiry date	Neighbour comment at time of printing
Weeks beginning 2 nd & 9 th January						
DC/23/0025/TCA <u>Trees in a conservation area notification - 17 Lawson Cypress (indicated on plan) fell</u> Tattersalls The Avenue Newmarket Suffolk CB8 9AY	Conservation Area	Sarah Drane	Mrs Paula Lucas	Councillor Andy Drummond Councillor James Lay	Mon 30 Jan 2023	no
NMA(A)/19/2459 <u>Non-material amendment to DC/19/2459/HH - change side and rear extension from flat roof to pitch roofs</u> 27 Exning Road Newmarket Suffolk CB8 OEA		Adam Yancy	Mr Yeter	Councillor Rachel Hood Councillor Robert Nobbs		no
<i>This notifies the Council of proposed work or development not needing its permission. The Council will not be approving or refusing the proposal, so comments are not invited.</i>						
DC/23/0047/TCA <u>Trees in a conservation area notification - three Sycamore (1, 5 and 6 on plan) two Crab apple (2 on plan) one Cherry (3 on plan) two Sycamore and group of Sycamore (4,5 and 6 on plan) two Norway Maple (7 and 8 on plan) one Laurel (9 on plan) one Pyracantha (10 on plan) one Bay (11 on plan) group of Prunus and Saplings (12 on plan) fell</u> Eastcote 45 Bury Road Newmarket Suffolk CB8 7BY	Conservation Area	Dave Beighton	Crown Priory Ltd	Councillor Rachel Hood Councillor Robert Nobbs	Wed 01 Feb 2023	no

Development and Planning Committee

Planning Applications – West Suffolk Council

DC/23/0044/HH <u>Householder planning application - a. enlargement of bay window to front elevation b. roof lights to front and rear elevations c. replacement second floor windows to front and rear elevations c. single storey rear extension (following demolition of existing conservatory) d. pitched roof to first floor rear section e. PV array to rear elevation</u> 27 Lisburn Road Newmarket Suffolk CB8 8HS	Conservation Area	Gregory McGarr	Ms G Hockenhull	Councillor Rachel Hood Councillor Robert Nobbs	Wed 01 Feb 2023	no
DC/23/0041/FUL <u>Planning Application - two dwellings with associated access</u> Land Adjoining Church Exeter Road Newmarket Suffolk		Savannah Cobbold	Rev Prof John Morrill	Councillor Rachel Hood Councillor Robert Nobbs	Fri 03 Feb 2023	no
DC/22/1704/FUL <u>Planning application - a. extension and refurbishment of existing stables with apartment and office on first floor b. two detached dwellings with associated landscaping, garage and parking c. alteration and refurbishment of existing barn to be used for storage d. existing outbuilding refurbished to form new stable block e. enclosed horse walker f. alterations to muck area</u> Calder Park Stables Hamilton Road Newmarket Suffolk CB8 0NY		Ed Fosker	Mr J Donshajh	Councillor Andy Drummond Councillor James Lay	Fri 03 Feb 2023	no

DC/23/0045/P3CMA <u>Prior approval application under Part 3 of the Town and Country Planning (General Permitted Development) Order 2015 - change of use from commercial (class E) to 7 dwellings (class C3) Change of use to 7no. residential dwellings.</u> Rutland Chambers 19 High Street Newmarket Suffolk CB8 8LX Information provided by planning officer regarding how this differs from the previous application, which was recently refused: <i>The proposed areas for bins, cycles and vehicle unloading bay have been included within the red line, cycle storage has been removed from the front of the property and the GIA for one of the flats has been amended.</i>	Conservation Area	Amy Murray	C/O Parker Planning Services Ltd	Councillor Rachel Hood Councillor Robert Nobbs		no
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TO RECONSIDER THE RESPONSE SUBMITTED BY THE TOWN COUNCIL REGARDING THE BASEMENT DEVELOPMENT AT 2 SUN LANE IN LIGHT OF RECEIVED FIRE OFFICER REPORTS, ETC

[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 CB8 8EW \(westsuffolk.gov.uk\)](#)

Previous comment from NTC 02/08/2022

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

Sent: 06 September 2022 15:47

To:

Cc: Unique Newmarket <juiceunique@gmail.com>; stuart@fireconsultancytld.co.uk; Amanda Shelly <amanda@lynwoodassociates.co.uk>

Subject: RE: Unique, Newmarket

Hi Dennis

Thanks for your email , further to our telephone conversion this afternoon, I confirm that I am ok with the revised proposal for the new arrangements to the basement area.

I am still awaiting a response from the Fire Officer.

Regards

Sid

Sid Webb

C.Build E MCABE Project Manager Cambridge Office M: 07887 343662
email:

Office: Assent Building Control Limited, Espace South, [26 St Thomas Place, Ely, CB7 4EX](#)

Hopefully, Julian has spoken to you and you will be expecting this email!

I have attached our layout currently with the Planners. The case officer is happy to approve but the Town Council have objected on safety grounds.

The case officer has said to me if we can get something in writing from Building Control that the means of escape is ok he should be able to get the Town Council to remove their objection and he can then deal with the application under delegated powers.

I'm hoping you will be happy with this layout, please let me know.

Regards

Dennis Brocklesby

Director

Lynwood Associates Ltd

Lynwood House

Murray park

Newmarket

CB8 9BU

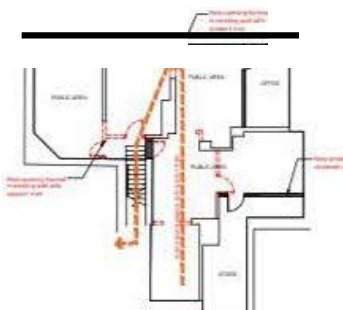
Tel: 01638 661044

Mobile: 07889049312

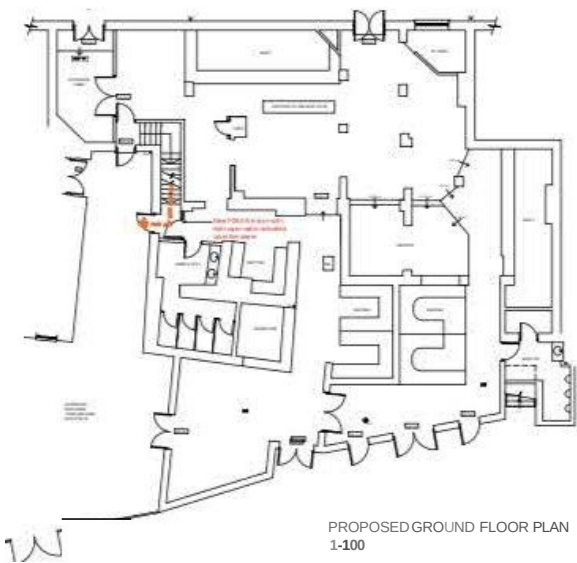
E-mail: dennis@lynwoodassociates.co.uk

Web: www.lynwoodassociates.co.uk

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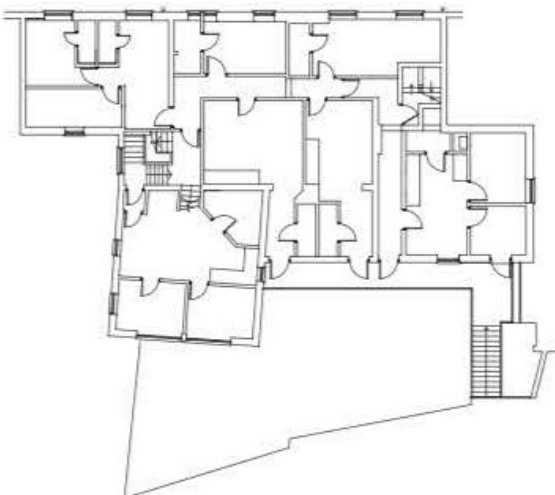
PROPOSED BASEMENT PLAN
1-100



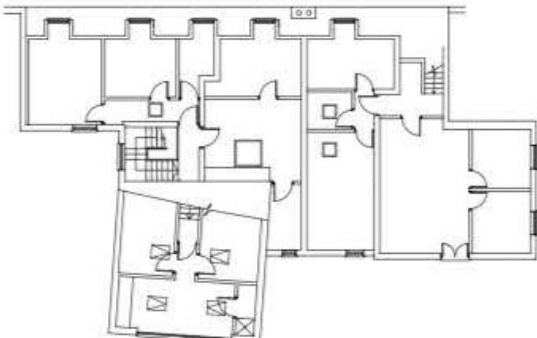
PROPOSED GROUND FLOOR PLAN
1-100



SITE LOCATION PLAN
1-1250



PROPOSED FIRST FLOOR PLAN (NO CHANGE)
1-100



PROPOSED SECOND FLOOR PLAN (NO CHANGE)
1-100



Dennis Brocklesby
Lynwood Associates Ltd
Lynwood House
Murray Park
Suffolk
Newmarket
CB8 9BU

E-Mail dennis@lynwoodassociates.co.uk

Dear Dennis

CONVERSION OF EXISTING TOILET BLOCKS ON THE FIRST FLOOR INTO TWO SELF CONTAINED APARTMENTS (NUMBERED 3 AND 4) IN AN EXISTING THREE STOREY BUILDING, INCLUDING REPLACEMENT OF ALL FIRST-FLOOR WINDOWS FACING ONTO SUN LANE AND NEW STAIRS ACCESS TO BASEMENT ROOMS
UNIQUE, 2 SUN LANE, NEWMARKET, SUFFOLK, CB8 8EW

We refer to the above and subsequent consultation with the Fire Authority and attach a copy of their report the requirements of which should be reviewed and addressed as appropriate.

If you would like to discuss, or require any assistance in respect of the items raised, please do not hesitate to contact us.

Yours sincerely



Sid Webb
Project Manager

E-mail: Sid@assentbc.co.uk
Contact No: 07887 343662

Enc: Fire Authority Report



Suffolk Fire and Rescue Service

Assent
LB Building Control
Espace South
26 St Thomas Place
Ely
Cambridgeshire
CB7 4EX

Fire Business Support Team
Floor 3, Block 2
Endeavour House
8 Russell Road
Ipswich, Suffolk
IP1 2BX

Your Ref: CB 259424
Our Ref: FS/F350254
Enquiries to: Chris Cage
Direct Line: 01473 260588
E-mail: Fire.BusinessSupport@suffolk.gov.uk
Web Address: <http://www.suffolk.gov.uk>

sid@assentbc.co.uk

Date: 08/09/2022

Dear Sirs,

Regulatory Reform (Fire Safety) Order 2005
Building Regulation Application No: CB 259424
Conversion of First Floor Toilet Block to Two Self-contained Flats & New Stairs to Basement
Unique, 2 Sun Lane, Newmarket CB8 8EW
Drawing No's: 2244/02 Rev A

I have examined your letter, dated 25 August 2022, concerning the above application. The following comments refer to the additional amended works to the basement area only.

Main Staircase

The stair leading up from the basement and the flight serving the upper floors are both located in the same stair well. Escape from manager's flat 1 can only be achieved by passing through this staircase. It is assumed therefore that these flights of stairs are adequately separated by the necessary fire-resistant construction. If this is not the case please inform this Authority accordingly.

Basement

Inner Rooms

The office and store in the basement area are inner rooms. One of the 3 prescribed methods documented in ADB to mitigate inner room situations should be adopted.

The maximum number of persons in this area should not exceed 30 persons.

Management

During the course of the building work, adequate means of escape from the premises must be maintained at all times the premises are occupied.

/continued

OFFICIAL

It is the Responsible Person's duty to have a suitable and sufficient fire risk assessment when the premises are occupied.

The provisions of primary fire safety legislation (The Fire Safety Order) mean that subsequent enforcement action by the Fire and Rescue Authority cannot be discounted upon occupation of the building.

Please forward the following information to your client.

CHANGES TO FIRE SAFETY LEGISLATION

Your attention is drawn to changes in fire safety legislation which impose significant legal requirements for Responsible Persons.

Fire Safety Act 2021

Affects responsibilities in managing fire safety matters within **premises containing two or more sets of domestic premises**. A Fire Risk Assessment Prioritisation Tool is available to assist Responsible Persons to develop a strategy to prioritise building stock with the new legislative changes. The following link will provide the required information to the relevant changes:

<https://www.gov.uk/government/publications/fire-safety-act-2021>

The Fire Safety (England) Regulations 2022

Introduced to meet the recommendations with Phase 1 of the Grenfell Tower Inquiry, and concerns fire safety in **multi-occupied residential buildings**, depending on the height of the building, and requires information to be provided to the Fire & Rescue Service. These regulations will be fully in force on the 23 January 2023. Responsible Persons are encouraged to start preparing for this. The following link will provide the required information to the relevant changes:

<https://www.gov.uk/government/publications/fire-safety-england-regulations-2022>

Should you require any information or assistance, please do not hesitate to contact me on the telephone number above.

Yours faithfully



Chris Cage
Protection Officer
Fire Safety Inspector

Decision List

Weeks commencing 2 nd & 9 th January	NTC Comments
<u>Householder planning application - a. porch extension b. wrap around extension to the side and rear (following demolition of existing porch, garage and conservatory)</u> 67 Edinburgh Road Newmarket Suffolk CB8 0QD DC/22/1955/HH	NTC no objection 
<u>Householder planning application - single storey rear extension</u> 6 Brazilian Terrace Newmarket Suffolk CB8 0JU DC/22/2040/HH	NTC objected  Qcc grc k /0 bcjce_rgm1 n_lcj bcagggm1q
<u>Tree preservation order TPO 012 (1956) - two Horse Chestnut (T1 and T2 on plan, within area A7) crown raise to 4 metres above ground level</u> 17 Collings Place Newmarket Suffolk CB8 0EX DC/22/1545/TPO	NTC no objection 

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Item 12

Officer report - DC/22/2040/HH

6 Brazilian Terrace Newmarket Suffolk CB8 0JU

Date registered: 29 November 2022 **Expiry date:** 27 January 2023

Case officer: Gregory McGarr **Recommendation:** Approve Application

Parish: Newmarket Town Council **Ward:** Newmarket West

Proposal: Householder planning application - single storey rear extension

Applicant: Mr and Mrs Sidney and Jennifer Ricketts

Proposal:

The application seeks planning permission for the construction of a single storey extension at the rear of the dwelling. This would allow the dwelling to benefit from an enlarged kitchen area. The proposed extension will measure 4.727m in depth to the furthest point, 4.751m in width and 3.405m in height to the highest point and 2.655m in height to the eaves.

As the Officer recommendation was contrary to the view of Newmarket Town Council the proposal was referred to the Delegation Panel which agreed that the proposal could proceed for determination under delegated powers.

Site details:

The application site consists of a two-storey terraced dwelling located within the settlement boundary of Newmarket. The dwelling is located on Brazilian Terrace which fronts a highway. The dwellings on Brazilian Terrace have garden space to the rear and there is a public footpath at the rear boundary of the curtilage of the dwellings.

The dwelling is situated within the Newmarket Conservation Area. The dwelling is not a listed building and has no restrictions to permitted development rights.

Planning history:

No planning history applicable to the dwelling.

Consultations:

Conservation Officer

No representations received.

Parish Council

Newmarket Town Council **OBJECT** to the granting of planning permission on the following grounds:

The Committee objected on the grounds of it being an overdevelopment of the site.

Ward Councillor

No representations received.

Representations:

No neighbour representations received during consultation period.

Policy:

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

Policy DM1 – Presumption in Favour of Sustainable Development

Policy DM2 – Creating Places Development Principles and Local Distinctiveness

Policy DM17 – Conservation Areas

Policy DM24 – Alterations or Extensions to Dwellings, including Self-Contained Annexes and Development within the Curtilage

Core Strategy Policy CS3 – Design Quality and Local Distinctiveness

NPPF 2021

Other planning policy:

The National Planning Policy Framework (NPPF) was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree

of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision-making process.

Officer comment:

The main considerations in the determination of this application are:

- Principle of development
- Impact upon amenity
- Impact upon the street scene
- Design and form

Principle of Development

Policy DM24 states that planning permission for alterations or extensions to the existing dwelling, self-contained annexes and ancillary development within the curtilage of dwellings will be acceptable provided that the proposal respects the character, scale and design of existing dwelling and the character and appearance of the immediate and surrounding area, will not result in overdevelopment and shall not adversely affect the residential amenity of occupants of nearby properties.

The dwelling is considered to be within a curtilage that is able to accommodate the scale of the development of the extension without overdevelopment occurring.

Impact Upon the Street Scene

From the front elevation of the application site the street scene is considered to be made up of a row of terraced houses that are relatively uniform in nature aside from the roof form. The proposed extension cannot be viewed from the front elevation due to the host dwelling providing the necessary shielding and therefore is not considered to have an impact on the street scene from this perspective.

To the north and east of the application site the proposal can be viewed in its entirety from the public realm. This is as a result of a footpath that runs parallel to the gardens of the dwellings located on Brazilian Terrace. There is a boundary wall along the rear curtilage separating the garden from the public space which provides a minor amount of shielding. Although, visible from the public space the size, scale and form of the proposal is not considered to contribute towards a negative impact upon this aspect of the street scene.

Overall, the proposal is not considered to cause any material detrimental impact upon the street scene and is such acceptable.

Impact on Amenity

The proposed development is considered to have no material impact upon the residential amenity of nearby occupants by means of overlooking, being physically overbearing or through any loss of light given the scale and location of the proposal. As stated, the size of the curtilage is considered to be large enough to accommodate the scale of the extension. No harm is considered to arise to No. 6 Brazilian Terrace which is the neighbouring dwelling to the west. Similarly, no harm is considered to arise to No. 7 which is the neighbouring dwelling to the west. This has been concluded given the dimensions of the proposal which are considered to be sufficiently subordinate to the host dwelling and is of a scale and size similar to development that has occurred at the rear elevation of other dwellinghouses located on Brazilian Terrace.

As a result of the above factors the proposal is not considered to contribute towards a negative impact on the amenity of either the host dwelling or neighbouring dwellings.

Design and Form

The proposal is considered to be of an appropriate scale, form and design. The design is aesthetically pleasing and is considered to have no detrimental impact on the host property or the surrounding dwellings. The materials that will be used in the construction of the proposal have been stated on the application form. The proposed materials are considered to be in-keeping with the host dwelling and surrounding properties and are therefore acceptable. This will be controlled with the imposition of the 'submitted materials' condition on the approval.

Conclusion:

In conclusion, the principle and detail of the proposal is considered to be acceptable and in compliance with the relevant local development plan policies and the National Planning Policy Framework.

Recommendation:

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

1. 001A Time limit
2. 002C Materials – Submitted Details
3. 14FP Approved Plans

Informatives:

When determining planning applications, The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising. In this case the application could be approved without negotiation or amendment so there was no need to work with the applicant.

Documents:

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

Case officer:	Gregory McGarr	Date: 11.01.2023
Authorising officer:	Dave Beighton	Date: 11 January 2023

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Townclerk

Subject: FW: Parking restrictions - CORSICAN PINE CLOSE

-----Original Message-----

From: TM

Sent: 12 December 2022 16:35

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

Subject: Parking restrictions

Hi I'm requesting for double yellow lines to be put in i front of my drive as I cannot access my drive due to people parking on the opposite side of my drive. I live in corsican pine close Newmarket CB80DZ. The road isn't big enough for cars to park there I also believe it's a Hazard for emergency services to access the end of the road. As I am a lorry drive I do believe a fire engine would not be able to access the end of the road due to cars parking there and the road not being wide enough. I'd highly appreciate something being done about this.

Thanks,
TH

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