

Membership as from May 2023

Councillor Berry
Councillor Clover
Councillor Drummond (Vice Chair)
Councillor Harvey
Councillor Hood (Chair)
Councillor Hulbert
Councillor Kavanagh
Councillor Nobbs
Councillor Perry

Members = 9

Quorum = 3



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

The Memorial Hall, High Street, Newmarket Suffolk CB8 8JP

TEL: 01638 667227

You are hereby summoned to attend a meeting of the
Development and Planning committee
to be held at

Memorial Hall, High Street, Newmarket, CB8 8JP

Monday 4th December 2023 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 and ask if anyone present intends to record the meeting.
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 20th November 2023**
 - 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 if Newmarket Neighbourhood Plan policies impact on planning applications for consideration**
7. **Planning applications** – West Suffolk Council, weeks commencing 13/11/2023 & 20/11/2023
8. **Planning applications** – Amended and Deferred Plans
 - a) **DC/23/1783/FUL: Arlington Court, Church Lane** – deferred to receive further information regarding the specification of the railings
 - b) **DC/23/1749/FUL: 36 Old Station Road** – deferred to carry out a site visit to the property
 - c) **DC/23/1674/VAR: 34 Fitzroy Street, Newmarket** – deferred pending approval of materials being used
 - d) **DC/23/1844/TCA: Sefton Cottage, Snailwell Road** – deferred for pictures and Tree Officers statement
 - e) **DC/23/0980/FUL: 53 High Street** – deferral due to major differences of the original and amended plans
9. **Planning Appeals** – to discuss any notified appeals and receive any appeal results
10. **Planning applications** – East Cambs
11. **Planning decisions and plans withdrawn** – West Suffolk Council-week commencing 13/11/2023 & 20/11/2023
12. **Delegation Panel decisions** - To discuss any decisions by Delegation Panel
13. **Licensing** – To discuss any Licensing applications
14. **Accounts** – to receive and note the M8 accounts for the Development and Planning Committee
15. **Enforcement** – to receive information regarding DC/23/1182/FUL 128 High Street
16. **Short-term Lets (Air B&B)** – to discuss in general and specifically regarding 38 Mill Hill
17. **Exning Road Verge Parking** – to receive an update regarding the application to install bollards
18. **Correspondence** –
 - a) Queensbury Lodge
 - b) WS Local Plan information
 - c) Any other correspondence received after agenda publication

19. Date of next meeting – 18th December 2023

Signed: *CE Whitaker* Cathy Whitaker, Town Clerk

Date: 28th November 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?

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Newmarket

TOWN COUNCIL

Minutes of a Meeting of the Development & Planning Committee Held on Monday 20th November 2023 at 6.20pm

Attendance:

Councillor J Harvey (Chairman)
Councillor P Hulbert

Councillor E Kavanagh
Councillor R Nobbs
Councillor S Perry

Also Present: C Whitaker - 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/23/11/23 <u>Chairman to Read the Fire Safety Notice and Announce that Proceedings May be Filmed or Recorded</u> With the absence of the Chairman and Deputy Chairman, Town Clerk asked for nominations for a Chairman, Cllr Nobbs nominated Cllr Harvey and the following was agreed: <u>D/23/11/23.01 Resolved</u> That Cllr Harvey be elected as Chairman for this evening's D&P Committee meeting. Cllr Harvey took the Chair and opened the meeting and read out the Fire Notice and announced that proceedings were being recorded.	
D/23/11/24 <u>Apologies</u> Cllrs Berry and Drummond. Cllrs Clover and Hood were absent.	
D/23/11/25 <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. Cllr Nobbs requested and was granted dispensation for application DC/23/1749/FUL – 36 Old Station Road.	
D/23/11/26 <u>To Confirm the Minutes of the Meeting Held on 6th November 2023 and any Matters Arising</u> The Chairman presented the minutes of the Development & Planning Committee held on 6th November 2023 and the following was agreed: <u>D/23/11/26.01 Resolved</u> That the minutes of the Development & Planning Committee held on 6th November 2023 be adopted and signed as a true record by the Chairman of the Development & Planning Committee. Matters arising:	

Cllr Perry - letter to WSC regarding 36 Old Station Road pavement obstruction still to be sent.

D/23/11/10.03 Resolved - former St Felix site - final wording of the response completed and the document has been circulated. Cllr Perry reported that the group of Newmarket District Councillors' submission had been made.

D/23/11/20 – SCC Bus Services consultation – a meeting has been set up for the Transport and Parking Working Group on 5/12/23 to formulate a response.

D/23/11/27 Public Open Session

A member of the public spoke to an item in Correspondence regarding shared footways (cycle/pedestrian).

The Chairman proposed that item 15a Correspondence be brought forward, and the following was agreed:

D/23/11/27.01 Resolved

That item 15a Correspondence be brought forward.

D/23/11/28 Correspondence

Email from a Studland's resident regarding cycling on footpaths and lack of signage was discussed. SCC are responsible for cycle paths and an item will be added to the next D&P agenda to refer the issue to the Parking and Transport Working Group.

Cllr Winter joined the meeting and a member of the public left the meeting.

D/23/11/29 Impact of Newmarket Neighbourhood Plan Policies on Applications Being Considered

Policy 1 – Conservation Area and Policy 14 – Trees

D/23/11/30 Planning Applications

Week Commencing 30/10/2023 & 06/11/2023

D/23/11/30/1 NMA(B)/22/1019/HH - Non-material amendment to DC/22/1019/HH - amendment from external first floor level cladding to a smooth cream/beige render - 8 Exning Road Newmarket Suffolk.

D/23/11/30.01 Resolved

No comment was invited by the Committee.

D/23/11/30/2 DC/23/1783/FUL - Planning application - a. installation of 1800 mm railing / gate to front of retaining wall; b. removal of timber fence to be replaced with 1100 mm railing to existing wall on side elevation; c. replacement pedestrian gate to rear elevation - Arlington Court Church Lane Newmarket Suffolk.

D/23/11/30.02 Resolved

The Committee deferred this application and requested an extension to request the specification of the material for the railings.

D/23/11/30/3 DC/23/1790/TCA - Trees in a conservation area notification - one Prunus (T1 on plan) fell 45 High Street Newmarket Suffolk.

D/23/11/30.03 Resolved

The Committee actively encourages responsible tree management and object to the felling of trees. However, the Committee, on this occasion did not object due to the inappropriate location of the tree.

D/23/11/30/4 DC/23/1782/FUL - Planning application - a. infill of door to front elevation to include partial opaque glazing; b. infill of door to rear elevation -16 Arlington Court Church Lane Newmarket Suffolk.

D/23/11/30.04 Resolved

The Committee voiced no objection, subject to the approval of the Conservation Officer on the materials to be used.

Cllr Nobbs was granted dispensation for the following application and did not vote.

D/23/11/30/5 DC/23/1749/FUL - Planning application - a. subdivision and conversion of three flats into seven flats b. single storey rear extensions - 36 Old Station Road Newmarket Suffolk.

D/23/11/30.05 Resolved

The Committee deferred this application and requested an extension to arrange a site visit.

D/23/11/30/6 DC/23/1747/HH - Householder planning application - single storey front extension - 21 Leaders Way Newmarket Suffolk.

D/23/11/30.06 Resolved

The Committee voiced no objection, subject to no interference to the neighbour's right to light and adherence to the tree protection measures specified.

D/23/11/30/7 DC/23/1674/VAR - Planning application - variation of condition 2 of F/2006/1036/COU to allow for use of amended plans for change of use from offices to five self-contained flats - 34 Fitzroy Street Newmarket Suffolk.

D/23/11/30.07 Resolved

The Committee deferred this application and requested an extension to seek approval of the Conservation Officer regarding the materials to be used.

D/23/11/30/8 DC/23/1844/TCA - Trees in a conservation area notification - one Silver Birch (T2 on plan) fell - Seton Cottage Snailwell Road Newmarket Suffolk.

D/23/11/30.08 Resolved

The Committee actively encourages responsible tree management and object to the felling of trees. The Committee deferred this application and requested an extension to receive the Tree Officer's report and photos of tree.

D/23/11/30/9 DC/23/1812/HH - Householder planning application - a. first floor extension b. 1.5 storey rear extension c. attached side garage following demolition of existing garage d. replacement windows and cladding - 23 Edinburgh Road Newmarket Suffolk.

D/23/11/30.09 Resolved

The Committee voiced no objection, subject to the new location of the garage having no impact on neighbouring property.

D/23/11/30/10 DC/23/1809/TPO TPO - 181 (1972) tree preservation order - 10 Lime and Sycamore (T1 - T10 on plan, G1 and G2 on order) re-pollard to previous points; six Horse Chestnut (T2 - T7 on plan) re-pollard to previous points; one Box Elder (T25 on plan, G1 on order) crown Lift to 2.5 metres above ground level over footpath; crown reduce by 0.25 metres over footpath; 11 Sycamore (T11 - T15, T7, T8, T9, T20-T22, G1 on order)) re-pollard to previous points; one Sycamore (T16 on plan, T1 on order) crown reduce by approximately 1 metre to re-shape; one Hornbeam (T23 on plan, G3 on order) reduce in height by approximately 2 metres and reduce lateral spread by approximately 1-1.5 metres; two Silver Birch (T23, T24 on plan, G3 on order) remove 5 lowest branches and thin by 10 percent; Conifers (G1 on plan, T4 on order) reduce in height to approximately 6 metres above ground level and reduce sides by approximately 1.5-2 metres - Bryntirion Court Cheveley Road Newmarket Suffolk.

D/23/11/30.10 Resolved

The Committee actively encourages responsible tree management and supports this application. The clear photos were appreciated.

D/23/11/30/11 DC/23/1808/TPO - TPO 12 (2005) Tree preservation order - one Walnut (T1 on plan T2 on order) overall crown reduction by 1.5 metres to previous punning points - 6 Balaton Place Snailwell Road Newmarket Suffolk.

D/23/11/30.11 Resolved

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

D/23/11/31 Amended and Deferred Planning Applications

D/23/11/31/1 DC/23/0580/FUL – 45 Bury Road.

The Conservation Officer's report was reviewed, and the following was agreed:

D/23/11/31.01 Resolved

The Committee objected due to the ongoing lack of information regarding parking arrangements. This had previously been raised and is still unavailable and the Committee therefore is unable to form an opinion.

D/23/11/31/2 DC/23/0980/FUL – a. partial demolition of ground floor to create a passageway b. replacement shopfront – 53 High Street Newmarket Suffolk.

D/23/11/31.02 Resolved

The Committee deferred this application and requested an extension to seek

clarification on the major differences of the original and amended plans and are minded to object on these grounds.

D/23/11/32 Planning Appeals

None noted.

D/23/11/33 East Cambs Planning Applications

The East Cambs Weekly List for 03/11/2023 & 10/11/2023 were noted.

D/23/11/34 To Receive Results of Applications as Determined by West Suffolk and Plans Withdrawn

West Suffolk Planning Determinations received during week commencing 30/10/2023 & 06/11/2023

Applications	Description	Address	WS Decision	NTC Decision
DC/23/1595/TCA	Trees in a conservation area notification - a. one Sycamore (T1 on plan) - fell b. one Laburnam (T2 on plan) - coppice	The Kremlin Bungalow 1A Bury Road Newmarket Suffolk	Approved	Objected
DC/23/1285/HH	Householder planning application - a. entrance gates and brick piers b. detached garage with gym (following demolition of existing garage)	Bury Lodge 56 Bury Road Newmarket Suffolk	Approved	No objection
DCON(D)/13/0408	Application to discharge conditions one (design code) and two (green spaces) of DC/13/0408/OUT	Hatchfield Farm Fordham Road Newmarket Suffolk	Approved	Comments not Invited
NMA(A)/23/0470	Non-material amendment to DC/23/0470/FUL - a. internal alterations to floor plans and partition walls b. install roller shutter c. relocation of door to western elevation	Newmarket Library 24 The Guineas Shopping Centre The Rookery Newmarket Suffolk	Approved	Comments not Invited
NMA(A)/16/1131	parking provision through creation of tandem parking spaces from 16 spaces to 21 spaces	Southernwood Fordham Road Newmarket Suffolk	Approved	Comments not Invited
DC/23/1566/TPO	TPO 08(1991) tree preservation order - works to trees as shown on tree plan	Kingfisher House St Fabians Close Newmarket Suffolk	Approved	No objection
DC/23/1160/FUL	Planning application - change of use of office space (class E) to residential use (class C3)	Southernwood Fordham Road Newmarket Suffolk	Approved	Extension requested

It was noted that application DC/23/1160/FUL had been approved, despite the NTC objection.

D/23/11/35 Delegation Panel Decisions

DC/23/1253/VAR – Surrey House – it was noted that the planning officer had worked with Cllr Hood to make the amended plans more acceptable to the Town Council.

D/23/11/36 Licensing

V-Café Ltd – 25 Market Street Newmarket – Sale of alcohol Monday – Sunday 12: - 21:00.

D/23/11/36.01 Resolved

The Committee voiced no objection to the Licensable Activities.

D/23/11/37 Accounts

The Committee accounts for month 7 October 2023 were noted.

D/23/11/38 Correspondence

Email from a resident regarding Rayes Lane/Fordham Road horse crossing – the SCC plan on pending works to the crossings was noted and confirmation of the distance of crossings in relation to the Clock Tower junction will be sought.

D/23/11/39 Date of Next Meeting

Monday 4th December 2023 at the Memorial Hall.

Meeting closed at 7:23pm.

Signed _____ Date _____

Summary of Resolutions/Recommendations

Resolution/Recommendation	Resolution/Recommendation Wording
<u>D/23/11/30.01 Resolved</u>	No comment was invited by the Committee.
<u>D/23/11/30.02 Resolved</u>	The Committee deferred this application and requested an extension to request the specification of the material for the railings.
<u>D/23/11/30.03 Resolved</u>	The Committee actively encourages responsible tree management and object to the felling of trees. However, the Committee, on this occasion did not object due to the inappropriate location of the tree.
<u>D/23/11/30.04 Resolved</u>	The Committee voiced no objection, subject to the approval of the Conservation Officer on the materials to be used.
<u>D/23/11/30.05 Resolved</u>	The Committee deferred this application and requested an extension to arrange a site visit.
<u>D/23/11/30.06 Resolved</u>	The Committee voiced no objection, subject to no interference to the neighbour's right to light and adherence to the tree protection measures specified.
<u>D/23/11/30.07 Resolved</u>	The Committee deferred this application and requested an extension to seek approval of the Conservation Officer regarding the materials to be used.
<u>D/23/11/30.08 Resolved</u>	The Committee actively encourages responsible tree management and object to the felling of trees. The Committee deferred this application and requested an extension to receive the Tree Officer's report and photos of tree.
<u>D/23/11/30.09 Resolved</u>	The Committee voiced no objection, subject to the new location of the garage having no impact on neighbouring property.
<u>D/23/11/30.10 Resolved</u>	The Committee actively encourages responsible tree management and supports this application. The clear

	photos were appreciated.
<u>D/23/11/30.11 Resolved</u>	The Committee actively encourages responsible tree management and does not object to this application.
<u>D/23/11/31.01 Resolved</u>	The Committee objected due to the absence of any further lack of information regarding parking arrangements. This had previously been raised and is still unavailable and the Committee therefore is unable to form an opinion.
<u>D/23/11/31.02 Resolved</u>	The Committee deferred this application and requested an extension to seek clarification on the major differences of the original and amended plans and are minded to object on these grounds.
<u>D/23/11/36.01 Resolved</u>	The Committee voiced no objection to the Licensable Activities.

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Item 7

Development and Planning Committee
Planning Applications – West Suffolk Council

Weeks beginning 13 th & 20 th Nov				
Application	Constraints	Case Officer	Applicant name	Consultation expiry date
<u>DC/23/1880/TCA</u> Trees in a conservation area notification - one Acacia (A1 on plan) re-pollard to previous pollarding points; one Holly (H1 on plan) reduce height by 1-2 metre away from property 45 Rous Road Newmarket Suffolk CB8 8DH	Conservation Area	Daniel Gospel	Mrs Holland	Fri 08 Dec 2023
<u>DC/23/1708/FUL</u> Planning application - a. two dwellings to rear of Long Cottage, following demolition of stable blocks; b. part demolition of office building to provide vehicular access to rear; c. home office building incidental to use of Long Cottage; d. associated landscaping Long Cottage Fordham Road Newmarket Suffolk CB8 7AA	Conservation Area	Amy Murray	Mr Steve Hall	Wed 06 Dec 2023
<u>DC/23/1935/TCA</u> Trees in a conservation area notification - 10 Sycamore (0005, 0007, 0008, 0009, 0010, 0011, 0013, 0014, 0017, 0020 on plan) fell Palace House Palace Street Newmarket Suffolk CB8 8EP	Conservation Area	Daniel Gospel	Mr Mick Molloy	
<u>DC/23/1915/TCA</u> Trees in a conservation area notification - one Holly (T38 on plan) fell The Kremlin 1 Bury Road Newmarket Suffolk CB8 7BX	Conservation Area	Daniel Gospel	Miss F Salice	Thu 14 Dec 2023

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Townclerk

From: Oliver, Clare <Clare.Oliver@westsuffolk.gov.uk>
Sent: 24 November 2023 12:08
To: Admin
Subject: RE: DC/23/1783/FUL

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Natalie,

Thanks for your email. I am going to request the details of the materials for the proposed railings, including colour etc from the agent and will revert back to you asap. I have updated the system to show that you will be responding by 08.12.2023.

I will be back in touch. Many thanks,
Clare

Clare Oliver
Planning Officer
My working days are Monday, Tuesday, Thursday, and Friday.
Planning Development
Direct dial: 01284 757352
Email: Clare.Oliver@westsuffolk.gov.uk
www.westsuffolk.gov.uk
West Suffolk Council
#TeamWestSuffolk

Consultee Comments for Planning Application

DC/23/1783/FUL

Application Summary

Application Number: DC/23/1783/FUL

Address: Arlington Court Church Lane Newmarket Suffolk CB8 0HN

Proposal: Planning application - a. installation of 1800 mm railing / gate to front of retaining wall; b. removal of timber fence to be replaced with 1100 mm railing to existing wall on side elevation; c. replacement pedestrian gate to rear elevation|cr||cr||cr|

Case Officer: Clare Oliver

Consultee Details

Name: Administrator NTC

Address: Memorial Hall, 144 High Street, Newmarket, Suffolk CB8 8JP

Email: Not Available

On Behalf Of: Parish Council

Comments

The Committee deferred this application and requested an extension to request the specification of the material for the railings.

Your Ref: DC/23/1783/FUL
Our Ref: SCC/CON/4102/23
Date: 24 November 2023
Highways Enquiries to: Highways.DevelopmentControl@suffolk.gov.uk



All planning enquiries should be sent to the Local Planning Authority.

Email: planning.help@westsuffolk.gov.uk

The Planning Department
West Suffolk Council
Development Management
West Suffolk House
Western Way
Bury St Edmunds
Suffolk
IP33 3YU

For the attention of: Clare Oliver

Dear Clare,

TOWN AND COUNTRY PLANNING ACT 1990 CONSULTATION RETURN: DC/23/1783/FUL

PROPOSAL: Planning application - a. installation of 1800 mm railing /gate to front of retaining wall; b. removal of timber fence to be replaced with 1100 mm railing to existing wall on side elevation; c. replacement pedestrian gate to rear elevation

LOCATION: Arlington Court Church Lane Newmarket Suffolk

Notice is hereby given that the County Council as Highway Authority make the following comments:

The location of the proposed metal railings/gates, shown on Drawing No. 2372-03, appear to affect vehicular visibility.

Vehicular visibility splays should be provided to determine the level of visibility this access would be able to achieve. The splays are to be measured 2.4 metres back from the edge of the carriageway at the centre of the access (X Value) and measured to the nearside edge of the carriageway, in both directions, without encroaching third-party land (Y Value). Nothing above the height of 0.6 metres should be situated within the visibility splays.

In addition the above, the location of the proposed vehicular gates poses a risk to road users travelling on the Church Lane, as the gate is set back less than 5 metres from the road edge. We do not permit new gates less than 5 metres from the road edge to avoid unacceptable safety risks and traffic delay arising from vehicles obstructing the public highway.

Until the above concerns have been addressed, a holding objection to the proposal will be maintained.

Yours sincerely,

Liam Healy
Transport Planning Technician
Growth, Highways and Infrastructure

Blank

Townclerk

Subject: FW: DC/23/1844/TCA

From: Gospel, Daniel <Daniel.Gospel@westsuffolk.gov.uk>

Sent: 23 November 2023 15:23

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

Subject: RE: DC/23/1844/TCA

Hello Cathy,

I'm sorry, its all a little bit confusing but I will do my best to explain.

In respect of this case I am a tree officer who is the case officer. This will be the case for most TCAs because they are not planning applications, they are technically a section 211 notice of intention to carry out tree works in a conservation area. As a trees officer my role is to assess the proposed work, with the help of any comments from consultees, to see if it will be detrimental to the amenity of the conservation area. If the proposed works are deemed to be inappropriate/ excessively detrimental to the tree or the conservation area the only means we have as an authority to prevent the works is to serve a TPO. In most cases I will try through negotiation to find the best solution for the tree before serving a TPO.

Because I am the case officer I cannot unduly influence the consultees and therefore it would be inappropriate for me to provide a report.

This might seem like a crazy way to organise things but that is where we stand with planning law at this time.

In the case of a TPO Application which is a proper planning application under the Town and Country Planning Act for works to a protected tree, I will be a consultee and one of the planners will be the case officer. It is most likely that when you see a report from me it is for a TPO application.

I appreciate that you (the town council) are looking for a level of technical expertise to help you inform your decision. What I would say is that in a way you don't need to worry about the technical side for a TCA. What I really need from you (the town council) is your depth of knowledge of the area and its community. If the tree(s) is/are important to the people of your town, this speaks volumes to me about the amenity value of the tree or trees, and it lends weight to the technical assessments I have to make in evaluating the suitability for a TPO.

I know that you have a lot of TPO and TCA cases to consult on in your area and that you are trying to do the best you can for the town. If you are interested and think it could be helpful, I would be willing to attend one of your meetings to talk to you about trees and Planning and answer any questions you might have (but I wouldn't be able to advise on any TCAs).

I hope that this email is helpful, please do ask if I need to explain anything further.

Daniel Gospel
Arboricultural Officer
Green Space and Heritage
Direct dial: 01284 757270
Email: Daniel.Gospel@westsuffolk.gov.uk

From: Townclerk <Townclerk@newmarket.gov.uk>
Sent: Thursday, November 23, 2023 2:51 PM
To: Gospel, Daniel <Daniel.Gospel@westsuffolk.gov.uk>
Cc: Admin <admin@newmarket.gov.uk>
Subject: FW: DC/23/1844/TCA

Hello Daniel,

So can I clarify that you are the Tree Officer and also the Case Officer for this application?

The ariel photo does not give sufficient information for council to form an opinion.

Also, we normally see a Tree Officer report.

How can we get further information then to be able to form an opinion?

The lack of this would likely result in council objecting due to lack of relevant information.

Regards,

Cathy Whitaker

*Clerk to Newmarket Town Council***From:** Admin <admin@newmarket.gov.uk>

Sent: 23 November 2023 10:47

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

Subject: FW: DC/23/1844/TCA

Hi Cathy,

Please see Daniel's reply below regarding application DC/23/1844/TCA (Sefton Cottage Snailwell Road, Trees in a conservation area notification) the extension has however been granted.

Thank you,

Kind regards

Natalie White, Administrative Assistant

From: Gospel, Daniel <Daniel.Gospel@westsuffolk.gov.uk>

Sent: 23 November 2023 10:40

To: Admin <admin@newmarket.gov.uk>

Subject: RE: DC/23/1844/TCA

Good Morning Natalie,

I am happy to give the requested extension to the consultation period but please note I will not be able to provide a report to the Town Council. I am the case officer and I am not permitted to influence the consultation process.

Daniel Gospel

Arboricultural Officer

Green Space and Heritage

Direct dial: 01284 757270

Email:

Daniel.Gospel@westsuffolk.gov.uk

From: Admin <admin@newmarket.gov.uk>

Sent: Wednesday, November 22, 2023 11:09 AM

To: Gospel, Daniel <Daniel.Gospel@westsuffolk.gov.uk>

Subject: DC/23/1844/TCA

Hello Daniel,

I have entered the committees comment for the above application, an extension has been requested to allow time to receive the tree officers report and photos. Please could this be granted until Friday, 8th December?

Thank you,

Kind regards

Natalie White, Administrative Assistant

Townclerk

From: Gospel, Daniel <Daniel.Gospel@westsuffolk.gov.uk>
Sent: 22 November 2023 09:24
To: Townclerk
Subject: FW: Consultee Comments for Planning Application DC/23/1844/TCA

Good Morning,

I have received the below comment submitted via the Planning service. I will be attending the site to make my assessment later this week. I am happy to agree an extension to the consultation period but unfortunately, I do not have capacity to write tailored reports for each application within the consultation period. Rest assured that I have noted the feelings of the council and will seek to resist the removal of healthy trees where I can reasonably do so.

I greatly appreciate the efforts of the Town Council in your capacity as consultees, you provide a degree of local knowledge and connection to the community that is very valuable in helping to assess the value of the trees.

Kind Regards Daniel Gospel

Consultee comments

Dear Sir/Madam,

A consultee has commented on a Planning Application. A summary of the comments is provided below.

Comments were submitted at 21/11/2023 4:46 PM from Administrator NTC (Not Available) on behalf of Parish Council.

Application Summary

Reference:	DC/23/1844/TCA
Address:	Sefton Cottage Snailwell Road Newmarket Suffolk CB8 7DJ
Proposal:	Trees in a conservation area notification - one Silver Birch (T2 on plan) fell
Case Officer:	Daniel Gospel

[Click for further information](#)

Comments Details

Comments:	The Committee actively encourages responsible tree management and object to the felling of trees. The Committee deferred this application and requested an extension to receive the Tree Officer's report and photos of tree.
-----------	---

Kind regards

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

What Are You Applying For?

Based on the type of work proposed and the location and protected status of the trees involved, there are various details and supporting information that will need to be supplied in order for the Local Planning Authority to determine the application.

Are you seeking consent for works to tree(s) subject to a Tree Preservation Order?

☐ Yes

☒ No

Are you wishing to carry out works to tree(s) in a conservation area?

☒ Yes

☐ No

Documents and plans (for any tree)

A sketch plan clearly showing the position of trees listed in the question 'Identification of Tree(s) and Description of Works' MUST be provided when applying for works to trees covered by a Tree Preservation Order.

A sketch plan is also advised when notifying the LPA of works to trees in a conservation area ([see guidance notes](#)).

It would also be helpful if you provided details of any advice given on site by an LPA officer.

Are you providing additional information in support of your application (e.g. an additional schedule of work for the question 'Identification of Tree(s) and Description of Works')?

☐ Yes

☒ No

Identification of Tree(s) and Description of Works

Please identify the tree(s) and provide a full and clear specification of the works you want to carry out

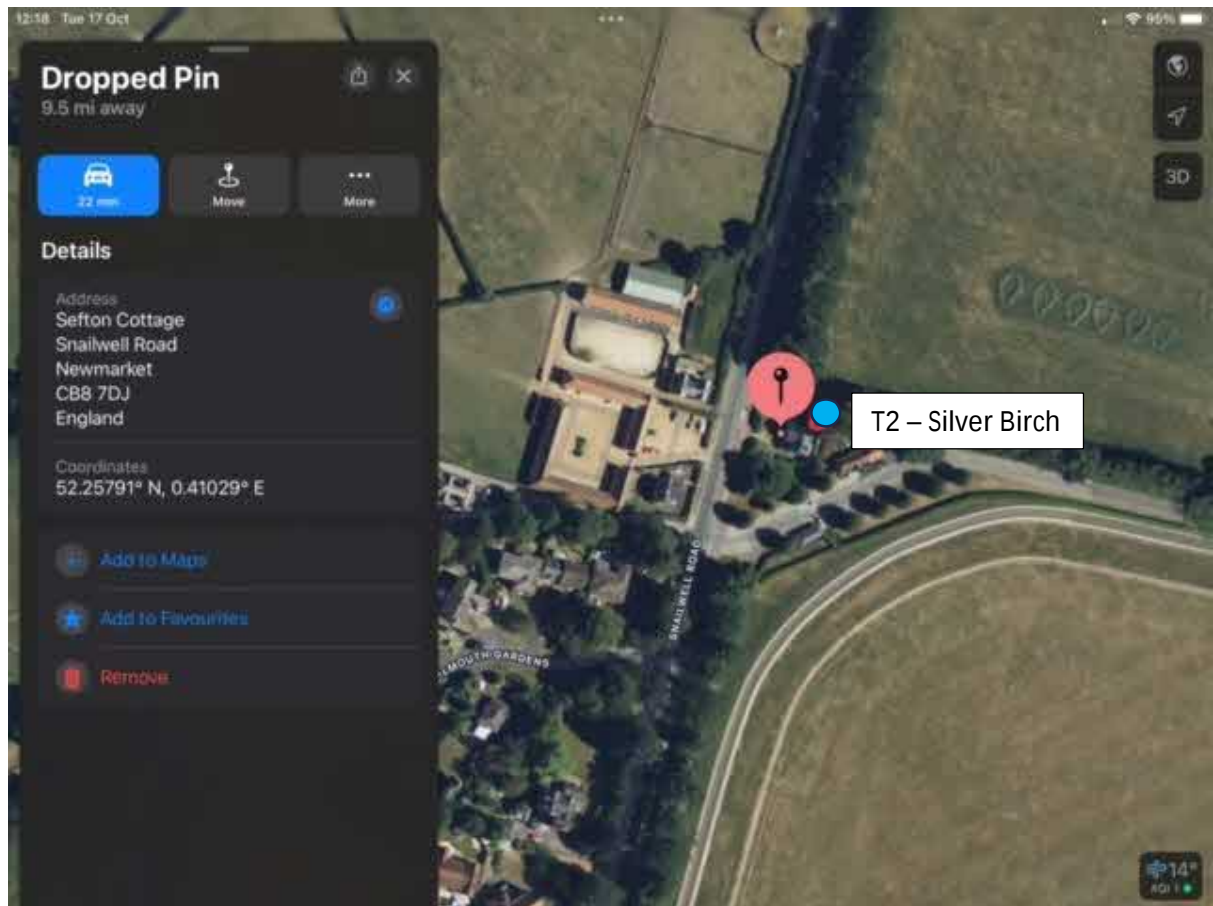
T2 - Silver Birch - Fell - Ivy clad and a poor specimen. The tree is too close to the building and debris is falling onto the building.

You might find it useful to contact an arborist (tree surgeon) for help with defining appropriate work.

Where trees are protected by a Tree Preservation Order, please number them as shown in the First Schedule to the Tree Preservation Order where this is available. You should use the same numbering on your sketch plan (see below for sketch plan requirements).

Please provide the following information:

- Tree species
- The number used on the sketch plan; and



EAST CAMBRIDGESHIRE DISTRICT COUNCIL



WEEKLY LIST OF PLANNING APPLICATIONS

(Alphabetically by Parish)

List produced on 17th November 2023.

PLEASE NOTE: NMA and DIS applications are for information only.

Reference: 23/01218/FUL

Officer: Gavin Taylor

Date application valid:

6th November 2023

Parish:

Fordham

Location: Land North And East Of 208 Fordham Road Newmarket Suffolk

Proposal: Erection of 12 class E(g) commercial units with associated access, servicing and parking areas

Applicant:

Mr Sheldrake
Waterhall Farm
Norwich Road
Kennett
Newmarket
CB8 7RQ

Agent:

Planning Direct
FAO Mr Steve Miller
The Furnace
The Maltings
Princes Street
Ipswich
IP1 1SB

Grid Reference: 563390 267647

Reference: 23/01237/FUL

Officer: Charlotte Elston

Date application valid:

10th November 2023

Parish:

Fordham

Location: Felton Manor 22 Mill Lane Fordham Ely Cambridgeshire

Proposal: Internal and external alterations to main house, demolition of existing lean-to structures and garage/outbuilding, construction of new garage/outbuilding, construction of new veranda, widening of existing access and associated works and infrastructure

Applicant:

Mr & Miss Duncan & Rona Laycock & McGregor
C/o Agent

Agent:

Cheffins
FAO Miss Emma Healey
1-2 Clifton Road
Cambridge
CB1 7EA

Grid Reference: 563064 270661

Reference: 22/00472/NMAB
Officer: Simon Ellis

Date application valid: 7th November 2023
Parish: Kennett

Location: Phase 1B (First Residential Phase) Kennett Garden Village Land Southwest Of 98 To 138 Station Road Kennett

Proposal: Non material amendment to previously approved 22/00472/RMM for previously approved Reserved matters pursuant to outline planning permission 18/00752/ESO, to construct 324 no. one, two, three and four bedroom dwellings, 15no. plots for self-build and custom housing, CLT office, associated infrastructure and public open space as the first phase of the residential development at Kennett Garden Village

Applicant:

Bellway Homes Limited (Essex)
Bellway House
1 Cunard Square
Townfield Street
Chelmsford
Essex
CM1 1AQ

Agent:

JCN Design & Planning
FAO Michael Smith
2 Exchange Court
London Road
Feering
Colchester
CO5 9FB

Grid Reference: 569555 267915

Reference: 23/00997/OUT
Officer: Gemma Driver

Date application valid: 13th November 2023
Parish: Soham

Location: Site Rear Of 57 To 65 Mereside Soham Cambridgeshire

Proposal: Residential development of 3no two storey dwellings, garaging, parking, access road and associated site works - phased development

Applicant:

Mr & Mrs Newman
C/o Agent

Agent:

Andrew Fleet MCIAT
6 Regent Place
Soham
Ely
Cambridgeshire
CB7 5RL

Grid Reference: 558752 273573

EAST CAMBRIDGESHIRE DISTRICT COUNCIL



WEEKLY LIST OF PLANNING APPLICATIONS

(Alphabetically by Parish)

List produced on 24th November 2023

Reference: 23/01037/TDC

Officer: Gemma Driver

Location: 4 Hythe Lane Burwell Cambridge CB25 0EH

Date application valid:

15th November 2023

Parish:

Burwell

Proposal: Construction of 2no. detached houses, with demolition of existing house and garage

Applicant:

Agent:

Mr John Felgate
53 Melbourn Road
Royston
Hertfordshire
SG8 7DF

Grid Reference: 558606 267205

Reference: 23/01270/FUL

Officer: Rachael Forbes

Location: Land South West Of 172 Mildenhall Road Fordham Cambridgeshire

Date application valid:

17th November 2023

Parish:

Fordham

Proposal: Construction of bungalow

Applicant:

Agent:

D & R Developments
FAO Mr David O'Conner
9 Grange Park
Fen Road
Chesterton
Cambridge
CB4 1TU

NP Architects
FAO Mr Nicholas Phillips
96 King Street
Cambridge
CB1 1LN

Grid Reference: 564279 270838

Reference: 23/01262/ADN

Officer: Rachael Forbes

Date application valid:

15th November 2023

Parish:

Kennett

Location: Land Southwest Of 98 To 138 Station Road Kennett Suffolk

Proposal: Advertisement boards

Applicant:

Palace Green Homes
FAO Mr Jon Soar
Unit 5 Fordham House Court
Newmarket Road
Fordham
Cambridgeshire
CB7 5LL

Agent:

Grid Reference: 569555 267915

Reference: 23/01043/FUL

Officer: Olivia Roberts

Date application valid:

21st November 2023

Parish:

Soham

Location: 106A Fordham Road Soham Ely Cambridgeshire CB7 5AJ

Proposal: First floor extension and re-roof existing bungalow to create chalet dwelling

Applicant:

Mr T Hudson
C/O Agent

Agent:

Greg Saberton Design
FAO Greg Saberton
Tom's Hole Barn
Branch Bank
Prickwillow
Ely
Cambridgeshire
CB7 4UR

Grid Reference: 560823 271808

Decision List

Weeks commencing 13 th & 20 th November	NTC Comments
DC/23/1676/TCA <u>Trees in a conservation area notification - 21 Lime trees (T1-21 on plan) re-pollarded away from neighbouring properties; 8 Horse chestnuts and Maples (T38-45 on plan) crown lifted to 2.5 metres from ground; one Yew (T66 on plan) crown lifted to clear railings/away from neighbouring property by 3 metres</u> Memorial Hall 144 High Street Newmarket Suffolk CB8 8JP	 The Committee actively encourages responsible tree management and does not object to this application.
DC/23/1660/HH <u>Householder planning application - single storey side and rear extension</u> Wingate Snailwell Road Newmarket Suffolk CB8 7DP	 The Committee voiced no objection, subject to no objections from the adjacent neighbouring Garden Houses property.
DC/23/1253/VAR <u>Planning application - variation of condition 2 (approved plans) of DC/22/1699/FUL to enable amended plans for internal changes to flat 1 and flat 2 and spiral staircase to courtyard</u> Surrey House 41 High Street Newmarket Suffolk CB8 8NA	 The Committee objected regarding the site of the bin storage opening out onto Palace Street having a negative effect on the street scene, and the need to preserve the special character and appearance of a designated conservation area and protect listed buildings. The Committee requested new plans for bin storage be submitted.
NMA(B)/22/1019 <u>Non-material amendment to DC/22/1019/HH - amendment from external first floor level cladding to a smooth cream/beige render</u> 8 Exning Road Newmarket Suffolk CB8 0AB	 NTC Comments not invited

Decision List

DC/23/1717/TCA <u>Trees in a conservation area notification - one Conifer (T1 on plan) and one Prunus (T2 on plan) fell</u> 7 Bakers Row Newmarket Suffolk CB8 0AA	 The Committee voiced no objection.
DC/23/1677/TCA <u>Trees in a conservation area notification - two Birch (T1 and T2 on plan) crown reduction in height by one metre and lateral crown reduction by 0.5 metres</u> Bill Tutte Memorial Palace Street Newmarket Suffolk	 The Committee actively encourages responsible tree management and does not object to this application.
DC/23/1591/TPO <u>TPO 234 (1972) Tree preservation order - four Hornbeam (on plan within A13 on order) clearance from building by up to two metres</u> 14A Depot Road Newmarket Suffolk CB8 0AL	 The Committee actively encourages responsible tree management and does not object to this application.
DC/23/1287/FUL <u>Planning application - installation of solar panels on roof of garages</u> Jockey Club Chambers 101 High Street Newmarket Suffolk CB8 8JL	 The Committee voiced no objection.

28/11/2023

Newmarket Town Council 2023-2024

Page 1

10:23

Detailed Income & Expenditure by Budget Heading as at 28/11/2023

Month No: 8

Committee Report D&P M8 DRAFT

	Actual Current Mth	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
<u>Development & Planning</u>								
<u>209 Neighbourhood Plan</u>								
4089 Costs - Neighbourhood Plan	0	0	5,000	5,000		5,000	0.0%	
Neighbourhood Plan :- Indirect Expenditure	<u>0</u>	<u>0</u>	<u>5,000</u>	<u>5,000</u>	<u>0</u>	<u>5,000</u>	<u>0.0%</u>	<u>0</u>
Net Expenditure	<u>0</u>	<u>0</u>	<u>(5,000)</u>	<u>(5,000)</u>				
<u>210 D&P Costs</u>								
4094 Costs - Speed Surveys	0	263	500	238		238	52.5%	
D&P Costs :- Indirect Expenditure	<u>0</u>	<u>263</u>	<u>500</u>	<u>238</u>	<u>0</u>	<u>238</u>	<u>52.5%</u>	<u>0</u>
Net Expenditure	<u>0</u>	<u>(263)</u>	<u>(500)</u>	<u>(238)</u>				
Development & Planning :- Income	0	0	0	0			0.0%	
Expenditure	0	263	5,500	5,238	0	5,238	4.8%	
Movement to/(from) Gen Reserve	<u>0</u>	<u>(263)</u>						
Grand Totals:- Income	0	0	0	0			0.0%	
Expenditure	0	263	5,500	5,238	0	5,238	4.8%	
Net Income over Expenditure	<u>0</u>	<u>(263)</u>	<u>(5,500)</u>	<u>(5,238)</u>				
Movement to/(from) Gen Reserve	<u>0</u>	<u>(262)</u>						

Blank

Townclerk

From: Benford-Brown, Tamara <Tamara.Benford-Brown@westsuffolk.gov.uk>
Sent: 16 November 2023 17:15
To: Townclerk
Cc: Councillor Borda; Councillor Clover; Councillor Drummond; Councillor Kavanagh; Councillor McHugh; Councillor Yarrow; Lynch, Charlie; Councillor Hood
Subject: RE: Severe concerns in relation to the planning application DC/23/1182 128 High Street Newmarket

Hi Cathy,

Thank you for your email, please be assured that I am aware of the installation of the compressor units and the information from the neighbours has been taken on board. I have tried to speak with the agent for the application earlier today but unfortunately couldn't get through. I'll be speaking to our enforcement team tomorrow and will update you as soon as possible on the next steps for the application.

Will be in touch soon.

Kind Regards,

Tamara

Tamara Benford-Brown
Planning Officer
Planning Development

From: Townclerk <Townclerk@newmarket.gov.uk>
Sent: Thursday, November 16, 2023 5:01 PM
To: Benford-Brown, Tamara <Tamara.Benford-Brown@westsuffolk.gov.uk>

Dear Tamara, please find attached concerns from a resident regarding ongoing issues at this property. It appears that the applicant is pushing on with things despite not having permission and that installations are not in line again with the original plans. Please could you tell me what is going to be done regarding this matter?

Regards,

Cathy Whitaker
Clerk to Newmarket Town Council

Townclerk

From: RP

Sent: 15 November 2023 19:57

To: Councillor Borda <CouncillorBorda@newmarket.gov.uk>; Councillor Clover <CouncillorClover@newmarket.gov.uk>; Councillor Drummond <councillordrummond@newmarket.gov.uk>; Councillor Kavanagh <CouncillorKavanagh@newmarket.gov.uk>; Councillor McHugh <CouncillorMcHugh@newmarket.gov.uk>; Councillor Yarrow <CouncillorYarrow@newmarket.gov.uk>; charlie.lynch@westsuffolk.gov.uk <charlie.lynch@westsuffolk.gov.uk>

Cc:

Subject: Severe concerns in relation to the planning application DC/23/1182 128 High Street Newmarket

Subject: Severe concerns regarding planning applications DC/23/1182 (128 High Street Newmarket)

To the attention of: Councillor John Borda (Scaltback); Councillor Jaclyn Clover (Scaltback); Councillor Andy Drummond (Scaltback); Councillor Eddie Kavanagh (Scaltback); Councillor Charlie Lynch (Newmarket West); Councillor Jo McHugh (Scaltback); Councillor Kevin Yarrow (Newmarket West/Scaltback).

Dear Councillors,

We hope this email will find you well.

We are members of the Newmarket community living in Church Lane CB8 0HL, just behind the High Street in Newmarket.

We are contacting you about the planning application (DC/23/1182) related to the development of a new shop on High Street (128 High Street, Newmarket). While we welcome the establishment of new businesses in Newmarket, we have raised numerous concerns about this application during the consultation period, alongside similar concerns raised by other neighbours. One element of great concern (amongst several others not mentioned in this letter) is the proposed installation of 2 compressor units, which are very noisy pieces of equipment by nature and would be operating 24/7. The lack of noise impact assessment has also been raised in the comments from the Private Sector Housing and Environmental Health representative (all documents available on the West Suffolk Planning Application website).

The planning application decision is still pending on this day (15 NOV 23), however, we had the unpleasant surprise to witness the installation of the 2 compressor units today, in locations that do not match at all, the planning application. As illustrated on the attached pictures, both units have been placed more than 6 foot above ground, above our backyard fence line, in direct line of view and hearing and with ventilation directed straight toward our properties. The current installation height of these units means that they are well above fence line, meaning there is nothing to act as a sound barrier to sound transmission. Furthermore, there are a proliferation of units well in excess of anything on the submitted planning documents. It is visually an eyesore and not in keeping with laws governing a conservation area. It has completely ruined the visual look of the external of a conservation area building. Significantly, the installation has gone ahead in contravention of planning regulations as NO noise attenuation is in place on the planning portal, which was a strong condition of planning, and that was also specifically mentioned in the Town Council comments for this planning application.

We have also serious safety concerns linked to this installation today. Each unit is precariously balanced on only 2 steel beams, 2 of them shorter than the compressor unit depth (cf compressor on the right). They are currently attached to the beams with a rope, which is not likely to withstand the weight of these units.

We would be grateful if you could look into this matter as the building work continues while the decision is still pending and the numerous concerns being raised by adjoining neighbours and the Town Council are just not addressed (to our knowledge). In the light of this new development, we are thoroughly opposing this application, which is going to severely impact our quality of life and our ability to use and enjoy our properties.

Yours sincerely

Supporting evidence: pictures of the installations, taken Wednesday 15NOV2023



Benford-Brown, Tamara

From: eco.conservation
Sent: 25 October 2023 09:58
To: Benford-Brown, Tamara
Subject: FW: Planning Consultation - DC/23/1182/FUL,128 High Street, Newmarket, Suffolk -

Dear Tamara,

Whilst the replacement of the existing shopfront is welcomed amendments to the design to include a reduction in the size of the fascia, and the introduction of console brackets is recommended to accord with the shopfront and advertisement design guide.

Based on an image from street view march 2023 the existing fascia appears excessively large and possibly applied over a smaller fascia behind. Whilst the depth of the proposed fascia for the proposed shopfront appears reduced due to the introduction of a cornice the overall size of the fascia and cornice appears comparable to what currently exists which appears disproportionately deep.

A reduction in the overall depth of the cornice and fascia is therefore recommended to achieve a shopfront of more traditional proportions. Reference to the historic depth may be appropriate. In addition, it recommended that console brackets are added .

The proposed doors appear to be frameless glass which appears at odds with the design of the more traditional shopfront proposed. The doors should be amended to allow for more traditional timber framed glazed doors.

For further guidance refence to the shopfront and advertisement design guide is recommended.

Thanks
Claire

Claire Johnson
Senior Conservation Officer
Strategic Planning

Benford-Brown, Tamara

From: Admin <admin@newmarket.gov.uk>
Sent: 18 October 2023 10:03
To: Benford-Brown, Tamara
Subject: RE: DC/23/1182/FUL - 128 High Street, Newmarket - Town Council Queries

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Tamara

See below comment for the above application:

The Committee maintained their previous objection as follows:

The Committee were minded to object subject to an extension being approved and that clarification on the materials to be used on the shopfront be sought and that WSC are content with the noise attenuation provision for the compressor unit.

Please do let me know if there is anything else you need.

Thank you,

Kind regards
Natalie White, Administrative Assistant

From: Benford-Brown, Tamara <Tamara.Benford-Brown@westsuffolk.gov.uk>
Sent: 05 October 2023 09:35
To: Admin <admin@newmarket.gov.uk>
Subject: RE: DC/23/1182/FUL - 128 High Street, Newmarket - Town Council Queries

Hi Natalie,

Thank you for your email, I can confirm that the Town Council comments have been received and uploaded to the application.

We are aware that the shopfront has already been replaced and that this is not the same as presented within the submitted plans for DC/23/1182/FUL. I believe our enforcement team have made contact and we should be receiving an Advertisement Consent application in due course for consideration of the sign.

In terms of the compressor unit, we have consulted our Private Sector Housing & Environmental Health team who will assess the application in regards to impacts on surrounding amenity. Once comments have been received from the team we will progress the application accordingly and their comments will be uploaded online too.

I'm happy to allow the Town Council until 20th October to allow for the meeting on the 16th.

I hope the above helps, if there are any further queries then do let me know.

Kind Regards,

Tamara

Tamara Benford-Brown
Planning Officer
Planning Development

Consultee Comments for Planning Application

DC/23/1182/FUL

Application Summary

Application Number: DC/23/1182/FUL

Address: 128 High Street Newmarket Suffolk CB8 8JP

Proposal: Planning application - a. Installation of timber shop front; b. compressor unit to rear external wall

Case Officer: Tamara Benford-Brown

Consultee Details

Name: Mr Dominic Owner

Address: St Edmundsbury Borough Council, St Edmundsbury House, Western Way Bury St Edmunds, Suffolk IP33 3YU

Email: Not Available

On Behalf Of: Private Sector Housing And Environmental Health

Comments

I have read the application on behalf of the Private Sector Housing and Environmental Health (PSH & EH) Team and do not believe that there is sufficient information to assess the impact of noise on current and future occupants at the nearest sensitive receptors.

1. Therefore I would request that a Noise Impact Assessment is undertaken to establish the impact of the proposed compressor, prior to the application proceeding.

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy.

In addition I would also recommend the following conditions:

2. The burning of any waste arising from the development hereby permitted shall be prohibited at any time within the application site.

Reason: To ensure that the development will not have a negative impact on ground and surface water and to protect the amenity of adjacent areas, in accordance with policies DM6 and DM32 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 14 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

3. Any external artificial lighting at the development hereby approved shall not exceed lux levels of

vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals Guidance Note 9/19 Domestic exterior lighting: getting it right!. Lighting should be minimised and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Note.

Reason: To prevent light pollution and protect the amenities of occupiers of properties in the locality, in accordance with policy DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

4. Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:30 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Informative

Noise, Vibration and Dust

The principal contractor and any sub-contractors must ensure compliance with current legislation on noise, vibration and dust control including the Environmental Protection Act 1990 and the Control of Pollution Act 1974. Relevant Codes of Practice set out procedures for dealing with the control of noise and vibration on construction and open sites are contained in BS 5228-1:2009+A1:2014 Code of practice for noise and vibration control on construction and open sites.

From: planning.technical <planning.technical@westsuffolk.gov.uk>
Sent: 16 Oct 2023 10:40:13
To: DMS.Planning@westsuffolk.gov.uk
Cc:
Subject: FW: Comments Planning application DC/23/1182/FUL
Attachments:

Subject: Re: Comments Planning application DC/23/1182/FUL

Dear Mrs Tamara Benford-Brown and Mrs Hannah Blake

We hope this email will find you well.
We are contacting you about some recent development linked to the planning application DC/23/1182.
Two heavy duty steel beams have been installed on the rear external wall in the last couple of days (please, see pictures attached).
As the planning application does not mention or show any structure at this specific location of the rear external wall, we are wondering if you have any information about this new significant feature.
We would also be grateful if you could explain to us the next stage of this planning application process now that the deadline for comment has passed.
Thank you very much in advance for your help.
We are looking forward to your reply.

Best regards



Blank

Cathy Whitaker

Subject: FW: Short term lets, Newmarket

From: Almond, Rachel

Sent: 23 November 2023 10:41

To: Starkey, Amy <Amy.Starkey@thejockeyclub.co.uk>; Andy Drummond <andy@lettergold.co.uk>

Cc: Cathy Whitaker <Cathy.whitaker@newmarket.gov.uk>; Philippa Winter <p.m.winter@btinternet.com>

Subject: Short term lets, Newmarket

Dear Amy,

Planning law relating to material changes of use has not changed since I provided by briefing below to Andrew Appleby. However, the government conducted two consultations earlier this year on the subject:

[Introduction of a use class for short term lets and associated permitted development rights - GOV.UK \(www.gov.uk\)](#) :

"Consultation description

The increase in the number of short term lets in certain areas, such as coastal towns, national parks and some cities can impact on the availability and affordability of homes to buy or to rent for local people and on the sustainability of communities more broadly. While short term lets can support tourism and the local economy in such areas it is important that this is balanced with meeting the needs of the local community. The government is therefore consulting on planning measures that would help local areas have greater ability to control any future increase in the number of short term lets in their area and support the retention of existing properties to buy or to rent.

This consultation seeks views on the introduction of a short term let use class. In addition it seeks views on the introduction of new permitted development rights to provide flexibility where short term lets are not a local issue, and which allows for this flexibility to be removed where there is local concern. We are additionally seeking views on how homeowners might be provided with flexibility to let out their sole or main home for up to 30 nights in a calendar year."

[Consultation on a registration scheme for short-term lets in England - GOV.UK \(www.gov.uk\)](#) :

"Scope of the registration scheme

Given the government's priority is to deliver a proportionate regulatory response, the focus of the registration scheme in England will be on short-term lets only, and not other types of guest accommodation such as hotels, B&Bs and professional providers of self-catering accommodation.

A scheme focussed solely on short-term lets will help drive adherence to standards and provide a platform to address negative community and housing market effects. It would also ensure that all providers of short-term lets can be obligated to provide safe, quality assured accommodation, as other providers of guest accommodation must currently do through existing regulation and quality assurance schemes."

The Government has yet to respond to these consultations but any changes to current regulations will require secondary legislation to be introduced, possibly in 2024.

I hope this information is helpful.

Yours sincerely

Rachel Almond WSC

Hi Cathy,

Please see below regarding residential properties under-taking hotel activities.

I would really like this added to the next D&P agenda for D&P Councillors to discuss the possibility of making a formal request to WSDC that they apply, similar to other district councils, planning controls and policies to such activities or a number of the reasons;

1. Health and Safety, including fire regulations
2. That relevant payments are made for services received – rates, refuse collection etc
3. The future prosperity of Newmarket – such properties being used for commercial purposes are undermining the hotel market in the town. At a time when the Rutland Arms is rotting the unregulated activity undertaken by property owners is undermining the business viability of a key historic and important asset for the town and High Street.

The notes below provide further insight.

Please can this be added?

Many thanks

Amy

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

From: Almond, Rachel <rachel.almond@westsuffolk.gov.uk>

To:

Subject: RE: MILL HOUSE, 38 Mill Hill, Newmarket

Dear Andrew,

Thinking about short term lets in general here are some basic bullet points:

In England, the planning system groups common uses of land and buildings into specific classes.

Planning legislation specifies that the change of use of land or buildings requires planning permission if it constitutes a material change of use. Each case has to be dealt with on its own merits and much will depend on the nature of the use and whether the character of the use differs -in the case of short term lets buildings are usually within Use Class C3 (residential dwellings).

1. In recent High Court judgements the character of the use and the impact on the character of the area were very important considerations – and this cannot lead to an oversimplified conclusion that that any holiday or commercial letting use will inevitably amount to a material change of use.
2. The regulations in London since the 1970s have been different to the rest of England in relation to the use of open market housing as holiday homes. The regulations in London used to prevent the use of residential properties in the 32 boroughs of London as temporary holiday lets.
3. The Deregulation Act 2015 (which reformed the previous legislation) gave assurances to the short term holiday letting industry, irrespective of its effect on the character of the planning unit, not to constitute a material change of use where that use occurred for up to 90 nights in a calendar year. But this only applies in London.
4. In West Suffolk planning enforcement complaints relating to short term lettings equates to approximately 1% of complaints received by the planning enforcement team annually.
5. Short term lettings uses are not subject to any licensing requirements in the same way as a House in Multiple Occupation (HMO)

38 Mill Hill

The planning enforcement team recently concluded their investigations into whether the short- term letting use at this address amounted to a material change of use. The conclusion was that the nature of the use and consequential impacts did not amount to a material change of use requiring planning permission and the enforcement file has been closed.

In coming to this conclusion, it was important to consider what one could expect as the usual comings and goings of a large family home and also the fact that the property could be used as an

HMO for up to 6 people without the need for planning permission, as set out in nationally set regulations known as the Town and Country Planning (General Permitted Development) Order.

I note your comments about the property not having a separate dining room or living room and only one bathroom. However, when our enforcement officer visited the property he sat in a large dining area at the end of the kitchen, which I can see on the Airbnb link below. There is room for groups to gather socially internally as well as externally. Our planning view remains that the use of the property as it stands does not constitute a material change of use.

If the nature of the use at this address or the impacts of that use change in the future the Local Planning Authority has the ability to re-investigate the use.

I trust this is helpful.

Kind regards

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

From:

Dear Rachel

I am writing expressly re the above but also re multi occupancy short lets in general.

No 38 currently seems to have no lounge or dining areas .. I fancy it was a 3 bed house with lounge and dining room, maybe a study ..The lack of lounge / dining space probably leads to use of patio .. A number of guests seem to attend races / sales, so they are likely to drink and chat until late .. If there was a conservatory the noise would probably be reduced .. Seems to be just one bathroom, which is clearly inadequate for 11 guests ..

https://www.airbnb.co.uk/rooms/13705946?adults=8&check_in=2021-07-13&check_out=2021-07-20&translate_uqc=false&federated_search_id=dbc6aa1e-dcd4-422b-a567-847e93532c03&source_impression_id=p3_1625146825_g3%2F%2FIVq1glT1wKLH

The property has six bedrooms for eleven guests and is booked through various holiday / letting agencies.

There is no record of change of use from a C3 residence.

The property could conceivably be a C1 use as a guest House.

It cannot be a HMO or C3c use as the available accommodation exceeds six and is not a main residence.

It could be *sui generis* eg holiday / short let premises ; this would require WSC agreement for such a class of use.

I would suggest that such properties should be regulated, in the interests of guests and the neighbourhood, not least re fire precautions and environmental health, notably bath / wc provision, in the case of No 38.

Regards, Andrew

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Report to	Development and Planning Committee
Subject	Exning Road Verge Parking
Purpose	Information/Decision
Classification	Unrestricted
Meeting date	4 th December 2023
Item number	17
Written By	Cathy Whitaker CLERK

Summary: This report gives an update on the application to install bollards on the grass verges on Exning Road.

1.	Introduction
a.	Long-standing issues of parking on the grass verges.
2.	Context
a.	Council resolved to install bollards along the length of the slip road side of the verges to prevent parking on the grass.
b.	NTC application to SCC for a licence to install has been rejected for the following stated reasons:- a: It would cause issues for the ground maintenance teams b: This would displace the parking issue to another area and therefore will just move the problem
3.	Next Steps/Recommendations
a.	To respond to SCC as follows:- a: This is a SCC owned verge, maintained currently by WSC. We have been liaising with WSC grounds maintenance team regarding grass cutting in this area and have reduced our plan to only install bollards down the slip road side of the verge to enable easier access to the mowers. WSC has acknowledged that there will be some strimming to do around the bollards. In addition, going forward this may be an area of grass that NTC decides to take on the maintenance of in 2024/25. b: This is a grass verge where there should be no parking. There is adequate parking at the end of the road behind the Icewell Hill flats: residents and visitors currently are choosing not to park there so that they can be closer to their homes. SCC has suggested we consider installing double yellow lines instead of bollards: this would not stop people parking there physically, there is only limited patrol in the area by CP officers during office hours (much of the problem arises overnight/early morning), double yellows would also just move the problem on.

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Townclerk

From: Burgoyne, Samantha <Samantha.Burgoyne@westsuffolk.gov.uk> on behalf of Wijenayaka, Indy <Indy.Wijenayaka@westsuffolk.gov.uk>
Sent: 07 November 2023 14:43
To: Townclerk
Subject: Queensbury Lodge

Dear Members of Newmarket Town Council,

As you are aware I recently wrote to Mr Gredley at Unex asking for a meeting following the recent appeal decision at Queensbury Lodge. The purpose was to offer to work with his team on the reserved matters applications following the recent planning appeal. You will recall that the appeal allowed outline consent for up to 123 homes, (link).

I initiated a meeting with Mr Gredley with the aim of entering into a Planning Performance Agreement – setting out the timeframe for the rest of the planning process for detailed and listed building consent through to the start of work. This was to ensure the housing scheme and with it the restoration of Queensbury Lodge and stables, was delivered as swiftly as can be by Unex Group.

Mr Gredley has indicated that he wants to work with us and also wants to look at other possible options for the site. We will be meeting with him again to discuss how this can be brought forward in a timely way that complies with local and national planning regulations, as well as horseracing policies, and achieves our aim of finally restoring this grade II listed site, which has stood derelict at one of the gateways into Newmarket for the past 40 years.

The inspector attached several planning conditions, including a condition requiring a scheme for the restoration and reuse of the listed buildings to be approved by the local planning authority prior to any development taking place. These would remain relevant considerations for any alternative scheme he may propose as would the local and national planning policies including the horse racing policies.

During the meeting Mr Gredley indicated he wished to explore other options for the listed buildings and our Conservation Officer is meeting the Unex heritage expert on site to discuss the repairs needed to the listed building in the next couple of weeks.

We offered to have a workshop with his team to support this process, and we are currently arranging a date for this..

It is my intention to follow up this work with a regular programme of meetings so we can keep up the momentum to finally bring work on this site forward.

Cllr Indy Wijenayaka

Councillor Indy Wijenayaka
Councillor for Withersfield
Portfolio Holder for Growth
West Suffolk Council
Email: Indy.Wijenayaka@westsuffolk.gov.uk

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Townclerk

From: neighbourhood.planning <neighbourhood.planning@westsuffolk.gov.uk>
Sent: 28 November 2023 12:25
Subject: West Suffolk Local Plan and West Suffolk Designated Neighbourhood Plans

Dear neighbourhood plan representative

West Suffolk Council has reached an advanced stage in its preparation of the Regulation 19 West Suffolk Local Plan. The plan sets out the spatial strategy for the district to 2040. Consultation on the plan is expected to commence on 30 January 2024 and will be open for representations for six weeks.

We wanted to make you aware and draw your attention to the policies of particular importance to the preparation of neighbourhood plans.

Policy SP9 within the plan, contains a settlement hierarchy which directs the provision of new homes to the more sustainable settlements, where infrastructure and constraints allow for balanced and sustainable communities. Policy SP9, establishes the hierarchy of towns, key service centres, and types A and B villages, which in decreasing order provide for the growth. The distribution of growth reflects the hierarchy except where existing environmental constraints reduce the capacity for growth.

Policy SP11, with appendix G (see details below), sets out the minimum housing required for each designated neighbourhood area. No housing requirements are identified for the designated neighbourhood areas which only contain type B villages.

The West Suffolk Council Cabinet will consider the West Suffolk Local Plan and its proposed consultation programme on 5 December 2023. If agreed by Cabinet, the plan and its consultation programme will be considered at a meeting of the full Council on 19 December 2023.

If approved at full Council, consultation will commence on 30 January 2024 for a period of six weeks.

The Regulation 19, West Suffolk Local Plan along with its committee papers are available to view on our [website](#).

Please confirm if you remain the key contact for the neighbourhood plan correspondence or provide an alternative.

Appendix G: Neighbourhood plan housing requirements for designated neighbourhood areas

Where a neighbourhood plan plans to meet its housing need, the minimum housing requirement for the period 1 April 2023 to 31 March 2040 for each designated neighbourhood area is set out below.

Barningham 37 homes
 Barrow cum Denham 165 homes
 Barton Mills 10 homes
 Freckenham 10 homes
 Horringer cum Ickworth 10 homes
 Ixworth and Ixworth Thorpe 290 homes

Lakenheath 792 homes
Mildenhall 1,353 homes
Newmarket 988 homes
West Row 161 homes
Wickhambrook 40 homes

For Hargrave, Withersfield and Worlington neighbourhood plan areas there is no housing requirement for the period 1 April 2023 to 31 March 2040.

If you have any questions please contact, Simon Meecham at
neighbourhood.planning@westsuffolk.gov.uk

Yours faithfully

Strategic Planning
www.westsuffolk.gov.uk
West Suffolk Council
#TeamWestSuffolk

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[Find my nearest for information about your area](#)

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