



Newmarket

TOWN COUNCIL

Minutes of a Meeting of the Development & Planning Committee Held on Monday 19th February 2024 at 6.15pm

Attendance:

Councillor A Drummond (Chairman)
Councillor J Berry
Councillor J Harvey

Councillor P Hulbert
Councillor R Nobbs
Councillor S Perry

Also Present: C Whitaker - Town Clerk, J Ashton – Minute Assistant and 1 Member of the Press.

Minute

Action by

D/24/02/21 Chairman to Read the Fire Safety Notice and Announce that Proceedings May be Filmed or Recorded

The Chairman welcomed everyone, opened the meeting, and read out the Fire Notice and announced that proceedings were being recorded and asked if anyone intended to record the meeting.

D/24/02/22 Apologies

Apologies were received from Cllrs Clover, Hood and Kavanagh.

D/24/02/23 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

None noted. There were no requests for dispensation.

D/24/02/24 To Confirm the Minutes of the Meeting Held on 5th February 2024 and any Matters Arising

The Chairman presented the minutes of the Development & Planning Committee held on 5th February 2024 and the following amendments were made:

Page 2 – D/24/02/5 - typo changed to read “trees”.

Page 4 D/24/02//8.02 Resolved – the wording was changed to read ”The Committee supported the application and welcomed the building being brought back into use; with sympathetic restoration and in accordance with conservation guidelines”.

Subject to the amendments being made, the following was agreed:

D/24/02/24.01 Resolved

That the minutes of the Development & Planning Committee held on 5th February 2024 be adopted and signed as a true record by the Chairman of the Development & Planning Committee.

It was noted that the application for tree works at Meridian Gardens has been withdrawn and that another application will be forthcoming with applicants working

with residents to find an amicable solution.

D/24/02/25 Public Open Session

A member of the press reported that the former newsagents at St Mary's Square was sold for £198,000 at auction.

D/24/02/26 Impact of Newmarket Neighbourhood Plan Policies on Applications Being Considered

Policy 1 – Conservation Area.

D/24/02/27 Planning Applications

Week Commencing 29/01/2024 & 05/02/2024.

D/24/02/27/1 NMA(B)/17/1881 - Non material amendment to DC/17/1881/FUL to consolidate previously approved design changes and discharged conditions; a. the use of an automated sprinkler system in place of fire hydrants; b. alteration to internal layout including entrance layout and apartment size; c. reduction in building footprint; d. changes to roof line and roof form and consequent alterations to elevations; e. amendment to balcony materials, confirmation of balcony mesh and colour and window and doors colour changed to RAL 7015; f. terrace doors to have fan lights above; g. changes to Automatic Opening Vents (AOV) rooflights including town new rooflights and changes in window sizes - Development Site Adj South Drive Exning Road Newmarket Suffolk.

D/24/02/27.01 Resolved

Noted; no comment was invited by the Committee.

D/24/02/27/2 DC/24/0139/HPA - Householder prior approval - single storey rear extension which extends beyond the rear wall of the original house by 5.3 metres with a maximum height of three metres and a height of 2.5 metres to the eaves - 56 Bill Rickaby Drive Newmarket Suffolk.

D/24/02/27.02 Resolved

The Committee voiced no objection.

D/24/02/27/3 DC/24/0054/FUL - Planning application - change of use of first floor (Class E) to one dwelling (class C3) and associated alterations - 13B Wellington Street Newmarket Suffolk.

D/24/02/27.03 Resolved

The Committee voiced no objection.

D/24/02/27/4 DC/23/1898/LB - Application for listed building consent - internal and external alterations to allow for the refurbishment of existing ground floor retail unit b. change of use of first and second floors to residential use c. conversion of existing outbuilding for residential use d. removal of rear wall - 43 High Street Newmarket Suffolk.

D/24/02/27.04 Resolved

The Committee requested an extension to receive further information on the

plans for the outbuilding and submitted a holding objection.

D/24/02/27/5 DC/24/0184/CLP - Application for lawful development certificate for proposed use or development - change of use of bank to restaurant/coffee shop (class E commercial, business and service) - Lloyds Bank 48 High Street Newmarket Suffolk.

D/24/02/27.05 Resolved

The Committee voiced no objection; however, the Committee have a preference for existing bank usage to continue.

D/24/02/28 Amended and Deferred Planning Applications

DC/23/1943/FUL – the revised plans were received.

D/24/02/28.01 Resolved

The Committee support the revised plans and thanked the Planning Officer and Applicant for taking NTC's concerns into consideration.

D/24/02/29 Planning Appeals

No new applications.

D/24/02/30 East Cambs Planning Applications

The East Cambs Weekly List for 09/02/2024 was noted.

D/24/02/31 To Receive Results of Applications as Determined by West Suffolk and Plans Withdrawn

West Suffolk Planning Determinations received during week commencing 29/01/2024 & 05/02/2024.

Applications	Description	Address	WS Decision	NTC Decision
DC/23/2006/FUL	Planning application - vehicular gates and personnel gate enclosing residential parking / access area	The Maltings Brewers Lane Newmarket Suffolk C	Approved	No objection
DCON(D)/23/0313	Application to discharge conditions 7 (plant and equipment details) and 9 (control of noise levels) of DC/23/0313/FUL	Newmarket Community Hospital 56 Exning Road Newmarket Suffolk	Discharged	Comments not invited
DC/23/1513/ADV	Application for advertisement consent - a. one existing internally illuminated totem to be refurbished b. one internally illuminated totem	Newmarket Retail Park Oaks Drive Newmarket Suffolk	Approved	Objected in part

D/24/02/32 Delegation Panel Decisions

DC/23/1812/HH – 23 Edinburgh Road Newmarket.

It was noted that this was considered by the Panel on 13th February 2024 and the Officer was minded to grant permission.

D/24/02/33 Licensing

No new applications.

D/24/02/34 Consultation

WSC Local Plan Consultation – it was noted that the Neighbourhood Plan Working

Group are working on a response which will be presented to Full Council on 26th February 2024.

D/24/02/35 Correspondence

Flagship consultation on selling 13 garages at Elizabeth Avenue was referred to the Transport and Parking Working Group and an item will be added to the next agenda.

128 High Street – the update from WSC that there will be further plans submitted to mitigate the issues of the condensing units and that an extension has been granted for further consultation was noted.

D/24/02/36 Date of Next Meeting

Monday 4th March 2024 at the Memorial Hall.

Meeting closed at 7:00pm.

Signed _____ Date _____

Summary of Resolutions/Recommendations

Resolution/Recommendation	Resolution/Recommendation Wording
<u>D/24/02/27.01 Resolved</u>	Noted, no comment was invited by the Committee.
<u>D/24/02/27.02 Resolved</u>	The Committee voiced no objection.
<u>D/24/02/27.03 Resolved</u>	The Committee voiced no objection.
<u>D/24/02/27.04 Resolved</u>	The Committee requested an extension to receive further information on the plans for the outbuilding and submitted a holding objection.
<u>D/24/02/27.05 Resolved</u>	The Committee voiced no objection; however, the Committee have a preference for existing bank usage to continue.
<u>D/24/02/28.01 Resolved</u>	The Committee support the revised plan and thanked the Planning Officer and Applicant for taking NTC's concerns into consideration.

Draft Response to West Suffolk Local Plan Submission Draft

1. Overall Assessment

1.1 Structure of the Local Plan

The Local Plan consists of an **Introduction**, a **Vision for West Suffolk**, and **Strategic Objectives**. These are followed by Section 4, which considers **Strategic and Local Policies**, as follows:

4.1 Climate change, health and wellbeing

- Climate change
- Health and wellbeing
- Design and design codes

4.2 The Natural Environment

- Green infrastructure
- Landscape
- Biodiversity and geodiversity
- Special protection areas and special areas of conservation
- Recreational effects of development

4.3 Spatial Strategy

4.4 Housing and Communities

- Housing
- Communities

4.5 Economy

- Employment
- Retail and other complimentary town centre uses

4.6 Horse racing industry

4.7 Historic environment

4.8 Infrastructure

4.9 Existing special operational uses

Our overall impression is that this Section is well thought through and successfully addresses climate change and environmental issues. The horse racing industry is referenced throughout the document, with particular emphasis on employment and the town's economy.

However, we are concerned that in **4.1.11** the requirement for a detailed environmental assessment (BREEAM) is only required for developments of more than 100 homes. Far too many developments will be below 100, and therefore we feel this policy should be strengthened.

1.2 Section 4.6 (Horse Racing Industry)

This section contains 4 policies:

- Policy LP46 Horse racing industry development
- Policy LP47 Development affecting the horse racing industry
- Policy LP48 Change of use and development of horse racing industry sites
- Policy LP49 Safeguarding horse walks and crossings

These are comprehensive and positive policies and the operation and requirements of the horse racing industry are described very clearly. However, pedestrian safety should be specifically considered in Policy LP49.

2. Section 5.5: Newmarket site allocations

There are 4 housing allocations and a country park

2.1 AP19 Hatchfield Farm (400 homes and light industry)

2.2 AP20 Pinewood Stud (415 homes) and country park.

- We feel there should be a specific statement that the Seven Springs area should be protected as a natural watercourse.

2.3 AP21 Queensbury Lodge (123 homes)

2.4 AP22 St Felix (50 homes)

- We have serious concerns that:
 1. the map indicates the whole of the St Felix site for development, and 5.5.24 states “the site is allocated in its entirety although the suggested residential capacity reflects retention of the open space”. This is too vague, because the site allocation should not include the former playing fields, the tennis court area or the strip of land which is part of the Yellow Brick Road Linear Park.
 2. It remains Newmarket Town Council policy that the whole of the allocated site should be retained for a community sports area in conjunction with George Lambton Playing Fields.
 3. Map 1 of the Newmarket Neighbourhood Plan (adopted Feb 2020) makes it clear that the open space on this site includes the area of the playing fields and the whole tennis court area, and the adjacent section of the Yellow Brick Road Linear Park. Moreover the section of the Linear Park is also designated as a Local Green Space in NKT12 and Policies Map 5 in the Neighbourhood Plan.

3. Omissions

We are concerned that the proposed Local Plan does not address the following issues:

3.1 HMOs

We are concerned about an increasing number of planning applications for Houses of Multiple Occupation (HMOs) because we have a large number of properties similar to those which have already been developed in this way, and we would like this to be regulated. (Please see the Ipswich Local Plan Policy DM20 Houses in Multiple Occupation).

3.2 AirBnB

We believe that AirBnBs should require planning permission for change of use from residential property to a holiday let (with implications regarding business use).

3.3 Residential parking in Newmarket town centre

Due to the inadequate public transport system, any application cannot ignore the need for car parking in town centre sites.

3.4 Conservation areas

Please demonstrate to us how Policy LP53 (Conservation areas) would protect the development of a site within the conservation area and adjacent to listed buildings or non-designated heritage assets, but where the current building on that site is not itself of importance.

POLICY DM20

Houses in Multiple Occupation

Proposals for the development of Houses in Multiple Occupation (HMO), including through the change of use of existing non-residential buildings, will be supported where they:

- a) demonstrate that they meet the nationally required minimum room standards for HMOs;**
- b) would not adversely affect the amenity of nearby residents in terms of noise and disturbance or loss of privacy;**
- c) do not have an adverse impact on local employment uses – such as reducing the availability of office accommodation in strategically identified locations for office use;**
- d) would not adversely impact on the amenity of the local area through the over-concentration of HMOs, or cumulatively adding to an area already subject to an over-concentration;**
- e) provide an acceptable living environment for future occupants, including adequate outdoor amenity space, car parking (in accordance with the standards), secure and covered cycle parking and refuse storage; and**
- f) are well-served by local services and accessible by sustainable transport modes.**

Proposals for HMOs will not be approved where they will result in an over-concentration of HMOs. An over-concentration is defined as:

- i. more than two HMOs side by side;**
- ii. the sandwiching of a single self-contained house or flat between two HMOs;**
- iii. more than two HMOs within a run of twenty properties on one side of the road; or**
- iv. more than one HMO in a road of fewer than twenty properties on one side of the road.**

9.189 According to the Housing Act 2004, a House in Multiple Occupation, or HMO, is a building, or part of a building, that is occupied by persons who do not form a single household - in other words, they are not family members. For example:

- a house converted into three or more bedsits;
- a house converted into self-contained flats where fewer than two thirds of the flats are owner occupied and the flats were not converted in accordance with the 1991 Building Regulations;
- a house occupied by three friends who rent from a private landlord;
- a house let to a group of four students;
- a flat with three or more bedsits (even if the flats were converted in accordance with the 1991 Building Regulations and more than two thirds of the flats in the building are owner occupied); and
- a house occupied by a married couple and a friend.

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Street Trading Policy, 2024

West Suffolk Council Street Trading Policy Engagement 2024

What is street trading

Street trading covers a wide range of outdoor retail and catering activities undertaken in public streets. It includes flower sellers, ice-cream vendors, fancy goods, souvenir stalls and a variety of hot and cold catering activities such as burger vans.

Our role

West Suffolk Council is responsible for the regulation of street trading in the area and has a policy already in place. However, legislative and other changes mean that the policy needs to be updated to make sure that everyone in the district – residents, businesses, communities and traders themselves - truly benefit from street trading.

A breakdown of the key elements of the current policy and arrangements can be viewed [here](#).

Your views

West Suffolk Council is gathering the views, insights and opinions from a wide range of people in order to inform the development of the updated West Suffolk Street Trading policy. This engagement is being done in a number of ways, including this online survey. The feedback from this survey and engagement with stakeholders will be used to shape a new policy.

Should you need a preview of the full survey (for example, to compile a group response) or if you would like to complete the survey offline please contact licensing@westsuffolk.gov.uk for further instructions. If you require this survey in another language or format (such as audio, large print, or Braille), please contact the council by emailing licensing@westsuffolk.gov.uk. You can also call at: 01284 758050.

Respondents

Are you responding to this survey as a: *

- ☐ West Suffolk resident
- ☐ Street trader
- ☐ Other business representative
- ☐ County, district, parish or town councillor (or representative of a local council)
- ☐ Representative of a public sector or regulated body (registered provider, police, health organisation)
- ☐ Representative of a local community group (charity, volunteer group)
- ☐ Other (please specify):

Street traders

Do you currently hold a street trading consent to trade in West Suffolk?

- ☐ Yes - Class A
- ☐ Yes - Class B
- ☐ Yes - Consent in Bury St Edmunds or Haverhill
- ☐ No

In which areas do you currently trade (you can include street names or the area)

Local councils and councillors

Please indicate which ward, division, parish or town you represent

Community groups

Please indicate what community group you represent.

Where does your community group operate (for example, a ward, parish, town area or across the district)?

Residents

Which town or village do you live in?

Businesses

What kind of business?

Which town, village or area of West Suffolk do you operate in?

Partner or regulated body

Which organisation do you represent?

Further questions for street traders

West Suffolk Council wants to gain a deeper understanding of the current situation for those working as street traders in West Suffolk. We would like to hear from you about the issues you face, whether they relate to trading locations, customers, paperwork, litter, relationships with local businesses or anything else you would like to tell us about.

What are the positive aspects of being a street trader in West Suffolk?

What are the negative aspects of being a street trader in West Suffolk?

As a street trader, what is most important to you about the role of the licensing authority (the council)?

Tell us about street trading in West Suffolk

West Suffolk Council wants to gain a deeper understanding of the current situation around street trading in West Suffolk. We would like to hear your views about all relevant aspects, whether they be trading locations, traders, safety, litter, relationships with local businesses or anything else you would like to tell us about.

What are the positive aspects of street trading in West Suffolk?

What are the negative aspects of street trading in West Suffolk?

Different street trading arrangements and fees

West Suffolk Council is considering which streets in WS should be consent streets or prohibited streets, as defined below:

Prohibited street – a street in which street trading is prohibited, or not allowed.

Consent street – a street in which street trading is prohibited without the consent of the district council. The council doesn't have to agree to a licence application or statutory limitations.

Local authorities can also choose not to designate a street, but to allow street trading to take place without the need for a consent.

Different arrangements currently exist in different parts of West Suffolk, reflecting the two previous council areas. A single approach is now going to be introduced across the whole district.

The emerging approach being considered by West Suffolk Council is not to have any streets that are undesignated, so that every trader has a relationship with the council, while also not having any streets which are prohibited.

Every consent application would then be considered on a case-by-case basis. This enables the council to implement conditions ensuring public safety and the avoidance of nuisance, while also remaining flexible to the needs of street traders, other businesses, and communities.

However, it would also require some traders who have not previously paid a fee to pay a fee for their consent.

What are your views on this emerging approach?

Public safety

Part of West Suffolk Council's regulatory responsibilities is to ensure public safety. The current policy enables the council to remove a consent if a trader commits an offence while holding a consent. However, best practice from other councils suggests that it may be beneficial to carry out criminal record checks at the point of a consent being applied for.

Do you believe that there should be any criminal record checks made of street traders during the application process?

- ☐ Yes
- ☐ No
- ☐ Don't know

Please explain your answer (and, if you answered yes, please give details of the types of offence that should be relevant):

Additional comments

Are there any other issues or comments that you would like to make in relation to the Street Trading?

Equalities monitoring

In order to ensure that we engage with people from a range of backgrounds, please let us know some information about you by answering the following questions. The information will be used for equality monitoring purposes only and individuals cannot be identified. These questions are optional and you can still complete the survey without answering them if you would prefer not to.

Do you think this has a disproportionate impact on any individual or group who has protected characteristics under the equalities legislation (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation)?

- ☐ Yes
- ☐ No
- ☐ Don't know

If yes, please provide details below:

Please tell us your postcode leaving out the last 2 digits. This will help ensure we understand the geographical spread of responses to the survey. Individual properties cannot be identified by this information.

Which of the following best describes how you think of yourself?

- ☐ Male
- ☐ Female
- ☐ In another way (please specify)
- ☐ Prefer not to say

If 'In another way', please specify below:

Your age category:

- ☐ Under 18
- ☐ 18-24
- ☐ 25-34
- ☐ 35-44
- ☐ 45-59
- ☐ 60-69
- ☐ 70+

Do you have any long standing illness, disability or infirmity?

- ☐ Yes

☐ No

Please select your ethnic origin

White

- ☐ English/Welsh/Scottish/Northern Irish/British
- ☐ Irish
- ☐ Gypsy or Irish Traveller
- ☐ Any other White background (you will have the option to self-describe on the next page)

Mixed/multiple ethnic groups

- ☐ White and Black Caribbean
- ☐ White and Black African
- ☐ White and Asian
- ☐ Any other Mixed/Multiple ethnic background (you will have the option to self-describe on the next page)

Asian/Asian British

- ☐ Indian
- ☐ Pakistani
- ☐ Bangladeshi
- ☐ Chinese
- ☐ Any other Asian background (you will have the option to self-describe on the next page)

Black/ African/Caribbean/Black British

- ☐ African
- ☐ Caribbean
- ☐ Any other Black/African/Caribbean background (you will have the option to self-describe on the next page)

Other ethnic group

- ☐ Arab
- ☐ Any other ethnic group

How did you hear about this consultation?

- ☐ Word of mouth
- ☐ Direct contact with the council
- ☐ Council website
- ☐ Local Newspaper
- ☐ Facebook

- ☐ Twitter
- ☐ Instagram
- ☐ Other (please specify):

Equalities monitoring

Please tell us how you describe your ethnicity:

Continuing the conversation

If you would like us to keep in touch with you about progress in updating the street trading policy, and to offer you further opportunities to give your views, please provide your email address here. This will only be used to communicate with you about this current policy update process. For more information on how the council uses your information see our privacy notice information.

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