

Membership as from May 2024

Councillor Berry
Councillor Drummond
Councillor Harvey
Councillor Hood
Councillor Hulbert
Councillor Jarvis
Councillor Jones
Councillor McHugh
Councillor Nobbs
Councillor Perry

Members = 10

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 3rd June 2024 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 May 2024**
 - 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. **Presentation** – by Savills regarding Hatchfield development reserved matters
7. **To consider if Newmarket Neighbourhood Plan policies impact on planning applications for consideration**
8. **Planning applications** – West Suffolk Council, weeks commencing 13/5/24, 20/5/24
9. **Planning applications** – Amended and Deferred Plans
10. **Planning Appeals** – to discuss any notified appeals and receive any appeal updates or results
 - a) **AP/24/0019/STAND Garage at Nowell Lodge, Fordham Road** – written representation appeal
 - b) **AP/23/0052/LDC Lanwade Park** – appeal in progress
 - c) **AP/24/0008/STAND Chels, 51A Bury Road** – appeal in progress
11. **Planning applications** – East Cambs
12. **Planning decisions and plans withdrawn** – West Suffolk Council-week 13/5/24, 20/5/24
13. **Delegation Panel decisions** - To discuss any decisions by Delegation Panel
14. **Licensing** – To discuss any Licensing applications
 - a) **128 High Street, Newmarket** – update on decision, if decided
 - b) **Lounge, High Street, Newmarket** – awaiting decision
15. **Enforcement** – to discuss any enforcement issues
16. **AirBnBs** – to receive any further update
17. **Correspondence**
18. **Date of next meeting** – 17th June 2024

Signed: *CE Whitaker*

Cathy Whitaker, Town Clerk

Date: 28th May 2024

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

Material Planning Considerations	
Site specific issues	• adequacy for turning, loading • availability/capacity of local infrastructure (eg public drainage or water systems) • car parking • deficiencies in community/social facilities (eg spaces in schools) • design, appearance and materials • layout and density of building(s) • road access • traffic generation
Environmental effects	• effect on street scene • hazardous materials, contaminated land • landscaping • light (including overshadowing) • loss of trees • nature conservation & biodiversity issues • noise & disturbance resulting from use • overlooking/loss of privacy • smells and fumes • visual amenity
Listed buildings/conservation areas	• The need to preserve or enhance the special character or appearance of designated conservation areas and protect listed buildings • Effect on archaeological interest
Usage	• Incompatible or unacceptable uses • Desire to retain and promote certain uses e.g. stables in Newmarket.
Previous decisions	• Previous planning decisions, including appeal decisions
Policies	• Statutory provisions contained in planning acts, statutory regulations & planning case law • Central Government planning policy and advice • National Planning Policy Framework (NPPF) • Supplementary planning guidance/documents eg. Affordable Housing SPD, Master plans, development briefs • WSC Local Plan policies • Newmarket Neighbourhood Plan • Newmarket Conservation Area Appraisal (adopted September 2009)
Key principle of the NPPF – presumption in favour of sustainable development. For decision-taking this means granting permission unless: • the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or • <i>any adverse impacts of doing so would significantly and demonstrably outweigh the benefits</i>	
Matters which are not material planning considerations	
<i>Greater weight is attached to issues raised which are supported by evidence rather than solely by assertion.</i>	
Competition (unless in relation to adverse effects on a town centre as a whole)	Moral and religious issues
Breach of private covenants or other private property or access rights, including boundary disputes	Council interests (eg land ownership or contractual matters)
Devaluation of property	Identity or motives of an applicant or occupier
Protection of a private view	Private disputes between neighbours
Impact of construction work	

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

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

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

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

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

Informative notes:

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

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

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

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

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

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

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

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

Suffolk Guidance for Parking 2019 {excerpt}

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

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

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

Reductions to the minimum parking guidance

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

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

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

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

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

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

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

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

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



Newmarket

TOWN COUNCIL

Minutes of a Meeting of the Development & Planning Committee Held on Monday 20th May 2024 at 6.15pm

Attendance:

Councillor R Hood (Chairman)
Councillor A Drummond
Councillor J Harvey
Councillor P Hulbert

Councillor J Jarvis
Councillor R Jones
Councillor J McHugh
Councillor R Nobbs
Councillor S Perry

Also Present: J Ashton – Minute Assistant and Cllr Winter as an observer.

	Minute	Action by
D/24/05/18 <u>To Elect a Chairman</u> Cllr Hulbert nominated Cllr Hood seconded by Cllr Harvey. There were no other nominations, a vote was taken, and the following was agreed: <u>D/23/05/18.01 Resolved</u> That Cllr Hood be elected as the Chairman of the D&P Committee for 2024/2025 Municipal Year.		
D/24/05/19 <u>To Elect a Vice Chairman</u> Cllr Hood nominated Cllr Harvey seconded by Cllr Drummond. There were no other nominations, a vote was taken, and the following was agreed: <u>D/23/05/19.01 Resolved</u> That Cllr Harvey be elected as the Vice Chairman of the D&P Committee for 2024/2025 Municipal Year.		
D/24/05/20 <u>Chairman to Read the Fire Safety Notice and Announce that Proceedings May be Filmed or Recorded</u> The Chairman welcomed everyone and read out the Fire Notice and announced that proceedings were being recorded by the Minute Assistant and asked if anyone intended to record the meeting.		
D/24/05/21 <u>Apologies</u> Apologies were received from Cllr Berry.		
D/24/05/22 <u>Declaration of Members Interests & to Remind Councillors of the need to keep up to date their Register of Member's Interests and to Consider any Requests Received for Member's Dispensation</u> None noted. There were no requests for dispensation.		
D/24/05/23 <u>To Confirm the Minutes of the Meeting Held on 7th May 2024 and any Matters Arising</u>		

The Chairman presented the minutes of the Development & Planning Committee held on 7th May 2024 and the following was agreed:

D/24/05/23.01 Resolved

That the minutes of the Development & Planning Committee held on 7th May 2024 be adopted and were signed as a true record by the Chairman of the Development & Planning Committee.

Matters arising.

Page 2 – D/24/05/7.02 Resolved – Lida Vets - Cllr Perry reported that planning permission was not required for the use of the parking spaces so she has been in touch with WSC Parking and is awaiting a response. She will follow this up and report back.

D/24/05/24 Public Open Session

No members of the public were present.

D/24/05/25 Impact of Newmarket Neighbourhood Plan Policies on Applications Being Considered

Policy 14 – Trees.

D/24/05/26 Planning Applications

Week Commencing 29/04/2024 & 06/05/2024.

D/24/05/26/1 DCON(G)/13/0408 - Application to discharge condition 1 (design code) of application DC/13/0408/OUT - Hatchfield Farm Fordham Road Newmarket Suffolk.

D/24/05/26.01 Resolved

The Committee deferred this application to the next meeting to obtain additional information.

D/24/05/26/2 DC/24/0511/HH - Householder planning application - single storey rear extension - 34 St Philips Road Newmarket Suffolk.

D/24/05/26.02 Resolved

The Committee voiced no objection.

D/24/05/26/3 DC/24/0630/TCA - Trees in a conservation area notification - one Apple (T1 on plan) fell - Barkway House 18 Bury Road Newmarket Suffolk.

D/24/05/26.03 Resolved

The Committee actively encourages responsible tree management and object to the felling of healthy trees. The Committee objected to this application and requested that the application be submitted to the Tree Officer for consideration and a full report. If the tree is to be felled, that it be felled outside of the bird nesting season and the Committee requests that a suitable replacement be planted.

D/24/05/26/4 DC/24/0605/TPO - TPO 001 (2024) tree preservation order - one Horse chestnut

(001 on plan, within G2 on order) one Ash (T0015 on plan, within G1 on order) fell - Palace House Stables Palace Street Newmarket Suffolk.

D/24/05/26.04 Resolved

The Committee actively encourages responsible tree management and object to the felling of healthy trees. The Committee does not object to this application subject to Tree Officer's approval and supports the Arboriculture report recommendation that a suitable replacement for the Ash tree is planted.

D/24/05/26/5 DC/24/0309/FUL - Planning application - replacement fencing following removal of existing fencing - Land North Of The Severals Bury Road Newmarket Suffolk.

D/24/05/26.05 Resolved

The Committee deferred this application and requested an extension to obtain further information. A representative is to be invited to the next D&P to discuss.

Cllr Winter joined the meeting.

D/24/05/27 Amended and Deferred Planning Applications

D24/05/27/01 DC/24/0393 & /0394 –89- 95 High Street (old Barclays Bank) - a site visit will be carried out tomorrow and an extension will be requested.

D24/05/27/02 DC/24/0485/HH - 61 Edinburgh Road - feedback from a site visit was given and the following was agreed:

D/24/05/27.02 Resolved

The Committee voiced no objection subject to the Planning Officer's approval regarding the closeness of the extension to the neighbouring property.

D/24/05/28 Planning Appeals

D/24/05/28/1 AP/24/0019/STAND Garage at Nowell Lodge, Fordham Road – written representation appeal.

D/24/05/28/1 AP/0052/LDC – Landwade Park – it was noted that the Public Inquiry has completed, and a decision is awaited.

D/24/05/28/2 AP/0008/STAND – Chels 51A Bury Road – it was noted that the appeal started on 1st March 2024 and is ongoing.

D/24/05/29 East Cambs Planning Applications

The East Cambs Weekly List for 19/04/2024 & 26/04/2024 were noted.

D/24/05/30 To Receive Results of Applications as Determined by West Suffolk and Plans Withdrawn

West Suffolk Planning Determinations received during week commencing 29/04/2024 & 06/05/2024.

Applications	Description	Address	WS Decision	NTC Decision
DCON(A)/22/1976	Application to discharge condition 5 (soft landscaping) and 7 (ecological enhancement) of DC/22/1976/FUL	Terrace House Queensberry Road Newmarket Suffolk	Approved	No comment invited

DC/24/0306/TPO	TPO 026(1958) tree preservation order - one Beech (T1 on plan, within A1 on order) overall crown reduction by up to two metres, reduce two lowest branches on northern aspect by up to three metres back to previous pruning points	Substation Adjacent To 72 Edinburgh Road Newmarket Suffolk	Approved	No objection	
DC/24/0275/HH	Householder planning application - single storey rear extension (following demolition of existing conservatory)	131 Manderston Road Newmarket Suffolk	Approved	No objection	
DC/24/0268/FUL	Planning application - a. new timber railings on existing low level wall to front of site b. new pedestrian gate to front of site c. new side fencing along public right of way d. new vehicular access gate to rear of car park	Arlington Court Church Lane Newmarket Suffolk	Approved	No objection	
DC/23/1708/FUL	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	Refused	Objected	
DC/24/0405/HH	Householder planning application- Single storey rear extension Householder planning application - single storey rear extension	4 Paget Place Newmarket Suffolk	Approved	No objection	
DC/24/0370/HH	Householder planning application- Conversion of detached garage to home gym or any other use incidental to the enjoyment of the dwellinghouse	43 St Phillips Road	Approved	Objected	
DCON(A)/23/1253	Application to discharge condition 4 (New/replacement window- detailed) of DC/23/1253/VAR		Condition discharged	No comment invited	

D/24/05/31 Delegation Panel Decisions

43 St Phillips Road – it was noted that the Delegation Panel had approved the application.

D/24/05/32 Licensing

D/24/04/32/01 128 High Street – the hearing was held at the Mildenhall Hub on 15th May 2024 and Cllr Perry reported that that a license was granted but the hours were restricted to 11:00pm rather than 1:00am (starting at 7:00am). The Police have made amendments to the license wording and Cllr Perry will circulate the document and has asked that her comments and those of Environmental Health be taken into account.

D/24/04/32/02 Lounge, High Street, Newmarket – in progress.

D/24/05/33 Enforcement

Mesnil Warren, 40 Bury Road - information from the Conservation Officer is awaited.

D/24/05/34 AirBnBs

Mill House 38 Mill Hill Newmarket – the response from WSC that no enforcement action is warranted was noted with disappointment as this is totally unsatisfactory. New regulations are to be introduced by the Government in the summer although it is unclear how this may relate to this particular issue. WSC

also confirmed that business rates were being paid. Cllr Yarrow is following up this issue with WSC.

D/24/05/35 Correspondence

None noted.

D/24/05/36 Date of Next Meeting

Monday 3rd June 2024 at the Memorial Hall.

Meeting closed at 7:15pm.

Signed _____ Date _____

Summary of Resolutions/Recommendations

Resolution/Recommendation	Resolution/Recommendation Wording
<u>D/23/05/18.01 Resolved</u>	That Cllr Hood be elected as the Chairman of the D&P Committee for 2024/2025 Municipal Year.
<u>D/23/05/19.01 Resolved</u>	That Cllr Harvey be elected as the Vice Chairman of the D&P Committee for 2024/2025 Municipal Year.
<u>D24/05/26.01 Resolved</u>	The Committee deferred this application to the next meeting to obtain additional information.
<u>D24/05/26.02 Resolved</u>	The Committee voiced no objection.
<u>D24/05/26.03 Resolved</u>	The Committee actively encourages responsible tree management and object to the felling of healthy trees. The Committee objected to this application and requested that the application be submitted to the Tree Officer for consideration and a full report. If the tree is to be felled, that it be felled outside of the bird nesting season and the Committee requests that a suitable replacement be planted.
<u>D24/05/26.04 Resolved</u>	The Committee actively encourages responsible tree management and object to the felling of healthy trees. The Committee does not object to this application subject to Tree Officer's approval and supports the Arboriculture report recommendation that a suitable replacement for the Ash tree is planted.
<u>D24/05/26.05 Resolved</u>	The Committee deferred this application and requested an extension to obtain further information.
<u>D/24/05/27.02 Resolved</u>	The Committee voiced no objection subject to the Planning Officer's approval regarding the closeness of the extension to the neighbouring property.

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Item 8

Development and Planning Committee
Planning Applications – West Suffolk Council

Weeks commencing 13 th & 20 th May				
Application	Constraints	Case Officer	Applicant name	Consultation expiry date
<u>DC/24/0615/CLP</u> Application for lawful development certificate for proposed use or development - a. Replacement of single-glazed sashes with timber double glazed sashes to same dimensions, retaining existing sash boxes; b. Installation of in-roof solar PV panels to the rear roof slopes; c. Demolition of the brick link passage to the garage, and refurbishment of door and overlight, new steps; d. Demolition of the woodshed and replacement with a new studio office with flat green roof; e. Reinstatement of blocked-up first floor window on NW elevation. Boyarin Lodge 30 Bury Road Newmarket Suffolk CB8 7BT		Savannah Cobbold	Ms Katherine Stewart	Tue 09 Jul 2024

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Decision List

Weeks commencing 13 th & 20 th May	NTC Comments
DC/24/24/0372/HH Householder planning application- Construction of porch (following removal of existing porch/canopy) 47 Lester Piggott Way Newmarket Suffolk CB8 0BJ Decided Approve application	The Committee voiced no objection, subject to compliance with building regulations.
DC/24/0293/HH Householder planning application- Single storey side extension with double garage (following demolition of existing and single garage.) Belvedere Falmouth Avenue Newmarket Suffolk CB8 0NB Decided Approve application	
DCON(G)/17/1881 Application to discharge conditions 16 (soft landscaping- Implementation and management) and 29 (operational waste management strategy) of application DC/17/1881/FUL The Silks, 69 Exning Road, Newmarket, Suffolk Decided Approve application	
DC/23/1680/HH Non-material amendment to DC/23/1680/HH- a.window and door frame colour changed from grey to black b.front windows glazing bar configuration amended Barkway House, 18 Bury Road, Newmarket, Suffolk, CB8 7BT Decided Approve application	
DCON(A)/23/2027 Application to discharge conditions 3 (arboricultural method statement) and 4 (tree protection) of application DC/23/2027/HH 28 Rowley Drive, Newmarket, Suffolk CB8 0NH Decided Approved	

Decision List

DC/24/0453/HH Householder planning application-single storey detached garden studio 460 Aureole Walk, Newmarket, Suffolk, CB8 7BD Decided Approve application	The Committee voiced no objections.
DC/34/0452/HH Householder planning application- single storey rear extension and roof raise of existing rear extension 59 Exning Road, Newmarket, Suffolk, CB8 OED Decided Approve application	No response received.
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, CB8 OHT Decided Approve application	The Committee voiced no objection.
DC/24/0023/ADV Application for advertisement consent- a.non-illuminated hanging sign b. existing fascia to be painted c.replacement illuminated ATM sign c.replacement door vinyl 49-51 High Street, Newmarket, Suffolk, CB8 8NP Decided Approve application	The Committee voiced no objection subject to the signage being heritage signage suitable for a Conservation Area, and being in keeping with the Newmarket Neighbourhood Plan and Shopfront Policy.
DC/23/2090/FUL Planning application- a.alterations to existing ground floor shop front and internal alterations to create new entrance b. change of use of first floor from retail (class E) to one dwelling (class C3) 34 Station Road, Newmarket, Suffolk, CB8 8DN Decided Approve application	The Committee voiced no objection.

Decision List

DC/23/0580/FUL Planning application- conversion of garage to dwelling Land Rear Of Eastcote, 45 Bury Road, Newmarket, Suffolk Decided Approve application	
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