

295. **Apologies for Absence**

Apologies for absence were received from Councillors David Bowman and Brian Harvey.

Councillor Andrew Appleby was also unable to attend the meeting.

296. **Substitutes**

There were no substitutes present at the meeting.

297. **Minutes**

The minutes of the meeting held on 2 May 2018 were unanimously received by the Committee as a correct record and were signed by the Chairman.

298. **Planning Application DC/17/2676/FUL - Kininvie, Fordham Road, Newmarket (Report No: DEV/FH/18/006)**

Planning Application - (i) 63no.bed Care Home for the Elderly including car park, bicycle, refuse and garden store (ii) Alterations to vehicular and pedestrian access from Fordham Road (Demolition of existing house including associated swimming pool, outbuildings and hard-standing)

This application had been deferred from the Development Control Committee on 2 May 2018 in order for Officers to obtain further information from the Local Highway Authority regarding the level of parking proposed for the scheme, following concerns raised by Members.

The planning application had been referred to the Development Control Committee in light of Newmarket Town Council having objected to the proposal which was contrary to the Officer recommendation of approval.

The Principal Planning Officer - Major Projects drew attention to the recommendation within Paragraph 107 of Report No DEV/FH/18/006 and explained that this was subject to the receipt of a satisfactory bat survey due later in June. However, since the May meeting of the Committee the Section 106 Agreement had been completed meaning the recommendation was no longer subject to this.

As part of his presentation the Officer made reference to:

- Additional evidence and advice contained within the report from Paragraph 41 onwards;
- The previous (2017) scheme for which planning permission was refused;
- Nearby approved developments at Nowell Lodge and Southernwood; and
- Separation distances, tree protection plan and landscaping scheme.

The Officer also advised the Committee that they had been made aware of correspondence sent directly to Members earlier that day from nearby residents opposing the development. The content of which did not raise any

new concerns beyond those already submitted. However, the Officer cautioned Members on the map/plan supplied in the correspondence as this had not been checked by the Planning Authority for accuracy.

Sam Bye, Senior Development Management Engineer – Suffolk County Council, was in attendance following Members' request at the May Committee for a Highways Authority representative.

The Highways Officer explained that the County Council were unable to recommend refusal of an application on highways grounds unless they considered that the proposed scheme would have a severe impact on the highways network.

In respect of the application seeking determination; the site was close to the Town Centre, benefited from nearby bus services and the applicants would be encouraging sustainable transport for their employees. The Highways Authority were, therefore, satisfied that with the appropriate mitigation (as set out in the relevant conditions) the parking proposed for the facility would be adequate.

Speakers: Mr Christopher Welsh (neighbouring resident) spoke against the application
Ms Debbie Twinn (on behalf of the applicant) spoke in support of the application

A number of Members voiced concern at the level of parking provided within the application. Councillor Stephen Edwards drew attention to the evidence within the report and questioned the table set out within Paragraph 45, in that the majority of the residential care homes listed therein were from metropolitan areas such as Birmingham and Leeds. Councillor Edwards explained that these urban areas would benefit from extensive public transport networks far exceeding what was available in Newmarket and, as such, it was not viable to make a direct comparison in terms of parking provision.

Councillor Peter Ridgwell also spoke in objection to the application on parking grounds and made reference to the retirement facility at which he worked in Brandon. However, the Chairman interjected and reminded the Committee that Members were to consider each application before them on its own merits.

Councillor Roger Dicker similarly considered the parking levels proposed to be insufficient and spoke on the car parking problems experienced at a care home in Kentford. In response, the Highways Officer explained that the use of the facility in Kentford had changed since its original development.

At this point the Service Manager (Planning – Development) spoke and again clarified that reference to other care homes within the District was not a material consideration and should not form part of the Committee's deliberations on the application seeking determination. In any event, the references to other care homes related to parking issues and Members had already been advised that the Highways Authority did not object to the parking provision proposed.

Councillor Carol Lynch moved that the application be refused, contrary to the Officer recommendation of approval, due to:

- i. Overdevelopment of the site;
- ii. The development being out of keeping of the character and design of the area due to its size, scale and three storey height;
- iii. The unneighbourly impact on residential amenity;
- iv. Loss of mature trees; and
- v. Impact on the neighbouring Conservation Area.

The Service Manager (Planning – Development) responded on the reasons for refusal and cited the relevant policies that could be applied to i. – iii. but explained that as the trees were not protected and the site was not within the Conservation Area she would recommended that iv. and v. were not justified.

Councillor Lynch concurred with the Service Manager’s response and withdrew reasons iv. and v. Her motion for refusal was then seconded by Councillor Peter Ridgwell.

Upon being put to the vote and with 6 voting for the motion, 4 against and with 1 abstention it was resolved that

Decision

Planning permission be **REFUSED CONTRARY TO THE OFFICER RECOMMENDATION OF APPROVAL** for the following reasons:

- i. Overdevelopment of the site;
- ii. The development being out of keeping of the character and design of the area due to its size, scale and three storey height; and
- iii. The unneighbourly impact on residential amenity.

299. **Tree Preservation Order TPO/031(2017) - Lords Walk, Eriswell (Report No: DEV/FH/18/007)**

Members were advised that a Tree Preservation Order (TPO) was made on 47 individual trees and 6 tree groups located across the Lords Walk estate in Eriswell. The TPO was made on 26 January 2018 and was served to protect the trees in response to a number of individual planning applications for development across the site including on areas of open space.

The Senior Ecology & Landscape Officer explained that the trees were considered to be a significant public amenity asset both individually and as groups. They were mature trees and had attractive features, they also provided an important element of a natural setting within the residential development which was largely lacking in vegetation or natural features.

One objection had been received which included a proposal to remove tree T2 from the Order, this modification was considered reasonable by the Officer and the recommendation was therefore to confirm the TPO with T2 (Silver Birch) removed.

As part of her presentation the Officer provided photographs and further explanation on each of the trees/groups as listed within Paragraph 4 of Report No DEV/FH/18/007.

Councillor Simon Cole moved the Officer's recommendation and this was duly seconded by Councillor Louise Marston.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

The report be noted and Tree Preservation Order TPO/031(2017) be **CONFIRMED** with a modification to remove tree T2 (Silver Birch).

The meeting concluded at 7.03pm

Signed by:

Chairman
