

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**PLANNING COMMITTEE**

**Minutes from the Meeting of the Planning Committee held on
Monday, 3rd April, 2017 at 9.30 am in the Committee Suite, King's Court,
Chapel Street, King's Lynn**

PRESENT: Councillor Mrs V Spikings (Chairman)
Councillors Mrs C Bower, A Bubb, C J Crofts, Mrs S Fraser, G Hipperson (sub),
A Morrison, T Parish, M Peake, Miss S Sandell, M Storey, D Tyler, G Wareham,
Mrs E Watson, A White and Mrs S Young

PC92: **APOLOGIES**

Apologies for absence were received from Councillors Mrs S Buck and Mrs A Wright. The Chairman, Councillor Mrs Spikings thanked Councillor Hipperson for being a substitute at the meeting.

PC93: **MINUTES**

The Minutes of the Meeting held on Monday, 6 March 2017 were agreed as a correct record and signed by the Chairman, Councillor Mrs Spikings.

PC94: **DECLARATIONS OF INTEREST**

The following declarations of interest were declared:

Councillor Peake declared an interest in item 8/2(f) – Northwold, as he was a member of Northwold Parish Council, but was not a member of their Planning Committee.

PC95: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business under Standing Order 7.

PC96: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillor attended under Standing Order 34:

Mrs J Westrop 8/1(a) 16/01322/OM

PC97: **CHAIRMAN'S CORRESPONDENCE**

The Chairman reported that any correspondence received had been read and passed to the relevant officers.

PC98: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

A copy of the summary of relevant correspondence received since the publication of the agenda, which had been previously circulated, was tabled. A copy of the summary would be held for public inspection with a list of background papers.

Councillor Wareham expressed concern in relation to the amount of late correspondence which had been reported for application 16/01322/OM.

The Executive Director explained that there had always been a process to be able to report additional correspondence which had been received following the publication of the agenda.

Councillor Storey stated that he considered that there should not be any late correspondence reported to the Committee.

The Chairman, Councillor Mrs Spikings stated that the applicant, agents and members of the public often needed to make comment on the report once it had been published. She added that for each application, the Committee wanted to reach the best outcome, which was why the Committee also had public speaking as well as late correspondence in order to be fair to both the applicant and objectors.

PC99: **INDEX OF APPLICATIONS**

The Committee noted the Index of Applications.

(a) **Decisions on Applications**

The Committee considered schedules of applications for planning permission submitted by the Executive Director for Planning & Environment (copies of the schedules are published with the agenda). Any changes to the schedules are recorded in the minutes.

RESOLVED: That, the applications be determined as set out at (i) – (x) below, where appropriate to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chairman.

- (i) **16/01322/OM**
Downham Market: Land at Nightingale Lane: Outline application: Up to 300 dwellings and associated infrastructure and access: The Grosvenor Partnership 3 LLP

The Principal Planner introduced the report and explained that the application site was located to the south east of Downham Market, bounded by the A1122 on the south boundary, Ravensway and Denver Hill to the north east boundaries, Nightingale Lane and Crow Hall Cottages to the north and open farmland to the east boundary. Nightingale Lane was a Restricted Byway (PROW RB23) and ran from the north boundary south through the site to the footbridge crossing over the A1122 and south towards Denver.

The site was an allocation for Downham Market under Policy F1.4 of the Site Allocations and Development Management Policies Plan 2016, with the policy requiring at least 140 dwellings. Planning permission was granted for up to 170 dwellings (following the completion of the S106 agreement) in October 2016.

The current application was in outline form with all matters reserved apart from access. Originally the application was for up to 500 dwellings including land to the north and outside the allocated site. The applicant was advised that this would be contrary to the development plan policy and the application was subsequently revised to reduce the number of dwellings to up to 300 and the red line reduced to conform to Policy F1.4.

The application had been referred to the Committee for determination as the views of Downham Market Town Council were contrary to the officer recommendation.

The Committee noted the key issues for consideration when determining the application, namely:

- Principle of development;
- Form and character;
- Highways issues;
- Residential amenity;
- Flood risk and sustainable drainage;
- Archaeology;
- Ecology;
- Section 106 matters;
- Any other matters requiring consideration prior to the determination of the application; and
- Crime and Disorder.

In accordance with the adopted public speaking protocol, Mr F Daymond (objecting on behalf of the Town Council) and Mr Richard Brown (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Mrs J Westrop addressed the Committee in relation to the application, as follows:

Thank you for allowing me to speak. I would start by acknowledging that in 2016, 170 homes were approved for this site, 40 more than originally allowed for under our own policies pushing the development envelope. I would like to suggest to the committee today that the 170 is sufficient and the proposal before you is a step too far.

Specifically I feel this application should be rejected on the grounds of density and failure to meet the economic development criteria test and by implication fails to promote and sustain the health and well-being of the local community another planning consideration.

The arguments around density are complex taking in the late submitted points. I simply note that density on this site will inevitably impact on the local environment and is completely out of step with the housing it is adjacent to, the screening suggested is insufficient; it does not for example even protect the tree lines that exist between it and established housing, and even the lighter development at the edges intrudes on the visible amenity of the area from the road. Density has gone too far when as suggested twice the amount of housing is being built on a smaller acreage than originally envisaged leaving some 10 hectares for future development.

I acknowledge this level of density is seen both by the planners and the Inspector as acceptable; this idea whilst technically correct denies the impact of high density housing on the community. Downham has several developments now where density of this level exists and it is evident that problems relating to drainage flooding transport car movement and safety exist causing numerous problems that are irresolvable and those developments had the same type of conditions suggested here to mitigate the issues. The sad fact is that the built infrastructure already insufficient to manage the current levels of housing will be further adversely impacted and with no prospect of upgrade the current problems experienced by Downham residents will only worsen.

As a point of note the draft Neighbourhood Plan for the town argues for less development per hectare than that suggested here, because those of us that live locally know that the density levels suggested by this plan and endorsed by officers do not work and the quality of life and community life suffers accordingly.

Of course whilst much is made of the open space in this application there is no guarantee that space will remain open particularly given both the history of this site and other proposed developments for the area, and as the town council points out in its objections a reduction in the overall development area leaving further adjacent development land in the future is a concern. I would urge colleagues on this occasion to note very carefully the objections of the Town Council.

The economic development argument is counter intuitive, there is little or no evidence to suggest that construction jobs will be created or

sustained by this development. There is a significant county wide shortage of such workers which is much worse in this area and by its very nature such work is transitory. Experience locally suggests that those employed on such sites are from many diverse communities and any up lift in local shopping was transitory. The local town economy has seen no significant sustained uplift from prior development the contrary applies, and since the town is in the bottom quartile of social educational and economic development improving this situation is not a deliverable outcome of this application and I reject it as a vehicle that justifies this development and urge colleagues to do the same.

I also acknowledge the sentiments outlined on page 7 but again this is counter intuitive. It assumes and it is always stated that services and facilities will adjust. This has not been the result experienced locally with developments to date.

There is no major attempt in the town to upgrade facilities or indeed bring in the employers that would justify such a statement. The development will not attract CIL and the 106 money is by officers admission going to other aspects of this development. People are rightly concerned therefore about the issues they identify in respect of roads schools and health care and it is too simple to say that these are not planning considerations.

If one of the core NPF principles not routinely quoted by officers is to mean anything ie supporting health, social and cultural well-being, then colleagues we have to start questioning why we are not taking these issues into consideration when hearing the genuinely held concerns and fears of those we represent when large scale developments such as proposed to you today are put before you.

I therefore ask colleagues you reject this application on the grounds that it fails the economic development test, the issues of density and that it is not sustainable and that the genuine concerns expressed by the town council in your papers are given full weight.

The Chairman, Councillor Mrs Spikings asked for clarification in relation to the density figures as two different levels had been quoted within the report. The Principal Planner advised that there were two ways of measuring density. The net density quoted by officers in the report took into account the site constraints and it had been suggested that the density would be 46.5 dph. The figure quoted by the agent referred to the gross density which did not take the site constraints into account. It was advised that both figures quoted were correct.

The Chairman, Councillor Mrs Spikings asked what the density figures were for other estates in Downham Market. The Principal Planner advised that they were probably lower. She explained that the plan in front of the Committee was an illustrative layout only and up to 300 dwellings, however if at reserved matters stage this could not be achieved then the number of dwellings could be less.

In response to a query, the Principal Planner informed the Committee that the proposed footpath links were indicated in the south-west corner of the site leading to London Road with off-site footpath/cycleway improvements. Further improvements were proposed off-site to the north of Nightingale Lane in the form of a shared use footway/cycleway alongside the bridleway and also the creation of a new bridleway linking Nightingale Lane to Rouses Lane. All highway works would be carried out either within the adopted highway or within land controlled by the applicant.

The Principal Planner also confirmed that schools could be accessed by foot and cycle.

Councillor Crofts stated that with an application of this nature some contribution should be made to the infrastructure of the town. He referred to the railway station and the need for additional parking.

Councillor Tyler advised the Committee that the application site ran adjacent to his ward and he had concerns in relation to highway safety. Councillor Tyler considered that the roundabout was not in the correct location and should be moved further down to London Road. He referred to the amount of additional traffic that the proposal would generate as most dwellings would have two cars. He added that parking was already very difficult in the town. He was also concerned about the loss of visual amenity and the impact on residential amenity.

Councillor Wareham referred to the meeting when the application for 170 dwellings was discussed and he had made the point that the crossing at London Road into Denver was where the roundabout should be located. The application was now for 300 dwellings with the roundabout still in the same location, as per the previous application.

Councillor Wareham therefore proposed that the application be refused, which was seconded by Councillor White.

Councillor White explained that his ward also abutted the application site. He considered that the traffic issues were unacceptable and dangerous. He asked what the road widths would be on the development. He also explained that the estate would encounter the same problems as in Bennet Street with people parking there whilst using the railway station.

In response the Principal Planner explained that the allocation was for at least 140 dwellings. It would be down to the applicant at reserved matters stage to address the layout, access roads and parking standards. The road widths, at this stage, were not known.

Councillor White referred to the parking situation in Downham Market and stated that many people did not walk or cycle to the shops but took the car.

The Chairman, Councillor Mrs Spikings expressed concern in relation to the density of the scheme. She explained that 140 dwellings had been proposed through the Local Development Framework and this had been increased to 170. This was considered acceptable by the Planning Committee. However the scheme had now increased to 300 dwellings resulting in a higher density.

Councillor Mrs Spikings then proposed an additional reason for refusal on the grounds that the density was too high. This was seconded by Councillor Tyler.

Councillor Storey also expressed concern in relation to density. He also referred to the comments made by Councillor Sampson as outlined in the report. Councillor Storey also considered that the roundabout was in the wrong location.

The Principal Planner advised that the comments made by Councillor Sampson was in respect of the scheme for 500 dwellings but did not apply to this scheme.

Councillor Bubb made reference to the fact that there was only one exit from the estate and considered that there needed to be extra access points.

The Executive Director advised the Committee that Norfolk County Council as the Highway Authority did not object to the proposed location of the roundabout, therefore it would be an unreasonable reason for refusal. He suggested that the Norfolk County Council Members could take up the issue with Norfolk County Council.

In relation to density, the Executive Director explained that he did have sympathy with the concerns expressed by the Committee, as the Local Plan had been produced and set out a vision, which went out for consultation with 140 dwellings allocated. The Inspector then changed the policy to 'a minimum'. The Committee needed to consider whether it was reasonable to go from 140 dwellings to 300. The Committee had considered that a low density scheme of 170 dwellings would be acceptable on the site. However, the Committee needed to bear in mind that Government was pushing for higher housing numbers and increased densities. He advised the Committee that if they were minded to refuse the application then it should be on those grounds which could be substantiated. The reason for refusal in relation to the proposed roundabout could not be substantiated.

The Chairman, Councillor Mrs Spikings asked whether the site was within walking distance to the town. The Principal Planner highlighted the route on the plans and advised that it would be approximately 1 km.

Councillor Wareham referred to the roundabout and explained that its location had been agreed by the applicant with no opportunity for any discussions particularly the Town Council.

The Executive Director reminded the Committee that any reason for refusal had to be defended at appeal and if the Committee refused the application on highway grounds, consultants would need to be employed. He considered that the reason for refusal in relation to the roundabout was unreasonable and strongly advised the Committee not to include that reason for refusal.

Councillor Storey asked how many planning consents were still to be built out in Downham Market. The Chairman, Councillor Mrs Spikings reminded the Committee that each application had to be considered on its own merits.

Councillor Storey proposed an additional reason for refusal as he considered the application presented an unsustainable form of development. This was seconded by Councillor White.

The Committee then voted separately on the following reasons for refusal, which were carried.

- Density;
- Location of the roundabout;
- Unsustainable form of development

RESOLVED: That the application be refused, contrary to recommendation for the following reasons:

1. The proposed development, by reason of the number of dwellings proposed, would result in likely densities of housing that would be out of character with the predominant form of residential development in the locality. The proposal would therefore fail to improve the character and quality of the locality or the way it functions. As a result, the proposal would be contrary to the NPPF, NPPG, Policy CS08 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.

2. Given existing localised highway issues in the locality (London Road and Denver junctions), combined with the increase in traffic from the site, it is considered that the proposed four-arm roundabout is inappropriately located. The proposal is therefore contrary to the NPPF and Policy CS11 of the Core Strategy 2011.

3. The proposed development, by reason of the failure to respond the character and context of the locality and the impact on infrastructure as a result of the increase in number of houses, is not sustainable development and is therefore contrary to the NPPF, NPPG, Policies CS01, CS04, CS08 of the Core Strategy 2011 and Policy DM1 of the Site Allocations and Development Management Policies Plan 2016.

The Committee adjourned at 10.55 am and reconvened at 11.05 am.

(ii) 16/01708/F

**Burnham Overy: Seaward House, Wells Road, Burnham
Overy Staithe: Demolition of existing house and
construction of new house and boatshed: Mr Tim Holmes**

The Senior Planner introduced the report and explained that the site comprised a two storey detached dwelling and associated garden land. It was bounded to the east and west by other detached dwellings fronting Wells Road. To the north, on the opposite side of the road was a row of three terraced properties, beyond which was the creek and marshes. To the south was garden land associated with a property fronting New Road and to the south-east was a caravan park.

The application sought full planning permission for the construction of a replacement dwelling and boat-shed following the demolition of the existing property.

The application had been referred to the Committee for determination as the views of Burnham Overy Parish Council was contrary to the officer recommendation; and there had been an appeal for a similar development.

The Committee noted the key issues for consideration when determining the application, namely:

- Planning history;
- Principle of the development;
- Design and scale;
- Impact on Conservation Area and Heritage Assets; and
- Impact on neighbour amenity.

In accordance with the adopted public speaking protocol, Mr Tim Holmes (supporting) addressed the Committee in relation to the application.

Concern was expressed that the design of the proposed new dwelling could not be seen very well due to the technology and the drawings, as presented.

In response to a query regarding the age of the building to be demolished, the Chairman, Councillor Mrs Spikings referred the Committee to paragraph 8 of the appeal decision, where the Inspector stated that 'I raise no objections in principle to the demolition of the existing dwelling, considering the conservation area would not be harmed by its removal'.

It was also advised that there was parking space available at the front of the property.

RESOLVED: That, the application be approved, as recommended, subject to the imposition of an additional condition 8 and the need to amend condition 2, as outlined in late correspondence.

(iii) 16/002012/O

Congham: Land between Shangri La and Bluebell Lodge, St Andrews Lane: Outline application: Construction of two dwellings and formation of new access onto St Andrews Lane: Mr W Simper

The Senior Planner introduced the report and explained that the application site comprised a rectangular parcel of land measuring 0.184 ha on the northern side of St Andrew's Lane, Congham.

Congham was classed as a Smaller Village and Hamlet according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The applicant had benefitted from planning permission granted for a detached cottage (14/00988/F) on adjacent land, which had since been erected.

The application sought outline consent for two detached dwellings with access only being determined at this stage.

The application had been referred to the Committee for determination as the views of Congham Parish Council were contrary to the officer recommendation.

The Committee noted the key issues for consideration when determining the application, namely:

- Principle of development;
- Form and character;
- Impact upon neighbour amenity;
- Highway impact;
- Affordable housing;
- Ecological interests;
- Arboricultural implications; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Mr Richard Waite (supporting) addressed the Committee in relation to the application.

Councillor Mrs Fraser explained that Congham adjoined her ward, and St Andrews Lane was very narrow and not much more than a track without a footpath. She added that she liked the development but had concerns.

RESOLVED: That the application be approved as recommended.

**(iv) 16/01826/CU
Downham Market: 91 Railway Road: Continued use of
store as car body shop business: Mr Jon Attenborough**

The Principal Planner introduced the report and explained that the application site was the store which amounted to approximately 89 m² and was located to the south of Railway Road, to the west of Maltings Lane and to the east of the railway line. The building that comprised the site was located on the very edge of Downham Market Conservation Area, but outside its boundary.

The application sought to continue the use of the former store as a car body shop business at the address of 91 Railway Road.

Planning permission was recently granted for the change of use of the land north of the application site at 91 Railway Road from car sales and light van hire to mixed use as a commercial car park and car valeting service.

The application had been referred to the Committee for determination as the views of Downham Market Town Council was contrary to the officer recommendation.

The Committee noted the key issues for consideration when determining the application, namely:

- Principle of development;
- Residential amenity;
- Highways; and
- Other considerations.

In accordance with the adopted public speaking protocol, Gillian Moulder (objecting), Mr F Daymond (objecting on behalf of the Town Council) and Sean Zissler (supporting) addressed the Committee in relation to the application.

The Chairman, Councillor Mrs Spikings then invited the CSNN Officer to explain their advice in relation to the application. The CSNN Officer explained that there had been complaints about the site in terms of odour, which had not been substantiated but were still ongoing. She explained that she had visited the site and made observations before, during and after the spraying took place and there was no significant odour. She also explained that a noise and odour management plan was now in place. The applicant had also provided information about the filtration, which was over and above the standards required. In addition the flue now extended above the ridge height and she believed that this would make a difference. It was explained that the operator did not meet the criteria to be required to apply for a permit from the Environment Agency. The paints to be used would be low solvent and

water based. The applicant was operating in accordance with the Management Plan.

The Committee was informed that the Statutory Nuisance needed to be investigated and this would be carried out in accordance with procedure.

Councillor White explained to the Committee that he had received a lot of communication regarding this application. He suggested that the application should be deferred until measures had been put in place.

The Executive Director queried what items Councillor White required to be carried out, as the applicant would be required to carry out a level of investment and then the application could still be refused.

Councillor Mrs Watson referred to the untidy nature of the site and felt that the Committee had a duty to enhance and improve the area. The Principal Planner explained that there would be fencing/screening erected. It was considered that the proposal had a nil effect on the conservation area.

The Chairman, Councillor Mrs Spikings explained that consideration could be given to serving a Section 215 Notice if it was felt necessary. It was explained that the rubbish was actually outside of the application site.

Councillor Crofts added that he considered that operations at the site should be suspended until the results of the Statutory Nuisance complaint was known.

The Principal Planner explained that the applicant would have to invest money into the business in order to rectify the situation.

The CSNN Officer explained that measures had been put in place and there were other things that the applicant could do to rectify the situation. She added that if permission were to be granted the issues could be rectified.

In response to a comment, the Principal Planner explained that no panel beating would take place on the site.

The Chairman, Councillor Mrs Spikings added that noise from the grain store could be heard in the vicinity.

In response to a query, the CSNN Officer explained the working of the garage. She also explained that a scheme was in place with the applicant for the disposal of chemical waste in the correct manner.

The Vice-Chairman explained that the CSNN Officer was at the meeting and saying that she had no objection to the application. He

suggested that the Committee should take the advice from the officer and that it was in the applicant's interest not to cause any problems.

In relation to the paint spraying, Councillor Hipperson asked whether there was anything that would get rid of the smell. The CSNN Officer informed the Committee that this could be done but it would require heavy investment from the applicant.

The CSNN Officer advised that she had considered the application and concluded that dis-amenity would not be caused. She added that the complaints from residents had not been disregarded. She advised that if a Statutory Noise nuisance investigation was conducted then this could take between a month to three years to conclude.

Councillor White then proposed that the application be refused on the grounds that the spraying of paint caused a nuisance to local residents and the parking arrangements were unsatisfactory.

The Principal Planner advised that County Highways found the access arrangements to be acceptable.

Councillor Storey proposed that the application be deferred and asked whether the filtration system would actually work. In response, the CSNN Officer advised that the proposed filtration system was the same used as in any spraying booth regardless of whether it was an Environment Agency permitted site or not. The applicant was proposing two layers of filtration rather than one.

The proposal was seconded by Councillor White and, after having been put to the vote, was lost.

In response to a query from Councillor Wareham regarding enforcement, the Principal Planner advised strict conditions had been imposed, as reported on pages 43 and 44 of the report.

The Committee then voted on the proposal to refuse the application, which had been proposed by Councillor White on the grounds that the proposal would have a detrimental impact on the neighbours and seconded by Councillor Tyler, which was lost.

Councillor White asked for his vote to be recorded against the following resolution.

RESOLVED: That the application be approved as recommended.

Councillor Crofts left the meeting at 12.20 pm

- (v) **16/02117/F**
Grimston: Hayfields, 11a Chequers Road, Pott Row:
Proposed site for construction of two log cabin holiday lets:
John Wicks

The Senior Planner introduced the report and explained that the application sought consent to demolish the existing structures on the site and provide 2 log cabins for holiday accommodation.

The majority of the site was outside of the development boundary of Pott Row. Pott Row combined with Grimston and Gayton was a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy.

The application site measured 942m², was rectangular in shape and was accessed to the side of the donor property, Hayfields. There were wooden and concrete block structures on the site.

The application had been referred to the Committee for determination as the views of Grimston Parish Council were contrary to the officer recommendation.

The Committee noted the key issues for consideration when determining the application, namely:

- Principle of development;
- Impact upon visual amenity;
- Impact upon neighbour amenity;
- Highway safety;
- Protected species; and
- Other material considerations.

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the late correspondence and the need to correct condition 4 and remove condition 5, which was agreed.

RESOLVED: That, the application be approved as recommended, subject to condition 4 being amended and condition 5 being removed, as outlined in late correspondence.

(vi) **15/01728/F**

Methwold: Thornham Lake, Thornham Road: Six additional holiday lodges and managers dwelling: Client of Ian J M Cable Architectural Design

The Principal Planner introduced the report and explained that the application site was located to the west of the village of Methwold. The site comprised a fishing lake to the north of the site with mature planting surrounding the lake. To the south of the lake six existing holiday lodges were located. South of the existing holiday lodges and closer to Thornham Road was an area of grass. The access into the site was located to the south west of the site and there was screening along the southern roadside boundary.

The application was for full planning permission for the siting of six additional holiday lodges and a permanent manager's dwelling.

The application had been referred to the Committee for determination as the Highway Authority objected to the application which was at variance with the officer recommendation.

The Committee noted the key issues for consideration when determining the application, namely:

- The principle of development;
- Design and scale of dwellings;
- Impact upon the countryside;
- Highways issues; and
- Other material considerations.

RESOLVED: That the application be approved as recommended.

(vii) 17/00170/O

Northwold: Woodlands, 11 Little London Road: Outline Application: Proposed residential development: Mr & Mrs M Leet

The Principal Planner introduced the report and explained that outline consent with all matters except access was sought for residential development. The site was located outside the development boundary for Northwold and was designated as countryside. The site was heavily treed, with the frontage trees benefiting from a group Tree Preservation Order. Indicative plans showed three detached dwellings with detached garages in linear formation to the rear of the existing protected, frontage trees.

The application had been referred to the Committee for determination as it had been called in by Councillor Peake and the views of Northwold Parish Council were contrary to the officer recommendation.

The Committee noted the key issues for consideration when determining the application namely:

- Principle of development;
- Form and character;
- Highway safety;
- Residential amenity;
- Ecology; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Mr T McMullan (objecting) and Mr Chris Parsons (supporting) addressed the Committee in relation to the application.

In response to a comment from the supporter, the Principal Planner advised that following amended plans which addressed the visibility issue, the Local Highway Authority no longer objected on that basis. However, it was still considered that the site was unsustainable as a result of the location and lack of safe footway link. The conditions were not considered so severe as to warrant a recommendation of refusal.

Councillor Peake informed the Committee that he considered the site suitable for development and would not harm the trees covered by the TPO. He added that Northwold was a key service centre and very few plots had been taken forward from the last tranche of sites. He explained that Northwold was in need of more properties.

The Chairman, Councillor Mrs Spikings informed the Committee that she supported the officer's recommendation for refusal. She referred to the call for sites and explained that some villages did not have any sites put forward for development. In addition, the Council's policy was not to have development in the countryside. She added that no reasons had been put forward to justify going against the policy. She advised that policies were in place and the Committee needed to adhere to them.

Councillor Peake referred to the location of the site and explained that there were houses behind the site and to the left of it. He considered that it was a built-up location.

The Principal Planner displayed the site via Google earth and explained the site dimensions.

Councillor Storey referred to the map on Google earth and pointed out that there were several houses on the opposite side of the road. He referred to the comments from Northwold Parish Council who had raised no objection to the application.

The Executive Director reminded the Committee that the policy position was very clear and that the site was in countryside. He also made reference to the 8 letters of objection which had been received in relation to the application. He advised that the Committee needed to follow its own policies unless there was clear reason not to do so.

Councillor Peake asked what the difference was between this application and the application in Congham, which had been considered by the Committee earlier in the meeting.

The Executive Director explained that Congham was classified as a Smaller Village and Hamlet and was in accordance with Policy DM3, was a form of infill development.

RESOLVED: That the application be refused as recommended.

The Committee then adjourned at 12.52 pm and reconvened at 1.25 pm.

(viii) 16/02185/RM

**Pentney: Pentney Lane: Reserved matters application:
Construction of dwelling: Nor-Cam Homes and
Development Ltd**

The Principal Planner introduced the report and explained that the application was made for reserved matters approval; layout, scale, appearance and landscaping, following the grant of outline planning permission granted under reference 16/00015/O, for the erection of a single dwelling on land at Pentney Lane, Pentney.

The application had been referred to the Committee for determination as the views of Pentney Parish Council were contrary to the officer recommendation.

The Committee noted the key issues for consideration when determining the application, namely:

- Principle of development;
- Form and character;
- Residential amenity; and
- Other material considerations.

RESOLVED: That the application be approved as recommended.

(ix) 17/00223/O

**Stow Bardolph: Land at 16 The Drove, Barroway Drove:
Outline application: Two executive type detached chalet
properties with detached garages: Mr Richard Garner**

The Principal Planner introduced the report and explained that outline planning permission was sought for two dwellings on a parcel of agricultural land with frontage onto The Drove, Barroway Drove. All matters were reserved for future consideration.

The application had been referred to the Committee for determination as there was planning history of an appeal dismissed on the site.

The Committee noted the key issues for consideration when determining the application, namely:

- Appeal history;
- Principle of development; and
- Other material considerations.

The Chairman, Councillor Mrs Spikings referred to the fact that Barroway Drove (in the Parish of Stow Bardolph) was a Smaller Village and Hamlet and asked how many sites had come forward for

development along Barroway Drove. She added that it was being eroded as it was becoming one continuous strip of houses.

The Principal Planner referred to Policy DM3 which allowed sensitive infill development in the Smaller Villages and Hamlets.

The Chairman, Councillor Mrs Spikings asked if the plan on page 80 showed all the new properties which had been built. She added that both sides of the road were getting fuller with no gaps.

The Principal Planner advised that at the Nordelph end, development was far more sporadic.

Councillor Wareham expressed concern that the proposed development did not leave much amenity space for the two properties.

The Executive Director explained that some people wanted smaller gardens.

The Principal Planner advised that as the application was only in outline form, it demonstrated that two houses with access could be accommodated on the site. She added that there were different sized plots further along the road.

RESOLVED: That the application be approved as recommended.

(x) 17/00113/F

Thornham: Coach House, High Street: Erection of two detached 2 storey dwellings, new shared vehicular access and boundary treatments: The Abbey Group (Cambridgeshire) Limited

The Senior Planner introduced the report and explained that the application site was within the defined development boundary for Thornham. Thornham was a rural village in accordance with Policy CS02 of the Local Development Framework Core Strategy 2011.

The site was also contained within the Conservation Area and an Area of Outstanding Natural Beauty and formed part of an extended garden area to The Coach House.

The proposal sought consent for 2 detached dwellings in the extended garden area.

The application had been referred to the Committee for determination as the views of Thornham Parish Council were contrary to the officer recommendation.

The Committee noted the key issues for consideration when determining the application, namely:

- Principle of development;
- Impact upon designated heritage assets;
- Impact upon residential amenity;
- Impact upon highway safety;
- Protected species;
- Arboricultural implications; and
- Other material considerations

In accordance with the adopted public speaking protocol, Mr Andy Brand (supporting) addressed the Committee in relation to the application.

The Chairman, Councillor Mrs Spikings explained that she had had the benefit of visiting the site. She informed the Committee that the wall was a sterling feature in the Conservation Area and she was concerned that it would be demolished in order to allow the access to the site. The Coach House and The Gables were in the same ownership. She considered that two dwellings was overdevelopment.

The Chairman, Councillor Mrs Spikings therefore proposed that the application be refused on the grounds that the proposal was overdevelopment and the loss of the wall in the street-scene. This was seconded by Councillor Morrison.

The Executive Director advised that as the site was in the Conservation Area the development must preserve or enhance it. He added that in Thornham, the chalk wall did run through the village and there was no question that it contributed to the setting of the village. He acknowledged that the wall was to be rebuilt but added that this would not be in the same way. He concluded that the Committee needed to consider whether this scheme preserved or enhanced the character of the Conservation Area.

Councillor Mrs Watson (Ward Member) agreed with the comments made by the Chairman, Councillor Mrs Spikings and the Executive Director.

Councillor Wareham suggested that the same access to The Gables and The Coach House could be used.

The Committee then voted on the proposal to refuse the application on the grounds that it was overdevelopment and a cramped form of development and the loss of the wall, which was carried.

RESOLVED: That the application be refused, contrary to recommendation, for the following reasons:

1. The application site lies within Thornham Conservation Area. The statutory test in regards to planning functions in the Conservation Area are that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, s.72 of the

Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990. The subdivision of the garden area to the Coach House, results in narrow plots compared to the wider more spacious established plots in the vicinity of the site. The narrow plot size combined with the scale of the proposed dwellings results in an overdevelopment of the site which fails to function well and does not preserve or enhance the character of the Conservation Area. The proposal does not comply with s.72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 17, 56, 58 and 64 of the National Planning Policy Framework, Policies CS06, 08 and 12 of the Local Development Framework Core Strategy 2011, Policy DM15 of the Site Allocation and Development Management Policies Plan 2016.

2. The proposal involves the demolition of a wall (directly fronting the footpath) that dates back to the early C19th and rebuilding it in a setback position from the footpath. The continuous wall is a prominent established feature in the Conservation Area only interrupted by modern gateways. The demolition of a large section of the established wall and subsequent set back, without adequate justification, and the loss of the sense of enclosure would adversely affect the historic characteristics and visual amenity of this locality and therefore fails to sustain the character and appearance of the Conservation Area contrary to s.72 of the Town and Country Planning (Listed buildings and Conservation Areas) Act 1990, Chapter 7 and Paragraphs 131, 132 and 134 of the National Planning Policy Framework, Policy CS12 of the Local Development Framework Core Strategy 2011 and Policy DM15 of the Site Allocation and Development Management Policies Plan 2016.

PC100: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

RESOLVED: That, the reports be noted.

The meeting closed at 2.00 pm