

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

**PLANNING COMMITTEE**

**Minutes from the Meeting of the Planning Committee held on  
Monday, 31st July, 2017 at 9.30 am in the Assembly Room, Town Hall,  
Saturday Market Place, King's Lynn PE30 5DQ**

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

PC22: **APOLOGIES**

Apologies for absence were received from Councillor Mrs Buck.

PC23: **MINUTES**

The Minutes of the Meeting held on 3 July 2017 were agreed as a correct record and signed by the Chairman.

PC24: **DECLARATIONS OF INTEREST**

The following declarations of interest were declared:

Councillor Parish declared an interest in relation to items 8/2(c) – Heacham and 8/2(j) – Sedgeford as a Member of Heacham Parish Council.

Councillor Parish also informed the Committee that he had made strong statements about item 8/1(b) - Heacham and because of that he would withdraw from the meeting and address the Committee under Standing Order 34.

Councillors Crofts, Watson and Young declared an interest as they were appointed to the Water Management Alliance Group.

Councillors Storey and White declared an interest in item 8/2(g) – King's Lynn as a Member of Norfolk County Council.

PC25: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business under Standing Order 7.

PC26: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillors attended under Standing Order 34:

<b>Name</b>	<b>Item</b>	<b>Application</b>
Councillor T Tilbrook	8/1(a)	Congham
Councillor T Parish	8/1(b)	Heacham
Councillor C Manning	8/1(b)	Heacham
Cllr T Wing-Pentelow	8/2(f)	King's Lynn
Councillor B Ayres	8/2(k)	Terrington St John

PC27: **CHAIRMAN'S CORRESPONDENCE**

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

PC28: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

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

PC29: **INDEX OF APPLICATIONS**

The Committee noted the Index of Applications.

(a) **Decisions on Applications**

The Committee considered schedules of application 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 application be determined as set out at (i) – (xv) below, where appropriate to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chairman.

(i) **17/00309/FM**

**Congham: Congham Hall Hotel, Lynn Road, Grimston: Extensions and alterations to hotel/spa and erection of new buildings and structures for use as additional hotel rooms (use class C1), erection of new buildings and structures for short term holiday accommodation, new spa treatment rooms, gym and administration uses, access alterations and associated infrastructure and works: Congham Hotels Ltd**

The Principal Planner introduced the report and explained that the application site was contained within an area designated as

countryside according to Local Plan Proposals Maps for Grimston and Pott Row.

Grimston, Pott Row coupled with Gayton was a Key Rural Service Centre in accordance with Policy CS02 of the Local Development Framework Core Strategy.

The proposal sought consent for expansion to Congham Hall, which involved the erection of new buildings for spa/treatments and holiday accommodation alongside associated infrastructure.

The application had been referred to the Committee for determination as it had been called in by Councillor Tilbrook.

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

- Principle of development;
- Impact upon the landscape and parkland setting;
- Impact upon Protected Species and European Designated Sites;
- Arboricultural implications;
- Impact upon neighbour amenity; and
- Other material issues.

In accordance with the adopted public speaking protocol, Mr M De Whalley (objecting), Mr M Hare (supporting) and Mr N Dickinson (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor T Tilbrook addressed the Committee in relation to the application as follows:

*'First I would like to apologise if in trying to oppose this development I have upset anyone on the Committee or tread on anyone's toes. I am sorry.*

*Also I have nothing against Congham Hall and want the hotel to do well. Indeed when I was asked to hear about their development plans I was optimistic. However I had an hour of sitting in a presentation by four experts telling me black was white.*

*Attempts at a compromise by Sir Henry Bellingham and later myself were rebuffed and the plans went full steam ahead.*

*There are some fundamental principles at stake here and incorrect assumptions.*

*First Congham village is not Grimston and not in the same category for potential growth. As stated the two villages are listed separately in our Core Strategy and to link them breaches our own planning guidelines. Either we have boundaries or we don't? This is Congham Hall not Grimston Hall.*

*I would welcome the Committee to come and see the site.*

*Second there is rumour going around that this scheme is somehow popular. I don't believe it is.*

*Every level of local government is against at least some part of it.*

*Our County Councillor is against it. And Sir Henry Bellingham is against it.*

*The on-line website of for and against are about level but do not take into those letters received which are mostly objection. The Parish Council are against developing the woodland. 174 local people have signed a petition against it and of these 79 are from Congham and there are only 193 people on the electoral register. The Open Spaces Society opposes and the Campaign to Protect Rural England is opposed.*

*This is a David and Goliath struggle – money and power against local people. So called experts against common sense.*

*Any thought of it being popular is a slick marketing campaign it is not popular.*

*Our planning policy is also broken in this application, in our Core Strategy CS01 states as one of our principles is to Protect and Enhance the Heritage, Culture and Environmental assets and to seek to avoid the risk of flooding.'*

The Principal Planner referred to comments made by the first public speaker and confirmed that site fell within the countryside. She also confirmed that in response to matters raised by Councillor Tilbrook in relation to protected species, the Ecologist confirmed that the survey work complied with the guidelines in the Bat Conservation Trust Good Practice Guidelines (as reported in late correspondence).

The Principal Planner also highlighted on the plans the volume of new buildings in relation to the existing.

Councillor Wareham commented that there would be over 100% increase in development. He explained that he would like to see each phase assessed before moving on to the next phase.

The Assistant Director advised that it was proposed to build the development out in phases.

Councillor Wareham added that each phase needed to be assessed before moving on to the next one.

The Chairman, Councillor Mrs Spikings added that, as this was development in the countryside, she considered that a site visit should be carried out. This was seconded by Councillor Crofts.

Councillor Mrs Wright referred to the fact the report referred to Grimston/Pott Row/Gayton whereas Congham was a separate village and asked why this had not mentioned.

The Assistant Director explained that the site was in the countryside and the Committee needed to consider the benefits of the proposal against any environmental harm. He considered that a site inspection would be beneficial for the Committee.

Councillor Morrison stated that the applicant should be applauded for what he had carried out at Congham Hall. However he was concerned about the development into the countryside and supported the objection from CPRE and Open Spaces Society. He also raised concern regarding the statement on pages 21 and 22 of the agenda, which related to phase 2 of the development, in that very little of the cabins would be seen. He considered that the first phase of development was acceptable but urged the Committee to be aware of destroying the historic park and species.

The Committee then voted on the proposal to carry out a site visit, which was carried.

**RESOLVED:** That, determination of the application be adjourned, the site visited and the application determined at the reconvened meeting of the Committee.

**(ii) 16/01385/OM**  
**Heacham: Land off Cheney Hill, Cheney Hill: Outline with some matters reserved: Residential development of up to 64 dwellings: W H Kerkham (Rhoon) Ltd**

The Principal Planner introduced the report and explained that there were two sites in Heacham allocated for future housing. This application site was approximately one half of the larger local plan allocation for the village of Heacham. Policy G47.1 referred to the site, and also to the part of the site already with outline planning permission for 69 dwellings (Phase 1). Policy G47.1 related to the whole site of 6 hectares, with an allocation of at least 60 dwellings across the site.

The application site comprised just under 3 hectares of agricultural land on the edge of the built up area of Heacham. The site was currently used as agricultural land/paddock and slit into fields divided by hedgerows and drainage ditches. There were no farm buildings on site and no other structures.

The site was bounded by residential development to the east and the north east, accessed from Marea Meadows. Marea Farm and

associated buildings were to the south-east. To the west was land within the same ownership which already had outline planning permission approved for 69 dwellings. The access road serving the current proposed development would link through from this approved development, running through to Cheney Hill in the west. This current proposal would form Phase 2 of the Cheney Hill development.

Open space and agricultural land adjoined the site to the south. The site boundaries were generally defined by hedgerows and trees.

The dwellings to the north-east and east of the site on Marea Meadows were within the established village settlement boundary but the buildings on Marea Farm were outside the settlement boundary and within the countryside.

Land to the east of the main A149, which was approximately 100m to the east of the site, was within the AONB, but the whole of the village of Heacham and this site was not within the AONB.

The outline planning application was for the construction of up to 64 dwellings on the site and for associated infrastructure. The application was in outline only with all matters reserved except for access.

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

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

- Principle of development;
- Impact upon the wider countryside;
- Design, character and appearance;
- Impact upon residential amenity;
- Affordable housing;
- Access issues;
- Flood risk and drainage issues;
- Contamination;
- Nature conservation;
- Ecology;
- Crime and Disorder Act 1998;
- Archaeology;
- Trees;
- Utilities; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Mr G Reader (objecting) Mr T Clay (objecting), Mr M Williamson (objecting on behalf of the Parish Council) and Mr J Kerkham (supporting) addressed the Committee in relation to the application.

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

*66 new houses, 60 on this site, were allocated to Heacham in the current local plan. A number the Borough Council considered sustainable and capable of being integrated into the village. Villagers, albeit reluctantly, accepted this number. There was a public meeting organised by the developer of this site that showed plans for 69 houses. Additional house building elsewhere in Heacham was given permission during the land supply hiatus and also continues to come forward as windfall. The number of new homes in the system is currently at least 50% greater than that originally considered sustainable.*

*This figure does not include the 166 homes currently being built at the edge of Heacham. The construction of junctions and the roundabout deemed necessary for their single road access, is within Heacham and traffic to and from the development will undoubtedly use Cheney Hill to bypass congestion on the A149.*

*In the examination of the local plan proposals prior to its adoption, Inspector David Hogger suggested the 'at least' phrase to go in front of indicative site housing numbers to 'strengthen flexibility'. There is no indication that he or anyone else meant that housing numbers should be doubled. This Committee determines what flexibility is proportionate as it did for an application within Downham Market in April. This site, at Cheney Hill, already had 17% flexibility quota. What is fair minded or reasonable about having second thoughts and applying 'at least' again. And, there was never any 'phase 2' indicated for this site within the current Local Plan.*

*The planning appeal regarding an application at School Road which reported just one year ago, has a significant bearing on this application. In that enquiry, the Borough Council maintained that the number of marketable houses allocated to Heacham was sustainable and adding 70 more would not be. This is evidenced within the Borough Council's QC's closing statement, for example, 'There will be an increase in market housing at Heacham of about double the planning provision. There has been no challenge to the methodology used to assess the appropriate level of growth at each settlement. Substantial weight must be given to the Council's emerging SADMP.' In their closing statement the Borough Council said 'Provision is made for 66 dwellings in Heacham through the Local Plan process. This would represent a sustainable level of development'.*

*The Planning Inspector, Mr David Spencer, picked up on the number of marketable housing in paragraphs 81 and 82 of his report.*

*Heacham a tier settlement in the Core Strategy for which a level of moderate growth has been allocated in order to secure a sustainable*

*balance between services and population. Whilst that growth is to be regarded as minimal, I nonetheless consider the proposed housing allocations in the SADMP, extant permissions and windfall potential within Heacham provide reappraisal of Heacham's role should be considered as part of the forthcoming Local Plan review rather than on an ad-hoc basis.*

*Mr Spencer was right, more housing has been allocated to Heacham through the then extant permissions and windfall. The time to consider any further expansion will be in the process of unfolding this autumn. Adding a further 64 now also appears to weaken the case made by the Borough during the appeal.*

*I ask you to reject this application as it is contrary to the current Local Plan. It will significantly contribute to the number of new marketable houses coming forward in Heacham to almost triple and become unsustainable. The application is also contrary to public consultations carried out as the current plan emerged; residents of Heacham took that consultation in good faith. In addition, though the Planning Committee agreed to a single road access for 69 houses it did not do so for 133 and the County is a consultee, nothing more.*

*Local opinion, including all elected representatives is opposed to this technical solution to access which does not address local impact on traffic safety and flow.*

In accordance with Standing Order 34, Councillor Manning addressed the Committee in relation to the application and stated that as one of the Ward Members he endorsed the comments made by the objectors, residents, County Councillor, Ward Member, MP and Heacham Parish Council. He added that originally 60 houses were allocation but 69 were given permission despite an objection from the Parish Council. The 'at least' phrase seemed to be interpreted very liberally by the applicant and planners. The Council currently had a 5.9 year supply of deliverable housing sites. Councillor Manning explained that 70% of allocated sites had been taken up already and there were also windfall sites. He objected as this was overdevelopment and doubling the amount of houses.

In relation to highways, Councillor Manning explained that many local and regular visitors would look to avoid congestion on the A149 and would use Lamsey Lane. He added that people going to North Beach would continue up Cheney Hill, and referred to the photographs showing the parked cars. He added that the road situation would be worsened if there were 133 houses. He also had concerns in relation to the effect on the doctor's surgery and dentist. He explained that there was a lack of employment within Heacham therefore people would have to commute.

He therefore asked the Committee to reject the application.



The Chairman, Councillor Mrs Spikings then invited the Planning Policy Manager to address the Committee. The Planning Policy Manager explained that the site had been through the Site Allocations and Development Management Policies Plan (SADMP) and it was concluded that this site was an appropriate location for development in Heacham.

The site was very sensitive, given the potential impacts of new development in the area on protected European Sites, but open space was provided on the site, and the application had been supported by the submission of a Habitats Regulations Assessment.

The Planning Policy Manager explained that there were facilities in Heacham and it was a Key Rural Service Centre. Heacham had a significant number of facilities.

In relation to the housing growth in Heacham, there were approximately 2,200 properties and a total 66 units had been allocated, which represented a 3% increase in housing stock.

The proposal needed to be judged against all the relevant policies. CS08 referred to scale, character; density; layout; optimising site potential; relationship to adjacent development (including density) and looking to ensure sustainable development.

Policy DM15 complemented CS08, in terms of environment, design and amenity and contained 15 criteria against which the proposals were judged. Officers viewed that none of these aspects were likely to be compromised. In relation to the site allocation, eight individual elements covering access; drainage; infrastructure; open space; habitat regulations and affordable housing and the proposal satisfied all of these.

In relation to the Inspector's comments from Examination and Appeal, the Planning Policy Manager explained that the Inspector added flexibility in the numbers clause of the SADMP and noted as an example the density being low in the policy, implying potential to increase. The Appeal Inspector considering an appeal at School Road, Heacham gave careful scrutiny of the flexibility point, and it gave him confidence in the calculation for a 5 year supply, ie. there were sites, this one included, where greater numbers could be achieved. He also commented on the suitability of the allocated site.

The Planning Policy Manager explained that in relation to the housing land supply for 'five year supply' calculations, the Borough Council's calculation was robust but it relied on the flexibility point.

In relation to the provision of health services in the northern area of the Borough, the LDF Manager explained that the provision of services was the NHS's role, but the Council did liaise closely with them. There had been no objection from consultees.

Councillor Mrs Wright referred to the words 'at least' and stated that this did not mean double. She added that she took on board the issue that it was up to the NHS and CCG to make provision for health services, but Heacham was an area of elderly residents. She considered that Heacham was not a village but was now joined onto Hunstanton. She added that she was disappointed that the Council was looking to provide houses that the poorer section of the community would not be able to afford.

Councillor Mrs Wright referred to the traffic congestion on the A149 and the additional traffic that would be created when the Lidl store opened. She added that there was no employment within Heacham therefore people had to travel. The roads were narrow and she could not understand why County Highways had not objected to the application, particularly as there was only one access for the site.

Councillor Mrs Wright therefore proposed that the application be refused on the grounds of the principle of development; the infrastructure did not support the development; and the impact upon residential amenity.

The Assistant Director explained that Heacham offered more facilities than most. In relation to highways issues raised by Councillor Mrs Wright, he explained that Norfolk County Council considered the visibility to be adequate. The road might have to be widened but this would be considered at the reserved matters stage.

The proposal to refuse the application was seconded by Councillor Mrs Young.

Councillor Wareham added that the developer had gained permission for the other site but had made no effort to build on the land.

In response to a query from Councillor Bubb, the Assistant Director explained that the number of vehicles using the one access did not exceed the numbers that would be acceptable to Highways.

Councillor Crofts expressed concern in relation to the number of dwellings and traffic issues.

Councillor Miss Sandell stated that the views of the Parish Council should not be ignored and the speakers objecting to the application should be listened to.

Councillor Storey also expressed concern in relation to the application.

The Assistant Director explained that the Planning Inspector was concerned about the supply of housing sites, which was why he added 'at least' to allow flexibility and greater numbers of houses to come forward.

The Committee also voted on an additional reason for refusal which related to the extra traffic using the access and its proximity to the school, which was agreed.

The Committee then voted on the proposal to refuse the application, on the grounds that it was not a sustainable development, in line with the comments of the Inspector for the previous Heacham appeal, and highway objections, which was carried.

Councillors D Tyler and White asked for their vote to be recorded against the following resolution.

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

1. The proposed development would result in a level of growth that would ordinarily be ascribed to a higher tier settlement and would harmfully unbalance the spatial strategy which focuses greater levels of growth to the larger settlements in the Borough. This is considered to be contrary to the provisions of the NPPF, and relevant policies of the Core Strategy and Site Allocations Development Management Policies Plan.
2. Given existing highway issues in the locality, in particular relating to conflict with school traffic along Cheney Hill, it is considered that the increase in traffic over that previously approved from the site which will use the proposed access point onto Cheney Hill would exacerbate the traffic problems in the locality resulting in serious highway safety concerns. This is considered to be contrary to the provisions of the NPPF and relevant policies of the Core Strategy.

*The Committee adjourned at 11.25 am and reconvened at 11.35 am.*

- (iii) **17/01140/OM**  
**Walsoken: Land north of Sandy Lane: Outline application with some matters reserved: Development of 229 Park Homes, communal zone to comprise a swimming pool and associated facilities including parking, and 20 associated individual plots (duplicate application with Fenland District Council): East Anglian Park Home Estates Ltd**

The Principal Planner introduced the report and explained that this was a cross-boundary application with application ref: F/YR17/0341/O being processed by Fenland District Council. The report contained two elements: A) procedural issue regarding application ref: 17/01140/OM in accordance with the Local Government Act 1972 and B) response to consultation sought by Fenland District Council in relation to application ref: F/YR17/0341/O.

The land comprised an area of approximately 12 ha of mostly orchard land situated to the east/rear of dwellings on Stow Road and north of Sandy Lane, on the periphery of Wisbech. The eastern boundary of the site comprised the County boundary between Cambridgeshire and Norfolk, save for a small parcel of land approximately 860m<sup>2</sup> (less than 1% of the overall application site area) which crosses over into Walsoken parish.

The proposal sought outline permission for the development of 229 park homes, a central communal zone to comprise a swimming pool and associated facilities including parking and 20 associated individual residential plots. The means of access was to be considered at this stage, but all other issues would be considered as reserved matters.

The application had been referred to the Committee for determination as the instructions of the Planning Committee were required.

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

- Cross boundary applications; and
- Planning considerations in response to consultation.

In response to a comment from Councillor Crofts, the Senior Planner confirmed that any reserved matters application would come to the Committee for consideration. He explained that the application was premature at the current time as there were still issues to be resolved.

The Chairman, Councillor Mrs Spikings added that there seemed to be a lack of support from Highways in relation to major applications in that area, and explained that there was severe traffic congestion in Wisbech and its surroundings only the week before. She also expressed concern in relation to the A47 Broad End Road junction where accidents and fatalities had occurred in the past. She added that something needed to be done.

The Senior Planner explained that consultation was also due to take place in September on options emerging from the Wisbech Access Strategy including proposals for improvements to the A47 Broad End Road junction which would serve the East Wisbech Development area.

The Chairman, Councillor Mrs Spikings added that consultation for the Broad End Road junction had been going on for years.

**RESOLVED:** (A) That, the Executive Director (Environment & Planning) recommends that the Planning Committee devolves its decision making authority to Fenland District Council in respect of this 'cross-boundary' application.

(B) A holding objection is raised on the grounds of prematurity until the Broad Concept Plan (BCP) for the overall allocation is finalised, as

the development in isolation could prejudice the implementation of that overall plan. The comments of Walsoken Parish Council are to be forwarded to Fenland District Council for them to take into account in the decision making process, along with the other comments raised by interested parties. The Committee also raised additional concerns in relation to access issues in the vicinity of the site.

**(iv) 17/00876/F**  
**Brancaster: Ternstones, Main Road, Brancaster Staithe:**  
**Demolition of existing bungalow and provision of new**  
**dwelling: Mrs H Bright**

The Principal Planner introduced the report and explained that the application site related to a dwelling on the northern side of Main Road in Brancaster Staithe.

The proposal was to demolish the existing bungalow 'Ternstones' and construct a new two-storey dwelling. The proposed access would remain unaltered to that which served the existing property.

The National Planning Policy Framework 2012, the King's Lynn and West Norfolk Core Strategy 2011, the King's Lynn and West Norfolk Site Allocations and Development Management Policies Plan 2016 and the Brancaster Parish Neighbourhood Plan 2015-2026 were relevant to this application.

The site was within the Area of Outstanding Natural Beauty.

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

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

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

In accordance with the adopted public speaking protocol, Mr Nigel Veney (objecting) addressed the Committee in relation to the application.

Reference was made to Brancaster's Neighbourhood Plan, and it was confirmed that it stipulated that 5 bedrooms or more would be allowed in case where evidence was provided that this was needed to provide the main residence of a household with long standing residency in the Parish. This proposal was for 4 bedrooms.

Councillor Mrs Watson expressed concern in relation to the application. She referred to the design of the proposed new dwelling and that it lacked sympathy with other houses in Brancaster Staithe.

The Assistant Director explained that the proposal would provide a non-traditional elevation from the coastal path, and the Committee needed to consider whether the design was acceptable.

Councillor Bubb queried how the proposal preserved access to Marsh View Cottage. The Assistant Director explained that the site and Marsh View Cottage were in the same ownership.

In view of the issues raised, the Chairman, Councillor Mrs Spikings proposed that the site visit be carried out, which was seconded by Councillor Hipperson and agreed by the Committee.

**RESOLVED:** That determination of the application be adjourned, the site visited and the application determined at the reconvened meeting of the Committee.

**(v) 17/00719/F**

**Fincham: The Bell House, Chapel Lane: Construction of one bungalow south of The Bell House including the construction of passing bay for Chapel Lane and new access: Mr M Bell**

The Senior Planner introduced the report and explained that the application was for full planning permission for a new single dwelling on land to the south of The Bell House on Chapel Lane in Fincham, and a passing bay and a new access for The Bell House.

The site was located within the development boundary for Fincham, and so in accordance with Policy DM2, in principle development may be permitted. The site currently formed part of the garden of The Bell House, and was surrounded on all sides by residential development.

The site was located just outside Fincham Conservation Area.

The application had been referred to the Committee for determination as the view of the Local Highway Authority was contrary to the recommendation.

The Senior Planner then outlined the key issues for consideration when determining the application, namely:

- Principle of development;
- Form and character;
- Neighbour amenity; and
- Highways/access.

The Chairman, Councillor Mrs Spikings referred the Committee to the need to impose additional conditions, as outlined in late correspondence, which was agreed.

**RESOLVED:** That the application be approved as recommended, subject to the imposition of additional conditions, as outlined in late correspondence.

(vi) **17/00691/F**

**Heacham: Cedar House, 45A The Broadway: Construction of replacement workshop and store in builders yard (re-submission): Mr M McGinn**

The Principal Planner introduced the report and explained that the land was situated in designated countryside, on the south side of The Broadway, Heacham. It was accessed via a 55m track, with entrance to the site opposite to Rolfe Crescent junction, approximately 125m west of the A149 junction. The site formed a builders yard at 45A The Broadway, Heacham.

The application sought to demolish existing office, workshop and storage buildings and storage greenhouse and construct a new storage/workshop building including office accommodation.

The National Planning Policy Framework 2012, the King's Lynn and West Norfolk Core Strategy 2011 and the King's Lynn and West Norfolk Management Plan 2016 were relevant to this application.

The Committee were informed that this was a re-submission following a refusal at the Planning Committee in March 2017. The application had been referred to the Committee for determination as the views of the 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 and amenity;
- Highways;
- Other considerations;
- Crime and disorder; and
- Appeal decision – adjacent land.

The Chairman, Councillor Mrs Spikings expressed disappointment with the proposal, as she could not see any improvement from the previous scheme.

Councillor Wareham stated that the proposal still appeared to be too domesticated.

The Chairman, Councillor Mrs Spikings stated that as Members were still concerned about the proposal, she proposed that any permitted development rights for alterations to commercial buildings were removed, which was agreed.

**RESOLVED:** That, the application be approved, as recommended, subject to the imposition of an additional condition to remove any permitted development rights for commercial buildings.

(vii) **17/00893/F**

**Hunstanton: 91 South Beach Road: Variation of condition 3 of planning permission 12/01633/CU – use of caravan park for 10 static caravans and retention of existing caravan as office/security unit: to vary occupancy restriction: Mr & Mrs Lee**

In presenting the report, the Principal Planner explained that site comprised land used for 10 static caravans; there is presently a caravan on site used as an office/security. The site is bounded to the north and south by detached and terraced dwellings. To the east was a camp site and to the west, the opposite side of the road, were static caravans. The beach and sea front were immediately to the west of the caravan site.

The application sought to vary condition 3 of 12/01633/CU, which was granted permission for the siting of 10 static caravans and the retention of an existing caravan as an office/security unit. Condition 3 restricted occupancy to 6 months of the year.

The application had been referred to the Committee for determination as the views of Hunstanton Town Council are contrary to the officer recommendation.

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

- Planning history and flood risk; and
- Other material considerations.

The Committee noted the correction to the report as set out in late correspondence.

In accordance with the adopted public speaking protocol, Mrs Beverley Lee (supporting) addressed the Committee in relation to the application.

The Assistant Director advised that he did sympathise with the applicant but referred the Committee to the late correspondence and the additional comments from the Environment Agency. He added that there were similar issues to an application considered by the



Committee at the last meeting, and the applicant did have a right to appeal the decision.

In response to a comment from Councillor Mrs Wright, the Assistant Director acknowledged that the site was in between two larger sites, which had different occupancy conditions. He added that policies did change and regard needed to be given to the policies in place.

Councillor Morrison stated that high tides were not over the Xmas period and asked whether an exemption could be made. In response, the Assistant Director referred the Committee to be comments from the Environment Agency reported in late correspondence.

Councillor Crofts added that he had sympathy with the applicant but if the Council went against the advice from the Environment Agency, then it would leave itself vulnerable.

Councillor White added that the applicant had volunteered to sign up to the Environment Agency's evacuation plan.

Councillor Mrs Wright pointed out that Hunstanton Town Council had no objection to the application.

**RESOLVED:** That the application be refused as recommended.

*The Committee adjourned at 12.30 pm and reconvened at 1.05 pm*

**(viii) 17/01135/F**

**Hunstanton: Sea Gulls, 35 Lighthouse Lane: Erection of garage/car port: Mr Ian Wallace**

The Principal Planner introduced the report and explained that the site was situated on the south side of Lighthouse Lane, Hunstanton, approximately 380 m north-west of the A149 Cromer Road and opposite to the junction with Lighthouse Close.

The site comprises a two storey detached dwelling on a corner plot, with access points from both Lighthouse Lane and King's Road.

The application sought consent to construct a 4 bay garage store/carport on the north east corner of the site.

The National Planning Policy Framework 2012, the King's Lynn and West Norfolk Borough Council Core Strategy 2011 and the King's Lynn and West Norfolk Borough Council Site Allocations and Development Management Policies Plan 2016 were relevant to this application.

The application had been referred to the Committee for determination at the request of Councillor Mrs Bower.

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

- Principle of development;
- Form and character;
- Neighbour impact and
- Other considerations.

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

The Chairman, Councillor Mrs Spikings read out a letter from Councillor Mrs Bower, as follows:

*I would request that the Committee approves this application. There have been four comments: one in support from a member of the public, the same from the Town Council, no objection from the Conservation Officer and no objection from Highways, with suggestions as to how best to design the relevant space.*

*Notably there have been no objections from nearby residents.*

*This is an area of town with low density housing and the proposal will have no great impact on the street-scene.*

In view of the comments made in support of the application, Councillor Crofts proposed that a site visit be carried out. This was seconded by the Chairman, Councillor Mrs Spikings and agreed by the Committee.

**RESOLVED:** That determination of the application be adjourned, the site visited and the application determined at the reconvened meeting of the Committee.

**(ix) 17/01036/F**

**King's Lynn: Rear of 33 Kensington Road: Construction of new dwelling and detached garage: Mr & Mrs D Cawston**

The Principal Planner introduced the report and explained that the application site related to a portion of land set behind the build line on the northern side of Kensington Road in King's Lynn.

The proposal was to construct a single storey dwelling with detached garage. Access would be from the Main Road with a parking and turning area to the front of the site. The proposal would lead to a tandem form of development in this area.

The National Planning Policy Framework 2012, the King's Lynn and West Norfolk Core Strategy 2011, the King's Lynn and West Norfolk Site Allocations and Development Management Policies Plan 2016 were relevant to this application.

The application had been referred to the Committee for determination at the request of Councillor Wing-Pentelow.

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

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

The Committee noted the additional reason for refusal as set out in late correspondence.

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

In accordance with Standing Order 34, Councillor Wing-Pentelow addressed the Committee in support of the application. He explained that the applicant had lived in his present house for 45 years. There was a serious need for a new house on medical reasons and he did not think that they should be forced to move away from their home and the area they had lived in.

The Chairman, Councillor Mrs Spikings stated that she had every sympathy for the applicant, however this was about the building rather than the health of a person, which was not a material planning consideration. She referred to page 93 of the agenda where it stated that the additional dwelling to the rear of the site would lead to tandem development, which would be harmful to the settlement pattern in the location. She therefore agreed with the recommendation.

Councillor Storey stated that he considered this to be a sustainable location and would not harm the form and character of the area.

**RESOLVED:** That the application be refused as recommended, subject to the imposition of the additional reason for refusal as outlined in late correspondence.

- (x) **17/01072/CM**  
**King's Lynn: Land N of Outfall S off Transmission Cables W off Road, Cross Bank Road: County Matters Application: Erection of anaerobic digestion facility (to process up to 19,250 tonnes of biomass/slurry) including reception/office building and workshop, two digesters two storage tanks, combined heat and power plant, energy crop storage area and ancillary plan. Engineering works to resurface a section of the byway open to all traffic: Mikram Ltd**

The Principal Planner introduced the report and explained that the site was located on scrubland to the east of Cross Bank Road,

approximately 2km to the north west of King's Lynn town centre and some 200m to the north of the defined built environment.

The application sought consent for an Anaerobic Digestion plant, producing up to 0.9 mw of renewable energy per annum (providing the equivalent power for 2,000 households).

The facility would comprise a reception building, a workshop, 2 low profile rectangular digester tanks, 2 storage tanks, a combined heat and power plant, feedstock clamp, flare stack, ancillary plant and new vehicular access. A bio-gas boiler has also been specified within the process building.

It was reported that the Committee might recall a previous County Matter application, 16/01145/CM for a very similar proposal albeit producing slightly more renewable energy.

The application was made to Norfolk County Council as the Minerals and Waste Planning Authority; the Borough Council as Local Planning Authority was a consultee.

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

- Principle of development;
- Landscape and visual impact;
- Traffic;
- Noise and odour; and
- Flood risk.

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

In response to a query from Councillor Parish, the Senior Planner explained that there would be 6.67 HGV movements a day during the harvest period and 4.02 return movements outside of the harvest. The slurry come from anywhere within an 8 mile radius and the maize would be grown close to the site.

Councillor Morrison expressed concern that there was no indication of what the buildings would look like. In view of this the Chairman, Councillor Mrs Spiking proposed that the application be deferred until the reconvened meeting of the Committee, which was agreed.

**RESOLVED:** That the application be deferred in order that further information could be obtained on what the buildings would look like.

**(xi) 17/01065/O**  
**Marshland St James: St James Lodge, 288 Smeeth Road:**  
**Outline application for proposed 2 no. new dwellings: Mr M**  
**Smith**

The Senior Planner introduced the report and explained that outline permission was sought for 2 new dwellings on a parcel of garden land associated with St James Lodge/288 Smeeth Road, Marshland St James. This was a substantial bungalow situated at the head of a private road on the western side of Smeeth Road, and was the track bed of the former railway line. The site was bounded by residential development to the west, two plots for houses cleared for construction to the immediate east and flat conversion of former railway goods beyond, residential to the south and orchards to the north.

All matters were reserved for future consideration with the exception of the means of access, which was considered at this stage and indicated as being from the existing private driveway leading off Smeeth Road.

The site was located within the village development area as defined in the Site Allocations & Development Management Policies Plan (SADMPP) and also within Flood Zone 3 of the Council-adopted Strategic Flood Risk Assessment (SFRA).

The application was accompanied by a site-specific Flood Risk Assessment, Initial Contamination Report and a Design & Access Statement.

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

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

- Principle of development;
- Access and highways matters; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Carole Coleman (objecting on behalf of the Parish Council) and Russell Swann (supporting) addressed the Committee in relation to the application.

**RESOLVED:** That the application be approved as recommended.

**(xii) 17/00944/O**  
**Old Hunstanton: 6 Hamilton Road: Outline application:**  
**Replacement dwelling: Mr R Markillie**

The Principal Planner introduced the report and explained that the application site was located within Old Hunstanton, which was a Rural Village according to Policy CS02 of the Local Development Framework Core Strategy 2011.

A previous planning application, 16/02079/O, for the demolition of the existing dwelling for 2 dwellings was refused under delegated powers in January 2017.

The application was made for outline planning permission, with all matters reserved, for the demolition of the existing chalet bungalow and erection of a new two storey dwelling on land at 6 Hamilton Road, Old Hunstanton.

The application had been referred to the Committee for determination as the views of Old Hunstanton 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 heritage assets;
- Amenity;
- Highways; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Hilary Poole (objecting) and Nick Torry (objecting on behalf of the Parish Council) addressed the Committee in relation to the application.

The Chairman, Councillor Mrs Spikings stated that she had seen the site and considered that the building was unique and sat well in the street-scene and added to the setting of the adjacent Conservation Area. She therefore proposed that the application be refused, which was seconded by Councillor Storey.

Councillor Mrs Wright added that the building was unique and was part of Old Hunstanton's heritage.

The Assistant Director advised that the difficulty was that the site was outside the conservation area and was not a listed building. Historic England could be asked to list the building.

Councillor Crofts proposed that a site visit be carried out, which was seconded by Councillor Mrs Young, however after having been put to the vote was lost.

Councillor Wareham commented that the Committee should know what would be proposed as a replacement dwelling.

The Committee then voted on the proposal to refuse the application which was carried.

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

The proposal will result in the loss of an unusual “Pepperpot” style dwelling, which is considered to be a non-designated heritage asset which adds to the character of the street scene and the setting of the Old Hunstanton Conservation Area. This level of harm to the significance of the non - designated heritage asset and harm to the setting of the adjacent Conservation Area is not outweighed by any form of public benefit. The proposal would therefore be contrary to paragraphs 126, 131, 132, 134 and 135 of the NPPF and Policy CS12 of the Local Development Framework Core Strategy and Policy DM15 of the Site Allocation and Development Management Policy Plan 2016.

(xiii) **17/00756/F**

**Sedgeford: Land at Whin Close, Docking Road: Amendments to the approved poultry farm development comprising of the erection of a general purpose building, erection of welfare block, dead bird shed and two weigh rooms, installation of water tanks, gas tanks, a generator and a substation, re-positioning of feed silos, surfacing of the farm access road, formation of 6 car parking spaces, enlargement of turning head and relocation of a swale: Newcome-Baker Farms Limited**

The Principal Planner introduced the report and explained that the application site was located within an area of countryside according to Local Plan Proposals Maps for Sedgeford.

The application site had the benefit of planning permission for a poultry unit granted by the Planning Committee at the August 2016 Committee Meeting, application 15/02026/FM.

The application had been referred to the Committee for determination as the views of Fring and Heacham Parish Councils 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;
- Ecological implications; and
- Other material considerations.

The Senior Planner referred the Committee to the late correspondence, where it confirmed that the Environment Agency had issued the permit in relation to the works covered under application 15/02026/FM.

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

Councillor Mrs Wright added that she was the Ward Member for Fring and agreed with the comments made by them that the amendments to the scheme should have been incorporated in the original application, and as such, the applicant should resubmit the application. She also agreed with the comments made by Heacham Parish Council.

The Assistant Director explained that the amendments had arisen out of discussions with the Environment Agency as part of consideration of the permit.

The Chairman, Councillor Mrs Spikings added that she considered what the applicants were proposing was perfectly clear and normal and amendments may have to be made to meet the high specification and standards.

Councillor Wareham added that he agreed with the comments made by the Chairman, Councillor Mrs Spikings.

Councillor Parish stated that some of the things that the applicant had applied for should have been thought about out earlier. He advised that no-one had been along to Heacham Parish Council to talk to them. He explained that the Parish Council were concerned because the Environment Agency had identified significant risks to water quality both drinking water and the river water.

Councillor Hipperson commented that the Red Tractor Standards were increasing all the time.

The Senior Planner advised that the silos would face in an easterly direction and would not face the Church.

**RESOLVED:** That the application be approved as recommended.

**(xiv) 17/00555/F**

**Terrington St John: Plot 1, The Woolpack Inn, Main Road:  
Construction of dwelling and detached garage (revised  
design): Mr & Mrs D Richardson**

The Principal Planner introduced the report and explained that planning permission was sought for a detached two storey dwelling with a detached garage to the front. Planning permission had already been granted for a detached two storey dwelling on the site.



The application had been referred to the Committee for determination at the request of Councillor Barry Ayres and the Parish Council was at variance with the officer recommendation.

The Senior Planner then outlined the key issues for consideration when determining the application, namely:

- Planning history;
- Changes to previous planning permission;
- Form and character;
- Highways issues;
- Neighbour amenity;
- Flood risk; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Colin Clifton (objecting on behalf of the Parish Council) and Russell Swann (supporting) addressed the Committee in relation to the application.

Councillor Ayres addressed the Committee under Standing Order 34. He explained that the Parish Council had covered the issues thoroughly in their representations. He added that there were concerns in relation to the consistency of advice from County Highways and explained that they were happy to accept the revisions after initially raising concerns. He explained that the road had a slight curve to the left and within a matter of yards there were 2 major junctions and 2 minor junctions and an access to the Doctor's surgery.

Councillor Ayres explained that the area already suffered from heavy traffic. With regards to the garage positioned at the front, he considered that this would not enhance the street-scene and felt that an integral garage would be a more realistic solution.

Councillor Mrs Young added that it would be a distraction to have a garage in front of the house.

The Assistant Director reminded the Committee that there had been no objection from County Highways and they needed to consider whether the proposal created an adverse impact on the street-scene.

**RESOLVED:** That, the application be approved, as recommended.

**(xv) 17/00759/F**  
**West Winch: Miller Chicken Farm, 80 Main Road: Proposed development of 2 dwellings: Lordsway Homes**

The Senior Planner introduced the report and explained that full planning permission was sought for the erection of two, four bedroom dwellings with detached carports/garages following the demolition of the agricultural buildings that currently occupied the site.

The site was located within the development boundary for West Winch in Flood Zone 1.

The site was a vacant agricultural unit that was previously used as a chicken farm.

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

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

- Principle of development;
- Highway safety;
- Form and character;
- Residential amenity;
- Loss of employment use;
- Drainage; and
- Other material considerations.

The Committee also noted the correction as outlined in late correspondence.

**RESOLVED:** That the application be approved as recommended.

PC30: **PLANNING ENFORCEMENT SERVICE - QUARTERLY REPORT**

The Committee received a report which provided an update on service performance for planning enforcement during the second quarter of 2017.

It was noted that the total number of live cases was 236 and 131 cases had been closed. In addition, 16 formal notices had been served.

**RESOLVED:** That, the report be noted.

PC31: **PLANNING & ENFORCEMENT APPEALS - QUARTERLY REPORT**

The Committee received a quarterly update report covering performance for the period 1 April 2017 – 30 June 2017.

The data showed that for the second quarter of 2017, 11% of all appeals were allowed. For the 12 month period to 31 March 2017 an average of 14% of all appeals were allowed. This was well below the post National Planning Policy Framework national average figure of 36% of all appeals allowed.

**RESOLVED:** That, the report be noted.

PC32: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

**RESOLVED:** That, the report be noted.

**The meeting closed at 2.50 pm**