

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

PLANNING COMMITTEE

Minutes from the Meeting of the Planning Committee held on Monday, 1st August, 2016 at 9.30 am in the Committee Suite, King's Court, Chapel Street, King's Lynn

PRESENT: Councillor Mrs V Spikings (Chairman)
Councillors A Bubb, Mrs S Buck, C Crofts, Mrs S Fraser, A Morrison, M Peake, M Storey, D Tyler, G Wareham, Mrs E Watson, Mrs J Westrop, A White, T Wing-Pentelow, Mrs A Wright and Mrs S Young

An apology for absence was received from Councillor Mrs C Bower, I Gourlay and J Moriarty

PC18: **MINUTES**

The minutes of the meeting held on Monday 4 July 2016 were agreed as a correct record and signed by the Chairman.

PC19: **DECLARATIONS OF INTEREST**

The following declarations of interest were declared:

- The Chairman, Councillor Mrs Spikings declared a pecuniary interest in item 8/3(k) – Upwell, as she was the applicant and would leave the meeting during consideration of the item.
- Councillors White and Storey declared that they were Norfolk County Councillors in relation to item 8/3(f) and would not take part in the debate or vote thereon.
- Councillors Croft, Wing-Pentelow and Young declared that they were Members of King's Lynn Internal Drainage Board in relation to item 8/3(h).

PC20: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business under Standing Order 7.

PC21: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillors attended under Standing Order 34:

Name	Item	Application
A Beales	8/1(a)	16/0097/FM
I Devereux	8/2(a)	15/02026/FM

J Collingham 8/3(a) 16/00832/CU

PC22: **CHAIRMAN'S CORRESPONDENCE**

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

PC23: **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.

PC24: **INDEX OF APPLICATIONS**

The index of applications was noted.

a **Decisions on Applications**

The Committee considered schedules of applications for planning permission submitted by the Executive Director, Geoff Hall (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, subject where appropriate to the conditions and reasons or grounds of refusal set out in the schedules signed by the Chairman.

- (i) **16/00097/FM
King's Lynn: Land north of Lynnsport: Construction of 54 dwellings, associated access roads, footways and new areas of public open space and associated external works: BCKLWN**

The Principal Planner introduced the report and explained that the application was initially considered by the Planning Committee at its meeting on 4 July 2016. Determination of the application was deferred to allow further consideration of the following:

- (i) Design – in terms of the overall appearance of the scheme and the inclusion of 2 flats with garages underneath; and
- (ii) Provision of allotments

The application still sought full planning permission for the erection of 54 dwellings, associated access roads, footways and new areas of public open space. Eight of the dwellings would be affordable.

The site comprised approximately 1.7ha of informal open space and was predominately covered by grass, with areas of scrub; an area of hardstanding was located in the north-west corner. A footpath ran north/south across the site connecting the existing residential development to the north with the Lynnsport site to the south. The footpath was hard surfaced and lit by streetlamps and connected with the wider pedestrian network to the north via a concrete bridge over the Bawsey drain which also served as vehicular access to the allotments to the west of the site. This vehicular access would be retained and improved and used solely to serve the allotments with the residential development being served via the Lynnsport Access Road.

The site formed part of the Lynnsport complex (which comprised c.29ha of sports pitches, athletics facilities, indoor sports area, a nature area, areas of amenity space and areas of unused scrub land). The site had residential uses to its north (on the opposite side of the Bawsey Drain and Front Way), and allotments to the west. The Lynnsport complex was located to the south and east of the site, the latter on the opposite side of the recently approved Lynnsport access road which would run in a southerly direction from Edward Benefer Way to Green Park Avenue.

The site formed part of a wider housing allocation in the emerging Site Allocations and Development Management Policies Pre-Submission Document, January 2015, and within Built Environment Type D as depicted on the current Local Plan Proposals Maps.

The site was located within Flood Zones 2 and 3.

The Committee noted the key issues to be considered when determining the application, namely:

- Principle of development;
- Flood risk and drainage;
- Form and character;
- Residential amenity;
- Access, transport and parking;
- Open space, recreation and ecology;
- Trees and landscaping;
- Affordable housing and other contributions;
- Crime and disorder

In accordance with the adopted public speaking protocol, Susan Bruce (objecting), Fergus Bootman (supporting) and Dale Gagen (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor A Beales addressed the Committee in support of the application, as follows:

'As you know, this application was deferred at the last meeting of this Committee when firstly, concerns were raised about the design of flats over garages and secondly, an opinion was expressed that the Council (this being a Council application) needed to do better.'

Taking the first point about the two flats, these have been removed from the proposal and replaced by two houses which should alleviate those concerns.

Turning to the second and in some ways more difficult point it is perhaps worth noting the need for Council applications to be treated in the same way and judged by the same standards as any other application. In this instance, the Council have a major private sector house builder as delivery partner and they will be rightly expecting exactly that. They have right to Appeal should it be appropriate.

Nevertheless, the Council is doing a great deal to improve infrastructure at Lynnsport both to integrate new development and to wider public benefit. Whilst I went through these at a recent Council meeting I will do so again as they are significant and important works:

- *Provision of a new hockey pitch and a new multisport pitch.*
- *Provision of four new tennis courts with others potentially to follow (some of which may be covered adding a missing dimension to Lynn's sporting offer).*
- *A new carpark for Lynnsport (already open) which increases the provision for mother and toddler parking adjacent to the play area (which itself will be updated, and improved) as well as Disabled parking adjacent to the disabled Angling Pond. All together very roughly doubling the car parking capacity at Lynnsport.*
- *A new road serving existing and proposed developments, Lynnsport and the wider community. Of particular note is the improved access to the north (Edward Benefer Way) for the North Lynn estate which currently has only one access/exit out towards Loke Road.*
- *Miniature Railway improvements.*
- *Better and safer access to the North Lynn Industrial estate (Traffic light controlled).*
- *Working with the Internal Drainage Board to enhance drainage in the immediate area and wider King's Lynn.*
- *Provision of new allotments at Columbia Way to replace allotments which are generally inaccessible.*
- *Improvements to cycle links and footpaths.*
- *Part funding to works proposed to the Gaywood River by the rivers Trust.*
- *Improve the Capping on the Land Raise site to allow it to be brought back into a 'good' open space area.*
- *Planting of approximately 1 acre of new woodland*
- *Improvements to the Dutton Pavilion for Community use (£100,000 of works).*
- *Wildlife area in association with Norfolk Wildlife Trust – some 12 acres.*

These are not expensive design tweaks to housing they represent important new or improved infrastructure that improves the quality of people's lives and of the environment around them. The last few works on that list are perhaps particularly important as there have been criticisms that not everyone can afford to play tennis etc and indeed not everyone wants to. Quite right, and so the new green spaces as well as existing ones around the River Lane pitches and elsewhere can be walked and enjoyed for free as they always were as can the improved children's play area, the new wildlife area. The list goes on.

But Madam Chairman, Members, the Council needs a sensible return on development to pay for such things and other works that projected profits will make possible. That means well built, well designed and comfortable housing that people can afford to rent or buy in an area in which they want to live. This is not an area for urban density, it is an area where green spaces can be managed or created afresh to be enjoyed by visitors and residents alike. It is an area with good public transport walking and cycling routes to the jobs and amenities of the town.

In short this is a good application which has no objections from statutory consultees and which has the support of planning officers. If permission is granted, there will be no land banking, no wondering when work will start, no long wait for long promised facilities, the Council will just get on and build. I urge you to support this application and allow that to happen. Thank you.'

In response to a query regarding crime and disorder and water butts on the new properties, the Principal Planner explained that water butts would be the responsibility of individual householders. Condition 8 required the final details which would form a small and important element of the detailed scheme. In relation to Crime and Disorder, this had been covered on page 27 of the officers' report. He explained that the Police did receive copies of the weekly list of planning applications and therefore had the opportunity to make comments. He added that officers' had looked at issues in relation to secure by design and did secure an amendment to the car parking layout.

Councillor Crofts stated that with the changes made, this application was a major improvement. He was also pleased to hear that there would be the provision of 20 allotments.

The Executive Director explained that the allotments would be operated in accordance with the allotment policy. He further added that the allotment that was in single usage was because there were problems with the access.

The Principal Planner advised that the proposal was seen as a low density scheme and the amenity space was appropriate for the type of property. The strategy for open space was set out in the report and there was open space at Lynnsport itself.

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the need to amend conditions 15 and 25 as set out in late correspondence, which was agreed.

RESOLVED: (A) That, the application be approved subject to conditions (and the amendment of conditions 15 and 25 as set out in late correspondence) and completion of a suitable Section 106 Agreement within 4 months of the date of resolution to approve.

(B) That the application be refused in the event that a suitable Section 106 Agreement is not completed within 4 months of the resolution to approve.

Councillor Wareham arrived at 10.05 am

(ii) 15/02026/FM

**Sedgeford: Land at former Whin Close, Docking Road:
Proposed poultry unit: Newcome Baker Farms Ltd**

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

The site was 1.6 km east of the junction of Fring Road and Docking Road, Sedgeford and 3.7km west of the centre of Docking.

The site was on the southern side of Docking Road and was grade 3 agricultural land comprising of 9ha.

The application sought consent for a poultry unit comprising 4 broiler houses and general purpose building with associated hardstanding.

The application had been referred to the Committee for determination as the officer recommendation was contrary to the views of Sedgeford, Fring and Docking Parish Councils and in the wider public interest.

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

- Principle of development;
- Landscape impact;
- Impact on heritage assets;
- Impact upon neighbour amenity;
- Pollution and contamination issues;
- Economy;
- Highway implications;
- Ecology;
- Arboricultural implications; and
- Other material considerations

The Chairman, Councillor Mrs Spikings introduced John Shaw from Norfolk County Council Highways and Mr Munroe and an officer from the Environment Agency.

In accordance with the adopted public speaking protocol, Mr T Thurston (objecting – Vice Chair for No to Poultry Factory Action Group), Julie Jacques (objecting Planning Consultant for No to Poultry Factory Action Group), Bernard Clark (objecting on behalf of Fring and Sedgeford Parish Councils), Mr T Parish (objecting on behalf of Heacham Parish Council), Mr W Barber (supporting) and Mr J Barber (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Devereux addressed the Committee in relation to the application.

Please accept my gratitude for allowing me to speak at such short-notice, on this matter of such critical importance to Sedgeford and the surrounding communities, in my role as their Borough Councillor for the Snettisham Ward.

Even before election to the Borough Council in 2015, I was very aware of the proposed development of an intensive Poultry Farm at Whin Close, and since election have monitored its protracted progress through my attendance at Sedgeford Parish Council meetings and elsewhere. I have listened with care to the various arguments and issues raised.

From the outset, this development stimulated a strong reaction from residents. Why? because they felt their health, safety, environment, lifestyle, well-being and personal investment in their local community threatened by this industrial intrusion into their rural peace. Their reaction to this oppressive, ever-present threat hovering over them, rapidly evolved into a substantial campaign; addressing not only the concerns of the local residents, but also the concerns of adjacent communities. It became a common threat and common cause far beyond the parish boundary!

It was soon realised that this industrial development would significantly impact the wider economic area of Norfolk to the north of the A148, whose peaceful, rolling country-side and stunning vistas are a major attraction to holiday-makers, tourists and other visitors.

Sadly, the halving of the original development proposal from 8 sheds to 4, for this particular application today, does not reduce the threat. Nor does it provide a guarantee, that further expansion would not be sought in the future. There is little doubt that, if accepted, that decision would set a precedent for further industrialisation, not just here, but across the whole of this beautiful and placid area!

Today, Madame Chairman, Colleague Councillors, I am not going to attempt to navigate you through the extensive list of technical issues, arguments and opinions which developments such as these proliferate. I shall leave that to others, those who are far more knowledgeable and competent, to persuade you why this development is so detrimental to this area and to us all.

No, this morning, I simply want to focus on the magnitude and richness of the voice and passion of the people who have stood above the parapet to get their worries, fears and concerns heard in the face of threat! And they want to get those concerns acted upon by those in Authority, by those elected to represent their interests! It is us; we- the Borough Council, in whom these people, have put their trust to make the right decisions. Decisions on which their lives, their futures, and indeed for many, their livelihoods depend! They need us, and today - You, to make the right decision for the many, rather than for the few, the developers!

So, No matter the detail of the technical/legal/procedural issues, the overarching Key Factor for me is the concern of the large numbers of people who have objected!

The record shows some 370 individual objections, a petition with over 5500 signatures of people objecting to the development, and unequivocal objections from 10 adjacent Parish and Town Councils! This set against just 4 letters of support, plus of course the applicant!

Colleagues, this response, indeed, represents the loud voice of the people, this is localism and it is the reality of Local Democracy in action!!

So, in summary, I make no apology for repeating that, this volume of comment formally lodged with Council objecting to this application leaves no doubt at all that the Local Communities do not want this development in their midst and that we as their elected representatives should listen to their plea and reject this application forthwith.

And just as a postscript, Madame Chairman, some could well argue that not since the recent Incinerator debacle, have we seen such a scale of public outcry against a local development.

Let this application meet the same fate!

In response to comments raised by the public speakers, the Principal Planner explained that the application was for 4 sheds and the application needed to be determined in that context. He also advised that by approving the application the development would remain outside the definition of brownfield.

At the invitation of the Chairman, Council the County Highways representative explained to the Committee why County Highways raised no objection to the application.

The Chairman invited Mr Munroe from the Environment Agency to address the Committee. Mr Munroe explained that the EA would make comments on an application as a statutory consultee. He also explained that the EA could not prejudge any Environmental Permit which would follow in the usual process. He answered questions from the Committee including:

- The buildings would be constructed to the best available technology and would be state of the art.
- Water quality and run off water would be assessed as part of the drainage scheme.

Councillor Mrs Wright stated that she had great sympathy with farmers wishing to diversify. She added that the application was highly insensitive and would have a detrimental effect on the area; affect the area for tourism and would cause damage to the environment. The site was also close to Whin Close airfield. She explained the history of the airfield and associated standing buildings, which were unique in Norfolk and if this application were to go ahead then no-one would be able to gain access to these buildings. Councillor Mrs Wright disagreed with the statement on page 29 of the report that the proposal would not affect the tourist economy. She added that if the proposal was approved, people would not want to visit Sedgford. In relation to pollution she found the report did not contain sufficient detail. She explained that the farmers in the area had to restrict the amount of nitrate that could go onto the land and chicken waste produced large amounts of nitrate.

She was also concerned about seepage into the water. If the application was to be approved then this would go against the Council's own recommendations within the Core Strategy. She referred to CS10 on page 13 of the report and stated that this application did not satisfy the criteria.

The Principal Planner explained that the building of the chicken sheds would not directly impact on the existing buildings. There was currently no public access to the land. He added that the report had taken into consideration the presence of the WWI airfield and decoy site. The report had considered both the designated heritage assets.

In relation to CS10 and impact on the economy and tourism, this had been dealt with on pages 28 and 29 of the report.

Pollution control was covered by the Environment Agency and they had not objected to the application nor had Anglian Water, subject to a condition regarding surface water drainage. Infiltration was not appropriate as this would be secured by conditions.

Councillor Morrison stated that the report divided the argument into two areas – neighbourhood amenity and landscape. In relation to neighbourhood amenity, he pointed out that no objection had been received from the Environment Agency, Natural England, County Highways, Historic Environment Service and Anglian Water. However in relation to landscape and visual impact assessment objections had been received from CPRE and Historic England. He therefore felt that the Committee would benefit from a site visit, and look from the viewpoints and Fring Churchyard.

Councillor Peake stated that he had lived next to a chicken farm for 40 years and had never had a reason to get in touch with the Environment Agency. He considered that the buildings would not be high and would not be seen.

Councillor Crofts considered it crucial to visit the site and to look from the various viewpoints, which was seconded by the Chairman, Councillor Mrs Spikings and, after having been put to the vote was carried.

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

The Committee adjourned at 11.10 am and reconvened at 11.25 am

- (iii) **16/00832/CU**
Dersingham: The Old Station Yard, 67 Station Road: Change of use from builders merchant to mixed use builders merchant and haulage yard for overnight parking of 2 HGV's: Semba Trading Ltd

The Principal Planner introduced the report and explained that the application site was located within an area designated as Built Environment Type D according to Local Plan Proposals Maps for Dersingham.

Dersingham was classified as a Key Rural Service Centre according to Policy CS02 of the Local Core Strategy 2011.

The site was the former Dersingham Railway Station and associated goods yard.

The proposal sought retrospective consent for the change of use from builder's merchant to mixed use builders merchant and haulage yard for overnight parking of 2 HGV's.

The application had been referred to the Committee for determination as the views of Dersingham Parish Council was contrary to the officer recommendation and at the request of Councillor Bubb.

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

- Principle of development and planning history;
- Impact upon visual amenity;
- Highway safety;
- Ecology and wildlife; and
- Other material considerations

In accordance with the adopted public speaking protocol, Mr S Martyn (objecting), Parish Councillor Davey (objecting) and Mr Gareth Mower (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Judy Collingham addressed the Committee. She stated that she was surprised to see that the application had been recommended for approval. She agreed with the comments made by the objectors. She added that the lorries had to use a tiny road and was causing distress to residents.

The Principal Planner explained that Semba Trading had planning permission for a builder's merchants but there was no control over the number of vehicles or hours. If permission was granted for the application then this would give the Council authority to enforce the conditions. He confirmed that condition 3 limited the number of vehicles allowed to park on the site.

The Committee expressed concern in relation to whether refrigerated units were allowed to park on the site and the noise that might be generated.

Councillor Bubb advised that he had called-in the application. He added that this was a retrospective application therefore the residents were already experiencing the problems. He explained that the drivers could not manoeuvre in and out of the site. He added that the HGV's had to use an unsuitable road.

In response to a query regarding the HGV's being able to enter and exit in a forward gear, the Principal Planner advised that there was no objection from County Highways.

Councillor Wareham proposed that the application be refused on the grounds that the intensification of the use would lead to harm on residential amenity.

Councillor Crofts stated that he would like to see the site before making a decision as it was a contentious application but also someone's business. This was seconded by Councillor Bubb and, after having been put to the vote, was carried.

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

(iv) 16/00588/O
Downham Market: Land adjacent to 24 Lancaster Crescent:
Outline application some matters reserved: Residential
development: BCKLWN

The Principal Planner introduced the report and explained that the application proposed the residential development on land adjacent to 24 Lancaster Crescent, Downham Market. Downham Market was defined as a Main Town in the settlement hierarchy contained in the Core Strategy of the Local Development Framework. The site (red line) amounted to 0.03ha of land.

The site was located on land designated as Built Environment Type D in the 1998 Local Plan within the settlement boundary of Downham Market, which was also the case as set out in Policy DM2 of the emerging Site Allocations & Development Management policies plan. The site did border a residential property to the west with the north and eastern boundaries of the site adjacent the estate's road network. To the south of the site, a Public Right of Way ran along the rear boundaries of the dwellings on Lancaster Avenue.

The site was located in Flood Zone 1 of the Strategic Flood Risk Assessment.

The application had been referred to the Committee for determination as the application had been submitted on behalf of the Borough Council for its own development and objections had been received. Also the Town Council's view was at variance with the officer recommendation.

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

- The principle of development;
- Form and character;
- Neighbour amenity;
- Highway safety; and
- Other considerations

In accordance with the adopted public speaking protocol, Town Councillor Daymond (objecting) addressed the Committee in relation to the application.

Councillor White expressed concern regarding the loss of open space.

The Executive Director explained that the site had never been designated as a car parking area. He suggested that the Committee needed to consider whether the area provided a positive contribution to the street-scene.

The Principal Planner, via the use of Google-Earth, pointed out the areas of open space within the vicinity.

Councillor White stated that this was designed as area of open space and he considered that it should be retained as such. He therefore proposed that the application be refused on the grounds that the open space provided a positive

contribution to the street-scene and its loss would have a negative impact. This was seconded by Councillor Mrs Wright.

Councillor Storey asked that if the application was refused, could bollards across be erected to ensure that it was used as a green space rather than a parking area.

The Executive Director explained that this was a decision for the Council's Property Services to make.

The Chairman, Councillor Mrs Spikings pointed out that all of the houses opposite had their own parking spaces.

The Chairman, Councillor Mrs Spikings asked for her vote to be recorded against the following resolution.

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

The open space contributes positively to the street scene and its loss would be detrimental to the visual amenities of the locality.

**(v) 16/01012/CU
Downham Market: 51-53 Bridge Street: Change of use of
restaurant to flat: Ms P Kittisak**

The Principal Planner introduced the report and explained that the site was located within an area designated as Built Environment Type C of the Local Plan Proposals maps for Downham Market and within the settlement boundary of policy DM2 of the emerging Site Allocations and Development Management Policies document.

Downham Market was classified as a Main Town according to Policy CS02 of the Local Development Framework Core Strategy.

The application site was located on the southern side of Bridge Road, Downham Market within the designated Downham Market Conservation Area. The site area was 126.58m².

The application sought permission to change the use of the existing restaurant at 51-53 Bridge Street, Downham Market and convert it into a flat.

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;
- Form and character;
- Neighbour amenity; and
- Other material considerations

In accordance with the adopted public speaking protocol, Town Councillor Daymond (objecting) addressed the Committee in relation to the application.

The Principal Planner advised that this was a mixed use area of the town comprising residential and retail. She explained that as you continued further along into the town then it became more retail. She further explained that the applicant had tried to sell the business and the loss of the restaurant was judged to have a minimal impact in the area.

RESOLVED: That the application be approved as recommended.

(vi) 15/01265/F
East Winch: 7 Station Road: Demolition of one pair of semi-detached cottages and construction of two detached dwellings:
Mr L Bates

The Principal Planner introduced the report and explained that the proposal was to demolish the existing semi-detached cottages and replace them with two detached dwellings. The proposal was acceptable in principle provided the proposed dwellings were in character with the building characteristics of the locality.

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

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

- Form and character;
- Neighbour amenity;
- Highways issues;
- Ecology; and
- Other material considerations.

RESOLVED: That the application be approved as recommended.

(vii) 16/00323/F
Holme next the Sea: Sandy Ridge, Broadwater Road:
Replacement dwelling: Mr David Gray

The Principal Planner introduced the report and explained that the site comprised a triangular plot of land containing a detached dwelling of single storey height, a series of domestic outbuildings and associated garden land. The site was bounded to the south west by a detached dwelling. To the south, on the south side of Broadwater Road, was a caravan whilst to the north and north-east were the coastal marshes and open land leading out towards the sea.

It was explained that in policy terms the site was in the countryside and within the Area of Outstanding Natural Beauty (AONB). It was in or close to nature conservation sites of national and international importance including a SSI, National Nature Reserve, Special Protection Area, Ramsar site and Special Area of Conservation.

The area was also in a high risk flood zone (Flood Zone 3 and Tidal Hazard Area).

The application sought full planning permission for a replacement dwelling following the demolition of the existing chalet bungalow and ancillary structures on the site.

The application had been referred to the Committee for determination as the views of Holme next the Sea Parish Council and North Coast Partnership objections 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 impact on AONB;
- Nature conservation issues;
- Flood risk;
- Residential amenity; and
- Other matters

Councillor Morrison stated that the view from the marsh would be of paramount importance, and he would like to have some idea of what the proposal would look like from the marsh side. He suggested that the application should be deferred until there was a model view from the north.

The Executive Director advised that he was unsure as to where the public view points were from the marsh as he had not noticed any footpaths. He added that the character of that road was mixed with older properties being demolished and replaced with more modern buildings. He considered that the recommendation was the correct one and advised that it would be difficult to refuse the application on design grounds.

The Principal Planner advised that the extract from the visual impact assessment was taken from the coastal footpath.

Councillor Wareham expressed concern in relation to the design.

Councillor Storey added that the proposed dwelling would not fit in with the street-scene.

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

The Committee adjourned at 12.45 pm and reconvened at 1.25 pm

(viii) 16/01145/CM

King's Lynn: Land north of Outfall south off Transmission Cables west off Road, Cross Bank Road: County Matters
Application: erection of anaerobic digestion facility (to process up to 20,000 tonnes of cereal crops/slurry) including ancillary reception/office building and workshop, two digesters, two storage tanks, combined heat power plant, energy crop storage area, flare stack, ancillary plant and improvements to proposed access (widening and resurfacing): 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 2 km 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 1MW of renewable energy per annum (providing the equivalent power for 2,000 households).

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

The Committee noted the main issues raised by the application:

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

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

The Principal Planner highlighted the 4 cottages on the plans. He also explained that the fuel source could be animal waste or crop products from farms.

The Chairman, Councillor Mrs Spikings stated that the report appeared to be thin on detail however the proposal itself did not meet the exceptions test.

Councillor Mrs Buck drew the Committee's attention to the late correspondence and the comments from the King's Lynn Area Consultative Committee. She added that the grid was currently full therefore any energy would go to Dow Chemicals. She added that it was only 500m to the nearest cottage.

Councillor Mrs Wright referred to the comments from Environmental Health which she found to be light. The Principal Planner advised that there was a dialogue going on between Norfolk County Council and the Council's Environmental Health.

The Chairman, Councillor Mrs Spikings stated that the Committee needed to make an informed decision and she did not feel that the Committee had all the facts.

The Principal Planner advised that the Committee would not have all the facts as the Borough Council was a consultee only.

The Committee expressed the following concerns:

- Impact of traffic movements – the County Highways needed to be satisfied that there would not be an impact.
- The Committee supported the objection from the Associated British Ports.
- Flood risk;
- Noise from the operation;
- Storage and movement of materials appeared to be carried out in the open air.

RESOLVED: The Committee sends a Holding Objection to Norfolk County Council based on the issues raised above.

(ix) 16/00977/O

Sedgeford: High House, Docking Road: Outline application: Construction of a dwelling: Mr H Head

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

The application site was on the southern side of Docking Road, Sedgeford in an elevated position above road level. The site contained laurel and conifer hedging and 2 horse chestnut trees.

The application sought consent for outline planning permission with all matters reserved for the erection of a detached dwelling.

The application had been referred to the Committee for determination by Councillor Mrs Wright and Councillor Devereux.

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

- Principle of development;
- Impact upon visual amenity;
- Impact upon designated heritage assets;
- Impact upon neighbour amenity;
- Highway safety; and
- Other material considerations

Councillor Mrs Wright asked whether the application could be deferred and described the circumstances why she had asked for it to be deferred.

The Executive Director explained that the decision to defer the application was up to the Committee but it was usually to ask for additional information. The Committee could defer determination of the

application for a month but he could not see what purpose this would achieve.

The Chairman, Councillor Mrs Spikings explained that the Council did now have a 5 year land supply and the site was in the countryside. Having visited the site she also had concerns in relation to the access.

RESOLVED: That the application be refused as recommended.

(x) 16/00640/O
Tilney St Lawrence: Land off School Road: Outline application: Proposed residential development of 4 dwellings: Mr J Gore

The Principal Planner introduced the report and explained that the proposed new dwellings would be located outside the development boundary and within an area designated as countryside and no justification had been put forward with regard to housing need for rural workers. The application also failed the exceptions test as the location outside the development boundary meant there were no sustainability benefits to the proposal which would outweigh the flood risk. Consequently the proposal was contrary to Planning Policy.

The application had been referred to the Committee for determination as the Parish Council supported the application which was contrary to the officer recommendation.

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

- Principle of development;
- Form and character;
- Neighbour amenity;
- Highways issues;
- Flood risk;
- Other material considerations; and
- Crime and disorder

In accordance with the adopted public speaking protocol, Mrs Papworth (objecting) and James Lewis (supporting) addressed the Committee in relation to the application.

Reference was made that the proposal looked like a natural infill plot. It was explained that the application had to be determined in accordance with the policies in place in at moment. The Council did have a 5 year land supply which had been tested at appeal.

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

(xi) 15/01399/O

Upwell: Land north east of 6 The Row, Main Road, Three Holes: Outline application: Two dwellings: Mr D J Forth

The Principal Planner introduced the report and explained that the application site was located on the north eastern side of Main Road, Three Holes. To the north of the site were residential properties; opposite the site were residential properties and a shop. To the north and south of the site was arable land.

Outline planning consent was sought for the erection of two dwellings. All matters were reserved with the exception of access. An outline planning application had also been submitted by the same applicant on land to the south.

The Principal Planner pointed out that this was an allocated site for residential development.

The application had been referred to the Committee for determination as Norfolk County Council Highways objected to the application on the grounds that the application failed to include footways provision.

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

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

In response to a comment as to why this site was acceptable for development, the Principal Planner reminded the Committee that it was an allocated site.

The Executive Director explained the purpose of the Plan to the Committee and the way that it had been produced.

Concern was expressed that the development could potentially create six separate accesses onto The Row. The Principal Planner explained the access arrangements.

In response to a question regarding why the site had been split into two, the Principal Planner suggested that a condition be imposed to limit the number of dwellings on the site to two, which was agreed by the Committee.

RESOLVED: That the application be approved, as recommended, subject to the imposition of an additional condition limiting the number of dwellings to two.

(xii) **15/01402/O**

Upwell: Land north east of 6 The Row, Main Road, Three Holes: Outline application: Two dwellings: Mr D J Forth

The Principal Planner introduced the report and explained that the application site was located on the north eastern side of Main Road, Three Holes. To the north of the site were residential properties; opposite the site were residential properties and a shop. To the north and south of the site was arable land.

Outline planning consent was sought for the erection of two dwellings. All matters were reserved with the exception of access. An outline planning application had also been submitted by the same applicant on land to the south.

The Principal Planner pointed out that this was an allocated site for residential development.

The application had been referred to the Committee for determination as Norfolk County Council Highways objected to the application on the grounds that the application failed to include footways provision.

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

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

RESOLVED: That, the application be approved, as recommended, subject to the imposition of an additional condition limiting the number of dwellings to two.

(xii) 16/01078/F

Upwell: 28-29 St Peters Road: Alterations and extension to existing house (amended design) with provision of rear balcony: Mr and Mrs J W Spikings

The Chairman, Councillor Mrs Spikings declared a pecuniary interest in the application and left the meeting during its consideration. The Vice-Chair took the chair for this item of business.

The Principal Planner introduced the report and explained that planning permission 15/01711/F (approved at Committee on 9 December 2015) granted alterations and a single storey extension to the rear of Nos. 28-29 St Peters Road, Upwell.

The current application was to alter the approved plans to include the opening up of windows to the north-west elevation, and an enlarged

window, provision of French doors and a balcony to the south east elevation.

The premises were that of J D Spikings & Son (butchers shop) and associated house and was part of a block two storey development set within Upwell Conservation Area.

The application had been referred to the Planning Committee by virtue of the property and application relating to Cllr Mrs Spikings. The application had changed since the original submission from a variation of condition to a full planning permission.

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

- Principle of development;
- Changes in design since the grant of planning permission 15/01711/F;
- Impact on neighbour amenity.

The Principal Planner explained that the index on page 7 included the wrong description. The correct description was that on page 115 of the agenda.

RESOLVED: That the application be approved as recommended.

PC25: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

RESOLVED: That, the report be noted.

PC26: **PLANNING AND ENFORCEMENT APPEALS - QUARTERLY REPORT**

The Committee received a quarterly update report covering performance 1 April 2016 -30 June 2016.

The data showed that for the second quarter of 2016, 15% of all appeals were allowed. For the 12 month period to 30 June 2016 and average of 40% of all appeals were allowed. This is above the traditional average figure of around 33% of all appeals allowed.

RESOLVED: That, the report be noted.

The meeting closed at 2.27 pm