

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

**PLANNING COMMITTEE**

**Minutes from the Meeting of the Planning Committee held on  
Monday, 9th January, 2017 at 9.30 am in the Committee Suite, King's Court,  
Chapel Street, King's Lynn**

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

**PC63: APOLOGIES**

Apologies for absence were received from Councillors C J Crofts and I Gourlay.

**PC64: MINUTES**

The Minutes of the Meeting held on 5 December 2016 were agreed as a correct record subject to a typographical error on minutes PC61(a) being amended to read:

- (iv) 16/01327/FM**  
**King's Lynn: Land at Greenpark Avenue: The construction of 89 dwellings, associated access roads, footways and new access of public open space and associated external works: BCKLWN**

**PC65: DECLARATIONS OF INTEREST**

The following declarations of interest were declared:

- The Chairman, Councillor Mrs Spikings declared a pecuniary interest in item 8/3(i) – Upwell, and left the meeting during consideration of the application.
- Councillors Storey and White declared an interest in item 8/3(c) – Fincham as they were members of Norfolk County Council.

**PC66: URGENT BUSINESS UNDER STANDING ORDER 7**

The Assistant Director reported that in relation to item 8/3(d) – Hockwold, both the agent and applicant were unable to attend the Committee meeting due to exceptional medical circumstances and had requested that the application be deferred. He therefore recommended that given the exceptional medical circumstances the application be deferred, which was agreed by the Committee.

PC67: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillor attended under Standing Order 34:

T Parish                      8/1(a)                      16/01712/FM

PC68: **CHAIRMAN'S CORRESPONDENCE**

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

PC69: **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.

PC70: **INDEX OF APPLICATIONS**

The Committee noted the Index of Applications.

(a) **Decisions on Applications**

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

- (i) **16/01712/FM**  
**Heacham: Reg J Stainsby & Son, 43 Lynn Road: Demolition of existing building and construction of a Class A1 (retail) food store together with access, car parking, landscaping and associated engineering works: Lidl UK GmbH**

The Planner introduced the report and explained that full planning permission was sought for the construction of a Lidl store with access, car parking, landscaping and associated engineering works following the demolition of existing buildings, including a bungalow, at the former petrol filling station and R J Stainsby & Son car sales site at Lynn Road, Heacham.

Approximately half of the site (53%) was located within the adopted development boundary for Heacham with the remaining (47%) in land designated as countryside.

The site was accessed from the A149 (a Primary Corridor of Movement), on the opposite side of which was an Area of Outstanding Natural Beauty (AONB).

The site was located within Flood Zone 1, as depicted on the Local Authority's Strategic Flood Risk Assessment maps.

The application was a resubmission of recently refused application 15/02004/FM, which was refused by the Planning Committee at their meeting of 6 June 2016. An appeal against the 2015 refusal had been submitted to the Planning Inspectorate. Dates for the Informal Hearing were yet to be confirmed. Notwithstanding that, the application had a recommendation to approve, the application was deferred from the last Planning Committee meeting (December 2016) at the applicant's request to enable them to make further amendments to the design of the proposed building following comments from the Parish Council, some third parties and in light of Planning Committee Member's comments at the June meeting. This had resulted in a large amount of local carrstone being used on the southern elevation to replace the previously proposed white render infills.

Other minor changes had been put forward and additional information submitted to address the highway congestion issue, although it was substantially the same as the previously deferred submission.

Due to the consultation period extending to 5 January, additional comments received in relation to the amended design would be reported as late correspondence.

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

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

- Principle of development;
- Highway safety;
- Impact on AONB

In accordance with the adopted public speaking protocol, Mr N Hardy (supporting) and Mr M Williamson (objecting on behalf of the Parish Council) addressed the Committee in relation to the application.

Under Standing Order 34, Councillor T Parish addressed the Committee as follows:

*This is a comment on the nature of the intended store including its position in relation to Heacham and points out: issues that should be resolved prior to accepting the application; actions which would mitigate some of the perceived problems, and some misleading statements in the supporting case.*

*The proposed store is positioned to take advantage of substantial passing traffic not to easily benefit the majority of the people who live in Heacham. The proposed site will obviously intensify traffic activity in and around it severely.*

*In the 'Supporting Case Statement' on page 11 there are some misleading statements about entry and exit from the existing site. Much is made of the replacement of 'three access bell-mouths and a length of dropped kerb' which 'allows uncontrolled access/egress across most of the (current) site frontage'. This is compared to the proposed replacement of this 'ad-hoc' arrangement with a 'single crossing' (access/egress point). Nothing is said about the current numbers of cars accessing the site (very few) and the numbers expected when the store is operating (100 or so every hour). Even when the petrol garage was operating there was limited traffic and most of that entered from the south and left from the north (little traffic made a right turn across the A149).*

*There will increased traffic flow along the A149, a strategic route, and one which has seen at least three significant accidents in recent months on stretches within Heacham. These include a very recent one at the Lamsey Lane junction where traffic turning right on or off the A149 poses a hazard. There will also be deterioration in the traffic situation along The Broadway, Lynn Road, Nourse Drive, and likely routes connected to Lamsey Lane. In addition, it is highly likely that there will be parking conflicts at the beginning of The Broadway.*

*On page 13 of the agenda item before you there is a statement made by Heacham Parish Council, 'There is no provision in the application to help the village cope with additional traffic generated by the store's operation'. The maxim, 'Prevention is better than cure', is not used by the Highway Authority as can be seen by the recent decision to install speed enforcement cameras on the A149, between Dersingham and Knight's Hill, after a high record of fatalities. Highways has not applied the maxim to Heacham's stretch of the A149 either.*

*As a Borough Councillor for Heacham I ask that preventative measures are made to mitigate against potential problems caused by this application. I quite understand that some or all of these measures, which follow, are likely outside of planning conditions but they are common sense and within the bounds of the responsibility the applicant should have to the community.*

*The applicant should fund traffic calming measures (such as speed warning signs) along the A149, The Broadway, Nourse Drive, and other points indicated by the Parish Council.*

*The applicant should fund a restricted parking zone (residents and visitors only) for a length of The Broadway (perhaps from Nourse Drive).*

*In addition, given that the proposed store will benefit from turning land designated as countryside into a car park, the applicant should assist village shops on the High Street, including a bakers selling locally produced bread and a fishmongers stocking fish from British ports. The applicant can do this by funding time limited parking close to those shops (a matter of signing, lining and going through the legal requirements only) so that potential customers have a chance to park and bring business to the High Street.*

*The applicant has missed the point when it comes to the design of the store. The applicant has an off the shelf design suitable for locations on a retail park and refuses to contemplate designing stores to fit their location well. Should this application be successful I ask that, at the very least, the improvements to landscaping recommended by the North Coast Partnership on the 24<sup>th</sup> November be included as a condition.*

At the invitation of the Chairman, the County Highways Officer explained to the Committee that since the last application had been considered, the applicant had provided information which demonstrated that a car and caravan could turn and manoeuvre within the site. The applicant had also submitted details of 'yellow box' markings which were proposed at the Lavender Farm junction and 'keep clear' markings at the site access. The applicants had therefore demonstrated safe access in and out of the store.

Councillor Bubb made reference to the fact that 47% of the site was in open countryside. He also expressed concern in relation to the impact on the A149 and also to the right hand turn lane where he considered that traffic could obscure the view of those wanting to turn right. In addition, the area relied heavily on the tourist trade, not just in the summer, as on Boxing Day, the traffic was queued along the A149. The impact of the new roundabout was also not known at this stage. He supported the comments made by the Parish Council.

The County Highways Officer explained that they had looked at information, submitted in the transport assessment, on the existing land use and the traffic movements that it could generate. She also confirmed that if a car wanted to turn right, the sight lines would not be obscured.

In response to a question regarding the monitoring of the impact of the traffic flow and highway safety as raised by the Parish Council, the

County Highways Officer explained that as an authority the County Council would not be monitoring the impact, as they did not have the funding to carry out post monitoring. In addition, the applicant had not proposed any monitoring measures.

Concern was expressed that once the application had been approved, the concerns raised by the Parish Council and residents would be ignored.

The Executive Director explained that the applicant had stated that a survey had been undertaken in the village and out of 1,100 responses, around 1,000 supported the scheme. He added that people who lived in the area had to shop somewhere. The proposal would be catering for those people who lived in the area and for tourists.

The Executive Director explained that any reasons for refusal had to be clear and defensible. The Committee had given the applicant's the opportunity to address their concerns and County Highways to reappraise the scheme. County Highways were not objecting to the application and to defend any highways reasons at appeal, the Council would have to employ specialist consultants. He urged the Committee to consider the advice from County Highways seriously when making their decision.

Councillor Mrs Bower stated that she represented Hunstanton Ward and was aware of a lot of support for the scheme from residents. She added that County Highways had reappraised the scheme and that the design had been improved. She had looked at the Area of Natural Beauty and considered that this would be an improvement to what was already there. She would therefore be supporting the application.

It was confirmed, in response to a question, that traffic would be able to pass when cars were waiting to turn right.

The Chairman, Councillor Mrs Spikings referred to the comments in late correspondence from the Norfolk Coast Partnership regarding landscaping, and proposed that an additional/amended condition be imposed, which was seconded by Councillor Wareham and agreed by the Committee. The Committee also agreed the correction to Condition 28, as outlined in late correspondence.

Concern was expressed that the proposal would have an impact on the existing shops in Heacham.

One member of the Committee agreed that there would be an impact on the existing shops in the village and expressed concern that the village was becoming overdeveloped and the correct infrastructure was not in place to support development. In addition it was felt that the design could be improved.

In response to a comment regarding the impact on local businesses, the Assistant Director explained that the Council did employ consultants to look at the information submitted by the applicant in detail against the Government's criteria and it was considered that an objection could not be sustained.

Councillor Wing-Pentelow stated that he still objected to the application on highway grounds. He also considered that the design could be improved and therefore proposed that the application be refused.

The Executive Director advised that any technical reason for refusal had to be substantiated by evidence and County Highways did not object to the proposal, therefore consultants would need to be engaged.

Councillor Wing-Pentelow then proposed that a site visit be undertaken with a County Highways Officer in attendance. This was seconded by Councillor Bubb however, after having been put to the vote, was lost.

Having listened to the advice, Councillor Wing-Pentelow withdrew his proposal to refuse the application.

Councillor Morrison raised 3 areas of concern:

- Appearance;
- Impact on existing businesses; and
- AONB

The Executive Director responded that the issue of retail impact had already been covered earlier in the debate. In relation to design, he explained that it was a corporate design but tried to incorporate local features. In relation to the impact on the AONB, the test was one of harm. He referred to the comments from the Norfolk Coast Partnership who stated that the impact would be neutral or better. In looking at the existing buildings on the site, he considered that the proposal would be an improvement on them. If the application went to appeal, he explained that the Inspector would have to reach a balanced judgement by looking at the positives and negatives of the proposal.

In response to a comment regarding 47% of the proposal being in the countryside, the Planner highlighted the area designated as countryside which was curtilage to the built form and was brownfield land.

The County Highways Officer advised that the yellow box and keep clear signs were subject to a condition requiring them to be in place prior to the commencement of development.

**RESOLVED:** That, the application be approved, as recommended, subject to the correction to Condition 28 (as detailed in late correspondence) and the imposition of an additional/amended

condition in line with the comments reported in late correspondence from the Norfolk Coast Partnership regarding landscaping.

**(ii) 16/00493/FM**

**Stoke Ferry: Land between Bramcote House and Village Hall, Lynn Road: Proposed residential development (29 dwellings) with minor demolition of former opening in boundary wall for access to plot 24. To include parking and access to existing village hall: Stoke Ferry Regeneration Ltd**

The Principal Planner introduced the report and explained that the application site was located on the north east side of Lynn Road, Stoke Ferry adjacent to Stoke Ferry Village Hall. The site was located in Stoke Ferry Conservation Area and opposite a row of Grade II Listed Buildings. The site was allocated in part for residential development (minimum of 12 dwellings) via Policy G88.3 (Stoke Ferry – Land at Indigo Road/Lynn Road) of the Site Allocations and Development Management Policies Plan (SADMP) 2016.

The proposal was for residential development of 29 dwellings with minor demolition to the boundary wall to form access to Plot 25 and to include parking and access for the existing village hall. The site would be accessed from Lynn Road and would be a cul-de-sac culminating at the north east part of the site with a pedestrian link through to Indigo Road. The proposal encompassed the provision of open space in three locations across the site and provision would be made for a 26 space car park to serve the village hall. Dwellings would be mainly two storey with Plots 21 – 23 fronting Lynn Road being 2.5 storeys to reflect the more prominent Listed Building to the south of the site.

The application had been referred to the Committee for determination as the financial contribution exceeded £60,000.

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

- Principle of development;
- Form and character and impact on Heritage Assets;
- Highways;
- Neighbour amenity;
- Affordable housing;
- Ecology;
- Section 106 matters; and
- Any other matters requiring consideration prior to the determination of the application.

The Principal Planner drew the Committee's attention to the late correspondence and the need to amend part B of the recommendation to read:



B) In the event that the Section 106 is not completed within 4 months of the date of the Committee resolution, the application be refused on the failure to secure library contributions, open space provisions and maintenance, SuDS maintenance and the village hall car park.

In accordance with the adopted public speaking protocol, Mr Roy Brain (supporting) and Judith Taylor (supporting on behalf of the Parish Council) addressed the Committee in relation to the application.

Concern was expressed in relation to the contamination of the site and it was suggested that on page 8 of the report the word 'if should be replaced with 'no. The Principal Planner explained that Environmental Health & Housing – Environmental Quality had considered the Desk Study which identified that several sources of contamination were present on the site. Environmental Quality raised no objection but in accordance with the NPPF, conditions regarding contamination investigation/remediation and unexpected contamination were proposed. It was confirmed that the Remediation Strategy would ensure no risk to residents or water courses.

The Assistant Director advised that there were 5 conditions which covered contamination issues, and would be looked at very extensively. He also referred to the late correspondence which detailed that there would be a very extensive and expensive decontamination scheme.

The Assistant Director also confirmed that due to the contamination costs, it would not be viable to provide affordable housing as part of the proposal.

Reference was made to the Stoke Ferry Village Hall Committee's comments on page 8 a) – c) and that these needed to be taken account. The Principal Planner advised that these would be included as part of the Section 106 Agreement.

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the late correspondence and the need to amend recommendation B, which was agreed.

**RESOLVED:** (A) That, the application be approved subject to conditions and the completion of a Section 106 Agreement within 4 months of the date of the Committee resolution.

(B) That in the event that the Section 106 Agreement is not completed within 4 months of the date of the Committee resolution, the application be refused on the failure to secure library contributions; open space provision and maintenance, SuDS maintenance and the village hall car park.

*The Committee adjourned at 10.50 am and reconvened at 11.07 am.*

**(iii) 16/00960/F**  
**Docking: Land at Little Lane: Erection of a single dwelling with carport, parking and new vehicular access: Mr M I Robinson**

The Senior Planner introduced the report and explained that the application was for full planning permission for the erection of a single 3 bed dwelling with car port, access and parking on land at Little Lane, Docking.

The site was located within the defined village boundary for Docking as set out in the SADMP and was also within the Docking Conservation Area. The site was not located in an area identified as being at significant risk from flooding.

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

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

- Principal of development;
- Scale and impact;
- Access and highways; and
- Impact on heritage assets.

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

A comment was made that there was nothing controversial with the application as there were all types of housing in the vicinity.

The Assistant Director explained that the issue to consider was the impact on the conservation area and whether it should be developed or left as an open space. He added that it was a small parcel of land and it was the view that it was best to leave it open and not harm the conservation area. He added that the Conservation Officer and Conservation Areas Advisory Panel raised an objection to the site being developed.

Councillor Wareham proposed that the application be approved on the grounds that the proposed dwelling was in-keeping and did not detract from the local area. This was seconded by Councillor White.

The Ward Member added that this piece of land seemed to have been begging for development for some time and was not kept very well. He considered that it would complete the corner if it was approved. He supported the comments made by the Parish Council.

Reference was also made to the need for 2 bedroom dwellings in the area.

In response to a query regarding why the proposal was seen as a cramped form of development, the Principal Planner displayed a map of the conservation area and highlighted the site.

In response to a comment, the Assistant Director explained the remit of the Conservation Areas Advisory Panel. He also advised that the Council did have a duty to provide housing but also a duty to preserve and enhance conservation areas.

The Committee then voted on the proposal to approve the application on the grounds that the proposal was not detrimental to the conservation area and the design of the proposed dwelling was considered to be acceptable, which was carried.

**RESOLVED:** That the application be approved, contrary to recommendation, and subject to the imposition of additional conditions to be agreed by Officers following consultation with the Chairman and Vice-Chairman, for the following reasons:

*The application for a dwelling would not detract from the character or appearance of the Conservation Area, and the design and layout put forward were fully acceptable, and in accordance with the NPPF and relevant policies of the Development Plan.*

**(iv) 16/01777/F  
Downham Market: Saughtree, Orchard Close: Construction of dwelling following demolition of existing dwelling: Mr D Lawson**

The Principal introduced the report and explained that the application was for full planning permission for the erection of a single residential dwelling following demolition of an existing dwelling at Saughtree, Orchard Close, Downham Market, Norfolk.

The site was within the defined development boundary of Downham Market which was defined as a 'Main Town' within the Borough and as such was in principle a sustainable and accessible location for new housing development.

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

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

- Principle of development; and

- Design and impact of the proposal on the character of the area and residential amenities of adjacent properties;

In accordance with the adopted public speaking protocol, Mr Frank Daymond (supporting on behalf of the Town Council) and Mr D Lawson (supporting) addressed the Committee in relation to the application.

The Assistant Director explained that he had visited the site and considered this to be the right recommendation. He added that the proposed new dwelling would be close to Heathcote which he considered would be adversely affected; there would potentially also be some shadowing to the north. It was acknowledged that there was no objection from the neighbours.

In response to a comment from the public speaker, the Principal Planner confirmed that an officer did visit the site.

Reference was made to the footprint of the new dwellings, and the Principal Planner advised that the total external floor area of the existing bungalow was approximately 120 sq.m whereas the new dwelling was 440 sq.m, which was a very large dwelling and significantly larger than the surrounding bungalows.

The Principal Planner displayed the site using Google earth and highlighted the single storey properties along Orchard Close.

It was advised that there would be adequate car parking along the frontage of the building.

The Executive Director explained that he had clearly benefitted from seeing the site. He considered that no-one had an issue with the replacement of the dwelling, however the surrounding area was predominately small modest bungalows. He added that the increased height and bulk of the building and proximity to the neighbouring boundaries would have an impact on neighbour amenity in terms of overlooking and overshadowing.

One member of the Committee drew attention to the report where it stated that the internal layout of the dwelling included duplicate stairwells, kitchens and living rooms which suggested that the proposal might have the ability to be used as more than one dwelling rather than for a single dwelling as a replacement, as applied for.

It was noted, however, that the applicant had confirmed that the application was for a single dwelling and it was to include an integral residential annex for an elderly family member and as such this fell within the definition of a single dwelling, as applied for.

The Chairman, Councillor Mrs Spikings stated that she could understand the need to improve the bungalow, however she wished to see the impact on the neighbour kept to a minimum.

Reference was also made to the importance of any proposal fitting in with the form and character of the area.

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

**(v) 16/01747/O**

**Fincham: Land east of Marham Road: Outline application with some matters reserved: Erection of 5 detached dwellings: Norfolk County Council**

The Principal Planner introduced the report and explained that the application was in outline for residential development on a site measuring approximately 0.5ha to the east of Marham Road, Fincham. Whilst on land designated as countryside the site represented the housing allocation in the Site Allocations and Development Management Policies DPD, 2016 and Policy G36.1 related specifically to development of this allocation.

All matters except access were reserved for future consideration although indicative plans showed 5 detached two-storey dwellings with detached double garages.

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

The Principal Planner drew the Committee's attention to the late correspondence and advised that the conditions should be remain as there would be significant risk that the off-site highway works (footpath across the site frontage) required by conditions 7 and 8 were not achieved if conditions related to individual plots. With regard condition 14, there was no risk to the Council in amending the condition as outlined in late correspondence.

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

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

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

The Principal Planner explained that the application had originally been submitted on a larger site area but reduced to accord with the site allocation.

The Principal Planner also advised that as shown on the indicative plans, each unit would have its own access, therefore 5 points of access were being considered as part of this application. It was reported that there had been no objection from the Local Highway Authority.

It was also drawn to the Committee's attention that the development had been limited to 5 dwellings, as covered by Condition 13. The Principal Planner advised that the applicant had applied for 5 dwellings and if more dwellings were applied for then any application would have to be determined on that basis.

The Committee asked that if another application for more than 5 dwellings was submitted, then it should be determined by the Committee.

In response to a query regarding affordable housing, the Principal Planner explained that the site area and number of dwellings proposed did not trigger the thresholds for affordable housing provision providing there were no more than five units and the GIA of those units did not exceed 1000m<sup>2</sup>.

The Chairman, Councillor Mrs Spikings then drew the Committee's attention to the late correspondence and the need to amend Condition 14 and to add an informative to the decision notice, which was agreed by the Committee.

**RESOLVED:** That, the application be approved as recommended, subject to the amendment of Condition 14 (as detailed in late correspondence), and an informative being added to the decision notice.

(vi) **16/01177/F**  
**Hockwold cum Wilton: White Dyke Farm, Black Dyke Road: Change of use of the building from a cattery with ancillary offices to use as a cattery with ancillary offices, residential accommodation for the occupation by the cattery owner/manager, minor changes to the external appearance of the building and car parking: Mr John Scott**

**RESOLVED:** That, the application be deferred, as agreed earlier in the meeting.

(vii) **16/01870/F**  
**Hillington: 12 Wheatfields: Conversion of first floor accommodation to form internal annex to cover both family use and letting: Mr W Daw**

The Senior Planner introduced the report and explained that the application site related to a dwelling on the eastern side of Wheatfields, a small residential estate in Hillington.

The proposal was to convert part of the existing first floor accommodation at 12 Wheatfields, Hillington to annex accommodation for family use and letting.

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

The application had been referred to the Committee for determination as the views of Hillington Parish 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 and amenity;
- Highways; and
- Other considerations.

The Chairman, Councillor Mrs Spikings expressed concern in relation to the external staircase, which would enable people using it to be able to look directly into the neighbouring property and garden.

The Chairman, Councillor Mrs Spikings then proposed that the application be refused on the grounds that the proposal would cause dis-amenity to the neighbours, which was seconded by Councillor Tyler and agreed by the Committee.

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

*The proposal, specifically the external staircase to the new first floor access, would result in undue loss of amenity to the neighbour of the adjacent house, through overlooking and loss of privacy, contrary to the provisions of the NPPF which seeks a good standard of amenity for all, and policyDM15 of the Site Allocations and Development Management Policies document.*

**(viii) 15/02076/F**

**Methwold: R & B Motors, 64 High Street: Demolition of existing on site structures with the construction of two detached dwellings: Mr B Schumda**

The Principal Planner introduced the report and explained that the application site was that of R & B Motors, a commercial garage with car

sales, on the western side of the B1122/Brandon Road close to the junction with High Street. To the south off a private drive were bungalows, more traditional houses to the north towards High Street and chalet/cottages to the rear/west on Old Bakery Close.

The application sought full permission to demolish the existing buildings on the site and construct two detached 4 bedroomed houses.

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

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

- Principle of development;
- Impact on form and character;
- Impact upon adjoining properties;
- Highway issues; and
- Other material considerations.

In response to a query, the Principal Planner advised that the car sales use would cease to exist.

Concern was expressed by some Members of the Committee in relation to the loss of a commercial use within the village. It was explained that it was considered that the proposal would result in the loss of a 'bad neighbour' use of no detriment to the overall facilities of the village. The current commercial use had limited employment benefit given the scale of operation and therefore did not conflict with Policy CS10 of the LDF.

It was suggested that a different use of the premises could be found and ran satisfactorily. It was also asked whether the site had been actively marketed and where was it determined that the site was a 'bad neighbour'.

The Assistant Director informed the Committee that Policy CS10 did not require the site to be marketed.

The Principal Planner advised that County Highways had no objection to the proposal from a highway safety point of view. The Principal Planner highlighted the amenity issues on the plan and explained that the application created betterment to what was already there in terms of the environmental relationship.

Concern was expressed by some members of Committee in relation to the design, as it was felt that it should be more in-keeping with the surrounding area.



Councillor Wareham then proposed that the application should be refused on the grounds that the proposal failed to conform with Policy CS10 in terms of the loss of employment land and that the design of the two dwellings was not in-keeping with the surrounding area. This was seconded by Councillor Mrs Wright.

The Executive Director explained that he understood the views of the Committee but he considered that this was a wrong use in the wrong location, and advised against refusing the application in relation to Policy CS10.

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

The proposal for two dwellings on the site of an existing garage premises would result in the loss of an employment site within the village, where it has not been satisfactorily demonstrated that it meets the exceptions set out policy CS10 of the Local Development Framework. Consequently it is considered to be contrary to that policy and should be refused.

The design of the two dwellings would not respond to the street scene, character and context of the locality, and represents a poor design solution, contrary to the provisions of the NPPF (paragraph 64), Policies CS06 & CS08 of the Core Strategy and Policy DM15 of the Site Allocations & Development Management Policies Plan.

*The Committee adjourned at 12.35pm and reconvened at 1.10pm.*

*Councillors Mrs Fraser and Tyler left the meeting at 12.35 pm*

**(ix) 16/01084/F**

**Old Hunstanton: The Bungalow, Waterworks Road:  
Construction of 4 new dwellings following demolition of  
existing bungalow: Mr D Lloyd**

The Senior Planner introduced the report and explained that the site was located at the northern end of the village of Old Hunstanton and backed onto open countryside. The site consisted of a modest, detached, single storey dwelling and associated curtilage.

The site was within the settlement of Old Hunstanton and in the settlement boundary and within the AONB.

The application sought full planning permission for the demolition of the existing bungalow and the construction of four detached dwellings.

The application had been referred to the Committee for determination as the views of Old Hunstanton Parish Council and the North Norfolk Coast Partnership were contrary to the officer recommendation.

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

- The principle of development;
- Impact on AONB;
- Form and character;
- Neighbour amenity;
- Highways impact;
- Flood risk and drainage;
- Ecology; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Emma Messias (objecting), Mr J Dobson (objecting on behalf of the Parish Council) and Mr Jason Law (supporting) addressed the Committee in relation to the application.

In response to a query, the Assistant Director explained that Old Hunstanton was defined as a rural village in the Settlement Hierarchy of the Core Strategy and as such the principle of new residential development was generally acceptable as long as it was in harmony with the built characteristics of the locality.

The Senior Planner displayed the photographs referred to the Committee by the public speaker, which had been taken from the coastal path. The Committee were also shown the impact on the objector's dwelling using google earth.

The Chairman, Councillor Mrs Spikings stated that she agreed with the objection raised by the Norfolk Coast Partnership. She added that with 12 car parking spaces and associated paraphernalia this would alter the area. She considered that two dwellings would be acceptable but 4 was over-intensive development. She therefore proposed that the application be refused, which was seconded by Councillor Wing-Pentelow.

The Committee then voted on the proposal to refuse the application on the grounds of design, layout and overdevelopment of the site, impact on AONB and adverse impact on the neighbouring property, which was agreed.

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

*The proposed development, by virtue of the proposed design of the dwellings and layout showing development in depth, constitutes a poor design solution and an overdevelopment of the site, contrary to the provisions of the NPPF which seeks a high standard of design, and contrary to Core Strategy Policy CS06 and Site Allocations and Development Management Policies document DM15.*

*The proposed development, through the scale of the development and the layout proposed, has a harmful impact upon the Norfolk Area of Outstanding Natural Beauty (AONB), contrary to the provisions of the NPPF, which states that great weight should be given to conserving the landscape and scenic beauty of AONB's, and contrary to Core Strategy Policies CS7 and CS12.*

*The proposed development will result in undue overlooking into the neighbouring property to the north, contrary to the provisions of the NPPF which seeks a good standard of amenity for all, and policy DM15 of the Site Allocations and Development Management Policies document.*

**(x) 16/01900/F**  
**Titchwell: Out of Focus, Main Road: Proposed extension and alteration to existing building: Mr Richard Peggs**

The Senior Planner introduced the report and explained that the application was made for full planning permission as a householder application for the extension and alteration of the existing dwelling known as 'Out of Focus', Main Road, Titchwell. The site was within Titchwell Conservation Area.

The application had been referred to the Committee for determination as the previous submission for a similar extension to the dwelling on site was refused planning permission and dismissed as the subsequent appeal.

The Senior Planner referred to the late correspondence and the need to amend Condition 2.

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

- Principle of the residential extension;
- Impact on general amenity;
- Impact on heritage assets.

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the need to amend Condition 2, which was agreed.

**RESOLVED:** That the application be approved as recommended, subject to Condition 2 being amended as outlined in late correspondence.

**(xi) 16/01753/RM**  
**Upwell: Land south of 21 to 42 St Peters Road: Reserved Matters Application: Affordable housing for plots 6, 7, 10, 11 and 13: The Hollies (Upwell) Ltd**

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

The Principal Planner introduced the report and explained that outline planning permission was granted on 20 June 2016 (following referral to the Planning Committee on 8 February 2016) for an estate of 25 dwellings under application ref: 15/01496/OM, subject to a Section 106 Agreement, which included the provision of 20% affordable housing (i.e. 5 units). The matters of access and layout were considered at that stage and all others were reserved for future consideration. It involved an allocated site for residential development contained in the Site Allocations & Development Management Policy Plan (referred to under Policy G104.4); with the addition of a parcel of land to the rear of Nos. 25 - 29 St Peter's Road (in which Councillor Mrs Spikings has a financial interest).

The application sought reserved matters approval for those affordable housing units on Plots 6, 7, 10, 11 and 13.

The application had been referred to the Committee for determination as it had been submitted on behalf of The Hollies (Upwell) Limited and the husband of Councillor Mrs Spikings was a Member thereof.

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

- Compliance with affordable housing criteria;
- Impact upon character and appearance of the locality and setting of Conservation Area;
- Layout;
- Landscaping; and
- Other material considerations.

The Principal Planner explained that the mix of affordable housing had been agreed by Housing Development Officer. The design of the houses corresponded with the Design Code which had previously been agreed via the discharge of Condition 18.

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

**(xii) 16/01784/CU**

**Walpole: Land at Townsend Farm, Church Road: Change of use of agricultural land to garden land: Dene Homes Ltd**

The Principal Planner introduced the report and explained that the application site comprised of 0.32 ha of land to the eastern side of Church Road, Walpole St Peter. The land currently comprised of a mixture of domesticated, fenced off gardens and agricultural land to the

rear of the properties permitted with planning permission reference number 05/00107/F.

The site was located outside the village development boundary for Walpole St Peter as outlined in the Site Allocations and Development Management Policies Plan (SADMP) document.

Full permission was granted in 2005 (05/00107/F) for the construction of 15 dwellings after the demolition of the existing buildings. Two more applications were permitted in 2007. Permission reference number 07/00221/F permitted the construction of 5 dwellings and triple garage block (amended design) and permission reference number 07/0020/F permitted the construction of two dwellings on plots 13 and 14 (amended design).

The current proposal sought to change the use of the agricultural land at the rear of properties 3 to 7 at Townsend Farm to garden land.

The application was referred to the Planning Committee for determination as the view of Walpole Parish Council was contrary to the officer recommendation.

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

- Policy context;
- Effect of the proposal on the character and appearance of the countryside;
- Other material considerations.

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

In response to comments from some Members of the Committee, the Assistant Director advised that there needed to be a clear and consistent approach to the policies and the development boundary had been considered by the LDF Task Group and now formed part of the Local Plan.

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

**(xiii) 16/01838/BT (Notification of removal of BT Kiosk)**

**Various: Public Payphones throughout the Borough:  
Removal of Public Payphones: BT Plc**

The Assistant Director explained that the application was a notification issued by British Telecom for the removal of 97 x BT payphone kiosk services at various locations throughout the Borough of King's Lynn and West Norfolk – with the option for Parish Councils to adopt the relevant kiosk(s) once BT services had been removed.

The application was not a planning application but followed a formal notification procedure. The report was in conjunction with the 'second phase' of the application which required a 'Final Notification' being issued within a 90 day timescale of formal submission of the intention to remove by BT.

The relevant guidance was the OFCOM directive 'Guidance on procedures for the removal of public call boxes' – issued 14<sup>th</sup> March 2006.

The application had been referred to the Committee for determination as it had been referred by the Assistant Director of Environment & Planning, as it was considered an issue of wider concern.

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

- Procedure/community consultations/community response;
- Removal of telephone kiosks in the Borough;
- History;
- Reasons to support removal or retention.

The Assistant Director drew the Committee's attention to the late correspondence, where the scheduled had been updated.

Councillor Mrs Young stated that she understood that Terrington St Clement Parish Council wished to adopt the two telephone boxes at Hay Green Road and Alma Chase.

**RESOLVED:** 1) No objection to the complete removal of 68 kiosks, where the Parish Council and King's Lynn Area Consultative Committee has raised no objection or have not responded.

2) No objection to the removal of a further 14 payphone services, with the proviso that the kiosks remain in situ at the request of the Parish Council for adoption.

3) Object to the removal of 15 payphone service kiosks as requested by Parish Councils and KLACC, who provided reasons for their retention.

PC71: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

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

**The meeting closed at 2.15 pm**

