

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

Minutes from the Meeting of the Planning Committee held on Monday, 6th February, 2017 at 9.00 am in the Committee Suite, King's Court, Chapel Street, King's Lynn

PRESENT: Councillor Mrs V Spikings (Chairman)
Councillors R Blunt (sub), Mrs C Bower, A Bubb, C J Crofts, Mrs S Fraser, A Morrison, T Parish (sub), M Peake, M Storey, Mrs E Watson, A White, T Wing-Pentelow, Mrs A Wright and Mrs S Young

An apology for absence was received from Councillors Mrs S Buck, I Gourlay, J Moriarty, D Tyler and G Wareham

PC72: **MINUTES**

The Minutes of the Meeting held on Monday 9th January 2017 were agreed as a correct record and signed by the Chairman, Councillor Mrs Spikings.

PC73: **DECLARATIONS OF INTEREST**

The following declarations of interest were declared:

- Councillor Mrs Fraser declared a non-pecuniary interest in item 8/3(b) – Gayton because she knew the owner of Hall Farm House.
- Councillor Parish declared that he had an interest in items 8/3/e and 8/3/f – Heacham in that he had been instructed to write Heacham Parish Council's response to each application. However, he stated that he would come to his own decisions today after consideration of the information provided and resolution of any questions that he might have.

PC74: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business under Standing Order 7.

PC75: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillors attended under Standing Order 34:

Name	Item	Application
B Anota	8/3(h)	16/02085/F
B Ayres	8/3(m)	16/02068/O

PC76: **CHAIRMAN'S CORRESPONDENCE**

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

PC77: **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.

PC78: **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) – (xxi) below, where appropriate to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chairman.

- (i) 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 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

The Principal Planner introduced the report and explained that the application sought approval for residential accommodation within the existing cattery building. The business was located in an area of countryside where new dwellings were normally restricted. The justification put forward was that the new dwelling was needed in connection with the existing business. However, officers believe that there was no need for a further dwelling on the site, and that existing dwellings cater for this need.

The application had been referred to the Committee for determination as it was deferred without having been considered at the January meeting due to the ill health of the applicant and his agent. It had

originally been referred to the Committee by the Assistant Director of Environment and Planning.

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

- The planning history; and
- The principle of a new dwelling as part of the business.

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

RESOLVED: That the application be refused as recommended.

- (ii) **16/00866/OM**
Docking: Land on the north side of High Street: Outline application with some matters reserved: Proposal for 33 new dwellings with means of access from the public highway from Pound Lane and a pedestrian route off Well Street with all other matters reserved for approval: Farm Supplies (East Anglia) Ltd

The Senior Planner introduced the report and explained that the site was an allocated site for housing in Docking. Policy G30.1 – land situated off Pound Lane (Manor Pasture) for a minimum of 20 dwellings.

The site was located on the southern side of Pound Lane and sloped away to the south in an undulating manner. The western and eastern boundary contained established trees.

The proposal sought outline consent for 33 dwellings including improvements in the form of a pedestrian route from Well Street and Pound Lane. Access only was to be determined at this stage.

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;
- Impact upon visual amenity;
- Impact upon designated heritages;
- Impact upon non-designated heritages;
- Trees and landscape;
- Impact upon neighbour amenity;
- Highway impact;
- Ecology – impact upon European Designated sites;
- Ecology – impact upon protected species;

- Infrastructure provision;
- Affordable housing;
- Open space;
- Flood risk and drainage;
- Contamination;
- Archaeology; and
- Other material considerations.

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

Councillor Morrison (Ward Member) commended the approach taken by the applicants, who had deliberated with the Parish Council throughout the scheme. He added that it was an allocated site and the Parish Council were largely in favour of the scheme.

In response to a query from Councillor Morrison, the Senior Planner clarified the section of Pound Lane which would be widened as part of the highway works.

Councillor Morrison added that permission had already been granted for 77 dwellings, this scheme was for 33 new dwellings, and there was also infill and sporadic development, which totalled 115. He explained that Docking Parish Council had accepted the principle of 20 new dwellings but with the additional dwellings, they were concerned in relation to services, such as the water supply and schools. He asked whether the number of dwellings could be limited to 20 rather than 33.

Concern was expressed that the primary school could not expand on the site it was located on. Reference was made to the comments from the NCC Infrastructure Provision which stated that contributions would be sought in respect to Docking CE primary School for a new self-contained class space, including any remodelling.

Reference was also made to the WW2 'tett' turrets and if these were to be designated, would the site be prepared for visitors.

The Assistant Director referred to the comments from Historic England, as reported in late correspondence and that provision could be made for parking spaces when the reserved matters application was considered.

In response to comments regarding the issue that the site had been allocated for a minimum of at least 20 dwellings, it was explained that the scheme was low density even with 33 dwellings.

The Senior Planner explained that it had always been the applicant's intention to widen the access. The application had been submitted for 33 dwellings and was a low density scheme and could be accommodated on the site. The proposal was considered to fit in with the form and character of Docking.

The Executive Director explained that it was the Inspector who had asked the Council to change the wording of the Plan to include the words 'at least'. It was never intended to be a maximum. He explained the reasons why the Inspector had included that as there had been a push from Government to provide more housing. He added that this Plan had just been adopted and the Council was now looking ahead at a new plan.

The Executive Director asked the Committee to consider whether this was a good scheme in terms of the density and development. He added that Docking was well provided for in relation to services.

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the late correspondence and the need to amend Conditions 19 and 20, and to correct Condition 26, 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 decision, and amendments to Conditions 19 and 20 and the correction of Condition 26, as reported in late correspondence.

(B) That the application be refused in the event of the Section 106 agreement not being completed within 4 months of the date of the Committee meeting, the application shall be refused due to the failure to secure affordable housing, site specific public open space, financial contribution, county contribution, provision, maintenance and management of SUDs and habitats mitigation contribution.

(C) Should the Section 106 Agreement be completed before 15th February 2017, then the County contributions will need to be included within the Section 106; if it is after 15 February, CIL will be liable and County contributions do not need to form part of the Section 106.

(iii) 16/00947/FM
Gayton: 3 Church View Lane: Construction of 15 no. new dwellings and 2 no. barn conversions: Client of Holt Architectural

The Senior Planner introduced the report and explained that the application site was located within the development boundary of Gayton. Gayton combined with Grimston and Pott Row was a Key Rural Service Centre.

The site contained a number of barn buildings both single and two storey in scale using buff and red brick and pantile.

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

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

- Principle of development and planning history;
- Impact upon visual amenity;
- Impact upon designated heritages;
- Trees and landscape;
- Impact upon neighbour amenity;
- Highway impacts;
- Ecology – impact upon protected species;
- Infrastructure provision and open space;
- Affordable housing;
- Flood risk and drainage;
- Contamination;
- Archaeology; and
- Other material considerations.

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

In response to comments made by the Committee the Senior Planner explained that the window in the southern gable end would be obscurely glazed as it was an en-suite bathroom. The Senior Planner also advised that a heritage statement had been provided with the application.

Reference was made to the Parish Council comments regarding overdevelopment of the village.

The Assistant Director explained that there had been windfall sites in Gayton; together with allocated sites. This was not an allocated site but formed part of a larger site which gained permission under 08/01444/OM and was for a 29 unit development which incorporated the large majority of this site and the land to the west. He added that Gayton was a large village but did have facilities.

Reference was made to the comments by Anglian Water as detailed on page 47 of the agenda, and the sewerage problems experienced within the village.

It was explained that conditions had been imposed, which required details of the foul and surface water drainage arrangements to be agreed prior to commencement of development, and consultations would take place with Anglian Water and the Council's Environmental Health Department.

The Assistant Director advised that Anglian Water had a duty to provide a service and had not objected to the application.

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the late correspondence and 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.

(iv) 16/00168/OM

**Stoke Ferry: Land at Bradfield Place, Fairfield Road:
Outline application with some matters reserved: Proposed
residential development: BCKLWN**

The Principal Planner introduced the report and explained that the application site was located to the south of Bradfield Place, Stoke Ferry. The site was surrounded by a bungalow development to the north and east and countryside to the south and west. The site was allocated for residential development by Policy G88.2 of the Site Allocations and Development Management Policies Plan 2016.

The proposal was for residential development. An indicative plan indicated that 11 dwellings would be proposed with access off the existing Bradfield Place and Fairfield Road spurs. Indicative house types proposed were mainly bungalows adjacent to existing bungalow development and two storey dwellings to the countryside edge.

The application had been amended since the original submission to make the red line consistent with the allocation. The application was in outline with all matters except access reserved for later consideration.

The application had been referred to the Committee for determination as the application was made by the Borough Council.

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

- Principle of development;
- Form and character and neighbour amenity;
- Highway safety;
- Section 106 matters; and
- Any other matters requiring consideration prior to the determination of the application.

RESOLVED: (A) That, the application be approved, subject to the satisfactory 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 was not completed within 4 months of the date of the Committee resolution, the application be

refused on the failure to secure affordable housing and SuDS design/maintenance.

(v) 16/00812/FM
Walpole Highway: Land at West Drove: Establishment of plant nursery and associated glasshouses, growing beds, office and staff facilities: Tamar Nurseries Ltd

The Principal Planner introduced the report and explained that full permission was sought for the horticultural nursery with associated access, structures and facilities.

The site was located in open countryside adjacent to the A47 and would be accessed via West Drove South. The site was located within Flood Zones 2 and 3.

The application had been referred to the Committee for determination as the views of Walpole Highway 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;
- Highway safety;
- Residential amenity;
- Flood risk and drainage; and
- Other material considerations.

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

Councillor Blunt suggested that highway improvement works could be carried out to make it safer. It was explained that County Highways had not requested any off-site highways works to be carried out but further discussions could be held with them.

In response to a query, it was advised that any form of signage for the business would require advertisement consent

The issue of the proposed lighting condition and the fact that it was not specific, as with other local authorities, was raised. The Assistant Director explained that the condition as proposed gave the Council control over it.

In relation to the hours of operation, it was highlighted that this was covered in the late correspondence.

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

**(vi) 16/00813/OM
West Walton: Tamar Nurseries, School Road: Outline
application: Residential development including
construction of village store and post office: c/o Agent**

The Principal Planner introduced the report and explained that outline consent with all matters reserved except access was sought for residential development of the site and provision of a village shop and Post Office. The indicative plan showed 49 dwellings around a central area of open space. The development was required to facilitate the relocation, expansion and modernisation of the existing wholesale and retail nursery that currently occupied the site (Tamar Nurseries). The relocation application was also on the agenda.

The application had been referred to the Committee for determination by the Executive Director and raised issues of wider concern.

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

- Principle of development;
- Form and character;
- Residential amenity;
- Highway safety;
- Flood risk;
- Affordable housing, other contributions and CIL; and
- Other material considerations.

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

In relation to the provision of a shop and post office within the scheme, it was explained that there had been an indication from the post office that they were interested in the proposal.

Following discussion from the Committee in relation to the provision of the village store, the Chairman, Councillor Mrs Spikings proposed that the Section 106 be amended to include the provision of the village store no later than the construction of the 10th dwelling, which was agreed.

RESOLVED: That the application be approved, subject to:

- The application of application 16/00812/FM (relocation of existing nursery);
- The conditions listed at the end of this report; and
- The completion of a suitable Section 106 Agreement (for the provision of on-site affordable housing, on-site open space, provision of a retail unit, SuDS maintenance and to tie this application with application 16/00812/F) within 4 months of the date of the resolution to approve.

- *The provision of the village store no later than the construction of the 10th dwelling.*

The Committee adjourned at 10.30 am and reconvened at 10.40 am

(vii) 16/01938/F

Brancaster: Annalea, Cross Lane: 2 storey side extension, first floor rear extension and new garage: Mr and Mrs Chamberlain

The Principal Planner introduced the report and explained that the application site was situated on the south side of Cross Lane, Brancaster at the junction with Stockings Lane and approximately 170m north of A149 Main Road and 208m east of the entrance to the relatively new housing estate of Brandonum, which included Roman Way. This was an Area of Outstanding Natural Beauty (AONB).

The site comprised a detached two storey dwelling (Annalea) with two single storey projections, a single garage and a garden storage shed.

The application sought consent to construct a two storey side extension, a first floor rear extension and an additional garage.

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

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

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

- Principle of development;
- Previous applications;
- Form and character;
- Scale, design, residential and visual amenity;
- Impact on the Area of Outstanding Natural Beauty; and
- Other considerations

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

Councillor Mrs Wright referred to the location and size of the garage which she considered was unacceptable. She therefore proposed that the application be refused on the grounds that the proposed location of the garage was overbearing for the neighbouring property, which was seconded by the Chairman, Councillor Mrs Spikings, who added that

there was other places on the plot which the garage could be relocated to.

Councillor Mrs Watson added that she was concerned about this application, particularly the location of the garage and explained that there was other space for the garage to be moved to.

The Committee then voted on the proposal to refuse the application on the grounds that the garage building had an overbearing relationship with the neighbouring property in terms of positioning and its height, which was carried.

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

‘The scale, height and siting of the garage would be overbearing on the neighbouring dwelling adversely affecting their amenity, contrary to the relevant policies in the NPPF, Core Strategy and Site Allocations and Development Management policies document.’

(viii) 16/02028/F

**Denver: Land between College Farm and Meadowfield,
Whin Common Road: Construction of a new dwelling: Mr
Graham Smolen**

The Principal Planner introduced the report and explained that the application sought full planning permission for the construction of 1 no. new dwelling on land between College Farm and Meadowfield (Nos 12 and 14) Whin Common Road, Denver. The site was located within the village boundary for Denver, which was classified as a Rural Village in the settlement hierarchy of Core Strategy Policy CS02.

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

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

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

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

Councillor White stated that had called-in the application after the applicant had withdrawn it in October 2016 to address the concerns raised at the time. He added that he considered that the applicant

might have been given false hope, if the application was going to be refused in any case. Councillor White also referred to the width of plots on the opposite side of the road.

The Assistant Director explained that officers had given clear and consistent advice to the applicant that the site was not suitable for development.

RESOLVED: That the application be refused as recommended.

(ix) 16/01846/O

Grimston: Land rear of 68 Chapel Road, Pott Row: Outline application: Construction of two dwellings: Mr Roy Butler

The Senior Planner introduced the report and explained that the application site was contained within the defined settlement limits of Pott Row. Pott Row was linked with Gayton and Grimston and combined these settlements were designated as being a Key Rural Service Centre in the settlement hierarchy.

The site was on the eastern side of Chapel Road, Pott Row behind no. 64 and 68.

The application sought outline planning consent for 2 dwellings with access only being determined at this stage.

The application had been referred to the Committee for determination as it was contrary to the views of Grimston Parish Council.

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

- The principle of development;
- Form and character;
- Neighbour amenity;
- Highways impact; and
- Other material considerations.

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

Councillor Mrs Wright asked for clarification in relation to the width of the access, as she considered that it looked narrow to serve the properties.

Councillor Mrs Fraser added that it was in her ward and what the photographs did not show was the parking along the road. She added that 2 cars per property would not create a safe access.

The County Highways Officer explained that the first part of the access was going to be widened and the plans indicated a turning area at the rear of the site and parking for the new properties. There was therefore no scope to recommend refusal of the application.

RESOLVED: That the application be approved as recommended.

(x) 16/01995/F
Grimston: 38 Philip Rudd Court, Pott Row: Construction of a dwelling: Ms Molly O'Brien

The Principal Planner introduced the report and explained that the application site was located within the development boundary of Pott Row. Pott Row combined with Grimston and Gayton was a Key Rural Service Centre.

The site formed part of the garden area to 38 Philip Rudd Court. 38 Philip Rudd Court was a two-storey semi-detached dwelling.

The application sought consent for the erection of a two storey detached dwelling on the site.

The application had been referred to the Committee for determination as the views of Grimston 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 upon visual amenity;
- Impact upon neighbour amenity;
- Highway safety; and
- Other material considerations.

RESOLVED: That the application be approved as recommended.

(xi) 16/01461/F
Heacham: Cedar House, 45a The Broadway: Construction of replacement workshop and store in builder's yard at Cedar House: Mr & Mrs M McGinn

The Principal Planner introduced the report and explained that the land was situated in designated countryside, on the south side of The Broadway, Heacham. It was accessed via a 5m track, with the entrance to the site opposite to Rolfe Crescent junction, approximately 125m west of the A149 junction. The site formed a builder's yard at 45A The Broadway, Heacham.

The application sought to demolish the existing office, workshop and storage buildings and a storage greenhouse and construct a

storage/workshop building with open plan office accommodation in the roof space. One open ended storage building was retained in situ.

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

The application had been referred to the Committee for determination as the views of Heacham 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.

In response to queries from Councillor Parish regarding the lack of planning history for No.45a, the Assistant Director suggested that the application be deferred to look at the impact of the appeal decision for No.45a, The Broadway, Heacham, which was agreed by the Committee.

RESOLVED: That, the application be deferred.

(xii) 16/02023/RM

Heacham: The Old Coal Yard, School Road: Reserved matters application: Residential dwelling: Mr and Mrs R Bray

The Principal Planner introduced the report and explained that the application site comprised a rectangular shaped parcel of land measuring 1835.5 m². The land was formally a coal yard and appeared to have once been an orchard. It was currently used for storage of building materials and comprised a small allotment.

The site was located on the eastern side of School Road (to the southern end), Heacham and outside of the defined settlement boundary for Heacham.

Outline planning permission was granted by the Planning Committee (16/00074/O) at its meeting in March 2016 for the construction of one dwelling with access determined at that stage.

The application sought reserved matters approval for a one and a half storey dwelling, with layout, scale, appearance and landscaping to be determined.

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;
- Impact upon form and character;
- Impact on highway safety;
- Trees; and
- Other material considerations.

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

In response to comments made, the Assistant Director acknowledged that the proposed dwelling was large but the Committee needed to consider whether this caused harm. The applicant had proposed the garage at the front of the site but it was a judgement for the Committee to make as whether this was harmful.

The Chairman, Councillor Mrs Spikings asked whether permitted development rights could be removed. The Assistant Director advised that this could stop the size of the dwelling from increasing but the applicant would require separate planning permission in any case to turn it into two dwellings.

The Assistant Director also advised that it was not considered necessary to include a condition regarding external lighting.

Councillor Mrs Wright then proposed an additional condition be imposed to remove permitted development rights which was seconded by Councillor Blunt and agreed by the Committee.

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

(xiii) 16/01694/F

Hunstanton: Land west of 2 and 4 Seagate Road, South Promenade: Proposed commercial units with associated first floor and ground floor seating (4 units in total to be for A1, A3 and A5 uses): Rainbow Amusement Park Ltd

The Principal Planner introduced the report and explained that the application site was located within the development boundary for Hunstanton. The site comprised of a retail unit which was a concrete block and corrugated roof and part children rides.

The site was adjacent to the Oasis Centre and Sea Life Centre.

The proposal sought consent to erect retail units (used for A1, A3 and A5 purposes) on the site with a seating/decked area.

The application had been referred to the Committee for determination as it had been called in by Councillor Mrs Bower and the views of Hunstanton Town Council were contrary to the officer recommendation.

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

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

Councillor Mrs Bower (Ward Member) stated that Hunstanton Town Council felt very strongly in favour of this application as the area was in great need of regeneration. She added that initially it had been proposed that the units would be serviced from the service road between the properties on Seagate Road and the site but this had now been amended to take into account concerns raised by residents. Councillor Mrs Bower stated that the four units would provide employment, would enhance the area for tourists and upgrade the South Promenade. She was however disappointed with the objection from County Highways. She explained that the applicant already had kiosks and deliveries along the Promenade and arranged for them to be before 9.00 am. The applicant knew how to manage deliveries to have as little impact as possible. Councillor Mrs Bower explained that there was a large coach park behind the Oasis which could be used for loading/unloading and felt that solutions could be found.

The County Highways Officer explained that the intention was to service the retail units by vehicles parking on the double yellow lines where the road was already narrow. Given the narrowness of the road, vehicles would have no alternative but to obstruct the footway preventing free passage by pedestrians. The applicant had stated that delivery vehicles would be able to use the turning point on Seagate Road, that turning area was actually positioned further back along the road, and rather than reverse along Seagate Road to the turning area, the service/delivery vehicles would drive on the footway and use the footway to turn around.

The Chairman, Councillor Mrs Spikings added that she did not disagree that the area needed uplifting but asked if the situation could be improved if the number of units was reduced to 3 rather than 4.

The County Highways Officer explained that he did not think that would make much difference as there were other areas which were not owned by Highways. He also explained that it was not a question of the time of day that the deliveries were made but the ability for vehicles to move safely.

Councillor Crofts stated that most delivery drivers used wheels to transport goods to shops, etc and accepted that would be the case.

Councillor Mrs Watson agreed with the comments made by Councillor Mrs Bower and added that looking back to the master plan for the area this was exactly what it suggested. She explained that the area was very run down and needed improvement. She considered that by restricting deliveries to early morning might be a way to make the application more acceptable. She asked whether there was a weight restriction on the coach park.

Councillor Mrs Wright stated that regeneration was needed in that area of Hunstanton and proposed that the application be approved on the grounds that weight had been put on the regeneration benefits of the scheme which outweighed the highways objection. This was seconded by Councillor Mrs Bower.

The Chairman, Councillor Mrs Spikings referred to fact that some residents were unhappy with the proposals. The Senior Planner pointed out the relationship with the residents of Seagate Road and the proposal. He added that there was a proposal for screening to protect the residents from overlooking.

The County Highways Officer added that whilst the traffic was light there were quite a few pedestrians in the area. He advised that there were no weight restrictions on the lorries.

Councillor Watson explained that the coach park was mainly used at Bank Holidays and the rest of the time it was quiet.

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

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

'The regeneration benefits associated with the scheme were considered to outweigh the highway objection.'

(xiv) 16/02085/F

**North Runcton: The Old Coal Yard, Hardwick Narrows,
West Winch: New residential dwelling: Mr and Mrs A
Carman**

The Principal Planner introduced the report and explained that the application site was located within the development boundary for West Winch, a settlement adjacent to King's Lynn and designated as a Growth Area in the adopted Local Plan.

The application was made for full planning consent for the erection of a new residential dwelling, a substantial two bedroom detached bungalow on land to the rear of West Winch Road.

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

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

- The principle of development;
- Form and character;
- Residential amenity; and
- Access

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

In accordance with Standing Order 34, Councillor Anota addressed the Committee in relation to the application. He informed the Committee that he had called-in the application following refusal of the applicant's previous application as the development would lead to right hand turning movements across the opposing traffic stream, which was the current situation on the site.

The response from NCC Highways in August made reference to the fact that the A10 carried a very high volume of traffic and it was considered that an approval of the application would lead to an increase in conflict and interference with the passage of through traffic on this principle route. The response also went on to say that this residential development would typically generate 6 vehicular movements per day. There was reference made to the steep entrance/exit point onto the road.

Councillor Anota stated that having taken all that into account, he felt that the application had been unfairly criticised, as a few months' earlier two controversial applications on the same side of the road had been granted approval:

- The Winch Public House site for 17 units; and
- The site with static caravan for a further 13.

Both sites combined would cause 180 movements per day using the NCC formula, as compared to 6 movements from this application. He acknowledged that the Winch development had very good visibility

splay but the other site had a steeper incline on and off the site, yet this was deemed to be acceptable.

He added that he had emailed Richard Smith from Norfolk County Highways the same question but not yet had a reply.

Councillor Anota explained that the applicant had been diagnosed with a life changing condition, and this development had been uniquely modified to suit their requirements for the future, and asked that the Committee took this into account when making its decision.

The County Highways Officer explained that the site was currently garden land at the moment therefore it was not generating any traffic. The proposed application would bring in 6 traffic movements per day. He explained that the A10 was a corridor of movement adopted as Policy DM12 in the Local Plan. The proposal would result in slowing and stopping movements in and out of the access and along the A10.

The Assistant Director explained that he had had experience of using this access, and felt very uncomfortable and under pressure waiting to turn into the access with a line of lorry's behind him.

In response to a comment, the Principal Planner explained that the advice given by Norfolk County Council in relation to the A10 had been consistent and supported at appeal.

RESOLVED: That the application be refused as recommended.

The Committee then adjourned at 12.35 pm and reconvened at 1.10 pm

Councillor Storey left the meeting at 12.35 pm

(xv) 15/01695/F

Stoke Ferry: Land at Greatmans Way: Erection of six timber holiday lodges: Mr John Coleridge

The Principal Planner introduced the report and explained that the application site was located on an area of land measuring 3.25ha to the east of the settlement of Stoke Ferry. The site was located outside the development of Stoke Ferry.

Whilst the proposal was on land designated as countryside, where new development was normally restricted; the proposal represented a development which complied with Policy DM11 (Touring and Permanent Holiday Sites) of the Site Allocation and Development Management Policies Plan. Conditions were attached to the recommendation that required the new holiday accommodation use to be operated and maintained as tourist facilities in the future.

The application sought full planning permission for the erection of six timber holiday lodges.

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

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

- Principle of development;
- Design and layout;
- Impact on the character and appearance of the countryside;
- Impact on neighbour amenity;
- Flood risk;
- Highway safety; and
- Any other material considerations.

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

The Chairman, Councillor Mrs Spikings asked whether any ecology reports had been carried out. The Principal Planner advised that the reports had been carried out in 2015 but had not been included within the report.

The Assistant Director advised that the comments should have been included within the report however they were available to view on the website. He therefore proposed that the application be deferred for one cycle to allow the comments to be included within the report, which was agreed by the Committee.

RESOLVED: That, the application be deferred.

(xvi) 16/01843/F

**Terrington St Clement: 1, 4 & 5 Church Bank:
Redevelopment of site for six no. dwellings following
demolition of 1, 4 and 5 Church Bank: Freebridge
Community Housing**

The Principal Planner introduced the report and explained that the application related to the redevelopment of three plots within Church Bank following the demolition of the three pre-fabricated bungalows which were currently on site. The proposal sought to replace the three bungalows with three pairs of semi-detached dwellings which would result in six residential dwellings.

The application site was located within the development boundary of Terrington St Clement, which was a Key Rural Service Centre as defined by Policy CS02 of the Core Strategy and thus the proposal was acceptable in principle.

The application had been referred to the Committee as the views of Terrington St Clement Parish Council were contrary to the officer recommendation.

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

- Form and character;
- Design and scale;
- Amenity issues;
- Highways issues;
- Flood risk issues;
- Ecology;
- Other material considerations; and
- Crime and disorder

The Principal Planner explained that there was late correspondence relating to the application and the need to amend condition 7.

In accordance with the adopted public speaking protocol, Karen Hurrell (objecting) and Chris Parsons (supporting) addressed the Committee in relation to the application. Both speakers advised that they were speaking in relation to this application and application 16/01844/F, which followed on the agenda.

The Chairman, Councillor Mrs Spikings expressed concern in relation to the design of the proposed new dwellings, particularly the style and size of the windows.

Councillor Mrs Young stated that the application was within her ward. She asked the Committee to take into account the comments made by the Parish Council. She explained that although she was a Member of the Parish Council, she was not on their Planning Committee. Councillor Mrs Young explained that the pre-fabricated bungalows had originally been put up to house disabled army personnel. She referred to the issue of flood risk and explained that Church Bank had never flooded. Freebridge Community House had recently refurbished bungalows in Marshland Street, which was more likely to flood than Church Bank. The residents of Church Bank had lived there for many years and some had gone on to buy their bungalows. The application would affect those elderly people who had not been able to speak up for themselves. In particular, there were two elderly ladies whose health would be at risk if they were to be moved. She added that the bungalows may well be old but well insulated.

Councillor Mrs Young considered that the consultation had not been carried out properly. She explained that the proposed new dwellings would be out of keeping and detract from the visual impact. Traffic congestion was experienced in that part of the village at certain times

with the two schools opposite each other and cars often parked along Church Bank.

She added that those people living along Church Bank needed a quiet life and wanted to live their days out there. Councillor Mrs Young informed the Committee that that there seemed to be a greater need for low level living accommodation than social housing. She proposed that the application should be refused on the grounds of overdevelopment and that it was out of keeping with the surrounding area.

The proposal to refuse the application was seconded by Councillor Morrison.

The Chairman, Councillor Mrs Spikings understood the sentiments raised, but explained that the Committee had to deal with planning issues. She considered that the design could be improved.

The Executive Director explained that he understood the arguments put forward by Councillor Mrs Young in relation to the morals of the application however Freebridge Community Housing did have a responsibility to their tenants. He added that it was right and proper that their housing stock was in the correct location. The properties in question dated back to the war and were draughty and expensive to run and there came a point when the houses needed to be replaced. The issue for the Committee to consider was whether the design was appropriate.

Councillor Mrs Watson expressed concern that the tenants could be moved outside of the village and felt that this should not be allowed to happen. She suggested that building work should be carried out so that the tenants could be moved within the area.

Councillor Mrs Wright stated that she had listened to what the Executive Director had said and informed the Committee that in some places pre-fabricated bungalows had been listed. She asked why the buildings could not stay as they were.

The Executive Director explained that it was the applicant who wanted to replace them.

The Committee then voted on the proposal to refuse the application on the grounds that the proposal was overbearing and out of keeping with the surrounding area, which was carried.

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

- *The design and scale of the development would be out of character with the locality and would be unduly prominent, contrary to the relevant extracts and policies from the NPPF,*

Core Strategy, and Site Allocations and Development Management Policies document.

- *The height and layout of the development will have an overbearing impact upon neighbouring dwellings contrary to the relevant extracts and policies from the NPPF, Core Strategy, and Site Allocations and Development Management Policies document.*

(xvii) 16/01844/F

Terrington St Clement: 7 & 8 Church Bank: Redevelopment of site for four no. dwellings following demolition of 7 and 8 Church Bank: Freebridge Community Housing

The Principal Planner introduced the report and explained that the application related to the redevelopment of two plots within Church Bank following the demolition of two pre-fabricated bungalows which were currently on the site. The proposal sought to replace the two bungalows with a pair of semi-detached dwellings and two detached dwellings, which would result in four residential units in total.

The application site was located within the development boundary of Terrington St Clement, which was a Key Rural Service Centre as defined by Policy CS02 of the Core Strategy and thus the proposal was acceptable in principle.

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

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

- Form and character;
- Design and scale;
- Amenity issues;
- Highways issues;
- Flood risk issues;
- Ecology;
- Other material considerations; and
- Crime and disorder

It was proposed by Councillor Mrs Young and seconded by Councillor Morrison that the application be refused on the grounds that the proposal was overbearing and out of keeping with the surrounding area. After having been put to the vote, the proposal was carried.

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

- *The design and scale of the development would be out of character with the locality and would be unduly prominent, contrary to the relevant extracts and policies from the NPPF, Core Strategy, and Site Allocations and Development Management Policies document.*
- *The height and layout of the development will have an overbearing impact upon neighbouring dwellings contrary to the relevant extracts and policies from the NPPF, Core Strategy, and Site Allocations and Development Management Policies document.*

(xviii) 16/02096/F

Terrington St Clement: 73 Sutton Road: Construction of new private dwelling following demolition of former hair dressing salon: Mr Trey Spark

The Principal Planner introduced the report and explained that the application sought full planning permission for the erection of a single dwelling house following the demolition of the former hair dressing salon at 73 Sutton Road, Terrington St Clement.

The site was located within the development boundary of Terrington St Clement, was on previously developed land (brownfield) and surrounded by residential development.

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

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

- Principle of development;
- Impact on amenity; and
- Access

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

Councillor Mrs Young (Ward Member) explained that the site was an eyesore as it stood. There were also issues relating to a right of way. Councillor Mrs Young informed the Committee that three detached dwellings had already been built but the road had not been made up. The proposal would create additional traffic. She explained that the residents were not happy with the size of the proposed dwelling and were worried about the access being blocked, and the road not being made up. She added that there was no exit at the other end of the drive so all traffic had to use this one access.

She therefore proposed that the application be refused, however there was no seconder for the proposal.

In relation to the comments made about the driveway, the Principal Planner explained that this was a civil matter between parties. Reference had been made regarding privacy issues, and the Principal Planner explained that this had been dealt with at page 207 of the agenda. She advised that an additional condition could be imposed requiring the provision and retention of fencing in perpetuity, which was agreed by the Committee.

RESOLVED: That, the application be approved as recommended, subject to the imposition of an additional condition requiring the provision and retention of fencing in perpetuity.

(ix) 16/02068/O
Terrington St John: Fenland Lodge, School Road: Outline application: Construction of two dwellings, one to facilitate home-working: c/o Agent

The Principal Planner introduced the report and explained that the application site was currently agricultural land to the western side of School Road, Terrington St John. The application was for outline planning permission for the construction of two dwellings (access to be considered at this stage). The application site was outside the development boundary of Terrington St John as defined by Inset G94 and Policy DM2 of the Site Allocations and Development Management Policies Plan 2016.

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

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

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

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

In accordance with Standing Order 34, Councillor Ayres addressed the Committee in support of the application. He stated that it was common sense that two plots could be located at the side of Fenland Lodge and could be seen as a natural infill. He explained that the site was in between Fenland Lodge and another site which had been granted

permission for 5 dwellings. He added that the plot was described as amenity land however it had housed buildings in the past. He explained that one of the reasons for refusal was that the application site failed the flood risk assessment however this was exactly the same as for the 5 dwellings on the site next to it which had been granted permission. County Highways had expressed some concerns however the hedge could be cut back to improve visibility.

The Assistant Director explained that the site to the north had been granted permission when the Council did not have a 5 year supply of deliverable housing sites.

Councillor Mrs Wright asked whether the site could be considered as a windfall site. The Assistant Director explained that the Council did not have a policy for this at present, and the site was current well outside the development boundary.

Councillor Mrs Wright proposed that the application be approved, which was seconded by Councillor Wing-Pentelow.

The Chairman, Councillor Mrs Spikings suggested that the site could be put forward for the next tranche of sites for the Local Plan. She added that the site was outside the development boundary of Terrington St John.

The Assistant Director explained that the sites for the Local Plan had already been called for but the Local Plan Task Group might give consideration to an infill policy.

The Committee then voted on the proposal to approve the application on the grounds that the site was an infill site and would provide working from home, which was lost.

RESOLVED: That the application be refused as recommended.

Councillor Mrs Wright left the meeting at 2.30 pm

(xx) 16/00618/F

Thornham: Land south of Manor Farm and west of Ringstead Road: Demolition of two barns and development of 8 new residential dwellings: Fleur Development Ltd

The Principal Planner introduced the report and explained that the site was located within an area of countryside and an Area of Outstanding Natural Beauty. The site was adjacent to the development boundary of Thornham and Thornham Conservation Area.

The site was located on the western side of Ringstead Road and contained 2 portal framed buildings with associated hard standing.

The application sought consent for the demolition of the 2 barns and the construction of 8 units, 3 of which would be affordable housing units.

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

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

- Principle of development;
- Form and character;
- Impact upon the Area of Outstanding Natural Beauty;
- Impact Designated Heritage Assets;
- Impact upon neighbour amenity;
- Highway safety;
- Ecology;
- Affordable housing provision;
- Flood risk and drainage; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Parish Councillor Venes (supporting) and Jamie Bird (supporting) addressed the Committee in relation to the application.

The Executive Director explained that the site was within the AONB and referred the Committee to the comments from the Norfolk Coast Partnership detailed on page 215 of the agenda. He advised that if the site was an exceptions site for affordable housing then the recommendation would be different. However this scheme was not in accordance with policy and was development within the countryside.

Councillor Mrs Watson acknowledged that the site was within the countryside. She referred the Committee to page 222 of the agenda where it stated that the site abutted Thornham Conservation Area and was opposite the grounds of Thornham Hall which was Grade II* listed. Approximately 660m to the south west of the site was a Roman Signal Station which was a scheduled ancient monument.

Councillor Mrs Watson explained that the two barns on the site were too small for modern farming. She added that the proposal would help to enhance the vitality of the village. She added that she knew of residents living in large houses who wished to downsize. She explained that Thornham already had too many large houses which were used as holiday homes, and welcomed a clause to restrict the purchase of the houses to residents. The Parish Council considered this as a very important site to address the needs of the village.

Councillor Mrs Watson therefore proposed that the application be approved on the grounds that the site would provide additional

affordable housing, the loss of the barns and would be an improvement in the Conservation Area.

The proposal for approval was seconded by Councillor Wing-Pentelow.

The Assistant Director explained that this site had been put forward for inclusion within the Local Plan but had scored poorly at the early stage. The Inspector proposed none of the sites for Thornham.

The Committee then voted on the proposal to approve the application, which was lost.

RESOLVED: That the application be refused as recommended.

(xxi) **16/01849/F**

**Walpole: The Willows, The Marsh, Walpole St Andrew:
Construction of detached chalet bungalow: Mr Lee Walton**

The Principal Planner introduced the report and explained that the application was made for the construction of a detached chalet bungalow at The Willows, a plot of land on the south-eastern side of The Marsh, Walpole St Andrew.

An earlier application for reserved matters approved was refused and the subject of an appeal, which was dismissed.

The application had been referred to the Committee for determination because of the previous appeal history on the site.

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

- Planning history; and
- Other material considerations.

RESOLVED: That the application be approved as recommended.

PC79: **COMMUNITY INFRASTRUCTURE LEVY (CIL) & SECTION 106 AGREEMENTS - PLANNING COMMITTEE ITEMS**

The Assistant Director introduced the report and reminded Members that from 15 February 2017, the Borough Council would be introduced a CIL regime. This meant that from that date, any qualifying application not determined would be subject to CIL.

The report as presented sought a general resolution to give delegated powers to the Executive Director to amend as necessary any previous resolutions for applications affected by CIL, to bring them into line with the new CIL and Section 106 regime, and to prevent any unlawful consents through double charging. Rather than bring each individually

affected application back to Committee, the report sought a general resolution to allow the Executive Director to amend the resolution to correct the anomaly caused by the introduction of the CIL regime. The Section 106 requirements unaffected by the introduction of CIL, would remain as per the original Committee resolution.

RESOLVED: That authority is granted to the Executive Director – Environment & Planning to amend previous Committee resolutions on the applications that are affected by the introduction of CIL, to reflect the fact that there cannot be double charging through the introduction of CIL.

PC80: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

RESOLVED: That, the report be noted.

The meeting closed at 2.50 pm