

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

Minutes from the Meeting of the Planning Committee held on Monday, 6th March, 2017 at 9.30 am in the Committee Suite, King's Court, Chapel Street, King's Lynn

PRESENT: Councillor Mrs V Spikings (Chairman)
Councillors Mrs C Bower, A Bubb, C J Crofts, Mrs S Fraser, A Lawrence (sub), A Morrison, T Parish, M Peake, M Storey (arrived at 9.15 am), D Tyler, G Wareham, Mrs E Watson, A White, Mrs A Wright and Mrs S Young

PC81: **APOLOGIES**

Apologies for absence were received from Councillor Mrs Buck.

PC82: **MINUTES**

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

PC83: **DECLARATIONS OF INTEREST**

The following declarations of interest were declared:

- In relation to application 16/01461/F, Heacham, Councillor T Parish declared that he was a member of Heacham Parish Council and had visited the neighbour who lived next to the site.

PC84: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business under Standing Order 7.

PC85: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

There were no members present pursuant to Standing Order 34.

PC86: **CHAIRMAN'S CORRESPONDENCE**

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

PC87: **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.

PC88: **INDEX OF APPLICATIONS**

The Committee noted the Index of Applications.

(a) **Decisions on Applications**

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

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

- (i) **16/01461/F**
Heacham: Cedar House, 45A The Broadway: Construction of replacement workshop and store in builders' yard at Cedar House: Mr & Mrs M McGinn

The Senior Planner introduced the report and explained that the land was situated in designated countryside, on the south side of The Broadway, Heacham. It was accessed via a 55m track, with entrance to the site opposite to Rolfe Crescent junction, approximately 125m west of the A149 junction. The site formed a 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 would be 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 it had been deferred from the February Planning Committee meeting to allow a nearby appeal decision to be considered in the context of this application.

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

- Principle of development;
- Form and character and amenity;
- Highways;
- Other considerations;
- Crime and disorder; and
- Appeal decision – adjacent land.

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

Concern was expressed that the proposal was detrimental in terms of height to the properties on Broadway.

Councillor Parish expressed concern regarding the application in relation to the development which was outside the development boundary and that the proposal was higher than the existing buildings.

The Assistant Director explained that there were businesses in the countryside. There was currently a business on the site at the moment. In relation to an issue raised that the neighbours would lose their view, the Assistant Director explained that there was no right to a view however the Committee needed to take into account whether the building was too high or had an overbearing impact on the neighbours.

In relation to whether there was an overlooking issue, the Assistant Director explained that at the rear there was a blank elevation facing the gardens.

The Senior Planner explained the dimensions in relation to the gardens and the dimensions of the proposed outbuilding.

It was highlighted that on page 13 of the agenda, it did state that the total floor area of all the buildings to be removed was 218m² and the total floor area of the proposed building was 204m².

Concern was expressed by some members of the Committee that the design of the workshop looked like a house.

The Executive Director explained that there was an established builder's yard, however concerns in relation to the design of the workshop had been raised. The principle of a workshop was considered reasonable in policy terms, but the Committee needed to consider whether the design of the workshop was acceptable.

Councillor Wareham stated that he did not think that the design of the building was appropriate, and therefore proposed that the application

should be refused on the grounds that the design was overly domestic in appearance in this countryside location. The proposal was seconded by Councillor Mrs Wright.

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

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

The design of the workshop and store building is considered overly domestic in appearance and harmful to the character and appearance of the countryside, contrary to the NPPF, policy CS06 of the Core Strategy and DM15 of the Site Allocations and Development Management Policies Plan (SADMP).

**(ii) 15/01695/F
Stoke Ferry: Land at Greatmans Way: Erection of six
timber holiday lodges: Mr John Coleridge**

The Principal Planner reminded the Committee that determination of the application had been deferred from the previous meeting held on 6 February 2017 to allow the situation with regards to ecology on the site to be clarified. The views of Stoke Ferry Parish Council were also contrary to the officer recommendation.

The 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 boundary 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 Principal Planner made reference to page 29 of the agenda which outlined the impact on local ecology. The Principal Planner also advised the Committee of the need to amend Condition 9, as outlined in late correspondence.

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 Tim Slater (supporting) addressed the Committee in relation to the application.

In response to a comment, the Principal Planner explained that the 4 passing bays would be located along Greatmans Way and would be designed in accordance with Norfolk County Council's standards.

Councillor White expressed concern in relation to the application. He explained that Greatmans Way was a single track and in a poor condition. He considered that the proposal would generate additional traffic which would be too much for the area. He also had concerns that the lodges would be visible from various aspects.

Councillor Lawrence agreed with the comments made by Councillor White and added that he was concerned that the site was in a flood plain. He also had concerns in relation to the single track road and asked that if the application were to be approved, what restrictions would be in place. He agreed with the comments made by Stoke Ferry Parish Council.

It was advised that condition 8 ensured that the lodges would only be used as short stay holiday accommodation (no more than 28 days per single let) and would not be occupied as a person's sole or main residence at any time.

Councillor White asked what drainage arrangements would be in place.

Councillor White then proposed that the application be refused on the grounds that the proposal would have an adverse visual impact on the countryside; drainage and developing in a high risk flood area. The proposal was seconded by Councillor Tyler.

The Principal Planner advised that the foul drainage would be secured via condition 6. She added that the statutory consultees would ensure the appropriate form of foul drainage in the locality.

Reference was made to the ecology report and why a full survey was not available for voles and otters. The Principal Planner advised that further survey works could be conditioned.

Councillor Wareham referred to the comments made by the Parish Council regarding the roadway and that the owner of the land should enter into a Section 106 Agreement for road improvements to be carried out once the development was completed. He added that once

the construction works were completed, no-one would be responsible for the maintenance of the roadway.

The Principal Planner referred the Committee to the comments from the Highways Authority and explained that the applicant had offered improvement works and the passing bays would be provided on highway land.

Councillor Wareham suggested that a Construction Management Plan should be provided to ensure that the roadway was brought back up to its current standard following the construction works.

The Executive Director explained that the roadway was used by a number of users. He added that a Section 106 could not be used to make good an existing problem. There were a number of landowners who used the roadway and it was therefore up to all of them to ensure that the roadway was maintained. It would not be reasonable to expect the applicant to bring the roadway up to a better standard.

The Chairman, Councillor Mrs Spikings referred to recent approvals on Greatmans Way, however it was noted that these were yet to come forward. The Principal Planner confirmed that there were a couple of units yet to be built.

The Committee then voted on the proposal to refuse the application on the grounds that the proposal would have an adverse visual impact on the area; the proposed development was not appropriate in principle in this high risk flood area; the proposal fails to suitably demonstrate foul and surface water drainage arrangements, which is considered essential given the characteristics of the site. The proposal was seconded by Councillor Tyler.

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

- 1. The proposed development, by virtue of its design and prominence would be out of character with the locality and surrounding area, contrary to the relevant policies of the Core Strategy and Site Allocations and Development Management Policies Plan.*
- 2. The proposed development is located in flood zones 2 and 3 of the Council's adopted SFRA, and is considered to be unacceptable in principle in this high risk flood area. The development is therefore considered contrary to the provisions of the NPPF and policy CS08 of the Core Strategy.*
- 3. The proposal fails to demonstrate how the development would deal with foul and surface water arrangements for the site, which is considered essential at the application stage given the*

characteristics of this site. It is therefore considered contrary to the NPPF policy CS08 of the Core Strategy.

**(iii) 16/01937/FM
South Wootton: Land between 102 and 116 Nursery Lane:
Residential development to provide 26 dwellings with public
open space and visitors car park: Hopkins and Moore
(Developments) Ltd**

The Senior Planner introduced the report and explained that the application site was located on the eastern side of Nursery Lane, South Wootton, King's Lynn. The site comprised a grass field, with existing dwellings to the south and west of the site on the opposite side of the road, a treed area known as The Pingles to the north-west and open space and a play area to the east, known as Wootton Park.

The site was currently a rough grassed area and extended to 3.35 hectares. There was a hedge boundary along the roadside frontage of the site. There are no particular features on the site. There were no particular features on the site, which was relatively flat (although there was a slight fall from east to west and north-west) and the land was of grade 3 agricultural quality.

The form and character of the residential development in the locality comprised a mix of single and two storey detached and semi-detached properties with some short rows terraced properties. Detached bungalows faced the site.

The Pingles wooded area to the north of site was protected by a Tree Protection Order. There was a grassed public right of way which ran along the southern part of the site (PROW FP10). This ran from Nursery Lane in the west through to the Park and beyond to the east.

The application sought full planning permission for 26 new residential dwellings, together with their associated curtilages, pedestrian and vehicular access, parking and garaging and an area of new public open space, incorporating a public car park.

21 of the houses were general market houses and 5 were affordable units. A mixture of 2, 3 and 4 bedroom properties were proposed with the majority of 2 storey height.

The site was within the development boundary and fell within the Parish of South Wootton, although the parish boundary ran along the northern and eastern site boundary.

The application had been referred to the Committee for determination as it raised issues of wider concern.

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

- Planning history of the site;
- Principle of development;
- Design, character and appearance;
- Impact on wider landscape;
- Highway issues;
- Affordable housing;
- Residential amenity;
- Ecology;
- Landscaping;
- Open space;
- Flood risk;
- SuDs;
- Contamination;
- Secure by Design; and
- Other material considerations

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

In accordance with the adopted public speaking protocol, David Price (supporting on behalf of the Parish Council) and Christopher Smith (supporting) addressed the Committee in relation to the application.

The Senior Planner highlighted the location of the affordable housing units. Disappointment was expressed by some members of the Committee that the design of the affordable housing units was not the same as for other units.

The Assistant Director explained that the pepper potting met the terms of the policy and it was considered that the design of the affordable housing units integrated into the scheme.

Following further concerns expressed about the design of the affordable housing units, the Assistant Director suggested that the Committee could impose a condition requiring the design of the affordable housing units to be more integrated into the design. This was proposed by Councillor Mrs Wright and agreed by the Committee.

In response to a query regarding open space, the Assistant Director explained that there was lots of play equipment on Wootton Park and this was highlighted on the photographs. He also advised that the development was in accordance with South Wootton's Neighbourhood Plan and the scheme would be liable for CIL contributions.

Councillor Mrs Bower applauded the application and commented that the Neighbourhood Plan appeared to have worked well.

In response to a query, the Senior Planner explained that a footway would be provided and would be surfaced. The garages met the County Council's parking standards.

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

RESOLVED: (A) That, the application be approved subject to conditions and completion of a Section 106 agreement that secures affordable housing provision, public open space (including car parking provision and maintenance), SuDs details and habitat regulation mitigation proposal within 4 months of the date of the decision.

(B) That the application be refused in the event that the Section 106 agreement is not completed within 5 months of the date of the Committee meeting due to the failure to secure affordable housing, public open space (including car parking provision and maintenance), SuDS maintenance and habitat regulation mitigation.

The Committee adjourned at 10.40 am and reconvened at 10.55 am.

(iv) 16/01797/F

Burnham Market: Fishers Court, North Street: Renovation of existing building to provide one shop with flat above and one new dwelling. Demolition of workshop to rear of site. Addition of four new dwellings: Fisher Bullen

The Senior Planner introduced the report and explained that the application site was contained within the Conservation Area of Burnham Market. Burnham Market was classified as a Key Rural Service according to Policy CS02 of the Local Development Framework Core Strategy.

The site comprised of a pair of semi-detached buildings and fronted North Street. The eastern half of the semi-detached building had been used as a shop, and the western half, a residential property. Behind the semi-detached buildings was a single storey building with associated land to the east. This part of the site was once used as a builder's yard and workshop. Two vehicular accesses served the site, one to the west of the semi-detached residential dwelling on the site and the other access to the east of Hollesley Cottage on North Street.

The site was surrounded by residential properties and their back yards/gardens.

Members were reminded of an application on part of the application site that contained the single storey building at the rear and the buildings on the front, 15/00729/F. That particular application was refused by Members, as it was considered to advocate a cramped form of development.

This application was on a larger site than the previous application site, incorporating land to the east of the workshop. The proposal sought consent on the North Street frontage for a flat above the empty shop, the renovation of the attached residential dwelling and the construction of an adjoining 2 storey dwelling. To the rear of the site, permission was sought for three detached 2 storey dwellings following the demolition of the existing workshop and using the land to the east of the workshop.

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

The Senior Planner advised the Committee of the need to impose an additional condition regarding a Construction Management Plan.

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

- The principle of development on the site and planning history;
- Impact upon the AONB;
- Design, character and appearance;
- Impact upon heritage assets;
- Impact upon residential amenity;
- Affordable housing;
- Protected species;
- Highway issues;
- Crime and Disorder Act 1998; and
- Other material considerations

In accordance with the adopted public speaking protocol, Wanda Djebbar (objecting) addressed the Committee in relation to the application.

Reference was made to the parking problems which had been experienced in the past. The Senior Planner highlighted the parking arrangements for the proposal on the plans.

The Senior Planner also confirmed that the flat above the shop was independent from the shop and he highlighted the access arrangements for the flat.

In response to a query from the Chairman, Councillor Mrs Spikings, the Senior Planner displayed the plans for the scheme which had been refused previously by the Committee and compared it to the current scheme.

The Senior Planner also highlighted on the plans the amenity space which went with the dwellings.

The Senior Planner clarified the width of the access and confirmed that there were two vehicular accesses which served the site. He also confirmed that there had been no objection from the Highways Authority.

In response to a comment the Senior Planner explained where the bins would be stored for the shop and confirmed that the Council's CSNN raised no objection to the proposals.

The Chairman, Councillor Mrs Spikings added that the use of the shop was unknown and this could attract additional traffic to which was already a congested area. She added that she agreed with the proposed alterations at the front of the site.

The Assistant Director pointed out that the shop could re-open tomorrow.

The Chairman, Councillor Mrs Spikings referred to the need to add an additional condition requiring a Construction Management Plan, which was agreed. The Committee also agreed the corrections to condition 2 and 14, as outlined in late correspondence.

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

It was then proposed to refuse the application on the grounds of overdevelopment; a cramped form of development which was harmful to the character of the conservation area, which was carried.

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

The proposal represents an overdevelopment of the site creating a cramped form of development harmful to the character and appearance of the conservation area. This is contrary to the relevant provisions of the NPPF, and policies CS08 and CS12 of the Core Strategy and DM15 of the SADMP.

**(v) 16/00426/F
Downham Market: Land to the south of 17 Railway Road:
Variation of condition 24 of planning permission
13/01164/FM to allow the link road to be constructed in
advance of the occupation of the 62nd open market dwelling:
H C Moss (Builders) Ltd**

The Principal Planner introduced the report and explained that the application was deferred from the Planning Committee meeting held on 5 December 2016, to allow negotiation between the applicant, H C Moss and Platt Land Ltd (owners of the ransom strip) located between the H C Moss site and the Avant Homes site to the west. HC Moss had now completed the purchase (on 16 February 2017) of Platt Land

Ltd which included the single asset of the company, the ransom strip and evidence had been submitted to the Council to confirm.

The application therefore sought to regularise development that had been undertaken so far but now with the certainty that the link road would be provided.

The site amounted to 3.3ha and was located to the south of Railway Road, Downham Market and to the east of the Ben Bailey Homes development. The northern area of the site was located adjacent to the Downham Market Conservation Area.

Planning permission was granted in May 2014 for residential development of 97 dwellings with public open space (planning ref: 13/01164/FM). Condition 24 of the permission required that the link road between Richmond Road to the south and Primrose Avenue to the north-west corner should be provided no later than the commencement of the 50th dwelling on the site. This was to ensure that the highway link was provided in the interests of the proper planning of the area. The condition was imposed in full knowledge that there was a ransom strip between the application site and the Ben Bailey Homes development and to allow time for the matter to be resolved.

The current application was to vary Condition 24 of 13/01164/FM to increase the number of units that could be occupied to 62 open market dwellings before the link road was provided. The applicant was now in control of the ransom strip providing the security that the link would be provided.

The application had been referred to the Committee as the application was deferred from the Planning Committee held on 5 December 2016 and the Town Council objected to the proposal.

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

- Principle of varying Condition 24; and
- Any other matters that require consideration prior to the determination of the application.

The Principal Planner updated the Committee on the number of dwellings which had been completed and occupied, which was 48.

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

RESOLVED: (A) That, the application be approved subject to a Deed of Variance/Section 106 Agreement to ensure that obligations under 13/01164/FM are secured (County contribution, affordable

housing, open space equipment and maintenance and SuDS provision and maintenance) within 4 months of the date of this permission.

(B) In the event that the Deed of Variation/Section 106 is not completed within 4 months of the date of this permission, the application be refused on the failure to secure County contributions, open space equipment and maintenance and SuDS provision and maintenance.

(vi) 16/02188/F
Downham Market: 13 St Johns Way, St John's Business Estate: New workshop building with ancillary offices: S J C Trailers

The Principal Planner introduced the report and explained that the proposal was for the construction of a new workshop building with ancillary offices on a vacant plot of land on the St John's Business Estate on the outskirts of Downham Market.

The application had been referred to the Committee for determination as it involved the partner of Councillor Kathy Mellish.

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

- Principle of development;
- Design and appearance; and
- Other material considerations.

The Principal Planner drew the Committee's attention to the need to amend condition 4 as outlined in late correspondence, which was agreed.

RESOLVED: That the application be approved as recommended

(vii) 17/00017/F
East Winch: Land east of Town Close: Construction of a new 3 bedroom detached dwelling: Mr and Mrs B Anot

The Principal Planner introduced the report and explained that full planning permission was sought for a detached two-storey, three-bed dwelling on a rectangular parcel of land measuring approximately 0.03ha.

The site was in a residential location within the development boundary for East Winch, and had residential properties to all four compass points.

The site was located in Flood Zone 1.

A similar proposal was refused in 2010 and dismissed at appeal in January 2011.

The application had been referred to the Committee for determination as the applicant was a Borough Councillor.

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

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

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

The Principal Planner highlighted on the plans the parking arrangements for the new dwelling and the donor property.

A comment was made that the proposal destroyed the spatial relationship of the properties along the street-scene.

The Principal Planner explained that this proposal was in the same position but with a slight design variation from the application which had been dismissed at appeal.

RESOLVED: That the application be refused as recommended.

(viii) 17/00085/F

Marham: Rainbow Centre, Elm Road, Upper Marham: Single-storey extension to the nursery consisting of new hall space, toilet facilities for boys and girls, additional storage, separate access and secure access to the facility, increased pram storage, a covered area for play and dining and an improved bin collection point: Ms Dee Gent

The Principal Planner introduced the report and explained that the site was currently in use as the well-established Rainbow Centre nursery at Marham, which served the RAF base families. It was located within the development boundary for Marham, which was categorised as a Key Rural Service Centre in the adopted Local Plan. It was located centrally in that part of the village and was adjacent to the infant school.

The application sought consent for a single storey extension to the nursery consisting of new hall space, toilet facilities for boys and girls, additional storage, separate access and secure access to the facility,

increased pram storage, a covered area for play and dining and an improved bin collection point.

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

In accordance with the adopted public speaking protocol, Dee Gent (supporting) addressed the Committee in relation to the application.

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

(ix) 16/02169/F

Middleton: Mitre Farm, Setch Road, Blackborough End: Retention of single storey extension with balcony above, proposed external chimney breast and rebuilding of the existing rear external brick wall/parapet: Mrs Angela Canning

The Principal Planner introduced the report and explained that the application site was on the edge of the settlement of North Runcton, which was categorised as a Smaller Village or Hamlet in the adopted Local Plan. It was to the western side of the village, to the south of Setch Road.

The application sought consent for the retention of a single storey extension to the rear of the dwelling with balcony above, proposed external chimney breast and rebuilding of the existing rear external brick wall/parapet.

The application had been referred to the Committee for determination by the Assistant Director.

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

- Principle of development;
- Form and character; and
- Neighbour amenity.

The Chairman, Councillor Mrs Spikings stated that she considered that the extension was out of character; the bricks did not marry up with the existing and the parapet was over-dominant. She supported the recommendation of refusal.

RESOLVED: (A) That, the application be refused.

(B) That enforcement action be authorised to secure the removal of the unauthorised extension.

(x) 17/00032/O

Pentney: Oaklands, Pentney Lane: Outline planning application for three dwellings and to upgrade north access directly onto A47 to use as permanent site entrance: Mr Kerry Ward

The Principal Planner introduced the report and explained that the application was a hybrid application for the erection of three dwellings (outline with all matters except access reserved) and for the upgrading of an existing access onto the A47 to serve an existing business (full details).

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

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

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

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

Councillor Mrs Wright stated that she supported the comments made by the Parish Council. She added that the Pentney Lane was a narrow and difficult road and she considered that the new access point on the A47 would reduce the traffic flow. She added that there was quite a lot of residential development along Pentney Lane. She therefore proposed that the application be approved on the grounds of the need to support local businesses, provision of jobs in the locality and the provision of a new access point onto the A47. This was seconded by Councillor Mrs Fraser.

The Assistant Director explained that the site was in the countryside. The only justification was the improvement to the access on the A47 and the development of the warehouse. However, he advised the Committee that there would have to be some form of guarantees in place to ensure the delivery of the warehouse was linked to the housing development.

Councillor Parish referred to a similar application which had been considered by the Committee at the last meeting, where permission had been granted. It was explained that that application provided benefit as it moved a business out of the village.

Councillor Crofts proposed that any development should be limited to 3 dwellings only. This was agreed by the Committee.

The Committee then voted on the proposal to approve the application, subject to conditions to be agreed, following consultation with the Chairman and Vice-Chairman, including:

- Prior to the occupation of the first dwelling, the access is to be provided.
- Prior to the occupation of the third dwelling, the warehouse is to be provided.

The vote was carried.

RESOLVED: That the application be approved, contrary to recommendation, on the grounds that the proposal allow for improved access arrangements for the benefit of the locality, and supported the expansion of the rural business, which outweighed the policy objections, subject to conditions to be agreed following consultation with the Chairman and Vice-Chairman including:

- Prior to the occupation of the first dwelling, the access is to be provided.
- Prior to the occupation of the third dwelling, the warehouse is to be provided.

(xi) 16/00710/F

Snettisham: Journeys End, 40b Common Road: Removal of condition 3 of planning permission 10/00518/F as the applicant now owned the land: Mrs Pat Howling

The Senior Planner introduced the report and explained that the application was made under Section 73 of the Planning Act and sought to remove Condition 3 of permission 10/00518/F which restricted occupation of an existing mobile home adjacent to No.40 Common Road, Snettisham, to:

1. A person who's role was a carer for Mr and Mrs Brittain who occupy No.40 Common Road
2. Temporary period within which the occupier is actively caring for the above.

The application had been referred to the Committee for determination by the Assistant Director.

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

- Planning history;
- Necessity for the condition having regard to the statutory test in the national planning guidance;
- Development Plan.

The Chairman, Councillor Mrs Spikings made reference to the fact that the caravan had been granted permission as there had been a specific need. She then proposed that the application be refused on the grounds that the mobile home was only granted permission as there was a specific need at the time and the visual impact on the surrounding neighbours. The proposal was seconded.

The Assistant Director advised that the Committee needed to consider whether any planning harm would be caused by the proposal.

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

RESOLVED: That, contrary to the recommendation, the application be refused as it is considered that there remains a need for the condition.

**(xii) 16/02162/F
Tilney St Lawrence: 87 St Johns Road: Proposed four
bedroom detached dwelling: Mr John Baxter**

The Principal Planner introduced the report and explained that the application was for a detached two storey dwelling to be sited to the side of the existing donor dwelling. It would be further forward than the existing semi-detached dwelling and its neighbours to the east; however it would not be as close to the road as the neighbour to the west. In this locality, the character changes and it was considered that the proposed dwelling and associated parking would represent a form of development which was in character with the locality.

The application had been referred to the Committee for determination as there was a previously dismissed appeal at the application site and the officer was recommending approval.

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

- Principle of development;
- Site history;
- Design and scale;
- Neighbour amenity;
- Highways issues;
- Flood risk;
- Other material considerations; and
- Crime and Disorder

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

**(xiii) 15/01963/F
Tilney St Lawrence: Ivy Farm, Lynn Road, Tilney All Saints:
Proposed workshop conversion to office and replacement
workshop: Mr N Barker**

The Principal Planner introduced the report and explained that the application site was located on the south eastern side of Lynn Road, Tilney High End, to the south west of the village approximately 500m from the junction with School Road. The site comprised a complex of farm buildings next to a large house, served of a long access road to the north of the barns.

The application proposed the conversion of the existing workshop to an office, and the construction of a replacement workshop.

The application had been referred to the Committee for determination by the Assistant Director.

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

- Principle of development;
- Neighbour amenity issues; and
- Form and character

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

Councillor Mrs Young stated that she would like to see the hours of operation strictly adhered to.

Councillor White asked whether the hours of operation could be increased.

The Executive Director explained that the activity at the site had caused problems with the neighbours.

The Assistant Director explained that one part of the site had a 5pm time restriction and there could not be two different times operating at the site. He advised that the applicant could apply to change the times if they wished.

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the need to amend conditions 1, 2 and 6 as outlined in late correspondence, which was agreed.

RESOLVED: That the application be approved as recommended.

(xiv) 2/TPO/00556

Downham Market: 100 Lynn Road: To consider whether Tree Preservation Order 2/TPO/00556 should be confirmed, modified or not confirmed in the light of objections: Mrs Allison Still

The Arboricultural Officer introduced the report and explained that the report included:

- The reason for making the Tree Preservation Order;
- An outline of objections and representations;
- Response to objections and representations.

RESOLVED: That, the Order be confirmed without modification.

PC89: **PLANNING ENFORCEMENT SERVICE - QUARTERLY REPORT**

The Committee received a report which provided an update on service performance for planning enforcement during the fourth quarter of 2016.

It was noted that the total number of live cases was 149 and 139 cases had been closed. In addition, 14 formal notices had been served.

RESOLVED: That, the report be noted.

PC90: **PLANNING & ENFORCEMENT APPEALS - QUARTERLY REPORT**

The Committee received a quarterly update report covering performance for the period 1 October 2016 – 31 December 2016.

The data showed that for the final quarter of 2016, 21% of all appeals were allowed. For the 12 month period to 31 December 2016 an average of 17% of all appeals were allowed. This was well below the post National Planning Policy Framework national average figure of 36% of all appeals allowed.

RESOLVED: That, the report be noted.

PC91: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

RESOLVED: That, the report be noted.

The meeting closed at 12.48 pm