

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

Minutes from the Meeting of the Planning Committee held on Tuesday, 5th December, 2017 at 9.30 am in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

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

PC63: **APOLOGIES**

Apologies for absence were received from Councillors Mrs S Buck and G Hipperson.

The Chairman thanked Councillor Blunt for being a substitute at the meeting.

PC64: **MINUTES**

The minutes of the meeting held on 6 November 2017 were agreed as a correct record and signed by the Chairman, Councillor Mrs Spikings.

PC65: **DECLARATIONS OF INTEREST**

The following declarations of interest were declared:

- Councillor Peake declared an interest in item 8/3(i) – Wretton, as he was related to the applicant, and left the meeting during consideration of the application.
- Councillor Crofts declared that, in relation to item 8/3(g) – Upwell, he was a Member of the Parish Council but was not on their Planning Committee.
- Councillor Parish declared that, in relation to item 8/3(b) – Heacham, he was a member of the Parish Council but had not taken part in any discussions relating to the application.
- Councillor Mrs Young declared that, in relation to item 8/2(a) – Terrington St Clement, she was a member of the Parish Council but had not taken part in any discussions relating to the application.

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

There was no urgent business under Standing Order 7.

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

The following Councillor attended under Standing Order 34:

Mrs J Collingham 8/3(a) Dersingham

PC68: **CHAIRMAN'S CORRESPONDENCE**

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

PC69: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

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

PC70: **INDEX OF APPLICATIONS**

The Committee noted the Index of Applications.

(a) **Decisions on Applications**

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

- (i) **17/01658/F**
Clenchwarton: Wildfields, 187 Main Road: Proposed two storey annex – ancillary and linked to the dwelling: Mr & Mrs Green

The Principal Planner introduced the report and explained that the application sought permission for the construction of a two storey annexe linked to the dwelling at Wildfields. The non-commercial workshop which formed part of the application and was discussed at

the November Planning Committee Meeting had been withdrawn from the agenda.

The application site was located within the settlement of Clenchwarton. Clenchwarton was designated as a Key Rural Service Centre in Policy CS02 – Settlement Hierarchy of the Core Strategy (2011) which recommended limited growth of scale and nature appropriate to secure the sustainability of the settlement.

The site comprised of a rectangular plot that had an existing dwelling and outbuilding located to the west of it. Vehicular access to the site was provided by the existing laneway which lead onto Main Road.

The application had been deferred from the previous meeting in order to move the proposed workshop which previously formed part of the application (the workshop had now been withdrawn from the application).

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

- Principle of development;
- Form and character;
- Neighbour amenity;
- Access;
- Flood risk; and
- Other material considerations.

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

In response to a query from Councillor Wareham, the Principal Planner explained that the workshop building could be erected under permitted development rights, and explained what development could be carried out.

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

- (ii) **16/02230/OM**
Terrington St Clement: Land w of 23 to 37 and N and W of 52 Bennis Lane: Outline application some matters reserved: Demolition of existing structures and for the erection of up to 44 dwellings (Use Class C3) with means of site access from Bennis Lane: Heyford Developments Ltd and Sutton Partnerships

The Principal Planner introduced the report and explained that the application was in outline for residential development on a site measuring approximately 2.37ha on the western side of Bennis Lane, Terrington St Clement. The site represented one of three housing

allocations identified in the Site Allocations and Development Management Policies DPD (2016), and Policy G93.3 related specifically to development of this application.

All matters were reserved except access although the description of the development and indicative plans showed 44 dwellings.

The site was a disused nursery although a Lawful Development Certificate in 2010 confirmed the use as B2 (industrial use).

The site was located within Flood Zones 2 and 3.

Terrington St Clement Conservation Area was located approximately 275 m (as the crow flies) to the southwest of the site with the Grade 1 Listed Church approximately 322 in the same direction.

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

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

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

In accordance with the adopted public speaking protocol, Mr E Baker (objecting), Karen Treacher (objecting on behalf of the Parish Council) and Mr J Kirby (supporting) addressed the Committee in relation to the application.

The Principal Planner advised that the masterplan layout showed 44 units. The carriageway would be widened to 5.5m and a 1.8m footpath would be provided on the western edge to run to Northgate Way.

The Local Development Framework Manager explained that the site had been through examination at the Local Plan Inquiry and the issues had been considered by the Planning Inspector.

In response to comments raised by the Committee the Principal Planner explained the following:

- The site was lawfully found to be a brownfield site by virtue of a lawful development certificate granted in June 2010.

- In relation to the Grade I listed Church, there had not been comment from Historic England, as they would have been consulted as part of the LDF process.
- NCC had confirmed that there was spare capacity at Terrington St Clement High School, and although the primary school was full, the school had accommodation within its existing buildings that could be used as class bases and so had the potential capacity to accommodate the children generated by the development should it be approved. NCC would not therefore be seeking education contributions from the development.
- The scheme would be liable for CIL contributions.

Councillor Parish stated that since the LDF had been adopted there had been changes and gave an example of 'Right Homes in Right Places'. He considered that this site was in the wrong place. Councillor Parish also made reference to the number of objections including the local MP and County Councillor. Councillor Parish drew the Committee's attention to the condition concerning water voles, and queried why other species had not been mentioned.

The Assistant Director informed the Committee that the site was an allocation within the Local Plan and had been scrutinised at examination.

Councillor Mrs Young (Ward Member) addressed the Committee. She stated that she had been present at the extensive Parish consultation back in 2014/15. She explained that the County Council had considered the application and stated that there was capacity for an extension at the primary school.

Councillor Mrs Young also informed the Committee that the doctor's surgery had capacity for more patients. She referred to the photographs displayed by the public speaker and explained that there had been no record of accidents along Churchgate Way. She also stated that the site was brownfield.

Councillor Mrs Young also considered that Planning Officers had been thorough with the report and conditions. She referred to where Bennis Lane opened out onto Northgate Way and to the fact that this could potentially be wider.

The Church visibility had been measured and there was sufficient distance for there to be no impact.

She had been approached by people who considered that the development would enhance the sustainability of the village.

Councillor Crofts stated that he had walked the site as part of the LDF Site Allocation. The Chairman, Councillor Mrs Spikings advised the

Committee that she had declared an interest in relation to this site at that time and had not taken any part. Councillor Crofts referred to the number of objections particularly relating to transport and stated that he would not like to see any more than 44 dwellings being built on the site.

The Assistant Director advised that condition 17 required the development to comprise of no more than 44 residential units.

The Chairman, Councillor Mrs Spikings added that the density for the scheme was 22.8 per hectare and was reasonably low. In addition, there would be no more than 44 units.

Concern was raised in relation to the Parish Council changing their recommendation regarding the application. The Chairman, Councillor Mrs Spikings stated that she had great respect for Parish Councils and she could understand why they had changed their view.

Councillor Parish referred to the allocation of at least 35 dwellings, and stated that there had a change in the Local Plan resulting in an increase from the initial allocation to 44 dwellings.

The LDF Manager explained that there had not been a change to the Local Plan as the Policy still stated at least 35 units. The proposal had been assessed and it had been demonstrated that 44 units could be suitably accommodated on the site.

Councillor Parish referred to condition 23 which referred to the impact of the development on water voles and drew attention to the fact that there were other species at risk, such as bats, badgers and great crested newts.

The Assistant Director explained that as a result of the ecology survey, water voles had been identified as specifically requiring further survey work. Licences from Natural England would be required as well. He referred the Committee to pages 26 and 27 of the agenda, where it detailed the ecology requirements.

The Chairman, Councillor Mrs Spikings explained that the site had been subject to extensive consultation through the Local Development Framework process. Comments from the statutory consultees were considered by the Inspector at the Examination process.

The Local Development Framework Manager advised that whether one objection or a hundred objections had been received, the issues would have been discussed and considered by the Planning Inspector. He explained that the Inspector would go into detail on each side and a degree of rigor had been applied. He added that he appreciated that there were more dwellings put forward but the site was allocated in the Local Plan.

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

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

(iii) **17/01724/F**
Dersingham: 60 Chapel Road: Construction of a two storey extension: Katie Innes

The Principal Planner introduced the report and explained that the application site was located within the Conservation Area of Dersingham. Dersingham was classified a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The Committee was informed that the existing property was a small, traditionally built dwelling primarily built from carrstone with chalk and brick detailing and brick to the rear lower storey. The dwelling was roofed with traditional Norfolk clay pantiles.

The proposal sought consent for a two storey extension. Amended proposed floor plans were received on the 16 November and amended proposed elevations were received on the 21 November 2017.

The application had been referred to the Committee for determination at the discretion of the Executive Director (Environment and Planning).

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

- Principle of development;
- Impact upon the character and appearance of the Conservation Area;
- Highway safety;
- Impact upon Neighbour amenity; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Anne Hartley (objecting) and Coral Shepherd (objecting on behalf of the Parish Council) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor J Collingham addressed the Committee. Councillor Collingham referred to the comments made by the Conservation Officer that the property was unique and the historic gable end was very prominent in the street-scene and an important part of the Conservation Area. The proposal would bring a two storey extension 12.5 m from the front door of the cottage behind which belonged to the objector and would give a 20m

living gap between the houses. The extension would also, at certain times, block light and view from the street. At the rear of No.60 was a mixture of styles and the renovation would seek to tidy up the area. Councillor Mrs Collingham explained that a lot of Dersingham was modern design therefore it was important to retain what was left of the original village. She urged that the application be reconsidered resulting in a more sympathetic scheme. She added that it was disappointing that the applicant had not had a dialogue with the neighbours.

The Principal Planner displayed the original scheme and the amended scheme to the Committee.

Councillor Mrs Fraser stated that she knew the area well and considered that a single storey extension would be acceptable but not two storey.

Councillor Mrs Wright stated that the property was an important unlisted building in the Conservation Area. She considered that the proposal would be overbearing and would affect the cottages at the rear. In relation to the gable end, this was very prominent in the street-scene. She added that the Council was lucky to have a Conservation Officer, who had objected to the application, with valid points. She added that the past needed to be treasured.

Councillor Mrs Wright then proposed that the application be refused on the grounds of the principle of development; the impact on the appearance of the Conservation Area and the impact on neighbour amenity, which was seconded by Councillor Morrison.

Councillor Bubb added that he was familiar with the inside and outside of the property. He explained that at the top of the gable was a plaque. The building was of such local significance and to alter it in that manner would be unacceptable. He considered that a single storey extension would be more acceptable.

The Principal Planner clarified that the Parish Council had proposed approval on the original scheme and then objected to the amended proposals.

The Executive Director explained to the Committee why he had referred the application to the Committee. He added that the site was within the Conservation Area and there was a duty to preserve or enhance it. If the Committee decided that the proposal would not preserve or enhance it then the application should be refused.

Councillor Mrs Watson added that she was uncomfortable with the application and considered that if the extension was single storey then it would not affect the area as much.

The Committee then voted on the proposal to refuse the application on the grounds that the extension did not preserve or enhance the Conservation Area and had an overbearing impact on the neighbouring properties, which was carried.

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

1. *The proposed extension by virtue of its scale and design and the fact that it covers up the existing south east gable end, which is an important feature in the street-scene, would fail to preserve or enhance the character of the appearance of the conservation area. The proposal would therefore be contrary to the National Planning Policy Framework 2012, Policies CS01, CS08 and CS12 of the KLWNBC Core Strategy 2011, and Policy DM15 of the KLWNBC Site Allocations and Development Management Policies Plan 2016.*

2. *The proposed extension due to its height and its siting particularly the rear projecting gable end facing No 62 Chapel Road, would result in an overbearing and unneighbourly form of development contrary to the National Planning Policy Framework 2012, and Policy DM15 of the KLWNBC Site Allocations and Development Management Policies Plan 2016.*

(iv) 17/01720/RM

Heacham: Land east of Hunstanton Road and south of Robin Hill, Hunstanton Road: Approval of all matters reserved (erection of 9 dwellings and associated works): Advanced Building Projects Ltd

The Principal Planner introduced the report and explained that the application site covered approximately 0.4725 m² and was on the eastern side of Hunstanton Road, Heacham.

The site had the benefit of outline planning permission, with all matters reserved for 9 dwellings, which was granted by the Planning Committee.

The Committee was informed that due to a change in policy regarding affordable housing, post the original Committee decision to grant subject to the resolution of the Section 106 Obligation in respect to affordable housing, that a condition was imposed with regards to the floorspace of the dwellings in order to ensure affordable housing thresholds were not breached, in accordance with a subsequent Committee authorisation.

The application sought reserved matters approval for 9 dwellings served off a single access point.

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

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

- Principle of development;
- Form and character;
- Impact upon neighbour amenity;
- Highway safety;
- Landscaping; and
- Other material considerations.

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

The Principal Planner confirmed that a landscape maintenance scheme was covered by condition 5.

The Assistant Director explained to the Committee the change to the affordable housing threshold.

Councillor Mrs Wright made reference to the area of woodland next to the site and asked if this was to be used for glamping. The Assistant Director advised that an application had been received but each application had to be determined on its own merits.

Councillor Mrs Wright expressed concerns in relation to the road being suitable. The Executive Director explained that the principle of development had been established as it had outline planning consent. The Committee needed to consider whether the layout and design of the scheme was acceptable.

Councillor Parish added that the access was still to be determined and he considered that the proposed access was not in the best location for the site. He considered that if the access were to be moved along, then better visibility could be achieved. With regards to the 9 houses on the site, he added that it was unfortunate and none were affordable. He acknowledged that native trees were to be planted along the bund but that did not replace the hedge along Hunstanton Road, which he considered was feature of that road.

Councillor Blunt added that he knew the area well and there was a good footpath provision.

RESOLVED: That the application be approved as recommended.

(v) 17/01670/F
Hilgay: The Dell, Ely Road: Rear ground floor and basement extension: Mr Mercer

The Principal Planner introduced the report and explained that the application site was located in the village of Hilgay, to the east of Ely Road and to the south of the village centre. The site comprised a semi-detached dwelling which fronted directly onto Ely Road.

The application was for a large extension to the rear of the dwelling which used the existing change in levels on site to create a new basement floor (to include a games room, storage rooms and wc). At the existing ground floor there would be an extension out onto the existing area of decking to enlarge the kitchen/family room.

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

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

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

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

In response to comments made by the public speaker, the Principal Planner advised that condition 3 had been imposed to ensure that a privacy screen was installed to the southern boundary of the decking area which would be submitted to and approved in writing by the LPA.

Councillor White stated that he had called-in the application because of overlooking issues. He informed the Committee that he had been advised that the application was going to be refused because of overlooking issues and it was now recommended for approval. He considered that if there were overlooking issues then the application should be refused.

The Principal Planner explained that initial concerns related to the relationship between the proposal and Marian House next door. Having discussed the concerns with the applicant they confirmed that they owned Marian House. Therefore as the two houses were in the same ownership, on balance and with the specific circumstances of the application in mind, it was considered that the proposal was acceptable.

In relation to the impact on Holly House from the bi-fold doors, the Principal Planner advised that this had been considered and it was felt

that as the extension was set back some distance and there was already a large area of decking in place, it was considered that some form of screening to be agreed with the LPA would be acceptable.

Councillor White proposed that the application be refused on the grounds of overlooking from the proposal. This was seconded by Councillor Tyler.

The Assistant Director explained that the Committee needed to consider whether the proposal was overbearing rather than created overlooking issues.

The Executive Director explained that he had had the benefit of seeing the site and he had no idea that there was a quarry at the back. He advised the Committee that there were areas of decking which all overlooked each other currently. He considered that the issue related to the proposal being overbearing, however in his view the proposal would be an improvement to what was already there. He also considered that the impact to Holly House would be minimal.

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

The Chairman, Councillor Mrs Spikings asked whether there had been discussion with the applicant regarding removal of the bi-fold doors. The Principal Planner advised that she was not aware if it had been discussed with the applicant, however it was discussed internally and it was felt that as the extension was set back 5m from the south edge of the decking area and combined with screening to be secured by condition, it would be acceptable.

The Committee then voted on the proposal to refuse the application on the grounds that the extension was overbearing for the neighbouring properties, which was carried.

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

1. *The proposal, which includes an extension to the kitchen/family room to the rear of the dwelling, would give rise to increased overlooking to the neighbouring dwelling and garden known as Holly House (on the southern boundary), thus creating an adverse impact on the amenity of this dwelling. This is contrary to the National Planning Policy Framework 2012, Policy CS08 of the KLWNBC Core Strategy 2011 and Policies DM15 of the KLWNBC Site Allocations and Development Management Policies 2016.*

2. *The proposal, by virtue of its scale, orientation and proximity to the neighbouring dwelling to the northern boundary known as Marian House, would result in an overbearing relationship between the*

proposed extension and the neighbouring dwelling. The proposal is therefore contrary to Section 7 of the NPPF, Policy CS08 of the King's Lynn and West Norfolk Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016.

(vi) 17/01677/O

North Runcton: Sunnyside House, 66 Main Road, West Winch: Outline application: Erection of two dwelling houses and associated access: Tom Jackson

The Principal Planner introduced the report and explained that outline planning permission with all matters except access was sought for the erection of two dwelling houses.

The site was located within the development boundary for West Winch was in Flood Zone 1. West Winch also had a Neighbourhood Plan.

The dwellings were proposed to be accessed via a shared access off a Public Right of Way (PROW) to the immediate north of the site which itself was accessed from the A10 to the east. The proposal also sought to make improvements to the access of the PROW with the A10.

The application had been referred to the Committee for determination as there had been appeal history associated with the site.

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

- Principle of development;
- Highway safety;
- Public right of way;
- Form and character;
- Neighbour amenity; and
- Drainage

The Chairman, Councillor Mrs Spikings made reference to a past application which wanted to convert a barn into a business with a bigger and better entrance onto the A10, however this had been refused. With this application there was a smaller entrance with more cars using it and she was astonished with the recommendation to approve.

Councillor White added that the Committee had previously been informed that the A10 was a Corridor of Movement and any development had been resisted.

The Assistant Director informed the Committee that the site was inside the Built Environment. The application proposed to widen, drain and upgrade the existing access of the PROW onto the A10. He explained that two vehicles could now pass.

In response to a query regarding the ownership of the land, the Principal Planner clarified that the land to make the access wider was in the ownership of Norfolk County Council, therefore works could be carried out.

The Chairman, Councillor Mrs Spikings referred to the appeal decision, where the Inspector referred to the A10 as a Corridor of Movement.

The Chairman, Councillor Mrs Spikings proposed that the application be refused on the grounds that the proposal did not address the appeal decision and would exacerbate the existing problems on the A10. This was seconded by Councillor Tyler and unanimously agreed by the Committee.

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

Notwithstanding the benefits that the proposed improvements would make to the existing access, the development if permitted would lead to additional right hand turning movements across the opposing stream of traffic of a route that constitutes part of the Strategic Road Network which would interfere with the free and safe flow of traffic and cause danger and inconvenience to highway users. The development is therefore contrary to the NPPF and to Development Plan Policies CS11, DM12 and E2.2.

(vii) 17/00960/F

Terrington St Clement: Land adjacent 41 Hay Green Road North: Proposed use of redundant agricultural land to site a static caravan, a mobile cabin and two shipping containers. All to provide accommodation and secure storage for the duration of a self-build project (pair of dwellings) on an adjacent area of the same field under the same ownership (planning reference 15/01865/O). Plus retention of roadside boundary fence and gates: Jason Partridge, Kevin Partridge & Emma Openshaw

The Principal Planner introduced the report and explained that the application site was located on the eastern side of Hay Green Road North, immediately north of the A17 in an area classed as 'countryside'. The site was also located within Flood Zone 2 of the Council-adopted Strategic Flood Risk Assessment and Flood Zone 3 on the Environment Agency maps.

This application sought permission for the retention of a residential static caravan and a mobile home/cabin plus two shipping containers and concrete base, in connection with the construction of two dwellings which were currently under construction on associated land to the rear of Nos, 37-39 Hay Green Road North. Permission was also sought for

the retention of a close boarded fence and gates alongside the road frontage.

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 upon appearance of locality;
- Highway matters; and
- Other material considerations.

The Chairman, Councillor Mrs Spikings suggested that the applicants should be given a timeframe of two months for the removal of the structures once the dwellings were occupied, and the land returned to its original condition, which was agreed.

RESOLVED: That, the application be approved, as recommended, subject to condition 1 being amended to include a timeframe of two months for the removal of the structures on the site once the dwellings were occupied, and the land to be returned to its original condition.

(viii) 17/01218/F

**Terrington St Clement: Claremont Cottage, 257 Lynn Road:
Removal of Condition 2 of planning permission 09/00626/F:
Demolition of existing garage and construction of detached
annex: Mr Jim Harrod**

The Principal Planner introduced the report and explained that the proposal sought to remove the occupancy restriction on an existing annexe which would result in an independent single storey residential unit. The proposal would utilise a shared access which had restricted visibility and the annexe was located within Flood Zone 3 and an area where Tidal Hazard Mapping showed it could flood up to 1 metre. By removing the restriction this would result in the intensification of an already substandard access and flood risk issues.

The site was located to the northerly side of Lynn Road and in close proximity to the Marsh Road junction. A two storey dwelling currently stood on the site with a single storey annexe.

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

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

- Planning history;

- Highways issues;
- Flood risk issues;
- Other material considerations; and
- Crime and Disorder.

Councillor Mrs Young made reference to the objection from County Highways in relation to the visibility splay. She considered that the visibility for this access was far better and safer than the visibility splay for the Marsh Road junction. The road was 50mph.

The Chairman, Councillor Mrs Spikings stated that she agreed with the officer recommendation.

RESOLVED: That the application be refused as recommended.

(ix) 17/01584/RM

Upwell: Land south 22 Green Road: Reserved Matters Application: Construction of one dwelling: Client of Holt Architectural

The Principal Planner introduced the report and explained that the application sought reserved matters approval for the construction of a 3 bedrooomed house on a plot of land with the benefit of extant outline planning permission (granted under application ref: 15/01727/O).

The site was located on the western side of Green Lane in an area classed as countryside in the recently adopted SADMPP, but was allowed as a windfall site when the Council could not demonstrate a 5 year supply of housing land.

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 upon character and appearance of locality; and
- Other material considerations.

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

RESOLVED: That the application be approved as recommended.

(x) 16/01500/F

West Walton: Longacre, 174 St Pauls Road South: Removal of condition 2 of planning permission 2/01/0884/D:

to remove agricultural occupancy restriction: Mr Gavin Patrick

The Principal Planner introduced the report and explained that the application was made under Section 73 of the Act and was seeking the removal of the agricultural occupancy condition imposed on the erection of the dwelling when the reserved matters was approved in 1991 under reference 2/91/0884/D.

The dwelling was permitted and occupied as an agricultural dwelling for many years in accordance with the outline and subsequent reserved matters approval; however the applicant had diversified into other businesses outside of agriculture and was looking to sell the property.

The Development Plan within Policy DM6 addressed the housing needs of rural workers and paragraph 7 specifically set out the procedure necessary to demonstrate that there was no local demand for the agricultural dwelling and that the agricultural occupancy condition could be removed from an existing dwelling.

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;
- Compliance with material policy;
- Crime and Disorder Act; and
- Other material considerations.

The Assistant Director drew the Committee's attention to the conclusion of the report. The applicant had gone through the process as set out in Policy DM6, but questions had been raised as to how robustly this had been carried out.

The Chairman, Councillor Mrs Spikings expressed concern that someone had tried to make three appointments to view the property and had been told that it was unavailable and that the property had been taken off the market for 16 months. She queried how much weight should be given to the points raised by the objector.

Councillor Parish proposed that the application be refused on the grounds that the property had not been properly marketed. This was seconded by Councillor Mrs Fraser and agreed by the Committee.

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

The applicant has failed to demonstrate that there is no longer a need within the locality for a dwelling whose occupancy is restricted to those working, or last working in agriculture, forestry or a rural enterprise. The lack of robust marketing evidence and the fact that the property has not been on the market since July 2016 had resulted in the proposal failing to accord with Policy DM6 of the Site Allocations and Development Management Policies Plan 2016.

**(xi) 17/01856/O
Wretton: Clover Social Club, Low Road: Outline application with some matters reserved: Proposed redevelopment of brownfield site to residential: Mr & Mrs L Peake & family**

The Vice-Chairman left the meeting during consideration of the item.

The Principal Planner introduced the report and explained that the site was located on the south east side of Low Road, Wretton. It was located in the countryside, as defined by the Core Strategy 2011 and the Site Allocations and Development Management Policies Plan (SADMPP) 2016. Wretton was a Smaller Village & Hamlet as defined by Policy CS02 of the Core Strategy 2011.

This application was a resubmission of a previous proposal for the demolition of the existing business premises known as The Clover Club and Peake Physique along with other outbuildings and bowling green, and its redevelopment with 8 dwellings including affordable housing. The previous application (16/00606/O) was refused at Planning Committee in October 2016 on the basis of the failure to demonstrate that there would not be a harmful impact on protected species (bats). Members however considered that the principle of residential development at the site was acceptable.

The proposal was in outline form with all matters reserved bar access. Access would be from the existing entrance from Low Road but no layout had been provided.

Heads of Terms had been provided which indicated that affordable housing/contribution would be provided on the site by the applicant.

The application had been referred to the Committee for determination as the views of the Parish Council were contrary to the officer recommendation. The applicant was also a relative of Councillor Peake.

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

- Principle of development;
- Loss of employment/ community uses;
- Form and character;

- Neighbour amenity;
- Ecology; and
- Any other matters requiring consideration prior to the determination of the application.

The Principal Planner suggested an additional condition be imposed if the Committee was minded to approve the application, as follows:

The development shall be implemented in strict accordance with the recommendations and mitigation measures specified in the Ecological Assessment Report ref 2017-31 R1 Final dated 29th September 2017 by Philip Parker Associates, except for the details (type/location of bat/bird boxes, lighting and planting mitigation) requiring approval by the Local Planning Authority referred to in Condition 10.

The Committee agreed the additional condition.

RESOLVED: (1) That, the application be approved, subject to the satisfactory completion of a Section 106 Agreement to secure affordable housing/contribution and the additional condition as follow:

The development shall be implemented in strict accordance with the recommendations and mitigation measures specified in the Ecological Assessment Report ref 2017-31 R1 Final dated 29th September 2017 by Philip Parker Associates, except for the details (type/location of bat/bird boxes, lighting and planting mitigation) requiring approval by the Local Planning Authority referred to in Condition 10.

Reason

In the interests of protected species in accordance with the NPPF and Policy CS12 of the Core Strategy.

(2) In the event that the Section 106 Agreement is not signed within 4 months of the date of the Committee resolution, the application is refused on the grounds of failure to secure affordable housing/contribution.

PC71: **DELEGATED DECISIONS**

The Committee noted the schedules relating to the above.

PC72: **UPDATE ON TREE MATTERS**

The Committee received a report which updated them on recent Tree Preservation Orders (TPO's) that had been served since 1 May 2017, along with a summary on some of the other aspects of the work in relation to trees.

It was noted that:

- 192 planning applications had been considered;
- 30 pre-applications had been considered;
- 15 applications to discharge tree and landscape conditions had been considered;
- 4 new TPO's had been served;
- 113 Conservation Area notifications had been approved;
- 44 TPO applications approved.

The Committee was informed that there had been a marked increase, almost 15%, in the amount of tree work applications to 31 October 2017 in this calendar year. It was not known what the reason was for the increase but this would continue to be monitored for any impact on resources and the ability to deal with the applications.

RESOLVED: That, the report be noted.

The meeting closed at 12.45 pm