

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

PLANNING COMMITTEE

**Minutes from the Meeting of the Planning Committee
held on Monday, 1st June, 2015 at 10.00 am in the
Committee Suite, King's Court, Chapel Street, King's Lynn**

PRESENT: Councillor Mrs V M Spikings (Chairman)
Councillors Bower, Bubbs, Buck, Colvin, Crofts, Gourlay, Morrison,
Peake, Spikings, Storey, Tyler, Wareham, Watson, White,
Wing-Pentelow, Wright and Young

PC1: **WELCOME**

The Chairman, Councillor Mrs Spikings welcomed everyone to the meeting, in particular the new Members of the Committee. She requested that all mobile phones be switched to silent. She also welcomed John Shaw from Norfolk County Council Highways.

PC2: **APOLOGIES**

Apologies for absence were received from Councillor J Moriarty.

PC3: **MINUTES**

The Minutes of the Meeting held on 27 April 2015 and the Reconvened Meeting held on 30 April 2015 were agreed as a correct record and signed by the Chairman, Councillor Mrs Spikings.

PC4: **DECLARATIONS OF INTEREST**

- Councillor Storey declared an interest on Agenda item 9, page 141, application 15/00468/CM.

PC5: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was none.

PC6: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillors attended and addressed the Committee on the application indicated against their name:

<i>Name</i>	<i>Item</i>	<i>Application</i>
<i>J Westrop</i>	<i>8/2(d)</i>	<i>15/00433/F</i>
<i>L Bambridge</i>	<i>8/2(f)</i>	<i>15/00445/F</i>

PC7: **CHAIRMAN'S CORRESPONDENCE**

The Chairman reported that any correspondence received had been read and passed to the relevant officers. She also reported that she had received a letter of thanks from an applicant, who had had an application approved at the previous meeting, for the way in which the Committee had considered and determined the application.

PC8: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

A copy of the summary of relevant correspondence received since the compilation 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.

PC9: **DECISIONS ON APPLICATIONS**

The Committee considered schedules of applications for planning permission submitted by the Executive Director, Geoff Hall (copies of the schedules signed by the Chairman are attached to the signed Minutes of the Meeting of the Committee).

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

- (i) **15/00190/FM**
Snettisham: Snettisham Park, Bircham Road: Change of use from livery yard to camping with associated camping pods and amenities block: Stanton Farms Ltd

The Principal Planner introduced the report and explained that the site consisted of an existing livery yard within part of Park Farm, a large farm holding (and established tourist site) situated on the eastern side of the village of Snettisham. The application site was a paddock and stable block with existing hedging and fencing to the site boundary. It was located to the north of the main visitor centre buildings.

Park Farm itself covered an area of approximately 9.2 hectares and included an existing small caravan site and a series of farm buildings, fields and paddocks.

The site was surrounded by allotments to the north, open fields to the east, fields and camp site to the west and the visitor centre building and parking to the south.

The application proposed the change of use of the livery yard into a campsite with the conversion of the existing stable block into an amenities block including washing facilities, reception and campsite shop. Vehicular access would be via the existing access to the visitor's facilities off Bircham Road.

The application had been referred to the Committee for determination as the views of Snettisham Parish Council was contrary to the officer recommendation and raised matters of wider concern.

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

- Principle of development;
- Character and appearance and impact on the countryside;
- Impact upon residential amenity;
- Tourism and local economy;

In accordance with the adopted public speaking protocol, Mr A Parker (objecting), Angela Schumann (objecting), Parish Councillor M Billington (objecting), County Councillor J Dobson (objecting) and Caroline Kerss (supporting) addressed the Committee in relation to the application.

The Chairman, Councillor Mrs Spikings then invited Mr John Shaw, Norfolk County Council Highways to respond to queries raised by the public speaker. Mr Shaw explained that all traffic had been looked at not just caravans. In relation to a solar farm development, he explained that this would be a different type of development involving a lot of construction traffic in a tight time-frame, whereas this proposal was different and needed to be looked at on its own merits. In relation to the report from Create Consulting concerning the fact that two caravans could not pass, he explained that the caravans could wait safely so there was not a need for them to pass all the way along the road. There was a section along Bircham Road where there were wide highway verges and it would be possible for the applicant to undertake minor widening works sufficient to allow two towed vehicles to pass in safety.

In relation to the video shown by the objector with parked cars, Mr Shaw explained that vehicles were able to get past the parked cars.

Mr Shaw also explained that Norfolk County Council was proposing waiting restrictions in various locations in the village including outside the school and village hall. This

would be funded by Norfolk County Council as it was already in the work programme. The scheme for waiting restrictions was the subject of public consultation and although funding was set aside for it at the present time there was no guarantee that it would go forward in the locations shown. He added that the Committee could ask for this to be secured via a condition if necessary.

Mr Shaw advised that the County Council would not recommend refusal of the proposal if the waiting restrictions were not applied. As such the Executive Director advised that imposing this as a condition would not meet the tests of a condition, as it was not necessary to allow the development to proceed.

Councillor Mrs A Wright stated that the application was within her ward, and she did support tourism and leisure for the area. However, she was concerned regarding the large caravans travelling along the narrow roads in the village and considered that the proposal was best suited on the other side of the bypass.

She referred to the late correspondence regarding the waiting restrictions and added that as Ward Councillor it would have been helpful to have seen a copy of the proposals. Councillor Mrs Wright also explained that Snettisham as a village held lots of events, many taking place on the playing field, and she would not like to see any waiting restrictions having a negative effect on any such events taking place.

She proposed that the Committee carried out a site visit so they could see the narrow lanes, etc for themselves. The proposal was seconded by Councillor Bubb and, after having been put to the vote, was carried.

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

(ii)

15/00185/F

Burnham Market: Land adj Hamilton Antiques, 21 North Street: Proposed Shop: B & L Properties Ltd

The Principal Planner introduced the report and explained that the application site comprised an open parcel of land on the southern side of North Street within the centre of Burnham Market. It was flanked by two commercial premises; one was a former warehouse now a retail unit and one was a traditional flint cottage used for retail purposes.

The immediate surrounding area was mixed residential and commercial in character, with a variety of predominately retail uses focussed around 'The Green' to the west.

The application site was located within an area defined as Built Environment Type C and was within the Conservation Area and Area of Outstanding Natural Beauty, according to Local Plan Proposals Maps for Burnham Market.

The application, as amended, sought consent for the construction of a new shop unit. Amended plans had been received as the proposal evolved.

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

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

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

In accordance with the adopted public speaking protocol, Mr Cory-Wright (objecting) and Mr Ian Bix (supporting) addressed the Committee in relation to the application.

In response to a comment raised by the objector, the Planning Control Manager explained that all correspondence could not be attached to the officer's report, however, all correspondence was reported on the website and comments received were summarised within the report.

Councillor Mrs Wright asked for clarification on the type of shop. The Principal Planner explained that he had no details of the type of shop it would be but that did not matter because shops fall within A1 of the Use Classes Order, and it was this general classification that was being applied for.

The Principal Planner also confirmed that the roof material would be pantiles and final details of the materials could be secured through conditions. He also confirmed that the application showed retail on all floors.

Councillor Mrs Watson stated that the proposal would improve the site.

RESOLVED: That the application be approved as recommended.

(iii)

15/00430/CU

**Castle Rising: The Old School House (South Wing),
Lynn Road: Change of use from an art school to a
hairdressers: Miss Gemma Cook**

The Principal Planner introduced the report and explained that the site was located within an area designated as Built Environment Type C according to Local Plan Proposals Maps for Castle Rising, as well as the Castle Rising Conservation Area. The whole of Castle Rising was within the Norfolk Coast Area of Outstanding Natural Beauty (AONB).

Castle Rising was classified as a 'Rural Village' according to Policy CS02 of the Local Development Framework Core Strategy. Development within these villages was limited to minor development which would meet the needs of the settlements and helped to sustain existing services.

The site comprised part of a former school building located on the northern side of Lynn Road, Castle Rising. The building was elevated above the road level. The ground floor area of that part of the school building was the subject of the change of use application. That element of the school building had been used as an office in association with an Art Studio. The Art Studio operated from that part and the adjoining eastern most part of the school building. The remainder of the Art Studio use was also subject to a change of use application, 15/00544/CU, which was also on the agenda.

The proposal sought a change of use from an Art School to hairdressers (A1). There were no external changes proposed as part of the application. There would be a maximum of 3 people working at the premises, 2 of which were expected to have up to 8 appointments a day; the other person would have no appointments.

The application had been referred to the Committee for determination as the recommendation was contrary to the Highways Officer recommendation.

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

- Principle of development;
- Impact upon amenity; and
- Highway safety issues.

RESOLVED: That the application be approved as recommended.

(iv)

15/00544/CU

Castle Rising: The Old School House, Lynn Road: Retrospective application for change of use from art and craft tuition centre with ancillary sales to fashion (ladies) retail: Mrs Cheryl Daubney

The Principal Planner introduced the report and explained that the site was located within an area designated as Built Environment type C according to Local Plan Proposals Maps for Castle Rising, as well as the Castle Rising Conservation Area. The whole of Castle Rising was classified as a 'Rural Village' according to Policy CS02 of the Local Development Framework Core Strategy. Development within these areas was limited to minor development which met the needs of the settlement and helped to sustain existing services.

The site comprised part of a former school building located on the western side of Lynn Road, Castle Rising. The building was elevated above the road level. The ground floor area of this part of the school building shown on the submitted plan was the subject of this change of use application. The Art Studio operated from this part and the adjoining southernmost part of the school building. The remainder of the Art Studio use was also subject to a change of use application, 15/00430/CU for hairdressers, which was also on the agenda.

The proposal sought retrospective change of use from an Art School to ladies fashion retail (A1). There were no external changes proposed as part of the application. There were two part time employees working at the premises and the opening hours were between 10am and 4.30pm Monday to Saturday.

The application had been referred to the Committee for determination as the application was the spouse of a Councillor.

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

- Principle of development;
- Impact upon amenity; and
- Highway safety.

Councillor Storey referred to the reason why the Committee needed to determine the application as the applicant was the spouse of a Councillor, and commented that the Committee

considered applications on their own merits and who owned the site/buildings did not have any relevance. He added that Borough Councillors should be able to be treated the same as members of the public.

He also considered that the Highways Officer should be in attendance at the meeting at all times.

The Planning Control Manager explained that the application came before the Committee to determine to ensure that the decision making process was open and transparent. Applications made by officers involved with the decision making process also had to be considered by the Committee.

Councillor Wareham asked whether the build out requested by County Highways was going to happen. In response, the Principal Planner explained that he did not think that it would be necessary.

RESOLVED: That the application be approved as recommended.

The Committee adjourned at 11.15 am and reconvened at 11.25 am.

(v)

15/00433/F

Downham Market: The Stables, Bexwell Road: Conversion of former offices to form three 2 bedroom residential units, alterations to coach house to form one 2 bedroom dwelling and construction of three terraced 2-3 bedroom cottages: Mr John Murphy

The Principal Planner introduced the report and explained that the proposal was for the conversion of a coach house to one, 1.5 storey dwelling and the construction of a terrace of three, two-storey dwellings.

The site was located to the north of Bexwell Road, Downham Market and benefited from an implemented scheme for the conversion of the offices to two, single-storey dwellings; conversion of the coach house to one, single storey dwelling and the construction of one detached, two storey dwelling.

As such, the proposed development would result in an increase of 3 dwellings over and above the consented and implemented scheme.

The site was located within a Conservation Area and within Flood Zone 1. The application had been referred to the

Committee for determination as the officer recommendation was contrary to the Town Council recommendation.

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

- Principle of development;
- Form and character and impact on the conservation area;
- Highway safety;
- Residential amenity; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Mr Sutton (objecting) and Mr J Stephenson (supporting) addressed the Committee in relation to the application.

Under Standing Order 34, Councillor Westrop addressed the Committee. She endorsed the comments made by Mr Sutton objecting to the application. She added that the residents in the area agreed with the refusal given by the Town Council, but there was clear support for a sensitive development of the site but what had been proposed was overdevelopment. She referred to the objections lodged by herself and other residents. She pointed out that the access point was narrow and produced hazards. She understood that the applicant's intention was to use the development for employees of his fast food restaurant.

The Chairman, Councillor Mrs Spikings referred to the middle cottage and asked how access to the garden would be gained. In response, the Principal Planner advised that access would be through the front door.

Councillor White stated that he considered that the proposal would enhance the area which was within the Conservation Area.

Councillor Crofts expressed concern that the garden would have to be accessed through the front door and suggested that this needed to be improved.

Councillor Bubb pointed out that the only access to Bexwell Road was opposite Rabbit Lane. The Principal Planner advised that there had been no objection from County Highways.

Councillor Mrs Watson referred to the Old Stable building, which had its amenity space at the front, and asked where the washing lines, etc would be located. In response, the Principal Planner advised that it would be screened at the

front and a previous scheme had been approved at the same location.

Councillor Storey declared that the agent for the scheme had carried out some work for him in the past.

In relation to the application, Councillor Storey agreed with the comments made by Councillor White. He also stated that Norfolk County Council had indicated that there was extra land available for parking if required. The Principal Planner explained that condition 4 referred to that issue and highlighted the location on the plans.

The Principal Planner also highlighted on the plans the trees which were to be retained and the ones which would be removed, and according to the plans it looked like the large conifers would also be removed.

The Chairman, Councillor Mrs Spikings proposed that the application be refused. She stated that she was happy to see the site developed and happy with the stable conversion, however she considered that three terraced houses was too many. She suggested that two dwellings with adequate amenity space would be more appropriate. She did not consider the application to represent a 'good design' by having to access the garden through the house. She therefore considered that the application represented a cramped form of development and dis-amenity.

The proposal was seconded by Councillor Mrs Young and, after having been put to the vote, was carried.

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

'The proposed development, by virtue of the lack of a separate access to the rear amenity space of the mid-terrace 2-storey dwelling, would not provide satisfactory living conditions for future occupants of this dwelling and is therefore considered to represent poor design that fails to contribute positively to making places better for people. The proposal is therefore contrary to the NPPF in general and specifically to Chapter 8 of the NPPF, Policy CS08 of the Core Strategy, 2011 and emerging Policy DM15 of the Site Allocation and Development Management Document, 2015.'

(vi)

15/00266/CU

Hunstanton: Annexe, Town Hall, The Green: Change of use from B1 to A1: Mr Jack Schmollmann

The Principal Planner introduced the report and explained that the application site was located to the north eastern side of the Town Hall and within the Town Centre and Conservation Area of Hunstanton. The Annexe, which was currently vacant, was a single storey flat-roofed building constructed of carrstone and accessed from the eastern side of the Town Hall and to the rear of the parking area.

There were no proposed external changes to the building; it was proposed to remove some walls within the inside of the building to open up the internal space.

The application sought full planning permission for a change of use of the building to A1 use and would be utilised in that instance as a hairdressing/barber salon.

The application had been referred to the Committee to determine as the applicant was related to Councillor Richard Bird.

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

- The principle of the change of use;
- Highways issues;
- Crime and Disorder Act 1998; and
- Other material considerations

The Principal Planner explained that the change of use related to office use to retail.

Councillor Morrison asked whether there could be problems with parking, particularly in the evening.

Councillor Mrs Bower explained that the annexe had been empty for over a year and was in a town centre location. She did not have any concerns with the application at all and did not consider that parking would be an issue.

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

(vii)

15/00445/F

King's Lynn: Land to the north and east of 19 Gaywood Road: Construction of 6 dwellings and associated groundworks incidental to the development: Clients of David Taylor Associates

The Principal Planner introduced the report and explained that the application site was located within an area designated as Built Environment Type D within King's Lynn.

The land was mainly tarmac/hardstanding sloping from north to south and previously contained garages for those living on Eastgate Street and Archdale Street. Access to the site was provided via Eastgate Street and Gaywood Road.

A recent application on the site for 7 dwellings was refused by the Planning Committee on 17 June 2014 and dismissed on appeal APP/V2635/A/14/2225873 on 18 December 2014.

The application sought consent for the erection of 6 dwellings (3 pairs) on the site, and sought to overcome the objections set out in the appeal decision.

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

- Principle of development and planning history;
- Form and character;
- Impact upon neighbour amenity;
- Highway safety;
- Flood risk; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Mrs Hooks (objecting) and Mr G Smith (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Lesley Bambridge addressed the Committee as follows:

I am attending this morning at the request of residents. Within the documents on the Council's website there is an email saying that, and I quote, "neighbours have started ringing me already". Of course, they have, they have concerns about the impact of this development.

When a previous application for this site came to the Planning Committee there were concerns over parking and overshadowing amongst other issues. These concerns have not gone away.

There are now more parking spaces for the development but fewer for Adrian's Lodge. Residents also wonder why access is on Eastgate Street and not Gaywood Road? The access as currently proposed will mean the removal of street parking space to allow for the entrance to the development.

The latest design of these small, family homes is much improved, following the dismissal of the appeal of the previous application, and is more in keeping with the other houses nearby.

It's very disappointing that it couldn't have followed the line of the terraces with parking at the rear which could have been accessed via the original pub car park, now Adrian's Lodge, which it would appear from the documents, is owned by the applicants.

Perhaps if the terrace line was followed there would be better light for the residents of Archdale Street which backs into the site and is only separated by a small alleyway?

There are to be 3 car parking spaces allocated at Adrian's Lodge. I made the mistake at the meeting for the last application of describing Adrian's Lodge as an HMO. I was correct by Mr Parkin who rightly said this is accommodation for adults with special needs, which is probably why there are usually more than 3 cars there at any time, presumably those of support workers. I know this because I have checked at various times of day and night. I've counted in excess of 3 on several occasions and you can see from the residents' letters that it is sometimes as many as 9 parked there – 4 this morning.

Those vehicles are gaining access via Gaywood Road which is how it was when this was a pub. It is about the same number of vehicles that would need to gain access to the proposed development via Eastgate Street. Why not use this access? It is no more difficult than for access Eastgate Street or Kettlewell Lane.

These residents are not objecting for the sake of it. They want something to be in place on this site. They are long term residents; 22 years, 40 years and 60 years for example, who want to retain the community feel. They even took advantage of renting the garages that were previously on this site. These garages were demolished some 11 years ago in preparation for development.

The application 10 years ago was for 10 dwellings. The notes attached to this application state in one section that it is for 10 houses. This is incorrect as it was for 10 flats, five at ground floor and five at first floor.

There is one property owner supporting but I don't believe he actually lives there and, therefore, is probably not aware of the parking issues that residents have on a daily basis.

It isn't all the time, I realise, but I do visit the area regularly and see for myself.

It is so bad that following many complaints to me, Norfolk County Council have agreed to a residents' parking scheme being put in place, being one of the first for King's Lynn.

The residents are wondering why a brick wall can't be built at the rear of the development rather than the fencing that is currently there. That would be in keeping with the area.

They also have concerns about the need for flood gates, as suggested by the Environment Agency and the comments about the need to demonstrate that the sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows, generated as a result of the development, without causing pollution or flooding. I hope that the condition suggested is applied.

I note that an additional parking space has been allocated to the site very recently. But there will still be fewer on the street because of the entrance to the site. And there won't be enough for the staff at Adrian's Lodge. There were seven in the photograph you were shown today. Where will they park?

The Chairman, Councillor Mrs Spikings asked for clarification in relation to the parking provision for Adrian Lodge.

The Principal Planner referred the Committee to paragraph 8 of the Inspector's Appeal decision on page 82 of the agenda. He added that the applicant had attempted to address the reasons for refusal by reducing the number of units from 7 to 6.

The Principal Planner added that in relation to the Environment Agency's comments, condition 7 had been suggested which would give slight raised floor levels.

Councillor Mrs Wright asked for clarification in relation to the size of amenity space which would be provided. The Principal Planner gave the dimensions of the amenity space and explained that it varied in depth.

Councillor Mrs Wright added that the garden space was not that generous and asked if the proposal given by the Civic Society would enable bigger gardens to be provided. In response, the Principal Planner explained that the properties would not be able to be pulled further away from Eastgate Street. This scheme did in fact provide better gardens than the refused scheme. He also confirmed that the properties all had accesses to the rear.

Councillor Bubb stated that there were 5 cars parked at Adrian Lodge when he drove past, and considered that access to Gaywood Road would be better.

The Chairman, Councillor Mrs Spikings asked whether the 3 allocated spaces for Adrian Lodge was adequate.

Councillor Gourlay queried where the cars which currently parked at Adrian Lodge would go. He suggested that the number of units could be reduced to 4.

Councillor Crofts considered that the site was ready to be developed and the scheme presented appeared to have addressed the issues raised by the Planning Inspector. In relation to parking, he considered that people would be aware that there were parking issues in that area as it was a town centre location.

Councillor Storey referred to the amount of parking spaces that would be available for users of Adrian Lodge. The Principal Planner advised that the parking provision for Adrian Lodge had not been a source of objection from County Highways or this Committee for the previous scheme. In relation to the objection from the Environment Agency, he explained that the objection had been removed following mitigation measures put forward in connection with floor levels and flood resilient construction. Therefore there was now no objection from the Environment Agency on flood issues.

Councillor Storey added that the Committee should be able to raise a new issue if required. He stated that the public speaker had referred to a good quality of life and if there would more space for the proposal then this would give a better quality of life for those residents.

Councillor Crofts highlighted that there could not be that many residents because the Adrian Lodge building was not that big.

The Planning Control Manager advised that the applicant had made changes to the scheme to address the issues raised in the appeal decision and unless there had been a significant change to the scheme it would be unreasonable to add another issue at this stage.

The Principal Planner explained that Adrian Lodge had 9 bedroom spaces and the car parking requirement was one space per 3 bedrooms and one visitor space which in total was 4 spaces. However, the current scheme provided 3 car

parking spaces in total leaving a possible shortfall of one space.

RESOLVED: That the application be approved as recommended.

The Committee then adjourned at 12.40 pm and reconvened at 1.20 pm.

(viii)

15/00137/F

Outwell: Oakley House Nurseries, Hall Road: Supply and install 2 x Victory 24-60 wind turbines (22m): Oakley Nurseries

The Principal Planner introduced the report and explained that the land was agricultural, under the ownership of Oakley House Nurseries, situated on the southern side of Hall Road, Outwell, in the countryside, as designated in the Development Plan.

The application related to the construction of an additional two x 3 bladed wind turbines on the land, each with an overall turbine tip height of 34m. Members may recall that two turbines of that size were granted permission under application reference 14/00605/F. This application sought to add two further turbines in a line to the east of those already approved with similar separation.

The National Planning Policy Framework 2012, the King's Lynn and West Norfolk Core Strategy 2011 plus the emerging policies contained in the Submitted Site Allocations & Development Management Policies Document were relevant to this application.

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

- Principle of development;
- Visual impact;
- Ecology;
- Heritage assets;
- Amenity;
- Highway safety; and
- Other material considerations.

Councillor Wareham asked what the capacity was of these turbines compared with the ones previously approved.

The Principal Planner explained that the turbines were 60kw.

Councillor Wareham asked when did the proposal become classed as a wind farm and did the applicant need the energy or would it go into the grid? The Planning Control Manager explained that he was not aware of a definition or when a scheme changed from wind turbines into a wind farm. With regards the point raised on proving a need for the energy, in accordance with the NPPF, this could not be taken into account.

The Chairman, Councillor Mrs Spikings referred to the comments of the Council's Community Safety and Neighbourhood Nuisance Team reported on page 92 of the agenda, and proposed that the application be deferred until the Reconvened Meeting on 4 June 2015, in order for further information in relation to those comments. This was seconded by Councillor Wareham and, after having been put to the vote was carried.

RESOLVED: That determination of the application be deferred until the reconvened meeting of the Committee to be held on 4 June 2015, in order that further information be obtained in relation to the application.

(ix)

15/00237/F

Snettisham: The Compasses, 16 Lynn Road: Change of use and extension to provide ground floor retail and first floor office space: Co-Operative Group Food Ltd

The Principal Planner introduced the report and explained that the site comprised The Compasses Inn, a two storey and part single storey building with associated parking and private amenity land. The site had been unused for nearly five years but was last used as a public house.

The site was surrounded predominately by residential development whilst to the north-west was a commercial office property.

The application sought full planning permission for the change of use of the building and extensions to provide ground floor retail and first floor office space.

The site was within the settlement of Snettisham, within the Built Environment Type C and within the Conservation Area.

The application had been referred to the Committee for determination given the scale of concerns raised.

The Principal Planner referred to condition 9, which if the Committee were minded to approve the application, should

be amended to refer to commercial uses rather than residential units.

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

- Principle of development;
- Loss of the public house;
- Design issues and impact upon the Conservation Area;
- Amenity issues;
- Highway issues; and
- Other material considerations.

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

Councillor Morrison asked whether the building required a change of use. The Principal Planner explained that this application was a change of use from a public house to A1 and also included office use. Physical changes were also proposed so planning permission was required. If the scheme had just been for A1 use and no physical changes, then no permission would have been needed.

Councillor Morrison asked whether it could be confirmed that it would be the Co-op who would be using the building. The Principal Planner explained that it could not be confirmed that the Co-op would be the end user of the building but clearly they were the applicants. He added that the proposal previously had consent for a mixed retail and residential scheme.

Councillor Bubb stated that deliveries would be a problem as the backyard would not be able to be used.

The Principal Planner confirmed that deliveries would take place from the street, as an articulated vehicle would not be able to enter the car park and turn around.

Councillor Bubb further added that County Highways were proposing that the delivery lorry parked on the Lynn Road or Church Street.

Councillor Wareham added that deliveries took a long time and could take up to an hour. He was concerned that there was not adequate provision for deliveries to be made off the highway.

Councillor Mrs Wright stated that she understood that the delivery lorry would pull onto the forecourt. The Principal

Planner explained that that may be the case for a smaller van/lorry, but not for an articulated lorry.

Councillor Mrs Wright added that it was a bottleneck in that area although she considered that the village did need another store.

Councillor Crofts added that the Co-op would know the area and would use delivery vehicles which were suitable for the premises.

Councillor Morrison referred back to the Tesco at Heacham and stated that when he was Ward Member, he was aware of constant complaints regarding deliveries.

Councillor Colvin, the current Ward Councillor for Heacham, stated that Tesco's had alleviated the problems with deliveries by the use of smaller delivery vehicles and he considered that the Co-op would do the same.

Councillor Gourlay, whilst having sympathy with the newsagent within the village, considered that the site needed to be developed.

Councillor Buck stated that there was a Co-op in Terrington St Clement and Clenchwarton and the company already catered for those smaller shops.

Councillor Wareham suggested that an entry/exit arrangement within the car park might help the situation. The Principal Planner advised that the County Council did not want extra traffic through the Church Road junction.

The Planning Control Manager advised that for the Tesco application in Heacham, a condition was imposed requiring a Delivery Management Plan to be agreed, and suggested that this might be relevant for this application.

Councillor Storey asked if deliveries could take place before the store opened. The Planning Control Manager advised that deliveries could be made earlier but this would mean noise for residents at an earlier time.

Councillor Wareham then proposed an additional condition requiring a Delivery Management Plan to be agreed before the store opened. This was seconded by the Chairman, Councillor Mrs Spikings and agreed by the Committee.

RESOLVED: That, the application be approved, as recommended, subject to an additional condition requiring a Delivery Management Plan to be submitted to and agreed by

the Local Planning Authority and condition 9 being amended to refer to commercial uses rather than residential units.

(x)

15/00455/F

Upwell: 26 Small Lode: Alterations to garage to form study: Mr and Mrs David Pope

The Chairman, Councillor Mrs Spikings declared a prejudicial interest in the application as she was related to the agent for the scheme.

The Planning Assistant introduced the report and explained that the land was situated on the south side of Small Lode, Upwell approximately 190m north-east of the Church Bridge/St Peters Road/New Road junction and in the Conservation Area.

The application sought consent to convert the garage/utility element of a detached double garage to form a study/utility combination, whilst retaining the other garage unit.

The National Planning Policy Framework 2012, the King's Lynn and West Norfolk Core Strategy 2011, the King's Lynn and West Norfolk Local Plan 1998 and the emerging King's Lynn and West Norfolk 'Development Management Policies' 2014 were relevant to the application.

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

The Planning Assistant then outlined the key issues for consideration when determining the application, namely:

- Development in the Conservation Area/Permitted development; and
- Other considerations.

RESOLVED: That the application be approved as recommended.

(xi)

15/00150/FM

Wiggenhall St Mary Magdalen: Church Meadow Farm (Plot 1), Lynn Road: Reserved matters application for construction of residential dwelling: Mr Andrew Wright

The Principal Planner introduced the report and explained that the site was the southern-most of two plots of land situated on either side of Church Meadow Farmhouse to the western side of Lynn Road, Wiggenhall St Mary Magdalen. It was located approximately 70m north of the Church Road

junction in an area designated as Built Environment Type D on the Local Plan map for this rural village.

Outline permission was granted on appeal under reference 12/01792/EXO on 30 October 2013, with access considered at that stage. Reserved matters were approved for a detached house with integral garage under application ref: 13/00106/RM in March 2013, but this was not implemented.

This application sought further reserved matters approval for the appearance, landscaping, layout and scale of a new house with a detached double garage (containing roof storage) to the front.

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

The Principal Planner then outlined the key issues for consideration when determining the application, namely:

- Principle of development;
- Impact upon character and appearance of the locality;
- Impact upon adjoining properties;
- Highway implications; and
- Crime and disorder

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

PC10: **DELEGATED DECISIONS**

The Committee received the Schedules relating to the above.

RESOLVED: That, the report be noted.

PC11: **PLANNING ENFORCEMENT: LAND AT GARWOOD CLOSE, KING'S LYNN**

The Planning Control Manager explained that the report had been brought to the Planning Committee so that Members could note the continuing breach of planning control and a resolution to remedy the breach of planning control following non-compliance with a Section 215 Notice.

The wall was situated on land on the east side of Garwood Close, King's Lynn. The wall formed the boundary treatment of the car park area. Each owner within the immediate area had at least one parking bay allocated and registered with the property.

It was reported that concerns of local residents about the condition of the wall and the impact on the character and appearance of the street were brought to the attention of the Planning Enforcement Team in September 2012.

Negotiations with two landowners resulted in partial compliance, ie. a section of the wall had been rebuilt. However, the owner of the section of wall that remained in a poor condition advised the Council that she was of ill health and with little financial means.

The Committee then considered the options for remedying the breach of planning control:

- Option 1 – Prosecution
- Option 2 – Injunction
- Option 3 – Direct Action
- Option 4 – Take no further action
- Option 5 – Discretionary extension of compliance period

RESOLVED: (1) That the update in respect of the continuing breach of planning control be noted

(2) That authority be granted to the Executive Director of Environment and Planning for the implementation and execution of direction action under Section 219 of the Town and Country Planning Act 1990 (as amended) to comply with requirements set out in paragraph 3 of the Section 215 Notice.

PC12: **PLANNING ENFORCEMENT: QUARTERLY REPORT: 1 JANUARY 2015 - 31 MARCH 2015**

The Committee considered a report which provided an update on service performance for planning enforcement for the first quarter of 2015.

RESOLVED: That, the report be noted.

PC13: **DECISIONS ON PLANNING AND ENFORCEMENT APPEALS: QUARTERLY REPORT: 1 JANUARY 2015 - 31 MARCH 2015**

The Committee received a quarterly update covering performance for the period 1 January – 31 March 2015.

The data showed that for the first quarter of 2015, 42% of all appeals were allowed. For the 12 month period to 31 March 2015 an average of 30% of all appeals were allowed. This is below the traditional national average figure of around 33% of all appeals allowed.

RESOLVED: That, the report be noted.

The meeting closed at 2.20 pm