

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

**PLANNING COMMITTEE**

**Minutes from the Meeting of the Planning Committee held on  
Monday, 29th June, 2105 at 10.00 am in the Committee Suite, King's Court,  
Chapel Street, King's Lynn**

**PRESENT:** Councillor Mrs V M Spikings (Chairman),  
Councillors Mrs C Bower, A Bubb, Mrs S Buck, P Colvin, B Long, M Peake,  
Mrs V Spikings, Mrs E Watson, A White, T Wing-Pentelow, Mrs A Wright and  
Mrs S Young

An apology for absence was received from Councillors C Crofts, I Gourlay,  
J Moriarty, A Morrison, M Storey, D Tyler and G Wareham

**PC14: MINUTES**

The Minutes of the Meetings held on 1 June 2015 and the Reconvened Meeting held on 4 June 2015 were agreed as a correct record and signed by the Chairman.

**PC15: DECLARATIONS OF INTEREST**

- Councillor Bubb declared that he was acquainted with the applicant for item 8/2(b) – King's Lynn.
- Councillor Long declared that he was a member of Marshland St James Parish Council but had not voted on the matter relating to item 8/2(c) – Marshland St James.
- Councillor Mrs Bower declared that her husband was the Parish Clerk for Snettisham.

**PC16: URGENT BUSINESS UNDER STANDING ORDER 7**

There was none.

**PC17: MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillor attended and addressed the Committee on the application indicated against her name:

<b><i>Name</i></b>	<b><i>Item</i></b>	<b><i>Application</i></b>
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L Bambridge

8/2(b)

15/00613/F

PC18: **CHAIRMAN'S CORRESPONDENCE**

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

PC19: **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.

PC20: **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) – (v) below, subject where appropriate to the conditions and reasons or grounds of refusal set out in the schedules signed by the Chairman.

(i) **14/00944/FM**

**Snettisham: Land at Common Road: Residential development of land to provide 23 residential dwellings together with associated access road, parking, garaging and public open space (revised scheme to 13/01736/FM): Hopkins and Moore (Developments) Ltd**

The Principal Planner introduced the report and explained that on 5 February 2015 the Planning Committee resolved to grant permission for the development that was the subject of the application. Approval was subject to completion of a Section 106 Agreement within 3 months of the date of the resolution, ie. by 5<sup>th</sup> May 2015. However the Agreement had not been completed within the time limit.

This item sought the consent of the Committee to allow a further two months from the date of the Committee Meeting to allow completion of the legal agreement.

The full report presented to the Committee in February was appended to the item.

The application had been referred to the Committee for determination to seek an extension to the time period allowed for the finalisation of the Section 106 obligation.

The Executive Director explained that the Committee had previously resolved to grant consent subject to the completion of a Section 106 Agreement. It was unusual for a developer to submit a Section 106 Agreement so late in the day but it had been received and reviewed and was now in a form which was acceptable to the Council.

The matter before the Committee was whether it was acceptable to extend the period of time for the completion of the Section 106 agreement and not to reconsider the design aspects, etc which had not changed from that scheme presented to the Committee in February 2015.

In response to a query from Councillor Mrs Bower regarding affordable housing, the Planning Control Manager explained that the scheme would provide affordable housing. He also explained that some of the delay with the Section 106 Agreement related to the fact that the Council was not happy with a definition of one of the clauses within the agreement.

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

In response to a comment raised by the public speaker, the Principal Planner explained that granting consent for this application would not include any additional houses to the south. The larger site was included as part of the preferred option for development in Snettisham identified in the ongoing 'Site Allocations and Development Management Policies Pre-Submission document which was to be considered at a hearing in July. He added that if Members granted consent for the extension of time there would not be any more units provided than the consent granted in February 2015.

The Principal Planner also explained that the drainage scheme that the applicants were proposing was still the same scheme that had been agreed in February. He further explained that in relation to the surface water run-off rate there would be no more additional strain on the network than the current field.

The Principal Planner further explained that the scheme would offer some betterment as currently there were large pipes discharging into small pipes. The scheme proposed by the applicant proposed an overflow across the road into the ditch.

In response to a query from Councillor Mrs Watson, the Principal Planner explained that the public open space would still serve as an attenuation feature.

Councillor Mrs Wright clarified that the site did open up to extra land at the rear which would have an impact on services.

In response, the Chairman, Councillor Mrs Spikings explained that the site had been allocated for development in the LDF which would be subject to examination over the next few weeks.

Councillor Mrs Wright added that she was fundamentally worried about drainage in Snettisham. In relation to lighting, she referred to the late correspondence and the comments made by the Parish Council requesting that the lighting on the site matched what had already been installed in the

village. The Principal Planner explained that the lighting to the adopted section of the scheme would be installed to Highway's standards and asking the developer to provide lighting above and beyond would be unreasonable.

The Principal Planner also confirmed that carrstone had been included within the design considered by Committee in February and highlighted this on the plans.

Councillor Long suggested that the lighting impact on the Area of Outstanding Natural Beauty needed to be taken into consideration. He considered that the LED lights would be more suitable.

The Principal Planner explained that the exact type of lighting was not required to be specified at this stage but condition 3 required an outdoor lighting scheme to be submitted and approved by the Local Planning Authority. He added that if Norfolk County Council required LED lighting that was what the applicant would have to provide.

It was highlighted that Norfolk County Council paid for the electricity and therefore they would ensure that the scheme was as cost effective as possible.

**RESOLVED:** (a) That, the application be approved subject to conditions and the completion of a Section 106 Agreement within 2 months of the date of the resolution to approve.

(b) That in the event that the Section 106 agreement was not completed within 2 months of the date of this Committee meeting, the application be refused due to the failure to secure affordable housing, public open space and county contributions.

**(ii) 15/00507/F**

**Hunstanton: 85 South Beach Road: Construction of replacement dwelling following demolition of existing dilapidated bungalow (redesign): Mrs A Harris**

The Principal Planner introduced the report and explained that the application site was located within Hunstanton Holiday Zone and contained a single storey detached property with vehicular access.

The form and character of the development in the locality was mixed with single, two storey and three storey dwellings evident in the street scene. The site was located within a high risk flood area.

The proposal sought consent to replace the one existing dilapidated bungalow with one, two storey dwelling with accommodation in the roof.

The application had been referred to the Committee for determination because the officer recommendation was contrary to the views of the Environment Agency.

The Principal Planner reported that the Environment Agency had withdrawn its objection to the proposal as it would not lead to a material increase in habitable accommodation and would only be occupied between 1<sup>st</sup> April and

30<sup>th</sup> September. However, it was the officer's opinion that the scheme would be acceptable without the occupancy condition as the existing dwelling did not have an occupancy condition. The proposed dwelling would also have habitable accommodation provided at first floor level above anticipated flood levels. There would also be no increase in the number of bedrooms to be provided. The new dwelling would be constructed to withstand hydrostatic pressures and would incorporate flood resilient construction techniques.

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

- Form and character;
- Impact upon Neighbour Amenity;
- Flood risk;
- Highway safety; and
- Other material considerations.

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

**(iii) 15/00613/F**

**King's Lynn: Royal British Legion, 33-39 Tower Street: Conversion of first floor and extension to create second floor to create six flats, including alterations and demolition: Mrs M J Guest**

The Principal Planner introduced the report and explained that the application site was located within an area defined as Built Environment Type C and the St Margaret's Conservation Area of King's Lynn.

The existing building had single and two storey elements and had been used by the Royal British Legion as a Social Club at ground floor and offices above.

The proposal sought consent for alterations and extensions to create 6 flats above the social club.

The application had been referred to the Committee for determination by the Planning Control Manager as the proposal would be a significant development on a significant site within the Conservation Area.

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

- Impact upon the Conservation and Listed Buildings;
- Amenity issues;
- Flood risk;
- Highway safety; and
- Other material considerations.

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

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

*I am speaking today in support of this application. Unusually for me, I will be very brief.*

*I haven't much to add since my letter which you may have seen but I felt, when I first saw the application, that it was something that I could support.*

*The buildings that are already in existence are rather messy - this is not a planning term, I know, but it is the best word I can use to describe them.*

*They date from the 1950s. The "slab sided" Kwik Fit building adds nothing and the western end of Regent Way leaves a lot to be desired where the road was cut through in the early 70s.*

*Development, as proposed here would "neaten" the roofline whilst providing much needed accommodation in the area.*

*This area is part of the Townscape Heritage Initiative, I serve on the Board - the project has secured funding from the Heritage Lottery to make improvements to the buildings in that area. I can only see this development as enhancing those improvements.*

*This is part of the Conservation Area and there are some very important buildings nearby, but I don't think the proposals are to its detriment and I know that this is the view of the Conservation Officer too. There will be an impact but there is already, and this development will do no harm.*

*There is a view that the presence of people living in town centres helps to keep crime and anti-social behaviour at a lower level. This is something that housing associations and the Civic Society are keen to encourage in King's Lynn. As Ward Councillor, I would welcome anything that helps reduce instances of anti-social behaviour.*

*The developer has incorporated a lift which is unusual in flats in King's Lynn. This means they will be more accessible to people of all ages and abilities.*

*Necessary changes have been made to the plans on the guidance of officers.*

*I hope you will look favourably on this application.*

In response to a comment made by the public speaker regarding the link section and amenity space, the Principal Planner highlighted these areas on the plan.

Councillor Mrs Wright echoed the comments made by Councillor Miss Bambridge that the town needed more residential accommodation, and supported the application.

Councillor Bubb informed the Committee that the Heritage Task Group had considered that there needed to be more people living above shops.

Councillor Long referred to insulation between the hall and residential accommodation which he considered was very important. It was advised that condition 3 would cover this issue.

The Chairman, Councillor Mrs Spikings referred to the late correspondence and the need to amend condition 2, which was agreed by the Committee.

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

**(iv) 15/00077/F**

**Marshland St James: Wings, Rands Drove: Retrospective application for log cabin style mobile home/caravan to be used as ancillary accommodation for applicant's daughter: Mrs Maureen Openshaw**

The Principal Planner introduced the report and explained that the application site was within open countryside, on the western side of Potato Drove, which at this point was a track leading off Rands Drove. The application site was located to the west of the Drove and an existing riding school and stables. To the north was the relatively recently built replacement farmhouse.

The application related to a log cabin style mobile home set on a concrete base with a private garden area surrounded to the west by bunding.

The application sought to retain the mobile home as ancillary accommodation to Wings Farmhouse as the owner/resident/applicant was in poor health and in need of care and someone to look after the horses. It was presently being occupied by the applicant's daughter and partner and had been used since last October.

The Principal Planner also explained that this was a retrospective application and that there had been a previous refusal on the site for the siting of a residential caravan and an enforcement notice was served which was complied with.

The application had been referred to the Committee for determination because it had been called-in by Councillor Long and 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:

- Planning history;
- Principle of development;
- Flood risk; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Carol Coleman (supporting on behalf of the Parish Council) and Mrs Openshaw (supporting) addressed the Committee in relation to the application.

In response to comments raised by the public speaker, the Principal Planner explained that the mobile home was not ancillary accommodation as it was a self-contained unit in its own grounds therefore it was classed as a new dwelling in the countryside.

In accordance with Standing Order 34, Councillor Long addressed the Committee in support of the application. He added that the Committee had heard the reasons why this application should be approved and that it was a difficult decision for Members of the Committee who did not know the locality. He explained that the site was very isolated. He referred to the consultation responses listed in the report where none had any objection to the application. In addition, there had been no representation from members of the public.

Councillor Long also explained that this was a rural area and there had been history to the site. He added that this was a log cabin not a caravan and sat within the locality of the stable blocks. He informed the Committee that if they were minded to approve the application an occupancy condition relating to the daughter could be attached. He suggested that given the amount of space if the caravan was moved onto the curtilage of the property no-one would seem to have a problem.

Councillor Long added that the development was not detrimental to the countryside; in relation to the principle of development he considered that the caravan would be a rural worker, the site was within Flood Zone 3 but the applicant was more than willing to sign up to a Flood Evacuation Plan and there was the main farmhouse which the occupant could evacuate to.

The Chairman, Councillor Mrs Spikings stated that the Committee had to consider the land use and not the personal circumstances of the applicant. She also referred to the history of the site where a caravan had been removed following enforcement action. She also considered that the reasons put forward did not justify a new dwelling in the countryside. She added that the site was divorced from the farmhouse and suggested that the mobile home could go in the grounds of the farmhouse. She stated that whilst she had every sympathy for the applicant in relation to her health problems, buildings remained and policies were in place to protect the countryside.

The Planning Control Manager explained that the Committee should be consistent in its application of policy, and that the applicant would have been aware of the enforcement notice which had been in place when she brought the site. He added that no material circumstances had been put forward or a business case for a rural worker.

Councillor Mrs Wright referred to paragraph 55, and asked how a rural worker would be defined. She added that the applicant's daughter would be caring for her mother and she saw this as a job. She considered this was an essential need and that some compassion was needed.

The Planning Control Manager explained that there had to be an essential need and no case had been put forward by the applicant. In addition, there was an existing dwelling already on the site and coupled with the lack of business case put forward they did not meet the criteria outlined in Paragraph 55.



Councillor Mrs Buck added that whilst she had complete sympathy with the applicant the proposal would be better located within the boundary of the farmhouse.

Councillor Long referred to the siting of the mobile within the grounds of the farmhouse and asked if this would be acceptable. The Chairman reminded the Committee that they needed to determine the application as presented.

Councillor Long then proposed that a site visit be undertaken, which was seconded by Councillor Mrs Wright, however after having been put to the vote, was lost.

**RESOLVED:** (1) That, the application be refused, as recommended.

(2) Enforcement Action be authorised to secure the removal of the mobile home/caravan from the site.

(v) **15/00189/F**

**Wiggenhall St Germans: 22 Mill Road: Proposed new two storey residential dwelling: Mr & Mrs K Gyles**

The Principal Planner introduced the report and explained that the application site was located on the southern side of Mill Road, Wiggenhall St Germans, between a recently built detached house (No.22) and a house (Millstone/22a) to the east.

The application site was located within the countryside as identified by the inset maps for Wiggenhall St Germans, although the area where the house was proposed would be within the new proposed village guideline, set out in the Site Allocations and Development Policies Document (SADMPD).

Full permission was sought for the construction of a detached 3 bedroom house with a paired access and use of half of an existing double garage to serve both the new dwelling and donor property.

The application had been referred to the Committee for determination because the Parish Council 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;
- Planning history;
- Impact on form and character;
- Highway matters;
- Drainage and flood risk;
- Relationship with adjoining dwellings; and
- Other material considerations.

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

PC21: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

**RESOLVED:** That the reports be noted.

PC22: **DATE OF NEXT MEETING**

The next meeting of the Committee will be held on **Monday 27 July 2015** at **10.00 am** in the Committee Suite, King's Court, Chapel Street, King's Lynn.

**The meeting closed at 11.25 am**