

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

Minutes from the Meeting of the Planning Committee held on Monday, 2nd October, 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, G Hipperson, T Parish, M Peake, Mrs S Squire (sub), M Storey, D Tyler, G Wareham, Mrs E Watson, Mrs J Westrop (sub), A White, Mrs A Wright and Mrs S Young

PC42: **APOLOGIES**

Apologies for absence were received from Councillor Morrison and Miss Sandell

The Chairman, Councillor Mrs Spikings thanked Councillors S Squire and Mrs Westrop for acting as a substitute at the meeting.

PC43: **MINUTES**

The Minutes of the Meeting held on Monday 4 September 2017 were agreed as a correct record and signed by the Chairman, Councillor Mrs Spikings.

PC44: **DECLARATIONS OF INTEREST**

- Councillors S Squire, M Storey and A White declared an interest in item 8/3(d) – Gayton as they were Norfolk County Councillors.
- In relation to item 8/3(e), Councillor Parish declared that he was a member of Heacham Parish Council but had not taken part in the decision or any debate.

PC45: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business under Standing Order 7.

PC46: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillor attended under Standing Order 34:

<i>Name</i>	<i>Item</i>	<i>Application</i>
N J Daubney	8/3(d)	17/01547/CM, Gayton

PC47: **CHAIRMAN'S CORRESPONDENCE**

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

PC48: **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.

PC49: **INDEX OF APPLICATIONS**

The Committee noted the Index of Applications.

(a) **Decisions on Applications**

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

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

- (i) **17/01128/O**
Stow Bardolph: Horseshoe Farm, 241 The Drove, Barroway Drove: Erection of two chalet bungalows: Mr Thomas Heffernan

Councillors Squire, Storey, Tyler and White stated that they would not take part in the application as they had not been present at the previous meeting when the item was first considered.

The Principal Planner reminded those present that this application had been considered by the Committee at the meeting on 4 September 2017. There was general support for the development, however it was deferred to enable further consideration to be given to raising the floor levels of the proposed dwellings and any impact this could have on the neighbouring dwelling.

In response to the Committee's concerns regarding this issue, the agent submitted modified plans, including an indicative section across the site, showing how the matter could be dealt with at reserved matters stage. This showed the site broadened slightly by 3.2m to provide plot sizes 19.1 m (formerly 18.0m) and driveways and garages

set at existing land level with the chalets and patios elevated and land graduated to the rear down to existing field level.

Therefore officers were satisfied that these matters could technically be addressed via condition and resolved at the reserved matters stage, without detriment to adjoining dwellings.

The Chairman, Councillor Mrs Spikings reminded the Committee that she had proposed that the application be approved, which was seconded by Councillor Lawrence. As Councillor Lawrence was not present at the meeting, Councillor Mrs Westrop seconded the proposal.

The Committee then voted on the proposal to approve the application, on the grounds that it was an infill plot, the flooding issues could be overcome and the proposal would not have a negative impact on the area, which was agreed.

RESOLVED: That the application be approved subject to the imposition of appropriate conditions to be agreed following consultation with the Chairman and Vice-Chairman for the following reasons:

The development was considered to represent sensitive development of a gap in a continuous built up frontage in accordance with Policy DM3 of the Site Allocations & Development Management Policies Plan. In addition, the exception test was passed through the wider sustainability benefits the provision of an extra dwelling brings, and through an acceptable site specific flood risk assessment for the development.

- (ii) **17/00581/FM**
Downham Market: Land south of Prince Henry Place: Proposed 19 no. 2 and 3 bedroom dwellings (15 no. market sale dwellings with 4 no. affordable high quality dwellings) with associated garages/parking, access road, landscaping and open space: Altius Goc (London Road Downham Market) Limited

The Principal Planner introduced the report and explained that the application site (0.7ha of former paddock land) was located within the development area of Downham Market at the head of Prince Henry Place. It was bounded by residential development to the north, east and south, with school playing fields to the west.

The application sought full permission for the construction of 19 dwellings (including 4 affordable units), with associated garages/parking, access road, landscaping and open space.

The site was located within the development area of the town. The principle of developing the site was therefore acceptable in planning policy terms. Historically the site was identified for residential development in the previous Local Plan and had a development brief.

The application had been referred to the Committee as the views of the Town Council 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 of form and character of locality;
- Highways issues;
- Affordable housing provision;
- Drainage; and
- Other material planning considerations.

The Principal Planner drew the Committee's attention to the late correspondence and the need to amend conditions 2, 5 and 13.

In accordance with the adopted public speaking protocol, Mr R Jordan (objecting), Mr R Horne (objecting) and Mr F Daymond (objecting on behalf of the Town Council) addressed the Committee in relation to the application.

The Vice-Chairman then read out a letter from Councillor Kathy Mellish, Ward Member, as follows:

With regard to the application although I respect that we need homes to be built and am not against this I do have huge reservations about the amount of traffic that will inevitably enter and leave what is currently a very narrow entrance for the new estate. Vehicles will travel through a very small close surrounded by elderly residents who have for many years benefitted from living in a quiet sheltered complex with safe paths and a little used road. This application for 19 new dwellings will attract at least 38 new vehicles which potentially will be backwards and forwards at least twice a day if not more.

These vehicles will then have to join Howdale Road, already a fast moving road alongside the Howdale which is a well-used open space for children to play, one of only two safe areas in Downham Market. I am asking for my fellow Councillors to insist Norfolk County Council Highways take notice that there needs to be far better speed restrictions in place along this road where I know one young girl was knocked down years ago suffered a head injury and has since been confined to a wheelchair. I would also ask that Norfolk County Highways do not wait for a fatality but take this opportunity to address the road issues both at the junction where Howdale Rise joins Howdale Road, at the blind bend where people park outside the Dr Surgery forcing cars to pass on the wrong side of the road on a blind bend and finally at the end of Howdale Road where it joins London Road and make that exit a left turn only. Every day cars wait and struggle to turn right or go straight over and it is only time before there is a very bad accident. Left turn only at this point would be very easy to execute as

there is a roundabout a few yards along where this traffic can then complete the turn and head back towards the traffic lights or turn left and go to the station.

I believe this would be a fair exchange for the addition of more homes in an already highly populated area and be completely compatible with Health and Safety issues to ensure traffic flow is kept moving, people enjoying the freedom of an open space are kept safe and the potential for an RTC at this very busy junction is reduced.

Many times I have been informed by Norfolk County Highways that a fatality is the only measure to instigate road changes which I believe to be a very poor yard stick on which to start a safety campaign. Prevention is better than cure and I believe they have a duty of care to start this prevention before a fatality occurs.

If necessary I would suggest site visit is of benefit as the application report states Prince Henry is a 30mph speed limit area – with respect if you could manage 30mph in this small space I'd like to see how and County Highways states with adjustments the access road meets with their approval. It all sounds grand on the report but in situ it will look totally different.

Councillor Wareham proposed that a site visit be carried out, as he was not sure that all members would know the area well. This was seconded by Councillor Mrs Westrop and, 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.

(iii) 17/01192/F

**Burnham Market: Japonica Cottage, Station Road:
Alterations, extension and change of use of Gospel Hall to
facilitate a dwelling following demolition of Japonica
Cottage: Mr C Guest**

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

The existing building had the benefit of consent for extensions and alterations involving the change of use of the former Gospel Hall to residential accommodation, which had yet to be implemented.

The proposal sought consent for a revised scheme for the change of use of the Gospel Hall to be used for residential purposes, along with alterations and extensions to the Gospel Hall following the demolition of Japonica Cottage.

The application had been referred to the Committee for determination by Councillor Sandell.

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

- Principle of development and planning history;
- Impact upon the Conservation Area;
- Other form and character issues;
- Neighbour amenity; and
- Highway safety.

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

The Vice-Chairman then read out a letter from Councillor S Sandell as follows:

I am writing to lend my support to this planning application.

The application is set down a narrow lane coming off Station Road and linking to the centre of the village. Public access is predominately on foot. I personally don't think this will have a massive visual impact on the area. As stated in the report this is not in the Conservation Area. It will barely be seen from Station Road or the Village Green.

There are no objections from any outside bodies. The Parish Council has no objections.

There is an objection from a neighbouring property about being overlooked, and there is a suggestion about putting a condition on to make the windows opaque. I feel this would deal with this issue.

The garage is being added. The rest of the application is of similar size to the existing footprint to the hall. The height of the new structure is of standard size for a new dwelling. A supporting letter states that this is a large modern building but will have no impact on the wider AONB.

Councillor Mrs Watson stated that she knew the site well and considered that Japonica Cottage was out of keeping and that the proposal would improve the area. She added that there was hardly any traffic. She therefore proposed that the application be approved on the grounds that the proposal would improve the street-scene. This was seconded by Councillor Mrs Wright.

The Assistant Director explained that he had seen the site and he had concerns regarding the scale and relationship issues with the adjoining properties.

The Executive Director added that the key issue related to whether the scale of the replacement for Japonica Cottage was appropriate.

The Chairman, Councillor Mrs Spikings added that the scheme had some good aspects however she was concerned that part of the proposal would overlook into the neighbouring property's garden, which she considered was unacceptable.

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

RESOLVED: That the application be refused as recommended.

(iv) 17/00260/F

Downham Market: Jubilee Community Centre, 106 Howdale Road: Internal refurbishment of the existing building with extensions to the north and south to allow for an office, wc's and changing areas. Landscaping to accommodate extensions and to allow for additional car parking on the site. Amended access arrangements to create exit on to Rouses Lane: Downham Market Town Council

The Principal Planner introduced the report and explained that the application was for full planning permission for the internal refurbishment of the Jubilee Community Centre, with extensions to the building for an office, wc's and a changing area. Amended access arrangements to create an exit onto Rouses Lane, landscaping and additional car parking on site were also proposed. The site area was 2.6 hectares and the building was approximately 400 sq.m, with an additional 300 sq.m proposed.

The site was located within the centre of the town with the existing access off Howdale Road. The Community Centre sat alongside a hall, a scout hut and playing fields with 2 football pitches, a skate park, hard surfaced play area and a parking area.

To the northeast and west of the site was predominately residential development with an employment use to the southwest. To the south was a burial ground.

The application had been referred to the Committee for determination by the Assistant Director – Environment & Planning and the application was made by the Town Council.

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

- Principle of development;
- Form and character;
- Neighbour amenity; and
- Highways implications/access.

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

Councillor Mrs Westrop stated that she knew the site very well and it was sad to observe its decline over the years and investment was needed to be made. She also supported Councillor White's efforts in terms of the highways.

Councillor Wareham expressed concern in relation to the increase in traffic using Howdale Road.

Councillor White added that whichever way the traffic movement went it would end up on Howdale Road.

The County Highways Officer explained that the proposal was reviewed as a site with an existing use as the Community Centre was already being used. He added that he did recognise the issues with the Howdale junction but it was a balance that had to be made.

RESOLVED: That, the application be approved as recommended.

**(v) 16/02135/F
Emneth: Rear of 22 Gaultree Square: Residential development consisting of 4 one bedroom retirement bungalows: Client of Hereward Services Ltd**

The Principal Planner introduced the report and explained that the application site comprised a parcel of garden land (0.11ha) to the rear of the Post Office & Stores on the western side of Gaultree Square, Emneth. Access was gained between the shop and adjacent Methodist Church to the south involving the removal of an existing garage.

The site had garden land to the north and south rear of dwellings fronting Gaultree Square and residential development/bungalows to the west (Coates Court).

Full permission was sought for residential development comprising 4 detached bungalows with a shared access drive with the Post Office and Stores.

The application had been referred to the Committee for determination as the views of the Parish Council 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 form and character;

- Highway issues;
- Relationship with adjoining properties; and
- Other material considerations.

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

The County Highways Officer explained that the additional 4 dwellings would create 6 traffic movements per day each dwelling. In addition, the access would enter the public highway via a lay-by. The lay-by was well used, and users of the access would be battling to see through vehicles parked on either side. There was also inadequate visibility and the loss of existing parking facilities.

Councillor Crofts stated that the proposal would be an alien feature as back land development. He added that he could not agree with the Parish Council's comments in this instance.

The Chairman, Councillor Mrs Spikings added that she knew the area well, and there were several businesses in the vicinity. The area was heavily used.

Councillor Sandra Squire added that it was also a walking route for Emneth Primary School.

RESOLVED: That the application be refused as recommended.

(vi) 17/01547/CM

Gayton: Land south of Back Street, north of the drain and east of Winch Road: Change of se of agricultural land to school/nursery use. Erection of new 210 place pupil (1FE) primary school, hard play area, sports pitch provision and erection of 52 place nursery with associated car parking area and associated works: Executive Director of Children's Services

The Principal Planner introduced the report and explained that the application proposed a new primary school and nursery school on Back Lane at Gayton and was made by Norfolk County Council as the Local Education Authority. The application was to be determined by Norfolk County Council and the Borough Council was a consultee.

The application related to a 1.6ha site on the southern side of Back Street, Gayton at the junction with Winch Road. The site was part of a field in agricultural use with more fields to the south and east. Residential development was located to the north on Gayton Road and to the west on the opposite side of Winch Road.

Last year a County Matter application was received for 210 place pupil primary school, 16/00867/CM. This application was presented to the Committee with a recommendation to put forward a holding objection

based on flood risk, highways and materials used in the construction of the building. The Committee agreed with the officer recommendation however the application was withdrawn.

This application was a resubmission of that particular application but now included a 52 place nursery school building.

The application had been referred to the Committee for determination as it was of wider public interest.

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

- Principle of development;
- Form and character;
- Flood risk and drainage; and
- Traffic and transport.

The Principal Planner referred to the late correspondence where it stated that NCC Children's Services and NPS were working with the County Planners and statutory consultees to satisfy the concerns of the LLFA and to secure a full response from the IDB. It is expected that a further submission to County Planners will be made within the next few weeks and that this would address the issues raised.

In accordance with the adopted public speaking protocol, Peter Gidney (on behalf of the Parish Council) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Daubney addressed the Committee in relation to the application. Councillor Daubney explained that he was speaking on the application as the Ward Member had a close interest. Several local people had made contact with varying views.

In relation to the issues which had been identified, Councillor Daubney explained that solutions needed to be found. In terms of design, this was always subjective, darker materials for the roof had been proposed to reduce the visual impact. In relation to flooding, he explained that engineering solutions could be found. In addition, surface water was not causing any problems. He added that officers could and should argue solutions. He explained that the current school population had doubled and was bursting at the seams.

The Executive Director acknowledged that the use of the word 'holding objection' did not send a positive message and suggested that the wording should be amended to one of support subject to the issues being resolved.

Councillor Mrs Fraser added that she had been approached regarding the application and general support had been given to the scheme.

However, because of the sewerage issues the villagers would like a statement from Anglian Water in relation to this.

Councillor Bubb stated that he felt that the amount of slate used was overbearing. He also asked for clarification as to where the drop-off points were located.

Councillor Mrs Wright added that the transport issues were important and was disappointed that County Highways had not stayed on for this application. She also considered that the amount of slate proposed to be used was overbearing and also wished for clarification in relation to the drop off points.

Councillor Sandra Squire also had concerns in relation to parking along the lane and proposed drop off points. She pointed out that children going to the nursery would have to be walked into school. She added that there was one chance for this new school and it needed to be right for all concerned.

Councillor Parish referred to a field at the back of the existing school, and asked why this was not being used, as at present the site was connected to an appeal for 50 houses.

The Chairman, Councillor Mrs Spikings explained that 12 sites had been identified in Gayton that could accommodate the scale of the proposal. With the exception of this site the 11 other sites were not considered to be sequentially preferable as they either benefitted from permission for residential development, had access issues, there was a loss of the open land causing visual amenity issues, they were adjacent to listed buildings or had been submitted for residential allocation.

The Principal Planner confirmed that no drop-off points had been shown on the plans.

Councillor Storey abstained from the following vote.

RESOLVED: That, the Council supports the application, subject to issues relating to flood risk, transport, design (including materials), and the proposed drop-off points, being resolved.

The Committee adjourned at 11.05 am and reconvened at 11.17 am

(vii) 17/01424/F

Heacham: Matai Cottage, 70 Hunstanton Road: Residential annexe to be used as a residential dwelling: Mr & Mrs Henderson

The Principal Planner introduced the report and explained that the land was situated on the western side of Hunstanton Road, Heacham,

approximately 35m south of the junction with Robin Hill and within the settlement boundary for the village.

The application sought a change for use of an annex (Matai Cottage) to a residential dwelling at 70 Hunstanton Road, Heacham.

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

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

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

- Principle of development;
- Form and character of the locality;
- Section 106 agreement attached to 97/1394/CU; and
- Other considerations

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

The Assistant Director informed the Committee that there was a Section 106 attached to the permission in 1996, and if the application were to be approved it would effectively render enforcement of the Section 106 agreement null and void.

Councillor Parish expressed concern in relation to the application. He added that applications often started out as a garage, then an annex and then turned into a dwelling. He added that the traffic along Hunstanton Road was substantial at many times of the day. Also with the Hopkins Homes development, the traffic was likely to increase along that particular road. He added that any development or change of use application should be looked at with care.

Councillor Parish proposed that the application be refused on the grounds that it would change the nature of the Section 106 Agreement, however there was no seconder for the proposal.

The Assistant Director advised that the building was an attractive building on the frontage. There was no objection from County Highways and it was considered that no planning harm would be caused. He added that the applicant could apply to have the Section 106 removed.

Councillor Wareham added that as the building was already being used, he did not think that this would significantly increase the number of traffic movements.

The Assistant Director advised that in general practice, applicants could apply to vary a condition, and this was in effect seeking to vary the terms of a S.106 agreement, which were previously used to control annexes. The application had been looked at on its own merits and was considered to be acceptable.

Councillor White asked for his vote to be recorded against the following resolution.

RESOLVED: That, the application be approved as recommended.

(viii) 17/00853/F

Hockwold cum Wilton: Soay Farm, Cowles Drove: Retention of use of stables for addition of single w.c., shower and handbasin, in stable no.7, with waste discharging into septic tank. Use of stable 6 as a reception area. Use of hay store as a staff/seated 'rest' area and food preparation area: Soay Farm Stables

The Principal Planner introduced the report and explained that the site was located on Cowles Drove, a rural site to the west of the village of Hockwold. The site comprised a series of paddocks with blocks of stables located to the south of the site with access and parking located adjacent to.

The application was for full planning permission for the retention of the use of stables as a wc, shower and hand basin in stable 7; the use of stable 6 as a reception area; and the use of the hay store as a staff/seated rest area and food preparation area. The stables were granted planning consent in July 2016 under reference 16/00442/CU.

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

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

- Principle of development;
- Form and character;
- Economic case;
- Other material considerations.

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

The Principal Planner advised the Committee that there was no residential use on the site and any personal effects had been removed.

RESOLVED: That the application be approved as recommended.

(ix) **17/01465/F**

Hunstanton: Land east of Cromer Road: Variation of condition 14, 18 and 23 of planning permission 16/00082/OM to revise drawings for additional vehicular accesses (private drives) onto Cromer Road: Bennett Homes

The Principal Planner introduced the report and explained that the application site was located on the eastern side of the A149 Cromer Road, Hunstanton and was allocated site F2.2 Hunstanton – land to the east of Cromer Road.

Some Members of the Committee might recall that this site benefitted from an outline planning permission 16/00082/OM for 120 dwellings with associated Section 106 agreement which was granted by the Planning Committee on 8 September 2016 with only access being determined at that stage.

The application sought revisions to the access arrangements for the site by proposing an additional 3 vehicular accesses from Cromer Road to serve the development.

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

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

- Planning history;
- Highway safety impacts;
- Impact upon amenity; and
- Other material considerations

In accordance with the adopted public speaking protocol, Mr Brealey (objecting) and Mr A Murray (objecting on behalf of Hunstanton Town Council) addressed the Committee in relation to the application.

The Assistant Director informed the Committee that officers had re-consulted with County Highways with regards to the extra accesses from Cromer Road in terms of highway safety, however they maintained their stance of no objection as the A149 was not a trunk road and the speed limit would be reduced to 30 mph.

In response to a comment from Councillor Crofts, the Principal Planner advised that the number of dwellings would not change as a result of

this application and would remain at 120. The private drives would not be adopted by Norfolk County Council Highways.

Councillor Mrs Wright expressed concern that the amount of accesses would cause further congestion on the road which served the North Norfolk Coast. She also expressed concern that the County Highways Officer had not been asked to stay for this application.

Councillor Bubb agreed with the comments made by the public speakers, and added that there was room to build a service road therefore he could not see the need to have the separate entrances onto Cromer Road.

Councillor Bubb therefore proposed that the application be refused on the grounds that the proposal would be detrimental to the traffic flow of the area. This was seconded by Councillor Mrs Wright.

The Assistant Director advised the Committee that the speed limit was being reduced to 30mph and there was no technical reason to object to the proposal.

Councillor Wareham made reference to the A10 where individual accesses onto the road had not been permitted by County Highways whereas it was acceptable for this scheme.

The Assistant Director explained that it was dependant on the road hierarchy, if the site was in a village or town. This site was in an area of the town.

Councillor Mrs Watson stated that she welcomed the introduction of a 30mph speed limit. She added that when the LDF Task Group looked at the site for allocation, it was envisaged that there would be one main access into the site. She was very concerned that 4 accesses would be made onto Cromer Road.

Councillor Parish stated that he supported the comments made by the Town Council and public speaker. He considered that there was no merit in having extra accesses onto Cromer Road.

The Assistant Director explained that the Committee would consider the application again at the reserved matters stage.

The Executive Director informed the Committee that if the application went to appeal, the Planning Inspector would look at whether this was a reasonable decision, and whether the highways implications were so severe as to warrant a refusal. He added that there was no technical evidence to support the Committee at appeal.

Councillor Parish stated that the proposal would change the nature of the road and make it an urban area as opposed to a rural area.

The Committee then voted on the proposal to refuse the application, on the grounds that the proposal would adversely affect the flow of traffic by the increase in start/stop motions on an busy road, which was carried.

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

The proposed development would lead to the creation of three additional accesses on the A149 which carries significant traffic movements. The use of the additional accesses would lead to conflict and interference with the passage of through vehicles and introduces further points of conflict, detrimental to highway safety and the free flow of traffic. This is contrary to CS11 of the Core Strategy and paragraph 32 of the NPPF.

(x) **17/00957/CU**

King's Lynn: 12 Queen Mary Road, Gaywood: Change of use for land fronting 12 – 26 Queen Mary Road, King's Lynn from public open space to private garden land: Borough Council of King's Lynn & West Norfolk

The Principal Planner introduced the report and explained that the application was made by the Borough Council of King's Lynn and West Norfolk for the change of use of a strip of grassed verge between No.10 – 28 Queen Mary Road, King's Lynn from public open space to private land for the residents of the adjoining properties.

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

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

- Principle of development; and
- Other material considerations.

The Chairman, Councillor Mrs Spikings proposed that the application be refused as she considered that the proposal would change the form and character of the area. This was seconded by Councillor White.

The Assistant Director explained that if the Committee considered it important to visually retain the open space in the street-scene then permitted development rights could be removed.

The Committee then voted on the proposal to refuse the application on the grounds of a loss of a communal area and the proposal would change the form and character of the area, which was carried.

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

The properties at the entrance to Queen Mary Road, are set back in the street scene and the proposed change of use of the open space to private garden land in association with them, through subdivision and general domestication would result in the loss a spacious green community open space that is distinctive to the character of the entrance to Queen Mary Road. This would be contrary to the relevant provisions of the NPPF, CS03 and CS08 of the Core Strategy, and DM15 and DM22 of the Site Allocations and Development Management Policies Plan.

The Committee then adjourned at 12.31 pm and reconvened at 13.05 pm.

**(xi) 17/01049/F
Stow Bardolph: Great Poplars, The Drove, Barroway Drove:
Proposed two storey dwelling and garage: Mr S Singh**

The Principal Planner introduced the report and explained that full permission was sought for a two storey dwelling and detached garage on a parcel of agricultural land with frontage onto The Drove, Barroway Drove.

Barroway Drove was designated as a Smaller Village or Hamlet in the Development Plan and the site was also located within Flood Zone 3 & Hazard Zone of the Council adopted Strategic Flood Risk Assessment.

The application had been referred to the Committee for determination as the site had a planning history of an appeal dismissed for residential development.

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

- Appeal history;
- Principle of development;
- Impact upon form and character;
- Flood risk;
- Impact upon adjoining properties;
- Impact upon trees; and
- Other material considerations.

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

RESOLVED: That the application be approved as recommended.

(xii) 17/01174/O
Stow Bardolph: Land east of Midway, The Drove, Barroway Drove: Outline application with all matters reserved: Single dwelling: Mrs Jakings

The Principal Planner introduced the report and explained that outline permission was sought for one dwelling on a parcel of agricultural land with frontage onto The Drove, Barroway Drove. All matters were reserved for future consideration.

Barroway Drove was defined as a 'Smaller Village or Hamlet' in the settlement hierarchy defined in the Core Strategy of the LDF. The site was located in an area classed as countryside and within Flood Zone 3 and Hazard Zone of the Council adopted Strategic Flood Risk Assessment and the Environment Agency's Tidal River Mapping area.

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

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

- Principle of development;
- Flood risk;
- Impact upon appearance of locality and effect on neighbouring properties; and
- Other material considerations.

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

Councillor Crofts made reference to the fact that two previous applications had been approved in this area. He considered the proposal to be sporadic development and referred to the lack of facilities, such as a school or footpath. He commented that Barroway Drove would end up with 300 dwellings and no facilities.

The Chairman, Councillor Mrs Spikings stated that the site was not in isolation and was located near to Nordelph. The Chairman, Councillor Mrs Spikings also made reference to the Core Strategy where the car was recognised as an acceptable form of transport. She added that the village was also served by 5 buses. The area was also attractive for people wishing to use the railway. In relation to flood risk, the site passed the sequential test. In addition, floor levels could be raised. She considered that the proposal was a sensitive infill plot.

The Chairman, Councillor Mrs Spikings therefore proposed that the application be approved on the grounds that the proposal complied with Policy DM3. This was seconded by Councillor White.

The Executive Director pointed out that not everyone could drive and the policy was in place to promote sustainable development.

The Committee then voted on the proposal to approve the application, on the grounds that it was in accordance with Policy DM3 and passed the exceptions test, which was carried.

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

The development was considered to represent sensitive development of a gap in a continuous built up frontage in accordance with policy DM3 of the Site Allocations and Development Management Policies Plan. In addition the exception test was passed through the wider sustainability benefits the provision of an extra dwelling brings, and through an acceptable site specific flood risk assessment for the development.

(xiii) 17/00661/F

Thornham: The Castle, High Street: Construction of three houses: Mrs Julie Wood

The Principal Planner introduced the report and explained that the application was made for full planning permission for the erection of one x 5 bed and two x 4 bed properties on land at the Castle, High Street, Thornham.

The site was located to the southern side of High Street, Thornham at its junction with Castle Cottages, which was a cul-de-sac development of 25 homes.

The frontage development to High Street formed the village edge, with open countryside and the salt marshes to the northern side of High Street.

The site itself was currently side garden associated with The Castle which was a nicely proportioned 2 storey stone house with red brick detailing with an existing stone and brick outbuilding to its south.

The Castle (including the application site) formed the eastern boundary of the Thornham Conservation Area. Both the Castle and the adjacent building Castle Bungalow were noted on the conservation area map as 'important unlisted buildings'.

The site had residential development on 3 sides and was within the built framework of the village.

The application had been referred to the Committee for determination as the views of Thornham Parish Council were contrary to the officer 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 Heritage Assets;
- Impact on landscape amenity;
- Boundary treatment;
- Highways; and
- Residential amenity.

In response to a query from Councillor Mrs Wright, the Assistant Director advised that no comments on the application had been received from the Historic Environment Service.

Councillor Mrs Watson expressed concern in relation to the use of cladding on the buildings.

Reference was made to the comments from CAAP and the Conservation Officer as reported on page 117 of the agenda. The Principal Planner displayed the previous scheme to the Committee and the proposed scheme which incorporated the suggested amendments.

RESOLVED: That the application be approved as recommended.

(xiv) 17/01298/F

Tilney St Lawrence: Holly Manor, Lynn Road, Tilney All Saints: Proposed workshop: NB Construction (UK) Ltd

The Principal Planner introduced the report and explained that the site was located on the south eastern side of Lynn Road, Tilney High End, to the south west of the village approximately 500m from the junction with School Road. The site comprised a large house with a complex of farm buildings which had been converted to an office and store, with a newly constructed workshop building for storage and an area used for outside storage of building materials to the east of the site.

The application proposed the construction of a new workshop adjacent to the existing workshop.

The application had been referred to the Committee for determination at the discretion of the Executive Director.

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

- Principle of development and planning history;
- Neighbour amenity issues;

- Form and character; and
- Other material considerations.

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

The Principal Planner read out a suggested amendment to Condition 6.

Councillor Mrs Young outlined her concerns to the application, which included overlooking and that the applicants were not keeping to the hours of work. She hoped that the proposed building would remain a store. She informed the Committee that the acoustic fence had not stopped the noise and was concerned that the hours of work were not being respected, which was having a detrimental impact on the residents of the area.

The Principal Planner assured the Committee that if the applicant breached the conditions then enforcement action could be taken. Officers were actively monitoring the site.

Clarification was sought as to whether the proposal was for a workshop or a store. The Principal Planner advised that the conditions could be amended to relate to a storage building.

Councillor Parish asked why this application was being considered when enforcement action had already been taken. The Assistant Director advised that this would be dealt with separately.

The Chairman, Councillor Mrs Spikings suggested that the application be deferred, so that the conditions could be amended for clarity reasons, before any decision was taken, which was agreed.

RESOLVED: That the application be deferred in order that the conditions can be amended before any decision is taken.

PC50: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

RESOLVED: That, the report noted.

The meeting closed at 1.47 pm