

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

PLANNING COMMITTEE

**Minutes from the Meeting of the Planning Committee held on
Monday, 29th July, 2019 at 11.15 am in the Assembly Room - Town Hall,
Saturday Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor C J Crofts (Chair)
Councillors Miss L Bambridge (sub), R Blunt (sub), F Bone, C Bower,
G Hipperson, M Howland, C Hudson, C Joyce, B Lawton, C Manning, T Parish,
S Patel, C Rose, S Squire, M Storey, D Tyler and D Whitby (sub)

An apology for absence was received from Councillor A Bubb, J Kirk and
S Sandell

PC15: **APOLOGIES**

Apologies for absence were received from Councillors Bubb, Kirk and Sandell.

The Chairman thanked Councillors Bambridge, Blunt and Whitby for attending the meeting as a substitute.

Councillor Joyce had given his apologies for the site visits held earlier and would not be taking part in the discussion for those items.

PC16: **MINUTES**

The Minutes of the Meeting held on 1 July 2019 were agreed as a correct record and signed by the Chairman, Councillor Crofts.

PC17: **DECLARATIONS OF INTEREST**

The following declarations of interest were declared:

Councillors Bambridge and Bone declared that they were members of St Margaret's and St Nicholas Forum, who had sent in a letter but they had not had any input into the letter.

PC18: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business pursuant to Standing Order 7.

PC19: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillors attended and addressed the Committee:

Councillor A Ryves	8/1(b) & 8/1(c)	19/00272/OM & 19/00274/OM
Councillor A Kemp	8/2(c)	19/01201/DM
Councillor D Pope	8/2(j) & 8/2(m)	18/01957/F & 19/00475/O

PC20: **CHAIR'S CORRESPONDENCE**

The Chair, Councillor Crofts reported that any correspondence received and been read and passed to the appropriate officer.

PC21: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

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

PC22: **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) – (xvi) below, where appropriate, to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chair.

- (i) **19/00597/FM**
Downham Market: Land to the south of Prince Henry Place: Proposed development of 19 no. 2 and 3 bedroom dwellings (including 4 no. affordable units) with associated garages/parking, access road, landscaping and open space: Mr Bob Fidock

The Principal Planner introduced the report and explained that the site (0.7 ha 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 (bungalows), east (bungalows) and south (chalet and houses), 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 scheme showed a single vehicular access point serving the development off Prince Henry Place. A central turning head was proposed with private drives leading off; most units had en-curtilage parking. There would be 10 no two bedroom dwellings and 9 no three bedroom units.

It was explained that some Members might recall a similar application for 19 dwellings which was sought under application ref: 17/00581/FM which was refused (contrary to officer recommendation) in November 2017 and subsequently dismissed on appeal. This application sought to address and negate the previous reasons for refusal.

The application had been referred to the Committee for determination because of the previous appeal history and the officer recommendation was contrary to the views of the Town Council.

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

- Previous appeal decision;
- Principle of development;
- The effect on the character and appearance of the area;
- The effects from noise and disturbance from construction works and occupation;
- Highway issues;
- Affordable housing provision;
- Drainage; and
- Other material planning considerations.

In accordance with the adopted public speaking protocol, Mr R Jordan (objecting), Lennie Haslam (objecting), Town Councillor Horne (objecting) and Ian Hale (supporting) addressed the Committee in relation to the application.

In response to comments made by the public speakers the Principal Planner explained that:

- In relation to the principle of development, 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 allocated for residential development in the previous Local Plan and had a development brief.
- With regards to noise and disturbance, the Planning Inspector when determining the appeal considered that no significant harm would be caused provided a suitable mitigation condition was put in place. Conditions 10 and 12 had been imposed to address this issue.

- The width of the access was 5.5 m and the Local Highway Authority had raised no objection.
- With regards to ecology, no issues had been raised by the Planning Inspector. Conditions 5 and 6 covered these issues.
- An amendment needed to be made to Condition 15, which should refer to Condition 14.

The Chair, Councillor Croft then invited comments from the Committee.

Councillor Tyler stated that he was very concerned about the safety of occupants of Prince Henry Place. He explained that the occupants of Prince Henry Place suffered from conditions such as dementia, hearing loss, sight loss and more. Prince Henry Place was intended for people to remain in the peace and quiet. If the proposal was approved then the residents would be subjected to construction vehicles and ensuing daily traffic, and the disruption would have a detrimental impact on the health and safety of residents.

The Assistant Director explained that the reason for refusal was not upheld at appeal and the Council had to pay costs to the appellant. He referred the Committee to page 30 of the agenda, paragraph 9, which explained the Inspector's findings.

Councillor Patel referred to the junction at Howdale Road and explained that many accidents had taken place there. He added that 19 dwellings would generate at least 38 additional cars using the junction. In addition, children walked to school, he therefore could not support an application which would cause a fatality.

Councillor Patel also referred to the layout and asked how bins would be manoeuvred on the site. The Principal Planner explained that the hammerhead was designed to standard to service vehicles.

In response to a statement from Councillor Parish, the Assistant Director explained that the Inspector had noted that the properties were set back from the edge of the carriageway behind generous front gardens and integral garages and went on to say that the configuration did not suggest that the properties in Prince Henry Place would be particularly susceptible to noise and disturbance from an increase in traffic.

The Assistant Director added that if this reason was used to refuse the application, the Council would be liable for costs again.

In relation to a comment made by Councillor Bambridge, the Principal Planner explained that the Inspector had criticised the layout relating to the character of the development compared to Howdale Rise and Prince Henry Place. The application had been redesigned so that Plots 3, 4, 5 and 6 would be single storey bungalows. The four plots at the

entrance of the site had also been amended to single storey bungalows thus exceeding the Inspector's requirements in the view of officers.

The Assistant Director advised that from memory the Borough Council had to pay in the region of £5,000 in costs to the appellant through the second reason for refusal.

Councillor Storey asked if there was any way that the development could be another sheltered housing development.

Councillor Squire stated that the site was not a big site and added that it would more appropriate for the development to be the same as Prince Henry Close. She therefore proposed that the application be refused on the grounds of overdevelopment and that the proposal would detract from the form and character of the area.

Councillor Hipperson asked if everything had been done to make it better for the residents of Prince Henry Close.

The Principal Planner advised that a Construction Management Plan was conditioned.

Councillor Hudson agreed that maybe 19 was too many dwellings, and considered that the Committee was concentrating on the nature of the people who were already living there but that might not always be the case.

Councillor Blunt commented that this site could accommodate bungalows, which was a bonus.

The Chair, Councillor Crofts added that the applicant had complied with the Inspector's comments.

Councillor Hudson seconded the proposal from Councillor Squire to refuse the application on the grounds that it was a cramped form of development compared to the surrounding form and character of the area.

This proposal to refuse the application was lost on the Chair's casting vote.

The Committee then voted on the main recommendation to approve the application, however this was also lost.

The Chair, Councillor Crofts then invited the Committee to put forward an alternative reason for refusal, however no suitable proposals were forthcoming.

The Chair, Councillor Crofts then proposed that the application be deferred for further negotiation with the applicant, which was agreed by the Committee.

RESOLVED: That, the application be deferred.

**(ii) 19/00272/OM
Stoke Ferry: Furlong Store, Furlong Drove: Outline
application: Construction of up to 30 residential
dwellings: Amber REI Limited**

The Principal Planner introduced the report and explained that the application site measured 1ha in area, and was located within the village of Stoke Ferry, a Key Rural Service Centre (KRSC). The site was accessed via Furlong Drove. The site was rectangular in shape and had residential development to the south and agricultural land to the north east and south east. The site was adjacent to, but not within, Stoke Ferry Conservation Area. The current use of the site was a storage facility associated with Stoke Ferry Mill, and consisted of a large storage building and associated hardstanding.

The application sought outline consent with all matters reserved, bar access, for the construction of up to 30 residential dwellings, incorporating affordable housing and open space contributions in line with the adopted Local Plan policy requirements, and associated development to include drainage features, roads, pedestrian paths and other works. An illustrative masterplan had been submitted to demonstrate how such development might fit onto the site.

The applicant had also submitted a further application for the redevelopment of the Stoke Ferry Mill (19/00274/OM).

The applicant had been referred to the Committee for determination as Stoke Ferry Parish Council objected to the application and had been called in at the request of Councillor Sampson.

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

- Principle of development;
- Loss of employment land;
- Highways/access;
- Form and character and impact on Stoke Ferry Conservation Area;
- Neighbour amenity;
- Drainage/Flood risk;
- Environmental Quality; and
- Affordable housing;
- Open space provision; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Sue Lintern (objecting on behalf of the Parish Council), Kit Heskath-Harvey

(supporting) and David Onions (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34: Councillor Ryves addressed the Committee in relation to the application as follows:

Mr Chairman, my fellow councillors, thank you for letting me speak at this meeting. I have lived in Stoke Ferry in the past for ten years or so and was chair of the parish council. I now represent the neighbouring Methwold ward on this Borough Council.

My concern is that historically Stoke Ferry has in the past suffered botched development, so that a village with an apparent wealth of fantastic heritage buildings is pock marked with the scars of failed developments. The village through the excellent parish council has always sought to work with the planners and is in the process of preparing its Neighbourhood Plan, but it is fair to say that in the village, there is deep disappointment with the planning process.

Today, fellow councillors, we have the opportunity to revive public confidence and start the process of restoring this village to its historic splendour. Certainly, if you study old photographs of the village it has been harmed, I hope not irreversibly, by irresponsible development.

The old Favor mill in the village was once a major local employer, although only a handful of the local community are employed there and I understand that they are likely to be offered replacement jobs when the mill closes and re-locates. The mill whilst active is a source of much complaint due to the dust and smells it can produce and indeed there are a number of monitoring points in Stoke Ferry. The Mill generates, I believe almost 50,000 HGV movements a year, with associated noise, damage to roads and pollution. For Stoke Ferry the closure and move out of the village centre of the Mill is an absolute priority, with I believe little opposition.

The current proposal, which is today being presented as two applications covers the two sites operated by the Mill. The simpler site has a planning application submitted for 30 houses. This is the brown field site which serves as the vehicle maintenance depot. It is quite high profile and situated between the centre of the village and the by-pass. I don't believe any marketing has taken place to ascertain interest in this site for a distribution or other business. Any such activity may generate large commercial vehicle movements and anti-social working hours and noise. It is close to the village cemetery and not a good location for commercial activity. I have no objection to this site being used for housing, with the proviso that there is adequate provision made for pepper potting affordable housing.

The main site is more demanding. It consists of two undeveloped fields and of course the Mill buildings. The application here is for a total of up to 70 houses. Many villagers clearly do feel that development on this

scale will transform the village and it is very important that this is done sensitively with due respect for the surrounding heritage buildings.

From the outside, as councillors will have noted, there is a run of attractive 18th cottages which have partial use for offices and storage. These include the old pub opposite the war memorial (not to be confused with the shell of the old Duke pub) and the large impressive former administrative block, Stoke Ferry Hall (1792 grade 2 listed) – all told there are 22 grade 2 listed buildings (including the War memorial) within 200 yards of the Hall.*

I would also note that the parish council in Stoke ferry is currently engaged in formulating a Neighbourhood plan, with the full support of this Council and given time the policies of the village as expressed through this Neighbourhood Plan will give the village a much greater influence over development. Let us hope when detailed applications are made in the future this plan will be in place.

My biggest concerns are:

- 1. The plans I have seen are silent on the future of the three listed buildings (the Hall, Cobbles and Bayfield's) which mark the frontage of the mill site onto the historic centre of the village.. It is true to say that the external appearance of these buildings reflects years of poor maintenance by the Mill's owners and the degradation they have suffered by virtue of being on the main route through the village.*
- 2. My second concern is that a developer of the main mill site will seek to build on the green field element of the site and the disused mill buildings will be left as an eyesore. The residents of Stoke Ferry know only too well that historically developers have proven very adept at avoiding even s106 obligations as was the case with the Village hall. I note also that there are other derelict sites in Stoke ferry – the old railway station, the Dukes Head tavern and of course the area around the village hall. It would be awful if this was the future of the Mill.*
- 3. Thirdly, that when the mill is demolished any asbestos materials will be removed from the site... again in the past these have remained on the site and been capped being the low cost option to comply with environmental obligations.*

Mr Chair and fellow councillors, I implore you to make sure that there are sufficient safeguards to ensure that the Mill is removed as a necessary pre-condition to the development of the greenfield element of the site. I would hope that buried in the planning policies we follow will be an obligation to safeguard the appearance and functionality of any community for which planning applications are made, and I would ask that the planners advise this panel in full of what these policies might be.

To my mind Stoke Ferry has been let down badly and is still littered with unused abandoned buildings. We owe it to this community to ensure that the Mill owners, who have profited for a considerable time through the operation of this facility will leave this site as they found it and that the potential for a successful development will not be squandered. My fear is that a third party developer, should these sites be sold on the open market with planning permissions, may seek aggressively to develop the easy parts of the site and leave the brown fields until last or as has been the experience of Stoke Ferry, simply cease to exist after the profitable parts of the development have been completed. Similarly, it is a danger that the site will be split once outline planning permission has been granted, with the attractive green field element being sold to a separate developer who will have no obligations regarding the mill buildings.

What happens today will affect the heart of Stoke Ferry for a good many years. Please do not back down from our responsibility to ensure that development is fair, sustainable and reflects the needs and aspirations of this community in a way in which we as councillors can be justly proud of.

To summarise, it is imperative that immutable safeguards are put in place to ensure that Stoke Ferry is not left with the eyesore of an abandoned mill at its heart due to our failure to safeguard the interests of this vibrant community.

In response to comments raised by the public speakers, the Principal Planner explained that the Parish Council had queried the status of the village as a Key Rural Service Centre due to the loss of particular services since the adoption of the Local Plan. She explained that the status of the village was being revised as part of the review of the Local Plan, and at this time it was proposed that Stoke Ferry retained its Key Rural Service Centre status. However, for the purposes of the application it was a Key Rural Service Centre in the current development plan.

With regards to the location, the Principal Planner explained that the site was outside but adjacent to the development boundary but was a brownfield site. The site was also in a sustainable location.

In relation to trees, there were a number of trees on the perimeter of the site, particularly along the northern boundary, and these would be retained.

The Principal Planner advised that both this application and 19/00274/OM could be dealt with as stand-alone applications and were not required to be linked together.

The Parish Council would be in receipt of 15% CIL contributions from the scheme and it also would provide affordable housing and public open space.

Councillor Bambridge referred to comments made from one of the public speakers about the scheme being able to provide some small workspace units. The Principal Planner advised that no units of this nature had been provided within the scheme.

The Principal Planner also confirmed that any asbestos surveys would be covered by conditions as set out on pages 16 and 17 of the report.

Councillor Parish made reference to the comments made from the Parish Council and expressed concern that this site could be developed first, leaving the Mill site. He suggested that the application could be deferred to allow the applicant to address the concerns raised by the Parish Council.

The Assistant Director explained that it was considered that the two sites could be dealt with separately, however this was something for the Committee to consider.

Councillor Blunt agreed with the comments made by Councillor Parish that the two applications should be linked, and proposed that the application be deferred to allow further discussions with the applicant and officers on how to link the two sites to ensure that Mill site was also developed. This was seconded by Councillor Lawton, and agreed by the Committee.

RESOLVED: That determination of the application be deferred in order to allow further discussions to be held with officers and the applicant on linking the two sites.

(iii) 19/00274/OM

Stoke Ferry: Land on the south west side of Lynn Road: Outline application with some matters reserved for the erection of up to 70 residential dwellings with access: Amber REI Limited

RESOLVED: That determination of the application be deferred in order to allow further discussions to be held with officers and the applicant on linking the two sites.

Councillor Joyce joined the meeting at 12.50 pm

(iv) 19/00915/O

Brancaster: Beersheba, Town Lane: Demolition of existing dwelling and construction of 5 no. new dwellings: Client of Landles

The Principal Planner introduced the report and explained that outline planning permission with all matters reserved was sought for the erection of five dwellings following the demolition of the existing dwelling at Beersheba, Town Lane, Brancaster Staithe.

The site was located within the development boundary for the settlement and within the Area of Outstanding Natural Beauty (AONB).

The application had been referred to the Committee at the request of Councillor Lawton.

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

- Principle of development;
- Form and character and impact on AONB;
- Neighbour amenity;
- Highway Safety; and
- Other material considerations.

Councillor Lawton explained that he had been asked by the Parish Council to call-in the application in view of the fact that the Parish Council were reviewing their Neighbourhood Plan, although he acknowledged that it had not been out to formal consultation and was some way-off examination.

Councillor Parish referred to the density of the scheme and the comments from the Norfolk Coast Partnership and 5 dwellings might be overdevelopment of the site.

The Assistant Director advised that the application was in outline form at this stage and the plan submitted was indicative only, therefore the layout could change or smaller units could be put forward. He was comfortable that the site could accommodate 5 units, and the layout would be fully assessed at the reserved matters stage.

RESOLVED: That the application be approved as recommended.

The Committee adjourned at 1.00 pm and reconvened at 1.40 pm.

(v) 19/01095/F
Downham Market: 6 Foxglove Court: Extension to rear of dwelling: Client of Ian J M Cable Architectural Design

The Planner introduced the report and explained that the site comprised a detached two storey dwelling with detached garage to the rear of the property towards the west boundary.

The application sought to construct a single storey rear extension along the north boundary of the existing detached dwelling.

The application had been referred to the Committee for determination as it involved Council staff involved in the planning process.

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

- Principle of development;
- Form and character;
- Impact on neighbours; and
- Other material considerations.

RESOLVED: That the application be approved as recommended.

**(vi) 19/01201/DM
King's Lynn: The Brick Kiln, Baines Road: Prior
Notification: Demolition of remains of old brick kiln:
Borough Council of King's Lynn & West Norfolk**

The Principal Planner introduced the report and explained that the application was submitted under the prior approval process for proposed demolition under the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 11. The demolition was permitted development, with the only considerations for the application being whether prior approval was required for the method of demolition and the proposed restoration of the site.

The building, a former brick kiln located near Baines Road in South Lynn, fell within the Nar Ouse Regeneration Area. The building was not a listed building (it was de-listed in August 2018) and was in poor condition and covered in vegetation. It was located within an open area, and was some 30m away from the nearest garden and 40 m away from the nearest dwelling (No.8 Baines Road). Issues such as the impact on form and character and loss of non-designated heritage assets cannot be considered through this application.

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

In accordance with Standing Order 34, Councillor A Kemp addressed the Committee in relation to the application. Councillor Kemp explained that the brick kiln was the gateway to the Nar Ouse Regeneration Area and next to the KLIC building and was part of the industrial heritage of King's Lynn. She considered the demolition order to be invalid and that the Borough Council could make the building safe. The kiln was listed in 2003 and allowed to fall into disrepair by the Borough Council. The kiln was de-listed by Historic England last year and no attempts had been made to look for funding to restore it, and funds were available from Gressenhall for schemes of this nature. If restored, it could be used as a heritage feature. The proposal was also contrary to the Council's Corporate Governance Statement. Councillor Kemp reported that the Civic Society was also against the

demolition of the kiln, and that it was damaging by the Borough to let a building such as that to be demolished. She reiterated that the demolition order was illegal, as it was not in accordance with the Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 11.

In response to the comments raised by Councillor Kemp, the Principal Planner advised that officers considered it to be permitted development under the Town and Country Planning (General Permitted Development) Order 2015 at Schedule 2, Part 11. She explained that the building had not been rendered unsafe but was in a dilapidated condition, and it was therefore not considered that that part of the Development Order would apply.

Councillor Joyce explained that he did not live too far away from the site. A previous planning application had been considered by the KLACC Sub-Group, which they asked for the brick kiln to be protected.

The Chair, Councillor Crofts informed the Committee that he had received a letter from former Councillor Pitcher on this matter.

The Assistant Director advised the Committee that the brick kiln would be discussed at the R&D Panel on 30 July 2019. It was the view of officer's that the proposed demolition was permitted development and no argument had been put forward that it was unsafe. In fact the kiln had been in a similar state of dilapidation for decades.

The Committee needed to consider the method of demolition and how the site would look after demolition.

The Chair, Councillor Crofts added that any member could go along to the R&D Panel under SO34. The Panel had the power to make recommendations to Cabinet.

Councillor Bambridge stated that she did not think that the kiln should be demolished as it was an important building. The kiln was in a state of disrepair because the Council had not done anything to preserve it. She asked whether the land was reusable.

The Assistant Director explained that in September 2018 there was an application around it. Historic England de-listed the kiln during consideration of the application although the application was approved with the kiln outside the site at the time.

RESOLVED: That prior approval was not required.

(vii) 19/00887/LB

**King's Lynn: Corn Exchange, 20 Tuesday Market Place:
Listed Building Consent: Internal alterations – infill floor
voids in upper foyer, form two cinema auditoria, foyer,
toilet, access stair and lift. Alterations and refurbishment of**

ground floor foyer and toilets. External alterations – new digital display screens to front elevation, infilling first floor windows and new satellite dish in rear plant area: Borough Council of King’s Lynn & West Norfolk

The Principal Planner introduced the report and explained that the Corn Exchange stood on the western side of the Tuesday Market Place and within the Conservation Area. It was Listed Grade II under the Planning (Listed Buildings & Conservation Areas) Act 1990 as amended for its special architectural or historic interest in November 1951. The statutory entry was amended as part of a re-survey in 1993 and it was further amended in June 2018.

The application sought listed building consent for works to facilitate the conversion of the bar area to the front of the first floor to provide two new cinema auditoria with ancillary foyer, toilets and a new staircase and lift access from the ground floor foyer which was also to be refurbished.

Corresponding applications for planning permission (19/00885/F) and advertisement consent (19/00886/A) were also for the Committee to determine, both with recommendations to approve.

The application had been referred to the Committee for determination as it was a Borough Council application which had received an objection.

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

- Impact on the significance of the listed building (designated heritage asset); and
- Impact of the external works on the character of the listed building.

The Chair, Councillor Crofts advised the Committee that the Council’s Conservation Officer was also in attendance to answer any queries.

In response to a comment from Councillor Howland regarding whether the outside of the building would be cleaned-up as part of the proposals, the Conservation Officer advised that Historic England would not recommend cleaning of the fabric of the building unless it was in a bad condition, and the current condition of the Corn Exchange would not warrant cleaning.

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

(viii) 19/00885/F
King’s Lynn: Corn Exchange, 20 Tuesday Market Place:
External alterations to enable the creation of two cinema

screens and ancillary facilities: Borough Council of King's Lynn & West Norfolk

The Principal Planner introduced the report and explained that full planning permission was sought for various external alterations to the Corn Exchange on Tuesday Market Place.

The alterations comprised:

- The infilling of 3 first floor windows;
- The insertion of louvre grilles;
- The insertion of a new satellite dish; and
- New zinc profiled sheet covering to replace glazed roof element.

The 4 new digital display screens to replace the existing illuminated poster panels were covered under a separate application for advertisement consent, and the internal alterations were covered under a separate application for listed building consent; both of which were to be considered by the Committee.

The site was located within a Conservation Area and an area at risk of flooding, and the building itself is Grade II listed.

The application had been referred to the Committee for determination as it was a Borough Council application which had attracted an objection.

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

- Principle of development;
- Impact on the listed building;
- Visual impact / impact on the character of the Conservation Area;
- Highway safety; and
- Flood risk.

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

(ix) 19/00886/A

**King's Lynn: Corn Exchange, 20 Tuesday Market Place:
Advert application: Proposed 4 no. illuminated digital display screens to replace existing illuminated poster panels: Borough Council of King's Lynn & West Norfolk**

The Principal Planner introduced the report and explained that advertisement consent was sought for the replacement of four illuminated poster panels with four digital display screens.

The application had been referred to the Committee for determination as it related to other applications considered by the Planning Committee.

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

- Amenity (visual); and
- Public safety (generally considered to relate to vehicular and pedestrian safety).

RESOLVED: That the application be approved as recommended.

(x) 19/00617/F
Methwold: Hithe, 2 Holders Lane, Brookville: Change of use from garden room static caravan to holiday accommodation: Mr & Mrs Britcher

The Principal Planner introduced the report and explained that the application was for the change of use of a static caravan from a garden room, to holiday accommodation. The development was proposed to the side of 2 Holders Lane in Brookville, lying east of the B1112 (Main Road). Brookvillage did not have a development boundary as it was designated as a small village or hamlet in the 2011 Core Strategy.

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

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

- Principle of development;
- Impact on character and appearance of the area;
- Impact on neighbour amenity;
- Highway safety; and
- Other material impacts.

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

RESOLVED: That the application be approved as recommended.

(xi) 19/00857/O
Outwell: Plot 4, Abbots Court, Off Isle Bridge Road: Outline application with some matters reserved for site for construction of bungalow and garage: Mr D Cuckow

The Committee noted that the application had been withdrawn from the agenda.

(xii) 19/00053/F
Pentney: Little Abbey Farm, Golden Gym: Change of use from agricultural to holiday log cabins: Mr Ben Howlett

The Principal Planner introduced the report and explained that the application was for the change of use of agricultural land immediately adjacent to a working farm with associated yard and an existing bed and breakfast business to provide two holiday log cabins which would effectively constitute two additional bedrooms with en-suite for the existing bed and breakfast business. It was considered that the proposal complied with national and local development plans policies, as it promoted tourism and rural diversification and did not harm the landscape.

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

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

- Principle of development;
- Visual impact;
- Impact upon neighbour amenity;
- Highways issues;
- Other material considerations; and
- Crime and disorder.

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

(xiii) 18/01957/F
Stow Bardolph: Wilks Place, 34 The Drove, Barroway Drove: Change of use of land from ostrich farm to ostrich farm, livery, dog walking field, storage of vintage vehicles and continued temporary retention of two mobile homes: Mrs J Wilks

The Principal Planner explained that this application was referred to the Planning Committee at its meeting on 29 April 2019. It was resolved that the application be deferred in order to allow more information to be supplied on the business plan.

In the interim the proposal had now removed the contentious dog day care/boarding use but maintained a dog walking/exercise use in the field to the rear/south eastern quadrant of the site. The DIY livery had been increased from 4 to 5 horses in the modified stable block; and the storage of vintage vehicles in the unaltered main barn had increased from 2 to 5 (given the increased area due to the removal of the previously proposed runs and kennels).

The site was located on the south-eastern side of The Drove, Barroway Drove approximately 450 m to the northeast of its junction with Lady Drove. It comprised an area of approximately 3 ha and contained two mobile homes and a collection of agricultural buildings. Vehicular access was gained from The Drove via an existing gated track.

The two mobile homes were granted temporary permission in September 2016 for a period of three years in order to establish an ostrich farm.

The proposal now sought a further temporary permission for the retention of the mobile homes and diversification of the ostrich farm business to include DIY livery, dog walking field and storage of vintage vehicles.

The application had been referred to the Committee for determination as it was deferred from the 29 April 2019 Committee meeting.

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

- Principle of development;
- Impact upon the character and appearance of the countryside;
- Impact upon neighbouring properties;
- Flood risk; and
- Other material considerations.

In accordance with the adopted public speaking protocol Mr Martin (objecting) and Mrs J Wilks (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Pope addressed the Committee in relation to the application, as follows:

I spoke at the 29th April committee meeting when this application was first heard by councillors and I know the history of the land well. Many residents have spoken to me with concerns regarding the Wilks Place application.

I share their continued concerns. There have been so many changes it is hard to keep track of what is being proposed. It is also important to remember that this site is in a residential area, and not in an isolated location.

Doggie day care has been removed and I am pleased and share residents' relief. But we still have a dog element here. It is unquantified in the planning application, appearing as casual neighbourly agreement, however, it is clear from the planning department statements that it is deemed commercial activity and part of the planning. I query them also stating it cannot be conditioned. The fact is that this part of the proposal could escalate to all manner of dog-based activity, for example groups of walkers, agility classes and the like with no set business hours, which makes it the most concerning amenity noise and nuisance aspect of this application. I truly believe this inclusion of dogs again without any limitations whatsoever will be detrimental

to neighbourhood amenity. There are plenty of free and nearby easily accessible places in the local area where one can walk their dogs. At only £520 income per year, it adds very little financial weight and instead, opens the door for uncontrolled expansion right behind or adjacent to residents' homes with no security granted to them through planning.

I ask the committee to remove the dog walking completely or add a condition for 2 dogs at a time, consigned to one back field of the land and only with the one resident. I don't think the original report for this committee sitting covers this issue of nuisance and noise at all. We surely cannot risk a free for all on commercial canine activity.

This application was deferred so that more information on the business plan could be provided. Is what we see before us now really a complete and viable business plan? There are various costs missing. No cost to increase the ostrich numbers to the already permitted 20. There are 2 ostriches, is that really an ostrich farm? No insurance costs or advertising, no vet's expenses, no investment capital spent so far, no funds for essential maintenance. No new business plan has been included, despite substantial changes to the income and expenditure sheet. Can the committee really look at this and conclude that, after three attempts, this final version adequately addresses concerns and is a sound financial proposition for a business that has already been running for three years? Also do we really need someone living on site for DIY livery and storage and just 2 ostriches? I don't believe this qualifies for temporary residence under DM6 in any way.

I am also somewhat amazed to note the land has actually been put up for sale. That is Mrs Wilks' prerogative, but the great concern is that along with variable business plans and uncontrolled change of use, there is now the possibility of currently unknown new ownership and yet more uncertainty for residents' amenity. Mrs Wilks' business is designed by her personally for her and her family, and her application has always put great emphasis on her family's reasons for living on the land. Yet it may now not actually be run or owned by her at all. This cannot be seen today as a firm commitment to the business under DM6. Such uncertainty means residents are fully justified in asking for any permission to be tied to Mrs Wilks, rather than the site itself, so that those living nearby are protected from further development taking place without the knowledge or approval of the planning department. I ask the committee to consider this element very carefully in their discussions.

Councillor Joyce commented that he felt that ostrich farming would be difficult to sustain as a business. However he would not like to see Mrs Wilks evicted from the site. He had listened to the objectors and Councillor Pope but he was inclined to support the recommendation.

Councillor Squire expressed concern in relation to the business plan and could not see how it was viable.

Councillor Parish proposed that permission be granted for one year. The Assistant Director advised that one year would not be enough and suggested that a longer period, possibly two years, would be more appropriate.

Councillor Parish then proposed that permission be granted for two years, which was seconded by Councillor Squire and agreed by the Committee.

The Chair drew the Committee's attention to the need to amend Condition 8, as outlined in late correspondence.

RESOLVED: That the application be approved for two years, subject to amended condition as outlined in late correspondence.

(xiv) 18/01720/F

Terrington St John: Fairfield, School Road: Construction of replacement dwelling: Mrs J MacCallum

The Principal Planner introduced the report and explained that Policy DM5 of the Site Allocations and Development Policies Plan 2016 allowed for the replacement of existing dwellings in the countryside provided the design was of a high quality and it would preserve the character and appearance of the area in which it sat.

The application had been referred to the Committee at the request of the Sifting Panel.

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

- Principle of development;
- Form and character;
- Design of dwelling;
- Highways issues;
- Flood risk issues;
- Other material considerations; and
- Crime and disorder.

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

Councillor Hudson expressed concern over the size of the dwelling and considered that it was inappropriate for the area.

Councillor Squire explained that there was a mix of development and different styles of properties and there was no particular form and character along School Road.

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

Councillor Hipperson left the meeting at 3.00 pm.

(xv) 19/00619/F
Tilney St Lawrence: 20 Westfields: Detached two storey dwelling with garage: Client of Ian J M Cable Architectural Design

The Principal Planner introduced the report and explained that the proposal was for the construction of a detached dwelling in the curtilage of No.20 Westfields, Tilney St Lawrence. The dwelling was proposed with access via the corner of the existing cul-de-sac. The site was surrounded by residential properties and their gardens on all sides.

The site was located within the development boundary for Tilney St Lawrence.

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

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

- Principle of development;
- Form and character;
- Impact upon neighbouring properties; and
- Other material considerations.

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

Councillor Storey asked whether the dwelling could be sited further back into the site. The Principal Planner advised that if it was sited further back this would give rise to overlooking issues.

Councillor Joyce proposed that the application be approved, as it enhanced the form and character of the area. This was seconded by Councillor Storey and, after having been put to the vote, was carried.

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

The proposed development is considered to enhance the form and character of the area.

(xvi) 19/00475/O
Upwell: 100 Stonehouse Road: Outline application: Construction of 2 dwellings to replace mobile residential units: Stevens and Sharman

The Principal Planner introduced the report and explained that the application site was located on the western side of Stonehouse Road, Upwell approximately 300 m by road from the junction with New Road. It was located approximately 150m away from the nearest village development boundary on Green Lane to the south east and therefore was in an area classed as countryside in the Development Plan.

The site comprised an area of approximately 665m² and contained two inhabited portacabins. The site had been a tolerated Gypsy & Traveller (G&T) site without the benefit of planning permission, due to the amount of time the units had been on site. It had been recognised as a single pitch with two units and had been part of the Gypsy & Traveller Accommodation Assessment (GTAA) for years.

There was a house to the north, chalet to the south, G&T pitch almost opposite to the south east and agricultural land to the rear/west.

Outline permission was now sought to develop the site with two dwellings; with the exception of the means of access, all other matters were to be reserved for future consideration.

The application had been referred to the Committee for determination from the Planning Sifting Panel.

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

- Planning history and status;
- Principle of development;
- Impact upon appearance and character of the countryside; and
- Other material considerations.

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

Under Standing Order 34, Councillor David Pope addressed the Committee in support of the application. He explained that the applicants had lived on the site for over 40 years and were fully integrated into village life. He also considered that the site was within a sustainable location.

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

PC23: **DELEGATED DECISIONS**

The Committee received Schedules relating to the above.

RESOLVED: That, the reports be noted.

PC24: **PLANNING & ENFORCEMENT APPEALS - QUARTERLY REPORT**

The Committee was provided with the quarterly report covering performance for the period 1 April 2019 – 30 June 2019.

It was noted that for the section quarter of 2019, 17% of all appeals were allowed. For the 12 month period to 30 June 2019 an average of 21% of all appeals were allowed. This was below the 2017/18 national average figure of around 32% of all appeals allowed.

RESOLVED: That, the report be noted.

The meeting closed at 3.15 pm