

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

Minutes from the Meeting of the Planning Committee held on Wednesday, 13th March, 2019 at 10.00 am in the Assembly Room - Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillor Mrs V Spikings (Chairman)
Councillors R Blunt, A Bubb, C J Crofts, Mrs S Fraser, G Hipperson, A Lawrence, A Morrison, T Parish, M Peake, Miss S Sandell, M Storey, D Tyler, J Westrop, A White and Mrs S Young

The Chairman, Councillor Mrs Spikings informed those present that the meeting was being recorded by a member of the public and also by the Council.

PC111: **APOLOGIES**

Apologies for absence were received from Councillor Mrs Bower, G Wareham and Mrs E Watson.

The Chairman, Councillor Mrs Spikings thanked Councillors R Blunt, A Lawrence and Mrs J Westrop for attending the meeting today as a substitute.

PC112: **DECLARATIONS OF INTEREST**

Councillor Crofts declared that he was a Member of the Internal Drainage Board, who had made comments on the application.

PC113: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business under Standing Order 7.

PC114: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillors attended pursuant to Standing Order 34:

Lord Howard	8/1(a)	16/02231/OM
N J Daubney	8/1(a)	16/02231/OM
Mrs E A Nockolds	8/1(a)	16/02231/OM

PC115: **CHAIRMAN'S CORRESPONDENCE**

The Chairman, Councillor Mrs Spikings reported that any correspondence received had been read and passed to the relevant officer.

PC116: **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.

PC117: **INDEX OF APPLICATIONS**

The Committee noted the Index of Applications.

PC118: **DECISIONS ON APPLICATIONS**

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

RESOLVED: That the application be determined, as set out below, where appropriate to the conditions and reasons or grounds of refusal, as set out in the schedules signed by the Chairman.

16/02231/OM

Castle Rising, South Wootton and King's Lynn: Land west of Knights Hill Village, Grimston Road, South Wootton: Residential development of the land to provide up to 600 dwellings, incorporating affordable housing, together with a local centre for uses A1, A2, A3 and / or A5 (600 m²) with the total quantum of A1 net sales area not to exceed 279m² in the alternative, D2 community floorspace (up to 500 m²), open space, formal sports pitches, a car park to serve Reffley Wood and associated development to include substations, drainage features, roads, cycle and pedestrian paths and other such works: Whistle Wood and Reffley Wood Ltd and Mr P De Gray Osborn

The Committee had visited the site prior to the meeting.

The Principal Planner explained that the application site formed the majority of a site identified as an Urban Growth Area on the Core Strategy Key Diagram for King's Lynn and allocated for at least 600 houses under Policy E4.1 Knights Hill of the Council's adopted Site Allocations and Development Management Policies Plan.

She reminded Members that a smaller portion of the allocated site was previously granted outline planning permission for up to 60 dwellings at Committee last year under application ref: 15/01782/OM.

It was explained that the SADMP was, following modification, ultimately found sound by an independent Inspector, having considered all of the

comments and representations made. Knights Hill was subject to considerable representations and detailed debate during the SADMP examination. This mainly focussed around the potential impact of the development upon the surrounding local road network, the natural environment and the historic environment. This did lead to modifications being made to the policy and supporting text but following agreement these were subject to further public consultation and recommended for inclusion to the SADMP in the Inspector's Report.

The Knights Hill Strategic Growth Area was rather unusual in that it sits within the unparished Area of King's Lynn, South Wootton Parish and Castle Rising Parish. It was some distance from the Village of Castle Rising and was far more closely related to King's Lynn, being adjacent to the development boundary for the Town, and South Wootton, with the Village and the services and facilities within South Wootton in close proximity.

The Principal Planner then handed over to the case officer Kate Lawty who outlined the application proposals.

The Senior Planner explained that the application site measured 35.3ha in area, and was roughly triangular in shape. To the west of the northern half of the site was the established residential estate of Ennerdale Drive and Ullswater Avenue. The site formed the vast majority of the overall 36.9ha allocation with the remaining small part of the allocation already benefitting from outline consent for housing.

Reffley Wood was located to the west of the southern part of the application site. The site was bound to the north by Grimston Road (the A148) with open countryside located beyond. To the east was Queen Elizabeth Way (the A149), with open countryside again located beyond.

The Grade II listed Knight's Hill Hotel was also located to the east of the site, on the junction of the A148 and A149. Other designated heritage assets included Castle Rising to the north, the ruins of St James Church (Bawsey Ruins) to the south east and the listed building of Grimston Warren Farm to the east.

The application site included parts of the parishes of South Wootton and Castle Rising, together with a part of the unparished town area of King's Lynn. The village of Castle Rising was to the north and King's Lynn Urban area was located to the south and south-west.

The site was not within the Area of Outstanding Natural Beauty as the boundary for this was on the northern side of Grimston Road.

The levels across the site fell from north to south and overall the southernmost tip was approximately 40m lower than the highest point in the northern field.

The site was located within proximity of Roydon Common and Dersingham Bog SAC and Roydon Common Ramsar Site. Reffley Wood was a County Wildlife Site and the southern part of it was ancient woodland.

The outline planning application was for residential development of the land to provide up to 600 dwellings, incorporating affordable housing, together with land for a local centre for uses A1, A2, A3 and / or A5 in the alternative, land for D2 community floorspace, open space, formal sports pitches, a car park to serve Reffley Wood and associated development to include substations, drainage features, roads, cycle and pedestrian paths and other works.

A singular vehicular access into the site was proposed through a new roundabout to be constructed on Grimston Road, with a spine road running north south through the site. Housing was proposed to be in blocks with the proposed A1, A2, A3 and / or A5 towards the northern part of the site. Land for a community use was incorporated into the proposal.

Approximately 37% of the site was proposed to be left open to provide open space, including an area of sports pitches located toward the centre of the development, informal open space, children's play space and ecological mitigation and buffers (particularly along the western boundary).

The application was submitted in outline with access for consideration and all other matters (appearance, landscaping, layout and scale) reserved for consideration at a later date. The various master and illustrative layout plans were therefore indicative and showed how such development might fit onto the site.

The application was accompanied by an Environmental Statement.

The application had been referred to the Committee for determination as it raised matters of wider concern and the views of the Parish Councils were contrary to the officer recommendation.

The Committee noted the key issues for consideration when determining the application, as set out in the report.

Councillor Lord Howard addressed the Committee under Standing Order 34. Councillor Lord Howard declared that he owned land near to the site and was a member of the Internal Drainage Board. He stated that he opposed the application

He acknowledged that officers needed to find a 5 year land supply of deliverable housing sites and their efforts must be respected. However Councillors must consider the impact of any planning consent on the Borough, its surroundings, and the wishes of electors. That was what

local Councillors were for to make sure that the short term technical requirements did not damage the long term future of this Borough.

Councillor Lord Howard added that clearly there was very substantial opposition to this application, with its infrastructure problems the impact on traffic and on our heritage. So much so, several Parish Councils, as well as those involved, had objected to the application and also the large number of people which had come to the meeting today. There was in the borough over 1,750 hectares of land where a request had been made for consent to build, that was over 4,300 acres and this had been produced by the Borough. Not all of this land would work for house building but the application under consideration today covers 35.3 hectares a mere 2% of the 1,750 hectares available.

Councillor Lord Howard referred to the Ministry of Housing, Communities and Local Government Guidance Housing & Economic Land Availability Assessment said that when assessing the sites against the adopted development plan, plan makers would need to take account of how up to date policies were and consider the appropriateness of identifying constraints on sites, broad location and whether such constraints may be overcome. It went on to say that problems such as access, infrastructure and the effect on landscapes including landscape features, nature, and heritage conservation must all be considered.

He asked how could planning policy possibly claim to be up to date when the plan itself was under review and government forecasts had reduced housing requirement to below the current plan. This application would have a significant impact on the Borough's heritage. Historic England had commented that consent should only be given if the planning need overrode the heritage consideration. He read out NPPF paragraph 193 as quoted by Historic England 'that great weight should be given to the assets conservation and the more important the asset the greater the weight should be. It was important therefore to ensure that the planning authority had and could demonstrate that they had taken into consideration the harm to the significance of all the heritage assets and weighed them appropriately against the public benefits of the proposal and should set out clearly how they have established the planning balance in coming to a decision.'

Castle Rising Castle was not only a Grade 1 Listed building but also a National Monument so in planning terms maximum weight should be given to this heritage asset. With 1,750 acres available and an area of only 35.3 hectares required it was very difficult to sustain the argument that planning need overrode the heritage asset.

In accordance with the adopted public speaking protocol, Mr David Goddard (objecting), Mr Steve Fidgett (objecting), Mr John Taylor (objecting on behalf of Castle Rising Parish Council), Mr David Price (objecting on behalf of South Wootton Parish Council), Mr John Marrow (objecting on behalf of North Wootton Parish Council) and Mr Paul

Belton (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Mrs E A Nockolds addressed the Committee.

Councillor Mrs Nockolds declared that she was a member of King's Lynn Internal Drainage Board. She explained to the Committee that she had never received so many emails from residents of South Wootton and other parishes and was here to represent their views. She added that most of the emails were very strong in opposition to this very large development. The residents were extremely concerned about their health and wellbeing. It was extremely stressful now trying to enter Grimston Road. The roads could not take extra amount of transport and the residents did not accept that the proposed roundabout would help. More importantly, the public could not understand how professionals and Members who were involved in their community could consider agreeing to 600 homes at the end of Grimston Road which was close a roundabout with the junction of the A149.

The A149 during the summer season was full of cars, nose to tail, and in turn impacted on the A148 now. What impact would this development of 600 homes have on these two very important and well used roads. It was common sense that more houses built would guarantee more usage of the cars.

No-one was suggesting that no homes should be built for people but 600 new houses in one place in an area which had poor road infrastructure was not a good idea.

The agenda contained 100 pages with headings and comments from consultees but the main ones which stood out for her was page 19 - Highways Authority stated no objection but if you read further on it stated that the development, not forgetting the future development of Nursery Lane, would have an impact on Langley Road junction, Low Road / Wootton Road junction. This was before the report from the Transport Research and Survey from the County Council. So it was agreed that more traffic created more problems. It was not good enough to state that opportunities existed for mitigation. This report stated that more traffic would impact the whole area along Grimston Road, mitigation would not produce less traffic.

Page 23/23 Anglian Water stated no objection but reading further - foul sewage network - the development would lead to an unacceptable risk of flooding downstream due to the contours of the land. Flood risk assessment was unacceptable, trade effluent no consent. It was vital that these important issues must be planned and alleviated before any mention of new homes.

Page 23 – National Grid – no objection but read further there was a major accident hazard high pressure gas pipeline running through the site - another huge problem to solve.

These 3 different consultees alone are not crystal clear that this application was ready for a decision. I believe they are all suggesting that problems are caused because this this development is too large. I am asking that this application is delayed today. You must consider the people of King's Lynn and South Wootton and it needs to go back to the drawing board. 600 houses are far too many for this area. Grimston Road is not suitable to support the traffic and the land is not suitable to accept sustainable drainage system. Please do not accept the application as it stands

In accordance with Standing Order 34, Councillor Daubney addressed the Committee.

Councillor Daubney stated that we know that we need growth for prosperity we need and growth to sustain good colleges, university, hospital and so forth and we need homes. Where it goes wrong in my opinion is our insistence to ignore infrastructure and go on ignoring quality design and space management. We have this obsession to support bulk housing, low cost high profile developments putting 100s of houses in single high density plots. And yet we know that we all must live to regret that in future years. We assume that roads will somehow cope, we ignore government guidance on local economic activities, which I believe our MP will explain. We assume that children will be happy to go and play in mini parks. I have been making it my business recently to talk to local medical professionals. The feedback is depressing. We haven't enough doctors now or in the country. Even if we do everthing right from now on it will take years to rectify it and when we do it would not be this area which wins the recruitment battle.

We seem to think that doubling a village size without significant road improvements, without service infrastructure improvements and against the wishes of the community and local professionals is our answer to housing need - it is not. We are the leaders on policy we make the policy and we employ officers to deliver our wishes. We listen to their advice we recognise their expertise but we are not delegates we are elected and we represent hence we rely on the huge trust given to us to do the right thing. Some decisions will be unpopular but always in the genuine belief that we are doing right by our community. When we damage our community we've broken that trust given to us and I believe that this development would damage our community. If you believe differently, if you think it is right to load huge traffic increases on an already over congested route you may support this development. If you think it is ok to ignore intolerable stress on inadequate GP services you will support what officers are telling you, but if you genuinely believe as an elected councillor that this huge development that forever alters the nature of South Wootton and Castle Rising is in the best interest of our community you will vote for that view, and maybe I will

respect you for that. But please don't tell me that personal objections are not planning issues leave that to the professionals. The whole point of being elected laymen and women is to allow us to do what we genuinely believe to be the right thing. You are entrusted by a community to make these decisions that affect my life, the life of my neighbours and children. I have to trust you, we can't all be on the Planning Committee. You don't just represent your own wards, you represent all our communities and you are entrusted with the ward that I represent. If you want sustainable growth if you want to reinvigorate villages you will put communities before developers and you will reject this unsustainable development and insist on a proper district plan. If you truly care about the interests of my ward as expressed in the village plan, the village consultation, the village protests, the local MP, your judgement will be to direct officers to think again.

The Chairman, Councillor Mrs Spikings then read out a letter received from Sir Henry Bellingham MP, as follows:

First of all, I apologise for not being able to present this statement in person.

Members of the Committee, I can honestly say to you that during my 32 years as an MP I have never come across a planning application that has proved so incredibly unpopular. I have been inundated with emails, letters and telephone calls imploring me to do all I can to get across the overwhelming local view that people want to stop the Camland Development.

Let me make it very clear to you, I am very definitely not opposed to some new development in the Woottons. But it must be both sustainable and acceptable to local people, and this is why I am happy to support the adjoining Clayland application for 55 homes. This is also why I supported a limited level of development on the Larkfleet site off Edward Benefer Way.

Why are we all so vehemently opposed to the Camland development? First of all, it is beautiful virgin country adjacent to the nationally important Reffley Wood, and in sight of the iconic Castle Rising. Of course, I support the Council's determination to meet the numbers in their current Local Plan, but why develop on a lovely greenfield site when there are plenty of brownfield sites available? Furthermore, since the Local Plan was signed off numerous new viable sites have been brought forward – these include the A47-A10 triangle, and as I explained last time, there is now potential for 1000's of homes on the Norfolk side of Wisbech.

Secondly, this site is right at the eastern end of the Parish, and thus far away from the heart of the community. At a time when we are trying to encourage people to walk and cycle everywhere, it is bound to be a development dominated by car journeys.

Thirdly, my principle and overriding objection to this site is that, if it does go ahead the traffic consequences for Grimston Road and Knight's Hill roundabout are going to be quite horrendous and unbearable. Members of the Committee, anyone who travels regularly from Knight's Hill roundabout,

down Grimston Road and into Edward Benefer Way will be aware that day in day out there are very major traffic jams – and this is not just during rush hour. Indeed, as I am sure you will know only too well, the slightest small delay or road works can have a vicious “cascade” impact. We quite often have stationary traffic backed up to Knight’s Hill, and at certain times of the day it is almost impossible to get out of Langley Road.

If these two new developments go ahead, then we are talking about one new junction for the Clayland site - which might just about be sustainable, but what I find beyond all credibility and logic is the idea of this brand new Camland roundabout so near Knight’s Hill.

As I made clear to your committee back in December, the Larkfleet site is bound to put intolerable pressure on the surrounding roads. This is why this new Camland proposal is simply a “bridge too far.” I really must impress upon you that it has the potential to completely cripple one of our main routes into Lynn. Can I ask you to speculate about the sort of impact this might have on our struggling town centre? What sort of impression will these traffic jams make on visiting business owners who are thinking of looking to invest in Lynn? Also, let’s be completely honest, who on earth in their right mind is going to want to live on what would be an “estate from hell”, when every time you try to get in or out you are locked into traffic chaos.

Members of the Committee, I fully appreciate that Camland will tell you this development is “Local Plan led.” I also appreciate that the officers are recommending approval. However, I would urge you to look at page 11 of the Ministry of Housing, Communities and Local Government (MHCLG) guidance “Housing and Economic Land Availability Assessment”, which was first published on 6th March 2014, but updated on 13th September 2018. On page 11 the Guidance refers to sites in existing development plans, and these will normally be considered suitable for development. The Guidance goes on to say: “It may be necessary to assess whether the circumstances have changed which would alter their suitability.” I would suggest that this is highly relevant to this application. The Committee might be interested to hear I had a meeting last week with the Minister for Housing and Planning, Kit Malthouse MP, he confirmed to me that just because a site is in the Local Plan it does not mean the Committee has to accept it. He also emphasised this was particularly pertinent when circumstances change regarding the local infrastructure.

Page 11 goes on to say that a number of factors should be considered when assessing a site’s suitability. These include “physical limitations or problems such as access, infrastructure and ground conditions.” So there we have it members of the committee: access and infrastructure are critical factors, and I would submit to you that these represent significant material changes in the capacity of the local infrastructure to cope. After all, since the plan was approved a number of years ago

The Vice-Chairman informed the Committee that the 5 minutes had passed.

The Committee then adjourned at 11.23 am and reconvened at 11.30 am.

The Chairman, Councillor Mrs Spikings introduced Liz Poole from Norfolk County Council Highways, Alan Gomm, Planning Policy Manager and Noel Doran, Legal Advisor.

The County Highways representative explained when the planning application was submitted it was submitted with a transport assessment. The transport assessment detailed the impact of traffic associated with the developments coming forward. Under the NPPF, County Highways could only consider something to be refused if they considered that the impact of that traffic was severe. It was explained that when County Highways were looking at a definition of severe, it did not necessarily mean that if a junction was congested and if more traffic was added into that junction it did not necessarily lead to a severe impact. A severe impact occurred when there was a significant issue with highway safety, just because cars were queuing longer or took longer to get through a junction did not have an impact on highway safety. So when a development came forward, County Highways would assess the transport assessment and often enter into quite a lengthy period of negotiation with the transport consultant to work out what the appropriate mitigation would be for the development. In this case, it was considered that a roundabout on the Grimston Road would be the appropriate junction form for access to the development, and that the roundabout would need to be in place prior to any development taking place on the site. This would provide the construction access.

In terms of linkages through to the adjacent housing areas, a pedestrian cycle link to Ullswater Avenue would be appropriate to reach facilities such as Asda, local schools, etc. That access would also have an emergency access in case anything happened at the roundabout with the access into the site. There was also to be a pedestrian / cycle access to the Clayland Development. The County Highways Officer also outlined the proposed mitigation measures.

It was explained that discussions had also been held with the public transport team and local bus operators who were interested in serving the site once the scheme came forward and was commercially viable. It had also been agreed that there should be a travel plan associated with the site which encouraged people to walk and cycle and use sustainable travel.

The Chairman, Councillor Mrs Spikings then invited the Planning Policy Manager to address the Committee. He stated that the Committee had heard the discussions on how the Core Strategy came about, and the allocation of that growth allocation within the Core Strategy, which had been adopted by the Borough Council in 2011 and the principle of development at Knights Hill had been accepted in that document.

It was explained that the Site Allocations Plan gave specific detail to that location and the particular considerations that needed to be addressed if that site was to come forward. The Committee had heard

comments about what happened at the Examination and the way in which the Inspector emphasised particular points. The Inspector picked out heritage and nature conservation as particular points that he wanted to receive more reassurance in regards to how this site was to come forward. That resulted in a major modification to the wording of the policy and also resulted in 9 minor modifications to the text supporting that policy. The Planning Policy Manager explained that it was a meaningful discussion as to how that site could be brought forward subject to safeguards that the Inspector recommended to be written into the Plan. That Plan was adopted in 2016 and it was that version of the site allocation plan that your officers had used today with all the additional points that the Inspector wanted clarifying, so we have confidence that the Inspector saw that the site could be allocated in principle and then subject to detailed considerations in what was a long policy in the local plan.

The Planning Policy Officer explained that when the Core Strategy considered the potential sites in the King's Lynn area, considerable growth was required at that time. The Knights Hill site, Hall Lane site and other allocations that the Council actually made were played against each other and also against alternative sites. There was a mixture of allocations made within the Core Strategy and Site Allocations Plan including small sites, large sites and also a considerable number of brownfield sites within the town itself.

The Planning Policy Manager referred to a number of points made by the objectors. He explained that the Local Plan was under review at the moment and the consultation period ran until 29 April. It had recently been extended to make sure that adequate opportunity was given for comments. Government imposed a requirement for Local Authorities to review plans within 5 years and that was exactly what the Council was doing. The Local Plan was not out-of-date it was a requirement to keep it up to date.

Another issue which had been raised related to the reducing housing numbers as part of the Local Plan Review. The requirement had reduced but there was still an allocation that had to be made and that was what Members of Cabinet agreed as a draft plan and those sites were out for consultation and comment.

As part of the review, 5 allocated sites had been proposed to be deallocated. The point was that the sites had been reviewed and in this case of this site, progress had been made in terms of landowners willing to bring this site forward which was a positive step. There were many sites where allocations were not being brought forward resulting in some being de-allocated.

In relation to the representation from Sir Henry Bellingham, he made reference to the Housing & Economic Land Availability Assessment and the process which had been gone through when the Council put together a new plan or review an existing plan. That process had been

gone through as background to the Local Plan Review. The process was there for all to see it was perfectly reasonable for sites to be reviewed, and concluded that some sites were not fit for purpose.

The Plan, as presented at the review, built on the current adopted policies, which were used as the basepoint to start the consideration of the planning application.

Councillor Hipperson stated that he considered that allocations for football pitches, tennis courts, pubs, etc would be an unnecessary waste of space. 600 houses would have too much effect not just on the roads but on everything. As the Committee could not stipulate a number, he felt that the application would have to be refused.

Councillor Mrs Fraser asked a question relating to the highway survey and asked how many surveys were carried out on that stretch of road and at what times they were done.

The Chairman Councillor Mrs Spikings advised that the information was contained within the report on page 56, where it stated that 'Parish Councils and third party objection had been made to the use of 2012 transport data information as there had been a rise in traffic in the last 5 years. However the submitted transport assessment refers to traffic counts undertaken in December 2012, April/June 2014 and February/March 2016. So the application had used more up to date information which the Highway Authority had no issue with.'

The Chairman, Councillor Mrs Spikings added that she had issues with the data being used from February/March 2016 and that the Local Plan had been adopted in October 2016. She considered that more relevant information needed to come forward and the traffic survey in 2017 used, as that was what the impact was going to be on this development not from December 2012. She would also like to see data information for July/August 2017/2018.

The Highways representative explained that under Government Guidance a transport assessment could only be carried out in a neutral period, which were clearly stated under the DFT Guidance and covered the months of end of September, October March and April (outside of Easter) and May and June (outside of half term and bank holidays). That was the guidance that had to be adhered to.

The Chairman added that that was new information given to the Committee. She stated that she still had issues with regards to the wording severe. As a lay person the word severe meant a terrific impact. She considered that this development would impact on the traffic and duration times would all add to the cost of people's journey times and lifestyles.

Councillor Parish stated that if this Committee looked to refuse this application, it would be asked to provide planning reasons and defend

reasons at a subsequent appeal or public inquiry. Given the 100 page agenda provided, he made reference to pages 75 and 76 and 51 suggested conditions, and asked if officers could give any planning reasons to refuse the application.

The Chairman, Councillor Mrs Spikings explained that officers were not able to provide planning reasons for refusal as it was up to the Committee Members to do this. Officers provide professional advice on the proposed reasons for refusal.

Councillor Parish then asked a supplementary question regarding whether the Local Plan was up to date and whether it would be providing for more housing than was actually required.

In response the Policy Planning Manager explained that the Local Plan was not providing more houses than required and the Local Plan review catered for a lesser rate of growth than it did previously. The calculation as to how many new plots or houses were required took into account existing commitments. The Council would be judged against the target that the Government made. It was a lower rate than it was before and less units would be needed in total until 2036, but there was still a need from the Government targets to provide 555 per annum.

Councillor Sandell stated that she had heard all the speakers today talking about infrastructure and when the Committee got back on the bus following the site visit, the traffic had already backed up to the roundabout, at that was at 9.45 am. She added that she did have concerns in relation to the access into the site and whether it was suitable.

Councillor Storey stated that he had concerns about the town becoming gridlocked, and that the site was not far from the hospital. He added that the speakers had all spoken very well and he had noted the amount of objectors that had attended the meeting. He could not see why a roundabout was proposed in that location. The impact would not just affect people living in King's Lynn. He understood that the Council had to find the housing numbers but they had to be in the right place at the right time with adequate infrastructure. He also had concerns in relation to the impact on doctors' surgeries.

The Chairman, Councillor Mrs Spikings advised that the NHS had been consulted on the application and had raised no objections.

Councillor Storey added that the local residents needed to be asked how long they had to wait for appointments to see a GP. In conclusion he could not support the application.

Councillor White referred to Ullswater Avenue, and asked whether the construction traffic would use the emergency route if there was a problem on the site. He asked whether the numbers would be added

to the 5 year land supply, given this was an outline application, as he understood this only happened when consent had been granted for a full application.

In response the Assistant Director explained that in terms of supply, once the reserved matters application had been granted, then the numbers would be counted. It had been an allocation in the Site Allocations Plan which was just over 2 years old for 600 houses and, in the view of officers, was in accordance with an up to date plan.

Councillor White referred to the number of houses and associated buildings and considered that the application should be a full application showing the layout, etc.

The Assistant Director explained that it could not be insisted upon. The application was in accordance with legislation and guidelines and had come forward as an outline application with lots of supporting documents and needed to be assessed as such.

Councillor White added that it was difficult for the Committee to make an assessment in terms of numbers and layout, etc.

The Chairman, Councillor Mrs Spikings advised that there was a condition imposed to limit the number of dwellings to no more than 600.

The Assistant Director informed the Committee that the masterplan was very useful and showed the areas for residential development, open space, access and landscaping.

The Chairman, Councillor Mrs Spikings stated that she had very listened carefully to members of the public and officers. She explained that the Local Plan Task Group put sites forward for allocation in all good faith but the Planning Inspector added 'at least'. When the traffic survey was carried out the 'at least' word was not in place. There was now a cumulative effect of extra houses proposed since County Highways looked at the traffic survey and the impact of that later decision of adding 'at least', was being felt. She therefore proposed that the application be refused.

She also considered that there would be an impact on the Castle at Castle Rising, which attracted tourism. She considered that any development needed to be sited further back. The Castle was significant and a gem of a building. She also considered that 3 storey houses would be alien in the street scene, and would be detrimental. The woods also had to be looked after and included wildlife and diversity. There would also be pollution and dust to moderate / high impact.

Councillor Tyler seconded the proposal to refuse the application.

The Assistant Director clarified the planning reasons which had been proposed: that the development as proposed would adversely affect the setting and significance of Castle Rising Castle, contrary to the NPPF and policies in the Local Plan, and the severe impact of this large development on the road network contrary to paragraph 109 of the NPPF.

Councillor Mrs Westrop agreed with the comments made in relation to the impact on the road network. She added that the traffic impact would not only impact the A149 but also other routes. She also expressed concern in relation to the footpath and emergency vehicle route which she considered could be turned into a rat-run / parking area. She also had concerns that the South Wootton Neighbourhood Plan had been ignored and would be breached.

The Assistant Director advised that he did not consider that the Neighbourhood Plan had been breached. The Neighbourhood Plan had been prepared knowing that the sites had been allocated.

Councillor Lawrence stated that when the bus had been parked at the site for a short amount of time, the traffic had built up to the A149 and considered that the infrastructure was not adequate. He added that King's Lynn was no longer a small town but had increased in size with huge prospects for the future, therefore County Highways needed to look to the future at the A10 and A47 and also to get traffic off the roundabouts at the Hospital and Hardwick. This was also the main route into the docks and North Lynn Industrial Estate. He did not think it appropriate to have one access to serve the site of 600 houses. He added that if something was to happen the road would be congested and the emergency access would be pointless. He considered that another access needed to come off the A149. He supported the proposal to refuse the application.

Councillor Morrison asked whether the large expanse of land opposite Ullswater Avenue was in the AONB.

The Chairman, Councillor Mrs Spikings confirmed that it was, as outlined in the agenda on page 9.

Councillor Morrison asked how safe would be land would be in the future.

The Assistant Director explained that planning policy could change in the future but at the moment the AONB offered the highest level of protection.

Councillor Morrison referred to the letter read out from Henry Bellingham MP where it stated that the Housing Minister would not impose a penalty if the Council were to refuse the application. In addition, the speaker Mr Fidgett asserted that the officer's conclusion to approve the application was based on faulty planning advice.

He asked the Executive Director to comment on the weighing the solid merits of the objectors against the chances of an appeal being successful and the consequences of that.

The Executive Director explained that he could not second guess what the applicant would do in the event that the application was refused, but he strongly suspected that they would choose to go appeal. The Planning Inspector would assess the site against the provisions of the Town and Country Planning Act and NPPF. He added that care needed to be taken when refusing any application to substantiate those reasons at appeal. If those reasons could not be substantiated then there was a risk of costs being awarded against the Council.

In this particular case, the Committee had heard a lot from a number of people expressing concerns and hoped that these people would come to any Inquiry and express those concerns, and to see what weight the Inspector would attach to them. He also hoped that Sir Henry Bellingham would attend any appeal to explain the Government's Policy to the Inspector. Clearly, if officers felt that the scheme was unacceptable then it would be recommended for refusal. He added that ultimately it was a decision for the Committee to make as elected politicians and he would expect Members to come along to any Inquiry to defend those reasons.

Councillor Morrison referred to the statement from Sir Henry Bellingham regarding the Government Minister giving some sort of assurance in relation to costs, and asked whether this could be taken seriously.

The Executive Director explained that the Committee had received a statement from Sir Henry Bellingham and it was for him to justify this at appeal.

Councillor Blunt stated that he was Portfolio Holder for Development and as such Chairman of the Local Plan Task Group for the next Local Plan. He added that he had listened to the arguments put forward and urged them to make comments in relation to the next Local Plan. He considered that the traffic analysis had not looked at the cumulative impact at the current time, which was why he would be supporting refusal of the application.

The Chairman, Councillor Mrs Spikings thanked the County Highways Officer for attending and the officers for the work put into the report.

Councillor Mrs Young stated that she had read the report and objections and complimented the Planning Department on mitigating the objections, but she still had concerns in relation to the application. She referred to page 19 of the report where it talked about urban expansion but explained that South Wootton was a village in the countryside. She also had concerns relating to the traffic flow, access

and drainage issues. She considered that 600 houses would be too much.

Councillor Parish referred to the reasons for refusal of the application and suggested that drainage should be also be included.

The Assistant Director advised that the Internal Drainage Board had not objected to the application (this had been clarified with them) and would not come to any appeal to defend this reason. Drainage issues could be dealt with via condition. He advised the Committee to stick to reasons they had put forward already which could be argued, for example the setting of Castle Rising Castle and that the impact on the network would be severe. He advised the Committee not to include the access as County Highways had advised that the access would be safe. Another point of access had been prevented by the Committee on a previous application.

Councillor Storey suggested that the development would also detract from the form and character of the area.

The Assistant Director explained that as this was an outline application, the details of the scheme were not known at this stage. He therefore did not consider that this would be an appropriate reason for refusal.

The Chairman, Councillor Mrs Spikings reminded the Committee that there was a proposal on the table to refuse the application, seconded by Councillor Tyler, on the grounds that:

- the proposal would have an adverse impact on the setting and significance of Castle Rising Castle in conflict with the relevant paragraphs of the NPPF and policies of the plan; and
- the proposed development would be contrary to paragraph 109 of the NPPF in that the residual cumulative impact on the road network would be severe.

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

- (1) The proposal would have an adverse impact on the setting and significance of Castle Rising Castle in conflict with the relevant paragraphs of the NPPF and policies of the plan; and
- (2) The proposed development would be contrary to paragraph 109 of the NPPF in that the residual cumulative impact on the road network would be severe.

The meeting closed at 12.28 pm

