

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

**DEVELOPMENT CONTROL BOARD**

**Minutes of a Meeting of the Development Control Board held on  
Monday 1 September 2008 at 10.30 am in the Committee Suite,  
King's Court, Chapel Street, King's Lynn**

**PRESENT:**

Councillor Mrs V M Spikings (Chairman)  
Councillors Mrs Z Christopher, D Collis, C Crofts, W Daws,  
D Johnson, R W Groom, John Loveless, A M Lovett (sub), T C Manley,  
D Markinson, Mrs J Mickleburgh, A S Morrison, M J Peake, M E Pitcher,  
M S Storey, G Wareham and A M White

Apologies for absence were received from Councillor H Symington

**DCB29: MINUTES**

The Minutes of the Meeting held on 28 July 2008 were agreed as a correct record and signed by the Chairman.

**DCB30: DECLARATIONS OF INTEREST**

- Councillors Markinson, Daws, Lovett, Mickleburgh, Crofts, Johnson and Wareham declared a personal interest as the Council's representative on the Internal Drainage Board.
- Councillor Mrs Christopher declared a personal interest in item 8/1(a) as the applicant was a friend.
- Councillor Collis declared a personal interest in item 8/2(c) as the applicant was known to him and a friend.
- Councillor Groom declared a personal interest in item 8/2(c) as he knew the public speaker.
- Councillor Hipperson declared a prejudicial interest in item 8/2(l).

The Legal Services Manager reminded Members of the requirements of declaring personal and prejudicial interests, particularly in view that some Members had declared that they were friends with the applicant.

Councillor Groom stated that he had declared his interest as the applicant was a former Councillor.

DCB31: **URGENT BUSINESS UNDER STANDING ORDER 7**

The Head of Development Services reported that item 8/2(l) would be withdrawn from the agenda in order to allow time to consider the letter recently received from Natural England.

DCB32: **MEMBERS PRESENT PURSUANT TO STANDING ORDER 34**

The following Councillor attended and addressed the Board on the applications indicated against his name:

G Hipperson	8/2(m)	08/01743/CU
-------------	--------	-------------

DCB33: **CHAIRMAN'S CORRESPONDENCE**

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

DCB34: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

A copy of the summary of relevant correspondence received since the compilation of the agenda but before the deadline of 5.15 pm on the Wednesday before the meeting was now circulated. A copy of the summary would be held for public inspection with a list of background papers.

DCB35: **DECISIONS ON APPLICATIONS**

The Board considered schedules of applications for planning permission submitted by the Head of Development Services (copies of the schedules signed by the Chairman are attached to the signed Minutes of the Meeting of the Board).

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

(i) 08/01444/OM

**Gayton:** Hall Farm, Back Street: Conversion of existing farm buildings and erection of new dwellings to provide 29 residential units: Clients of David Trundley Design Services Ltd

The Principal Planner introduced the report and explained that the application proposed a total of 29 new dwellings through the construction of new dwellings and the conversion of existing barns on Hall Farm yard, off Back Street, Gayton. The site was within the village envelope with residential on three sides and a field on the fourth across which the Church could be seen. The application had been referred to the Board for determination because the Section 106 contributions exceeded the thresholds allowed under the scheme of delegation.

The Principal Planner then outlined the key issues to be considered when determining the application, namely:

- The principle of development;
- The existing use of the site;
- Affordable housing;
- Design and appearance;
- Highway safety; and
- Impact on services and infrastructure.

In response to a query the Principal Planner explained that the proposal consisted of 29 units on the site, 22 of which would be new build and 7 conversions. Officers considered that 29 units would be acceptable for the site.

Councillor Loveless asked whether the existing footpath could be enhanced bearing in mind the extra use it would receive. The Planning Control Manager explained that provision was made for a cut across the field toward the Church, however if the land was in a different ownership then it would be unreasonable to insist on an improvement to the footpath.

Councillor Groom stated that he felt that the proposal was overdevelopment but acknowledged that it did meet Government guidelines. He was pleased that affordable housing had been included within the scheme and that the properties would be let on the basis of local connection criteria. He added that the scheme was also in accordance with PPS7. He noted that there was a contribution from the developer to Norfolk County Council however there was no village contributions.

In response, the Principal Planner explained that the Highways contribution was seeking £500 per dwelling towards improvements at the junction of Lynn Road/Gayton Road. The Parish had been consulted on the planning application but not specifically asked to nominate funds.

Councillor Groom added that with the increase of 29 dwellings, the existing village facilities would require some improvement and he was concerned that this would not happen. He therefore proposed that a kind of mandatory system should be introduced as part of the consultation with Parishes/villages as he was concerned that rural areas were missing out on additional funding.

The Head of Development Services explained that a Section 106 Agreement was there to enable a development to come forward which would otherwise be refused. It was not there to act as a community funding pot as there had to be clear linkages to the proposed development and infrastructure. He added that this was an area that could be looked at for the future on engaging with Parishes however it would be tightly limited by the relevant Circular and the adopted Council policy. There was also a danger of raising expectations with Parishes and then not being able to tie any potential funding back to the development. He further added that some draft Head of Terms were submitted with applications so that

Parishes could consider at that stage. The Planning Control Manager advised that training sessions had been held with Parishes so they were aware of the issues surrounding Section 106 Agreements.

In response to a query in relation to the pepper-potting of the affordable housing, the Principal Planner confirmed that the layout would be considered further at the reserved matters stage. In addition, any overlooking issues would also be dealt with at reserved matters.

Councillor Storey raised concern in relation to affordable housing which had been allocated for shared equity and subsequently stood empty. The Planning Control Manager undertook to raise the issue with the Council's Housing Enabling Officer.

Councillor Crofts raised the issue that there was no amenity space on the site. The Principal Planner clarified that the scheme was below the threshold to provide open space.

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

**RESOLVED:** (1) That, the application be approved subject to conditions and the completion of a Section 106 agreement by 30<sup>th</sup> September 2008 to secure the provision of affordable housing, £14,500 highway contribution and £1,740 library contribution.

(2) That, if the Section 106 Agreement is not completed by 30 September 2008 the application be refused on the grounds that the scheme fails to provide for affordable housing, nor provide £14,500 highway contribution or £1,740 library contribution.

(ii) 08/01604/FM

**Downham Market:** The Cottage and Factory, Fairfield Road:  
Construction of 12 dwellings: Client of Factory, Fairfield Road:  
Construction of 12 dwellings: Client of David Taylor Associates

The Principal Planner explained that the application sought full permission for the construction of 12 houses with associated access and parking areas plus communal open space, following the demolition of The Cottage and the existing industrial unit. The proposal also sought the upgrading of Fairfield Road from the existing adopted surface up to the northern boundary of the site – a length of approximately 110 metres.

The site was within the defined area of the town and within an area designated in the Local Plan as Built Environment Type D. The application had been referred to the Board for determination because the officer recommendation was at variance with the view of the Town Council.

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

- Principle of development;
- Density;
- Design and appearance;
- Access;
- Flood risk;
- Contamination;
- Residential amenity;
- Crime and disorder;
- Any other material considerations.

In accordance with the adopted public speaking protocol, Town Councillor Mrs P Sharpe (objecting) addressed the Board in relation to the application.

In response to an issue raised by the public speaking, the Principal Planner confirmed that the basements had been removed from the scheme.

Councillor Loveless stated that he had no concerns regarding the quality of design however he was concerned over the boundary treatment and asked that any fencing/boundary treatment should establish a standard to enhance the river. In response the Principal Planner advised that currently there was close boarded fencing and that a condition had been imposed requiring details of the boundary treatment to be agreed.

Councillor White added that he was concerned with the condition of Fairfield Road itself and asked that if it was to be kept private then how would it be maintained. The Principal Planner advised that the proposal would also upgrade Fairfield Road from the existing adopted surface up to the northern boundary of the site - a length of approximately 110 m. The Highways Authority's conditions also required maintenance arrangements to be agreed as detailed in Condition 7.

Councillor Groom stated that he felt that the scheme was overdevelopment on the site and the amount of amenity space was too small. He also considered that there would be a loss of privacy. He added that there were too many three storey dwellings already in Downham Market. He also stated that a similar scheme had already been approved therefore this proposal would not set a precedent as each application had to be judged on its own merits. He considered that the fence should be green in colour and not brown, and felt that the scheme would be unlikely to provide sufficient parking space.

The Principal Planner advised that there would be no loss of privacy.

The Chairman, Councillor Mrs Spikings confirmed that 2 spaces per dwelling had been allocated.

Councillor Wareham stated that he was happy with the height of some of the buildings. In relation to the unadopted road he queried whether all the residents would have to make a contribution if the road was adopted? The

Planning Control Manager explained that if the road was adopted then County Highways would maintain the road in future.

The Chairman, Councillor Mrs Spikings suggested that the Board could write to County Highways asking them to adopt the road.

The Principal Planner then outlined additional conditions regarding construction times and that the scheme should be implemented in accordance with the recommendations of the noise and vibration assessment which was agreed by the Board.

Councillor Storey asked how the conditions were monitored? It was explained that a Planning Monitoring Officer was in place and applicants now had to formally discharge conditions.

**RESOLVED:** That the application be approved as recommended subject to the imposition of additional conditions regarding construction times as follows:

Condition 15: During the construction of the dwellings no machinery shall be operated, no process shall be carried out, and no deliveries taken at or despatched from the site outside the hours of 7.00am – 6.00pm Monday to Friday, and 8.00am – 1.00pm Saturday and no operation on Sundays and Bank Holidays.

Reason: To safeguard the amenities of neighbouring residents in accordance with PPG24.

Condition 16: The measures contained in the noise and vibration assessment report GH/J2049/11804-1 shall be implemented to ensure compliance with BS 8233 in that the internal night time noise for bedrooms is no greater than 35 LAeq 8hr Db(a) and 40 LAeq 8hr Db(a) for living rooms.

Reason: To safeguard the amenities of neighbouring residents in accordance with PPG24.

(iii) 08/01405/F

**Downham Market:** 3 Heron Close: Extension to dwelling: Mr P Goodrum

---

The Principal Planner introduced the report and explained that the application site was located within a defined area of the town and within Built Environment Type D. The proposal was in accordance with Policies 4/21, ENV7, PPS1 and SS1. The application had been referred to the Board for determination at the request of Councillor Wareham.

The Principal Planner then outlined the key issues to be considered when determining the application, namely:

- Design and impact on surrounding area;

- Impact on neighbour amenity;
- Highways; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Mr J Hobden (supporting), Mrs Griffen (objecting) and Town Councillor Mrs P Sharpe (objecting) addressed the Board in relation to the application.

The Chairman, Councillor Mrs Spikings read out an email from Councillor Mellish (Ward Member) who could not be present at the meeting but wished for her support for the application to be noted.

The Chairman, Councillor Mrs Spikings then invited Richard Smith, the Highways representative to outline the Highways response. He stated that there had been some concerns that the development could result in parking on the highway however the applicant had indicated that parking could be provided in the garden therefore it was difficult to raise an objection on highway safety grounds.

In response to questions it was confirmed that the turning area did form part of the highway; the applicant was providing parking on the site and the existing access would remain.

Councillor Wareham proposed that a site visit be carried out as he considered that some of the issues raised could be clarified on site and that the view of the gable end from No.89 Wimbotsham Road could be considered. The proposal was seconded by Councillor White and after having been put to the vote was carried.

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

(iv) 08/01680/F

**Downham Market:** Station Villa, 11 Bennett Street: Construction of 3 unit bed and breakfast rooms and managers accommodation to existing bed and breakfast facility: Mr Andrew Archibald

The Principal Planner introduced the report and explained that the application site was located within Built Environment Type C within Downham Town Centre, as specified within the King's Lynn and West Norfolk Local Plan, 1998. The application had been referred to the Board for determination as the opinion of the Local Planning Authority was at variance with the Town Council who supported the application.

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

- Principle of holiday accommodation at the location;
- Impact upon the form and character of the area;
- Impact upon neighbour amenity;

- Highway safety; and
- Any other material considerations.

In accordance with the adopted public speaking protocol, Town Councillor Mrs Sharpe (supporting) addressed the Board in relation to the application.

Councillor Markinson proposed that a site visit should be carried out in order that the impact of the development on the form and character could be assessed. The proposal was seconded by Councillor Collis and after having been put to the vote was carried.

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

(v) 08/01436/O

**Bircham:** Land to the west of Longacre and Summerfield House, Lynn Road: Outline application: Construction of four dwellings: Mr Keith Ives and Mr David Phizacklea

In presenting the report, the Principal Planner explained that outline planning permission was sought for the construction of 4 dwellings on land which currently formed part of gardens of two properties known as Long Acre and Summerfield House. The site was within the settlement of Great Bircham and was within the Built Environment Type D as depicted on the Local Plan proposals map. The Principal Planner also made reference to the importance of a recent appeal decision (March 07) on part of the application site. The application had been referred to the Board for determination because the Parish Council was at variance with the Officer recommendation.

The Principal Planner then outlined the key issues to be considered when determining the application, namely:

- Planning history;
- Impact upon form and character;
- Sustainability;
- Trees;
- Highways; and
- Residential amenity.

In accordance with the adopted public speaking protocol, Mr Keith Ives (supporting) and Mr B Grindrod (objecting on behalf of the Parish Council) addressed the Board in relation to the application.

The Principal Planner advised that the main issue related to the impact upon the form and character and whether the Planning Inspector raised an in principle objection to development at the rear.

Councillor Manley stated that he had read the officers report and the Inspectors report and proposed that a site visit be carried out. The



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

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

(vi) 08/01613/F

**Grimston:** Ramblewood Farm, Cliffe En Howe Road, Pott Row:  
Siting of mobile home: Mr R Fulcher

The Principal Planner introduced the report and explained that the application sought approval for the placement of a mobile home on the property, on the basis that occupation on the site was required for agricultural activities that were being undertaken on the plot. The mobile van was already on the site and had been occupied for some extended period of time. Enforcement action had commenced but was currently on hold pending the outcome of the planning application. The applicant had submitted information to justify the need for the mobile home as required by PPS7. The application had been referred to the Board for determination at the request of Councillor Pitcher.

The Principal Planner then outlined the key issues to be considered when determining the application, namely:

- Principle of the development; and
- Other material considerations.

Councillor Pitcher (Ward Member) referred to information which had been submitted with the planning application and proposed that a site visit be carried out to see the impact that the proposal would have. The proposal was seconded by Councillor Daws and after having been put to the vote was carried.

It was agreed that the information Councillor Pitcher had referred to would be circulated to the Board prior to the reconvened meeting on 4 September 2008.

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

(vii) 08/01681/F

**Grimston:** Thistledown, 20 Chapel Road, Pott Row: Extensions to dwelling: Mr David Morton

---

The Principal Planner introduced the report and explained that the application proposed to construct single storey extensions to the front and rear of the dwelling. The site was within Built Environment Type C as notated on the Local Plan Proposals Map. The application had been referred to the Board for determination at the request of Councillor Pitcher.

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

- Impact upon the character and appearance of the area;
- Neighbouring amenities;
- Highway safety; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Mr David Morton (supporting) addressed the Board in relation to the application.

Councillor Pitcher (Ward Member) stated that he had concerns relating to the potential parking on the highway which needed to be prevented for the future.

The Highways representative confirmed that he had visited the site and that there was a parking area to the front of the site which could be accessed although it was not a car parking space that the Highways Authority would promote. Therefore as there was no practical change in circumstances, Highways did not object to the proposal.

In response to queries, the Principal Planner confirmed that Chapel Road was subject to a 30 mph speed limit; the proposal did not include any improvements to visibility; the parking space was in front of the existing bungalow and on-street parking occurred generally in the area.

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

***The Board then adjourned at 12.30 pm and reconvened at 1.05 pm.***

(viii) 08/01192/F

**Harpley:** Outbuilding at Chasewood, Church Lane: Conversion of outbuilding to residential: Mr Simon Gardner

The Principal Planner introduced the report and explained that the site was part of an existing courtyard of residential properties with vehicle access onto Nethergate Street. The site comprised an existing one and a half storey high terraced outbuilding with garage doors at ground level and a single storey outbuilding. It is within Built Environment Type C. The application had been referred to the Board for determination because the Parish Council objected which was at variance with the officer recommendation.

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

- Acceptability of the principle of development;
- Relationship with adjoining occupiers;
- Highways; and
- Other material considerations.

Councillor Groom stated that he agreed with the comments of the Parish Council and that the proposal would have an impact on the neighbours.

Councillor Loveless asked where the cars used by the other converted properties parked and whether congestion was experienced.

In response the Principal Planner advised in relation to the issue of car parking that some properties had access to the gardens to use for parking. Two garages would be lost however the proposal could reduce the number of vehicle movements through the archway.

In relation to vehicle movements, Councillor Lovett made reference to the representation on page 80 of the officers' report in support of the application.

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

(ix) 08/01849/F

**King's Lynn:** Head Post Office, Blackfriars Street: Variation of condition 9 to change the use from former post office to class A4 (Drinking Establishments) including alterations to external elevations, to allow opening until 12.30 am Sunday to Thursday and until 2.00 am Fridays and Saturdays (plus 30 minutes drinking up time):  
Barracuda Group Ltd

The Principal Planner introduced the report and explained that planning consent was permitted for the change of use to Class A4 (drinking establishment) including alterations to the external elevation, subject to amongst others, a condition limiting hours of use. The applicant was now seeking to vary the condition to allow opening until 2.30 am on Fridays and Saturdays. The site was located within Built Environment Type D and adjacent the King's Lynn Conservation Area. The application had been referred to the Board for determination by the Head of Development Services.

The Principal Planner then outlined the key issues to be considered when determining the application, namely:

- Relevance and need for condition relating to hours of use; and
- Section 17 Crime and Disorder.

Councillor Groom stated that he would like to see the existing opening hours maintained and therefore proposed that the application be refused, which was seconded by Councillor Mrs Mickleburgh for the following reason:

'The building and location of the proposed development does not fit into the reality of the situation in King's Lynn with regard to rowdy behaviour. The Police have not objected to the planning application but might object when the premises license is considered at the Licensing Committee.'

The Head of Development Services and Legal Services Manager advised that the reason given by Councillor Groom was not a valid planning reason.

Councillor Groom therefore proposed that the application be refused on the grounds of the impact and harm the proposal would have on the amenity of residents and Section 17 Crime and Disorder Act and, after having been put to the vote, was lost.

Councillors Groom and Mickleburgh asked for their vote to be recorded against the following resolution. Councillor Daws abstained from the vote.

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

- (x) 08/01621/F  
**Leziate:** 9 Station Road: Extension to dwelling and detached garage with playroom over: Mr Robert Forder

The Principal Planner introduced the report and explained that the site was within Built Environment Type D as notated on the Local Plan Proposals Map. The application had been referred to the Board for determination because the applicant was a Borough Council employee.

The Principal Planner then outlined the key issues to be considered when determining the application, namely:

- Impact upon character and appearance of the area;
- Neighbouring amenities; and
- Highway safety.

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

- (xi) 08/01435/O  
**Middleton:** Mitre Farm, Setch Road, Blackborough End: Conversion of redundant farm buildings to 4 studio apartments: Mrs Angela Canning

The Principal Planner introduced the report and explained that the application sought outline planning permission for access, appearance and layout for the conversion of a steel framed barn, within the boundaries of an existing horticultural operation into 4 holiday apartments. The application site was within Built Environment Type D immediately bordering land designated as countryside as specified within the proposals map accompanying the King's Lynn and West Norfolk Local Plan 1998. The application had been referred to the Board for determination because the officer recommendation was at variance with the Parish Council who supported the application.

The Principal Planner then outlined the key issues to be considered when determining the application, namely:

- The principle of residential and holiday accommodation at this location;
- Impact upon the existing form and character;
- Impact upon residential amenity;
- Impact upon highway safety; and
- Any other material considerations.

In accordance with the adopted public speaking protocol, Mr David Trundley (supporting) addressed the Board in relation to the application.

Councillor Markinson stated that he concurred with some of the points raised by the public speaker. He added that the Parish Council supported the application; there was no policy objection in principle and there would be no additional impact on the landscape. He added that design was the only issue but he considered that the application was in accordance with PPS1, 3 and 7. He therefore recommended that the application be approved however there was no seconder for the proposal.

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

(xii) 08/01545/O

**Northwold:** Land south east of 16 Thetford Road: Outline application for construction of bungalow: Mr D H Muir \_\_\_\_\_

The Principal Planner introduced the report and explained that the application site was located on land designated as countryside, located approximately 0.5 km from the nearest part of the settlement boundary. The application had been referred to the Board for determination at the request of Councillor Lawrence.

The Principal Planner then outlined the key issues to be considered when determining the application, namely:

- Principle of development in the countryside;
- Highway safety; and
- Any other material considerations.

In accordance with the adopted public speaking protocol, Mr Richard Brown (supporting) addressed the Board in relation to the application.

In response to the issue raised by the public speaker concerning procedural issues the Planning Control Manager confirmed the following:

- In accordance with paragraph 71 of PPS3 the Council's view was that it had a 5 year supply of housing.
- The application site was considered to be Greenfield and not brownfield.
- The Local Plan Proposal maps were available on the website for inspection.
- The application referred to at Elm was determined on its own merits and did not set a precedent.

- The site previously had consent for barn conversions – 2 of which were single storey.
- The application was fundamentally contrary to policy protecting the countryside.

The Highway's representative then explained the objection to the application, which related to increased traffic generation and increased use of the access. In addition the access was onto the A134 which was a strategic route under Local Plan policy 9/11- Corridor of Movement. The proposal would generate 8-10 vehicle movements per day on a fast traveling stretch of road. Also, the applicant had not demonstrated adequate visibility splays.

The Planning Control Manager suggested that an additional reason for refusal should be added regarding the substandard visibility splay. He also confirmed that the conversion had not been completed yet.

Councillor Groom commented that even if the site was brownfield, there was still a policy objection and as such the proposal was a new dwelling in the countryside and was contrary to PPS1, 3 and 7 and PPG13; together with the Highway objections. He was however sympathetic to the medical problems associated with the applicant.

The Chairman, Councillor Mrs Spikings proposed that an additional reason for refusal be added relating to the substandard visibility splay which was agreed by the Board.

**RESOLVED:** That the application be refused as recommended together with the additional reason for refusal as follows:

*The applicant has not demonstrated that the access would have adequate visibility splays in accordance with the required standards. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety contrary to Planning Policy Guidance note 13, Policy T1 of the East of England Plan, 2008 and Policy T2 of the Norfolk Structure Plan, 1999.*

(xiii) 08/01580/F

**North Wootton:** Land east of The Lodge, Manor Road:  
Construction of 4 no. dwellings and change of use of nursery building  
to a residential dwelling: Mrs Joanna Hammond

The Principal Planner introduced the report and explained that the site was within the Built Environment Type 'C' as depicted on the Local Plan proposals map. The application had been referred to the Board for determination because the Parish Council was at variance with the officer recommendation.

The Principal Planner then outlined the key issues to be considered when determining the application namely:

- Principle of development;
- Access and traffic;

- Design and layout;
- Privacy and overlooking; and
- Other material considerations.

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

(xiv) 08/01710/F

**Shouldham:** Former Stables, Melrose Farm, Norwich Road:  
Change of use of former stable to A1 retail: A C Hipperson and Sons

The Board noted that this application had been deferred.

(xv) 08/01743/CU

**Shouldham Thorpe:** Fodderstone Mill, Mill Road: Change of use of  
agricultural land to garden: Mr Peter Oddey

The Principal Planner introduced the report and explained that the application related to a change of use of agricultural land to residential garden land. The proposal was recommended for refusal on the grounds that it was contrary to National Policy PPS7 and Policy ENV2 of the East of England Plan. The application had been referred to the Board for determination at the request of Councillor Hipperson.

The Principal Planner then outlined the key issues to be considered when determining the application, namely:

- Principle of change of use;
- Justification for change of use;
- Other material considerations.

In accordance with the adopted public speaking protocol, Mr Peter Oddey (applicant) addressed the Board in relation to the application.

In accordance with Standing Order 34, Councillor Hipperson addressed the Board in support of the application. He stated that he considered that the application would not have a negative impact on the area. The applicant had not applied for the whole field just the area that he needed. The land itself was of negligible value. He did not feel that there was any ulterior motive for the application and therefore supported the application.

Councillor Mrs Christopher added that she knew that the area suffered from sewerage problems and that the agricultural land was not viable. She therefore proposed that the application be approved which was seconded by Councillor Morrison.

Councillor Markinson asked that if the Board was minded to approve the application then would this be a brownfield site and could it be developed at a later stage. The Planning Control Manager confirmed that it would be a brownfield site and that there were other ways of accommodating a private treatment plant other than extending the garden into the countryside.

Councillor Loveless asked that if permission was granted could PD rights be removed to ensure that no structures were built on the land to maintain the open and natural appearance. The Planning Control Manager confirmed that PD rights could be removed.

Councillor Wareham asked what the aim was of retaining the land in the condition it was in. In response the Planning Control Manager advised that in accordance with PPS7, protection of the countryside applied.

Councillor Morrison stated that he considered the application to be innocent in that the applicant had asked for room for the trenches for the private sewerage treatment plant. In seconding the proposal he felt that it was a common sense solution to the problem encountered by the applicant.

The Chairman, Councillor Mrs Spikings referred to the late correspondence in particular the objection from CPRE and the Landscape Officer. The site was in the countryside and the applicant's garden was in front of the dwelling and not behind it. In relation to the drainage problems she added that there were other solutions available. The site was agricultural land and should not be approved otherwise a precedent could be set. She fully supported the officer's recommendation.

Councillor Mrs Christopher then outlined her planning reasons but was advised that it was not a material planning reason. She therefore withdrew her proposal to approve the application.

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

(xvi) 08/01490/F

**Snettisham:** The Watermill, Station Road: Part conversion of existing watermill for holiday let including the refurbishment of existing mill: Mr Mike Saunders

In presenting the report, the Principal Planner explained that planning permission was sought for the part conversion of the existing watermill at Station Road, Snettisham for holiday let including the refurbishment of the existing mill. The building to which the application related is a watermill built in 1800 with an attached granary built in the mid 19<sup>th</sup> century. The watermill is a Grade II\* Listed Building. The site was within Built Environment Type C. Tree Preservation Orders exist on blue land and public rights of way run to the west and south of the site. The site was within flood zone 3 (fluvial) as depicted on the Borough Council's Strategic Flood Risk maps. The application had been referred to the Board for determination because the officer recommendation was contrary to the Parish Council recommendation.

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

- Principle of development;
- Flood risk;



- Impact on the listed building;
- Impact on protected species; and
- Other material considerations.

Councillor Johnson stated that the building was part of the heritage of Snettisham. He considered that it would be better if it was allowed to be developed. He therefore proposed that the application be approved however he had no seconder for the proposal.

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

(xvii) 08/01491/LB

**Snettisham:** The Watermill, Station Road: Part conversion of existing watermill to holiday let accommodation including refurbishment of existing mill: Mr Mike Saunders

The Principal Planner introduced the report and explained that the building to which the application related was a Watermill built in 1800, with an attached mid C19 granary. It was a listed grade II\* and was situated off Station Road in Snettisham. The application sought listed building consent to convert the granary section of the building into a three bedroom holiday let. It also proposed to restore/refurbish all the mill workings to facilitate the provision of open days and demonstrations. The application had been referred to the Board for determination because the Parish Council was at variance with the officer recommendation and that of other statutory consultees.

The Principal Planner then outlined the key issues relating to the application namely the affect of the proposals on the fabric, character and appearance of the listed building.

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

(xviii) 08/01460/O

**Wiggenhall St Germans:** Plot opposite Fairfield House, Mill Road: Outline application: Construction of dwelling: Mr & Mrs D Rust

In presenting the report, the Principal Planner explained that the proposal site comprised unkempt land on the northern side of Mill Road, Wiggenhall St Germans in an area designated as Built Environment Type C in the Development Plan. The application had been referred to the Board for determination because the Parish Council was at variance with the officer recommendation.

The Principal Planner then outlined the key issues to be considered when determining the application, namely:

- Form and character of the locality;
- Highway issues;
- Landscape; and
- Flood risk.

In accordance with the adopted public speaking protocol, Mr Langridge (objecting) addressed the Board in relation to the application.

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

(xix) 08/01138/BT

**Various:** Various locations within the Borough: Removal of 98 public payphones: British Telecommunications plc

The Principal Planner presented the report and explained that the Board had previously considered a report in respect of the British Telecom (BT) advice of their intention to close 98 telephone boxes across the Borough. As part of the regulated process, BT was required to consult with the Local Planning Authority. At the previous meeting the Board resolved to object to the removal of all nominated phone boxes due to a lack of information to enable a decision to be made. Formal notification of this initial or draft decision was placed in the local newspaper and sent to BT and other relevant bodies including Parish Councils. BT had also been requested to provide additional information which had only been received today (1 September 2008).

**RESOLVED:** That, the application be deferred until the reconvened meeting of the Board on 4 September 2008, in order that the information received from BT could be considered by the Board.

DCB36: **PLANNING APPLICATIONS DETERMINED UNDER THE SCHEME OF DELEGATION**

The Board received the Schedules relating to the above.

**RESOLVED:** That, the report be noted.

DCB37: **PLANNING: CONSERVATION AND LANDSCAPE – UPDATE REPORT BY THE LANDSCAPE OFFICER**

The Landscape Officer provided Members with a general guide to the work of the Landscape Officer and the work undertaken during the first 6 months of the year from 1 January 2008 to 30 June 2008. The report also highlighted some of the current issues facing the Landscape Officer and of the future challenges facing the Council over landscape and tree matters.

**RESOLVED:** That, the report be noted.

**The meeting closed at 3.00 pm**