



Planning Committee
Monday, 7th April, 2025 at 9.30 am
in the Assembly Room, Town Hall, Saturday Market
Place, King's Lynn PE30 5DQ

Reports marked to follow on the Agenda and/or Supplementary Documents

1. **Receipt of Late Correspondence on Applications** (Pages 2 - 5)

To receive the Schedule of Late Correspondence received since the publication of the agenda.

Contact

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PLANNING COMMITTEE

Date: 7 April 2025

**SUMMARY OF ADDITIONAL CORRESPONDENCE RECEIVED SINCE THE
PUBLICATION OF THE AGENDA AND ERRATA**

The King's Lynn and West Norfolk Local Plan 2021 – 2040 (all applications)

The Local Plan was adopted on 27th March 2025. Reference has been made within the main reports, reasons for conditions and reasons for refusal to policies of the old plan and the new plan. Given the adoption of the new Local Plan, for the avoidance of doubt, policies of the former Core Strategy and SADMPP will now be deleted from reasons for conditions and reasons for refusal and policies of the King's Lynn and West Norfolk Local Plan 2021-2040 will be relied upon.

Item No. 9/2(a) 23/02246/F Page No. 34

Cllr Morley: Acknowledges that 4 dwellings were previously approved but a '1.8m gap around the boundary' is too close. Would like the Planning Committee to ensure the condition of the Third Party septic tanks is retained and a professional, structural assessment of their condition is carried out.

Third Party: Great Crested Newts have been found in the garden pond adjacent at The Old School. Multiple reference made to the extant consent. Do not understand how this consent can be used as a live fall-back position when it is acknowledged that the boundaries are incorrect, and the entrance does not conform to visibility requirements.

Assistant Director's Comments: Issues regarding relationships between the proposed development and neighbouring properties have been addressed on pages 43 to 45 of the officer report in the agenda.

Third Party drainage arrangements have also been addressed on page 45 of the agenda and controlled via condition 14 on page 50 of the agenda.

The presence or otherwise of Great Crested Newts (GCN) were assessed as part of the application following the Ecology Survey submitted with the extant consent. Whilst no GCN were found on site (Well Cottage) and the newts found adjacent were not recorded, the site was assessed as GCN being present, as absolute precaution. As such, a Method Statement was submitted as part of the current application which has been conditioned. The Council's Ecologist raises no objections subject to conditions as outlined in the report.

The majority of the previous consent can be carried out at any point given that the development has commenced on the site; the issue is with the access. The previous access improvements works were secured by a condition which was worded 'prior to the commencement of the use' therefore those works were not required to be carried out prior to the commencement of any development on the site and thus does not go to the heart of the consent. The problem arose with the access when the site was further surveyed, and it became apparent that the site and location plan used in the previous permission (21/00713/F) was a base layer / OS map which shows the neighbouring garage slightly different to that on the ground. This does not mean that the entire site plan was inaccurate. The discrepancy was only relating to a Third Party building on Third Party land and could be because the garage had been altered over time. Once those further topographical surveys were carried out,

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it became apparent that adequate visibility could not be achieved, which resulted in the submission of the current application which seeks to move the access 5m to the south to rectify the issue.

Correction: There is a typo in the first line of the section 'Form and Character' of the officer report on page 42 of the agenda, which should read "*The application site is screened from public view.....*"

Item No. 9/2(b) 24/01167/F Page No. 51

Third Party: 'Wishes to re-emphasise, that apart from:

- The issue of overdevelopment of the plot which affects me badly as it will be overbearing and will overshadow me (I'm at No 2);
- The fact that a significantly greater amount of the walls it is suggested will remain, will in fact be removed to allow for rear extensions and patio doors, and
- The dereliction of the garden.

The thing I am most concerned about is the detrimental impact a huge, white, wide house amongst red roofs and bricks of surrounding houses in the North Norfolk style will have when viewed from the AONB and church.

It is a lovely modern house I'm sure, but it will devastate the pretty 'typical Norfolk' environment we all love and will furthermore possibly open the floodgates to allow similar, large 'out of place' properties to be built in the future'.

Assistant Director's Comments: The Third Party comments are noted and have been addressed from page 53 of the officer report within the agenda.

Item No. 9/2(e) 25/00198/F Page No. 88

Agent: With reference to the above, the committee report states there is two letters of objection however there is only one listed on the public website. Can this be corrected please

Assistant Director's Comments: The Planning Agents comments are noted. The second objection has now been scanned onto the file.

Item No. 9/2(f) 24/02156/F Page No. 96

Third Party Objection (one):

- Feel the report trivialises items that are important to the people of Basin Road and Outwell.
- Policy DM15 is designed to protect the public and 100% applies to this application.
- Feel application is misleading for example Biodiversity Pre-questionnaire not completed properly.
- Feel the trial period was not undertaken as described which should invalidate the application.
- Site is unattended during the day.
- Feel it would be difficult to carry out all the duties within the plan in a couple of hours.
- Dogs not always exercised in the field.
- Inconsiderate parking (crash date 2nd Dec 24)
- Transferring dog waste close to neighbours dwelling.
- Several cameras/listening devices on site making neighbour feel watched.
- Recently installed 2m fence takes light from part of home.
- Roots from willow trees on boundary will cause problems in future.
- Feel penalised for being honest saying noise from dogs is not as bad as expected.

Third Party Support (one):

- Feel the officer report gives fair consideration to all relevant local and national planning policies.
- The applicants have a strained relationship with the neighbours and feel this is a reason for many objections.
- Neighbour has unjustly reported applicants to the police, licensing department and CSNN team.
- Feel an unjustly negative picture has been portrayed of the small business.
- Wonders why a local planning agent wasn't employed by the neighbour instead of one in Wales.
- Neighbours who have visited the site support the application.

Public Rights of Way Officer (NCC):

Reiterate that NCC has no objection to the application as while Outwell Isle BR3 is crossed by the application, it is not impacted by the proposal.

A resident has made a claim that a track existing between Back Lane and Basin Road which was a public right of way. On the portal there is an aerial photo of uncertain date which supports there being a physical track in existence at one time, but it does not appear on many of the older documentary sources, including the Definitive Map, so we are not able to confirm whether any public rights have been established by historic statute or public use.

Should an individual provide evidence and make a formal application to the Highways Authority to investigate further the potential for the existence of public rights, it could impact the development but until then there is nothing to indicate to us this track was for public use.

Assistant Director's Comments: Many of the issues raised by third party representations have been considered within the officer report already. It is asserted that the applicants are not always on-site. The dogs are monitored at all times via CCTV/sound recording. The erection of a 2.0m fence which does not front a highway over which vehicles pass can be carried out utilising permitted development rights (Class A, Part 2, Schedule 2 of the GPDO). Anything above 2.0m will require planning permission. The planting of willow trees does not form part of this application and does not require planning permission.

Additional comments from the Public Rights of Way officer clarifying the position of the 'track' through the application site are noted.

Item No. 9/2(g) 25/00251/F Page No. 111

Agent: A Shadow Assessment, assessing the impacts of the proposal on the neighbouring property to the north, has been submitted.

Parish Council: SUPPORT on the following grounds:

The Parish Councillors fully support this application on grounds of enhancement to the street scene. The property will be flood ready if flooding arose. The owner has a business within the local village and with a growing family does not want to move out of the area.

Assistant Director's Comments: The Shadow Assessment submitted by the Agent shows that there is no adverse increase in overshadowing to the neighbouring property. Officers have assessed the additional information and consider that there is sufficient evidence to demonstrate that limited

overshadowing would occur as a result of the proposed development. As a result, it is recommended that the reason for refusal (2) should be removed.

The Parish Council comments are noted; however it is not felt that the proposed development enhances the streetscene. With regard to flooding, it is agreed in the report that the proposal would lead to a betterment of flood safety over the existing dwelling. With regard to business ownership, the planning system cannot take account of the circumstances of an individual when determining an application.