

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

PLANNING COMMITTEE

**Minutes from the Meeting of the Planning Committee held on
Tuesday, 8th May, 2018 at 11.00 am in the Assembly Room, Town Hall,
Saturday Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor Mrs V Spikings (Chairman)
Councillors R Blunt (sub), A Bubb, C J Crofts, Mrs S Fraser, G Hipperson,
T Parish, M Peake, Miss S Sandell, D Tyler, G Wareham, Mrs E Watson,
A White, Mrs A Wright and Mrs S Young

An apology for absence was received from Councillor Mrs S Buck, A Morrison
and M Storey

PC110: **MINUTES**

The Minutes of the Meeting held on 9th April 2018 were agreed as a
correct record and signed by the Chairman, Councillor Mrs Spikings.

PC111: **DECLARATIONS OF INTEREST**

The following declarations of interest were declared:

Councillor A White declared that in relation to item 8/2(b) – King's Lynn
he was a Member of Norfolk County Council.

PC112: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business under Standing Order 7.

PC113: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

There were no Members attending under Standing Order 34.

PC114: **CHAIRMAN'S CORRESPONDENCE**

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

PC115: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

A copy of the late correspondence received since the publication of the
agenda, which had been previously circulated, was tabled. A copy of

the summary would be held for public inspection with a list of background papers.

The Chairman, Councillor Mrs Spikings reported that a further piece of correspondence had been received from St Margaret's with St Nicholas Ward Forum in relation to item 8/2(a) King's Lynn and allowed the Committee time to read the letter.

PC116: **INDEX OF APPLICATIONS**

The Committee noted the Index of Applications.

(a) **Decisions on Applications**

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

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

(i) **16/00610/OM**

Wimbotsham and Downham Market: Land north east of Bridle Lane: Outline Major Application: To include up to 240 dwellings (use class C3), access onto Lynn Road, open space, sustainable drainage systems and associated ancillary works: Albanwise Ltd

Councillor Wareham took no part in the debate or decision for the application, as he had not been present on the site visit.

The Principal Planner explained that the Committee had visited the site, prior to the meeting and highlighted the points where the Committee had viewed the site from.

The report was introduced and it was explained that the site was an irregular shaped parcel of land located to the north east of Downham Market, but lies mostly within the parish of Wimbotsham (boundary along bridleway BR13/Bridle Lane, which ran generally east-west). It had approximately 140m frontage onto Lynn Road/B1507, located north of Bridle Lane up to the concrete road (formerly part of RAF Downham Market and was a bridleway – BR14) which ran broadly parallel to the A10/by-pass; there was a narrowing parcel to the south of Bridle Lane which abutted Parsley Way and almost adjoined Elderflower Way – the existing peripheral residential estate development constituting the present edge of the urban area of the town. There was agricultural land to the north (with New Road

beyond), east and west of the southern 'leg' and also on the opposite side of Lynn Road.

The site comprised 9.2 ha of an allocated site of 16.2 ha for Downham Market under Policy F1.3 of the Site Allocations and Development Management Policies Plan 2016, with the policy requiring at least 250 dwellings and associated facilities.

The current application was in outline form with all matters reserved apart from access (off Lynn Road/B1507). Originally the application was submitted for up to 285 dwellings including land to the north and outside the allocated site. The application had been revised to reduce the number of dwellings to up to 240 dwellings and the site area mostly complies with the defined allocated site boundary, except for a small section around a proposed drainage feature in the north-west corner plus inclusion of bridleway BR14.

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

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

- Principle of development;
- Form and character;
- Highways issues;
- Residential amenity;
- Flood risk and sustainable drainage;
- Archaeology;
- Ecology;
- Minerals;
- Section 106 matters;
- Any other matters requiring consideration prior to the determination of the application; and
- Crime and disorder.

The Principal Planner referred to the late correspondence and explained that an amended site plan had been tabled. She also drew the Committee's attention to the need to amend conditions 27 and 28. In addition, the Principal Planner advised that Downham Market Town Council had withdrawn their objection to the application however Wimbotsham Parish Council still maintained their objection.

In accordance with the adopted public speaking protocol, Jacqueline Squires (objecting on behalf of Wimbotsham Parish Council) and Neil Hall (supporting) addressed the Committee in relation to the application.

With regards to comments regarding landscaping, the Principal Planner advised that enhanced landscaping would be provided and highlighted the locations on the plan.

In response to comments made by Councillor White, the Principal Planner advised that Bridle Lane crossing onto the byway was covered by Condition 17, and would be enhanced.

Councillor White stated that it should be a pedestrian crossing. The Principal Planner advised that this could be fed back to the applicant.

In relation to lighting on the A10 at the junction, the Senior Planner explained that this was not within the application site and had not been requested by the Local Planning Authority, who considered that the existing road network was adequate.

The Assistant Director added that County Highways would only ask for illumination where there was a safety issue and in this instance they did not deem this to have an impact and require it to be lit.

Councillor Crofts referred to the fact that the applicant would not be paying CIL. He asked whether a Section 106 contribution could be made towards parking at Downham Market Railway Station, as he considered that the proposed development would have an effect on the station.

The Assistant Director explained that this would have to be in the policy allocating the site and such a request at this stage would not meet the 3 tests for a Section 106 Agreement.

The Senior Planner explained that as part of the enhancement works, the bridle way could be lit however this could cause dis-amenity for people living in the vicinity. This would need to be taken up with Norfolk County Council.

In response to a query regarding the objection from Norfolk County Council Minerals and Waste on the grounds of mineral resource safeguarding, the Executive Director explained that consideration of that issue would have been given when the allocation was made. He added that the place for quarries was generally away from existing properties in practical terms.

Councillor Parish referred to condition 22 and asked who would be the lighting authority. The Assistant Director advised that if the applicant incorporated street lighting into the scheme and the Parish would be paying for the electricity, then discussions would need to be held with the Parish Council.

With regards to screening, the Principal Planner explained that the site was already well screened but the applicant would be providing enhanced screening in various locations and highlighted this on the

plans. Conditions 27 and 28, as outlined in late correspondence, also required a planting scheme for the enhancement of the existing hedgerows along Lynn Road, New Road and the A10 on blue land would should be submitted to and approved by the Local Planning Authority.

Councillor Blunt made reference to the fact that the site was CIL exempt and added that there was no reason why an application for the Village Hall project or Wimbotsham Parish Council could not be made to the CIL central fund.

Councillor Hipperson commended both public speakers. He referred to the traffic getting on to the old A10 and then having to turn right onto the bypass and considered that this needed improvement.

The Chairman, Councillor Mrs Spikings expressed concern that the houses could be 2.5 or 3 storey, which would be very visible. She asked whether they needed to be that height and felt that they could detract from a good development.

The Senior Planner explained that this would be dealt with at the reserved matters stage.

Councillor Bubb added that there was only one access and asked what would happen to emergency vehicles if the roundabout was blocked.

The Senior Planner responded that the LHA had requested that the development was phased with the roundabout and pedestrian improvement works on Lynn Road completed prior to occupation of any dwellings and no more than 100 dwellings developed prior to an emergency access being implemented (in the event that the roundabout became blocked).

Councillor White asked whether the highways issues raised could be emphasised to the Local Highways Authority. The Executive Director advised that officers could relay the information but also the County Councillors on the Planning Committee could take up the issues with County Highways themselves.

Councillor Mrs Young considered that the applicant had sensitively addressed some of the issues and was pleased to see the proposed landscaping enhancements. She made reference to the concerns raised by the Parish Council in relation to the village hall and hoped that a contribution could be made.

The Executive Director advised that there could be a Parish precept on the new houses, which could help pay towards this.

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the late correspondence and the need to add conditions 27 and 28, which was agreed.

RESOLVED: (A) That the application be approved subject to conditions, including conditions 27 and 28 as detailed in late correspondence, and the satisfactory completion of the Section 106 Agreement;

(B) In the event that the Section 106 Agreement is not completed within 4 months of the date of the Committee meeting, the application shall be refused due to failure to secure affordable housing, public open space and play facilities (including allotments), SUDS design and maintenance, education contribution, Habitat Mitigation fees and Travel Plan.

(ii) **18/00478/F**

King's Lynn: Outer Purfleet, Purfleet Quay: Installation of 2 no. piles and change of use of Outer Purfleet for the mooring of a ship for restaurant/entertainment use with ancillary accommodation for 3 no. ships' crew and use of the adjacent area as an outdoor serving and seating area: Borough Council of King's Lynn & West Norfolk

The Principal Planner introduced the report and explained that the application related to the Outer Purfleet, King's Lynn which was accessed by Purfleet Quay to the north and Purfleet Place (King's Staithe Square) to the south.

The Outer Purfleet was a wet dock accessed off the River Great Ouse and was surrounded by many heritage assets. Customs House, located at the north eastern end of Purfleet Quay was a Grade I listed building along with the adjoining northern quay wall running alongside the dock to the barrage. The Bank House and 1-3 Purfleet were all Grade II* listed. The former probation offices on the north side of Purfleet Quay and Purfleet House are Grade II listed along with 3, 4 & 5 King's Staithe Square, the Counting House and the Bridge at the eastern end of the Outer Purfleet. The site was also located within the King's Lynn Conservation Area.

The application sought full planning permission for the installation of 2 no. piles and change of use of Outer Purfleet for the mooring of a ship for restaurant/entertainment use with ancillary accommodation for 3 no. ship's crew and use of the adjacent area as an outdoor serving and seating area.

The application had been referred to the Committee for determination as it is a Borough Council application and objections had been received.

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

- Principle of development;

- Impact on Heritage Assets;
- Residential amenity;
- Flood risk;
- Highway safety; and
- Other considerations.

In accordance with the adopted public speaking protocol, Mr Richard Waite (objecting) and Jemma Curtis (supporting) addressed the Committee in relation to the application.

Councillor White asked for assurances that if the ship were to be removed, it would not be at the Borough Council's expense. The Assistant Director advised that this would be an issue for the lease and not the Planning Committee.

Councillor Mrs Wright asked for clarification as to where the ship would be moored. The Principal Planner highlighted this on the photographs. She stated that whilst she supported the proposal, she hoped that it would not be intrusive. She hoped that the proposal would enhance the area but be carried out in a sensitive way and not to the detriment of residents.

The Chairman, Councillor Mrs Spikings welcomed the proposal and added that she hoped that the ship which would be moored would have masts and be as successful as the one in Wells.

Councillor Mrs Fraser expressed concern in relation to road safety and asked if there would be a barrier to stop people wandering into the road.

The Principal Planner advised that the outdoor serving and eating area would be restricted to the purple area shown on the plan and this was subject to a condition.

Councillor Bubb expressed concern that the proposal could cause additional litter problems for the Outer Purfleet. The Principal Planner explained that this would be a matter for the lease. She also explained what the arrangements were for the rubbish coming from the restaurant use.

The Principal Planner also confirmed that the performance area would remain still be able to be used for special events, as was currently the case.

In response to a query regarding the hours of operation, the Principal Planner referred to page 14 of the report, which explained that information had been provided which confirmed agreement to a condition being imposed on any consent that restricted the use of the outdoor serving and seating area to between 9 am and 10 pm Monday to Saturday and between 10 am and 9pm on Sundays and Bank Holidays.

RESOLVED: That the application be approved as recommended.

Councillor Mrs Wright left the meeting at 12.24 pm.

(iii) 18/00562/CM

King's Lynn: Land north of Greenpark Avenue and the east of Columbia Way: County Matters Application: New 420 pupil primary school and associated works and a stand-alone 56 place nursery building: Norfolk County Council

The Principal Planner introduced the report and explained that the application was a County Matters application for the change of use of open space to school/nursery use, the erection of new 420 place pupil primary school and 56 place nursery, external works to include hard/soft play areas, sports pitch provision, car parking provision and associated works.

The site was on the northern side of Greenpark Avenue, set behind the Lynnsport residential development which was currently under construction (site for development of up to 89 dwellings ref: 16/01327/FM). To the west were properties and garages accessed from Columbia Way, to the east is open space and playing fields associated with Lynnsport and to the north were allotments.

The land was currently within the ownership of the Borough Council although the application had been made by Norfolk County Council. The site had recently been cleared of undergrowth and now comprised a mix of green field, children's play equipment and some trees. Existing drainage watercourses crossed the site.

The Borough Council was not the Determining Authority, but because the development would occur in the Borough, it was a Statutory Consultee.

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

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

- Principle of development;
- Form and character;
- Flood risk;
- Traffic and transport;
- Neighbour amenity;
- Ecology; and
- Other material considerations.

Councillor Bubb considered that the design of the building was acceptable, but expressed concern in relation to the park and stride

arrangement, and considered that there should be an adequate drop-off area.

Councillor Mrs Watson explained that she did not like the design of the building as there was nothing distinctive about it and felt that it could be better.

RESOLVED: That, the County Council be informed that the Committee has no objection subject to the imposition of suitable conditions plus careful consideration needs to be given to the drop-off proposals for students and adequate measures need to be put in place to ensure that on-street parking on Greenpark Avenue is avoided.

PC117: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

Councillor Hipperson declared that he was a Director of Shouldham Community Enterprises Ltd.

RESOLVED: That, the report be noted.

The meeting closed at 12.33 pm