

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

**PLANNING COMMITTEE**

**Minutes from the Meeting of the Planning Committee held on Monday, 5th November, 2018 at 10.00 am in the Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ**

**PRESENT:** Councillor Mrs V Spikings (Chairman)  
Councillors R Blunt, Mrs C Bower, A Bubb, C J Crofts, Mrs S Fraser,  
G Hipperson, A Morrison, T Parish, M Peake, M Storey, G Wareham,  
Mrs E Watson, J Westrop, A White and Mrs S Young

**PC53: APOLOGIES**

Apologies for absence were received from Councillors Mrs S Buck, S Sandell and D Tyler.

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

**PC54: MINUTES**

The Minutes of the meeting held on 1<sup>st</sup> October 2018 were agreed as a correct record and signed by the Chairman, Councillor Mrs Spikings.

**PC55: DECLARATIONS OF INTEREST**

The following declarations of interest were declared:

Councillors Crofts, Hipperson and Mrs Young declared that they were a member of the East of Ouse, Polver & Nar Internal Drainage Board and King's Lynn Internal Drainage Board.

**PC56: URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business under Standing Order 7.

**PC57: MEMBERS ATTENDING UNDER STANDING ORDER 34**

There were no Members present pursuant to Standing Order 34.

**PC58: CHAIRMAN'S CORRESPONDENCE**

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

PC59: **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.

PC60: **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) – (vii) below, where appropriate to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chairman.

(i) **18/01333/RMM**

**King's Lynn: The Nar Ouse Regeneration Area (NORA): Reserved matters major application: Details of layout, scale and external appearance of buildings, means of access thereto and the landscaping of the site. Access and site infrastructure for the entire Enterprise Zone and buildings for the first phase: Borough Council of King's Lynn and West Norfolk**

Councillor Storey was not present at the site visit and therefore did not take part in the discussion or vote on the matter.

The Principal Planner explained that the Committee had visited the site prior to the meeting. She introduced the report and explained that the application site comprised part of the Nar Ouse Regeneration Area (NORA) situated on the eastern and western sides of Nar Ouse Way (A148), King's Lynn. To the east the site abutted the mainline railway line, to the west was the River Nar, to the north was Horsley's Fields Industrial Estate and Hardwick cemetery and to the south the site abutted the Puny Drain and A47.

There was an existing Restricted Byway (King's Lynn Restricted Byway 30) which ran through the site from north to south beginning at Horsley's Fields and terminating at the A47.

The application sought reserved matters approval for access and site infrastructure for the Nar Ouse Enterprise Zone (NOEZ) along with full details (access, layout, scale, external appearance and landscaping) for the first phase of buildings for light industrial/office use (Plots A1, A2 and F1). Access to the Enterprise Zone was proposed off the existing roundabout towards the southern end of Nar Ouse Way.

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

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

- Principle of development;
- Design and impact on form and character;
- Flood risk and drainage;
- Highway safety;
- Other considerations; and
- Crime and disorder.

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

Councillor White expressed concern that the design of the new units incorporated flat roofs. The Assistant Director advised that the design of flat roofs had improved greatly over the years.

Councillor Crofts referred to page 5 of the agenda where it outlined a potential connection to Horsley's Fields had been retained, and stated that this might help to alleviate the traffic congestion by lorries not having to use the Southgates roundabout.

The Executive Director advised that the existing byway did not go anywhere. With regards to access to the Southgates, he was not sure what would be gained from this, and that this was not something integral to the application.

The Principal Planner highlighted on the plans the route of the byway.

Councillor Parish asked if it was the intention to have solar panels on all the buildings. The Principal Planner explained that it would be up to the individual occupiers going forward but there was no requirement for them to install solar panels.

Councillor Blunt added that Norfolk County Council in association with the Borough Council were carrying out a traffic study around the Southgates and were currently in the process of modelling it.

Councillor Bubb referred to the parking situation at the KLIC and added that there must be more parking there than the NCC standards required. He also asked whether there would be access available through the site for emergency services and whether the railway track would be preserved.

The Assistant Director explained that the KLIC building was used for conferences which attracted more traffic and was very different to this proposal.

The Executive Director explained that at the moment it was not known who the end user would be and that further details would emerge as occupiers came forward.

Councillor Morrison expressed concern that flat roofs always produced problems. He considered that the proposed roofs were not pitched enough and water would run off the sides and create problems. The Assistant Director explained that this issue would be covered by Building Regulations and the slide which had been displayed to the Committee did show gutters.

Councillor Morrison asked if the solar panels would be fixed on top of the roof and the fixings could be a weakness and let in water. He added that if solar panels were fixed to a pitched roof there would be less chance of water being let in at the weak points.

The Chairman, Councillor Mrs Spikings reassured the Committee that all work would have to be carried out to a high standard.

It was agreed that it would be noted that Members had concerns regarding the fixings of the solar panels.

The Chairman, Councillor Mrs Spikings referred back to the issue of whether solar panels would be provided on the buildings, and added that this was a firm example of where solar panels should be provided, especially as the buildings would be owned by the Borough Council.

The Executive Director explained that at this stage the option was there to have solar panels and part of that process would be the funding streams. The design of the buildings did allow for solar panels to be provided if necessary but this would be a separate decision for Property Services.

The Chairman, Councillor Mrs Spikings reminded the Committee that any conditions imposed had to be fair and reasonable.

Councillor Crofts referred to the comments made from the Friends of Hardwick Cemetery who raised no objection to the proposal but requested that the recommended landscape buffering between the proposed site and the northern boundary be incorporated as part of Phase 1 of the project, which would give chance for the planting to

mature. This was proposed by Councillor Crofts and seconded by the Chairman, Councillor Mrs Spikings and, after having been put to the vote was carried.

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the need to amend the conditions as outlined in late correspondence, which was agreed.

**RESOLVED:** That the application be approved as recommended, subject to:

- the landscape buffer along the northern boundary of the site being conditioned to be implemented prior to the occupation of any building; and
- amendments to conditions 1 and 3, as outlined in late correspondence.

**(ii) 18/01646/F**

**Heacham: Washington, 46 South Beach: Variation of condition 2 of planning permission 18/00162/F: First floor extension to dwelling and replacement garage – to amend previously approved drawings: Mr Jeff Slater**

The Principal Planner introduced the report and explained that the application related to the residential property 'Washington' located at 46 South Beach, Heacham. The proposal was a variation of condition 2 to planning permission 18/00162/F, which granted consent for a first floor extension and replacement garage.

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

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

- Principle of development;
- Form and character;
- Neighbour amenity; and
- Other material considerations.

In accordance with the adopted public speaking protocol, Tracy Raby (objecting on behalf of the Parish Council) and Mr N Langley (supporting) addressed the Committee in relation to the application.

The Principal Planner displayed the previously approved drawings for the Committee to compare the changes.

The Chairman, Councillor Mrs Spikings proposed an additional condition to ensure that the garage was not used as a habitable room. This was seconded by Councillor Mrs Fraser.

Councillor Wareham stated that he understood the sentiment of the proposed condition but asked who would monitor it.

The Assistant Director advised that the application had to be taken on face value.

Councillor Parish explained the reasons why he had called-in the application, which he did independently of the Parish Council. His objections referred to the following:

- The structure was significantly higher than the surrounding buildings, and he had asked the enforcement team to check the height;
- He considered that it was not a garage but a further extension;
- New velux windows.
- It was contrary to the Coastal Flood Risk Hazard Zone policy;
- Light pollution and dark skies
- The impact on bird-life in the area.

The Assistant Director explained that an original consent had been granted. The proposed two rooflights were not thought to be harmful in terms of overlooking by virtue of being set in to the roof slope. He further explained that it wasn't a dark skies area. The issue related to the proposed glazing for the garage. He urged the Committee to support the proposal for the additional condition to ensure that the garage was not used as habitable accommodation.

Councillor Storey stated that it was not helpful to have conditions attached to a planning permission if they could not be enforced.

The Assistant Director advised that the Council did carry out a lot more monitoring of conditions than many other Councils.

The Principal Planner confirmed that the height was no different than that of the approved scheme.

The Executive Director explained that the Committee had an amended scheme in front of them to determine. The amended scheme did not affect the appearance of the dwelling. It had to be taken on face value that the garage would be used as a garage but a condition could be attached to ensure that it was not used as habitable accommodation. If it was found that a breach had occurred then the Council could take necessary action. He added that he was sure that the Parish Council or Ward Member would bring to the Council's attention if the condition had been breached.

Councillor Wareham then proposed that the application be refused on the grounds that it would not be in-keeping with the area, which was seconded by Councillor Parish, however after having been put to the vote was lost.

Councillor Parish stated that he objected to the 2 roof lights which he considered would be detrimental to the dark skies. The Chairman, Councillor Mrs Spikings reported that the site was not in an AONB.

Councillor Parish referred to the fact that there had been 17 letters of objection to the original application and that the letters had stated that the garage doors backed onto a wall. The Chairman, Councillor Mrs Spikings added that there had been only 4 objections to this application.

Councillor Bubb proposed that the application be deferred until an inspection of the site could be carried out in relation to councillor Parish's comments that the garage doors opened onto a wall. This was seconded by Councillor Parish but was lost on the vote.

The Committee then voted on the proposal to impose an additional condition to ensure that the garage was not used as sleeping or habitable accommodation, which was carried.

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

**RESOLVED:** That, the application be approved as recommended, subject to the imposition of an additional condition to ensure that the garage was not used as sleeping or habitable accommodation.

*The Committee then adjourned at 11.15 am and reconvened at 11.25 am.*

**(iii) 18/01378/F**  
**Ingoldisthorpe: Samphire Developments (Norfolk)**  
**Container Storage, Coaly Lane: Installation of 41**  
**storage containers: Samphire Developers**

The Principal Planner introduced the report and explained that the application site was located on the southern side of Coaly Lane, Ingoldisthorpe, which runs to the east of Lynn Road (the B1440). The site comprised 13 no. storage containers and one pile of surplus material on a grassed field with some areas of compacted surfacing.

The site was bound to the north and south by open fields and countryside. To the east was a detached bungalow, 'Aldorcar'. To the west was an open grassed site with planning permission for the construction of a place of worship with associated car parking.

The application sought full planning permission for the reconfiguration of the previously approved 33 no. storage containers (reference no. 15/01422/F) and the installation of an additional 8 storage containers. However, the storage building previously approved (reference no. 15/01422/F) would not be constructed.

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

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

- Planning history;
- Principle of the development;
- Access and highway matters;
- Impact on character and appearance of countryside;
- Impact on amenities of local residents; and
- Any other material considerations.

The Committee's attention was drawn to the correction outlined in late correspondence.

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

**(iv) 17/01732/F**

**Methwold: The Yews, 10 Bunting Lane: Construction of two dwellings: J Webb and C Morris**

The Principal Planner introduced the report and explained that the application site was on Buntings Lane, to the south of the village of Methwold. It fell outside but was adjacent to both the development boundary for the settlement, as defined by the Local Plan Map G59 of the Site Allocations and Development Management Policies Plan (SADMP), and Methwold Conservation Area.

The application was for full planning permission to construct two detached three-bedroom dwellings. The site was currently used for storage and parking, with access proposed to the south of the site utilising an existing vehicular access. To the north of the site a residential development was current under construction, and to the south a recently built large detached house.

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

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

- Principle of development;
- Highways/Access;
- Form and character and impact on the Conservation Area;
- Neighbour amenity; and
- Other material considerations.



Councillor Peake outlined the reasons why he had called-in the application. He explained that he considered the site to be brownfield with buildings all around it. He also stated that the site was in a Key Rural Service Centre. He therefore proposed that the application be approved, which was seconded by the Chairman, Councillor Mrs Spikings.

Councillor Storey added that the application was an infill plot and would add to the form and character of the area.

It was explained that the site was too small for an allocation within the Local Plan.

The Principal Planner confirmed that the wall and tree would be retained and, if the Committee were minded to approve the application, could be written into the conditions.

The Committee then voted on the proposal to approve the application subject to conditions to be agreed following consultation with the Chairman and Vice-Chairman to include retention of the wall and tree, which was agreed.

**RESOLVED:** That, the application be approved, contrary to recommendation, subject to the imposition of appropriate conditions following consultation with the Chairman and Vice-Chairman to include retention of the wall and tree for the following reason:

*The proposal represents infill development in a key rural service centre and would enhance the form and character of the area. It is also brownfield, and was noted that more development has come forward adjacent to the site since the designation outside of the development boundary.*

**(v) 18/01561/F**

**Northwold: 5 Glebe Close: Proposed residential bungalow:  
J & J Properties (Norfolk) Ltd**

The Principal Planner introduced the report and explained that full planning permission was sought for the erection of a single storey property, which would be an extension to an existing terrace of bungalows. No dedicated parking was proposed. The site was located within the development boundary of a Joint Key Rural Service Centre and within Methwold's Conservation Area. It was not within an area at risk from flooding.

The application had been referred to the Committee for determination as the views of the Parish Council were at variance with the officer recommendation.

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

- Principle of development;
- Form and character / Impact on Conservation Area;
- Highway safety;
- Neighbour amenity;
- Crime and disorder; and
- Other material considerations.

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

**(vi) 18/01684/F**

**Northwold: Land north of 2 Pinfold Lane: Construction of one dwelling: Mr & Mrs G Fendick**

The Principal Planner introduced the report and explained that the application sought full permission for the construction of a two storey detached dwelling.

The application site comprised approximately 0.1ha of residential amenity land bordered on all sides by residential properties and accessed via a private track adjoining Pinfold Lane.

Northwold, combined with Methwold, was classified as a Key Rural Service Centre with the Settlement Hierarchy, as defined by Policy CS02 of the Core Strategy 2011. The site was also within the Northwold Conservation Area.

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

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

- Principle of development;
- Form and character and impact on the conservation area;
- Neighbour impact;
- Highway safety; and
- Other material planning considerations.

At the invitation of the Chairman, Councillor Mrs Spikings, the County Highways representative outlined the objections made by the Local Highway Authority, which related to:

- The private point of access was of insufficient width to allow two cars to pass;
- Pinfold Lane itself was of single track width only; and
- The private access point also suffered from substandard levels of visibility.

Councillor Peake explained that the village of Northwold was made up of lanes like this. The site already had its own private access and came out onto the main part of the highway. He added that the site was well used and there had not been any previous problems. The lane was narrow any no-one went fast along it. He added that the proposal would make a good use of the land and the chance of two cars meeting would be very slim. He therefore proposed that the application be approved, which was seconded by Councillor Storey.

Councillor Storey added that people who lived in the area knew how to use the roads and that the volume of traffic was low. He could not recall an accident haven taken place in that vicinity. He considered that the proposal would enhance the form and character of the area.

The Chairman, Councillor Mrs Spikings asked if the private drive was wide enough to put in a passing bay. She also explained that the drive was not a dead-end and also had access onto West End.

The County Highways representative advised that there was enough width to provide a passing place if required.

The Chairman, Councillor Mrs Spikings proposed that, if the Committee were minded to approve the application, a condition be imposed to secure a passing place along the driveway. This was seconded by Councillor Crofts.

The Executive Director advised that it looked like there might already be a passing place to No.3.

Councillor Parish referred to the objection from County Highways and asked whether the Committee should be picking and choosing the advice it took from them.

Councillor Storey added that there had been no objection from the Parish Council or from local residents.

The Committee then voted on the proposal to add an additional condition to secure a passing bay, which was carried.

The Committee then voted on the proposal to approve the applications, with conditions to be agreed with the Chairman and Vice-Chairman, which was carried.

**RESOLVED:** That the application be approved, contrary to recommendation and subject to the imposition of conditions to be agreed following consultation with the Chairman and Vice-Chairman including the provision of a passing bay, for the following reasons:

*The provision of a new dwelling would enhance the form and character of the area. In addition it was considered to be acceptable on highway*

*grounds given low vehicle numbers and the slow speeds of vehicles using the access.*

**(vii) 2/TPO/00574**

**South Creak: The Old Rectory, Waterden Lane, Waterden:  
To consider whether Tree Preservation Order 2/TPO/00574  
should be confirmed, modified or not confirmed in the light  
of objections**

The Arboricultural Officer presented the report and drew the Committee's attention to the following:

- Reasons for making the Tree Preservation Order;
- Outline of objections and representations; and
- Response to objections and representations.

**RESOLVED:** That, the Order be confirmed without modification.

PC61: **DELEGATED DECISIONS**

The Committee considered schedules relating to the above.

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

**The meeting closed at 12.07 pm**