

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

**PLANNING COMMITTEE**

**Minutes from the Meeting of the Planning Committee held on Monday, 12th April, 2021 at 9.30 am in the Remote Meeting on Zoom and available for the public to view on WestNorfolkBC on You Tube - Zoom and You Tube**

**PRESENT:** Councillor C J Crofts (Chair)  
Councillors F Bone, C Bower, A Bubb, A Dickinson (sub), M Howland, C Hudson, C Joyce, T Parish, S Patel, C Rose, J Rust (sub), A Ryves, S Sandell, Mrs V Spikings, S Squire, M Storey and D Tyler (sub)

PC214: **HRH THE DUKE OF EDINBURGH**

The Committee held a minutes' silence in memory of His Royal Highness The Duke of Edinburgh.

PC215: **WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the meeting. He advised the Committee that the meeting was being broadcast live on You Tube.

The Democratic Services Officer then conducted a roll call to confirm attendees.

PC216: **APOLOGIES**

Apologies for absence were received from Councillors Kirk, Lawton and Manning.

The Chair thanked the substitutes Councillors Dickinson, Rust and D Tyler for attending the meeting.

PC217: **MINUTES**

The minutes of the meeting held on 8 March 2021 and of the Special Meeting held on 31 March 2021 were agreed and would be signed by the Chair at the earliest opportunity.

PC218: **DECLARATIONS OF INTEREST**

The following declarations of interest were made:

- Councillor Parish declared that he was a Member of Heacham Parish Council.

- The Chair and Councillor Bubb declared that they were Members of the King's Lynn Internal Drainage Board.
- Councillor Storey declared that he was a Member of the Southery & District Internal Drainage Board.

PC219: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business to report.

PC220: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillors attended under Standing Order 34:

Councillor P Gidney	8/1(a)	Hunstanton
Councillor C Sampson	8/3(e)	Stoke Ferry

PC221: **CHAIR'S CORRESPONDENCE**

The Chair reported that any correspondence received had been read and passed on to the relevant officer.

PC222: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

A copy of the late correspondence received after the publication of the agenda which had previously been circulated was tabled. A copy of the agenda would be held for public inspection together with a list of background papers.

PC223: **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 will be published with the agenda). Any changes to the schedules will be recorded in the minutes.

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

- (i) **21/00243/FM**  
**Hunstanton: Land at Southend Road, Seagate:**  
**Construction of 32 apartments with associated access,**  
**cycle stores, infrastructure and landscaping: Borough**  
**Council of King's Lynn and West Norfolk**

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The Principal Planner introduced the report and explained that the site (0.3 ha) was the southern-most part of the Southend Road Car Park, bounded by Southend Road and Beach Terrace Road in Hunstanton.

The full application sought full planning permission for the development of 32 apartments; together with associated landscaping, 2 cycle stores, infrastructure and access.

The 32 residential units comprised:

- 12 no. 1-bed apartments
- 18 no. 2-bed apartments; and
- 2 no. 3-bed apartments.

Six of the apartments would be affordable housing.

A two-and-a-half storey residential building was proposed, laid around a private central courtyard and parking court, with a wing extending further north along the street frontage of Southend Road. An additional storey on the northern wing would accommodate under-croft parking at ground floor level.

The existing exit from the car park from the south at Beach Terrace Road would be closed off, and a new vehicular access to the development would be formed from the west side of the site off Beach Terrace Road.

The car park would continue to be accessed from the other existing vehicular access adjoining Harlequin House further north on Beach Terrace Road. Emergency exit from the car park would be available through this site should the need arise.

The proposal included a new footpath along Beach Terrace Road, around the south and west sides of the application site.

This was a further submission following application ref: 20/00811/FM which was refused by the Planning Committee at its meeting on 7 December 2020. The new proposal sought to negate the reasons for refusal.

The Principal Planner referred to the late correspondence which explained the need to remove condition 5 and then to renumber

conditions 6 to 22 as a consequence, and to add a new condition 15 which related to construction hours.

The application had been referred to the Committee for determination as the Borough Council was the applicant and the officer recommendation was contrary to the views of the Town Council.

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

In accordance with the adopted public speaking protocol, Mr A Murray (objecting), Margi Blunden (objecting on behalf of Hunstanton Civic Society), David Jones (supporting) and Dale Gagen (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor P Gidney addressed the Committee in support of the application.

In response to some comments made, the Chair invited Martin Chisholm, Assistant Director for Operations and Commercial, who explained the proposed signage for the town and stated that he had no concerns regarding the impact of this development on parking and revenue associated with that.

Councillor Parish proposed that the application be deferred until such time that a mechanism was in place to ensure that the properties could be held in perpetuity for local people, which was seconded by Councillor Ryves.

The Principal Planner advised that this was work already being undertaken in the background with the help to buy scheme and as set out in the report. The Assistant Director advised the Committee that therefore there was no need to defer the application.

The Democratic Services Officer then carried out a roll call on the proposal to defer the application, until such time that a mechanism was in place to ensure that the properties could be held in perpetuity for local people, and, after having been put to the vote, was lost (6 for, 10 against and 1 abstention).

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application, and after having been put to the vote was lost (7 votes for, 8 against and 2 abstentions).

Councillor Joyce proposed that the application be refused on the grounds of loss of car public car parking and inadequate parking provision within the site, which had not been satisfactorily resolved quoting CS05, DM15 and DM17. This was seconded by Councillor Ryves and, having been put to the vote was lost (7 votes for, 8 against and 2 abstentions).

Given the situation, where Members had voted against the approval and refusal, the Assistant Director advised the Committee that it would be sensible to defer to take legal advice, and determination of the application should be deferred to another meeting.

Councillor Mrs Spikings suggested that the application should be deferred until later in the meeting to obtain legal advice.

Councillor Joyce objected to this suggestion and supported the advice from the Assistant Director that the application should be deferred to another meeting.

**RESOLVED:** That the application be deferred to another meeting for determination.

*The Committee then adjourned for a comfort break at 11.28 am and reconvened at 11.35 am. Upon returning the Democratic Services carried out a roll call to determine attendees.*

**(i) 20/00666/RMM**

**South Wotton: Land accessed between 144 and 150 Grimston Road: Reserved Matters application for consent for all reserved matters following outline planning permission: Clayland Estates Ltd**

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The Principal Planner introduced the report and explained that the site was located on the southern side of Grimston Road, on the north eastern side of King's Lynn.

The site was currently arable agricultural land and extended to 2.62 hectares. There were hedge boundaries around the site. There were no particular features on the site and the land was of grade 4 agricultural quality.

The site was bounded by agricultural land to the east. To the north were properties fronting Grimston Road. To the south were residential properties on Ullswater Avenue and to the west were dwellings accessed from Ennerdale Drive.

The form and character of the residential development in the locality comprised mainly of single and two storey detached properties.

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

The site was located within the proximity of Roydon Common and Dersingham Bog SAC and Roydon Common Ramsar Site.

The site was a small part of the Knights Hill allocation for King's Lynn under Policy E4.1 of the Site Allocations and Development Management Policies Plan 2016, with the policy requiring at least 600 dwellings on the whole 36.9ha site.

Outline planning permission was granted in 2018 for the residential development of the site. All matters were reserved. Therefore, this application sought permission for the approval of the details relating to access, appearance, landscaping layout and scale following the outline approval.

The application had been referred to the Committee for determination by the Assistant Director.

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

In accordance with the public speaking protocol, Melanie Tilley (supporting) and Henry Isotta-Day (supporting) addressed the Committee in relation to the application.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application and, after been put to the vote, was carried unanimously.

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

**(ii) 19/01325/RMM**

**Gayton: Land NE of Downely, Lynn Road: Major reserved matters: Construction of 19 dwellings (phase 3): KMH Builders Ltd**

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The Principal Planner presented the report and explained that outline planning permission was approved on the site in 2016 when the Borough Council did not have a 5-year land supply (LPA reference: 15/01776/OM). Outline consent was granted for up to 29 dwellings, with access being the only matter determined at this stage. The approved access was via a single access point onto Lynn Road to the south, known as Howard's Way. The 29 dwellings were now known as Phases 2 and 3 of the Howard's Way development.

All other matters including layout, appearance, scale and landscaping were reserved for later consideration and form the subject of this reserved matters application.

Phase 1 of the Howard's Way development for 6 dwellings was approved under a separate permission and had been completed and Phase 2 was nearing completion. Phase 2 related to 10 of the 29 dwellings approved under the outline consent referred to.

The current application therefore sought reserved matters for the remaining 19 dwellings of the outline consent approved under re: 15/01776/OM and was referred to as Phase 3.

Gayton combined with Grimston and Pott Row was classified as a Key Rural Service Centre according to Policy CS02 of the Local Plan Development Framework Core Strategy.

The application site was located on the northern side of Lynn Road, Gayton and was approximately 1.01 hectares of the original outline site of 1.63 hectares. The land levels were generally flat.

The outline application was subject to a S106 Agreement to secure an affordable housing contribution, county contributions, open space and SUDS management and maintenance.

Members will recall that determination of this application was deferred at the 7 December 2020 Planning Committee meeting after concerns were raised relating to pepper-potting and design of the affordable housing units, boundary treatments and service roads.

Since the Committee meeting a set of amended plans had been received addressing the issues.

The application had been referred to the Committee for determination as the Parish Council objected to the application and it had been called in by Councillor de Whalley and was deferred from the Planning Committee meeting on 7 December 2020.

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

In accordance with the adopted public speaking protocol Ian Howard (supporting) addressed the Committee in relation to the application.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application and, after having been put to the vote, was carried unanimously.

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

**(iii) 20/01978/CU**  
**Heacham: 37 South Moor Drive: Change of use of annex to holiday let: Mr and Mrs Beecroft**

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The Principal Planner introduced the report and explained that the application site was situated on the west side of South Moor Drive, Heacham at the end of a cul de sac. The site consisted of a single

storey detached bungalow and garage. In the rear garden was a small garden building, stated to have previously used as an annexe, which had been converted to a short-stay holiday let.

The site was within the development boundary.

The proposal sought retrospective planning permission for the change of use of an annexe to a holiday let.

An application for the same came before Planning Committee on 2 March 2020 with a recommendation of approval but was refused on the basis of insufficient parking and turning.

The application was dismissed at appeal with the Inspector concluding that whilst parking and turning was sufficient, due consideration had not been given to the impact on European Protected Sites.

The application had been referred to the Committee for determination because of the appeal history and the recommendation was contrary to the view of the Parish Council.

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

In accordance with the adopted public speaking protocol, Graham Reader (objecting on behalf of the Parish Council) addressed the Committee in relation to the application.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application and, after having been put to the vote was lost (7 votes for, 8 against and 2 abstentions).

Councillor Hudson proposed that the application be refused on the grounds that the proposal was a cramped form of development and public safety, which was seconded by Councillor Sandell.

The Democratic Services Officer then carried out a roll call on the proposal to refuse the application and, after having been put to the vote, was carried (14 votes for, 1 against and 1 abstention).

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

1. The construction of the development has undue risks associated with fire and safety of the occupants of the building, contrary to the provisions of the NPPF.
2. The proposed development, by virtue of its cramped form of development and lack of inclusive and accessible access constitutes poor design that fails to take the opportunities for

improving the character and quality of the area and the way it functions, contrary to the provisions of the NPPF.

*The Committee then adjourned at 12.42 pm and reconvened at 1.15 pm. Upon returning, the Democratic Services Officer carried out a roll call to determine attendees.*

**(iv) 20/01854/F**

**Heacham: Mary Ann, 58 South Beach Road: Demolition of existing and provision of replacement dwelling and all ancillary works: Claire Gill**

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The Principal Planner introduced the report and explained that the application was for a replacement dwelling at No. 58 South Beach Road, Heacham. The existing bungalow was proposed to be replaced with a two-storey dwelling with no habitable accommodation at ground floor due to the site's location in Flood Zone 3.

The application had been referred for determination by Councillor Parish.

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

In accordance with the adopted public speaking protocol, Chloe Grimes (objecting), Graham Reader (objecting on behalf of the Parish Council), and James Keaney (supporting) addressed the Committee in relation to the application.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application and, after having been put to the vote was lost (5 votes for, 11 against and 1 abstention).

Councillor Storey proposed that the application be refused on the grounds of appearance and character and street scene and impact on neighbour in terms of overshadowing and overbearing. This was seconded by Councillor Parish.

The Democratic Services Officer then carried out a roll call on the proposal to refuse the application and after having been put to the vote was carried (11 votes for, 5 votes against and 1 abstention).

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

1. The replacement dwelling has an unacceptable impact upon the adjacent neighbours through an unduly overbearing and overshadowing impact, contrary to the development plan and NPPF.

2. The proposed development has an unacceptable impact upon the adjacent neighbours through an unduly overbearing and overshadowing impact, contrary to the development plan and NPPF.

**(v) 21/00057/F**  
**Proposed retention of twin unit caravan for proposed incidental to the use of the dwelling: Mrs R McGinn**

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The Principal Planner introduced the report and explained that the application was for the retrospective siting of a twin unit caravan on land to the south of 43 and 45 The Broadway, Heacham. The proposed caravan was intended to be utilised for ancillary purposes incidental to the use of 45 The Broadway. However, the site was located outside of the curtilage or garden land of this dwelling and was outside of the development boundary shown on Inset Map G47 of the SADMPP (2016).

The application had been referred to the Planning Committee for determination as the view of the Parish Council was contrary to the officer recommendation and at the request of the Planning Sifting Panel.

The Committee noted the key issues to be considered when determining the application, as set out in the report.

In accordance with the adopted public speaking protocol, Graham Reader (supporting on behalf the Parish Council) addressed the Committee in relation to the application.

The Democratic Services Officer carried out a roll call on the recommendation to refuse which was carried (15 votes for 2 against).

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

**(vi) 20/02130/F**  
**Southery: The Old Rectory, 3 Churchgate Street: Erection of 4-bedroom dwelling including new access drive, garage, landscaping and retaining wall: Mr Jason Poole**

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The Principal Planner introduced the report and explained that the proposal was for the construction of a new dwelling on land to the east of The Old Rectory, 3 Churchgate Street, Southery. The application site was located opposite St Marys Church on land that was within the development boundary, as outlined on the Inset Map G85 of the SADMPP (2016).

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

The Committee noted the key issues for consideration when determining the application as outlined in the report.

In accordance with the adopted public speaking protocol, comments were read out from Kathy Thurman (supporting) in relation to the application.

Councillor Mrs Spikings proposed that condition 14 be removed which was agreed by the Committee.

The Democratic Services Officer carried out a roll call on the proposal to approve the application with the removal of condition 14 and, after having been put to the vote was carried (14 votes for and 2 abstentions).

**RESOLVED:** That the application be approved as recommended, subject to the removal of condition 14.

*The Committee adjourned at 14.42 pm and reconvened at 14.50 pm.*

**(vii) 20/01985/O**

**Stoke Ferry: Land between 11 and 12 either side of footpath, Buckenham Drive: Borough Council of King's Lynn and West Norfolk**

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The Principal Planner presented the report and explained to the Committee that the application site was situated on the southern side of Buckenham Drive, Stoke Ferry between Nos. 11 and 12. It comprised a vacant parcel of land currently used as an informal parking area. The land was owned by the Borough Council and there was currently an access to an existing footpath (not a right of way) at the rear of the site.

The application site was within the development boundary for Stoke Ferry as defined on the Inset Map G88 of the Site Allocations and Development Management Policies Plan 2016 (SADMPP).

The application sought outline planning permission for proposed residential development of land with all matters reserved.

The application had been referred to the Committee for determination at the request of Councillor Sampson, the views of the Parish Council were contrary to the officer recommendation and the application site was owned by the Borough Council.

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

In accordance with the adopted public speaking protocol, Parish Councillor Trudy Mann (objecting on behalf of the Parish Council) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Sampson addressed the Committee in relation to the application.

The Democratic Services Officer carried out a roll call on the recommendation to approve and, after having been put to the vote was carried (12 votes for, 3 against and 1 abstention).

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

PC224: **DIRECT ACTION - LAND NORTH EAST OF, 20 NORTH BEACH, HEACHAM, NORFOLK**

**18/00575/UNAUTHU**

**Heacham: Land north east of 20 North Beach: To update Members in respect of a continuing breach of planning control and to seek a resolution on respect of what further enforcement action is required, if any, to remedy the breach of planning control.**

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The Planning Enforcement Team Leader introduced the report and explained that report was brought to the Planning Committee so that Members could note the continuing breach of planning control and for a resolution to remedy the breach of planning control following non-compliance with a Planning Enforcement Notice.

The report also outlined the range of options for remedying the breach of planning control.

The Democratic Services Officer carried out a roll call on the recommendation and it was unanimously:

**RESOLVED:** (1) That the Committee noted the update in respect of the continuing breach of planning control.

(2) That authority be granted to the Executive Director of Planning and Environment for the implementation and execution of direct action under Section 178 of the Town and Country Planning act 1990 (as amended) to comply with the requirements set out in paragraph 5 of the Enforcement Notice dated 26 April 2019.

PC225: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

**RESOLVED:** That the reports be noted.

**The meeting closed at 3.20 pm**