

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

Minutes from the Meeting of the Planning Committee held on Monday, 15th June, 2020 at 9.41 am - 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, M Howland, C Hudson, C Joyce, J Kirk,
B Lawton, C Manning, T Parish, S Patel, C Rose, A Ryves, S Sandell,
Mrs V Spikings, S Squire and M Storey

PC105: **APOLOGIES**

There were no apologies for absence.

PC106: **WELCOME AND INTRODUCTIONS**

The Chair welcomed everyone to the second Planning Committee meeting being held via Zoom. He informed the Committee that the meeting was being broadcast live on You Tube.

The recording of the meeting is available to view at WestNorfolkBC on You Tube.

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

PC107: **MINUTES**

Councillor Parish stated he had concerns about the generic nature of the minutes, and he felt that the number of votes for each application should be recorded.

However, his specific concern related to application 19/00694/RMM Gayton. The minutes stated that '*the recommendation to approve was also lost*', and he felt that it would have been clearer if it said *recommendation was to refuse*.

He drew attention to the fact that the that the Assistant Director had suggested that the application be deferred to address any outstanding issues, or the Committee could continue with the debate. After that the minutes said '*that the Chair proposed that the application be deferred*', but he felt that there should have been something in between those two statements, which was *that Councillor Parish attempted to continue the debate and was refused the opportunity*. He considered that would be a correct record of what happened and would explain how the Committee jumped from continuing with the debate to proposing that

the application be deferred. There was no opportunity given for that debate.

Councillor Joyce stated that in his view the accuracy of the minutes was not 100% and the reasons for refusal of the recommendation were not sought, which he considered should have been.

Councillor Storey stated that members had received the minutes in advance of the meeting and could have contacted the legal department before the meeting.

Councillor Ryves stated that he had contacted the legal department for clarification on the issues. He added that he was very concerned that in relation to the Gayton application there was no reference to the fact that Councillor Mrs Spikings motion to refuse the application was debated and turned down and our own motion was refused. The minutes did not make that clear, so he could not see how they were an accurate record.

Councillor Joyce added that he had also contacted the legal department, the Monitoring Officer, as the Committee knew as they had been copied into the email, along with the Assistant Director. He added that he had not received the minutes 5 days in advance and had only received them on Friday before the meeting.

The Chair asked for clarification from the Legal Advisor as to whether the minutes could be amended and presented to the next meeting of the Committee.

The Legal Advisor confirmed that it was possible to do that, but the Committee needed to decide what was the accurate record of the meeting, as that was what the Committee needed to determine.

The Chair added that he considered the minutes to be an accurate record and asked the Democratic Services Officer to carry out a roll call, and on being put to the vote, it was:

RESOLVED: That the Minutes of the Meeting held on 1 June 2020 were agreed as a correct record.

PC108: **DECLARATIONS OF INTEREST**

Councillor Crofts, Bubb and Kirk declared that they were Members of the King's Lynn Internal Drainage Board, which had made comments on item 8/1(g) – Walpole Cross Keys.

Councillor Joyce declared that he knew the objector to application 20/00429/F, as he had been a previous Mayor of the Borough Council.

PC109: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business under Standing Order 7.

PC110: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillors made comments / attended the meeting via Zoom on the following applications:

| | | |
|--------------|--------|------------|
| J Collingham | 8/1(a) | Dersingham |
| M De Whalley | 8/1(b) | Grimston |
| A Holmes | 8/1(e) | Hilgay |

PC111: **CHAIRMAN'S CORRESPONDENCE**

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

PC112: **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.

PC113: **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 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 Chair.

- (i) **20/00327/F**
Dersingham: 66A Hunstanton Road: Proposed single storey car port with store: Mr Carver

The Principal Planner introduced the report and explained that the application related to the construction of a carport and store to the front of 68A Hunstanton Road, Dersingham.

The application site was situated on the east side of the Hunstanton Road and currently consisted of a single storey dwelling with a detached garage and store to the side, which had permission to be converted to a residential annexe.

The application sought full permission for a carport and store in addition to the existing garage and store. The proposed carport and store was to the front of the dwelling, adjacent to the road.

The application had been referred to the Committee for determination as the application had been called-in by Councillor Collingham,

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

- Principle of development;
- Impact on the form and character of the area;
- Impact on residential amenity; and
- Other considerations.

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

Comments from Councillor Mrs Collingham were read out to the Committee.

The Committee debated the application and officers responded to queries as set out below:

- The Principal Planner added that it was best to view the site location plans in the agenda where it could be seen quite clearly that there were no outbuildings forward of the main buildings along Hunstanton Road.
- Several members of the Committee considered that the application was overdevelopment.
- The Parish Council made no objection to the application, as reported at page 12 of the agenda.
- Google maps was displayed to see the street-scene.

Councillor Lawton advised that he could not vote on the application as he had to leave the room during the debate.

The Democratic Services then carried out a roll call on the recommendation to refuse the application, and after having been put to the vote, it was:

RESOLVED: That the application be refused as recommended.

- (ii) **20/00428/F**
Grimston: Cambrian, 57 Lynn Road: Proposed extension and loft conversion: Mr & Mrs Mason

The Principal Planner introduced the report and explained that the application involved a loft conversion and a single-storey rear extension to a single-storey detached bungalow on the south side of Lynn Road in Grimston.

The application site was located within the development boundary.

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

- Principle of development;
- Impact on the form and character of the area;
- Impact on residential amenity; and
- Other considerations.

In accordance with the adopted public speaking protocol, the Democratic Services Officer read out a statement from Mr Pitcher (objecting) and Claire Mason (supporting) and Philippa Sewell (objecting on behalf of the Parish Council) addressed the Committee in relation to the application.

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

The Committee debated the application and made comments relating to:

- Impact on the street-scene
- The height and mass of the extension
- Blocking of light and loss of privacy to the neighbouring property.

In relation to the impact on the street-scene, the Principal Planner explained that this was outlined on page 20 of the agenda, in this case the officer had taken the view that on the south side of Lynn Road, in general, there were a mix of dwellings.

Councillor Joyce proposed that the application be refused, which was seconded by the Chair, Councillor Crofts on the grounds that the application had a detrimental impact on the street-scene and form and character of the area, and as discussed had an adverse impact upon neighbour amenities, contrary to Policies CS06 and CS08 of the Core Strategy, DM15 of the Site Allocations document and the relevant sections in the NPPF.

Councillors Storey and Bubb explained that they had served on the Council with the objector.

Councillor Bubb asked for a site visit, but it was explained that at the present time, this would not be possible.

The Democratic Services Officer carried out a roll call on the proposal to refuse the application, and after having been put to the vote, it was:

RESOLVED: That the application be refused, as recommended for the following reasons:

1. The proposed extensions and alterations would make the dwelling appear unduly prominent and incongruous in the street-scene, given the row of bungalows that it is viewed in association with, so the proposed development fails to respond sensitively and sympathetically to the local setting and would cause harm to the form and character of the area. This would be contrary to the National Planning Policy Framework 2019; Policies CS06 and CS08 of the KLWNBC Core Strategy 2011; and Policy DM15 of the KLWNBC Site Allocations and Development Management Policies Plan 2016.
2. The proposed development would result in unacceptable impact on the amenities of the adjacent dwelling to the west, due to its height and depth in close proximity to the shared boundary. This would be contrary to the National Planning Policy Framework 2019; Policy CS08 of the KLWNBC Core Strategy 2011; and Policy DM15 of the KLWNBC Site Allocations and Development Management Policies Plan 2016.

The Committee adjourned at 10.55 am and reconvened at 11.05 am

(iii) 20/00441/F

**Grimston: Northdene, 101 Lynn Road: Single storey garage:
Client of Vertex Architecture Ltd**

The Principal Planner (Helen Morris) left the meeting during consideration of the item.

The Principal Planner (Hannah Wood Handy) explained that the site was No.101 Lynn Road, Grimston, located approximately 90m west of the junction of Lynn Road and Low Road.

The application sought to construct a single storey garage to the south of the existing dwellinghouse, along the west boundary.

The application had been referred to the Committee for determination as the applicant was a Member of Council staff involved in the planning process.

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

- Principle of development;
- Form and character;
- Impact on neighbours; and
- Other material considerations.

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, it was:

RESOLVED: That the application be approved as recommended.

(iv) 20/00478/F

Heacham: 43 North Beach: Part demolition of and re-building of a detached three-bedroom dwelling: Mr & Mrs Upton

The Principal Planner introduced the report and explained that the application involved the construction of a replacement dwelling on the west side of North Beach, Heacham.

The application site was located within Tidal Flood Zones 3a and 3b of the King's Lynn and West Norfolk Strategic Flood Risk Assessment (SFRA) Part 2, in an area of significant flood risk identified by the Wash Shoreline Management Plan (SMP). This area was covered by a Coastal Flood Risk Planning Protocol, introduced by the Environment Agency and the Borough Council, and within the Coastal Flood Risk Hazard Zone covered by Policy DM18 (Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham)) of the Site Allocations and Development Management Plan (2016).

A previous application for a replacement dwelling on the site was refused for providing a level of habitable accommodation materially greater than the existing dwelling, which would result in an increase in the amount of people at risk from flooding.

The current application sought to overcome the previous reason for refusal by proposing a smaller increase in the overall area of habitable floor space, and an internal arrangement that would prevent future subdivision of the property to create additional bedrooms.

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

The Committee noted the key issues to be considered when determining the application, namely:

- The principle of development and flood risk;
- The impact on the form and character of the area; and
- The impact on residential amenity.

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

Councillor Mrs Spikings declared a prejudicial interest in the application as she was related to the agent and took no part in the debate or decision.

The Committee debated the application and officers responded to questions.

In response to a comment made by Heacham Parish Council, the Principal Planner drew the Committee's attention to the officer's justification in terms of the increase in floor space and that full consideration had been given to that on page 37 of the agenda.

Councillor Parish raised issues relating to:

- The increase in habitable area;
- Impact on the form and character of the area;
- The proposal was close to the raised path along the secondary sea defence;
- This could lead to similar applications from other caravan owners

Councillor Parish stated that at this stage he would not be making a formal proposal to refuse the application, as he did not wish to stop the debate on the application and would formally propose refusal at a later stage on the grounds that the proposed rebuild due to the second storey in increase in height together with its close proximity to a public footpath providing views to the sea would cause harm to the form and character of the area which was characterised along this section of the beach front by low characterised buildings.

Councillor Parish stated that if the proposal to refuse the application was lost or he did not get a seconder for his proposal, he did have a condition that he would like to impose.

The Principal Planner via Google street-view showed the other properties in the area and highlighted that there was a mix of dwelling types and sizes. She also confirmed that the site was not in an Area of Outstanding Natural Beauty.

The Chair informed the Committee that the Environment Agency did not object to the application. On balance he would be supporting the application unless he heard anything to change his mind.

In response to a comment relating to whether the works could be conditioned to take place during 1st October – 31st March to minimise noise, dust and disturbance to neighbours who would also like to enjoy their holiday homes, the Assistant Director advised that he did not think that a condition of this nature would meet the tests required for imposing conditions.

With regards to asbestos removal, there were asbestos regulations which would have to be complied with and if approved, an informative note could be added to the decision notice.

Councillor Parish did not formally propose refusal of the application but wished for his objection to be noted.

Councillor Parish proposed that if the Committee were minded to approve the application, then an additional condition should be added to ensure that the foul water sewage facility was checked to ensure it was working correctly. This was seconded by Councillor Lawton.

The Assistant Director questioned whether a condition was necessary, but it was up to the Committee to decide. If it was required, then it would be the standard foul water drainage condition.

The Democratic Services Officer carried out a roll call to approve the application, subject to an additional condition regarding foul water drainage and, after having been put to the vote, it was:

RESOLVED: That the application be approved, as recommended, subject to the imposition of a foul water drainage condition.

(v) 20/00198/F

Hilgay: Land south of Brett House, East End: Proposed 4 bed dwelling and triple garage with associated parking and private amenity space: Mr Ben Saxby

The Principal Planner introduced the report and explained that the site was located on the south side of East End, Hilgay, some 50 m from the junction of East End and Church Road. The site was currently paddock land set higher than the road network. The site was located adjacent to the development boundaries for Hilgay as defined by the Site Allocations and Development Management Policies Document 2016.

This application was a full application for the construction of one 4 bed detached dwelling with triple garages. The dwelling has a substantial footprint and the appearance of a sizeable one and a half storeys in height (at 8.8 m to the ridge). The application also sought to reduce the ground level within the site by 0.5m to reduce the impact of the dwelling in the street scene. The dwelling was situated within a substantial plot with gardens to the west and a parking and turning area to the east. The dwelling was accessed off East End and the dwelling fronted on to the road.

The site currently had planning consent for two five-bedroom detached dwellings, one and a half storeys in height (with ridge heights of 7.7 m) and located centrally within the application site, with access from East End. The consent was in the form of an outline consent (ref. 15/01830/O) and a reserved matters consent (ref. 18/01890/RM). The

applicant also previously submitted a full application (ref. 19/01389/F) for a large single detached dwelling on the site, however this was refused due to the height, scale and positioning of the dwelling. The scheme did not respond to the local setting and was detrimental to the form, character and visual amenity of the locality.

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

The Committee's attention was drawn to the key issues for consideration when determining, namely:

- Site history;
- Principle of development;
- Highway / Access;
- Form and character;
- Impact on Scheduled Ancient Monument and archaeology;
- Neighbour amenity; and
- Other material considerations.

The Principal Planner drew the Committee's attention to the late correspondence and the need to amend condition 16.

The Democratic Services Officer read out a statement from Sue Hawkes (objecting to the application).

In accordance with the adopted public protocol Adam Sutton (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Cllr Holmes (objecting) addressed the Committee in relation to the application.

The Principal Planner explained that in relation to the highway issues raised by the public speakers, the site had extant consent for the erection of two large dwellings and the applicant could start development for that consent today. There was no objection from County Highways. This proposal reduced the numbers to one dwelling and resulted in a benefit in terms of the turning area in the eastern end. The Committee needed to make a judgement as to whether this application had overcome the previous reasons for refusal. Officers acknowledged that the proposal was still relatively high but with the reduced bulk and repositioning, it was considered acceptable.

The Committee debated the item and officers responded to questions.

In response to a query as to whether all the highways conditions had been accommodated, the Assistant Director explained that the highway conditions had been included.

The Principal Planner confirmed that there had been no comments received from the Parish Council.

The Democratic Services Officer carried out a roll call, on the proposal to approve the application, together with amendments to condition 16 and, after having been put to the vote, it was:

RESOLVED: That the application be approved, as recommended subject to condition 16 being amended as outlined in late correspondence.

(vi) 20/00350/F

South Wootton: 36 The Birches: Proposed single storey side extension: Mr & Mrs Harpham

The Principal Planner introduced the report and explained that the application site was situated in The Birches, South Wootton, approximately 50m south of the access road into and serving this circular estate of mixed dwellings situated on the eastern side of Priory Lane.

The application sought to construct a single storey side extension to abut the south-east elevation of a detached two storey dwelling at 36 The Birches, South Wootton.

This was a revised application of that presented to the Planning Committee and approved on 1 July 2019 which related to the construction of a two-storey side extension of contemporary design to abut the south-east elevation and a 1.8 m high fence with new hedge planting to the southern boundary.

The National Planning Policy Framework 2019, the King's Lynn and West Norfolk Borough Council Core Strategy 2011 and the Site Allocations and Development Management Policies Plan (SADMP) 2016 were relevant to this application.

The application had been referred to the Committee for determination as the applicant is an employee of the Borough Council involved in the planning process.

The Committee's attention was drawn to the key issues for consideration when determining the application, namely:

- Principle of development;
- Form and character of the locality;
- Impact upon neighbours; and
- Other considerations.

The Democratic Services Officer carried out a roll call and, after having been put to the vote, it was:

RESOLVED: That the application be approved, as recommended.

(vii) 20/00095/CU
Walpole Cross Keys: Change of use of a strip of land to the rear of new dwellings 67A – 67H Sutton Road from agricultural to garden: Stinders Developments Co Ltd

Before introducing the report, the Principal Planner referred to pages 64 and 65 of the agenda and explained that the polygon had been drawn in the wrong location. The correct location was identified to the Committee.

The Principal Planner explained that this was a retrospective application relating to a strip of land, formerly part of an agricultural field, which had extended the rear gardens of 4 pairs of recently built semi-detached houses by 2.5 m on the southern frontage of Sutton Road, Walpole Cross Keys.

The application was the result of enforcement action, reported by the Parish Council, and sought to regularise the situation.

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

The Committee's attention was drawn to the key issues (set out in the report) for consideration when determining the application, namely:

- Principle of development
- Impact on form and character;
- Drainage; and
- Other material considerations

The Democratic Services Officer carried out a roll call and, after having been put to the vote, it was:

RESOLVED: That the application be approved as recommended.

PC114: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

RESOLVED: That the reports be noted.

The meeting closed at 12.25 pm