

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

PLANNING COMMITTEE

Minutes from the Meeting of the Planning Committee held on Thursday, 15th 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, J Kirk, T Parish, S Patel, C Rose, J Rust (sub), A Ryves, S Sandell, Mrs V Spikings, S Squire and D Tyler (sub)

PC226: **WELCOME AND INTRODUCTIONS**

[Click here to view this item on You Tube](#)

The Chair welcomed everyone to the meeting.

The Democratic Services Officer carried out a roll call to determine attendees.

The Chair reminded Members that the meeting was being recorded and streamed live on You Tube.

Councillor Ryves raised a point of order in relation to Members losing internet connection during consideration of the application, and not being able to vote, even though they might have You Tube running in background and could hear all of the debate.

The Council's Legal Advisor explained the reasons why Committee Members needed to confirm that they had heard all the debate.

PC227: **APOLOGIES**

Councillor Lawton – substitute Councillor Rust
Councillor Manning – substitute Councillor Tyler
Councillor Storey – substitute Councillor Dickinson

The Chair thanked the substitutes for attending the meeting.

PC228: **DECLARATIONS OF INTEREST**

Councillors Bubb, Crofts and Kirk declared that they were Members of the King's Lynn Internal Drainage Board.

Councillor Joyce asked for clarification in relation to the role of the Council's Legal Advisor from Eastlaw. It was explained that she was advising the Council in a regulatory role and not as the applicant. It

was also confirmed that this had been cleared by the Compliance Officer.

PC229: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was none.

PC230: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

Councillors Gidney, John Collop, Sandra Collop, Kunes, Morley, Holmes and de Whalley

PC231: **CHAIR'S CORRESPONDENCE**

The Chair advised that any correspondence received had been passed on to the relevant officer.

PC232: **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.

PC233: **DECISIONS ON APPLICATIONS**

The Committee considered an application 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) below, where appropriate, to the conditions and reasons or grounds of refusal, as set out in the schedules signed by the Chair.

- (i) **20/00724/FM (Full Application – Major Development)
Land South East of Queen Mary Road, North of Railway Line
and South of Parkway, Gaywood, King's Lynn, Norfolk:
Borough Council of King's Lynn and West Norfolk**

[Click here to view a recording of this item on You Tube](#)

The Principal Planner introduced the report and explained that the application sought full planning permission for the construction of 379 new homes (including 15% policy requirement of affordable homes) and associated green space, landscaping and infrastructure, together with a new vehicular bridge over the sand line, including new roads, infrastructure and hard and soft landscaping.

The application site was within King's Lynn and covered an area of approximately 19.5 hectares located to the south of the Gaywood and Fairstead estates, comprised land set either side (east and west) of the Howard Junior School and King's Oak Academy in Gaywood, as well as land to the north and a small part south of the railway sand line which was a freight railway to Leziate. Further to the south beyond the rail line was Hardwick Industrial Estate.

The site comprised predominantly of vegetated parkland, scrubland and open fields, with the westernmost section of the site being situated within disused playing field to the east of the King's Lynn Academy. The eastern section of the site consisted of rougher scrubland and roughly interspersed woods, whilst the southern-most portion of the site consisted of agricultural land. It should be noted that the eastern section of the site extended further south beyond the sand line railway and was bound by agricultural land to the east and south, while the industrial estate bound this portion of the site in the west.

The western part of the site was currently allocated for a residential development of some 260 dwellings under Policy E1.6 King's Lynn – South of Parkway of the Site Allocations and Development Management Policies Plan (2016). This area measured approximately 9.3 hectares and was formerly used as the College of West Anglia playing fields. It comprised land immediately south of Parkway and north of the sand line railway situated between King's Lynn Academy to the east and Howard Junior School and King's Oak Academy to the west. Along its southern side, adjacent to the rail line, this part of the site was bounded by the Swaffham Belt path and tree belt. The Swaffham Plantation (along the southern boundary) and the Cross Belt (running north/ south across the site) were significant belts of mature tree planting within the western side of the site.

A total of 220 dwellings were proposed for the western part of the site with two vehicular access points directly off Parkway one to the west of Thoresby Avenue and one directly to the east.

The eastern side of the application site measured approximately 7.6 hectares and includes a large (circa 0.5 ha) Anglian Water attenuation pond. This part of the site was predominantly to the north of the sand line railway and to the south of Gaywood Plantation county wildlife site (CWS) and The Rookery which were a small woodland and plantation characterised by large mature oak trees. To the west this part of the site abuts the Howard Junior School and King's Oak Academy playing field and to the northeast and east of the site lie the existing residential areas of Silver Green and Fred Ackland Drive respectively.

There was also a tree belt and Swaffham Belt path which currently linked the western and eastern sides of the application site. Additionally, on this eastern side there was a parcel of land to the south of the Sand Line rail line. Land within this southern parcel comprised

areas of arable farmland and scrub. The farmland was currently an area allocated for employment development (allocation E1.12-HAR) and had had previous permissions for these uses. In wider context, the application site to the immediate south of the rail line was bounded by the A149 to the east, and by the Hardwick Industrial Estate to the south and west.

In the eastern part of the site 159 dwellings were proposed and a new road would be provided through the tree belt to the south of the Howard Junior/King's Oak Academy playing field, linking the western section of the site.

The total 379 homes would comprise a mix of 1, 2, 3 and 4 bed properties, accommodated within house types including flats detached, terraced and semi-detached properties. Proposed numbers were as follows: 37 no 1-bed dwellings; 139 no 2-bed dwellings; 152 no 3-bed dwellings and 51 no 4-bed dwellings. Out of the total 57 no units would be affordable dwellings (10 no affordable rent and 17 no shared ownership units), which was the policy requirement of 15%.

As part of the scheme to build the new link road, a new vehicle, pedestrian and cycleway bridge would span across the freight rail line. Originally, the proposed new road bridge and associated new roads were intended to provide a link from the north at Swallowfield Road to the south at Rollesby Road. However, in light of concerns raised by NCC Highways in respect of a vehicular link into Swallowfield Road, this part of the proposal had been amended and would now only provide a pedestrian/cycle/emergency vehicle route into Fairstead. The new road bridge would still enable crossing of the sand line railway and provided a new vehicular route from Hardwick Industrial Estate into the application site.

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

The report had been referred to the Committee for determination as the application was the Borough Council and there had been objections to the proposed development.

In accordance with the adopted public speaking protocol, Trudy Clark (objecting), Dr Pallivi Devulapalli (objecting), Nicole Wright (supporting) and Dale Gagen (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillors Gidney, Kunes, J Collop, S Collop, Morley, Holmes and De Whalley addressed the Committee in relation to Standing Order 34.

Councillor De Whalley declared that he had an interest as a trustee of Grimston Fen and Allotment Trust which had received monies from the

Borough Council for the relocation of reptiles from the Parkway site to Sugar Fen.

The Principal Planner responded to issues raised and also invited David Wilson from Norfolk County Highways to respond to issues regarding the bridge and the cycleway over the sandline.

The Committee then adjourned at 11.00 am and reconvened at 11.10 am.

The Committee debated the application and asked questions which were responded to by officers.

The Committee adjourned at 12.33 pm and reconvened at 1.15 pm. Upon returning, the Democratic Services Officer carried out a roll call to determine attendees.

Councillor Parish proposed that the application be refused on the grounds that:

- (1) The eastern part of the site is not an allocated site, and neither is it an infill, as it is not bounded by other developments. It is a proposal for 159 dwellings. It is a separate site to the west side of the proposal and should be treated as such.
- (2) The current housing allocations are more than sufficient to meet Borough and National requirements so although the west site is appropriate the east is not.
- (3) The east site requires special access requirements, a bridge, of which the design is unclear, the use uncertain, the cost not yet determined, and funding not yet acquired.
- (4) Biodiversity loss on the east side is greater than the perceived gain.

The Assistant Director advised that the impact on biodiversity was a valid reason for refusal together with the fact that there was enough land supply. Funding for the bridge was not a material consideration, as it was up to the applicant to secure this, and to determine whether to go ahead with the scheme, as not all developments with permission came forward.

The proposal for refusal was seconded by Councillor Hudson.

The Assistant Director advised the Committee that the reasons for refusal that they were voting on related to the fact that the Council had an adequate land supply and there was no need in terms of land supply for the development on the eastern site, and there would be an unduly adverse impact on biodiversity on the eastern part of the site.

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 lost (7 votes for refusal, 10 against).

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 (11 votes for, 6 against) as follows:

For	Against	Abstain
Bower	Bone	
Bubb	Joyce	
Crofts	Parish	
Howland	Ryves	
Kirk	Squire	
Patel	Rust	
Rose		
Sandell		
Spikings		
Dickinson		
D Tyler		

RESOLVED: (A) That the application be approved, subject to conditions and the satisfactory completion of a S106 Agreement to secure affordable housing, open space provision, a financial contribution of £30,000 towards pitches at River Lane, a financial contribution of £150,000 for compensatory off-site habitat creation / tree planting and a travel plan bond and monitoring charge within 4 months of the date of this Committee meeting.

(B) In the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be refused due to the failure to secure affordable housing, open space provision, a financial contribution of £30,000 towards pitches at River Lane, a financial contribution of £150,000 for compensatory off-site habitat creation / tree planting and a travel plan bond and monitoring.

The meeting closed at 2.25 pm