

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

PLANNING COMMITTEE

Minutes from the Meeting of the Planning Committee held on Monday, 12th July, 2021 at 9.30 am in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillor Mrs V Spikings (Chair)
Councillors R Blunt (sub), F Bone, C Bower, A Bubb, G Hipperson,
A Holmes (sub), C Hudson, B Lawton, B Long, C Morley (sub), E Nockolds,
S Patel, C Rose, J Rust (sub), S Squire, D Tyler and D Whitby (sub)

PC17: **WELCOME**

The Chairman, Councillor Mrs Spikings welcomed everyone to the meeting. She advised that the meeting was being recorded and streamed live on You Tube.

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

PC18: **APOLOGIES**

Apologies for absence were received from Councillors Howland (sub Cllr Whitby), Joyce (sub Cllr Holmes), Manning (sub Cllr Blunt), Parish (sub Cllr Rust), Ryves (sub Cllr Morley), and Storey (sub Cllr Long)

The Chairman thanked the substitutes for attending the meeting.

PC19: **MINUTES**

The minutes of the meetings held on 14th June and the Reconvened meeting held on 17 June 2021 were agreed as a correct record and signed by the Chairman, Councillor Mrs Spikings.

PC20: **DECLARATIONS OF INTEREST**

The following declarations of interest were declared:

- Councillor Long declared that in relation to item 8/2 (a), King's Lynn, he was a non-executive director of Freebridge Community Housing and had a disclosable pecuniary interest and would therefore leave the meeting during consideration of the item.
- Councillors Long and Blunt declared that in relation to item 8/2(b), Salters Road, King's Lynn, they were Cabinet Member

who had previously considered the scheme and would leave the meeting during consideration of the item.

- Councillor Bone declared that he was the Ward Member for item 8/2(a), Hillington Square, King's Lynn and had been careful not to become involved with third parties.
- Members of the Internal Drainage Boards were noted.

PC21: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business to report under Standing Order 7.

PC22: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Members attended under Standing Order 34:

Cllr M de Whalley	8/1(a)	East Walton
Cllr Collingham	8/3(b)	Dersingham

Councillor Bambridge was going to attend the meeting speak in relation to 8/2(a), King's Lynn but was unwell, so her comments would be read out to the Committee.

PC23: **CHAIRMAN'S CORRESPONDENCE**

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

PC24: **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.

PC25: **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 schedule 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 Chair.

- (i) **20/01136/F**
East Walton: The Old Pheantry, east of Keepers Cottage, Church Lane: Siting of 38 storage containers: Westacre Estate Management

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The Principal Planner introduced the report and reminded the Committee that this application had been presented at the 8 February 2021 meeting where it was resolved that the application be deferred to another meeting for determination.

It was explained that the application site related to a former Pheantry and later a Quail Egg Farm, which comprised two single storey buildings; a timber clad building and a concrete building which were both disused and in a state of disrepair.

The site was located on the eastern side of Church Lane, to the southern side of an unmade track which joined the B1153, East Walton.

Full planning permission was sought for the siting of 38 storage containers to the eastern side of the existing buildings on site. There were currently 37 containers present on site.

East Walton was a Smaller Village and Hamlet within the Core Strategy's Settlement Hierarchy.

The application had been referred to the Committee for determination at the request of Councillors Manning and De Whalley.

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 B Lewis (objecting on behalf of the Parish Meeting) addressed the Committee in relation to the application.

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

Councillor Bone queried whether there was a need for the proposal in East Walton, as it was classed as a Smaller Village and Hamlet. He also had concerns relating to the poor road surface of access track and if there would be any improvements to the junction.

The Chairman, Councillor Mrs Spikings advised that conditions 3 and 4 proposed improvements to the junction and the provision of visibility splays.

Councillor Long referred to the Planning history outlined on page 18 of the agenda, where it stated that a similar application at West Acre, which was also a smaller village and hamlet, had been refused as it as an unsuitable location and also that the use would generate additional traffic. He considered that East Walton was an unsuitable location for the proposal. He could not understand what was different from the previous application at West Acre. He added that if the Committee were minded to approve the application, he had concerns relating to condition 8, which related to the operating hours of the facility.

The Assistant Director referred the Committee to the conclusion on page 24 of the agenda and explained that it was up to the Committee to put weight on the issues.

The Chairman, Councillor Mrs Spikings added that if the Committee were to refuse the application enforcement action to remove the containers would also be required. The Assistant Director advised that the applicant would the right to appeal both the decision notice and enforcement notice.

Councillor Squire added that she was a little concerned about the comments of the previous speakers that only agriculture was allowed in the countryside and questioned how it would be sustainable to require people who had storage containers from the countryside to drive to King's Lynn to use a different storage container facility, which would not be sustainable to do so. She added that the Abbey Site was different as there were conservation issues involved but that was not the case here. She advised that 22 of the 38 containers were occupied so there was clearly a need for this use. This was a rural business and there was a need for them. It was not sustainable to require people to travel to another facility and she supported the application.

Councillor Rust expressed concerns over the size and scale of the area but it appeared that 38 containers was too large.

Councillor Long therefore proposed that the application be refused, which was seconded by Councillor Lawton on the grounds that it East Walton was a smaller village and hamlet and was an unsuitable rural location, and the nature of the site would generate more traffic.

The Democratic Services Officer carried out a roll call on the proposal to refuse the application and, after having been put to the vote, was carried (10 votes for, 7 against and 1 abstention).

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

East Walton is a remote rural village/hamlet and as such is considered to be an unsustainable location for a development such as a self-storage container business. The nature of the use will generate additional traffic to the site which should not be encouraged as laid out within Core Strategy Policies CS08 and CS10 and the provisions of the NPPF. This type of business use in an unsustainable rural location is not justified, it is not physically well-related to existing settlements and does not exploit any opportunities to make the location more sustainable, contrary to paragraph 84 of the NPPF.

(ii) 20/01166/FM

King's Lynn: Hillington Square: Demolition of existing residential blocks to provide mixture of new flats with communal space and town houses, including parking and hard and soft landscaping: Freebridge Community Housing

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Councillor Long left the meeting during consideration of the application.

The Principal Planner introduced the report and explained that the application related to part of Hillington Square, a late 60s / early 70s residential development comprising of a mixture of flats and maisonettes.

The site comprised five existing residential blocks sited around All Saints Church (listed grade II*) and fronting All Saints Street.

The site was bounded to the north by the completed, redeveloped Hillington Square flats (phases 1 - 4), a mixture of residential and commercial properties fronting London Road to the east, and predominately two storey residential properties to the south (All Saints Street) and west (Bridge Street).

The application sought the demolition of the existing residential blocks and the construction of replacement flats and town houses to provide a mixed residential scheme with communal space, private gardens, parking and hard and soft landscaping.

In addition to All Saints Church, the site was adjacent to a number of listed buildings including the Grade II listed 25-36 All Saints Street and the Grade II listed 30-37 Bridge Street.

The site was not within a conservation area, but it was part of the setting of three surrounding conservation areas - St Margaret's Conservation Area, The Walks Conservation Area and The Friars Conservation Area.

The application had been referred to the Committee for determination by the Assistant Director – Environment & Planning.

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, Anita Carnell (objecting on behalf of Bridge Street Residents Association) and Tessa Mountain (objecting) addressed the Committee in relation to the application.

The Democratic Services Officer then read out a letter from Councillor Bambridge (Ward Member) who was unable to attend the meeting.

The Committee then adjourned at 10.43 am and reconvened at 10.55 am

Councillor Rust advised the Committee that within the report it stated that she had objected to the application, but she could not recall commenting on it. She added that she had not pre-determined the application and had an open mind.

Councillor Morley suggested that the application be deferred until the acoustics within the room had been improved and a model of the proposal could be presented to the Committee.

Councillor Bubb added that he was in favour of re-hearing all the presentation again.

With regards to any damage caused by the development, the Assistant Director advised that this would be a civil matter between the applicant and residents. Condition 15 had been imposed requiring a construction management plan to be agreed.

Councillor Bubb felt that the design of the terrace of houses were acceptable, but he had concerns over the rest of the design of the scheme. He added that this should be a sympathetic re-development and the situation should not be made worse. He therefore proposed that the application be refused. This was seconded by the Chairman, Councillor Mrs Spikings.

In relation to the Committee not hearing all the presentation, she added she had heard everything and that she felt confident enough to continue with the debate and decision.

The Assistant Director advised that he had heard most of the debate and a comprehensive presentation had been given to the Committee. Officers could also answer any questions that the Committee may have.

The proposal to defer the application by Councillor Morley was seconded by Councillor Hudson and, after having been put to the vote, was lost 8 votes for, 9 against.

The Committee carried on with the debate.

Several Members commented that the design was not sympathetic to the area, given its close proximity to the historic parts of King's Lynn.

The Assistant Director highlighted that there had been no objection from Historic England, but they had made comments on the application and amendments to the scheme had been carried out in line with them.

The Democratic Services Officer then carried out a roll call on the proposal to refuse the application, on the grounds that the design of the scheme was unsympathetic to the area in terms of height and scale, the impact on heritage assets and the impact on the conservation area, which was carried unanimously.

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

The proposal results in an unsympathetic design and layout in the locality and is overbearing in terms of scale and height. It will be harmed to the setting of the listed buildings and the conservation areas, contrary to the relevant provisions of the NPPF, Core Strategy policies CS08 and CS12 and policy DM15 of the Site Allocations and Development Management Policies Plan.

(iii) 20/01957FM

King's Lynn: Land east of Losinga Road, West of Waterside and North of Salters Road: Construction of 78 affordable dwellings and associated access, infrastructure and landscaping: Borough Council of King's Lynn & West Norfolk

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Councillors Blunt and Long left the meeting during consideration of the item.

The Principal Planner sought full planning permission for the construction of 78 number affordable dwellings and associated access, infrastructure and landscaping for land east of Losinga Road, west of Waterside and north of Salters Road in King's Lynn. Revised plans and information had been submitted during the course of the application process in order to address comments received by consultees and the case officer.

The application site was located within the development boundary of King's Lynn and comprises 3.1ha of land that was allocated for residential development under Policy E1.9 King's Lynn West of Columbia Way of the Site Allocations and Development Management Policies Plan (2016) (SADMP).

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

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, M J Ray (objecting) James Grant (applicant, supporting) and David Jones (supporting) addressed the Committee in relation to the application.

Councillor Morley referred to the comments from the public speaker in relation to the Local Walking and Cycling Improvement Plan. The Assistant Director advised that the applicant did not own the footbridge. They proposed improvements on the land that they owned up the footbridge. Page 87 on the agenda explained the proposal.

The Chairman added that conditions had to be fair and reasonable because the applicant did not own the land a condition could not be imposed. An informative could be added to the decision notice which Councillor Morley welcomed.

The Assistant Director advised that condition 17 could be amended to reflect the discussion.

With regards to the scrutiny of conditions, Councillor Morley asked whether this would be carried out by the Member Major Project Board. The Assistant Director advised that this would be carried out in the normal way for example the developer would apply to discharge conditions which would be checked to ensure that the conditions had been met.

Councillor Bone added that he welcomed the proposal, which was in a sustainable location and he would welcome the improvement works to the footbridge if this could be achieved.

Although generally in support of the scheme, Councillor Rust did have concerns over the loss of one of the three notable oak trees, and a replacement should be within the area, because as much of the natural wildlife should be retained. She also added that, as being a cyclist, she used the cycle route and knew the bridge that Mr Ray referred to and she would like to see improvements which would be an enhancement and of benefit to all.

The Chair added that the replacement tree would not be a sapling and would be quite well established. She asked whether the replacement tree could be an oak.

Councillor Nockolds referred to the letter of support in the agenda, which she felt was important.

Councillor Squire added that the tree and she could see the benefit of the application. However, she felt that the removal of the tree was necessary because of the design of the scheme whereas it should be designed around the tree. She also explained the benefits of a mature oak. She was also pleased with the inclusion of bird and bat boxes within the scheme.

The Assistant Director advised that it was a balance to get a viable scheme and it was regrettable that the tree needed to be removed. It was a difficult site to deliver, and a balance needed to be made.

The Committee's attention was drawn to the need to omit Condition 16 and renumber the remaining conditions and amend Condition 19 (to become condition 18) as outlined in late correspondence. Also, reference needed to be made to the improvements to the footbridge if possible.

The Democratic Services Officer carried out a roll call on the recommendation to approve the application and amend conditions as outlined in late correspondence and, after having been put to the vote, was carried unanimously.

RESOLVED: (A) That the application be approved subject to conditions and the satisfactory completion of a S106 Agreement to secure affordable housing and £30,000 financial contribution to secure 3 x pieces of play equipment, fencing, safety surfacing and fifteen years' maintenance as an extension to the existing equipped play on Peck's Field, within 4 months of the date of the 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 and a financial contribution towards open space provision.

Councillors Blunt and Long re-joined the meeting.

(iv) 21/00081/F
Dersingham: 59A Manor Road: Proposed new dwelling:
Bespoke Norfolk Group

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The Senior Planner introduced the report and explained that the application site comprised a parcel of land measuring approximately 996 m² and was previously used as garden land to No.59A Manor Road. It was situated on the northern side of Manor Road, Dersingham and was accessed via an existing track between No.59 and No.61 (Petals Tea Room). The site was located behind Petals Tea Room and No.61a.

The site was located within Dersingham's Conservation Area.

Dersingham was classified as a Key Rural Service Centre within the Core Strategy's Settlement Hierarchy.

The application sought full planning permission for the construction of a bungalow to the east of No.59a Manor Road.

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

The Committee noted the key issues for determination for considering the application as set out in the report.

In accordance with the adopted public speaking protocol, Mr D Wells (objecting), Coral Shephard (objecting on behalf of the Parish Council via Zoom) addressed the Committee in relation to the application.

Councillor J Collingham addressed the Committee in accordance with Standing Order 34 objecting to the application.

At 12.20 pm Councillor Mrs Nockolds left the meeting.

Councillor Bubb explained that she shared the concerns of the Parish Council and proposed that a site visit be carried out so that the Committee could see the effect it would have on No.61a. This was seconded by Councillor Long.

The Democratic Services Officer carried out a roll call on the proposal for a site visit and, after having been put to the vote, was carried.

RESOLVED: That determination of the application be adjourned, the site visited, and the application determined at the reconvened meeting of the Committee.

- (v) **21/00369/F**
Burnham Market: The Hoste Arms, 14 Market Place:
Creation of an outdoor seating area with new walling and
canopies: City Pub Group

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The Senior Planner introduced the report and explained that the site comprised The Hoste, a Grade II listed building currently used as a hotel, inn, restaurant and bar, along with associated land around the building. The site was bounded to the north, east and west by other dwellings. To the south was Market Place, the centre of Burnham Market where there was a mixture of residential and retail uses.

The application sought the creation of a new outdoor seating area within the existing enclosed courtyard at The Hoste, comprising some

new low walling and canopies. The proposed seating area was sited where there were currently six parking spaces in the existing internal courtyard.

An application for listed building consent was submitted to accompany the planning application (ref. 21/00370/LB), but it was determined that the proposed freestanding works did not require listed building consent in this case.

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

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

In accordance with the adopted public speaking protocol, Mr I Reilly (supporting) addressed the Committee via Zoom in relation to the application.

The Democratic Services Officer carried out a roll call on the recommendation to approve the application and, after having been put to the vote, was carried (15 votes for and 1 abstention).

RESOLVED: That the application be approved as recommended.

At 12.33 pm the Committee agreed to continue to sit.

(vi) 20/01792/F
Downham Market: East of The Chalet, Priory Chase:
Construction of five dwellings and garages: PCD Builders
Ltd

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The Principal Planner introduced the report and explained that the proposal was for the construction of 5 houses on land to the south of Priory Close, a private drive which adjoined Priory Road, Downham Market. The application sought consent for the construction of 3 detached and 2 semi-detached dwellings with associated private access road.

The application site was within the development boundary shown on inset map F1 of the SADMP and was directly adjacent to the Downham Market Conservation Area.

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

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

It was proposed by the Chairman, Councillor Mrs Spikings that the application be deferred until the reconvened meeting on Thursday 15 July 2021 to clarify the density of the site, which was agreed by the Committee.

RESOLVED: That the application be deferred until the reconvened meeting on Thursday 15 July 2021.

(vii) **20/01942/F**

Pentney: Rosewood House, Narborough Road: Erection of storage barn for commercial purposes: Mr & Mrs Barnard

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The Principal Planner introduced the report and explained that the proposal was for the construction of a storage building on land to the rear of Rosewood House, Narborough Road, Pentney. The applicant sought consent for the building to store machinery and parts for their business use.

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

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

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 (16 votes for and 1 abstention).

RESOLVED: That the application be approved, as recommended.

PC26: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

RESOLVED: That the report be noted.

The meeting closed at 12.55 pm