

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

Minutes from the Meeting of the Planning Committee held on Monday, 7th February, 2022 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, C Hudson, B Lawton, C Manning, C Morley (sub), E Nockolds, T Parish, C Rose, S Squire, M Storey, D Tyler and D Whitby

PC16: **WELCOME**

The Chairman welcomed everyone to the meeting. She advised that the meeting was being recorded and streamed live to You Tube.

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

PC17: **FORMER COUNCILLOR ROY GROOM**

The Committee held a minutes' silence in memory of former Councillor Roy Groom (a former member of the Planning Committee for several years) who had sadly passed away on 24 January 2022.

PC18: **APOLOGIES**

Apologies for absence received from Councillor Patel (Councillor Blunt substituting) and Councillor Rust (Councillor Morley substituting).

The Chairman thanked the substitutes for attending the meeting.

PC19: **MINUTES**

The Minutes of the Meetings held on 10th and 13th January 2022 were agreed as a correct record and signed by the Chairman, Councillor Mrs Spikings.

PC20: **DECLARATIONS OF INTEREST**

In relation to item 8/2(c) – Heacham, Councillor Parish declared that he was a member of the Parish Council, but he had not been compromised.

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

There was no urgent business pursuant to Standing Order 7.

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

The following Councillors attended and addressed the Committee in accordance with Standing Order 34:

Councillor A Kemp	8/1(a)	King's Lynn
Councillor S Dark	8/2(c)	Heacham
Councillor A Ryves	8/2(d), (e) & (f)	Northwold

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 tabbed. 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 schedules are recorded in the minutes.

RESOLVED: That the applications be determined, as set out at (i) - below, where appropriate, to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chairman.

- (i) **20/00470/RMM**
King's Lynn: Land west of St Peters Road, West Lynn: Reserved Matters Application for 38 dwellings: Details of layout, scale, appearance and landscaping. In accordance with Condition 8 of the outline planning permission, the scheme includes a vehicular access to

the West Lynn Drain along with a 9m easement strip. In accordance with Condition 26 of the outline planning permission, the scheme includes a 15m exclusion zone around the Anglian Water Pumping Station: Minster Property Group

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The Planner introduced the report and explained that the application had been deferred from December's Committee to enable the applicant to address certain issues that were raised, which are summarised below:

- Waste and recycling (amenity and vehicle tracking)
- Fire tender tracking
- Overshadowing
- Use of car park
- Open space; and
- Materials

The report had been updated with additional information.

The Planner advised that the application sought reserved matters for 38 dwellings following the grant of outline planning permission under application 16/01105/OM which was subsequently amended. The reserved matters site was slightly smaller than the area granted at outline stage due to landownership issues. Access was approved at outline stage, so the reserved matters application sought approval of: layout, appearance, scale and landscaping.

The application was for 100% affordable housing, although policy requirements and the Section 106 Agreement that accompanied the outline permission only required 15% (6 units).

The application had been referred to the Committee for determination as it was originally called in by Councillor Kemp and it was deferred from the Planning Committee held on 6 December 2021.

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, Jake Stentiford (supporting) addressed the Committee in relation to the application.

Councillor Kemp addressed the Committee in accordance with Standing Order 34 and outlined her concerns in relation to the application.

The Democratic Services Officer then carried out on 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.

- (ii) **21/00787/RM**
Stow Bardolph: Land between 212-218 The Drove, Barroway Drove: Reserved matters application for proposed 2 storey dwelling: FBI CAD & Design Solutions

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The Principal Planner reminded the Committee that the application had been deferred from the previous Planning Committee meeting held on 10 January 2022. This was due to a late representation received from the IDB and associated queries over the ownership of the red line area. Further extensive consultation had been received from the Internal Drainage Board to clarify their position.

With regards to ownership, legal advice had been sought, and the advice was set out in the report.

A revised plan had been submitted which clarified annotations surrounding the piping of the ditch to the side of the proposed dwelling.

The IDB had raised no objection to the proposal in principle and had noted that ownership was a separate civil issue which would not prohibit the granting of byelaw consent. It was considered that this now clarified the previous reasons for deferral.

The report had been updated in bold text.

It was explained that reserved matters consent was sought for the construction of a new dwelling on land between 212-218 The Drove, Barroway Drove. The site was within Flood Zone 3 of the Borough Council's SFRA (2018).

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 N Good (objecting) and Richard Brownley (supporting) addressed the Committee in relation to the application.

At the invitation of the Chairman, the Legal Advisor addressed the Committee and explained the situation with regards to land ownership.

Councillor Bubb proposed that the application be refused on the grounds that the proposed new dwelling would create overdevelopment of the site. The proposal was seconded by Councillor Parish.

The Democratic Services Officer then carried out on roll call on the proposal to refuse the application and, after having been put to the vote was lost (3 votes for refusal, 13 votes against and 2 abstentions).

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the need to amend condition 1 and the drawing numbers in Conditions 2 and 5, as detailed in late correspondence, which was agreed.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application with the amended conditions and, after having been put to the vote was carried (14 votes for, 3 against and 1 abstention).

RESOLVED: That the application be approved, as recommend, subject to condition 1 being amended and the drawing numbers in conditions 2 and 5 being amended.

(iii) 21/01651/F
Burnham Overy: 5 Gong Lane, Burnham Overy Staithe:
Conversion of existing garage to form Annexe (with
small extension): Mr & Mrs Meldrum

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The Planning Control Manager introduced the report and explained that the application sought planning permission for the conversion of an existing garage to form an Annexe with a small extension to the rear measuring 3.6 m in height, 3.5 m in depth and 3.7 m in width and would provide a sitting room. A small extension was also proposed to the side of the existing garage and would allow for a bedroom to be provided.

Originally, the proposal included a new replacement garage positioned to the front of the property, however, given the site's location within the Conservation Area, the addition was not considered acceptable and was removed from the proposal.

The application site was located within Burnham Overy Staithe which in planning policy terms was identified as a Small Village or Hamlet within the Core Strategy and SADMPP. The site was also located within the AONB and Conservation Area.

The application had been referred to the Committee for determination as the officer recommendation was contrary to the Parish Council recommendation, and also 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.

In accordance with the adopted public speaking protocol, Jackie Meldrum (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 (17 votes for and 1 abstention).

RESOLVED: That the application be approved as recommended.

(iv) 21/01377/F
Downham Market: Donnadell, Howdale Road:
Construction of two dwellings and garages:
Contemplation Corner

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The Planning Control Manager presented the report and explained that the planning application sought full planning consent for two detached chalet style dwellings. This application followed an existing planning consent ref: 19/01944/F (and the subsequent amendments) for two dwellings on a wider application site. The two application sites overlap and this application, if permitted, will result in three new dwellings in total being developed within the land.

The application site was located within the development boundary for Downham Market, as identified on Inset Map F1 in the Site Allocations and Development Management Policies Plan (SADMPP). It was also within Downham Market Conservation Area.

The site comprised of approximately 0.3ha of garden land, primarily laid to grass with a significant number of trees around the perimeter of the site, which were subject to protection (as they were in the Conservation Area). The site was within a pit and so had steep banks to the north, east and west. The proposed access would use the existing access off Howdale Road.

There was planning history to the site which was detailed further in the report.

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

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, Jonathan Eales (supporting) addressed the Committee in relation to the application.

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the need to amend condition 2 and the correction, as detailed in late correspondence, which was agreed by the Committee.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application with the amendment to condition 2 and the correction (as detailed in late correspondence) and, after having been put to the vote, was carried unanimously.

RESOLVED: That the application be approved, as recommended subject to the amendment to condition 2 and the correction, as detailed in late correspondence.

(v) 21/01064/F
Heacham: Long Acres Holiday Home Park, South Beach Road: Change of use of land to a caravan park (extension of existing holiday caravan park): Heacham Holidays Ltd

This item was taken first in the meeting.

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The Planner introduced the report and explained that full planning permission was sought to extend the area of the Long Acres Holiday Park by 1.7ha in a parcel of land to the east of the existing site.

The proposal did not seek to increase the number of caravans across the wider site, which would remain at a consented maximum of 155 (although it should be noted that only 108 currently occupy the wider site). The extension to the park, without increasing the number of caravans permitted, would enable the provision of larger, higher quality caravans to meet the demand of such units.

The extension to the site was located outside of the development boundary in land designated as countryside. The south-western part of the extension lies in an area at risk of flooding, but outside of the Coastal Flood Risk Hazard Zone. The majority of the site was

located in Flood Zone 1 (a lower risk of flooding than the existing site).

The application was accompanied by a Landscape and Visual Impact Assessment, Flood Risk Assessment / Drainage Strategy and Preliminary Ecological Appraisal. Following comments from Natural England, RSPB and Norfolk Wildlife Trust information to enable the LPA to undertake an Appropriate Assessment in accordance with the Habitat Regulations was submitted.

The application was referred to the Committee for determination at the request of 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, Lydia Plumb (supporting) addressed the Committee in relation to the application.

Councillor Dark (Ward Member) addressed the Committee in relation to Standing Order 34 and outlined his concerns regarding the application.

In response to a comment raised, the Planner explained the definition of a caravan in accordance with the Caravan Act.

Councillor Parish addressed the Committee and stated that he wished to clarify some points within the report and put some matters into context, which officers had felt were not relevant to the application. He added that he had been even handed in his approach to the application and had suggested to the owner that they included some benefits to ecology and wildlife within the application. He had also been neutral in his monthly parish newsletters. He raised concerns which related to:

- Heacham's Emerging Neighbourhood Plan – 3 points from the emerging Neighbourhood Plan that were relevant – 4, 5 and 7 as detailed on page 86 of the agenda.
- The entrance to and exit from the extended site, the relevant points were 4 and 5 of the emerging Neighbourhood Plan.
- Point 7 of page 86 of the agenda – 'Can demonstrate a link to wider tourism or land use initiatives that provide demonstrable benefits to the local area. He considered that this particular application did not do any of these things.

He also explained why the Neighbourhood Plan had been delayed.

He added that there were 2,300 caravans on sites in Heacham, which did not pay Council Tax, so there was no precept from them to support the work of the Parish Council. There were 2,749 domestic

properties in Heacham that did pay Council Tax so effectively in the season the population doubled without funding to support it. The increase could be larger than that because of the size of the caravans and lodges. He explained that a lot of the residents were asking where the line should be drawn, and there had been some objections from residents about the number of caravans and impact on the environment and their own lives.

He referred to page 74 of the report where it stated that the consented site allowed for a maximum of 155 caravans although only 108 currently occupied the wider site and he queried whether the rest of the caravans could be placed there.

The Assistant Director explained that in relation to a comment by Councillor Bone regarding the Neighbourhood Plan, Policy 11 was deleted by the Examiner and an amended policy was put forward and that was the version that had been used and taken into account; this had been agreed with the Parish Council and would be taken forward to referendum.

Councillor Squire expressed concern in relation to the report as it stated that there would be no increase in the number of caravans but there was a difference between the permitted number and the actual number. There was currently 108 and this would be increasing. She also had an issue with the term used within the report 'holiday lodge caravans' as there was no information on what they would look like. There could potentially be a few more hundred people on a site where the RSPB and Norfolk Wildlife Trust list of international significance. The birds were rare and there were only a few nesting sites and that needed to be taken into account. She added that it was rare to get a response from the Norfolk Wildlife Trust and RSPB, so she considered that when a response was received and strongly worded, she had to sit up and take notice.

She also had concerns in relation to the drainage scheme and that sewerage from Heacham had to be taken away by tankers. She also referred to the water quality at Heacham Beach. She was not convinced that there would be suitable drainage arrangements.

Councillor Squire proposed that the application be refused on the grounds of the environmental damage to protected species, overdevelopment that the development was in the countryside. The proposal was seconded by Councillor Bone.

The Assistant Director advised that the site was in the countryside, but policies did allow for tourism development in the countryside, but the landscape impact needed to be assessed. In terms of protected species, this had been looked at carefully and Natural England were the statutory consultee and had not raised an objection to the application. Consultation had been carried out again on 26 January

with the RSPB and Natural Wildlife Trust, but comments had not been received back. With regards to drainage this was conditioned.

The Assistant Director explained there was a legal definition of a caravan to the Committee. He advised that the speaker had said that the caravans would be larger, but they would be conditioned to meet the definition of a caravan.

With regards to the reasons for refusal put forward by Councillor Squire, the Assistant Director cautioned the Committee about going against Natural England, as evidence would be required. He added that it might be difficult at appeal when statutory consultees did not object to the application.

In response to a comment from Councillor Hipperson, the Planner explained that Natural England had withdrawn their objection following additional information that there would not be a significant impact. To date, there had been no comments from the RSPB or Norfolk Wildlife Trust. In fact, the Appropriate Assessment had been carried out on 25 more caravans than what had been applied for.

Councillor Parish also raised the issue of flooding and referred to page 88 of the agenda.

In response the Planner explained the situation with regards to flooding.

In response to comments raised by Councillor Storey, the Planner advised that the site was in the countryside but was not used for agriculture. She also advised that people could bring dogs to the site, but part of the mitigation was to direct the occupiers of the park away from certain areas or to highlight to them that there were protected birds on the beach and to persuade them not to use those areas.

The Assistant Director advised that comments had not been received from the RSPB and Norfolk Wildlife Trust on the further information that had been submitted and Natural England had withdrawn their objection on that basis. He cautioned the Committee to be mindful that those organisations could potentially also withdraw their objection.

Councillor Morley made reference to Heacham's Neighbourhood Plan modifications and the weight that should be given to it. He considered that the scheme would create an increase in traffic movements, waste, loss of countryside and he considered that the weight fell against the application. He added that if the applicant required better caravans, then they should be placed in the existing site.

Councillor Squire agreed with the comments made by Councillor Morley.

The Assistant Director clarified the reasons for refusal being that the application was contrary to the wording of Neighbourhood Plan Policy 11, and the unacceptable impacts of the scheme on the local environment, which outweighed the benefits.

The Democratic Services Officer then carried out a roll call on the recommendation to refuse the application and, after having been put to the vote was carried (15 votes for and 3 abstentions).

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

The proposed development, by virtue of its intrusion into the countryside and additional occupation, would result in unacceptable impacts on the local environment, and has not satisfactorily shown a demonstrable benefit in terms of tourism or land use initiatives to the local area that outweighs this harm. This is contrary to the emerging Neighbourhood Plan policy 11, relevant policies of the Local Plan and the NPPF.

The Committee then adjourned at 10.30 am and reconvened at 10.40 am.

(vi) 21/01983/F
Northwold: Plot 3, Northwold Hall, 3 Little London Road:
Construction of a new dwelling: Ms Natasha Milne

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The Principal Planner introduced the report and explained that the application sought consent for the construction of a new dwelling on parkland to the immediate east of the Northwold Conservation Area at Little London Lane, Northwold.

The application site was wholly outside of the development boundary outlined within the SADMPP and adjacent to the Northwold Conservation Area boundary, which ran along Riverside to the west of the site.

The application had been submitted alongside applications ref: 21/01981/F and 21/01984/F which related to Plots 1 & 2 on the wider application site.

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

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, Barbara Esses (objecting) and Natasha Milne (supporting) addressed the Committee in relation to the application.

Councillor Ryves addressed the Committee in accordance with Standing Order 34, supporting the application on all three applications.

Councillor Holmes raised a query that the applicant had stated that this was a brownfield site, but officers had described it as parkland. He asked if there was a definitive view on this.

The Principal Planner advised that officers considered it to be greenfield. In terms of caselaw, grazing was not considered as brownfield. Google Maps were displayed which did not show any evidence of it being brownfield.

The Principal Planner highlighted where the stables and menage were in relation to the application site and River Wissey.

Officers responded to questions from Councillor Parish regarding self-build, ownership and the status of the site.

The Democratic Services Officer then carried out a roll call on the recommendation to refuse the application and, after having been put to the vote was carried (17 votes for refusal and 1 abstention).

RESOLVED: That the application be refused as recommended.

(vii) 21/01981/F
Northwold: Land west of 3 Little London Road: New two storey dwelling with rendered walls and high insulation with efficient heating (Plot 2): Jody Grief

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

The Principal Planner introduced the report and explained that the application sought consent for the construction of a new dwelling on parkland to the immediate east of the Northwold Conservation Area at Little London Lane, Northwold.

The application site was wholly outside of the development boundary outlined within the SADMPP and adjacent to the Northwold Conservation Area boundary, which ran along Riverside to the west of the site.

The application had been submitted alongside applications ref: 21/01983/F and 21/01984/F which related to Plots 1 & 3 on the wider application site.

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

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 John Martin (objecting) and Charlotte Bennett (supporting) addressed the Committee in relation to the application.

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

RESOLVED: That the application be refused as recommended.

(viii) 21/01984/F

Northwold: Land west of 3 Little London Road: The construction of a dwelling (Plot 1): Mr Malcolm Grief

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

The Principal Planner introduced the report and explained that the application sought consent for the construction of a new dwelling on parkland to the immediate east of the Northwold Conservation Area at Little London Lane, Northwold.

The application site was wholly outside of the development boundary outlined within the SADMPP and adjacent to the Northwold Conservation Area boundary, which ran along Riverside to the west of the site.

The application had been submitted alongside applications ref: 21/01981/F and 21/01983/F which related to Plots 2 and 3 on the wider application site.

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

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 Ian Harper (objecting) and Natasha Milne (supporting) addressed the Committee in relation to the application.

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

RESOLVED: That the application be refused as recommended.

PC26: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

RESOLVED: That the reports be noted.

The meeting closed at 1.00 pm