

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

**Minutes from the Meeting of the Planning Committee held on
Monday, 9th May, 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 F Bone, A Bubb, C J Crofts (sub), A Holmes, C Hudson, B Lawton,
B Long (sub), C Manning, C Morley, E Nockolds, C Rose, J Rust, S Squire,
M Storey, D Tyler and D Whitby

An apology for absence was received from Councillors C Bower, G Hipperson
and T Parish, Parish and Patel

PC56: **WELCOME**

The Chairman, Councillor Mrs Spikings 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.

The Chairman, Councillor Mrs Spikings thanked Councillor G Hipperson for his kindness and support as Vice-Chairman over the last year.

She also welcomed Fiona Croxen from Eastlaw, who was present at the meeting, and would be providing legal advice for the first five applications that were on the agenda.

The Chairman, Councillor Mrs Spikings also announced that the meeting scheduled for 6 June 2022 would be rescheduled to 15 June. Other changes in July would be communicated to the Committee.

PC57: **APPOINTMENT OF VICE-CHAIRMAN**

RESOLVED: That Councillor D Tyler be appointed as Vice-Chairman for the meeting.

PC58: **APOLOGIES**

Apologies for absence were received from Councillors Bower (Cllr Long sub), Hipperson, Parish (Cllr Morley sub) and Patel (Cllr Crofts sub).

The Chairman thanked the substitutes for attending the meeting.

PC59: **MINUTES**

The minutes of the meeting held on 4 April 2022 were agreed as a correct record and signed by the Chairman, Councillor Mrs Spikings.

PC60: **DECLARATIONS OF INTEREST**

The following declarations of interest were declared:

Councillor Long declared a non-pecuniary interest in relation to item 8/2(a) – Heacham as was related to the applicant who was his cousin. He also declared a non-pecuniary interest in item 8/2(b) as he was the Chair of West Norfolk Property Ltd, who might obtain some of the homes in the future.

Councillor Tyler added that he knew former Councillor Tony White who was the applicant for 8/1(b) – Northwold.

Councillor Bubb declared a pecuniary interest in item 8/3(a) – Dersingham, as he was the applicant.

PC61: **URGENT BUSINESS UNDER STANDING ORDER 7**

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

PC62: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

PC63: **CHAIRMAN'S CORRESPONDENCE**

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

PC64: **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.

PC65: **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) – (xi) below, where appropriate, to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chairman.

- (i) **20/01893/FM**
Downham Market: Land east of 160 and west of roundabout, Bexwell Road: Erection of a new Lidl Food Store (Use Class E) with associated car parking and landscaping: Lidl Great Britain Limited

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Councillor Holmes left the meeting and addressed the Committee in accordance with Standing Order 34. He did not take part in the debate or vote on the matter.

The Principal Planner introduced the report and reminded Members that this application had been considered on 4 April 2022. The Committee were minded to approve the application, subject to discussions taking place to identify both the scale of the financial contribution and what it would be used for. The package would then come back to the Planning Committee for ratification and formal confirmation of the Committee's decision to approve. Any mitigation measures would need to be subject to a Section 106 and appropriate conditions imposed.

It was reported that discussions had taken place with the Town Council and the applicant with respect to the scale of the financial contribution and for what it could be used for.

The Principal Planner drew the Committee's attention to page 28 of the agenda where it outlined some potential projects that the £50,000 could be used towards. She explained that if the Committee were satisfied with the sum of £50,000 and the potential projects it could be used towards, and that it was still considered to be suitable and adequate mitigation to offset any harm identified, then this could be secured through a Section 106 legal agreement.

The Principal Planner also drew the Committee's attention to the late correspondence, which contained a number of draft conditions in case the Committee determined to approve the application.

In accordance with the adopted public speaking protocol, Barry Wiles (objecting), George Dickson (objecting), Kate Bueloch (supporting) and

Richard Huteson (supporting) addressed the Committee in relation to the application.

Councillors Holmes (supporting), Ratcliffe (supporting) and Ryves (objecting) addressed the Committee in accordance with Standing Order 34.

In speaking in support of the application, Councillor Long proposed that the application be approved with the payment of £50,000. This was seconded by Councillor Storey.

Councillor Storey added that he supported the application and at the previous meeting, permission had been granted for 300 dwellings not too far away from the site demonstrating that Downham Market was a growth area. The proposal also provided choices for the people of Downham Market and the surrounding area. The proposal also provided 40 jobs for local people. Also, 310 individuals supported the application, with 22 people against. He also considered that the proposal would benefit people from the rural parishes. He referred to the potential CIL payment coming forward together with the financial contribution of £50,000, amounted to a great deal. He considered that this was the right project, in the right place at the right time. He did hope that if permission was granted, Lidl would prove to be a good neighbour to the existing residents.

Councillor Crofts added that CIL money was a separate matter. He considered that if permission was to be granted it would have an effect not only on the other supermarkets but the other shops that Downham Market had to offer. It had a thriving town centre including a market. He considered that the applicant should offer a greater financial contribution towards the vibrancy of the town centre.

Councillor Bone stated that there was another pressure on town centres which was the internet.

Councillor Morley stated that no-one had been able to identify the damage that would be caused to the town centre, and no-one had been able to decide what mitigation was needed. The pandemic had shown that town centres needed a different proposition and just trying to put a discounted supermarket in the middle would not solve the problem. In these inflationary times, residents should not be denied the opportunity to purchase discounted food from a store with an extensive car park for people of different abilities and ages. 40 extra jobs were significant over a period of time. He added that he supported the application.

Councillor Squire outlined her concerns to the application and added that the financial contribution should be greater, and they were not contributing sufficiently towards Downham Market. The design of the store also matched every other Lidl store and did nothing to blend in with the countryside. CIL money would not necessarily come to

Downham Market. Town Centres around the country were struggling and this would affect the smaller traders the most.

Councillor Bubb referred to the financial contribution of £50,000 which he considered might pay for some enhancements, but these would have to be maintained. He made reference to what had happened in Heacham, with the loss of the butchers, fish shop, bakers and a small supermarket. He considered that it would have a detrimental impact on the town centre. He asked whether there was a right-hand turn lane proposed, into the car park.

The Principal Planner confirmed that there was a right-hand lane proposed and this was highlighted on the plans.

Councillor Bubb suggested that the right-hand lane turn be removed, and people be forced to go round the roundabout and come back the other way to enter the car park. In response the Assistant Director advised that County Highways were satisfied with the proposed access arrangements and had been looked at in conjunction with the Highway Engineers for the McDonalds restaurant.

Councillor Hudson explained that the proposed supermarket would also be of benefit to the villages surrounding Downham Market.

The Chairman, Councillor Mrs Spikings agreed that there would be the creation of 40 jobs, but this needed to be balanced against the jobs that would be lost. She also expressed concern on the impact the proposal would have on the neighbour at 160 Bexwell Road. She referred to page 20 and the financial contribution and queried what that would provide. She also had concerns in relation to the provision of a bus and queried how people could do a weeks' shop using the bus. She considered that the amount of £50,000 was not enough and should be increased.

Councillor Rust stated that she was concerned about the impact on the existing residents and on balance she felt that the harm of the proposal would outweigh any benefits.

Councillor Storey added that having a Lidl supermarket might encourage people to use the shops in the town centre.

The Chairman referred to the proposal to approve the recommendation by Councillor Long, seconded by Councillor Storey that the benefit of the proposal outweighed the harm as the proposal would create jobs, would be an amenity for the people of Downham Market and the surrounding areas, and would enhance the form and character of the area. This would include the conditions outlined in late correspondence.

She drew the Committee's attention to the late correspondence and the need to amend condition 19 which referred to the opening hours being 07:00 – 23:00 but should read 07:00 – 22:00.

The Chairman, Councillor Mrs Spikings clarified that the recommendation was to approve the application with the conditions outlined in late correspondence, and the correction to Condition 19 as detailed above. There would also need to be a Section 106 agreement to be signed within four months of the date of the resolution to approve the application, to secure the proposed financial contribution.

The Democratic Services Officer then carried out a roll call on the recommendation as detailed above and, after having been put to the vote, was carried (9 votes for approval and 7 votes against).

RESOLVED: That the application be approved subject to the signing of a Section 106 agreement within four months of the date of the resolution to approve the application, and the imposition of conditions reported in late correspondence with the amendment to condition 19 to read 07:00 – 22:00.

The Committee then adjourned for a comfort break at 10.45 am and reconvened at 10.55 am.

**(ii) 21/02103/FM
Northwold: Jensons Way, Whittington: Phased
development of 10 dwellings built to Passivhaus standards,
using existing entrance from Jensons Way: Councillor
Tony White**

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The Principal Planner introduced the report and explained that the application was deferred from the 7 March 2022 meeting, to allow consideration of an amended site plan prior to the meeting. An updated response from the Local Highway Authority had been received and was discussed within the report (in bold text). Additional information had also been provided with regards to the noise survey and comments received from CSNN.

The application had been referred to the Committee for determination as it had been called in by Councillor Ryves and had been deferred from the Planning Committee meeting held on 7 March 2022.

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, Andrew Bennett (objecting), and Matt Sawyer (supporting) addressed the Committee in relation to the application.

Councillor Ryves addressed the Committee in relation to Standing Order 34.

In response to a comment made by Mr Sawyer, the Planning Control Manager advised that he had referred to a development to the north, which was directly adjacent to the A134, and was a small group of 6 dwellings permitted under Policy DM3 and explained the differences between the two applications, and this application proposed major development in a Smaller Village and Hamlet.

Councillor Long stated that the site was technically 'road locked' with a road to the north and to the south and local residents were concerned over the speed that the roads were being travelled on but presumably the speed that was being travelled on was in front of existing housing and whether any access / entrance would therefore be classed as safe. He added that if Highways deemed it to be safe and that the speed limit was what it should be then the only thing that additional housing would bring was the greater likelihood of having the speed limit reduced if appropriate. He used Marshland St James as an example. The speed limit had been reduced to 40 mph and met the criteria and there was another development to the east of the site. He added that he could see where the applicant and agent were coming from in terms of the sustainability of the proposal and Policy DM3 needing to be considered. He added that he supported the building of more homes as they were needed. He added that the development should not only be built to passivhaus standards but should include solar panels and photo-voltaic cells instead of roof tiles and try and get a high-end eco development with charging points at the property so the occupiers could live more sustainably. He added that he would be struggling to refuse the application.

Councillor Bubb added that he supported the application but queried how would the passivhaus standards be enforced.

The Assistant Director added that officers still maintained that this was the correct recommendation of refusal however, if the application were to be approved and weight was given to that issue, then it would need to be conditioned that the development was built to passivhaus standards. Also, the Committee might want to consider removing permitted development rights.

Councillor Squire added that the site was not what she would consider as countryside. With regards to noise, she added that anyone who brought a house on the site would be aware of the noise. She also agreed with the suggestion that it should be conditioned that the application be built to passivhaus standards and permitted development rights be removed.

Councillor Tyler stated that after examining the papers, he could not see a reason to refuse the application. He added that the proposed development would be provided, together with the two social houses,

to a high standard, therefore development should be allowed to take place outside of the development boundary. The proposed properties would use just 5% as much energy as a regular house reducing heating bills and would be the greenest of all houses thus the Borough would be complying with its green agenda. There was no objection from the Local Highway Authority, the Parish Council, CSNN, Environmental Quality, the Housing Officer and Historic Environmental Service. He added that the matter of speeding vehicles should not be a planning matter and should be dealt with by the proper authority who were the Police.

Councillor Tyler therefore proposed that the application be approved, on the grounds that the application complied with DM3. This was seconded by Councillor Mrs Nockolds.

The Chairman proposed that a condition be imposed requiring hedging to be planted outside of the fencing to soften it. This was agreed by the Committee.

The Chairman also proposed a condition to ensure that the development was built to passivhaus standards and that permitted development rights be removed. This was agreed by the Committee.

The Assistant Director advised that in relation to the reasons for approving the application, reference could be made to paragraph 79 of the NPPF.

The Chairman, Councillor Mrs Spikings added that mention had been made of EV charging points and solar panels and whether this needed to be included.

Councillor Crofts stated that this was an application in the countryside and if it had not been called in by a Councillor would have been refused under delegated powers. Schemes of this nature had only been approved in the past when the Council did not have a 5-year land supply, but the Council now had a 7-year land supply. He explained that applications that had been approved had to be sustainable and close to facilities. He asked how close to schools the development would be.

The Planning Control Manager advised that there were no schools in Whittington, and children had to use the schools in nearby villages.

Councillor Crofts continued and added that this was a stand-alone application and development in the countryside. He added that the development was not sustainable. He added that reference had been made to Norfolk County Highways being happy with the scheme, but it was the Planning Committee who made the decision on the application, not County Highways. They were only looking at the changes to the access arrangements. He added that the planning decision was made by the Planning Committee, and he did not see

how this was a sustainable development and there were other sites that could be developed closer to facilities.

Councillor Storey stated that he was known to the applicant, and he did not take into consideration the ownership of the land. He did not feel that the site was in open countryside. Development had been approved on other sites in Whittington. The Parish Council did not have any objection to the application but had raised concerns in relation to the speed reduction and social housing. He added that he was mindful of the policy objections and objections raised by the public speakers. He added that the Borough did need houses built out. He believed that this was the right site for a high-quality development. He also agreed with the proposed conditions that had been forward.

Councillor Morley agreed with the comments made by Councillor Crofts. He referred to the provision of two affordable homes and added that the occupiers would be isolated, as it was not a sustainable location.

The Chairman asked for clarification in relation to the development opposite the site as to whether affordable housing had been provided.

Councillor Rust stated that the affordable housing was not social housing, and it should not be referred to as such. She added that one of the houses would be for first homes and then it would be lost and back on the market. The other one was for rent and queried who would want to rent there as they would be dependant on the car particularly with the price of fuel. She added that the Committee had granted permission for the other site, as it was felt it would be a benefit to the local area, but this was countryside.

The Assistant Director informed the Committee that the other site had given a contribution towards affordable housing, in accordance with policy requirements for a site of that size.

Councillor Tyler and Councillor Nockolds clarified their reasons for approving the application.

The Assistant Director clarified that from the discussions the proposal was considered to comply with Policy DM3, which did allow small groups of high quality housing to be developed.

The Chairman added that those supporting the application considered that it did embrace policy DM3, because the scheme would provide sustainable benefits as the buildings would be built to passivhaus standards and there was no highways objection. Also, two affordable housing units would be provided.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application, subject to the completion of a Section 106, and the imposition of conditions to be agreed with the

Chair and Vice-Chair and would include a hedge to be planted on the outside of the fencing, EV charging points, the buildings being built to passivhaus standards and the removal of permitted development rights and, after having been put to the vote, was carried (10 votes for and seven votes against).

RESOLVED: That the application be approved, contrary to recommendation, and subject to the completion of a Section 106, and the imposition of conditions to be agreed with the Chair and Vice-Chair and would include a hedge to be planted on the outside of the fencing, EV charging points, the buildings being built to passivhaus standards and the removal of permitted development rights, for the following reasons:

The proposal complies with DM3 as it provides sustainable benefits by providing passivhaus design, safe access, passivhaus design and provides community benefit in the form of affordable housing.

(iii) 21/01877/FM

Heacham: Meadows Caravan Park: Proposed extension to an existing established static caravan site: McDonnell Caravans

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The Planning Control Manager introduced the report and explained that the application was for an extension to an existing caravan site located to the west, which benefitted from 10 approved static caravans. This application was for the proposal of an additional 36 static caravans with an associated access route, individual parking provision and landscaping. The application site measured approximately 2.4 hectares.

The site was located outside of the development boundary for Heacham and therefore within land designated as countryside. The site was within 280 m of the boundary of the North Norfolk AONB to the east. The AONB also came within 650 m of the site to the south.

The application had been referred to the Committee for determination as the views of the Parish Council were contrary to the officer's 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, Tracy Raby (objecting), Graham Reader (object) and Mike McDonnell (support) addressed the Committee in relation to the application.

Councillors Dark and Parish addressed the Committee under Standing Order 34.

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the correction to conditions 7 and 11, as outlined in late correspondence.

In response to comments made, the Planning Control Manager advised that there was no seasonal restriction there as the site was not within the coastal hazard zone. It was basically to restrict the development to short stay holiday accommodation to encourage the flow of visitors moving and that policy was in accordance with the Local Plan.

Councillor Morley stated that the extension of the caravan site was more like a new site of new second homes. He expressed concern that policies were being ignored. He referred to the traffic congestion experienced in the area. He supported the views of the Parish Council.

Councillor Hudson expressed concern that the caravans were being advertised as second homes, but it had just been said that people could not stay in them for more than 28 days. She asked if they were going to be second homes. She added that there would be no additional benefits for the people of Heacham by the proposal. She therefore could not support the application.

Councillor Rust added that the Committee had just been recommended to refuse an application because it was in open countryside, and this was land within the designated countryside, but it was also in an area of outstanding natural beauty and therefore the Committee should not be supporting it and while it does say in the NPPF and local plan acknowledge the importance of supporting the rural economy and the importance of tourism, if these were going to be owner occupied then people were not going to be spending the same amount of money. She concluded that she did not think that another 36 caravans were needed in Heacham.

Councillor Bone stated that if the caravans were going to be owner occupied then there would not be the same spend that they would if people were on holiday. He added that the effort that communities go to in preparing and writing a neighbourhood plan and these should be adhered to.

The Chairman, Councillor Mrs Spikings reminded the Committee that the Neighbourhood Plan was a material consideration, but it had not yet been voted on.

Councillor Squires queried whether if this application had come forward after the publication of the Local Plan whether there would be a different recommendation. She also considered that they would be homes. She referred to the Norfolk Coast Partnership and CPRE reports were noted, and she had to find the reports on the website and appeared in late representations. She stated that they contained a lot of information, and they were worried about the application. The

scheme did not offer any ecological benefits. She had that Heacham beach water quality was one of the worst in the country and this site would drain into the Heacham main drain and would not help to improve the situation.

The Chairman, Councillor Mrs Spikings added that she had listened carefully to everyone and added that she considered that there would not be any impact as at the back of the site was Lidl. The site was Flood Zone 1. It was a 28-day site and gave the message that West Norfolk was open for business. Because of Covid, there had been a reduction in people wishing to travel abroad and people wanted to come to West Norfolk. It was a well-managed site and there was to be a survey on how many caravans there were in the area carried out. She considered that it was in right place and was the right offer. It did comply with relevant planning policies.

Councillor Long added that he considered that the site was not within the AONB.

Councillor Storey added that this type of holiday was popular now.

The Assistant Director added that this application was finely balanced. During the debate it had been touched on the issue of second homes, and the business model indicated that they would be sold as private but that was something that the Committee needed to consider.

Councillor Hudson referred to condition 4. The Planning Control Manager referred to the late representations where it stated that the caravans would be in private long-term rent. Condition 4 stated that the caravans should be used for short stay holiday accommodation (no more than 28 days) and shall not be occupied as a person's sole or main place of residence. In addition, the owners / operators shall maintain an up-to-date register of visits / occupations and make those available at all reasonable times to the Local Planning Authority.

It was stated that the applicant had asked for that be removed.

The Chair proposed that the application be deferred for clarification to enable further discussions with the applicant, which was agreed by the Committee.

Councillor Morley stated that it was important that the conditions were enforced.

The Committee then adjourned at 12.45 pm and reconvened at 1.18 pm.

Upon reconvening, the Planning Control Manager advised that the applicant had clarified that they would not be second homes, and his client base was roughly for people who lived around 2 hours away, they were for long weekends, holidays and retreats. People would own

the caravans but rent the plots from the applicant and he would let families stay there. He operated the same business model for all his other parks.

The Democratic Services Officer then carried out a roll call on the recommendation to approve subject to corrections to conditions 7 and 11 (as outlined in late correspondence) and, after having been put to the vote, was carried (9 votes for, 6 against and 1 abstention).

Councillor Holmes did not vote on the matter, as he had left the meeting during the debate.

RESOLVED: That the application be approved, as recommended, subject to corrections to conditions 7 and 11, as outlined in late correspondence.

(iv) 21/00855/FM

King's Lynn: Front Way: The construction of 96 dwellings associated access roads, footways and new areas of public open space and associated external works: BCKLWN

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The Principal Planner introduced the report and explained that the application sought full planning permission for the construction of 96 no. dwellings, associated access roads, footways and new areas of public open space. Access would be gained from the east via Aconite Road and from the west via Front Way. Fourteen of the proposed units would be affordable homes in accordance with the 15% policy requirement specified by Policy CS09 of the Core Strategy.

The site covered an area of approximately 3.4 hectares and formed part of a wider housing allocation for King's Lynn – land at Lynnsport under Policy E1.7 of the Site Allocations and Development Management Policies Plan 2016 (SADMPP). It was also located within the development boundary of the town, as depicted on Inset E1 of the SADMPP.

The site previously benefitted from planning permission for the construction of 82 no. dwellings, associated access road, footways, new areas of public open space and associated external works under planning permission 16/02227/FM, however this development was never commenced and had since lapsed.

The current application sought to amend the previously approved scheme, largely retaining the previously approved green spaces and key routes through the site but making changes to the design of the houses and the approved site layout to allow a slight increase in the overall number of units and affordable homes. The revised scheme also now incorporated green technologies into all of the proposed homes.

The site currently comprised informal open space and a disused hockey pitch. To the north and east was existing residential areas accessed from Aconite Road and to the south the site abutted the Bawsey Drain with the Lynnsport complex situated beyond. Immediately to the west was an existing pedestrian and cycle path that linked up with Edward Benefer Wat to the north and connected to Gaywood to the south. Beyond the pedestrian and cycle route was Front Way, which was a part of the main Lynnsport access road with residential properties situated along its western side.

The site was located within Flood Zone 3 as identified on the Council's Strategic Flood Risk Assessment (SFRA maps).

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

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, Mr M J Ray (objecting), James Grant (supporting) and F Bootman (supporting) addressed the Committee in relation to the application.

The Planning Control Manager displayed images of the other types of housing that had been built over the overall scheme and the proposed housing for this phase.

Councillor Rust added that she used Lynnsport nearly every day and the play area was packed all the time. With the addition of additional housing, as proposed, it would be insufficient for the needs of families in that area. 14 additional houses was not a slight increase. There were concerns locally over the opening up of Aconite Road and whilst NCC stated that it met their safety tests, residents of that area did not share that confidence. She added that you only had to go down any of those areas and it was evident that people were still using cars. The hockey pitch was only disused as it was taken out of stock.

The Assistant Director advised that with regard to the hockey pitch, two new ones and tennis courts had been provided, as the whole Lynnsport area had been planned with the new facilities, including that the large play area.

Councillor Bone referred to the pepper-potting on the site and would come forward quite late in scheme. He also asked whether a condition could be imposed, as put forward by Mr M J Ray, in relation to cycle safety.

The Assistant Director advised that without County Highways being present at the meeting he was hesitant to add a condition of that

nature. He did suggest that the wording could be amended to ensure that due regard was given to LTN1/20.

The Planning Control Manager highlighted the affordable housing to be provided with the scheme.

Councillor Bubb added that he liked the scheme but considered that Aconite Way should be for emergency access only.

The Assistant Director explained the access proposals and that County Highways had no objections to those proposals.

Councillor Bubb then proposed that a site visit be carried out but there was no seconder for the proposal,

Councillor Long, in supporting the application, stated that the other phases had to be taken in consideration with regards to the provision of affordable housing, which was tenure blind. He added that families did use the play areas and 14 additional units was a small addition to the numbers.

Councillor Hudson expressed concern in relation to the access and roads. She added that it was very tight for cars to pass. She informed the Committee that some trees had been removed.

Councillor Morley referred to the affordable housing contribution and that an objector had stated that the proposal would block sunlight and asked if it had been checked. He also made reference to the comments from the Environmental Quality Officer.

In response the Planning Control Manager advised that the case officer had been out and taken a view on the situation, as reported on page 74 of the agenda.

Councillor Morley asked how many trees were to be removed and how many would be retained.

The Arboricultural Officer advised that he did not have the overall numbers of trees that would be removed. He added that he had worked with the designers on this application and tree removal had been kept to a bare minimum and it was hoped that planting would enhance the site.

The Council's Housing Enabling Officer explained that the 15% affordable housing contribution came from Policy CS09 which set affordable housing contribution at 15% in King's Lynn and 20% across the remainder of the Borough. This came from the Local Plan Viability Study which was updated last year and contained calculations which looked at the viability of various types of sites across the Borough and contributions not only to affordable housing but other types such as CIL

and other policy requirements. It resulted in a 15% requirement for King's Lynn still being appropriate.

The Chairman asked what the type of trees were that were to be removed.

The Arboricultural Officer explained that none of the trees to be removed were covered by a TPO or in a conservation area.

It was proposed by the Chairman and agreed by the Committee to defer determination of the application until later in the meeting when the information regarding the types of trees could be clarified and agreed by the Committee.

Later in the meeting it was confirmed that the Environmental Quality Officer had asked for clarification on whether there were any gas protection measures. It was explained that there would be gas membranes built into the scheme itself and no further action was required, and an existing condition had been imposed that if there was any unexpected contamination then further details would be required.

The Arboricultural Officer informed the Committee that in total 94 trees would be removed, the majority of them or all of the trees had been removed, as there was no statutory protection of any of the trees on the site. In total 100 trees between standard and whips would be replanted. Also 1449 hedging plants would be put in across the site.

The canopy reduction of approximately 2 m off the southern edge of the canopy would enable the development to continue.

With regards to the impact of light the Assistant Director advised that 21m separation distance could be demonstrated, which was considered acceptable. It was not known which property would be impacted but an assessment was made on the relationship between the properties.

The Legal Advisor explained that a right of light was not a planning issue.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application subject to the amendment to condition 2 to include reference to LTN1/20, after having been put to the vote, was carried (16 votes for and 1 abstention).

RESOLVED: (A) That the application be approved, as recommended, subject to conditions and the completion of a Section 106 Agreement to secure affordable housing provision, library contribution, open space and habitat mitigation payment within 4 months of the date of the resolution to approve and the amendment to condition 2 to include reference to LTN1/20.

(B) That the application be refused on the event that the Section 106 Agreement to secure affordable housing provision, library contribution, open space and habitat mitigation payment is not completed within 4 months of the date of the resolution to approve.

(v) **22/00461/F**

Methwold: Land south of 22 east of 12 Thornham Road and north of 40 Holme Brink Farm, 22 Thornham Road: Proposed dwelling: Mr Andrew Wortley

[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 consent for a site of 0.97ha currently in use as agricultural land for the construction of a substantial detached four bedroom two-storey dwelling with a large garage, a driveway with parking / turning and a large area of amenity space. Access was proposed via Thornham Road.

The application site was located to the north-east of Thornham Road, Methwold to the north-east of the village. The site was adjacent to but located outside the development boundary for the village, as shown on Inset Map G59 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016). Methwold was designated as a joint Key Rural Service Centre in the adopted Local Plan.

The site also adjoined the boundary of Methwold Conservation Area.

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 adopted public speaking protocol, Mr A Wortley (supporting) addressed the Committee in relation to the application.

Councillor Storey stated that he would like to support the application. Councillor Storey also stated that he used to farm the field where the application was proposed.

In response to a query from the Chairman, Councillor Mrs Spikings about exceptional design, the Assistant Director referred to paragraph 80 of the NPPF and its criteria.

Councillor Long stated that he would like to support the application with an agricultural restriction imposed. In response, the Assistant Director reminded the Committee that there was an objection from the Conservation Officer and there was a legal duty to take into account the impact on the conservation area.

In relation to the imposition of an agricultural occupancy condition, the Principal Planner drew the Committee's attention to page 132 in the supporting case by the applicant. No evidence had been submitted that this was an agricultural worker's dwelling in relation to paragraph 80 of the NPPF. There had been no evidence put forward to outweigh the policy objection.

Councillor Storey proposed that the application be approved, which was seconded by Councillor Morley on the grounds that the development would not have a detrimental impact on the form and character of the locality due to the design of the building. It would also be a self-build development. The build was high quality with full disabled facilities.

Councillor Crofts stated that planning reasons needed to be given. Everything that had been put forward in the supporting case were personal planning reasons.

The Democratic Services Officer then carried out a roll call on the proposal to approve the application and, having been put to the vote, was carried (15 votes for and 2 against).

RESOLVED: That the application be approved, contrary to recommendation, subject to the imposition of appropriate conditions following consultation with the Chair and Vice-Chair for the following reasons:

The proposed development enhances the form and character of the area, the design is of high quality and exceptional build with disabled facilities enabling the building to have a multi-faceted future for occupancy.

The Committee then adjourned at 2.45 pm and reconvened at 3.00 pm. Councillors Storey and Squire left the meeting.

The Chairman proposed that following completion of applications 8/3(a) and 8/3(b) the meeting be adjourned until Thursday 12 May 2022, which was agreed by the Committee.

(vi) 22/00344/F
Dersingham: Talltrees, 7 Centre Vale: Conservatory extension: Mr & Mrs Bubb

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Councillor Bubb left the meeting as he was the applicant.

The Planning Control Manager introduced the report and explained that the application sought planning permission for a single storey extension to the west side of the property and would create a new conservatory. The dwelling was positioned on a corner plot, fronting

Centre Vale Road and was host to a detached bungalow constructed from facing brickwork with white upvc windows and doors.

The site was located within the settlement boundary of Dersingham, which in planning policy terms was identified as a Key Rural Service Centre within the Core Strategy and SADMPP and was considered to provide basic day to day facilities and could accommodate a small amount of growth.

The application had been referred to the Committee for determination as the applicant was a Borough Councillor.

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

The Principal Planner drew the Committee's attention to the correction in late correspondence.

The recommendation to approve the application was put to the vote and after a show of hands was carried.

RESOLVED: That the application be approved as recommended.

(vii) 22/00289/F

King's Lynn: Springwood High School, Queensway: To install 2 Portakabin classroom buildings for a temporary period of 260 weeks: Mr Steven Bowdery

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

The Principal Planner introduced the report and explained that the application related to Springwood High School located at the northern end of Queensway, King's Lynn.

Permission was sought for the installation of two portacabin classrooms for a temporary period of 260 weeks (5 years).

King's Lynn was classified as the Sub-Regional Centre for the Borough within the Core Strategy's Settlement Hierarchy, which was the focus for major planned growth.

The application had been referred to the Committee for determination by Councillor Rust.

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 P Award addressed the Committee in relation to the application. The Democratic Services Officer read out a letter from Mr Bowdery (applicant) who could no longer be present at the meeting.

Councillor Rust outlined her concerns to the application.

Councillor Long stated to the concerns raised by the Ward Member Councillor Rust and the public speaker and stated that it was something that the school needed to address, and he welcomed an application for extra parking provision.

Councillor Nockolds added that the school needed to consider adopting a travel plan.

The Chair suggested that an informative be added to the decision notice expressing the Committee's concerns over the lack of car parking and the dis-amenity being experienced by neighbours.

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 and 4 abstentions).

RESOLVED: That the application be approved as recommended, subject to an informative being added to the decision notice.

The following items were adjourned to the reconvened meeting being held on Thursday 12 May 2022.

- (i) **20/01954/RMM**
South Wootton: Land north-west of South Wootton School, off Edward Benefer Way: Reserved matters application following outline planning permission 17/01151/OM for the construction of 450 dwellings with associated infrastructure to include access, landscaping, appearance, layout and scale: Larkfleet Homes Norfolk and Suffolk
- (ii) **22/00461/F**
Pentney: 1 Abbey Lakes Close: Variations of conditions 2 and 3 of planning permission 19/01495/F: Proposed garage and boat store: Mr E McDonnell
- (iii) **21/01596/F**
Walsoken: Elme Hall Hotel, 69 Elm High Road, Emneth: Proposed change of use from a hotel to a large HMO (Sui Generis): Mr D Cornetta
- (iv) **21/02397/F**
Walsoken: Rosalie Farm, Lynn Road: Proposed conversion and extension of silos to form dwelling: Mr Clark

The meeting closed at 3.30 pm

