

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

**PLANNING COMMITTEE**

**Minutes from the Meeting of the Planning Committee held on Thursday, 6th June, 2024 at 9.30 am in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ**

**PRESENT:** Councillor T Parish (Chair)  
Councillors B Anota, T Barclay, R Blunt, A Bubb, M de Whalley, S Lintern,  
B Long (sub), S Ring, C Rose and Mrs V Spikings

**PC1: WELCOME**

The Chair welcomed everyone to the Reconvened Meeting of the Planning Committee. He reminded the Committee that the meeting was being recorded and streamed live to You Tube.

He then invited the Democratic Services Officer to conduct a roll call to determine attendees.

**PC2: APOLOGIES**

Apologies for absence had been received from Councillors Coates, Devulapalli, Everett, Heneghan, Ryves, Storey and Tyler

**PC3: DECISION ON APPLICATION**

**23/02195/F**

**King's Lynn: Land at Freebridge Farm, Clenchwarton Road, West Lynn: Variation of conditions 2, 4, 16 and 17 of Planning permission 22/01332/F: Variation of condition 2 of planning permission 20/01685/FM: Highways depot comprising maintenance building salt barn and ancillary offices plus parking and landscaping: National Highways**

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The case officer reminded the Committee that determination of the application had been adjourned for a site visit, which had taken place prior to the reconvened meeting. She introduced the report and outlined where the Committee had been during the site visit.

The case officer advised that there was a permitted scheme for the site and outlined the changes to the scheme.

The Chair informed the Committee that Councillor Kemp had requested to speak on the application under Standing Order 34.

*The Committee then adjourned at 10.40 am for 10 minutes to allow for legal advice.*

The Committee reconvened at 10.50 am. The Legal Advisor advised that having reviewed Standing Orders, the opportunity to address the Committee should have been taken on Monday.

The Chair pointed out that Councillor Kemp's comments had been included within the report on page 85.

In response to a question from Councillor Ring, the Planning Control Manager clarified the distances involved from the acoustic fence.

The Council's Arboricultural Officer advised that in relation to the trees, under common law rights, the owner of the land had the right to prune back to the boundary line anything that was overhanging.

The case officer clarified the location of the acoustic fence.

The Chair asked whether the changes that the applicant wanted would be at the neighbour's detriment, rather than the original application.

The case officer explained that it had been acknowledged within the officer's report that the amendments would result in a retrograde step in terms of the amount of landscaping proposed and the proximity of the acoustic barrier with the residential property to the east. The question that the Committee needed to consider was whether it was acceptable in terms of the issues raised.

In response to a comment from Councillor de Whalley, the case officer advised that the Committee needed to consider what was in front of them. In terms of the necessity the applicants had looked at the operational requirements and they needed more land for operational necessity.

Councillor Mrs Spikings asked whether there was any reason why there could not be an earth bund rather than the fence. She preferred the previous application.

The case officer advised that the applicants needed as much land on the site as possible and in their view the only way to achieve that was to remove the bund and replace with the fence.

Councillor Lintern added that having seen the application from the applicant's side, there was some light coming through the trees and a solid block behind the trees would limit that light. The overshadowing and lack of light coming through was an issue however the trees would grow and fill in but currently it would make a difference, and she would like to see the fence further away from the trees.

In response to a comment the case officer explained that the crown of the conifer hedge was being lifted. She also displayed to the Committee an image of a green barrier and explained that it was conducive to allow plants to grow on it.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application and, having been put to the vote, was lost on the Chair's casting vote (5 votes for, 5 votes against).

The Chair then proposed that the grounds of refusal were that the location of the acoustic fence was a retrograde step compared to the previously approved scheme, the location and height of the acoustic barrier is closer to the neighbour than previously approved and would therefore have an overbearing impact and loss of light would be detrimental to the amenities of the neighbour contrary to the NPPF CS08 and DM15 of the Local Plan. This was seconded by Councillor Lintern.

The Democratic Services Officer then carried out a roll call on the reasons for refusal and, after having been put to the vote was carried (5 votes for 1 against and 4 abstentions).

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

*The proposed development, by reason of the location and height of the acoustic barrier which is closer to the neighbouring property to the southeast of site than the permitted scheme, would result in unacceptable overbearing impacts and loss of light that would be detrimental to occupiers of the neighbouring property. The development is therefore contrary to the NPPF and Development Plan policies CS08 and DM15.*

**The meeting closed at 12.48 pm**