

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

**PLANNING COMMITTEE**

**Minutes from the Meeting of the Planning Committee held on  
Monday, 28th July, 2025 at 9.30 am in the Assembly Room, Town Hall,  
Saturday Market Place, King's Lynn PE30 5DQ**

**PRESENT:** Councillor F Bone (Chair)  
Councillors B Anota, T Barclay, R Blunt, A Bubb, M de Whalley, T de Winton,  
P Devulapalli, S Everett, J Kirk, S Lintern, B Long, C Rose, A Ryves and  
Mrs V Spikings

**PC23: APOLOGIES**

Apologies for absence were received from Councillors Fry (sub – Cllr Kirk) and Storey (sub – Cllr Long).

The Chair thanked the subs for attending the meeting.

**PC24: MINUTES**

The minutes of the meeting held on 30 June 2025 were agreed as a correct record and signed by the Chair, subject to the amendment below:

Councillor Lintern proposed an amendment to the minutes on page 17 to amend the paragraph 'The Legal Advisor explained the background and requirements of Class Q to the Committee and that *material considerations need to be consistent in decisions being made*'. This was agreed by the Committee.

**PC25: DECLARATIONS OF INTEREST**

There were no declarations of interest.

**PC26: URGENT BUSINESS UNDER STANDING ORDER 7**

There was none.

**PC27: MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillors attended and addressed the Committee:

Councillor Bearshaw	9/1(a)	Clenchwarton
Councillor Parish	9/2(a), 9/2(b)	Heacham
Councillor Beales	9/3(a)	Great Massingham

PC28: **CHAIR'S CORRESPONDENCE**

The Chair reported that he had not received any correspondence.

PC29: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

A copy of the late correspondence received after the publication of the agenda, which had previously been previously circulated, was received. A copy of the agenda would be held for public inspection with a list of background papers.

PC30: **DECISION ON APPLICATIONS**

The Committee considered schedules of applications for planning permission submitted by the Assistant Director for Planning and Environment (copies of the schedules were published with the agenda). Any changes to the schedules will be recorded in the minutes.

**RESOLVED:** That the application be determined, as set out at (i) – (iv) below, where appropriate to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chair.

(i) **25/00451/F**

**Clenchwarton: The Barn, Station Road: Proposed condenser unit: Mr M Means**

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The case officer presented the report and reminded the Committee that the application had been deferred from the Planning Committee meeting held on 30 June 2025, as additional comments and queries relating to the proposed noise level condition were provided, which required further consideration prior to a decision being made on the application. The additional comments had been included within the officer's report.

Planning permission was sought for a proposed condenser unit at The Barn, Station Road, Clenchwarton.

Clenchwarton was classified as a Tier 4 Settlement (Key Rural Service Centre) under Policy LP01 of the Local Plan 2021-2040. The application site was located to the west of Station Road and approximately 307m from the A17.

The application had been referred to the Committee for determination at the request of Councillor Bearshaw and it had been deferred from the meeting held on 30 June 2025.

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

In accordance with the adopted public speaking protocol, Mr Mark Means (supporting) and County Councillor Kemp addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Bearshaw addressed the Committee on Zoom and outlined his concerns regarding the application.

The Chair invited the Council's Community Safety, Neighbourhood Nuisance to address the Committee and explain their comments on the application. She advised that CSNN had considered all the information supplied to assess impacts on residential amenity and it was the noise consultant's professional opinion that there would be no adverse impact. CSNN had no reason to question the information in the latest Noise Impact Assessment (NIA) and Memo or the results / conclusions with respect to the cumulative impacts of the three fans and compressor combined. Should the NIA or condition not be complied with and complaints from residents were received, CSNN had powers to take action if required.

The case officer advised that condition 3 had been added to the permission to ensure that the noise level generated by the condenser unit should not exceed 87 dB (at source) and the development should be constructed in full accordance with the Noise Impact Assessment.

Councillor Long spoke in support of the application and explained the need for the condenser unit would allow the applicant to store crops to meet supermarket requirements. He added that there was other legislation available if the noise levels were breached.

Councillor Ryves asked what the noise levels would be at the nearest residential properties? The case officer confirmed that at two neighbouring dwellings it would be 17db. The Senior Planner explained that the background noise at sensitive receptors was 33 db at sensitive receptors. The proposed use would be 16db below the background noise.

Councillor Devulapalli stated that agriculture did need to be supported and was satisfied that the noise would not be significant. She asked whether a condition could be imposed requiring trees to be put around the site. The Assistant Director advised that the Committee had to consider whether the condition was justified and whether they would refuse the application without the condition.

The Assistant Director explained that in planning terms, this was quite straightforward. There was evidence in the form of a noise survey with the application which was where the 87db came from. There was an

existing agricultural business, a tightly worded condition and other legislation available if there was a breach of condition.

Councillor Devulapalli referred back to the issue of trees. The Assistant Director reminded the Committee that they had to consider whether the condition was justified and whether they would refuse the application without the condition.

Councillor Ryves proposed that a condition be imposed requiring trees to be planted around the site. This was seconded by Councillor Devulapalli.

The Committee then voted on the proposal to add an additional condition requiring trees to be planted around the site and, after having been put to the vote was lost (3 votes for 11 votes against and 1 abstention).

Councillor Lintern asked whether condition 3 could be amended to lower the decibels from 87db to 71 db. This was seconded by Councillor Ryves. The Assistant Director advised that this was likely to be undefendable at appeal.

The Council's Legal Advisor commented that in relation to the Committee's concerns that if the acoustic barriers failed, for example, it was important to take into account the advice that conditions must be reasonable and necessary. In this case there had been expert evidence that it would not be reasonable or necessary to reduce those sound levels. Also, if there was a failure, there was a way of dealing with the breach via planning enforcement. She also confirmed that the Committee would be vulnerable to a costs award at appeal.

The Committee then voted on the proposal to amend Condition 3 to lower the decibels from 87db to 71db and, after having been put to the vote was lost (3 votes for, 11 votes against and 1 abstention)

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 carried (12 votes for, 1 against and 2 abstentions).

**RESOLVED:** That the application be approved as recommended.

*The Committee adjourned at 10.30 am for a comfort break and reconvened at 10.40 am.*

**(ii) 18/00226/RMM**

**Heacham: Land NE of Number 8 Cheney Hill, Cheney Hill:  
Reserved Matters: Construction of 58 dwellings and  
associated infrastructure: W H Kerkham (Rhoon) Ltd**

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The case officer introduced the report and explained that the site comprised approximately 3.6ha of agricultural land on the edge of the built-up area of Heacham. The site formed part of Housing Allocation site G47.1 Land off Cheney Hill. Together with application 21/01412/RM, also before Committee, the two sites formed the entirety of the allocation. The allocation benefitted from outline consents granted under applications 15/00352/OM related to this reserved matters application and 16/01385/OM which related to reserved matters application 21/01412/RM.

Residential uses lie adjacent to the southwest, west, north and northeast of the site with the remainder of the allocation to the southeast.

Most of the wider site was relatively flat although it was rising towards the centre; adjacent levels were however very similar to existing dwellings other than in the southwestern part of the site where the change in levels was more noticeable, and ground levels varied as much as 1.6 metres.

The application sought reserved matters (RM) approval for the 'Construction of 58 dwellings and associated infrastructure' following grant of outline consent for the 'Construction of up to 69 dwellings and associated infrastructure' granted under application 15/00352/OM.

Access was approved at outline stage therefore this RM application sought approval of: layout, appearance, scale and landscaping.

The site was located within Flood Zone 1.

The case officer drew attention to the late correspondence and the need to add an additional condition requiring details of the measures to prevent motorised vehicles accessing the pedestrian / cycle path link between the site and Marea Meadows to the east of the site.

The application had been referred to the Committee for determination at the request of Councillor Parish and the officer recommendation was contrary to the views of the Parish Council.

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

In accordance with the adopted public speaking protocol, Michael Grammer (objecting), Dean Rawnsley (Chair of Heacham Parish Council), Iain Hill (supporting) and Jerry Tate (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Parish addressed the Committee in relation to the application.

The case officer responded to comments raised by the public speakers and Members of the Committee relating to:

- The access and off-site highways work already had permission and did not form part of the debate.
- The number of vehicles and amount of traffic would have been considered as part of the outline planning application. Whilst it is acknowledged that things have changed over the period of time the outline application was granted, the application was still an allocation in the latest Local Plan and therefore consideration of that amount of traffic was considered acceptable.
- In relation to the removal of PD rights, very strong reasons had to be given for doing that, and there was at least 21m between every property and it was not considered necessary to remove permitted development rights. Also, consideration needed to be given to whether it was Phase 1 or 2 of the development.
- Management Company – whilst the Council could ensure that a management company was in place, there was no control over how that management company worked.
- In terms of air source heat pumps, it was considered that the condition could look at the cumulative impacts and it was not considered that there would be individual applications for air source heat pumps on each dwelling. Air source heat pumps were permitted development in the majority of cases.
- It was confirmed that in relation to the affordable housing, the greatest cluster was six, but this was policy compliant. The case officer pointed them out on the plan and explained the type of units.
- In relation to tenure blind affordable housing, the case officer explained there were some open market units adjacent that did not have parking the same as the affordable but were in direct proximity.
- Access into the estate. The access had already been approved and not part of the reserved matters.
- Anglian Water calculations included both sites.
- NCC could not be made to adopt the road.
- There was no requirement for streetlighting, the applicant removed it from the scheme following the comments made by the Parish Council. Norfolk County Council only requested streetlighting for safety reasons.
- The applicants did not have to provide bungalows but have provided 5.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application, and the imposition of the additional condition (outlined in late correspondence), and after having been put to the vote, was carried (14 votes for and 1 abstention).

**RESOLVED:** That the application be approved as recommended subject to the imposition of the additional condition requiring details of

the measures to prevent motorised vehicles accessing the pedestrian / cycle path link between the site and Marea Meadows to the east of the site.

(iii) **21/01412/RMM**

**Heacham: Land off Cheney Hill: Reserved matters: Construction of up to 64 dwellings and associated infrastructure: W H Kerkham (Rhoon Ltd)**

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

The case officer introduced the report and explained that the site comprised approximately 2.5ha of agricultural land on the edge of the built-up area of Heacham. The site forms part of the Housing Allocation site G47.1 Land off Cheney Hill. Together with application 18/00226/RMM, also before Committee, the two sites formed the entirety of the application. The application benefitted from outline consents granted under applications 15/00352/OM relating to reserved matters application 18/00226/RMM and 16/01385/OM which related to reserved matters application 21/01412/RM.

Residential uses lie adjacent to the northeast of the site, countryside to the southeast and south, and the remainder of the allocation to the west and northwest.

Most of the site was relatively flat.

The application sought reserved matters (RM) approval for the 'Construction of 64 dwellings and associated infrastructure' following grant of outline consent for the 'Construction of up to 64 dwellings and associated infrastructure' granted under application 16/01385/OM.

Access was approved at outline stage therefore this RM application sought approval of: layout, appearance, scale and landscaping.

The site was located within Flood Zone 1.

The application had been referred to the Committee for determination at the request of Councillor Parish and the officer recommendation was contrary to the views of the Parish Council.

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

In accordance with the adopted public speaking protocol, Sally Grammer (objecting), Dean Rawnsley (Chair of the Parish Council), Iain Hill (supporting) and Jerry Tate (supporting) addressed the Committee in relation to the application.

The case officer responded by comments raised by the public speakers and Members of the Committee relating to:

- There was 21m distance across both sites which was considered acceptable.
- The Juliet balconies had been removed.
- An emergency access had not been approved as part of the outline consent.
- In relation to the impact on properties from existing businesses there had been no complaints to CSNN.
- The clustering of the affordable housing was compliant with policy.
- In relation to the impact on the existing dwellings, the case officer displayed the overshadowing diagrams, and these were gone through in detail.
- In relation to an emergency access, both the Fire and Police Service had been consulted, and both had made comments but did not raise an objection.
- It was not considered reasonable to remove permitted development rights from the new properties.

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 unanimously.

**RESOLVED:** That the application be approved as recommended.

*The Committee then adjourned at 12.25 pm for a comfort break and reconvened at 12.35 pm*

*Councillors Barclay and Kirk left the meeting.*

*As the Committee had been nearly sitting for three hours, it was agreed to continue to sit for a further one hour.*

**(iii) 25/00323/F**

**Great Massingham: The Dabbling Duck, 11 Abbey Road:  
Overflow car park (retrospective): The Dabbling Duck**

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The case officer introduced the report and explained that full planning permission was sought for the retention of an overflow car park to be utilised in association with The Dabbling Duck public house in Great Massingham. Temporary consent granted for one year under 23/00173 had lapsed and there was no current extant consent for use of the field as car parking.

The application comprised part of a wider agricultural field, the north boundary of which ran parallel to the edge of a Public Right of Way known as Great Massingham FP7 to the north. Access to the car park had been created through the existing car park at the rear of the public house, where a single width access was provided between the main building and an adjoining dwelling.



The application site was positioned just outside of the Conservation Area, the boundary to which ran along the back of the houses to the east and to the north. Existing dwellings across the field at Abbeyfields to the north, were within the Conservation Area.

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

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

In accordance with the adopted public speaking protocol, Linda Swallow (objecting) and Kevin Hobart (supporting on behalf of the Parish Council) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Beales addressed the Committee in relation to the application.

In view of the comments made by the Parish Council, Councillor Bone proposed that a condition requiring a medium sized hedgerow and fencing be provided. This was seconded by Councillor Spikings.

The case officer advised that condition 2 did allow flexibility and if the Members agreed it could be amended to exclude the wildflower planting and instead specify a hedge and a boundary treatment to be agreed.

Councillor de Whalley asked why an appropriate surface for the car park had not been considered and restricting it to business hours, which he would support.

The case officer advised that in terms of restricting the use of the car park to business hours, the pub also operated as a hotel, so this needed to be taken into consideration. It was considered that it could not be easily or appropriately conditioned to business hours. Surfacing of the car park had not been proposed by the applicants in any way and the rural edge of the settlement and conservation area needed to be balanced. There was a management plan which talked about cutting the grass to be as low as possible but did not feel it was necessary for the applicants to surface the car park.

Councillor Ryves stated that his concern was that by using the land as a car park it could become brownfield, and residential development could be acceptable in the future. The Planning Control Manager advised that each application would be considered on its own merits and that it was outside the development boundary. The purpose of this application was as an overflow car park connected to the existing business.

The Committee then voted on the proposal to amend condition 2 to exclude the wildflower planting and instead specify a hedge and fence to be agreed, which was carried.

The Committee then voted on the recommendation to approve the application subject to condition 2 being amended to exclude the wildflower planting and instead specify a hedge and fence to be agreed and, after having been put to the vote, was carried unanimously.

**RESOLVED:** That the application be approved as recommended subject to condition 2 being amended to exclude the wildflower planting and instead specify a hedge and fence to be agreed.

PC31: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

**RESOLVED:** That the report be noted.

**The meeting closed at 1.00 pm**