BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

PLANNING COMMITTEE

Minutes from the Meeting of the Planning Committee held on Monday, 6th July, 2026 at 9.30 am in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillor Bone (Vice-Chair in the Chair)
Councillors B Anota, R Blunt (sub), F Bone, C J Crofts (sub), T de Winton, P Devulapalli, S Everett, J Fry, S Nash, C Rose and A Ryves (sub)

PC11: **APPOINTMENT OF VICE-CHAIR FOR THE MEETING**

RESOLVED: That Councillor Crofts be appointed as Vice-Chair for the meeting.

PC12: **APOLOGIES**

Apologies for absence were received from Councillor Mrs Spikings (Councillor Blunt sub), Councillor Bubb, Councillor Storey (Councillor Crofts sub), Councillor Lintern (Councillor Ryves sub) and Councillor de Whalley.

PC13: **MINUTES**

The minutes of the meeting held on 1 June 2026 were agreed as a correct record and signed by the Chair.

PC14: **DECLARATIONS OF INTEREST**

The following declarations of interest were declared:

Councillor Rose declared that in relation to 9/2(a) – Upwell he would leave the meeting as he was well acquainted with the applicant, and he was also a Member of Upwell Parish Council.

PC15: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business under Standing Order 7.

PC16: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

There were no Members present in accordance with Standing Order 34:

PC17: **CHAIR'S CORRESPONDENCE**

The Chair reported that any correspondence received had been read and passed to the appropriate officer.

PC18: **RECEIPT OF CORRESPONDENCE RECEIVED AFTER THE PUBLICATION OF THE AGENDA**

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

PC19: **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 applications be determined, as set out at (i) – (ii) below, where appropriate to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chair.

(i) 23/01141/FM
Downham Market: Land south of Railway Road: Erection of 26 dwellings (Use Class C3): Degfont (UK) Ltd

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The case officer introduced the report and explained that the application site was located to the south of Railway Road, Downham Market. It comprised an area of approximately 1h of unmaintained scrubland and some peripheral trees bounded by the railway line to the west, Sovereign Way industrial estate to the south, The Willows Nature Reserve (County Wildlife Site) to the east and residential development on Daisy Lane to the north with Railway Road beyond, plus a commercial workshop (TLH Autocare) adjoining the NW corner of the site.

The site was located within the development area of the town and there was a history of previous approvals for residential development over the past two decades.

The proposal sought full permission for the construction of 26 dwellings.

The application had been referred to the Committee for determination 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, Ryan Astill (supporting) addressed the Committee in relation to the application.

Councillors raised questions about allotments, cycle signage, road adoption, indemnity for waste vehicles, drainage, affordable housing with officers clarifying policy requirements, maintenance arrangements, and technical solutions, including the role of management companies and drainage schemes.

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: (A) That subject to completion of a Section 106 agreement within 4 months of a resolution to approve to cover affordable housing provision, maintenance as a private road, off-site contribution towards play equipment / maintenance, etc fee towards maintenance of The Willows Nature Reserve plus payment of GIRAMS fee, permission be granted subject to certain conditions. If the agreement is not completed within 4 months of the committee resolution, but reasonable progress has been made, delegated authority is granted to the Assistant Director / Planning Control Manager to continue negotiation and complete the agreement and issue the decision.

(B) If in the opinion of the Assistant Director / Planning Control Manager no reasonable progress is made to complete the legal agreement within 4 months of the date of the committee resolution, the application is refused on the failure to secure affordable housing provision, maintenance as a private road, off-site contribution towards play equipment / maintenance etc fee towards maintenance of The Willows Nature Reserve plus payment of GIRAMS fee, contrary to Policies LP05, LP13, LP221, LP22, LP23, LP27,& LP28 of the Local Plan.

The Committee adjourned for a comfort break at 10.15 am and reconvened at 10.26 am.

(ii) 26/00313/O
Upwell: Land to the rear / side of 12 and 25 Orchard Gardens: Residential development – Construction of 2 self-build dwellings: Mr and Mrs J Spikings

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Having declared an interest in the application, Councillor Rose left the meeting and did not take part in the debate or decision.

The case officer introduced the report and explained that the application sought outline planning permission with all matters reserved, for the construction of two self-build and custom dwellinghouses at land to the south of Orchard Gardens in Upwell. Matters which were reserved for consideration during a 'reserved matters application' were access, scale, landscaping, layout and appearance.

The application site compromised approximately 0.15 ha of grade 1 agricultural land to the south of Orchard Gardens in Upwell.

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

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 Simon Waite (objecting) addressed the Committee in relation to the application.

Councillors debated whether the local plan or neighbourhood plan should take precedence, with officers clarifying that the most recently adopted plan prevails in the case of conflict, and that updating neighbourhood plans with substantive policy changes required a referendum and evidence base.

The Committee discussed Anglian Water's objections regarding sewage and surface water, referencing Section 106 4B and Supreme Court case law. Officers explained that pre-commencement drainage conditions and potential for package treatment plants addressed technical concerns, with statutory consultees involved at the detailed stage.

Councillors questioned the interpretation of windfall site policy and the development boundary, with officers confirming that LP02 supported development adjoining boundaries in tier 4 settlements, subject to criteria, and that development boundaries did not shift during the plan period.

Concerns were raised about loss of amenity and outlook with officers emphasising the need to assess applications against policy criteria and the role of design at reserved matters stage to ensure a suitable scheme comes forward.

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 split (5 votes for and 5 against) and was approved on the Chair's casting vote.

RESOLVED: (A) That the application be approved, subject to the completion of a Section 106 to secure self-build and custom and habitat mitigation fee (GIRAMS). If the agreement is not completed within 4 months of the Committee resolution, but reasonable progress has been made, delegated authority is granted to the Assistant Director / Planning Control Manager to continue negotiation and complete the agreement and issue the decision.

(B) If in the opinion of the Assistant Director / Planning Control Manager no reasonable progress is made to complete the legal agreement within 4 months of the date of the committee resolution, the application is refused on the failure to secure self-build and custom dwellings and habitat mitigation fee (GIRAMS) in line with Policies LP19 and LP31 of the Local Plan.

PC20: **DELEGATED DECISIONS**

The Committee received the delegated report.

RESOLVED: That the report be noted.

The meeting closed at 11.15 am