

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

Minutes from the Meeting of the Planning Committee held on Wednesday, 15th June, 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, C Bower, A Bubb, C J Crofts, M de Whalley, A Holmes, C Hudson, J Kirk, B Lawton, C Manning, E Nockolds, T Parish, C Rose, C Sampson, S Squire, D Tyler and D Whitby

An apology for absence was received from Councillor S Patel, J Rust and M Storey

PC1: **WELCOME**

The Chairman, Councillor Mrs Spikings welcomed everyone to the meeting. She advised that the meeting was being recorded and streamed live on You Tube.

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

PC2: **APOLOGIES**

Apologies for absence were received from Councillors Patel (Cllr Kirk sub), Rust (Cllr Rose sub) and Storey (Cllr Sampson sub).

The Chairman thanked the substitutes for attending the meeting.

PC3: **MINUTES**

The minutes of the meetings held on 9 and 12 May 2022 were agreed as a correct record and signed by the Chairman, Councillor Mrs Spikings.

PC4: **DECLARATIONS OF INTEREST**

- Councillor Squire declared a declaration of interest in planning application 8/3(e) – Terrington St Clement and would leave the room but address the Committee in accordance with Standing Order 34.
- Councillor Manning declared a non-pecuniary interest in item 8/3(d) – King's Lynn as he was a Director of Linnets in the Community.

PC5: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business.

The Chairman, Councillor Mrs Spikings took the opportunity to remind the Committee that the next meeting was being held on Wednesday 20 July 2022.

PC6: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillors attended and addressed the Committee under Standing Order 34:

Councillor Mrs S Squire 8/3(e) – Terrington St Clement

PC7: **CHAIRMAN'S CORRESPONDENCE**

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

PC8: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

A copy of the late correspondence received after 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.

PC9: **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) – (ix) below, where appropriate, to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chairman.

- (i) **21/01004/F**
South Wootton: Land accessed west of 90 Grimston Road and west of 4 & 6 Green Lane, Grimston Road: 2 no. new dwellings: MBN Property Developments Ltd

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

The Principal Planner reminded the Committee that the application had been deferred from the meeting held on 4 April 2022 to allow the submission of additional overshadowing information. Additional guidance had been provided by the agent which demonstrated that the height of the proposed buildings would not lead to adverse impacts on the adjoining dwellings. Updates to the report had been made in bold.

The Principal Planner explained that the application site comprised a parcel of semi-pasture-land measuring approximately 2140 m² and was situated to the west of Green Lane, South Wootton. The land was currently unused and was accessed via an existing track located on the southern side of Grimston Road.

Full planning permission was sought for the construction of 2 no. two storey dwellings. The site benefitted from an extant outline consent (20/01124/O – all matters reserved) for the construction of 2 no. dwellings.

The application site was within the development boundary outline in both the Local Plan and the South Wootton Neighbourhood Plan.

The application had been referred to the Committee for determination as the Parish Council comments were at variance with the officer recommendation, it had been referred by the Planning Sifting Panel and the application had been deferred from the meeting held on 4 April 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 Bridget Nurse (supporting) addressed the Committee in relation to the application.

Councillor Parish referred to the comments from the Parish Council who objected to the application, in particular that they had quoted from the Neighbour Plan that a sustainable water management and run-off from the rainfall should be provided. He therefore proposed this as a condition, which was seconded by Councillor de Whalley and agreed by the Committee.

The Democratic Services then carried out a roll call on the recommendation to approve the application and, after having been put to the vote, was carried (13 votes for and 5 votes against).

RESOLVED: That the application be approved, as recommended subject to the imposition of an additional condition requiring the need for a Sustainable Drainage system.

- (ii) 18/00940/OM**
Terrington St Clement: Church Farm Distribution Depot, Northgate Way: Outline application: Erection of 76 dwellings with means of site access following demolition of existing structures: Hayford Development Ltd and the Landowners

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

The Principal Planner introduced the report and explained that the application was in outline for residential development on a site measuring approximately 4.87ha south of Northgate Way and west of Benn's Lane, Terrington St Clement.

The site was located outside the development boundary for Terrington St Clement. The vast majority of the site was previously used as a nursery (c. 90%) with about 60% of that area falling within Use Class B2 as granted by a Certificate of Lawful Use in 2010. The remainder (10%) was classified as countryside. The vast majority of the site was therefore classed as previously developed land (brownfield).

However, the site represented the Local Authority's Preferred Option for Housing in the emerging Local Plan (as shown on Terrington St Clement Inset Map in the Local Plan Review Pre-Submission Stage 2021 document (LPRPSS)) and adjoined current allocation G93.3. Policy TSC1 – Terrington St Clement Land south of Northgate Way and west of Benn's Lane of the LPRPSS specifically related to development of this site.

The Draft Plan was submitted to the Secretary of State for Levelling Up, Housing and Communities (SoS) on 29 March 2022, who will appoint a Planning Inspector to undertake an independent examination of the Plan, supporting documentation and Regulation 19 consultation feedback.

All matters were reserved except access, although the description of the development and indicative plans showed a quantum of 76 dwellings.

The site was located within Flood Zones 2 and 3 of the Local Authority's Strategic Flood Risk Assessment, and the Environment Agency's Tidal River Hazard map where the site was shown to potentially flood between 0.5 and 1 m in the event of a breach event.

Terrington St Clement Conservation Area was located approximately 165 m to the southwest of the site with the Grade 1 Listed Church approximately 234m in the same direction.

The application had been referred to the Committee for determination as the officer recommendation was contrary to the views of the Parish Council, and it had been referred by the Assistant Director.

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

Several Members of the Committee expressed concern in relation to:

- Drainage and sequential test
- Traffic using Benn's Lane
- Access
- The application was premature given the status of the emerging local plan.

Given the concerns raised by the Committee, Councillor Crofts proposed that a site visit be carried out, which was seconded by Councillor Squire and, after having been put to the vote, was carried.

RESOLVED: That determination of the application be adjourned, the site visited, and the application determined at the reconvened meeting of the Committee.

The Committee adjourned at 10.34 am and reconvened at 10.46 am.

(iii) 21/01802/F

Heacham: Malthouse Farm, 2 Cheney Hill: Proposed dwelling following sub-division and part removal of wall: Greaves

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

The Principal Planner introduced the report and explained that the application site was located to the south of Malthouse Crescent, Heacham and comprised of an area of the plot to the east of Malthouse Farm, 2 Cheney Hill, the donor dwelling. The site was located within the development boundary of Heacham which was a Key Rural Service Centre as defined by Policy CS02 of the Core Strategy 2011.

The proposal sought permission for a new single storey dwelling following the sub-division of the site.

The application had been 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 Jordan Cribb (supporting) addressed the Committee in relation to the application.

Councillor Bubb stated that he felt that the design was cramped and was overdevelopment of the site.

Councillor Parish expressed concerns in relation to the application regarding:

- Creating an access in the wall
- Removal of trees
- Emerging access for the site with outline consent adjacent to the site.
- It was on a school route and was a well-used footpath
- The site had a previous application which had been refused.
- The Parish Council objected on traffic and amenity grounds
- Condition 12 was essential.

It was explained by officers that the wall could come down as it had no protection and Condition 12 which related to the draft Heacham Neighbourhood Plan had been passed at the examination stage.

In view of the concerns expressed by some Members of the Committee, Councillor Bower proposed that a site visit be carried out, which was seconded by the Chairman, Councillor Mrs Spikings and, after having been put to the vote, was carried.

RESOLVED: That determination of the application be deferred, the site visited, and the application determined at the reconvened meeting of the Committee.

(iv) 21/01127/F

Hockwold cum Wilton: Twelve Acre Farm, Moor Drove (East): Retrospective change of use of first floor agricultural building to residential dwelling: Mr Bryan Rutterford

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

The Principal Planner introduced the report and explained that the application was for the retrospective change of use of the first floor of an agricultural building into residential use. The site was surrounded by a series of paddocks bounded by post and wire fencing with some sporadic native hedges and trees. Within the wider site there were also existing field shelters, agricultural storage buildings, and store containers. The application site included the agricultural building, immediate land surrounding the building and access road leading to the building.

The application site was located on the northern side of Moor Drove (East), approximately 700m south of the village of Hockwold-cum-Wilton and was 4.75ha in size. The site was outside the development boundary of Hockwold-cum-Wilton and therefore categorised as countryside in the adopted Site Allocations and Development Management Policies Plan (SADMPP) (2016).

The application had been referred to the Committee for determination at the request of the Assistant Director.

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 Lesley Randall (objecting on behalf of Hockwold Parish Council) and Bryan Rutterford (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.

- (v) **22/00348/F**
King's Lynn: 29 Jermyn Road: Erection of two storey extension: Mr Neil Elden

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

The Principal Planner introduced the report and explained that the application site was located to the north side of Jermyn Road, a residential area within King's Lynn.

The proposal sought permission for a new two storey rear extension and a single storey rear extension.

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

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

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.

- (vi) **22/00573/CU**
King's Lynn: King's Lynn Football Club Ltd, Tennyson Road: Change of use to allow non-football related entertainment events to be held on the premises for up to four times in one year: Director, Lynn F C Limited

[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 the King's Lynn Football Club located on the western side of Tennyson Avenue, King's Lynn.

A change of use was sought (mixed use) to allow non-football related events for up to four times in any one calendar year.

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

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

In accordance with the adopted public speaking protocol Mr Steven Cleave (supporting) addressed the Committee in relation to the application.

In relation to some concerns which had been raised by the Committee, the Assistant Director explained that the application would also have to be subject to the Licensing regime. With regards to capacity, there would need to be a fire risk assessment. Also, the planning conditions were quite strict and there would need to be an Events Management Plan.

Councillor Parish proposed that temporary approval be granted, which was seconded by Councillor de Whalley and, after having been put to the vote, was lost (2 votes for, 14 against and 2 abstentions).

The Democratic Services Officer 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.

(vii) 22/00266/RMM:
Terrington St Clement: Plot 1 Adj 40 Marshland Street:
Reserved Matters: Proposed new dwelling and garage and
associated works: Warnes & Edwards

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

Councillor Squire left the meeting and addressed the Committee in accordance with Standing Order 34.

The Principal Planner introduced the report and advised that the site comprised a formal retail nursery on 2.23 ha of land to the rear of the south-eastern frontage of Marshland Street and western side of Churchgate Way within the heart of Terrington St Clement (designated as a Key Rural Service Centre). It was located within the development boundary for the village as shown on inset map G93 of the SAMDPP.

The site was bounded on all sides by residential development and was immediately adjacent to the Conservation Area boundary which ran along the front of the site.

The application sought reserved matters approval for plot 1 following outline permission being granted under ref: 19/01788/O. An application for reserved matters for three plots was considered at Planning Committee in September 2021 and was refused permission on the grounds of the impact of the outbuildings to Plot 1 on the neighbouring property. The current application sought to resolve issues raised insofar as plot 1 only.

The application had been referred to the Committee for determination at the discretion of the Assistant Director.

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 Dr Parker (objecting) and Gareth Edwards (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Squire addressed the Committee in support of the neighbour's objection. She added that Plot 1 was the only property of the three to have a separate garage which would have an overbearing impact on the amenity of the occupier of No.48 Marshland Street. She asked the Committee to have a look at the site.

The Principal Planner clarified that the garage would be 2 m at the closest point to the objector's garden, the rest would be 2.7 m.

Councillor de Whalley then proposed that a site visit be carried out, which was seconded by Councillor Crofts and, after having been put to the vote, was carried.

RESOLVED: That determination of the application be adjourned, the site visited and the application determined at the reconvened meeting of the Committee.

(viii) 22/00346/F

Terrington St John: Land east and north-east of The Stet, School Road, St John's Fen End: Construction of timber stables for non-commercial purposes:

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

The Principal Planner introduced the report and explained that the site was located in the countryside to the east of the dwelling The Stet, School Road at St John's Fen End. The application was retrospective

for the erection of a stable building for personal use within the existing agricultural paddock adjoining the property.

The application had been referred to the Committee for determination as the views of the Parish Council were contrary to the officer recommendation and by the Planning Sifting Panel.

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

The Democratic Services Officer 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 vote against).

RESOLVED: That the application be approved as recommended.

(ix) 21/02418/O

Tilney All Saints: Outline application with some matters reserved: Erection of two dwellings: Joy Chamberlain

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

The Principal Planner introduced the report and explained that the outline application was for the erection of 2 detached dwellings with access and layout considered and all other matters reserved. The site was located within the development boundary of Tilney All Saints and would be accessed using Cotts Lane which joined onto Station Road.

Tilney All Saints was defined as a Rural Village by Policy CS02 of the Core Strategy 2011 where limited minor development would be permitted which met the needs of settlements and helped to maintain existing services.

The application had been referred to the Committee for determination as the view of the Parish Council was contrary to the officer recommendation and it had been referred by 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 Mr John James (objecting) and Andy Laughton (objecting on behalf of the Parish Council) addressed the Committee in relation to the application.

In response to comments made by the public speakers, the Principal Planner referred to County Highways comments on page 116 of the agenda. Also, conditions 7 and 8 required off-site highway improvement works.

Several Members of the Committee expressed concern over the suitability of Cotts Lane to accommodate more dwellings.

Councillor Bubb proposed that a site visit be carried out which was seconded by Councillor Squire and, after having been put to the vote, was carried.

RESOLVED: That determination of the application be adjourned, the site visited, and the application determined at the reconvened meeting of the Committee.

PC10: **PLANNING ENFORCEMENT REPORT - QUARTER 1**

The Committee received an update on service performance for planning enforcement during the first quarter of 2022. It was explained that there had been 557 cases opened and 479 cases closed in the period 1 April 2021 to 31 March 2022 with a total number of live cases at 499.

RESOLVED: That the report be noted.

PC11: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

RESOLVED: That the reports be noted.

The meeting closed at 12.35 pm