

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

Minutes from the Meeting of the Planning Committee held on Monday, 5th December, 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 R Blunt (sub), F Bone, C Bower, A Bubb, A Holmes, C Hudson,
B Lawton, C Manning, T Parish, C Rose (sub), J Rust, C Sampson (sub),
M Storey, D Tyler and D Whitby

PC74: **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.

She then invited the Democratic Services Officer to carry out a roll call to determine attendees.

PC75: **APOLOGIES**

Apologies for absence had been received from Councillors Crofts, (Cllr Blunt sub), Nockolds (Cllr Sampson sub), Patel (Cllr Rose sub) and Howland.

PC76: **MINUTES**

The minutes of the meetings held on 7 November 2022 and 18 November 2022 were agreed as a correct record and signed by the Chairman, Councillor Mrs Spikings.

PC77: **DECLARATIONS OF INTEREST**

There were no declarations of interest declared.

PC78: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business to report.

PC79: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

There were no Members present under Standing Order 34.

PC80: **CHAIRMAN'S CORRESPONDENCE**

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

PC81: **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.

PC82: **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) – (vii) below, where appropriate, to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chairman.

- (i) **21/01121/RMM**
Downham Market / Wimbotsham: Land NE of Bridle Lane: Reserved matters application for layout, scale, appearance and landscaping for the erection of 226 dwellings and associated works and infrastructure: Persimmon Homes East Midlands

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The Senior Planner introduced the report and explained that the site was an irregular shaped parcel of land located in the north-east of Downham Market but was located mostly within Wimbotsham.

The site comprised 9.2ha of an allocation site of 16.2ha for Downham Market under Policy F1.3 of the Site Allocations and Development Management Policies Plan (SADMPP) 2016, with the policy requiring at least 250 dwellings and associated facilities.

The principle of residential development of the site along with access (3 arm roundabout junction on Lynn Road / B1507) had already been established by outline planning permission granted initially under application reference 16/00610/OM, and then varied by 21/00798/F to remove the need for an emergency access route adjoining the roundabout junction on Lynn Road (and supported by the Local Highway Authority).

The application sought reserved matters approval for 226 dwellings with associated works and infrastructure. The matters for consideration were appearance, landscaping, layout and scale.

The application had been referred to the Committee as the views of Wimbotsham Parish Council were contrary to the officer 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, Katie Dowling (supporting) addressed the Committee in relation to the application.

In response to a query from Councillor Parish, the Senior Planner explained that Norfolk County Council did not deem it necessary for the applicant to provide an emergency access, as agreed at the outline consent stage.

The Senior Planner also answered questions in relation to trees and that there were easement issues which affected the position of certain houses on the scheme. The delivery of the affordable housing was part of the Section 106 Agreement.

With regards to the lack of GPs, dentists, etc the Assistant Director advised that this was a national issue.

In relation to the Greenspace Officer objection that in line with Fields in Trust guidance, developments of more than 200 dwellings required a MUGA to be included within the scheme. No MUGA had been provided in this phase. The Senior Planner explained that there was area that could be used for a MUGA, and this would be provided in a second phase. There was also a MUGA not too far away from the site.

The Senior Planner also advised that Downham Market were very keen to acquire new allotments.

The Assistant Director summarised that the proposal was a good scheme overall. There was a national shortage of doctors and dentists, and work was carried out with the NHS to plan for future development. Outline planning permission had already been granted for 240 dwellings and this scheme was for 226 dwellings.

Councillor Rust added that the MUGA should be included within phase 1 as there was no guarantee that it would be installed.

The Assistant Director added that the site had got outline planning consent. In addition, the Council's policy did not require a MUGA to be provided.

Councillor de Whalley concurred with the comments made by Councillor Rust regarding the need for a MUGA to be provided during phase 1, and proposed that this should be included as an additional condition as per the recommendations from the Greenspace Officer. He also outlined concerns in relation to: public transport provision, cycleway provision and lighting.

Following advice that the condition could not be enforceable, Councillor de Whalley withdrew his proposal, and proposed that the application be refused

on the lack of a MUGA provided within the first phase of the development. This was seconded by Councillor Rust.

The Assistant Director advised that the reason for refusal would be difficult to defend at appeal.

Councillor Parish stated that some of the concerns raised should have been made at the outline stage. He added that he liked the green credentials and the benefit to ecology.

The Committee then voted on the proposal to refuse the application and, after having been put to the vote was lost (5 votes for refusal, 11 against and 1 abstention).

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, 5 against and 1 abstention)

RESOLVED: That the application be approved as recommended.

The Committee then adjourned at 10.30 am and reconvened at 10.40 am.

(ii) 22/01203/F

Fring: Church Farm, Docking Road: Change of use of agricultural barn to 'Welcome Barn' and change of use of agricultural hardstanding to parking: Oykel Farms Ltd

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The Planning Control Manager advised that Church Farm was located within Fring, which was classified as a Smaller Village and Hamlet within Policy CS02 of the Core Strategy 2011. The site was not within a defined settlement boundary and was therefore considered as countryside in policy terms.

The site comprised of an existing agricultural building (a non-designated heritage asset), fronting Docking Road with an area of hardstanding positioned to the front. Similar agricultural buildings were positioned to the north, east and south of the site.

The proposal sought permission for the change of use of an existing agricultural barn to become a 'Welcome Barn' to serve guests of the holiday let accommodation positioned to the north of the site, which was being considered under application 22/01216/F. Change of use was also proposed for the agricultural hardstanding positioned to the south of the site, to a parking area.

Amended plans were submitted to show new fencing separating the application site and the neighbouring agricultural building located to the west. A plan was also provided showing the individual uses and associated traffic movements for the neighbouring buildings and a plan annotating the guest only entrance and exit.

The application should be considered in conjunction with application 22/01216/F which sought the change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space.

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, Paul Henry (objecting) and Fergus Bootman (supporting) addressed the Committee in relation to the application.

Councillor Parish outlined his concerns to the proposal and stated that residents had called three public meetings to discuss the proposals and they were not happy with the scheme. He also had concerns about the proposal relating to the fact that it would attract 60 plus holidaymakers on this particular site, there would be disturbance, it was not in a sustainable location, and it would provide no benefits to the community.

Councillor Bubb stated that the proposal would make good use of the barns that would deteriorate over time and on balance would support the application.

In response to queries raised, the Case Officer clarified that a new fence would be positioned and highlighted this on the block plan, although it would not be acoustic fencing. The barn would only be used as a welcome centre and there would not be any overnight accommodation. Any noise created from the existing agricultural building would not have an impact as no-one would be staying overnight – it was for people to check-in and out and parking.

The Planning Control Manager advised that the CSNN team had assessed the application and felt that acoustic fencing was not necessary in that location. If Members felt it necessary, then an additional condition could be added regarding extra fencing in that location.

Councillor Blunt asked if the conditions defined the use of the Welcome Barn and what it could be used for. The Planning Control Manager advised that Condition 11 applied as it was an ancillary element to the main barns themselves. It was felt unnecessary to define it as a reception building, however if members considered it necessary its use could be defined within condition 11 as a reception building only.

Councillor Blunt then proposed that condition 11 be amended to ensure the barn was used as a reception building only, with the hours to be defined. This was seconded by the Chair, Councillor Spikings and agreed by the Committee.

The Democratic Services Officer carried out a roll call on the recommendation to approve the application together with the amendment of condition 11 and, after having been put to the vote was carried (9 votes for, 7 against and 1 abstention).

RESOLVED: That the application be approved, as recommended subject to condition 11 being amended to ensure the barn was used as a reception building only with the hours to be defined.

(iii) 22/01216/F

Fring: Church Farm, Docking Road: Change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space: Oykel Farms Ltd

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

The Planning Control Manager introduced the report and explained that Church Farm was located within Fring, which was classified as a Smaller Village and Hamlet within Policy CS02 of the Core Strategy 2011. The site was not within a defined settlement boundary and was therefore considered as countryside in policy terms.

The site was located within the Conservation Area of Fring and comprised of a cluster of agricultural barns, which were classified as non-designated heritage assets with an integral grassed courtyard positioned to the north of the site and accessed via Docking Road. Residential properties were positioned to the north and east of the barns with agricultural buildings located to the south along with the main access road. All Saints Church (Grade II*) was positioned to the south-west of the barns with open space separating the sites.

The proposal sought permission for the change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space. Parking for the holiday lets would be located to the south of the site and was sought for under application 22/01203/F.

Amended plans had been submitted to show a new brick and flint wall positioned adjacent the proposed drop off area and changes to fenestration. A plan was also provided showing the individual uses and associated traffic movements for the neighbouring buildings and a plan annotating the 'guest only' entrance and exit.

It was explained that this application should be considered in conjunction with application 22/01203/F which sought permission for the change of use of an agricultural barn to a Welcome Barn and the change of use of agricultural hardstanding to parking.

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.

The Planning Control Manager proposed that condition 17 be amended to read that: The development hereby approved shall not be brought into use until such a time as the parking provision approved pursuant to planning application 22/01203/F and as set out on drawing number 005D Proposed Block/Roof Plan received 07/10.22 has been implemented in full. Thereafter the holiday use hereby approved under this planning permission shall only take place for as long as the entirety of the aforementioned parking provisions remains available for use by residents of those barns.

In accordance with the adopted public speaking protocol, Mr S Arrowsmith (objecting) and Fergus Bootman (supporting) addressed the Committee in relation to the application.

Councillor Parish added that his thoughts were with the residents who were affected by the development and that's where everybody else's thoughts should be. He referred to page 57, refers to Policy CS06, which promotes sustainable communities. He stated that the community had no facilities, so it did not promote them in any way. Policy CS10 – this location was not sustainable. The proposal detracted from residential amenity, and two speakers had spoken against the application. He added that proposals such as this should be in or adjacent to our villages or towns. Page 58 penultimate paragraph stated that the proposed development was not considered to have an adverse impact on residential amenity, was it officers who considered this, the people who lived there considered that it did have an impact and it should be weighted towards them. There were two houses in the area which were seriously impacted by visitors and suffered nuisance. He referred to page 61 and the use of the welcome barn where it stated that guests would be encouraged to park there and walk to their accommodation however this was not secured by a condition. The residents of Fring had objections to this and their views that should be strongly considered by the Committee. Fring was a small hamlet, and this development was too much.

The Chairman, Councillor Mrs Spikings added that the buildings were a worthy asset, and they would be retained for future.

The Case Officer explained to the Committee the access arrangements to the site.

The Planning Control Manager suggested that a subtle scheme for signage could be imposed, respecting that it was a conservation area, directing the guests to the appropriate access and welcome barn rather than the other access which served number 35. This was proposed by Councillor Storey and seconded by the Chairman, Councillor Mrs Spikings.

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the need to amend Condition 17 and to add a condition requiring a scheme for signage which was agreed by the Committee.

The Democratic Services Officer carried out a roll call on the recommendation to approve the application subject to Condition 17 being amended and to add a condition requiring a scheme for signage and, after having been put to the vote was carried (9 votes for, 7 against and 1 abstention).

RESOLVED: That the application be approved, as recommended.

- (iv) **21/00080/F**
Heacham: Land west of 70 South Beach Road: Retrospective change of use of agricultural land to provide access, parking and turning to adjacent holiday accommodation granted planning permission under ref: 12/00197/F: Mr Nigel Marsh

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The Planning Control Manager presented the report and explained that the application was for the change of use of agricultural land to provide access,

parking and turning space for the adjacent holiday accommodation that was granted in 2012 (ref: 12/00197/F). this would overcome an issue of access for the approved holiday let barn conversion, as it was understood that there were difficulties in the availability of the land to facilitate a route from South Beach Road to the holiday conversion site.

The application site was west of the holiday conversion site. The proposal took access from the north of South Beach Road. The land dropped in level from the main carriageway and comprised a bound gravel surface. A decked path had been created adjacent to the vehicular access from South Beach Road. Parking space had been provided within the site for six vehicles and was intended for the use of the occupiers of the adjacent converted holiday 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, Mr P Rawlinson (objecting on behalf of Heacham Parish Council) addressed the Committee in relation to the application.

The Planning Control Manager explained that the unauthorised camp site was under a separate investigation in its entirety.

Councillor Parish outlined his concerns to the application and explained that the access was quite wide. The illegal camp site had been operating for several years and taken up many hours of officers and Councillors times. The access under consideration served the camp site and accommodation referred to. The field was usually filled of cars and camper vans and they used the access. He added that condition 2 could be amended to be only for the use of the holiday let accommodation approved. Page 74 detailed the planning history of the site.

The Planning Control Manager advised that if Members were minded, Condition 2 could be amended to tie the access and parking areas to the holiday lets.

This was formally proposed by Councillor Parish and seconded by the Chairman, Councillor Mrs Spikings.

The Planning Control Manager read out the suggested amendment to condition 2 as: 'The access and parking areas hereby permitted shall only be for the use of holiday let accommodation approved under 12/00197/F ...' and reason 2 amended to read: 'To ensure the permanent access and availability of the parking/manoeuvring areas for the development ...', which was agreed by the Committee.

The Democratic Services Officer carried out a roll call on the recommendation to approve the application subject to the amendment to condition 2 and the reason (as detailed above) and, after having been put to the vote was carried unanimously.

RESOLVED: That the application be approved, as recommended subject to the amendment to Condition 2 and the reason, as detailed above.

- (v) **22/00699/F**
Old Hunstanton: Lorien, 7 Hamilton Road: Proposed replacement dwelling, garage and site frontage: Mr & Mrs Peggs

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The Planning Control Manager introduced the report and explained that the application sought full permission for a replacement two storey dwelling alongside a new detached car port to the front and a replacement wall along the front boundary. The site was located within Old Hunstanton, outside of the Conservation Area and Norfolk Coast Area of Outstanding Natural Beauty.

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

The Democratic Services Officer carried out a roll call on the recommendation to refuse the application and, after having been put to the vote was carried (12 for refusal and 5 against).

RESOLVED: That the application be refused, as recommended.

- (vi) **21/02311/F**
Walsoken: Land and ponds south of 52 Broadend Road East of Zoar Cottage and west of Turpitts Field, Green Lane: Mr Peppercorn

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The Planning Control Manager introduced the report and explained that temporary planning permission was sought for the siting of a log cabin (to fall within the definition of a caravan) for residential use in connection with a fishery / fishing lake business in Green Lane, Walsoken.

The site comprised a red line area of 0.1ha of a larger 1.1 ha fishing lake site. Two lakes were on the site including one larger fishing lake and a smaller breeding lake/pond. The site was operating as a fishing lake as approved under 16/01842/F.

The site had previously been the subject of a previously dismissed appeal, for the siting of three holiday homes.

The application had been referred to the Committee as there had been a previous appeal dismissed on the site 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, Mrs Lakey (objecting) and Shanna Jackson (supporting) addressed the Committee in relation to the application.

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 (11 votes for, 2 against and 3 abstentions).

RESOLVED: That the application be approved, as recommended.

The Committee then adjourned at 12.30 pm and reconvened at 12.35 pm.

- (vii) **22/01577/RM**
Watlington: 10 Fairfield Lane: Reserved matters: Approval for all reserved matters, construction of new dwelling: Client of Holt Architectural Ltd

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The Principal Planner introduced the report and explained that the application was for reserved matters for a two-storey dwelling following the grant of outline planning permission 22/00442/O.

The application site was located to the north of No.10, along the west side of Fairfield Lane, Watlington, which was a Public Footpath.

The application had been referred to the Committee for determination as the officer recommendation was contrary to views of the Parish Council and was 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, Scott Brown (supporting) addressed the Committee in relation to the application.

Councillor Parish proposed that a condition should be added requiring a Construction Management Plan. This was seconded by Councillor Mrs Spikings.

The Chairman proposed that the application should be deferred for one cycle as she would like to see the details of the Construction Management Plan, which was agreed by the Committee.

RESOLVED: That the application be deferred for one cycle.

PC83: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

RESOLVED: That the reports be noted.

The meeting closed at 12.48 pm