

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

**Minutes from the Meeting of the Planning Committee held on Monday, 6th February, 2023 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, M de Whalley, A Holmes, M Howland, C Hudson, B Lawton, B Long (sub), C Manning, C Morley (sub), E Nockolds, T Parish, C Rose (sub), D Tyler and D Whitby

PC94: **WELCOME**

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

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

PC95: **APOLOGIES**

Apologies for absence had been received from Councillor Crofts, Councillor Patel (Councillor Rose sub), Councillor Rust (Councillor Morley sub) and Councillor Storey (Councillor Long sub).

The Chairman thanked the substitutes for attending the meeting.

PC96: **MINUTES**

The minutes of the meeting held on 9 January 2023 were agreed as a correct record and signed by the Chairman, Councillor Mrs Spikings.

PC97: **DECLARATIONS OF INTEREST**

The following declaration of interests were declared:

PC98: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business to report.

The Chairman, Councillor Mrs Spikings reported that an additional meeting had been scheduled for Monday 24 April 2023 (details to follow) as there were no planned meetings during May 2023 because of the Borough Council Elections.

PC99: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Members attended and addressed the Committee in accordance with Standing Order 34:

Councillor Dark	8/3(c)	Heacham / Hunstanton
Councillor Gidney	8/3(c)	Heacham / Hunstanton

PC100: **CHAIRMAN'S CORRESPONDENCE**

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

PC101: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

A copy of late correspondence received after the 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.

PC102: **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 and Environment (copies of the schedules were published with the agenda). Any changes to the schedules were recorded in the minutes.

**RESOLVED:** That the application 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) **22/00306/F**  
**Thornham: Church Cottage, Church Street: Proposed extension and alterations to existing dwelling: Karen Lane**

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

The Planning Control Manager introduced the report and explained that the application had been deferred from the Planning Committee held on 18 November 2022, to ensure the accuracy of the submitted plans. Following the deferral, an additional officer site visit was undertaken, and measurements were taken by hand. This had been compared to the latest submitted plan.

The application proposed an extension to the north of the existing cottage alongside alterations and additions to the roof, dormers and rear elevation.

The application site was located on Church Street within the historic core of the village, falling within the conservation area. The site was also within the Norfolk Coast Area of Outstanding Natural Beauty.

The application had been referred to the Committee as it had been called in by Councillor Lawton.

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, James Haggie (objecting) and Jason Law (supporting) addressed the Committee in relation to the application.

Councillor Hudson expressed concern in relation to the application. She stated that by adding the extension it would make it over-bearing. She also had concerns regarding parking and considered that the proposal would alter the whole street-scene.

Councillor Parish outlined his concerns regarding the application including the objections from the Parish Council and Neighbourhood Plan and parking.

The Planning Control Manager explained that the number of bedrooms were not increasing and would remain the same.

Councillor Morley added that he had looked at the property and the proposal would make it unbalanced. The parking would also be limited, and it did not comply with the Neighbourhood Plan.

Councillor Long added that it was an important property within the Conservation Area and AONB and asked if an application had been made to list the property.

The Assistant Director advised that he was not aware of any application to have the building listed. He added that the scheme would create two car parking spaces which would improve the current parking situation.

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 on the Chairman's casting vote (8 votes for, 8 against and 1 abstention).

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

**(ii) 21/02392/OM**

**Pentney: Oakland Gardens, Main Road: Outline application for new warehousing, a new dwelling house, a wildlife and tourism lake with holiday lodges, nature reserve and associated accesses and facilities, installation of a new sluice gate to assist and ease flooding in Pentney: Oakland Gardens**

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

The Planning Control Manager introduced the report and explained that the application site was located within the countryside and was accessed directly off the A47 and comprised predominately agricultural land. The wider site, within the blue land, comprised an existing business dealing with horticultural storage and distribution which was located within a former agricultural building, agricultural land, and a long access drive which followed the line of a disused railway track south-eastwards towards Pentney Lane.

The application site comprised 2.96 hectares with the application seeking outline planning permission with all matters reserved for new warehousing for the existing storage and distribution business, a new dwellinghouse, a wildlife and tourism lake with eight holiday lodges, nature reserve and associated accesses and facilities, as well as the installation of a new sluice gate to assist and ease flooding in Pentney Lane, which was located to the south of the site. An indicative plan illustrated the positioning of each proposal although this was indicative only at this stage. The application was immediately west of Pentney Heath which was a County Wildlife site and was within the hydrological catchment of the River Nar SSSI.

The application had been referred to the Committee by the Assistant Director for Environment & Planning due to the scale of the issues it raised.

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 Lee Ward (supporting) addressed the Committee in relation to the application.

The Chairman proposed that the application be deferred, as she considered that the application was premature, and by deferring the application it would enable the applicant to provide further information for the Committee to consider.

The Democratic Services Officer then carried out a roll call on the recommendation to defer the application and, after having been put to the vote, was carried unanimously.

**RESOLVED:** That, the application be deferred to enable the applicant to provide further information for the application.

(iii) **22/01638/F**

**Brancaster: The Big Barn, Common Lane: Brancaster Staithe: Conversion of existing barn into residential dwelling: Mr & Mrs R Scott-Moncrieff**

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

The case officer introduced the report and explained that the proposal sought full planning permission for the change of use of an existing storage building to use as a single dwellinghouse at Common Lane, Brancaster Staithe. The application site was outside of the development boundary on land which was within the wider countryside for the purposes of planning policy.

The site was within the Norfolk Coast AONB.

The application had been referred to the Committee as it had been called-in by Councillor Lawton.

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, Jane Scott-Moncrieff (supporting) addressed the Committee in relation to the application.

Several Members of the Committee commented that they liked the design of building, and it would help to preserve the fabric of the building and bring the barn back into use.

Councillor Bone proposed that the application be approved, which was seconded by Councillor Bower because the proposal would accord with CS06 and would create a positive contribution to the area.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application, with conditions to be agreed following consultation with the Chair and Vice-Chair including removing permitted development rights and dark skies, and, after having been put to the vote, was carried (16 votes for and 1 against).

**RESOLVED:** That, the application be approved, contrary to recommendation, subject to the imposition appropriate conditions including the removal of permitted development rights and dark skies following consultation with the Chair and Vice-Chair.

*The proposed conversion of the building would make a positive contribution of the landscape and AONB and therefore complies with Policy CS06.*

*The Committee then adjourned at 10.30 am and reconvened at 10.45 am.*

**(iv) 22/01447/F**

**Heacham: The Bolt Hole, 51A South Beach: First floor extension: Mr Stuart Deadman**

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

The Planning Control Manager introduced the report and explained that the application proposed both internal and external alterations to an existing beach house, including raising the roof height to create a first floor with a rear balcony.

The site was located on South Beach, Heacham and within the Coastal Flood Risk Hazard Zone.

The application had been referred to the Committee by 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, Tracy Raby (objecting) and Helen Morris (supporting) addressed the Committee in relation to the application.

Councillor Parish outlined his concerns to the application and explained that the application did not comply with the Neighbourhood Plan. The building would become taller and would be seen above the dunes from the beach. It would also impact on wildlife. He considered that the extension would attract more people to stay in the holiday accommodation. The proposal went against Policy DM18 and would impact upon the neighbouring properties.

The Chairman, Councillor Mrs Spikings pointed out that there would be no additional habitable rooms and the proposal would create a first-floor refuge. There was also an occupancy restriction in place.

The Chairman, Councillor Mrs Spikings drew the Committee's attention to the late correspondence and the need to amend condition 2, which was agreed.

Councillor Morley added that he felt that too little weight had been given to the Neighbourhood Plan and felt that the proposal would not enhance the landscape. He proposed that the application be refused on the grounds that the proposal would be contrary to the Neighbourhood Plan and would be overbearing on the landscape. This was seconded by Councillor Parish.

The Assistant Director advised that the Neighbourhood Plan was part of the Development Plan and given significant weight.

The Democratic Services Officer then carried out a roll call on the proposal to refuse the application and, after having been put to the vote, was lost (5 votes for refusal, 10 against and 2 abstentions).

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 (10 votes for approval, 4 against and 3 abstentions).

**RESOLVED:** That, the application be approved, as recommended subject to the amendment to condition 2 as reported in late correspondence.

**(v) 22/01400/F**

**Heacham / Hunstanton: 64 North Beach: Heacham: Mixed use Pied-a-Tier holiday accommodation with integral coastwatch and coast observatory tower with monitoring station: David Taylor Associates**

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

The case officer introduced the report and explained that the application sought consent for the construction of a mixed-use holiday accommodation with an integral Coastwatch / Coastguard Observatory Tower at a site known as 64 North Beach, Heacham. The site was within Flood Zones 3a and 3b of the Borough Council's SFRA (2018) and within the Coastal Hazard Zone outlined within the Site Allocations and Development Management Plan (2016) and was therefore at significant risk of flooding.

Whilst in close proximity to South Beach Road at Hunstanton, the application site is within the Parish of Heacham and the Heacham Neighbourhood Plan Policies therefore apply.

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

Councillor Parish advised that the application had been referred to the Committee by Councillor Dark and not him as written in the report.

In accordance with the adopted public speaking protocol, Lucy Vaughn (objecting), Paul Rowlinson (objecting on behalf of Heacham Parish Council, Michael Ruston (supporting on behalf of Hunstanton Town Council) and David Taylor (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillors Dark and Gidney addressed the Committee in support of the application.

The Assistant Director advised that there had been reference to 'minimal risk' however there was a strong objection from the Environment Agency. DM18 had also been referred to and was out of date. It was explained that DM18 was more relevant and had been carried over to the new Local Plan and numerous appeals had been won in the area on that issue. With regards to holiday parks and caravans, he explained that temporary consents had been extended due to Covid but that had now expired.

In response to comments made about the Human Rights Act, it was explained that due regard was taken in respect of that, but this had to be weighed against the wider public interest. The applicant did have a home, and this was a second home and not the principal residence of the applicant. It was clear that no dwelling currently existed on site and any residential use had been abandoned because of demolition and the passage of time. There was no extant fall-back position which would allow a residential use on site.

Councillor Bone stated that he did not like the proposal and felt that the building was too modern and did not fit in with the surrounding area. He added that there might be some merit with regards to having a lookout tower but he could not support the application.

Councillor Long added that he understood the reasoning why the Council had Policy DM18. He stated that he understood that there had been a dwelling in the 1970s but since then there had been higher tidal surge levels and in 2013 the height of the surge was higher but generally the defences in that location held and functioned as they should. If the applicant was the HM Coastguard or RNLI and they needed the facility because it was essential for the safeguarding of the coast, then it would be easier to support but this was for a holiday home with an observation tower. If the Committee were minded to approve the application, then the Coastguard and RNLI would need 365 days access to it.

The Chairman referred to page 74 of the agenda and the fact that there was no mechanism in place to secure the tower and more details were needed. There were other policies in place, which restricted development. She added that she had asked for a Tide Timetable to be erected at South Beach, Heacham, because a lot of tourists were not aware of the tides.

Councillor Morley added that he felt the reference to the human rights act was inappropriate. He added that if there was a national or public risk from small boats, people walking across to Skegness, the various authorities should sponsor the appropriate early warning system. There might be the case for the rationale of DM18 to be more widely promoted for understanding and acceptance, and he supported the officer recommendation.



Councillor Parish thanked the officers for a comprehensive report with references to the Local Plan and Heacham Neighbourhood Plan (HNP). The Local Plan stated that new dwellings were not allowed along North and South Beach because there were in the coastal hazard zone. Applications in that area had been refused by officers and had been upheld at appeal. The Environment Agency strongly objected together with the Council's Emergency Planning Officer. The previous application had been approved because the number of habitable rooms had not been increased but building a new property would increase the number of habitable rooms, because there were none there now. What had been neglected by some of the speakers was the issue of HNP, which was part of the Local Plan, was most recent and had to be given serious consideration. This application was clearly against major policies within the Neighbourhood Plan. It was outside the development boundary and outside the existing tourist sites mapping of HNP. The Plan did allow a change in tourism use within certain areas, but this was outside those areas. He referred to Policy 4 of HNP which stated that new residences could not be built in the HNP which were holiday / second homes, it had to be a principal residence. A principal residence could not be built in this location as it was a coastal hazard zone so it could not be built under the HNP. The proposal also failed policy 9, as detailed on page 76 of the agenda.

Councillor Parish also referred to Policy 15 of the Neighbourhood Plan, and the separation distance, which was a small but important gap between Heacham and Hunstanton. He added that the application site was in Heacham and if Hunstanton wanted a tower then it should be situated in Hunstanton.

Councillor de Whalley outlined his concerns to the application in particular his understanding was that there was a one inch in sea level rise every 10 years. He added that the property had been destroyed in 1978 due to flooding and there had not been a significant improvement in flood defences and the risk of flood was increasing dramatically.

The Assistant Director stated that he would advise caution to the Committee in relation to approving this application. He explained that the applicant did have a right of appeal to the Planning Inspectorate if the application was refused and put their case. He added that his concern related to consistency of policy, precedent, the number of appeals that had been won on this ground in relation to flood risk, risk of life and safety in that area.

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.

(vi) **22/02008/F**

**Hilgay: Land to the rear of Reed House, High Street:  
Variation of Condition 1 of planning permission  
19/02091/RM: Reserved matters application for proposed  
new two storey, three-bedroom dwelling:**

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

The Principal Planner introduced the report and explained that the application sought retrospective planning consent for an amended design of a single two storey dwellinghouse on land to the rear of Reed House, Hilgay. Access for the dwelling was via Lawrence's Lane.

Outline consent was approved on appeal for a two-storey, three-bedroom dwelling (re: 17/00780/O) and the reserved matters application permitted under delegated powers (ref: 19/02091/RM).

The dwelling constructed was not in accordance with the approved plans at reserved matters, specifically the positioning and size of windows on the rear (north) elevation and front (south) elevation. Therefore, the application sought to regularise that.

The application had been referred to the Committee by Councillor Holmes.

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

Councillor Holmes explained that he had called in the retrospective application and pointed out that the extra window in the centre on the rear elevation overlooked the garden to the left and had not been built in accordance with the approved plans.

The Chairman Councillor Mrs Spikings stated that if the application had been submitted as it was the chances were that it would have been refused. Each case had to be considered on its own merits, but she felt that this was not an acceptable design and proposed that the application should be refused. This was seconded by Councillor Long.

The Democratic Services Officer then carried out a roll call on the proposal to refuse the application on the grounds that the rear elevation was a poor design and, after having been put to the vote, was carried unanimously.

**RESOLVED:** That, the application be refused, contrary to recommendation.

*The small windows, central window and expanse of brick leads to poor design and more overlooking contrary to CS08 and DM15.*

**(vii) 22/00230/F**

**Old Hunstanton: Corner House, Cromer Road: Creation of new holiday let by subdivision of the existing unit. Addition of new dormer windows and dwarf wall to the fore. Increase in size of patio area to the rear:**

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

The case officer introduced the report and explained that full planning permission was sought for the subdivision of an existing bed and breakfast / dwelling to allow use as one self-contained holiday let alongside associated dwellinghouse. Dormer windows were proposed alongside internal alterations.

The site was located off Cromer Road, Old Hunstanton and comprised a Grade II Listed Building and its curtilage.

The application site was wholly within the Development Boundary for Old Hunstanton, as outlined on inset map G67 of the SADMPP (2016).

The application had been referred to the Committee as the officer recommendation was contrary to the views of the Parish Council, and 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.

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.

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

PC103: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

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

**The meeting closed at 12.10 pm**