

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

**PLANNING COMMITTEE**

**Minutes from the Meeting of the Planning Committee held on Monday, 24th April, 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 C Bower, A Bubb, M de Whalley, A Holmes, M Howland, C Hudson,  
B Lawton, B Long (sub), C Manning, E Nockolds, T Parish, C Rose (sub),  
M Storey, A Ryves (sub) D Tyler and D Whitby

PC128: **WELCOME**

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

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

PC129: **APOLOGIES**

Apologies for absence had been received from Councillors Bone, Crofts (substitute Cllr Long), Patel (substitute Cllr Rose) and Rust (substitute Cllr Ryves).

The Chairman thanked the substitutes for attending the meeting.

PC130: **MINUTES**

The minutes of the meeting held on 3 April 2023 were agreed as a correct record and signed by the Chairman, Councillor Mrs Spikings.

PC131: **DECLARATIONS OF INTEREST**

The following declarations of interest were made:

Councillors Storey and Long declared that they were Members of Norfolk County Council.

PC132: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business to report.

PC133: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillors attended and addressed the Committee in accordance with SO34:

Comments from Cllr Beal were read out for item 8/1(a), Hunstanton / Old Hunstanton

Cllr Kemp	8/1(e)	Wiggenhall St Germans
Cllr Joyce	8/1(e)	Wiggenhall St Germans

PC134: **CHAIRMAN'S CORRESPONDENCE**

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

PC135: **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.

PC136: **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) **22/000929/FM**  
**Hunstanton / Old Hunstanton: Land south of Hunstanton Commercial Park and east of Kings Lynn Road: Development of 61 housing with care apartments, 39 care ready bungalows and 60 residential dwellings together with community facilities and services and associated landscaping, highway works and associated infrastructure: Lovell Partnerships and Le Strange Estates**

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The Senior Planner introduced the report and explained that the application proposal sought full planning permission for the development of 61 housing with care apartments, 39 care ready bungalows and 60 residential dwellings together with community facilities and services as well as associated landscaping, highway works and associated infrastructure.

The development would be located on a 5.98ha plot of agricultural land accessed from Kings Lynn Road to the west. Immediately to the north of the site were commercial buildings and Smithdon High School a Grade II\* Listed building. To the east and south of the site were agricultural fields. The site was also within close proximity to a Grade II Listed Water Tower to the south-west and the Chapel of St Andrew (a Scheduled Monument and Grade II\* Listed Building) to the south-east.

The site was not within but close to the boundary of the Area of Outstanding Natural Beauty. The site was also located within close proximity of the Wash SPA and Norfolk North Coast SPA.

The site comprised of two sites which were allocated for housing with care, general housing and employment within the Site Allocations and Development Management Policies Plan. This application would merge the two sites together to provide one cohesive development.

The application had been referred to the Committee as it was a major application which raised issues wider than local concern and at the request of Councillor Paul Beal.

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 Rawlinson (objecting on behalf of Heacham Parish Council), Iain Hill (supporting on behalf of the applicant), Paula Broadbent (supporting) and Mike Ruston (supporting on behalf of Hunstanton Town Council) addressed the Committee in relation to the application.

In accordance with Standing Order 34, the Democratic Services Officer read out a statement from Councillor P Beal as follows:

My apologies for not attending today as I have a medical appointment.

The reason for calling this in was for two specific reasons.

Firstly, the A149 gets extremely busy in the summer months especially from the entrance to the town roundabout along to past the Glebe school and when on a sunny-weekend cars are stacked up down the hill towards Heacham. Residents have talked to me a lot about this problem and building on your site is not going to help the situation so

I'm proposing on behalf of Hunstanton residents is not to have an entrance and exit onto the A149 but a spur road coming off the roundabout just before the development.

My second reason is sewage, we are not achieving the blue flag which Hunstanton was always proud of, and it is fact that sewage is being pumped into our seas. A lot of new building is going on at the moment and town people feel the infrastructure will collapse which they feel will be very harmful to the town.

I must stress that I'm not against new development as our town would benefit from the CIL, but if the infrastructure does collapse it would spell disaster for the town.

Thank you for your time.

The Senior Planner then responded to comments made by Heacham Parish Council with regards to the single junction, she reminded the Committee that each application had to be determined on its own merits and County Highways considered it to be wholly acceptable in terms of safety and congestion. With regards to parking standards, there are parking standards within Hunstanton's Neighbourhood Plan and decisions should be taken in accordance with the Development Plan unless there were material considerations. In relation to the care apartments, County Standards require less parking than the standard flat rate set out by Hunstanton NP. Given the occupants of those apartments are likely to have less parking requirements, combined with no objection raised by the County Council, . it was considered to be a material consideration and in this instance was acceptable although it was contrary to Hunstanton's Neighbourhood Plan requirement for parking.

Policy 17 of the Hunstanton NP had been referred to, which referred to the separation zone, however the separation zone was outside the allocation in the Development Plan.

In relation to Anglian Water's comments, they made it clear within late correspondence that there was not capacity, however they had an obligation once planning permission was granted to increase capacity. They had acknowledged that there was an issue but had stated that they would increase capacity if planning permission was to be granted.

Councillor Bower stated that, as the present Ward Councillor for Hunstanton, she 100% supported the application as it was very much needed. 50% affordable housing was needed, a sustainable location was also needed, and the landscaping had been carefully thought out to give minimal harm to anything in the vicinity. The scheme had been carefully planned for a long time. The shared ownership and affordable housing were also welcomed. This was for local people in perpetuity, and it was what was needed and would allow local people to remain in the area that they had lived in and be cared for staying near their

families. Affordable housing was needed for the younger generation. She understood the comments that had been made regarding the road but felt that this could be sorted out. She stated that when she read the report, she was excited and pleased for Hunstanton.

Councillor Long stated that there had been a need for this kind of housing for care facility in West Norfolk. He stated that he had visited the care facility in Bowthorpe and felt that something like that was needed in West Norfolk. He then added that consideration needed to be given to the location of such a facility and that people wanted to go into this type of facility to free up their existing home for other families who might need it. As all facilities were on site, it added to the living experience. He made comments regarding highways and sewage. He added that Anglian Water had plans about improving their sites and they had to add capacity for customer demand. With regards to highways the fact that the road was often busy actually made it easier to get in and out of a junction. He could not see why the Committee needed to consider the objections from a neighbouring Parish Council and that more weight should be given to the Town Council's comments.

Councillor Hudson added that she was concerned about the amount of traffic on that road considering future development. There was going to be more traffic than ever on that road and would become more dangerous. She understood that the care home was needed together with affordable housing in Hunstanton but amongst that there was open market housing for sale. Those open market houses would become second homes. The site needed to be considered as a whole. The care home and affordable housing was needed but did all the open market housing needed to be built which would become second homes. The site could be smaller if all the open market housing was not included.

The Chairman asked for clarification that the open market housing would be for local people in perpetuity.

Karl Patterson explained that the affordable housing would be restricted as principal use together with the care ready bungalows so they could not be second homes or holiday lets.

As Chair of the Climate Change Working Group, Councillor Bubb asked how the three-storey block would be heated. He asked if this could be a neighbourhood heating scheme for the whole development, rather than 40 plus air source heat pumps, as it would be more efficient to have one heat source for the whole site. He explained that the opportunity now existed to do this. He added that the heating schemes did work and were scattered around the country. All of the heat pumps together would make quite a lot of noise on mass and were not always reliable and only lasted 3 or 4 years. He added that when you had the chance to start from scratch a neighbourhood heating system would be better and would help to reduce the noise.

The Assistant Director advised that it was not part of the application which had to be considered on its own merits and the scheme would have to meet Building Regulations.

Councillor Bubb stated that the noise from the air source pumps had been conditioned, so that there must be concern regarding this, so could some consideration be given to addressing the noise issue. In response the Assistant Director advised that it was common to condition noise levels when dealing with air source heat pumps.

Councillor de Whalley stated that the application was on Grade 3 agricultural land, and it had been deemed that the need for this proposal outweighed the need for food production.

The Chairman advised that this was already an allocated site.

Councillor de Whalley stated that he was concerned regarding air quality for both the Glebe School and Smithdon given the concerns of additional traffic on the A149. He was also concerned about active transport – it was not clear how the toucan crossing tied up with ingress and egress from the site. The buses were of concern – where was the nearest bus stop and would there be a route into the site. He was also concerned about the Police report which was contrary to the supporting statement – Norfolk Constabulary appeared to be concerned about the vulnerability of residents. He also had concern in relation to the cyclepaths. He referred to the mitigation and that there was supposed to be an area of grassland off-site, but he was not aware where that was.

In response, the Senior Planner identified the access and toucan crossing on the site and explained that this linked with the existing footpath leading into the town centre. With regards to the bus stop, she identified this on the plan and added that it was in close proximity to the site, but the buses would not enter the site. In relation to the Police comments, she explained that the Police were in an advisory role and sought to achieve Secure by Design however there was no actual necessity to meet that standard but most of their comments had been addressed. With regards to the open space, she added that was no off-site provision as this had been included within the site boundary including an over provision of open space and walking routes, which had been requested by Natural England around the periphery of the site.

Councillor Parish stated that he had no objection to the concept and location of the proposal, but it could be that no-one from Hunstanton or West Norfolk could be guaranteed a place. His concern and that of his residents was over the impact on local health services such as Heacham and Hunstanton and abutting areas. If there was an influx of people from outside the immediate area, it would have a negative impact on the local health services. He would like to see a condition

that prioritised people from Hunstanton and the immediate neighbouring areas. That would not have an impact on local health services, local being where the development was located.

The Chairman, Councillor Mrs Spikings asked how long a tenure would they have to have lived in Hunstanton to qualify. Councillor Parish stated 3-5 years, and this should be added to the condition.

The Senior Planner stated that there was no policy requirement to tie that condition to, so it would not be reasonable. The Assistant Director explained that the facility would cover a wide area not just in Hunstanton but the surrounding villages, north coast and wider areas.

Karl Patterson explained that the affordable housing would be allocated on need and the condition would be contrary to that if it was going to be primarily based on local connection. That was the same for other new affordable housing unless it was for rural exception sites. For this application, it would be allocated in accordance with the Council's Allocations Policy in accordance with need.

Councillor Parish continued and highlighted that it had been established that the proposal might not benefit anyone from Hunstanton or the local area. It could result in no-one from the local area in the facilities, but it would put pressure on the existing health services. He added that the policy was changed for a proposal on a car park in Hunstanton so it could be changed for this application. He raised the issue of access, and that County Highways had a policy of not allowing large developments like this straight onto a main road. There was a simple alternative, which had been suggested by Councillor Beal, there could be a slip road from the Redgate roundabout to this development, which would alleviate a lot of the problems.

He explained that in 2017 there were no Neighbourhood Plans which was why there could not be an objection on Neighbourhood Plan grounds. Heacham Parish Council had been a consultee and their comments should have been included in the agenda.

He also explained that the sewage all went to Heacham and if the sewage treatment works were to be improved it would result in more impact on Heacham in terms of tankering and overflows.

The Assistant Director explained that in terms of highways there was the Bennetts Homes site further along the road, also accessed onto the main A149. The policy which had been referred to was Policy DM12 which was about the strategic road network outside settlements, and this was the same access as proposed in 2017. Anglian Water had no objection to the application in terms of sewage disposal.

Councillor Ryves stated that he considered that this was an excellent proposal but stated that there was an issue with inadequate parking.

There was also an on-going problem with the sewage and he would be minded to defer the application to resolve the sewage issues. He would like to see an absolute commitment from Anglian Water before the application was approved.

The Senior Planner advised that Anglian Water had a statutory duty to increase capacity, but the Council had no powers over and above the statutory duty they had. The Assistant Director advised that if the application were to be refused on that issue, then the Council had to be able to defend that reason on appeal.

Councillor Ryes also added that with regards to the housing on the site, he considered that some sort of viability study should have been carried out. Also, with regards to the housing, he would like to see a restriction added to prevent short term lets on them.

The Assistant Director advised that there was currently a consultation being carried out by Government on the issue of short term lets but was not something that could be dealt with now. The consultation was at the early stages.

Councillor Ryves stated that there was a number of Councils who were doing this.

The Assistant Director advised that this could have been through the Neighbourhood Plan. Hunstanton had tried to include this in their Plan, but the Examiner had rejected it. The Assistant Director advised that this could not be defended on appeal.

Having heard the advice from the Assistant Director, Councillor Parish asked for his condition to remain. This was seconded by Councillor Lawton.

Councillor Parish clarified that the condition would read that "priority would first be given to local residents of Hunstanton and surrounding areas for access to the Housing with Care facilities and they would have to have lived in the vicinity for three years."

The Assistant Director advised that the condition would not meet the tests. His view was that it should be addressed through the Council's housing policy separately and this application should not be singled out for that.

Councillor Storey added that he was committed to local homes for local people. He asked how far the surrounding area was that Councillor Parish had referred to?

Councillor Long spoke on the amendment and stated that care places had to be allocated on a care need basis and not geographical. He urged Councillor Parish to withdraw his amendment.



The Assistant Director advised that this site had been allocated for a Borough-wide need.

Karl Patterson advised that the site was allocated to meet a Borough need, and this site was the only one currently. It would meet the Borough-wide need rather than a specific need for Hunstanton.

The Assistant Director advised that if the amendment was agreed then it would need to be included within the Section 106 Agreement.

The Democratic Services Officer then carried out a roll call on the amendment proposed by Councillor Parish, seconded by Councillor Lawton and after having been put to the vote was lost (5 votes for 11 votes against and 1 abstention).

Councillor Nockolds stated that she was in support of the application. She advised that she had nursed in the Hunstanton area where people had moved from other areas. She had also nursed in the whole of West Norfolk. She added that when people were in their own homes, they often felt insecure and isolated, so an area with housing with care and open market housing, offered an excellent scheme which West Norfolk needed.

The Chairman added that she was in favour of the scheme as it was very much needed. She added that often the elderly was very lonely and desperate to see people. She added that West Norfolk did have an elderly population and this scheme was ideal. The scheme would also offer jobs. She acknowledged the issue with Anglian Water but explained that this could be addressed.

Councillor de Whalley asked for clarification regarding page 29, 'as further mitigation would be proposed ...'. Also, on page 21 it stated that the care apartment would be located on F2.5 which was for employment use. He also asked about cycle paths being shared with vulnerable people.

The Senior Planner advised that there was an area of land as per the proposed condition and highlighted it on the plan. There was a plan listed in the conditions which would ensure that it would be delivered. There was no cycle route through the site and any off-site cycle routes were generally shared. With regard to F2.5 and that being an employment use, she explained that the apartment building was located within that site. The previous outline application considered that the two allocations could be merged and was an acceptable way forward.

Councillor Ryves proposed that the application should be deferred as there were issues to be addressed including the comments from Councillor Bubb regarding the heating system and the reluctance of officers to add a condition preventing the housing being used as short

term lets. This was seconded by Councillor Lawton and after having been put to the vote was lost (5 votes for and 12 against).

Councillor Storey welcomed the application and congratulated the applicant for the completeness of the application. He added that the proposal was very much needed, and he would welcome such a development in his area. One of the public speaker's supporting the application indicated that this was a local development for local people. He added that it was the right application in the right place at the right time.

The Chairman drew the Committee's attention to the late correspondence and the need to amend condition 3, remove conditions 6, 7 and 8, amend condition 11 that would now read condition 8, amend condition 24 which would now read condition 21 and add two conditions 27 and 28, which was agreed by the Committee.

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 (15 votes for 2 votes against and 1 abstention) together with the amendments to conditions as outlined in late correspondence.

**RESOLVED:** (A) That the application be approved, subject to conditions and the satisfactory completion of a S106 Agreement to secure affordable housing, open space provision and maintenance, SUDS provision and maintenance and GIRAMS mitigation payment within 4 months of the date of this Committee resolution together with the amendments to conditions as outlined in late correspondence.

(B) In the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be refused due to the failure to secure affordable housing, open space provision and maintenance, SUDS provision and maintenance and GIRAMS mitigation payment.

*The Committee then adjourned at 10.54 am and reconvened at 11.05 am.*

- (ii) **22/01947/FM**  
**King's Lynn: Queen Elizabeth Hospital, Gayton Road, King's Lynn: Demolition of the Inspire Centre, including its associated car park and full planning permission for the construction of a multi-storey car park, associated highway works, engineering works, drainage works and landscaping: Queen Elizabeth Hospital King's Lynn NHS Foundation Trust**

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The Senior Planner introduced the report and explained that full planning permission was sought for a 1,383-space multi-storey car park (MSCP) at the Queen Elizabeth Hospital. It would be sited near to the entrance to the overall hospital site, so it would be very visible in the street scene along Gayton Road.

Six levels of parking would be provided over two phases and would provide a total (phases 1 and 2) of 98 no. disabled / accessible parking bays and 1,285 no. ambulant bays. The car park would use automatic number plate recognition (ANPR) to manage parking and payments with options to pay on-foot or 'upon exit'.

The building would measure 21.7 m to the top of the vertical fins increasing to 25.3 m to the roof of the stair cores. The top deck of the car park sits 18m above the ground level of the car park.

Vehicular access and egress from the building would be from the north.

Associated highways works (within the wider site) included the extension of the existing pedestrian crossing on the main hospital spine road, carriageway widening and realignment of car park and egress and construction of dropped kerb crossings with tactile paving.

No substantial or protected trees would be affected by the proposed development.

The site did not lie in an area at risk of flooding.

Whilst the application included the demolition of the existing Inspire Building, this had already been permitted under application 22/01914/F. Therefore, no further consideration was being given to that.

The development would, however, require the temporary movement of the existing bus stop that sat to the north of the Inspire Building, and the loss of 218 car parking spaces. In relation to the latter, the loss had been addressed by the granting of the provision of 227 temporary car parking spaces elsewhere on the wider hospital site, under application 23/00146/FM.

The application had been referred to the Committee for determination by 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, Alice Webster (supporting) and Simon Houldcraft (supporting) addressed the Committee in relation to the application.

The Chair asked about the size of the car parking spaces. The Senior Planner clarified the size of the spaces together with the disabled car parking spaces.

The Chairman added that the size of cars had increased, and the design of the car park was not always good. She also asked that the payment machine also needed to take cash not just cards and phones. She did like the design of the car park.

The Senior Planner explained that the size of the car parking spaces were a standard 2.5 m width.

Councillor de Whalley stated that he was concerned over the heritage impact. The Church of St James and surrounding medieval settlement had been noted and there were also bronze age barrows in the vicinity. The surrounding landscape was important historically. He understood that the car park was needed but he felt that more could have been done to lessen its impact on the skyline. He asked to what extent the heritage impact had been considered. His other concern related to the access onto the A149. He stated that the hospital would have to increase in size as the population of West Norfolk had increased, and the amendments were not ideal. He added that the filter lane was not always used as people had problems with it.

The Assistant Director advised that in relation to heritage there was quite a detailed assessment on pages 56-59 which discussed the heritage impact. Officers considered that there was less than substantial harm (as set out in the NPPF), which was outweighed significantly by the public benefits of providing this facility as set out on page 63.

Councillor Parish added that he agreed with Councillor Spikings regarding the payment machine, and he hoped that it would be charged for the amount of time that someone was there rather than people having to guess how long they would be. He hoped that the Committee would vote for the application and that news would come today / tomorrow from the Government on whether there would be a new hospital, as there was nothing now to prevent it.

Councillor Hudson stated that she did not like the design of new car park, but she acknowledged that it was needed. She queried the location of the car park and felt that there was a better location for it. She also supported Councillor de Whalley's point regarding the slip road onto the A149.

Councillor Long stated that a car park was needed, fit for purpose and ready for when there was a new hospital and the only way to do that was in phases. The car park would also serve people from other areas, where the car would be the main mode of transport. His concern would be around the number of disabled spaces and considered that more spaces were needed on the ground floor.

Councillor Bubb stated that it was a scheme that was greatly needed. The pay on exit was going to be the car park of choice and there needed to be a proper exit from the roundabout to avoid congestion. The bus stop was proposed to be moved to the furthest point away from the day unit and eye centre. He added that there needed to be an additional bus stop or further consideration needed to be given to relocating it.

The Chairman asked whether there would be a sign to advise if the car park was full or how many spaces were available to avoid people entering the car park when it was full.

The Assistant Director advised that there was not anywhere else to go, and the car park was planned to provide for the new hospital. There were a significant number of spaces and it provided more than the existing parking arrangements.

The Senior Planner advised that when phase 1 opened there would be more parking than was required, as there would be phase 1 of the multi-storey car park and the main car park would remain open. When phase 2 began the main car park would close so the multi storey car park would be the only car park. With regards to the bus stop relocation she explained that this was because the route had to be kept clear for the ambulances and it was the closest place that a bus stop could be provided.

Councillor Bubb proposed that the application be deferred until a better location for the bus stop was found, however there was no seconder for his proposal.

In response to a query from Councillor Ryves regarding the location of the new hospital, the Chairman advised that the Committee needed to consider what was in front of them.

Councillor Ryves added that if the car park was built then it was committed to this site. He considered that alternative sites for the hospital should be looked at.

Councillor Holmes asked for clarification regarding Norfolk Fire & Rescue Service's comments. However there appeared to be no reference to this within the report.

The Senior Planner advised that their main concern was the electric charging bays within the building. The electric charging points would now be located elsewhere, and this was covered by conditions 11 and 12. Also, there was a water tank for fire, which was highlighted on the plans, and all other issues were covered by building regulations and not planning matters.

Councillor de Whalley referred to the 18 EV charging points and explained that given the intention was that by 2035, there would be a shift to all electric vehicles and this would be during the lifespan of the car park.

The Chairman also asked if the weight of the new electric vehicles, which were heavier, been taken into consideration.

In response, the Assistant Director advised that this would be taken into account as part of the building regulations and structural engineers reports. With regards to the 18 electric charging points it was considered to be adequate, and the battery life of cars would expected to be longer.

Councillor Lawton referred back to the location of the bus stop and considered that there was a better place for it.

Councillor Storey stated that the design of the car park was acceptable. He added that he agreed with the comments of Councillor Long regarding the number of disabled spaces that there should be more. He stated that when phase 2 was completed, would the car park be big enough for the hospital.

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 16 votes for and 1 abstention).

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

**(iii) 22/01756/FM**

**Emneth / Walsoken: Land south of Sandy Lane and north and south of Walsoken Footpath Usrn 80483456 Sandy Lane: Hybrid application. Full planning permission for the erection of 325 dwellings with access off Sandy Lane, highways layout, public open space, landscaping and associated infrastructure. Outline planning permission for a community hub for the erection of 325 dwellings with access off Sandy Lane, highways layout, public open space, landscaping and associated infrastructure. Outline planning permission for a community hub/local centre comprising convenience store 300m2, other retail/services/health 200m2, parking/servicing, play areas/open space, 60-bedroom care home/extra care accommodation and C3 residential development with all matters reserved apart from access: Prosperity Wealth and Developments Ltd**

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The Senior Planner introduced the report and explained that this was a cross-boundary application duplicated with application ref:

F/YR22/1256/F being processed by Fenland District Council. The report contained two elements (a) procedural issue regarding application ref: 22/01756/FM in accordance with the Local Government 1972 and (b) response to consultation sought by Fenland District Council in relation to application F/YR22/1256/F under application ref: 22/02080/CON.

The land comprised an irregular shaped area of 19.23 ha of mostly agricultural land and orchards situated to the north, east and south-east of Meadowgate Academy (on Meadowgate Lane, Wisbech, west of Green Lane plus Broadend Road, and south of Sandy Lane in the parish of Walsoken. The County boundary between Cambridgeshire and Norfolk bisects the site in a north-south alignment. Therefore, approximately 4ha, or 20% of the overall site area was located within the Borough.

This was a hybrid application: Full planning permission was sought for the for the erection of 325 dwellings with access off Sandy Lane, highways layout, public open space, landscaping and associated infrastructure. Outline planning permission for a community hub/local centre comprising convenience store 300m<sup>2</sup>, other retail/services/health 200m<sup>2</sup>, parking/servicing, play areas/open space, 60-bedroom care home/extra care accommodation and C3 residential development with all matters reserved apart from access.

The Community Hub/local centre, care home and approximately 59 dwellings were located within our part of the overall site.

The application had been referred to the Committee for determination, as this was a cross-boundary application and any decision to devolve decision-making must be made by the Planning Committee.

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

The Chairman referred to the comments from the Local Highway Authority (unable to make a recommendation) and National Highways (recommend not determined for a specific period). She explained that Broadend junction was so dangerous and advised that for many years it had been talked about, but it had not been upgraded. There was a desperate need for a roundabout, as there had been deaths and accidents at that location and asked how many more lives needed to be lost before anything was improved there. Improvement works needed to take place before any further development took place. The road was 60 mph and time and time again requests had been made for junction improvements, but this was not forthcoming. She added that the application should be deferred to Fenland District Council, but stronger action needed to be taken to get the improvements that were needed.

Councillor Long stated that he was aware of the Broadend Road junction but anything putting extra traffic on that junction needed to be taken into consideration by Fenland District Council, Cambridgeshire County Highways, Local Highways Authority and National Highways. Broadend Road junction was dangerous, the Green Lane where you could walk across the A47 was dangerous. This representation needed to be made to Fenland District Council. He agreed that the application should be deferred to Fenland District Council, but representations should be made as strongly as possible.

The Senior Planner concurred with the concerns raised which could be sent on accordingly. As a separate issue, Cambridgeshire County Council had been looking in conjunction with Norfolk County Council to get highway improvements in place to serve Wisbech and a roundabout possibility was being looked at this location. Land acquisitions were being carried out and likewise with Elm High Road the Council had been consulted on both of the schemes. It was not something that had been looked at lightly.

The Chairman stated that this had been on-going since 2016 and asked how long it would take.

Councillor Parish stated that in relation to the Local Highway Authority and National Highways not making a comment on the application, he thought that it should be a refusal rather than no recommendation. He noted that the Parish Council had strong comments in relation to the application. He asked that if by deferring the application to another authority did any impact be lost and should the people who lived in the area be represented. He suggested that the Committee could recommend refusal on highway grounds or could there be a joint representation.

It was advised that page 77, second paragraph addressed the issue. The Assistant Director advised that the Committee could raise concerns and it was known that the Broadend Road junction had to be brought up to standard before development took place and he understood that things were advanced with that.

The Chairman proposed that that the infrastructure be put in place before any development took place. This was seconded by Councillor Long and agreed by the Committee.

**RESOLVED:** (a) The Planning Committee devolved its decision-making authority to Fenland District Council in respect of this 'cross-boundary' application.

(b) The comments of Walsoken Parish Council, along with the other comments raised by statutory consultees, interested parties, plus the resolution of the Committee that the infrastructure (i.e. the Broadend Road junction with the A47) needed to be in place before any development took place otherwise they would object, are to be



forwarded to Fenland District Council for them to take into account in the decision-making process. This would also constitute the response to consultation sought by Fenland District Council in relation to application ref: F/YR22/1256/F under application ref: 22/02080/CON.

**(iv) 22/01987/FM**

**Walsoken /Marshland St James / West Walton: Land SE of Poplar Farm, Harps Hall Road, Walton Highway: Installation, operation and decommissioning of solar farm comprising an array of ground mounted solar PV panels and battery storage system with associated infrastructure including inverters and a substation compound as well as fencing, security cameras, cabling and biodiversity enhancement measures: Downing Renewable Developments LLP**

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

The Planning Control Manager presented the report and advised that planning permission was sought for approximately 125,000 ground mounted solar panels, and Battery Energy Storage System (BESS) with associated infrastructure including inverters and substation compound. The panels would rise to approximately 3.1m at their highest point. The export capacity would not exceed 49.9MW. All cabling from the site to the substation would be installed underground and could be fed into the national grid network.

The proposal included a 2.5 m high perimeter deer fence, with additional 3m high palisade fencing for security to the proposed battery and substation compound. Boundary planting was also proposed.

CCTV cameras mounted on poles measuring up to 3.3m in height facing into the site were proposed.

No lighting was proposed around the site perimeter, although passive infrared sensor lighting would be installed around the substation and battery compound. Lighting could be conditioned.

The application site was approximately 87 hectares, and the solar panels and associated works would cover approximately 33 hectares, with the remaining 54 hectares dedicated to biodiversity enhancements and 0.9 hectares of bramble scrub to be retained.

The site was a mixture of agricultural land classification grades 3a and 3b, with small pockets of grade 2. The site was presently in agricultural use and had been used for growing energy crops to produce biomass, which was burnt to produce energy.

The site comprised parcels of land on either side of Harp's Hall Road.

Planning permission was sought for a temporary 30-year operational period, prior to being fully decommissioned and the site restored.

The development was EIA development and was screened and scoped under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The impacts had been considered in the Environmental Statement which had been submitted as part of the application.

The application had been referred to the Committee for determination as the Parish Council objected to the proposed development.

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, Malcolm Stead (objecting), Victoria Meek (objecting) and Fraser Blackwood (supporting) addressed the Committee in relation to the application.

The Chairman referred to the fact that there would not be any lighting, but it stated in the report that there would be passive lighting. One of the public speakers also referred to the number of lorry movements being less for this site, but it was larger than other sites which had more traffic movements. The Planning Control Manager explained that the Transport Assessment had been considered by Norfolk County Council who had thoroughly assessed the report and raised no objection to it and this had been outlined on page 107 of the agenda.

In response to a comment from the Chairman, the Assistant Director agreed that there were quite a few applications that were under just under the 50 MW threshold before it became a National Infrastructure Project and as such had to be determined by the Planning Committee.

Councillor Parish stated that he would like to congratulate the first two public speakers who had summed up the concerns well. He added that the electricity that was produced in the summer was sold on the international market and did not benefit the local people. The best place for solar panels were on the roofs of houses, as they benefitted the people who lived there. The land, 58% of it, was good or better farming land and could be used for crops although it was argued that the land was currently used for growing crops for biodigestion and energy production and therefore there was no loss of farming land, to which he disagreed with. Food could not be produced from other sources. He referred to the comments from CPRE on page 96 of the agenda. He also made reference to the number of traffic movements, which had been accepted by Norfolk County Council and suggested that there were questions to be asked about the traffic assessment. He reminded the Committee that they had voted against two previous applications for solar farms.

Councillor Parish proposed that the application be refused, which was seconded by Councillor Long on the loss of agricultural land and that it would have an adverse impact on visual amenity and landscape, which outweighed any benefits of the solar farm.

Councillor de Whalley pointed out that the Committee had approved development on Grade 3 land because the benefit outweighed the disadvantages. He referred to the Inter-Government's report and the need to rapidly decarbonise our society. He quoted from the report to the Committee. Therefore, he did support the recommendation to approve the application, however he asked for noise attenuation to be addressed.

The Planning Control Manager stated that CSNN did not raise any objection to the potential of noise disturbance from the development when it was operational and as well as during the construction period and safeguarding conditions had been imposed to that effect.

The Chairman asked if any consideration been given to the open countryside where there was certain stillness and was different to that in a town. The Planning Control Manager advised that background noise levels would have been taken into consideration.

Councillor Nockolds added that the Fens had the reputation throughout England for growing food and more needed to be grown. She felt that this land should be left for growing our own food.

Councillor Ryves added that the applicant had made reference to the fact that the land was not being used for food production, therefore the land for non-food production would have to be relocated somewhere else.

Councillor Holmes stated that he had a cutting from Your Local Paper dated 21 April 2023 which stated that barley and wheat was being exported to other countries from King's Lynn Port. Malted barley was also exported to Scotland and a vessel sailed to Spain with a cargo of rye. He added that tonnes of agricultural products were being exported to other countries and that the two plots being used for the solar farm would not fill up any ship with a cargo of grain. He considered that the argument about removing land from agricultural use was irrelevant. He also referred to the comments from Councillor Kirk as reported in the agenda.

Councillor Lawton stated that the Committee had been informed at a previous meeting by Councillor Storey that it did not matter what grade the land was as crops could still be grown on it.

The Democratic Services Officer then carried out a roll call on the proposal to refuse the application and, having been put to the vote was carried (14 votes for 2 votes against and 1 abstention).

**RESOLVED:** That the application be refused, contrary to recommendation for the following reasons:

1. *Benefits of renewable energy would not outweigh the loss of a significant amount of agricultural land and therefore contrary to Policy DM20;*
2. *Would result in an adverse visual impact on the open Fenland landscape which would not be outweighed by the benefits of renewable energy and therefore contrary to Policy DM20.*

*The Committee then adjourned at 1pm and reconvened at 1.30 pm.*

**(v) 22/01151/FM**

**Wiggenhall St Germans: Land NW of High Road, Saddlebow: Installation of a Battery Energy Storage System (BESS) comprising: self-contained battery modules on skids; transformers; power conversion systems modules; control building; electrical connection compound including substation; control and storage containers; underground cables and conduits; access track; security fence; temporary construction compound and associated infrastructure; bund and planting scheme: Lynn Power Limited**

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

The Senior Planner introduced the report and explained that the application was for the installation of a Battery Energy Storage System (BESS) to the south of King's Lynn Power Station, and to the west of High Road, Saddlebow. The River Great Ouse Relief Channel ran in a north-south direction, to the west of the site and the northern boundary of the site adjoined a (gas) Pressure Reducing Metering Station (PRMS) associated with Palm Paper mill, which was located approximately 800m to the north.

The overall site area totalled some 2.2ha which included a new access track from High Road, visibility splays, landscaping, surface water drainage feature, plus the diversion and undergrounding of a 33kV power line which currently bisected the site. The equipment would however only cover an area of approximately 3600 m<sup>2</sup> contained in a 2 m high bunded area / surround.

The BESS would store excess electricity at times of low demand and then release it back into the grid when required at peak times. It would be rated at just over 100MWh and would therefore be capable of providing a 50 MW output over a 2-hour period. It was anticipated that the proposed development would be operational for a period of forty years.

The site was located outside of the development boundary for King's Lynn so was therefore in an area classed as countryside. However, it was acknowledged that the site abutted the neighbouring Power Station and Pressure Reducing Metering Station (PRMS), which were also within the countryside and that the location of both was immediately adjacent to the development boundary of King's Lynn and Saddlebow Industrial Estate in particular.

The site was arable grade 2 agricultural land and in an area at high risk of flooding (Flood Zone 3A and Tidal Hazard Mapping Zone). It was also in the location of Public Rights of Ways FP8 and FP21B and National Cycle Route 1. There was significant apparatus associated with Cadent Gas, National Grid and Palm Paper in the vicinity of the site.

The BESS was considered to be 'associated infrastructure' in relation to the management and use of energy and the National commitment to carbon neutrality by 2050. It should therefore be considered in the context of Policies DM2 and DM20 of the Development Plan accordingly.

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

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, Nicola Thornton (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Kemp addressed the Committee objecting to the application as it was too close to the town and South Lynn and did pose a fire risk.

Under Standing Order 34, Councillor Joyce addressed the Committee on Zoom objecting to the application on the grounds that it was not compliant with caselaw and Policies CS1, CS2, CS6, CS8, DM2 and DM20.

The Assistant Director referred to page 135 of the agenda, where it stated that there was a planning balance to be made to weigh the benefits of the proposal against the harm. It was located next to existing infrastructure and in terms of consultees listed on pages 124 and 125 of the agenda, there had been no objections received from them.

Councillor Long stated that he had requested that this be considered by the Committee. He added that the site was located within his ward and not Councillor Kemp or Councillor Joyce's ward. He added that the site was adjacent to the existing Power Station.

Councillor de Whalley outlined his concerns in relation to the application and was in proximity to gas infrastructure and residents in the town and surrounding area.

Councillor Holmes stated that he was against the application in terms of fire risk. He added that the site was on the edge of a river which was prone to flooding from time to time. He asked whether this type of risk was needed on the edge of the town and sluices.

The Senior Planner explained the flood risk mitigation measures.

Councillor Parish stated that there were issues with fire risk. This site was much smaller than the previous application. The carbon footprint of the batteries was huge and would take time to recover.

The Senior Planner advised that officers had to take on board the information that was put forward.

Councillor Bubb stated that the technology was too new to put in a vulnerable position. If the Committee was minded to approve the application then he would like to draw attention to the fact the applicants were acknowledging that the site may flood but the screening was only guaranteed for 5 years. He would therefore like the screening to be extended for the life of the proposal. This was seconded by Councillor Long.

The Senior Planner advised that if there was a flood the estimated flood height would be 0.6 m. The actual bunding was 2.0 m which was well above that level. It would only be the base of that area which would be touched if there was a flood, and the landscaping above would be untouched.

The Committee then voted on the additional condition to extend the screening for the lifetime of the project, which was agreed.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application together with the additional condition regarding the screening and, having been put to the vote was lost (6 votes for and 11 votes against).

As the recommendation was lost the Committee continued with the debate and put forward reasons for refusal.

Councillor Ryves proposed that it was development within the countryside contrary to policies CS06 and DM20.

Councillor Parish suggested that the reasons were impact on surrounding landscape and townscape, impact on amenity, impact on watercourses and public safety.

The Committee then voted on the proposal to refuse the application and, after having been put to the vote was carried (11 votes for, 6 votes against).

**RESOLVED:** That the application be refused, contrary to recommendation, for the following reason:

*The proposal constitutes development in an area classed as 'countryside' which would adversely affect its intrinsic character and beauty, and its natural resources to be enjoyed by all. In addition, the development has adverse impacts/harm upon: the surrounding landscape and townscape; Amenity; Water courses (in terms of pollution); and Public safety. The scheme therefore fails to accord with Policy CS06 of the Core Strategy (2011) and Policy DM20 of the Site Allocations and Development Management Policies Plan (2016). The energy supply benefits associated with the proposed development fail to outweigh the policy objections to the scheme.*

**(vi) 22/02135/F**  
**Ingoldisthorpe: 12 Davy Field, Lynn Road: Construction of dwelling on Plot 12: J Sehgal**

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

The case officer introduced the report and explained that the application site was located in Ingoldisthorpe, which was classified as a rural village within Policy CS02 of the Core Strategy 2011. The plot was located within the southern corner of a previously approved residential development. The plot was positioned within the defined settlement boundary for the village which currently consisted of three distinct parts, the largest being centred around the junction of Hill Road with Lynn Road.

The plot was granted permission for the erection of a self-build dwelling under application 18/02200/RMM and categorised as house type 'C3'.

The site was not located within a Conservation Area, Area of Outstanding Natural Beauty or within close proximity to any listed buildings.

The proposal sought permission for a new two storey dwelling on plot 12. The appearance of the dwelling was similar to that previously agreed and complied with the design code agreed under 18/02200/RMM. The application had been amended since its original submission removing the proposed external staircase.

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

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

In accordance with the adopted public speaking protocol, Jason Law (supporting) addressed the Committee in relation to the application.

Councillor Bubb stated that it was in his ward. He added that he was a little disappointed with what had been built so far but this was more interesting. However, the Parish Council was worried about any potential light pollution to the woods.

Councillor Parish stated that the error that had been made was that permitted development rights had not been removed. As far as the extensive glass was concerned, the type of glass could be conditioned.

The Assistant Director advised that his concern would be that the application should not be singled out and the condition would not be fair and reasonable.

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 (15 votes for and 2 abstentions).

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

**(vii) 22/01913/F**

**Thornham: Lombardy, High Street: Construction of 2 new dwellings following demolition of existing dwelling: Mr Sam Jones**

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

The case officer presented the report and explained that the application site related to an irregular parcel of land measuring approximately 1688 m<sup>2</sup> and currently comprised a two-storey detached dwelling and garden land. The site was situated on the northern side of High Street, Thornham and was within the Conservation Area and the Area of Outstanding Natural Beauty.

Full planning permission was sought for the construction of 2 x two-storey detached dwellings following demolition of the existing dwelling.

Thornham was classified as a Rural Village within the Development Plan.

The application had been referred to the Committee for determination at the request of 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, Sam Jones addressed the Committee in relation to the application.

Councillor Lawton welcomed the application and felt that the new buildings would be an improvement on what was there.

The Chairman drew the Committee's attention to the need to amend Condition 9 as outlined in late correspondence, which was agreed.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application subject to condition 9 being amended, as outlined in late correspondence and, having been put to the vote was carried unanimously.

**RESOLVED:** That the application be approved, as recommended subject to the amendment of condition 9 as outlined in late correspondence.

PC137: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

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

**The meeting closed at 2.39 pm**