

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

**Minutes from the Meeting of the Planning Committee held on  
Monday, 5th June, 2023 at 9.30 am in the Assembly Room, Town Hall,  
Saturday Market Place, King's Lynn PE30 5DQ**

**PRESENT:** Councillor J Rust (Chair)  
Councillors Anot, Bearshaw, R Blunt, F Bone, A Bubb, C J Crofts,  
M de Whalley, Devulapalli, Everett, B Long, Ring, C Rose, A Ryves,  
S Sandell, M Storey and D Tyler

An apology for absence was received from Councillor de Winton, Lintern and  
Mrs V Spikings (Vice-Chair)

PC1: **WELCOME**

The Chair 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 carry out a role call to determine attendees.

PC2: **APPOINTMENT OF VICE-CHAIR FOR THE MEETING**

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

PC3: **APOLOGIES**

Apologies for absence had been received from Councillors S Lintern (Councillor Bearshaw sub), V Spikings (Councillor Crofts sub) and T de Winton (Councillor Sandell sub).

PC4: **MINUTES**

The minutes of the meeting held on 24 April 2023 were agreed as a correct record and signed by the Chair.

PC5: **DECLARATIONS OF INTEREST**

The Chair declared that in relation to application 10/2(j) – whilst she did not know the applicant she did know someone who would be working for it but considered that she could act in a fair, objective and open manner.

PC6: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business under Standing Order 7.

PC7: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

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

<i>Name</i>	<i>Item</i>	<i>Parish</i>
Cllr Parish	10/1(a), 10/1(b) & 10/2(d)	Heacham
Cllr Kemp	10/2(a)	Clenchwarton
Cllr Kunes	10/2(a)	Clenchwarton
Cllr Lintern	10/2(h) & 10/2(i)	Stoke Ferry

PC8: **CHAIR'S CORRESPONDENCE**

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

PC9: **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.

PC10: **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) – (xiv) below, where appropriate, to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chair.

- (i) **22/01648/FM**  
**Heacham / Snettisham: Heacham Bottom Farm, Lynn Road: Change of use of existing buildings and new buildings to provide – new visitor centre, café, event and retail space,**

**indoor play building bike hire service, change of use of land to play facilities and creation of new bike tracks, woodland edge glamping units, car parking, new landscaping and off-road path: Wild Ken Hill**

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

The Principal Planner introduced the report and advised that some Members would recall that, although the Local Highway Authority (LHA) concluded that the proposed development would not result in the need to seek significant improvements to Lamsey Lane / Lynn Road junction, this application was deferred from 3 April Committee meeting to enable an update on an ongoing feasibility study by Norfolk County Council for improvements to this junction. Additionally, the Parish Council requested additional traffic information to be submitted because they queried the findings of the Automatic Traffic Count.

The feasibility study had now been concluded and looked at various traffic light and roundabout options, some with bus priority measures, to improve traffic flow at the junction. The simpler forms of these were lower-cost and required less land take, whereas the roundabout option, which was a typical solution for principal junctions, would involve higher costs and more land take. A summary of the findings of the feasibility study was attached as an appendix to the report.

Full planning permission was sought for a new destination day visitor attraction including a small 10 yurt glamping site.

The site measured c.38ha and comprised an area of existing built form in the farmyard, areas of agricultural fields and rough pasture, and a small part of Ken Hill Wood.

Part of the site fell within the Norfolk Coast Area of Outstanding Natural Beauty (AONB).

The northern part of the site fell within the parish of Heacham, whilst the southern part fell within the parish of Snettisham.

The site was located outside the development boundary of both villages.

It had been suggested that the proposed development would generate 16.25 full time equivalent jobs.

The application had been referred to the Committee for determination as it had been deferred from the meeting on 3 April and called-in 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, Mr Henry Head (objecting), Mr P Rawlinson (neutral - Parish Council), Mr James Ellis (supporting) and Dominic Buscall (applicant – supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Parish (Ward Councillor) addressed the Committee in relation to the application. He understood the concerns of Heacham residents most of which were unpublished. He explained that he had proposed that the application be deferred in order for NCC proposals for the junction to be clarified. He explained that there was a Heacham Neighbourhood Plan, which he was one of the authors. The paragraphs about holiday accommodation were hard to get an Inspector to agree to. Further holiday accommodation beyond existing defined holiday areas would only be supported where the proposals explanation of conformity with HNP holiday/tourism policy. Clause 7 could demonstrate a link to wider tourism or land use initiatives that provided demonstrable benefits to the local area. That had been written by legal representatives of Wild Ken Hill in anticipation of these applications. Without that clause, other clauses would prevent these applications being successful. Initiatives which sell it are the re-wilding of land and regenerative farming techniques. He would like those tied to the applications such that if in the future the proposed developments came under other control for example another private business, the applications must be referred back to the Planning Committee to determine if the policies of the Neighbourhood Plan were still met, after all, this was a significant development permitted through clauses which had been put in deliberately into the Neighbourhood Plan and it was important that it was held to that clause.

In relation to traffic, Councillor Parish explained that a major concern was traffic leaving the proposed sites avoiding the road junction with the A149 by turning into the village and using the lights at the Lavender junction. County Highways could prevent this with signage saying no left turn out of the first site and no right turn out of the second site. The applicant had indicated that they were prepared to put up advisory signs but although these might help was not a requirement. He asked Highways why this relatively cheap solution to anticipated village distress could not be done.

The Chair then invited the County Highways Officers to address the Committee, who confirmed that if advisory signs were required then they were happy for advisory signs to be implemented.

Liz Poole advised that the Committee would be aware that the feasibility study had been concluded and two schemes had been included as part of the report coming forward. The County Council would be including those schemes in the annual highways capital programme which went through to Cabinet in March 2024. In the meantime, funding opportunities would be explored now a scheme had been identified.

Councillor de Whalley asked County Highways whether it would be possible to include a no left hand turn on exit sign as part of the advisory or enforceable measures, as concerns had been raised regarding traffic going through the village rather than using the A149.

It was confirmed that all off-site works would be subject to a Section 278 so the advisory signs could be included as part of that. He added that the signs could not engineer out the movement as there would legitimately be people living in the village.

Councillor de Whalley referred to the statement regarding the new off-road permissive path and asked if that could be explained and asked who would be responsible for the maintenance of the path. It was explained that the maintenance of the path would be the responsibility of the landowner/applicant. In terms of a permissive path, it was explained that the applicant had made the path available for public use, but it would be their responsibility to maintain.

Councillor de Whalley added that the permissive path could be removed at some point in the future if there was a change in owners/management. In response, the County Highways Officer explained that this would be dealt with by the public right of way officer.

Councillor de Whalley referred to Condition 14 and the comments from the King's Lynn Bike Users Group. The Senior Planner confirmed that condition 14 did not need to be amended as outlined in late correspondence.

In response to a further comment from Councillor de Whalley regarding the difference in conditions for this application and the following one, it was explained that the Mount Pleasant application was for holiday accommodation. The only element of holiday accommodation within the Heacham Bottom application was for the Yurts.

The Assistant Director advised that some of the units may well be operated separately and not by Wild Ken Hill as such.

The Senior Planner advised that the applicant was seeking four individual retail units, one was likely to relate to bike sales, and 3 other units which was strictly conditioned in terms of size and numbers and what they could sell.

Councillor de Whalley added that he was still concerned that there was the potential for the Wild Ken Hill project to end in the future and the commercial side that was put into finance that could potentially continue. The Senior Planner explained that the retail units could only continue as conditioned.

Councillor Sandell stated that it appeared that many of the issues which had been raised previously had been addressed. This

application covered a wide range of great schemes which she considered would improve the area, ie. tourism, jobs, biodiversity, active travel infrastructure and helping to promote the health and wellbeing of many visitors and residents. The project would also help to keep a bus route viable which was much needed in West Norfolk. In relation to the increase in traffic movements, this would always create concern with local residents, but the applicant had worked with Norfolk County Council to try to alleviate these concerns.

Councillor Long referred to the suggestion by Councillor de Whalley about the need for a 'no left-hand turn' into the village as that was the place where the majority of people's accommodation would be. He also added that conditions also had to be enforceable. He was supportive of the scheme without the condition for a 'no left-hand turn' into the village.

The County Highways Officer added that the signs would be advisory informing visitors that to turn right would be to the A149 and left would be village / local traffic. He added that it would not be reasonable to stop people turning left as the reasons stated by Councillor Long.

Councillor Ring added that he agreed with Councillor Long's comments and the suggestion by the County Highways Officer for the advisory signs. In terms of deferring the application again, he added that at some point a decision had to be made to get on with determining the application. The work that Ken Hill did was of national importance and to keep deferring the matter for Norfolk County Council to come up with funds to build a long-awaited safety junction was not appropriate. The more pressure that could be put on Norfolk County Council to build a roundabout or traffic lights was important. He added that he considered that any objections could be overcome.

Councillor Bubb stated that he was fully in support of the application as it stood but there were still issues in relation to the road junction. He added that there was potentially the offer of either traffic lights or a roundabout. He queried the design of the roundabout and hoped that if a roundabout was to be constructed it would be with one lane.

The Assistant Director advised that any scheme would have to go through a safety audit.

Councillor Storey stated that the applicant had gone above and beyond in relation to the application and had listened to the concerns that had been raised particularly from residents of Heacham and Snettisham. He asked County Highways to consider when determining whether to install traffic lights or construct a roundabout not to be put off by the cost. He considered it to be a good scheme for West Norfolk and asked County Highways to obtain the relevant funding and make sure that the scheme was right.

Councillor Bearshaw recognised the need to bring tourism to the area but his concern relating to the A149 which was either a stop/start road or a very fast road. He asked County Highways when considering the junction to also consider the crossing.

Councillor Bone echoed Councillor Storey's comments. The applicant had brought a good scheme forward which was sustainable. He added that the onus was on the Highways Department to make the vital road improvements, which the coastal areas had needed for some time. Much improved roads were needed from the A17, all the way up to the coastal towns. He would like to see a longer-term project to improve tourism in the Borough.

The Chair added that she would like to add her support to the application and that the applicant had listened to concerns from stakeholders and made changes to the application.

She referred to the proposal from Councillor de Whalley for a condition specifying advisory signs, which was seconded by Councillor Ring with the precise wording to be agreed with the Chair and Vice-Chair, which was agreed.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application subject to an additional condition requiring advisory signs and the correction of condition 36 (to refer to condition 35), and, after having been put to the vote, was carried unanimously.

**RESOLVED:** That the application be:

**APPROVED**, subject to the signing of a Section 106 legal agreement to secure safeguarded land around the Lamsey Lane junction for potential future highway improvements for a period of 15 years from the date of decision, the correction to condition 36 and the imposition of the conditions set out in the Committee report and an additional one requiring advisory signs (the precise wording to be agreed with the Chair and Vice-Chair).

- (ii) **22/01650/FM**  
**Heacham / Snettisham: Mount Pleasant Farm: 25 Lamsey Lane: Change of use of land to provide 20 touring caravan pitches with hardstanding; change of use of land to create areas for camping and grass touring caravan pitches; change of use of existing buildings and new building reception/retail area and storage area, creation of parking area (temporary parking / drop off) new landscaping and off-road path: Wild Ken Hill**

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

The Planning Control Manager introduced the report and explained that some Members would recall that, although the Local Highway Authority (LHA) concluded that the proposed development would not result in the need to seek significant improvements to Lamsey Lane / Lynn Road junction, this application was deferred from 3 April Committee meeting to enable an update on an ongoing feasibility study by Norfolk County Council for improvements to this junction. Additionally, the Parish Council requested additional traffic information to be submitted because they queried the findings of the Automatic Traffic Count.

The feasibility study had now been concluded and looked at various traffic light and roundabout options, some with bus priority measures, to improve traffic flow at the junction. The simpler forms of these were lower-cost and required less land take, whereas the roundabout option, which was a typical solution for principal junctions, would involve higher costs and more land take. A summary of the findings of the feasibility study was attached as an appendix to the report.

Also, as agreed via late correspondence at Committee on 3 April 2023, condition 24 had been duly corrected to refer to condition 23.

Full planning permission was sought for a holiday site comprising 20 x touring caravans pitches, 40 x grass tent pitches and 7 x bell-tent pitches. The development included the change of use of an existing brick-built stables and office building to a reception / retail / storage building, the erection of a new building to accommodate a utility building, the creation of a parking area along with landscaping and off-road access tracks and paths.

The site measured c.6.5 and comprised an existing farmhouse and garden, and various outbuildings such as stables, storage and an office associated with the existing permitted equine use of the site.

The development would involve the demolition of four of the outbuildings (357m<sup>2</sup>) retaining the farmhouse and brick-built stables / office building.

The site was located outside of the development for Heacham in land designated as countryside.

The site also fell within Flood Zone 1.

It was suggested that the proposed development would generate 7.75 full time equivalent jobs.

The application had been referred to the Committee for determination as it had been deferred from 3 April Planning Committee and had been called-in 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, Mr Henry Head (objecting), Mr Paul Rawlinson (Parish Council objecting), Mr James Ellis (supporting) and Dominic Buscall (applicant supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Parish addressed the Committee regarding the application. He explained that it had been mentioned several times that this application was intrinsically linked with the previous application. Following on from what the Parish Councillor speaker had said if this application had come forward as a sole application without the other one being present, it would have fallen foul of the Neighbourhood Plan, which he had been a co-author of. As it was linked to the other one it came under HNP holiday/tourism clause 7 and was allowable under the Neighbourhood Plan. He added that things did change, and there was nothing stopping a private company from taking over the development in the future. This site could become a private camp site and would therefore not comply with the requirements of the Neighbourhood Plan. He added that he had asked for in his first speech whether these two linked applications could be conditioned that they came back to Planning Committee if circumstances changed.

The Chair advised that Condition 31 covered what Councillor Parish was asking for.

Councillor Long added that he found it incredible that a resort such as Heacham did not have a campsite for tents, motorhomes, etc so he could see that it would be a benefit to the local economy and the fact that it was linked to Wild Ken Hill was a bonus. He also declared that, because there was a footpath which would run past a static caravan park, he believed that a relative of his owned that caravan park, but it would not influence the way in which he voted.

Councillor Ring referred to the crossing and considered that 60mph from Lamsey Lane into the village was excessive. He wished to ask the County Highway Officer that were they going to consider a survey to reduce the speed limit on that stretch of road to be more in accordance with people crossing the road and the applicant had also mentioned dog walkers and cyclists. He felt that it was imperative that the Committee focused on the dangers of crossing that road as well as the junction. He added that there were lots of blind bends on Lamsey Lane and the speed limit was ridiculous.

The County Highways Officer explained that as part of the assessment, the applicant had carried out a speed survey on Lamsey Lane itself as part of determining the visibility requirements at both access points and whilst the speed limit was de-restricted the recorded speeds showed an 85<sup>th</sup> percentile speed of 40mph. Whilst there may be instances of people travelling faster than that the majority of people travelled 40mph. In relation to the crossing itself that would be subject to a

detailed design by the applicant and a safety audit. He did not feel that Lamsey Lane would meet the criteria for a reduction in the speed limit.

Councillor Ring stated that people would drive to the speed limit, and it would only take one or two people to drive round the bends at 60mph and cause death. At the moment, there was not a crossing. He felt that it was wrong not to review that speed limit now.

The County Highways Officer explained that as the ATC had proven that with a de-restricted road, drivers would drive to the conditions of the road would allow to. The geometry of the road would naturally slow speeds. The crossing would be subject to a safety audit and there would not be room for a safety island.

Councillor Bone added that the Parish Council had mentioned that the footpath did not go to the village, but the applicant did. The Senior Planner highlighted on the plans where the footpath link would be.

The County Highways Officer explained the footpath arrangements to the Committee.

Councillor Blunt asked whether the Committee could ask the Highway Authority to reconsider changing the speed limit along Lamsey Lane. The Assistant Director suggested that a separate meeting could be held with County Highways about the issue. The County Highways Officer stated that he would be happy to take that away and have a discussion with the relevant people concerned.

Councillor Storey referred to the late correspondence where it stated that Snettisham Parish Council would prefer a roundabout but recognised that would be the more expensive option but added that the cheapest option was not always the best. He added that the Neighbourhood Plan was one of many considerations.

Councillor Ryves agreed with the comments from Councillor Blunt. He also referred back to Councillor Parish's point regarding the Neighbourhood Plan and acknowledged that condition 31 required co-ownership of this site and the main site. If asked whether there should be some protection in the event that the main site stopped trading that this site might not be allowed to continue in isolation.

The Chair stated that she felt that condition 31 covered the issue Councillor Ryves were raising. Looking at the nature of the conditions attached to the consent, the Planning Control Manager advised that fundamentally the application was acceptable in its own right, it was clearly linked back to Wild Ken Hill, and it was clearly conditioned in terms of future development on the site so any future development would need to come back to Planning Committee. From the officer's point of view, they were satisfied that the point was covered.

Councillor Devulapalli stated that safeguards needed to be in place and the owners could consider giving people discounts who travelled by bus, cycled or walked to the site. She added that it was important that nature and Areas of Outstanding Natural Beauty were accessed by people from all walks of life.

The Assistant Director advised that there was the cycle route and was also on a bus route.

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

**RESOLVED:** That the application be:

**APPROVED**, subject to the signing of a Section 106 legal agreement to secure safeguarded land around the Lamsey Lane junction for potential future highway improvements for a period of 15 years from the date of decision, and the imposition of the conditions set out in the Committee report.

*The Committee then adjourned at 11.15 am and reconvened at 11.30 am*

(iii) **23/00273/F**  
**Heacham: 44 South Moor Drive: Rear extension and garage conversion: Harry Leak**

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

The case officer introduced the report and explained that the application comprised a rear single storey extension and garage conversion to create a new master bedroom and ensuite with additional alterations to the north-east of the application site.

She explained that there had been an error in the report as Heacham did have a Neighbourhood Plan and also the property was a two-bedroom dwelling and not a 3-bedroom as stated on page 196.

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.

Councillor Parish addressed the Committee in accordance with Standing Order 34 and explained that this was a small development, a small property located at the end of a short cul-de-sac. The application site was adjacent to semi-detached bungalows, often occupied by elderly residents. He did not think that this was a suitable location for a 4-bedroom dwelling. It was also his understanding that it would be a

holiday let. A 4-bedroom residence in that location made no other sense. Heacham Parish Council made no comment on the application as they went through a period of having no Chair of Planning. Page 196 of the officer's report stated that there were no adverse impacts on neighbouring properties, but he disagreed with that. He had visited the site several times and spoken with the neighbours, the nuisance would be compounded if it became a holiday home. It was a narrow road and parking was limited. When he visited the site, he had to park and block the pavement in order to be able another car to squeeze past. Heacham Neighbourhood Plan stated that there was an identified need for 2- and 3-bedroom dwellings for family occupation for the progressive expansion of existing dwellings would tend to further skew the housing mix towards larger dwellings and reduce the already limited availability of smaller dwellings. This proposal removed a small relatively cheap home from the housing mix in Heacham and the small homes were needed. Policy 3 of Heacham Neighbourhood Plan stated that extensions to existing dwellings would be supported where they respected the character of the original dwelling and neighbouring developments. He stressed that the neighbouring developments were small semi-detached bungalows principally occupied by elderly residents. He did not think that a 4-bedroom house, which if it was not a holiday home would have to be an extensive family home which did not marry with the occupation of that tiny cul-de-sac. He also expressed concern in relation to parking requirements of the Heacham Neighbourhood Plan. He asked the Committee to refuse the application on the grounds that an increase to four bedrooms would remove a needed smaller property from the housing mix. The proposal also did not reflect the character of the neighbouring smaller homes and parking would further degrade the street-scene. The Neighbourhood Plan also asked that parking did not contribute to the loss of garden space.

It was clarified that the dwelling was going from 2 bedrooms to 4.

The Planning Control Manager advised the Committee that the property did have permitted development rights. The only reason that that the garage conversion required planning permission was because the ridge height was increased slightly so that master bedroom could occur anyway, and the applicant could extend up to 4 m off the back of the original rear wall of the dwelling and they could also extend off the side elevation as well.

In response to a comment from Councillor Blunt, the Planning Control Manager explained that the Neighbourhood Plan had been considered but also taken in account was what could be constructed under permitted development as well, which was quite significant on the property because it was a detached property. Clearly the parking situation could occur anyway because it was permitted development at the front to demolish the wall and create a driveway at the front, so in that sense a balance of permitted development rights against the neighbourhood plan had to be made.

Councillor Sandell stated that there had been no mention in the officer's report of this being a holiday let other than what the objectors and Councillor Parish had said. If the applicant's wanted to convert it to a holiday let, would this have to come before Planning Committee again. The Principal Planner confirmed that the applicant could do that anyway because a holiday let was a C3 use.

Councillor Crofts reminded the Committee that if the application were to be refused, then strong planning reasons would be required.

Councillor Long stated that although he understood the concerns raised by Councillor Parish, the dwelling would still be a bungalow and from what had been explained 95% of the proposed works could be carried out under permitted development.

In response to a comment from Councillor Ryves page 195 of the report did consider the Neighbourhood Plan.

The Assistant Director advised that Heacham Parish Council made no observations on the application.

The Planning Control Manager displayed the street-scene via Google earth.

Councillor Storey added that when making a decision the Neighbourhood Plan was one of a number of considerations when determining applications.

The Assistant Director advised that Neighbourhood Plans did form part of the Development Plan. Officers were of the opinion that it met the policies of the Plan. There were also permitted development rights available to the applicant.

The Chair added that she did not think that there would be any adverse impact on the neighbouring properties.

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, 1 against and 1 abstention).

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

- (iv) **22/02113/f**  
**Holme-next-the-Sea: Terns, 49 Peddars Way: Variation of Condition 2 of Planning Consent 21/01394/F: Extensions and alterations to dwelling (Retrospective): Mr and Mrs Howitt**

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The Planning Control Manager explained that this application was deferred from 3<sup>rd</sup> April 2023 Planning Committee Meeting in order to investigate irregularities with the plans.

A further site visit took place to measure the extension and it was considered that the development within the red line was correctly depicted on the submitted plans. However, the neighbouring dwelling to the south, No.51 appeared to be incorrectly plotted on the plan, which had been extracted from OS maps.

The extension, as measured on site, was located 1m from the shared boundary fence, which accords with the submitted plans. The neighbouring dwelling however was sited approximately 0.85 m from the shared boundary, as opposed to 1.6 m, as shown on the plans.

The application had been referred to the Committee for determination at the request of former 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 Sandra Betterman (objecting), Wendy Norman (Parish Council objecting) and John Peters (supporting) addressed the Committee in relation to the application.

In response to comments made by the public speakers, the Assistant Director advised that the application had been called-in to Committee legitimately and was not unlawful.

It was considered by the case officer that if the application was not in the AONB, the amendment would come under permitted development rights.

Councillor Long considered that the application would have not have a detrimental impact on the AONB.

In response to a comment the case officer explained that she had been on site and measured and reassessed the extension and it did slightly breach the 25-degree rule.

Councillor Bone stated that having the extension in its location was not a very neighbourly thing to do.

The Assistant Director explained that the 25-degree BRE was not planning policy.

Other Members of the Committee commented that they could not support the application on the grounds of the impact on the neighbouring property.

Councillor Bearshaw proposed that the application should be refused on the grounds of the impact of the proposal on the neighbour, through loss of light to an unacceptable level to their habitable rooms, contrary to the relevant policies of the Neighbourhood Plan and Local Plan. This was seconded by Councillor de Whalley.

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 carried 16 votes for and 1 against.

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

*It is considered that the single storey bedroom extension causes a detrimental impact on the amenity of the neighbouring residents to the south No.51 Peddars Way, through the loss of light to their habitable rooms, to the detriment of their living conditions. Consequently, the development was contrary to Policies HNTS 11 and HNTS 17 of the Holme-next-the Sea Neighbourhood Plan(2021); Policy CS08 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016) and the general provisions of the NPPF.*

*The Committee then adjourned at 12.30 pm and reconvened at 1.00 pm.*

- (v) **22/02214/F**  
**Clenchwarton: Land west of Kenwick Hall and south of track, Station Road: Part retrospective agricultural store: Mr Mark Means**

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

The case officer introduced the report and explained that the proposed development was an agricultural store on a large farm holding. An access point had previously been constructed to the site, under a separate planning permission. The application was part retrospective as foundations had already been constructed, a bund created around the site and hardcore laid down. The site was located in the countryside, on the west side of Station Road, approximately 320 m to the north of the junction with the A17.

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

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

In accordance with the adopted public speaking protocol, Mr S Wilkie (objecting), and Mr Mark Means (supporting) addressed the Committee in relation to the application.

Councillor Kemp addressed the Committee in accordance with Standing Order 34 objecting to the application. Councillor Kemp stated that there was great concern of residents that this building would turn into a grain dryer. She outlined the history of the site. She stated that there was a lot of ill-feeling towards this application as residents were asked to sign a piece of paper by the applicants agreeing to the location but felt that they had been misled. They were also concerned that this could turn into a grain dryer again. The application which came in recently did have ventilation shafts within it but these had been removed following advice from officers. However it was the case that there would have to be a condition regarding noise management if mobile grain dryers were to be used. This would be a huge risk to residents if this happened. She added that this application was more than 10 times as large in total area than the previous one. Residents did not find the amount of traffic acceptable and wanted a 7.5 tonne weight restriction on the road. Although it had been said that the traffic would turn right onto the A17 it had been acknowledged within the report that some traffic would still turn left on Station Road. She added that grain dryers should not be permitted near residential properties as they were very noisy, dusty and were also a fire risk. She added that this was too close to residential properties along Station Road. She also outlined her concerns in relation to highway safety. If the Committee were minded to approve the application, she suggested that the Committee should visit the site to see the residential properties and highway issues.

Councillor Kunes addressed the Committee in accordance with Standing Order 34 in support of the application. He explained that the site was not within his Ward but the traffic implications would affect his ward. He had asked permission from the Ward Councillor to speak on the application and he had agreed. He stated that the first thing to point out was that the application was not for a grain drier. The building itself was not close to residential buildings. The traffic would come along the main A17 road and turn into Station Road and into the grain store which would be located at the top end of Station Road. When the grain left the store, lorries would then turn right back onto the A17. This would drastically reduce the amount of traffic using Station Road, Clenchwarton. If the applicant had to take the grain to his existing farm in Terrington St Clement, then this would result in it having to be taken along Station Road past the residential area, along the old A17 to Marsh Road in Terrington St Clement which was all residential. This proposal would reduce the amount of traffic and he hoped that the Committee could support the application.

In response to comments made by the speakers, the case officer responded to matters raised by the objector that a consultation letter was sent to Lyndhurst but it had been returned by the Post Office. A site notice had been displayed on the site which met the statutory requirements for consultation. Whilst the application form had been submitted with some incorrect information, this had since been



amended. The application had been considered on the correct updated information. The access which was granted planning permission in 2021 was determined on the basis that it was a field access and that was a totally acceptable application to make. At this stage, there was the opportunity to consider any additional impact on that access as a result of the proposed development. The foundations that had been constructed were not an implementation of the previous prior agricultural approval, which remained extant and the building itself was not 10 times larger. Grain dryers did not form part of the application and County Highways did not object to the application. The case officer highlighted the neighbouring properties to the Committee and the distances from the site, as detailed on page 152 of the agenda.

The Planning Control Manager referred to condition 3 which did not allow any mechanical plant for the purposes of drying, ventilation or extraction top be allowed without the granting of specific planning permission. Condition 4 stated that if a mobile grain dryer was to be used then a noise management plan would need to be put in place.

Councillor Bearshaw (Ward Member) outlined his concerns to the application including the access, width of the road. With regards to passing points, he explained that these would not be wide enough for an HGV. The road itself was not made for HGVs. He added that visibility was not there. He added that the need of the neighbours outweighed the needs of the farmer. Some of the residential properties suffered with cracks already.

Councillor Long added that the countryside was the areas where grain and produce was stored. He knew the area very well. He added that produce should not be driven around the villages to be stored. For him the logical place to have a storage area would be next to the A17 and would reduce the traffic along Station Road.

Councillor Storey stated that he supported the application

Councillor de Whalley proposed that a site visit be carried out which was seconded by Councillor Bearshaw and, after having been put to the vote, was lost (6 votes for and 11 against).

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 (14 votes for, 1 against and 2 abstentions).

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

- (vi) **23/00271/F**  
**Congham: The Lavenders, St Andrews Lane: Change of use from studio to short term holiday holiday let (2 persons): Paul Oldroyd**

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

*Councillor de Whalley declared that he was the Chair of Congham Parish Council.*

The Principal Planner introduced the report and explained that the application site was located within Congham, which was classified as a Smaller Village and Hamlet 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 plot was host to one dwelling (The Lavenders) and a garage with a room in the roof which was approved under application 18/00119/RM. The first floor of the garage currently contained a studio. However, the studio space had been used as an annexe containing a kitchen/diner and living room, shower room and one bedroom. The studio was conditioned to be limited to purposes incidental to the needs and personal enjoyment of the occupants of the dwelling.

The proposal sought permission for the change of use from studio to a short-term holiday let.

Amended plans had been submitted showing the neighbouring site's boundary revised, following receipt of comments from a neighbouring property.

The application had been referred to the Committee for determination as the officer recommendation was contrary to the 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.

The Chair referred to the height of the fence and proposed that an additional condition be added to increase the height of the fence adjacent to the proposed holiday let, which the applicant had indicated that they would be willing to do. This was agreed by the Committee.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application with the additional condition to increase the height of the fence and having been put to the vote was carried (16 votes for and 1 abstention).

**RESOLVED:** That the application be approved as recommended, subject to the imposition of an additional condition to increase the height of the fence

(vii) **23/00078/F**  
**Fincham: Land east of the Memorial Hall, High Street:**  
**Construction of one single storey dwelling: TB**  
**Developments (East Anglia) Ltd**

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

The Principal Planner introduced the report and explained that the application sought consent for the construction of one single storey dwelling on land east of the Memorial Hall on High Street, Fincham. The site was located north of the High Street (A1122) and adjacent to the car park and access for the Memorial Hall (to the west). Access was via an existing shared access off High Street. The site currently consisted of an area of grass with a well-established hedge to the front of the site and low post and fencing along the other boundaries.

Fincham was categorised as a Rural Village in the adopted Site Allocations and Development Management Policies Plan. The application site was located within the development boundary for the village (Inset Map G36) within Fincham Conservation Area.

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

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

The Committee's attention was drawn to the late correspondence and the need to amend condition 13, which was agreed by the Committee.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application subject to Condition 13 being amended, as outlined in late correspondence, and after having been put to the vote was carried (15 votes for and 1 abstention).

**RESOLVED:** That the application be approved as recommended subject to Condition 13 being amended as outlined in late correspondence.

(viii) **22/00282/F**

**King's Lynn: 90 Gayton Road: Change of use of a dwelling house to an 8 room (8 household) HMO: Mr John Levine**

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

The Principal Planner introduced the report and explained that the application site consisted of an existing detached house within King's Lynn, close to the Queen Elizabeth Hospital and on a major route into the core of the town (Gayton Road) consisting of a mostly residential area.

The application sought consent for a House of Multiple Occupation (HMO) providing 8 bedrooms.

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

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

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

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 approved unanimously.

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

(ix) **23/00470/CU**

**King's Lynn: 20 Woodside: Change of use of open space to garden land: Mr Darren Liddy**

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

The Principal Planner introduced the report and explained that the application site comprised a rectangular parcel of land measuring approximately 55.8 m<sup>2</sup> and was located to the north-eastern side of No.20 Woodside, Fairstead, King's Lynn.

The land previously formed a grass verge set aside as part of the landscaping scheme for the original development of the estate and had been enclosed by a 1.8 m close boarded timber fence and changed to garden land in association with No.20.

The application sought to retrospectively change the use of the land to garden.

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

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

Several Members of the Committee stated that they did not find the application acceptable as one of the key features of the estate was the green open spaces.

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 lost (1 vote for, 12 against and 3 abstentions).

As the recommendation to approve the application was lost, it was proposed by Councillor Bone and seconded by Councillor Everett that the application be refused on the grounds that it was not considered to protect or enhance the amenity of the local area, causing a harmful visual impact to the character of the area. This was contrary to DM15

and DM22 of the Site Allocations and Development Management Policies Plan (2016), and the NPPF. This was agreed by the Committee.

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

*The change of use of the area of open space to garden land is not considered to protect nor enhance the amenity of the local environment, causing a harmful visual impact on the character of the area. Consequently, the change of use does not comply with Policy CS08 of the Core Strategy (2011); Policies DM15 and DM22 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF.*

- (x) **23/00361/F**  
**Middleton: 2 Two Acres: Single storey extension to front of house: Mr D Hazelhurst-Jeavons**

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

The Principal Planner introduced the report and explained that the application related to the construction of a single storey front extension at a detached dwelling, 2 Two Acres, Middleton. The site was located approximately 115m south-west of the highway, Hill Road.

The site was located within the development boundary of Middleton, which was a Rural Village as defined by policy CS02 of the Core Strategy.

The application had been referred to the Committee for determination as it involved a member of Council staff involved in the planning process.

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

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

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

- (xi) **23/00092/F**  
**Stoke Ferry: Stoke Ferry Timber Ltd, Boughton Road North: Retrospective application: The siting of 30 '20 foot' containers for local storage (part retrospective): Mr Colin Bond**

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

The Principal Planner introduced the report and explained that the application was for the part-retrospective siting of storage containers within Stoke Ferry Timber Yard. Currently there were ten unauthorised storage containers on the site. An additional twenty storage containers were proposed, totalling 30 containers.

The application site was Stoke Ferry Timber Yard which was located outside Stoke Ferry's development boundary by approximately 230m. The whole site was approximately 2.9ha in size and consisted of a number of buildings related to other local businesses. The application site was approximately 0.25ha, and was 'L' shaped, along the south and east of the new woodlands, planted on land to the northwest of the yard. The application site also included the access into Stoke Ferry Timber Yard.

Stoke Ferry was classified as a Key Rural Service Centre (KRSC) under the settlement hierarchy of Policy CS02 of the Core Strategy (2011). The application site was outside of the development boundary and therefore treated as countryside.

The application had been referred to the Committee for determination by former Councillor Sampson.

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, Peter Gidney (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Lintern addressed the Committee in support of the application.

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 15 votes for and 1 abstention).

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

(xii) **23/00125/CU**

**Stoke Ferry: Stoke Ferry Timber Ltd, Boughton Road North: A change of use from an agricultural lorry park and outside storage area to a commercial outside storage area for construction materials and items connected with Stoke Ferry Timber Ltd. Lorry parking is not applied for (Retrospective): Mr Colin Bond**

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

The Principal Planner introduced the report and explained that the application was for retrospective change of use of historic lorry park for commercial storage for Stoke Ferry Timber. No operational

development had occurred, or was proposed to take place, for the change of use.

The application site was Stoke Ferry Timber Yard, which was located outside of Stoke Ferry's development boundary by approximately 230m. The whole site was approximately 2.9ha in size and consisted of a number of a number of buildings related to local businesses. The application site was located to the west of the commercial yard of Stoke Ferry Timber and was approximately 0.83ha including an existing concrete track along the south of the yard.

Stoke Ferry was classified as a Key Rural Service Centre (KRSC) under the settlement hierarchy of policy CS02 of the Core Strategy (2011). The application site was outside of the development boundary and therefore treated as countryside.

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

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, Peter Gidney (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Lintern addressed the Committee in support of the application.

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 (15 votes for and 1 against).

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

The Committee then adjourned at 3.00 pm for a comfort break and reconvened at 3.10 pm.

(xiii) **23/00265/CU**

**Walpole: 10 Folgate Lane, Walpole St Andrew: Change of use of bungalow from a dwelling (C3) to a children's home (C2) for up to three children: Mr T Dumitru**

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

The Principal Planner introduced the report and explained that the application site was located within the development boundary of Walpole St Andrew, which was classified as a Rural Village within Policy CS02 of the Core Strategy 2011.

The site was located along Folgate Lane, at the end of a row of single storey dwellings before the land lead out into open countryside. On site was an existing dwelling of prefabricated construction.

The proposal sought the change of use of the existing dwelling (C3) to a children's home (C2) for up to two children. The proposed number of children was reduced during the course of the application from 'up to three' and an amended description advertised.

The application had been referred to the Committee for determination by the Assistant Director due to the scale of objections. The Parish Council also raised questions of concern.

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, Kim Marlow (objecting) addressed the Committee in relation to the application.

Councillor Blunt (Ward Member) addressed the Committee and outlined his concerns regarding the application.

Several members of the Committee expressed concern over the adequacy of the building. It was explained that there would be a separate OFSTED inspection, but this application could still be determined in its own right. It was proposed by Councillor Devulapalli that the application be deferred, which was seconded by Councillor Ring to investigate this matter further, particularly relating to the OFSTED inspection.

The Democratic Services Officer then carried out a roll call on the proposal to defer the application and after having been put to the vote was carried (9 votes for and 6 against).

**RESOLVED:** That the application be deferred.

(xiv) **2/TPO/00647**

**Hunstanton: 41 Greevegate: To consider whether Tree Preservation Order 2/TPO/00647 should be confirmed, modified or not confirmed in the light of objections**

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

The Acting Tree Officer presented the report, which asked the Committee to consider whether Tree Preservation Order 2/TPO/00647 should be confirmed, modified or not confirmed in the light of objections received.

In accordance with the adopted public speaking protocol, Mr Frank Hultschig (objecting) and Major Somerton (supporting) addressed the Committee in relation to the application.



The Democratic Services Officer then carried out a roll call on the recommendation to confirm the Order and, having been put to the vote was carried 14 votes for and 1 abstention).

**RESOLVED:** That Order be confirmed without modification.

PC11: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

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

**The meeting closed at 4.00 pm**