

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

**Minutes from the Meeting of the Planning Committee held on  
Monday, 31st July, 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 F Bone, A Bubb, M de Whalley, T de Winton, P Devulapalli, S Lintern,  
B Long, S Ring, C Rose, A Ryves, S Sandell (sub), Mrs V Spikings,  
M Storey and D Tyler

PC23: **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 conduct a roll call to determine attendees.

PC24: **APOLOGIES**

Apologies for absence had been received from Councillors Anota, Blunt (Councillor Sandell sub) and Everett.

The Chair thanked Councillor Sandell for being a sub at the meeting.

PC25: **MINUTES**

The minutes of the meeting held on 3 July 2023 were agreed as a correct record and signed by the Chair.

PC26: **DECLARATIONS OF INTEREST**

There were no declarations of interest.

PC27: **URGENT BUSINESS UNDER STANDING ORDER 7**

The Assistant Director advised that in relation to item 9/2(d) Holme Next the Sea, the agent had requested that the application be deferred to attempt to overcome the Parish Council's objections to the scheme.

**RESOLVED:** That the application be deferred to consider further alterations to the scheme.

PC28: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

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

Councillor Coates 9/2(c) Castle Rising

PC29: **CHAIR'S CORRESPONDENCE**

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

PC30: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

A copy of the 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.

PC31: **GLOSSARY OF TERMS**

The Committee noted the Glossary of Terms.

PC32: **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 Chair.

(i) **22/01333/FM**

**Wormegay: Alfred G Pearce, Castle Road: Erection of new cold store building, change of use of existing cold store building to packing shed and alterations and extensions to existing cold store building: Alfred G Pearce Limited**

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The case officer presented the report and explained that the application had been deferred from 3 July Planning Committee meeting to enable to applicant to consider the siting of an earth bund along the northern boundary of the site.

The applicant had confirmed that an earth bund could be constructed to the north of the proposed cold store within the existing staff car park.

The Committee was therefore asked to determine the application as submitted but with an additional condition attached requiring details of the earth bund (and associated landscaping) to be submitted and agreed by the Local Planning Authority.

The application site was a vegetable processing plant located close to the centre of Wormegay, operated by Alfred G Pearce Limited. The application sought consent for alterations / extensions to an existing cold store and the construction of a new cold store elsewhere on the site.

Access to the site was via Castle Road. The site was bounded to the north by residential development and to the south and west by open countryside.

The application sought to change the use of the existing cold store to a packing shed with alterations and extensions to the building. The existing cold store was located in the southeast corner of the site, to the rear of the main processing building. The building was adjoined north and west by areas of concrete hardstanding; whilst to the south and east there were open fields.

The site of the proposed cold store was to the west and presently formed part of the open yard serving the business and included part of an existing effluent plant which was now defunct. There were areas of hardstanding to the south and east and open fields to the west beyond the remainder of the effluent plant. To the north was the staff car park

The site of the proposed development fell outside but immediately adjacent to the development boundary for Wormegay, as defined in the Local Plan.

The case officer also referred to the late correspondence and the need to amend conditions 2, 4, 5, 6 and 14.

The application had been referred to the Committee for determination as the Parish Council comments were contrary to the officer recommendation; it had also been referred by the Planning Sifting Panel and deferred from the meeting held on 3 July 2023.

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 Nick Moys (supporting) addressed the Committee in relation to the application.

Councillor Spikings thanked the applicant for listening to the Committee and felt that the additional bund would be of benefit to everyone.

In relation to whether the earth bund was necessary, the case officer explained that the Council's Community Safety Neighbourhood Nuisance Team (CSNN) had not objected to the application but at the last meeting the Committee had raised concerns regarding the location of the proposal to the neighbouring properties and felt that an earth bund in addition to the other mitigation measures would help the situation.

The Chair added that the provision of the bund demonstrated that the applicant wanted to work with the community.

Councillor Ryves asked whether the proposal could be located to the south of the site. He added that further monitoring of the traffic levels should be undertaken. The case officer explained that the application had to be assessed as submitted and pointed out that neither CSNN or County Highways objected to the application. Monitoring of the traffic levels would be difficult as it was an existing business.

Several Councillors added that the only reason that the application had been deferred from the last meeting was to ask the applicant to provide the earth bund and they were satisfied that the applicant had provided what the Committee had asked for.

The Chair drew the Committee's attention to the need to amend conditions 2, 4, 5, 6 and 14, which was agreed.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application subject to the amendment of conditions 2, 4, 5, 6 and 14, and, after having been put to the vote, was carried 13 votes for and 2 against.

**RESOLVED:** That the application be approved, as recommended, subject to the amendments to conditions 2, 4, 5, 6 and 14 as detailed in late correspondence.

(ii) **23/00626/F**

**Bawsey: Mintlyn Crematorium, Lynn Road: Extension to existing crematorium car park with associated tree planting works: Ms Allison Bingham**

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The case officer presented the report and explained that the application site related to Mintlyn Crematorium, situated on the southern side of Lynn Road, Bawsey.

Bawsey was classed as a Smaller Village and Hamlet within the Development Plan Settlement Hierarchy. The site was located within the countryside and the building and associated grounds were nestled within an area of woodland.

Full planning consent was sought for an extension to the existing car park to the north-west part of the site.

This was a re-submission of a previous approval (17/01703/F) for the same development which subsequently lapsed.

The application had been referred to the Committee for determination as there had been third party objection to a Borough Council application, contrary to paragraph 1.1 (iii)(e) of the Authority's Planning Scheme of Delegation.

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 M J Ray (objecting) addressed the Committee in relation to the application.

In response to comments made by the objector, the case officer confirmed that the provision of cycle parking was covered by condition 6, although it had not been requested by Norfolk County Council.

Councillor Long asked if any more disabled parking spaces had been provided. It was confirmed that an additional 2 spaces were proposed.

Councillor de Whalley proposed that condition 6 be amended to ensure that the cycle parking was in accordance with the Parking Standards for Norfolk 2007 (2020 as amended). This was seconded by Councillor Lintern and, after having been put to the vote was carried (8 votes for and 7 against).

Councillor Bubb added that it would be a long walk from the car park to the crematorium for people and asked whether it could be moved next to the existing car park. The case officer explained that the site was heavily treed, and the location of the site had been chosen to avoid having to remove mature trees.

Councillor Storey added that in relation to the provision of disabled car parking spaces, this Council should go above and beyond with regards to provision.

The Assistant Director advised that the number of spaces had increased from 4 to 6.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application subject to condition 6 being amended to ensure that the cycle parking was in accordance with the Parking Standards for Norfolk 2007 (2020 as amended) and, after having been put to the vote, was carried (13 votes for, 1 against and 1 abstention).

**RESOLVED:** That the application be approved, as recommended subject to condition 6 being amended to ensure that the cycle parking was in accordance with the Parking Standards for Norfolk 2007 (2020 as amended),

(iii) **23/00507/F**

**Burnham Market: No. TWENTY 9, 29 Market Place: Variation of condition s 1 and 6 and removal of condition 5 of planning**

**permission 18/0196/F: Variation of condition 3 of planning permission 17/00984/F – Proposed change of use from ground floor retail (A1) and first floor residential (C3) to two storey restaurant (A3) including extension and alterations: Mr T Roberts**

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The case officer introduced the report and explained that the application sought to vary condition 1 of planning permission 20/00283/F to regularise the flue design which differs from that approved and to increase the operating hours of the flue to better align with the operating hours of the business.

The application was made under Section 73A of the Town and Country Planning Act for development that had been carried out without complying with some condition subject to which planning permission was granted, ie to retain what they had done.

The site was located within Burnham Market Conservation Area and No. TWENTY 9 was a Grade II Listed Building.

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

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

In accordance with the adopted public speaking protocol Mr Roberts (applicant) addressed the Committee in relation to the application.

Councillor Sandell (Ward Member) spoke in support of the application.

During the debate Cllr Lintern urged a word of caution that conditions were imposed for a reason, and they needed to be complied with.

The case officer provided some background to the Committee as to why the conditions had been imposed.

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

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

*The Committee then adjourned at 10.28 am and reconvened at 10.40 am*

- (iv) **23/00086/F**  
**Castle Rising: Land west of Knights Hill Village, Grimston Road, South Wootton: Application for a temporary construction access in association with development approved under 16/02231/OM: BDW Cambridgeshire**

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The case officer presented the report and advised that the application proposed the widening and alteration of an existing field access to act as a temporary construction access for Knights Hill residential development site, located to the west of Knights Hill Village and to the south of Grimston Road. This would be to serve the construction of the roundabout approved under 16/02231/OM alongside a temporary haul road leading to a site compound. Once the roundabout was constructed the temporary access and haul road would be removed and the use discontinued.

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

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 David Goddard (objecting on behalf of Castle Rising, North Wootton and South Wootton Parish Councils), John Marshall Grint (objecting on behalf of North Wootton Parish Council) and John Mason (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Coates addressed the Committee as an objector and Ward Member and outlined his concerns to the Committee.

The Assistant Director explained that condition 10 could be strengthened to include pedestrian safety measures.

Councillor Ring made reference to the 9 conditions put forward by the Parish Council and suggested that the application should be approved subject to those conditions. He also urged the developer to have a good relationship with the Parish Councils involved.

The Assistant Director advised that if the Committee was minded to approve the application including those conditions, he suggested that the application should be deferred to allow officers time to examine those conditions and come back to the Committee with a properly considered response.

This was proposed by Councillor Mrs Spikings and seconded by the Chair, Councillor Rust.

Councillor Ring stated that he would welcome that suggestion and would urge conversations to be held with all three Parish Councils.

The Committee then voted on the proposal to defer the application to examine the conditions put forward by the Parish Council(s) and, after having been put to the vote, was carried unanimously.

**RESOLVED:** That the application be deferred to allow the conditions put forward by the Parish Council(s) to be examined.

- (v) **23/00185/F**  
**Holme-next-the-Sea: Larkin House, 36 Main Road: Renovation and remodelling of existing dwelling with extensions: Paul Kilkenny & Tracey Sparkes**

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**RESOLVED:** That the application be deferred at the applicant's request.

- (vi) **23/00591/F**  
**North Runcton: 4 Manor Farm Cottages, Common Lane: Erection of single storey extension to domestic store/home office and use of building for office use - Use Class E(g)(i): Retrospective: Comaserve CMS Ltd**

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The case officer introduced the report and explained that the site was located within the parish of North Runcton and therefore within the countryside as defined within the Site Allocations and Development Management Policies Plan 2016.

The site was located along Common Lane and sat in isolation to the south of a row of four period terraced cottages which were set back on the common and accessed directly across the common to the south of the cottages. The cottages were located approximately 130 m south of the junction between Common Lane and Chequers Lane and the landscape in that location was open in nature.

On site was an existing building, part of which was lawful through the passage of time. This application sought retrospective planning permission to extend the building and for the change of use of the building for an office use within Use Class E(g)(i) which was defined within the regulations as 'an office to carry out any operational or administrative functions.'

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

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

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

In response to comments made by the public speaker, the case officer explained that the home office was previously used in association with No.4 Manor Farm Cottages. However, it was now used independently from the dwelling. He also highlighted the comments from the Conservation Officer.

Councillor Mrs Spikings proposed that the application be approved. She considered that due to the size of the building, it would be self-governing.



The Chair added that it was low-key and small scale with 2 people working there with a 3<sup>rd</sup> person visiting. She did not feel that it was intrusive.

The Assistant Director advised that the application was finely balanced. The front part of the building had become lawful through the passage of time, it was just the extension that did not have planning permission.

The Chair added that if the Committee was minded to approve the application then appropriate conditions would need to be imposed regarding drainage, hours of use, ownership of the building and removing permitted development rights.

Councillor Long seconded the proposal to approve the application and asked if it could be only for the sole use of the applicant.

The Principal Planner advised that the ownership of the office building could not be restricted but the use of it could be controlled.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application, subject to the imposition of appropriate conditions following consultation with the Chair and Vice-Chair including drainage, hours of use, etc and, after having been put to the vote, was carried unanimously.

**RESOLVED:** That the application be approved, contrary to recommendation, subject to the imposition of appropriate conditions following consultation with the Chair and Vice-Chair including drainage, hours of use, etc for the following reason:

*Paragraph 84 of the NPPF supports rural businesses, and this application is considered to be of an appropriate size and scale for the site, and does not unduly affect the setting of the adjacent terrace. The benefits of the proposal therefore overcome any potential harm.*

**(vii) 23/00367/F**

**Snettisham: Deer Park, East of St Thomas Lane: Change of use of land from Deer Park to Deer Park incorporating four modular cabins, together with associated infrastructure, and alterations to including change of use of an existing barn to serve as an arrivals building and facilities hub associated with those cabins and a lap pool: Stanton Farms Ltd**

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The case officer presented the report and explained that the application was located outside of the defined settlement boundary for Snettisham, which was classified as a Key Rural Service Centre within Policy CS02 of the Core Strategy, therefore the site was considered as countryside in policy terms.

The site was located at the southern end of Park Farm and was currently used as a deer park. Extending to just under 8ha, the site was a large field bounded to the north by an arable field, to the south by further deer park fields, St Thomas's Lane to the west and to the east a series of reed beds.

The proposal sought permission for the change of use of land from a deer park to a holiday park with the creation of four modular cabins, together with the associated infrastructure and alterations, including the change of use of an existing agricultural barn to serve as an arrivals building and facilities hub and the creation of an outdoor swimming pool.

The site was not located within a Conservation Area or Area of Outstanding Natural Beauty (AONB).

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

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

In accordance with the adopted public speaking protocol Mr T Arthur (objecting) and Mr F Bootman (supporting) addressed the Committee in relation to the application.

*The Committee adjourned at 12.15 pm and reconvened at 12.20 pm.*

In response to a comment, the case officer identified the objector's property and confirmed that it was 180 m away from the site.

Councillor Ring stated that he found it uncomfortable that the applicant had not consulted with the neighbour and added that the applicant should show more respect to the neighbouring properties.

Councillor Mrs Spikings referred to the design of the cabins which she did not find acceptable. She therefore proposed that the application should be refused on the grounds of design, sustainability and impact on the countryside.

Councillor de Winton added that he was very familiar with Park Farm which was an important local amenity. He added that farmers were looking to diversify.

Following clarification, it was explained that the cabins would be permanent but could only be used for holiday purposes and for short stay accommodation only (no more than 28 days per single let) and should not be occupied as a person's sole or main place of residence.

Councillor de Winton added that on balance he considered the density to be low and as it stood, he was content with the scheme.

Councillor de Whalley seconded the proposal to refuse the application on the grounds that it was contrary to the NPPF paragraph 84(c).

The Committee then voted on the proposal to refuse the application on the grounds that it was an obtrusive design in the country and the benefits did not

overcome the harm and it was contrary to the NPPF paragraph 84(c) and, after having been put to the vote, was carried.

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

*The proposed development is considered to be contrary to paragraph 84 c) of the NPPF, because the design and appearance does not respect the character and appearance of the countryside.*

PC33: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

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

**The meeting closed at 12.38 pm**