

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

Minutes from the Meeting of the Planning Committee held on Monday, 1st July, 2024 at 10.30 am in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillor T Parish (Chair)

Councillors B Anota, T Barclay, S Bearshaw (sub), R Blunt, A Bubb, R Coates, M de Whalley, T de Winton, S Everett, S Lintern, B Long (sub), S Ring, C Rose, M Storey and D Tyler and M de Whalley

PC10: **APOLOGIES**

Apologies for absence had been received from Councillor P Devulapalli, D Heneghan, A Ryves and Mrs V Spikings (Cllr Long sub).

PC11: **MINUTES**

The minutes of the meeting held on 3rd and 6th June were agreed as a correct record and signed by the Chair.

PC12: **DECLARATIONS OF INTEREST**

Councillor Bearshaw advised that he would be speaking as Ward Member in relation to item 9/2(a) – Clenchwarton and would not take part in the debate or decision and left the meeting during consideration of the item.

Councillor Storey advised that he would leave the meeting in relation to 9/2(b) - Feltwell, as he had an interest in the property.

Councillor Barclay declared an interest in items 9/2(c) and 9/2(d) – Middleton as he was the applicant and would leave the meeting during consideration of those items.

PC13: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business to report.

PC14: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

Councillor Kirk on item 9/2(h) – West Walton

Statement to be read out from Councillor Spikings in relation to 9/2(i) - Wimbotsham

PC15: **CHAIR'S CORRESPONDENCE**

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

PC16: **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.

PC17: **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 will be recorded in the minutes.

RESOLVED: That the application be determined, as set out at (i) – (x) below, where appropriate, to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chair.

(i) 24/00168/OM

**Gayton: Land E572430 N319560 and N of Howards Way:
Outline application with some matters reserved for: Phased
residential development of 15 units comprising first homes,
custom / self-build units and affordable housing: KHM
Builders Ltd**

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The case officer presented the report and advised that outline consent with all matters except access, reserved for future consideration was sought for residential development on the site with 15 no. dwellings (5 affordable units and 10 custom / self-build units).

Access was proposed via the existing residential development currently under construction to the south of the site and would be in the form of an extended private road off the existing hammer head.

The site was located outside of the development boundary for Gayton, as depicted on inset G41 of the Site Allocations and Development Management Policies Plan 2016 (SADMP) and Policy Map 1 of Gayton and Gayton Thorpe Neighbourhood Plan and was therefore classified a countryside in planning terms.

Together with Grimston and Pott row, Gayton was classified as a Joint Key Rural Service Centre in the Settlement Hierarchy of the Development Plan.

The site had existing and proposed (under construction) built form to its immediate east, south and west, and was separated from open countryside to the north by an existing hedgerow. The site was currently being used as temporary storage area serving the neighbouring permitted developments.

The site was located within Flood Zone 1 and a public right of way (PROW) Gayton FP2 ran along the eastern boundary of the site.

The application had been referred to the Committee for determination at the request of Councillor Anota and the officer recommendation was contrary to the views of the Parish Council.

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 Peter Gidney (objecting on behalf of the Parish Council), Mr Ian Howard (supporting) and Helen Morris (supporting) addressed the Committee in relation to the application.

In relation to comments raised by the speakers, the case officer explained that drainage had been fully covered on page 23 of the agenda and by condition 9. She explained that there was a detailed surface water strategy being submitted however because the site layout was indicative, full weight could not be given to it. It had also been conditioned. In relation to Anglian Water's comments on page 14, they stated that there was capacity, but they needed further detail, so it was considered that drainage had been covered fully.

The Chair then invited Councillor Anota who had called the application in to address the Committee. He outlined his reasons why he had called-in the application. In relation to Anglian Water's comments on page 14 of the agenda, he added that he could not see how there was capacity and most people in villages saw tankers every year taking away water. In relation to the development itself, he considered it to be a sensible development itself and infilled the gap and was close to local amenities and fitted in well with its surrounding. He felt that Anglian Water needed to be held to account and each phased development did have a cumulative impact.

Councillor Long stated that he appreciated the problems being experienced in Gayton and that he regularly heard of tankers having to take excess water away from the treatment plant facility. This scheme would be designed to modern standards. He referred to the comments from the IDB that the surface water run-off rate was attenuated to the Greenfield Runoff Rates and asked if that could be conditioned. With

regards to Anglian Water having to tanker water away, this was expensive, and the current development could not be expected to solve the existing problems and correct the problem which had built up in the village over the years.

The case officer explained that condition 9 covered surface water and foul drainage but if the Committee wanted the condition to be more precise, it could be amended if necessary.

Councillor Long then proposed that condition 9 be amended to include that the surface water run-off rate was attenuated to the Greenfield Runoff Rates. This was seconded by Councillor Blunt.

The Committee then voted on the proposal to amend condition 9 which was agreed unanimously.

The Democratic Services Officer then carried out a roll call on the recommendation to approve with the amendment to condition 9 and, after having been put to the vote was carried unanimously.

RESOLVED: That the application be:

- A) APPROVED** subject to the completion of S106 within 4 months of the date of this resolution to approve.
- B) REFUSED** if S106 is not completed within 4 months of the date of this resolution to approve.

Councillor de Winton joined the meeting.

- (ii) 24/00385/CU**
Clenchwarton: Land at buildings SE of 15 Wildfields Road:
Proposed conversion of garage to business use (Class E):
Mrs S Adams

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Councillor Bearshaw left the meeting and addressed the Committee as Ward Member.

The case officer introduced the report and explained that planning permission was sought for the retrospective change of use from a Garage to Class E (Business Use).

The application site was located outside of the Development boundary of Clenchwarton, as identified by Inset Map G25 within the adopted Site Allocations and Development Management Plan (SADMPP 2016), however was located approximately 800m from the settlement boundary and the area surrounding was built up. Wildfields Road is located to the north of Main Road, Clenchwarton.

The application site consisted of a detached, single storey, red brick garage, detached timber shed and barn and 4 green metal storage containers.

The garage was currently used as an office, design studio and storage accommodation for RESCA Activewear, which currently sells fitness clothing online.

The red line of the application site has been amended during the course of this application to restrict as well as better reflect the scale of the business on site.

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

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

In accordance with the adopted public speaking protocol, Mrs S Adams (supporting) addressed the Committee in relation to the application. Councillor Bearshaw (Ward Councillor) also addressed the Committee.

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 and 1 against).

RESOLVED: That the application be approved, as recommended.

The Committee then adjourned at 11.45 am and reconvened at 11.55 am.

**(iii) 24/00890/F
Feltwell: 25 Short Beck: Replacement of existing kitchen extension and replacement with new lean-to extension, conversion of outbuilding and internal alterations to cottage:**

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Councillor Storey left the meeting during consideration of this item.

The case officer introduced the report and explained that the application sought permission for the replacement of an existing single storey kitchen extension with a lean-to rear extension and the conversion of an attached outbuilding.

The application site is at 25 Short Beck, Feltwell. The existing dwelling is a two-storey 19th century cottage dwelling and is located within the development boundary for Feltwell.

The application had been referred to the Committee for determination as it related to a development proposal submitted by a direct relative of a Councillor.

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 and, after having been put to the vote was carried unanimously.

RESOLVED: That the application be approved as recommended.

- (iv) 24/00866/F & 24/00914/LB**
Middleton: Tower Farm, Station Road, Tower End:
Relocation and reinstatement of vehicular highways access
and alterations to boundary wall. Listed building
application: Relocation and reinstatement of vehicular
highways access and alterations to boundary wall: Mr &
Mrs T & P Barclay

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Councillor Barclay left the meeting during consideration of the items.

The case officer introduced the report and explained that the application proposed the relocation and reinstatement of a highways access and alterations to the boundary wall at Tower Farm, Station Road in Middleton. The proposed location of the new vehicular access was positioned centrally between the two adjacent Grade II listed buildings; Tower Farmhouse and Cattle Shelter, although the access and the boundary wall itself were not part of the listings. The access was proposed directly off Station Road.

Middleton was designated as a Rural Village under Policy CS02 of the Core Strategy 2011 and as such has a development boundary. The application site was located outside the development boundary on land classed as open countryside.

The report considered the issues relating to the applications for full planning permission and listed building consent.

The application had been referred to the Committee for determination as the application site was within the ownership of Cllr Barclay.

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 applications 24/00866/F and 24/00914/LB and, after having been put to the vote was carried (14 votes for and 1 against).

RESOLVED: That the applications be approved as recommended.

(v) 24/00838/F & 24/00811/LB

Middleton: Tower Farm, Station Road, Tower End: Variation of condition 2 of planning consent 23/01194/F: Proposed demolition of utility for new kitchen / lobby extension and glazed link, part conversion of outbuilding. Variation of condition 2 and removal of conditions 3,4,6,7 and 8 of planning consent 23/01194/LB: Application for Listed Building consent for proposed demolition of utility for new kitchen / lobby extension and glazed link, part conversion of outbuilding: Mr & Mrs T & P Barclay

Having declared an interest in the application, Councillor Barclay left the meeting during consideration of the item.

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The case officer introduced the report and explained that the applications proposed amendments to an extant planning consent for 'Proposed demolition of utility for new kitchen/lobby extension and glazed link, part conversion of outbuilding' at Tower Farm, Station Road, Tower End, Middleton (references - 23/01194/F & 23/01195/LB). The proposed amendments to the approved scheme included the repositioning of an existing window and the insertion of a new window at first floor on the north elevation. Also, previously where a gable end wall was to be demolished to facilitate an extension, the extension had been redesigned and only a doorway now needed to be inserted rather than the gable end removed.

Middleton was designated as a Rural Village under Policy CS02 of the Core Strategy 2011 and as such had a development boundary. The application site was located outside the development boundary on land classed as open countryside.

The report considered the issues relating to the applications for full planning permission and listed building consent.

The application had been referred to the Committee for determination as the application site was within the ownership of Cllr Barclay

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 applications and, after having been put to the vote was carried (14 votes for and 1 abstention).

RESOLVED: That the applications 24/00838/F and 24/00811/LB be approved as recommended.

- (vi) 24/00314/F**
Runcton Holme: Land north of School Road: Variation of condition 1 attached to planning permission 19/01491/RMM: Reserved matters major application: Construction of 11 dwellings: George Baldwin Limited

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The case officer introduced the report and explained that the application seeks to vary condition 1 attached to consent 19/01491/RMM 'Reserved matters major application: Construction of 11 dwellings.' The amendment seeks to vary the dwelling approved on plot 11 from a single storey three-bedroom dwelling to a large two storey five-bedroom home. The access is as previously approved and the outbuilding to the rear of the plot is also to remain as previously approved.

Runcton Holme is categorised as a Rural Village in the Site Allocations and Development Management Policies Plan (SADMPP 2016). The application site forms part of a housing allocation (policy) G72.1 'Land at School Road' for 10 dwellings in total.

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

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

The Chair drew the Committee's attention to the objections from the Parish Council.

The Assistant Director advised that there was no policy requirement for a bungalow and the application had been considered on its own merits and considered it to be acceptable.

The Democratic Services Officer then carried out a roll call on the recommendation to approve and, after having been put to the vote was carried (13 votes for 2 against and 1 abstention).

RESOLVED: That the application be approved as recommended.

- (vii) 23/01873/F**
Sedgeford: Sedgeford Tennis Centre, Ringstead Road: Phased development including demolition of existing buildings and construction of 7 no. dwellings: Mr Ian Mason

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The case officer introduced the report and explained that full planning permission was sought for the construction of 8no. dwellings following demolition of existing buildings on the site.

The site was largely rectangular in shape and currently accommodated four substantial buildings pertaining to previous uses on the site. The site was a former tennis centre and included a manager's flat. However, following failure of the business the use of the site was changed to agriculture.

The site was located well outside of the development boundary for Sedgeford on land designated as countryside. The site was located with the North Norfolk National Landscape (formerly known as the Area of Outstanding Natural Beauty).

Access to the site was from Ringstead Road to the east.

The site did not lie in any designated flood risk area and was some 700m to the north of Sedgeford Conservation Area.

Additionally, the site lies adjacent to the Former Sedgeford Railway Station which was listed in Sedgeford Neighbourhood Plan as a building of local historic interest.

The application had been referred to the Committee for determination at the request of Cllr Jamieson and the officer recommendation was contrary to the Parish Council recommendation. The Chair advised that the application had been called in however the Councillor had not registered to speak on the application or sent in a statement to be read out.

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 Bernard Clark (Parish Council supporting) and Ian Mason (supporting) addressed the Committee in relation to the application.

Several Members of the Committee spoke in support of the application as the tennis centre was no longer used and it was considered that the site was brownfield, and the proposal would enhance the area.

Councillor Long proposed that the application should be approved on the grounds that it was a brownfield site, and it would enhance the area. This was seconded by Councillor Ring.

The Chair added that the reasons given by officers for refusal were correct, if the Committee decided to grant approval, then that would reflect the unique circumstances of the site and not set a precedent.

Councillor Long outlined his reasons for proposing approval of the application as CS06, improving the appearance of the environment by removal of existing buildings (a detractor), high quality development and design and the reuse of brownfield land.

The Democratic Services Officer then carried out a roll call on the proposal to approve subject to conditions to be agreed following consultation with the Chair and Vice-Chair and the Section 106 Agreement as outlined on page 99 of the agenda and, after having been put to the vote was carried unanimously.

RESOLVED: That the application be approved contrary to recommendation, subject to conditions to be agreed following consultation with the Chair and Vice-Chair and the imposition of a Section 106 Agreement, as outlined on page 99 of the agenda, for the following reasons:

On balance, there are material considerations including improving the appearance of the National Landscape by the removal of the existing buildings and the proposed high- quality design outweigh the policy objection.

The Committee then adjourned at 1.20 pm and reconvened at 1.45 pm. Councillors Storey and Tyler left the meeting.

(viii) 24/00443/F

Upwell: Land S of 28-29 St Peters Road: Proposed detached dwelling: Mr and Mrs Griffin

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The case officer introduced the report and the application sought permission for the construction of a chalet bungalow style detached dwelling on land off Orchard Gardens, Upwell.

The existing site comprised a portion (620m²) of residential garden land associated with, and to the south/rear of, Nos. 28 & 29 St Peter's Road, with existing 1.8m high close boarded fencing along the west, east and south boundaries.

The site was located outside, but adjacent to, the Upwell Conservation Area and reads as part of Orchard Gardens, an estate allocated under Policy G104.4 of the Site Allocations and Development Management Policies Plan which was now built out.

The application had been referred to the Committee for determination as Councillor Spikings had an interest in the land.

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, Stuart Jupp (objecting) and Shanna Jackson (supporting) addressed the Committee in relation to the application.

The Chair proposed that an additional condition be imposed regarding the imposition of a Construction Management Plan, which was seconded by Councillor de Winton and after having been put to the vote was lost (3 votes for and 9 against).

The Democratic Services Officer then carried out a roll call on the recommendation to approve and, after having been put to the vote was carried (11 votes for, 1 against and 2 abstentions).

RESOLVED: That the application be approved as recommended.

Councillor Barclay left the meeting at 2.15 pm.

- (ix) **19/00937/F**
West Walton: Former Pear Tree Cottage, Harps Hall Road: Change of use of land from residential accommodation land / site of former dwelling to use as a caravan site for single family occupation (by a gypsy / traveller family): Mr Frederick Cave & Mr Heath Stretton

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Nikki Fonseca, Legal Advisor left the meeting during consideration of the item.

The case officer introduced the report and explained that the application site was located on the eastern side of Harp's Hall Road, in the parish of West Walton, approximately 200m south of its junction with St Paul's Road South and approximately 2.3km by road to the A47. The site was approximately 1.8km from the development boundary of Walton Highway (which is presently combined with West Walton to form a Key Rural Service Centre) as the bird flies; however, by road it was approximately 3.2km from the development boundary and within the countryside, as defined by the Site Allocation and Development Policies Plan (SADMPP) 2016.

The application site was formerly that of Pear Tree Cottage which was demolished several decades ago. It comprised an irregular shaped parcel of overgrown land approx. 500m² in size. To the north lies Harp's Hall set in substantial grounds, east lies a detached bungalow (Redways) with associated outbuildings plus substantial leylandii hedging in between, and there were agricultural fields to the west.

This application seeks planning permission to use the land as a caravan site for single family occupation by a gypsy/traveller family.

The application had been referred to the Committee for determination 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 Philip Kratz (supporting) addressed the Committee in relation to the application.

Councillor Kirk (Ward Member) addressed the Committee and outlined his concerns in relation to the application. He explained that he lived along Harps Hall Road and knew the site very well. He added that the site behind the application site (Redways) had been brought and searches had been carried out with no sign of it becoming a gypsy caravan site at that time. He considered that there was not room on the site for a caravan and all the ancillary services. He added that previously there had been a caravan on the site and a ditch had been filled in between the boundary with Harps Hall. The owner of Harps Hall was still wondering when the ditch would be opened up. The trees around the back of the site belonged to Redways. He advised that the owner of Redways was not in the best of health and worried about the situation. The site was on quite a narrow road, and he was concerned about the drainage which had to be 7m away from any living area and he could not see how this could be achieved. He urged the Committee to carry out a site visit. He concluded that himself and the residents of Harps Hall Road were against the application.

The case officer advised that the infilling of the dyke had been carried out some time ago and it did not form part of the site. The Internal Drainage Board were aware of the situation and at the time that they made contact with the applicant, so it was an on-going issue. The plan demonstrated that a caravan could be accommodated on the site comfortably and there was a separation distance from the dyke. Previously there had been 3 static caravans on the site. This application was for one caravan and would be conditioned as such.

Councillor Long referred to page 116 of the report and to the Internal Drainage Board's holding objection and asked why they were asking for a 5m maintenance strip rather than 9m?

The case officer explained that it was not a maintained drain and was a private one, which was why it was 5m. He confirmed that foul water disposal was indicated as connection to an existing septic tank or package treatment, both of which was covered by separate legislation.

The Planning Control Manager advised that drainage details could be conditioned if the Committee wished.

In relation to ownership of the site, it was explained that this does not matter but had to be used by a member of the gypsy and traveller community. The history of the site was also explained. It was later clarified that the applicant was the same as originally submitted – Mr Frederick Cave & Mr Heath Stretton.

The Chair proposed that an additional condition be imposed regarding foul water drainage scheme. This was seconded by Councillor Long and agreed by the Committee.

The Democratic Services Officer then carried out a roll call on the recommendation to approve subject to the imposition of a foul water drainage condition and, after having been put to the vote was carried (9 votes for and 4 abstentions).

RESOLVED: That the application be approved as recommended subject to the imposition of an additional condition regarding a foul water drainage system.

Councillor de Winton left the meeting at 2.40 pm.

(x) **24/00740/F**

Wimbotsham: Berina, 22 Church Road: Two storey rear and single storey extensions to side and rear of existing dwelling, following removal of existing extensions and shed and construction of a new garage / garden store and alterations to existing vehicular access: R & J Hurst

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The case officer introduced the report and advised that planning permission was sought for a 2-storey rear extension, 2 single storey side extensions, a single storey rear extension and a large, detached garage.

The application site is located within the development boundary of Wimbotsham, which was classed as a Rural Village within Policy DM2 of the Site Allocations and Development Management Policies Plan (SADMPP 2016).

The application site was located to the southwest of Church Road and situated within the Wimbotsham Conservation Area.

The existing dwelling was a detached, 2 storey, mixed red brick dwelling with a hipped roof and attached flat roof garages at the rear.

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

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 R Hurst (supporting) addressed the Committee in relation to the application.

The Democratic Services Officer read out a statement from Councillor Spikings in support of the application.

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

RESOLVED: That the application be refused, as recommended.

PC18: **UPDATE ON TREE MATTERS**

RESOLVED: That the Committee noted the report.

PC19: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

RESOLVED: That the reports be noted.

The meeting closed at 3.15 pm