

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

Minutes from the Meeting of the Planning Committee held on Monday, 7th October, 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, R Blunt, F Bone (sub), A Bubb, R Coates,
M de Whalley, T de Winton, S Everett, S Ring, C Rose, Mrs V Spikings,
M Storey and D Tyler

PC51: **APOLOGIES**

Apologies for absence had been received from Councillor Heneghan (Cllr Bone sub) and Councillor Devulapalli.

The Chair thanked Councillor Bone for being a substitute at the meeting.

PC52: **MINUTES**

The minutes of the meetings held on 28 August 2024 and 2 September 2024 (previously circulated) were agreed as a correct record and signed by the Chair.

PC53: **DECLARATIONS OF INTEREST**

Councillor Bone declared that he had called in application 24/00892/F – King's Lynn but had not pre-determined the application.

Councillor Ring declared that as Portfolio Holder for Business and Culture, he had an interest in applications 24/01188/F and 24/01189/LB – the Guildhall, King's Lynn and would not take part in the debate or decisions.

Councillor Storey advised that as he was not present for the site visit for application 23/01763/FM – Gayton, he would not take part in the debate or decision.

PC54: **URGENT BUSINESS UNDER STANDING ORDER 7**

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The Chair advised that there was one item of urgent business under Standing Order 7 and invited the Planning Control Manager to present the report.

The Planning Control Manager explained that the purpose of the report was to seek authorisation from the Committee to finalise and complete the S106 agreement pertaining to application ref 24/00168/OM.

RESOLVED: That in relation to application 24/00168/OM a further 3 months from the date if the Committee resolution (until 7 January 2025) be agreed to finalise the agreement and issue the decision. If the agreement is not completed by 7 January 2025, but reasonable progress had been made, delegated authority be granted to the Assistant Director / Planning Control Manager to continue negotiation and finalise the agreement and issue the decision. If in the opinion of the Assistant Director / Planning Control Manager no progress is made, the application be refused on the failure to secure the S106 agreement.

PC55: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillors attended and addressed the Committee as follows:

Councillor J Collingham	9/2(b)	Dersingham
Councillor C Morley	9/2(f)	Syderstone

PC56: **CHAIR'S CORRESPONDENCE**

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

PC57: **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.

PC58: **DECISION ON APPLICATIONS**

The Committee considered schedules of applications for planning permission submitted by the Assistant 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) – (vii) below, where appropriate, to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chair.

The Chair advised that he would be changing the order of the agenda.

- (i) **23/01763/FM**
Gayton: Manor Farm, Back Street: Proposed residential development of 36 dwellings involving the demolition of existing buildings: Gayton Investments Ltd

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The Committee had visited the site prior to the meeting. As Councillor Storey had not been on the site visit, he did not take part in the debate or decision for the application.

The case officer introduced the report and advised that full planning permission was sought for residential development comprising 36 dwellings consisting of a mixture of detached, semi-detached, and terraced two, three and four-bed dwellings with both two-storey and single storey properties.

The site, which measured approximately 2.8 ha, represented the housing allocation for the settlement in the Development Plan. Policy G41.1 of the Site Allocations and Development Management Plan Policies Plan, 2016 (SADMP) related specifically to this allocation.

In August 2016, outline consent was granted for 40 dwellings on the site. However, when a combination of reserved matters and full permission were sought on the site for a total of 46 dwellings, both the Planning Committee and ultimately the Planning Inspector considered that this represented overdevelopment of the site. The proposal was therefore refused by the Planning Committee in July 2020 and dismissed at appeal in August 2021.

The current application for 36 dwellings sought to address the previous reasons for refusal. Seven affordable units would be provided of which 2 no. would be bungalows, the remaining would be two storey dwellings. These were well pepper-potted throughout the site.

The site was located wholly within flood Zone 1, although the northern boundary of the site was in an area susceptible to surface water flooding.

The application had been referred to the Committee for determination as the site was subject to a previously dismissed appeal and was now recommended for approval.

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 Jamie Burton (supporting) and David Marsham (supporting) addressed the Committee in relation to the application.

Several Members of the Committee were pleased with how the application had come forward, taking into account the concerns previously raised by the Committee.

Concern was raised in relation to drainage issues and the case officer advised that this had been well covered within the report and outlined the drainage arrangements to the Committee.

The case officer also advised that a management company would maintain and manage the open space, and this would be included within the Section 106 agreement. The Borough Council's Open Space Team had confirmed that they would not be adopting the site.

The Committee's attention was drawn to the late correspondence and the clarification and correction to the resolution. The Committee also agreed to grant delegated authority to the Assistant Director / Planning Control Manager to continue to negotiate with the applicant in the event that the Section 106 Agreement was not signed within the 4 months.

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:

- (A) **APPROVED** subject to the completion of a Section 106 securing affordable housing, open space, GIRAMS fee and £500 per clause monitoring fee within 4 months of the resolution to approve.
 - (B) If the agreement is not completed within four months but reasonable progress has been made, delegated authority be granted to the Assistant Director / Planning Control Manager to continue negotiation and finalise the agreement.
 - (C) **REFUSED** if the Section 106 agreement is not completed within 4 months of the resolution to approve or in the opinion of the Assistant Director / Planning Control Manager no progress has been made.
- (ii) **24/00504/F**
Dersingham: 59A Manor Road: Proposed new dwelling:
Bespoke Norfolk Group

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The case officer introduced the report and advised that the site was formed from part of a residential curtilage, the side garden of a chalet style bungalow set in a backland position off Manor Road, Dersingham.

Full planning permission was sought for a new dwelling to the existing dwelling, the host property. Vehicular access would be shared with the existing dwelling.

The site was within the Development Boundary of Dersingham, a Key Rural Service Centre as defined by the Local Plan, and within Dersingham Conservation Area.

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

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, Heather Wells (objecting), Coral Shepherd (objecting on behalf of the Parish Council) and Helen Morris (supporting) addressed the Committee in relation to the application.

Councillor Collingham (Ward Member) addressed the Committee and outlined her concerns regarding the application.

Councillor de Whalley referred to the correspondence from the Parish Council that there was a water course running across the site. The case officer advised that this could not be validated. The Planning Control Manager added that the unknown water course issue could be pursued under separate legislation outside the scope of Planning Control.

Councillor Spikings referred to the comments made that the proposal intruded on the neighbouring fence. She proposed that the application be adjourned until after lunch to allow for further clarification to be sought on the issue.

Councillor Ring considered that the application was overdevelopment, which would have an overbearing impact on the neighbouring property. He added that the access onto Manor Road was also very difficult.

Further in the debate, Councillor Spikings proposed that if the Committee were minded to approve the application, then permitted development rights should be removed. This was seconded by the Chair and agreed by the Committee.

Councillor Mrs Spikings withdrew her proposal to adjourn the application.

Councillor Mrs Spikings proposed that the application be refused on the grounds that the proposed dwelling was too large for the plot and would cause dis-amenity to the donor dwelling. This was seconded by Councillor Bone.

The Planning Control Manager advised that the planning reasons she had heard from the debate was that the scale of the proposal was too large resulting in over development of the plot causing dis-amenity to the neighbour by virtue of being overbearing.

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 unanimously.

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

The proposal would result in overdevelopment of the site, resulting in dis-amenity to the neighbouring donor dwelling by virtue of overbearing impact contrary to the NPPF and Policies CS08 and DM15 of the Local Plan.

The Committee then adjourned for a comfort break at 11.57 am and reconvened at 12.10 pm.

(iii) 24/00280/RM

Brancaster: Land at Cross Lane: Reserved matters application: Construction of one dwelling: Mr & Mrs H Coghill

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The case officer introduced the report and advised that the site was located on the northern side off Cross Lane in Brancaster, which was classified as a Joint Key Rural Service Centre along with Brancaster Staithe and Burnham Deepdale in the Settlement Hierarchy of the Development Plan (CS02).

The site was in a primarily residential location with residential properties to all four compass points, and a small caravan park to the northeast. To the immediate east of the site lies two access tracks that served the development to the north and separated the site from the property to the east (The Chimneys). Access to the site would be from the west of the existing access tracks. Likewise, to the west of the site lies an existing access track serving development to the northwest. This, along with an area of amenity land, separated the site from the property to the west (Oyster House).

Reserved matters consent was sought for access, appearance, landscaping, layout and scale following approval of outline consent in April 2021 or 1 no. dwellinghouse under application 20/01695/O.

The proposal was for a substantial detached 2.5 storey, 6-bed dwellinghouse.

The site was located within the Conservation Area and North Norfolk National Landscape and was within Flood Zone 1.

Most of the trees along the eastern and southern boundaries of the site were protected by a Tree Preservation Order with the remainder being protected by virtue of their size and location within a Conservation Area.

The application had been referred to the Committee for determination as it had been called-in by Councillor de Winton 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, Charlotte Coghill (supporting) addressed the Committee in relation to the application.

Councillor Ring referred to the Parish Council's support for the application and proposed that the application be approved.

Councillor Barclay endorsed the comments made by Councillor Ring and added that the proposed dwelling fitted in with Cross Lane and there had been no objections from consultees.

The Assistant Director advised that the application went against policy within Brancaster's Neighbourhood Plan.

Councillor de Winton, Chair of Brancaster Parish Council, explained that it was common for people to want to return to the parish where they grew up in.

The Legal Advisor reminded Councillor de Winton that he had not made a declaration of interest at the start of the meeting at the right point on the agenda. He added that any declarations of interest needed to be made at the start of the meeting.

The Planning Control Manager advised that what she had heard from the debate in relation to approving the application was that the Committee had put weight on the high-quality design of the dwelling and that the Parish Council considered that the applicant had sufficient local residency links which constituted exceptional circumstances in accordance with the Neighbourhood Plan.

Councillor Ring confirmed his proposal to approve the application on the grounds that the Committee had put weight on the high-quality design of the dwelling, the applicant had sufficient links with the Parish and as such constituted exceptional circumstances. This was seconded by Councillor de Whalley.

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.

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

The Committee attached weight to the design of the dwelling and the applicant had sufficient local residency links with the Parish and as such constituted exceptional circumstances in accordance with the Neighbourhood Plan Policy 1.

The Committee adjourned for lunch at 12.45 pm and reconvened at 1.20 pm.

(iv) 23/02276/F
Hunstanton: 15 Lincoln Street: New residential dwelling on land east of 15 Lincoln Street, Hunstanton: S Curtis

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The case officer introduced the report and advised that the application proposed the subdivision of the existing plot to the east of the main dwelling (Number 15) and the construction of a new dwelling. The application had been amended over time to seek to address concerns regarding the impact on neighbour amenity to the north, the form and design of the building as well as the impact on trees to the south / western boundary. The final proposed development consisted of a 1.5 and single storey dwelling, associated parking area and access onto Lincoln Street. The site was located within the Conservation Area.

The application had been referred to the Committee for determination as the application had been considered at the Sifting Panel held on 8 May 2024, where it was resolved that the application could be determined as a delegated refusal, which was the proposal at the time. However, due to amendments being received the officer's recommendation is now one of approval based on the amended plans and the application was therefore required to be determined at Planning Committee.

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, Sue Curtis (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, after having been put to the vote, was carried unanimously.

RESOLVED: That the application be approved as recommended.

- (v) **24/00892/F**
King's Lynn: Guanock Fields, William Street: Change of use from light industrial / store to new dwellings:

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The case officer introduced the report and advised that the application site was located within Guanock Fields, a mostly residential area with two and three storey terrace dwellings neighbouring the site. The plot was currently host to a two-storey traditional style building with a pitched roof. The building was last used for industrial purposes and was accessed via William Street with parking located to the west.

The site was located within the King's Lynn Town Centre and Conservation Area.

Full planning permission was sought for the conversion of the building to two residential dwellings.

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

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

Councillor Everett proposed that an additional condition be imposed requiring a construction management plan, which was seconded by Councillor Bone and agreed by the Committee.

The Democratic Services Officer then carried out a roll call on the recommendation to approve subject to an additional condition requiring a construction management plan and, after having been put to the vote, was carried.

RESOLVED: That the application be approved as recommended, subject to the imposition of an additional condition requiring a construction management plan.

- (vi) **24/01306/F**
Syderstone: 21 The Broadlands, The Street: Proposed detached single storey outbuilding to provide accommodation for disabled son:

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The case officer introduced the report and advised that the application related to 21 The Broadlands, The Street, Syderstone and sought full planning permission for a proposed detached single storey outbuilding to provide accommodation for the applicant's disabled son.

The dwelling was located within the development boundary of Syderstone.

The area accommodated a mixture of properties from brick, stone and render which ranged from two storey dwellings to chalet style dwellings. No.21 The Broadlands was part of a row of semi-detached dwellings with steps leading up small front gardens. The dwellings all had pitched roofs and set back from the road. The application dwelling currently followed the main characteristics of the dwellings but with different materials.

The site was located within flood zone 1.

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

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, Kirsty Chapman (supporting) addressed the Committee in relation to the application.

Councillor Morley (Ward Member) addressed the Committee and outlined his concerns in relation to the application.

In response to comments raised by Councillor Morley, the Planning Control Manager advised that the Enforcement Team were aware of all the issues which were not associated with the proposal and had or were being dealt with separately.

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.

Councillors de Winton, Spikings, Tyler, Storey and Bone left the meeting.

(vii) 24/01188/F & 24/01189/LB

King's Lynn: Guildhall of St George 1, St George Courtyard and 29 King Street: Internal and external restoration and refurbishment works to existing buildings, including internal and external demolition, reconfiguration and rebuilding, minor extension(s), part change of use, associated plant and enclosures and hard and soft landscape works: Borough Council of King's Lynn & West Norfolk

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Councillor Ring left the meeting during consideration of the item as he had declared an interest as Portfolio Holder for Business and Culture.

The case officer introduced the report which covered both applications for planning permission and listed building consent.

The applications sought consent for internal and external restoration and refurbishment works to the Guildhall of St George and adjoining buildings, including 29 King Street. The scope of the works included alterations and refurbishment of the Guildhall as well as the various existing historic warehouses and buildings to the rear of the space; including internal and external demolition, reconfiguration and rebuilding, the construction of a glazed foyer extension, changes of use to allow creative hubs and various performing spaces alongside and in addition to the existing uses, associated plant and enclosures and hard and soft landscaping works.

The application had been referred to the Committee for determination as the application had been submitted on behalf of the Borough 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, Tim Fitzhigham (supporting) addressed the Committee in relation to both applications.

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

RESOLVED: (1) That in relation to 24/01188/F, the application be approved, subject to conditions and the amendment to condition 10, as outlined in late correspondence.

(2) That in relation to application 24/01189/LB, Listed Building consent be granted.

PC59: **DELEGATED DECISIONS**

The Committee received schedules relating to the above.

RESOLVED: That the report be noted.

The meeting closed at 2.50 pm