

**Planning (Regulatory) Committee
Minutes of the Meeting Held on 29 September 2023
at 11am in the Council Chamber, County Hall**

Present:

Cllr Brian Long (Chair)

Cllr Graham Carpenter (Vice-Chair)

Cllr Chris Dawson

Cllr Paul Neale

Cllr William Richmond

Cllr Tony White

Substitute Members Present:

Cllr Lesley Bambridge for Cllr Martin Storey

Cllr Robert Savage for Cllr Stephen Askew

Also Present

Hollie Adams

Richard Bridgman

Chris Burgess

David Carr

Charles Collings

Ralph Cox

Jon Hanner

Committee Officer

Public Speaker

Subject Lead, NPLaw

Public Speaker

Planning Officer

Principal Planner

Highways Officer

1 Apologies and Substitutions

- 1.1 Apologies were received from Cllr Stephen Askew (Cllr Robert Savage substituting), Cllr Rob Colwell, Cllr Mike Sands, Cllr Martin Storey (Cllr Lesley Bambridge substituting) and Cllr Matt Reilly. Cllr Mark Kiddle-Morris was also absent.

2 Minutes

- 2.1 The minutes from the Planning (Regulatory) Committee meeting held on 21 July 2023 were agreed as an accurate record and signed by the Chair following the following amendment being made:
- To amend paragraph 5.4 to show that more than one committee member made reference to the appearance and aesthetics of the building.
- 2.2 Cllr Neale asked for an update on the priority for pedestrians past the doctor's surgery raised at paragraph 5.1. The Principal Planner **agreed** to follow up on this.

3 Declarations of Interest

3.1 No declarations were made.

4 Urgent Business

There was no urgent business.

4.1 **Applications referred to the Committee for determination.**

5 FUL/2022/0042: Land at Brickfields Way, Thetford, Norfolk, IP24 1HX

5.1 The Committee received the report detailing a proposal seeking planning permission for a Liquid Waste Transfer Station accepting up to 400m³ of liquid waste-water from food and drink manufacturers per day. The development would require a waste processing building, control room building, 3no. external storage vessels and a yard/parking area for tanker manoeuvring and carparking. The land subject to this application is allocated as a general employment area on Brickfields Way, Thetford.

5.2.1 The planning officer gave a presentation to the Committee:

- maps of the application site, a detailed site plan and aerial photograph of the site were shown; it was northwest of Thetford and 900m south of A11.
- Layout plans and landscaping plans of the proposed site were shown.
- An internal wall in the building would mean processing would take place on one side of the building. External to the building would be 3 storage vessels.
- Treated liquid would be gravity fed to the Anglian Water sewer.
- The west side of the site would be left as a landscape buffer and was proposed to have additional planting on the east side of the site and hedging on the southern boundary.
- Photographs of the existing site were shown.
- There had been a request from the highways officer to place an H bar marking to prevent parking in the access to the site prior to the first use of the development.
- The Environment Agency and Environmental Health Officer had not raised objections; the Environment Agency would be responsible for regulating odour emissions from the site.
- Third party objections had been addressed and no objections raised by statutory consultees.

5.2.2 Committee Members asked questions to the planning officer:

- Officers were asked about odour control in the main building where tanks were unloaded; the Planning Officer confirmed that the building would be kept under negative pressure with extractor fans under the rolling doors. Odour would be monitored through the environmental permit.
- The Planning Officer confirmed that sludge would be removed from site in sealed containers. A Committee Member was concerned about displacement

of foul air during loading of sludge; the Chair noted that any issues arising would be covered under the environmental permit.

- The Planning Officer was asked about the size of screening measures proposed in the application. It was confirmed that the landscaping officer was happy with the size and species proposed in the application but if members were concerned a condition could be put in place specifying the size of planting.
- A Committee Member queried the release of treated liquid into the Anglian Water sewer, raising concerns about further discharges of nitrates given the existing issues with nutrient neutrality. The Planning Officer replied that liquid would have to be treated until it met the required levels for release. Consent would be needed through Anglian Water and the environmental permit would regulate this.
- Comments were included in the application from the District Council about the stacks. The Planning Officer replied that attenuators would reduce noise from the stacks; this was part of the proposal and there was not a condition in place requiring their installation. The environmental permit would regulate noise from the site.
- A concern was noted in the report about a possible future increase in tankers. The Planning Officer noted that the member update included a condition to limit annual throughput on the site. Tanker numbers would be linked to this. There was a maximum of 400m³ per day through the Anglian water agreement for the site's discharge so this should be self-regulating. If an increase was required, then a revised application would be needed.
- The Planning Officer confirmed that waste brought to the site would be mostly from the food and drink industry with part of the waste coming from Norfolk Poultry. A Committee Member felt that it was important to know what specific area of the food industry the source was in such applications, to have insight on the possible impact of odour.
- A Committee Member asked if anything else could be put in place to mitigate against odours which were already being experienced by local residents and businesses. The Planning Officer replied that assessments had been provided with the application and the Environment Agency would regulate this at the site. The Environmental Health Officer was satisfied that odour would not have an unacceptable impact on adjacent businesses and properties. Existing issues with odour from the site was from parking of tankers and HGVs on the site; the application presented did not include any external parking meaning all odour should be within the building and pass through filters being installed in the building. The Chair asked if there was a condition to stop vehicles parking outside; the Planning Officer replied there was no condition for this.
- A Committee Member noted paragraph 3.35 of the report which stated: "Biodiversity Protection and Enhancement refer that development should demonstrate how net gains for biodiversity are secured as part of the development, proportionate to the scale of development and potential impacts (if any)". The Planning Officer replied that this was mostly through biodiversity buffers proposed in the application and bat and bird boxes.

5.3 The committee heard from registered speakers:

5.3.1 Richard Bridgman spoke in objection to the application:

- Mr Bridgman stated that he had approached the applicant, Whites, to discuss plans and received no response. He stated that he had emailed the Council's planning department to meet them on site and received no response.
- Mr Bridgman had sent a detailed email in November 2022 setting out his concerns about how the planning application would affect his business with photographs of the access issues to the site and how BMR shared the same access as the application site.
- Mr Bridgman informed the Committee that Planning Officers had been wrongly informed that BMR rentals were moving; as this was not the case, and he therefore felt there would be access issues on the road.
- The building for the cleaning process in the application was double the size originally planned. Mr Bridgman wondered if the sections in the building were independent for each other and was concerned that the access doors may allow air to escape.
- Objections had been given to the application about smells in the surrounding area.
- Mr Bridgman queried why there had been a buffer installed in the location indicated but not elsewhere on the site; he reported that when it was windy foul air blew into his factory. He felt that a high fence should be installed along the edge of the site next to his factory.
- Mr Bridgman reported that currently, around 20 vehicles parked overnight on the site. Mr Bridgman wondered where the remainder of vehicles would park when waiting to enter the building, and where they would be washed before entering the site.
- Mr Bridgman reported there had been issues with lorries travelling up and down Brickfields Way.

5.3.2 David Carr spoke as applicant:

- Whites Recycling was a waste management and recycling business providing services in the anaerobic digestion, manufacturing and food and drink sector
- In 2018 new legislation was passed introducing farming rules for water which highlighted a shortage in waste water treatment capacity in East Anglia.
- Many food businesses in Norfolk relied on Whites for recycling their organic waste to agricultural land.
- This proposed development of liquid transfer would allow a significant volume of matter to be diverted to treatment to help provide certainty to businesses and reduce road miles to transport material.
- No objections were received from technical consultees and the application went above the requirements of the technical consultees to address concerns raised. For example, odour management had been over-managed and over-specified to meet the environmental permit. The permit would require no odour to be detected outside of the site boundary. If there was, this would result in enforcement by the Environment Agency or the environment permit being revoked.

- Material would be brought on site in sealed containers and unloaded in a sealed building. Advice of the Environment Agency had been followed to choose the use of carbon filters.
- The noise impact assessment confirmed that there would be no adverse impact on local residential or commercial buildings and no objections received from the environmental officer.
- Most activity would take place inside of the building; the external stack was outside the building and the dominant source of noise was mitigated by an inline attenuator.
- There was no requirement to assess noise on other commercial uses this was assessed and showed no adverse impacts.
- There would be 21 HGV movements in and 21 out per day on the site.
- External tanker parking on the site had been removed to reduce odour concerns at a cost to the business. The building design had been re-ordered to allow space for four HGVs instead of two as a contingency. All deliveries to the site would be pre-booked and no unscheduled deliveries would be accepted.

5.4 The Committee asked questions to the registered speakers:

- A Committee Member asked for more information on the sources of waste. Mr Carr replied that the wastes handled by the business were organic waste recycled to agricultural land. Since the new legislation passed in 2018 the time that waste could be applied to land was restricted to certain months of the year and was stored in lagoons on agricultural land the rest of the time, resulting in double handling of waste. The facility in the application would allow waste to be handled once by treating it and disposing in the Anglian Water network.
- A Committee Member asked about the handling of expelled foul air during loading of tankers. Mr Carr replied that odour handled in the building would be taken through ducting above the shutter doors and the carbon filters due to negative pressure in the building. All loading of sludge would take place in the building.
- The space for four vehicles in the building was queried and where vehicles would wait outside. Mr Carr replied that the additional 2 spaces in the building was for contingency only and so only two spaces would be used ordinarily for loading and unloading. No stacking would be required outside of the building and all vehicle movements would be planned in and out of the site and scheduled in advance.
- The concerns of Mr Bridgman about noise and odour from the site were noted and a Committee Member asked him about this. Mr Bridgman felt that a high fence would be a better buffer for both of these issues. The Chair noted that the Committee had to deal with the application as presented to them; if they felt so minded they could add a condition. The Chair also noted that the Environment Agency and Environmental Health Officer had not noted noise and odour as concerns.

5.5 The Committee debated the application:

- A Committee Member noted the significant investment proposed on the site was clear, and there were no objections from statutory consultees or comments from

elected consultees, however noted the concerns raised about the highways' issues.

- A Committee Member noted the objection which raised concerns about the site being located near to residential buildings; he recognised difficulties for applicants in finding sites in more remote areas and so suggested it would be helpful for policy to be developed to support applicants to develop such sites away from residential areas.
- A Committee Member was concerned about odour from the site since issues had already been raised about odour at the site. The Chair noted that the situation at the site should improve as vehicles would not be parked outside moving forward. He noted that local residents or businesses could make a complaint to the local council for the environment officer to make an inspection if they continued to have concerns.
- A Committee Member was pleased to note the highways control and odour control measures set out in the application.
- A Committee Member noted paragraph 3.25 of the report which stated there was no unacceptable impacts.

5.6 The Committee unanimously **agreed** that the Interim Executive Director of Community and Environmental Services be authorised to:

1. Grant planning permission subject to the conditions outlined in section 11.
2. Discharge conditions where those detailed above require the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
3. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

The meeting ended at 11:55

Chairman



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