

**Planning Regulatory Committee  
Minutes of the Meeting Held on Friday 6 September  
at 11am in the Edwards Room, County Hall**

**Members Present:**

Cllr Colin Foulger (Chairman)  
Cllr Brian Long (Vice Chairman)

Cllr Roy Brame	Cllr William Richmond
Cllr D Collis	Cllr Mike Sands
Cllr D Douglas	Cllr Eric Seward
Cllr Brian Iles	Cllr Tony White

**Substitute Members Present**

Cllr Bev Spratt for Cllr Stephen Askew  
Cllr Sandra Squire for Cllr Mick Castle

**Officers Present**

Ralph Cox	Principal Planning Officer
Jon Hanner	Engineer - Highways Development Management
Nick Johnson	Head of Planning
Angelina Lambert	Principal Planning Officer
Jane Linley	Team Lead (Planning & Environmental Law), nplaw
Andrew Sierakowski	Senior Planning Officer

**Others Present:**

David Bills	Local Member for Humbleyard
Isabel Horner	Sufficiency Delivery Manager, Children's Services, NCC
Alexandra Kemp	Local Member for Clenchwarton & King's Lynn South
Mr Parslow-Williams	Headteacher, Hethersett Junior School
Mr and Mrs Turberfield	Members of the Public

**1 Apologies and Substitutions**

- 1.1 Apologies were received from Cllr Stephen Askew (Cllr Bev Spratt substituting) Cllr Mick Castle (Cllr Sandra Squire substituting) and Cllr Martin Storey.

**2 Minutes**

- 2.1 The minutes from the Planning (Regulatory) Committee meeting held on 26 July 2019 were agreed as an accurate record and signed by the Chairman

### **3 Declarations of Interest**

- 3.1 The Chairman declared a non-pecuniary interest related to item 7, "Great Yarmouth Third River Crossing Nationally Significant Infrastructure Project (NSIP)" as Chair of the Third River Crossing Member Working Group. He chose not to Chair for, take part in debate on or vote on this item.
- 3.2 Cllr White noted he used to sit on the working group; it was confirmed this would not impact on his impartiality.

### **4 Urgent Business**

- 4.1 There was no urgent business.

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

### **5 FUL/2019/0005: Hethersett Junior School, Queens Road, Hethersett, Norwich, Norfolk NR9 3DB**

- 5.1.1 The Committee received the report outlining the proposal for expansion of the existing 240 pupil place junior school to a 420 pupil place primary school by way of a new stand-alone building incorporating 8 new class bases, studio hall and other ancillary accommodation, improved vehicular and pedestrian access to the school off Queen's Road leading to 44 no. space car park including 3 no. disabled car parking spaces, creation of a secondary pedestrian access route to the school from Admiral's Way and minor refurbishment works to existing school.
- 5.1.2 The Committee received a presentation from the Senior Planning Officer
- The Senior Planning Officer gave detail on the proposed plans set out in the report
  - The proposed building was designed to be as low as possible and in keeping with existing school buildings; the east elevation would be facing the gardens of properties on the adjacent road of Haconsfield
  - The Senior Planning Officer showed a diagram indicating the shadowing which would be cast over the gardens of properties on Haconsfield
- 5.1.3 Members asked questions about the presentation:
- A member felt the plans presented in the report were not clear as they did not indicate the names of adjacent and nearby roads; the Chairman **requested** that future reports show road names
  - It was confirmed that the proposed building design included solar panels
  - The Senior Planning Officer confirmed that the school was in a central location, accessible on foot and by bike; a travel plan would be written for the school, encouraging parents to arrive by other means of transport than by car
  - A Member queried whether plans for the expansion were big enough, given the growth in Hethersett; the Senior Planning Officer confirmed that the proposed plans were part of a wider set of proposals to expand schools in Hethersett
  - The Senior Planning Officer confirmed in response to a query that outdoor space

had been balanced against the requirements of building the school in collaboration with Sports England who ensured there was no loss of sports provision. The site had provision for outdoor play as well as sport

- There was a proposal to review traffic in the surrounding roads in 12 months' from the opening of the new teaching block to see if traffic regulation measures were required. It was noted that, as part of the approval for the Academy, a designated drop off for school buses will be constructed off Back Lane which would take all buses off Queens Road
- The Engineer, Highways Development Management, noted that the proposal to open Admirals Way as a pedestrian link should encourage more children to walk to school, however also recognised that some parents would drop their children off here by car; traffic in Admirals Way would be monitored after 12 months to see what changes, if any, were needed.
- Officers confirmed it was a condition of the application to review traffic after 12 months in the surrounding area

5.2 Mr and Mrs Turberfield spoke in objection of the application:

- Mr Turberfield discussed how he and his wife had spent lots of time making their home energy efficient and nice to enjoy and were distressed about the 20ft triangular redbrick building which would be built so near to their garden; they were concerned that it would put their garden into shadow and that their garden would feature the highest point of the redbrick triangular roof in its centre
- They suggested that if the roof was less sloped, had a hip, or had a return slope sloping away from the properties, this would mitigate against the appearance and the shadowing on their garden.
- They did not object to the school being built in general but had concerns about the design of the building and its impact on their garden and view. They also had concerns about noise and light pollution, but noted measures in the report to mitigate these, and about noise and dust during construction
- Mr Turberfield said he and his wife had received little communication about the development and that they had difficulty in seeing a copy of the plans
- They queried the distance of the boundary of the proposed building to the edge of their property; the Senior Planning Officer replied that the application stated the proposed building was 4.5m from the boundary of the site, however that it was variable, and, in some places, it could be 2.5m from the school site boundary.

5.3.1 Mr Parslow-Williams, Headteacher of Hethersett Junior School, spoke in support of the application:

- Mr Parslow-Williams reported that there was significant pressure along the A11 corridor for pupil places; the school was oversubscribed and was accepting its first reception class the following week
- He had received feedback from residents that transformation and expansion of the primary school would be beneficial; the development would reduce the cost for Children's Services in transporting children by bus to other schools
- He felt that the school expansions planned in Hethersett would be enough for the increasing number of children in the area
- Mr Parslow-Williams felt that the planned hard play area would reduce noise for residents as the under 7's football club out of school hours would move to the field at the rear of the site away from residents

- The school was adopting a healthy school approach and was promoting walking and cycling to school; it was also looking into implementing a walking bus starting at the church, where parents could park

5.3.2 The Committee asked questions of Mr Parslow-Williams:

- A Member asked if there was scope to make changes to the design to accommodate the requests of the objectors; Mr Parslow-Williams stated that the building was designed to be as close as possible to the existing school so there was no segregation between key stages. He understood that the boundary was consistently 4.5m from the proposed new building.

5.4.1 The Sufficiency Delivery Manager spoke on behalf of Children's services as the applicant:

- The school was being expanded to help provide spaces for children arising from the new housing in the village and house building on the A11 corridor; expanding the infant and junior schools and the academy high school should provide sufficient good or outstanding school places in Hethersett to accommodate the population needs of the village
- At this time, 1200 homes were approved for construction in Hethersett and 200 were occupied
- The needs of the school had been balanced with the responses from the consultation when designing the proposal for the site
- The Sufficiency Delivery Manager's understanding was that the building was consistently 4.5m from the boundary fence all the way
- Shadow would only be cast on gardens of properties on Haconsfield, and only affect them at certain times of the year and later in the day
- The Sufficiency Delivery Manager believed that the level of the roof could not be reduced as it had been designed to provide natural ventilation for the classrooms; it was single storey to give as little impact as possible on residents

5.4.2 The Committee asked questions of Children's Services:

- A Member queried the design and whether the residents' request could be accommodated. The Sufficiency Delivery Manager, Children's Services, replied that the design of the proposed building was a balance between the needs of the school and national design parameters; it was important to put most of the investment into the internal learning and teaching environment and natural ventilation, and she believed this was the only roof design which would allow this
- Members discussed the possibility of redesigning the roof; they recognised that this may incur more cost but would mitigate the concerns of the residents
- The Chairman said that he was a retired architect of schools
- The Architect reported that the building had been designed in line with the precedent set across all school projects to get the best natural ventilation and maintain a strict budget for the external build; he felt it would be difficult to reduce the pitch of the roof due to material between the roof top and ceiling that could not be removed. The proposed design was also the most cost-effective
- The Chairman queried whether a hip extending halfway along the roof could be installed to mitigate against the length of the shadow cast; the Sufficiency Delivery Manager, Children's Services, felt the shadow casting was minimal and

that it was important to be consistent with buildings provided elsewhere

- The Chairman felt that changes to roof design could be made to mitigate the residents' concerns and that the design should be looked at again; other Members agreed with this, noting that buildings should follow form and function but also fit in with their geographic site
- The Head of Planning confirmed that the Committee could either refuse the application, defer the application or approve the application.

5.5 Cllr Bills spoke as local Member for Humbleyard

- Cllr Bills had spoken with Haconsfield residents who had difficulty getting information on the application and noted communication had been challenging; he had received feedback that obtaining plans with dimensions had been difficult and letters to interested parties about the meeting were not received by all residents
- Cllr Bills felt that communication between the applicant and residents needed improvement

5.6 The Committee moved to debate on the application:

- The Team Lead (Planning & Environmental Law), nplaw, clarified that a condition to add a hip to the roof would not be possible; if the Committee wanted the applicant to make changes to the design, they would have to defer the application so that they could ask the applicant to look again at the application
- Cllr Mike Sands **PROPOSED**, seconded by Cllr Tony White, that the application be deferred to the next meeting in order for the design of the building to be looked at again based on the concerns raised by residents, on the grounds of public amenity

5.7 The Committee **RESOLVED** to **DEFER** the application to the next Planning (Regulatory) Committee to allow the applicant to reconsider the design of the building on the grounds of public amenity and in particular to consider whether the design could be altered to reduce the amount of shadowing in neighbour's gardens.

6. **Point of Order**

6.1 The Committee agreed to take item 7, "Great Yarmouth Third River Crossing Nationally Significant Infrastructure Project (NSIP)", next, and then return to the running order as set out on the agenda

6.2 Cllr Brian Long in the Chair

7. **Great Yarmouth Third River Crossing Nationally Significant Infrastructure Project (NSIP)**

7.1.1 The Committee received the report outlining the proposal for a dual carriageway road with a double leaf bascule bridge crossing the River Yare, Great Yarmouth, connecting Harfrey's roundabout to the west of the River Yare with South Denes Road (A1243) to the east of the River Yare, and associated works.

- 7.1.2 The Principal Planning Officer gave a presentation on the application:
- The project had been accepted by the Planning Inspectorate and would be determined by the Secretary of State for Transport
  - The crossing was safeguarded in the Great Yarmouth Policy Plan
  - the applicant (Norfolk County Council, highways team) had carried out the pre-application process with the Norfolk County Council as a statutory consultee
  - The process was in the pre-examination stage and the preliminary meeting was within two weeks; the 6-month examination period would begin after the preliminary meeting and would require Norfolk County Council as a statutory consultee to submit information to the Planning Inspectorate
  - After examination there would be 6 months for a report to be written to the Secretary of State and for him/her to make a decision followed by a 6-week legal challenge period

- 7.2 The Committee moved to debate the report:
- The recommendation had been amended to take into account the Chairman's declaration of interest; the powers would be delegated to the Head of Planning in consultation with the Vice-Chairman, or another Member of the Committee if the Vice-Chairman was not available
  - The Team Lead (Planning & Environmental Law), nplaw, clarified that the project was defined as "treated as an NSIP" and that while the Planning Inspectorate dealt with the application, the decision rested with the Secretary of State. The Secretary of State's decision would be whether to grant a development consent order, which was secondary legislation (a Statutory Instrument) dealing with the planning issues, compulsory acquisition issues, traffic order issues and any other permissions and consents needed to progress the project
  - Members spoke in support of the project
  - Cllr Tony White put himself forward as the Member for the Head of Planning to consult with if the Vice-Chairman was not available; this proposal was seconded by the Vice-Chairman. The Committee **AGREED** this nomination

- 7.3 The Committee **RESOLVED** that The Head of Planning on behalf of Norfolk County Council as County Planning Authority be **AUTHORISED** to
1. submit responses to the Planning Inspectorate in relation to the application for a Development Consent Order for the Great Yarmouth Third River Crossing in consultation with the Vice Chairman of the Planning (Regulatory) Committee (or Cllr White if the Vice-Chairman is unavailable) and
  2. to delegate powers to Officers to determine the applications to Discharge the Requirements (equivalent to planning conditions) of the Development Consent Order should it be made

- 7.4 Cllr Colin Foulger in the Chair

## 8. **C/2/2019/2009: Land adjacent to Riverside Farm, Garage Lane, Setchey, King's Lynn**

- 8.1.1 The Committee received the report outlining the proposal for retrospective change of use of agricultural land to extension of existing waste facility for storage purposes and

screening operations for soils and hardcore to remove aggregates for resale and create screened topsoil with additional associated landscaping and provision of 2 no. modular office/welfare units

8.1.2 The Principal Planning Officer gave a presentation to the Committee:

- The applicant had asked for the application to be deferred, but planning officers were not aware of any new information requiring them to defer the application
- The default position presented by planning officers was to refuse the application as it was a departure from policy, unless the Committee identified any material considerations which indicated planning permission should be granted, in line with s38(6) of the Planning and Compulsory Purchase Act 2004
- The Principal Planning Officer gave detail on the proposals outlined within the report
- The points in favour of the development were that it was 3km from Kings Lynn, was an extension of the existing business, and would not increase flood risk elsewhere, however on balance the Principal Planning Officer reiterated that it was recommended that it should be refused in accordance with the development plan for the reasons set out in section 13 of the report

8.1.3 Members asked questions on the presentation:

- A Member asked about issues related to surface water; the Principal Planning Officer clarified that there had been no objections from statutory bodies related to surface water. If the application was approved a permit would be required from the environment agency for the site to operate

8.2 Cllr Kemp spoke as local member for West Winch

- Cllr Kemp felt that the application should be refused; she noted that it had been opposed by West Winch Parish Council and when the application was last submitted the Internal Drainage Board raised concerns about the Puny Drain
- Cllr Kemp raised concerns about the site such as sightings of litter going into the drain and materials not treated properly blowing in the air; she noted that the site was outside the settlement boundary in the countryside, was outside DM2 policy, and did not satisfy the sequential test. Cllr Kemp was also concerned that the site was in a high flood risk area.
- Cllr Kemp suggested that there were other sites nearby which could be used for the proposed activities
- Cllr Kemp also reported that the planning permission given previously by the Borough Council had been lapsed on issues related to surface water and other enforcement issues for a number of years

8.3 The Committee moved to debate on the application:

- It was noted that the Internal Drainage Board did not raise concerns about the application; the Head of Planning confirmed there were no statutory objectors to the application
- Some Members queried whether approving the application would give additional controls over activity on the site; the Head of Planning confirmed that if planning permission was in place, there would be more controls over use of the site
- The Vice-Chairman noted that if the application was approved, the Environment Agency permit would help ensure the site worked within requirements and place

robust controls on issues such as those raised by Cllr Kemp around pollution

- The Team Lead (Planning & Environmental Law), nplaw, advised that if Members were minded to approve the application, there was not a set of conditions attached to the report, and Members would need to give authority to the Executive Director of Community and Environmental Services to grant planning permission subject to conditions that he felt appropriate, delegate to him powers to discharge conditions and deal with non material amendments to the application, if submitted
- The Head of Planning suggested that the Committee could choose to defer the application, to be brought back to the next meeting with a set of conditions for consideration
- A Member noted that if the application was refused, the activity on the site may move to a different location and be unregulated
- The Vice-Chairman **PROPOSED** on the grounds of the employment created, need for the facility, and lack of objections from statutory consultees, that the application be approved and authority delegated to the Executive Director of Community and Environmental Services, after consultation with the Chairman and Vice-Chairman of the Committee, to grant planning permission subject to appropriate conditions
- When put to a vote, with 11 votes for and 1 abstention, the proposal was **AGREED**

8.4 The Committee **RESOLVED** to

- a) **DELEGATE** authority to the Executive Director of Community and Environmental Services, after consultation with the Chairman and Vice-Chairman of the Committee to grant planning permission subject to appropriate conditions,
- b) delegate authority to the Executive Director of Community and Environmental Services to deal with any conditions that need to be discharged and any non-material amendments to the application that may be submitted.
- c) The reasons for the Committee's resolution were that the following material considerations outweighed the departure from the development plan:
  1. The need for the waste management facility at this location;
  2. The employment the waste management facility provides; and
  3. That there were no objections from statutory consultees.

The meeting ended at 12.56

**Chairman**