

**Planning Regulatory Committee
Minutes of the Meeting Held on Friday 6 December 2013 at 10am
in the Edwards Room, County Hall**

Present:

Mr B Bremner, Chairman

Mr S Agnew

Mr S Askew

Mrs J Brociek-Coulton

Mr A Dearnley

Mr N Dixon

Mr C Foulger

Mr A Grey

Mr A Gunson

Mr B Hannah

Mr B Iles

Ms A Kemp

Mr B Long

Mr A White

1 Apologies and Substitution

Apologies for absence were received from Mrs M Somerville (Mr A White substituted), Mr M Baker, Mr J Joyce and Mr M Storey.

2 Minutes from the meeting held on 1 November 2013.

The minutes from the Planning (Regulatory) Committee meeting held on 1 November 2013 were agreed as a correct record by the Committee and signed by the Chairman.

3 Declarations of Interest

The following declarations of interest were noted:

Mr Long declared an interest in agenda item 8 as he was Vice-Chairman of the King's Lynn Inland Drainage Board and Vice-Chair of the Wash SAC.

Mr White declared an interest in agenda item 8 as he was a member of the King's Lynn Inland Drainage Board.

Ms Kemp declared an interest in agenda item 7 as she was the Local Member for Clenchwarton and King's Lynn South. She confirmed that she had not taken any part in any campaigns or correspondence with residents about the application and would be able to take part in the decision made by the Committee.

4 Urgent Business

There were no items of urgent business.

The Committee agreed to rearrange the agenda to hear agenda item 7 first, followed by agenda items 5, 6 and 8.

Applications referred to the Committee for Determination

Reports by the Director of Environment, Transport and Development

5 Borough of King's Lynn & West Norfolk - C/2/2013/2003: King's Lynn & Clenchwarton: Construction of a Sludge Transfer Scheme in the vicinity of King's Lynn Wastewater Treatment Works comprising the following components: Erection of a Sludge Cake Reception Centre at King's Lynn Wastewater Treatment Works; Construction of a Liquid Sludge Import Centre (to include new access from Clenchwarton Road); Construction of a Sludge Transfer Pipeline: Anglian Water Services Ltd.

- 5.1 During the presentation of the report, it was noted that the application was considered to be a departure from the development plan as the site was currently listed as grade 1 agricultural land in the open countryside. It was noted that reference to CS06 in the report in paragraphs 12.1 and 12.2 should read CS6.
- 5.2 Following a question from the Committee, the Senior Engineer - Highways Development Management confirmed that the new site entrance would be designed to include all the current safety regulations, including visibility requirements. He said the application needed to be considered as it had been submitted and that it was not possible to address safety issues not directly related to the proposal when determining an application.
- 5.3 Janet Pike, Chair of the West Lynn Forum, addressed the Committee in objection to the application. A summary of the points raised during her presentation are noted below:
 - In the report Anglian Water had said that all local residents had been consulted on the options that were available regarding the proposed site. The site proposed in the application had not been mentioned in any consultation and had only been discovered by residents during a meeting in Clenchwarton village hall. The fact that the Poppyfields estate was in close proximity to the application site had also never been mentioned. Residents were concerned about the detrimental impact that the smells from the facility would have on the area, in particular for children using the children's play area near the site.
- 5.4 In response to a question from the Committee to Ms Pike, it was noted that the middle of the village, particularly close to the school, often had to put up with the unpleasant smells from the existing waste water treatment works.

- 5.5 Mr Sam Adkin addressed the committee in objection to the application and a copy of his representation is attached to these minutes at Appendix A.
- 5.6 As Councillor for the ward in which the application site fell, Cllr Gary McGuinness from the Borough Council of King's Lynn and West Norfolk addressed the committee in objection to the application. A copy of his presentation is attached at Appendix B to these minutes.
- 5.7 In response to a question from the Committee about the issue of access and visibility Cllr McGuinness said that although a nearby slip road junction had met safety standards, accidents had still occurred.
- 5.8 Mr Steve Swann, Anglian Water addressed the committee as the applicant, during which the following points were noted. Mr Swann was accompanied by Mr Ben Pidgeon who would be able to provide some technical assistance to the Committee if this was requested.
- There would be no adverse environmental impact as it was not proposed to treat any additional material at the site. The existing plant had the capacity to deal with the additional sludge.
 - The Environment Agency would be responsible for issuing the required permits, including the permit required to keep noise emissions to a minimum.
 - Anglian Water had consulted with local residents, although the most favourable option for residents had not been selected in this instance.
 - Although complaints had been received regarding the volume of traffic movements to and from the plant, it was confirmed that Anglian Water had considered a range of transport options and the scheme included in the application would remove approximately 66% of vehicle movements. He asked the Committee to take this into account when considering the application.
 - Mr Swann acknowledged that the application was a departure from the development plan, but Anglian Water had considered that the application needed to be considered against the NPPF to make optimum use of the most appropriate site.
 - The site of the proposed development was not considered a significant loss of agricultural land, as most of the identified loss would be for a temporary period only. The proposed 0.42 hectares for development, of the 1.92 hectares in total, was not considered to be significant. The landowners of the greenfield site would be fully compensated for the loss of the agricultural land.
 - Mr Swann asked Members to take into account the benefits which would be experienced if the application was approved, including the production of electricity which could go to the grid, and also the production of high quality manure which local

farmers would be able to make use of.

5.9 The following points were made by Mr Swann in response to questions from the Committee:

- The plant currently used approximately 7.5gw hours of electricity. Using the additional sludge would push this to 10gw, which was approximately 2.5gw hours extra.
- The agricultural land proposed for the site was in the corner of a field, therefore utilising the minimum amount of land. Trees would be planted to screen the site from public view.
- The pipeline used to transport the sludge from vehicles to the import centre were sealed. There would be points of access via manholes to allow for any necessary unblockaging required, but the whole pipeline would remain sealed, with casing installed to ensure odours could not escape.
- It was anticipated that the plant would be able to treat 19,000 tonnes of sludge per year, which was approximately 8,000 tonnes per year more than currently treated.
- The plant would assist Anglian Water in achieving their renewable energy obligations.
- Sludge from Lincolnshire and Cambridgeshire was treated at the plant although the amounts were variable and the exact figures were not known.
- The proposed site entrance would help move traffic away from the village.
- All sludge received at the site would be containerised. Work was being undertaken with the Inland Drainage Board to ensure surface water was kept away from the site, which would be a hard standing concrete pad. This process was no different to that which was currently taking place. The Poppyfields estate was in flood zone 3 and the Environmental Health Officer had confirmed he was happy with the assessment made by the applicant.
- Sludge cake was already treated at the plant and full odour control units were already installed to eliminate odours.
- Hannah Marsters, Environmental Health Officer at King's Lynn Borough Council confirmed that it was considered there were enough controls and mechanisms in place to cope with spillages and that there were enough spare parts held on site to mend plant in the event of equipment failure. The planning application assumption was that if a permit was issued it would be complied with.
- The Highways Officer advised that the nearby slip road was a remnant from a previous road layout and had now been closed. The Committee was reassured that the application did not require the use of a sliproad and the site access would be

designed to current safety standards.

- The District Planning Authority had been consulted and had not identified any conflict with existing or future development in the area.

5.10 The recommendation in the report was moved by Mr Long and seconded by Mr Dixon. With 12 votes for, 1 vote against and 0 abstentions, it was **RESOLVED** that the Director of Environment, Transport and Development be authorised to refuse permission on the grounds outlined in section 12 of the report.

Cllr Alexandra Kemp left the meeting and when she returned she sat in the public seating area for item 6.

6 Applications Referred to Committee for Determination: King's Lynn & West Norfolk Borough Council Y/2/2013/2013 - Demolition of the existing school, retaining the Eco classroom, the construction of a new single storey school building adjacent, and to the South of, the Eco classroom and temporary provision of 3 mobile classrooms during the construction period. Ashwicken First School, East Winch Road, Ashwicken. King's Lynn. Norfolk. PE32 1LY, Director of Children's Services.

6.1 During the presentation of the report, the following points were noted:

- Sport England had confirmed that they had no objection to the application, subject to a condition being included relating to the modular building on the playing field.
- Written responses had been given by the Governors and staff to the concerns raised regarding traffic and parking.

6.2 The following points were noted in response to questions from the Committee:

- It would be contrary to sustainability policy to provide dedicated car parking spaces for parents, however the layout made it difficult to prevent parents from using the car park. Given the rural area, this was not considered to represent a significant issue.
- Parking provision for staff at the school conformed with adopted standards.
- Existing car parking provision would be utilised during the construction period and a Construction Management Plan would be agreed prior to the commencement of building works.
- It was proposed that photo voltaic panels would be incorporated in the design. The proposed building would be south-facing to ensure that the best use was made of natural lighting and ventilation.
- The Committee wished to include an additional condition for provision of bat bricks as a permanent enhancement.

6.3 Matthew Evans, resident of Ashwicken, addressed the Committee in objection to the application. A summary of the points raised during his representation is noted below:

- Mr Evans said he lived opposite the school at No 11 East Winch Road, Ashwicken and he was objecting to the application on safety grounds. He said that the car park catered for approximately 15-18 cars per day and that, due to the rural location, only about five pupils walked to school on a daily basis.
- He said people dropping children off at school parked illegally, blocking driveways and also that East Winch Road was a narrow, country road which could not accommodate the amount of traffic which was using the road on a daily basis. The road was also used as a rat run between the hospital at King's Lynn and the A47 and was also used by employees of Adrian Flux on a regular basis to get to and from work.
- Mr Evans handed round an extract from a facebook entry, showing how a person walking her children to school one morning had narrowly missed injury from a speeding car.
- Mr Evans urged the Committee to refuse the application on safety grounds. He also suggested the school would have the potential to cater for 180 pupils, not the 120 cited in the application.
- Mr Evans felt the architects who had designed the building had not taken the beauty of the surrounding area into consideration when designing the new school.
- Mr Evans said that the car park also suffered from drug deals being conducted and that knives had been found at the site. He said that the Police were aware of the problems with drugs and that the knife found had been handed in. The Planning Services Manager advised the Committee that the Police had been contacted as part of the application consultation process and they had not raised any objections.

6.3 Following a question from the Committee, Mr Evans said that the school had introduced a cctv system to monitor any problems at the site when the school was closed and the Police had resolved some of the issues.

6.4 Jennifer Alsopp addressed the Committee in objection to the application, during which the following points were noted:

- The finished site did not appear to have sufficient hard play area for the amount of pupils registered at the school.
- There was a pond at the site which would be close to the new building, and concerns were raised about any potential disturbance to the wildlife in the vicinity.
- South-facing windows may prove a distraction for the pupils as they may watch other

children playing on the school field rather than concentrating on their studies.

- Traffic problems were worse during the afternoon. Parents started arriving at the school at about 2.45pm and cars tended to park anywhere along the road. Concerns were expressed about what would happen if there was an emergency during these peak times, as it would be difficult for the emergency services to get through the parked cars. Consideration also needed to be given as to how delivery vehicles and refuse vehicles would be able to access to the school as there was no turning area.

6.5 Following a question from the Committee, Ms Allsopp confirmed she did not live on East Winch Road.

6.6 Kate Barnett, a local resident, addressed the Committee in support of the application, during which the following points were noted:

- Mrs Barnett confirmed she lived at No 43 East Winch Road and she thanked the Committee for agreeing to hear her speak in support of the application.
- The village had a mix of different housing styles.
- The eco-classroom and its design complemented the classroom beautifully.
- The majority of the residents of Ashwicken were pleased to have such a good school in the area. Ashwicken school was the only other amenity in the village, therefore residents were very pleased that Norfolk County Council was investing in the community.
- Mrs Barnett had one daughter at the school and one daughter who had recently left and gone on to high school. She was very proud of what they had both achieved at Ashwicken school.
- Most of the residents of the village considered that it was a privilege to have a car park at the school, therefore residents wanted to make the best use of it.
- The lighting in the car park had deliberately been set at a low level because it had been subject to complaints from local residents when it had been installed using full lighting.

6.7 Following a question from the Committee, Mrs Barnett confirmed that her husband walked her daughter to school, although if she was taking her she would drop her off by car on her way to work. Mrs Barnett referred to the excellent walking bus which had been established using the Leziate sailing club car park. Parents could drop off their child at the sailing club and teachers had been trained in walking the children to school via a "walking bus".

6.8 Mrs Sue Collison, Head of Ashwicken School, addressed the committee in support of the application. A copy of Mrs Collison's presentation is attached at Appendix C to these minutes.

6.9 The following points were made by Mrs Collison in response to questions from the Committee:

- The school had been designed to cater for a maximum of 120 pupils. The school currently had 122 pupils registered, although a prediction had shown that this number would reduce to 105 in the future. She also confirmed that there would never be six classrooms at the school.
- The south facing windows would have a canopy to protect them from direct sunlight and the shape of the building allowed natural ventilation. The new building would also have blinds fitted at the windows which could be lowered to prevent glare. Blinds were already installed throughout the rest of the school.
- Cctv cameras had been installed at the car park, which was a large car park compared to the size of the school. The Police had not contacted the school about any incidents on the car park during the night.
- The current hall was used as a classroom at present but consideration would be given to using the school hall out of school hours if there was sufficient demand. Ashwicken did have a village hall for community use.
- Following a question as to why photographs had not been shown to the Committee showing the proximity of the nearby houses, the Planning Services Manager said that it was difficult to take photos of individual houses due to the need to protect people's privacy, although he asked the Committee to note that the village was spread out over quite a large area.

6.10 The recommendation was moved by Mr Long and seconded by Mr Foulger. With 9 votes for, 2 votes against and 2 abstentions, it was **RESOLVED** that the Director of Environment, Transport and Development be authorised to :

- i) Grant planning permission subject to the conditions outlined in section 12 of the report, including a condition to include bat bricks at the site.
- ii) Discharge conditions where those detailed in the report required the submission and implementation of a scheme, or further details, either before development commences, or within a specified date of planning permission being granted.
- iii) Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

The meeting adjourned at 12.05 until 12.15pm.

Mr Dearnley and Ms Kemp did not return for the following item.

7 Broadland District. C/5/2013/5011: Retrospective Consent for an above ground leachate storage tank at Mayton Wood Recycling Centre, Little Hautbois, NR12 7NT: Norfolk County Council.

7.1 During the presentation of the report, the following points were noted:

- The application was being considered retrospectively due to an oversight by the applicant who had not realised that planning permission was required. No problems had been identified through the planning process so the application had been recommended for approval. There had been no objections from either Highways Agency or the Environmental Health Officer to the application.

7.2 The following points were noted in response to questions from the Committee:

- The leachate storage tank had not been located in its present position for very long, although it had been elsewhere on the site for considerably longer.
- If planning permission was refused, a recommendation could be made which would allow a fixed period of time for the applicant to identify a better location.

7.3 It was unanimously **RESOLVED** that the Director of Environment, Transport and Development be authorised to :

- i) Grant planning permission subject to the conditions outlined in section 12 of the report.
- ii) Discharge conditions where those detailed in the report required the submission and implementation of a scheme, or further details, either before development commenced, or within a specified date of planning permission being granted, or at any other period.
- iii) Deal with any non-material amendments to the application that may be submitted.

Mr Dearnley and Ms Kemp rejoined the meeting.

8 Breckland District - C/3/2013/3018: Snetterton: Retrospective Consent for an above ground leachate storage tank at Snetterton Landfill, Heath Road, Snetterton, NR16 2JU: Norfolk County Council

8.1 During the presentation of the report, it was noted that although this was a retrospective application, the leachate storage tank was sited in the best possible location. The tank was well screened adjacent to the existing scheme and was covered by bunding. Therefore, although this was a retrospective application, it was recommended for approval. There had been no objections from either Highways Agency or the Environmental Health Officer to the application.

8.3 It was unanimously **RESOLVED** that the Director of Environment, Transport and

Development be authorised to :

- i) Grant planning permission subject to the conditions outlined in section 12 of the report.
- ii) Discharge conditions where those detailed in the report required the submission and implementation of a scheme, or further details, either before development commenced, or within a specified date of planning permission being granted, or at any other period.
- iii) Deal with any non-material amendments to the application that may be submitted.

The meeting ended at 12.20pm

CHAIRMAN



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Presentation by Mr Sam Adkin, to Planning (Regulatory) Committee meeting.

I speak today on behalf of the residents of West Lynn; all of whom feel this plant is simply too close for comfort.

This facility will result in a loss of amenity for local residents. Anglian Water ADMIT they cannot guarantee no odour nuisance. Local residents will not be able to sit in their gardens and even their own homes without a bad smell for company.

West Lynn is a quiet semi-rural village; homes range from Victorian terraces to modern estates, this development is therefore not in keeping with village character. The site is totally inappropriate for the reception, storage, and pumping of sewage-sludge. This badly chosen location is *literally* just a stone's throw away from both people's homes and a children's play area. An adjacent site is also being considered as part of Local Development Framework consultation for future housing.

This development is not in keeping with the rural character and retention of the natural environment. There is no need to build on Grade 1 agricultural land; there are many alternative locations within boundaries of the local plan. It is not Highways favoured option; while KL&WNBC require that this Reception Centre should be located within the existing WwTW if at all possible.

We fully support your officer's recommendation to refuse planning permission; the application is contrary to a number of planning policies. An enormous sewage-sludge plant at the entrance to Kings Lynn and Clenchwarton does not contribute to or enhance the natural and local environment.

This scheme is presented under the guise of reductions in HGV's using Clockcase Lane. If Anglian Water genuinely wanted this outcome they would have adopted the "haulage road", the most popular option with support from local residents and Clenchwarton Parish Council. The long term impact of these plans equates to a massive 400% increase in tanker traffic. These plans will not stop tankers travelling through the villages on the old A17, avoiding the regular long delays on approach to the pullover roundabout. These pictures reflect just how congested the area is during peak times.

To summarise, this development is NOT ESSENTIAL, it does not demonstrate the "exceptional circumstances" required by core strategy policy. There is no need to build this facility in this location; there are other options which do not breach the planning policies indicated in your officers' report.

We hope that it is plain to see this unnecessary development will impact negatively on residents. As there is no proven need the Sludge Plant should not be built here. Residents do not deserve to have their quality of life ruined 24/7 by a development which simply isn't needed. We therefore ask you to support your officers' recommendation and refuse this planning application.

Sam Adkin.

Presentation by Cllr McGuinness.

Thank you Mr Chairman, I do appreciate being given the opportunity to address the committee regarding this application, to represent the views of local residents in West Lynn – especially as this village does not have third tier representation and the local member is unable to both speak and vote as a member of the committee.

I am pleased that your officers have recommended that this application should be refused planning permission, as you will no doubt be aware that there is a strong feeling amongst local residents that this may be the wrong solution to an over-hyped problem and is definitely being proposed in an inappropriate location. Your officer's report recommends refusal on the grounds that the application is contrary to the *Norfolk Minerals and Waste Development Framework Core Strategy Policy CS06* but there are a number of other considerations I would like to bring to your attention.

Firstly, I am sure you will hear from the applicants and their representatives that there are exceptional circumstances for you to consider approving this application on the basis of 'need'. I note from the report, on page 38 that the Liquid Sludge Import Centre is being constructed to deal with 'Local' imports. I think it is important to seek a proper definition of the term local in this instance; certainly, the consultation carried out by Anglian Water in 2011 (a matter to which I will return later on) included a requirement to transport liquid sludge from as far away as Ely in the South, around the North Norfolk Coast to the north and from Sutton Bridge, Fosdyke and Sleaford to the West. My point here is that it is at best disingenuous to suggest that this facility is being proposed for local imports (at the same time as saying that the sludge cake reception centre will be accepting 'product' from a 30 mile radius) – giving the impression that this facility is needed to deal with a growing water treatment requirement for King's Lynn and its immediate locality. It is my understanding from my discussions with Anglian Water that sludge from septic tanks, specifically mentioned in the report as being accepted by the facility will still need to be transported all of the way to the Waste Water Treatment Works as is currently the case.

In terms of the proposed technology, I note that your officer's report in section 5.5 on page 41 mentions that no objection has been raised by the Borough Council of King's Lynn & West Norfolk's Environmental Health Department, subject to the implementation of noise and odour management schemes. I am sure that Anglian Water themselves would accept that this would be the first such facility that they have ever implemented and to do so in such close proximity to residential properties as a first of its type with, by their own admission, no guarantee that local residents will never be affected by odours from routine operation, spillages and the additional noise pollution that will be brought about by 24 hour operation seems risky at best. It should also be noted that some of the key elements of the noise management and landscaping schemes rely on tree planting which will at least 15 years to provide a full level of protection for local residents.

Returning to Anglian Water's 2011 consultation. Local residents were asked to choose from 3 options for solving a well-publicised problem regarding the use of a dedicated by-pass road, Millennium way and Clock-case lane in Clenchwarton by tankers and other HGV traffic to reach the existing Waste Water Treatment Works. Realistically, this problem affects at most 2-3 residents at the junction of Clock-case lane and I would ask you to consider that the construction of a facility based on untested technology so close to much more densely populated residential areas would only have the effect of moving this problem (as referenced by section 6.9, page 47 of your officer's report) to the next village and magnifying it by some degree. It may be of interest to you that this particular option was the least favoured option (if memory serves polling less than 5% of the local vote) and this when it was assumed that such a facility would be much further away from the edge of the village. One final point to make

about Anglian Water's 2011 consultation, in respect of the mention of this application's capacity to increase the amount of renewable energy at section 11.1, page 63 of your officer's report, is that the sludge transfer station was the least favoured option of the applicant themselves, at least in part because of the amount of energy required to pump sludge the 3.5km from transfer station to the Waste Water Treatment Works, making it an unappealing option in respect of their sustainability agenda.

I would draw your attention to sections 6.61 and 6.60 (pages 57 & 58 of the report) – the County Highways Authority do point out that of the initial options discussed with Anglian Water, the location chosen for the Sludge Import Facility was not the favoured option for the Highways Authority, they preferring a site that would be much further away from residential properties, enjoying existing side road from Clenchwarton Road – I understand that this option was discounted by Anglian Water on the basis of cost. Section 6.60 deals with the accident statistics for the stretch of road concerned, something that has seen a recent improvement following local resident campaigns to close a seemingly unnecessary slip-road. It stands to reason that adding further junctions to this stretch of road would only serve to negate these improvements.

Mr Chairman, members of the committee, I would thank you once again for affording me the opportunity to address you regarding this application and would urge you to accept your officers recommendation to refuse permission for this development.

Cllr Gary McGuinness.

	<p>Ashwicken C. E. Primary School East Winch Road Ashwicken</p>
	<p>Norfolk PE32 1LY Telephone: 01553 630352</p>
	<p><i>e.mail:</i>head@ashwicken.norfolk.sch.uk Headteacher: Mrs. Susan Collison B.Ed</p>

From the school's point of view, we the staff, pupils, parents and governors of Ashwicken Church of England Primary School are fully supportive of this planning application.

Ashwicken School is a very popular and thriving school with high standards and an exciting curriculum. At the present time we are working in the confines of an old school building with very small cramped classrooms, no hall and 1960s extensions. This current building is well past its sell by date and has been deemed not fit for purpose.

Having a brand new school building would make such a huge difference to the whole school community and really help provide the best possible education for all of our pupils. We would have modern facilities, the latest technology, spacious classrooms and a large hall space for sports, assemblies and community events. This new school build will be a fantastic learning environment for current pupils and future generations.

We strongly hope that this application will be successful.

Mrs Collison
Ashwicken CE Primary School Headteacher