

**Planning (Regulatory) Committee
Minutes of the Meeting Held on 4 September
at 11am on Microsoft Teams (virtual meeting)**

Present:

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

Cllr M Castle
Cllr D Collis
Cllr D Douglas
Cllr B Iles

Cllr W Richmond
Cllr M Storey
Cllr T White

Substitute Members Present

Cllr Bev Spratt for Cllr Stephen Askew
Cllr Vic Thomson for Cllr Roy Brame

Also Present

Hollie Adams
Mr Philip Atkinson

Committee Officer, Norfolk County Council
Lanpro; speaking on behalf of a resident about application
FUL/2020/0017

Ralph Cox
Mr Stephen Daw

Principal Planner, Norfolk County Council
Speaking on behalf of the applicant of applications
FUL/2019/0058, FUL/2019/0059 and FUL/2019/0062

Kay Gordon

Highways Development Management Officer (Breckland),
Norfolk County Council

Mr Richard Hawker

Speaking as member of Hockering Parish Council about
application FUL/2020/0017

Nick Johnson

Head of Planning, Norfolk County Council

Jane Linley

Team Lead (Planning & Environment), nplaw

Michael Zieja

Planner, Norfolk County Council

1. Apologies and Substitutions

- 1.1 Apologies were received from Cllr Roy Brame (Cllr Vic Thomson substituting), Cllr Stephen Askew (Cllr Bev Spratt substituting) and Cllr Eric Seward substituting. Also absent was Cllr Mike Sands.

2 Minutes

- 2.1 The minutes from the Planning (Regulatory) Committee meeting held on 21 August 2020 were agreed as an accurate record.

3. Declarations of Interest

- 3.1 No declarations of interest were made.

4. Urgent Business

- 4.1 There was no urgent business.

Applications referred to the Committee for determination.

5. Point of order

- 5.1 The Committee agreed to take item 6, "FUL/2020/0017: Pips Skips, Frans Green Industrial Estate" first and then return to the running order of the agenda

6. FUL/2020/0017: Pips Skips, Frans Green Industrial Estate, East Tuddenham

- 6.1 The Committee received the report setting out the application to install a new waste transfer building to handle paper and cardboard, plastic, textiles and mixed municipal wastes in the south eastern portion of the application site. The net effect would be to allow the site to handle a further 5,000 tonnes of waste. This would result in an increase in HGV's of 5-10 equating to movements of 10-20 per week. The building would provide weather protection for existing activities on site and support an expanding business.

- 6.2.1 The Committee saw a presentation by the Planner; [see Appendix A](#):
- The industrial estate on which the site was based was mainly involved with waste handling operations. The applicant had confirmed that no food waste would be processed on the site in response to concerns raised by a resident
 - HGVs travelling from the site were directed away from properties on Sandy Lane using an HGV route; a traffic regulation order was in place to enforce this
 - The proposed waste transfer building would help the site operator keep vulnerable materials dry in order to recycle them in a timely manner and would be well screened by the existing tree line
 - There would be an environmental permit in place for the site and controls in place to control HGV movements from the site

- 6.2.2 The Chairman queried the opening hours of the site and whether there was a proposal to change these; the Planner confirmed that the opening hours of 06.30-18.00 Monday to Friday and 06.30-13.00 on Saturday were not proposed to be changed as part of the application.

- 6.3 The Committee heard from registered speakers.

- 6.3a.1 Mr Atkinson of Lanpro spoke in objection on behalf of a local resident:
- Mr Atkinson's client was concerned that the planning application was confusing

and misleading and felt that there was no clear justification or assessment of impacts relating to the proposed waste transfer building.

- As the development was in the open countryside Mr Atkinson's client felt that the Committee should ensure that visual and operational impacts could be managed correctly to not harm residents' and highway safety.
- Mr Atkinson explained that the waste transfer building had been justified as accommodation for a new waste baler that would reduce vehicle movements to and from the site and improve recycling rates, resulting in additional road capacity to accept untreated waste and result in an overall nil operational impact. Since submission of the planning application the waste baler had been removed from the scheme and Mr Atkinson's client was concerned that more waste would therefore be processed on site and there would be an increase in vehicle movements, although it was unclear what this increase would be.
- Mr Atkinson's client felt the need for the development was not known and requested that the application was refused or withdrawn until impacts were clear

6.3b.1 Mr Hawker, Member of Hocking Parish Council, spoke in objection:

- Mr Hawker noted that the proposal to install a baler had been removed from the application and therefore was concerned that lorry movements may increase; installing a baler would have reduced lorry movements to and from the site.
- Mr Hawker was concerned about the increase in lorry movements on the HGV route, which he described as a substandard road. He noted that some lorries had been seen turning right down Sandy Lane despite this being prohibited and wondered what could be done to enforce the traffic regulation order on this road.
- There was no condition prohibiting food waste on the site and Mr Hawker felt one should be included to protect against potential processing of food waste and the associated risks of odour and vermin

6.3b.2 The Committee asked the following questions of Mr Hawker

- A Member asked Mr Hawker if there was evidence of the traffic regulation order not being adhered to; Mr Hawker had heard anecdotal reports from residents in the area of Sandy Lane of lorries travelling south and had seen damage to the verge indicating that lorries had turned in this direction
- A Member queried the food waste processing concerns, noting that a licence would be required for this. The Head of Planning confirmed that the applicant did not apply for processing of food waste and did not accept contracts from places dealing with food waste streams. It would be difficult to impose a condition preventing the site from accepting any food waste. In order to place an enforceable condition on the site regarding food waste, the type of food waste would need to be specified, i.e. canteen waste, and it was therefore not deemed applicable in this situation. It was felt that food waste management on site would be best managed under environmental permitting.
- The Highways Development Management Officer (Breckland) confirmed that anyone breaking traffic regulation order could be reported to the police who would take this up with the operator.

6.4.1 Cllr Mick Castle, seconded by Cllr Brian Iles, proposed approving the recommendations.

6.4.2 Councillors were each asked for their vote on the proposal to approve the application (where a Councillor was not present for the whole debate, or was not able to declare their vote due to technical issues, no vote would be recorded)

6.4.3 With 10 votes for (one Councillor was ineligible to vote), the Committee **RESOLVED** to approve that the Executive Director of Community and Environmental Services be authorised to:

- I. Grant planning permission subject to the conditions outlined in section 11 of the report.
- II. 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.
- III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

7. FUL/2019/0058: Earsham Quarry Plant site, Off Bath Hills Road, Earsham, FUL/2019/0059: Earsham Quarry Plant Site, land off Bath Hills Road, Earsham and FUL/2019/0062: Land off Hall Road & Pheasant's Walk, Earsham

7.1 The Committee received the report outlining planning permission for the extension of Earsham Quarry into three new areas of land totalling some 32 hectares. This application, reference FUL/2019/0062, was being considered along with two s.73 applications that would facilitate the extension through allowing the existing plant site to operate for a further 3 years before it would be decommissioned and a new one erected within one of the three extension areas, and to allow for the ongoing disposal of silts in the lake adjacent to the current plant site for a further five years.

7.2.1 The Committee saw a presentation by the Principal Planner; [see Appendix B](#):

- Not all land was proposed for extraction; some would be used for landscaping or stand-off
- The proposed access road would not result in significant tree loss. Existing access to the site would be developed to comply with highways standards
- The site of the proposed extension was on agricultural land which was assessed to not be the best or most versatile, and ecological benefits would be realised from restoration proposed as part of the application
- UK Power Networks had agreed to the relocating of powerlines and underground power cables over part of the proposed extension area
- Improvements would be made to Hall Road including passing bays and widening of the carriageway
- The extension areas were not in the local development plan but were proposed to be in the County Council's emerging minerals and waste plan.
- Conditions 11.25 and 11.27 had been updated following comments from the applicant and County Council's Historic Environment Service and 11.32 had been updated following comments from the applicant and Environmental Health Officer

7.2.1 Committee Members asked questions of the Principal Planner:

- A Member queried the timeline for planting on the bunds; the Principal Planner

confirmed there was a condition that planting was carried out in the next planting season and failures should be re-planted as part of the same scheme

- A Member asked for information on the impact on Angles Way. The Principal Planner confirmed that no footpaths crossed the proposed areas of extraction. The Public Rights of Way Officer had raised no objections to the proposals
- The Principal Planner confirmed that, since the proposed conveyor had no cover, much material would be extracted wet and washed and graded once it reached the site.

7.3 Mr Stephen Daw, the applicant's agent, spoke in support of the application:

- Mr Daw explained that the proposal had been the subject of considerable pre-application consultation with the Mineral Planning Authority; the Applicant had adapted the proposal in accordance with advice received by making alterations to the original scheme including to close the existing plant site and locate the new plant in the extension area favoured by the Mineral Planning Authority (Area 1).
- The Applicant had undertaken pre-application liaisons with the local community, including a meeting with the Parish Council and a day-long exhibition attended by 94 members of the public and local representatives. The Applicant was satisfied that there were no objections to the application and also noted that Earsham Parish Council supported the application.
- Mr Daw explained that, although the Application Area covered 32 hectares comprising three extraction areas, only 19 hectares, 60% of the application area, would be worked for mineral. The remaining 40% would be used to form stand-offs to properties and potential vantage points and many would be subject to advance planting. Extraction would take place in one extraction area at a time, and planning conditions required extraction to be followed by restoration.
- Mr Daw noted that supporting the applications would ensure the existence of a well-respected Norfolk-based aggregates company, secure 15 full-time employment positions occupied by local people and contribute positively to Norfolk's economy

7.4 The Committee moved on to debate:

- In response to a query the Principal Planner confirmed that a land classification survey identified the land for the proposed extension was 3b; loss of this land was a material consideration for Members to consider, weighed against the importance of mineral in the national planning policy mineral guidance and biodiversity and landscape benefits of the restoration that would be carried out as part of the application

7.5.1 Councillors were each asked for their vote on the recommendations (where a Councillor was not present for the whole debate, or was not able to declare their vote due to technical issues, no vote would be recorded)

7.5.2 The Committee unanimously **RESOLVED** that the Executive Director of Community and Environmental Services be authorised, in relation to each of the applications, to:

- I. Grant planning permission subject to the conditions outlined in section 11 including the 3 updated conditions outlined in the Member update report, and two S.106 Legal Agreement in respect of the restoration and aftercare of both

the existing quarry (FUL/2019/0059) and the proposed new quarry (FUL/2019/0062).

- II. 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.
- III. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

The meeting ended at 12.35

Chairman



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