

**Planning Regulatory Committee
Minutes of the Meeting Held on Friday 13 July 2018
at 10am in the Edwards Room, County Hall**

Present:

Mr S Askew
Mr R Brame
Mr D Collis
Mr C Foulger
Mr D Harrison
Dr C Jones
Mr B Long

Mr W Richmond
Mr E Seward
Mr C Smith
Mr M Storey
Mr A White

1 Apologies and Substitutions

An apology for absence was received from Mr M Sands.

2 Election of Chairman

Mr B Long proposed, seconded by Mr A White, that Mr C Foulger be elected Chairman of the Planning (Regulatory) Committee for the ensuing year.

There being no other nominations, it was **RESOLVED** that

Mr C Foulger be elected Chairman of the Planning (Regulatory) Committee for the ensuing year.

Mr C Foulger in the Chair.

3 Election of Vice-Chairman

Mr A White proposed, seconded by Mr M Storey, that Mr B Long be elected Vice-Chairman of the Planning (Regulatory) Committee for the ensuing year.

Dr C Jones proposed, seconded by Mr E Seward, that Mr D Collis be elected Vice-Chairman of the Planning (Regulatory) Committee for the ensuing year.

Upon being put to a vote, with 7 votes in favour of Mr Long and 4 votes in favour of Mr Collis, it was **RESOLVED** that

Mr B Long be elected Vice-Chairman of the Planning (Regulatory) Committee for the ensuing year.

4 Minutes from the meeting held on 23 March 2018

4.1 The minutes from the Planning (Regulatory) Committee meeting held on Friday 23 March 2018 were agreed as a correct record by the Committee and signed by the Chairman.

4.2 Matters arising from the minutes

In response to a question about the site visit to Gayton (Application Y/2/2017/2009: Agricultural field at the junction south of Back Street and east of Winch Road in Gayton) the Planning Services Manager advised that Norfolk County Council had not yet received confirmation from the applicant that all the issues raised by the Internal Drainage Board (IDB) had been resolved. Once this confirmation had been received a site visit would be arranged.

5 Declarations of Interest

No declarations of interest were made.

6 Urgent Business

There was no urgent business.

7 Nominations to Serve on the Planning (Regulatory) Urgent Business Sub-Committee.

7.1 The Committee was asked to nominate five Members of the Committee to serve on the Planning (Regulatory) Urgent Business Sub-Committee (3 Conservative, 1 Labour, 1 Liberal Democrat). The Terms of Reference for the Sub-Committee are "To exercise all the powers of the main Committee where a decision is required urgently (having been agreed as such by the Head of Democratic Services and relevant Chief Officer)".

7.2 The Committee **RESOLVED** to appoint the following Members to serve on the Planning (Regulatory) Urgent Business Sub-Committee:

Chairman	–	Mr C Foulger
Vice-Chairman	–	Mr B Long
Labour	–	Mr D Collis
Conservative	–	Mr A White
Liberal Democrat	–	Mr D Harrison

- 8 **C/2/2018/2001: Land at West Field (MIN 76) Watlington Road, Tottenhill Row, Watlington, King's Lynn (the first application).**
- 8.1 Proposal: Extension to quarry with continued use of ground conveyor (part), culvert and service track: Frimstone Ltd.
- 8.2 The Committee received the report by the Executive Director of Community and Environmental Services concerning the application for planning permission for physical extension of sand and gravel extraction onto a parcel of land west of the existing plant site, over a period of three years with additional time for completion of restoration, to agriculture and nature conservation, until 31 December 2023. The proposal included retention of a section of ground conveyor for transport of mineral to the existing plant site and use of an existing service track and private road for all plant and vehicles to access and exit the extension area.
- 8.3 The Committee concurrently considered application number C/2/2018/2002 for continued use of the plant site for processing mineral from the proposed quarry extension as the two were inherently linked.
- 9 **C/2/2018/2002: Watlington Quarry, Watlington Road, Tottenhill, Nr Watlington, King's Lynn, PE33 0RG (the second application).**
- 9.1 Proposal: Variation of conditions 1, 3 and 18 of planning permission C/2/2015/2007 to extend time period for restoration of Sixty Acre Field and allow continued use of plant site to service proposed quarry extension (MIN 76) until 31 December 2023: Frimstone Ltd.
- 9.2 The Committee received the report concerning the application for planning permission to vary three no. conditions of planning permission C/2/2015/2007 in order to continue use of the plant site, including silt lagoons and operational area, for processing mineral from the proposed quarry extension at West Field, Tottenhill (MIN 76) (subject of planning application reference C/2/2018/2001) and extend the time period for restoration of Sixty Acre Field.
- 10.1 During the presentation of the reports the Senior Planning Officer advised, should planning permission be granted for the first application, that Condition 12.14 would be amended to read "Dewatering of the site shall only be carried out in accordance with Annex 10 – Groundwater Protection and Hydrogeological Impacts, reference 10312-R01, dated December 2017. There shall be no dewatering below **0m** AOD" and not as stated in the report.
- 10.2 In response to a question about whether the site restoration works would be progressive or completed within a set timescale, the Senior Planning Officer advised that mineral working and full restoration could take up to five years to complete after the cessation of all operations and would be progressive, with the water body being the last phase of restoration. Regular monitoring would be undertaken to check the restoration works complied with the appropriate conditions.

- 10.3 Ms Catherine Downes, local resident, had registered to address the Committee in objection to the application but had been unable to attend the meeting. The Chairman read out a statement on her behalf, a copy of which is attached at Appendix A.
- 10.4 The Chairman welcomed Mr Brian Rhodes, resident of Tottenhill Row who lived approximately 100 metres from the boundary of the site. Mr Rhodes addressed the Committee in objection to the applications, raising particular concerns regarding pollution, unacceptable noise, the location of the present conveyor being only 250m away from the boundary and the location of the water pump, which worked 24 hours every day. Mr Rhodes also referred to conservation site buffer zone guidelines.
- 10.5 The following points were noted in response to questions about Mr Rhodes' presentation:
- 10.5.1 The Planning Services Manager advised that, as far as he was aware, Norfolk County Council had not been made aware of any complaints about noise from the site. The Environmental Health Officer at King's Lynn & West Norfolk Borough Council had confirmed they had no objection to the proposal, subject to appropriate conditions regarding protection of amenity if permission was granted.
- 10.5.2 Except for a power unit on the central area of site MIN 76, the conveyor was screened by a low bund.
- 10.5.3 The noise level emitted from the quarry was not considered sufficient to cause a nuisance.
- 10.5.4 Bunds would be installed around the perimeter of the site and would be completed before any extraction work commenced. The edge of the extraction area would be a minimum of 100 metres from any residential property with the bund situated within the 100m margin.
- 10.5.5 The bunds would be formed from stripped top soil and sown with grass seed; no trees or shrubs would be planted on or adjacent to the bunds.
- 10.5.6 The application site was separate to the 1960's original extraction site.
- 10.6 Mr S Daw, Stephen Daw Ltd, agent for the applicant addressed the Committee in support of the application. Mr Daw advised that the applicant had taken care to ensure the proposal met the specifications required by the Development Plan Policy MIN 76. He added that there would be no significant impact on the amenities of local residents from noise and dust; no objections had been received from statutory consultees and he asked the Committee to approve both applications, as recommended by officers.
- 10.7 Mr B Long, as Local Member for Fincham Division, which covered the application

site, advised that he had not received any representations from residents or the Parish Council about the application. Mr Long added that the need for minerals, especially sand and gravel was vitally important as Norfolk County Council was required to hold a strategic stockpile. Mr Long urged the applicant to be a good neighbour to the nearest residents and also urged residents to contact him as the Local Councillor if they had any complaints that were not resolved by contacting the applicant directly.

- 11 Upon application number **C/2/2018/2001: Land at West Field (MIN 76), Watlington Road, Tottenhill Row, Watlington, King's Lynn** being put to a vote, with 12 votes in favour, the Committee unanimously **RESOLVED** to:

- i. Grant planning permission subject to a legal agreement in respect of provision of bat boxes and retention of conveyor culvert as a bat hibernaculum and the conditions outlined in section 12 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.

- 12 Upon application number **C/2/2018/2002: Watlington Quarry, Watlington Road, Tottenhill, Nr Watlington, King's Lynn, PE33 0RG** being put to a vote, with 11 votes in favour, 1 vote against and 0 abstentions, the Committee **RESOLVED** 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 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 concluded at 10.50 am.

Chairman



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Statement by Ms C Downs, resident of Tottenhill

Re: Planning application ref C/2/2018/2001 Min 76

On reading the Committee report drawn up for Min 76 which has been prepared for this meeting, there still appears to be no guarantee or concern for the future working of the Spring that feeds the pond known as "Spring Pit" which is located a few metres North of the proposed site, within the Conservation Area and County Wildlife site of Tottenhill Row. Even with the requested Dewatering conditions, the Environment Agency appears to only be able to say that the conditions "should" ensure that it is not impacted. Along with this, both the Hydrological report and Committee report conclude that there is "unlikely" to be any negative impact which is not very reassuring.

If the proposed site excavations did have an impact on the Spring (which is always going to be a possibility) it could cause the potential loss of a valuable natural asset within the Conservation Area and County Wildlife site.

Further to this, the Committee report states in section 6.31 that there is a "relatively small amount of mineral to be recovered. If this is the case, it will surely not have that much of an impact on the landbank reserve, whereas contradictory to the findings in the many consultations, paid for by the applicants, the proposed excavations would have a significant and detrimental impact on the Conservation Area, local residents and the County Wildlife site.

Finally, I would like to draw attention to section 6.30 of the report which says that "the allocated extension provides economic and efficiency benefits in the form of being able to utilise the existing processing plant and a retained section of the field conveyor, which is a material consideration"

Contrary to the above, section 6.167 of the report says "when queried by a local resident whether the cost of installing the Conveyor and Culvert for Min 75 were material considerations" the report appears to answer by saying that "the cost of a development is not a material consideration"

Presumably, planning policy is consistent, therefor can it clarified if the installation cost of the previously installed conveyor and culvert are material considerations in descision making or not?