

**Planning Regulatory Committee
Minutes of the Meeting Held on Friday 17 February 2017
at 10am in the Edwards Room, County Hall**

Present:

Mr M Sands (Chairman)

Mr S Agnew
Mrs J Chamberlin
Mr N Dixon
Mr A Grey
Mr D Harrison
Mr J Law

Mr B Long
Ms E Morgan
Mr W Northam
Mr M Storey
Mr J Ward
Mr A White

1 Apologies and Substitutions

Apologies for absence were received from Mr S Askew (Mr N Dixon substituted); Mr M Baker, Mr B Bremner, Mr C Foulger (Mrs J Chamberlin substituted); Mr T Jermy and Mr E Seward.

2 Minutes from the meeting held on 6 January 2017

- 2.1 The minutes from the Planning (Regulatory) Committee meeting held on Friday 6 January 2017 were agreed as a correct record by the Committee and signed by the Chairman.

3 Declarations of Interest

There were no declarations of interest.

4 Urgent Business

There was no urgent business.

Applications referred to the Committee for Determination:

5 C/7/2016/7011: Unit 1, Bridge Industrial Estate, Silfield Road, Wymondham, NR18 9AU.

- 5.1 The Committee received the report by the Executive Director of Community and Environmental Services seeking part retrospective planning permission for use of a

site as an aggregates and waste storage and distribution depot. The proposed development site was located within an existing industrial area and within the settlement boundary for Wymondham. The retrospective nature of the development related to waste aggregate currently being stored on the site.

- 5.2 During the presentation of the report, the Committee was informed that, since the report had been published, further retrospective development had taken place beyond that accounted for in the committee report. The work had included the addition of new storage bays as well as additional storage of material on site.

As a result, it was therefore proposed, if planning permission was granted, that Condition 13.3 should be amended to reflect that fact.

- 5.3 With regard to points raised in a letter of objection to the application, from Mr S Mitchell (member of the public) (Appendix A), which had been circulated to the Committee following agreement by the Chairman, the Committee noted the following responses from officers:

Paragraph 1: The Officers opinion was that the application did comply with policy CS6.

Paragraphs 2 and 4: These points related to the impact on the highway which had been addressed within the report. No objections had been received from the Highways Authority.

Paragraph 3: The permission proposed a maximum limit of 20,000 tonnes of material – 10,000 tonnes of waste and 10,000 tonnes of aggregate material. This would be less than the maximum number of vehicle movements permitted under the site's existing permission and a material consideration.

- 5.3.1 It was the opinion of officers, that the points raised in the letter did not necessitate any amendments to the proposed recommendation to approve the application and to grant planning permission, subject to the proposed conditions.
- 5.4 Mr G Mitchell, owner of land adjacent to the site and part owner of the access road, addressed the Committee in objection to the application. Mr Mitchell raised particular concerns about the effect on amenity caused by dust, impact on the highway and surface water drainage. He urged the Committee to refuse the application on the grounds of impact on the local amenity. Mr Mitchell confirmed that the applicant had a right to use the access road.
- 5.5 Ms A Molyneux of PDE Consulting Limited, addressed the Committee on behalf of the applicant. Ms Molyneux advised that the applicant sought to process a small quantity of aggregates, as well as the siting and usage of a cement silo. The retrospective work carried out had provided temporary A-frame storage and the applicant had demonstrated that the development was sustainable and that the impact on amenity had been addressed. Ms Molyneux added that the site had been granted an Environmental Permit by the Environment Agency and no objections to

the application had been received from any of the statutory consultees.

- 5.6 In response to questions from the Committee, the following points were noted:
- 5.6.1 The industrial estate comprised of industrial units, including a JCB hire/storage facility with a range of other industrial units making up the industrial estate.
- 5.6.2 The application site would be used as a waste transfer station, processing inert waste which was not likely to cause any surface water pollution. The Committee was reassured that no municipal or biodegradable waste would be processed at the site.
- 5.6.3 Officers confirmed they were happy with the provision for vehicles to access and leave the site, by using the existing access to the industrial estate. Furthermore, the red line application boundary only needed to identify the point of access to the site from the public highway.
- 5.6.4 The site would need re-engineering to make room to house the cement silo and the additional machinery required on site. If the weighbridge was not working, a new one would need to be installed. Provision for a silo had not been requested in any previous applications.
- 5.6.5 Network Rail had been consulted on the mitigation measures proposed in the dust management plan and had not raised any objections to the application.
- 5.6.6 The proposed conditions would limit the throughput of the site to 20,000 tonnes per annum and this was ultimately the figure upon which the Highway Authority had based its response (of no objection). If the applicant wished to increase the number of vehicle movements in future a further section 73 planning application would need to be lodged with statutory consultations carried out, and if necessary, recourse to this planning committee.
- 5.6.7 The planning consent granted by South Norfolk District Council in 2012 was for the site to be used for scrap metal recycling, with a maximum output of 75,000 tonnes per annum. This particular application limited output to a maximum of 20,000 tonnes of material per annum. No (legal) challenge was made to the consent during the six-week period after it was issued, hence it still stood as a legal planning permission.
- 5.6.8 The Team Lead (Planning & Environment) nplaw, advised that this application had requested a maximum output of 20,000 tonnes of material, not 75,000 tonnes. If in the future, permission was applied for to increase the output at the site, the site owners could request a covenant to be imposed restricting the use of the access road, although this would be a civil matter which would not be for consideration by the Planning (Regulatory) Committee.
- 5.6.9 The Committee was advised that an application for Planning Permission resulted in a one-off payment, whereas, in addition to an application fee Environmental Permits

resulted in annual subsistence fee, the size of which was determined by the amount of material authorised by the Permit. As a result the quantity applied for could often initially be lower than that allowed under the planning permission and increased subsequently as operations expanded.

- 5.6.10 The bridge along the permitted access route had a height restriction of 14ft, with no weight restrictions in force. The section of Silfield Road running under the bridge was approximately 6.1m wide.
- 5.6.11 To reduce the risk of dust contamination, all trucks leaving the site would be covered.
- 5.6.12 The Planning Enforcement Team would monitor tonnage outputs as part of the conditions imposed by the planning permission.
- 5.6.13 The site would be used to store materials, with cement mixing lorries accessing the site to collect and mix cement.
- 5.6.14 The access road running from Silfield Road (the adopted highway) to the site was a private road. Therefore, if the access road was to become damaged, it would be the responsibility of the owners of the access road to maintain it, not the Highway Authority.
- 5.6.15 The Planning Services Manager clarified that he had not been made aware of any complaints since the applicant had operated the site, apart from the 27 letters of objection which had been received as part of the planning application process.
- 5.7 Upon being put to a vote, with 12 votes in favour, 1 vote against and 0 abstentions, it was **RESOLVED** to
 - i) Grant planning permission subject to the conditions outlined in section 13 of the report.
 - ii) Discharge conditions (in discussion with the Chair and Vice-Chair of the Committee) where those detailed in the report require the submission and implementation of a scheme, or further details, either before development commenced or within a specified date of planning permission being granted.
 - iii) Delegate powers to officers (in discussion with the Chair and Vice-Chair of the Committee) to deal with any non-material amendments to the application that may be submitted.

The meeting ended at 10.45am.

Chairman

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Norfolk NR14 7EF**

Tel. 01508 538333

To: Norfolk County Council Planning
Regulatory Committee on Friday 17th Feb.2017

14.02.17

Dear Sirs,

Re C/7/2016/7011 - Unit 1 Bridge Industrial Estate.

I am sorry to have to write direct to committee members but if approved this application will directly conflict with current Waste Planning Policy.

1. The Norfolk Waste Local Development Framework states under policy CS6 waste sites should not cause impact on the following types of land: Existing industrial /employment land or land identified for these uses in a local plan or development plan document.

The Bridge Estate is an important employment area for Wymondham and should therefore now be protected from any waste operation.

2. In assessing this application the highway officer has referred to a previous use on this site for importation of scrap metal however that use was quite different, it involved end of life cars coming onto the site for scrap and only generated between 2 and 10 skip lorries leaving the site per week, this application is for 16 two way HGV movements per day it is a substantial increase not a reduction.

3. Environment Agency permits limited Compass Metals acceptance to 5,000 tonnes per year whereas Aggmax Transport Ltd propose 75,000 tonnes per year, the Highway Assessment is therefore seriously misleading.

4. The Scrap Metal use of the site has ceased and the new proposal is involving the use of very heavy HGV and artic lorries with a carrying capacity of 30 tonnes which will certainly generate an increase in traffic impact and under policy DM 10 "suitable highway access and egress in accordance with published highway design guidance" is a statutory requirement. This detail was not supplied as part of the HGV management plan.

It is clear from the application the site does not include any bellmouth access land needed for long HGV 's to safely access the highway.

5. I submit that this application does not meet the current statutory waste site policy requirements and therefore it should not receive approval.

Yours sincerely,



Simon Mitchell