

**Planning Regulatory Committee  
Minutes of the Meeting Held on Friday 5 June 2020  
at 11am on Teams Live (virtual meeting)**

**Present:**

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

Cllr Roy Brame  
Cllr Mick Castle  
Cllr Danny Douglas  
Cllr Brian Iles

Cllr William Richmond  
Cllr Mike Sands  
Cllr Eric Seward  
Cllr Martin Storey

**Substitute Members Attending:**

Cllr Bev Spratt for Cllr Tony White

**Officers Present**

Hollie Adams	Committee Officer, Democratic Services, Norfolk County Council
Ralph Cox	Principal Planner, Norfolk County Council
Jon Hanner	Engineer (Highways Development Management), Norfolk County Council
Andrew Harriss	Senior Planning Officer, Norfolk County Council
Nick Johnson	Head of Planning, Norfolk County Council
Jane Linley	Team Lead (Planning & Environment), nplaw

**Also Present**

Cllr Judy Oliver	Local Member for Sheringham and Beeston Regis
Mr Daniel Walker	Speaking on Behalf of the applicant, agenda item 5

**1 Apologies and Substitutions**

- 1.1 Before the meeting started, the Committee Officer asked each Councillor to confirm they were present and could hear proceedings.
- 1.2 Apologies were received from Cllr Stephen Askew, Cllr David Collis and Cllr Tony White (Cllr Bev Spratt substituting).
- 1.3 Cllr Douglas asked, as Cllr Collis from the Labour Group, was unable to participate due to ICT issues and it had not been possible to find a substitute in time, whether the meeting should go ahead. The Team Lead (Planning & Environment), nplaw, replied that it was possible to make substitutions up to the last minute and therefore the meeting should go ahead.

## **2 Minutes**

- 2.1 The minutes of the Planning (Regulatory) Committee meeting held on 24 January 2020 and the Extraordinary Planning (Regulatory) Committee meeting held on 21 February 2020 were agreed as an accurate record.

## **3 Declarations of Interest**

- 3.1 The Vice-Chairman declared a “non-pecuniary interest” as Chairman of the Management Committee of the Norfolk Coast Partnership, which had made representation on item 5, FUL/2019/0001 and FUL/2019/0002: Beeston Regis Quarry, about the Area of Outstanding Natural Beauty.

## **4 Urgent Business**

- 4.1 There was no urgent business discussed.

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

## **5 FUL/2019/0001 and FUL/2019/0002: Beeston Regis Quarry, Britons Lane, Beeston Regis, Sheringham. NR26 8TP**

- 5.1.1 The Committee received the report setting out applications (1) FUL/2019/0001: Proposed extraction of 1.0 million tonnes of sand and gravel as an eastern extension to the existing Beeston Regis Quarry with off-site highways enhancements along with restoration to nature conservation habitat, and (2) FUL/2019/0002: Variation of conditions 3, 5, 6 and 7 of PP C/1/1993/1007 to facilitate enhanced scheme of restoration at the existing quarry (Carter Concrete). The applications were being considered concurrently as they were inherently linked.
- 5.1.2 The Team Lead (Planning & Environment), nplaw, introduced the procedures around consideration of the reports in a virtual meeting to the Committee and registered speakers and confirmed with the registered speakers that they could hear proceedings.
- 5.2.1 The Committee heard a presentation by The Senior Planning Officer on the two planning applications:
- Objections and concerns were raised by Beeston Regis Parish Council; concerns were raised by Sheringham Town Council and the Local Member for Sheringham; representation was made by eight third parties, three of whom made explicit objection to the proposals. They were primarily concerned that a Right-Hand Turn Lane would increase traffic along Britons Lane. The Senior Planning Officer noted that concerns about the A148 junction should be taken into account as a material concern
  - The pre-cast concrete unit at the site was no longer in operation, and the company would not be re-establishing the operation; the applicant contended that this had a material impact on the consideration of access and potential transportation

impacts at the site into the future. The applicant also contended that the concerns raised by Beeston Regis Parish Council, the local member and local resident with existing and continued use of Britons Lane as a 'rat-run' to Beeston Regis and, that provision of a Right Hand Turn Lane would further increase the attractiveness of this route, should be a material consideration in the context of this application.

- The Highway Authority recommended refusal of both applications both on policy and highway safety grounds for the following reasons: the proposed development, if permitted, would lead to right hand turning movements across the opposing traffic stream of a busy principal route which would interfere with the free and safe flow of traffic and cause danger and inconvenience to highway users, contrary to Development Plan Policies
- A late submission had been received from Cllr Sarah Butikofer; the only new issue that this raised was concerns that vibration from the site may affect pupils at St Andrews school: "St Andrew's school provides specialist teaching for students, with autism, communication difficulties and autism spectrum disorder. The school have raised significant concerns about the potential impact of the quarry moving closer to their location. Notably about the impact of potential vibrations from the site alarming some of the heightened sensory functions of some of their students". The Officer reported that comments from Environmental Health officers at North Norfolk District Council raised no objections however they did not explicitly refer to vibrations; due to the late receipt of this submission, Officers had not had time to address this issue with Environmental Health.
- Officers recommended both applications for refusal; the Senior Planning Officer advised that if members decided to take a different resolution such as approval, that the applications be deferred pending further investigation on the matter raised by Cllr Butikofer

5.2.2 Committee Members asked questions of the Officer about the presentation:

- The Officer was asked how far the woodland planting shown on slide 11 of the presentation was from St Andrew's School and if the school had been a consultee. The Senior Planning Officer confirmed that the school had been consulted by a case officer but no written response had been received in support or refusal of the application. The distance would be checked, and a response given later in the meeting.
- The Officer was asked to clarify the size of the proposed area of woodland planting to the north east of the extension. The officer responded that this matter would be checked and a response given later in the meeting.

5.3.1 Mr Daniel Walker Chartered Minerals Surveyor and agent for the applicant, the operators of the quarry, Norfolk Gravels, spoke to the Committee on behalf of the applicant:

- The company was part of the Carter Concrete business who were part of the Drayton Building Services (DBS) Group. DBS were a major supplier of goods and services to the construction and engineering industries in Norfolk and East Anglia, a long-established family run enterprise and regionally significant business.
- The first application related to land benefiting from an allocation for minerals extraction under the Norfolk Minerals Local Plan and would maintain the business by extraction of sand and gravel from a field adjacent to the quarry to be processed

and distributed using facilities on the existing site.

- The site employed 17 people from North Norfolk many of whom had been employed for over 20 years. The proposed extension would maintain local employment benefits and contributions to local business through the purchase of local goods and services. The applicant believed the economic benefit to the local area would be significant and estimated that over the proposed duration of the extension, over £12 million pounds could be contributed to the local economy.
- The company had defined sustainable schemes of working and restoration with mitigation measures to minimise environmental impact.
- The applicant had engaged with the Council's planning and highways units regarding the Britons Lane / A148 junction including reducing HGV activity and a planning condition to limit quarry outputs to secure the reduced HGV activity.
- Norfolk Gravels and its technical advisors believed there were no technical safety or capacity issues at the Britons Lane / A148 junction, and no justification for a right-hand turn lane here as no concentrations of accidents/incidents were reported. The company's position on highways matters and the applications in general had full support of the local MP and the Parish Councils.
- The applicant noted that approving the applications would safeguard the local supply of aggregates, adhering with the strategic elements of planning policy and maintain a local company and local workforce into the future.

#### 5.3.2 The Committee asked questions of Mr Walker:

- Mr Walker confirmed that at the time of allocation of the site in the Local Plan the site was operating with 60 HGV movements in and out; some operations were no longer taking place on the site allowing HGV movements to reduce to around 15 in and out
- Mr Walker confirmed that it was proposed to remove smaller trees on the Haul Road. The Council's arboricultural officer had identified significant trees to be retained.
- Mr Walker confirmed that the statement on page 53, paragraph 7.95 stating the maximum daily activity of 25 HGVs in and out was correct as it was based on a maximum daily projection; the figure of 15 HGVs in and out was more representative of typical daily activity.

#### 5.4 Cllr Oliver spoke to the Committee as local Member for Sheringham and Beeston Regis in support of the application:

- Beeston Regis Parish Council were concerned about the proposal for a right-hand turn lane, which they felt was not needed and would lead to more non-HGV traffic using Britons Lane. They had no issue with HGV traffic accessing the quarry.
- Sheringham Town Council did not oppose the applications but also opposed the proposal for a right-hand turn lane as they felt it would increase traffic on Britons Lane.
- Cllr Oliver noted that that in the summer at the A148/Holway Road junction, people travelled through Upper Sheringham or along Britons Lane to avoid queues, causing a significant increase in traffic on Britons Lane but this was not caused by the quarry works.
- Cllr Oliver disagreed with Highways England that a right-hand turn lane was required to mitigate HGV traffic and danger and inconvenience to oncoming traffic,

noting that the applicant had committed to reduce HGV traffic from the site. As a local resident, Cllr Oliver felt that the current level of quarry traffic was not an issue. As former North Norfolk District Councillor and as current Norfolk County Councillor, Cllr Oliver had not received complaints about traffic being impeded by quarry vehicles.

- Cllr Oliver noted that no traffic measurements or surveys had been produced to show traffic had been impeded
- Cllr Oliver believed that, given the lack of evidence that the current/future level of quarry traffic caused problems, concerns that a right-hand turn would encourage more traffic onto Britons Lane, and the potential of the application to benefit North Norfolk's economy and Norfolk County Council's commitment to increasing economic growth post Covid-19 pandemic, the applications should be approved.
- Cllr Oliver noted that around 29% of North Norfolk's workforce was in tourism and the huge impact of the pandemic on that sector and it was important to strengthen other sectors, pointing out North Norfolk's comparatively low salaries, with median annual pay for male workers in North Norfolk at £24,918 compared to over £28,000 for Norfolk as a whole and £30,661 in England.
- Cllr Oliver was concerned about the cost of the right-hand turn lane to the applicant

5.4.2 The Committee had no questions for Cllr Oliver.

5.5 The Committee moved on to debate and asked further questions:

- The Senior Planning Officer clarified that it was anticipated that extraction of remaining reserves within the existing quarry will be completed by the end of 2020; the proposed extension had reserves which could be worked within 10-12 years
- A Member queried whether the Highways Authority had taken into account the reduced input and output of HGVs on the site; the Engineer (Highways Development Management) replied that the new development, which would lead to an additional 1 million tonnes of aggregate being transported onto the highway network, needed to be considered against current policy and in line with the allocation for the site. There were existing issues with scrubbing caused by vehicles turning onto Britons Lane and there was an accident history, including one at the Britons Lane junction involving a right turning vehicle, on this section of the A148. The right-hand turn lane would mitigate the impact of the increase in HGV movements associated with the application on the A148 and potential impact on other road users.
- The Engineer (Highways Development Management) confirmed that based on other, local examples, the proposed right-hand turn lane would cost in the region of £250,000. The Engineer (Highways Development Management) confirmed that the compromised undertaking lane scheme put forward by the applicant would not be supported as it was typically used in slow speed & lightly trafficked areas and raised more safety concerns when used in these environments.
- A Member drew comparisons with a right-hand turn lane on Sandy Lane near Cromer, which had not raised concerns with the Highway Authority, citing this as evidence that the proposed right-hand turn may not cause serious problems
- Mr Walker confirmed that two rights of way would be affected by the proposal, footpaths Aylmerton 2 and 3, which would be subject to diversions but maintain the north-south transit. As part of the restoration, further permitted routes were

proposed to be given across the restored landforms. Bridleway BR10 would not be affected except for the crossing by the haul road. The original proposed alignment of footpath 2 would have caused accessibility problems due to the gradient but it was now proposed to put the route around the quarry so it would not have a prohibitive gradient.

- Mr Walker confirmed, in response to the question about tree planting raised in paragraph 5.2.2 of the minutes, that the buffer zone of tree planting to the north of the extension covered approximately half a hectare and it was proposed to plant between 61 and 100 woodland fringe plantings.
- The Senior Planning Officer confirmed that the existing approved restoration scheme for the existing quarry provided for natural colonisation of the slopes and floor together with a five-year aftercare period. The proposed applications provided for an enhanced scheme of restoration to include acid grassland seeding and woodland planting, together with a 25-year aftercare period.
- Cllr Brian Long in the Chair due to the Chairman temporarily losing connectivity
- A discussion was held around the protocol if Members chose to go against Officers' recommendation to refuse the application; Officers clarified that they recommended, if Members were minded to approve the applications, that the applications be deferred, to allow the issue of vibrations possibly affecting pupils of St Andrews School to be investigated.

5.6.1 Cllr Martin Storey, seconded by Cllr Roy Brame, proposed deferring determination of the application, so that the issue related to the possibility of vibrations on the site affecting pupils of St Andrews School could be investigated before the Committee determined the applications.

5.6.2 The Committee voted on the proposal and each member also confirmed whether they were present for the full item (where Cllrs were not present for the whole debate and therefore unable to vote, or were not able to declare their vote due to IT technical issues, a null vote is recorded):

For	Against	Null vote
Cllr Roy Brame	Cllr Mick Castle	Cllr Colin Foulger
Cllr Danny Douglas	Cllr Brian Iles	Cllr Bev Spratt
Cllr Eric Seward	Cllr Brian Long	
Cllr Martin Storey	Cllr William Richmond	
	Cllr Mike Sands	

5.6.3 With 4 votes for and 5 against, the proposal was **lost**.

5.6.4 Cllr Foulger in the Chair

5.6.5 Cllr Mick Castle, seconded by Cllr Mike Sands, proposed approving the applications.

5.6.6 Councillors voted on the proposal to approve the applications and each member also confirmed whether they were present for the full item (where Cllrs were not present for the whole debate and therefore unable to vote, or were not able to declare their vote due to IT technical issues, a null vote is recorded):

For	Against	Null vote
Cllr Roy Brame	Cllr Danny Douglas	Cllr Colin Foulger
Cllr Mick Castle	Cllr Brian Long	
Cllr Brian Iles	Cllr Eric Seward	
Cllr William Richmond	Cllr Martin Storey	
Cllr Mike Sands		
Cllr Bev Spratt		

5.6.7 With 6 votes for and 4 against, the Committee **AGREED** that the applications be **APPROVED** subject to conditions and a s106 agreement to be determined by the Head of Planning exercising his delegated powers after consultation with the Chair and Vice Chair of the Committee:

- Further the Committee notes:
  1. That the planning officer report recommends refusing planning permission for both applications because the proposal would lead to right turn movements across opposing traffic on the A148 at its junction with Britons Lane, but
  2. Members are not of the view that highway impacts of the development will be significant, unacceptable or severe in terms of paragraphs 108 or 109 NPPF such that refusal of planning permission is justified especially when weighed against the benefits of granting the planning permissions which include
  3. The proposals are predicted by the applicants to contribute £12M to the local economy and
  4. The number of local residents who would continue to be employed by the application and
  5. The improved aftercare proposed as part of the applications for the sites after extraction has ceased
  6. The committee concludes that the highway impacts of the proposals are not likely to be, significant, unacceptable or severe and therefore the proposal accords with the development plan and the material considerations weighing against the proposal are not sufficient to outweigh the development plan.

5.7 The Committee took a break from 12:46 to 12:52.

## 6. **FUL/2020/0005: Land off A140/A1270 northern junction, Cromer Road, Norwich**

6.1.1 The Committee received the report setting out the application for creation of a new recycling centre to deal with household waste and small amounts of trade waste, and construction of a new access road from the A140/A1270 northern junction to the site with associated attenuation and infiltration basin for surface water drainage, including installation of a surface and foul water drainage system, hardstanding, staff welfare office and reuse shop (with photovoltaic panels) for onsite sale of waste items suitable for reuse, and ancillary small-scale sale of non-recycled items (Christmas trees, logs, compost bins and green waste sacks).

6.2.1 The Committee heard a presentation by the Principal Planner:

- This application was being brought forward as a recycling centre to replace the centre at Mile Cross Road which was closing in 2021

- 6 letters had been received from the public of which 3 were objections; since publication of the report, 1 additional letter of concern had been received which had been detailed in an update report circulated to Members prior to the meeting. Since that Member update, a further response from the Environmental Health Officer from Broadland District Council had been received regarding the noise impact on the closest properties. The Principal Planner read their comments in full which concluded that there would be a mix of noise sources at the site which would be sporadic through the day, and that the location was also affected by noise from the Broadland Northway and airport. The Environmental Health Officer stated that they were not in a position to object to the application but recommended that a bund with a fence be considered. The Principal Planner advised that these comments did not affect the recommendation to Members to grant planning permission, or mean that the application could not be determined that day
- The proposal was not a departure from the Development Plan; it would deliver drainage infrastructure and the drainage scheme was given significant weight on balance due to the benefit in bringing forward the whole HNF2 allocation

#### 6.2.2 The Committee asked questions of The Principal Planner:

- A Member asked for details of the nearest bus stop and provision for visitors without access to a car; Officers confirmed that there was proposed provision on site for cycle racks, and proposed footway and cycle path links to the site via continuation of footway links between Broadland Northway and the recycling centre. The nearest bus stop was on the Norwich side of the southern roundabout.
- The Head of Planning clarified that provision of waste recycling centres was a statutory duty of the Council as a waste authority; waste collection services provided by District Councils could provide make provision for collection of bulky items for people who did not have access to transport.
- Officers confirmed that the road on slide 15 of the presentation was New Home Lane which was now closed to motorised vehicles providing a cycle link to / from Horsham St Faith. The new access road proposed would be a cul-de-sac serving the recycling centre; there was no intention from the Highway Authority to adopt the road which would remain private. The dedicated cycle and footway to Horsham St Faith would be maintained
- A Member asked whether the proposal included an audit of additional carbon generated by the site which he felt would increase carbon emissions in the area, and whether the audit paid attention to the Norfolk County Council environmental policy and Government's zero carbon targets, noting the increased travel of Norwich residents to access the site. The Principal Planner replied that the applicant had produced a sustainability statement outlining operations of the centre and as part of this they planned to provide PV panels to reuse electricity and provide a proportion of the site's energy use.
- Officers confirmed that the site was forecast to have a throughput of 20,000 tonnes per annum; for context, the replacement site on Willow Road in King's Lynn had a throughput of 8000 tonnes per annum and other smaller sites were available to the north and east of Norwich such as Strumpshaw and Mayton Wood that would deal with around 5-6000 tonnes of waste per annum. The proposed site was planned to service Norwich and the area to the north east of the City.
- A Member asked about modelling done to look at traffic flow around the



roundabout and in and out of the site using the proposed new access road; the Principal Planner confirmed that the Recycling Centre's internal road could cater for up to 38 queuing vehicles as well as those in the site at peak times; the new estate road would be 450m in length and could accommodate a large number of vehicles before the roundabout, hence it would be very unlikely to cause issues at the roundabout itself.

- Officers confirmed that the applicant had lodged an extensive site assessment search, but this did not include rail connections.
- The Principal Planner confirmed that the NCC environmental policy was not referenced in the audit
- Officer confirmed in response to a query about a possible incorrect km/h speed shown on the map on slide 3 of the presentation that the intended Traffic Regulation Order (TRO) process would determine speed on the road separate to the planning process.
- A Member asked about the possibility of a bund and acoustic fencing; the Principal Planner confirmed that due to restraints of the site a bund would not be possible. Noise would be controlled through an environmental permit and the Environment Agency were satisfied that current permits on the application were suitable to mitigate environmental control

6.3 The Committee moved on to debate of the application:

- A Member was concerned that the Norfolk Environmental Policy and Governmental zero-carbon target had not been referenced in the application or audit and that this could open the Council up to possible legal challenges or judicial review. The Team Lead (Planning & Environment), nplaw, replied that the application should be determined on its merits
- It was noted that the Council had a duty to provide recycling centres, and that the centre at Mile Cross was being closed.

6.4 Cllr Roy Brame **PROPOSED** that the Committee move to the vote.

6.5 The Team Lead (Planning & Environment), nplaw, clarified that the recommendation on the report would be changed from "*the Director of Highways be authorised to...*" to "*the Executive Director of Community and Environmental Services be authorised to...*", and that condition 13.6 would be changed as raised during the Principal Planner's presentation: Replace: "*Prior to commencement of development...*" to "*Prior to any development above slab level...*"

6.6.1 The Committee voted on the proposal to approve the application and each member confirmed whether they were present for the full item (where Cllrs were not present for the whole debate and therefore unable to vote, or were not able to declare their vote due to IT technical issues, a null vote is recorded):

**For**

Cllr Roy Brame  
Cllr Mick Castle  
Cllr Colin Foulger  
Cllr Brian Iles

**Against**

Cllr Danny Douglas

Cllr Brian Long  
Cllr William Richmond  
Cllr Mike Sands  
Cllr Eric Seward  
Cllr Martin Storey  
Cllr Bev Spratt

- 6.6.2 With 10 votes for and 1 vote against, the Committee agreed that the Executive Director of Community and Environmental Services be authorised to:
- I. Grant planning permission subject to the conditions outlined in section 13 of the report and the amended condition 13.6 (as discussed in paragraph 6.5 above)
  - 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.
- 6.7 Cllr Danny Douglas raised concerns about a possible legal challenge due to the lack of comment in the transport statement to the Norfolk County Council Environmental Policy

The meeting ended at 13:41

**Chairman**



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