

**Planning Regulatory Committee
Minutes of the Meeting Held on Friday 15 March 2019
at 10am in the Edwards Room, County Hall**

Present:

Mr C Foulger – Chairman

Mr D Bills
Mr D Collis
Mr D Harrison
Dr C Jones

Mr B Spratt
Mr M Storey
Mr V Thomson

1 Apologies and Substitutions

Apologies for absence were received from Mr B Long (Mr B Spratt substituted), Mr W Richmond; Mr E Seward; Mr B Iles (Mr D Bills substituted), Mr M Sands, and Mr A White (Mr V Thomson substituted).

2 Minutes from the meeting held on 26 October 2018

- 2.1 The minutes from the Planning (Regulatory) Committee meeting held on Friday 26 October 2018 were agreed as a correct record by the Committee and signed by the Chairman.

3 Declarations of Interest

No declarations of interest were made.

4 Urgent Business

There was no urgent business.

Applications referred to the Committee for determination.

5 C/2/2017/2010: Waste Recycling Centre, Station Road, West Dereham, King's Lynn.

- 5.1 Proposal and applicant: Retrospective installation and use of waste shredding plant, with associated wall constructed using concrete blocks for noise attenuation purposes (Glazewing Ltd: Mr Jonathan Miles).

- 5.2 The Committee received the report by the Executive Director of Community and Environmental Services seeking retrospective planning permission at the existing waste management facility to install and use waste shredding plant including a generator and a concrete block noise attenuation wall. The application had not sought to make any changes to any of the currently approved operations authorised by previously issued planning permissions.
- 5.3 During the presentation of the report the Senior Planner read out a statement from the Local Member for Fincham Division, Mr B Long, who was unable to attend the meeting. Mr Long raised concerns about potential noise impact and its effect on nearby dwellings and that, whilst there seemed to be no additional volumes of waste, further reprocessing of waste could lead to those concerns as raised by West Dereham Parish Council, whose comments he supported. Mr Long asked that best practice be used to mitigate any impacts that could not be conditioned.
- 5.3.1 The Senior Planner advised that, following a noise impact assessment undertaken as part of the planning application process, it had been concluded that there was a negligible change in the noise level in terms of the impact of the new waste shredder combined with the existing plant. The waste permit issued by the Environment Agency included conditions for dealing with all pests as well as fire prevention, drainage, odour and noise. The Environment Agency would also be able to request a noise management plan and insist it was implemented if necessary.
- 5.3.2 The site already had a permit which allowed up to 75 tonnes of waste per day to be treated. The tonnage of material being proposed for shredding would not increase as a result of the shredding operation and would not exceed the 75 tonne per day figure.
- 5.4 The following points were noted in response to questions from the Committee about the presentation:
- 5.4.1 The storage bays were already in use at the application site and there would be no increase in storage capacity.
- 5.4.2 Following a fly infestation during the summer of 2018 which had been due to the waste plant being off-line, the Environment Agency had investigated the infestation and had taken appropriate action, including requesting the operator to arrange for the piles of waste to be sprayed, which had resolved the problem. The applicant had also put in place a fly management plan to help mitigate any future problems.
- 5.4.3 The Planning Officer confirmed that no complaints about noise had been received to date and reassured the Committee that a condition had been included (Section 13, paragraph 13.2 of the report) stating that the attenuation wall would need to be constructed within 3 months from the granting of planning permission.
- 5.4.4 In order to prevent fly infestations at the site in future, the Senior Planner advised that a regular maintenance programme for the plant would help ensure the plant did

not go off-line and also that a fly management programme had been established which would be monitored as part of the Environmental Permit.

- 5.4.5 The Environment Agency had not raised any objections to the application and therefore it needed to be assumed that there was no evidence of poor site management. If the application was approved by the Committee, regular monitoring of any associated conditions would be carried out by the Norfolk County Council monitoring team.
- 5.4.6 Members felt that it was important that the Environment Agency had appropriate measures in place to deal with problems and that the public also knew how to complain if there were any problems.
- 5.5 Mr S Daw, as the Agent for the Applicant, addressed the Committee, stating that there had not been any objections to the application from any of the statutory Consultees. He added that there had been an objection from the local Parish Council and some local residents resulting from the breakdown of the plant last summer which had led to a stockpile of waste and a fly infestation. Mr Daw added that Glazewing would be willing to enter into a formal liaison arrangement with West Dereham Parish Council, Norfolk County Council and the Local County Councillor to help iron out any potential problems at the site.
- 5.6 Mr R Stimson, Glazewing Ltd. addressed the Committee as the applicant, and reassured the Committee that if the plant went off-line in the future, the company had made provision to move the waste to other sites which would help prevent a fly infestation. He added that a company had been contracted to regularly spray the waste storage piles at the site which would help to control flies.
- Mr Stimson also advised that approximately $\frac{3}{4}$ of the noise attenuation wall had already been built near the generator area of the site and that the wall would be extended.
- 5.7 During the Committee's discussion about the application, the following points were noted in response to questions:
- 5.7.1 The Committee welcomed the undertaking given by Glazewing to formalise a liaison arrangement with the Parish Council and Local Member to iron out any issues as they arose.
- 5.7.2 In the event of a breakdown of the plant, arrangements had been made to remove the waste and take it to other outlets operated by the applicant.
- 5.8 Upon the application being put to a vote, the Committee unanimously **RESOLVED** that the Executive Director of Community and Environmental Services should be authorised to:
- i. Grant planning permission subject to the conditions outlined in section 13 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 commenced, 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 C/2/2018/2022: Land north of Willows Road, Willows Industrial Estate, King's Lynn.

- 6.1 Proposal and applicant: Construction and operation of replacement Household Waste Recycling Centre, including associated works and vehicular access (Director of Community & Environmental Services, Norfolk County Council).
- 6.2 The Committee received the report by the Executive Director of Community and Environmental Services seeking planning permission for the development of a replacement Household Waste Recycling Centre (HWRC) at Willows Road, King's Lynn. The HWRC was being relocated in order to facilitate proposals for the construction and operation of a new gas-fired power station (the 'King's Lynn 'B' CCGT Power station project) which would occupy the existing HWRC site.
- 6.3 During the presentation of the report the Principal Planner advised that he had received a further representation from the Local Member, Cllr A Kemp, who felt the report had not addressed her points about making the site a split-level operation and making it more accessible for elderly and disabled people.
 - 6.3.1 The Principal Planner also advised that a further condition in addition to Section 13 of the report, regarding reinstatement of the construction compound following completion of the development, would be included if the application was approved by the Committee.
 - 6.3.2 With regard to the additional points raised by the Local Member, the Principal Planner advised that the site was not appropriate for a split level operation design as the land was peat based and would require significant piling to make it suitable for that nature of facility (split level).
 - 6.3.3 The Principal Planner underlined that the new facilities would be at least as accessible as the existing ones for the elderly and disabled in order to satisfy the responsibilities of the County Council under the Public Sector Equality Duty which required steps to be taken to meet the needs of people with protected characteristics.
 - 6.3.4 Four trees would need to be felled from the perimeter of the application site to incorporate the access and exits and these trees would be replaced with four new street trees once the building works had been completed.
- 6.4 The following points were noted in response to questions from the Committee:

- 6.4.1 It was suggested that instead of cutting down the trees which did not appear to be very big, they could be moved at the appropriate time of year.
- 6.4.2 Members expressed concern about elderly and disabled people accessing the site. The Principal Planner reiterated that Norfolk County Council had a duty to satisfy the Public Sector Equality Duty to have due regard to protect the needs of elderly and disabled people. He added that the site was a single level site, and there would be staff available to offer assistance to members of the public if needed.
- 6.4.3 Some concern was expressed about the proposed layout of the site and whether this could be improved. The Planning Services Manager confirmed that the consultation had identified that the proposal met all legal requirements and had been recommended for approval. He added that, theoretically, it may have been possible for a more user-friendly operation to be proposed, although the Committee should give little weight to that fact and should make its decision based on the application which had been submitted.
- 6.4 Mr G Bullock, from DWD, as agents for the applicant addressed the Committee, during which it was noted that the operation was being moved to allow a power station to be built and as Norfolk County Council owned the site, part of the agreement was for the applicant to pay for the moving of the existing waste disposal site. He added that the existing facility had operated for the last 10 years and the proposed site layout had been based on best practice of other sites across Norfolk. The proposed site would include additional parking, with a two-lane, one way traffic system which would provide a designated parking lane, allowing people to park and dispose of their waste.

It was considered that the proposed designated parking area would be sufficient, allowing space for people to queue during busy times.

Mr Bullock referred to the request to provide a split level site, saying that with a split level facility barriers would need to be erected to stop people from falling into the skips and the necessary barriers could make it more difficult for some people to lift their waste into the containers. Mr Bullock reiterated that staff were available at the site and would be able to assist when needed.

Mr Bullock also referred to the Local Member's suggestion that the site should be used as a park and ride site, adding that the site had never been allocated as a park and ride site.

- 6.5 In response to questions addressed to Mr Bullock, the following points were noted:
 - 6.5.1 The new site included 8 staff car parking spaces compared with 2 staff parking spaces at the current site. Also, at the current site, visitors using the re-use shop parked in the designated parking lane and some thought would be given as to how this arrangement could be improved at the new site.

- 6.5.2 If staff needed additional training to be able to assist members of the public dispose of their waste, this could be carried out by the operator.
- 6.6 Ms A Kemp, Local Member for Clenchwarton and King's Lynn South Division which covered the application site, addressed the Committee saying she had received a lot of correspondence from people who wanted a better, split-level site with more parking spaces. She added that staff were not always available to assist customers. Ms Kemp asked the Committee to defer making its decision until more information was received from the applicant.
- 6.7 The following points were noted in response to questions from the Committee:
- 6.8 In response to a question about whether the site could be made into a split-level operation, it was clarified that ground surveys had been carried out which had shown that the land was peat based and would need significant piling in order to accommodate a split-level operation. The Principal Planner added that the duty of the planning authority was to make a recommendation only on the submitted proposal and he confirmed that the application proposed was compliant with the relevant development plan policy and other material considerations.
- 6.9 Upon the application being put to a vote, with 7 votes in favour, 0 votes against and 1 abstention, the Committee **RESOLVED** that the Executive Director of Community and Environmental Services should be authorised to:
- i. Grant planning permission subject to the conditions outlined in section 13 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 commenced, 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 following item was withdrawn from the agenda and was not discussed by the Committee.

- 7 C/2/2018/2006: Land adjacent to Riverside Farm, Garage Lane, Setchey, King's Lynn.

The meeting concluded at 11 am.

Chairman