

**Planning Regulatory Committee  
Minutes of the Meeting Held on Friday 19 June 2015  
at 10am in the Edwards Room, County Hall**

**Present:**

Mr S Agnew  
Mr C Aldred  
Mr B Bremner  
Mr D Collis  
Mr A Grey  
Mr B Iles  
Mr J Law  
Mr B Long  
Ms E Morgan

Mr W Northam  
Mr W Richmond  
Mr M Sands  
Mr E Seward  
Mr M Storey  
Mr J Ward  
Mr B Watkins  
Mr A White

**1 Election of Chairman**

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

Mr Long, Chairman in the Chair.

**2 Election of Vice-Chairman**

Mr Sands was elected Vice-Chairman of the Committee for the ensuing year.

**3 Apologies and Substitutions**

Apologies for absence were received from Mr S Askew (Mr W Richmond substituted), Mr M Baker (Mr C Aldred substituted) and Mr C Foulger (Mr B Iles substituted).

**4 Minutes from the meeting held on 27 March 2015.**

The minutes from the Planning (Regulatory) Committee meeting held on 27 March 2015 were agreed as a correct record by the Committee and signed by the Chairman.

**5 Declarations of Interest**

Mr M Storey declared an other interest in agenda item 10: Methwold: Application for an underground gas pipeline and associated compound/structures (additional works in

conjunction with approved anaerobic digestion plant).

## **6 Urgent Business**

There were no items of urgent business.

### **Applications referred to the Committee for Determination**

Reports by the Executive Director of Community and Environmental Services

#### **7a Borough of King's Lynn and West Norfolk: C/2/2015/2006: Tottenhill: Extension to quarry (MIN 75) with installation of ground conveyor with culvert to accommodate conveyor: Watlington Quarry, Land at Home Farm, Tottenhill Row, Watlington, King's Lynn, PE33 OJN: Frimstone Ltd.**

7.1 The Committee received a report by the Executive Director of Community and Environmental Services outlining the planning application for an extension to Watlington Quarry, on land to the south of Home Farm, near Tottenhill Row. The proposed extension contained approximately 335,000 tonnes of mineral which would take four years to extract. Permission was sought for a five year time period in order to allow extraction of the existing quarry to be completed.

7.2 In response to general questions from the Committee, the following points were noted:

- Home Farm was under the ownership of the applicant who had agreed to enter into a Section 106 legal agreement to prevent occupation during periods of extraction.
- The Environmental Health Agency had raised no objection to any increase in noise from the conveyor and had considered the impact had been identified and mitigation measures proposed were achievable.
- The Planning Services Manager stated that he had not been made aware of any complaints about the existing conveyor system. He added that regular, ongoing maintenance of the equipment would need to be carried out to ensure noise remained at acceptable levels.
- It was proposed that 100,000 tonnes per year of material would be extracted from the site, so it was recognised that this would be an intensive operation. There was likely to be peaks and troughs in demand, although Members noted that there would be no equipment entering or leaving the site due to the use of a conveyor system to move the extracted material.
- A Dust Management assessment had been carried out and a Dust Management Plan submitted with the application. This plan included watering down the extracted material when required and ensuring that measures were taken to prevent dust contamination from prevailing winds.

- Although part of the conveyor would be above the ground, a bund at the north elevation on the route would shield the conveyor from public view.
  - The Planning Services Manager advised that the National Policy Framework recommendations did not allocate a ceiling on the amount of material held in landbank, although it was Norfolk County Council's policy to adhere to a 10 year landbank ceiling.
  - The Committee was advised that the conveyor could not be lawfully accessed by the general public, and there would not be any security measures provided. Permissive rights of way would become effective once the development had been completed and the conveyor had been removed.
- 7.3 Mr Tony Beetlestone, Tottenhill Parish Council, spoke on behalf of the Parish Council in objection to the application. The concerns raised were around noise, the effects on the nearby conservation area and also the effect noise and dust would have on the residents of Tottenhill Row. It was also suggested that a different route could be considered for the conveyor which would move it away from the nearby properties.
- 7.4 Mr Mark Davenport, Managing Director of Frimstone Ltd, the applicant, addressed the Committee. It was noted during the presentation that Frimstone Ltd was a local company employing approximately 100 staff and that the company had worked hard to ensure the application stood up to rigorous scrutiny. It was his belief that there was sufficient demand for the material which would be extracted.
- 7.5 Mr Stephen Daw, addressed the Committee as the Agent working on behalf of the applicant, during which it was noted that MIN75 had been considered when preparing the application and it was his opinion that the application met the main requirements of that document.
- 7.6 In response to general questions from the Committee, the following points were clarified:
- The Planning Services Manager confirmed that a flood risk and water proposal had been submitted with the application. The report had made it clear that although there was the potential of a minimal impact regular monitoring should take place, including dewatering if required. The Internal Drainage Board had raised no objections to the application.
  - All the statutory consultees had assessed the proposed route of the conveyor and had found it to be acceptable.
  - The view of the Parish Council was that the proposed route of the conveyor would have an adverse impact on the conservation area and residents and moving it to the south end of the site would reduce any possible impact on the conservation area.
  - The Agent for the Applicant advised that pre-application discussions had been held

with the Parish Council and local residents about the route of the conveyor. He confirmed that the route proposed by the Parish Council had been considered and a noise assessment had been completed. The noise assessment had found that noise would increase if the route proposed by the Parish Council was adopted, which also required the removal of trees with the arboriculturist advising that this would also increase the adverse impact.

- The Planning Services Manager advised that the proposed route of the conveyor had been assessed and analysed and had been found to be acceptable.
- The agent for the applicant confirmed that it had been decided to submit the application with a conveyor above ground as it was proposed to strip the topsoil to a depth of ½ metre and use the topsoil to install a low bund to hide the conveyor from view to the north of the site. Consideration had been given to lowering the conveyor further, but this had been deemed unnecessary due to the bund shielding the conveyor from view.
- The Planning Services Manager advised that Norfolk County Council had not declined any previous applications on MIN75 for this particular site. He added that an application for a different site had been refused in 2000.
- There had been no public right of way across the application site before work had commenced.
- To take account of the different heights of the conveyor when it ran under Watlington Road, the Agent for the Applicant confirmed it was proposed to install a change point, with a minimal drop back and which would then head off into a new direction.

7.7 Mr Brian Long, County Councillor for Fincham Division which covered the application site, addressed the Committee as Local Member. During his presentation, it was noted that the site had been associated with extraction for the last 50 years. He had listened to residents views and had attended Parish Council meetings. Mr Long added that he would be abstaining from the vote and urged the Committee to make its determination on what they had heard at the meeting.

7.8 Upon being put to the vote, with 13 votes in favour, 3 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 a Section 106 Legal Agreement in respect of ensuring Home Farm was not occupied during extraction, and the conditions in section 12 of the report.
- ii) Discharge conditions (after discussion with the Chairman and Vice-Chairman of the Committee) where those detailed in the report required 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 (after discussion with the Chairman and Vice-Chairman of the Committee) to deal with any non-material amendments to the application that may be submitted.

**8 Borough of King's Lynn and West Norfolk: C/2/2015/2007: Tottenhill: Variation of conditions 1 and 3 of planning permission C/2/2011/2013 to allow continued use of plant site until 1 August 2020 to service the proposed quarry extension (MIN 75): Watlington Quarry, Watlington Road, Watlington, King's Lynn, PE33 0RG: Frimstone Ltd.**

- 8.1 The Committee received the report by the Executive Director of Community and Environmental Services seeking planning permission for an extension to the life of the plant site to accommodate the processing of mineral from the proposed quarry extension at Home Farm, Watlington (MIN 75 planning ref C/2/2015/2006).
- 8.2 During the presentation of the report it was noted that the proposed access was subject to a routing agreement that the majority of vehicles would turn right out of the site, unless they were delivering material to purchasers within the village.
- 8.3 The Chairman asked Mr Beetlestone and Mr Zipfell if they wished to raise any additional points, to which Mr Zipfell replied that he would prefer that no traffic should be allowed to go across parish land as these tracks were for local residents. The Planning Services Manager reiterated that the vast majority of lorries would turn right out of the site, although if someone locally purchased material from the site there could be a few exceptions.
- 8.4 Mr Beetlestone requested that all existing conditions be maintained.
- 8.5 Mr Daw, the Agent for the applicant confirmed that the applicant was happy with all the proposed conditions.
- 8.6 Upon being put to the vote, with 13 votes in favour, 0 votes against and 4 abstentions, the Committee **RESOLVED** that the Executive Director of Community and Environmental Services should be authorised to:
  - i) Grant planning permission subject to a deed of variation to an existing Section 106 relating to long term aftercare and the provision of a permissive footpath and the conditions outlined in section 12 of the report.
  - ii) Discharge conditions (after discussion with the Chairman and Vice-Chairman of the Committee) where those detailed in the report required 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 (after discussion with the Chairman and Vice-Chairman of the Committee) to deal with any non-material amendments to the application that may be submitted.

**9 C/7/2014/7030: Southern Extension to Mangreen Quarry and ancillary works with progressive restoration to agriculture and nature conservation by the importation of inert restoration material; Retention of existing consented facilities, establishment of a crossing point over Mangreen Lane and proposed variation to the approved restoration scheme. Development by Lafarge Tarmac.**

- 9.1 The Committee received a report by the Executive Director of Community and Environmental Services outlining the planning application for an extension to the mineral operations at Mangreen Quarry on an area of agricultural land to the south of the existing quarry site and Mangreen Lane, for a period of 8 years. The scheme also included retention of the existing aggregate processing plant complex, bagging plant, ready-mix plant and access/haul road.
- 9.2 The Planning Services Manager advised the Committee that an error had been identified in the report in that the proposed operation lay within two parish councils, Swardeston and Stoke Holy Cross. Swardeston Parish Council had been consulted about the planning application, but due to an error, Stoke Holy Cross Parish Council had not been consulted.

The Committee was advised of the options available to it and **agreed** unanimously to defer consideration of the application until Stoke Holy Cross Parish Council had been consulted on the application and their comments had been received.

**10 C/2/2015/2010: Methwold: Application for an underground gas pipeline and associated compound/structures (additional works in conjunction with approved anaerobic digestion plant)**

- 10.1 The Committee received a report by the Executive Director of Community and Environmental Services outlining the planning application for a development of a 2.8 kilometer underground gas pipeline and associated compound, in order to connect a permitted anaerobic digestion (AD) plant (the planning permission had been implemented but the development not completed) to the National Grid.
- 10.2 The application had been submitted to the Planning (Regulatory) Committee as it had been submitted with an Environmental Statement and assessed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
- 10.3 In response to general questions from the Committee, the following points were noted:
  - The exact number of trees to be felled would be dependent on the width of the construction vehicles as sufficient easement would be required to allow construction vehicles to travel through the plantation.

- Horizontal boring would be used to install the pipeline under the highway, but due to the distances involved, the costs of horizontal boring through the plantation would be too prohibitive.
- 10.4 Mr Presslee, Cornerstone Planning, attended the meeting on behalf of the applicant and stated that he had no additional information to add to the comprehensive report submitted by the officers. He confirmed that the Forestry Commission licence had been implemented with regard to the application.
- 10.5 Upon being put to the 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 12 of the report.
  - ii) Discharge conditions (after discussion with the Chairman and Vice-Chairman of the Committee) where those detailed in the report required 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 (after discussion with the Chairman and Vice-Chairman of the Committee) to deal with any non-material amendments to the application that may be submitted.
- 11 C/5/2015/5008: Frettenham: Variation of condition 1 of permission ref. C/5/2009/5019 to extend the timescale for the retention of storage containers, mess unit, fenced compound and car parking for a further 5 years (until 30 March 2020)**
- 11.1 The Committee received a report by the Executive Director of Community and Environmental Services outlining the planning application to vary condition 1 of permission reference C/5/2009/5019 to extend the timescale for the retention of storage containers, mess unit, fenced compound and car parking for a further five years until 30 March 2020. The application was being considered by the Planning (Regulatory) Committee because it had been made on behalf of the Executive Director of Community and Environmental Services.
- 11.2 In response to a question, it was noted that although it was likely that a further extension would be required in the future, the applicant had decided to apply for a five year extension at this time
- 11.3 Upon being put to the vote, it was 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 12 of the report.

- ii) Discharge conditions (after discussion with the Chairman and Vice-Chairman of the Committee) where those detailed in the report required 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 (after discussion with the Chairman and Vice-Chairman of the Committee) to deal with any non-material amendments to the application that may be submitted.

The meeting ended at 12 noon.

#### **CHAIRMAN**



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