

**Planning (Regulatory) Committee
Minutes of the Meeting Held on Friday 23 September 2022
at 11am in the Council Chamber, County Hall**

Present:

Cllr Brian Long (Chair)
Cllr Graham Carpenter (Vice-Chair)

Cllr Stephen Askew	Cllr William Richmond
Cllr Rob Colwell	Cllr Steve Riley
Cllr Chris Dawson	Cllr Martin Storey
Cllr Paul Neale	Cllr Tony White

Also Present:

Hollie Adams	Committee Officer
Daniel Austin-Fainman	Registered Speaker
Ralph Cox	Principal Planner
Jodie Cunningham-Brock	Senior Lawyer, nplaw
Alan Everard	Registered Speaker
Jon Hanner	Principal Engineer (Developer Services)
Nick Johnson	Head of Planning
Kate Lawty	Senior Planner
Andrew Short	Registered Speaker
Peter Wilsdon	Registered Speaker

1a Introduction

- 1a.1 The Chair reminded Committee Members that there was a site visit planned on Monday 26 September 2022 to Ormiston Academy.

1b Apologies and Substitutions

- 1b.1 Apologies were received from Cllr Barry Duffin. Cllr Matt Reilly, Cllr Mike Sands.

2 Minutes

- 2.1 The minutes from the Planning (Regulatory) Committee meeting held on 20 May 2022 were agreed as an accurate record and signed by the Chair.

3 Declarations of Interest

- 3.1 None

4 Urgent Business

- 4.1 Cllr Neale noted that 6 months had passed since the planning application for Seething Lagoons was refused by the Committee. The Chair discussed that a regular method of reporting on progress of applications previously determined by the Committee was being looked into. The Head of Planning noted that applicants were able to appeal a refusal up to 6 months after the decision or resubmit an application addressing the grounds for refusal up to 12 months after the decision. The Planning Service Monitoring and Control Team were responsible for carrying out inspections and enforcement action in cases when there had been an alleged breach of planning control and the Council had considered that it was expedient to take such action. The Council considered an expediency position in line with our adopted enforcement policy, typically by looking at the grounds for refusal and harm associated with the proposal. The application for Seething Lagoons was a matter being dealt with by this team and it was currently envisaged that the grounds for the refusal could be addressed by the applicant.

- 4.2 Cllr Steve Riley arrived at 11:10

Applications referred to the Committee for determination.

5. Point of Order

- 5.1.1 The Committee agreed to change the order of the agenda, taking agenda item 5, "FUL/2020/0043: Anglian Business Centre, West Carr Road, Attleborough, NR17 1AN", first, followed by agenda item 7, "FUL/2020/0079 & FUL/2020/0080: Spixworth Quarry, Church Lane, Spixworth; FUL/2022/0018: Land at former Quaker Lane, Spixworth", and then agenda item 6, "FUL/2021/0072: Larkshall Mill, Thetford Road, East Wretham, Thetford, Norfolk, IP24 1QY".

6. FUL/2020/0043: Anglian Business Centre, West Carr Road, Attleborough, NR17 1AN

- 6.1.1 The Committee received the report setting out an application for continuation of existing commercial waste recycling facility for construction, demolition and excavation waste, and a change of use on the adjacent site from fuel storage depot to an additional extended working area for the recycling of metals, construction, demolition and excavation waste (Anglian Demolition & Asbestos Ltd).
- 6.1.2 The Senior Planner gave a presentation to the Committee:
- The proposed layout of the site was shown; buildings on the existing site would remain.
 - A cable granulator and depollution plant were proposed to be installed on site to allow processing of end-of-life vehicles
 - Acoustic fencing was proposed to be installed on the east and west boundaries of the site
 - Inside the site it was proposed to build a concrete wall with a 3m acoustic

fence on the existing 4m bund to add a 7m acoustic treatment around the site. The bund would be replanted with a native hedge mix.

6.2 Committee Members asked questions about the presentation:

- The Senior Planner confirmed that there were trees on the boundary of the site, outside of the bund. There was a condition in place for any species of bush planted as part of the application and which died to be replanted within 5 years.
- Following a query, it was confirmed that West Carr, shown on the map in the presentation, was an intensive poultry farm.
- It was noted that Great Ellingham Parish Council objected to the application. This had been responded to in the report and no other statutory consultees had objected.

6.3 The Committee heard from registered speakers:

6.3.1 Daniel Austin-Fainmen spoke on behalf of the applicant:

- Mr Austin-Fainman was a planner at Lanpro, and the agent speaking on behalf of the applicant.
- Mr Austin-Fainman pointed out how few neighbour responses had been received to the application and that the scope of objections was limited.
- The application was for expansion of the existing business on a site with allocation and benefitting from extensive planning history.
- The application location had a planning history of a similar type of use and was located on a transport corridor.
- The benefits of the application, if granted, would be long term employment as this was a well-established business.
- Public comments had focussed on noise; the applicant had moved swiftly to put mitigation measures in place to address noise. These measures had not yet been implemented so issues raised would be reduced further once the application was in place.
- There were no material issues to overcome as the concerns raised had been addressed

6.4 The Committee **AGREED** that the Executive Director of Community and Environmental Services be authorised to:

1. Grant planning permission subject to the conditions outlined in section 11.
2. 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.
3. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

7 FUL/2020/0079 & FUL/2020/0080: Spixworth Quarry, Church Lane, Spixworth; FUL/2022/0018: Land at former Quaker Lane, Spixworth

7.1.1 The Committee received the report setting out three linked applications for:
Continued sand & gravel extraction and restoration by infilling to agricultural use by

31 October 2024 without compliance with condition 1 of permission ref. C/5/2014/5008 (Tarmac Trading Ltd); Continued extraction of sand and gravel without compliance with condition 1 of permission ref. C/5/2014/5007 to enable mineral extraction to take place until 30 April 2023 and the site restored by 31 October 2024 (Tarmac Trading Ltd) and; Change of use to enable the establishment and operation of a new means of access into Spixworth Quarry using existing bellmouth onto the Broadland Northway (A1270) from the former Quaker Lane and the route of Bridleway Horsham St Faith and Newton St Faith BW7 for a temporary period until 31 October 2024 to enable the restoration of the quarry. Erection of site office, and 1.2m post and wire fence (to segregate HGV traffic from other users), installation of splitter island (on bellmouth) and passing place, and upgrade/renewal of existing surfaces (Tarmac Trading Ltd).

7.1.2 The Principal Planner gave a presentation to the Committee:

- The three linked planning applications proposed to prolong work at Spixworth Quarry until 2024 and provide access to the quarry from a roundabout on the Northern Distributor Road.
- There had been a high number of highway related objections, resulting in the third application to provide access to the Northern Distributor Road via a roundabout.
- One proposed condition as part of the applications was for no road widening to take place until the tree protection plan was in place.
- The public right of way, which would be shared as access to the quarry until 2024 until the sites had been restored, would be widened, with more surfacing and appropriate signage. The shared use of the road would be in use on Monday to Friday to reduce impact on other users of the route.
- The Highway Authority had requested conditions which were set out in the report.

7.2 Members asked questions about the presentation:

- It was confirmed that it could be possible for an applicant to put in a further application at a later date to extend work on the site beyond 2024. If this was the case the full application would be considered by consultees, including considering how effective shared use of the access road from the Northern Distributor Road had been.
- The Principal Engineer (Developer Services) confirmed that there would be 15 vehicles movements in and out each day associated with mineral export and 17 vehicle movements in and out each day associated with inert waste over each day, equating to roughly 3-4 lorry movements per hour.

7.3 The Committee heard from registered speakers:

7.3.1 Alan Everard spoke on behalf of the applicant:

- Operations on the site had been suspended in October 2021 to allow the business to look at alternative access to the site, resulting in the applications presented including creating new access onto the Northern Distributor Road.
- There was very little mineral to extract remaining on the site and most of the activity would therefore be transporting restoration materials and restoring the

area to agricultural use.

- The main issue recognised by the applicant was interactions on the short stretch of road shared by HGVs and members of the public; measures would be taken to control this where possible.

7.4 It was confirmed that it was common practice for topsoil extracted on quarry sites to be kept on site and put back during restoration and this practice was also likely to be followed on this site.

7.5 The Committee **AGREED** that the Executive Director of Community and Environmental Services be authorized to:

- I. Grant planning permission subject to the conditions outlined in section 12 and the signing of a Section 106 Agreement relating to the management of Spixworth Park.
- II. Discharge conditions where those detailed below 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.

8. FUL/2021/0072: Larkshall Mill, Thetford Road, East Wretham, Thetford, Norfolk, IP24 1QY

8.1.1 The Committee received the report setting out an application for change of use from waste transfer station/materials recovery facility to a facility for the manufacturing of carbon-negative aggregates for use in the construction industry including demolition of existing storage shed, construction of feed hopper and conveyor, curing bay shed, covered aggregate conveyor system, 7 no. silos, CO2 tank and associated site works (OCO Technology Ltd).

8.1.2 The Senior Planner gave a presentation to the Committee:

- The application covered a change of use to a facility to manufacture carbon negative aggregates.
- The application proposed to retain most of the buildings on site for reuse or repurpose as well as to build additional buildings on site including a storage shed, feed hopper, and a curing bay.
- The proposal was for a site to use an accelerated carbonation process to treat air pollution control residue into carbonated pellets.

8.2 The Committee asked questions about the presentation:

- The Chair noted that it was positive that the process set out in the application would take carbon out of the atmosphere.
- A Committee Member raised concerns that this process involved processing ash from the incineration process and queried how this could be carbon negative. The Senior Planner confirmed that fly ash from incinerators would be processed; this was waste would normally be sent to landfill. The Chair pointed out that it was the Committee's role to consider the proposed land use and planning considerations as part of the application.

8.3 The Committee heard from registered speakers

8.3.1 Andrew short spoke on behalf of the applicant:

- Mr Short was the property and project Manager for OCA technology
- The company started when they moved from a university lab to Brandon with a pilot plant with an aim to treat waste with carbon dioxide to capture carbon in waste destined for landfill. In 2011, the company was the first in the UK to achieve end of waste from the Environment Agency, producing a product no longer classified as waste which could be sold into market
- The company was the world's first commercial manufacturer of carbon negative aggregate. Their carbon footprint was -37kg per tonne of aggregate produced and the carbon footprint would improve as investment on solar energy was made into each of their sites.
- In one year, the process saved 150,000 tonnes of waste from landfill and made enough aggregate for 97m construction blocks which saved 500 tonnes of natural stone and captured 15,000 tonnes of carbon dioxide, the equivalent of 588,000 trees.
- The company was featured in cop26, the only carbon capture company featured.
- The company had received interest abroad including in Spain, Japan and Australia.
- The company was an example of circular economy and provided a permanent capture carbon dioxide helping the UK meet its net zero objective

8.3.2 Peter Wilsdon spoke on behalf of the applicant:

- The application was the result of an extensive site selection process to find a suitable replacement site with established waste use which fit with the company ethos. The site was suited for modern waste use such as proposed within the application. Buildings on the site lent to easy installation of the proposed technology and vehicle circulation around the site would reduce unnecessary movements.
- All but one of the buildings already on the site were proposed to be repurposed.
- The development was reflective of the rapidly changing waste sector where sustainability and reduction of carbon emissions were at the forefront, reflecting the demand for sustainable building products.
- The environmental impact assessment included ecological, noise, dust, transport, flood risk and landscape assessments and showed the site could be constructed and operate without significant impact on neighbouring uses and designated sites.
- If approved the site would be subject to an environmental permit and monitoring by the environment agency.
- The applicant was keen to engage with the local community during construction and operation and would set up a voluntary liaison group to deal with complaints;
- Since preapplication conversations the applicant had worked to ensure the

development could be delivered in a sustainable manner.

8.4 Councillors moved on to debate the application:

- A Member of the Committee raised their concerns about the use of incineration end products in the processes discussed in the application and whether this meant that the process could be considered carbon negative. which they stated would cause them to abstain from voting.
- The Senior Planner confirmed that top ash from incinerators from surrounding counties was proposed to be transported to the site for processing.
- The Chairman explained that the carbon negative reference was in relation to the proposal before them and that the land use implications of this proposal was the matter for consideration today

8.5 With 7 votes for and 3 abstentions from Cllrs Paul Neale, Steve Riley and Rob Colwell, the Committee **AGREED** that the Executive Director of Community and Environmental Services be authorized to:

1. Grant planning permission subject to the conditions outlined in section 11;
2. 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;
3. Delegate powers to officers to deal with any non-material amendments to the application that may be submitted.

8.6 The Committee discussed and **agreed** to trialling including site maps in the reports on the next agenda, instead of as appendices, following the Executive Summary and recommendations.

The meeting ended at 12:23

Chair



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