

CONSTRUCTION OF A HEAT AND POWER PLANT COMPRISING BIOMASS ENERGY FROM WASTE (FLUIDISED BED COMBUSTION) FACILITY AND TREATMENT OF WASTE WATER BY EVAPORATION TREATMENT PLANT AND ASSOCIATED INFRASTRUCTURE COMPRISING TANK FARM, COMBUSTER WITH 25 METRE HIGH CHIMNEY, PROCESS BUILDING, STORE BUILDING, OFFICE BUILDING, WALKING FLOOR CANOPY, CAR PARK, FUEL STORAGE BAYS, FIRE WATER TANK, CONVEYOR, PIPE GANTRY, DIESEL TANK, CONTROL ROOM, AUXILIARY PLANT SKID, HIGH VOLTAGE TRANSFORMERS

AT: Warboys Landfill Site, Puddock Hill, Warboys, PE28 2TX

LPA REF: H/5002/18/CW

FOR: Sycamore Planning Ltd

To: Planning Committee

Date: 6 September 2018

From: Assistant Director Environment & Commercial

Electoral division(s): Warboys and the Stukeleys

Purpose: To consider the above planning application

Recommendation: *That planning permission be granted subject the applicant entering into a S106 planning obligation to secure off site mitigation and the conditions set out in*

<i>Officer contact:</i>	
Name:	Helen Wass
Post:	Development Management Officer (Strategic & Specialist Applications)
Email:	Helen.wass@cambridgeshire.gov.uk
Tel:	01223 715522

1.0 BACKGROUND

- 1.1 Landfilling has taken place at Warboys Landfill Site between 1995 and 2004 and since 2008 when the current operator took over the site. In April 2010 planning permission (H/05030/09/CW) was granted for engineering operations to extend the landfill void. Landfilling was to cease by 31 December 2015 and the site be restored by 31 December 2016. In July 2016 planning permission (H/5012/15/CW) was granted extending time in which the landfill would be completed by 2 years i.e. landfill to cease by 31 December 2017 and restoration to be completed by 31 December 2018.
- 1.2 The landfill has been closed to sources other than residual non-recyclable waste from the adjacent Minerals Recycling Facility (MRF) since October 2013 and all deposit of waste ceased in December 2017. The site is now being restored using material held for the purpose in the overburden storage area. These areas are shown on agenda plan 1.
- 1.3 A waste recycling facility has been in operation within the waste management complex since 1996. Until 2014 this was within and adjacent to the former brickworks buildings which have been demolished. Planning permission (H/05016/12/CW) was granted in April 2013 for the construction and operation of a permanent MRF and a separate office building on the site of the old brickworks. Since 2014 the waste recycling operations have been conducted within and adjacent to the MRF building.
- 1.4 The full planning history of the landfill and recycling areas is set out in section 6. The extant permissions are shown in bold and their expiry date is noted.
- 1.5 In September 2016 the applicant sought formal pre-application advice from the waste planning authority (WPA) on the current proposals and this was provided on 28 October 2016. On 30 November 2016 the applicant sought an Environmental Impact Assessment (EIA) screening opinion. A draft opinion was provided on 14 February 2017 but not formally adopted because the developers did not want it to be in the public domain until they had introduced their proposals to representatives of the local community at the landfill site liaison group meeting which did not take place until 2 November 2017. The screening opinion was adopted on 30 October 2017 when it was sent to Huntingdonshire District Council to be placed on the planning register. The screening opinion concluded that the proposed development would be unlikely to have significant impacts on the environment so EIA was not necessary.
- 1.4 The planning application was received on 10 January 2018 and was advertised as set out in paragraph 2.1 below.
- 1.5 On 9 February 2018 Alan Watson of Public Interest Consultants (on behalf of Warboys Landfill Action Group (WLAG)) challenged the WPA's screening opinion. Mr Watson considered that the proposed development fell within Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 2017 Regulations) meaning that EIA is mandatory and that the planning application must be accompanied by an environmental statement (ES). Officers reconsidered the matter and having taken legal advice agreed that the proposal was indeed Schedule 1 development. A revised screening opinion was adopted on 12

April 2018.

- 1.6 Because of the potential delay in receiving a revised screening opinion on 5 March 2018 the applicant asked the WPA for an EIA scoping opinion to establish the areas which should be covered in an ES. Following consultation with statutory and other bodies, the WPA adopted a scoping opinion on 20 March 2018. It was concluded that the following topics should be covered in the ES: human health, air quality, ecology, landscape and visual impact and noise. Further information had already been sought on traffic and surface water drainage. On 25 April 2018 Alan Watson (for WLAG) criticised the WPA's approach to the scoping exercise. With legal advice, officers replied to Mr Watson defending the WPA's procedures on 14 May 2018.
- 1.7 On 23 April 2018 the applicants submitted a revised planning statement and amended drawings. On 2 May 2018 the applicants submitted an ES. This was publicised as set out in paragraph 2.2 below.

2.0 PUBLICITY

- 2.1 The application was advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 by means of a notice in the Hunts Post on 31 January 2018 and a notice erected at the site access. The occupants of the houses closest to the site and properties along the proposed access route, Fenside Road, were notified by letter.
- 2.2 In accordance with the 2017 Regulations the applicant placed a notice in the Hunts Post on 25 April 2018. On 2 May 2018 the WPA re-consulted the statutory and non-statutory bodies and notified those persons who had commented on the original application inviting them to provide comments only if the new information changed their views. Otherwise the WPA would assume their original comments stood and would take them into account.

3.0 THE SITE AND ITS LOCATION

- 3.1 The waste management complex known as Warboys Landfill Site covers approximately 26 hectares (64.2 acres) and includes the land on which the development which is the subject of this report would be situated. It is located about 10 kilometres (6.21 miles) northeast of Huntingdon and 4 kilometres (2.49 miles) southeast of Ramsey, to the north of the village of Warboys on the side of the escarpment overlooking Wistow Fen. It comprises a landfill operation, restored and partially restored tipped land, a materials recycling facility (MRF), overburden storage, landfill gas engine/flare producing electricity, restored ponds and grassland and ancillary land used for access, parking and administration purposes. The landfill void was a former brick pit which has been filled in a series of cells. The waste recycling operations take place within a new purpose built MRF on the site of a former brickworks.
- 3.2 The area in which the proposed development would take place (the site) lies between the MRF and the north eastern boundary of the waste management complex. The land immediately to the northeast is Wistow Fen, low-lying intensively cultivated

agricultural land.

- 3.3 The site is in flood zone 1. It is within 65 metres (71.08 yards) of the Warboys Clay Pit Site of Special Scientific Interest (SSSI). Warboys and Wistow Wood SSSI is approximately 460 metres (503.06 yards) to the west of the site, adjacent to western boundary of the landfill site. Pingle Wood and Cutting County Wildlife Site (CWS) lies 130 metres (142.17 yards) south of the access onto the public highway and 220 metres (240.59 yards) south east of the proposed waste management area. There are no scheduled monuments within 3 kilometres (1.86 miles) of the site.
- 3.4 The closest residential properties are: Wingate (100 metres (109.36 yards) south of the access and 140 metres (153.11 yards) from the proposed waste management area); Old Railway Tavern (opposite the site access and 120 metres (131.23 yards) southeast of the proposed waste management area); Woodview (30 metres (32.81 yards) from the site access and 110 metres (120.3 yards) from the proposed waste management area); and The Old Station Yard (150 metres (164.04 yards) northwest of the proposed waste management area).
- 3.5 Access to the landfill site and MRF for HGVs is via a purpose-built access road from the class C Puddock Road. Access to the proposed development site would be from an existing track off the landfill/MRF access road 55 metres (60.15 yards) from Puddock Road. The track is also the access to The Old Station Yard. No public right of ways cross the waste management site. Public footpaths no. 245/2 and no. 254/12 are 300 metres (328.08 yards) to the south and lead from Humbrills Farm in a southerly direction to Warboys. Public footpath no. 245/7 starts at the western end of Fenside Road and runs around the edge of the Pingle Wood and Cutting County Wildlife Site also leading to Warboys.
- 3.6 The proposed development site is 1.7 hectares (4.2 acres) in area (including the access to Puddock Road). The waste management area would measure 170 metres (185.91 yards) northwest to southeast by an average of 35 metres (38.28 yards) southwest to northeast on the line of a former railway. The site lies approximately 3 metres lower than the MRF. An approximately 3 metre (9.84 feet) high landscaped bund is situated to the northeast of the site boundary, separating the site from the adjacent fen farmland. An approximately 4 metre (13.12 feet) high bund is situated to the southeast of the site, between the site and the MRF offices.
- 3.7 The proposed development land was restored in January 2014 as part of the restoration scheme which is a requirement of the planning permission for the landfill site (H/5012/15/CW). It comprises restored ponds and unimproved grassland which are being managed in the interests of the existing Great Crested Newt (GCN) population. There is a small group of Ash trees close to the MRF building and an area of scrub at the southern corner of the site proposed waste management area.

4.0 THE PROPOSAL

- 4.1 The proposed development comprises two elements, a biomass combined heat and power (CHP) plant and a waste water treatment plant. The proposed waste treatment processes are:

- (i) Thermal treatment of up to 48,000 tonnes per annum of non-hazardous grades B and C pre-shredded waste wood and compost oversize in a fluidised bed boiler with recovery of energy (see Appendix A for description of waste wood categories); and
- (ii) Treatment by evaporation of approximately 65,000 tonnes per annum of non-hazardous waste water including leachate from the adjacent and other landfill sites.

- 4.2 The fluidised bed boiler would generate 1.5 MW of electricity and 16.8 MW of thermal energy (heat). Based on the plant operating continuously and with a 2 week shut down for maintenance it would have a daily throughput of up to 137 tonnes. The waste water treatment plant would have a daily throughput of 185 tonnes.
- 4.3 It is proposed that waste would be received between 0700 and 1900 Mondays to Fridays and between 0700 and 1300 on Saturdays and that the plant would operate 24 hours per day 7 days a week with a 2 week planned shut down for maintenance. The proposed development would generate 32 - 34 HGV movements onto and off the public highway per day in the form of 24 tonne bulkers delivering the waste wood, 22 tonne tankers delivering the waste water and the vehicles removing the ash and sludge residues. This assumes that 15,000 tonnes per annum (31%) of wood waste would come directly from the adjacent MRF and 844 tonnes per annum (1%) of the waste water would be leachate from the adjacent landfill site. If no waste were to be sourced from the adjacent site, the number of vehicle movements on the public highway would increase by 4 to 36 - 38 per day.
- 4.4 The applicant proposes that HGVs would access the site from the A141, Fenside Road and Puddock Road which would be consistent with the routing agreement which applies to the landfill site and MRF. This route is shown on agenda plan 2.
- 4.5 The following buildings and structures are the principal parts of the development proposal and are shown on agenda plan3:
- Process building (41.6 metres (45.49 yards) x 18.9 metres (20.67 yards) x 9.1 metres (29.86 feet) high) with 8.2 metres (8.97 yards) x 18.9 metres (20.67 yards) mezzanine floor and single flue 7.9 metres (25.92 feet) above the roofline
 - Office (15.5 metres (16.95 yards) x 8.6 metres (9.41 yards) x 4.5 metres (14.76 feet) high)
 - Store (12.7 metres (13.89 yards) x 6.6 metres (7.22 yards) x 6.9 metres (22.64 feet) high)
 - Walking floor (26.1 metres (28.54 yards) x 10.9 metres (11.92 yards) x 8.2 metres (26.9 feet) high)
 - Combustor (10 metre (32.81 feet) diameter to 20 metres (65.62 feet) with 5 metre (16.4 feet) flue i.e. total height 25 metres (82.02 feet) high)
 - Four 10 metre (32.81 feet) high x 4 metre (13.12 feet) diameter waste water storage tanks
- 4.6 The following ancillary structures, also shown on agenda plan 3, are proposed: fuel storage bays, fire water tank, conveyor, pipe gantry, diesel tank, control room, auxiliary plant skid, high voltage transformers and a 10-space car park. The site

would be mainly surfaced with concrete with block paving for the car park and around the office. Automated low level lighting is proposed for internal roads and manually operated lighting is proposed for the combustor and steps.

- 4.7 The existing bund on the northern site boundary would be re-profiled to a height of 3 metres (9.84 feet) and would be re-planted with native species. An internal bund would be re-profiled to height of 4 metres (13.12 feet) and the southern slope re-planted. New native planting is proposed on the outer slope of the eastern perimeter bund outside the application area. A soil bund up to 1.5 metres (4.92 feet) high and planted with trees and shrubs is proposed along the western and southern boundaries of the landfill area. This would be outside the application area.

Biomass CHP

- 4.8 The proposed biomass CHP facility would thermally treat wood waste in a fluidised bed boiler. The heat produced as a by-product of the thermal treatment process, in the form of steam, would be used to evaporate waste water in the waste water treatment plant.
- 4.9 Waste wood will be delivered to the site in 24 tonne "walking floor" HGVs, with 5 no. deliveries estimated per day. Vehicles would enter the site, travel over the weighbridge, and continue round to the 55 tonne open air storage bays situated adjacent to the site access, where the wood waste would be unloaded. From the storage bays the wood waste would be loaded onto a walking floor which would store a rolling 2 day supply of material for use in the biomass CHP plant. Once loaded, the wood waste would be transported through the walking floor and onto a fully enclosed conveyor. The wood waste would then pass into a fluidised bed combustor for treatment.
- 4.10 Once in the combustor the wood waste would be combusted in a bed of hot sand heating water to produce steam. The steam would be diverted through steam expanders, turning screws to produce renewable electricity, some of which would be used on site with the rest being exported to the grid.
- 4.11 The by-products of the combustion process are fly ash, bottom ash, non-combustible "tramp" material (such as metal and stones), and process gas. Once settled the fly ash and bottom ash would be collected within a sealed vessel and transported off site to an appropriate waste management facility. It is anticipated that the biomass plant would produce 4% (1,920 kilograms / 302.35 stone) of ash which would be loaded into 1 tonne storage bags and stored on site until enough has been collected to fill a curtain sided HGV. Ash would be transported off site in 20 tonne curtain sided HGVs at a frequency of two per week. It is anticipated that the biomass plant would produce approximately 2% (960 kilograms / 151.17 stone) of tramp material, which will be loaded into a 5 tonne skip wagon and transported off site once per day to a specialist waste facility for treatment.
- 4.12 Process gases would be monitored electronically, using a continuous emissions monitoring system, to manage emissions levels emitted to air via the stack to agreed rates and levels as defined by the environmental permit. All generators and monitoring equipment for the site would be housed in the auxiliary plant skid and the

process building. To ensure that the agreed emissions levels are met abatement chemicals such as urea and sodium bicarbonate would be injected into the stack as required to clean emitted gases. Chemicals would be delivered to the chemical store on site in 20 tonne curtain sided HGVs at a frequency of two per week.

Waste water treatment plant

- 4.13 Waste water would be delivered to the site in 27 tonne tankers at a frequency of 8 per day. Vehicles would enter the site, travel over the weighbridge, and continue to the delivery area located to the south of the process building. Waste water would be stored in 4 bunded water storage tanks each storing 115,000 litres of water. Before being treated by the evaporation process, the waste water would undertake a process of pre-treatment consisting of storage tanks fitted with re-circulation, aeration pumps and associated pipework. A mixing tank located adjacent to the storage tanks would take waste water from each of the storage tanks on an hourly basis, also recirculating it around the mixing tank, resulting in further mixing and aeration. This volatilises and releases any volatile organic compounds (VOC), methane and non-methane gases in to the headspace of the tank which is subsequently treated within the carbon filter. Additionally, hydrogen peroxide would be dosed into the tanks to oxidise and remove the dissolved sulphides and reduce odour and bacteria levels within the liquor. The pH dosing reduces ammoniacal nitrogen and calcium carbonate concentrations within the waste water. Finally, the pre-treated waste water would be filtered via a 500 m mesh filter prior to being pumped to the evaporators. The filtration of the effluent effectively removes 80 - 90 % of the solids content of the effluent significantly reducing the overall organic loading.
- 4.14 Heat (steam) from the combustor would be transported via over ground pipes to the process building, where waste water would be treated. Once steam has passed through the screws of the electricity generators it would advance to the waste water treatment unit. The steam (heat) would be used by the 6 evaporator units to process the accepted waste water by evaporation. The evaporation process would separate the water element from any contaminants leaving a solid residue behind in the evaporator unit.
- 4.15 The waste water treatment facility would produce approximately 1% solid residue which would be loaded into skips and transported off site to an appropriate waste management facility for treatment. The transport of solid residue off site would require one 5 tonne HGV per week.
- 4.16 Water vapour would be slowly evaporated and discharged through the stack diluted with ambient makeup air to minimise steam plume formation from the 6 evaporation units. Waste water would be processed at 1.2 tonnes/1200 litres per hour.

5.0 CONSULTATIONS

- 5.1 As set out in section 2 consultees had two opportunities to comment. The summaries below represent the organisations' most recent comments, carrying forward any earlier ones that they indicate are still relevant. Not all consultees responded to the consultation on the ES in May 2018.

Huntingdonshire District Council (Environmental Health)

- 5.2 Officers understand that in order for the applicant to operate both the heat and power plant and waste water treatment plant the site will also require an environmental permit from the Environment Agency (EA). An environmental permit will control environmental emissions from the site such as land contamination, air pollution, noise, vibration, odour, dust, light and energy.
- 5.3 It is understood that if potential pollution from the process will be subject to alternative control by the way of an environmental permit, this should take precedence with regard to conditions to control emissions. This will reduce dual control and potential issues regarding conflicting conditions and enforcement responsibilities.
- 5.4 It is therefore expected that many conditions HDC would usually recommend in respect of protection of residential amenity will be covered by the environmental permit and relate to all activities on site including waste storage and acceptance procedures, management of the site to control emissions, monitoring requirements and emission limits. If an environmental permit will not be required or conditions are required on any forthcoming planning permission with respect to these controls, HDC would wish to be involved in this process. HDC and Public Health England will be consulted when the EA are determining the environmental permit application for the site. HDC will liaise with the EA to ensure all aspects that would have been recommended for the control of emissions are considered at that point.
- 5.5 Areas where conditions may be better placed on any planning permission which may be granted include a Construction Environmental Management Plan (CEMP), hours of deliveries and, if considered appropriate, noise.
- 5.6 Land Contamination - are satisfied that the developer can assume a CIRIA 665 Character Situation 1 with regard to the risk of hazardous ground gases.
- 5.7 Noise - The addition of a 3 metre (9.84 feet) high acoustic barrier is noted, which should be deployed as described. The following conditions are recommended:
- Except in an emergency, or to undertake environmental monitoring or in exceptional circumstances to be agreed with the Waste Planning Authority, operations authorised by this permission shall be restricted to the following periods: HCVs entering or leaving the site 0700 to 1900 Mondays to Fridays inclusive except Bank or Public Holidays and 0700 to 1330 Saturdays. There shall be no such vehicle movements on Sundays or Bank or Public Holidays.
 - The noise levels arising from the operations authorised by this permission shall not exceed 5dB LAeq (1hour) freefield above the background noise level measured as LA90(1 hour), at the facade of any noise sensitive property.
- 5.8 Air quality - It is noted that the biomass air quality assessment is based on emission limit values as if the plant were operating at the maximum permitted limits under the Industrial Emissions Directive (IED). Many installations operate well within their specified emission limits and therefore the use of release limits may lead to an over

estimation of emissions. The Waste Water Treatment Plant (WWTP) report utilises a limit of 1.5OUE/m³, which the EA advise for highly offensive odours. Air quality monitoring requirements placed on the site under the environmental permit will ensure regular monitoring of emissions is undertaken and are within legal requirements. Both air quality reports have stated that emissions will be tested as part of the commissioning process to ensure that the emission rates do not exceed the modelled values and it is advised that this is a requirement, to be covered under the environmental permit as appropriate.

- 5.9 In line with section 6 of both air quality reports HDC would expect the proposed mitigation measures to be included and adhered to, including the implementation of a programme of planned preventative maintenance to minimise the risk of unplanned emissions and pre-treatment on the WWTP in line with the conditions modelled. Mitigation measures are therefore a requirement and it is advised that these include (but are not limited to) those specified within section 6 of both AQ reports. HDC would expect these aspects to be covered in any environmental permit for the site.
- 5.10 The storage and acceptance of waste is an important aspect for control and again conditions to regulate this aspect should be contained within any environmental permit. The environmental permit conditions will minimise any impacts as far as is practicable. Even though pollutant concentrations are predicted to be below the air quality objectives/limit values, it is important that the proposed development uses best practice measures, including those proposed within sections 6 of both air quality reports, to ensure that emissions are fully minimised.
- 5.11 Dust - The Dust Management Plan outlines the mitigation measures designed to reduce dust emissions and describes a good procedure for handling complaints and abnormal emissions. This document should be required as a condition of the environmental permit and should be regularly updated to reflect any change of process and technical advancement.
- 5.12 Odour - The Odour Management Plan outlines the odour mitigation measures and describes a good procedure for handling complaints and abnormal emissions. This document should be required as a condition of the environmental permit and should be regularly updated to reflect any change of process and technical advancement.
- 5.13 On evaluation of the information provided and taking the above points into consideration it is considered that there are not sufficient grounds to recommend refusal in respect of an unacceptable risk from pollution. This is subject to conditions which are required to control and minimise emissions from the site, the majority of which will be covered within any environmental permit.

Huntingdonshire District Council - (Landscape Officer)

- 5.14 In summary, generally agrees with the conclusions of the Landscape and Visual Impact Assessment chapter in the ES. Although the assessment of the level of adverse effect is sometimes slightly underestimated there are no significant adverse effects, and most effects will be further reduced by mitigation planting and appropriately coloured cladding for the buildings and other components of the facility. The overall level of adverse effect is acceptable. Successful mitigation planting and

appropriately coloured buildings and other components of the scheme (both of which can be conditioned) would reduce adverse impacts still further.

Warboys Parish Council

5.15 Objects to the proposed development and recommends refusal on the following grounds:

- i. the proposed development will present a visually intrusive feature on the local landscape which is totally out of character with the neighbouring fen environment;
- ii. the proposed development would be located in close proximity to dwellings with a consequential risk of harm to health from emissions from the processes proposed;
- iii. any emissions from the proposed development could contaminate surrounding land which is farmed extensively for growing crops and as pasture for livestock with the consequential risk of hazardous chemicals entering the food chain and contaminating land for the future;
- iv. the applicants have failed to demonstrate a need for development of the scale proposed or that the materials required could be sourced adequately from the proposed 30 mile radius prompting concerns that waste will be imported from a far greater radius;
- v. the applicants have failed to demonstrate the long term adequacy of supply from Warboys Landfill Site and materials recycling facility with the consequent potential for the sourcing of greater quantities of waste wood and waste water from elsewhere which would result in additional traffic generation and further deterioration of the access route;
- vi. the proposal will constitute an unacceptable further continuation of industrial development at Warboys Landfill Site far in excess of the initial permission granted for 5 years for the tipping of waste;
- vii. the proposed development represents a dangerous precedent for potential expansion of the processes proposed which it would be more difficult to refuse;
- viii. the proposed development would pose unacceptable risks to human health and wildlife from emissions to air of hazardous chemicals;
- ix. the proposed development is likely to lead to noise pollution to the detriment of persons living nearby thereby adversely affecting their quality of life;
- x. the proposed development is likely to lead to odour pollution to the detriment of persons living nearby thereby adversely affecting their quality of life;

- xi. the proposed development is likely to lead to the escape of dust from the site which will affect the quality of life of nearby residents and contaminate the local environment;
- xii. the proposed access route to the site via Fenside Road is unsuitable for the additional traffic proposed;
- xiii. there is a likelihood of heavy goods vehicles and tankers queuing to enter the site before it opens in a morning either on local roads or laybys to the detriment of highway safety;
- xiv. there is a potential risk of contamination to the local environment from tankers carrying waste water to the site, either in the event of an accident or from spillages which could contaminate surrounding land;
- xv. the proposed operation of the site on a continuous basis throughout the year with the exception of a two week close down for maintenance will represent an intolerable intrusion into the quality of life of local residents from emissions, noise, odours and dust emanating from the site;
- xvi. insufficiently robust testing has been undertaken of the proposed waste water treatment process to assess its suitability and safety so close to dwellings and farmland;
- xvii. the companies established to manage the processes involved are newly established with no demonstrable experience or expertise in managing such plants safely; and
- xviii. the operation of the two treatment plants by separate companies will result in a blurring of responsibility in the event of future complaints and enforcement action by the regulatory authorities.

5.16 Warboys Parish Council's full representations (8 February 2018, 23 May 2018 and 30 May 2018 are Appendices 81, 82 and 83 to this report.

Wistow Parish Council

- 5.17 Objects to the application and recommends its refusal on the grounds set out below.
- i. the operation of the two treatment plants by separate operators only recently established with no demonstrable experience or expertise in managing such plants will result in a blurring of responsibility and accountability in the event of future complaints and enforcement action by the regulatory authorities;
 - ii. there has been insufficient testing undertaken of the proposed waste water treatment process to assess its suitability so close to dwellings and farmland;
 - iii. the proposed development is located too close to dwellings with a risk of harm to resident's health from emissions from the processes proposed;

- iv. the emissions from the proposed development could possibly contaminate the surrounding land which is used for the growing of crops as well as pasture for livestock with the possible risk of hazardous chemicals entering the food chain;
- v. the proposed development would pose unacceptable risks to human health and wildlife from pollutants released into the atmosphere;
- vi. the access route to the site via Fenside Road is unsuitable for the additional traffic proposed and could lead to HGVs and tankers queuing waiting in nearby roads and lay-bys. There is also a potential risk of contamination to the environment from tankers carrying waste water to the site, either in the event of an accident or from spillages which could contaminate the surrounding land;
- vii. the development proposed is likely to lead to noise, odour and dust pollution to the detriment of residents living nearby thereby adversely affecting their quality of life;
- viii. the proposal will constitute an unacceptable further continuation of industrial development at Warboys Landfill Site far in excess of the initial permission granted for 5 years for the tipping of waste at the adjoining landfill site;
- ix. that the proposed development represents a dangerous precedent for potential expansion of the processes proposed which it would be more difficult to refuse.

Ramsey Town Council

- 5.18 Fully support Warboys Parish Council in the objections put forward in the letter of 8 February 2018 and in particular the conclusions in section 10 of that letter. Several residents living in Hollow Lane, Ramsey will have direct line of sight and fallout from the proposed plant which will be more visible to many Ramsey residents than those of Warboys.

Chatteris Town Council

- 5.19 Support Warboys Parish Council and Ramsey Town Council in their objections to this application. Councillors were particularly concerned about the impact of the proposals on the A141 and the pollution which could affect the environment of Chatteris parish.

Pidley cum Fenton Parish Council

- 5.20 Strongly object to the application because the unknown toxins from the vapour are too dangerous to be located near residential dwellings. The additional traffic which will be generated is too much for the local infrastructure in the village. If the development is approved there should be a restriction routeing traffic onto the A141 and avoiding the village of Pidley.

Environment Agency

- 5.21 Has no objection in principle to the proposed development but has the following recommendations and informatives.
- 5.22 Environmental permitting - The proposed operations will require an environmental permit. Any permit issued will contain appropriate limits on emissions to the environment and conditions relating to amenity impact such as noise and odour. The applicant has provided an assessment of impact to air quality from the proposed operations. Air quality impact will also be assessed during determination of an environmental permit. The operators must demonstrate that their activities can meet the appropriate air emission limits set in legislation; this has been considered as part of the Environmental Impact Assessment. It is noted that 6 emission points to air from the waste water treatment process have been amended to 1 and the stack height increased to 17 metres [55.77 feet].
- 5.23 The re-routing of the discharge from the package treatment plant is acknowledged. The management of wood in the wood storage area should be included in a management system document. Management systems and operational procedures are also a requirement of environmental permits.
- 5.24 Groundwater & contaminated land - This site is located above an Oadby Till diamicton. Oadby diamicton are superficial sands, gravels, silts and clays that are heterogeneous by nature. This cannot be determined as impermeable due to its heterogeneity, and will likely provide a pathway. This is underlain by Oxford Clay mudstone, an unproductive impermeable bedrock. The closest surface water receptor is a land drain 25 metres [82.02 feet] north. The former site use is considered potentially contaminative but the applicant has demonstrated that the site does not present any significant contamination.
- 5.25 The proximity of the permitted landfill presents a risk of gas migration to the development site. Insufficient gas risk assessment has been undertaken. Gas protective measures are likely to be required and should be incorporated into the design. Planning permission could be granted for the proposed development as submitted if planning conditions are imposed requiring the developer to implement mitigation measures for maximum gas concentrations.
- 5.26 The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration sustainable drainage systems (SuDS). Development should not begin until a scheme for surface water disposal has been approved. Infiltration systems should only be used where it can be demonstrated that they will not pose a risk to groundwater quality.

Public Health England

- 5.27 *Point source emissions to air* - Dispersion modelling (using an Atmospheric Dispersion Modelling System) has been used to predict the resulting ground level pollutant concentrations (including particulate matter, NO_x, SO₂, and heavy metals), due to emissions from the 25 metre [82.02 feet] singular stack [for the combustor]. The resultant predicted environmental concentrations were assessed as unlikely to

be significant. Therefore, emissions to air are not expected to cause any significant impact to human health. In addition, the site doesn't lie in or in the vicinity of any Air Quality Management Areas.

- 5.28 Increased traffic as a result of the site's operations has not been considered in terms of impact on local air quality. An accident management plan is not included within the application. As flammable waste will be accepted onsite and there is a materials recycling facility located adjacently, the planning authority may wish to ensure that appropriate consideration is given to the implementation of an accident prevention and management plan including a fire prevention plan to minimise any potential public health impacts in the event of a fire incident.
- 5.29 Recommend that the planning authority should consider the need for the applicant to develop an accident prevention and management plan that:
- Identifies all the potential hazards in relation to all of the proposed operations;
 - Assesses the risk associated with the hazards (e.g. fire) (including an assessment of the potential impact on human health, e.g. on local residents; and
 - Identifies the measures to prevent or mitigate the risks.

The planning authority may wish to consider whether they are content that potential impact(s) on local air quality from all activities on site, including emissions from increased traffic flows, have been appropriately considered.

- 5.30 In relation to potential risk to public health it is recommended that the planning authority also consult the following relevant organisation(s) in relation to their areas of expertise:
- the Local Authority environmental health department for matters relating to contaminated land, odour, dust and other nuisance emissions;
 - the Food Standards Agency (FSA), where there is the potential for deposition on land used for the growing of food crops or animal rearing; and
 - The Director of Public Health for matters relating to wider public health impacts.
- 5.31 Summary: assessment of potential impact to public health - The main concerns in relation to potential impact on public health are emissions to air from the stack during the operation. Providing that the planning authority is satisfied that the installation will not contribute to a significant increase in local air pollution, there is unlikely to be a significant impact on public health from this installation.

Food Standards Agency - No comments received.

Director of Public Health (CCC)

- 5.32 Public Health England (PHE) are the national technical experts on the health impact of the above facilities and have already formally responded to the consultation. The County Council agree with the response from PHE and have no additional comments

from a local perspective. In addition the facility, if granted permission, will be subject to the environmental permitting regime which is regulated by the Environment Agency to monitor compliance with emission limit values for a range of pollutants and as such both PHE and the County Council will be consulted on the application for that permit.

- 5.33 Other public health issues of local relevance to this application include potential pollution from noise, dust and light. These are the responsibility of the relevant district council (Huntingdonshire District Council) under the Environmental Protection Act and associated legislation. It is noted that Huntingdonshire District Council have responded about possible adverse impacts due to pollution from noise, dust and light, and impacts on local air quality.

Ramsey First (Hollow) Internal Drainage Board (IDB) - No comments received.

Natural England

- 5.34 As [originally] submitted, the application could have potential adverse effect on Warboys and Wistow Woods SSSI. Further information is needed in order to determine the significance of these impacts and the scope for mitigation:
- Further assessment of the potential air quality impact of the proposed development on the sensitive ancient woodland habitat and associated fauna of the SSSI;
 - Identification of appropriate mitigation measures to address predicted adverse impacts to the nationally designated site and its notified features.
- 5.35 Based on the additional information submitted as part of the ES, Natural England considers that the proposed development will not damage or destroy the interest features for which the Warboys & Wistow Wood SSSI has been notified and has no objection. The areas of notified geological interest must be protected from development and access to them maintained at all times. Subject to detailed plans being submitted to demonstrate that no tree planting will occur I be allowed to encroach on these areas, Natural England does not raise any objection to the proposed development, including the tree screen planting.

County Wildlife Trust (no response to May 2018 re-consultation)

- 5.36 Has concerns over two aspects in particular of the ecological impacts of the proposal - air quality impacts and great crested newt mitigation - further information and advice from Natural England is needed with regards to these before the application can be determined.
- 5.37 The Air Quality Assessment concludes that there would be minor adverse impacts on nearby ecological sites, including Warboys and Wistow Wood SSSI, and the Wildlife Trust nature reserve (and County Wildlife Site) Pingle Wood and Cutting. Any effects on the botanical communities (e.g. changes in species from additional nitrogen deposition) would negatively affect the features of interest at these sites, and therefore result in a net loss in biodiversity. It is not clear from the current information provided whether this type of impact can be avoided or (a less preferred option) appropriately mitigated for. Clarification is needed on this point, and I

understand Natural England is able to provide specialist advice on the air quality impacts on the SSSI (which are likely to apply to the CWS as well), so their advice should be sought before a decision can be made.

- 5.38 With regards to great crested newts, the proposals would affect an existing great crested newt mitigation/receptor area, which could affect existing planning requirements. The current proposed mitigation strategy must be acceptable to Natural England as an alternative to ensure previous planning obligations can still be met. Again, advice should be sought from Natural England on this issue. The Wildlife Trust may wish to comment in detail once Natural England's views are known.

Campaign to Protect Rural England (CPRE)

- 5.39 CPRE objects to this application for the following reasons:

(1) The effect on the landscape will be significant. There will be a process building of 40m x 18m x 9m, with 6 flues rising 3m above the roofline. In addition there will be the store building and office building, all making for a bulky, intrusive presence on the flat fenland landscape.

(2) While it is hoped that the plant will be operated to the highest standards and be monitored by the licensing authority, we are nevertheless concerned that, should polluting emissions occur, there would be a damaging effect on the nearby Warboys Claypit Site of Special Scientific Interest (SSSI) and Warboys and Wistow Wood SSSI.

(3) The applicant specifies there will be low level lighting for internal roads and pavements provided throughout the site. Nevertheless we are concerned that there will be light spillage into the countryside because of the proposed operation of the plant for 24 hours a day for 50 weeks of the year.

(4) The operation of the plant will require 16 deliveries of waste wood and waste water by 24 tonne HGVs or 27 tonne tankers each day, plus two deliveries per week of chemicals. There will be a further three HGVs per week removing ash and solid residue off the site. We seriously question whether the access road is suitable for this amount of traffic.

- 5.40 (In response to the May 2018 re-consultation) raises significant concerns about the potential impacts of polluting emissions on air quality and especially about the effect of deposition on soil in the surrounding area where there is likely to be a long-term build-up of concentration in the soil resulting in an increasing rate of take up by crops. We are concerned that this build-up will in time cause damage to local flora and fauna, with potential polluted run-off into watercourses and groundwater, as well as a potential health risk to those, human and animal, consuming the crops.
- 5.41 Should the council be minded to approve the application, a condition should be applied that emission of pollutants be rigorously monitored and preferably such monitoring should include continuous monitoring of the stack emissions with built in alerts of potential non-compliances.

British Horse Society (BHS)

- 5.42 Does not object to the planning application in principle but does object to the fact that no consideration of the needs of local horse riders has been acknowledged or taken into consideration by the applicant.
- 5.43 Fenside Road is a narrow fen road and is used to access bridleways 245116, 245117, 245118 and 245119. Unexpected noises can startle horses. Horse riders use the transport network throughout the day with many riders using the routes before work in the morning, after work in the evening and both days at the weekend. The Transport Assessment has completely ignored these rightful users with the proposed increase in traffic during early morning, weekday evenings and significantly,
- 5.44 The BHS recognises that there is a limit to what is within the gift of the planning authority in requiring applicants to address matters but considers that the applicant should be required to consult with local riders, the BHS and Warboys Parish Council to find a solution to mitigate the increased danger from increased traffic which will be faced by equestrians (and other rights of way users) before planning permission is granted. Suggestions include speed limits, Give Way to Horses signs, non-motorised user crossing of Fenside Road to the bridleway, search for alternative off road access, up-grade of existing footpaths to bridleways, creation of new rights of way using Section 106 1 CIL money from the housing development should all be considered.

Warboys Landfill Action Group (WLAG)

- 5.45 Object to the proposed development. The application is not consistent with the development plan and that it follows there is a need for the applicants to justify the need for the application and to demonstrate consistency with the waste hierarchy. They have not done so and there is a serious risk that the application would mean overprovision of capacity low in the waste hierarchy which would undermine material recovery/recycling, particularly of Grade B wood and/or increase transport distances unreasonably.
- 5.46 Furthermore the intensification of industrial development in the site at Puddock Hill would be harmful to the quality of local environment. There are no overriding considerations which would justify the approval of the development and it is recommended that it should be refused.
- 5.47 Concerns are also raised about, amongst other things, the impact of emissions to air on human health, the impact of the HGV traffic on the local road network and visual impact. Attention is drawn to the large number of letters from local residents which in WLAG's view indicates the level of anxiety within the community about the proposed development. WLAG's full representations (1 February 2018, 9 February 2018, 3 June 2018 (Alan Watson) and 3 June 2018 (Betty Ball) are Appendices C1, C2, C3 and C4 to this report.

Fire and Rescue Service

- 5.48 Ask that if the application is approved, it be subject to a condition to secure the provision of emergency water supplies.

Cambridge Airport

- 5.49 No objection to the proposed development.

CCC Transport Assessment Team

- 5.50 Junction Capacity Assessment Results - It is acknowledged that Fenside Road is used by horse riders as a means of access to bridleways 245116, 254117, 245118 and 245119. As the proposed development will increase vehicle movements on Fenside Road by 4 HGV movements per hour, it is concluded the development will not cause detriment to the safety of riders.

- 5.51 A capacity assessment has been undertaken for the Fenside Road A142 priority junction. The latest version of PICADY software; Junctions 9 has been used. The junction assessment does not underline any capacity issues at the junction. The Transport Assessment Team are therefore satisfied with the capacity assessment submitted.

- 5.52 The application is not expected to have any significant impact on the local highway network. Therefore the Highway Authority does not wish to object to the application as submitted.

CCC Highways Development Management

- 5.53 Previously the site has seen much higher traffic generation to that now proposed. Fenside Road is a single track road with passing places along its length which is a recognised and accepted form of highway infrastructure especially in rural locations. Apart from occasional maintenance intervention there have been no reported issues relating to the road or junctions. There is ample forward visibility to allow approaching vehicles to see each other and utilise the passing bays without issue.

- 5.54 The junction of Fenside Road and the A141 has seen a greater number of vehicle movements than that proposed within this application. There have been no reported accidents at this junction over the past 6 years, indicating there is not an issue with the use of this junction. The required visibility for the Fenside Road - A141 junction is 2.4 metres x 215 metres and is achievable within land under the control of the highway authority. Currently the visibility is restricted slightly due to hedge and tree overgrowth. Hedge and boundary overgrowth will be dealt with by the highway authority as necessary

- 5.55 Given the modest additional 38 movements per day (4 per hour) it would not be justified or reasonable to request the provision of a right turn facility at the Fenside Road - A141. Forward visibility for vehicles approaching the junction of Fenside Road from a south westerly direction along the A141 is to standard and allows ample time to slow and wait for a right turning vehicle to make the manoeuvre.

- 5.56 It is noted that the applicant is agreeable to entering into an agreement in relation to routing of vehicles associated with the site and this should be secured by a 106 agreement.

Peterborough City Council Wildlife Officer

- 5.57 Designated Sites: It is noted that additional mitigation measures are now proposed in relation to Warboys & Wistow Wood SSSI, Warboys Clay Pit SSSI and Pingle Wood and Cutting County Wildlife Site which include the installation of a single combined stack of an increased height of 17 metres [55.77 feet]. The impacts of all pollutants are considered to be insignificant. It is noted that Natural England has removed its objection to the scheme based on these revised details. It is recommended that all mitigation measures relating to air quality be secured by condition.
- 5.58 In addition a new soil bund with native hedging screen¹ shelterbelt is proposed along the southern and western [landfill] site boundaries. Full planting details should be
- 5.59 Protected Species: Great Crested Newts (GCN) - The proposal would result in the loss of four ponds and 0.88 hectare of semi-natural habitat which currently supports a medium meta-population of GCN. In addition it should be noted that the application site forms part of a previous GCN receptor site. The submitted GCN Mitigation Strategy sets out a detailed approach to protecting GCN from harm with a translocation of all animals to a nearby receptor site (adjacent to clay storage area), along with the creation of new ponds and enhancement of another pond and scrub habitat and provision of additional hibernacula. A demonstration that the "three tests" have been met is also helpfully provided.
- 5.60 It is noted that the revised ES Ecology chapter seeks to address concerns previously raised, including in relation to the number of days of proposed trapping and the amount of new compensatory ponds¹ habitat to be created. The revised GCN Mitigation Strategy [August 2018] fully addresses previous concerns and can therefore be referred to as an approved document.
- 5.61 Bats: No potential bat roosts are expected to be impacted upon by the proposal, however potential bat foraging and commuting habitat is likely to be lost. The proposed habitat creation¹ enhancement measures appear adequate to offset such impacts.
- 5.62 Breeding Birds: The proposal involves the removal of vegetation which is likely to support nesting birds during the nesting season (1 March to 31 August). It is recommended that a suitably worded condition be attached requiring the avoidance of such site clearance works during this period, or where this is not possible, that a suitably qualified ecologist first carries out a survey to establish that nesting birds are not present or that works would not disturb any nesting birds.
- 5.63 Reptiles: No reptile surveys have been carried out, however the site provides suitable habitat to support numbers of common reptile species. The applicant proposes to translocate any reptiles as part of the great crested newt mitigation

scheme, which in this instance would appear to be an acceptable approach in ensuring the safeguarding of any reptiles found.

- 5.64 Other matters are satisfactory including justification for inclusion of non-native species in the landscaping scheme, plus revision to programme of works timetable, pond profile details and number of trapping days in the revised GCN Strategy.

CCC Flood and Water Team

- 5.65 No objection in principle. The proposed drainage strategy includes the use of below ground attenuation and a final discharge rate of 5l/s into the adjacent watercourse. The detailed design should include detailed hydraulic modelling to take account of the additional discharge from the water treatment plant to ensure that there is sufficient capacity in the system. A condition requiring the submission of a surface water drainage scheme, based on sustainable drainage principles should be imposed.

CCC Historic Environment Team

- 5.66 No objection is raised but recommend that a lasting record be made of the cultural heritage assets that were once present at the site. These are to do with the former 19th century Warboys brickworks (Cambridgeshire Historic Environment Record ref. MCB23001), Royal Naval Armaments Depot (MCB15167) and railway station (MCB22410). A desk-based study of documentary and records research should be undertaken of these assets and compiled in an illustrated report as a lasting record of this employment and industrial site. Should significant areas of these former sites be subject to destruction through development, a phase of limited fieldwork may be required to examine such remains prior to their destruction. The site should be subject to a programme of archaeological investigation secured through the inclusion of a planning condition.

Individual representations

- 5.67 Representations have been received from approximately 470 local residents, Shailesh Vara MP and Warboys Community Primary School. All but one object to the proposed development and/or have expressed concerns about one or more element of it. The most frequently cited objections relate to:

- Air pollution and impact on human health
- Air pollution and impact on natural environment and farmland
- Contaminated leachate from the landfill site
- Traffic volume
- Condition of Fenside Road and junction with A141
- Impact on horse riders and pedestrians
- Visual impact
- Impact on wildlife including great crested newts
- Noise
- Odour
- Dust

- Light pollution
- Risk of accidents at the site and on the road network
- Lack of need
- Leachate treatment process is untested technology
- Amount of energy exported to the National Grid minimal
- Different operators will make it difficult for the regulators to enforce
- Jobs will not be for locals and require people to travel into the area
- Lack of technical information provided by the applicant.
- Applicants' lack of experience
- Decision-makers' lack of experience
- Other development will follow and be hard to refuse
- Effect on house prices and loss of house sales
- Lack of consultation

A full copy of all the representations will be placed in the Members' lounge at least one week before the meeting.

6.0 PLANNING HISTORY (extant permissions in bold)

Landfill

- 6.1 H10477193 - restoration of Warboys Clay Pit by the controlled landfilling of waste granted 10102194
Permission was granted for the disposal of non-hazardous waste following the completion of a legal agreement which included a lorry routing agreement, ecological management and creation of new geological conservation faces. A condition required landfilling to cease by 31/12/99.
- 6.2 H11420196 - variation of condition 2 of H10477193 granted 24102197
Extended the date by which landfilling must cease from 31/12/99 to 31/12/08.
- 6.3 **H/1105/99** - leachate and landfill gas control measures granted 2310312000
Permits the installation of gas collection pipework, gas management plant and flare stack and a leachate storage tank and pre-treatment facility which were required by
- 6.4 H112291011CW - temporary storage of overburden granted 06111101
Allowed the storage of overburden on a field adjacent to the landfill area until 31/12/08. The overburden is required for covering and capping the landfill. Also permitted the creation of a balancing pond to reduce the level of suspended solids in surface water run-off from the site before discharge.
- 6.5 H1050351031CW - Disposal of hazardous waste refused 28105104
The developers lodged an appeal but subsequently withdrew it during a public enquiry in 2005.
- 6.6 H150071081CW - variation of condition 2 of H11420196 granted 510812008
Extended the date by which landfilling must cease from 31/12/08 to 31/12/2011.
- 6.7 H150091081CW - variation of condition 2 of H112291011CW granted

Extended the date by which the overburden storage area must be restored from 31/12/2008 to 31/12/2011.

- 6.8 H1050301091CW - extension of landfill site granted 1210412010
Allowed extension of the void for depositing non-hazardous waste. Condition 2 requires the site to be restored by 31/12/2016 and landfilling to have ceased by 31 December 2015.
- 6.9 H1050141111CW - variation of condition 1 of H150091081CW granted 2210112012
Extended the duration of the overburden storage area from 31/12/2011 to
- 6.10 **H/5012/15/CW** - variation of condition 2 of H1050301091W granted 1210712016
Extended the date by which landfilling must cease and the site be restored by 2
- 6.11 **H/5014/16/CW** - variation of condition 1 of H150141111CW granted 0910212017
Extended the duration of the overburden storage area from 31/12/2016 to
- Waste
- 6.12 H10560196 - waste transfer station granted 13109196
Allowed the sorting, processing and storage of waste within and adjacent to the former brickworks building. A condition required the use to cease by 31/12/99.
- 6.13 H10476197 - variation of condition 1 of H10560196 granted 13109196
Extended the date by which use of the waste transfer station must cease from 31/12/99 to 31/12/08.
- 6.14 H150081081CW - variation of condition 1 of H10476197 granted 510812008
Extended the date by which the use of the waste transfer station must cease from 31/12/2008 to 31/12/2011.
- 6.15 H1050131111CW - variation of condition 1 of H150081081CW granted 2210212012
- 6.16 **H/05016/12/CW** - Construction and operation of a materials recovery facility, offices and ancillary development granted 1910412013
Replaced the temporary waste transfer station with a purpose-built facility.
- 6.17 **H/5007/14/CW** - Variation of condition 12 of H1050161121CW
Extended the hours during which HGVs directly associated with the skip hire business may enter and leave the site.

7.0 PLANNING POLICY

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The

relevant policies from the development plan are set out in paragraphs 7.3 - 7.5 below.

- 7.2 The National Planning Policy Framework (July 2018), the National Planning Policy for Waste (October 2014), the Overarching National Policy Statement for Energy (EN-1) (July 2011), the National Policy Statement for Renewable Energy Infrastructure (EN-3) (July 2011) and Planning Practice Guidance (PPG) are also material planning considerations.

- 7.3 Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy Development Plan Document (adopted July 2011) (the MWCS)

CS2 - Strategic Vision and Objectives for Sustainable Waste Management Development
CS14 - The Scale of Waste Management Provision
CS15 - The Location of Future Waste Management Facilities
CS18 - Waste Management Proposals Outside Allocated Areas
CS22 - Climate Change
CS24 - Design of Sustainable Minerals and Waste Management Facilities
CS29 - The Need for Waste Management Development and the Movement of Waste
CS30 - Waste Consultation Areas
CS32 - Traffic and Highways
CS33 - Protection of Landscape Character
CS34 - Protecting Surrounding Uses
CS35 - Biodiversity and Geodiversity
CS36 - Archaeology and the Historic Environment
CS38 - Sustainable Use of Soils
CS39 - Water Resources and Water Pollution Prevention

Cambridgeshire and Peterborough Minerals and Waste Development Plan Site Specific Proposals Development Plan Document (adopted February 2012) (the MWSSP)

SSP W8 - Waste consultation areas

- 7.4 Huntingdonshire Local Plan (adopted December 1995) (the HLP)

En12 Archaeological recording
En17 Development in the countryside
En22 Nature and wildlife conservation
En23 Protection of designated wildlife sites
En25 Design
CS8 Surface water and drainage

- 7.5 Huntingdonshire Core Strategy (adopted 2009) (the HCS)

CS1 - Sustainable development in Huntingdonshire

- 7.6 Supplementary Planning Documents

- The Location and Design of Waste Management Facilities (Adopted July 2011)
- The Cambridgeshire Flood & Water Supplementary Planning Document (adopted 14 July 2016)

7.7 Cambridgeshire County Council and Peterborough City Councils have started a review of the Minerals and Waste Development Plan which will be known as the Minerals and Waste Local Plan. It is currently at the first consultation stage in the form of the Minerals and Waste Local Plan Preliminary Plan (May 2018) so currently carries very little weight, if any. The MWCS and the MWSSP remain in force until the new Local Plan replaces them. Huntingdonshire District Council is currently preparing a Local Plan for the period up to 2036. The Proposed Submission is a material consideration but does not yet form part of the adopted development plan therefore it has limited weight.

8.0 PLANNING CONSIDERATIONS

8.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and how these are expected to be applied. At its heart is a presumption in favour of sustainable development (paragraph 11). It states that for decision-taking this means:

- *approving development proposals that accord with an up to date development plan without delay; or*
- *where there are no relevant development plan policies, or the policies which are most relevant for determining the application are out of date, granting permission unless:*

i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.

8.2 The National Planning Policy for Waste (NPPW) refers to the Waste Management Plan for England (published in December 2013). The NPPW sets out the national planning policies for waste development and is to be read in conjunction with the NPPF. It sets out the Government's continuing ambition to work towards a more sustainable and efficient approach to resource use and management including by driving waste up the hierarchy and minimising waste. This includes helping to secure the re-use, recovery or disposal of waste without endangering human health and without harming the environment and recognising the need for a mix of types and scale of facilities, and that adequate provision must be made for waste disposal. Paragraph 7 sets out specific considerations to be taken into account in determining planning applications. These include only expecting applicants to demonstrate the quantitative or market need for new or enhanced waste management facilities where proposals are not consistent with an up-to-date local plan; and ensuring that waste management facilities in themselves are well-designed, so that they contribute positively to the character and quality of the area in which they are located.

- 8.3 The National Policy Statements (NPS) referred to in paragraph 7.2 above set out national policy for energy infrastructure, primarily for decisions by the Infrastructure Planning Commission (IPC). They are also a material consideration in decisions made by local planning authorities. The main thrust of the NPS's is to help deliver the Government's climate change objectives by setting out the need for new low carbon energy infrastructure. Section 2.5 of the National Policy Statement for Renewable Energy Infrastructure (EN-3) deals with biomass and waste combustion.

The waste hierarchy and the management of waste

- 8.4 There is a raft of legislation, policy, and targets which seek to deliver more sustainable waste management. These drivers range from national to local and include European Union (EU) legislation (such as the Landfill Directive and revised Waste Framework Directive 2008/1981/EC); national policy (including Waste Management Plan for England 2013 and the NPPW 2014); and local planning policies (Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011, and Site Specific Proposals Plan 2012).
- 8.5 A common thread is the key mechanism for the delivery of sustainable waste management which is through the application of the waste hierarchy (see Figure 1 below). This is a guide in order of preference, from the top down, of sustainable waste management.



Figure 1: the Waste Hierarchy

- 8.6 At a strategic level, in order to deliver more sustainable waste management there is a need for new facilities to drive waste management up the waste hierarchy. A CHP facility falls in the category 'other recovery' and thus diverts waste up from the last category of 'disposal' (i.e. landfill or incineration without energy recovery). It is desirable to move waste as far as possible up the waste hierarchy but this is not always practicable if the facilities to do this do not come forward in suitable locations; moving waste up the hierarchy even by one 'step' is preferable to leaving it to be disposed of.
- 8.7 The need for a CHP facility can be measured not just in terms of delivering more sustainable waste management, but also in terms of its contribution to renewable energy generation (offsetting the need for fossil fuel in power generation), and climate change objectives (by preventing greenhouse gas emissions from landfill). The biomass CHP and the waste water treatment plant are interlinked. The biomass CHP would treat pre-shredded wood waste but also give rise to steam which would

be used to evaporate the waste water (primarily landfill leachate) in the water treatment plant. This plant would treat 1,200 litres 1 1.2 tonnes of waste water per hour (65,000 tonnes per annum). The rest of the steam would be used to generate renewable energy which would be exported to the grid. Overall 1.5 MW of electricity and 16.8 MW of thermal energy (heat) would be generated, with 1.2 MW of electricity being exported to the national grid, and 0.3 MW retained to power site operations.

- 8.8 Again there is a raft of legislation which serves to drive these objectives at a European and national level. This includes the UK's renewable energy generation targets derived from the EU Renewable Energy Directive which seek to achieve 15% of total energy generation from renewable sources by 2020; and the Climate Change Act which sets a target to reduce CO2 emissions by 80% by 2050). NPS EN-3 paragraph 2.5.2 states that:

"The recovery of energy from the combustion of waste, where in accordance with the waste hierarchy, will play an increasingly important role in meeting the UK's energy needs. Where the waste burned is deemed renewable, this can also contribute to meeting the UK's renewable energy targets. Further, the recovery of energy from the combustion of waste forms an important element of waste management strategies in both England and Wales.2

- 8.9 There are therefore significant strategic objectives and drivers which support the provision of CHP facilities which can contribute to the sustainable management of waste and the achievement of climate change and renewable energy objectives. The Clean Growth Strategy (16 April 2018) clarifies that the UK Government supports technologies which contribute towards the UK achieving its renewable energy obligations, cutting greenhouse gas emissions, and working towards the ambition for zero avoidable waste by 2050; maximising the value we extract from our resources, and minimising the negative environmental and carbon impacts associated with their extraction, use and disposal. This will link to a new Resources and Waste Strategy to make the UK a world leader in terms of competitiveness, resource productivity and resource efficiency;
- 8.10 At the local level when a planning application for a new CHP facility comes forward national planning policy in the NPPW makes it clear that a demonstration of need is not required unless proposals are not consistent with an up to date development plan (NPPW, paragraph 7). However, notwithstanding this, if need can be shown then this can be taken into account as a material planning consideration, along with other material factors, in reaching a decision on a proposal.
- 8.11 The proposal is to deal with 48,000 tonnes per annum (tpa) of wood waste and to treat 65,000 tpa of waste water. It is proposed that, subject to contract, the wood waste from the adjacent Warboys MRF would be diverted to the CHP plant. This would account for approximately one third of the proposed input. This wood waste is currently sent to biomass facilities in Scotland and Yorkshire which have renewable energy recovery (Source: Telephone conversation with Mark Farren, Woodford Waste Management). Accepting this waste would not drive it further up the waste hierarchy but it would lead to far more proximate management of waste, which in turn brings benefits such as significantly reduced transport and which goes towards meeting other sustainability objectives.

- 8.12 The other two thirds of the wood waste would be drawn from within a catchment area of 30 miles (48.28 kilometres). The applicant has been unable to provide information on what proportion would be grade B and grade C waste and has stated that it would be delivered in mixed loads. If this material would otherwise be going to disposal facilities, using it to fuel a CHP plant would move it from the bottom of the waste hierarchy. If it would be going to a renewable energy facility it would, like the wood from the Warboys MRF, be neutral in terms of the waste hierarchy but potentially reduce transport impacts. If the grade B wood had been removed at source and would otherwise be recycled e.g. to produce chipboard and other products, diverting this waste to the proposed CHP facility would result in it moving down the waste hierarchy.
- 8.13 The proposed facility would also treat waste water including leachate arising from the adjacent Warboys landfill site. The application states that this would be 844 tonnes per annum which would be approximately 1% of the plant's total throughput. Currently, the leachate is being recirculated within the landfill site so none is being exported for treatment. Previously it has been sent to a facility at Avonmouth for treatment (Source: Telephone conversation with Mark Farren, Woodford Waste Management). Over the years the amount of leachate being generated by a landfill site decreases. It is considered that the amount of leachate that would be sourced from the adjacent landfill site would be so small as to have little significance in the context of the project as a whole.
- 8.14 It is proposed that the waste water throughput would be drawn from the local area i.e. from within a 30 mile (48.28 kilometres) catchment area. Depending on where it is currently sent it would result in a more proximate management of waste, and thereby would contribute towards wider sustainability objectives.
- 8.15 The local need for waste management facilities is identified in local plans (previously termed development plan documents), which are in this instance produced by the County Council as the waste planning authority. The adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011 sets out the level of provision that was forecast to be needed up to 2026 and the associated Site Specific Proposals Plan 2012 made allocations which carried forward the need that was identified through the Core Strategy.
- 8.16 The adopted MWCS sets out the overarching principle i.e. that waste should be considered and treated as a resource. MWCS policy CS2 states: *'the value of 'waste' as a resource will be recognised, and a network of different types of facilities will be developed over the Plan area. This network will manage the wide range of waste arising from the Plan area, contributing to the self-sufficiency of the wider area.'*
- 8.17 MWCS policy CS2 sets out the County Council's Strategic Vision and Objectives for Sustainable Waste Management Development. In the context of need, this policy outlines the high level of growth that will take place over the plan period which needs to be supported through sustainable waste management. The vision is for the provision of a network of facilities to meet the forecast requirements and it allows for these to be standalone or co-located in modern waste management eco-parks, capitalising on the synergies between different types of waste management

techniques. It acknowledges that a flexible rather than prescriptive approach will be taken in regard to the types of waste management technology suitable for different waste management sites, and that indicative uses will be suggested.

- 8.18 MWCS policy CS2 also supports operational practices which would contribute towards addressing climate change and MWCS policy CS22 requires proposals to set out how this will be achieved. This includes through the limitation of greenhouse gases (e.g. through the diversion of waste from landfill); the use or opportunities to generate energy from waste (e.g. MW per annum); and emissions reduction measures based on the principles of the energy hierarchy, shown in figure 2 below (e.g. through the supply of energy).

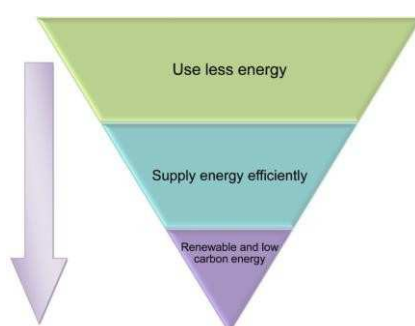


Figure 2: The Energy Hierarchy

- 8.19 MWCS policy CS14 - The Scale of Waste Management Provision sets out the forecast waste arising over the Plan period to 2026. This is summarised below for the period 2011 to 2026.

<u>TABLE 1: CORE STRATEGY ESTIMATED WASTE TO BE MANAGED 2011 TO 2026 (MILLION TONNES)</u>				
Waste Type	2011	2016	2021	2026
Municipal	0.513	0.541	0.570	0.598
Commercial & Industrial (C&I)	1.326	1.531	1.777	2.053
Construction, Demolition & Excavation (C,D&E)	2.719	2.825	2.908	2.985
Hazardous	0.045	0.049	0.049	0.049
Agricultural	0.243	0.181	0.181	0.181
Imported non-hazardous waste for	0.308	0.166	0.166	0.166

disposal				
TOTAL	5.154	5.293	5.651	6.032

- 8.20 In forecasting the waste arising and making provision for the resulting scale of waste management provision required, various assumptions were made around targets for different waste streams. Fundamental to this is the principle of 'net self-sufficiency', in that the Plan seeks to make provision to manage the amount of waste which will be arising in the Plan area, albeit that it is recognised that this provision will be an 'equivalent' figure as in reality waste moves across artificial boundaries such as local authority areas.
- 8.21 In terms of the waste which has arisen over the period 2011 to 2016, the following information has been drawn from the Environment Agency's Waste Data Interrogator (WDI). Reliable waste data is notoriously difficult to obtain, especially for the Commercial and Industrial (C&I) waste stream that the proposed CHP facility would deal with, and even the data from the WDI is subject to discrepancies. Nonetheless, the data below suggests that the amount of waste arising is less than that which was forecast in the Core Strategy. The reasons for this are not known, but the recent recession may be one factor.

TABLE 2: COMPARISON OF CORE STRATEGY AND EA WDI WASTE ARISING ESTIMATES FOR 2016 (MILLION TONNES)		
Waste stream	Core Strategy	EA WDI (% of CS)
Municipal	0.541	0.426 (79%)
C&I	1.531	0.663 (43%)
CD&E	2.825	1.501 (53%)
Hazardous	0.049	0.044 (90%)
Imported HIC waste for disposal to non-hazardous landfill	0.166	0.354 (213%)

- 8.22 Existing estimated waste management capacity (2016) for permitted facilities is set out in the County Council's Aggregate and Waste Monitoring Report (Cambridgeshire County Council, May 2018). Current energy from waste and thermal treatment facilities have an estimated capacity of 0.13 million tonnes per annum (mtpa); mechanical biological treatment facilities or similar an estimated capacity of 0.1 mtpa; composting 0.3 mtpa, and Materials Recycling Facilities a capacity of 0.8 mtpa. The proposed facility would bring forward additional capacity for the treatment of the waste from the C&I waste stream. It would potentially divert such waste from landfill, and move it up the waste hierarchy whilst also generating renewable energy and mitigating against climate change. This is consistent with the need for more waste management facilities in order to achieve objectives, targets and requirements set out in international, national and local policy. If it treats waste which is arising locally it will also husband the landfill resource of the local area, reducing the input rate to non-hazardous landfill sites.
- 8.23 MWCS policy CS29 concerns the need for waste management development and the movement of waste. This policy states:

'Proposals for new waste management development or an extension of existing waste development will be permitted where they meet a demonstrated need within Cambridgeshire and Peterborough. To ensure that excessive provision is not made within the Plan area, which could result in unacceptable importation of waste, planning permission will be dependent upon applicants entering into binding restrictions on catchment area, tonnages and / or types of waste. Permission may be granted for waste development involving the importation of waste from outside the Plan area where this is demonstrated to maximise recycling and recovery of waste materials and be the most sustainable option, taking into account the principle of self-sufficiency, the Regional Spatial Strategy [this has since been revoked], proximity to the point of waste arising, and the waste hierarchy.'

- 8.24 The MWCS and MWSSP are currently being reviewed. This process will take around 3 years to complete, and the preliminary stage commenced with a public consultation between 16 May and 26 June 2018. Supporting the Minerals and Waste Local Plan Preliminary Draft Document were a number of papers, including a Waste Needs Assessment. This document proposed a worked through methodology for calculating future waste needs over the period to 2036. However, given the early stage in the plan preparation process very little weight, if any, can be given to this document; it was itself subject to representations, and may therefore be revised prior to publication of a Draft Local Plan in spring 2019. The need for the development therefore has to be considered, in local terms, against the adopted MWCS and MWSSP.
- 8.25 In the context of MWCS policy CS29, the proximity principle and catchment restrictions are matters which are considered further below (see paragraphs 8.34 and 8.35). In relation to the initial part of the policy i.e. the need for the proposed facility; this has been considered above. It is concluded that proposed CHP and waste water treatment facilities would contribute to European, national and local objectives in relation to moving up to 48,000 tpa of waste wood and up to 65,000 tpa of waste water up the waste hierarchy. At the same time it would contribute to wider objectives and policies in respect of the generation of renewable energy and the mitigation of climate change.
- 8.26 It is considered that there is a demonstrable need for the proposed facility. However, it is acknowledged that, especially in the context of compliance with the waste hierarchy, this conclusion has been reached on the basis that that the proposed facility will process some wood waste which is currently going for disposal. If it diverts wood waste to the proposed facility that is currently being sent to recycling facilities i.e. grade B wood waste which is being used for making products such as panel board then it would prejudice the movement of the wood waste up the waste hierarchy. This would then have to be balanced against the achievement of other sustainability objectives, such as the more proximate management of waste if this was the case.

Spatial Strategy and the location of waste management facilities

- 8.27 The proposed development site is within the waste consultation area (WCA) for Warboys landfill site and the MRF (site W1V Puddock Hill, Warboys). SSP policy SSP W8 and MWSC policy CS30 are therefore relevant. WCAs have been identified

around existing sites which make a significant contribution in managing waste in Cambridgeshire and Peterborough and allocate sites. Their purpose is to protect the waste management sites from incompatible development which would make it difficult to undertake the permitted waste management functions. Industrial uses and other waste management operations would be unlikely to prejudice waste management uses therefore the proposed development would comply with policies SSP W8 and CS30.

8.28 HLP policy En17 relates to development in the countryside and states that development outside defined village environmental limits will be restricted to that which is essential to the efficient operation of local agriculture, horticulture, forestry, permitted mineral extraction, outdoor recreation or public utility services. Although the proposed development does not meet any of these criteria it is considered that the more recent MWCS should be given more weight. The proposed development site is not allocated in the adopted MWSSP. It is adjacent an allocation for waste recycling and recovery made by policy SSP W1V at Puddock Hill. This allocation has been taken forward through the provision of the MRF operated by Woodford Recycling Ltd. As the proposal is not on an allocated site it falls to be considered under a number of policies in the MWCS.

8.29 MWCS policy CS18 deals with proposals which fall outside allocated areas. This states that:

'Proposals for waste management development outside allocated areas will be considered favourably where:-

- *this is consistent with the spatial strategy for waste management, and*
- *it can be demonstrated that they will contribute towards sustainable waste management, moving waste up the waste hierarchy*

Waste recovery and recycling facilities may be permitted where they are:

- a. for on-site management of waste*
- b. on land identified for general industrial use*
- c. co-located with complementary activities (including existing permanent waste management sites)*
- d. on previously developed land*
- e. on farm holdings to facilitate agricultural waste recycling*
- f. within a medical or research institution which is generating waste (bio-medical, research and clinical waste only)*
- g. in strategic development areas*
- h. at inert landfill sites (inert waste recycling only).*

8.30 The spatial strategy and the location of future waste management facilities is also addressed in MWCS policies CS2 and CS15. Policy CS2 sets out the Strategic Visions and Objectives of the County Council's waste management planning policy, and seeks to deliver sustainable waste management through:

- a 'new generation' of facilities which will achieve higher levels of waste recovery and recycling in line with the relevant targets

- a network of facilities across Cambridgeshire and Peterborough, both stand alone, but also co-located in modern waste management 'eco-parks' which capitalise on the synergies between different types of waste management techniques, and provide a place for exemplar activities and new technologies to be developed
- the value of 'waste' as a resource will be recognised, and a network of different types of facilities will be developed over the Plan area. This network will manage the wide range of wastes arising from the Plan area, contributing to the self-sufficiency of the wider area.
- a flexible rather than prescriptive approach will be taken in terms of the types of technology suitable on different waste management sites. Indicative uses will be provided, and co-location of uses will be encouraged. Scope will also be made for new technologies to be accommodated.

Strategic Objectives support the strategic vision, and the following are considered most relevant in the context of the location of new waste management facilities:

- to develop a network of waste management facilities which will be located having regard to climate change, and key factors including the location and amount of waste arising, and minimising the of movement of waste
- to contribute to ensuring self-sufficiency of the wider area in the management of waste, and to seek self-sufficiency within the Plan area where practical and in accordance with the proximate management of waste
- to encourage waste management practices which do not incur unacceptable adverse impact on the local and global environment or endanger human health in Cambridgeshire and Peterborough
- to encourage waste management practices which minimise, counter (through off-set arrangements), or eliminate contributions to climate change, including the minimisation of greenhouse gases
- to allow scope for new technology and innovation in waste management in the Plan area e.g. exemplar projects in handling and processing of waste to determine waste planning applications in the light of the principles for sustainable waste management i.e. sustainability, self-sufficiency, proximate management of waste, and the waste hierarchy.- Strategic Vision and Objectives

8.31 In terms of the location of waste management sites MWCS policy CS15 states:

'A network of waste management facilities will be developed across Cambridgeshire and Peterborough. The spatial distribution of the network will be guided by the Minerals and Waste Management Key Diagrams and the following factors:

- *the need for waste management facilities*
- *the existing network of waste management sites*
- *'Netwaste Optimal Localities' for waste management facilities*
- *new developments (including new settlements / urban extensions)*
- *employment / previously developed land*
- *environmental constraints and designations*
- *existing / planned mineral workings*
- *site availability*
- *highway capacity and safety*

- *the need to minimise the movement of waste*
- *sensitive receptors*

Sites to deliver the network of facilities will be identified through the Core Strategy and Site Specific Proposals Plan.'

- 8.32 The proposed facility would add to the network of waste management facilities in the plan area. The location of the proposal is such that it would be immediately adjacent to an existing waste management operation, providing the opportunity for synergies in the treatment of waste. It is proposed that the CHP plant would take 10,000 - 15,000 tpa of wood waste from the existing adjacent MRF. A minimal amount of leachate could be taken from the adjacent landfill site to be used in the waste water treatment plant. Although both would be subject to contractual arrangements, the co-location of the facilities and the interlinkages that could be formed as a result of this are consistent with the spatial strategy of the MWCS.
- 8.33 If the treatment of wood from the existing waste management facilities is secured it would also negate the need for waste to be transported long distances for treatment. It is concluded that in this respect the proposal is consistent with the spatial strategy of the adopted MWSC, and specifically the policies and objectives highlighted above.

Proximity principle and catchment restrictions

- 8.34 The proximity principle, derived from European legislation, says that waste should in general be treated and disposed of in the nearest appropriate installation by means of the most appropriate technology (The Waste (England and Wales) Regulations 2011). This in turn works to minimise the environmental impact of waste management through reducing the need to transport waste over long distances. MWCS policy CS29 (see paragraph 8.25), advises that the proximity principle should be taken into account when considering proposals which potentially involve the importation of waste. It also states that in order to prevent excessive importation of waste any planning permission may be dependent on applicants entering into binding restrictions on catchment areas.
- 8.35 The applicant has indicated that in respect of the source of the waste for the facility, this would potentially come from the existing adjacent MRF and to a much lesser extent the landfill site and from other sources within a 30 mile radius from the site. This would be consistent with the proximity principle, and if secured through catchment restriction planning condition (see proposed condition 25) the proposed development would be consistent with MWCS policy CS29.

Principle of the proposed development

- 8.36 The purpose of the proposed development is to use one waste stream, waste wood, as a source of energy which would be used to treat a different waste stream, namely waste water. The development would be self-sufficient in its energy requirements and generate a surplus which would be exported to the National Grid. The principle of recovering energy from waste is supported by national and local planning policies as set out above. For these reasons it is considered that the proposed project would contribute towards addressing climate change in compliance with national policies

and with MWCS policies CS2 and CS22 and HCS policy CS1. It would form part of a network of waste management facilities in compliance with MWCS policy CS15.

The proposed location

- 8.37 If the proposed development is considered to be acceptable in principle it is necessary to consider whether the proposed location is suitable in land use planning terms and accords with the development plan. The proposed development site is not allocated in the MWSSP. MWCS policy CS18 deals with waste management proposals outside allocated areas and states that they will be considered favourably where this is consistent with the spatial strategy for waste management and it can be demonstrated that they will contribute to sustainable waste management, moving waste up the waste hierarchy. These matters have been dealt with in paragraphs 8.4 to 8.26 above. It is considered that the location next to the permanent MRF would comply with criterion (c) of MWCS policy CS18 as set out in paragraphs 8.32 and 8.33 above.
- 8.38 If it is accepted that the proposed development should be accepted in principle and in the proposed location it is necessary to consider whether there are any other material considerations that would outweigh this. The key issues are whether the processes can be undertaken without causing unacceptable harm to recognised interests such as human health, residential amenity and the natural environment. These matters are addressed in detail in the next sections of this report.

Air quality and impact on human health

- 8.39 It is acknowledged that there is a great deal of opposition to the proposed development from within the local community and very many of the objections to the proposed development from local residents are on the grounds that emissions from the waste treatment processes, primarily to air, would be harmful to human health. As stated by the Environment Agency (paragraph 5.22 above), the proposed development would need an environmental permit in order to operate. It is considered appropriate in this part of the report to explain the regulatory context and the role of other public bodies.
- 8.40 The incineration process, and the emissions which incinerating waste releases into the air, are tightly regulated and controlled by laws under the Industrial Emissions Directive (IED) and the Environmental Permitting Regulations (EPR) 2016. Under these European Directives, the plant must meet or go beyond strict controls on emissions. A plant must meet, or go beyond, best available techniques and emission standards, and human health and the environment must be protected.
- 8.41 When determining an application for an environmental permit the Environment Agency will take advice from Public Health England. In relation to the health implications of incinerators PHE first issued a statement in November 2005. This was as a result of concerns raised about the air pollution risks posed by municipal waste incinerators. More research on the possible air pollution risks posed by modern incinerators has been carried out since then, and in 2009 Public Health England published their latest statement. To date, Public Health England is not aware of any evidence that requires a change in their position statement. Public

Health England's conclusion is "modern, well managed waste incinerators will only make a very small contribution to background levels of air pollution provided they comply with modern regulatory requirements, such as the Industrial Emissions Directive, they should contribute little to the concentrations of monitored pollutants in ambient air".

- 8.42 As well as Public Health England, the Environment Agency consults the relevant local authorities and their health departments, the Food Standards Agency and the Health and Safety Executive. Public Health England assesses the potential public health impact of a proposed installation and makes recommendations based on a critical review of the information provided for the environmental permit application. They will request further information at the environmental permitting stage if they believe that this is necessary to be able to fully assess the likely public health impacts.
- 8.43 The Environment Agency's role is to make sure that energy from waste facilities are designed, built and run to meet legal environmental standards (the Industrial Emissions Directive) and to meet the conditions of their environmental permit (the Environmental Permitting Regulations 2016). If a permit were to be issued the Environment Agency would be the regulator for on-going compliance monitoring of the plant. They would only issue a permit if they were satisfied that the plant would be designed, built, operated and maintained in such a way that the requirements of the relevant EU Directives are met and that human health and the environment are protected. The applicant has confirmed that the operator would undertake continuous monitoring of the stack emissions with built in alerts of potential non-compliances.
- 8.44 The applicants have undertaken pre-application discussions with the Environment Agency to determine the scope of the environmental permit application. The following documents will accompany the application:
- Completion of part A, 82, 83 & F of the application forms and a supporting document that will include information such as detail of the application, summary of management systems, technical competence, compliance, list of wastes and a non-technical summary;
 - Site Condition Report based on Environment Agency guidance (horizontal guidance note H5) which sets out the current requirements to prepare and maintain a Site Condition Report for facilities that are regulated under the Environmental Permitting Regulations over the lifetime of the facility;
 - Air Quality Risk Assessments - Air quality and odour dispersion modelling. The waste water treatment and biomass plants require an air quality impact assessment for the emissions from the proposed evaporator units. The assessment will also consider the impacts from VOCs and odour;
 - Amenity & Accident Risk Assessments to be produced in accordance with Environment Agency guidance to cover the potential impact of odour, noise, fugitive emissions, visible plumes and accidents;
 - operational Techniques Reports detailing information required by the Part 83 application form;
 - 8AT Assessments - Process description and 8AT review where relevant to the activity;

- Management Plans - odour and Dust Management Plans to be prepared in accordance with Environment Agency guidance; and
- Fire Protection Plan in accordance with latest Environment Agency guidance on Fire Prevention Plans.
- Management System - A summary of the management system that the operator will have in place prior to commencement of operations.

8.45 It is considered that the accident prevention and management plan recommended as being necessary by Public Health England would be more appropriately covered by the environmental permit. Public Health England also recommended that emissions from increased traffic flows need to be considered. The applicant refers to non-statutory guidance published by the Institute of Air Quality Management (IAQM) which provides indicative criteria to help determine if a quantitative air quality impact assessment is likely to be required. This states that an assessment should be considered where the development will increase heavy duty vehicles by more than 100 per day. The increase in HGV traffic that would result from the proposed development (up to 38 movements per day) is well below the IAQM's threshold that would trigger the requirement for an AQIA. Accordingly the air quality impacts from development traffic have not been considered further. The site is not in an air quality management area and this argument is accepted.

8.46 The NPPF at paragraph 183 states that:

"The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities."

8.47 It has already been explained in paragraphs 8.39 - 8.44 above that the control of processes and emissions would be subject to approval under a pollution control regime i.e. the environmental permit. Public Health England, Director of Public Health and the local authority environmental health officer have all referred to their role as a consultee in the environmental permitting process. Neither they nor the Environment Agency have raised an objection to the proposed development as set out in the planning application. They took into account the information on air quality contained in the ES and the air quality impact assessments for the biomass CHP plant and the waste water treatment plant.

8.48 The air quality impact assessment for the waste water treatment plant (April 2018) modelled two options for releases from the 6 evaporator units. The planning application as first submitted was to have 6 external flues which would extend 3 metres (9.84 feet) above the roof of the building. This was amended as a result of work on the ES to the second option which is a single flue 8 metres (26.25 feet) above the roof line (total height 17 metres 155.77 feet) and is predicted to reduce the ground level concentration of (annual mean ammonia) by 50%. The applicant's air quality modelling used worst case model predictions and concluded that emissions from the proposed installations would comply with all Air Quality

values and Environmental Assessment Levels. The proposed pre-treatment of the waste water would be necessary to mitigate odour impacts. This would be a requirement of the environmental permit.

- 8.49 Concern has been raised from within the local community that the proposed development may result in the deposition of air and/or water-borne contaminants on land used for growing crops or rearing animals. This was addressed by the applicant in the ES which concludes that the proposed development would meet the statutory limit values for the protection of vegetation. There is no reason to believe that the proposed development, subject to the controls of an environmental permit, would give rise to unacceptable levels of contamination of farmland.
- 8.50 There are clearly strongly held views within the local community that the proposed development would have impacts that would adversely affect human health. Reference has been made to an apparent lack of experience by the proposed operators and that the treatment of waste water by evaporation is untried technology. Fear of change or the unfamiliar is understandable but there is no evidence that the proposed development would not be capable of receiving an environmental permit and operate within requirements of the relevant EU Directives thereby ensuring that human health and the environment are protected.
- 8.51 The environmental permitting process includes testing during commissioning. During initial commissioning the operator would need to operate the facility in order to test process controls and provide updates/reports to the Environment Agency on the progress of the commissioning. Once commissioning is complete and the facility is ready to become permanently operational, all of the relevant pre-operational conditions as set out in the environmental permit must have been completed.
- 8.52 It is considered that the environmental permitting process has procedures in place to ensure that new technology is appropriately tested and monitored at both the commissioning and operational stages. The identity and background of the developer or operator is not a material planning consideration as the planning permission, if granted, would go with the land. The environmental permit would, however, require the operator to demonstrate technical competence.
- 8.53 None of the consultees with relevant technical expertise and who would be part of the environmental permitting process has raised an objection to the proposed development on the grounds of harm to human health. In concluding this section, it is the planning officers' strong recommendation that the planning authority takes heed of NPPF paragraph 183 and from a land use planning point of view there is no sustainable reason to refuse planning permission on the grounds of impacts on human health. It is considered that some weight should be attached to EN-3. This lends support to planning authorities relying on the application of the pollution control regime.

Design

- 8.54 MWCS policy CS24 states that all proposals for waste management development will be required to achieve a high standard in their design and mitigation of environmental impacts including climate change and must be consistent with the

guidance provided in the SPD. HLP policy En25 expects that development will generally respect the scale, form, materials and design of established buildings in the locality. The site is outside the village development boundary so the proposed development should be assessed in the context of the rural environment in which it would sit. It would, however, be closely related to the existing MRF building. The SPD recommends that in rural locations the design of the facilities should reflect the scale and design of agricultural buildings.

- 8.55 The design of many of the proposed structures such as the combustor and storage tanks are limited by their function. The height of the flues is determined by their function. Attention should be paid to their position within the site, external construction materials and mitigation in the form of screening bunds and/or planting. This is discussed further in paragraphs 8.56 - 8.59.

Visual impact

- 8.56 Under Natural England's Countryside Character Initiative the site is between two National Character Areas: The Bedfordshire and Cambridgeshire Claylands and The Fens. This reflects the local topography; the site is at approximately 5 metre (16.4 feet) AoD, close to the foot of a ridge which forms the edge of a plateau of higher ground which extends to the village of Warboys some 1.5 kilometres (0.93 miles) to the south. The land falls away to 0 metres AoD to the north across the flat landscape of Wistow Fen on which a number of isolated farmsteads are located.
- 8.57 MWCS policy CS33 requires mineral and waste management development to be assimilated into its surroundings and local landscape character. The open nature of the fens is such that views are possible over long distances but the vegetated ridge and existing buildings of a similar character immediately to the southwest of the proposed development site greatly reduce the actual area of visual influence.
- 8.58 The ES included a landscape and visual impact assessment (LvIA) which assessed the proposed development from 11 viewpoints around the site and in the view of the HDC landscape officer provided a readily understandable overview of its visual effects. The proposed development would be most visible from Puddock Road to the north east of the site. The LvIA took a point near the property Hazeldene 700 metres (765.53 yards) from the site as being representative of road users and residents. The MRF building can be seen above the perimeter bund and being light grey in colour is visible against the darker backdrop of the landfill site and ridge. There are also large agricultural buildings within this view. Most of the proposed development would be lower in height than the MRF so would not break the skyline. The top of the proposed combustor unit, its flue, the tip of the process building flue and steam from the flues however would be seen. Whilst the proposed re-profiling and planting of the perimeter bund would screen the lower parts of the development, the upper part of the combustor and flues would be still be visible from Puddock Road. It is considered that with the proposed landscape screening in place the impact would not be unacceptable.
- 8.59 Whilst many local residents have objected to the proposal because they believe that it would have an unacceptable visual impact, this is not borne out by the LvIA. Although the landscape officer considers that the LvIA sometimes slightly

underestimates the level of adverse effect he agrees with the overall conclusions that there would be no significant adverse effects and that most effects would be reduced by appropriately coloured cladding for the buildings and other structures and mitigation planting. The proposed colours for the buildings (dark green) and chimneys and tanks (dark grey) would render these structures being less prominent than the light grey coloured MRF building. They are specified in the application drawings so can be secured by recommended planning condition 3. It is considered that the proposed development, with mitigation, would be assimilated into the local landscape and would comply with MWCS policy CS33.

Traffic and highways

- 8.60 MWCS policy CS32 states that minerals and waste development will only be permitted where:
- a. it is demonstrated that opportunities for the use of alternative methods of transport have been evaluated and the most appropriate pursued where practicable;
 - b. access and the highway network serving the site are suitable or could be made suitable and able to accommodate any increase in traffic and 1 or the nature of the traffic associated with the development;
 - c. any associated increase in traffic or highway improvements would not cause unacceptable harm to the environment, road safety or residential amenity; and
 - d. binding agreements covering lorry backloading, routeing arrangements and HCv signage for mineral and waste traffic may be sought. In Cambridgeshire this will be informed by the Cambridgeshire Advisory Freight Map.
- 8.61 Given the location of the site and proposed sources (within a 30 mile radius with approximately 30% of the wood waste from the adjacent MRF), quantity and nature (shredded wood and liquid) of the waste which would be imported, it is considered that alternatives to road transport would not be viable. Rail transport is only economic for moving large quantities of waste over long distances. The proposed development is considered to comply with MWCS policy CS32 (a).
- 8.62 A large proportion of the representations received from local residents object to the proposed development on the grounds that the proposed route, Fenside Road, is not suitable for the number of HGvs that would be generated by the proposed development. The advice of the highway authority is set out in paragraphs 5.50 - 5.56 above. It is considered that there are no highway capacity problems and the junction of Fenside Road with the A141 has the required visibility provided vegetation is cut back by the highway authority. As the highway engineer notes, the landfill site has generated more traffic in the past than is proposed in the current development.
- 8.63 Planning permission H1050301091CW for landfill was granted in April 2010 and assessed on the basis of 200,000 tonnes of waste per annum and limited by planning condition to this amount. With a 10.5 hour working day (0730 - 1800)

hour. Planning permission H150121151CW was granted in July 2016 and allows until 31 Dec 2018 to complete the site. Waste going directly to landfill ceased in October 2013. Between then and the end of 2017 the landfill void was filled from residual waste from the adjacent recycling centre. Therefore there has effectively been only

- 8.64 Planning permission H1050161121CW for the MRF was granted in April 2013. Based on annual input of 160,000 tonnes per annum (limited by condition) and working 0730 - 1800 Mondays to Fridays this would amount to an average of 5 loads (10
- 8.65 When planning permission was granted for the recycling facility it was on the basis of 160,000 tonnes per annum in addition to 200,000 tonnes per annum going to the landfill site until the end of 2015 i.e. $16 + 10 = 26$ movements per hour. The current application proposes that waste will be received between 0700 and 1900 Mondays to Fridays and between 0700 and 1300 on Saturdays (48,000 tonnes per annum of wood waste and 65,000 tonnes per annum of waste water = a total of 113,000 tonnes per annum). Table 3.1 of the submitted transport assessment sets out the anticipated vehicle movements and concludes that there would be 16 - 17 loads (32 - 34 HGV movements) per day from the public highway. If there are no inputs from the adjacent landfill (leachate) or recycling centre (wood) there would be an additional 2 loads (4 HGV movements) per day i.e. total 36 - 38 HGV movements per day. This is significantly less than the number permitted by the planning permission for landfill so the proposed development would result in a net reduction in the number of HGV movements compared to when the landfill site and MRF were both operational.
- 8.66 The BHS and some local residents have raised concerns about the safety of horse riders on Fenside Road. The highway authority is of the opinion that 4 HGV movements per hour would not cause detriment to the safety of riders. As set out in the previous paragraph, the number of HGVs generated by the landfill site and MRF together was higher than would be generated by the MRF and the proposed development. It is considered that there is no justification to ask the applicant to provide mitigation for horse riders. For the same reason there would be no worsening of the impact of HGV traffic on residential amenity.
- 8.67 Given the advice of the highway authority it is considered that the proposed development would comply with MWCS policy CS32 (b) and (c).
- 8.68 The landfill site and MRF are subject to a legal agreement which requires HGVs to use the A141 and Fenside Road and not to use the B1040 Fenton Road or roads through Warboys village including Station Road. The applicants propose that the same restriction would apply to their development. This could be secured by planning condition (see recommended condition 24) and would comply with MWCS policy CS32 (d). Warboys Parish Council is concerned that because the weight limit on Station Road only applies between 0600 and 1900 hours Mondays to Fridays, the deliveries to the proposed development on Saturdays would be exempt and could use this route. The proposed routing agreement would apply to all HGV movements including on Saturdays.

- 8.69 The requirement for binding agreements covering routeing arrangements could be secured by means planning condition the application would not conflict with MWCS policy CS32, FLP policy LP15 (C) or ECLP policy CoM 7.

Contaminated land and landfill gas migration

- 8.70 The NPPF at paragraph 178 states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.
- 8.71 The information provided by the applicant has satisfied the Environment Agency that the site does not present any significant contamination but considers that there is a risk of gas migration from the nearby landfill site. This could be addressed through appropriate design which could be secured by condition (see recommended condition 27). A similar approach was taken in the development of the MRF building. With appropriate mitigation in place it is considered that the proposed development would comply with paragraph 178 of the NPPF.

Designated sites

- 8.72 The proposed development site is within 65 metres (71.08 yards) of the Warboys Clay Pit SSSI, 460 metres (503.06 yards) of Warboys and Wistow Wood SSSI and 130 metres (142.17 yards) of Pingle Wood and Cutting County Wildlife Site. Paragraph 175 of the NPPF seeks to protect SSSIs. MWCS policy CS35 seeks to protect local sites of nature conservation interest such as CWSs. HLP policy En23 seeks to protect sites of national and local conservation interest. Warboys Clay Pit SSSI covers all of the former void which has now been filled with waste and is being restored in accordance with planning permission H150141161CW. The restoration scheme requires that a small conservation area be created to which access to the geological faces is maintained for future study. The proposed development would not directly affect the geological SSSI or the conservation area. The proposed tree screen along the western and southern boundary of the landfill site described in paragraph 4.7 above has the potential to damage areas of geological interest. With careful design this would be avoided (see Natural England's comments at paragraph 5.3 above).
- 8.73 Natural England initially considered that the proposed development could have an adverse effect on the Warboys and Wistow Wood SSSI and asked the applicant to provide further assessment of the potential air quality impact of the sensitive ancient woodland habitat and associated fauna and to identify appropriate mitigation measures to address predicted adverse impacts on the nationally designated site and its notified features. This was provided as part of the ES and based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection. Mitigation measures include a soil bund around the southern and western boundaries of the landfill site on which a shelter belt of native trees and shrubs would be planted. This would aid the absorption and upward deflection of any airborne pollutants away from the SSSI. The bund is outside the application area and not on land in the control of the applicant. It would need to be retained for the duration of the development and for these reasons would need to be secured by

means of a planning obligation rather than condition as recommended by the Wildlife officer (see paragraph 5.57). The planning obligation would require the submission of a detailed design which demonstrates that the planting would not adversely affect the areas of geological interest.

- 8.74 The Wildlife Trust have stated that Natural England's comments on the SSSI in respect of air quality are likely to apply to the CWS too. In the light of Natural England's comments set out in the previous paragraph, it is considered that with the proposed mitigation, the development would not have a significant adverse impact on the designated sites and would comply with NPPF paragraph 175 and MWCS policy CS35.

Protected species

- 8.75 As noted by the PCC Wildlife officer, the proposal would result in the loss of four ponds and 0.88 hectare of semi-natural habitat which currently supports a medium meta-population of GCN. The application site forms part of a previous GCN receptor site. The submitted GCN Mitigation Strategy, which is considered acceptable by the Wildlife officer (see paragraph 5.60 above) sets out a detailed approach to protecting GCN from harm with a translocation of all animals to a nearby receptor site (adjacent to the clay storage area), along with the creation of new ponds and enhancement of another pond and scrub habitat and provision of additional hibernacula.
- 8.76 The proposed GCN receptor site is part of the land which is being restored under planning permission H150141161CW. The approved restoration scheme, known as the Site Environmental Management Plan (SEMP) would need to be amended to accommodate both the GCN receptor site and the shelter belt described in paragraph 8.73 above. GCNs are protected by law and the developer would need a licence from Natural England to move them to the receptor site. Development of the site could not lawfully take place until the GCNs have been removed in accordance with the licence. Given the separate legal protection under The Conservation of Habitats and Species Regulations 2017 the developer would be unable to lawfully progress the development until the GCNs had been relocated in accordance with the licence. For this reason it is considered appropriate to require compliance with the GCN Mitigation Strategy by planning condition (see recommended condition 22). once relocated in accordance with the licence the new GCN habitat would be looked after as part of the aftercare provisions of the SEMP until 2029.
- 8.77 HLP policy En22 requires that appropriate account be taken of the interests of wildlife conservation. In respect of bats, in the opinion of the wildlife officer the proposed habitat creation would offset any adverse impacts. Reptiles would be relocated with the GCNS. It is considered that provided that the proposed mitigation measures are carried out the wildlife interests of the site would be protected.
- 8.78 It is considered that the proposed landscape planting described in paragraph 4.7 above and the proposed measures to relocate the GCNs would ensure that there would be no net loss of biodiversity as a result of the proposed development. A revised SEMP was submitted on 16 August 2016. It contains the proposed

mitigation measures for the current application and is being assessed in the context of the restoration and aftercare requirements of the landfill site.

Flood risk, water resources and water pollution prevention

- 8.79 MWCS policy CS39 seeks to protect the quantity and quality of ground and surface water; the quantity and quality of existing water abstraction; and the flow of groundwater. CS2 has the protection of groundwater as a strategic objective. HLP policy C8 requires that satisfactory arrangements be in place for surface water drainage. The potential for contamination from the previous use of the land has been addressed in paragraph 8.71 above.
- 8.80 The site is in flood zone 1. The LLFA has no objection in principle to the proposed surface water drainage scheme but requires the detailed design to be submitted for approval. This could be secured by condition (see recommended condition 9) and would comply with NPPF paragraph 163 and HLP policy C8.

Noise

- 8.81 NPPF paragraph 180 states that planning decisions should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life. PPG paragraph 30-001-20140306 states that "Local planning authorities' plan-making and decision taking should take account of the acoustic environment and in doing so consider:
- whether or not a significant adverse effect is occurring or likely to occur;
 - whether or not an adverse effect is occurring or likely to occur; and
 - whether or not a good standard of amenity can be achieved".
- 8.82 MWCS policy CS34 seeks to protect residential and other amenity. The biomass combustion and the waste water evaporation are continuous processes that would operate 24 hours per day therefore the impact of the proposed development at night needs to be considered. It is proposed that mobile plant would be used for stocking the wood walking floor between 0800 and 1800 hours daily (Monday to Sunday). Deliveries of waste would be accepted between 0700 and 1900 Mondays to Fridays and 0700 - 1300 on Saturdays. The applicants' noise assessment has taken into account the noise that would be generated by the MRF. It concludes that at the nearest residential properties (Wingate, old Railway Tavern and Woodside) at night when the MRF is not operating and there are no deliveries to the application site, noise levels would be well below the adverse effect level.
- 8.83 The applicant proposes the erection of an acoustic barrier between the site access and Woodview (see recommended condition 16). Taking into account the advice of the environmental health officer and provided the mitigation measures are secured by planning condition it is considered that the proposed development would comply with the NPPF and MWCS policy CS34 in respect of noise.

Dust

- 8.84 As previously noted, MWCS policy CS34 seeks to protect residential and other amenity. The storage and movement of shredded wood waste has the potential to generate dust. The applicant has submitted a dust management plan designed to reduce dust emissions and which the environmental health officer considers proposes a good procedure for handling complaints and abnormal emissions. This could be secured by condition (see recommended condition 18). It is considered that with mitigation the impact of dust would be reduced to a level such that the proposal would comply with MWCS policy CS34 in this respect. Dust would also be controlled by the Environment Agency through the environmental permit.

Odour

- 8.85 MWCS policy CS34 seeks to protect residential and other amenity. The waste water treatment plant has the potential to generate odour. The applicant has submitted an odour management plan which outlines mitigation measures and which the environmental health officer considers proposes a good procedure for handling complaints and abnormal emissions. This could be secured by condition (see recommended condition 17). It is considered that with mitigation, including the pre-treatment of waste water, the impact of odour would be reduced to a level such that the proposal would comply with MWCS policy CS34 in this respect. odour would also be controlled by the Environment Agency through the environmental permit.

Historic environment

- 8.86 The proposed development would not have any impact on any designated heritage assets. However, non-designated heritage assets should be taken into account. The development site had historic industrial uses which should be recorded. This can be secured by planning condition (see recommended condition 5). It is considered that the proposed development would comply with MWCS policy CS36 which seeks to protect the historic environment and with HLP policy En12 which requires archaeological recording on sites of archaeological interest.

Economy and employment

- 8.87 The proposed development would provide 16 full time, mostly skilled jobs at the site. It would, therefore, contribute to the economy of a rural area with relatively few employment opportunities which is in accordance with the aspirations of Government as stated in section 6 of the NPPF.

9.0 CONCLUSION

- 9.1 It will be clear from the preceding sections in this report that there are strong objections from a large number of individuals and organisations within the local community to the proposed development. Their concerns are principally about air quality and impact on health, the need for the facility, visual impact, traffic, noise and odour.
- 9.2 National and development plan policy supports the principle of using waste to generate energy where it is capable of driving waste up the waste hierarchy. officers consider that for the reasons set out in section 8 of this report, the proposal is for the

most part in line with the objectives of both local and national waste policy and the general principles of the NPPF. The proposed facility is consistent with the need for more waste management facilities in order to achieve objectives, targets and requirements set out in national and local waste and energy policy.

- 9.3 As set out at paragraph 8.1 of this report, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The potential environmental impacts of the proposed development have been considered in section 8 of this report. It is concluded that there are none, which if subject to the proposed mitigation, would have a significant or unacceptable impact on acknowledged assets or areas of importance. It is noted that the proposed development would need an environmental permit in order to operate and it is the advice of the NPPF that the planning authority should not seek to duplicate matters that are covered by a separate pollution control regime.
- 9.4 Having taken into account the provisions of the development plan, the policies in the NPPF, the views of statutory consultees and wider stakeholders, as well as all other material planning considerations, officers consider that there is no sound planning reason to refuse planning permission and therefore that the application should be approved. It is considered that taking into account that the waste management operations will be regulated by an environmental permit and subject to appropriate planning conditions and legal obligations the proposed development is capable of being carried out without having unacceptable adverse impacts on the human or natural environments.

10.0 RECOMMENDATION

- 10.1 It is recommended that planning permission be granted subject to the applicant entering into a planning obligation to secure mitigation measures on land outside the application area including the detailed design of the perimeter bund and its planting and the following conditions:

Advisory Note

The Town & Country Planning (Development Management Procedure) (England) order 2015 requires the planning authority to give reasons for the imposition of pre-commencement conditions. Conditions 5, 9, 10, 16, 19, 20 and 27 below require further information to be submitted, or works to be carried out, to protect the environment and ensure sustainable methods of operation during the construction of the development and are therefore attached as pre-commencement conditions. The developer may not legally commence development on site until these conditions have been satisfied.

Commencement date

1. The development hereby permitted shall be commenced no later than three years from the date of this decision notice. Within seven days of the commencement the operator shall notify the waste planning authority in writing of the exact commencement date.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act and Section 51 of the Planning and Compulsory Purchase Act 2004 and in order to be able to establish the timescales for the approval of details reserved by conditions.

Site Area

2. This permission relates to the land outlined in red on drawing no. 3267-CAU-XX-XX-DR-T-1801 Rev P2 Planning Application Boundary dated 02.01.18 (received 10 January 2018) and referred to in these conditions as "the site".

Reason: To define the permission for the avoidance of doubt.

Approved Plans and Documents

3. The development hereby permitted shall be carried out in accordance with the application dated 1010112018 and in accordance with the following drawings and documents (received 1010112018 unless otherwise specified), except as otherwise required by any of the conditions set out in this permission:
 - drawing no. 3267-CAU-XX-XX-DR-T-1801 Rev P2 Planning Application Boundary dated 02.01.18
 - drawing no. 70-001 Rev P1 Site Plan as proposed dated 26.03.2018 (received 23 April 2018)
 - drawing no. 70-003 Site Surface Finishes dated 12.10.2017
 - drawing no. 70-005 Rev P2 Site Sections dated 02.08.2018 (received 2 August 2018)
 - drawing no. 70-006 Site Fire Strategy dated 19.12.2017
 - drawing no. 20-001 Rev P1 Process Building GA Plans dated 26.03.2018 (received 23 April 2018)
 - drawing no. 20-002 office Building Plan, Sections, Elevations dated 26.07.2017
 - drawing no. 20-003 Walking Floor Canopy Plan, Elevations dated 27.07.2017
 - drawing no. 20-004 Rev P1 Process Building GA Sections dated 26.03.2018 (received 23 April 2018)
 - drawing no. 20-005 GA Elevations Process Building Rev 2 dated 02.08.2018 (received 2 August 2018)
 - drawing no. 20-006 Store Plan, Sections, Elevations dated 27.07.2017
 - drawing no. 24-001 Rev P2 Process Building GA Roof Plan dated 02.08.2018 (received 2 August 2018)
 - drawing no. BED-DRG-170059-00-XX-C-0300 Rev P02 Drainage Layout dated 07112117

Reason: To ensure the development is carried out in accordance with the approved plans and to define the site and preserve the character, appearance and quality of the area in accordance with the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policies CS2, CS33, CS34 and CS35 and Huntingdonshire Local Plan (December 1995) policy En25.

vehicular Access

4. There shall be no vehicular access to the site other than from Puddock Road at the point shown on drawing no. 3267-CAU-XX-XX-DR-T-1801 Rev P2 Planning Application Boundary dated 02.01.18

Reason: In the interests of highway safety in accordance with the Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policy CS32.

Archaeology

5. No development shall commence until a Written Scheme of Investigation (WSI) for an archaeological programme of works has been submitted to and approved in writing by the waste planning authority. No development shall take place other than in accordance with the agreed WSI which shall include:
- the statement of significance and research objectives;
 - the programme and methodology of site investigation and recording;
 - the nomination of a competent person(s) or organisation to undertake the agreed works; and
 - the programme for post-excavation assessment and subsequent analysis, reporting, publication & dissemination, and deposition of the resulting archive.

Reason: The site in the proximity of prehistoric and Roman archaeological in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policy CS36 and Huntingdonshire Local Plan (December 1995) policy En12. This is a pre-commencement condition because the archaeological investigation must be carried out before any development takes place.

Waste types

6. The facility permitted by this planning permission shall only accept Grades B and C waste wood and non-hazardous waste water including landfill leachate.

Reason: Wastes outside these categories require separate consideration by the waste planning authority, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (2011) policy CS39.

Feedstock input limits

7. No more than 48,500 tonnes of Grades B and C waste wood and no more than 65,000 tonnes of waste water shall be accepted at the site in any one calendar year. The operator shall maintain a record of the type, quantity (in tonnes) and origin of the feedstock delivered, and the date of delivery. These records shall be kept on the site so that they are available for immediate inspection by Council officers between the hours of 0900 and 1700 Monday to Friday and the records must be able to be collated into a report that will be supplied to the waste planning authority within 10 working days of a written request.

Reason: It has not been demonstrated that the local public highway network is capable of safely accommodating higher number of vehicle movements and in the

interest of the amenity of occupiers of nearby properties in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (July 2011) policies CS32 and CS34 and to enable compliance with condition 25 to be monitored.

Prevention of mud on the Public Highway

8. No HGV shall leave the site unless the wheels and the underside chassis are clean to prevent materials, including mud and debris, being deposited on the public highway.

Reason: In the interests of highway safety and safeguarding local amenity in accordance the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS32 and CS34.

Surface Water Drainage Scheme

9. No development shall commence until a sustainable surface water drainage scheme for the site has been submitted to and approved in writing by the waste planning authority. No waste shall be brought onto the site until the approved scheme has been implemented in full.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development in accordance with National Planning Policy Framework paragraph 103; the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS2 and CS39 and Huntingdonshire Local Plan (December 1995) policy CSB. This is a pre-commencement condition because the surface water drainage arrangements need to be agreed before construction work starts.

Construction environmental management plan

10. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the waste planning authority. The CEMP shall include, but not be limited to, the consideration of the following aspects of construction:
 - Routing of construction vehicles
 - Agreement and notification of abnormal loads, including resolution of any damage to the public highway as a result of the deliveries
 - Hours of construction including deliveries
 - Location of contractor compound and stores
 - Arrangements for the parking, turning, loading and unloading of vehicles during the period of construction
 - Noise, vibration, dust and mud control (including wheel cleaning arrangements and any physical or management and monitoring controls to be put in place to address the four principal areas)
 - Construction methods and phasing of development (including a timetable of proposed works)
 - Drainage control measures including oil interceptors and bunds

- Contractor contact details and complaints procedures
- Artificial site illumination (including proposed hours of use)

The CEMP shall be implemented in accordance with the approved details, including the timetable of proposed works, unless otherwise agreed in writing by the waste planning authority.

Reason: To ensure the environmental impact of the construction of the development is adequately mitigated and in the interests of the amenity of nearby residents, in accordance with Cambridgeshire and Peterborough Minerals and Waste Core Strategy DPD (2011) policy CS34. The CEMP relates to the construction phase so must be in place before any development commences.

Hours of Construction and operation

11. The development approved by this planning permission shall only be carried out during the following times:

Construction Hours

Monday to Friday 0700 to 1900 hours

No construction work shall take place on Saturdays, Sundays and Bank or Public Holidays.

operational Hours

Continuous operation of the CHP plant and waste water treatment plant is permitted. This includes essential maintenance.

Use of mobile plant is allowed for stocking the wood walking floor between 0800 and 1800 hours daily.

Waste delivery and export

The receipt and export of all waste HGvs (loaded or unloaded) to and from the development hereby permitted shall only take place during the following hours:

0700 to 1900 Mondays to Fridays

0700 to 1300 on Saturdays

There shall be no HGv movements on Sundays and Bank or Public Holidays.

Reason: To minimise disturbance to residents and users of the area in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Maintenance, Silencers, and Reversing Alarms

12. All vehicles, plant and machinery operated on the site shall be maintained in accordance with the manufacturers' specifications at all times, and shall be fitted with effective silencers that shall be used at all times. All vehicles that are fitted with reversing alarms shall be fitted with "white noise" type or similar, reversing alarms.

Reason: To protect the amenities of occupiers of nearby properties in accordance

with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Noise Limit

13. The level of noise emitted from the development hereby permitted shall not exceed 5dB LAeq (1 hour) freefield above the background noise level measured as LA90 (1 hour) at any noise sensitive property (including domestic premises, hotels and hostels, educational institutions and hospitals and clinics).

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Noise monitoring

14. No waste shall be accepted at the site until a scheme for measuring noise from the development hereby permitted has been submitted to and approved in writing by the waste planning authority. The scheme shall include the expertise of the person(s) who will carry out the measuring; the frequency of measuring; mitigation that will be undertaken in the event that the noise level in condition 13 is exceeded; and details of the operator who members of the public may contact to report noise events. The results of any measurements and assessment shall be submitted to the waste planning authority within 14 working days of the measurements taking place.

Reason: To enable compliance with the noise limit in condition 13 to be monitored to protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Wood waste processing

15. No wood shall be shredded or otherwise reduced in size by the use of plant or machinery on the site.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Noise mitigation

16. No development shall commence until the 3 metre high acoustic barrier referred to in paragraph 3.8.2.1 and shown in Appendix 3.6 of Chapter 3 - Noise (dated March 2018) of the Environmental Statement dated April 2018 has been installed. The acoustic barrier shall be retained for the duration of the development.

Reason: To protect the amenities of occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34. This is a pre-commencement condition noise mitigation is needed for the construction phase.

odour

17. No development shall take place other than in accordance with the odour Management Plan 3268-CAU-XX-XX-RP-v-305 A0 C2 dated December 2017 (received 10 January 2018).

Reason: To minimise the impact of the development on the occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Dust

18. No development shall take place other than in accordance with the Dust Management Plan 3267-CAU-XX-XX-RP-v-3006 dated December 2017 (received 10 January 2018).

Reason: To minimise the impact of the development on the occupiers of nearby properties in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Landscape scheme

19. No development shall take place until a detailed landscape scheme has been submitted to and approved in writing by the waste planning authority. The scheme shall include a timetable for implementation. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the site has adequate screening in the interest of visual amenity, in accordance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS24, CS33 and CS34 and Huntingdonshire Local Plan (December 1995) policy En25. This is a pre-commencement condition because it may be appropriate that some planting is carried out at the start of the development.

Landscape management scheme

20. No development shall take place until a scheme for monitoring, managing and maintaining the landscape scheme referred to in condition 19 has been submitted to and approved in writing by the waste planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that the site has adequate screening in the interest of visual amenity, in accordance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS24, CS33 and CS34 and Huntingdonshire Local Plan (December 1995) policy En25. This is a pre-commencement condition because it may be appropriate that some planting is carried out at the start of the development for which management would need to be in place.

Replacement planting

21. If within a period of five years from the date of planting any tree or shrub fails, that tree or shrub, or any tree or shrub planted in replacement for it, is removed, uprooted or destroyed or dies, it shall be replaced by like for like replanting at the same place in the first available planting season, unless the waste planning authority gives its written consent to any variation.

Reason: In the interests of visual and residential amenity in accordance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS33 and CS34 and Huntingdonshire Local Plan (December 1995) policy En25.

Great crested newts

22. No development shall take place other than in accordance with the Great Crested Newt Mitigation Strategy (Etive Ecology Ltd Report version 3.0 dated 15 August 2018) (received 15 August 2018).

Reason: In order to safeguard the local population of a protected species in accordance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS2 and CS35 and Huntingdonshire Local Plan (December 1995) policy En22.

Lighting

23. No lighting on the site other than lighting within buildings shall be installed until details have been submitted to and approved in writing by the waste planning authority. The lights shall be installed and operated in accordance with the approved details.

Reason: In order to minimise the impact of light spillage from the development in the rural landscape in accordance with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policies CS33 and CS34.

Routeing Agreement

24. The site shall not be operated except in accordance with the Traffic Management Scheme: Undertakings by the Developer dated 15 August 2018 (received 15 August 2018).

Reason: In the interests of limiting the effects on local amenity to control the impacts of the development and to comply with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Waste Catchment Restriction

25. No waste arising from a distance greater than a 30 mile (48 kilometre) radius of the site as shown on drawing no. 3267-CAU-XX-XX-DR-T-1802 Rev P1 entitled Catchment Plan dated 14.08.18 (received 15 August 2018) shall be received at the site. Waste from a waste transfer station within the defined catchment area shown

on drawing no. 3267-CAU-XX-XX-DR-T-1802 Rev P1 entitled Catchment Plan dated 14.08.18 (received 15 August 2018) shall be regarded as arising from within the catchment area.

Reason: To ensure that the facility is managing waste from the local area to comply with the Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS29.

Emergency water supplies

26. No waste shall be accepted at the site until a water supply for fire-fighting has been provided in accordance with a Fire Prevention Plan that has been submitted to and approved in writing by the waste planning authority in consultation with the Cambridgeshire Fire and Rescue Service. The water supply shall be maintained in accordance with the approved Fire Prevention Plan for the duration of the development.

Reason: To ensure that there is a sufficient and accessible water supply for fire-fighting in accordance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34.

Landfill gas migration

27. No development shall commence until a Gas Risk Assessment (GRA) has been submitted to and approved in writing by the waste planning authority. The GRA shall be influenced by monitoring and the conclusions shall recommend gas mitigation measures if necessary. The GRA shall include all mitigation measures for maximum gas concentrations. The development shall be carried out in accordance with the mitigation measures.

Reason: To protect the occupiers and users of the site from potentially dangerous gas from the nearby landfill in accordance with Cambridgeshire and Peterborough Minerals and Waste Development Plan Core Strategy DPD (July 2011) policy CS34. This is a pre-commencement condition because further details are required in order to ensure that risks are appropriately addressed before the design of the buildings has been completed.

Contaminated land

28. If during development contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the waste planning authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination will be dealt with and obtained written approval from the waste planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in accordance with National Planning Policy Framework paragraph 178 and Environment Agency Groundwater Protection: Principles and Practice (GP3) and to protect and prevent the migration of potentially dangerous gas from the nearby landfill. Further details

are required in order to ensure that risks are appropriately addressed prior to the development being occupied.

Informatives

Surface water drainage scheme

1. The surface water scheme referred to in condition 9 shall be based upon the principles within the Drainage Layout and associated details prepared by Buckingham Group Contracting (ref: BED-DRG-170059-00-XX-C-0300) dated 7th December 2017 and shall also include:
 - a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
 - b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
 - c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers;
 - d) Full details of the proposed attenuation and flow control measures;
 - e) Site Investigation and test results to confirm infiltration rates;
 - f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
 - g) Full details of the maintenance¹ adoption of the surface water drainage system; and
 - h) Measures taken to prevent pollution of the receiving groundwater and¹or surface water.The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

2. Protection of nesting birds

The applicant should be aware that nesting birds, their eggs and (active) nests are protected under the Wildlife and Countryside Act 1981 and therefore, the applicant will need to take appropriate measures to avoid disturbing nesting birds and destruction ¹ damage to active nests. Removal of vulnerable vegetation should ideally avoid the bird breeding season (1 March to 31 August inclusive) to avoid damage to nesting species. If this is not practicable then a nesting bird survey should be undertaken by an experienced ecologist prior to direct impact on suitable nesting bird habitat to identify whether active nests are present. If any are found they should be clearly marked and avoided until after the young have fledged and left the nest.

Source Documents	Location
Link to the National Planning Policy Framework: https://www.gov.uk/government/publications/national-planning-policy-framework-2 Link to the Cambridgeshire and Peterborough Minerals and Waste Core Strategy: http://www.cambridgeshire.gov.uk/info/200991/planning-and-development/1491/water-minerals-and-waste/17 Link to the Huntingdonshire Local Plan and Core Strategy http://www.huntingdonshire.gov.uk/planning/adopted-development-plans/current-local-plan/	