

PLANNING COMMITTEE: MINUTES

Date: Thursday 26th February 2015

Time: 10.00 – 11.50

Place: Kreis Viersen Room, Shire Hall, Cambridge

Present: Councillors B Ashwood, D Connor (Chairman), W Hunt, D Jenkins, S Kindersley, A Lay, M Loynes, M Mason, K Reynolds, J Scutt and M Smith (Vice-Chairwoman).

108. APOLOGIES AND DECLARATIONS OF INTEREST

No apologies received.

There were no declarations of interest.

109. MINUTES – 22ND JANUARY 2015

The minutes of the Planning Committee meetings held on 22nd January 2015 were agreed as a correct record and signed by the Chairman.

110. CONSTRUCTION OF TWO AGRICULTURAL RESERVOIRS FACILITATED BY THE EXTRACTION OF SAND AND GRAVEL, PROVISION OF A NEW SITE ACCESS AND HAUL ROAD, TOGETHER WITH A TEMPORARY MINERALS PROCESSING AREA AND ASSOCIATED ACOUSTIC BUNDS.

AT: BRIDGE FARM, COLNE

LPA REF: E/03006/11/CM, E/3004/11/CM AND F/02008/11/CM

FOR: R. A. LATTA FARMS LTD

The Committee considered applications for the construction of two agricultural reservoirs, provision of a new access and haul road, the establishment of a temporary minerals processing area and the construction of temporary acoustic bunding. For the purposes of the Committee the applications were heard together as one complete proposal.

Officers informed the Committee that there was a clear need for the development but highlighted the concerns and objections registered regarding the additional traffic generated by the excavation of the site.

Following discussion of the report Members questioned:

- Whether there had been any letters in support of the application received. It was confirmed that no such letters had been received
- What evidence there was for there being 4,000 agricultural movements per annum. Officers advised that this was based on estimates made by the applicant
- Whether starting the movements of vehicles at 9am represented a significant improvement. It was explained that this represented a significant improvement as it reduced the number of movements during peak morning traffic

- Whether the assessment of the environmental impact used the most up to date measurements of particulates and if there were barriers in place to prevent contamination of the ground water. It was explained that the environment Agency were the specialists in that area and the report had to be taken at face value. It was confirmed that there would be sufficient barriers in place separating the reservoirs from ground water
- Whether it would be possible to utilise the surrounding waterways to transport the material from the site. It was explained that the use of the waterways had been previously explored but the heavy loads would be unsuitable and the cost of the infrastructure needed made it unviable

Speaking in support of the application, Mr Latta explained that yield and quality of crops was essential for the business to succeed. Volatile summer weather and water availability was hampering productivity. He added that the Environment Agency had granted a license for the reservoirs and much work and effort had gone into the application especially on the traffic aspect and he emphasised that it would be for a limited period while the excavation of the site took place. It was hoped that traffic could be reduced further by the back loading of vehicles. Mr Latta highlighted to the Committee that the construction of the haul road would potentially reduce farm traffic movements on the public highway by up to 4,000 movements per annum. Mr Latta informed Members that the application would benefit wildlife in the area and the plans met with the approval of Natural England.

In response to questions Mr Latta:

- Advised that as far as he was aware the material that left the site would not require further processing
- Explained that the application would reduce erosion in the area as the irrigation the reservoirs provided would keep the topsoil moist therefore reducing surface run-off and it would reduce flooding in the winter as the water would be collected in the reservoirs
- Informed the Committee that crops were not performing in terms of yield or quality. There was pressure being exerted by supermarkets in terms of price and quality and water was the key to unblemished crops
- Advised that if the application was refused he would be forced to rethink the direction of the business and there would be potential job losses
- Confirmed that the sale of the gravel extracted would contribute toward the cost of constructing the site
- Confirmed that he had attended Parish Council meetings to discuss the application and had spoken to people who had concerns
- Advised that he would prefer the £15k contribution for road signage or other appropriate works along the proposed Heavy Commercial Vehicle (HCV) route be used for the purpose it was intended for. Officers advised the Committee that such contributions had to follow statutory guidelines and that if the sums of money were unable to be justified then it could be seen as unduly influencing decision

Councillor Terry Rogers spoke on behalf of Earith, Bluntisham and Colne Parish Council's against the application and highlighted that the public consultations were not favourable to

the application. He noted that the applicant had done little with regard to HCV's and that fewer, heavier lorries was not the answer. He explained that the main issue was traffic, particularly at George Corner where HCV's would be crossing the road against the traffic and pointed out that other applications had been refused because of traffic concerns. Councillor Rogers highlighted to the Committee that there was another application due to come before the Committee in the future that would add another 40 lorries per day to the roads and would lead to lorry movements of one every 3 minutes. He added that many of the houses along the route were older properties that had limited or no foundations and he had witnessed cracks in the properties.

In response to Members questions, Councillor Rogers:

- Explained that the proposed haul road would not be a benefit as the traffic would still have to travel through Earith
- Confirmed that traffic levels were the highest priority issue for the community

Councillor Steve Criswell spoke against the application as the Local Member and spoke of his sympathy for the applicant but had been lobbied significantly by local residents. He advised that applications by Hanson UK and Lafarge Tarmac had been refused in recognition of the unsustainability of the local road network and pointed to weight restrictions coming into force once the Ely Southern By-pass had been built. He explained that residents had shown him cracks in buildings that have little or no foundations.

In response to questions from Members, Councillor Criswell:

- Confirmed that when there is a blockage on the A14, traffic diverts through Earith which added to the traffic problems
- Commented that had it been easy to mitigate the effects of the traffic it would have been contained within the minerals and waste plan

Officers reminded the Committee that the application should be judged on its own merits with regard to the current Minerals and Core Waste Strategy.

During discussion of the application Members of the Committee:

- Questioned where the extracted gravel would be used and whether there were wheel washing facilities at the site. It was confirmed that wheel washing facilities were in place and that the gravel extracted would be used in concrete production and existing construction projects
- Questioned how the reservoirs would be lined when the water table was reached during construction. Members were informed that any water encountered would be pumped out in order for the clay lining of the reservoir to take place
- Raised concerns about the effects of additional traffic on Earith, noting that when there was a problem on the A14 traffic passed through Earith to avoid it. The number of objections from Parish, District and County Councillors were highlighted
- Noted that food production in the United Kingdom could not currently meet the needs of the country

- Questioned whether it was possible to think creatively about managing the additional HCV traffic and whether reducing the level of restrictions in place regarding movements could in fact reduce the impact of the additional traffic
- Noted the role of the Planning Committee was to judge the application in terms of planning policy
- Sympathised with the residents but accepted the view of the Highways Authority, however would like to see work completed to improve George Corner

It was resolved that Planning Permission be granted subject to the planning conditions set out in Appendix A of these minutes following the prior completion of a planning obligation under Section 106 to secure the matters set out in Appendix B of these minutes.

**111. VARIATION OF CONDITION 12 OF PLANNING PERMISSION F/02003/12/CW TO REMOVE WHEEL WASH FACILITIES
AT: FCC LANDFILL SITE, HUNDRED ROAD, MARCH, PE15 8QN
FOR: FCC ENVIRONMENT (UK) LTD
LPA REF: F/02003/12/CW**

Officers informed the Committee that the application to withdraw wheel washing facilities at the FCC Landfill site in March had been withdrawn by the applicant. Officers advised that the wheel washing facilities at the site would now become an enforcement issue.

112. SUMMARY OF DECISIONS MADE UNDER DELEGATED POWERS

The Committee received a report on decisions made under delegated powers between 13th January and 17th February 2015.

The Committee resolved to note the report.

113. DATE OF NEXT MEETING: THURSDAY 26th MARCH 2015

Chairman

APPENDIX A

PROPOSED PLANNING CONDITIONS

General

1. The development hereby permitted shall be begun before the expiry of 18 months from the date of this permission and written notification of the date of commencement shall be sent to the Mineral Planning Authority within 7 days of such commencement.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not proceed except in accordance with the details set out in the application form, planning statement and ES dated May 2011, as amended by the additional supporting information and amendments submitted on 21st September 2011, 29th November 2011, 20th March 2014 and 16th December 2014, as amended by the following conditions. The site shall be worked, engineered and restored in accordance with the following approved drawings:

IR/811/D Application Plan
9.05A Rev D Restoration (Winter)
9.05B Rev D Restoration (Summer)
IR/812/D Site Plan
IR/815/C Reservoir 2
IR/816/B Reservoir 1
IR/817/E Reservoir Lining
IR/818/B Haul Route
IR/819/A Junction Access
IR/846/A Bunding on Haul Route
IR/917/A Phasing Plan
3 no. Terex Finlay Drawings of Plant

Reason: For the avoidance of doubt and to minimise harm to the local environment in accordance with Policies CS34, CS39 and CS42 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), Policy CS6 of the East Cambridgeshire Core Strategy (2009) and Policy LP19 of the Fenland Local Plan (2014).

3. Permission is granted subject to the following requirements:

- a) Minerals shall only be extracted from the proposed reservoir area as shown on the approved drawings;
- b) No clay shall be exported from the site;
- c) No minerals shall be imported to the site;
- d) No clay shall be stored on site except in mounds, the location and dimensions of which have first been approved in writing by the Mineral planning Authority;
- e) Acoustic bunds shall be constructed in accordance with the approved details, grass seeded within 6 months, maintained in a tidy condition and removed at the end of operations.

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Reason: For the avoidance of doubt, in the interests of local amenity and to ensure the satisfactory restoration of the site to an agricultural reservoir, in accordance with Policies CS25, CS33, CS34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), Policies EN1 and EN6 of the East

4. The development hereby permitted shall be for a limited period only, expiring five years from the date of commencement referred to in condition 1, by which time all works, including the removal of all equipment and stockpiles, and the final restoration and landscaping of the reservoirs, shall have been completed.

Reason: To ensure the proposed workings and the restoration of the site to its proposed use as an agricultural irrigation reservoir takes place within an acceptable timescale in accordance with Policy CS42 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).

5. No buildings, structures or plant shall be erected on site and no surfaced parking or manoeuvring areas shall be constructed except in accordance with details that have first been approved in writing by the Mineral Planning Authority and all such buildings and works shall be removed before the expiry of this permission.

Reason: For the avoidance of doubt, and in the interests of local amenity, in accordance with Policies CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), Policy EN1 of the East Cambridgeshire Core Strategy (2009).

Highways and Access

6. No other operations shall be carried out until the proposed site haul road and junction with the B1050 have been constructed in accordance with the details shown on drawing numbers IR/818/B and IR/819/A. For the avoidance of doubt, the site access road at the junction with the B1050 shall be constructed in accordance with the following specifications:

- a) Adequate drainage measures shall be provided to prevent surface water run-off onto the adjacent public highway;
- b) A metalled surface shall be provided for a minimum distance of not less than 30 metres along the access road from its junction with the public highway and a width of 7.3 metres;
- c) 15 metre radius bends shall be provided at the entrance;
- d) The road shall have a gradient not exceeding 1:12 for a minimum distance of 20 metres into the site as measured from the edge of the highway carriageway;
- e) Any gates shall be set back a minimum of 20 metres from the near edge of the highway carriageway and shall be hung to open inwards.

Reason: In the interests of highway safety and safeguarding local amenity in accordance with Policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).

7. Other than the construction of the access road, no development shall commence until the site access with the public highway has been provided with a visibility splay, both sides of the vehicular access, having dimensions of 2.4 metres, measured along the centre line of the proposed access from its junction with the channel line of the highway carriageway, by 215 metres, measured along the channel line of the highway carriageway from the centre line of the proposed access. The splays shall thereafter be maintained free from any obstruction exceeding 0.6 metres above the level of the highway carriageway.

Reason: In the interests of highway safety and to comply with Policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).

8. No heavy vehicles associated with the excavation, construction, and restoration of the reservoirs, or the transport of minerals, shall enter or leave the site except by way of the new access road referred to in condition 6.

Reason: In the interests of highway safety and safeguarding local amenity in accordance with Policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).

9. Arrangements shall be made to prevent mud and debris being deposited on the public highway in accordance with the following requirements:

a) No development shall take place until the details of wheel and underside chassis cleaning facilities have been submitted to and approved in writing by the Mineral Planning Authority. The facilities shall be installed as approved and implemented and maintained for the duration of the development hereby permitted;

b) No commercial vehicle shall leave the site unless the wheels and the underside chassis are clean;

c) The surfaced entrance area to the haul road shall be cleaned as necessary to prevent materials, including mud and debris, being deposited on the public highway;

d) No loaded Commercial Vehicle shall leave the site unsheeted.

Reason: In the interests of highway safety and safeguarding local amenity in accordance with Policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).

10. No more than 32 loads of sand and gravel shall be removed from the site on any day and the operator shall maintain a log on site of all loads leaving the site, including dates and times, which shall be made available to the County Planning Authority on request.

Reason: In the interests of highway safety and safeguarding local amenity in accordance with Policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).

Archaeology

11. The removal of soils shall not take place except in accordance with a scheme for archaeological mitigation, which has first been submitted to and agreed in writing by the Mineral Planning Authority. The scheme should include details of a 'strip, map and excavate' methodology and arrangements for co-ordination with the County Archaeologist.

Reason: To mitigate the impacts on archaeological remains in accordance with Policy CS36 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).

Soil Handling

12. Subject to clause (f) below, no soils shall be exported from the site and no soils shall be stripped, stored, handled or replaced except in accordance with a soil handling scheme that has first been submitted to and approved in writing by the

Mineral Planning Authority. The scheme shall include provision for:

- a) The method of operation for the removal and subsequent replacement of soils in accordance with the MAFF (2000) Good Practice Guide for Handling Soil;
- b) The prior stripping, in phases, of all soils to avoid unnecessary trafficking or compaction;
- c) The location, profile and height (not to exceed 4 metres) of soil stockpiles;
- d) The separate handling and storage of topsoil and subsoil;
- e) The handling of soils only when they are in a dry and friable condition and the methodology for determining that;
- f) The volumes of soils to be stored to ensure the retention of sufficient soils for the effective restoration of the site and the volumes to be transferred to other parts of the agricultural holding for specified purposes.
- g) Avoidance of the double handling of soils.
- h) The grass seeding and management of all soil storage mounds;
- i) The submission of a plan to the Mineral planning Authority by the end of each calendar year showing: the areas from which soils have been removed or replaced, the location of all storage mounds and the approximate quantity and nature of material therein.
- j) The relief of soil compaction on restored areas using a suitable tined subsoiler, and the removal of any stones in excess of 150mm in any dimension.

Reason: To ensure that soils remain in a satisfactory condition, to ensure the sustainable use of soils and to assist in the satisfactory restoration of the site in accordance with policies CS25 and CS38 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).

Environmental Control of Operations

13. No operations, other than water pumping and environmental monitoring, shall be carried out at the site, and no vehicles shall enter or leave the site, except between the following times:

0900 hours to 1800 hours Monday to Friday,
0900 hours to 1300 hours Saturdays,
and not at all on Sundays or Bank/Public Holidays.

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

14. No development shall take place except in accordance with a scheme for the control and monitoring of noise levels that has first been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall follow the principles set out in section 4.9 of the ES Vol. 6B, dated 5th March 2014 and monitoring shall relate to the phases and residential properties referred to in tables 4.1 and 4.2 of that chapter. The scheme shall:

- a) Establish appropriate maximum noise limits at the receptors in accordance with the findings of the ES and current noise guidance,
- b) Set out procedures for monitoring and reporting of noise levels emanating from the site,
- c) Identify the actions to be taken in the event that noise limits are exceeded or complaints are received.
- d) Include details of reversing alarms on all site vehicles and mobile plant,

designed to prevent nuisance to nearby residential receptors.

e) Make provision for the silencing of all plant and equipment and its use and maintenance in accordance with manufacturer's instructions.

f) Provide details of the dewatering pumps to be used on site (which should be electric unless a valid argument can be produced to indicate otherwise) and arrangements for noise suppression, if necessary, to achieve acceptable night time noise levels.

[Monitored noise levels may be measured directly or derived from a combination of measurement and calculation using propagation corrections. Where noise levels are determined at facades they should be expressed as free field levels.]

Reason: In the interests of residential and rural amenity, in accordance with Policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).

15. No external lighting equipment shall be installed on the site except in accordance with details that have first been submitted to and approved in writing by the Mineral Planning Authority. Such details shall ensure that light spillage is minimised.

Reason: To minimise the nuisance and disturbance to neighbours and comply with Policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).

16. No operations shall take place on the site except in accordance with a scheme for the suppression of dust, which has first been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:

- a) The suppression of dust caused by the moving, processing and storage of soil, overburden, aggregates, clay and other materials within the site;
- b) Dust suppression on haul roads, including speed limits and arrangements for spraying during dry weather;
- c) Arrangements for monitoring and review of the scheme.

Reason: To reduce the impacts of dust disturbance from the site on the local environment and to comply with Policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011).

Ecology and Landscape

17. No development (including ground works and vegetation clearance) shall take place except in accordance with a Construction Environmental Management Plan (CEMP: Biodiversity), which has first been submitted to and approved in writing by the Mineral Planning Authority. The CEMP (Biodiversity) shall include, but not be limited to, the following.

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of "biodiversity protection zones";
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) Responsible persons and lines of communication;
- f) The times during construction when specialist ecologists need to be present on site to oversee works;

- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h) Use of protective fences, exclusive barriers and warning signs;

Reason: To protect ecological interests in accordance with Policy CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), and Policy EN6 of the East Cambridgeshire Core Strategy (2009).

18. The stripping of soil from the reservoir site and mineral processing area shall not commence until an Ecological Design Strategy (ECDS) addressing mitigation, compensation, enhancements and restoration for protected species (breeding birds, wintering birds, water vole, spined loach, badger), aquatic plants and invertebrates, habitats (e.g. trees, ditches) and the Old Bedford Bank Drains County Wildlife Site and Ouse Washes SSSI/SAC/SPA has first been submitted to and approved in writing by the Mineral Planning Authority. The ECDS, which shall be implemented as approved, shall include, but not be limited to, the following.

- a) The purpose and conservation objectives for the proposed works;
- b) The review of site potential and constraints;
- c) The detailed design and/or working methods (over and above the mitigation measures contained in the CEMP) to achieve the stated objectives;
- d) Extent and location/area of proposed works on appropriate scale maps and plans;
- e) Translocation or displacement plans;
- f) The type and source of materials to be used where appropriate, e.g. native species of local provenance;
- g) A detailed timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- h) The identification of management responsibility for implementation; •
- i) Details for the disposal of any wastes arising from the works;

Reason: To protect ecological interests, to secure a beneficial after use of the site and to enhance local biodiversity in accordance with Policies CS25, CS34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), and Policies CS6, and EN6 of the East Cambridgeshire Core Strategy (2009).

19. With specific reference to water vole, the ECDS referred to in condition 18 shall include reference to:

- a) Buffer zones for ditches on and adjoining the site;
- b) A ditch maintenance regime to create & maintain good water vole habitat during operations and for a five-year aftercare period beyond that;
- c) A ditch management regime to manage sediment ingress and water levels
- d) The creation and establishment of replacement ditch habitat before any habitat is lost.

Reason: To protect ecological interests, to secure a beneficial after use of the site and to enhance local biodiversity in accordance with Policies CS25, CS34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), and Policies CS6, and EN6 of the East Cambridgeshire Core Strategy (2009).

20. The extraction of sand and gravel from the site shall not commence until a landscape and ecological management plan (LEMP) has been submitted to and

approved in writing by the Mineral Planning Authority. The plan, which shall be implemented as approved, shall include, but not be limited to, the following.

- a) Description and evaluation of features to be managed;
- b) Ecological Trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Details of initial aftercare and long-term maintenance;
- e) Appropriate management options for achieving aims and objectives;
- f) Prescriptions for management actions;
- g) Preparation of the work schedule (including a work plan capable of being rolled forward on an annual basis);
- h) Details of the body or organisation responsible for implementation of the plan
- i) Ongoing monitoring and remedial measures;
- j) Details of the legal and funding mechanism by which the implementation of the plan will be secured and the management body responsible for its delivery;
- k) An explanation of how (*where monitoring results show that conservation aims and objectives of the LEMP are not being met*) contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Reason: To protect landscape and ecological interests, to secure a beneficial after use of the site and to enhance local biodiversity in accordance with Policies CS25, CS33, CS34 and CS35 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), and Policies CS6, EN1 and EN6 of the East Cambridgeshire Core Strategy (2009).

Engineering and the Water Environment

21. No development shall take place except in accordance with a detailed scheme for the design and construction of the reservoirs that has first been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:

- a) A construction program;
- b) Drawings, technical specifications and a phasing plan of the proposed operations;
- c) A hydrogeological assessment to ensure stability under both rapid and emergency drawdown conditions for each relevant phase of the scheme;
- d) Additional slope stability analysis including 'lower bound' strength parameters;
- e) Arrangements for the supervision of the works by a qualified construction engineer in accordance with Section 6(1) of the Reservoirs Act, to oversee all aspects of the design and construction and thus ensure that the safety of the reservoir and of the surrounding area is not compromised;
- f) Contingency proposals in the event the appointed engineer should no longer be available to support the operator;
- g) Details of the draw-off facilities for the new reservoir,

Reason: To prevent the increased risk of pollution to the water environment and the structural integrity of existing flood defences and to reduce the risk of flooding in accordance with Policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), Policies EN7 and EN8 of the East Cambridgeshire Core Strategy (2009) and Policy LP14 of the Fenland District Local Plan (2014).

22. No development shall take place except in accordance with a detailed scheme for

the dewatering of the site throughout the construction of the reservoirs, which has first been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall include:

- a) A method statement for the dewatering of the site, including details of equipment and rates of pumping;
- b) The arrangements for the disposal of pumped water and the maintenance of drainage of the site during extraction and engineering operations;
- c) The measures to prevent the discharge of any contaminated drainage to surface or groundwater during construction;
- d) Arrangements to monitor the impact of dewatering on groundwater levels on users and receptors within the vicinity of the site and the periodic submission of the results to the Mineral Planning Authority;
- e) Arrangements for the mitigation of any potential or actual detriment to 3rd parties affected as a result of dewatering;
- f) An assessment of the post-construction impact on the hydrogeological environment.

Reason: To prevent the increased risk of pollution to the water environment and the structural integrity of existing flood defences and to reduce the risk of flooding in accordance with Policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), Policies EN7 and EN8 of the East Cambridgeshire Core Strategy (2009) and Policy LP14 of the Fenland District Local Plan (2014).

23. No development shall take place except in accordance with detailed Method Statements for the various stages and activities of the reservoir construction, which have first been submitted to and approved in writing by the Mineral Planning Authority. These shall include a comprehensive water management plan that will cover the final design, installation, operation and maintenance of the proposed well point dewatering system.

Reason: To prevent the increased risk of pollution to the water environment and the structural integrity of existing flood defences and to reduce the risk of flooding in accordance with Policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), Policies EN7 and EN8 of the East Cambridgeshire Core Strategy (2009) and Policy LP14 of the Fenland District Local Plan (2014).

24. No excavation of material shall take place on land within 150 metres of the outer northern edge of the Counter Drain of the Ouse Washes.

Reason: To prevent the increased risk of pollution to the water environment and the structural integrity of existing flood defences and to reduce the risk of flooding in accordance with Policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), Policies EN7 and EN8 of the East Cambridgeshire Core Strategy (2009) and Policy LP14 of the Fenland District Local Plan (2014).

25. A minimum 5 metre stand-off shall be maintained between the Old Bedford Low Bank Drain and the proposed acoustic bund and shall be kept clear of material at all times.

Reason: To prevent the increased risk of pollution to the water environment and the structural integrity of existing flood defences and to reduce the risk of flooding in

accordance with Policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), Policies EN7 and EN8 of the East Cambridgeshire Core Strategy (2009) and Policy LP14 of the Fenland District Local Plan (2014).

26. Any storage facilities for fuel oil, greases, oils and lubricant (including waste products) provided on the site shall be sited on an impervious base and surrounded by an impervious bunded area of a minimum of 110% of the capacity of the tank and associated pipework. All filling points, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any surface watercourse or underground water. All associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be designed to discharge into the bund or be contained in a suitable double skinned tank.

Reason: To prevent the increased risk of pollution to the water environment in accordance with Policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011), Policies EN7 and EN8 of the East Cambridgeshire Core Strategy (2009) and Policy LP14 of the Fenland District Local Plan (2014).

Afteruse

27. The use of the reservoirs hereby permitted shall be restricted to the storage of water for agricultural irrigation purposes only.

Reason: To support improved versatility and to sustain the rural economy, whilst protecting the character of the rural area in accordance with Policies CS34 and CS42 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and Policy EN1 of the East Cambridgeshire Core Strategy (2009).

28. Water pumping operations from the proposed reservoirs for agricultural irrigation, shall not commence until details of the pumping apparatus, its noise emissions and location, including elevations and materials of any pump house to be used, shall be submitted to and approved in writing by the Mineral Planning Authority. Pumps shall only be installed in accordance with the approved details.

Reason: In the interests of visual and residential amenity of the area, in accordance with Policies CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) and Policy EN1 of the East Cambridgeshire Core Strategy (2009).

Informatives:

(A) The applicant is advised to contact the EA to discuss the need for a water abstraction licence before any dewatering is planned to take place. The applicant should be aware that it may take up to 3 months to issue an abstraction licence.

(B) This application will also need to be considered by the Middle Level Commissioners as the site lies entirely within their area and will be subject to flood risk from their systems. The bund adjacent to the new access road may be affected by or exacerbate flood risk from the IDB system which they will need to judge.

(C) Any development activity within 9m of the toe of the east bank of the Cranbrook Drain would require a separate consent from the EA.

(D) In constructing the haul road the use of suitable recycled materials should be considered as this would reduce the need for the use of virgin materials.

(E) This development involves work to the public highway that will require the approval of the County Council as Highway Authority and it is the applicant's responsibility to seek the necessary approval. The applicant will be required to enter into a short form 278 Agreement with the Highway Authority for the construction of the access. Public utility apparatus may be affected and it is the applicant's responsibility to seek agreement with the service provider on any necessary alterations.

(F) The Applicant's attention is drawn to the further advice contained in the letter from the Environment Agency to the County Council dated 12th January 2015.

(G) The disturbance of water voles, or other protected species, and their habitat may require a licence from Natural England under the Wildlife and Countryside Act. Given the value of this area for nature conservation, the Applicant is advised to obtain detailed advice from a qualified ecologist to ensure that legal obligations are satisfied throughout.

APPENDIX B

Draft Terms for Planning Obligation under Section 106 to be completed prior to the issue of planning permission:

SCHEDULE 1: COVENANTS BY THE OWNER

1. The Owner covenants with the County Council :

(i) to implement and fully comply with the Lorry Routing Scheme in relation to the export of processed mineral from the Agricultural Reservoir Site; and

(ii) to pay the Highway Safety Contribution to the County Council as prescribed in the agreement.

(iii) to monitor groundwater levels in accordance with the scheme required by condition and to take all reasonable endeavours to prevent or mitigate detriment to third party interests as a result of dewatering.

(v) To implement the Landscape & Ecological Management Plan for a period of 10 years from the completion of restoration

(vi) to mitigate any adverse effects of dewatering on 3rd parties in accordance with the Dewatering Scheme, for the duration of dewatering operations

(vii) in the event that any person other than the Owner is detrimentally affected by the implementation of the Dewatering Scheme, to submit forthwith to the County Council additional proposals and/or revisions to the Dewatering Scheme in order to avoid or otherwise mitigate such detrimentally effect and to implement such additional proposals and/or revisions as are approved by the County Council.

SCHEDULE 2: COVENANTS BY THE OWNER AND THE OPERATOR

1. The Owner and the Operator covenant with the County Council:

(i) to use all reasonable endeavours (subject to all necessary permits and consents being in place) to ensure that processed minerals are only exported from the Agricultural Reservoir Site in articulated vehicles that have first delivered restoration material to the Colne Fen Site, such obligation being in force only so long as the two sites are operating contiguously and provide that the said vehicles are not required to transport a return load of mineral from Colne Fen Site.

(ii) to maintain records on site of all articulated vehicles leaving the site including the date, weight of processed mineral carried and whether the vehicle had first delivered a load of inert waste to the Colne Fen Site, such records being retained for a period of not less than 6 months and being made available for inspection by the County Council on request.

(iii) to use all reasonable endeavours (including but not limited to ensuring that this forms a requirement of any legal contract) to ensure that any operator other than the Operator who is already a party to this agreement complies with the provisions of the Second and Third Schedules hereto.

SCHEDULE 3: THE LORRY ROUTING SCHEME

1. All Articulated Vehicles owned or controlled by the Owner and/or the Operator shall enter/leave the Agricultural Reservoir Site only by the permitted access onto the B1050 Chatteris Road travelling on the B1050 from/to Earith via and from thence on the A1123 from/to St Ives, the route being shown for the avoidance of doubt on drawing.

2. The Owner and the Operator shall take all such steps as are proper and necessary (including the provision and maintenance of suitable signs and notices) to ensure that all Articulated Vehicles travelling to and from the Agricultural Reservoir Site in respect of the Development observe these restrictions.

3. Notwithstanding the above the terms of this Agreement may be varied in writing between the parties to allow vehicles to travel northwards on the B1050 in the event that the Owner or Operator obtains from the Council approval for a variation to the planning conditions to allow vehicles to turn northwards out of the site to deliver aggregates to a specific development in Chatteris, for which a proven supply contract can be demonstrated.

4. The Owner and Operator shall in order to comply with the provisions of paragraphs 1 and 2 above:

(i) erect signs on the internal haul road within the Agricultural Reservoir Site to explain the routing arrangements to be followed by drivers of Articulated Vehicles entering and leaving the Agricultural Reservoir Site;

(ii) issue directives to the drivers of Articulated Vehicles under the direct control of the Owner and/or the Contractor or otherwise lawfully entering and leaving the Agricultural Reservoir Site setting out and requiring compliance with the permitted journey routes prescribed in paragraph 1 above;

(iii) use all reasonable endeavours to ensure compliance with such directives including the inclusion of such obligations within the conditions of contract of all haulage contractors employed by the Owner and/or the Operator to travel to and from the Agricultural Reservoir Site;

(iv) use all reasonable endeavours to enforce such contractual requirements where any breaches come to the attention of the Owner and/or the Operator;

(v) inform the Council of the steps that it has taken to comply with the requirements of this paragraph 4;

(vi) take adequate steps to monitor the routing of Articulated Vehicles travelling to and from the Agricultural Reservoir Site by carrying out random spot checks at the exit to the Agricultural Reservoir Site and on local roads to ensure compliance such checks to take place not less than 4 times per calendar year;

(vii) issue to all Articulated Vehicle drivers a map indicating the routes to be used and any prohibited routes, together with instructions on the need to drive carefully and courteously, through local villages, observing speed limits and taking particular care at the Somersham and Earith junctions;

(viii) carry out checks on the speed of Articulated Vehicles travelling to and from the Agricultural Reservoir Site not less than four times a year; and

(ix) maintain records of all of the steps that are carried out pursuant to this paragraph 4 and to provide a written report to the County Council on all such actions and monitoring results not less than once every 3 months .