

**SECTION 73 PLANNING APPLICATION TO DEVELOP LAND WITHOUT
COMPLYING WITH CONDITION 2 OF PLANNING PERMISSION H/05003/12/CW
(EXTENSION OF CONCRETE PAD FOR MATURATION OF COMPOST WITH
DRAINAGE BALANCING LAGOONS, REED BED; PERIMETER EARTH BUNDS
[FOR] SCREENING) TO EXTEND CONCRETE PAD INTO AREA OF BALANCING
LAGOON**

**AT: ENVAR COMPOSTING LTD, THE HEATH, WOODHURST,
HUNTINGDON, PE28 3BS
LPA REF: H/5006/17/CW
FOR: ENVAR COMPOSTING LTD**

To: **Planning Committee**
Date: **2 November 2017**
From: **Head of Growth & Economy**
Electoral division(s): **Somersham & Earith**
Purpose: **To consider the above planning application**
Recommendation: **That planning permission be GRANTED
subject to the conditions set out in
paragraph 9.1**

<i>Officer contact:</i>	
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1.0 INTRODUCTION

- 1.1 The Envar Composting Ltd site has for many years composted green waste both “in vessel” in composting tunnels and buildings and on concrete pads in open windrows. It has recently been taken over by the applicant company who wish to better use the land by broadening the types of wastes that would be handled; increasing the annual throughput; extending the hours of operation and improving the access arrangements. They have submitted this and 3 other planning applications (see paragraphs 5.17 – 5.19 below) which are the subject of separate reports to this committee (agenda items 4, 5 and 7).

2.0 THE SITE AND ITS LOCATION

- 2.1 This application relates to approximately 5 hectares (12.4 acres) of land within a 19 hectare (47 acre) land holding. The developed land includes: buildings for composting waste in vessel; areas of hardstanding for open windrow composting and maturation of compost; water storage lagoons; former residential properties used as offices and for educational purposes; litter-catch fencing; screen bunds; weighbridges; and waste water treatment plant.
- 2.2 There are three accesses to the existing site from the B1086 St Ives Road. These are shown as E1, E2 and E3 on agenda plan 2. Access E2, near the bungalow, is currently closed to traffic. Access E1 is used by vehicles making deliveries to the waste reception building which also need to use access e3 to use the weighbridge. There are four accesses to the existing site from Bluntisham Heath Road which are shown as E4, E5, E6 and E7 on agenda plan 2. Access E4, which is approximately 50 metres (55 yards) from the crossroads junction, is used by waste vehicles leaving the site after using the weighbridge. Accesses E5 and E6, which are located either side of redundant storage tanks, are currently closed to traffic. The building known as Heath Tops has its own access from Bluntisham Heath Road shown as E7.
- 2.3 The site is in the south westernmost part of the parish of Somersham, some 3 kilometres (1.9 miles) south west of the village. Bluntisham is 2.5 kilometres (1.6 miles) to the southeast; Woodhurst 1.5 kilometres (0.9 miles) to the northwest and Pidley-cum-Fenton 2.5 kilometres (1.6 miles) to the north. Immediate neighbours are a mushroom farm and travellers’ site to the northeast and agricultural land to the southeast. The northwestern boundary is the B1086 St Ives Road and the southwestern boundary is The Heath, a class C road which runs between Woodhurst and Bluntisham. The Raptor Foundation which includes residential properties, a guest house, shops and a tea room is immediately to the north, on the opposite side of St Ives Road. There are 6 residential properties immediately to the north of the mushroom farm and the Raptor Foundation, the closest being Rectory Farm, 70 metres (77 yards) from the site. A joinery business is located 230 metres (252 yards) to the southwest of the site on Somersham Road. There are no other properties within 500 metres (547 yards) of the site.

- 2.4 The undeveloped land is grade 2 in the agricultural land classification. The site is in flood zone 1 and is not in a groundwater protection zone. There are no scheduled monuments within 2 kilometres (1.2 miles) of the site. There are no listed buildings within 2 kilometres (1.2 miles) of the site except two mile stones on the B1086. There are no Sites of Special Scientific Interest within 3 kilometres (1.9 miles) of the site. The St Ives to March Disused Railway (The Parks South) County Wildlife Site (CWS) is 1 kilometre (0.6 miles) north east of the site; Heath Fruit Farm CWS is 1.4 kilometres (0.9 miles) to the east and Lawn Orchard CWS is 1.7 kilometres (1.1 mile) to the north. No public rights of way would be affected by the proposed development.

3.0 THE PROPOSAL

- 3.1 Planning permission no. H/05003/12/CW was granted in June 2012 for the extension of a concrete pad for the maturation of compost with drainage balancing lagoons, reed beds and perimeter earth bunds for screening. It was granted subject to 7 conditions including:

2. Unless otherwise agreed in writing by the Waste Planning Authority, the development hereby permitted shall not proceed except in accordance with the details set out in the submitted application form, supporting statement, design and access statement, as amended by the conditions stated on this decision notice and the following drawings:

- *Titled: Outline landscape plant, date stamped 02/03/12*
- *Titled: Site plan – numbered: GPP/EN/SI/11/13 and date stamped 02/02/12*
- *Titled: Site layout plan – numbered: GPP/EN/SI/11/13 and date stamped 02/03/12*

- 3.2 Planning permission no. H/05003/12/CW related to approximately 5 hectares (12.4 acres) of the land allocated in the Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals Development Plan Document (February 2012) for in vessel and windrow composting. 3.5 hectares (8.6 acres) was to be a concrete slab to extend the area for open windrow composting of green waste. Within the remainder, closest to the mushroom farm, was to be a balancing lagoon and reed bed. There would be an earth bund along the southern boundary with Bluntisham Heath Road and along the eastern and northern boundaries of the new concrete pad. Only about 1 hectare (2.5 acres) of the permitted concrete pad has been installed with commensurately less of the perimeter bund. The balancing lagoon and reed bed have not been created and alternative surface water drainage arrangements for the new concrete area have been put in place.

- 3.3 The current operator wishes to extend the area of open windrow composting and intends to install the remainder of concrete as permitted by H/05003/12/CW and also to extend it by a further 0.8 hectares (2 acres) into the area shown in the approved scheme as the balancing lagoon and reed bed. The perimeter earth bund would be extended as proposed in application no. H/5005/17/CW. Vehicular access to the extended composting area would

be via the internal access road also proposed in application no. H/5005/17/CW.

- 3.4 Permission for the proposed extension of the concrete pad could be achieved by substituting a new scheme for the one shown in the drawings referred to in condition 2 of planning permission no. H/05003/12/CW and imposing appropriately reworded conditions.

CONSULTATIONS AND PUBLICITY

- 4.1 The application was advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The proposed development, together with the development that is the subject of applications nos. H/5004/17/CW, H/5005/17/CW and H/5007/17/CW was screened against the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It was concluded that it would not be likely to have significant effects on the environment.
- 4.2 Huntingdonshire District Council – No objections are raised.
- 4.3 Somersham Parish Council – The application seems to be a sensible proposal and has dealt with the key points.
- 4.4 Bluntisham Parish Council – Whilst the parish council are in support of the proposals they are concerned with the increase in traffic movements and the damage to the road. They would like to see the vehicles wheels being washed prior to leaving the site to keep the road clean and some investment into the junction, which is dangerous and poorly surfaced.

Following receipt of further transport information from the applicant and the highway authority's comments - The PC raise further concerns with the proposal. The majority of councillors voted to refuse the application for the following reasons:

- Adding extra traffic to an already dangerous junction and stretch of road leading up to the junction and asked if a stage 3 safety audit had been completed as they were concerned with the vision splay for the vehicles and also for other road users at the crossroads.
 - If the application is approved that a wheel wash should be a condition of the permission to try to keep the road as clean as possible.
 - The PC also expressed disappointment that the applicant is not willing to contribute towards any improvements to the crossroads or the road surface, which is deteriorating due to the increase in heavy goods vehicles.
- 4.5 Pidley cum Fenton Parish Council – Raise concerns about the increase in traffic flow to and from the site and hope that this will not result in an increase in traffic through the village of Pidley.
- 4.6 Colne Parish Council – No comments to make.

4.7 Woodhurst Parish Council – No comments received.

4.8 Environment Agency – No objection in principle. Composting has the potential to cause environmental pollution, harm to human health and nuisance. There is a potential for the process to give rise to odours, leachate, noise and potentially harmful bio-aerosols. The application does not fully cover these matters. The Environment Agency's national permitting team will consider all these factors before the environmental permit is varied. More detailed environmental risk assessment will need to be provided, specific to each of the above factors identifying the potential risks from the process and showing how the risks to receptors have been mitigated. This can be prepared in the format of a conventional source-pathway-receptor risk assessment and the receptors should include groundwater, surface waters, humans, animals, soil and habitats. There is already an effluent treatment plant that is regulated and managed by our Land & Water Team.

An appropriate environmental permit and/or variation of the current permit will be required before site operations are varied/updated. The applicant has made an application to the Environment Agency that is being assessed and the necessary conditions will be added in the permit to deal with pollution prevention and waste regulation issues. Operations of this nature have the potential to impact on amenity, particularly in respect of odour and noise. As part of the environmental permit a detailed site management plan will be required showing how odours will be managed. A detailed assessment in respect of noise may also be required before a permit is granted. The Environment Agency draws the applicant's attention to the Animal Health By-products Regulations and Nitrate Vulnerability Zones.

The proposed development will be acceptable if a scheme for the disposal of foul and surface water is secured by planning condition to prevent the increased risk of pollution to the water environment.

4.9 CCC Transport Assessment Officer - No objection is raised. The following comments are further to a Transport Assessment provided by Origin Transport Consultants as part of an application for an extension of the composting plant to allow an increase in the amount of waste treated from 105,000 tonnes to 200,000 tonnes (106,686 to 203,211 tons) per annum and an additional 19 members of staff. These comments are further to comments dated 19th July 2017 and additional information supplied by the applicant.

Forecast Trip Generation and B1040 junction with Bluntisham Heath Road

1. Table 3 highlights that the peak hours of operation are similar to the peak times for vehicle flows on the surrounding road network. The current peak daily flow is with 60 in and 60 out movements, with an AM peak hour flow of 5 in and 12 out and PM flow of 2 in and 4 out. The site accesses and movements means that each lorry currently has to negotiate the junction of B1040 with Bluntisham Heath Road three times. This means that currently there are 180 lorry movements through the junction each day that relate to the site.

2. The proposal will result in a total daily flow of 120 HGVs in and out. However, the rationalisation of the site accesses removes the need for multiple turning movements at the B1040 with Bluntisham Heath Road for all vehicles using the site. This means that each vehicle will negotiate the junction once and not three times, and removing the turning movements at the junction.
3. The proposal results in an increase in lorry movements through the junction of B1040 with Bluntisham Heath Road from 180 movements a day to 240 a day assuming a worst case scenario that all movements are to and from St Ives to the south. This increase will be less as some vehicles will approach from and depart towards the north and not pass through the junction.

Forecast Trip Generation and the Surrounding Road Network

4. The applicant's analysis has assumed that the existing trips to and from the site would be doubled. This is agreed. This results in an increase in trips of a maximum daily flow of 60 in and 60 out movements, and an AM peak hour flow of 5 in and 12 out and PM flow of 2 in and 4 out. There will be 8 additional staff trips in the AM peak and 7 in the PM peak, resulting in a total trip generation of 13 in and 12 out in the AM peak and 3 in and 10 out in the PM peak.

Transport Impact

5. The increase in traffic at the junction of the B1040 with Bluntisham Heath Road over a whole day resulting from this application is not considered to be significant in relation to the overall traffic flow through the junction over a whole day.
6. The results of the junction modelling for the wider area outlines that the increase in traffic will result in no significant impact in congestion to the junctions on the surrounding road network.

- 4.10 Peterborough City Council Wildlife Officer – Is pleased to note that this application is accompanied by an Extended Phase 1 Survey Report (June 2017) and is satisfied with the report's assessment of impacts on protected species and habitats.

Bats: The existing trees and woodland on site are proposed to be retained, and therefore direct impacts to bats are unlikely to occur. However any lighting used during both the construction and operational phases should be carefully designed to be baffled downwards away from these habitat features. In addition a range of bat boxes should be provided as suitable bat roosting habitat. These details should be provided by the applicant which would be acceptable via a suitably worded condition.

Reptiles & Amphibians: The report identifies the possibility that reptiles and amphibians may utilise areas of the site, however there is a low probability of them being present. Nevertheless a precautionary approach is recommended, which is supported. A suitably worded condition is recommended requiring

that works are implemented in accordance with the non-licensed method statement set out in section 9.8 of the Ecology Report.

Nesting Birds: The Report identifies habitats and features within the site which are likely to support nesting birds. Where any vegetation or buildings are to be removed, these might provide suitable habitat for nesting birds during the nesting season (1st March to 31st August). A suitably worded condition is recommended 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.

To mitigate for the loss of potential nesting habitat, it is recommended that a range of nesting boxes are installed that cater for a number of different species such as House Sparrow and Starling. Details regarding numbers, designs and locations should be provided by the applicant which may be secured via a suitably worded condition.

Site design & landscaping: The existing water body, mature trees and woodland areas should be retained, along with the (off-site) mature hedgerow to the north-west of the site. No landscaping detail appears to have been provided with regard to the new bunds and would recommend that these are seeded using a native wildflower seed mix along with a range of native tree and/ or shrub species, the detail of which may be provided via a suitably worded condition.

Subject to the above recommendations being fully incorporated into the approved scheme the development would result in a net gain in biodiversity.

- 4.11 Lead Local Flood Authority (CCC Flood and Water Team) - Are satisfied with the principle of utilising the existing lagoons to store surface water. At the detailed design stage clarification is needed about the volumes of water that are discharging into the ditch network and how this is controlled. Further detail is also needed about the methods that will be employed to convey surface water from where it falls to the lagoons as well as the design details of any future lagoons. These matters should be secured by planning condition.

- 4.12 Individual representations – None received.

5.0 PLANNING HISTORY

- 5.1 H/1011/92/CW Composting to produce a peat substitute from organic vegetable waste (granted 08-12-1993 – *not implemented*)
- 5.2 H/0739/94/CW Extension to composting building (granted 11-10-1994)
- 5.3 H/5023/02/CW Concrete apron for the preparation of green waste (granted 07-11-2002 – *not implemented*)
- 5.4 H/5005/04/CW Extension of an existing building to enclose 8 existing composting tunnels; composting of organic feedstocks to produce compost for agriculture, horticulture and landscaping;

establishment of ADAS Composting Research Project (granted 15-07-2004 subject to S106 agreement dated 14-07-2004 restricting the catchment area from which waste may be drawn)

- 5.5 H/5021/05/CW Change of use of Heath Tops from residential to part residential and part educational facility and offices (granted 12-12-2005)
- 5.6 H/5003/06/CW Replacement building to contain four enclosed composting tunnels (granted 22-05-2006)
- 5.7 H/5000/07/CW Erection of semi-permanent office building (granted 12-06-2006; temporary permission expired 30-04-2012)
- 5.8 H/5001/07/CW Plant to treat waste water from composting site (granted 26-03-2007)
- 5.9 H/5002/07/CW Cladding of open barn to provide enclosed composting building (granted 26-03-2007)
- 5.10 H/5005/07/CW Extension of concrete pad for maturation of compost (granted 11-04-2007 – *not implemented*)
- 5.11 H/5015/09/CW Erection of three composting tunnels and waste reception building (granted 14-09-2009 – *not implemented*)
- 5.12 H/5037/09/CW Variation of condition 7 of H/05005/04/CW to state "No vehicle shall enter or leave the site except between the hours of 0700 and 1800 Mondays to Fridays except Public Holidays and 0700 and 1330 on Saturdays. Working on site shall take place between the hours of 0700 and 1800 on any day of the week" (granted 04-01-2010)
- 5.13 H/5021/11/CW Demolition of old composting tunnels and ancillary structures; extension to waste reception building; new building to house new composting tunnels, bio-filters & manoeuvring area; covered link to connect buildings; relocation of weighbridge & office; alteration of access to B1086 (granted 19-04-2012)
- 5.14 H/5003/12/CW Extension of concrete pad for maturation of compost with drainage balancing lagoons, reed bed; perimeter earth bunds screening (granted 07-06-2012)
- 5.15 H/5000/14/CW Erection of four metre high litter-net fencing (granted 16-05-2014)
- 5.16 H/5001/14/CW Construction of a waste water lagoon, additional discharge tank to waste-water treatment plant and buffer tank for rain-water harvesting (part retrospective) (granted 11-09-2014)
- 5.17 H/5004/17/CW Section 73 planning application to develop land without complying with condition 7 of planning permission

H/05037/09/CW (Variation of Condition 7 of planning permission H/5005/04/CW: Extension of an existing building to enclose 8 existing composting tunnels; composting of organic feedstocks to produce compost for agriculture, horticulture and landscaping; establishment of ADAS Composting Research Project) to extend the hours of operation including vehicle movements to 0500 to 2200 hours daily (not determined - the subject of agenda item 7)

5.18 H/5005/17/CW Change of use of existing building (no. 16 on Existing Site Layout Plan) and adjacent land from composting and maturation of compost to recovery of waste in biomass boilers, drying waste, storage of biomass and drying material and bulking up and shredding waste wood (part retrospective). Erection of two external flue stacks and two biomass feed hoppers (retrospective). Extension of concrete hardstanding (retrospective). Erection of storage bays and two drying material hoppers. Change of use of existing building (no. 11 on Existing Site Layout Plan) from composting to composting and waste transfer. Change of use of part of existing building (no. 10 on Existing Site Layout Plan) from composting to food waste transfer. Extension of perimeter earth bund. Installation of an internal roadway. Installation of two weighbridges and a weighbridge office (not determined - the subject of agenda item 5)

5.19 H/5007/17/CW Section 73 planning application to develop land without complying with conditions 2 and 5 of planning permission H/05021/11/CW (Demolition of old composting tunnels and ancillary structures; extension to waste reception building; new building to house new composting tunnels, biofilters & manoeuvring area; covered link to connect buildings; relocation of weighbridge & office; alteration of access to B1086) to allow alternative access arrangements (not determined – the subject of agenda item 4)

6.0 PLANNING POLICY

6.1 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 6.4 - 6.6 below.

6.2 The National Planning Policy Framework (NPPF) (2012) is also a material planning consideration and sets out the Government's planning policies for England and how these are expected to be applied. It sets out a presumption in favour of sustainable development and confirms the statutory status of the development plan and that both are material considerations in determining planning applications.

6.3 The National Planning Policy for Waste (NPPW) published in October 2014 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.

6.4 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

CS15 - The Location of Future Waste Management Facilities

CS22 - Climate Change

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

CS40 - Airport Safeguarding

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

SSP W1 Waste Recycling and Recovery Facilities (Non-Landfill)

SSP W8 Waste Consultation Areas

The site specific and Area of Search allocations for waste recycling and recovery facilities include:

SSP W1J Envar, Woodhurst (in vessel and windrow composting)

6.6 Huntingdonshire Local Plan (adopted December 1995) (the HLP)

En12 Archaeological recording
En13 Archaeological evaluation
En18 Trees, woodlands, hedges and meadowland
En22 Nature and wildlife conservation
En23 Protection of designated wildlife sites
CS8 Surface water and drainage

6.7 Huntingdonshire Core Strategy (adopted 2009) (the HCS)

CS1 – Sustainable development in Huntingdonshire

6.8 Emerging Huntingdonshire Local Plan to 2036 (emerging HLP)

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.

7.0 PLANNING CONSIDERATIONS

7.1 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 (para 14). It states that:

- Proposed development that accords with the development plan should be approved without delay
- Where the development plan is absent, silent or relevant policies are out-of-date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted

7.2 The key issues are the principle in planning policy terms of:

- Extending the area for composting green waste in open windrows;
- increasing the annual throughput of the site; and
- whether the processes can be undertaken without causing unacceptable harm to the local environment including both ecological and human receptors.

The Site Profile in the MWSSP specifically refers to access and highway improvements, airport safeguarding, high grade agricultural land, impact of odour on nearby sensitive receptors, high archaeological potential of the area and boundary landscape enhancement. These matters are addressed in more detail in later sections of this report.

Principle of the proposed development

- 7.3 The existing site is recognised as making a significant contribution to managing waste in Cambridgeshire and Peterborough and is protected by a Waste Consultation Area (MWCS policy CS30 and MWSSP policy SSP W8). Land to the northeast and southeast of the existing site is allocated for non-landfill waste recycling and recovery, specifically for in vessel and windrow composting (MWSSP policy SSP W1). Some of the allocation has planning permission for windrow composting (ref. no. H/05003/12/CW) as set out in paragraph 3.2 above. The current proposal would extend the area of open windrow composting within the allocation area which would be in accordance with MWSSP policy SSP W1.

Traffic and highways

- 7.4 The MWSSP site profile states that a planning application relating to the allocation area will need to address:

- i) Road improvements to deal with increased vehicular movements at the nearby crossroads to address safety concerns; and
- ii) Vehicular access arrangements require improvements to secure road safety objectives.

The proposal includes almost doubling the maximum throughput of the site from 105,000 tonnes per annum to 200,000 tonnes per annum (106,686 to 203,211 tons) as a result of extending the area of the site used for composting (the current application), accepting and treating a wider range of waste types and operating a waste transfer station (application no. H/5005/17/CW, agenda item 5). Item (ii) above is addressed in planning application no. H/5007/17CW which is agenda item no. 4.

- 7.5 MWCS policy CS32 states that minerals development will only be permitted where access and the highway network serving the site are suitable or could be made suitable and able to accommodate any increase in traffic and/or the nature of the traffic associated with the development. It is clear from the responses from local parish councils summarised in paragraphs 4.3 – 4.5 above that there is concern within the local community about the safety of the crossroads junction and that the proposed increase in waste throughput and consequent increase in vehicle movements would exacerbate the existing problems.
- 7.6 As set out in paragraph 4.9 above the County Council's Transport Assessment Officer agrees that that the proposed development would (together with the proposed waste transfer operations proposed in application no. H/5005/17/CW) result in the total number of trips to and from the site doubling from 60 in and 60 out to 120 in and 120 out. The movements at the crossroads junction have been analysed and due to the layout of the site, HGVs currently have to negotiate the crossroads junction 3 times in order to use the weighbridge before and after delivering or collecting their loads. This means that there are currently 180 HGV movements at the crossroads

connected with the site. Although the proposed development would double the number of vehicles visiting the site, each would only need to negotiate the crossroads once (provided the access changes which are the subject of planning application no. H/5007/17CW, agenda item no. 4 are approved and implemented). There would therefore be an increase of 60 HGV movements at the crossroad junction from 180 to 240 per day which is not considered by the Transport Assessment Officer as significant in relation to the overall traffic flow through the junction over a whole day. For this reason the highway authority does not consider it necessary or reasonable to seek contributions from the developer to make any changes to the junction.

- 7.7 MWCS policy CS32 goes on to say that minerals development will only be permitted where any associated increase in traffic would not cause unacceptable harm to the environment, road safety or residential amenity. Concern has been raised about damage to the highway because of increased use by HGVs. The St Ives to Somersham road is a B class road and it is the highway authority's responsibility to maintain the road fit for its purpose. In respect of the road being dirtied by vehicles leaving the site, this could be addressed by planning condition.
- 7.8 For the reasons set out in paragraphs 7.5 - 7.7 it is considered that the proposed development would not conflict with MWCS policy CS32 or the MWSSP.
- 7.9 MWCS policy CS29 seeks to prevent the excessive provision of waste disposal and waste management facilities which could result in the unacceptable importation of waste by requiring operators to enter into binding catchment area restrictions. In July 2004 the then operators entered into a S106 agreement with catchment area limits that were specific to their business model and took into account the ADAS Composting Research Project. The current operators have proposed that they will procure at least 40% by weight of wastes from the East of England Region and will endeavour within 5 years to procure at least 25% of wastes from a 40km catchment area and the areas of Cambridgeshire and Peterborough. It is considered that this would satisfy MWCS policy CS29 and could be secured by condition.

Airport safeguarding

- 7.10 MWCS policy CS40 states that waste development within the safeguarding areas of airports or aerodromes will only be permitted where it can be demonstrated that it would not constitute a significant hazard to air traffic. The site is within the safeguarding area for Alconbury and Wyton Airfield but consultation is only necessary for structures over 15.2 metres (50 feet) in height. The current application does not propose any new waste management techniques that are not already on the site. For these reasons it is considered the proposed development would comply with MWCS policy CS40.

High grade agricultural land

- 7.11 The allocation area is grade 2 agricultural land which in policy terms is regarded as being best and most versatile. It has been allocated for waste management development so it has been accepted that it could be lost from agricultural use. MWCS policy CS38 requires the proposal to demonstrate the sustainable use of soils. It is proposed that the soil from the footprint of the proposed new area of concrete would be used to construct the perimeter bund which is the subject of application no. H/5005/17/CW. It is considered that this would meet the requirements of MWCS policy CS38.

Impact of odour on nearby sensitive receptors

- 7.12 MWCS policy CS34 states that waste development will only be permitted where it can be demonstrated that there would be no significant harm to the environment, human health or safety of existing or proposed neighbouring uses, visual intrusion or loss to residential or other amenities. The NPPF states that in planning decisions the effects of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. It goes on to say that in doing so, local planning authorities should focus on whether the development itself is an acceptable use of the land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.
- 7.13 The Environment Agency has advised that the applicant will need to demonstrate how the impact of odours would be mitigated in a detailed site management plan which forms part of the environmental permitting process. In line with NPPF advice it is considered that the impacts of odour are more appropriately regulated by the Environmental Agency through the environmental permit.

High archaeological potential of the area

- 7.14 The report of the archaeological evaluation undertaken in March 2013 by Northamptonshire Archaeology as a requirement of condition 7 of planning permission H/05003/12/CW showed that the site has a high perched water table and the fields are full of land drains, many placed there over the last 200 years. No archaeological features were present in any of the trenches and no artefacts were recovered. The County Council's Historic Environment Team advised that no further archaeological work will be required for the new application area. The proposed development would therefore comply with MWCS policy CS36 which seeks to protect nationally and locally important heritage assets and with HLP policies En12 and En13 which have similar aims.

Boundary landscaping enhancement and visual impact

- 7.15 The MWSSP site profile states that a planning application relating to the allocation area will need to address boundary landscaping enhancement, particularly on the eastern and northern boundary. A landscaped bund along the southern boundary to the east of Heath Tops and for approximately 200 metres (219 yards) of the eastern boundary of the allocation area have been installed as part of planning permission no. H/05003/12/CW. It is 12 metres (39 feet) wide at the base and 2.2 metres (7 feet) high. Application no. H/5005/17/CW proposes that a 6 metre (10 feet) wide bund of the same height will be constructed around the remainder of the eastern and the northern boundaries of the allocation area where it abuts the mushroom farm. It would then continue along the western boundary alongside the B1086 St Ives Road as far as access 1.
- 7.16 MWCS policy CS33 requires mineral development to be assimilated into its surroundings and local landscape character. The proposed bunds are primarily for security but would fulfil the MWSSP site profile requirement for boundary landscaping enhancement on the eastern and northern boundaries of the allocation area. The proposed 2.2 metre (7 feet) height would be consistent with the existing perimeter bund and provided it is sensitively landscaped could be assimilated into the local landscape. As noted by the Wildlife Officer, no treatment planting proposals have been put forward by the applicant but this could be addressed by condition.
- 7.17 HLP policy En18 seeks to protect important site features including trees, woodlands and hedges. The submitted drawings are insufficiently detailed to show whether any trees will be lost as a result of the proposed development. These should be identified as part of the landscape planting proposals and any losses replaced with appropriate species and locations.

Ecology and biodiversity

- 7.18 MWCS policy CS35 states that waste development will only be permitted where it has been demonstrated there will be no likely significant adverse impact on sites of local nature conservation interest. The closest such sites as set out in paragraph 2.4 above. There is no reason to believe that the proposed development would impact on these sites therefore it would comply with MWCS policy CS35 and with HLP policy En23 which has similar aims.
- 7.19 HPL policy En22 requires that wherever relevant the determination of planning applications will take appropriate account of nature conservation and wildlife. The wildlife officer is broadly satisfied with the information provided by the applicant on protected species and has recommended conditions to secure the recommendations made by the applicant's ecologist.

Noise

- 7.20 MWCS policy CS34 states that waste development will only be permitted where it can be demonstrated that there would be no significant harm to the

environment, human health or safety existing or proposed neighbouring uses, visual intrusion or loss to residential or other amenities. The application was accompanied by a noise assessment and informed by the results of monitoring of a trial period of night time working which took place on the evening of 29 November 2016.

7.21 During the trial period the following activities were taking place:

- a loader and shredder were working within the reception building in the northern part of the site;
- two loaders were working in the maturation area within the eastern part of the site turning the compost; and
- the screening plant was operating within the Dutch barn at the south west of the site, serviced by a loader.

Noise was monitored close to the following properties:

- Heathfields which is adjacent to the B1040 approximately 500 metres (547 yards) from the southern operational part of the site;
- Rectory Farm adjacent to the B1086 approximately 300 metres (328 yards) from the northern operational part of the site; and
- Bridge Farm (entrance) adjacent to Bluntisham Heath Road, approximately 575 metres (630 yards) from the eastern site boundary. The house is 100 metres (110 yards) further east.

7.22 At all three locations the principal source of noise was from road traffic. At Rectory Farm operations at the Envar site were not audible. At Heathfields the noise from the Envar site was not generally clearly audible and was at a low level. At the Bridge Farm entrance the loader turning compost heaps close to the eastern boundary of the Envar site was audible with the reversing signal clearly audible. When the loader was working nearer the centre of the maturation area noise was noticeably lower. The main screening plant was just audible at this location.

7.23 The use of the loader within the maturation area was the main source of noise particularly when operating at the eastern part of the Envar site and the reversing signal was particularly noticeable. The proposed extension of the concrete pad would not result in open windrow composting being undertaken closer to Bridge Farm therefore it is unlikely that there would be an increase in noise from the site experienced at that property.

7.24 The conclusion of the trial is that the noise generated by operating the composting site at night would be unlikely to result in any significant adverse impacts on the occupiers of nearby properties. No complaints were received from individual householders or parish councils about the trial night time operations. The noise assessment concluded that the cumulative effect of the proposed development would not result in any significant adverse impacts on the occupants of surrounding properties. The environmental health officer has no objection to the proposal provided the recommendations in the noise assessment are carried out. In respect of the proposed extension of the open

windrow compost area this would be the use of non-tonal reversing signals on the loading shovels working in the compost maturation area. Provided these are secured by planning condition the proposed development would comply with MWCS policy CS34 in respect of noise.

Surface water drainage

- 7.25 The LLFA has advised that further details of the proposed means of managing surface water are needed. The Environment Agency considers that details about the disposal of foul and surface waters are lacking. Provided that this information is secured by condition it is considered that the proposed development would comply with policy CS39 of the MWCS and policy CS8 of the HLP.

8.0 CONCLUSION

- 8.1 The potential impacts have been discussed in section 7 of this report and officers consider that with appropriate planning conditions in place, the development would not have unacceptable adverse effects on the natural or human environments. The parish councils' concerns about the effect of 120 additional HGV movements per day on the road network (60 at the crossroads junction) are understood. However, based on the transport assessment officer's advice it is considered that asking the developer to make a financial contribution to road safety improvements would not be necessary to make the development acceptable in planning terms so would fail one of the tests in paragraph 204 of the NPPF.
- 8.2 The proposed increase in the amount of waste handled at the site would principally be as a result of increasing the area on which green waste could be composted in open windrows. The current proposal has been assessed on the basis that the access improvements which are the subject of application no. H/5007/17/CW will be implemented. In order to prevent an increase in traffic at the site before these works take place, it is considered necessary to link the extension of the concrete composting area to the access improvements and the closure of accesses E2, E5 and E6 and the restriction of access E4 to emergency service vehicles only.
- 8.3 Planning permission H/05003/12/CW required the installation of an earth bund around the southern, eastern and northern boundaries of the permitted concrete area. If the proposed extension to the concrete area is approved, the position of the bund would need to be changed. An extension of the perimeter bund is proposed as part of application no. H/5005/17/CW (agenda item 5). This would accommodate the proposed extended concrete area and is referred to in recommended condition 14 below. If application no. H/5005/17/CW is not approved, the bund would need to be repositioned. This could be secured by a differently worded condition.

9.0 RECOMMENDATION

- 9.1 It is recommended that permission be granted subject to the following

conditions.

1. The development hereby permitted shall be commenced no later than 3 years from the date of this permission.

Reason: *In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990*

General provisions

2. This permission relates to the area outlined in red on drawing no. GPP/EN/SI/11/12 Rev 5 Extended Maturation Area at Heathtops, Woodhurst, Cambs Site Plan dated 13 Feb 2012.

Reason: *For the avoidance of doubt and to define the permission.*

Compliance with Submitted Details

3. The development hereby permitted shall not proceed except in accordance with the details set out in the submitted application form and planning statement, received by the waste planning authority on 22 June 2017, as amended by the conditions stated on this decision notice and drawing no:

- GPP/E/SI/17/14 Rev 3 Proposed Site Layout Plan dated 05/06/17

Reason: *For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, with the minimum harm to the local environment and in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011).*

Waste throughput

4. No more than 200,000 tonnes of waste shall be accepted at the waste management site outlined in blue on drawing no. GPP/E/H/17/01 Rev 4 The Heath, Woodhurst, Huntingdon PE28 3BS Existing Site Layout Plan in any 12 month period. Records showing waste throughput shall be kept and provided to the waste planning authority within 10 days of a written request.

Reason: *A higher annual throughput has not been assessed in highway capacity and safety terms. To enable the waste planning authority to control the quantity of waste handled at the site in the interests of highway safety in accordance with policy CS32 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011).*

Waste Catchment Area

5. Not less than 40% by weight of wastes accepted at the waste management site outlined in blue on drawing no. GPP/E/H/17/01 Rev 4 The Heath, Woodhurst, Huntingdon PE28 3BS Existing Site Layout Plan in any 12 month

period shall be sourced from the East of England Region. The East of England means the counties of Norfolk, Suffolk, Cambridgeshire, Essex, Hertfordshire, Bedfordshire and Northamptonshire together with the unitary authorities of Peterborough, Southend on Sea, Milton Keynes and Luton. The operator shall endeavour that within 5 years of the date of this permission at least 25% by weight of wastes shall be procured from a 40 kilometre catchment area of the site and the administrative areas of Cambridgeshire and Peterborough as shown on 'Plan CCC1 - Waste Catchment Area'. Waste from a waste transfer station within the defined catchment area shown on 'Plan CCC1 - Waste Catchment Area' shall be regarded as arising from within the catchment area.

Reason: To ensure that the facility is managing a large percentage of local waste arisings, in accordance with Policy CS29 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011) and that the situation is kept under review to help meet the monitoring requirement of the Plan.

Hours of working

6. (i) No HGV shall enter or leave the site except between 0500 and 2200 hours daily (including Public and Bank Holidays).
- (ii) No plant or machinery shall operate outside buildings except between 0500 and 2200 hours daily (including Public and Bank Holidays).
- (iii) No waste shall be shredded outside the buildings except between 0700 and 1800 hours daily (including Public and Bank Holidays).

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

Reversing Vehicles

7. All mobile plant at the site shall be fitted with smart or broadband reversing alarms.

Reason: To minimise the adverse effects of noise from the site on the occupiers of nearby properties in accordance with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011).

Silencing of Plant and Machinery

8. No vehicle, plant, equipment or machinery shall be operated at the site unless it has been fitted with and uses an effective silencer. All vehicles, plant and machinery shall be maintained in accordance with the manufacturer's specification at all times.

Reason: In the interests of amenity, to enable the effects of the development to be adequately monitored during the course of the operations and to comply with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011).

Stockpile Heights

9. No stockpiles or windrows shall exceed 5 metres in height measured from the adjacent ground

Reason: In the interests of visual amenity in accordance with policies CS33 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011).

Control of Pollution

10. Any facilities, above ground, for the storage of oils, fuels or chemicals shall be provided with adequate, durable secondary containment to prevent the escape of pollutants. The bunded area shall be designed, constructed and maintained in order that it can contain a capacity not less than 110% of the total volume of all tanks or drums contained therein. All filling points, vents, gauges and sight glasses shall be bunded. Any tank overflow pipe outlets shall be directed into the bund. Associated pipework shall be located above ground and protected from accidental damage. There shall be no gravity or automatic discharge arrangement for bund contents. Contaminated bund contents shall not be discharged to any watercourse, land or soakaway.

Reason: To prevent pollution of the water environment in accordance with policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011).

Prevention of Mud and Debris on Highway

11. No commercial vehicle 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 and to comply with policies CS32 and CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011).

Site Access

12. There shall be no access to or egress from the site at Entrance E5 shown on drawing no. drawing no. GPP/E/SI/17/14 Rev 3 Proposed Site Layout Plan dated 05/06/17.

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

13. No waste or compost shall be stored, composted, treated or processed on the Proposed Concrete Slab shown hatched in red on drawing no. GPP/E/SI/17/14 Rev 3 Proposed Site Layout Plan dated 05/06/17 until Entrance E4 shown on drawing no. GPP/E/SI/17/14 Rev 3 Proposed Site Layout Plan dated 05/06/17 has been closed to all vehicles except emergency service vehicles and Entrances E2, E5 and E6 have been closed in accordance with drawing no. SK12 Access Points dated 11.10.17.

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

Perimeter bund

14. No waste or compost shall be stored, composted, treated or processed on the Proposed Concrete Slab shown hatched in red on drawing no. GPP/E/SI/17/14 Rev 3 Proposed Site Layout Plan dated 05/06/17 until the Earth Bund shown on drawing no. GPP/E/H/17/02 Rev 2 Proposed Site Layout Plan dated 16/06/17 has been installed in accordance with planning permission no. H/5005/17/CW.

Reason: In the interests of amenity, to enable the effects of the development to be adequately monitored during the course of the operations and to comply with policy CS34 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011).

Lighting

15. No external lights shall be installed except in accordance with details that have been submitted to and approved in writing by the waste planning authority. Any lighting approved under this condition shall be carried out in accordance with the approved details and thereafter retained in its approved form.

Reason: To avoid disturbance to bats in accordance with policy En22 of the Huntingdonshire Local Plan (December 1995)

Protection of Amphibians

16. The development shall be carried out in accordance with the method statement set out in paragraph 9.8 of the Extended Phase 1 Survey Report (Lockhart Garratt Ref: 17-0329 4164 01 Version 3 dated 21/06/2017).

Reason: To reduce the impact of the development on common amphibians in accordance with policy En22 of the Huntingdonshire Local Plan (December 1995)

Wildlife Mitigation

17. Within 3 months of the date of this permission bat boxes and bird nesting boxes shall be installed in accordance with details which have been submitted to and approved in writing by the waste planning authority.

Reason: To mitigate the loss of bat roosting and nesting bird habitat in accordance with policy En22 of the Huntingdonshire Local Plan (December 1995)

Sustainable Use of Site Soils

18. No soil shall be removed from the site.

Reason: To prevent the loss of soil required for the construction of the perimeter bunds in accordance with policy CS38 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy (July 2011).

Surface Water Drainage

19. Construction of the Proposed Concrete Slab shown hatched in red on drawing no. GPP/E/SI/17/14 Rev 3 Proposed Site Layout Plan dated 05/06/17 shall not commence until a surface water drainage scheme for the site has been submitted to and approved in writing by the waste planning authority. The scheme shall 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
 - 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) 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 users of the site
 - f) Full details of the maintenance of the surface water drainage system
 - g) Measures taken to prevent pollution of the receiving groundwater and/or surface water
- The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.

The development shall be carried out in accordance with the approved scheme.

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 policy CS39 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy 2011 and policy CS8 of the Huntingdonshire Local Plan 1995.

Foul and Surface Water Disposal

20. Construction of the Proposed Concrete Slab shown hatched in red on drawing no. GPP/E/SI/17/14 Rev 3 Proposed Site Layout Plan dated 05/06/17 shall not commence until a scheme for disposal of foul and surface water 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 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 DPD (July 2011) and policy CS8 of the Huntingdonshire Local Plan (December 1995).

INFORMATIVES

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 / 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.

Lighting Columns

Condition 15 only relates to lighting that formed part of the application. Lighting columns which did not form part of the application and amount to development would need to be the subject of a separate planning application.

Source Documents
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/20099/planning_and_development/49/water_minerals_and_waste/7
Link to the Huntingdonshire Local Plan: http://www.huntingdonshire.gov.uk/planning/adopted-development-plans/current-local-plan/