

**ENFORCEMENT UPDATE REPORT  
1 MAY – 31 OCTOBER 2015**

*To:* **Planning Committee**

*Date:* **10 December 2015**

*From:* **Head of Growth and Economy**

*Electoral division(s):* **N/A**

*Purpose:* **To consider the following report**

*Recommendation:* **The Planning Committee is requested to note the content of this report.**

<b><i>Officer contact:</i></b>	
Name:	Emma Fitch
Post:	Business Manager, County Planning, Minerals and Waste
Email:	<a href="mailto:Emma.fitch@cambridgeshire.gov.uk">Emma.fitch@cambridgeshire.gov.uk</a>
Tel:	01223 715531

## **1. INTRODUCTION**

- 1.1 The purpose of this report is to brief the Planning Committee members on the planning enforcement and monitoring work being undertaken by the County Planning, Minerals and Waste team within the Growth and Economy service.
- 1.2 The requirement to produce the report is set out in section 17, Monitoring Performance, of the Local Enforcement Plan for Minerals, Waste and County Development in Cambridgeshire - Version 3 December 2014. Unless otherwise stated the report covers the period 1 May 2015 to 31 October 2015 and summarises the following information.
- Complaints received and their current status;
  - New enforcement cases;
  - Ongoing enforcement cases;
  - Ombudsman complaints received;
  - Site monitoring visits completed.

## **2. COMPLAINTS RECEIVED**

- 2.1 13 new complaints were received. Table 1 summarises their status at the time of writing.

**Table 1 - Complaint Status**

<b>Complaint Type</b>	<b>Number</b>
No breach established	2
Breach established and resolved	7
Breach established. Investigation on-going.	3
Not a county matter	1
<b>Total</b>	

## **3. NEW ENFORCEMENT CASES**

- 3.1 Two Breach of Condition Notices (BCN) and a Temporary Stop Notice (TSN) were served during the reporting period. A summary of the two BCN cases is set out in Appendix 1. The TSN has been complied with in full but further information about the notice can be found at the end of Appendix 2.

## **4. ONGOING ENFORCEMENT CASES**

- 4.1 Eight enforcement cases are on-going. A summary of each case is set out in Appendix 2.

- 4.2 For the purposes of the Town and Country Planning Act 1990 the issue of an Enforcement Notice (EN) or the service of a Breach of Condition Notice (BCN) constitutes taking enforcement action.

## **5. OMBUDSMAN COMPLAINTS**

- 5.1 No Local Government Ombudsman complaints were received.

## **6. SITE MONITORING VISITS 1 APRIL – 31 OCTOBER 2015**

- 6.1 The Authority also carries out proactive monitoring visits. The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 enable the Authority to levy specified fees for inspecting quarries and landfill sites for compliance with the conditions set out in the grant of planning permission. The fees are intended to cover the cost of conducting the visits and are set out below:

- Actives sites £331
- Inactive or dormant sites £110

- 6.2 Other waste activities such as waste transfer stations, waste recycling sites and scrap yards are also visited to assess compliance with the conditions set out in the grant of planning permission. However, the cost is borne by the Authority. A summary of the number and type of chargeable monitoring visits carried out during the monitoring year is set out in Table 2.

**Table 2 – Chargeable Site visits by type 1 April - 31 October 2015**

Site Type	Visits
Landfill	15
Quarries	18
<b>Total</b>	<b>33</b>

- 6.3 Chargeable site visits have priority as they generate a small but significant income stream for the Council.
- 6.4 There is a significant reduction in the number of chargeable visits that should have been completed within this period. This is owing to the absence of one of the two Monitoring and Control Officers who is still on long term sick leave. There have also been absences over this period by the Principal Enforcement and Monitoring Officer and the Monitoring and Control Officer, which has greatly impacted on the capacity of the team.

## **7. LAND ADJACENT TO ROYSTON WATER RECYCLING CENTRE**

- 7.1 On 25 February 2015 the County Council received a report from the Environment Agency (EA) that a significant quantity of baled refuse derived fuel (RDF) waste had been deposited on the above land. Details of the complaint were shared with Cambridgeshire Fire and Rescue Service who estimated that approximately

20,000 bales of RDF waste may have been deposited on the land. Using a multi-agency approach an emergency plan was produced which took account of the sites proximity to the Cambridgeshire and Hertfordshire county border and the fire risk associated with the stored waste. The presence of an aquifer was also taken into account when considering the risks from the waste being stored on the site.

- 7.2 On 19 March 2015 the EA issued a notice under section 59 of the Environmental Protection Act 1990 requiring the operators, Winters Haulage Limited (WHL), to remove all the RDF waste by 1 July 2015. As the RDF waste wasn't removed by the specified deadline the EA issued a further section 59 notice which required that the waste was removed by 1 October 2015.
- 7.3 Although the RDF waste was removed from the site by 16 October 2015 (just outside of the EA's required date), the WPA raised concerns over the amount and type of waste brought on site and the implications this had on the aquifer. As a result of these concerns a topographic survey of the land was completed on behalf of the landowners, Anglian Water Land Holdings Limited (AW), shortly after the RDF waste was removed from the site. The survey showed that approximately 13,952 tonnes of what was believed to be waste soils, had been deposited on the land, raising the levels by over a metre across approximately two thirds of the site. To address the concerns being raised a condition survey, commissioned by AW, has also taken place at the beginning of November to establish, through the use of trial pits, the type of waste deposited and any likely contamination of the land. The WPA and EA are working with AW to ensure the waste is categorised and removed from the land.

## **8. LAND KNOWN AS ASGARD OFF BLACK BANK ROAD, LITTLE DOWNHAM**

- 8.1 On 13 July 2015 the County Council received a complaint from members of the public that alleged that the excavation of clay and the importation of waste materials were taking place on this parcel of land. Following a visit by officers from the Council on 16 July 2015 it was established that excavations were under way to extract the underlying clay, which was then being spread on the land raising the land levels. It was also noted at the time that waste materials were being imported onto the land to infill the excavations.
- 8.2 As a result of this site visit a topographical survey was commissioned to assess both the existing land levels and the new levels being created. In order to be able to establish the names and addresses of any persons who own or have an interest in the land prior to any enforcement action being taken, a requisition for information under section 16(1) of the Local Government (Miscellaneous Provisions) Act 1976 was also served on the person who confirmed to be the land owner.
- 8.3 The response supplied by the landowner which was received on 7 August 2015 did not provide the required information. As a result of his failure to supply the details as required, a second request was made on 12 August 2015. This was accompanied by a letter clarifying what information needed to be submitted.
- 8.4 The topographical survey, commissioned by Cambridgeshire County Council, was carried out on 24 August 2015. This survey evidenced the land levels on the site to help inform any enforcement action going forward.

- 8.5 Although the landowner provided a letter of response received on 2 September 2015 this once again failed to supply the information as required by the form. Despite two formal requests by officers and a third request by the Council's Information Governance Team, the landowner has failed to provide the required information. As such prosecution proceedings have commenced against the landowner for failing to comply with the requirements of Section 16(1) of the Local Government (Miscellaneous Provisions) Act 1976. A date has been set at Cambridge Magistrates Court for Thursday 7 January 2016.

## APPENDIX 1 - NEW ENFORCEMENT CASES

Description of Alleged Breach	Location	Date Notice Issued	Comments
<p><b>1. RED</b></p> <p>Failure to comply with condition 6 of planning permission F/02001/13/CW.</p> <p><b><u>Condition 6</u></b></p> <p>Unless otherwise agreed in writing with the WPA no waste shall be received, processed or product dispatched outside the hours of 0700 to 1800 Mondays to Fridays and 0700 to 1300 on Saturdays.</p> <p>There shall be no such activities on Sundays or Bank or Public Holidays.</p>	Land at Yard 1 35 Benwick Road Whittlesey	BCN 19/08/2015	Since the Breach of Condition Notice (BCN) was served on 19 August 2015 in relation to Condition 6 of planning permission F/02001/13/CW we have undertaken out of hours site visits and have not found the operator to be working outside of hours.
<p><b>2. RED</b></p> <p>Failure to comply with condition 10 of planning permission H/05014/12/CW.</p> <p><b><u>Condition 10</u></b></p> <p>10. Unless otherwise agreed in writing with the Waste Planning Authority the only area for external storage of waste or processed material within containers are those highlighted in yellow on the Site layout Plan prepared by Sarah Truscott, 28/09/2012 alongside the accompanying notes received 30/09/12. This area is restricted to a maximum of 3 metres in</p>	Land at Units 3a-e & 4 Warboys Airfield Industrial Estate Huntingdon	BCN 20/08/2015	Officers have also been working with the EA to ensure that several thousand tonnes of cathode ray tube (CRT) waste is removed from land at Warboys Airfield Industrial Estate. The land has planning permission for the storage and processing of waste electrical and electronic equipment and was previously occupied by Reclaimed Appliances (UK) Limited. However, the company got into financial difficulties and was put into administration earlier in the year raising concerns that the CRT waste could be abandoned on land. The landowner has been removing the waste but the rate of removal has been unacceptably slow so the WPA issued a breach of condition notice on 2 October requiring removal of all of the remaining waste by 1 November 2015. From discussions with the Environment Agency the removal of waste from the site has been hampered by the rate that the specialist waste could be taken by the specialist permitted waste site. Discussions are

Description of Alleged Breach	Location	Date Notice Issued	Comments
height and should be carefully managed to avoid unnecessary outside storage.			therefore in hand to ensure the remaining outside storage of waste is removed as soon as is practicable.

## APPENDIX 2 - ON GOING ENFORCEMENT CASES

Description of Alleged Breach	Location	Notice Issued	Comments
<p><b>1. RED</b></p> <p>Failure to comply with condition 6 of planning permission F/02017/08/CM and E/03008/08/CM.</p> <p><b><u>Condition 6</u></b></p> <p>No development shall commence until a scheme for the phased improvement of the public highway known as Block Fen Drove from its junction with the A142 to its junction with the private haul road referred to in condition 4 has been submitted to and approved in writing by the MWPA in consultation with the local highway authority. The submitted scheme shall include a programme of implementation and shall be fully completed by 5 August 2012.</p>	<p>Mepal Quarry Block Fen Drove Mepal</p>	<p>BCN 06/01/14</p>	<p>Planning permission F/02017/08/CM and E/03008/08/CM permit an extension to Mepal Quarry. The operator of the quarry failed to implement the scheme approved by the Council on 3 March 2011 in accordance with condition 6. A BCN was issued and served on the site operator on 6 January 2014. The notice required that the approved scheme was implemented in full by 14 March 2014.</p> <p>At the July meeting Planning Committee authorised officers to employ Counsel to explore the courses of action available to the Authority to secure compliance with the planning conditions.</p> <p>Work in accordance with the approved scheme started in April 2015 under the auspices of a highways agreement completed under the highways act 1980. It is being carried out overnight and at weekends only so will take some time to complete.</p>
<p><b>2. RED</b></p> <p>Failure to comply with condition 9 of planning permission F/02013/07/CW.</p> <p><b><u>Condition 9</u></b></p> <p>Within 3 months of the date of this permission a scheme for the phased improvement of the public highway known as Block Fen Drove from its junction with the A142 to its junction with the private haul road referred to in condition 4 shall be submitted to the Waste Planning Authority for approval. The submitted scheme shall include a programme of implementation and shall be fully</p>	<p>Witcham Meadlands Quarry Block Fen Drove Mepal</p>	<p>BCN 16/12/13</p>	<p>Planning permission F/02013/07/CW permits the use of part of the land at Witcham Meadlands Quarry as a waste transfer station and a skip storage area and associated traffic. The operator failed to submit and implement the scheme required under condition 9 of the permission. A BCN was issued on 16 December 2013 and served on the site operator.</p> <p>The BCN requires that within 30 days of service the operator must submit for approval a scheme for the phased improvement of the public highway known as Block Fen Drove from its junction with the A142 to its junction with the private haul road. The scheme will achieve the same specifications as the highway scheme submitted by Aggregate Industries on Drawing No. 1 dated February 2011.</p> <p>The operator submitted a scheme to the WPA on 8 April 2014 but</p>



Description of Alleged Breach	Location	Notice Issued	Comments
completed within 2 years of the date of this permission.			<p>it was refused on 2 May 2014 because it did not refer to the required works between the Lafarge Tarmac access and the junction with the public highway (the A142). The operator was invited to resubmit the scheme and a chase up letter was sent on 28 October 2014. A revised scheme was submitted on 18 November 2014 but this was only accepted in part as it still does not relate to all of the relevant parts of Block Fen Drove. A scheme that addresses the remaining part of Block Fen Drove has been requested but has not yet been received.</p> <p>Work in accordance with the Aggregate Industries approved scheme started in April 2015. It is being carried out overnight and at weekends only so will take some time to complete.</p>
<p><b>3. RED</b></p> <p>Failure to comply with Condition 4 of planning permission S/00060/10/CW - Variation of Conditions 2, 7, 8, and 9 of planning permission S/0203/05/CW to extend the period of land filling until 30 September 2011 and be consistent with planning permission S/2073/07/CW; deletion of conditions 4 (approved drawings) and 5 (phasing); and discharge of Conditions 10 (restoration) and 13 (wheel cleaning)</p> <p><b><u>Condition 4</u></b></p> <p>4) The site shall be restored to the pre-settlement contours shown on drawings no WIS/MSE/2740-12A dated 30-11-09 and WIS/MSE/2740-13 dated 20-07-07 by 30 September 2011.</p>	Wilbraham Quarry Mill Lane Great Wilbraham	EN 01/05/12	<p>Great Wilbraham quarry is an active chalk quarry which has planning permission to be restored by landfilling with inert waste (for example soil, sub soils, clay and demolition rubble). Approximately half the site is still an active chalk quarry whilst the remainder has been landfilled. The active chalk quarry and the landfill are under separate ownership.</p> <p>Two BCN's were served on the landfill owners on 2 June 2011 (see items 5 and 6 of this appendix) which required them to reduce the height of the waste stockpiles on the landfill and to submit a scheme for wheel cleaning. However, a more serious breach occurred when the deadline for achieving the final restoration levels for the landfill expired on 30 September 2011.</p> <p>The WPA issued an Enforcement Notice on 1 May 2012 because the landfill owners and operators, Holeworks (Management) Limited (HML), had exceeded the restoration levels permitted by condition 4 of planning permission S/0060/10/CW by over 20 metres. The notice required that HML ceased the importation of waste and removed a</p>

Description of Alleged Breach	Location	Notice Issued	Comments
			<p>specific amount of waste each month until the approved restoration levels were achieved. The notice was not appealed and became effective on 4 June 2012.</p> <p>On 4 October 2012 officers from the WPA met with the landfill owners and their representatives to discuss a proposed timetable for compliance. The proposal was reviewed and amended by officers before being approved by the Development Control Committee on 8 November 2012. In the subsequent months a small amount of waste was removed from the land but the breach was not addressed. The WPA therefore conducted a criminal investigation into the breach and a case file was passed to the legal team. The file recommended that HML and one of the company directors, Daniel Meads, were prosecuted for failing to comply with the notice. Both parties were summonsed to appear before Cambridge Magistrates' Court on 6 June 2014 but the case was adjourned until 17 July 2014 to allow the defendants further time to consider the evidence against them.</p> <p>At the hearing on 17 July 2014 at Cambridge Magistrates' Court the defendants chose not to enter a plea against any of the charges laid before the court. Having listened to the facts the judge decided that the alleged offence was so serious that it should be passed to Cambridge Crown Court. A Plea and Case Management Hearing (PCMH) was scheduled at Cambridge Crown Court for 3 October 2014 but was adjourned until 10 November 2014 to allow the defendant's further time to consider their basis of plea.</p> <p>At the Crown Court hearing on 10 November 2014 HML and Mr Daniel Meads pleaded guilty to failing to comply with the notice. Sentencing was adjourned until 8 May 2015 to allow the defendants time to implement the mitigation measures they now proposed to comply with the notice. In essence the defendants had purchased additional land within the adjacent chalk quarry</p>

Description of Alleged Breach	Location	Notice Issued	Comments
			<p>and they proposed to use this land to dispose of most of the excess waste.</p> <p>The sentencing hearing scheduled for 8 May 2015 was adjourned to 29 May 2015 because Mr Meads had to attend hospital with his wife.</p> <p>The sentencing hearing on 29 May 2015 was adjourned until 23 October 2015 (despite very strong objections from the County Council) to allow the defendants more time to comply with the notice and to provide the court and the prosecution with a report which sets out the costs of remediating the breach.</p> <p>The latter will help the judge to decide the financial benefit the defendants have gained in failing to comply with the notice.</p> <p>At the hearing on 23 October the His Honour Judge Hawksworth decided to defer sentencing until 1 April 2016 as the time for the waste to be deposited into a trench which has been excavated in the adjacent quarry. If the breach has not been addressed by 1 April 2016 without good reason the defendants can expect a higher fine and/or contempt of court proceedings.</p> <p>The County Council will apply for the costs incurred in bringing the prosecution at the end of the next hearing.</p> <p>At the time of writing HML were continuing with engineering works to stabilise the stockpile in preparation to begin moving the waste into the next cell.</p>
<p><b>4. RED</b></p> <p>Without planning permission, the change of use of the land from agricultural land to a mixed use comprising of agricultural and the importation and</p>	<p>First Drove Little Downham Ely</p>	<p>EN 17/01/12</p>	<p>In 2005 a prior notification application (PNA), for a steel framed agricultural building, was submitted by the landowner to East Cambridgeshire District Council under planning reference 05/00014/AGN. The application was approved but the building has not been completed.</p>

Description of Alleged Breach	Location	Notice Issued	Comments
<p>disposal of waste material and raising the level of part of the land by the depositing of waste materials.</p>			<p>The landowner excavated a series of holes in the land adjacent to the building footprint and spread the resulting material across a nearby field. The holes were then back filled with imported inert waste to create a raised area. The WPA took the view that the importation and deposit of waste required planning permission and that a breach of planning control had occurred.</p> <p>Despite repeated attempts to resolve the matter by negotiation the landowner continued to fill the excavated holes with inert waste. An EN requiring the landowner to cease the importation of waste, remove all deposited waste and restore the land to agricultural use was issued on 17 January 2012.</p> <p>The landowner appealed the EN on all the available grounds. The appeal was heard by a planning inspector at a Public Inquiry held in Ely. The Inquiry sat for six days in July 2012. The decision notice was issued on 7 September 2012 and confirmed the appeal was dismissed and the EN, as corrected and varied by the planning inspector, was upheld. The corrected and varied notice required the landowner to remove all the waste from land to the level of the adjoining field by 7 November 2012 and to return the land to its former condition (i.e. fit for agriculture) by 7 September 2013.</p> <p>Officers from the WPA visited the site on 6 December 2012 to determine whether the land had been reduced to the level of the adjoining field. A topographical survey of the land was undertaken during the visit and a series of trial pits were excavated. The results of the survey and the trial pits confirmed the level of the land had not been reduced in accordance with the requirements of the varied EN.</p> <p>A second site visit was undertaken on 7 September 2013 during which officers established that all the waste had still not been</p>

Description of Alleged Breach	Location	Notice Issued	Comments
			<p>removed and the land had not been restored to a condition suitable for agriculture.</p> <p>A third site visit was scheduled for 13 August 2014. However, the landowner wrote to the WPA shortly beforehand and requested a meeting with the Head of Service (HoS) and a representative from legal. The WPA agreed to the request and the site visit was put on hold.</p> <p>The meeting with the landowner and his daughter took place on 26 September 2014. The landowner was advised that officers wished to enter the land and that if the Council's assessment was that the varied notice had still not been complied with one option was prosecution. As the landowner did not give unequivocal consent to the request to enter land the WPA applied to the Magistrates' Court for a warrant. The application was successful and a warrant to enter the land was issued by the Court on 30 September 2014.</p> <p>Officers and their contractors entered the land on 2 October 2014. A further topographic survey was undertaken together with a further assessment of the land. The results of the visit confirmed the level of the land had not been reduced and the land had not been restored in accordance with the varied EN. A case file, recommending that landowner was prosecuted for failing to comply with the EN was passed to legal. However, Counsel have since advised that the case doesn't meet the public interest test on the available evidence and prosecution should not be pursued.</p>
<b>5.RED</b>  Breach of Condition 5 of planning permission S/00060/10/CW - Variation of Conditions 2, 7, 8, and 9 of planning permission S/0203/05/CW to	Wilbraham Quarry Mill Road Great Wilbraham	BCN 02/06/11	Officers visited the site on 24 February and 25 May 2011. During the visits it was again noted that the heights of the stockpiles of waste, which had been deposited on the landfill site, were considerably in excess of the maximum permitted height of 2 metres

Description of Alleged Breach	Location	Notice Issued	Comments
<p>extend the period of land filling until 30 September 2011 and be consistent with planning permission S/2073/07/CW; deletion of conditions 4 (approved drawings) and 5 (phasing); and discharge of Conditions 10 (restoration) and 13 (wheel cleaning)</p> <p><b><u>Condition 5</u></b></p> <p>Temporary stockpiles shall not exceed 2 metres in height.</p>			<p>and were several metres above the height of the surrounding land. The deposited waste was visually intrusive and was hindering the restoration of the landfill site. There was no void space within the red line of planning permission S/0060/10/CW into which the additional waste could be deposited.</p> <p>The landowner was advised on 1 April 2011 that they had until 1 June 2011 to comply with condition 5 or a BCN would be served. As the height of the stockpiles was not reduced by the deadline the WPA had no option but to serve the notice. The landowner had until 30 September 2011 to comply with the notice.</p> <p>At the time of writing the landowner remains in breach of condition 5. However, the WPA is now taking further enforcement action to reduce the height of the waste deposited on the land via the EN referenced under item 3.</p>
<p><b>6. RED</b></p> <p>Breach of Condition 12 of planning permission S/00060/10/CW - Variation of Conditions 2, 7, 8, and 9 of planning permission S/0203/05/CW to extend the period of land filling until 30 September 2011 and be consistent with planning permission S/2073/07/CW; deletion of conditions 4 (approved drawings) and 5 (phasing); and discharge of Conditions 10 (restoration) and 13 (wheel cleaning)</p> <p><b><u>Condition 12</u></b></p> <p>12) Within 1 month of the date of this permission</p>	<p>Wilbraham Quarry Mill Road Great Wilbraham</p>	<p>BCN 02/06/11</p>	<p>Officers visited the site on 24 February and 25 May 2011. During the visits it was noted that the wheel wash was not operational and that it had not been installed in accordance with the requirements of the planning permission.</p> <p>The landowner was advised on 1 April 2011 that they had until 1 June 2011 to comply with condition 12 or a BCN would be served. As the required scheme was not submitted by the deadline the WPA had no option but to serve the notice.</p> <p>The required scheme was not submitted by the 11 July 2011 deadline. At the time of writing the landowner remains in breach of this condition.</p> <p>However, the approved timetable for compliance with the EN issued on 1 May 2012 (see item 3), includes a section which requires the landowner to keep Mill Road free of mud and debris</p>

Description of Alleged Breach	Location	Notice Issued	Comments
<p>a scheme for the improvement of vehicle wheel cleaning facilities shall be submitted to and approved in writing by the Waste Planning Authority. The submitted scheme shall make provision for the following matters:</p> <ul style="list-style-type: none"> <li>- The pressure washing of vehicle wheels before they leave the site.</li> <li>- Provision for the supply and storage of adequate volumes of water for use in the cleaning of vehicle wheels.</li> <li>- Provision of a hard surfaced roadway capable of being mechanically swept between the wheel cleaning facility and the public highway.</li> <li>- Arrangements on site to ensure that all HCV vehicles leaving the site pass through the wheel cleaning facility before entering the public highway.</li> <li>- A maintenance scheme for the wheel cleaning facilities.</li> <li>- The provision for under chassis cleaning.</li> <li>- The approved scheme shall be implemented in full and thereafter maintained in an operational condition for the duration of the landfill development.</li> </ul>			<p>whilst the waste is removed.</p>

Description of Alleged Breach	Location	Notice Issued	Comments
<p><b>7. AMBER</b></p> <p>Failure to comply with condition 7 of planning permission S/01556/10/CW - Extension to existing waste transfer station including; rear stockyard and screening area; change of use of stables to office, toilet, rest room and store; plastic and cardboard storage area within existing building; tree planting at rear paddock.</p> <p><b><u>Condition 7 - Surfacing of Site</u></b></p> <p>Within 2 months of the date of this permission details shall be submitted to the Waste Planning Authority, for approval in writing, of the hard surfacing of the rear yard/working area. No operations are to take place until the concrete surfacing has been completed. The finished level of the new concreted area is to be constructed no higher than 4.90 metres above ordnance datum as detailed in the addendum to the flood risk assessment dated February 2010 unless otherwise agreed in writing with the Waste Planning Authority. A topographical survey of the completed concreted area is to be provided to the Waste Planning Authority within 1 month of the completion of the concreting.</p>	<p>Long Acre Farm Fen Road Chesterton Cambridge</p>	<p>BCN 08/10/13</p>	<p>The site is a waste transfer station located at the north western end of Fen Road. The operator has been using the rear yard to process a mixture of inert and non-hazardous waste and to store processed inert waste.</p> <p>The BCN requires that:</p> <ul style="list-style-type: none"> <li>- The importation, storage and processing of waste material, and</li> <li>- all other operations within the rear yard, cease;</li> <li>- A scheme for the surfacing of the yard is submitted for the written approval of the waste planning authority; and</li> <li>- All the deposited waste is removed from the rear yard until such time as this area has been concreted in accordance with the scheme approved by the WPA.</li> </ul> <p>The deadline for compliance was 31 May 2014. The landowner has confirmed that he has rented the site out to a third party in the short term and that he will not be concreting the rear yard as he intends to redevelop the site.</p> <p>The site was formally inspected on 26 September 2014. At the time of the visit the processing of waste material had ceased and some of the waste had been removed from the land. The remaining waste consists mostly of soil, sub soil and hardcore. The landowner agreed to remove some more of this waste but states that he intends to use the hardcore to redevelop the land. He also argues that the remaining waste and hardcore prevents the tenant from recommencing processing activities in the rear yard.</p> <p>A joint visit with the EA on 26 May 2015 confirmed that the</p>



Description of Alleged Breach	Location	Notice Issued	Comments
			majority of the waste has now been removed. Some hardcore and soils remain on site but they do not represent a pollution risk.
<b>8. AMBER</b>  Without planning permission, the importation and deposit of waste materials.	Block Fen Drove Chatteris	EN 21/01/03	An EN was served on the landowner on 21 March 2003 requiring that waste ceased to be deposited on the land. Since then waste has been intermittently deposited. However, no further tipping appears to have taken place since May 2010. The site continues to be monitored on an occasional basis.
<b>9. AMBER</b>  <u><b>Condition 8 – Environmental Protection</b></u>  No processing or storage of waste including plastic materials whether in a raw or processed form shall be permitted at the site unless within the confines of the approved buildings shown as Unit 1 and Unit 2 on the approved Site layout Plan Drawing Ref 261/03A.	Land off Bridge Lane Wimblington March	BCN 13/02/2015	A BCN was served on the operator in response to complaints alleging that waste was being stored outside contrary to condition 8. The notice requires that the storage of waste outside ceases by 27 March 2015. However, the operator has started discussions with the WPA about an application to vary the wording of condition 8. Pre-application advice was issued on 30 April 2015 and we are awaiting receipt of a planning application for the storage of waste outside.
<b>10. GREEN</b>  Failure to comply with condition 6 of planning permission F/02001/13/CW.  <u><b>Condition 6</b></u>  Unless otherwise agreed in writing with the WPA no waste shall be received, processed or product dispatched outside the hours of 0700 to 1800 Mondays to Fridays and 0700 to 1300 on Saturdays. There shall be no such activities on Sundays or Bank or Public Holidays.	Land at Yard 1, 35 Benwick Road Whittlesey	Temporary Stop Notice 09/09/15	A temporary stop notice was issued shortly after a BCN (see Appendix 1 case 1) to ensure that the operator did not operate outside the permitted hours during the period that the BCN took effect. The TSN was effective between 09/09/2015 and 10/10/2015. The operator complied with the TSN during this period.