

PLANNING COMMITTEE



Wednesday, 25 January 2023

Democratic and Members' Services

Linda Walker

Interim Monitoring Officer

10:00

New Shire Hall

Alconbury Weald

Huntingdon

PE28 4YE

Red Kite Room

New Shire Hall, Alconbury Weald, Huntingdon, PE28 4YE

AGENDA

Open to Public and Press

1 Apologies for Absence

2 Declarations of Interest

Guidance for Councillors on declaring interests is available at:

<http://tinyurl.com/ccc-conduct-code>

3 Minutes 16 November 2022

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PLANNING APPLICATIONS

4 CCC-22-092 Land at Saxon Pit, Whittlesey, Peterborough, PE7 1PD 29 - 56

ITEMS FOR INFORMATION

5 Summary of Decisions Made Under Delegated Powers

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The County Council is committed to open government and members of the public are welcome to attend Committee meetings. It supports the principle of transparency and encourages filming, recording and taking photographs at meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening, as it happens. These arrangements operate in accordance with a protocol agreed by the Chair of the Council and political Group Leaders which can be accessed via the following link or made available on request: [Filming protocol hyperlink](#)

Public speaking on the agenda items above is encouraged. Speakers must register their intention to speak by contacting [Democratic Services](#) no later than 12.00 noon three working days before the meeting. Full details of arrangements for public speaking are set out in Part 4, Part 4.4 of the Council's Constitution: [Procedure Rules hyperlink](#)

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The Planning Committee comprises the following members:

Councillor Henry Batchelor (Chair) Councillor Catherine Rae (Vice-Chair) Councillor Anna Bradnam Councillor David Connor Councillor Steve Corney Councillor Ian Gardener Councillor Neil Gough Councillor Tom Sanderson and Councillor Mandy Smith

Clerk Name:	Daniel Snowdon
Clerk Telephone:	01223 699177
Clerk Email:	daniel.snowdon@cambridgeshire.gov.uk

Planning Committee Minutes

Date: Wednesday 16 November 2022

Time: 10:00a.m.- 10.30a.m.

Venue: New Shire Hall, Alconbury Weald

Present: Councillors, Bradnam, Connor, Corney, Ferguson, Gardener, Murphy, Kindersley, Rae (Vice-Chair) and Smith

37. Apologies for Absence

Apologies were received from Councillors Batchelor (Councillor Kindersley substituting), Gough (Councillor Edna Murphy substituting) and Sanderson (Councillor Ferguson substituting). In the absence of the Chair, Councillor Rae took on the role of Acting Chair of the Planning Committee.

38. Declarations of Interest

Councillor Anna Bradnam declared an interest with regard to minute 40 and 41 as local member for Waterbeach. She confirmed she would be speaking as a member of the Planning Committee and not as local member.

39. Minutes – 15 June 2022

It was resolved to approve the minutes of the meeting held on 15 June 2022 as a correct record.

40. The redevelopment and expansion of Milton Household Recycling Centre (HRC) and its permanent retention beyond the life of the adjacent Milton Landfill site.

At: Milton Household Waste Recycling Centre, Butt Lane, Milton, CB24 6DQ

Applicant: Cambridgeshire County Council

Application Number: CCC/21/259/FUL

Members received reports on two planning applications. The first sought the redevelopment and expansion of the Milton Household Waste Recycling Centre (HRC) and its permanent retention beyond the current life of the adjacent landfill site. The

second was a Section 73 planning application seeking continued development on the landfill site without compliance with conditions 17 'Site Layout', 25 'Site Restoration' and 27 'Restoration Scheme of Planning Permission S/0109/18/CW'.

The Vice-Chair advised the committee that, as the two planning applications covered the same site, a single presentation and debate would cover both. However, there would be separate votes on each application. Attention was also drawn by the Vice-Chair to two amendment sheets (attached at Appendix A) that had been circulated to the committee in advance of the meeting. The Vice-Chair confirmed that members had received and read the sheets.

Members noted that, in addition to the presenting officer, Joely Norris, Drainage Engineer, was available to answer technical questions. The Planning Committee was also advised that the agent for the applicant and Adam Smith, Head of Waste Management for Cambridgeshire County Council, had joined the meeting remotely and were available to answer questions.

Introducing the reports, the presenting officer established that the landfill and recycling sites currently operated under a single planning consent. Under the proposal, permission for the HRC would be de-coupled from the landfill and the household waste recycling centre would be redesigned and enlarged to meet current and future waste provision needs for Cambridge City and South Cambridgeshire.

Site plans, plans and elevations were used to demonstrate the current landfill and HRC site as well as the proposed redevelopment of the HRC and alteration to the agreed restoration scheme for the landfill. The location of site was shown in relation to Milton Park and Ride, south east of the site, and Milton, east of the site and the other side of the A10.

The Household Waste Recycling Site Search Report submitted with the application determined that the current site was the best long-term and sustainable solution for an HRC, reducing greenhouse gas emissions and improving health and wellbeing for the area. Access to the site had been assessed, as had drainage and flood risks with a drainage strategy report that had approval from the local flooding authority, subject to the imposition of conditions requiring the submission of further details.

An initial objection had been lodged by the Highway Authority regarding access. However, this had been removed following the provision of further details and subject to a condition being imposed requiring the approval of a detailed design requirement under Section 278 of the Highways Act 1990.

The presenting officer explained that the HRC planning application was being brought before the committee due to the location of the development site within the Green Belt. This represented a departure from the development plan. The application for the redesigned HRC represented a change of use and an engineering operation. Paragraph 150 of the National Planning Policy Framework required development into the Green Belt to maintain the openness of the Green Belt and not conflict with its purpose. Current visual screening provided by the landfill and woodland planting ensured this, with only a glimpsed view of the site from the site entrance on Butt Lane. A Landscape and Visual Assessment identified screening from the existing tree belt

which would be enhanced by additional planting. This was detailed in the updated Restoration Plan for the landfill. A Landscaping Scheme with a programme for a biodiversity net gain assessment to demonstrate how an uplift in biodiversity above the 10% net biodiversity net gain would be conditioned.

Planning permission was also required for a change of the current approved restoration plan for the landfill site to allow the land in the area of the HRC to be flatter, which would be an alteration to the previously agreed land contours. The new restoration plan was needed to accommodate the redesigned Milton Household Waste Recycling Centre. No change was proposed for the closure date of the landfill site, the site restoration timescale, waste streams, or operational matters.

In response to member questions:

- It was established that a construction management plan had been developed using the existing working hours and construction hours of 7am-7pm Monday-Friday; 8am-1pm Saturday. As Environmental Health at South Cambridgeshire District Council had raised no objections to the application, specific noise conditions had not been deemed necessary. Planting was already in place which mitigated some sound from the site as well as from the A10, which was situated between Milton (the nearest town) and the Milton Household Recycling Centre. There were two farms closer to the site.
- It was noted that, although the restored landfill site would provide additional planting and biodiversity net gain, the gas extraction devices and leachate would continue to be required for the landfill site, but these would not be within the household recycling centre as that area had not been landfilled.
- A member commended the work performed in securing adequate surface water run off as proposed by Condition 6.

The Planning Committee noted that there were no registered speakers for either planning application.

During debate of the applications:

- A member commended officers for thoroughness of their work.
- The local member for Waterbeach complimented the current site and expressed pleasure in its development to accommodate the needs of the area. The member was pleased that access and drainage concerns had been addressed; that the scheduled 2026 closure of the landfill site would remain; and that additional planting was planned.

It was proposed by Councillor Kindersley and seconded by Councillor Bradnam that the recommendation be put to the vote.

On being put to the vote it was resolved unanimously that planning permission be granted subject to the conditions set out at Appendix B to these minutes

41. Extension to landfill site and relocated householders waste site

At: Milton Household Waste Recycling Centre, Butt Lane, Milton, CB24 6DQ

Applicant: Cambridgeshire County Council

Application Number: CCC/21/261/VAR

Owing to there being two planning applications that related to the same site, the presentation and debate were combined. Therefore, refer to application ref: CCC/21/259/FUL minute 40.

It was proposed by Councillor Kindersley and seconded by Councillor Bradnam that the recommendation be put to the vote.

On being put to the vote it was resolved unanimously that planning permission be granted subject to the conditions set out at Appendix C to these minutes

42. Enforcement Update Report

The Planning Committee received the Enforcement Update Report which provided information on the work of Council's enforcement and monitoring team for the period 1 June 2022 – 31 October 2022. An update was given regarding the planning contravention notice on Mick George Ltd in relation to the need to provide a bound and sealed circuit of the haul road between the A10 and the mineral extraction site. The officer confirmed that the required work was complete.

During discussion members thanked the officer for the work of the team.

It was resolved to note the report.

43. Summary of Decisions Taken Under Delegated Powers

A member commented on the seeming reduction in the number of planning applications being determined. This was challenged by another member who noted that the ten decisions taken under delegated powers and enacted by the development control team were for substantial and complex applications and not householder development. The Vice-Chair of the Planning Committee clarified that many applications were anticipated in future.

It was resolved to note the report.

Chair

PLANNING COMMITTEE – 16th NOVEMBER 2022

ADDENDUM /AMENDMENT SHEET

ITEM 3: CCC/21/259/FUL

AT: Milton Household Waste Recycling Centre, Butt Lane, Milton, CB24 6DQ

AMENDMENTS TO:

1. Title Page of the Report to state:

From: Head of Service, Planning and Sustainable Growth

2. Title Page of the Report to state:

Recommendation: That subject to the matter being referred to the Secretary of State for further consideration and the application not being called in, permission is granted subject to the conditions set out in paragraph 12.1.

3. Insertion of Additional Paragraph 1.6

1.6 The Secretary of State is notified, in accordance with the requirements of The Town And Country Planning (Consultation) (England) Direction 2021, paragraph 4(b) “any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Green Belt”. This means that the Secretary of State has the opportunity to “call in” the proposal to assess the recommendation of the Planning Committee once made.

4. Paragraph 2.2 to state:

2.2 The application site is located within the Cambridge Green Belt and is bounded to the east by the Milton Park and Ride facility, to the north by Butt Lane, and to the south and west by the existing, operational Milton landfill Site. The non-hazardous landfill site is operated by FCC Environment UK Ltd, who lease the land from CCC.

5. Paragraph 5.1 to state:

5.1 The application has been advertised in accordance with the Town and Country Planning (Development Management Procedure) (England) Order

2015 (as amended) as development which does not accord with the provisions of the development plan by a notice in the Cambridge News on 23rd March 2022 and erection of site notices adjacent to the site entrance on Butt Lane and at appropriate adjacent locations in on the A10.

6. Paragraph 12.1 to state:

- 12.1 It is recommended that, subject to the matter being referred to the Secretary of State for further consideration and the application not being called in, planning permission is granted subject to the following conditions:**

Advisory Note

The Town & Country Planning (Development Management Procedure) (England) Order 2015 requires the Planning Authority to give reasons for the imposition of pre-commencement conditions. Conditions 6, 7, 10 and 14 below require further information to be submitted prior to the commencement of development and are therefore attached as a pre-commencement condition. The developer may not legally commence development on site until the information required by these conditions has been submitted and approved, and the conditions discharged.

7. Reason for Condition No. 2 to state:

Reason: For the avoidance of doubt as to when the Planning Permission is implemented and in order to establish the timescales for those details provided by conditions and to enable monitoring of the development.

8. Reason for Condition No. 6 to state:

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts. This is a pre-commencement condition as it is essential that the additional surface water run-off is fully understood before any development takes place to ensure that appropriate mitigation measures can be put in place.

9. Reason for Condition No. 7 to state:

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in accordance with Policy SC/11 of the adopted South Cambridgeshire Local Plan 2018 and the National Planning Policy Framework (NPPF 2021; paragraphs 174, 183, 184). This is a pre-commencement condition as it is essential that a remediation strategy is agreed and put in place before any development commences.

10. Reason for Condition No. 10 to state:

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018 and Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021. This is a pre-commencement condition as it is essential that the precise lighting arrangements are agreed before any development commences.

11. Reason for Condition No. 14 to state:

Reason: To ensure delivery of reasonable avoidance measures, in accordance with Policy 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy NH/4 of the South Cambridgeshire Local Plan 2018. This is a pre-commencement condition as it is essential that a Biodiversity Method Statement is agreed and put in place before any development commences.

ITEM 3: CCC/21/261/FUL

AT: Milton Landfill Site, Butt Lane, Milton, CB24 6DQ

AMENDMENTS TO:

1. Title Page of the Report to state:

From: Head of Service, Planning and Sustainable Growth

2. Paragraph 5.1 to state:

- 5.1 The applications have been advertised in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) by a notice in the Cambridge News on 7th October 2022 and erection of site notices adjacent to the site entrance on Butt Lane and at appropriate adjacent locations in on the A10. Discretionary notification letters have also been sent to properties near the application site.**

Advisory Note

The Town & Country Planning (Development Management Procedure) (England) Order 2015 requires the Planning Authority to give reasons for the imposition of pre-commencement conditions. Conditions 5, 6, 9 and 13 below require further information to be submitted prior to the commencement of development and are therefore attached as a pre-commencement condition. The developer may not legally commence development on site until the information required by these conditions has been submitted and approved, and the conditions discharged.

Conditions

1. Commencement

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Notification of Commencement

Within seven days of the commencement of construction works on the site, including any demolition or site clearance works, notification of the start date of any such works shall be submitted to Waste Planning Authority.

Reason: For the avoidance of doubt as to when the Planning Permission is implemented.

3. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the application form dated 13th December 2021 and the following documents and drawings (received 13th December 2021, unless otherwise stated) except as otherwise required by any of the following conditions set out in this planning permission:

- 40645-WOD-XX-XX-FG-T-0001_S2_P01.1, Figure 2.1, Site Location Plan, dated October 2021;
- 40645-WOD-XX-XX-FG-T-0002_S2_P01.1, Planning Supporting Statement, Figure 3.1, Site Layout Plan, dated October 2021;
- 40645-WOD-XX-XX-FG-T-0003_S2_P01.1, Planning Supporting Statement, Figure 3.2, Elevations and Cross Section, dated October 2021;
- 40645-WOD-XX-XX-DR-OT-0009_S2_P02, Sheet 1 of 2, Access Scheme - Butt Lane, dated October 2022;

- 40645-WOD-XX-XX-DR-OT-0009_S2_P01, Sheet 2 of 2, Access Scheme - HRC Access from Unnamed Access Road, dated September 2022;
- XXXX-00, Milton Recycling Facility, Welfare Facility, undated;
- Portacabin Titan TN 1004, undated;
- Portakabin Solus Buildings Product Sheet 1, dated 9th December 2008;
- OPP1241928, Milton HWRC Proposed Shop Unit, dated 21st May 2021
- P155-290421-Rev, (Lighting Assessment), Milton Recycling Centre Rev. E, dated 29th April 2021;
- Planning Supporting Statement, Document Ref. 40645-WOOD-XX-XX-RP-0001_S3_P01, Wood Group UK Limited, dated November 2021;
- Transport Statement, Document Ref. 40645-WOD-XX-XX-RP-OT-0001_S0_P01, Wood Group UK Limited, dated October 2021;
- Construction Traffic Management Plan, Document Ref. 40645-WOD-XX-XX-RP-OT-0002_S0_P01, Wood Group UK Limited, dated October 2021;
- Extended Phase 1 Habitat Survey Report, Document Ref. DLon036R040320, Wood Environment & Infrastructure Solutions UK Limited, dated March 2020;
- Great Crested Newt Survey Report, Document Ref. DLon038R300620, Wood Environment & Infrastructure Solutions UK Limited, dated June 2020;
- Technical Note: Milton HRC, Extended Phase 1 Habitat Survey Report Addendum 2021, Document Ref. Dlon039R160321, Wood Group UK Limited, dated March 2021;
- Tree Survey and Constraints Report, Site: Milton, Cambridge, Prepared for: Wood PLC, Amenity Tree Care, dated 31st January 2019;
- Drainage Strategy, Document Ref. 40645-WOD-XX-XX-RP-D-0001, Revision PO4, Wood Group UK Limited, dated September 2022;
- Letter from Wood Group UK Limited in response to comments from Local Lead Flood Authority, dated 1st September 2022 ;
- Noise & Vibration Assessment, Document Ref. 40645-WOD-XX-XX-RP-ON-0001_S2_P01, Wood Environment & Infrastructure Solutions UK Limited, dated October 2021;
- Air Quality Assessment, Document Ref. 40645-WOD-XX-XX-RP-OA-0001_S2_P01, Wood Group UK Limited, dated October 2021;
- Phase 1 Contaminated Land Desk Study, Document Ref. 40645RR032i2, Wood Environment & Infrastructure Solutions UK Limited, dated March 2019;

Reason: To define the permission and protect the character and appearance of the locality in accordance with Policy HQ/1 of the South Cambridgeshire Local Plan 2018 and Policy 17 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

4. Surface Water Drainage

No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed surface water drainage scheme for the site, based on the agreed Drainage Strategy prepared by Wood Group UK Limited (ref: 40645-WOD-XX-XX-RP-D-0001 rev. P04) dated September 2022, has been submitted to and approved in writing by the Waste Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

5. Surface Water Drainage

There shall be no drainage systems for the infiltration of surface water to the ground, except those agreed in the detailed surface water drainage scheme for the site that is submitted and approved in accordance with Condition 4. Any proposals for such systems must be supported by an assessment of the risks to controlled waters, as part of the information to be submitted in accordance with Condition 4.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF 2021; paragraphs 174, 183, 184).

6. Additional Surface Water Run-Off

No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Waste Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

7. Contamination - Remediation and Verification

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Waste Planning Authority. The strategy will include the following components:

1. A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site;
2. The results of a site investigation based on (1) and a detailed risk assessment, including a revised CSM;
3. Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long-term monitoring and maintenance plan as necessary; and
4. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long-term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in accordance with Policy SC/11 of the adopted South Cambridgeshire Local Plan 2018 and the National Planning Policy Framework (NPPF 2021; paragraphs 174, 183, 184).

8. Previously Unidentified Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the waste planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in accordance with Policy SC/11 of the adopted South Cambridgeshire Local Plan 2018 and the National Planning Policy Framework (NPPF 2021; paragraphs 174, 183, 184).

9. Piling

No piling or any other foundation designs using penetrative methods shall be used in the construction of the site.

Reason: To ensure that there is unacceptable impact on groundwater and to protect and prevent the pollution of controlled waters from potential pollutants

associated with current and previous land uses in line with National Planning Policy Framework (NPPF 2021; paragraphs 174, 183, 184).

10. Lighting

Prior to the commencement of the development, details of the lighting scheme, to include details of any external lighting of the site such as street lighting, floodlighting, security lighting and an assessment of impact on any sensitive residential premises off site, shall be submitted to and approved in writing by, the Waste Planning Authority. The scheme shall include layout plans/elevations with luminaire locations annotated, full isolux contour map/diagrams showing the predicted illuminance in the horizontal and vertical plane (in lux) at critical locations within the site, on the boundary of the site and at adjacent properties, hours and frequency of use, a schedule of equipment in the lighting design (luminaire type/profiles, mounting height, aiming angles / orientation, angle of glare, operational controls) and shall assess artificial light impact in accordance with the Institute of Lighting Professionals "Guidance Notes for the Reduction of Obtrusive Light GN01:2011".

The approved lighting scheme shall be installed, maintained and operated in accordance with the approved details/measures.

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018 and Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

11. Construction Traffic Management Plan

The construction phase of the development shall be undertaken in accordance with the details set out in the Construction Traffic Management Plan, Document Ref. 40645-WOD-XX-XX-RP-OT-0002_S0_P01, Wood Group UK Limited, dated October 2022.

Reason: In the interests of highway safety in accordance with Policy 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

12. Construction and Construction Delivery Hours

No construction or demolition work, or delivery of construction materials shall be carried out and no plant or power operated machinery (for the purposes of the installation of the approved plant) operated other than between the following hours:

- Monday to Friday, 7am to 7pm
- Saturday 8am to 1pm

and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018 and Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

13. Hours of Operation

The hours of operation at the site shall be:

- Monday-Friday (April to September): 0900-2000;
- Saturday and Sunday (April to September): 0900-1800;
- Monday-Sunday (October to March): 0900-1600;
- Closed from 1300 on Christmas Eve and all-day Christmas Day, Boxing Day and New Year's Day.

No receipt or collection of materials deposited at the site shall take place outside these hours.

Reason: To protect the amenity of the adjoining properties in accordance with Policy CC/6 of the South Cambridgeshire Local Plan 2018 and Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

14. Biodiversity Method Statement

No development shall take place (including any demolition, ground works, site clearance) until a method statement for protected species has been submitted to and approved in writing by the Waste Planning Authority. The content of the method statement shall include the:

- a) purpose and objectives of the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing and construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any waste arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To ensure delivery of reasonable avoidance measures, in accordance with Policy 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy NH/4 of the South Cambridgeshire Local Plan 2018.

Informatives

Ordinary Watercourse Consent

Constructions or alterations within an ordinary watercourse (temporary or permanent) require consent from the Lead Local Flood Authority under the Land Drainage Act 1991. Ordinary watercourses include every river, drain, stream, ditch, dyke, sewer (other than public sewer) and passage through which water flows that do not form part of Main Rivers (Main Rivers are regulated by the Environment Agency). The applicant should refer to Cambridgeshire County Council's Culvert Policy for further guidance:

<https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and-waste/watercourse-management/>

Please note the council does not regulate ordinary watercourses in Internal Drainage Board areas.

Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that

Environmental Permit

If the waste activities are extended outside of the permitted area the Environmental Permit must be varied before activities can take place in the extended area.

Conditions

1. Site area and type of wastes

This permission only relates to the deposit of household, commercial and industrial wastes, with the exception of liquid waste, within the area edged red as shown on 60580019.03, Site Layout, dated June 2018.

Reason: To clarify the site area and to ensure that the waste types accepted at Milton Landfill Site are adequately controlled for the protection of the groundwater and residential amenity, in accordance with Policies 17, 18 and 22 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2036 (2021).

1a. [Condition no longer required to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended)].

1b. Approved Plans and Documents

The development hereby permitted shall be carried out in accordance with the application form dated 13 December 2021 and the following documents and drawings, unless otherwise stated, except as otherwise required by any of the following conditions set out in this planning permission:

- 90/11045/13 Afteruse Proposals Plan, dated 6th December 1990;
- Proposed Extension to Milton Landfill, Comments on the Environmental Statement (Detailed Planting and After-Care Scheme), Ref. 5/JK/CG/505, Letter from Assistant Director - Rural Management, Cambridgeshire County Council, dated 31st January 1991;
- 40645-WOD-XX-XX-FG-T-0004_S0_P01.1, Figure 1 Site Location Plan, dated October 2021;
- 40645-WOD-XX-XX-FG-T-0005_S0_P01.1, Figure 3 Detailed Site Layout Plan, dated December 2021;

- 40645-WOD-XX-XX-FG-OP-0001_S2_P02, Revised Restoration Plan including the proposed Milton HRC, dated October 2022;
- Letter from Wood Group UK Limited, dated 13th December 2021;
- The Biodiversity Metric – Calculation Tool, (Biodiversity Metric Calculation), undated, received on 13 December 2021;
- Technical Note: Milton Landfill HRC and Landfill Restoration – Biodiversity Net Gain, Ref. 806972-WOOD-XX-XX-TN-OE-0002_S3_P02, Wood Group UK Limited, dated December 2021;
- Supplementary Information: Application under Section 73 of the Town and Country Planning Act 1990 to Amend Planning Permission S/0109/18/CW: Milton Landfill, Ref. 40645-WOD-XX-XX-RP-T-0003_S2_P01.1, Wood Group UK Limited, dated February 2022;
- 40645-WOD-XX-XX-FG-OP-0001_S2_P02, Revised Restoration Plan including the proposed Milton HRC, dated October 2022.

Reason: To define the permission and protect the character and appearance of the locality in the interests of residential amenity; in the interests of highway safety; to ensure that the satisfactory restoration of the land to a beneficial after-use. in accordance with Policies 18, 19, 20 and 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

1c. Implementation

This permission shall be taken, and only be taken, as having been implemented on the date of commencement of the construction of the HRC under Planning Permission Ref. CCC/21/259/FUL.

Reason: For the avoidance of doubt and to define the circumstances in which the Planning Permissions is to be taken as having been implemented

2. Protection of residential amenity: odour

No putrescible waste shall be deposited within 250 metres of adjacent residential development known as Mereway Farm, Sun Close Farm and New Close Farm.

Reason: In the interests of residential amenity in accordance with Policies 17 and 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy SC/14 of the South Cambridgeshire Local Plan 2018.

3. Timescale of permission

The site shall be reinstated to a condition suitable for the resumption of agricultural use within 12 months of the cessation of landfill operations or by 31st December 2026 whichever is the sooner.

Reason: To set the timescale of the permission and to ensure that the site is restored to a suitable after use in accordance with Policy 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

3a. Catchment Area

Not less than 80% of waste imported for disposal in the landfill cells shall originate from a catchment area which shall comprise the whole of Cambridgeshire and Peterborough and all additional areas within a radius of 50km of the site boundary. For the purposes of this condition waste being processed through any waste transfer station within the defined catchment area shall be regarded as arising from within the catchment area. In May and November of each year the operator shall submit a report to the Waste Planning Authority providing summary waste input information for the previous six months demonstrating compliance with this condition.

Reason: To ensure that Milton Landfill Site is managing a large percentage of local waste arisings, in accordance with Policies 3 and 4 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and that the situation is kept under review to help meet the monitoring requirements of the Plan.

4. Retention of stripped soil

No stored soil material shall leave the site and the material shall be stored in continued separation until the soil is re-spread over the site in accordance with the restoration conditions to the satisfaction of the Waste Planning Authority. The storage mounds shall be kept free of weeds and maintained to a good amenity standard to the satisfaction of the Waste Planning Authority.

Reason: In the interests of residential and visual amenity and to ensure that the site is restored appropriately in accordance with Policies 17, 18, 19 and 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policies NH/2 and NH/4 of the South Cambridgeshire Local Plan 2018.

5. Location and height of soil storage mounds

The location and height of soil storage mounds shall be in accordance with the details agreed in the Milton Landfill - Proposed Extension III Details submitted to the Waste Planning Authority on 24 April 1991. The mounds shall be kept free of weeds and maintained to a good amenity standard to the satisfaction of the Waste Planning Authority.

Reason: In the interests of residential and visual amenity and to ensure that the site is restored appropriately in accordance with Policies 17, 18, 19 and 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2036 (2021) and Policies NH/2 and NH/4 of the South Cambridgeshire Local Plan (2018).

6. Archaeological Written Scheme of Investigation

Within 6 months of the date of this consent, the applicant shall submit to the Waste Planning Authority for written approval a timetable for the completion of a scheme of archaeological works, comprising the preparation and submission of an archive report, the deposit of the archive materials in a publicly accessible facility and publication of the results in an appropriate academic journal", which shall thereafter be implemented in accordance with the approved timetable.

Reason: To secure satisfactory mitigation measures in respect of archaeology and the historic environment, to ensure that the underlying archaeology is protected, in accordance with Policy 21 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

7. [Condition no longer required as soil stripping measures have been agreed and carried out]

8. [Condition no longer required as soil stripping measures have been agreed and carried out]

9. Landscaping

Following the completion of landfilling, the site shall be landscaped in accordance with:

- the landscaping scheme details shown on 40645-WOD-XX-XX-FG-OP-0001_S2_P02;
- Revised Restoration Plan Including the Proposed Milton HRC, dated October 2022;
- Proposed Extension to Milton Landfill, Comments on the Environmental Statement (Detailed Planting and After-Care Scheme), Ref. 5/JK/CG/505, Letter from Assistant Director - Rural Management, Cambridgeshire County Council, dated 31st January 1991, received on 18 February 1992 and approved in writing by the Waste Planning Authority on 5 March 1992, subject to the amended details shown on 40645-WOD-XX-XX-FG-OP-0001_S2_P02.

Reason: In the interests of residential and visual amenity and to ensure that the site is restored appropriately in accordance with Policies 17, 18, 19 and 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policies NH/2 and NH/4 of the South Cambridgeshire Local Plan 2018.

10. [Condition no longer required as highway works completed prior to landfill use]

11. [Condition no longer required as access arrangements completed]

12. Means of Enclosure

The means of enclosure to the site shown on ASC/93/125 – Milton Landsite Site Sheet 1 Environmental Monitoring submitted to and approved in writing by the Waste Planning Authority on 7 January 1994 shall be retained on site for the duration of the development.

Reason: In the interests of residential amenity and highway safety in accordance with Policies 17, 18 and 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy T1/2 of the South Cambridgeshire Local Plan 2018.

- 13. [Condition no longer required as engineering details and leachate already approved and controlled by the Environment Agency]
- 14. [Condition no longer required as landfill gas requirements already approved and controlled by the Environment Agency]

15. Hours of operation and receipt of waste

The receipt of waste at the site is only permitted between the hours of 06.00 and 18.00 Mondays to Fridays, 06.00 to 13.00 on Saturdays, 08.00 to 13.00 Sundays and 07.30 to 17.00 on bank holidays.

Reason: In the interests of residential amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

15a. Hours for deposit of waste

Except in cases of emergency, deposit of waste shall only take place between the hours of 07.00 and 18.00 Mondays to Fridays, 07.00 to 13.00 on Saturdays, 08.00 to 13.00 Sundays and 07.30 to 17.00 on bank holidays.

Reason: In the interests of residential amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2036 (2021).

15b. Hours for infilling and restoration

Except in cases of emergency, infilling and restoration of the landfill site shall only be permitted between the hours of 07.00 and 18.00 Mondays to Fridays, 07.00 to 13.00 on Saturdays, 08.00 to 13.00 Sundays and 07.30 to 17.00 on bank holidays.

Reason: In the interests of residential amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

16. Household Recycling Centre (HRC)
[Condition no longer required as the HRC is no longer part of the development]
17. Site Layout
The development hereby approved shall be carried out in accordance with 40645-WOD-XX-XX-FG-T-0005_S0_P01.1, Figure 3, Detailed Layout Plan, dated December 2021, showing the site entrance, access road, site offices and lighting, weighbridge with canteen and lighting, and wheelwash.

Reason: In the interests of residential amenity in accordance with Policies 17 and 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

18. Wheel Washing Facilities
The development hereby approved shall be carried out in accordance with the details of the installed vehicle wheel cleaning facility submitted to the Waste Planning Authority on 653M282 Plan 04A, Environmental Monitoring Plan, dated 2nd April 2019. The facility shall be maintained in operational condition at all times and internal arrangements for traffic routing shall ensure that vehicles leaving the landfill site pass through the facility.

Reason: In the interests of residential amenity and highway safety in accordance with Policies 17, 18 and 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy T1/2 of the South Cambridgeshire Local Plan 2018.

19. Phasing
The Development hereby approved shall be carried out in accordance with the details shown on 653B336 Plan 12, As-built Cell Base & Outline Phasing Plan, dated 23rd November 2018.

Reason: In the interests of residential amenity and visual amenity in accordance with Policies 17 and 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy NH/2 of the South Cambridgeshire Local Plan 2018.

20. Condition of Access Road
The surface of the site access road from Butt Lane shall be kept clean by regular mechanical sweeping to the satisfaction of the Waste Planning Authority.

Reason: In the interests of residential amenity and highway safety in accordance with Policies 18 and 23 of the Cambridgeshire and

Peterborough Minerals and Waste Local Plan 2036 (2021) and Policy T1/2 of the South Cambridgeshire Local Plan (2018).

21. Control of Dust Emissions

Dust emissions shall be controlled in accordance with the submitted Dust Management Plan Ref. EMS-3-13-09, Version 2-2019, to the satisfaction of the Waste Planning Authority with facilities being made available and brought into use to ensure that the surface of internal haul roads can be kept damp during periods of dry weather.

Reason: In the interests of residential amenity and visual amenity in accordance with Policies 17 and 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy NH/2 of the South Cambridgeshire Local Plan 2018.

22. Control of Noise Emissions

The level of noise from the Site between the hours of 06:00 to 18:00 Mondays to Fridays and 06:00 to 13:00 on Saturdays shall not exceed 42dB_{L_{aeq}, 1h} during “night time” hour (i.e. 06:00 to 07:00) or 55dB_{L_{aeq}, 1h} during “day time” hours (i.e. 07:00 to 18:00) free field as measured at the following points shown on the accompanying plan CCC1:

- Location 1 – Sun Close Farm
- Location 2 – Mere Way Farm

All measurements and assessments shall be made in accordance with the methodology submitted and agreed in writing by the Waste Planning Authority in the Waste Recycling Group Noise Monitoring Scheme dated 25 May 2004.

Reason: In the interests of residential amenity and to ensure that the site is appropriately controlled in accordance with Policies 17 and 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy SC/10 of the South Cambridgeshire Local Plan 2018.

22a. Noise Levels

Noise levels shall be periodically monitored by the operating company in accordance with the Waste Recycling Group Noise Monitoring scheme dated 25 May 2004. Monitoring survey results shall be kept by the operating company during the life of the permitted operations and a monitoring report supplied to the Waste Planning Authority within 14 days of the receipt of a written request. The frequency of the monitoring may be modified by written agreement with the Waste Planning Authority.

Reason: In the interests of residential amenity and to ensure that the site is appropriately controlled in accordance with Policies 17 and 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy SC/10 of the South Cambridgeshire Local Plan 2018.

23. Reversing Bleepers

No reversing bleeper or reverse warning devices shall be fixed to, or used on, any mobile plant except in accordance with the Waste Recycling Group Noise Monitoring Scheme dated 25 May 2004.

Reason: In the interests of residential amenity and to ensure that the site is appropriately controlled in accordance with Policies 17 and 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 (2021) and Policy SC/10 of the South Cambridgeshire Local Plan 2018.

23a. Noise Monitoring

The development hereby permitted shall only be carried out in accordance with the Waste Recycling Group Noise Monitoring Scheme dated 25 May 2004 detailing the steps designed to minimise potential disturbance from reversing movements caused by visiting vehicles importing waste between the hours of 06.00 to 07.30 Mondays to Friday and 06.00 to 08.00 on Saturdays.

The mitigation measures approved in the Waste Recycling group Noise Monitoring Scheme dated 25 May 2004 shall be implemented prior to the commencement of the importation of waste fill material prior to 07.30 hours and maintained for the duration of waste disposal operations to ensure that the development does not proceed except with the approved mitigation steps in place.

Reason: In the interests of residential amenity and to ensure that the site is appropriately controlled in accordance with Policies 17 and 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy SC/10 of the South Cambridgeshire Local Plan 2018.

24. Control of Litter

Litter shall be controlled to the satisfaction of the Waste Planning Authority by keeping the tip face to a minimum and by all reasonable precautions to prevent the spread of litter from the working area including the provision of catch fencing. Any litter from the site which is deposited on nearby land shall be removed and returned to the infill site to the satisfaction of the Waste Planning Authority.

Reason: In the interests of residential amenity and visual amenity in accordance with Policies 17 and 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy NH/2 of the South Cambridgeshire Local Plan 2018.

25. Site Restoration

The site shall be restored in accordance with 40645-WOD-XX-XX-FG-OP-0001_S2_P01, Revised restoration plan including the proposed Milton HRC, dated June 2022.

Reason: In the interests of visual amenity and to ensure that the site is appropriately restored in accordance with Policies 17 and 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 Policy NH/2 of the South Cambridgeshire Local Plan 2018.

25a Landscape and Ecological Management Plan

Within six months of the date of this consent a Landscape and Ecological Management Plan, which shall include:

- Planting specifications and planting lists (including density and size of species) which demonstrates how it delivers biodiversity net gain;
- Sets out how the management will deliver the proposed biodiversity net gain set out in the Technical note: Milton Landfill HRC and Landfill Restoration – Biodiversity Net Gain, Document Ref: 806972-WOOD-XX-XX-TN-OE-00002_S3_P02, Wood Group UK Limited, dated December 2021;
- A programme of BNG assessment to demonstrate that these targets have been met, which should be submitted to the Waste Planning Authority at regular intervals (e.g. years 1, 2, 5, 10 and every 5 years afterwards, for a period of 30 years, for approval); and
- Details of the mechanism to implement remedial actions.

shall be submitted to the Waste Planning Authority for approval, and thereafter implemented.

Reason: To ensure delivery of a measurable net gain in biodiversity, in accordance with Policy 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy NH/4 of the South Cambridgeshire Local Plan 2018.

26. Pre-Settlement Contour Levels

The development hereby approved shall be carried out in accordance with the pre-settlement contour levels for tipping shown on 653P038 Plan 10, Pre-Settlement waste Contours Plan, dated 17th August 2005, approved by the Waste Planning Authority on 15 March 2012.

Reason: In the interests of visual amenity and to ensure that the site is appropriately restored in accordance with Policies 17 and 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy NH/2 of the South Cambridgeshire Local Plan 2018.

27 Restoration scheme

The detailed restoration of the site shall be carried out in accordance with 40645-WOD-XX-XX-FG-OP-0001_S2_P01, Revised Restoration Plan

including the proposed Milton HRC, dated June 2022, referred to in Condition 25.

All trees, shrubs and hedge plants supplied shall comply with the requirements of British Standard 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces). All new trees shall be positioned in accordance with the requirements of Table 3 of British Standard BS 5837: 2005, Trees in relation to construction – Recommendations.

Reason: In the interests of visual amenity and to ensure that the site is appropriately restored in accordance with Policies 17 and 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy NH/2 of the South Cambridgeshire Local Plan 2018.

28. Capping of Worked Areas

On completion of the deposit of waste materials on any phase the surface shall be suitably graded to receive a cap of low permeability material to a minimum depth of 1 metre. The capping material shall be spread to the satisfaction of the Waste Planning Authority.

Reason: To protect the existing soil resource and protecting the surrounding uses in the interests of visual amenity in accordance with Policies 17, 19 and 24 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policies NH/2 and NH/3 of the South Cambridgeshire Local Plan 2018.

29. Sub-Soils

Following the completion of the capping in accordance with Condition 28 subsoil shall be respread over the surface to replicate the pre-existing soil horizons to a minimum depth of 800mm.

Reason: To protect the existing soil resource and protecting the surrounding uses in the interests of visual amenity in accordance with Policies 17, 19 and 24 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policies NH/2 and NH/3 of the South Cambridgeshire Local Plan 2018.

30. Spreading of Sub Soils

Following the spreading of subsoils in accordance with Condition 29, topsoils shall be respread over the subsoil to a minimum depth of 300mm. The land shall then be subsoiled using a winged tine subsoiler at spacings and depths as detailed in the Aftercare Management Plan dated February 2012 and submitted to the Waste Planning Authority on 15 March 2012.

Any stones or other deleterious materials in excess of 75mm in size which arise during subsoiling and initial cultivation operations shall be removed.

Reason: To protect the existing soil resource and protecting the surrounding uses in the interests of visual amenity in accordance with Policies 17, 19 and 24 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policies NH/2 and NH/3 of the South Cambridgeshire Local Plan 2018.

31. Soil Condition

All operations involving soil replacement and cultivation treatments shall only be carried out when the full volume of soil involved is in a suitably dry moisture condition to minimise soil damage and to maximise the effect of the subsoiling operations.

Reason: To protect the existing soil resource and protecting the surrounding uses in the interests of visual amenity in accordance with Policies 17, 18, 19 and 24 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policies NH/2 and NH/3 of the South Cambridgeshire Local Plan 2018.

32. Gas extraction Pipework Placement

The pipework for the gas extraction system shall be placed so that it does not interfere with agricultural cultivation and drainage works to the land.

Reason: To protect the surrounding uses in the interests of visual amenity in accordance with Policies 17 and 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policies NH/2 and NH/3 of the South Cambridgeshire Local Plan 2021.

33. Aftercare Scheme

The Development hereby approved shall be carried out in accordance with the 5 year aftercare scheme as referred to in the Waste Recycling Group Ltd, Aftercare Monitoring report dated February 2012 and submitted to the Waste Planning Authority on 15 March 2012.

Reason: To ensure that the site is appropriately restored in accordance with Policies 17 and 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 and Policy NH/2 of the South Cambridgeshire Local Plan 2018.

34. [Condition no longer required as landfill gas emissions are agreed and controlled by the Environment Agency]

35. [Condition no longer required as leachate boreholes are agreed and controlled]

Informatives

This decision relates to a Section 73 planning application to develop land without complying with Conditions 17, 25 and 28 of Planning Permission Ref. (previously Planning Permission Ref. S/00511/08/CW and originally Planning Permission Ref. S/0289/91) to allow for the consequential amendments to the restoration scheme for the Milton Landfill Site, that would result from the, the redevelopment and expansion of the HRC approved under Planning Permission Ref. CCC/21/2059/FUL.

Section 73A planning application to continue the importation of controlled inert wastes for the buttressing, stabilisation and restoration of a former mineral excavation face together with an associated waste reception area.

At: Land at Saxon Pit, Peterborough Road Whittlesey, Cambs PE7 1PD

Applicant: East Midlands Waste Group Limited

Application Number: CCC/22/092/VAR

To: Planning Committee

Date: 25 January 2023

From: Head of Service, Planning and Sustainable Growth

Electoral division(s): Whittlesey North

Purpose: To consider the above planning application

Recommendation: That permission is granted subject to the conditions set out in paragraph 12.1

Officer contact: Peter.bond@cambridgeshire.gov.uk

Post: Development Management Officer

Tel: 01223 743812

1. Introduction / Background

- 1.1 The application site at Saxon Pit, Whittlesey is a previously excavated clay pit for the brick industry, located outside of the development boundary for the village of Whittlesey.
- 1.2 Planning permission for the buttressing and stabilisation of the former quarry steep face slopes was originally granted in November 2003 for a maximum period of 10 years or 5.5 years after the date of commencement. However, it wasn't until 28 November 2006 that the approved works actually commenced. Owing to the economic recession, the rate of importation of suitable materials into the site had been much lower than expected. Consequently, a series of S73 planning applications have been necessary to provide sufficient time for the eastern and south eastern faces to be restored to an acceptable standard, with the most recent planning permission being F/2015/18/CW, which was approved in September 2020.
- 1.3 Further to the economic recession, there was a change in ownership of the site in 2017 which resulted in delays in the transfer of the Environmental Permit, coupled with a shortage of available suitable fill, which meant that it was not possible to complete the development at the site within the timescales stated in previous planning permissions. It was estimated, at that time, that 30,000 m³ of material was required to complete the scheme and the operator was confident that it could be achieved within a further two years as an extension to the project. The applicant requested an amendment to conditions 1 and 2 attached to planning permission F/02012/12/CW to extend the end date for the importation and deposit of waste fill material and the restoration of the land to 28 August 2018. In November 2018 a S73 application was submitted seeking a further extension of time in which to complete the buttressing work and restoration at the site, planning reference F/2015/18/CW.
- 1.4 The description of the development stated on F/2015/18/CW was originally: Section 73A planning application to continue the importation of controlled inert wastes for the buttressing, stabilisation and restoration of a former mineral excavation face together with an associated waste reception area without compliance with Conditions 5 (time limit for importation and deposit of waste fill), 6 (time limit for site preparation, buttressing, stabilisation and restoration), 35 (restoration programme), 36 (submission of restoration and landscaping), and 39 (ecology management plan) with the cessation of importation and deposit of waste by 2 years from the date of the decision and the cessation of site preparation, buttressing, stabilisation and restoration by 2 years and 2 months from the date of the decision.
- 1.5 The description of F/2015/18/CW was amended by a Non-Material Amendment in 2022 and now reads as follows: 'Section 73A planning application to continue the importation of controlled inert wastes for the buttressing, stabilisation and restoration of a former mineral excavation face together with an associated waste reception area'.
- 1.6 Condition 5 of F/2015/18/CW required that the importation and deposit of waste fill material cease by a date no later than 2 years from the date of that consent (i.e. by 17 September 2022 and Condition 6 required that the work of site preparation, buttressing, stabilisation and restoration cease no later than 2 years and 2 months from the date of that consent and the land be restored in accordance with the approved ecologically based restoration scheme and all ancillary equipment and structures removed from the restored

land (i.e. by 17 November 2022). The applicant was unable to complete the required importation of waste material within the period afforded by the then consented end date of 17 September 2022 and this application seeks to extend the time to complete the buttressing and restoration works by a further 2 years and 2 months. This application was submitted prior to the dates for cessation of the works set out in Conditions 5 and 6 of F/2015/18/CW.

2. The Site and Surroundings

- 2.1 The town of Whittlesey is situated approximately 8 kilometres (approximately 5 miles) to the east of Peterborough. The Saxon Pit Brickworks is located on the western flank of the town, to the south of the A605 Peterborough Road and to the north of the Peterborough to March railway line. The pit is bowl shaped owing to past clay extraction and covers in total more than 80 hectares (more than 197 acres) of land. Most of the pit including the brickworks is approximately 20 metres (approximately 65.62 feet) below original ground level, the deepest point being located at the base level in the south eastern area of the site at a depth of 26 metres (approximately 85.3 feet) below ground level as indicated on approved plan SLR Noise Monitoring Locations Plan ref: SP 7/1 4D/017/024 attached to this report. The northern and north eastern faces of the Pit have been buttressed with waste bricks and quarry waste and restored. The eastern face is partly restored whilst the southern face remains to be fully restored and is steep in character.
- 2.2 Vehicular access to the pit is achieved directly from an existing entrance on to the A605 Peterborough Road.
- 2.3 The application site is situated on the eastern and south eastern edge of the former Saxon Pit. The floor of the application site is approximately 26 to 28 metres (85.3 to 91.86 feet) below the original ground level found to the east of the pit. An area of the application site is covered with reeds and reed grasses and there is permanent standing water in ponds and ditches. The eastern boundary of the site adjoins a residential housing estate, notably the rear gardens of properties in Snoots Road and Priors Road, whilst to the south east lies the King's Dyke watercourse, which flows beneath the Peterborough to March railway.

3. The Proposed Development

- 3.1 This planning application is a Section 73A application which seeks to continue to develop land without complying with two conditions of planning permission F/2015/18/CW, thereby seeking to extend the end date for the completion of the infilling and restoration works. The Applicant states that there are a further 35,000 cubic metres of inert waste required to complete the engineering operations. The relevant conditions are:

Condition 5:

The importation and deposit of waste fill material shall cease by a date no later than 2 years from the date of this consent.

Condition 6: The work of site preparation, buttressing, stabilisation and restoration must cease by a date no later than 2 years and 2 months from the date of this consent and the land shall be restored in accordance with the approved ecologically based restoration scheme and all ancillary equipment and structures removed from the restored land.

3.2 The application proposes changing the wording of these conditions to read as follows:

5. The importation and deposit of waste fill material shall cease by a date no later than 2 years and 2 months from the date of this consent.

6. By no later than 2 years and 6 months from the date of this consent all site preparation, buttressing, stabilisation and restoration works shall cease and the land shall be restored in accordance with the approved ecologically based restoration scheme and all ancillary equipment and structures removed from the restored land.

3.3 Other than to include references to documents previously approved under Conditions 29 and 30 of permission reference F/2015/18/CW, there are no other changes proposed to either the extant set of planning conditions, any of the previously approved schemes or drawings, the waste streams or types, or the method of working at the site.

4. Planning History

4.1 The planning history for this application is set out below:

4.2 On 18 November 2003 planning application reference F/2026/02/CW was approved for: The importation of controlled inert construction and demolition waste for the buttressing, stabilisation and restoration of a former mineral excavation face together with associated waste materials reception area, land at Saxon Pit, Peterborough Road, Whittlesey.

4.3 On 16 July 2012, planning application reference F/02012/12/CW was approved for: Variation of conditions 5 and 6 of planning permission ref F/2026/02/CW to extend the date by which the importation and deposit of waste fill material must cease from 30/09/13 to 28/05/2016 and to extend the date by which site preparation, importation of inert waste fill material buttressing, stabilisation and restoration must cease and a revised restoration scheme must be completed from 30/05/2015 to 28/11/2017.

4.4 On 7 December 2017, planning application reference F/2014/17/CC was approved for: Section 73 application to continue the importation of controlled inert wastes for the buttressing, stabilisation and restoration of a former mineral excavation face together with an associated waste reception area without compliance with Condition 1 (time limit for the importation and deposit of waste fill material) and condition 2 (time limit for cessation of site preparation work, buttressing, stabilisation and restoration) of planning permission F/2012/12/CW to extend these time limits until 29 November 2018.

4.5 On 17 September 2020, planning application reference F/2015/18/CW was approved for: Section 73A planning application to continue the importation of controlled inert wastes for the buttressing, stabilisation and restoration of a former mineral excavation face together

with an associated waste reception area without compliance with Conditions 5 (time limit for importation and deposit of waste fill), 6 (time limit for site preparation, buttressing, stabilisation and restoration), 35 (restoration programme), 36 (submission of restoration and landscaping), and 39 (ecology management plan) with the cessation of importation and deposit of waste by 2 years from the date of the decision and the cessation of site preparation, buttressing, stabilisation and restoration by 2 years and 2 months from the date of the decision.

- 4.6 On 12 October 2021, Non Material amendment reference CCC/21/117/NMW was approved for: Non-material amendment to allow the replacement of the 500mm clay cap placed over the filled material with the use of 1000mm of subsoils affecting condition 35 of planning permission F/2015/18/CW.
- 4.7 On 15 September 2022, Non Material amendment reference CCC/22/098/NMA was approved for: Non-Material amendment application to amend the description of planning permission F/2015/18/CW to read as follows: 'Section 73A planning application to continue the importation of controlled inert wastes for the buttressing, stabilisation and restoration of a former mineral excavation face together with an associated waste reception area.

5. Publicity

- 5.1 The application was advertised in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 by means of a notice in the Fenland Citizen on 28 September 2022.
- 5.2 Site notices were placed on the vehicular entrance to the site.
- 5.3 Discretionary notification letters have been sent to properties bordering the application site and close to the vehicular access point on the public highway.

6. Consultation responses

- 6.1 The following responses were received from consultees:
- 6.2 Fenland District Council Environmental Health: No objection.
The National Planning Policy Framework recommends that the planning policy system should contribute to, and enhance the natural and local environment by, amongst other things, preventing both new and existing developments from contributing to or being put at unacceptable risk, or being, adversely affected by unacceptable levels of pollution. Matters ordinarily for consideration of an application of this type would be the potential noise, odour and dust impacts associated with the proposed continuation of these works. Whilst it is important to ensure sufficient controls are in place to minimise any potential environmental impacts of these works, there is an obvious benefit to the Community and Applicant for these works to now be completed as soon as possible. I note that the works are currently regulated under an Environmental Permit – by the Environment Agency (EA). Discussions with the EA confirm that: emissions of noise / dust / odour are covered by the Environmental Permit concerning the works that are the subject of this planning application; and, EA Officers continue to monitor activities on the site to ensure best

practice is being met and proportionate mitigation measures are implemented as necessary. Officers from Fenland District Council (FDC) will continue to work closely with EA Officers and other relevant Agencies to ensure activities on site are closely monitored, and community concerns are addressed accordingly. I would recommend that the Applicant is respectfully reminded: of the need to ensure that the works are undertaken in accordance with current best practice at all times, to minimise any potential environmental impacts; and, that FDC have a duty to investigate any allegations of statutory nuisance and will continue to work jointly with the Environment Agency to monitor the site and undertake appropriate investigations as required.

- 6.3 Environment Agency: No objection to the time period of the permission being extended to enable the operator or landowner to complete the stabilisation project of the excavation void as in accordance with their environmental permit. All monitoring infrastructure including boreholes positioned within the waste mass and the site boundary must be maintained to allow accurate representative samples to be taken at all times. It is our understanding that Borehole 1 (BH1) positioned within the waste mass maybe blocked or damaged. If required, a new borehole must be drilled and piped within the immediate area of the existing BH1 to allow representative sampling to continue. Leachate generated from the eastern buttress drains into the onsite sealed storage lagoon. This must be contained, managed and removed for appropriate disposal or recovery elsewhere to a suitable permitted facility unless an environmental discharge permit is in place issued by the Environment Agency to allow effluent to be discharged to the Kings Dyke watercourse.

There is currently no environmental permit in place to discharge effluent from the lagoon to any watercourse or ditch. The below ground impermeable clay plug must be installed along the eastern and south-eastern crest of the eastern buttress to prevent or minimise water ingress entering the pit from the adjacent Kings Dyke watercourse and from groundwater. The French drain must also be installed along the eastern boundary crest of the buttress to intercept surface water runoff from the adjacent residential area.

- 6.4 Highway Authority: No objection.
- 6.5 Natural England: No objection.
- 6.6 Network Rail: No objection.
- 6.7 Local Lead Flood Authority: No objection.
- 6.8 County Ecologist: No objection.
- 6.9 Internal Drainage Board (IDB): No response received.
- 6.10 Whittlesey Town Council: Objects to the proposal on the grounds that the dust, noise and ecological assessments are dated and may not reflect the current situation on and around the application site. The Council also raises concerns over surface water being pumped from the site and the perceived risk of contamination to local watercourses.

7. Representations

7.1 A total of 15 Neighbour representations signed by 18 individuals have been received and their representations are summarised below:-

- The continuation of unacceptable noise, dust and odour pollution;
- Ecological impacts have not been considered in sufficient detail and the application relies on some data submitted with much earlier applications which needs to be refreshed;
- There have been out of hours working at the site;
- HGVs should enter the site by turning right and leave the site by turning left only;
- Pumping of water could lead to pollution of watercourses;
- Historic unlawful tipping of waste is a pollution risk;
- Very close to residential properties; and
- The development has been ongoing for nearly twenty years.

7.2 A copy of the full representations will be shared with members of the Planning Committee one week before the meeting.

8. Planning Policy

8.1 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 development plan policies are set out in paragraphs 8.7 to 8.9 below.

8.2 The National Planning Policy Framework 2021 (NPPF) sets out the Government's planning policies and how these are expected to be applied. At its heart is a presumption in favour of sustainable development (paragraph 11). It states that for decision-taking this means:

- approving development proposals that accord with an up to date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most relevant for determining the application are out of date, granting permission unless:
 - i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole.

8.3 The following paragraphs within the NPPF are considered to be particularly relevant to this application:

Paragraphs 7 and 8 Achieving Sustainable Development - the purpose of the planning system is to contribute to the achievement of 'sustainable development' pursued through mutually supportive economic, social and environmental objectives

Paragraph 148 Meeting the Challenge of Climate Change, Flooding - supports development which would provide the transition to a low carbon future, taking full account of flood risk.

Paragraph 155 Planning and Flood Risk - inappropriate development in areas of high risk of flooding should be avoided by directing development away from such areas.

Paragraph 170 (a-f) Conserving and Enhancing the Natural Environment - supports planning decisions which protect and enhance the landscape, do not contribute to noise, odour, water or noise pollution and remediate and mitigate for contaminated land.

Paragraph 175 Habitats and Biodiversity - Protects and enhances to support a net gain in bio-diversity and geodiversity.

Paragraphs 178 to 183 Ground Conditions and Pollution – Planning decisions are supported which ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Paragraph 188 – Pollution - The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

National Planning Policy for Waste (2014) (NPPW)

8.4 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. A key component of the NPPW is the principle of moving waste "up the 'waste hierarchy' of prevention, preparing for reuse, recycling, other recovery, and disposing only as a last resort."

8.5 Paragraph 7 of the NPPW states in bullet point 5 that when determining planning applications waste planning authorities should "concern themselves with implementing the planning strategy in the Local Plan and not with the control of processes which are a matter for the pollution control authorities. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced."

- 8.6 Our Waste, Our Resources: A Strategy for England (December 2018) & the Waste Management Plan for England (January 2021) sets out the Government's strategy in England for preserving resources by minimising waste, promoting resource efficiency and moving towards a circular economy, in line with the UK Government's 25 Year Environment Plan, while the Waste Management Plan for England provides an overview of waste management in order to fulfil the requirements of the Waste (England and Wales) Regulations 2011.
- 8.7 The development plan comprises the Cambridgeshire and Peterborough Minerals and Waste Local Plan (adopted July 2021) (the MWLP) and the Fenland Local Plan 2014 (FLP).

- 8.8 On 28 July 2021 Cambridgeshire County Council and Peterborough City Council adopted a Minerals and Waste Local Plan which sets the framework for all mineral and waste developments until 2036. The following policies are considered relevant in relation to this proposal:

Policy 1: Sustainable Development and Climate Change
Policy 3: Waste Management Needs
Policy 4: Providing for Waste Management Needs
Policy 10: Waste Management Areas (WMAs)
Policy 17: Design
Policy 18: Amenity Considerations
Policy 19: Restoration and Aftercare
Policy 20: Biodiversity and Geodiversity
Policy 22: Flood and Water Management
Policy 23: Traffic, Highways and Rights of Way

- Fenland Local Plan (2014) (FLP)
- 8.9 The following policies of the Fenland Local Plan are of relevance:

LP1: A Presumption in Favour of Sustainable Development
LP2: Facilitating Health and Wellbeing of Fenland Residents
LP14: Responding to Climate Change and Managing the Risk of Flooding in Fenland
LP16: Delivering and Protecting High Quality Environments Across the District
LP19: The Natural Environment

9. Planning Considerations

- 9.1 The main planning considerations in relation to this planning application are: principle of need and justification for the submission of a section 73a application; impacts on residential amenity; and, the cumulative impacts of this development continuing for a further period on local sensitive receptors.

The Principle of Need and Justification for the Submission of a Section 73a Application

- 9.2 The proposal takes the form of a Section 73a application which permits retrospective planning applications to be made to carry out development without complying with some of the planning conditions imposed on a planning permission. The proposal is to vary conditions 5 and 6 attached to the previous planning permission for the site F/2015/18/CW, which limit the period for the importation of material and the placement, buttressing and restoration of the site to enable a further extension to the life of the site of 2 years and 2 months for the importation of waste (condition 5) and a further 2 years and 6 months to fully restore the site (condition 6).
- 9.3 The stabilisation and buttressing of the former quarry face is required to protect existing neighbouring residential and railway properties by preventing landslip and erosion which had taken place in the past. Without such works, erosion and land stability issues associated with the steep quarry batters would continue which is not sustainable. While this is not the first application seeking a time extension to a development originally permitted in 2003, it is considered that the work does need to be completed, that the volume of material required to complete the works is relatively modest and, consequently, there is little risk that the stabilisation and restoration works would not be completed within the timeframes requested. As such the proposal is considered acceptable in that it meets MWLP Policy 19.
- 9.4 Cambridgeshire County Council declared a climate change emergency in May 2019 and is seeking to reduce the Council's carbon footprint in line with the Council's Climate Change and Environment Strategy that was approved by Full Council in May 2020. The need to consider climate change is also embedded within Policy 1 of the MWLP. The proposal is for the continuation of a previously agreed engineering operation at a disused clay pit, which will result in safety improvements to the outer flanks of the pit and ensure that the site is appropriately restored. The final restoration of the Site will improve biodiversity across the site and will not increase flood risk and other climate change risks off-site. It is considered that the proposal accords with the principles of the Council's Climate Change and Environment Strategy.
- Complaints Regarding infilling with non-conforming (non-inert) waste:
- 9.5 There have been historic complaints alleging the unauthorised deposit of potentially hazardous waste within the Saxon Pit which have been investigated by both the Waste Planning Authority and the Environment Agency (EA). The EA has confirmed that the non-conforming waste can remain in situ, provided that appropriate containment and mitigation is put in place and, as described in paragraph 8.4 above, the NPPW makes clear that landfill gas and leachate are matters which fall under the control of the pollution control authority and are not a material consideration in the determination of this planning application. This proposal is for the continuation of development to complete the works using appropriate inert materials as specified by the planning conditions. The exact nature of these materials is then controlled by means of the Environmental Permit and monitored by the Environment Agency to ensure compliance with the Permit requirements. The County Council, as the Mineral and Waste Planning Authority, has always been clear that the two regulatory regimes are entirely separate and that these are matters for consideration by the EA through its environmental permit and enforcement regimes.
- 9.6 Legal advice has confirmed that the principle of development at the site has previously been found to be acceptable. It had also been accepted that the stabilisation works needed to be completed and, as there has been no objection to the development from any

of the statutory consultees and the development will continue to be monitored by the WPA and the EHO, it is considered that little weight should be afforded to previous complaints in the determination of this application.

- 9.7 From a planning policy perspective the application to continue the importation of controlled inert wastes for the buttressing, stabilisation and restoration of a former mineral excavation face are capable of being supported in line with the earlier permissions granted for the development and must not be confused with enforcement matters being raised by the Environment Agency. As such, the proposals, with the relevant updated planning conditions set out in Section 12 of this report, are considered to be broadly compliant with the aims of the NPPF when read as a whole, and MWLP Policies 1, 17 and 22.

Residential Amenity

- 9.8 The site is bordered to the east by residential development and each planning permission granted for these works has been subject to restrictions imposed within an agreed amenity buffer zone which is indicated on plan number CCC1 which can be found in Appendix A. Within this zone, the carrying out of work and the operation of machinery is limited to between the hours of 08.00 to 17.00 Mondays to Fridays with no permitted working in that area at weekends and bank holidays. This was controlled by condition 13 attached to planning permission F/2015/18/CW and the condition is proposed to be carried through to this consent as set out in Section 12 of this report, should planning permission be granted.
- 9.9 It is inevitable that there will be some noise and dust associated with the work carried out. Condition 19 of F/2015/18/CW sets noise limits for this development at the boundary of two local properties and there are no changes proposed to the wording of this condition. There have been complaints regarding noise from the buttressing works but investigations indicate that the sources of these noises are from other operations within the wider Saxon Pit site. Also, noise and other emissions are regulated by the Environmental Permit which has been issued by the Environment Agency and the site is regularly monitored by both the Waste Planning Authority in respect of compliance with the planning permission requirements and the Environment Agency in respect of compliance with the requirements of the Environmental Permit. Noise monitoring has been undertaken to ensure compliance with condition 19 of the 2020 permission, with the EHO at FDC considering that the monitoring to date confirms compliance with this condition.
- 9.10 It is considered that the continued imposition of the agreed amenity buffer zone to limit operations in close proximity to neighbouring residential dwellings and the ongoing monitoring regimes of both the Waste Planning Authority and the EA is sufficient to ensure that the buttressing and stabilisation works proposed will not result in an unacceptable level of detriment to the residential amenity of the neighbouring occupiers. Given the stability issues associated with this area, the completion of these works will actually lead to benefits to the residential properties and railway line, which are factors that also need to be considered in the planning balance. As such the proposals are considered acceptable as they meet the requirement of MWLP Policy 18 and FLP (2014) Policy LP2.

Highway Impacts

- 9.11 This proposal will extend the duration of tipping operations, and thus will extend the impact that HGVs will have on the local highway network. The Highway Authority raises no objection to what is a further temporary permission and it is considered that there is no conflict with Development Plan policies in this regard. The request to impose a condition

requiring HGVs to turn right into the site and left out is noted, however, it is considered that the imposition of this condition is not necessary to make this development acceptable.

Pumping of water from the site

- 9.12 The operator has submitted schemes to the Council for the pumping of water from the application site into the adjoining Kings Dyke watercourse, in line with the requirements of Conditions 29 and 30 of planning permission reference F/2015/18/CW. These have been the subject of a separate consultation exercise with technical consultees. -. The relevant documents have been included within the list of approved documents in Condition 2.

10. Public Sector Equality Duties (PSED).

- 10.1 Section 149 of the Equalities Act 2010 places a statutory duty on all public bodies to consider the needs of all individuals in their day-to-day work, including those with protected characteristics. The protected characteristics under PSED are: disability, gender reassignment, pregnancy, maternity/ paternity, race, religion or belief (including non-belief), sex and sexual orientation. The Council, in the exercise of the planning functions, must have due regard to the need to the following aims in their decision-making: eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act; foster good relations between people who share a relevant protected characteristic and those who do not share it; and advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it. Furthermore, consideration must be given to removing or minimising disadvantages suffered by people due to their protected characteristics; meeting the needs of people with protected characteristics; and encouraging people with protected characteristics to participate in public life or in other activities where their participation is low. The proposed development is to complete the buttressing work and restore the site and the improved stability of the pit will benefit local residents. The development has previously been approved and needs to be completed. Although concerns about dust, odour and pollution have been raised, conditions are proposed to mitigate against any harm to amenity. Noting that the Environment Agency are the pollution control authority, that they do not object to the application and that they regulate the site, it is considered unlikely that this development would negatively impact on those with protected characteristics. Therefore, there would be no known implications of the proposal in relation to the council's PSED duties under the 2010 Act.

11. Conclusion

- 11.1 The proposed development is for the variation of two time-limiting conditions imposed by the 2020 permission (F/2015/18/CW) to extend the time available for the importation of waste for engineering purposes and the ultimate restoration of the application site. This development has been ongoing for some time and the principle of the development is accepted. The completion of the works proposed will enable a satisfactory restoration of the application site while ensuring that the historic quarry faces are safe, with the previously approved restoration scheme providing some potential medium term ecological benefits.
- 11.2 It is considered that the scope of the other planning conditions (including limitations on hours of use and the rate of material importation) provide adequate safeguards to protect residential amenity and highway safety to an acceptable degree. The proposal to extend

the life of the project to allow for its completion is considered to be acceptable subject to the imposition of the amended and updated conditions.

- 11.3 It is recommended that planning permission is granted for the development and that new time limiting conditions are imposed limiting the importation of waste to a period not exceeding two years and two months from the date of this permission and for the final restoration of the application site to be achieved within a period not exceeding two years and six months. It is also considered that Conditions 2, 29 and 30 be amended to reflect the approved matters relating to off-site pumping of water.
- 11.4 In conclusion, the proposal accords with the Development Plan and there is justification for the requested additional period for completion of the buttressing and stabilisation works and the final restoration of the application site, subject to the planning conditions set out in section 12 of this report.

12. Recommendation

- 12.1 It is recommended that planning permission is granted subject to the following conditions:

Implementation

1. This permission comes into effect on the date of this consent and only relates to the importation of inert waste to construct a buttress to stabilise and restore the former eastern quarry face together with a waste material reception area.

Reason: In accordance with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 to set out the implementation of the consent in a given timescale taking account of the retrospective element approved.

General

2. The development hereby permitted shall not be carried out other than in accordance with the details submitted by way of the application and supporting documents, dated 3 November 2022, unless otherwise stated, and the following approved documents, as amended by information approved in accordance with the following conditions:
- SLR Consulting Ltd Discharge of Conditions Scheme ref: 404-0027-00110 dated July 2006;
 - Hanson Traffic Management Plan ref A3-Sax100 dated Jun 2006;
 - Location Plan ref EMWM 1-5-001, undated;
 - SLR Construction Specification ref: 4D-027-044 dated March 2002;
 - SLR Flood Risk Assessment ref: 405-03708-00004 dated May 2012;
 - SLR Flood Risk Assessment Update dated Sep 2017 – Appendix B;
 - SLR Flood Risk Assessment ref: 403-07764-00001 version 3 dated Dec 2018;
 - SLR Noise Monitoring Locations Plan ref: SP 7/1 4D/017/024, undated;
 - SLR Concept Restoration Plan SP 4/1 4D/017/024, undated;
 - CCC1 Amenity Buffer Zones, undated;

- Planning Statement by SBRice dated Nov 2018;
- Planning Statement by SBRice, dated July 2022, Vr2 – September 2022
- Stabilisation Site Plan ref: EMWM.SP-1-1-001 dated Sep 2017;
- Stabilisation Site Plan-Screening ref:EMWM.SP-1-1-002 dated Sep 2017;
- Natural Gas Connection Arrangement Plan ref: PREM343-GEN-2011-0001D dated Jun 2018;
- Applied Ecology Report ref: 1681 dated Aug 2019;
- SLR Stability Risk Assessment ref: 403.07764.00001 dated Dec 2019;
- SLR Stability Risk Assessment ref:403.07764.00001 fig 1 Appendix 1 dated Apr 2019;
- Proposed Drainage Scheme ref: EMWM.SP-1-1-006 dated Dec 2019;
- Proposed Restoration Scheme Following Completion of Infilling and Stabilisation Revision 2 June 2021;
- Saxon Pit Restoration Plan Appendix A;
- Saxon Pit Restoration Plan 5040171/HW/PL/003 Appendix B A607 Alignment dated Dec 2015;
- Saxon Pit Restoration Plan Appendix C;
- Saxon Pit-1-1-008 Stockpile Plan Appendix D;
- Saxon Pit-1-1007B Restoration Plan Appendix E;
- Saxon Pit-1-4-002B Proposed East Bank Profile Appendix F;
- Saxon Pit Restoration Plan EM4 Appendix G;
- Saxon Pit Restoration Plan EM8 Appendix H;
- EA Approved Methodology for Capping and Restoration Layers Appendix J shown in Schedule 2 ref: EMW/SP/H/5616/01 dated June 2021: and
- Approved 5 Year Ecological Management Plan Appendix K by Applied Ecology Ltdv2.0 dated 5 March 2021.

Reason: For the avoidance of doubt and to maintain planning control over the development whilst protecting the character and amenity of the locality in accordance with Policies 1, 18, 19 and 22 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

3. This permission only relates to land edged red as shown on the submitted Location Plan ref. EMWM-1-5-001.

Reason: To define the Site and terms within this planning permission

4. [Date of commencement condition complied with and no longer needed].

Temporary Duration of Permission

5. The importation and deposit of waste fill material shall cease by a date no later than 2 years and 2 months from the date of this consent.

Reason: To secure the completion and progressive restoration of the Site within the approved timescale in the interests of amenity and character of the locality in

accordance with Policies 18 and 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

6. By no later than 2 years and 6 months from the date of this consent all site preparation, buttressing, stabilisation and restoration works shall cease and the land shall be restored in accordance with the approved ecologically based restoration scheme and all ancillary equipment and structures removed from the restored land.

Reason: To secure the completion and progressive restoration of the Site within the approved timescale in the interests of amenity and character of the locality in accordance with Policy 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

Vehicle Movement and Access

7. The temporary alternative parking area for these properties (nos. 193, 195, 197, 199, 201 and 203 on the A605 Peterborough Road) within the site at the rear of the properties as set out on the SLR Consulting Ltd Discharge of Conditions Scheme ref: 404-0027-00110 dated July 2006 shall be provided for the duration of the consent. The development shall not proceed except in accordance with the details specified by the above approved scheme.

Reason: In the interests of highway safety and to minimise any disturbance caused to residents living near to the entrance to the brickworks in accordance with Policies 18 and 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

8. No more than 50 vehicles importing waste inert fill material in relation to the development hereby permitted shall enter the Saxon Pit Brickworks site on any one day. The daily number of such vehicles arriving at the site shall be recorded and such a record shall be provided in writing to the Waste Planning Authority within 7 days of a written request for that information.

Reason: To limit the daily volumes of net additional traffic in the interests of the amenity of residents on and near the approaches to the site, particularly those living near to the entrance to the brickworks in accordance with Policy 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

9. No more than 100,000 cubic metres of inert waste fill material shall be imported to the Site per annum. The total quantity of imported inert waste arriving at the site over the past 12 months shall be provided in writing to the Waste Planning Authority within 14 days of a written request for that information.

Reason: To limit the daily volumes of net additional traffic in the interests of the amenity of residents on and near the approaches to the site, particularly those living near to the entrance to the brickworks in accordance with Policy 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

10. Vehicular access to the site shall only be gained from the existing Saxon Pit brickworks access/egress point to the A605 Peterborough Road.

Reason: In the interests of local amenity and to maintain highway safety in accordance with Policies 18 and 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

11. The development hereby permitted shall be undertaken in accordance with scheme SLR Consulting Ltd Discharge of Conditions Scheme ref: 404-0027-00110 dated July 2006 in detailing the type and specification of a vehicle wheel cleaning facility. The approved facility shall be installed at the egress to the Site prior to the importation of any inert waste fill materials. Internal traffic arrangements shall ensure that all waste vehicles leaving the site shall pass through the facility which shall be maintained in an operational condition at all times. The metalled surface of the access road within the site leading up to its junction with the A605 shall be kept clean by regular mechanical sweeping. The development shall subsequently be carried out in accordance with the approved details.

Reason: In the interests of amenity and highway safety in accordance with Policies 18 and 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and policy LP16 of the Fenland Local Plan 2014.

12. Plant or vehicle movements associated with the delivery of inert waste materials shall be confined to the approved haul route in accordance with Drawing ref. Hanson Traffic Management Plan A3-Sax 100 dated 7 June 2006.

Reason: To protect any soil resources on the site and to protect existing habitats that are to be preserved in accordance with Policy 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

Hours of Operation: Amenity Buffer Zone (ABZ) and Elsewhere

13. The development hereby permitted including site preparation, buttressing, stabilisation and restoration works shall not proceed at the Site within the amenity buffer zone highlighted in stipple on the attached drawing CCC1 except between the following hours:

08.00 to 17.00 Mondays to Fridays

The development hereby permitted shall not proceed within the identified amenity buffer zone at any time at Weekends and Bank Holidays.

Reason: To minimise the impact of operations which are being undertaken closest to residential properties in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

14. Except as required for the maintenance of plant and machinery, the development hereby permitted including site preparation, buttressing, stabilisation, the reception of waste and restoration works shall not proceed outside the confines of the identified amenity buffer zone but within the Site except between the following hours:

07.00 to 17.00 Mondays to Fridays

07.00 to 13.00 on Saturdays

The development shall not proceed at any time on Sundays or Bank Holidays

Reason: To protect the amenity of local residents in accordance with Policy 18 Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and policy LP16 of the Fenland Local Plan 2014.

15. No vehicles importing inert waste associated with the development hereby permitted shall enter the Saxon Brickworks site except between the following hours:

07.00 to 17.00 Mondays to Fridays

07.00 to 13.00 on Saturdays

The development shall not proceed at any time on Sundays or Bank Holidays.

Reason: To protect the amenity of local residents in accordance with Policy 18 Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and policy LP16 of the Fenland Local Plan 2014.

Controlled Inert Waste for Fill

16. The development hereby permitted shall only be undertaken in accordance with the revised Section 3 (received by the Waste Planning Authority on 05 September 2006) SLR Consulting Ltd Discharge of Conditions Scheme ref: 404-0027-00110 dated July 2006. The approved scheme shall be implemented to ensure that the development does not proceed except using the controlled inert materials specified by the approved scheme.

Reason: In the interests of local amenity, protection of the groundwater environment and to ensure that the site is restored to a beneficial afteruse in accordance with Policy 23 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and policy LP16 of the Fenland Local Plan 2014.

Ecology

17. The development hereby permitted shall only be carried out in accordance with the approved scheme prepared by Phil Parker dated February 2004. The development shall not proceed unless the approved protection measures are in place and thereafter maintained in accordance with the approved scheme.

Reason: In the interests of local amenity, and to ensure that the site is restored to a beneficial afteruse in accordance with Policies 19 and 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021); Policies LP16 and LP19 of the Fenland Local Plan 2014; and the aims and objectives of the Cambridgeshire Biodiversity Action Plan.

18. [Duplicated the wording of Condition 17 exactly and is therefore not required].

Noise

19. The level of noise emitted from the Site shall not exceed 55db Laeq. 1h free field as measured at :

- Location 1 – adjacent No 99 Priors Road
- Location 2 – adjacent No 63 Priors Road

As shown on submitted drawing number SP7/1, between the hours of 07.00 to 17.00 Mondays to Fridays and 07.00 to 13.00 on Saturdays. All measurements and assessments shall be made in accordance with the approved scheme submitted document SLR Consulting Ltd Discharge of Conditions Scheme ref: 404-0027-00110 dated July 2006.

Reason: In the interests of local amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

20. Temporary operations shall only be undertaken in accordance with approved scheme submitted document SLR Consulting Ltd Discharge of Conditions Scheme ref: 404-0027-00110 dated July 2006. Temporary operations, as defined in the approved scheme, shall not exceed a total of eight weeks in any continuous 12 month period for work. 5 working days written notice shall be given to the Waste Planning Authority in advance of the commencement of any temporary operation.

Reason: In the interests of local amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

21. Noise levels shall be monitored by the operating company in accordance with the approved scheme entitled SLR Consulting Ltd Discharge of Conditions Scheme ref: 404-0027-00110 dated July 2006. Monitoring survey results shall be kept by the operating company during the lifetime of the permitted operations and a written

monitoring report shall be supplied to the Waste Planning Authority within 10 working days of receipt of written request.

Reason: In the interests of local amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

22. No reversing bleeper shall be fitted to any mobile plant or vehicles importing waste associated with the development hereby permitted except in accordance with the document entitled SLR Consulting Ltd Discharge of Conditions Scheme ref: 404-0027-00110 dated July 2006.

Reason: In the interests of local amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

23. All plant and machinery shall be maintained and silenced at all times to meet the manufacturer's noise rating level.

Reason: In the interests of local amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

Dust

24. The development hereby permitted shall be undertaken in accordance with the document entitled SLR Consulting Ltd Discharge of Conditions Scheme ref: 404-0027-00110 dated July 2006. The approved scheme shall be implemented prior to the importation of inert waste fill material and maintained thereafter to ensure that the development does not proceed except with the approved dust emission mitigation scheme in place.

Reason: In the interests of local amenity in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

Lighting

25. No floodlighting shall be installed except in accordance with details that have been submitted to and approved in writing by the Waste Planning Authority.

Reason: To ensure that operations are carried out in a manner, which will safeguard the amenity of the area and minimise disturbance to adjacent residents in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

Operational Controls

26. The development shall not proceed except in accordance with the construction specification set out in Appendix 3.2 of the Supporting Statement submitted by Hanson Brick dated October 2002 prepared by SLR Consulting job no. 4D-027-044 dated March 2002, the prescribed order of phasing of the works and the restoration contours shown on restoration plan no EMWM SP-1-1-007 B (Appendix E).

Reason: To ensure that operations are carried out in a manner, which will safeguard the amenity of the area and minimise disturbance to adjacent residents in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

27. The Site shall be restored in accordance with the final contours shown on the approved restoration plan EMWM SP-1-1-007 B (Appendix E) dated, 06.03.2020 received on 02 April 2020. No allowance shall be made for settlement.

Reason: To ensure that operations are carried out in a manner, which will safeguard the amenity of the area and minimise disturbance to adjacent residents and result in an acceptable landform in accordance with Policies 18 and 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

28. The monitoring of the geotechnical conditions within the stabilised slope throughout the duration of the approved works shall be in accordance with the approved document entitled SLR Consulting Ltd Discharge of Conditions Scheme ref: 404-0027-00110 dated July 2006. The approved scheme shall be implemented fully in accordance with the approved details.

Reason: To ensure that the stabilisation works are adequately controlled and monitored during the duration of the works in accordance with Policy 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

29. No pumping apparatus shall be installed except in accordance with details that shall have been submitted to and approved in writing by the Waste Planning Authority.

Reason: To ensure that operations are carried out in a manner, which will safeguard the amenity of the area and minimise disturbance to adjacent residents in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

30. No discharge of water into any culvert, drain or watercourse is permitted unless otherwise agreed in writing by the Waste Planning Authority in consultation with Network Rail. No surface water flows or run off shall affect railway land unless in

accordance with a scheme that has been submitted to and approved in writing by the Waste Planning Authority in consultation with Network Rail.

Reason: To maintain the integrity of the existing surface water regime and prevent flooding of the railway in accordance with Policy 22 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

31. All plant and machinery associated with the development hereby permitted shall be positioned and used in such a manner to prevent accidental entry onto railway property of such plant, or loads attached thereto, in the event of failure.

Reason: In the interests of the safety of rail traffic in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

Waste Materials Reception Area

32. The enabling works, details of the waste materials reception, checking, handling and temporary storage (including mess facilities and mobile plant etc.) shall be undertaken in accordance with document entitled SLR Consulting Ltd Discharge of Conditions Scheme ref: 404-0027-00110 dated July 2006. Operation of the approved materials reception area shall not proceed except in accordance with the approved scheme.

Reason: To ensure that operations are carried out in a manner, which will safeguard the amenity of the area and minimise disturbance to adjacent residents in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

33. The approved waste materials reception area referred to in condition 32 shall not be used except for the handling and sorting of inert waste materials required for the purposes of constructing the development hereby approved and consistent with the control measures agreed pursuant to condition 16.

Reason: To ensure that operations are carried out in a manner, which will safeguard the amenity of the area and minimise disturbance to adjacent residents in accordance with Policy 18 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

34. No stockpiles of waste shall be stored outside of the confines of the approved waste materials reception area. No stockpiles of waste materials shall exceed 6 metres in height when measured from the base.

Reason: In the interests of amenity and to preserve existing habitats at the site that are required to be preserved during the duration of the works in accordance with Policy 20

of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

Landscaping and Restoration

35. The site shall be restored in accordance with the written restoration programme and accompanying plans referenced:

- Proposed Restoration Scheme Following Completion of Infilling and Stabilisation Revised 2 June 2021;
- Saxon Pit Restoration Plan Appendix A;
- Saxon Pit Restoration Plan Appendix B;
- Saxon Pit Restoration Plan Appendix C;
- Saxon Pit-1-1-008 Stockpile Plan Appendix D;
- Saxon Pit-1-1007B Restoration Plan Appendix E, dated 06.03.2020;
- Saxon Pit-1-4-002B Proposed East Bank Profile Appendix F;
- Saxon Pit Restoration Plan EM4 Appendix G;
- Saxon Pit Restoration Plan EM8 Appendix H;
- EA Approved Methodology for Capping and Restoration Layers Appendix J shown in Schedule 2 ref: EMW/SP/H/5616/01 dated June 2021: and
- Approved 5 Year Ecological Management Plan Appendix K by Applied Ecology Ltd v2.0 dated 5 March 2021.

Reason: In the interests of local amenity and to ensure that the site is restored to a beneficial afteruse in accordance with Policies 18, 19 and 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021), Policies LP16 and LP19 of the Fenland Local Plan 2014 and the aims and objectives of the Cambridgeshire Biodiversity Action plan.

Details of the proposed Restoration and Landscaping Scheme

36. [Details of the proposed restoration and landscaping scheme condition complied with and no longer needed].

37. The applicant shall give at least 7 days and no more than 21 days written notice to the Waste Planning Authority of the commencement of topsoil or subsoil spreading.

Reason: In the interests of local amenity and to ensure that the site is restored to a beneficial afteruse in accordance with Policies 18 and 19 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021), Policies LP16 and LP19 of the Fenland Local Plan 2014 and the aims and objectives of the Cambridgeshire Biodiversity Action plan.

38. Any tree or shrub forming part of a planting scheme approved under this permission in connection with this development that dies, is damaged, diseased or removed within the period of the operations or within five years after completion of the operations shall be replaced during the next planting season with a tree or shrub of species and size to be agreed with the Waste Planning Authority.

Reason: In the interests of local amenity and to ensure that the site is restored to a beneficial afteruse in accordance with Policies 19 and 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021), Policies LP16 and LP19 of the Fenland Local Plan 2014 and the aims and objectives of the Cambridgeshire Biodiversity Action plan.

Ecologically Based Management Plan

39. The site shall be restored and subsequently managed only in accordance with the Ecological Management Plan prepared by Applied Ecology Ltd dated March 2021 (Version 2.0) that was approved by the Waste Planning Authority by letter dated 9 June 2021.

Reason: In the interests of local amenity and to ensure that the site is restored to a beneficial afteruse in accordance with Policy 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and policies LP16 and LP19 of the Fenland Local Plan 2014.

Drainage and Pollution Control

40. The development hereby permitted shall be undertaken in accordance with document entitled SLR Consulting Ltd Discharge of Conditions Scheme ref: 404-0027-00110 dated July 2006 in respect of the provision and implementation of surface water drainage (with an appropriate outfall to the land drainage system) and measures to address pollution control. The approved scheme shall be implemented fully in accordance with the approved plans.

Reason: To ensure the restoration of the site to a beneficial afteruse in accordance with policies 19 and 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

41. Any fuel, oil or chemical storage above ground and refuelling facilities shall be sited on an impermeable base and surrounded and bunded to at least 110% of tank/drum capacity with a sealed drainage sump within the bunded area and no direct discharge to any water course, land or underground strata. All fill, drain and overflow pipes shall be within the bunded area.

Reason: To protect the water environment in accordance with Policy 22 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014.

Early Cessation of Works

42. Should for any reason the buttressing and stabilisation works hereby approved cease for a period of 6 months, the applicant shall submit an alternative scheme that shall provide for the completion of buttressing, stabilisation and restoration works at the Site. The alternative scheme shall also include a revised ecologically based landscaping plan and a 5 year aftercare/maintenance plan. The alternative approved landscaping scheme shall be completed (including landscaping) within 12 months of the written approval of the Waste Planning Authority. The alternative restoration/landscaping

scheme including the 5 year maintenance/aftercare programme shall be completed fully in accordance with the approved details.

Reason: The importation and deposit of inert waste has been permitted in this location for the specific purpose of stabilising, buttressing and restoring an unstable face that lies in close proximity to a large residential estate in accordance with Policies 18, 19 and 20 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021) and Policy LP16 of the Fenland Local Plan 2014. The condition is necessary to ensure that, once started, the development is completed in an acceptable manner.

Waste Catchment Area

43. Reasonable endeavours shall be exercised to provide that not less than 80% of the waste imported to the site for placement in the stabilisation project arises from sources within a 100 mile radius of the site. Records of the source of waste shall be maintained with summary data to be provided to the Waste Planning Authority within 7 days of any written request. For the purpose of clarity waste being collected from any waste transfer station within the 100 mile radius shall be regarded as arising from within the catchment area.

Reason: To ensure that the importation of suitable fill is undertaken in a manner compatible and consistent with acknowledging the proximity principle, whilst recognising the importance of the demonstrated need to support and protect the local built environment with a suitable volume of fill secured within an acceptable timescale, in accordance with Policy 1 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan Document (2021).

Compliance with paragraph 38 of the National Planning Policy Framework

The applicant did not seek informal pre-application advice. The County Planning Authority has worked proactively with the applicant to ensure that the proposed development is acceptable in planning terms. The applicant has responded positively to the advice and recommendations provided and amendments have been made (where required) to satisfy concerns raised. All land use planning matters have been given full consideration, which resulted in overall support for the development proposal from statutory consultees.

Source Documents

[Link to the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021](#)

[Link to the Fenland Local Plan 2014](#)

[Link to the National Planning Policy Framework 2021](#)

[Link to the Waste Management Plan for England 2021](#)

[Link to the National Planning Policy for Waste Document 2014](#)



Cambridgeshire
County Council
Environment and Transport

CCC 1

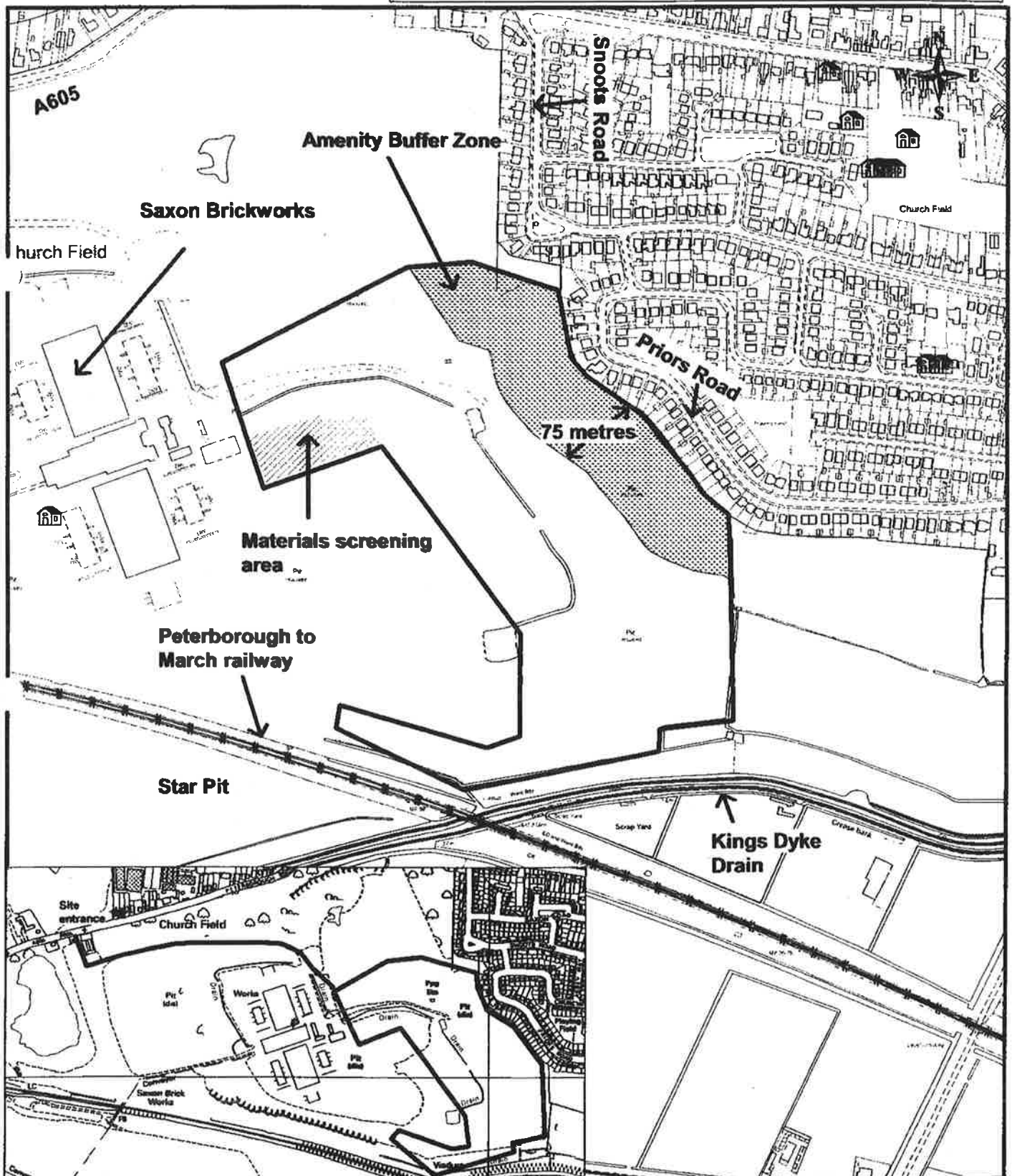
Approved stabilisation and restoration
of unstable faces on land at Saxon Pit
Land at Saxon Pit, Peterborough Road Whittlesey,
Peterborough

LPA Ref: F/02026/02/CW

Applicant: Hanson Brick Ltd

Scale: 1:5000

Grid Ref: TL 258/970



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Summary of Decisions Made Under Delegated Powers

To: Planning Committee

Date: 25 January 2023

From: Head of Service, Planning and Sustainable Growth

Electoral division(s): All

Purpose: To consider the above

Recommendation: The committee is invited to note the report

Officer contact:

Name: Deborah Jeakins

Post: Business Manager, County Planning, Minerals and Waste

Email: [Link to the email address for Deborah Jeakins](#)

Tel: 01223 715544

1 Introduction

- 1.1 The committee meeting that was held on 31 January 2005 agreed that a brief summary of all the planning applications that have been determined by the Head of Strategic Planning, under delegated powers, would be provided.
- 1.2 The Scheme of Delegation set out in Part 3D of the Council's Constitution describes the extent and nature of the authority delegated to the Executive Director: Place and Economy to undertake functions on behalf of Cambridgeshire County Council. The delegations are made either by the Full Council or one of its committees. The Executive Director considered it necessary and expedient, to authorise the Head of Strategic Planning (now the Assistant Director Planning, Growth & Environment) to undertake functions on his behalf. These authorisations are included within a written schedule of authorisation published on the Council's website which is available at the following link for Place and Economy (now Place and Sustainability):
<https://www.cambridgeshire.gov.uk/council/council-structure/council-s-constitution/>.

2. Summary of decisions

- 2.1 Two applications have been determined under delegated powers during the period between 04/11/2022 and 10/01/2023 (the date of drafting this report), details of each are set out below:

1. App ref: CCC/22/061/FUL To construct and operate improvements to the Mechanical and Biological Treatment facility; including additional biofilters, associated pipework, ducting and stack. Improvements to the site surface water drainage system and extension to the waste reception hall to ensure waste is unloaded within the building.

Location: MBT, Cambridge Waste Management Park, Ely Road, Landbeach
Cambridge, Cambridgeshire, CB25 9PH

Decision: permission granted on 20/12/2022

For further information: contact Deborah Jeakins on 01223 715544

2. App ref: CCC/22/090/VAR Construction and operation of an anaerobic digestion plant with access from Whittlesey Road.
Informative: Section 73 planning application seeking to vary condition 3 of planning permission F/2001/18/CW (as amended by CCC/22/085/NMA) to allow an increase in the above ground height of the digester tanks from 9.3 metres to 13.95 metres

Location: West Fen Farm, Whitemoor Road, March, Cambridgeshire, PE15 0AF

Decision: permission granted 11/11/2022

For further information: contact Helen Wass on 01223 715522